



TOWN BOARD REGULAR MEETING

May 12, 2014 - 7:00 P.M.

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

AGENDA

A. CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. Arbor Day Poster & Poetry Contest Recognition
4. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board
5. Board Liaison Reports
 - Town Board Member Baker – Water & Sewer Board; Cache la Poudre Trail Board
 - Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority
 - Mayor Pro-Tem Melendez – Downtown Development Authority; Chamber of Commerce
 - Town Board Member Rose – Clearview Library Board
 - Town Board Member Bishop-Cotner – Historic Preservation Commission; North Front Range/MPO alternate
 - Town Board Member Adams – Tree Board; Student Advisory Leadership Team (SALT)
 - Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO
5. Proclamation National Preservation Month
6. Public Invited to be Heard

B. CONSENT CALENDAR

1. Minutes of the April 28, 2014 Regular Town Board Meeting – M. Lee
2. Resolution No. 2014-26 - A Resolution Approving One No-Surface-Occupancy Oil and Gas Lease, and Related Terms, between the Town of Windsor, Colorado, and the Extraction Oil & Gas LLC, and Authorizing the Mayor to Execute the Same (2.36 NET MINERAL ACRES, in the Northwest Quarter of Section 9, Township 6 North, Range 67 West, in Weld County, Town of Windsor) – I. McCargar
3. Report of Bills for April 2014 – D. Moyer

C. BOARD ACTION

1. Resolution No. 2014-23 – A Resolution Appointing Robert Bishop-Cotner to Serve as the Mayor Pro-Tem for the Town of Windsor, Colorado, Pursuant to § 3.2 of the Windsor Home Rule Charter
 - Legislative action
 - Presentation: John Vazquez, Mayor
2. Resolution No. 2014-24 – A Resolution Appointing and Affirming Local Board and Commission Service by Current Town Board Members – J. Vazquez
 - Legislative action
 - Presentation: John Vazquez, Mayor

3. Ordinance 2014-1474 – An Ordinance Approving the Transfer of Certain Town-Owned Real Property to the Town of Windsor Downtown Development Authority, and Authorizing the Mayor to Execute a Bargain and Sale Deed to Effectuate the Transfer
 - First Reading
 - Legislative action
 - Staff presentation: Ian D. McCargar, Town Attorney
4. Resolution No. 2014-27 – A Resolution Initiating Annexation Proceedings for the Labue Farm Annexation to the Town of Windsor, Colorado – Patrick McMeekin, Vice President of Pavistma Partners, a Colorado General Partnership, applicant/ John Meyers, TST Consulting, applicant’s representative
 - Legislative action
 - Staff presentation: Josh Olhava, Associate Planner
5. Site Plan Presentation – Highlands Industrial Park Subdivision Second Filing, Lot 5, Block 3 – Office/Warehouse Building – 7360 Greendale Road – Paul Hoffman, Greendale 7360, LLC., applicant/ Aubrey Carson, Carson Design Studio, LLC., applicant’s representative
 - Staff presentation: Josh Olhava, Associate Planner
6. Site Plan Presentation – South Gate Business Park Subdivision, 2nd Filing, Lot 2, Block 1 Site Plan (KIA Auto Dealership Expansion) – Steve Taylor, 410 Partnership, LLLP, applicant/Jonathan Pilgrim, Caseday Creative Designs, LLC, applicant’s representative – S. Ballstadt
 - Staff presentation: Scott Ballstadt, Chief Planner
7. Resolution No. 2014-28 – A Resolution Approving and Adopting the May 12, 2014 Intergovernmental Agreement for modifications to the January 12, 2004 Windsor-Severance Development Plan
 - Legislative action
 - Staff presentation: Joe Plummer, Director of Planning
8. CRC Expansion Public Policy Discussion and Continuing Ballot Language Discussion
 - Staff presentation: Dean Moyer, Director of Finance, Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
 - Consultant: Don Diones, George K. Baum & Company
9. Spring Run Off and Water Conservation Update
 - Staff presentation: Terry Walker, Director of Public Works & Patti Garcia, Assistant to Town Manager/Town Clerk

D. COMMUNICATIONS

1. Communications from the Town Attorney
2. Communications from Town Staff
3. Communications from the Town Manager
4. Communications from Town Board Members

E. EXECUTIVE SESSION

An executive session pursuant to § 24-6-402 (4) (e), C.R. S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; Oil and Gas leasing (Ken Lind, Kelly Unger and Kelly Arnold)

F. ADJOURN

Preservation Month Proclamation

Whereas, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

Whereas, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

Whereas, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

Whereas, "New Age of Preservation: Embark, Inspire, Engage" is the theme for National Preservation Month 2014, cosponsored by Town of Windsor, Colorado and the National Trust for Historic Preservation.

NOW, THEREFORE, THE TOWN OF WINDSOR, COLORADO,
DOES HEREBY PROCLAIM MAY 2014 AS

National Preservation Month

IN RECOGNITION AND CELEBRATION OF WINDSOR'S RICH HERITAGE AND
UNIQUE HISTORIC STRUCTURES.

Dated this _____ day of _____ 2014

Mayor



TOWN BOARD REGULAR MEETING

April 28, 2014 - 7:00 P.M.

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

Minutes

A. CALL TO ORDER

Mayor Vazquez called the regular meeting to order at 7:00 p.m.

- | | | |
|--------------|---------------|----------------------|
| 1. Roll Call | Mayor | John Vazquez |
| | Mayor Pro-Tem | Kristie Melendez |
| | | Christian Morgan |
| | | Jeremy Rose |
| | | Robert Bishop-Cotner |
| | | Ivan Adams |
| | Absent | Myles Baker |

- | | | |
|---------------|-------------------------------|-----------------|
| Also present: | Town Manager | Kelly Arnold |
| | Town Attorney | Ian McCargar |
| | Town Clerk | Patti Garcia |
| | Economic Development Director | Stacy Johnson |
| | Chief of Police | John Michaels |
| | Director of Finance | Dean Moyer |
| | Management Intern | Kelly Unger |
| | Director of Engineering | Dennis Wagner |
| | Chief Planner | Scott Ballstadt |

- 2. Pledge of Allegiance
Mr. Morgan led the Pledge of Allegiance.

- 3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board
**Mr. Rose moved to postpone Board Action Items C.1 and C.2 until the 5/12/2014 regular Town Board Meeting; Mr. Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:
Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

**Mr. Bishop-Cotner moved to amend the agenda to include a second Executive Session pursuant to § 24-6-402 (4)(b), C.R.S., to confer with the Town Attorney for the purpose of receiving legal advice on specific legal questions; acquisition of state improvement right-of-way. (Kelly Arnold, Ian McCargar, Dennis Wagner). Mr. Adams seconded the motion. Roll call on the vote resulted as follows:
Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

**Mr. Adams moved to approve the agenda as amended; Mayor Pro-Tem Melendez seconded the motion. Roll call on the vote resulted as follows:
Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

- 4. Board Liaison Reports
 - Town Board Member Baker – Parks, Recreation & Culture Advisory Board; Cache La Poudre Trail Board Alternate
Mr. Baker was not in attendance.
 - Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority

Mr. Morgan stated the neighborhood park design process for Fossil Ridge and Belmont Ridge parks will begin by holding their first meeting on 5/1 at 6 p.m. at 7005 Aladar Drive, and at 7 p.m. at the Poudre Valley REA Building at 7649 REA Parkway.

- Mayor Pro-Tem Melendez – Downtown Development Authority; Chamber of Commerce; North Front Range/MPO Alternate
Mayor Pro-Tem Melendez stated she had nothing new to report from the Chamber of Commerce. The DDA met on 4/16 and discussed the façade program which is now in place, the Downtown Corridor Plan and a possible amendment, Salsa on 5th scheduled for 8/23, and the Farmers Market which will open on 6/28. She noted a promotional kick-off planned for June with the Windsor Now, with more information to follow at a later date.
- Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate
Mr. Rose had nothing new to report.
- Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board
Mr. Bishop-Cotner had nothing new to report.
- Town Board Member Adams – Cache La Poudre Trail Board; Student Advisory Leadership Team (SALT)
Mr. Adams had nothing new to report from the Cache La Poudre Trail Board. SALT is planning a 5th grade introductory meeting on 5/9 from 6-8 p.m. and a 6th grade meeting on 5/16 from 6-9 p.m. SALT will meet on the 4th Thursday during the summer. Mr. Adams also noted he attended Arbor Day celebrations at Range View and Skyview Elementary Schools, and commended the Tree Board for a great event. Mr. Arnold reminded the Board Arbor Day Poster Contest Awards will be distributed at the 5/12 Town Board Meeting.
- Mayor Vazquez – North Front Range/MPO
Mayor Vazquez stated the MPO will meet on 5/1.

5. Public Invited to be Heard

There was no public comment.

B. CONSENT CALENDAR

1. Minutes of the April 14, 2014 Regular Town Board Meeting – M. Lee
2. Resolution No. 2014-21 - A Resolution Approving The Third Amendment To The October 22, 2012, Infrastructure Improvements Agreement Between The Town Of Windsor And Eagle Crossing Windsor, LLC, With Respect To Retail Development Within The Eagle Crossing Subdivision In The Town Of Windsor, Colorado – I. McCargar
3. Resolution No. 2014-22 - A Resolution To Appropriate Water Rights For Kyger Reservoir And Approving Filing Of An Application For Water Storage Rights In Kyger Reservoir With The Division 1 Water Court – I. McCargar
4. Rescheduling of May 26, 2014 Regular Meeting to Tuesday, May 27, 2014 – P. Garcia
**Mayor Pro-Tem Melendez moved to approve the Consent Calendar as presented; Mr. Adams seconded the motion. Roll call on the vote resulted as follows:
Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

C. BOARD ACTION

NOTE: The official record of this evening's proceedings shall include applications, staff memos and recommendations, packet materials and supporting documents, and all testimony received.

1. Ordinance No. 2014 -1472 – An Ordinance Repealing, Amending And Readopting Certain Portions Of The Windsor Municipal Code With Respect To The Uniform Administration Of The Maximum Fine Imposed Upon Persons Convicted Of Violations By The Town Of Windsor Municipal Court

Super-majority vote required for adoption on second reading

- Second Reading
- Legislative action
- Staff presentation: Ian D. McCargar, Town Attorney

Mayor Pro-Tem Melendez moved to approve Ordinance 2014-1472; Mr. Morgan seconded the motion.

Mr. McCargar began by reminding the Board the purpose of this Ordinance is to make references to the maximum fine allowed in the Windsor Municipal Court uniform throughout the Municipal Code. There have been no changes since the first reading of the Ordinance.

Roll call on the vote resulted as follows:

Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nays – None. Motion passed.

2. Ordinance No. 2014-1473 - Amending Chapter 16 of the Windsor Municipal Code for the purpose of adopting regulations for accessory dwelling units in residential zoning districts within the Town of Windsor

Super-majority vote required for adoption on second reading

- Second reading
- Legislative action
- Staff presentation: Scott Ballstadt, Chief Planner

Mr. Adams moved to approve Ordinance 2014-1473; Mr. Bishop-Cotner seconded the motion.

Mr. Ballstadt began by stating this Ordinance would allow a second dwelling unit on properties that would qualify, noting many jurisdictions have adopted similar Ordinances. He added an informational web page has been posted to the Town of Windsor web site for reference, and all Metro Districts and Home Owner Associations have been notified of this proposal. A letter stating support for the Ordinance was received from one of the HOAs. There have been no changes since the first reading of the Ordinance.

Mr. Morgan questioned how the two person maximum per ADU would be enforced. Mr. Ballstadt responded enforcement of Code violations would be initiated on a complaint driven basis, and a process would be developed to allow residents time to find another place to live. Mr. Morgan reiterated enforcement would be difficult stating eviction is more serious than the normal violation. Mayor Vazquez stated his perception that ADUs will be inhabited by ill or elderly family members, adding it will be an evolving process to develop the appropriate policies to monitor them. Mr. Ballstadt noted Planning Commission raised similar concerns, but opted not to increase the number of residents allowed. Mr. McCargar stated the number chosen was simply a numeric limit on the number of occupants making this a density driven issue, but suggested not tying it to “family” status as defined by the Fair Housing Act.

Mr. Morgan also expressed concerns that HOAs have not had adequate time to react to these changes. Mr. Ballstadt responded HOAs will have the ability to change covenants if they choose to. Mr. Adams agreed with Mr. Morgan’s concerns, asking if wordsmithing could resolve this issue.

Mr. Ballstadt reviewed the history of this process in Windsor for clarification. Mr. Morgan inquired if both the primary and accessory dwelling units could be rented. Mr. McCargar stated a member of an LLC may be the owner, but a natural person must be identified as the owner, and live in one of the dwelling units. Mr. Ballstadt clarified an owner would be designated upon submittal of the site plan. Mayor Pro-Tem Melendez stated in Eagle CO accessory dwelling units are required for every new single-family residence that is built. Mr. Morgan stated he could not vote yes on this issue without more time to consider all the ramifications. Mr. Arnold reminded Board Members this discussion has gone on for nearly a year. Mr. McCargar stated if adopted, the application process would not include a public hearing for each proposed unit.

Mr. Morgan moved to postpone this item until 5/27 to allow more time for consideration. Motion failed due to lack of a second.

Again Mr. Adams inquired if rewording a portion of the Ordinance would resolve this concern. Mr. Ballstadt suggested addition of a third occupant could be an alternative.

Mr. Morgan moved to postpone this item until 5/27; Mr. Adams seconded the motion.

Roll call on the vote resulted as follows:

Yeas – Morgan, Bishop-Cotner, Adams

Nayes – Rose, Melendez, Vazquez. Motion failed.

A motion on the floor made by Mr. Adams and seconded by Mr. Bishop Cotner was put to a vote. Roll call on the vote resulted as follows:

Yeas – Rose, Melendez, Bishop-Cotner, Vazquez

Nayes – Morgan, Adams. Motion failed due to lack of super majority on second reading.

Mayor Vazquez questioned what to do next. Mr. McCargar counseled the Board to strike the following agenda item as it is tied to the item that just failed.

3. Resolution No. 2014-25 - A Resolution Approving and Adopting a Development-related Fee Pertaining to the Review of Applications for Accessory Dwelling Units in the Town Windsor, Colorado

- Legislative action
- Staff presentation: Scott Ballstadt, Chief Planner

Mr. Bishop-Cotner moved to postpone Resolution 2014-25 indefinitely; Mayor Pro-Tem Melendez seconded the motion. Roll call on the vote resulted as follows:

Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

4. Public Hearing – Conditional Use Grant for temporary gravel parking in the Central Business (CB) zoning district located on a portion of Lots 21 and 22, Burlington Subdivision and a portion of Lot 5, Town of Windsor Subdivision – Bob Winter, Chairman, Windsor Downtown Development Authority, applicant

- Quasi-judicial action
- Staff presentation: Scott Ballstadt, Chief Planner

Mayor Pro-Tem Melendez moved to open the public hearing; Mr. Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

Mr. Ballstadt stated this Conditional Use Grant would allow use of recycled asphalt as an interim paving medium for a property located north of Main Street, and south of Windsor Lake, on a site owned by the Downtown Development Authority. He reviewed the history of the property, location, and proposed uses. Mr. Ballstadt noted at their 4/16/2014 meeting the Planning Commission

forwarded a recommendation for approval of the Conditional Use Grant subject to the following conditions:

1. The parking lot shall be properly maintained and accommodate adequate areas for circulation and movement of emergency vehicles.
2. The duration of the temporary parking use shall not exceed five (5) years from the date of Town Board approval as proposed in the Conditional Use Grant application materials.

Mr. Bob Winter addressed the Board stating a desire to continue to allow parking for community events at the site in question. He listed advantages including mud/dust mitigation, beautification, and a desire to accommodate more parking for downtown. He noted the DDA finds the conditions of approval acceptable.

Mayor Pro-Tem Melendez moved to close the public hearing; Mr. Morgan seconded the motion. Roll call on the vote resulted as follows:

Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nays – None. Motion passed.

5. Conditional Use Grant for temporary gravel parking in the Central Business (CB) zoning district located on a portion of Lots 21 and 22, Burlington Subdivision and a portion of Lot 5, Town of Windsor Subdivision – Bob Winter, Chairman, Windsor Downtown Development Authority, applicant
 - Quasi-judicial action
 - Staff presentation: Scott Ballstadt, Chief Planner

Mayor Pro-Tem Melendez moved to approve the Conditional Use Grant application as presented; Mr. Adams seconded the motion.

Mayor Vazquez inquired if this request is consistent with other locations in Windsor that are utilizing temporary paving for parking lots. Mr. Ballstadt noted each Conditional Use Grant is addressed on its own merits, and this application is similar to others requesting temporary pavement. Mr. Adams asked if recycled asphalt is really esthetically preferable to concrete or asphalt. Mr. Ballstadt responded he is uncertain of the esthetics, but from a practical aspect, the drainage and dust control will be significantly improved from what now exists. Mayor Pro-Tem Melendez interjected it is the goal to develop this property in the future, and permanent upgrades will be completed when plans are finalized. Mr. Morgan asked if this property will eventually be a street. Mr. Arnold stated the property will be platted at some point in the future.

Roll call on the vote resulted as follows:

Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nays – None. Motion passed.

6. Reimbursement Request by Windsor Downtown Development Authority
 - Legislative action
 - Presentation: Bob Winter, Chairman, Windsor Downtown Development AuthorityMr. Winter reviewed the history of fees charged for parking in this area. In return for allowing parking at no charge, the DDA is requesting reimbursement for the CUG Application fee. He invited Mr. Morgan to look at the DDA plans for the downtown when time allows.

Mr. Morgan moved to approve the reimbursement request; Mr. Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:

Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nays – None. Motion passed.

7. Request for Commitment of Underground Electric Funds for Development Purposes
 - Presentation: Bob Winter, Chairman, Windsor Downtown Development AuthorityMr. Winter began by stating the DDA is asking for a commitment from the Town for funding to underground utilities. Mr. Arnold clarified the DDA would receive first right of refusal for funds earmarked to underground utilities in the area north of Main Street and south of Windsor Lake. He noted the final agreement may take the form of an IGA, but is yet to be determined. Mr. McCargar added negotiating an agreement with the DDA counsel that will commit revenue from the Town while keeping in mind this issue is tied to the utility franchise agreement is preferred. Mr. Craig Peterson, a DDA member explained this concept actually was discussed before the paving issue during the planning process. Mr. Arnold added antiquated infrastructure could present problems as the DDA works through this project.

Mr. Bishop-Cotner moved to authorize negotiations between the Town of Windsor and the Downtown Development Authority to develop an agreement for the commitment of funds for undergrounding electric utilities; Mr. Adams seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

8. Financial Report for March 2014
 - Staff presentation: Dean Moyer, Director of FinanceMr. Moyer addressed the Board reviewing current revenue benchmarks including sales tax, building permits, and construction use tax. He cautioned the Board regarding price increases in raw materials needed for capital improvement projects, noting the Town will continue to track revenues in relation to proposed projects. Mr. Moyer drew reference to historic revenue data. He also highlighted expenditures to date, drawing attention to a \$2.7 million figure for the Kyger project. Mr. Arnold will prepare a memo on capital projects to update Board Members.

