



TOWN BOARD WORK SESSION
November 5, 2012 – 6:00 P.M.
301 Walnut Street, Windsor, CO 80550

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

GOAL of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.

Members of the public in attendance who have a question related to an agenda item are requested to allow the Town Board to discuss the topic and then be recognized by the Mayor prior to asking their question.

AGENDA

- | | | |
|-----------|----|--|
| 6:00 p.m. | 1. | Recreation program fee increase proposal – M. Chew |
| 6:10 p.m. | 2. | Dormant land use projects update - J. Plummer |
| 6:30 p.m. | 3. | Liquor licensing - fees and process discussion – P. Garcia |
| 7:00 p.m. | 4. | Outside agency funding application process – K. Arnold & P. Garcia |
| 7:30 p.m. | 5. | Future meetings agenda |
| | 6. | Adjourn |



MEMORANDUM

Date: September 6, 2012
To: Kelly Arnold, Town Manager
From: Tara Fotsch, CPRP, Manager of Recreation
Melissa M. Chew, CPRP, Director of Parks and Recreation
Re: 2013 Proposed Fee Increases

Background/Discussion:

As you will recall, earlier this year staff completed a Cost Recovery model that was adopted by the Parks, Recreation and Culture Board, and presented to Town Board. This model assists us in targeting cost recovery percentages for programs.

We have recently completed our Fee Study for 2012 which we complete on a yearly basis. We are proposing a fee increase in various programs. These program increases include a minimal increase to assist in decreasing the subsidy of Recreation programs across the board and assisting us in moving towards our cost recovery model goals. No fee increases have been made in the past three years.

Any other adjustments made during the course of the year are directly related to materials cost or contractor cost increases, in compliance with our fee policy. Contractual programs will be evaluated to determine if an increase from a 70/30 split needs to be increased to a 60/40 split to increase the percentage of subsidy.

Financial impact:

Results in increased revenue of approximately \$25,265 for 2013; contributes to decrease of subsidy of recreation and assists in achieving long term cost recovery goals.

Attachments:

Cost Recovery Model and Percentages

Community - 0 - 25%

Admin. Staff
 Scholarships
 CRC Public Spaces
 CRC Emergency Shelter
 Senior Lunch Program

Community/Individual - 45-50%

SALT Activities
 Adaptive Rec. Classes
 Senior Ride Program

Individual/Community - 80 - 85%

Drop In Activities
 Adult Sports
 Youth Sports - Recreation
 Teen Nights
 Swim Lessons
 Aquatic Drop In Activities

Mostly Individual - 100%

4k/5K Races
 Youth Adventure Program
 Youth and Preschool Classes
 Sports Camps
 Youth Sports - Competitive/Travel

Highly Individual - 125+

Field and Room Rentals
 Concessions
 Active Adults Trips
 Fitness
 Adult Classes
 Boat Permits

2013 Fee Increase Proposal

<u>Program</u>	<u>Current %</u>	<u>Proposed %</u>
Youth Baseball/Softball	72%	74%
CARA Track	63%	68%
Youth Volleyball	38%	44%
Youth Basketball	68%	73%
Start Smart	51%	55%
Climbing Wall	24%	36%
Aquatic Programs	68%	74%



2013 Proposed Fee Increases

	<u>2012 Fees</u>	<u>2013 Proposed Fees</u>
Open Gym	\$1 off peak \$2 high time	\$2 all day \$2 all day
<u>Youth Baseball/Softball</u>		
U6	\$60	\$65
U8	\$85	\$90
U10	\$95	\$100
U12	\$95	\$100
U14	\$120	\$125
High School	\$370	\$380
Track	\$55	\$60
Start Smart	\$50	\$55
Youth Basketball	\$50	\$55
Fall Basketball	\$130	\$140
Gold Crown	\$170	\$180
<u>Aquatics – Daily Admissions</u>		
5 and under	\$2.25	\$2.50
6-17 years old	\$3.25	\$3.50
18+	\$3.50	\$3.75
50+	\$3.25	\$3.50
Daycare	\$3.00	\$3.25
Water Carnival	\$3.75	\$4.00
<u>Aquatics - Pool Passes</u>		
5 and under	\$60	\$70
6-17 years old	\$100	\$110
18+	\$120	\$130
50+	\$100	\$110
Family Pass	\$420.00	\$420.00
<u>Aquatics - Pool Rentals</u>		
1-50 people	\$150	\$175
51-100 people	\$275	\$300
101-150 people	\$375	\$400
151+	\$450	\$450
<u>Climbing Wall</u>		
Monthly Pass *decrease to match Fitness		
Pass but plan to attract more numbers	\$40	\$25
Family Day Pass	NA	\$7



MEMORANDUM

Date: November 5, 2012
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Joseph P. Plummer, AICP, Director of Planning
Re: Follow-up Discussion of Dormant Land Use Projects
Item #: 2

Background and Discussion:

January 30, 2012 work session.

As it may be seen from the enclosed spreadsheet entitled *Community Projects and Development*, the status of development applications is tracked by the planning department. This tracking includes when projects are initially submitted, when each resubmittal is filed after corrections have been made, and documenting the status of each project.

Staff shared this information with the Town Board along with a copy of the then-current copy of the *Community Projects and Development* spreadsheet. At that time there were 36 projects listed on the spreadsheet and of those 36 projects, 18 of them, or half, had been inactive or “dormant” for at least 2½ years, with the locations of these projects shown on the enclosed map. As it may be seen from this current copy of the spreadsheet, of the 49 projects listed, 19, or 40%, of the projects are dormant.

Upon reviewing this number of dormant projects and since (a) the Code is silent on the reactivation of projects, these are sometimes reactivated without a public notification process, (b) development and construction standards having changed since these projects were originally filed, and (c) there may be staff time associated with tracking the status of these projects, the Town Board requested staff to compile more information on all of the issues listed below and schedule a subsequent work session on this matter.

- How should dormant projects that have been dormant for several years be addressed?
- How should pending projects for which there has not been any “activity” for several months be addressed?
- Should dormant projects have a sunset provision, and if not:
 - ✓ Should there be an administrative fee associated with reviews of dormant projects after a certain amount of time has passed?
 - ✓ Should there be a public notification and public meeting process required before a dormant project may be reinstated?
 - ✓ In order to be reinstated should dormant projects be required to meet all design criteria and development standards that are in effect as of the date the dormant project is reinstated?
- Should the current provisions that allow developers to receive several extensions to preliminary plat approvals and site plan approvals be amended and if so, to what degree?

March 19, 2012 work session.

At this work session staff presented the following analyses of the questions that were posed at the January 30th work session:

How should dormant projects that have been dormant for several years be addressed?

It was the consensus of the Town Board that dormant projects that have been dormant for at least 2½ years should be allowed to continue in their present state until further action is initiated by the respective developers, and that these types of dormant projects be left untouched by any policy changes.

How should pending projects for which there has not been any “activity” for several months be addressed?

This scenario involved projects that were filed in the recent past but after one or two submittals and/or for several months there has not been any activity on the part of the applicant to provide updated materials and/or corrected drawings to the Town for further review.

Staff recommended that: For all new projects and for all pending projects which have received a minimum of one (1) round of reviews since January 1, 2010, add the following criteria to all land use sections of the Code:

Within six (6) months of receiving review comments from Town staff, applicants shall resubmit drawings which show that *substantial progress* has been made to address the deficiencies that were identified on the most-recent set of review comments from Town staff. For the purposes of this Section, *substantial progress* is defined that, in the opinion of the Director of Planning, at least 50 percent (50%) of the deficiencies that were identified on the most-recent set of review comments from Town staff have been adequately addressed by the applicant. This review cycle shall repeat itself until the project is approved, subject to all of the following criteria:

1. If within any six-month review cycle *either* substantial progress has not been made *or* if the latest round of staff review comments have not been returned, the application shall become null and void, and a new application with all associated fees, staff reviews, public processes, etc. shall be required if the applicant wishes to pursue the subject project;
2. An application must be approved *either* within a **maximum number of five (5) review cycles or a maximum time period of three (3) years**, *whichever occurs first in time*; otherwise the application shall become null and void, and a new application with all associated fees, staff reviews, public processes, etc. shall be required if the applicant wishes to pursue the subject project; and
3. If at any time the terms and conditions outlined herein are not met, the application shall become null and void.