D. COMMUNICATIONS

1. Communications from the Town Attorney
Mr. McCargar updated Board Members regarding reclamation at the Kyger property. He noted a tentative completion for dirt removal by end of week. He also told the Board pumping equipment, owned by Martin Marietta Materials has been removed. The seller group's water augmentation of 1.5 acre feet will be removed prior to the end of April. He reminded Board Members of the two Executive Sessions following this meeting.
2. Communications from Town Staff
Chief Michaels reported on Drug Take Back Day the PD collected 248 pounds of prescription medication no longer needed by residents.
3. Communications from the Town Manager
Mr. Arnold reported there was a good turn-out for the paint recycling day. He also reported on staff participation in Arbor Day festivities.
4. Communications from Town Board Members

E. EXECUTIVE SESSION

An executive session pursuant to § 24-6-402 (4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. Economic Development Incentives (Stacy Johnson, Kelly Arnold)

Mr. Bishop-Cotner moved to adjourn to an executive session pursuant to § 24-6-402 (4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators; and a second

Executive Session pursuant to § 24-6-402 (4)(b), C.R.S., to confer with the Town Attorney for the purpose of receiving legal advice on specific legal questions; acquisition of state improvement right-of-way; Mr. Morgan seconded the motion.

Roll call on the vote resulted as follows:

Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nays – None. Meeting adjourned to executive session at 8:29 p.m.

F. ADJOURN

Following the Executive Session the Board reconvened briefly to adjourn. Mr. Bishop-Cotner moved to adjourn; Mr. Morgan seconded the motion. All members voted yes. The meeting was adjourned at 9:23 p.m.



355 Eastman Park Dr., Ste. 200 · Windsor, CO 80550
Telephone: (970) 674-9888 · Fax: (970) 674-9535
Email: ken@lolaw.us

Kenneth F. Lind
George H. Ottenhoff

Chrysten S. Finze

Date: April 30, 2014
To: Kelly Arnold; Ian McCargar, Town Attorney
From: Kenneth F. Lind, Esq., Special Counsel for Oil and Gas Matters
Re: One Proposed Oil and Gas Lease with Extraction Oil & Gas, LLC.

Proposed Oil and Gas Lease:

Our law firm was contacted by Extraction Oil & Gas, LLC to review and present to the Town of Windsor a proposed Oil and Gas Lease. The Lease covers one parcel of land located in the Northwest Quarter of Section 9, Township 6 North, Range 67 West, of the 6th P.M. in Weld County, Colorado (being better identified as Tract A in North Shores at Windsor Subdivision) and consists of approximately 2.36 net mineral acres, more or less. The significant terms of the Lease are as follows:

1. Primary Term: two (2) years;
2. Lease royalty: 20%;
3. Bonus consideration: \$2,000.00 per net mineral acre;
4. The net mineral acreage: 2.36 acres;
5. Initial bonus payment: \$4,720.00;
6. Surface use: This Lease is a “No Surface Occupancy” Oil and Gas Lease prohibiting all activities of any type regarding oil and gas development upon the surface of the subject properties;
7. Development plan: This acreage is part of an overall drilling program by Extraction in and near the Town of Windsor.

Comments on Proposed Oil and Gas Leases:

The recommendation of the proposed Oil and Gas Leases takes into consideration the following:

1. At this time, the terms and conditions of this Oil and Gas Lease are superior regarding term, royalty and bonus money being offered to surrounding mineral owners in Section 9.

This Lease offer is better regarding both term, bonus and royalty as approved by the Town of Windsor regarding a Lease approved in March 2014.

2. Our law firm has not contacted any other company due to the small acreage involved and the lack of interest by other companies in this area in such small acreages.
3. Additionally, by execution of this Lease, the Town will no longer be considered a non-consent mineral owner and subject to all of the negative aspects of forced pooling. The proposed Lease is substantially better in all aspects than being force pooled.
4. Extraction Oil & Gas, LLC, while being a relatively new oil and gas drilling company, has entered into many joint development agreements with an oil and gas company well known to the Town being Tekton Windsor, LLC.
5. Extraction and Tekton have partnered in numerous wells utilizing 3-D seismic which is important in planning and drilling wells.

Recommendation:

Approval of Oil and Gas Lease.

Attachments:

Letter from R.K. Pinson & Associates on behalf of Extraction Oil & Gas, LLC dated April 23, 2014 and providing additional information for this Oil and Gas Lease
Proposed Town of Windsor Lease for Parcel in Section 9
Aerial Photograph
Resolution No. 2014-_____

R. K. PINSON & ASSOCIATES, LLC

621 17th Street, Suite 945
Denver, CO 80293
(720) 627-6181
Fax (720) 627-6182
E-mail: kpinson@rkpinson.com

April 23, 2014

Kenneth F. Lind
Lind & Ottenhoff, LLP
355 Eastman Park Drive, Suite 200
Windsor, CO 80550

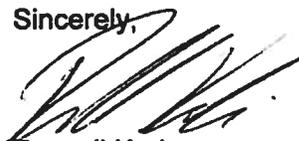
RE: Oil and Gas Leases
Section 9, 6N-67W
Weld Co., CO

Dear Mr. Lind,

Pursuant to your conversation with Allyson Vistica, please find enclosed our Oil and Gas Lease which provides for a 20% royalty interest, a two (2) year term and a bonus consideration of \$2,000.00 per net acre which includes paid up rentals for a 2.36 net acre tract. Extraction Oil & Gas, LLC will provide you with a check reflecting the total bonus consideration of \$4,720.00 for Section 9, once an executed copy of the Lease has been delivered.

Thank you for your consideration and please do not hesitate to call myself or Allyson Vistica at (720) 382-5225 if you have any questions.

Sincerely,



Russell Kerle
rkerle@rkpinson.com

TOWN OF WINDSOR

RESOLUTION NO. 2014-26

A RESOLUTION APPROVING ONE NO-SURFACE-OCCUPANCY OIL AND GAS LEASE, AND RELATED TERMS, BETWEEN THE TOWN OF WINDSOR, COLORADO, AND EXTRACTION OIL & GAS, LLC, AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME (2.36 NET MINERAL ACRES, in the Northwest Quarter of Section 9, Township 6 North, Range 67 West, in Weld County, Town of Windsor).

WHEREAS, the Town of Windsor ("Town") is a Colorado Home Rule Municipality, with all powers and authority vested pursuant to law; and

WHEREAS, the Town is the owner of certain mineral interests located beneath Town-owned property within Section 9, Township 6 North, Range 67 West, 6th P.M, Weld County, Colorado; and

WHEREAS, under Colorado law, the owners of mineral interests have a right to exploit, extract and put to beneficial use all minerals beneath the surface of the land; and

WHEREAS, the oil and gas deposits located within Weld County have drawn increasing interest from oil and gas extraction firms; and

WHEREAS, as is the case within Weld County, the Town's oil and gas interests have become a source of interest to oil and gas extraction firms; and

WHEREAS, Extraction Oil & Gas, LLC ("Extraction") has approached the Town with terms and conditions for the leasing of Town-owned oil and gas rights beneath Town-owned property, consisting of approximately 2.36 net mineral acres; and

WHEREAS, the Town's Oil and Gas Special Counsel has negotiated the proposed Lease Agreement with Extraction, the terms and conditions of which are set forth in the attached "Oil and Gas Lease", incorporated herein by this reference as if set forth fully; and

WHEREAS, the terms and conditions of the attached Oil and Gas Lease are consistent with the market and with prevailing oil and gas exploration practices within Weld County; and

WHEREAS, the attached Oil and Gas Lease specifically provides that no oil and gas activity will take place on the surface of any Town-owned property; and

WHEREAS, the Town's Oil and Gas Special Counsel has recommended that the attached Oil and Gas Lease be approved by the Town Board; and

WHEREAS, the Town Board has concluded that the attached Oil and Gas Lease is beneficial to the public interest, in that it allows the Town to derive revenue from existing Town-owned resources; and

WHEREAS, the within Resolution is deemed to promote the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO as follows:

1. The attached Oil and Gas Lease is hereby approved.
2. The Mayor is hereby authorized to execute the attached Oil and Gas Lease on behalf of the Town.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of May, 2014.

TOWN OF WINDSOR, COLORADO

By: _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

NON-SURFACE USE OIL AND GAS LEASE

(Paid Up)

THIS AGREEMENT, is made and entered into on this 23rd day of April 2014, by and between Town of Windsor a Colorado Municipal Corporation, 301 Walnut Street, Windsor, CO 80550, party of the first part, hereinafter called Lessor (whether one or more), and Extraction Oil & Gas, LLC, 1888 Sherman Street, Suite 200, Denver, CO 80203, party of the second part, hereinafter called Lessee.

1. WITNESSETH, That the Lessor, for and in consideration of Ten and More Dollars (\$10.00), cash in hand paid, receipt of which is hereby acknowledged and of the covenants and agreement hereinafter contained on the part of Lessee to be paid, kept, and performed, has exclusively granted, demised, leased and let and by these presents does exclusively grant, demise, lease and let unto the Lessee, for the purpose of exploring for, developing, producing, transporting and marketing oil (including but not limited to distillate and condensate), gas (including casinghead gas and helium and all other constituents), of whatsoever nature or kind, including all hydrocarbon and non-hydrocarbon substances produced in association therewith and other substances covered hereby on the leased premises as hereinafter described, or lands pooled or unitized herewith, in primary and/or enhanced recovery.

The lands covered hereby, hereinafter called "leased premises" are described as follows: all that certain tract of land, together with any reversionary rights, after-acquired interests, accretion and riparian rights, streets, alleys, easements, and rights of way therein, situated in the County of Weld, State of Colorado, described as follows, to wit:

Township 6 North, Range 67 West

Section 9: Tract A, North Shores at Windsor, a Subdivision of the Town of Windsor, County of Weld, State of Colorado, being a part of the NW4.

Weld County Assessor Parcel Number: 080709001046

Containing 2.36 acres, more or less

In consideration of the cash bonus paid to Lessor by Lessee for execution of this lease, Lessor agrees to execute any additional or supplemental instruments to more accurately reflect the lands covered, the legal capacity of the Lessor, or other title curative documents to clarify ownership.

2. It is agreed that this lease shall remain in force for a term of Two (2) years from the above date, (herein called "primary term") and as long thereafter as oil or gas of whatsoever kind or nature, or either of them, are produced from the leased premises or on acreage pooled therewith, or drilling operations are continuing as hereinafter provided. If, at the expiration of the primary term, oil or gas is not being produced on the leased premises or on acreage pooled therewith but Lessee is then conducting operations for drilling, reworking or dewatering thereon, then this lease shall continue in force so long as operations are being continuously prosecuted on the leased premises or on acreage pooled therewith; with no cessation of more than one hundred twenty (120) consecutive days. If after discovery of oil or gas on the leased premises or on acreage pooled therewith, and after the expiration of the primary term, production shall cease from any cause, this lease nevertheless shall continue in force so long as operations for drilling, reworking or dewatering on any existing or succeeding well are being conducted with no cessation of more than one hundred twenty (120) consecutive days and, if such operations result in production, so long thereafter as oil or gas is produced from the leased premises or on acreage pooled therewith. If oil or gas shall be discovered and produced as a result of such operations at or after the expiration of the primary term of this lease, this lease shall continue in force so long as oil or gas is produced from the leased premises or on acreage pooled therewith.

3. This is a paid-up lease. In consideration for the down cash payment, Lessor agrees that Lessee shall not be obligated, except as otherwise provided herein, to commence or continue any operations during the primary term or pay any delay rentals.

4. In consideration of the premises the Lessee covenants and agrees to pay Lessor 1/5th of the proceeds received by Lessee for all oil (including but not limited to condensate and distillate) and 1/5th of the proceeds received by Lessee for all gas of whatsoever nature or kind (with all of its constituents) sold from the leased premises or on acreage pooled therewith, but in no event more than 1/5th of the actual amount received by Lessee, payments to be made monthly.

5. During any period (whether before or after expiration of the primary term hereon) when gas is not being so sold or used and the well or wells are shut in and there is no current production of oil or operations on the leased premises or on acreage pooled therewith sufficient to keep this lease in force, Lessee shall pay or tender a royalty of Ten Dollars (\$10.00) per year per net royalty acre retained hereunder, such payment or tender to be made, on or before the anniversary date of this lease next ensuing after the expiration of ninety (90) days from the date such well is shut in or dewatering operations are commenced and thereafter on the anniversary date of this lease during the period such well is shut in or dewatering operations are being conducted, to the royalty owners. When such payment or tender is made it will be considered that gas is being produced within the meaning of the entire lease. Failure to pay shut in payments in a timely manner shall not terminate this lease until Lessor has given Lessee notice of said breach via certified mail and Lessee has had 30 days from receipt of such notice to remedy said breach.

6. If, after the commencement of production, whether oil, gas, condensate or water from a dewatering well, from a well situated on the leased premises, or on leases within the pooled, spaced or communitized unit and regardless of whether any well is drilled vertically or horizontally and producing in a conventional manner or producing as part of a dewatering well or project, the royalties paid to Lessor during the 12-month period, beginning with date of first production, are less than Lessor would have received as a shut-in royalty as provided for in paragraph 5 of this lease, then Lessee shall tender to Lessor a minimum royalty equal to the difference between the royalties actually paid Lessor and the amount Lessor would have received as a shut-in royalty

payment as provided for herein. Payment, if due, of this minimum royalty shall be due and payable within 90 days from the end of such 12 month period of time. For the purposes of this lease, tender of such minimum royalty shall be considered as oil and or gas producing in "paying quantities" and shall serve to perpetuate this lease regardless of Lessee's profitability to produce, operate and maintain this lease or unit. The obligation to make this payment shall continue both during and after the primary term. Failure to make this minimum royalty payment in a timely manner shall not serve to terminate this lease until Lessor has given Lessee notice of such failure via certified mail and Lessee shall have 30 days from receipt of such notice to remedy the failure by tendering to Lessor the minimum royalty contemplated herein.

7. Lessee, at its option, is hereby granted the right and power at any time and from time to time as a recurring right, either before or after production, to pool the leased premises or any portion or portions thereof, with other lands or interest, as to any or all depths or zones, and as to any or all substances, covered by this lease, whenever Lessee deems it necessary or proper to do so in order to prudently develop or operate the leased premises, whether or not similar pooling authority exists with respect to such other lands or interests. Likewise, units previously formed to include depths or zones not producing oil or gas, or separately for the production of either, may be reformed to exclude such non-producing depths or zones. In exercising its pooling rights hereunder, Lessee shall file of record a written declaration describing the unit and stating the effective date of pooling. The unit formed by such pooling for an oil well (other than a horizontal well) shall not exceed 320 acres plus a maximum acreage tolerance of 10% and for a gas well or a horizontal well shall not exceed 640 acres plus a maximum acreage tolerance of 10%; provided that a larger unit may be formed for an oil or gas well, whether vertical or horizontal, to conform to any well spacing or density pattern that may be prescribed or permitted by the governmental authority having jurisdiction to do so. Production, drilling or reworking operations, including dewatering operations, anywhere on the unit shall be treated as if such operations were upon or such production was from the leased premises except that the production on which Lessor's royalty is calculated shall be that proportion of the total unit production which the net acreage covered by this lease and included in the unit bears to that total gross acreage in the unit, but only to the extent such proportion of the unit production is sold by Lessee. Lessee shall have the right but not the obligation to commit all or any part of the leased premises or interest therein to one or more unit plans or agreements for the cooperative development or operation of one or more oil and/or gas reservoirs or portions thereof, if in Lessee's judgment such plan or agreement will prevent waste and protect correlative rights, and if such plan or agreement is approved by the federal, state or local governmental authority having jurisdiction. When such a commitment is made, this lease shall be subject to the terms and conditions of the unit plan or agreement, including any formula prescribed therein for the allocation of production.

8. If said Lessor owns a less interest in the above described land than the entire and undivided fee simple estate therein, then the royalties herein provided shall be paid to the Lessor only in the proportion which his interest bears to the whole and undivided fee.

9. Lessee shall have the right to use free of cost, gas and oil produced on the leased premises or on acreage pooled therewith for its operations thereon, except water from wells or ponds of Lessor. Lessee shall bury its pipelines below plow depth and no well shall be drilled nearer than 500 feet to any house or barn now on the premises, without the written consent of the Lessor. Lessee shall pay for all damages, if any, caused by its operations on said land. Lessee shall have the right within six months after cessation of production to remove all machinery and fixtures placed on said premises, including the right to draw and remove casing.

10. If the estate of either party hereto is assigned, and the privilege of assigning in whole or in part is expressly allowed, the covenants hereof shall extend to the heirs, executors, administrators, representatives, successors and assigns of the parties hereto. However, no change or division in the ownership of the land or royalties shall enlarge the obligations or diminish the rights of Lessee. No change in the ownership of the land or royalties shall be binding on the Lessee until after the Lessee has been furnished with a written and recorded transfer or assignment or a true copy thereof. In case Lessee assigns this lease, in whole or in part, Lessee shall be relieved of all obligations with respect to the assigned portion or portions arising subsequent to the date of the assignment.

11. All express or implied covenants of the lease shall be subject to all Federal and State laws, Executive orders, rules and regulations, and this lease shall not be terminated in whole or in part, nor shall Lessee be held liable for damages, for failure to comply therewith, if compliance is prevented by, or such failure is the result of any such law, order, rule or regulation.

12. This lease shall be effective as to each Lessor on execution hereof as to his or her interest and shall be binding on those signing, notwithstanding some of the Lessors above named may not join in the execution hereof. The word "Lessor" as used in this lease means the party or parties who execute this lease as Lessor, although not named above.

13. Lessee may at any time and from time to time surrender this lease as to any part or parts of the leased premises by delivering or mailing a release thereof to Lessor, or by placing a release of record in the proper county.

14. Lessor agrees that the Lessee shall have the right at any time and from time to time to redeem for Lessor by payment any mortgages, taxes or other liens on the leased premises, in the event of default of payment by Lessor, and be subrogated to the rights of the holder thereof.

15. Notwithstanding anything to the contrary herein contained, without the further written consent of Lessor, Lessee, its successors or assigns, shall not have the right to occupy or use the surface of the Premises for any reason, including the installation of equipment or facilities associated with any drilling or production operations. Further, other than the use of existing roads, it is understood that Lessee, its successors or assigns shall not access the surface of the Premises without the consent of Lessor. Provided, however, nothing in this Article 16 shall be deemed to diminish or in any way restrict the rights granted in this Lease to use the subsurface of the Premises.

16. It is understood and agreed that Lessee may drill directionally or horizontally into the Premises and/or into land pooled with the Premises pursuant to paragraph seven (7) (the pooling clause) hereof. Lessee shall have the full, unrestricted and exclusive right, power and authority to produce the oil, gas hydrocarbons, and associated substances lying under or beneath or recoverable from the Premises, either by means of any well or wells the surface drillsites of which are located on other lands, and which said well or wells are drilled directionally or horizontally through and into the Premises, and/or into land pooled with the Premises, the producing intervals of which are bottomed under the Premises or under such pooled area and produce oil, gas and hydrocarbons and associated substances therefrom. Lessor hereby grants unto Lessee such rights-of-way, easements and servitudes in and through the subsurface of the Premises as Lessee may require for boring well holes, casing same, and otherwise completing, producing and maintaining wells either in the Premises or in any land included in the same operating unit as hereinabove provided in this Lease with the Premises or any part thereof. For the purposes of this Lease, wells drilled directionally or horizontally under and into and/or producing from the Premises, the surface drillsites of which are located on other lands, shall be considered to have been drilled in the Premises from drillsites on other lands in the vicinity of the Premises.

IN TESTIMONY WHEREOF, we sign on the date first written above.