Should dormant projects have a sunset provision?

Staff recommended that: The requirements in the previous section address this issue as follows:

- ✓ Should there be an administrative fee associated with reviews of dormant projects after a certain amount of time has passed? **Any expired project will need to start over, with new filing fees being required.**
- ✓ Should there be a public notification and public meeting process required before a dormant project may be reinstated? **Any expired project will need to start over, with new public notification and meeting processes being required.**
- ✓ In order to be reinstated should dormant projects be required to meet all design criteria and development standards that are in effect as of the date the dormant project is reinstated? **Any expired project will need to start over and will be required to meet all design criteria and development standards that are in effect at the time of the new application.**

Should the current provisions that allow developers to receive several extensions to preliminary plat approvals and site plan approvals be amended and if so, to what degree?

Staff recommended that: The current language in the Code for extensions of Preliminary Subdivision Plat approvals and Preliminary Site Plan approvals which is shown in bold below be replaced with the language shown in red for each of these approval processes.

Preliminary Plats:

“The Planning Commission shall either approve or disapprove the preliminary plat. If the preliminary plat is approved, it shall be valid for a period of one (1) year from the date of approval. If a complete final plat application is received within the aforementioned one-year period, the preliminary plat approval shall remain valid during the review of the final plat unless said final plat application becomes inactive, at which time the preliminary plat shall be considered to have expired. For the purposes of this Section, an application shall be deemed inactive if the applicant does not submit required application materials as specified by the Town within one (1) year from the date requested by the Town, **hereinafter referred to as the “expiration date”**. ~~The Prior to the expiration date, the applicant may submit a formal written request for reinstatement of an expired preliminary plat for a period of time not to exceed one (1) year for Planning Commission consideration within one (1) year of such expiration.”~~ **to the Planning Commission that a one-time only extension of up to two (2) years of the approved preliminary plat of be granted, subject to all notice and property posting requirements being met prior to the Planning Commission’s consideration of the extension request to afford the public an opportunity to be notified of the time, date and place of the planning commission meeting during which the request will be considered. No less than thirty (30) days prior to the expiration date of the preliminary plat, the Town shall notify the applicant that unless an extension request is not filed with the Town within this thirty-day notification period, the preliminary plat shall expire.**

Preliminary Site Plans:

“The Planning Commission shall either approve, conditionally approve or disapprove the preliminary site plan. If the preliminary site plan is approved, it shall be valid for a period of one (1) year from the date of approval. If a complete final site plan application is received within the aforementioned one-year period, the preliminary site plan approval shall remain valid during the review of the final site plan unless said final site plan application becomes inactive, at which time the preliminary site plan shall be considered to have expired. For the purposes of this Section, an application shall be deemed inactive if the applicant does not submit required application materials as specified by the Town within one (1) year from the date requested by the Town, **hereinafter referred to as the “expiration date”**. ~~The Prior to the expiration date, the applicant may submit a formal written request for reinstatement of an expired preliminary site~~

~~plan for a period of time not to exceed one (1) year for Planning Commission consideration within one (1) year of such expiration.”~~ to the Planning Commission that a *one-time only* extension of the approved preliminary site plan of up to two (2) years be granted, subject to (a) all notice and property posting requirements being met prior to the Planning Commission’s consideration of the extension request to afford the public an opportunity to be notified of the time, date and place of the planning commission meeting during which the request will be considered, and (b) the applicant’s knowledge, understanding and agreement via a Memorandum of Understanding that the application shall be required to meet all design criteria and development standards that are in effect at the time of reactivation of the final site plan application. No less than thirty (30) days prior to the expiration date of the preliminary site plan, the Town shall notify the applicant that unless an extension request is not filed with the Town within this thirty-day notification period, the preliminary site plan shall expire.

NOTE: The current language in both of these sections actually already allows for extensions of two-years since the applicant has one year after the plats or site plans expire to file for the one-year period extension to have the plats or site plans “reinstated”, but at the same time the current language does not have a cap on the number of extensions which may be requested.

At the conclusion of the March 19th work session, the Town Board requested that staff meet with the Town’s development partners to receive feedback on these proposed amendments to the Code.

July 6, 2012 meeting with Town’s development partners.

At this meeting staff presented all of these proposed amendments to our community development partners, and the developers feel as if these proposals are unreasonable, impractical and onerous since market conditions, lending practices and availability of capital drive development, as opposed to arbitrary or artificial review and submittal deadlines which could but usually would not coincide with market conditions and development schedules.

They also felt that if developers are held to these types of rigid timetables and for whatever reasons are unable to perform within them and, as a consequence, lose whatever entitlements or vesting they have already secured and made investments towards, this would be both costly and detrimental relative to having to begin projects all over again from the beginning with new fees having to be paid, new drawings having to be prepared, etc.

The consensus of the developers was that the current procedures are conducive to present and future developments and therefore should not be amended.

Conclusion and Recommendations:

Based upon the time periods outlined in the recommendations below, staff would offer for the Town Board’s further consideration that there may not be any relevance in defining a specific date which establishes a separate set of criteria for projects that were “inactive” prior to January 1, 2010 and those that have either been sporadically active or continually active since January 1, 2010.

Likewise, if it is the consensus of the Town Board to reconsider and rescind this “look-back” period, staff is presenting the recommendations on the following page for the Town Board’s consideration.

Recommendation No. 1 (Developers' recommendation): Do not change anything.

Recommendation No. 2 (Staff recommendation): "Grandfather" all inactive land use projects, with the provision that if development standards, construction standards and/or design criteria have changed since the subject project was last submitted, the developer will be required to meet all standards that are in effect at the time of resubmittal.

Recommendation No. 3 (Staff recommendation): Consideration of a future discussion concerning relevant Code amendments for:

- (1) Requiring inactive projects to meet the requirements outlined in Recommendation No. 2 above;
- (2) Requiring all projects that are submitted after the effective date of any such Code amendments to resubmit corrections which must show substantial progress within a specific resubmittal deadline or the project becomes null and void; and
- (3) Applicants to only be entitled to apply for a single, one-time only, extension for a maximum period of two years to extend the approval of either a preliminary subdivision plat or a preliminary site plan.

Attachments: Community Projects and Development spreadsheet
Map Showing Locations of Dormant Land Use Projects

pc: Community development partners

Community Projects and Development -- Project Name

Project	Planner Engineer	Type	Stage	Date Date	Date Staff	Meeting w/ Deadline	Neighbor- hood Mtg Date	PC SPP/PH Date	Ad & Posting Date	PC Action Item	TB SPP/PH Date	TB Action Item	Status Notes on Project	
DIAMOND VALLEY 4TH LOTS 5 & 6 (DIAMOND VALLEY SW#5) OIL & GAS FACILITY	EF	CUG	INITIAL SUBMITTAL	5/23/12	5/25/12	7/6/12		7/10/12	8/15/2012 PH	7/27/12	8/15/2012	8/27/2012 PH	8/27/12	Awaiting Drilling Plan and info ZC emailed Approved 8-27-12 TB
Project ID Number 1997_00005_0023														
ESTATES AT HARMONY RIDGE ANNEXATION	EF DR	ANNEX	INITIAL SUBMITTAL	5/2/08	5/8/08	7/25/08	7/31/08	5/15/08						Awaiting corrections
Project ID Number 2008_00005_0001														
ESTATES AT HARMONY RIDGE MASTER PLAN	EF DR	MASTER PLAN	INITIAL SUBMITTAL	5/2/08	5/8/08	7/25/08	7/31/08							Awaiting corrections
Project ID Number 2008_00005_0002														
FALCON POINT SUBDIVISION	DA DR	PREL MAJOR SUB	FOURTH SUBMITTAL	8/27/09	9/3/09	10/2/09	TBD	6/18/09						Awaiting corrections 9/9/09 Copy Severance on the memo. 8/27/09 project under review but not to be taken to the PH Rezoning apprvd. Mineral owners meeting held. 2/11/08 this is a Preliminary
Project ID Number 2006_00002_0003														
FIFTEENTH STREET PARK SITE ANNEXATION	EF	ANNEX	SECOND SUBMITTAL	5/23/12	5/25/12	6/8/12	TBD							To Recording 10/24/12 Mylars and CD received 6/29/12. Mylars and CD requested 6/20/12 Town owned property to be annexed into the Town as a park. 3/28/12 email sent to Larry Pepek.
Project ID Number 2012_00001_0001														
GREAT WESTERN 2ND ANNEX - DIAMOND VALLEY/GREAT WESTERN GAS & OIL FACILITIES	BW	CUG	INITIAL SUBMITTAL	7/27/12	8/1/12	8/31/12								Reviewing submittal Transmittal letter & comments emailed 9-5-12
Project ID Number 2005_00007_0006														
GREAT WESTERN INDUSTRIAL PARK 3RD L I B I - VESTAS PHASE IX	SB	ADMIN SITE PLAN	SECOND SUBMITTAL	5/10/12	5/14/12	6/8/12	TBD							Mylars and CD requested 6/20/12
Project ID Number 2007_00001_0019														
GREAT WESTERN INDUSTRIAL PARK 4TH, BLOCK 3, LOTS 1&2 - BLUE WATER RESOURCES WATER TRANSFER FACILITY	JO	SITE PLAN FAST TRACK	INITIAL SUBMITTAL	10/29/12	10/31/12									Reviewing submittal
Project ID Number 2005_00008_0016														

TBD = To be determined; SPP = Site Plan Presentation; PH = Public Hearing; PC = Planning Commission; TB = Town Board

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Project	Planner Engineer	Type	Stage	Submittal Date	Date to Staff Staff Deadline	Meeting w/ appl	Neighbor- hood Mtg Date	PC SPP/PH Date	Ad & Posting Date	PC Action Item	TB SPP/PH Date	TB Action Item	Status Notes on Project
GREAT WESTERN INDUSTRIAL PARK 7TH, LOT 2 - HALLIBURTON FRAC SAND TERMINAL	SB	ADMIN SITE PLAN	INITIAL SUBMITTAL	10/26/12	10/26/12								Reviewing submittal
Project ID Number				2005_00008_0015									
GREAT WESTERN INDUSTRIAL PARK SUBDIVISION 4TH FILING, L1, B1 - O-I PAD	BW	CUG	INITIAL SUBMITTAL	8/13/12	8/14/12	9/14/12		9/24/12	11/1/2012 PH		11/1/2012	11/13/2012 PH	Awaiting corrections
Project ID Number				1997_00005_0024									
GREAT WESTERN INDUSTRIAL PARK, 4TH FILING, LOT 4, BLOCK 2	EF	SITE PLAN FAST TRACK	SECOND SUBMITTAL	12/17/10	12/29/10	1/28/11							Awaiting corrections
Project ID Number				2005_00008_0008									Sun West Per SB 1/6/11 - this 'Second Submittal' is considered an "INITIAL SUBMITTAL" due to an incomplete initial submittal.
HARMONY RIDGE ANNEXATION	EF	ANNEX	INITIAL SUBMITTAL	4/4/08	4/10/08	6/27/08	7/10/08	5/15/08					Awaiting corrections
Project ID Number				2008_00003_0001									
HARMONY RIDGE SUBDIVISION	EF	PREL MAJOR SUB	INITIAL SUBMITTAL	4/4/08	4/10/08	6/27/08	7/10/08	5/15/08					Awaiting corrections
Project ID Number				1985_00003_0008									
HARMONY RIDGE SUBDIVISION MASTER PLAN	EF	MASTER PLAN	INITIAL SUBMITTAL	4/4/08	4/10/08	6/27/08	7/10/08						Awaiting corrections
Project ID Number				1985_00003_0007									
HIGHLAND MEADOWS 11TH FILING	SB	PREL MAJOR SUB	SECOND SUBMITTAL	10/9/12	10/10/12	11/9/12	TBD	9/5/12					Reviewing corrections
Project ID Number				1996_00005_0015									
HIGHLAND MEADOWS GOLF COURSE 2ND, TRACTS G-3 & G-4 EVENTS VENUE	DA	ADMIN SITE PLAN	INITIAL SUBMITTAL	3/16/11	3/17/11	4/15/11	4/21/11						Awaiting corrections
Project ID Number				1996_00004_0021									3/22/12 Meeting with Jon, Barb, and Emily. As built will be submitted. 3/9/12 Email sent to Emily at HM. 2/29/12 spoke to Emily at HM - send an email with transmittal attached.

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Project	Planner Engineer	Type	Stage	Submission Date	Date to Staff Staff Deadline	Meeting w/ appl	Neighbor- hood Mtg Date	PC SPP/PH Date	Ad & Posting Date	PC Action Item	TB SPP/PH Date	TB Action Item	Status Notes on Project
HIGHLAND MEADOWS GOLF COURSE 9TH FILING (A Replat of Lots 7,8,9, Block 11 Highland Meadows Golf Course Sub)	JO	LOT LINE ADJ	INITIAL SUBMITTAL	10/25/12	10/31/12								Reviewing submittal
Project ID Number 1996_00004_0029													
HIGHLAND MEADOWS GOLF COURSE SUBDIVISION, THIRD FILING, LOT 2 - AMENDED SITE PLAN - TENNIS CLUBHOUSE	DA DR	ADMIN SITE PLAN	THIRD SUBMITTAL	5/22/09	5/28/09	6/19/09	TBD						Awaiting corrections No agreement needed Need info for Safebuilt - received.
Project ID Number 1996_00004_0018													
HIGHLAND MEADOWS GOLF COURSE, 4TH FILING REZONING	SB	REZONING	INITIAL SUBMITTAL	9/21/12	9/25/12	11/2/12	11/8/12						Reviewing submittal
Project ID Number 1996_00004_0026													
HIGHLAND MEADOWS GOLF COURSE, 8TH FILING	SB	PRE/FINAL MAJ SUB	INITIAL SUBMITTAL	9/21/12	9/25/12	11/2/12	11/8/12						Reviewing submittal
Project ID Number 1996_00004_0027													
HIGHLAND MEADOWS GOLF COURSE, TRACT H - 2ND AMENDED MASTER PLAN	SB	AMD MASTER PLAN	INITIAL SUBMITTAL	9/21/12	9/25/12	11/2/12	11/8/12						Reviewing submittal
Project ID Number 1996_00004_0028													
HIGHLAND MEADOWS, 11TH FILING - HIGHLAND MEADOWS TOWNHOMES	SB	PREL SITE PLAN	THIRD SUBMITTAL	10/9/12	10/10/12	11/9/12	TBD						Reviewing corrections DRC Meeting with applicant 2/9/12 See letter from JP to HOA easement to be 25' Submittal returned to applicant 8/26/11 for revisions.
Project ID Number 1996_00005_0014													
HIGHLANDS INDUSTRIAL PARK 1ST, BLOCK 6, LOT 1 - CROSSROADS SELF STORAGE	SB	ADMIN SITE PLAN	INITIAL SUBMITTAL	10/31/12	10/31/12								Reviewing submittal
Project ID Number 1996_00003_0054													
HILLTOP ESTATES, TRACT B (HILLSIDE FACILITY) OIL & GAS FACILITIES	SB	CUG	INITIAL SUBMITTAL	4/24/12	4/25/12	5/25/12	6/5/12	8/15/2012 PH	7/27/12	8/15/2012	8/27/2012 PH	8/27/12	Awaiting Drilling Plan & Info ZC emailed Approved 8-27-12 TB
Project ID Number 1986_00002_0025													