Town of Windsor, a Colorado Municipal Corporation:

By: _____
JOHN S. VAZQUEZ, MAYOR

Attest: _____
By: PATTI GARCIA, TOWN CLERK

CORPORATE ACKNOWLEDGMENT

STATE OF COLORADO)
) SS.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this ____ day of May 2014, by John S. Vazquez as Mayor for the Town of Windsor, a Colorado Municipal Corporation and Patti Garcia, Town Clerk for the Town of Windsor, a Colorado Municipal Corporation.

WITNESS my hand and official seal.

My Commission Expires: _____

Notary Public

Seal

AFTER RECORDING RETURN TO: Extraction Oil & Gas, LLC, 1888 Sherman Street, Suite 200, Denver, CO 80203

TOWN OF WINDSOR

REPORT OF BILLS

April 30, 2014

*At the regular meeting of the Town Board of the Town of Windsor,
Colorado, held in the Town Hall Board Room on May 12, 2014
the following claims were presented, examined, and approved by the Windsor Town Board.*

VENDOR	DESCRIPTION	FUND	AMOUNT
1st Bank of Northern Colorado	bi-weekly employee payroll deductions	HIF	8,307.36
1st Bank of Northern Colorado	bi-weekly employee payroll deductions	HIF	8,307.36
4 Rivers Equipment	bulk oil, stock filters, cap & vent, credit for return, emblem	FMF	2,334.38
Ablao Law	Qtrly billing Jan-March 2014	GF	648.75
AC Flag & Banner	remove/install flag pole	CIF	4,493.00
AFLAC	employee payroll deductions	GF	884.60
Agfinity	fuel/diesel	FMF	12,914.13
Air Care Colorado	emission test coupons	FMF	465.00
Air Comfort	install cooling tower	CIF	59,967.00
Air Comfort	HVAC repairs TH	FS	1,622.93
Aller-Lingle-Massey Architects PC	PW/Maint feasibility study	CIF	11,055.00
AlSCO Inc	rental linens	CRCF	121.00
Ameresco Inc	energy monitoring CRC	FS	389.00
Anderson Consulting	Law Basin west tributary final design	SDF	6,244.62
Arapahoe Rental	compactor plate, stump grinder, baseball supplies, trencher	GF	884.01
AT&T Mobility	telephone svc PD/PW	GF	75.94
Ballstadt, Scott	mileage reimb March 2014	GF	25.20
Bank of Colorado	1st Qtr wellness gift cards	GF	100.00
Banner Occupational Health Svcs	biometric screening for staff	GF	3,694.00
Barnes Distribution	magnet light	FMF	201.49
Bates Engineering	3-MG water tank construction phase	WF	2,805.00
Bates Engineering	3-MG water tank construction phase	WF	7,415.00
Bomgaars	herbicide, fertilizer, measuring cup, respirator, bar oil for saws	GF	189.43
Bomgaars	regulating valve, bolts, top rail sleeve, elbow, drawbar	CIF	87.71
Bow Wow Waste	dog waste bags	GF	1,905.00
Brandenburg & Emil PC	court prosecutor fees March 2014	GF	4,185.00
Brown, Pauline	ripstix equipment for fitness classes	GF	271.40
Bruns, Dennis	Senior trip driver meal reimbursement	GF	10.45
BSN Sports Inc	baseball supplies	CIF	9,134.57
Bunting Disposal	trash service	GF	749.50
Bunting Disposal	trash service	CRCF	113.75
Bunting Disposal	trash service	SF	32.34
Canteen Refreshment svcs	monthly coffee service	GF	193.56
Carpet Care Dynamics	carpet cleaning CRC	FS	1,355.00
Cash-Wa Distr	kitchen supplies	GF	289.41
Cave consulting Group	roofing consulting svcs-hail damage	FS	24,248.77
CEM Sales & Svc	small surge tank fluid cooler	CIF	221.69
Central, Inc	parts for 3 point sprayer	GF	300.59
CenturyLink	utilities	GF	502.09
CenturyLink	utilities	SF	381.88
CenturyLink	utilities	GF	620.70
CenturyLink	long distance	GF	227.85
CenturyLink	utilities	CRCF	620.70
CenturyLink	long distance	CRCF	6.77
CenturyLink	long distance	WF	0.79
CenturyLink	utilities	GF	415.70
CenturyLink	utilities	CRCF	500.35
CenturyLink	utilities	SF	106.30

VENDOR	DESCRIPTION	FUND	AMOUNT
CenturyLink	utilities	FS	48.33
Chematox Laboratory	drug screen	GF	335.00
Chematox Laboratory	blood alcohol tests	GF	20.00
City of Fort Collins	snow removal	GF	872.50
City of Greeley	2014 funding Poudre Trail	PIF	9,000.00
City of Greeley	2014 funding Poudre Trail	CTF	9,000.00
City of Greeley	water purchased	WF	153.01
City of Greeley	water purchased	WF	291.04
Clear Water Solutions	augmentation plan, general water rights	WF	6,065.70
Colorado Analytical Laboratory	soil testing	GF	486.00
Colorado Analytical Laboratory	lab testing	SF	126.00
Colorado Analytical Laboratory	lab testing	SF	455.00
Colorado Association of Chiefs of Police	membership renewal July 2014-June 2015	GF	480.00
Colorado Dept of Revenue	sales tax payable -concessions March 2014	GF	49.00
Colorado Health Medical Group	physicals/drug tests	GF	200.00
Colorado Medical Waste inc	waste removal-none	FS	35.00
Colorado Mosquito Control	mosquito control	SDF	13,379.27
Colorado Parks & Rec assoc	hershey track dues	GF	3,250.00
Colorado Stormwater Council	CSC member dues	SDF	500.00
Colorado Utility Finders	WCR 19/392 pothole waterlines	CIF	595.00
Coloradoan Media Group	job ads	GF	396.90
Comcast Cable Communications	internet PD	ITF	6.16
Comcast Cable Communications	utilities	CRCF	238.40
Compass Tools Inc	laser range finder rental	ITF	29.45
Connell Resources	pumping to Kyger reservoir	WF	29,000.00
Consolidated Communications	membership 2014	GF	100.00
Coren Printing	printing-forms PD, bus cards	GF	455.00
Coren Printing	printing-name badge/plate IT	ITF	27.00
Country Johns	portable restroom svc	GF	628.15
Cox, David	Planning Commissioner per diem APA conf Atlanta 4/26/14	GF	216.00
CRW Systems Inc	Trakit System Implementation	ITF	98,500.00
Dale's Environmental Svcs	Vac flow at lift station	SF	450.00
Dana Kepner Co	PVC Coupling	SF	8.00
Data West	mid cycle close training	GF	80.00
Dataprint	water bill monthly e-pay fee	WF	352.13
Dataprint	March 2014 water statements, postage	WF	1,584.45
Dataprint	March 201 4water statements, postage	SF	1,584.45
Dataprint	March 2014 water statements, postage	SDF	1,584.45
Dataprint	insert in water bills-paint collection	FS	291.25
Davey Coach Sales Inc	2014 Ford Vanterra-replace unit	FMF	63,255.00
DBC Irrigation	sprinklers supplies	GF	790.17
Dean Pendleton Snap-On Tools	sales tax vendor fee pymt refund	GF	113.24
Dean Pendleton Snap-On Tools	sales tax vendor fee pymt refund	CIF	75.49
Dean Pendleton Snap-On Tools	sales tax vendor fee pymt refund	CRCF	12.58
Dean Pendleton Snap-On Tools	repair old drill	FMF	103.00
Dean Pendleton Snap-On Tools	punches/seal tool	FMF	84.30
Dean Pendleton Snap-On Tools	wrench, plier set	FMF	57.30
Dehart, John	recreation refund	GF	99.00
Dell Marketing	dell monitor	GF	171.59
Dell Marketing	dell monitor	ITF	171.59
Diane Hokans	DDA Rack Cards	DDA	229.00
Don Kehn Construction	road base	GF	1,792.74
Dotts, Marie	March/April 2014 T-achi class instruction	GF	280.00
Dyer, Deneice	March 2014 ballet class instruction	GF	452.20
Enviropest	pest control	GF	92.00
Enviropest	CRC pest control	CRCF	66.00
Enviropest	pest control	WF	150.00
Enviropest	pest control	FS	66.00
ERA-A waters co	waste water lab testing	SF	825.00

VENDOR	DESCRIPTION	FUND	AMOUNT
Falcon Environmental Corp	solenoid valve	SF	201.24
Family Support Registry	wage assignment	GF	276.92
Family Support Registry	wage assignment	GF	296.57
Family Support Registry	wage assignment	GF	276.92
Family Support Registry	wage assignment	GF	296.57
Farnsworth Gorup	WWTP nutrient study	SF	3,934.25
Fastenal	tapcon screws	FS	15.51
Fedex	mailing fees	GF	36.63
Ferguson Enterprises	pipe, metal band	GF	1,178.78
Frank, Robert	Planning Commissioner per diem APA conf Atlanta 4/26/14	GF	220.00
Frelund, Wayne	Planning Commissioner per diem APA conf Atlanta 4/26/14	GF	229.00
Ft. Collins Monument and Stone LLP	C Birdwell monument	GF	350.00
Ft. Collins-Loveland Water Dist	water purchased	GF	19.53
Ft. Collins-Loveland Water Dist	water purchased	WF	30,137.83
General Air	welding supplies	GF	64.46
General Air	carbon dioxide for pool	FS	12.89
Golf & Sport Solutions	hilltopper for ball fields	GF	94.75
Greeley Lock & Key	rekey concession stands	GF	942.00
Greeley Lock & Key	re-key cylinders, duplicate keys	FS	110.40
Hach Environmental	lab supplies	SF	206.72
Helena Chemical	herbicide	GF	276.00
Highland Park Lanes	adaptive bowling	GF	109.20
Hill Children's Adventures	youth programs	GF	448.00
Hillside Commercial Group	stonehenge park reimb construct	PIF	20,000.00
Hillyard	graffiti remover,sanitizer, credit,gloves,liners, towels,napkins,soap	FS	2,968.30
Hireright Solutions	March 2014 background checks	GF	1,665.25
Home Depot USA	tape measures	GF	115.38
Home Depot USA	bird spikes kit	FS	136.57
Horizon Dist	antiscalp rollers, idler pulley	FMF	136.06
Hydro Construction co	3-MG water tank construction phase	WF	29,879.40
Interstate All Battery of Ft. Collins	batteries for PD	GF	48.46
Interstate Battery of the Rockies	battery	FS	76.00
Interwest Consulting Group	engineering svcs-roundabout	CIF	530.00
James Mock PLLC	review service plan Raindance Metro Dist	GF	4,340.00
Jax	uniform	GF	119.95
Jax	uniform	WF	116.93
Jax	snap ring	SF	79.90
John Frey	contract legal svcs April 2014	GF	3,750.00
Johnson Distributing	sprinkler heads	GF	111.07
JUB Engineers	WCR 21 bridge engineering svcs	CIF	3,202.33
Kellison Corp	town's share of asphalt patching	CIF	1,241.35
Kelly Moore	March 2014 cheer instruction	GF	1,554.00
King Soopers	staff dev,Senior/AdaptiveWellness events/supp, meetings/refresh	GF	506.58
Kinsco	tshirts	GF	94.97
Kirk Moses, Elite Trophies	medals, Arbor Day 5K race	GF	100.75
Kwal paint	equipment-Graco field line paint	FMF	2,176.00
L&M Enterprises	monthly landscape maint parks	GF	1,485.36
Larimer County Clerk & Recorder	recording fee	GF	21.00
Larimer County Clerk & Recorder	filing fees	GF	21.00
Larimer County Sales & Use Tax	sales tax February 2014	GF	12,338.50
Larimer County Sales & Use Tax	use tax collections March 2014	GF	6,882.00
Lawrence Jones Custer Grasmick	legal svcs	GF	997.30
Lawson Products Inc	punch, fittings, plugs, hose clamps, washers	FMF	375.10
Leader's Edge Consulting	stratigic planning consultation	GF	3,900.00
Lee, Mary	mileage reimb trainings/errands	GF	101.43
Lee, Mary	mileage reimb-clerk training	GF	134.40
Lewan & Assoc	Cisco unity project	ITF	3,684.48
Lil' Flower Shop	sympathy flowers for DDA family	DDA	74.95
Liley, Rogers & Martell	legal svcs-Feb-March 2014	DDA	239.50

Report of Bills -April 2014

VENDOR	DESCRIPTION	FUND	AMOUNT
Lind & Ottenhoff	special counsel, oil & gas	GF	450.50
LL Johnson Dist Co	sprinkler heads	GF	243.00
Loyd Beaver/Hamilton Hinge Co	accessible latch	GF	80.32
Mac Equipment	bracket nozzle cover	FMF	37.57
Mac Equipment	pruner, hand saws, blades	GF	434.97
Mail N Copy	mailings/certified postage	GF	57.03
Manweiler's	caulk,bolts,glasses,putty knives,cord,cap,plug,nails,hose,supp	GF	644.58
Manweiler's	keys, socket, nipple/coupler	WF	52.55
Manweiler's	blade, chain snap spring	SF	9.58
Manweiler's	echo blower, replace unit	FMF	199.99
Manweiler's	batteries, washers, fuses	FS	30.03
Martinez, John	tuition reimbursement	GF	25.00
Medical Center of the Rockies	blood draws PD	GF	252.00
Melody Homes	water refund	WF	136.69
Melody Homes	sewer refund	SF	160.00
Melody Homes	storm drain refund	SDF	30.32
Metal Distributors	metal pipe for trash gates @ Chimney park	GF	1,077.00
Michael Manning	municipal judge svcs March 2014	GF	1,410.00
Michael Todd & Co	signs	GF	369.07
Mines & Associates	employee assistance pgm fee March/April 2014	GF	495.72
Mines & Associates	employee assistance pgm fee March/April 2014	CRCF	32.40
Mines & Associates	employee assistance pgm fee March/April 2014	WF	25.92
Mines & Associates	employee assistance pgm fee March/April 2014	SF	19.44
Mines & Associates	employee assistance pgm fee March/April 2014	SDF	6.48
Mines & Associates	employee assistance pgm fee March/April 2014	FMF	19.44
Mines & Associates	employee assistance pgm fee March/April 2014	ITF	19.44
Mines & Associates	employee assistance pgm fee March/April 2014	FS	38.88
Mountain Constructors, Inc	WCR 21 bridge construction svcs	CIF	71,417.98
Mountain States Employers Council	public employees HR conf	GF	358.00
Mountain States Recreation	rental dock pieces	CIF	6,415.00
My Office Etc	adjustable keyboard tray	GF	314.99
My Office Etc	chairmats-IT	ITF	254.97
Nana Bea's	sales tax vendor fee pymt refund	GF	30.38
Nana Bea's	sales tax vendor fee pymt refund	CIF	20.25
Nana Bea's	sales tax vendor fee pymt refund	CRCF	3.37
Napa	oil,stock filters,nuts,brake pads,rotors,hooks, led lamp	FMF	930.65
National Meter & Automation	Pit barrels, lids, bells, yokes	WF	4,011.81
NCCG	legal notice	GF	187.60
NCCG	legal notices, employment ads	GF	175.10
NCCG	legal notice	CIF	13.30
New Cache La Poudre Irrigating Co	Kern Junior decree	WF	9,030.00
Newegg Inc	surge protectors, ethernet cab,stylus pens,cord concealer	ITF	220.35
North Weld County Water Dist	water purchased	WF	62,917.75
Northern Colorado Paper	ice melt, bath cleaner, joy	FS	200.64
Office Depot	office supplies	GF	888.20
Office Depot	office supplies	CRCF	0.90
Office Depot	office supplies	FMF	11.49
Office Depot	office supplies	ITF	1.34
Office Depot	office supplies	FS	2.69
Office Depot	office supplies	GF	384.66
Office Depot	office supplies	GF	421.51
Old National Bank	energy efficiency lease purchase	FS	3,455.41
Olhava, Josh	mileage reimb-Greeley mtg	GF	20.16
O'Rielly Auto Parts	heater valve, adapter	FMF	39.65
Payflex systems	April 2014 employee msa/fsa	GF	286.00
Performance Food Group	sales tax vendor fee pymt refund	GF	209.70
Performance Food Group	sales tax vendor fee pymt refund	CIF	139.80
Performance Food Group	sales tax vendor fee pymt refund	CRCF	23.30
Petty cash	PD petty cash reimb	GF	15.00

Report of Bills -April 2014

VENDOR	DESCRIPTION	FUND	AMOUNT
Pioneer Sand	sand	GF	132.73
Pioneer Sand	rock	CIF	257.48
Pitney Bowes	postage meter rental	GF	498.37
Pitney Bowes	postage meter rental	CRCF	31.15
Pitney Bowes	postage meter rental	WF	62.30
Pitney Bowes	postage meter rental	SF	31.13
Plummer, Joe	mileage reimb/per diem APA conf Atlanta 4/26/14	GF	243.00
Poudre Valley REA	utilities	GF	318.16
Poudre Valley REA	utilities	WF	31.24
Poudre Valley REA	utilities	SF	328.59
Poudre Valley REA	utilities	GF	5,521.24
Poudre Valley REA	utilities	WF	31.98
Poudre Valley REA	utilities	SF	15,265.37
Preuit, Shirley	sell back cemetery lots	GF	2,200.00
PSI Digital Imaging Solutions	plotter ink, printhead/maint, paper	ITF	1,309.95
Quill Corp	toner	ITF	161.25
Quill Corp	toner	ITF	63.98
Red Dog Signs & Wraps	special event signs	GF	45.00
Red Dog Signs & Wraps	replace stripes/shield unit 82, vinyl lettering/logos	FMF	453.14
Red Dog Signs & Wraps	door letters for TH	FS	56.63
Red Willow Construction	repair driveway/water leak	WF	1,100.00
Revenue Recovery Group	sales tax audit services	GF	675.00
Revenue Recovery Group	sales tax audit services	GF	2,295.00
Rhinnis Small Engines	packings ultra kit	FMF	85.15
Richard Ochoa	Teen nigh DJ	GF	250.00
Safebuilt	permit fees, March 2014 reimb	GF	52,062.84
Safeway Inc	board mtg meals/refresh	GF	59.97
Safeway Inc	meeting refreshments/meals	WF	5.00
Sam's Club	concession supplies, membership dues 2014	GF	855.34
Scheffel, Steve	Planning Commissioner per diem APA conf Atlanta 4/26/14	GF	207.00
Schick, Gale	Planning Commissioner per diem APA conf Atlanta 4/26/14	GF	220.00
Schinner, Charles	Planning Commissioner per diem APA conf Atlanta 4/26/14	GF	229.00
Schmidt, Eliot	per diem CPRA conf Denver	GF	137.00
Scott's Electric & Bucket Truck svc	locates,replace light,fix eye wash	GF	488.30
Scott's Electric & Bucket Truck svc	wiring-new cooling tower TH	CIF	5,722.68
Scott's Electric & Bucket Truck svc	svc call-pump failure	SF	99.00
Security and Sound Design	qtrly monitoring chgs	FS	455.00
Sewer refunds	sewer refund	SF	420.00
Spradley Barr Ford	front grill assembly	FMF	270.38
Spradley Barr Ford	oil drain plugs, trans fluid	FMF	137.54
Spradley Barr Ford	trucks, brake pads, rotors, blend door	FMF	105,547.96
Standard Insurance Co	employer paid long/short term disability 4/14	GF	3,319.00
Staples Advantage	office supplies	GF	14.25
Staples Advantage	office supplies	CRCF	0.95
Staples Advantage	office supplies	ITF	944.58
Staples Advantage	office supplies	FS	2.84
State of Colorado OIT	frame/ATM internet svc	ITF	1,249.79
Storm Drain refunds	storm drain refund	SDF	83.33
Swanson, Stacey	mileage reimb 1st qtr bank/post office runs	GF	18.48
Tallon, Victor	Planning Commissioner per diem APA conf Atlanta 4/26/14	GF	220.00
Taser International	taser, equipment	CIF	756.89
Tennant Sales	repair auto floor scrubber	FS	94.00
The Humane Society of Weld County	animal housing/care	GF	252.62
The Pawnee Group	car wash tokens	FMF	77.35
Tire Centers	tire repair	FMF	51.30
Tire Centers	service call/tire repair	FMF	172.95
Ultimate Specialties	Performed preventative maint on compactor	GF	655.78
UMB Card Services	Staff dev, supplies	GF	119.53
UMB Card Services	Signs, training, supplies, meals	GF	177.37