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Project	Planner Engineer	Type	Stage	Submittal Date	Date to Staff	Staff Deadline	Meeting w/ appl	Neighbor- hood Mtg Date	PC SPP/PH Date	Ad & Posting Date	PC Action Item	TB SPP/PH Date	TB Action Item	Status Notes on Project
HOEHNE SUBDIVISION, THIRD FILING	EF	PREL MAJOR SUB	INITIAL SUBMITTAL	7/6/07	7/12/07	8/31/07	9/13/07	9/27/07						Awaiting corrections
	DR							<input checked="" type="checkbox"/>						Will not expire as the preliminary has not yet been approved.
Project ID Number 1994_00011_0003														
LIGHTHOUSE POINT TOWNHOMES 1ST FILING	SB	MINOR SUBDIV	SECOND SUBMITTAL	9/17/12	9/18/12	9/28/12	TBD							Awaiting corrections
								<input type="checkbox"/>						Meeting date changed per applicant request
Project ID Number 1990_00001_0065														
LIGHTHOUSE POINT TOWNHOMES 2ND FILING	SB	MINOR SUBDIV	SECOND SUBMITTAL	9/17/12	9/18/12	9/28/12	TBD							Awaiting corrections
								<input type="checkbox"/>						
Project ID Number 1990_00001_00665														
NORTHLAKE SUBDIVISION	EF	PREL MAJOR SUB	INITIAL SUBMITTAL	4/4/08	4/10/08	6/13/08	7/10/08 10:30am	5/15/08						Awaiting corrections
	DR							<input checked="" type="checkbox"/>						
Project ID Number 1985_00003_0004														
NORTHLAKE SUBDIVISION MASTER PLAN	EF	MASTER PLAN	INITIAL SUBMITTAL	4/4/08	4/10/08	6/13/08	7/10/08 10:30am							Awaiting corrections
	DR							<input type="checkbox"/>						
Project ID Number 1985_00003_0005														
NORTHLAKE SUBDIVISION REZONING	EF	REZONING	INITIAL SUBMITTAL	4/4/08	4/10/08	6/13/08	7/10/08 10:30am	5/15/08						Awaiting corrections
	DR							<input checked="" type="checkbox"/>						
Project ID Number 1985_00003_0006														
OUR LADY OF THE VALLEY ANNEX - 1250 7TH STREET - MEDITATION GARDEN	EF	ADMIN SITE PLAN	INITIAL SUBMITTAL	7/24/12	7/25/12	8/24/12	8/30/12							Awaiting corrections
								<input type="checkbox"/>						
Project ID Number 1998_00001_0005														
POUDRE HEIGHTS SUBDIVISION AMENDED MASTER PLAN	DA	AMD MASTER PLAN	FOURTH SUBMITTAL	4/11/08	4/17/08	6/20/08	TBD							Awaiting corrections
	DR							<input type="checkbox"/>						
Project ID Number 1986_00002_0006														

Project	Planner Engineer	Type	Stage	Submittal Date	Date to Staff	Meeting w/ Staff Deadline	Neighbor- hood Mtg Date	PC SPP/PH Date	Ad & Posting Date	PC Action Item	TB SPP/PH Date	TB Action Item	Status Notes on Project
POUDRE HEIGHTS SUBDIVISION SECOND FILING - REZONING	DA DR	REZONING	FIFTH SUBMITTAL	4/11/08	4/17/08	6/20/08	TBD		12/2/2004 PH	11/12/04			Awaiting corrections The 12/2/04 PC Public Hearing was a 'no-action' public hearing.
POUDRE HEIGHTS SUBDIVISION, THIRD FILING	DA DR	FINAL MAJOR SUB	SECOND SUBMITTAL	4/11/08	4/17/08	6/20/08	7/24/08						Awaiting corrections 5/18/11 extension approved until 6/3/12 with a COA that a Neighborhood Meeting is required per the Ordinance. 6/3/10 extension approved until 6/3/11
POUDRE HEIGHTS SUBDIVISION, THIRD FILING - SITE PLAN	DA DR	FINAL SITE PLAN	SECOND SUBMITTAL	4/11/08	4/17/08	6/20/08	7/24/08						Awaiting corrections 5/18/11 extension approved until 6/3/12 6/3/10 extension approved until 6/3/11 6/4/09 extension approved until 6/4/10 Preliminary approved 7/19/06 PC
PROVIDENCE FARM ANNEXATION	DA	ANNEX	INITIAL SUBMITTAL	11/5/10	12/14/10	1/28/11	2/3/11	12/23/10					Awaiting corrections 4/12/11 annex agreement sent to the applicant
RECX12-0110 DOUGLAS & TERESE BEET HE	BW	WELD COUNTY REF	INITIAL SUBMITTAL	10/9/12	10/10/12	10/19/12			11/1/2012				Reviewing submittal
THE OXBOW ON THE RIVER - AMENDED MASTER PLAN (portions of River Ridge, Raindance and Windsor Highlands 2)	EF CT	AMD MASTER PLAN	INITIAL SUBMITTAL	10/20/06	10/26/06	1/5/07	1/18/07						Awaiting corrections
THE OXBOW ON THE RIVER SUBDIVISION	EF CT	PREL MAJOR SUB	INITIAL SUBMITTAL	10/20/06	10/26/06	1/5/07	1/18/07		12/7/2006 PH	11/16/06			Awaiting corrections Will not expire as the preliminary has not yet been approved.
THE OXBOW ON THE RIVER SUBDIVISION - REZONING	EF CT	REZONING	INITIAL SUBMITTAL	10/20/06	10/26/06	1/5/07	1/18/07		12/7/2006 PH	11/16/06			Awaiting corrections

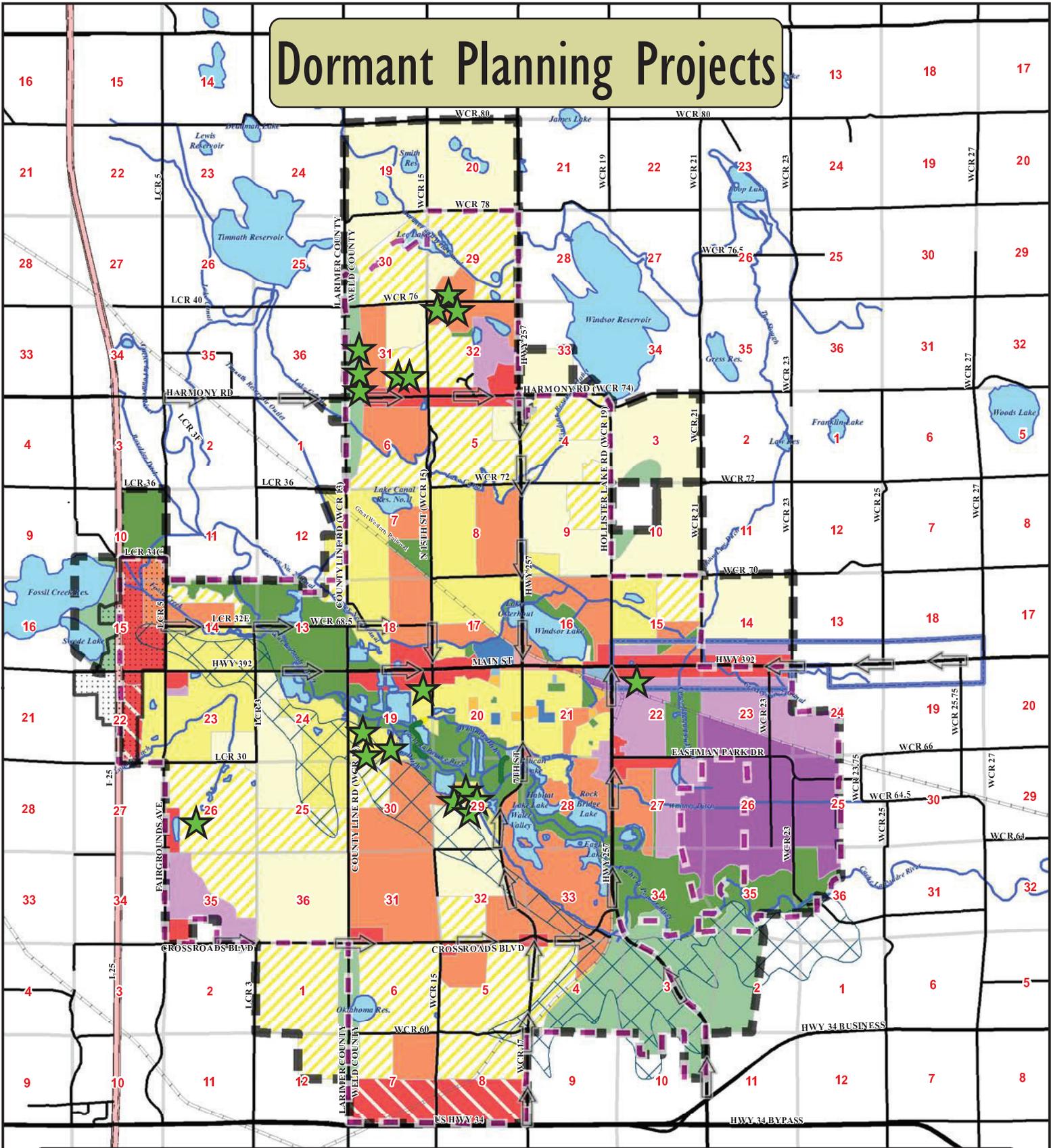
Project	Planner Engineer	Type	Stage	Submittal Date	Date to Staff	Meeting w/ Staff	Neighbor-hood Mtg Date	PC SPP/PH Date	Ad & Posting Date	PC Action Item	TB SPP/PH Date	TB Action Item	Status Notes on Project	
TRAUTMAN SUBDIVISION, 3RD FILING	BW	MINOR SUBDIV	INITIAL SUBMITTAL	10/9/12	10/10/12	11/16/12							Reviewing submittal	
Project ID Number 2004_00020_0008														
WATER VALLEY SOUTH 12TH, LOT 2 - OIL & GAS FACILITIES (BASS POND FACILITY)	SB	CUG	INITIAL SUBMITTAL	4/24/12	4/25/12	5/25/12		6/5/12	8/15/2012 PH	7/27/12	8/15/2012	8/27/2012 PH	8/27/12	Awaiting Drilling Plan & Info ZC Emailed Approved 8-27-12 TB
Project ID Number 1995_00001_0002														
WATER VALLEY SOUTH 9TH, LOTS 1 & 2, MAN CAVES	SB	ADMIN SITE PLAN	INITIAL SUBMITTAL	3/16/12	3/21/12	4/20/12	4/26/12						Awaiting corrections Applicant cancelled review meeting	
Project ID Number 1990_00001_0064														
WATER VALLEY WEST, LOT 5 - OIL & GAS FACILITIES (RAINDANCE FACILITY)	SB	CUG	INITIAL SUBMITTAL	4/24/12	4/25/12	5/25/12		6/5/12	8/15/2012 PH	7-27-12	8/15/2012	8/27/2012 PH	8/27/12	Awaiting Drilling Plan & Info ZC emailed Approved 8-27-12 TB
Project ID Number 1996_00002_0009														
WESTGATE COMMERCIAL CENTER - Southwest corner SH392 & Westgate Dr	BW	SIGN VARIANCE	INITIAL SUBMITTAL	10/9/12	10/10/12	10/17/12			10/25/2012 PH BOA	10/12/12	10/25/2012 BOA		Reviewing submittal BOA meeting 10-25-12	
Project ID Number 1996_00007_0011														
WESTWOOD VILLAGE 2ND, TRACT B - OIL & GAS FACILITIES (EVERITT)	EF	CUG	INITIAL SUBMITTAL	4/6/12	4/11/12	5/4/12							Reviewing submittal	
Project ID Number 1997_00006_0006														
WINDSHIRE PARK ANNEXATION AMENDED MASTER PLAN	BW	MASTER PLAN	SECOND SUBMITTAL	10/12/12	10/15/12	11/2/12	TBD						Reviewing corrections	
Project ID Number 2001_00001_0011														
WINDSHIRE PARK SUBDIVISION 3RD FILING, LOTS 1&2, BLOCK 32 - WINDSOR HOUSING AUTHORITY	BW	FINAL SITE PLAN	SECOND SUBMITTAL	10/10/12	10/15/12	11/2/12	TBD						Reviewing corrections	
Project ID Number 2001_00001_0009														

TBD = To be determined; SPP = Site Plan Presentation; PH = Public Hearing; PC = Planning Commission; TB = Town Board

Thursday, November 01, 2012

<i>Project</i>	<i>Planner Engineer</i>	<i>Type</i>	<i>Stage</i>	<i>Submittal Date</i>	<i>Date to Staff</i>	<i>Staff Deadline</i>	<i>Meeting w/ appl</i>	<i>Neighbor- hood Mtg Date</i>	<i>PC SPP/PH Date</i>	<i>Ad & Posting Date</i>	<i>PC Action Item</i>	<i>TB SPP/PH Date</i>	<i>TB Action Item</i>	<i>Status Notes on Project</i>
WINDSHIRE PARK SUBDIVISION, 3RD FILING	BW	FINAL MAJOR SUB	SECOND SUBMITTAL	10/12/12	10/15/12	11/2/12	TBD	9/13/12 <input checked="" type="checkbox"/> Check if 'Yes'						Reviewing corrections
		Project ID Number	2001_00001_0010											
WINDSOR HIGHLANDS 9TH ANNEXATION - ARMY RESERVE	BW	SITE PLAN FAST TRACK	INITIAL SUBMITTAL	7/20/12	7/25/12	7/31/12		<input type="checkbox"/> Check if 'Yes'						Awaiting corrections
		Project ID Number	2003_00001_0008											

Dormant Planning Projects



1:90,000

Land Use

- Single Family Residential
- Multi-Family Residential
- Low Density Estate Single Family Residential
- High Density Estate Single Family Residential
- Residential Mixed Use
- Central Business District
- Employment Corridor

- Neighborhood & General Commercial
- Community Separator
- Parks, Open Space, Mineral Extraction & Flood Plain
- Other Public/Semi-Private
- Schools
- Light Industrial
- Heavy Industrial
- Bluff Region
- Corridor Activity Center

Dormant Planning Projects

Arterial Entryways

Growth Management Area

Windsor, Greeley, Severance Referral Area

Community Influence Area



MEMORANDUM

Date: November 5, 2012
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Patti Garcia, Town Clerk
Re: Liquor Licensing
Item #: Work session - 3

Background / Discussion:

There are several topics that will be discussed related to this work session item:

- Liquor license fees that are not included on the Town's fee schedule;
- Liquor license occupation tax submittal date;
- Renewal applications;
- Liquor licensing authority options; and
- Special event liquor licenses

Liquor licensing is administered by the Town Clerk's office and involves everything from accepting liquor license applications to processing those applications. The liquor laws of the State of Colorado restrict the sale and dispensing of alcohol beverages and anyone intending to manufacture, sell, or deal in spirituous liquor must apply for a liquor license. The Town of Windsor currently has 35 active licenses:

Hotel and Restaurant: 9
Retail: 8
3.2% of Premise Retail: 6
Tavern: 6
Beer & Wine: 4
Optional premise: 2

A list of the different types of licenses and a brief description of each are attached to this memo for reference.

Liquor licensing fees

Liquor licenses have a variety of fees that are assessed; the state and local authorities both collect a one-time application fee and an annual renewal fee for each license. State Liquor Enforcement provides a recommendation of local fees which correlate to the type of license along with the staff time required to process the application.

After review of the Town of Windsor fee schedule, it was found that many local liquor license fees have not been adopted. Attached is a complete list of licenses/permits available; those not adopted by the Town of Windsor along with the recommended fees are highlighted in yellow; the recommended fees are either at or below the State's recommendations or below other local municipalities fees.

This is not a request to change or increase fees, it is a request to update the fee schedule to include all liquor licensing options. Current licensees that would be affected include those that have an optional premise license and retail license holders that conduct tastings, additionally; the late

renewal fee of \$500 is standard in the industry and is only imposed on those licensees that turn in their renewals after the expiration date.

If the Town Board would like to move forward and bring the Town of Windsor liquor licensing current, a resolution would be required.

Occupation tax

In June 1976 the Town Board passed Ordinance No. 1976-546 that defined classifications of liquor licenses, detailed the local application process, and established an annual Occupation Tax on those whose business focuses on the sale of liquor for beverage purposes. The ordinance states that tax shall be due and payable on January 1 of each calendar year.

Since that time, the Town has begun the self-collection of sales taxes. Sales tax licenses are renewable annually on or before January 1 as well. Having two notices sent at the same time each year is confusing for the business owners. A change to collecting the Occupation Tax at the same time as the license renewal would eliminate confusion and the need to mail out two statements; a streamlined process would be much easier to administrate.