VENDOR	DESCRIPTION	FUND	AMOUNT
UMB Card Services	APA Conf registration, hotel deposit refund	GF	402.24
UMB Card Services	Adaptive rec tix, meals	GF	163.03
UMB Card Services	Senior's events, meals, tix/ concessions	GF	189.93
UMB Card Services	Senior's supplies, tix, meals	GF	269.98
UMB Card Services	Pool writstbands, CPR masks	GF	191.68
UMB Card Services	CRC Certs/refund, movie	GF	242.61
UMB Card Services	Staff Dev meal, manager mtg refreshments	GF	107.75
UMB Card Services	Brick, Cement	GF	156.50
UMB Card Services	CML mtg package, licenses, surfaces	GF	10.00
UMB Card Services	Book, CWAM membership, mtg meal	GF	52.30
UMB Card Services	Board meal, subscription, class, CML	GF	322.34
UMB Card Services	Pitot tube/gauge	GF	61.13
UMB Card Services	Books for Arbor Day prizes	GF	213.72
UMB Card Services	Trainings	GF	560.00
UMB Card Services	Coffee with Mayor	GF	61.00
UMB Card Services	Gloves	GF	359.82
UMB Card Services	Mtg refreshm,ents, lunches, pkg	GF	172.67
UMB Card Services	CPRA mtg, dues	GF	203.00
UMB Card Services	mtg meals, qtr staff mtg meal	GF	258.54
UMB Card Services	Safety vests	GF	45.00
UMB Card Services	electrical for light/flag pole, manual, cable, inspection	CIF	283.15
UMB Card Services	Signs, training, supplies, meals, CPRA mtg dues	CRCF	272.90
UMB Card Services	maual, cable, inspection	WF	172.92
UMB Card Services	RMFMA Meeting lodging	FMF	336.00
UMB Card Services	Surface keyboards for Board members	ITF	1,087.06
UMB Card Services	Surface cases/keyboards	ITF	267.79
UMB Card Services	pens, fan	ITF	63.98
UMB Card Services	CML mtg package, licenses, surfaces	ITF	2,099.71
UMB Card Services	S Corp software licensing	ITF	2,580.00
Unisource Worldwide	floor cleaner	FS	92.00
United Way of Weld Co	employee donation	GF	15.00
United Way of Weld Co	employee donation	GF	15.00
USA Blue book	lab supplies	SF	384.36
USA Blue book	study guides, gloves	WF	259.34
Utility Notificaiton Center	locate transmissions	WF	410.04
Verizon Wireless	cellular phone svc 3/2014/Town billboards	GF	1,228.00
Verizon Wireless	cellular phone svc 3/2014	CRCF	31.80
Verizon Wireless	cellular phone svc 3/2014	ITF	171.17
Victory Sales	hats/jerseys	GF	5,844.30
Vigil, Rachael/Italian Grill	board appreciation dinner-catering	GF	700.00
Vision Service Plan	employer's share of vision Apr 2014	GF	1,745.14
Wagner Rents	sales tax vendor fee pymt refund	GF	34.16
Wagner Rents	sales tax vendor fee pymt refund	CIF	22.76
Wagner Rents	sales tax vendor fee pymt refund	CRCF	3.80
Wanco Inc	control board for message signs	GF	878.00
Warner, Bobby	reimburse for direct deposit, account was closed	GF	200.00
Waste Management	recycle site pulls	GF	1,380.05
Water refunds	water refund	WF	591.92
Weld County Clerk & Recorder	recording fees/release of lien	GF	11.00
Weld County Clerk & Recorder	filing fees	GF	97.00
Weld County Dept of Public Health	monthly water samples	WF	700.00
Weld County Drug task force	municipal court collections March 2014	GF	1,001.00
West Puyblishing Corp	Westlaw subscription	GF	679.00
Western Enterprises	4th of July fireworks display down payment	GF	12,000.00
Western States Land Svcs	land acquisition svcs, roundabout & WCR 21 bridge	CIF	1,103.52
Western States Land Svcs	force main-right of way easement	SF	1,382.37
Williams Equipment Co	flex hoses & nozzle	SF	911.00
Windsong estate	room rental-strategic plan session	GF	600.00
Windsor Chamber of Commerce	chamber dinners for Board members, TOW employees	GF	595.00

VENDOR	DESCRIPTION	FUND	AMOUNT
Windsor-Severance Fire Protection	Town's portion of museum utilities, fire dpt bldg permit fees	GF	33,460.43
Windsor-Severance Fire Protection	Bldg permit fee collection reimb	GF	6,750.00
Winter, Robert	pride tier 1 winner award-March 2014	GF	25.00
Wireless Advanced Communications	remote speaker mic x 2, charger	GF	287.20
Workspace Innovations	customer service conf room countertop	CIF	1,998.37
Xcel Energy	utilities	GF	2,115.01
Xcel Energy	utilities	GF	32,774.90
Xcel Energy	utilities	CRCF	6,540.22
Xcel Energy	utilities	WF	65.62
Xcel Energy	utilities	SF	885.85
Xcel Energy	utilities	GF	3,222.55
Xerox Corporation	copier charges	ITF	2,938.75
Zexhags Inc	March CRC cleaning	CRCF	378.00
			1,083,394.46
	PAYROLL		345,131.32
	(wages/ 2 pay periods)		
			1,428,525.78
	TOTAL		

TOWN OF WINDSOR

RESOLUTION 2014-23

BEING A RESOLUTION APPOINTING ROBERT BISHOP-COTNER TO SERVE AS THE MAYOR *PRO TEM* OF THE TOWN OF WINDSOR, COLORADO, AND EXPRESSING GRATITUDE TO FORMER MAYOR *PRO TEM* KRISTIE MELENDEZ.

WHEREAS, the Town of Windsor's Home Rule Charter Section 3.2 (C) provides for the appointment, term of office and duties of the Mayor *Pro Tem*; and

WHEREAS, the former Mayor *Pro Tem*'s term of office has expired; and

WHEREAS, in order to assure the orderly conduct of Town Board business, the Town Board has considered its membership and has concluded that Robert Bishop-Cotner meets the qualifications and should be appointed to serve as the Mayor *Pro Tem*.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. Town Board Member Robert Bishop-Cotner is appointed the Mayor *Pro Tem* for a period of two (2) years or until the expiration of his current term of office, whichever occurs first.
2. Mr. Bishop-Cotner shall perform the duties of the Mayor when the Mayor is absent or is otherwise unable to perform the responsibilities of Mayor.
3. The Town Board offers its gratitude to former Mayor *Pro Tem*, Kristie Melendez, for her dedicated service to the Town in this capacity.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted by a two-thirds (2/3) majority vote of all members of the Town Board in office on this 12th day of May, 2014.

TOWN OF WINDSOR, COLORADO

John Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

TOWN OF WINDSOR

RESOLUTION NO. 2014-24

A RESOLUTION APPOINTING AND AFFIRMING LOCAL BOARD AND COMMISSION SERVICE BY CURRENT TOWN BOARD MEMBERS

WHEREAS, the Windsor Town Board is privileged to share its members with various boards, commissions and authorities, all of which serve the interests of the Town and its citizens; and

WHEREAS, the April, 2014, municipal election resulted in the election of three Town Board members, each of whom has expressed a desire to serve as board and commission liaisons; and

WHEREAS, the power to make appointments of Town Board members to board and commission positions is vested in the Mayor.

NOW, THEREFORE, the following board and commission appointments are recognized:

1. Planning Commission liaison: None appointed at this time; liaison position will be eliminated by amendment to *Windsor Municipal Code* § 2-7-10.
2. Parks, Recreation and Culture Advisory Board liaison: Christian Morgan
3. Cache la Poudre Trail Authority representative: Myles Baker
4. Water and Sewer Board liaison: Myles Baker
5. Chamber of Commerce representative: Kristie Melendez
6. North Front Range Metropolitan Planning Organization representative: John S. Vazquez, with Robert Bishop-Cotner serving as an alternate.
7. Historic Preservation Commission liaison: Robert Bishop-Cotner
8. Tree Board liaison: Ivan Adams
9. Windsor Housing Authority appointee: John S. Vazquez
10. Clearview Library Board liaison: Jeremy Rose
11. Student Advisory Leadership Team (SALT) representative: Ivan Adams
12. Downtown Development Authority liaison: Kristie Melendez
13. Great Western Trail Authority appointee: Christian Morgan

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of May, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: May 12, 2014
To: Mayor and Town Board
Via: Regular meeting materials, May 12, 2014
From: Ian D. McCargar, Town Attorney
Re: Bargain and Sale Deed, transfer of Town-owned property to DDA
Item #: C.3.

Background / Discussion:

The Town is the owner of property on the north side of the 400 Block of Main Street. This property is vacant land and has not been identified or set aside for any particular municipal purpose. The DDA has asked the Town to deed the property to the DDA for use as a pedestrian connection between Main Street and the area north of Main Street. This concept fits the mission of the DDA and the Town's goals for redevelopment of the downtown area.

Staff has worked with the DDA and its legal counsel to arrive at the attached Bargain and Sale Deed. A Bargain and Sale Deed is a tool by which the Town conveys the property to the DDA with warranties of title only from the date of the Town's acquisition of the property.

Financial Impact:

None

Relationship to Strategic Plan:

Promote vibrant downtown, Boardwalk Park and lake as focal point.

Recommendation: Adopt the attached Ordinance Approving The Transfer Of Certain Town-Owned Real Property To The Town Of Windsor Downtown Development Authority, And Authorizing The Mayor To Execute A Bargain And Sale Deed To Effectuate The Transfer

Attachments:

Bargain and Sale Deed

Ordinance Approving The Transfer Of Certain Town-Owned Real Property To The Town Of Windsor Downtown Development Authority, And Authorizing The Mayor To Execute A Bargain And Sale Deed To Effectuate The Transfer

TOWN OF WINDSOR

ORDINANCE NO. 2014-1474

AN ORDINANCE APPROVING THE TRANSFER OF CERTAIN TOWN-OWNED REAL PROPERTY TO THE TOWN OF WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY, AND AUTHORIZING THE MAYOR TO EXECUTE A BARGAIN AND SALE DEED TO EFFECTUATE THE TRANSFER

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority vested by Colorado law; and

WHEREAS, the Town is the holder of certain real property located on the north side of the 400 Block of Main Street (“Property”), the legal description for which is:

THE WEST 10 FEET OF LOT 9 AND EAST 10 FEET OF LOT 11,
BLOCK 5, IN THE TOWN OF WINDSOR, COUNTY OF WELD,
STATE OF COLORADO.

Also known as Weld County parcel number 080716308009

and

WHEREAS, the Town of Windsor Downtown Development Authority (“DDA”) has approached the Town with a request that the Town transfer ownership of the Property to the DDA for the purpose of carrying out the DDA’s statutory mission; and

WHEREAS, the Town Board is committed to helping the DDA carry out its statutory mission, and believes that the transfer of the Property to the DDA is sound public policy choice for the benefit of Town citizens and visitors; and

WHEREAS, the Town Board has reviewed the attached Bargain and Sale Deed, and finds that it is proper in all respects; and

WHEREAS, Section 4.8.B of the Windsor Home Rule Charter requires that the transfer of any fee interest in Town-owned real property must be accomplished by Ordinance; and

WHEREAS, the Town Board is prepared to approve the Bargain and Sale Deed, and authorize the Mayor to execute it.

NOW, THEREFORE, be it ordained by the Town Board for the Town of Windsor, Colorado, as follows:

1. The foregoing recitals are incorporated herein as if set forth fully.
2. The attached Bargain and Sale Deed is hereby approved.

3. The Mayor is hereby authorized to execute the attached Bargain and Sale Deed.

Introduced, passed on first reading, and ordered published this 12th day of May, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 27th day of May, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

When recorded return to:
Windsor Downtown Development Authority
c/o Patti Garcia
301 Walnut Street
Windsor, CO 80550

BARGAIN AND SALE DEED

The TOWN OF WINDSOR, COLORADO, a Colorado home rule municipal corporation (“Grantor”), for Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, hereby sells and conveys to the WINDSOR, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY, a body corporate and politic (“Grantee”), the real property, with all its appurtenances, legally described as follows:

THE WEST 10 FEET OF LOT 9 AND EAST 10 FEET OF LOT 11, BLOCK 5,
IN THE TOWN OF WINDSOR, COUNTY OF WELD, STATE OF
COLORADO.

Also known as Weld County parcel number 080716308009.

SIGNED this _____ day of _____, 2014.

The TOWN OF WINDSOR, COLORADO,
a Colorado home rule municipal corporation

By: _____
John Vazquez, Mayor

NOTARY ACKNOWLEDGEMENT

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by John Vazquez, as Mayor of the Town of Windsor, Colorado.

My commission expires: _____.

Notary Public



MEMORANDUM

Date: May 12, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Josh Olhava, Associate Planner
Subject: Resolution No. 2014-27 - A Resolution Initiating Annexation Proceedings for the Labue Farm Annexation to the Town of Windsor, Colorado – Patrick McMeekin, Vice President of Pavistma Partners, a Colorado General Partnership, applicant/ John Meyers, TST Consulting, applicant's representative
Location: North and adjacent to Crossroads Boulevard; between the Water Valley West, South Hill Subdivision and Hilltop Estates Subdivision properties
Item #: C.4

Background:

The applicant, Mr. Patrick McMeekin, Vice President of Pavistma Partners is requesting to annex approximately 155.4 acres to the Town of Windsor, as illustrated on the enclosed petition.

The developer has entered into an agreement with the School District that grants a 50-acre school site on the east side of the property. The developer is also exploring the potential for a regional park to serve both the new communities and existing Town residents. The portion of the sewer capacity currently allocated to the property will be used on the Water Valley West project.

Conformance with Comprehensive Plan: The proposed use is consistent with the Annexation Goals and Policies of the Comprehensive Plan:

Goal: Ensure the logical extension of the Town boundaries so that Windsor may expand in a directed, logical and fiscally responsible manner.

Conformance with Vision 2025: The proposed application is consistent with the "Growth and Land Use Management" elements of the Vision 2025 document.

Recommendation: Staff recommends approval of Resolution No. 2014-27 as presented

Notification: None required for this Resolution

Enclosures: Resolution No. 2014-27
annexation petition
staff powerpoint

pc: Patrick McMeekin, Vice President of Pavistma Partners, applicant

TOWN OF WINDSOR, COLORADO

RESOLUTION NO. 2014-27

A RESOLUTION INITIATING ANNEXATION PROCEEDINGS FOR THE LABUE FARM ANNEXATION TO THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town Clerk has received an Annexation Petition dated February 28, 2014, a copy of which is attached hereto and incorporated herein by this reference as if set forth fully, seeking annexation of certain real property described therein and proposed as the “Labue Farm Annexation”; and

WHEREAS, the Town Board desires to initiate annexation proceedings in accordance with the requirements of the *Windsor Municipal Code* and the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

The filing of the aforementioned Annexation Petition is hereby accepted, and annexation proceedings for the Labue Farm Annexation are hereby initiated.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of May, 2014.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

ANNEXATION PETITION

C.R.S. 31-12-107(1)

We the landowners of more than 50% of the territory, excluding public streets and alleys, in the south half of Section 32 , Township 6 North, Range 67 West of the Sixth Principal Meridian; in Weld County, Colorado; said parcel being more particularly described as follows:

Lot B, Recorded Exemption number 1415, and the remaining portion of the southwest quarter of said section, except Lot A of Recorded Exemption number 1415; and except that portion of said quarter section conveyed by bargain and sale deed recorded at reception number 3067075, and including that portion of the southeast quarter of said section conveyed by bargain and sale deed recorded at reception number 3067076; said territory containing 155.4 acres more or less; allege the following to be true and correct:

The perimeter of the proposed annexation has a distance of 11,624.7 feet, of which 8,127.3 feet are contiguous to the existing TOWN limits of the TOWN OF WINDSOR. A minimum of 1/6 of the perimeter of the proposed annexation is contiguous to the TOWN OF WINDSOR.

We further allege:

1. It is desirable and necessary that said territory be annexed to the TOWN OF WINDSOR.
2. A community of interest exists between the said territory and the TOWN OF WINDSOR.
3. Said territory is urban or will be urbanized in the near future.
4. Said territory is integrated or capable of being integrated with the TOWN OF WINDSOR.
5. No land held in identical ownership is divided into separate parcels unless the owner of said tract has consented in writing or joins in this Petition.
6. No land held in identical ownership comprises 20 acres and together with improvements had an assessed valuation in excess of \$200,000.00 in the year preceding the filing of this Petition.
7. No proceedings for annexation of the territory have been commenced for annexation to another municipality.

8. The signers hereof comprise the landowners of more than 50% of the territory proposed to be annexed exclusive of streets and alleys, and are in fact owners of 100% of the hereinafter described property.

Therefore, the undersigned hereby request that the TOWN OF WINDSOR approve the annexation of the area described above and do herewith pay the required fees.

In addition to the annexation, the undersigned request the zoning of O for the above described property.

Date

February 28, 2014

Owners Signature

VIMA PARTERS, LLC

By: 

Martin Lind, Member

Mailing Address

1625 Pelican Lakes Point, Suite 201
Windsor, CO 80550



LABUE FARM ANNEXATION

INITIATING ANNEXATION PROCEEDINGS

Josh Olhava, Associate Planner
May 12, 2014

Town Board

Item C.4



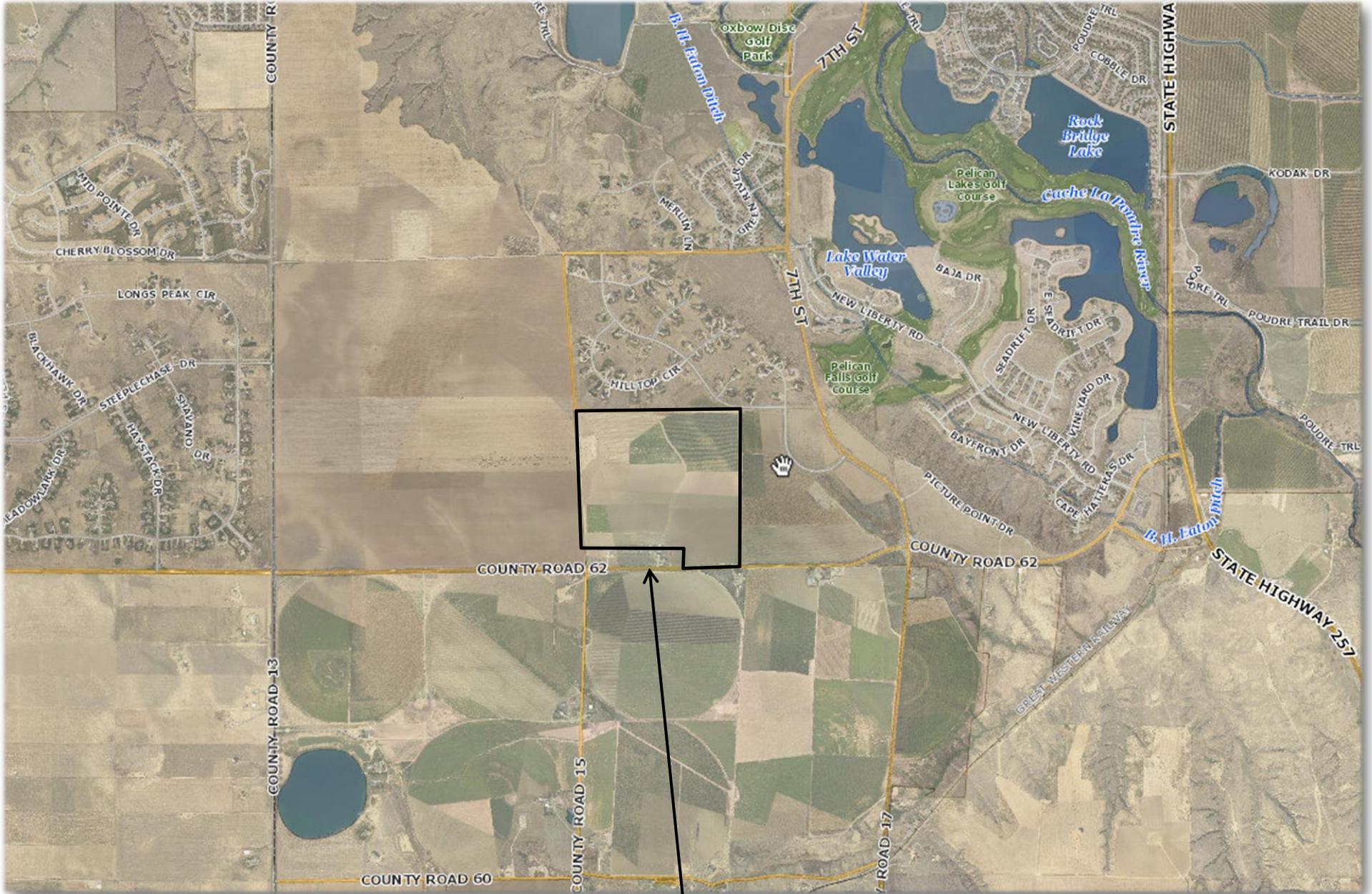
ANNEXATION

Article I of Chapter 15 of the Municipal Code outlines the purposes of the Annexation process, including:

Sec. 15-1-10. Purpose.

The purpose of this Article is to establish a procedure to bring land under the jurisdiction of the Town in compliance with the Colorado Municipal Annexation Act of 1965, as amended.

SITE VICINITY MAP



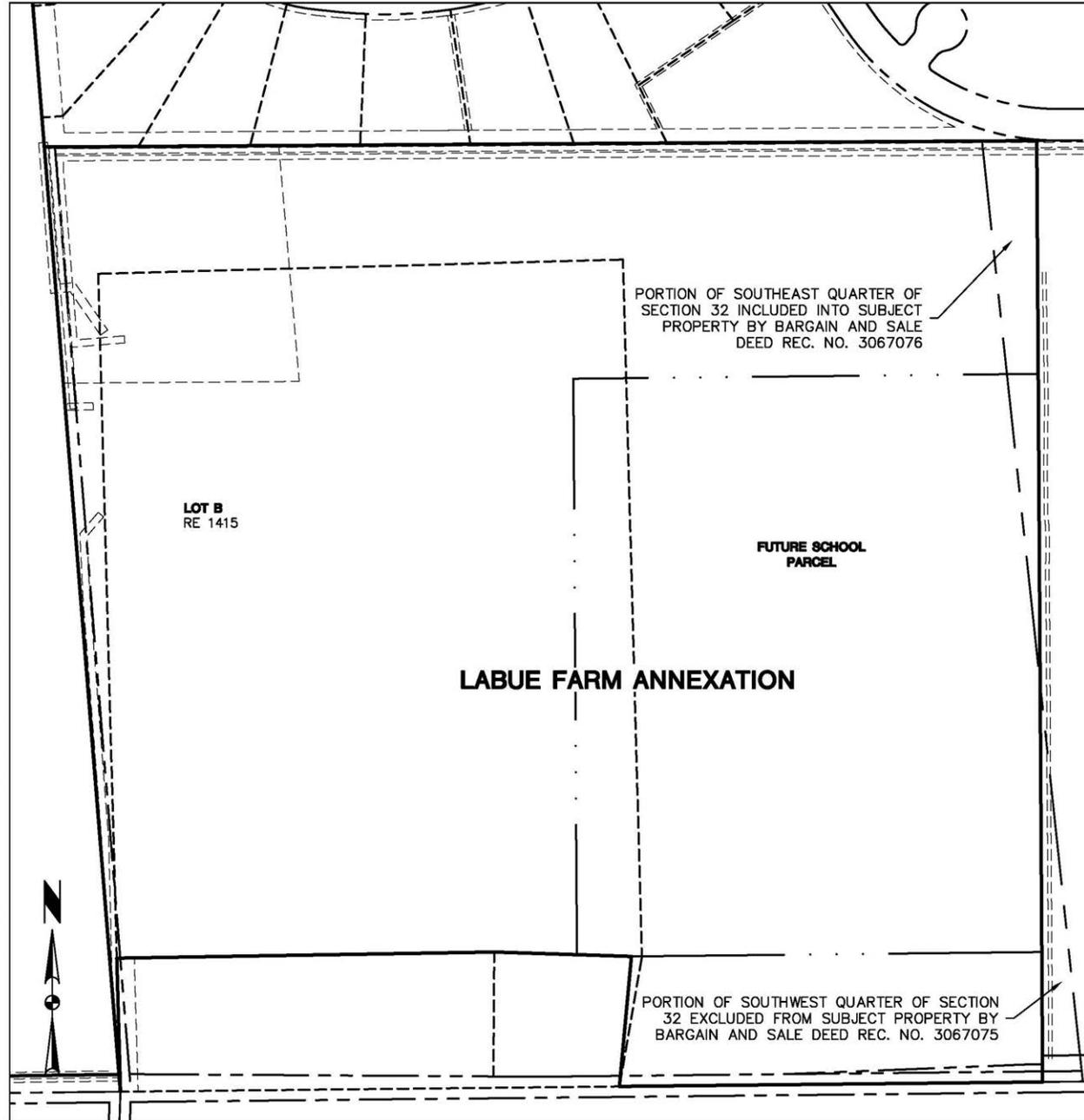
Site Location

SITE PROXIMITY ZONING MAP

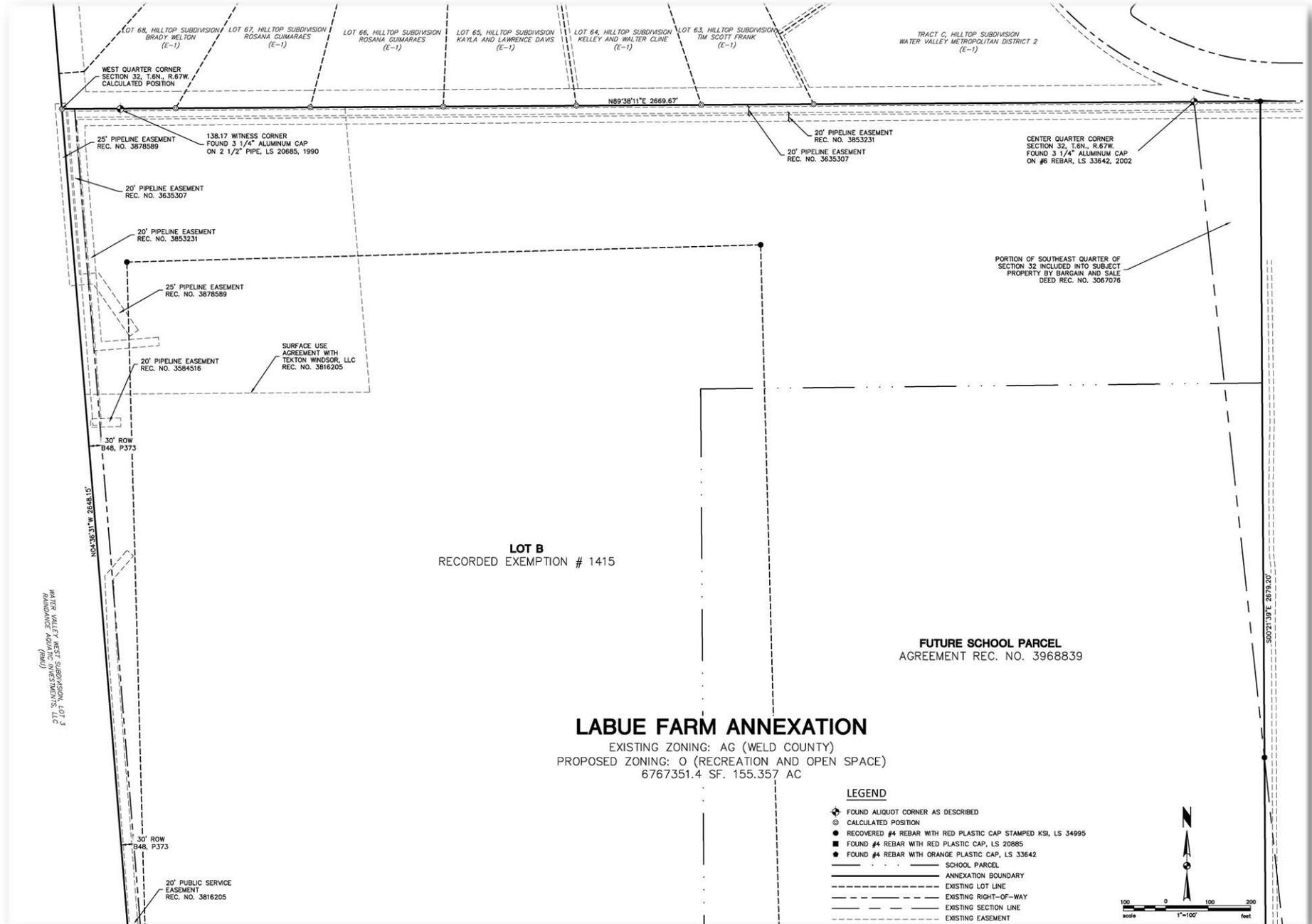


Site Location

ANNEXATION PLAT (1 OF 3)



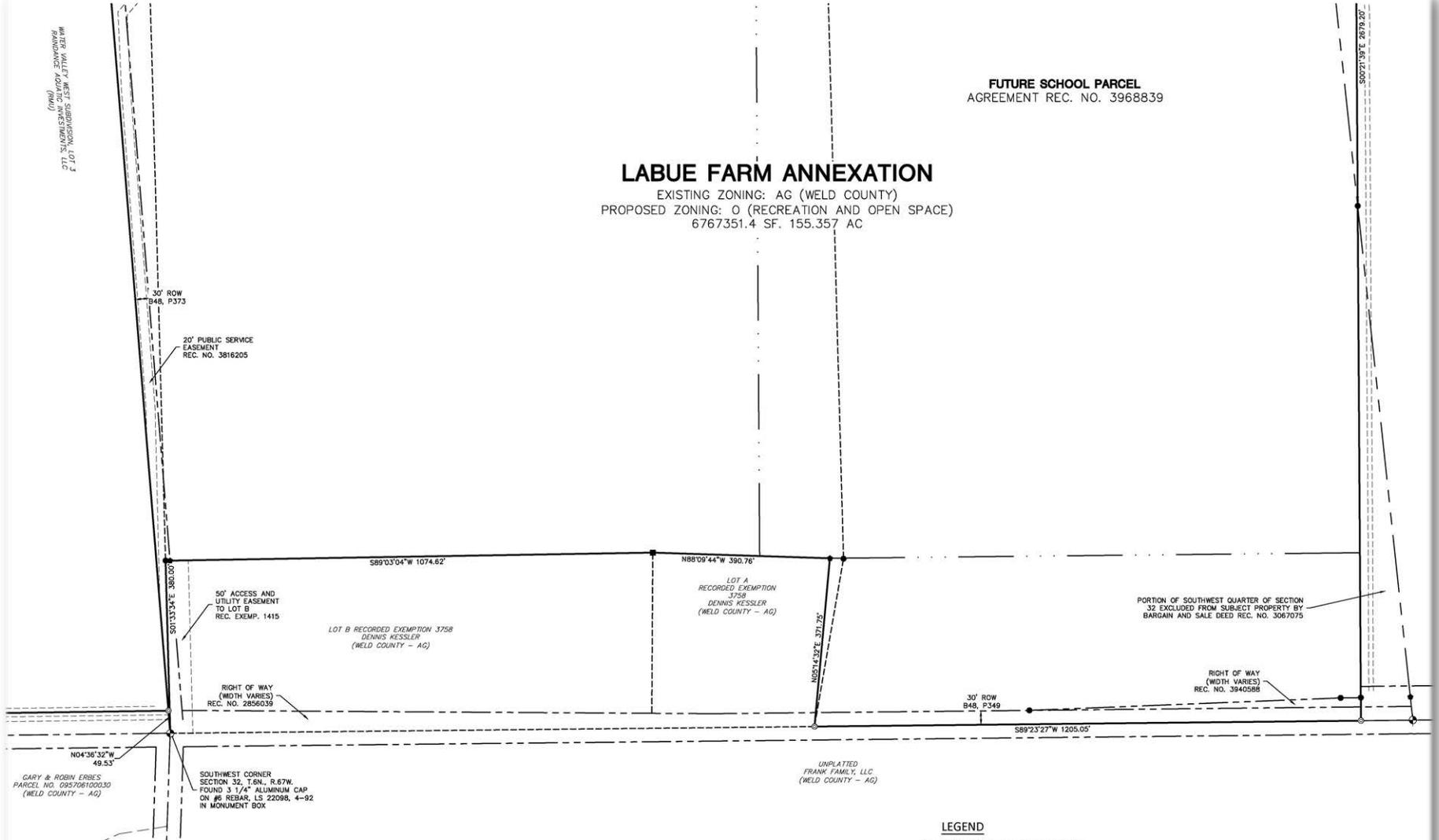
ANNEXATION PLAT (2 OF 3)



ANNEXATION PLAT (3 OF 3)

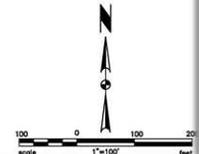
FUTURE SCHOOL PARCEL
 AGREEMENT REC. NO. 3968839

LABUE FARM ANNEXATION
 EXISTING ZONING: AG (WELD COUNTY)
 PROPOSED ZONING: O (RECREATION AND OPEN SPACE)
 6767351.4 SF. 155.357 AC



LEGEND

- ⊕ FOUND ALIQUOT CORNER AS DESCRIBED
- ⊙ CALCULATED POSITION
- RECOVERED #4 REBAR WITH RED PLASTIC CAP STAMPED KSI, LS 34995
- FOUND #4 REBAR WITH RED PLASTIC CAP, LS 20885
- FOUND #4 REBAR WITH ORANGE PLASTIC CAP, LS 33642
- SCHOOL PARCEL
- ANNEXATION BOUNDARY
- EXISTING LOT LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SECTION LINE
- EXISTING EASEMENT





RECOMMENDATION

Staff Recommends that the Town Board approve Resolution 2014-27 Initiating Annexation Proceedings as presented



ANNEXATION REQUEST

Staff requests that the following be entered into the record:

- Staff memorandum and supporting documents
- Recommendation



MEMORANDUM

Date: May 12, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Josh Olhava, Associate Planner
Subject: Site Plan Presentation – Highlands Industrial Park Subdivision Second Filing, Lot 5, Block 3 – Office/Warehouse Building – 7360 Greendale Road – Paul Hoffman, Greendale 7360, LLC., applicant/ Aubrey Carson, Carson Design Studio, LLC., applicant’s representative
Location: 7360 Greendale Road
Item #s: C.5

Background:

The applicant, Mr. Paul Hoffman, Greendale 7360, LLC, represented by Mr. Aubrey Carson of Carson Design Studio LLC., is proposing a new building in the Limited Industrial (I-L) zoning district in the Highlands Industrial Park Subdivision, located at 7360 Greendale Road. The new building is currently being planned as a spec office and warehouse building.

Site characteristics include:

- approximately 6,400 square foot building;
 - Includes the warehouse, office and restrooms
- approximately 7,000 square foot gravel storage yard;
 - Includes a 6 foot vinyl coated chain link fence
- 11 off street parking spaces, including accessible parking space(s); and
- over 20% landscaped area.

The current presentation is intended for the Town Board’s information. Should the Board have any comments or concerns pertaining to this project, please refer such comments to staff during the presentation so that they may be addressed during staff’s review of the project. The site plan will be reviewed and approved administratively by staff, however, if the project review process reveals issues that cannot be resolved between the applicant and staff, the site plan will be brought back to the Town Board for review.

Conformance with Comprehensive Plan: The application is consistent with the following Commercial goals and policies of the Comprehensive Plan:

Goals:

1. *All commercial and industrial development should provide a safe, aesthetically-appealing and healthy environment which does not have adverse impacts on surrounding areas.*
3. *Windsor should continue to encourage and promote commercial and industrial development, redevelopment and expansions in order to strengthen its tax base, increase revenue sources, and provide high-quality employment opportunities for its residents.*

Policies:

6. *All commercial and industrial site plans should provide landscaping plans for the exterior portions of the buildings, walkways, parking lots, and street frontages; develop specific landscaping regulations and requirements to implement this policy.*
10. *Encourage employment centers to locate in areas where traffic generation and environmental impacts will have the least impact on adjacent areas, and where connections to existing economic activity can be maximized.*

Conformance with Vision 2025: The proposed application is consistent with various elements of the Vision 2025 document, particularly the chapter on Economic Vitality.

Notification: The Municipal Code does not require notification as this item is for presentation purposes

Recommendation: No recommendation as this item is for presentation purposes.

Enclosures: application materials
site plan narrative
staff PowerPoint

pc: Paul Hoffman, Greendale 7360, LLC., applicant
Aubrey Carson, Carson Design Studio LLC., applicant's representative

TOWN OF WINDSOR PLANNING DEPARTMENT
301 Walnut Street, Windsor, CO 80550
Phone: 970-674-2415; Fax: 970-674-2456

For office use only:
Project ID No.

LAND USE APPLICATION FORM

Land use applications shall include all items listed in the application submittal checklist and the Town of Windsor Municipal Code (Code). The Town of Windsor Planning Department reserves the right to refuse to accept incomplete submittals. Please see the Code for submittal requirements.