We send out notices to licensees approximately 60 days prior to their renewal date to assure they turn in their form and fees prior to expiration. It would be easy to include the Occupation Tax information in the same notice. In checking with other municipalities, most do collect at the time of renewal.

The change would require two readings of an ordinance. Collecting the renewal and occupation tax at the same time would not add any additional expense to the business owner, would allow them to complete all liquor licensing actions once per year and would save the Town the expense of having to mail a separate annual occupation notice to licensees.

Renewal applications with violations

Beginning in 2009, the Town Board requested that liquor license renewals that had violations in the past year be placed as an action item on the regular agenda. It was also strongly recommended that a representative of the establishment be present to address the Town Board at the meeting. The liquor code provides for the local authority to hold a hearing on liquor renewals; a notice of the hearing would need to be posted on the licensed premise for ten days and notice of the hearing would need to be provided to the applicant at least ten days prior to the hearing (CRS 12-47-302(2)). The statute goes on to state that a licensing authority may refuse to renew any license for good cause, subject to judicial review.

Liquor license violations generally occur during liquor compliance checks conducted by the State of Colorado. After a violation is issued, the State provides the licensee the opportunity to attend a pre-hearing meeting to discuss the charges; if an agreement cannot be reached, an Order to Show Cause and Notice of Hearing is set by the State of Colorado. Agreements have been reached by the State with all violators since 2008. The agreements are administered by the State and include fines which are generated by a percentage of sales tax revenues and setting days that the license is suspended along with holding days in abeyance. The agreement also adds that if there are any other violations within the year, the licensee will have to serve any or all of the days held in abeyance.

It is staff's recommendation that all liquor license renewals be placed on the consent calendar. If a licensee has had a violation in the past year, a memo from the Police Department is included in the packet. The memo indicates the violation along with information regarding any stipulation and/or agreement made with the State. At the request of the Town Board, a motion can be made to

remove a liquor license renewal from the consent calendar and request to set it for a public hearing. The Town Clerk's office can then post and publish the hearing as required by law.

Liquor licensing authority options

The Windsor Town Board currently serves as the liquor licensing authority for the Town of Windsor. A survey of 44 Colorado municipalities found that most with over 15,000 in population had a separate liquor authority or hearing officer. A separate liquor authority or hearing officer would be appointed by the Town Board to serve at their pleasure. A hearing officer would provide benefits in the following ways:

- Hearings and other liquor licensing items could be scheduled as needed instead of around the Town Board schedule; considerable time could be saved for the applicant;
- Bring consistency with review of applications with one person as opposed to seven with a possible turnover every two years;
- Improve customer service in having the opportunity to establish performance measures in which to get applications processed.

This is a discussion item that Town Attorney McCargar and I have mulled around for some time. As the Town is expanding and new licenses are coming on board it may be beneficial to have a separate licensing authority. Hearing officers are usually local judges or attorneys that have a background in liquor licensing matters.

Special Event Liquor Permit

Staff is working on a couple of options for Boardwalk Park; information will be presented once the research is complete.

Attachments:

Proposed fee schedule
Types of liquor licenses/permits

Draft
Town of Windsor Liquor License Fee Schedule
Fees highlighted in yellow are not currently adopted

License Type	Occupation				Application Fee (State)	License Fee (State)	Total State Fees
	Application Fee	Tax	License Fee	Total Local Fees			
Beer & Wine							
New	\$ 850.00	\$ -	\$ 88.38	\$ 938.38	\$ 1,025.00	\$ 351.25	\$ 1,376.25
Transfer	\$ 750.00	\$ -	\$ 88.38	\$ 838.38	\$ 1,025.00	\$ 351.22	\$ 1,376.22
Renewal	\$ 100.00	\$ -	\$ 88.38	\$ 188.38	\$ -	\$ 351.25	\$ 351.25
Hotel/Restaurant							
New	\$ 850.00	\$ 200.00	\$ 100.00	\$ 1,150.00	\$ 1,025.00	\$ 500.00	\$ 1,525.00
Transfer	\$ 750.00	\$ 200.00	\$ 100.00	\$ 1,050.00	\$ 1,025.00	\$ 500.00	\$ 1,525.00
Renewal	\$ 100.00	\$ 200.00	\$ 100.00	\$ 400.00	\$ -	\$ 500.00	\$ 500.00
Tavern							
New	\$ 850.00	\$ 200.00	\$ 100.00	\$ 1,150.00	\$ 1,025.00	\$ 500.00	\$ 1,525.00
Transfer	\$ 750.00	\$ 200.00	\$ 100.00	\$ 1,050.00	\$ 1,025.00	\$ 500.00	\$ 1,525.00
Renewal	\$ 100.00	\$ 200.00	\$ 100.00	\$ 400.00	\$ -	\$ 500.00	\$ 500.00
Liquor Store							
New	\$ 850.00	\$ 150.00	\$ 54.25	\$ 1,054.25	\$ 1,025.00	\$ 227.50	\$ 1,252.50
Transfer	\$ 750.00	\$ 150.00	\$ 54.25	\$ 954.25	\$ 1,025.00	\$ 227.50	\$ 1,252.50
Renewal	\$ 100.00	\$ 150.00	\$ 54.25	\$ 304.25	\$ -	\$ 227.50	\$ 227.50
Optional wine tasting permit	New \$100			\$ 100.00			
	Renewal \$25	\$ -	\$ -	\$ 25.00	\$ -	\$ -	\$ -
Arts							
New	\$ 850.00	\$ -	\$ 41.25	\$ 891.25	\$ 1,025.00	\$ 308.50	\$ 1,333.50
Transfer	\$ 750.00	\$ -	\$ 41.25	\$ 791.25	\$ 1,025.00	\$ 308.50	\$ 1,333.50
Renewal	\$ 100.00	\$ -	\$ 41.25	\$ 141.25	\$ -	\$ 308.50	\$ 308.50
Art Gallery							
New	\$ 100.00	-	\$ 3.75	\$ 103.75	\$ 1,025.00	\$ 71.25	\$ 1,096.25
Transfer	\$ 100.00	\$ -	\$ 3.75	\$ 103.75	\$ 1,025.00	\$ 71.25	\$ 1,096.25
Renewal	\$ 100.00	\$ -	\$ 3.75	\$ 103.75	\$ -	\$ 71.25	\$ 71.25
Drugstore							
New	\$ 850.00	\$ -	\$ 22.50	\$ 872.50	\$ 1,025.00	\$ 227.50	\$ 1,252.50
Transfer	\$ 750.00	\$ -	\$ 22.50	\$ 772.50	\$ 1,025.00	\$ 227.50	\$ 1,252.50
Renewal	\$ -	\$ -	\$ 22.50	\$ 22.50	\$ -	\$ 227.50	\$ 227.50
Racetrack							
New	\$ 850.00	\$ -	\$ 75.00	\$ 925.00	\$ 1,025.00	\$ 500.00	\$ 1,525.00
Transfer	\$ 750.00	\$ -	\$ 75.00	\$ 825.00	\$ 1,025.00	\$ 500.00	\$ 1,525.00
Renewal	\$ -	\$ -	\$ 75.00	\$ 75.00	\$ -	\$ 500.00	\$ 500.00
Club							
New	\$ 850.00	\$ -	\$ 79.00	\$ 929.00	\$ 1,025.00	\$ 308.75	\$ 1,333.75
Transfer	\$ 750.00	\$ -	\$ 79.00	\$ 829.00	\$ 1,025.00	\$ 308.75	\$ 1,333.75
Renewal	\$ -	\$ -	\$ 41.25	\$ 41.25	\$ -	\$ 308.75	\$ 308.75
3.2% Beer On Prem							
New	\$ 850.00	\$ 150.00	\$ 35.00	\$ 1,035.00	\$ 1,025.00	\$ 96.25	\$ 1,121.25
Transfer	\$ 750.00	\$ 150.00	\$ 35.00	\$ 935.00	\$ 1,025.00	\$ 96.25	\$ 1,121.25
Renewal	\$ -	\$ 150.00	\$ 35.00	\$ 185.00	\$ -	\$ 96.25	\$ 96.25