APPLICATION TYPE:

- ANNEXATION
- MASTER PLAN
- REZONING
- MINOR SUBDIVISION
- LOT LINE ADJUSTMENT
- MAJOR SUBDIVISION
- SITE PLAN
- ADMINISTRATIVE SITE PLAN
- SITE PLAN - Qualified Commercial or Industrial (Fast Track)

STATUS:

(for MAJOR SUBDIVISIONS and SITE PLANS only)

- Preliminary
- Final

PROJECT NAME*: Greendale Office Warehouse

LEGAL DESCRIPTION*: _____

PROPERTY ADDRESS (if available): 7360 Greendale

PROPERTY OWNER (APPLICANT):	
Owner's Name(s)*:	<u>Greendale 7360, LLC 40 Paul Hoffman</u>
Company:	_____
Address*:	<u>PO Box 1069 FORT COLLINS CO. 80522</u>
Primary Phone #*:	_____ Secondary Phone #: _____
Fax #*:	_____ E-Mail*: <u>paule@sweetwaterlimited.com</u>

OWNER'S AUTHORIZED REPRESENTATIVE:	
Representative's Name:	<u>C. Aubrey Carson</u>
Company:	<u>Carson Design Studio LLC</u>
Address:	<u>413 Cormorant Ct. Fort Collins CO 80525</u>
Primary Phone #:	<u>(970) 481 3366</u> Secondary Phone #: _____
Fax #:	_____ E-Mail: <u>carsondesign@comcast.net</u>

All correspondence will only be sent to the owner's authorized representative. It is the sole responsibility of the representative to distribute correspondence to the owner and other applicable parties, i.e. engineers, architects, surveyors, attorneys, consultants, etc.

I hereby depose and state under the penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my knowledge.

C. Aubrey Carson 2 / 14 / 2014
Signature: Owner or Owner's Authorized Representative** Date

**Proof of owner's authorization is required with submittal if signed by Owner's Authorized Representative.

C. Aubrey Carson
Print Name(s)

*Required fields
Revised 11/15/2013

December 5, 2013

**Highlands Industrial Park
7360 Greendale Road
Concept Review Narrative**

This request is for a new building to be located at 7360 Greendale Road in Highlands Industrial Park Subdivision. The 26,000 sf site is located east of the Minute Man Building, and West of Elder Construction's storage yard, along the north side of the road. The site is zoned I-L, Limited Industrial District.

The proposed building is approximately 6,400 square feet in size. The building user has not yet been defined, and will either be built as a spec building shell, or a build to suite once a tenant has been established. The Shop/warehouse is proposed to be approximately 5,500 sf and office area is approximately 900 sf. Restrooms will also be provided.

The building will contain office area in the front, and shop/warehouse area in the back. It will have a fenced yard with gravel, and paved parking for 11 off street spaces.

The building will have approximate side wall heights of 18 feet, and a 4 / 12 roof pitch. Exterior materials are expected to be metal. The 6 foot chain link fence will be vinyl coated per the covenants of the park.

Landscape will be per Town of Windsor requirements.



SITE PLAN PRESENTATION

HIGHLANDS INDUSTRIAL PARK SUBDIVISION, SECOND FILING, LOT 4, BLOCK 5

**OFFICE/WAREHOUSE
7360 GREENDALE ROAD**

**Josh Olhava, Associate Planner
May 12, 2014**

Town Board
Item C.5



QUALIFIED COMMERCIAL & INDUSTRIAL SITE PLAN

Article IX of Chapter 17 of the Municipal Code outlines the purposes of the Qualified Commercial & Industrial Site Plan process such that:

Sec. 17-9-10. Intent and Purpose

“Commercial and industrial site plans proposed to be developed on lots that have either previously been subdivided or are presently being subdivided as part of a minor subdivision shall qualify for administrative site plan review in accordance with the requirements of this Section.”

SITE VICINITY MAP



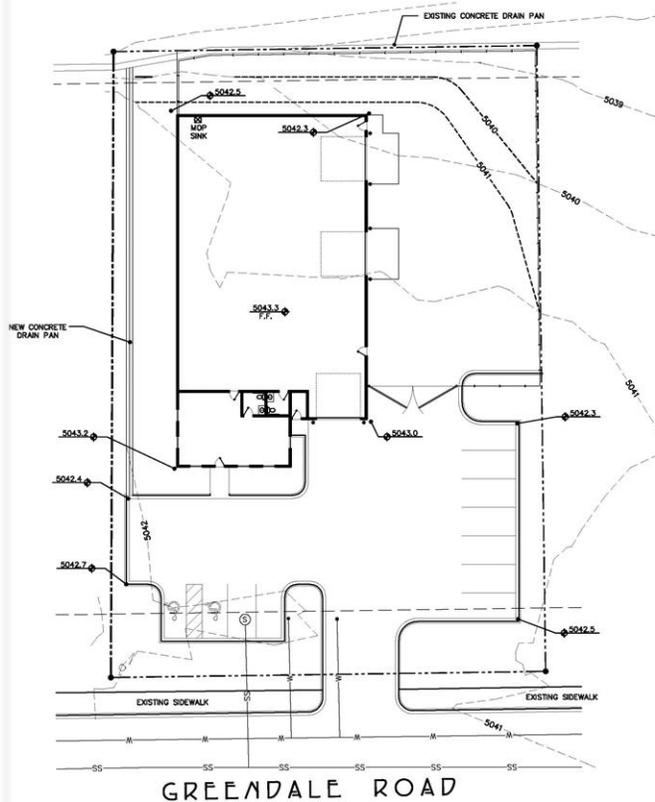
Site Location

SITE PROXIMITY ZONING MAP

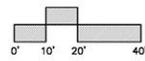


Site Location – Zoned Limited Industrial (I-L)

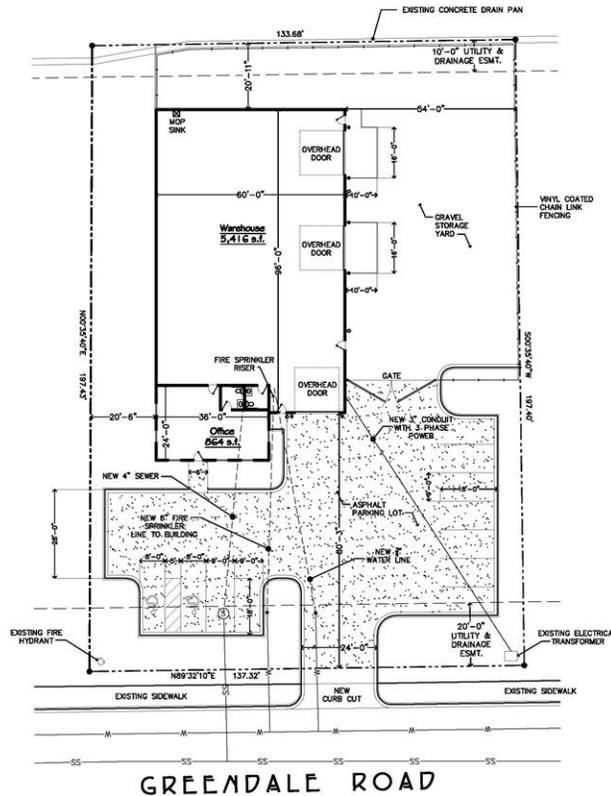
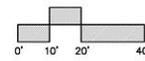
7360 GREENDALE – SITE PLAN



2 GRADING PLAN
 Scale 1" = 20'-0"



1 SITE & UTILITY PLAN
 Scale 1" = 20'-0"



Site General Notes:

- ALL SIGNS SHALL BE REQUIRED TO APPLY FOR SIGN PERMIT.
- PROPOSED GRADES SHALL MATCH OR IMPROVE EXISTING GRADES TO PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING WHILE PROVIDING A SMOOTH TRANSITION BETWEEN ALL ADJACENT UNDISTURBED GRADES AND PROPOSED GRADES.
- JOB SITE TO BE KEPT CLEAN AT ALL TIMES AND CONSTRUCTION AREAS ARE TO BE MAINTAINED FOR SAFETY.
- SOILS DISTURBED ADJACENT TO WORK AREA, INCLUDING AREAS OUTSIDE OF CONSTRUCTION LIMITS, DUE TO NEW CONSTRUCTION ARE TO BE REGRADED AND SURFACE CONDITIONS REPAIRED AND SEEDED EQUIVALENT TO THAT CONDITION PRIOR TO START OF WORK.
- PROTECT EXISTING SURFACES BOTH INSIDE AND OUTSIDE OF CONSTRUCTION LIMITS, DURING CONSTRUCTION. IF GRADES, CONCRETE OR ASPHALT ARE DAMAGED DUE TO CONSTRUCTION OPERATIONS OR WEATHER THE CONTRACTOR IS RESPONSIBLE FOR REPAIR TO THAT EQUIVALENT TO EXISTING CONDITIONS AT NO EXPENSE TO THE OWNER / CITY.
- CONTRACTOR IS RESPONSIBLE FOR SETUP OF BARRICADES, WARNING SIGNAGE, OR OTHER PROTECTIVE DEVICES IF ANY EXCAVATIONS ARE LEFT EXPOSED AFTER ON-SITE WORK HOURS.
- THE CONTRACTOR SHALL NOT PURPOSEFULLY PROCEED WITH ANY CONSTRUCTION PER PLANS PROVIDED WHEN OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST THAT WERE NOT CONSIDERED OR CHANGED AFTER PLANS WERE SUBMITTED. CONTRACTOR SHALL NOTIFY OWNER OR OWNER'S REPRESENTATIVE AND THE CITY OF LOVELAND IF SITUATION ARISES AND REVISIONS ARE NECESSARY.
- THE CONTRACTOR SHALL PREVENT SEDIMENT, DEBRIS AND OTHER POLLUTANTS FROM ENTERING ANY STORM WATER SEWER SYSTEM OR ADJACENT WATER WAYS, ETC. DURING THE DEMOLITION OR CONSTRUCTION OPERATIONS THAT ARE PART OF THIS PROJECT. THE CONTRACTOR SHALL BE HELD RESPONSIBLE AND EXPENSE FOR THE CORRECTION OF ANY ADVERSE IMPACTS TO THE STORM WATER SEWER SYSTEM OR ADJACENT WATER WAYS, WETLANDS ETC., RESULTING FROM THE WORK DONE AS PART OF THIS PROJECT/CONTRACT.
- THE CONTRACTOR SHALL BE RESPONSIBLE PRIOR TO BIDDING AND CONSTRUCTION, OF BECOMING AWARE OF ALL EXISTING AND PROPOSED UTILITIES, PIPES, STRUCTURES, ETC. CALL UNCC THREE DAYS BEFORE SCHEDULED WORK AT 811 OR 1-800-522-1987.
- ALL FIXTURES SHALL BE FULL-CUT OFF AND MOUNTED IN FULL CUT OFF POSITION

Land-Use Statistics

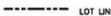
GROSS AREA COVERAGE			
	SQUARE FEET	ACRES	% OF GROSS AREA
BUILDING FOOTPRINT	6,300 S.F.	0.1446	24%
LANDSCAPE AREA	6,187 S.F.	0.142	23%
PAVEMENT / PARKING	7,247 S.F.	0.1664	27%
GRAVEL YARD	6,960 S.F.	0.1598	26%
WALKS	54 S.F.	0.0012	LESS THAN 1 %
GROSS LAND AREA	26,748 S.F.	0.614	100 %

TOTAL BUILDING SQUARE FOOTAGE	6,624 SQUARE FOOT
-------------------------------	-------------------

OFF STREET PARKING PROVIDED	
STANDARD	9
ACCESSIBLE	2
TOTAL	11

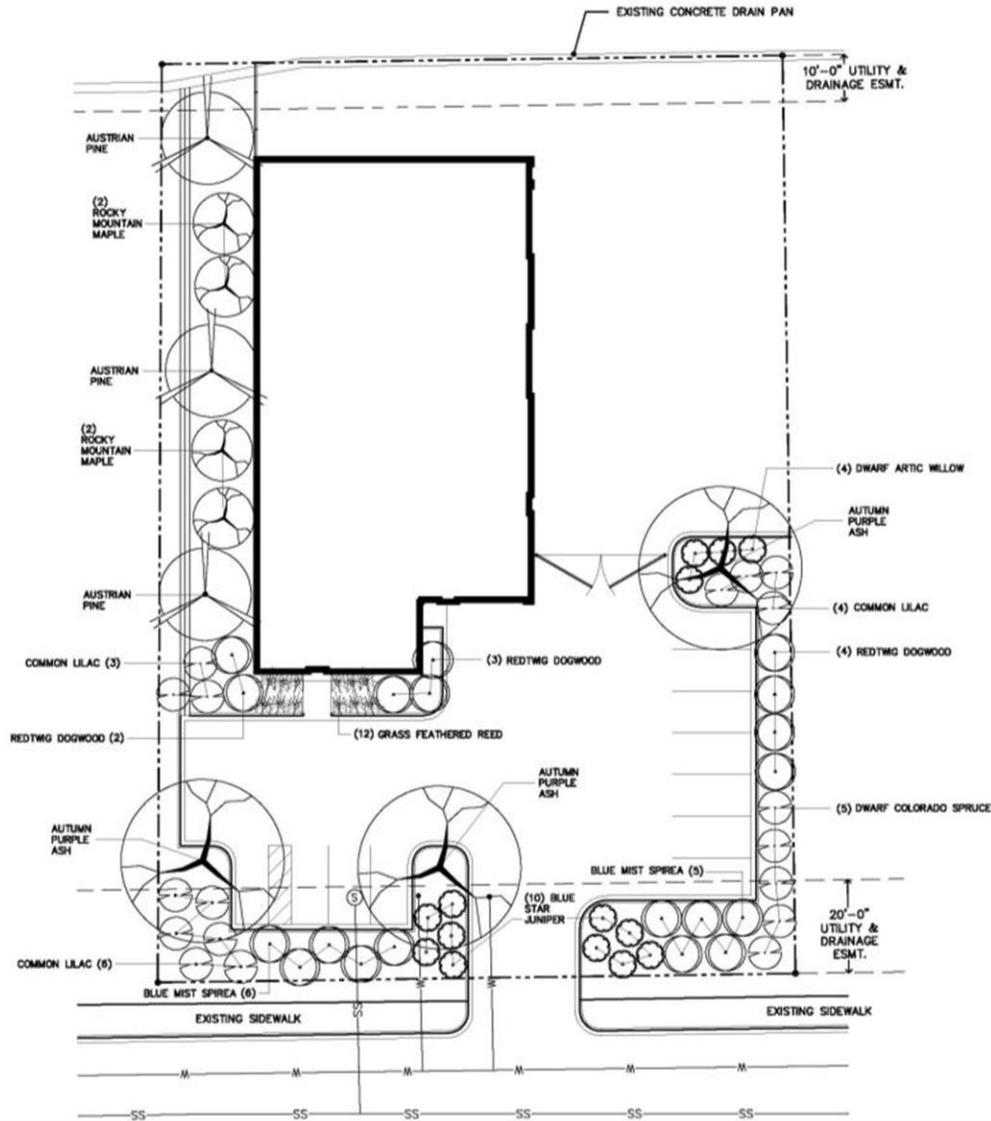
ZONING	I-L LIMITED INDUSTRIAL
--------	------------------------

LEGEND

-  CONCRETE WALKS / PAVEMENT
-  GRAVEL
-  LOT LINE
-  FENCE LINE
-  EASEMENT LINE
-  HANDICAP PARKING STALL
-  PARKING LOT LIGHT POLE
-  BUILDING MOUNTED LIGHT



7360 GREENDALE - LANDSCAPE PLAN



Plant List

SHADE TREES

COMMON NAME	QTY.	SIZE	MATURE HxW	SPACING
AUTUMN PURPLE ASH	3	2" cal	40'-60' x 35'-45'	30'

EVERGREEN TREES

COMMON NAME	QTY.	SIZE	MATURE HxW	SPACING
AUSTRIAN PINE	3	8'-10'	50'-60' x 30'-40'	20'

ORNAMENTAL TREES

COMMON NAME	QTY.	SIZE	MATURE HxW	SPACING
ROCKY MOUNTAIN MAPLE	4	5 gal	10'-15' x 8'-10'	8'-8'

SHRUBS

COMMON NAME	QTY.	SIZE	MATURE HxW	SPACING
BLUE MIST SPIREA	11	5 gal	2'-4' x 2'-3'	4'
REDTNG DOGWOOD	9	5 gal	8'-10' x 8'-10'	8'
DWARF ARTIC WILLOW	4	5 gal	6'-8' x 6'-10'	3'
COMMON LILAC	13	5 gal	12'-15' x 8'-12'	8'
DWARF COLORADO SPRUCE	5	5 gal	3'-5' x 3'-5'	4'
BLUE STAR JUNIPER	10	5 gal	2'-3' x 3'-5'	4'

ORNAMENTAL GRASSES

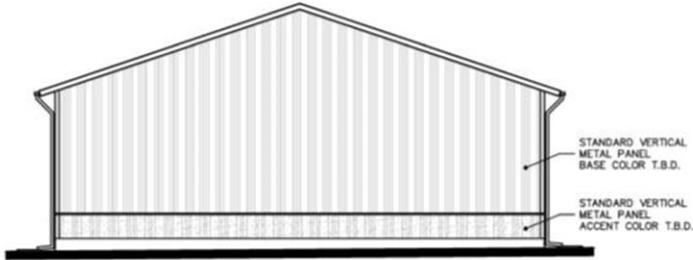
COMMON NAME	QTY.	SIZE	MATURE HxW	SPACING
GRASS FEATHERED REED	12	1 gal	4' x 2'	2'

Landscape Area Statistics

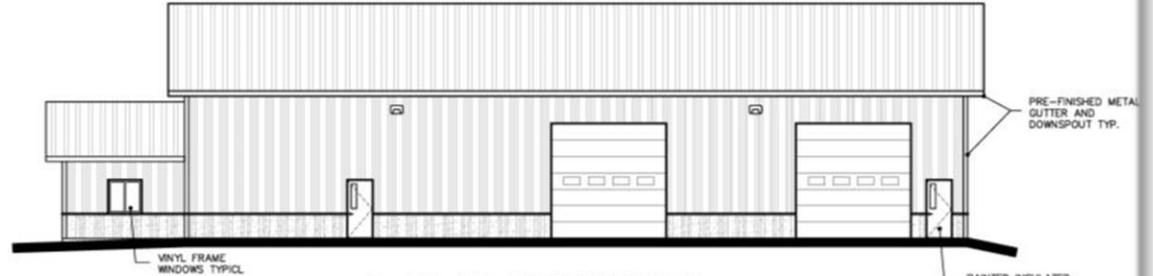
GROSS AREA COVERAGE

	SQUARE FEET	ACRES	% OF GROSS AREA
NON IRRIGATED NATIVE GRASS	6,300 S.F.		24%
DRIP IRRIGATED MULCH / COBBLED SHRUB BEDS	6,187 S.F.		23%

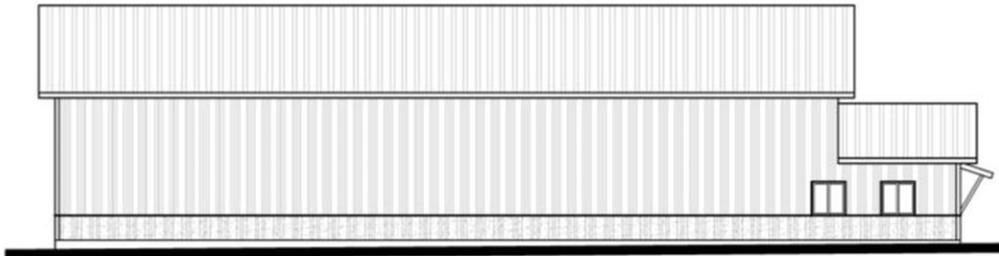
7360 GREENDALE - BUILDING ELEVATIONS



④ NORTH ELEVATION
 Scale 1/8" = 1'-0"



③ EAST ELEVATION
 Scale 1/8" = 1'-0"



② WEST ELEVATION
 Scale 1/8" = 1'-0"



① SOUTH ELEVATION
 Scale 1/8" = 1'-0"



MEMORANDUM

Date: May 12, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Scott Ballstadt, AICP, Chief Planner
Subject: Site Plan Presentation – South Gate Business Park Subdivision, 2nd Filing, Lot 2, Block 1 Site Plan (KIA Auto Dealership Expansion)
Location: 1115 South Gate Drive
Item #s: C.6

Background:

The applicant, Mr. Steve Taylor, 410 Partnership, LLLP, represented by Mr. Jonathan Pilgrim, Casseday Creative Designs, LLC, is proposing an auto dealership in the General Commercial (GC) zoning district in the South Gate Business Park Subdivision 2nd Filing adjacent to U.S. 34.

According to the application materials, the new facility will function as the service center and used car sales center for the existing KIA dealership on the adjacent lot to the east. The proposed building will be approximately 22,803 square feet in size and the building materials and colors will complement the existing dealership. The new facility is expected to create 15 new jobs.

The current presentation is intended for the Town Board's information. Should the Town Board have any comments or concerns pertaining to this project, please refer such comments to staff during the presentation so that they may be addressed during staff's review of the project. The site plan will be reviewed and approved administratively by staff, however, if the project review process reveals issues that cannot be resolved between the applicant and staff, the site plan will be brought back to the Town Board for review.

Conformance with Comprehensive Plan: The application is consistent with the following Commercial goals and policies of the Comprehensive Plan:

Goals:

1. *All commercial and industrial development should provide a safe, aesthetically-appealing and healthy environment which does not have adverse impacts on surrounding areas.*
3. *Windsor should continue to encourage and promote commercial and industrial development, redevelopment and expansions in order to strengthen its tax base, increase revenue sources, and provide high-quality employment opportunities for its residents.*

Policies:

6. *All commercial and industrial site plans should provide landscaping plans for the exterior portions of the buildings, walkways, parking lots, and street frontages; develop specific landscaping regulations and requirements to implement this policy.*

KIA site plan presentation memo

10. *Encourage employment centers to locate in areas where traffic generation and environmental impacts will have the least impact on adjacent areas, and where connections to existing economic activity can be maximized.*

Conformance with Vision 2025: The proposed application is consistent with various elements of the Vision 2025 document, particularly the chapter on Economic Vitality.

Notification: The Municipal Code does not require notification as this item is for presentation purposes.

Recommendation: No recommendation as this item is for presentation purposes.

Enclosures: application materials
site plan narrative
slides

pc: Steve Taylor, 410 Partnership, LLLP, applicant
Jonathan Pilgrim, Casseday Creative Designs, LLC

TOWN OF WINDSOR PLANNING DEPARTMENT

301 Walnut Street, Windsor, CO 80550
Phone: 970-674-2415; Fax: 970-674-2456

For office use only:
Project ID No.

LAND USE APPLICATION FORM

Land use applications shall include all items listed in the application submittal checklist and the Town of Windsor Municipal Code (Code). The Town of Windsor Planning Department reserves the right to refuse to accept incomplete submittals. Please see the Code for submittal requirements.

APPLICATION TYPE:

- ANNEXATION
- MASTER PLAN
- REZONING
- MINOR SUBDIVISION
- LOT LINE ADJUSTMENT
- MAJOR SUBDIVISION
- SITE PLAN
- ADMINISTRATIVE SITE PLAN
- SITE PLAN - Qualified Commercial or Industrial (Fast Track)

STATUS:

- (for MAJOR SUBDIVISIONS and SITE PLANS only)
- Preliminary
 - Final

PROJECT NAME*: KIA AUTO DEALERSHIP

LEGAL DESCRIPTION*: LOT 2 BLOCK 1 SOUTH GATE BUSINESS PARK, 2ND FILING

PROPERTY ADDRESS (if available): 1115 SOUTH GATE DRIVE

PROPERTY OWNER (APPLICANT):

Owner's Name(s)*: <u>STEVE TAYLOR</u>
Company: <u>410 PARTNERSHIP, LLLP</u>
Address*: <u>1111 SOUTH GATE DRIVE WINDSOR, CO 80550</u>
Primary Phone #: <u>970-576-3100</u> Secondary Phone #: <u>303-901-5959</u>
Fax #: <u>970-576-3202</u> E-Mail*: <u>staylor@peakkianorth.com</u>

OWNER'S AUTHORIZED REPRESENTATIVE:

Representative's Name: <u>JONATHAN PILGRIM, ROBB CASSEDAY</u>
Company: <u>CASSEDAY CREATIVE DESIGNS, LLC</u>
Address: <u>1703 61ST AVE. SUITE 101 GREELEY, CO 80634</u>
Primary Phone #: <u>970-515-6675</u> Secondary Phone #: <u>970-381-6022</u>
Fax #: <u>970-515-6675</u> E-Mail: <u>jonathan@casseday.net</u>

All correspondence will only be sent to the owner's authorized representative. It is the sole responsibility of the representative to distribute correspondence to the owner and other applicable parties, i.e. engineers, architects, surveyors, attorneys, consultants, etc.

I hereby depose and state under the penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my knowledge.

 2-12-14
Signature: Owner or Owner's Authorized Representative** Date

**Proof of owner's authorization is required with submittal if signed by Owner's Authorized Representative.

ROBB R. CASSEDAY, AIA
Print Name(s)

*Required fields
Revised 11/15/2013



Casseday Creative Designs, LLC
P.O. Box 337733
Greeley, CO 80633-0629

CHECKLIST FOR CONCEPT REVIEW – NARRATIVE DESCRIPTION OF THE PROPOSED CONCEPT:

For site plans include proposed number of employees and type of business:

The new structure will be owned and operated by 410 Partnership, LLLP and will function as the service center and used car sales center for the Kia dealership located directly to the east. The lot is 1115 South Gate Drive, Windsor, CO 80550 legally described as Lot 2 of Block 1 of the Southgate Business Park Subdivision 2nd Filing and is zoned General Commercial (GC). There are a total of 15 new employees in this facility. The owner expects the project to generate approximately 200 customers per month in addition to the existing building. Construction will be completed in one phase.

Include a description of all structures to be built on the site including: size, quantity and use:

The new building will be a 22,803 gross square foot masonry building located 86' from the east lot line and 122.3' from the north lot line. The overall building dimensions are 186'-8" x 174'-0". The building will face south and be parallel with the south lot line. The roofs will be low slope with parapets. The main customer entries will be on the east side and the south side of the building. The parapets will be at heights of 20'-8" and 24'-8" on the main part of the building and parapets on the attached bays will be 19'-4".

The new structure will be steel framed and constructed of CMU block with stucco and metal surfaces to complement the existing Kia building to the east. The paint and stucco colors will also complement the existing Kia building, being white with trim and accent surfaces of grey, black and red to match Kia's required corporate colors. There will be storefront windows and doors around the south, east and west sides of the building where the offices and customer hospitality center will be located.

The easement areas and parking islands as well as the property line setback will be landscaped as per the Town of Windsor development code. There will be a trash dumpster enclosure placed on the northeast corner of the parking area.

The building will include an automotive service area with room for eleven vehicles and will be approximately 6,500 sq. ft. There will be restrooms for the service techs in the service area as well as a locker/break area. The building will also have a utility storage area of approximately

Casseday Creative Designs, LLC
Architecture ~ Planning ~ Sustainable Development ~ LEED
(970) 515-6675 phone, fax
email: Robb@Casseday.net ~ www.Casseday.net

2,500 sq. ft. attached and on the north end of the building. There will be a detail and wash bay of approximately 1,000 sq. ft. attached and on the northwest corner of the new structure.

The south portion of the building will include a conference room and break room, offices and a customer hospitality center for waiting and entertainment while service to their cars is performed. This area will also have public restrooms with adequate facilities.

The developed lot will have a fenced children's playground with playground equipment approximately 50' square, outside near the southeast corner of the building. Access will only be available from inside the building. Service customers will drop off their vehicles at a four bay service entrance located on the east side of the building.

The subdivision has been developed to provide the lot all utility needed for this building and its operations. Access to the lot will be via an existing private drive located on the east side of the property and will be shared with the KIA dealership to the east.

The lot will include 176 parking spaces with approximately 25 spaces dedicated to customers, three of those being designated handicap parking stalls and located on the south end of the building. There will be one raised display vehicle area at the south property line to display vehicles for sale. There are two new stop signs where the drive aisles meet the existing private road, and no new traffic signals.

No new site signage is planned. The exterior building sign on the south wall will match that on the existing adjacent building.

There is a drilling window located in the north portion of the property and there are two active wells within that drilling window with 150' setbacks per the South Gate Surface Use Agreement, paragraph 4c. The lot development is outside of the setbacks and will not impede on the extraction of minerals by the mineral owner or his leasee.



SITE PLAN PRESENTATION
SOUTH GATE BUSINESS PARK SUBDIVISION
2ND FILING LOT 2 BLOCK 1 SITE PLAN

KIA AUTO DEALERSHIP

Scott Ballstadt, AICP, Chief Planner
May 12, 2014

Town Board

Item C.6



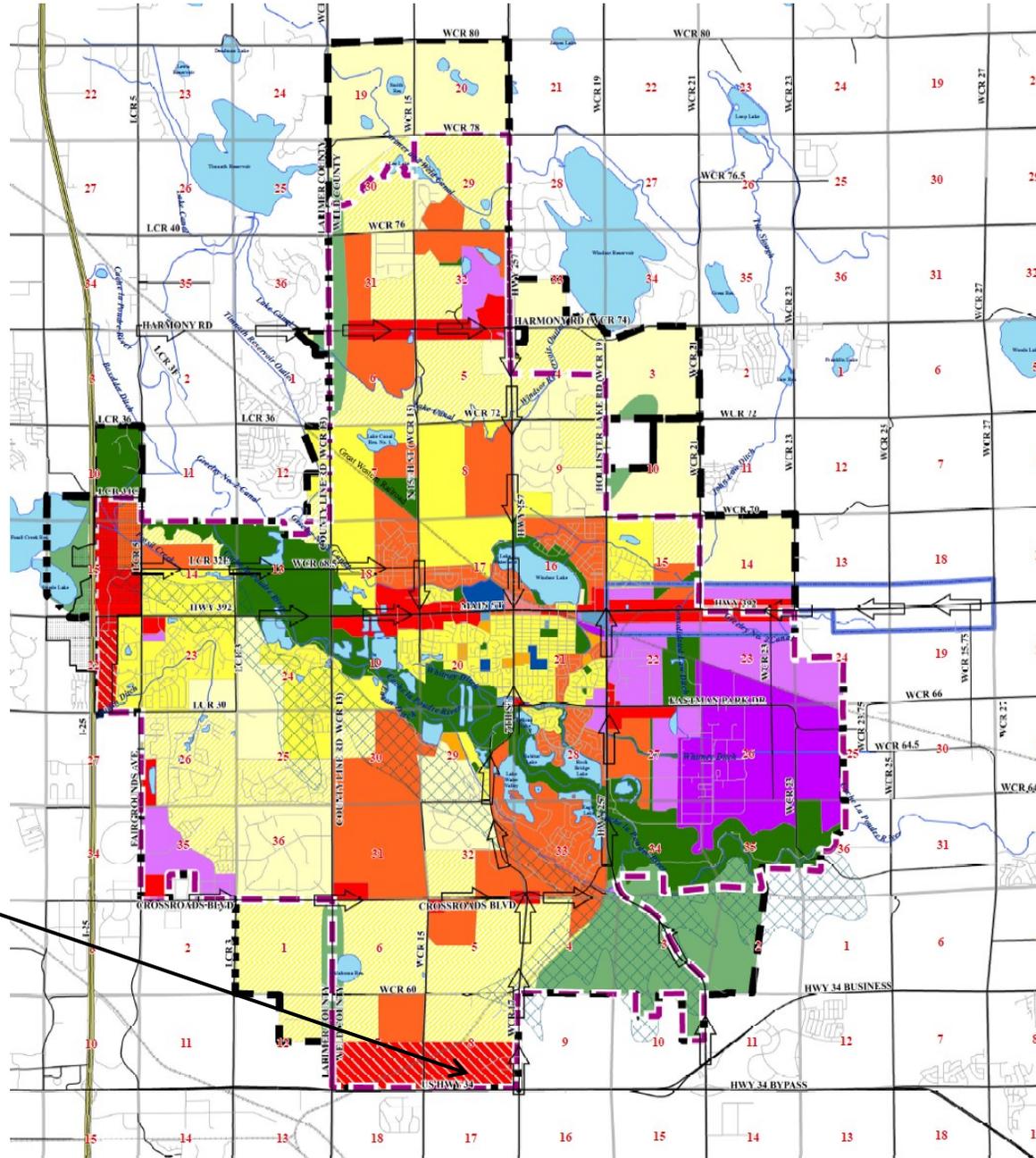
QUALIFIED COMMERCIAL & INDUSTRIAL SITE PLAN

Article IX of Chapter 17 of the Municipal Code outlines the purposes of the Qualified Commercial & Industrial Site Plan process:

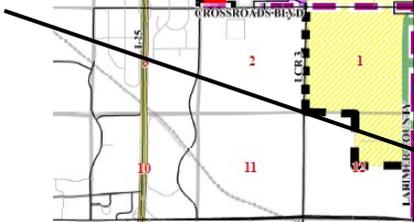
Sec. 17-9-10. Intent and Purpose

“Commercial and industrial site plans proposed to be developed on lots that have either previously been subdivided or are presently being subdivided as part of a minor subdivision shall qualify for administrative site plan review in accordance with the requirements of this Section.”

LAND USE MAP



Subject Site

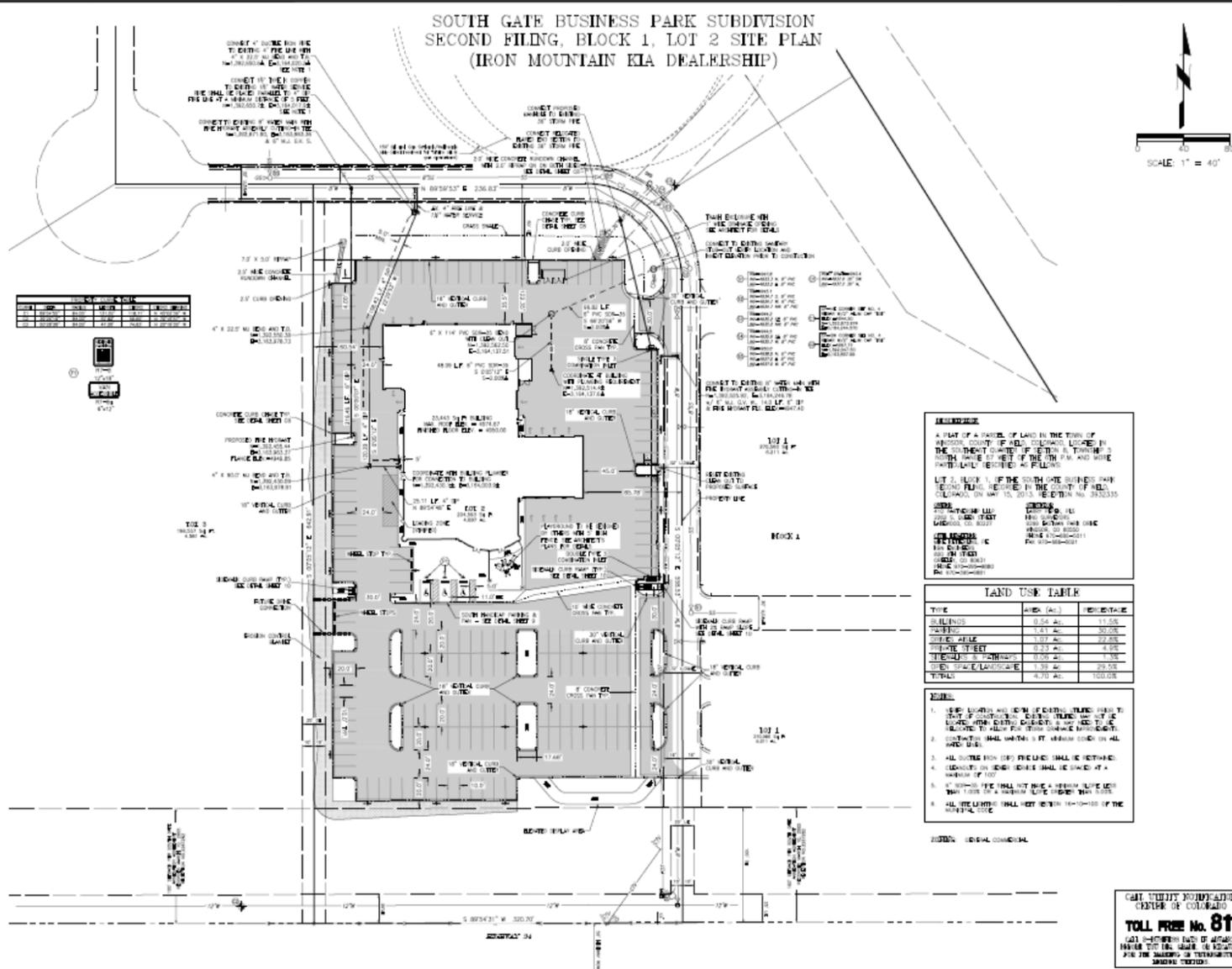


SITE VICINITY MAP



SITE PLAN

**SOUTH GATE BUSINESS PARK SUBDIVISION
SECOND FILING, BLOCK 1, LOT 2 SITE PLAN
(IRON MOUNTAIN KIA DEALERSHIP)**



PROPOSED PAVING

TYPE	AREA (SQ. FT.)	EST. QUANTITY
ASPHALT	1,211	30,000
CONCRETE	1,137	22,000
TOTAL	2,348	52,000

REFERENCE
A PART OF A PARCEL OF LAND IN THE TOWN OF WINDSOR, COUNTY OF COLORADO, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 67 WEST OF THE 10TH PR. AND MORE (PART-LAND) REFERRED AS FOLLOWS:
LOT 2, BLOCK 1, OF THE SOUTH GATE BUSINESS PARK SECOND FILING, RECORDED IN THE COUNTY OF COLORADO, ON MAY 15, 2013, REFERENCE NO. 20132335

OWNER: IRON MOUNTAIN KIA DEALERSHIP, LLC
200 S. GATE STREET
WINDSOR, CO 80557

DESIGNER: KETTERLING, BUTNERUS & NORTON
800 8th Street
Boulder, Colorado
(970) 395-9580

LAND USE TABLE

TYPE	AREA (SQ. FT.)	PERCENTAGE
BUILDINGS	6,064	11.5%
PARKING	1,211	2.3%
DRIVEWAY	1,137	2.2%
PRIVATE STREET	6,923	13.2%
TERMINUS & FORESHORE	6,064	11.5%
OPEN SPACE/LANDSCAPE	1,137	2.2%
TOTAL	47,010	100.0%

- NOTES:**
1. SEE EXHIBIT AND NOTES OF CERTAIN UTILITIES FOR LOCATION OF UTILITIES. EXISTING UTILITIES ARE TO BE DELETED FROM EXISTING EXHIBIT AND REPLACED BY NEW UTILITIES TO BE SHOWN ON ALL SHEETS.
 2. EXISTING 18\"/>

CALL UTILITY LOCATIONS AND CENTER OF COLUMBIAN
TOLL FREE No. 811
CALL 3-COLORADO DOTS OF UTILITY LOCATIONS TO THE CALLER OR VISITATION FOR THE CALLING A TELEPHONE SERVICE CENTER

DATE	DESCRIPTION

K&N ENGINEERS
KETTERLING, BUTNERUS & NORTON
800 8th Street
Boulder, Colorado
(970) 395-9580

DATE	DESCRIPTION

South Gate Business Park Sub. 2nd Filing
Block 1, Lot 2 Site Plan-Windsor, Colorado
Site and Utility Plan

PROJECT NO.	13030
SCALE	AS SHOWN
DATE	April 18, 2014
SHEET	16
TOTAL	4

BUILDING ELEVATIONS





MEMORANDUM

Date: May 12, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Joseph P. Plummer, AICP, Director of Planning
Subject: Resolution 2014-28 Amending the Design Criteria for Developments Within the Industrial Areas of the Windsor-Severance Highway 392 Intergovernmental Agreement
Item #: C.7

Background:

At the April 2, 2014 work session the Planning Commission discussed the enclosed amendments to the industrial development standards of the Windsor-Severance Development Plan (Plan). As noted during the work session and as shown in yellow on the enclosed Exhibit "A", these new development standards will only apply to projects that are developed within the industrial portions of the cooperative planning area. Additionally, staff advised the Planning Commission that the development standards that are currently in place for developments within the Commercial Corridor Area which abuts Highway 392 corridor (shown in pink on Exhibit "A") will remain intact and not be affected by the adoption of these new industrial development standards.