Draft
Town of Windsor Liquor License Fee Schedule
Fees highlighted in yellow are not currently adopted

3.2% Beer Off Prem														
New	\$	850.00	\$	100.00	\$	3.75	\$	953.75	\$	1,025.00	\$	96.25	\$	1,121.25
Transfer	\$	750.00	\$	100.00	\$	3.75	\$	853.75	\$	1,025.00	\$	96.25	\$	1,121.25
Renewal	\$	-	\$	100.00	\$	3.75	\$	103.75	\$	-	\$	96.25	\$	96.25
Brew Pub														
New	\$	850.00	\$	-	\$	75.00	\$	925.00	\$	1,025.00	\$	750.00	\$	1,775.00
Transfer	\$	750.00	\$	-	\$	75.00	\$	825.00	\$	1,025.00	\$	750.00	\$	1,775.00
Renewal	\$	-	\$	-	\$	75.00	\$	75.00	\$	-	\$	750.00	\$	750.00
Optional Premise														
New	\$	850.00	\$	-	\$	75.00	\$	925.00	\$	1,025.00	\$	500.00	\$	1,525.00
Transfer	\$	750.00	\$	-	\$	75.00	\$	825.00	\$	1,025.00	\$	500.00	\$	1,525.00
Renewal	\$	-	\$	-	\$	75.00	\$	75.00	\$	-	\$	500.00	\$	500.00
Mini Bar w/H&R														
New	\$	-	\$	-	\$	325.00	\$	325.00	\$	-	\$	500.00	\$	500.00
Renewal	\$	-	\$	-	\$	325.00	\$	325.00	\$	-	\$	500.00	\$	500.00
Transfer	\$	-	\$	-	\$	325.00	\$	325.00	\$	-	\$	500.00	\$	500.00
Bed & Breakfast														
New	\$	-	\$	-	\$	25.00	\$	25.00	\$	-	\$	50.00	\$	50.00
Transfer	\$	-	\$	-	\$	25.00	\$	25.00	\$	-	\$	50.00	\$	50.00
Renewal	\$	-	\$	-	\$	25.00	\$	25.00	\$	-	\$	50.00	\$	50.00
Change of Location	\$	500.00	\$	-	\$	-	\$	500.00	\$	150.00	\$	-	\$	150.00
Change Trade Name	\$	50.00	\$	-	\$	-	\$	50.00	\$	50.00	\$	-	\$	50.00
Mgr Registration	\$	75.00	\$	-	\$	-	\$	75.00	\$	75.00	\$	-	\$	75.00
Corp/LLC Changes	\$	100.00	\$	-	\$	-	\$	100.00	\$	100.00	\$	-	\$	100.00
Temp transfer	\$	75.00	\$	-	\$	-	\$	75.00	\$	-	\$	-	\$	-
Late renewal	\$	500.00	\$	-	\$	-	\$	500.00	\$	-	\$	-	\$	-
Modify Premise	\$	150.00	\$	-	\$	-	\$	150.00	\$	150.00	\$	-	\$	150.00
Special Event	\$	-	\$	-	\$	100.00	\$	100.00	\$	-	\$	-	\$	-

Types of Liquor Licenses and Permits

Arts License: Permits qualifying non-profit corporations and municipalities to sell malt, vinous, and spirituous liquors to patrons of artistic and cultural performances for consumption on the premises in connection with such performances.

Art Gallery Permits: Permits complimentary alcohol beverage service by an Art Gallery whose primary business is to exhibit and offer for sale works of fine art. Alcohol beverage service is limited to fifteen days per year, and for no more than four hours per day.

3.2% Beer License: Permits the sale of fermented malt beverage (3.2% beer) to the public by the drink for consumption on the premises, or in sealed containers for off-premises consumption, or for both on and off-premises consumption, depending upon the type of license issued.

Beer and Wine License: Permits the sale of malt and vinous liquors only to the public for consumption on the licensed premises.

Bed and Breakfast Permit: Allows complimentary alcohol beverages to be provided only to overnight guests during limited hours for consumption on the premises.

Brew Pub License: Allows sale and consumption on premises of malt, vinous and spirituous liquors, and permits the manufacture of malt liquor on the licensed premises. Malt liquor which is manufactured on licensed premises may be sold for consumption on the premises, sold to an independent wholesaler for distribution to other licensed retailers, or sold to the public in properly labeled sealed containers "to go."

Club License: Permits qualifying non-profit corporations to sell malt, vinous, or spirituous liquors to members and their guests for consumption on the premises.

Hotel and Restaurant: Permits restaurants, and hotels with restaurant facilities, to sell malt, vinous, and spirituous liquors to the public for consumption within the licensed premises.

Liquor Licensed Drugstore: Permits licensed drugstores to sell malt, vinous, and spirituous liquors to the public in sealed containers for consumption off the premises.

Mini Bar Permits: Allow a hotel and restaurant licensee (owner) who has a separate hotel facility, if located within 1,000 feet of its existing hotel and restaurant license, to establish mini bars in guest rooms at the hotel.

Optional Premises: Permits the sale on a licensed outdoor sports and recreational facility of malt, vinous, and spirituous liquors by the drink to customers for consumption on the premises.

Race Track: Permits racetracks with pari-mutuel wagering to sell malt, vinous, and spirituous liquors to customers for consumption on the premises.

Retail Liquor Store License: Permits the sale to the public of malt, vinous, and spirituous liquors in sealed containers for consumption off the premises.

Special Event Permits:

1. **What:** A Special Event Permit authorizes the sale of alcohol beverages by the drink to the public. There are two types of Special Event Permits -- one allows sale of malt, vinous, and spirituous liquor, the other allows only the sale of 3.2% beer.

2. **Who:** Those who qualify for Special Event Permits may or may not currently have a liquor license and must be one of the following:

- Organizations that are not for profit and have been incorporated pursuant to Colorado law for purposes of a social, fraternal, patriotic, political, or athletic nature,
- A regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes, which is non-profit,
- An organization which is a regularly established religious or philanthropic institution,
- A political candidate who has filed the necessary reports with the Colorado Secretary of State,
- A municipality owning arts facilities at which productions of an artistic or cultural nature are held.

Tavern License: Permits the sale to the public of malt, vinous, and spirituous liquors for consumption on the premises.



MEMORANDUM

Date: November 5, 2012
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Patti Garcia, Town Clerk
Re: Outside Agency Funding Application Discussion
Item #: Work Session - 4

Background / Discussion:

The Town Board has requested that there be a consistent approach and possible application process in which to review outside agency funding requests. The Town Board made the decision to discontinue the application process in 2009 and began setting aside money in a discretionary fund that they could access as requests came in. The outside agency fund is set at 1.5% of the property tax collected each budget year. The Town Board receives requests in various ways; funding requests, partnership requests, and requests for reimbursement.

There are some special event expenses that are absorbed by the Town as we act as a partner of the event (Wine Fest, Harvest Festival, and Fine Arts Festival). A Special Event Application is submitted to Parks, Recreation, and Culture and funding requests are brought forward for consideration by the Town Board. With this type of request, information regarding the Town's Standard Sponsorship Package and in-kind or out-of-pocket expense requests are provided in the Town Board packet. Any approved out-of-pocket expenses come out of the Outside Agency Fund. These requests are generally submitted several months before the event is being held.

The Community Grant Program application from 2008 is attached to this memorandum for reference.

Items for discussion include but are not limited to:

- Does the Town Board want to move forward with the application process?
- Is there specific information that should be included on the application which would benefit the Town Board in the decision making process?
- What is the timeframe the applications should be required to be submitted?
- Are Special Events that request Outside Agency Funding required to submit an application? Are they required to meet the same timeframe as other organizations asking for funding?

If the Town Board would like to move forward with the Outside Agency Funding application process, staff can begin integrating information that is brought forward at the work session into an application for review at a future meeting.

Attachments:

TOW Community Grant Program application - 2008

The Town of Windsor



**Community Grant Program
2008**

Town of Windsor

Community Grant Program Contents

Purpose	2
Eligibility	2
Procedure	3
Funding & Reporting	3
Appendix I	
Application	Appendix I – Pages 1-5

Purpose

To provide guidelines for the award of monetary support to local non-profit agencies whose programs respond to the human service needs of Town of Windsor residents. All recipients of financial assistance grants enter into a contractual agreement with the Town detailing the specific objectives to be accomplished as a result of the grant.

Eligibility

At a minimum, the nonprofit organizations and the community services they provide will meet the following qualifying criteria to receive a donation of public funds:

1. Organizations must meet the requirements of a Non-Profit organization under Internal Revenue Service regulations Section 501 (c). Organizations which are 501 (c) (3) corporations and have been operating successfully for at least five years will be given priority.
2. The organizations will have sufficient funding support to meet ongoing operating costs and obligations.
3. Organizations currently receiving funding from the Town of Windsor are required submit a new application for each fiscal year.
4. Services and programs are need-based, nondiscriminatory and provided to the citizens of the Town of Windsor.
5. Services and programs are provided through means that are more cost effective than the Town government could provide.
6. Services and programs supplement or extend the services and programs provided by the Town.
7. Services and programs are able to fill gaps that may exist between those of the Town and the community.
8. The organizations are able to verify their nonprofit status and submit detailed financial documents for review by Town staff, including but not limited to:
 - a. Federal tax identification number
 - b. Most recent requisite licenses and permits
 - c. Copy of 501 (c)(3) nonprofit status certification letter if applicable.
 - d. Certificate of liability insurance
9. All applicants must be agencies based in the Town of Windsor, or agencies that provide services throughout Larimer or Weld Counties, who can demonstrate a significant Windsor client base.
10. All applicants must provide a service that is not a duplication of an existing public sector program, OR if the service is duplicated, the applicant must show why it is not an unnecessary duplication of service.
11. All recipients agree to actively participate in Town efforts to coordinate and to improve human services within the Town.

Procedure

The presentation and consideration of requests for expenditure of public funds by the Town Board in support of nonprofit organizations will be evaluated for Resolutions for the Donation of Public Funds based on the following criteria and guidelines:

1. Requests for the donation of public funds to nonprofit organizations must be submitted to the Director of Finance on or before October 1 of each year for consideration in the annual budget process.
2. An emergency request may be submitted at any time, provided:
 - a. The request was not reasonably foreseeable on or before the October 1 budget process deadline, or
 - b. The essential function of the requesting nonprofit organization would be irreparably harmed if delayed to the next budget process cycle.
3. Organizations requesting the donation of public funds from the Town of Windsor are required to complete the Town's Donation of Public Funds Request Form (exhibit A.)
4. Each nonprofit organization's application for donation will be screened by the Town Manager's office to ensure the criteria and guidelines of this policy are met.
5. Presentations of qualified requests will be made at a regular Town Board meeting, appropriate to the budget planning cycle, to include a Public Hearing, and will be scheduled by the Director of Finance.
6. Nonprofit organizations whose requests do not meet the criteria and guidelines of this policy will be so notified and if appropriate, invited to resubmit the request for the next budget cycle.

Funding & Reporting

Grants are funded by the General Fund. Each fiscal year, no more than 1.5 % of general fund property tax will be allocated to the Community Funding Program. Nonprofit organizations requesting donations of public funds will adhere to general accounting principles as set by law and the Town Manager. Continued compliance with these standards is a criterion for possible future donations. These standards include, but are not limited to:

1. Submission of a current list of the organization's Board of Directors, officers, and staff including the experience of each in overseeing, managing, and providing the proposed services and programs as part of the application process.
2. Submission of the organization bylaws and mission statement.
3. Submission of the most recent audited financial statement and/or detailed budget as part of the application process.
4. Submission of midyear and end-of-year financial reports to the Town after the donation is granted.

The Town of Windsor



Community Grant Program Application



Town of Windsor

Donation of Public Funds Request Form

Organization Name: _____

Organization Address: _____

City, State Zip Code: _____

GENERAL INFORMATION:

Program Name: _____

Contact Person/Title: _____

Telephone Number: () _____ Fax: () _____

Email Address: _____

Total number of INDIVIDUALS served in last COMPLETE fiscal year BY THIS PROGRAM: _____

Total number of above individuals who are residents of the Town of Windsor: _____

Percent of people served who are residents of the Town of Windsor: _____

Amount of request: _____

Total PROGRAM budget: _____

Percent of total PROGRAM budget you are requesting from the Town: _____

Which of the Town's priorities does this program serve? _____

Use of request: Will the Town of Windsor's grant be used to: (check appropriate box below)

- Maintain existing program Expand existing program Start new program

Program Overview:

Need Statement: Provide the following. (a) Identify the issue or need that the program will address (use statistical data to justify the need for the program,) and (b) identify the target/recipient of program services.

Program Summary:

Part A: Identify what is to be accomplished or what change will occur. Start your sentence with “*The purpose of the program is to provide...*” Then proceed to briefly describe the services to be provided.

Part B: Identify how Town dollars, specifically, will be used (i.e. grant will provide “X” amount of units of service.) Indicate the effect of partial funding on service delivery potential of program.

Program Outcomes: List the program’s anticipated outcomes. What will *change* as a result of clients’ participating in program activities? Outcomes are defined as *the changes/benefits in skill, behavior, knowledge, attitude, condition, status, or awareness that participants experience during or after taking part in program activities.*

Community Grant Program Application Checklist

- Deadline** – Grant application(s) are to be submitted to:

**Director of Finance
Town of Windsor
301 Walnut Street
Windsor, CO 80550**

By 5:00 p.m. Friday, September 21, 2007

Late submissions **WILL NOT** be accepted.

- Attachments** – The applicant has included the following attachments *with its original application only*.

One copy of each of the following:

_____ Audit, Financial Statement, or compilation for the most recent completed operating year.

_____ IRS Form 990 for the most recent completed operating year.

_____ Board Roster identifying officers, term limits, addresses and phone numbers.

- Leadership Signatures** – The application has been signed and dated by the Executive Director of the program(s) for which you are requesting funds, and the Board President or his/her designee.

Executive Director Signature

Date

Board President Signature

Date



FUTURE TOWN BOARD MEETINGS

Work Sessions & Regular Meetings will be held in the Board Chambers unless otherwise noted.

Tuesday, November 13, 2012 Joint meeting with Fire, School and Library Districts
Windsor High School – Fireside Room
5:30 p.m.

Tuesday, November 13, 2012 Town Board Meeting
7:00 p.m. Kern Board Meeting

November 19, 2012 Town Board Work Session & Special Meeting
6:00 p.m. Economic Development Update – S. Johnson
Greenspire Metro District Extension Request – I. McCargar, K. Arnold
Outside agency funding application follow up – K. Arnold, P. Garcia

November 26, 2012 Town Board Work Session
6:00 p.m.

November 26, 2012 Town Board Meeting
7:00 p.m.

December 3, 2012 Town Board Work Session
6:00 p.m. Outside agency funding application wrap up (tentative)

December 10, 2012 Board/Manager/Attorney Monthly Meeting
5:30 p.m.

December 10, 2012 Town Board Meeting
7:00 p.m.

December 17, 2012 Town Board Work Session
6:00 p.m.

December 24, 2012 Town Board Meeting – Cancelled

December 31, 2012 New Year's Eve – Town Hall closed

Additional Events

November 2, 2012 Great Western Open House
12:00 p.m. – 4:00 p.m.
2005 Howard Smith Ave. East, Windsor, CO

November 7, 2012 Court of Appeals at Windsor High School
9:00 a.m. Attending: Ivan Adams, Robert Bishop-Cotner
Windsor High School

November 12, 2012 Veteran's Day Assembly
10:50 a.m. Attending: Kristie Melendez,
Windsor High School Gym

November 14, 2012 NCEDC Annual Meeting
11:30 a.m. – 1:30 p.m. Attending: Myles Baker, Jeremy Rose, Kristie Melendez
Hilton Fort Collins RSVP's required by November 6, 2012

November 30, 2012 I25-SH392 Ribbon Cutting ceremony
11:30 a.m. – 12:30 p.m. Attending: Jeremy Rose, Don Thompson

December 14, 2012 Town of Windsor – End of the Year Banquet
6:00 p.m. – 9:00 p.m.
Community Recreation Center

Golf carts follow up

Future Work Session Topics