At their May 7, 2014 regular meeting, the Planning Commission recommended approval of Resolution No. 2014-28 and staff concurs with this recommendation.

Conformance with Comprehensive Plan:

The proposed amendments are consistent with the following goal and policy of the commercial and industrial element of the comprehensive plan:

Goal: *Windsor should continue to encourage and promote commercial and industrial development, redevelopment and expansions in order to strengthen its tax base, increase revenue sources, and provide high-quality employment opportunities for its residents.*

Policy: Give proposed commercial or industrial development priority in commercial or industrial zoned areas over other types of land uses.

Conformance with Vision 2025:

The proposed amendments are consistent with the following goal of the Vision 2025 document:

Goal: Grow and diversify the Windsor economy.

Recommendation: Staff recommends approval of Resolution 2014-28 as presented

Attachments:

Resolution No. 2014-28
IGA and Exhibits
Exhibit "A" Cooperative Planning Area

pc: Ian McCargar, Town Attorney
Severance Town staff
Christopher D. Ruff, Manager, 392 Ventures, LLC

RESOLUTION NO. 2014 - 28

A RESOLUTION APPROVING AND ADOPTING THE MAY 12, 2014, INTERGOVERNMENTAL AGREEMENT FOR MODIFICATIONS TO THE JANUARY 12, 2004 WINDSOR-SEVERANCE DEVELOPMENT PLAN

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority vested by Colorado law; and

WHEREAS, the Town has in place a comprehensive system of land use regulations, the purpose of which is to protect the public health, safety and welfare; and

WHEREAS, in December, 2000, the Town entered into an Intergovernmental Agreement with the Town of Severance, the purpose of which was to provide for orderly development of the Cooperative Planning Area described therein; and

WHEREAS, in accordance with the December, 2000, Intergovernmental Agreement, the Town and the Town of Severance adopted the Windsor-Severance Development Plan dated January 12, 2004 (“2004 Development Plan”); and

WHEREAS, through a cooperative effort involving the Town, the Town of Severance and affected land owners, the municipalities have arrived at a series of amendments to the 2004 Development Plan; and

WHEREAS, the proposed amendments have been reviewed by each municipality’s staff, Planning Commission and governing board; and

WHEREAS, the attached Intergovernmental Agreement for Modifications to January 12, 2004, Development Plan is appropriate in all respects, and necessary for the protection of the public health, safety and welfare.

NOW, THEREFORE, be it resolved by the Town Board for the Town of Windsor, Colorado, as follows:

1. The attached Intergovernmental Agreement for Modifications to the January 12, 2004, Development Plan is hereby approved and adopted.
2. The Mayor is hereby authorized to execute the attached Intergovernmental Agreement on behalf of the Town.
3. The Town Attorney is authorized to make such modifications to the form of the attached Intergovernmental Agreement as may be necessary to carry out the intent of this Resolution.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of May, 2014.

TOWN OF WINDSOR, COLORADO

By: _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

**INTERGOVERNMENTAL AGREEMENT
FOR
MODIFICATIONS TO THE JANUARY 12, 2004
WINDSOR-SEVERANCE DEVELOPMENT PLAN**

THIS INTERGOVERNMENTAL AGREEMENT is dated May 12, 2014, and is between the TOWN OF WINDSOR, COLORADO, a Colorado home rule municipal corporation (“Windsor”) and the TOWN OF SEVERANCE, COLORADO, a Colorado statutory municipality.

RECITALS

WHEREAS, the parties entered into that certain Intergovernmental Agreement dated December 11, 2000 (“Agreement”), under which certain understandings were reached with respect to development within a corridor defined therein, lying generally north and south of Colorado Highway 392 bounded on the west by Weld County Road 19/Colorado State Highway 257 and on the east by Weld County Road 23, further defined in the Agreement as the “Cooperative Planning Area”; and

WHEREAS, in accordance with the Agreement, the parties subsequently adopted the Windsor-Severance Development Plan dated January 12, 2004 (“2004 Development Plan”), under which very specific understandings were reached with respect to the expectations and standards for development within the Cooperative Planning Area; and

WHEREAS, with the benefit of experience, the parties have determined that the language used in the 2004 Development Plan should be reviewed and, in some cases, re-written; and

WHEREAS, each party has undertaken review of the proposed changes to the 2004 Development Plan at the administrative, Planning Commission and governing body levels; and

WHEREAS, the governing body for each party has approved the terms of this Intergovernmental Agreement, and has authorized their respective representatives to execute this Intergovernmental Agreement.

NOW, THEREFORE, the parties do hereby agree as follows:

1. Section IX of the 2004 Development Plan (“Land Uses Within the Cooperative Planning Area”) is hereby repealed, amended and superseded by the attached Exhibit A-1, consisting of four pages, which is incorporated herein by this reference as if set forth fully herein. The requirements of Exhibit A-1 shall take effect immediately.
2. Section III of Exhibit D to the 2004 Development Plan (“Site Planning”) is hereby repealed, amended and superseded by the attached Exhibit A-2, consisting of three pages, which is incorporated herein by this reference as if set forth fully herein. The requirements of Exhibit A-2 shall take effect immediately.
3. Section IV of Exhibit D to the 2004 Development Plan (“Architectural”) is hereby repealed, amended and superseded by the attached Exhibit A-3, consisting of three pages, which is incorporated herein by this reference as if set forth fully herein. The requirements of Exhibit A-3 shall take effect immediately.

Except as specifically amended as set forth herein, the Windsor-Severance Development Plan January 12, 2004, shall remain in full force and effect.

TOWN OF WINDSOR, COLORADO

TOWN OF SEVERANCE, COLORADO

John S. Vazquez, Mayor

Donald Brookshire, Mayor

ATTEST:

Patti Garcia, Town Clerk

Patricia J. Lesh, Town Clerk/Treasurer

Exhibit "A-1"

IX. LAND USES WITHIN THE COOPERATIVE PLANNING AREA

Scope and Purpose. This Section addresses principal and accessory commercial and industrial uses that are permitted in the CPA.

Commercial Uses. All of the following types of principal and accessory commercial uses that are permitted as uses by right in the Commercial Corridor Area within the CPA as shown on Exhibit "A" attached hereto, and all such uses, developments and site plans shall meet all site planning criteria and requirements set forth in Exhibit D of the Windsor-Severance Development Plan dated January 12, 2004 recorded on 5/14/2004 under reception number 3180345 in the Office of the Weld County Clerk and Recorder.*

1. Retail establishments, including, but not limited to: supermarkets; bakeries; liquor stores; convenient stores; hardware stores; appliance stores; drug stores; jewelry stores; garden centers; new and used automobile sales; automobile parts stores; bicycle stores; lumber, building supply, and home improvement centers; and other similar types of retail uses.
2. Eating and drinking establishments, including, but not limited to: bars; lounges; restaurants; delicatessens; banquet facilities; private and public clubs and lodges; and other similar types of eating and drinking establishments.
3. Customer service establishments, including, but not limited to: hair styling salons, barber shops and beauty salons; laundromats; dry cleaners; interior decorating services; art studios and galleries; car washes; quick-service establishments for automotive oil changes, tune-ups, etc.; automobile and furniture rental outlets; gasoline service stations; and other similar types of customer service establishments.
4. Recreational and tourism activities, including, but not limited to: theaters; outdoor and indoor commercial recreational facilities; bowling alleys; hotels, motels, bed and breakfast inns, and other similar commercial lodging establishments; and other similar types of recreational and tourism activities (leased or month-to-month apartments or townhome types of dwelling units are not allowed).
5. Business and professional offices, including, but not limited to: banks, saving and loan offices, credit unions, and other financial institutions; real estate offices, surveying firms, engineering firms, architectural firms, and other similar types of consulting firms; medical and dental clinics; public administrative offices, buildings and installations; public utility offices, buildings and installations; and other similar types of business and professional offices and facilities.

6. Accessory uses and structures: any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot.

* Any outdoor storage associated with any of these uses that are located in the Commercial Corridor Area within the CPA as shown on Exhibit A attached hereto (a) may not be located in any front yard, (b) must be fully screened within an opaque fence which may not exceed six (6) feet in height, (c) must be approved by the respective reviewing municipality, and (d) no such storage shall protrude above the top of the respective opaque fence. This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in said Exhibit D.

Industrial Uses. All of the following types of principal and accessory commercial and industrial uses are permitted as uses by right in the portions of the CPA that are located outside of the Commercial Corridor Area as shown on Exhibit A attached hereto. All such uses, developments and site plans shall meet all site planning criteria and requirements set forth in said Exhibit D.

1. All principal and accessory uses outlined in the Commercial Uses section above.
2. Retail establishments, including, but not limited to: outdoor sales areas for recreational vehicles, modular and manufactured homes, boats, trailers, heavy equipment, farm implements, etc., and other similar types of retail uses.
3. Customer service establishments, including, but not limited to: rental outlets for trucks and recreational vehicles; transportation facilities such as light rail stations, transportation depots, etc. (truck stops and truck terminals are not allowed); fully enclosed automobile and appliance service and repair shops; commercial parking facilities; small package shipping and delivery services; printing and publishing facilities; and other similar types of consumer service establishments.
4. Limited industrial uses, including, but not limited to: fully enclosed storage facilities; warehouses; facilities for contractors; manufacturing, assembly, processing, and fabrication facilities; food preparation facilities; research and development facilities; scientific laboratories; and other similar types of limited industrial uses.
5. Accessory uses and structures: any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot, including residential quarters for guards and caretakers.

6. Accessory outdoor storage: the total square footage of accessory outdoor storage shall not exceed sixty-five percent (65%) of the total square footage of the property.

Outdoor storage located within any side or rear yard which is adjacent to a public or private street shall utilize screen walls, earth berms, landscaping, opaque fencing and/or a combination thereof to completely screen the storage, and no such storage shall be visible above or between said methods of screening. Any such screen wall or opaque fencing shall not exceed eight feet (8') in height. Chain-link fencing with slats shall not be considered adequate opaque fencing around any side or rear yard which is adjacent to a public or private street.

Outdoor storage located within any front yard which is adjacent to a public or private street shall utilize screen walls, earth berms, landscaping, opaque fencing and/or a combination thereof to completely screen the storage, and no such storage shall be visible above or between said methods of screening. Any such screen wall or opaque fencing shall not exceed six feet (6') in height. Chain-link fencing with slats shall not be considered adequate opaque fencing around any front yard which is adjacent to a public or private street.

Chain-link fencing with slats shall be allowed in all other areas that are not adjacent to either a public or private street, subject to any such fencing not exceeding eight feet (8') in height in any rear or side yard and not exceeding six feet (6') in height in any front yard.

This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in said Exhibit D, the more restrictive regulation shall apply.

Additionally, such outdoor storage areas may be surfaced with aggregates or recycled asphalt meeting CDOT Class 5 or 6 aggregate base course gradation, or any subsequent amendments thereto. Such surface materials shall require a plan for perpetual maintenance and dust abatement to be approved by the Engineering Department. However, all areas which are designed to be used for parking of vehicles and all interior drives connecting such parking areas shall be paved with asphalt or concrete. For the purposes of this Section, portions of the aggregate surface outdoor storage area may be utilized for parking of company-owned vehicles with a valid state license plate upon identification and Town approval of a site plan application. Such areas for parking of company-owned vehicles as identified on the approved site plan shall not be included in the calculation of outdoor storage for the site.

EXHIBIT "A"
URBAN GROWTH BOUNDARIES, COMMERCIAL CORRIDOR
AREA AND COOPERATIVE PLANNING AREA

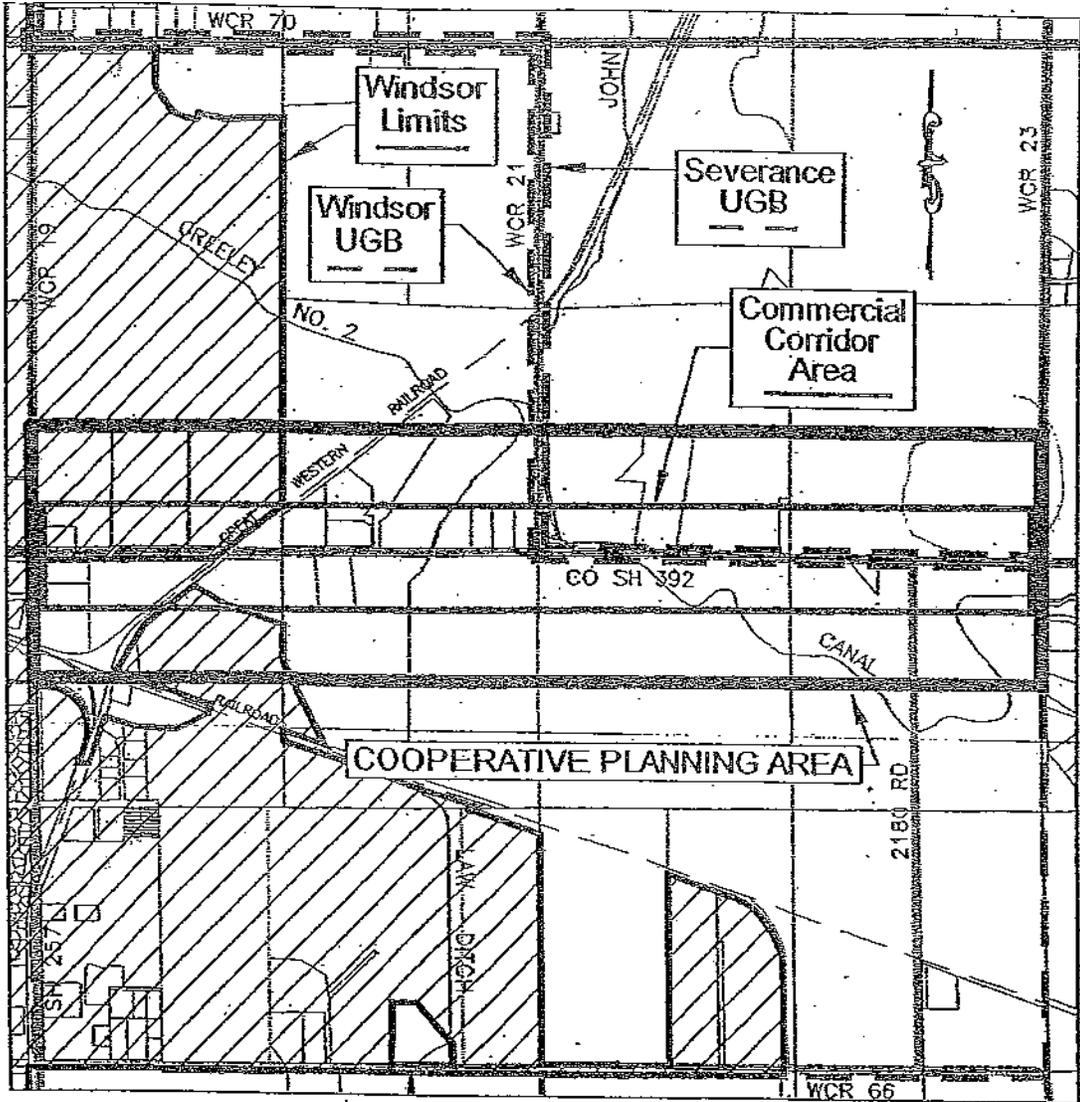


Exhibit "A-2"

III. SITE PLANNING

The following minimum standards and guidelines shall be used as criteria for development within the CPA.

A. Setbacks and Coverage:

1. All minimum setback distances for commercial developments shall be as follows: thirty-five (35) feet from SH 392 or WCR 23; twenty-five (25) feet from all streets other than SH 392 or WCR 23; and setbacks from all other property lines other than from streets (offsets): to be determined by the Planning Commission of the respective reviewing jurisdiction through the Planning Unit Development process. (S)
2. All minimum setback distances for industrial developments shall be as follows:
 - a. For industrial developments abutting other industrial districts/uses: thirty-five (35) feet from SH 392 or WCR 23; thirty (30) feet from all streets other than SH 392 or WCR 23; and twenty (20) feet from all other property lines other than from streets (offsets) which abut other industrial zoning districts and/or uses. (S)
 - b. For industrial developments abutting residential districts/uses: any industrial use abutting a residential zoning district and/or any residential property shall maintain a minimum setback from all respective property lines which abut either the residential zoning district and/or any residential property of thirty (30) feet, with said 30-foot setback distance being used for a substantial landscape buffer that adequately protects the adjoining residential properties from any negative impacts associated with the limited industrial use. (S)
3. To allow for landscape buffers, all paving shall be set back from property lines a minimum of twenty-five (25) feet where abutting SH 392 or WCR 23, fifteen (15) feet abutting all other streets, and five (5) feet from all other property lines which do not abut streets. (S)
4. Building coverage on any given site shall not exceed forty percent (40%) of the site area. (S)
5. Building coverage on any given site shall preferably cover less than thirty-three percent (33%) of the site area. (G)

6. All landscaping shall meet the following standards.
 - a. Within the Windsor Growth Management Area: All landscaping shall comply with the standards set forth in the Town of Windsor's Tree and Landscape Standards, adopted by Resolution 2006-53 on October 23, 2006 and any subsequent updates thereto. (S)
 - b. Within the Severance Growth Management Area: All landscaping shall comply with the Tree and Landscape Standards set forth in Section 6 of the Severance Municipal Code and any subsequent updates thereto. (S)
7. All building elements and landscaping should be oriented to minimize visual impact of parking areas. (G)
8. All fences located on the street side of any site shall be recessed a minimum of two feet (2') back from the front building corners of any building elevation facing a street. (S)

Such fences shall be designed to be compatible with the styles, materials, and colors of nearby buildings and adjacent fences. No fences shall be constructed within any front yards on any sites which front on SH 392 or WCR 23, and no chain link fences shall be visible from SH 392 or WCR 23. (S)

B. Parking & Loading:

1. All parking and drive areas shall be paved with asphalt or concrete and shall have concrete curbs with appropriately radiused corners. (S)
2. Bicycle parking should be provided near building entries, but shall not encroach into pedestrian walkways. (G)
3. Parking areas should be minimized between the street or driveway and building entries. (G)
4. All off-street loading and refuse areas shall be designed to include adequate space for ingress, egress and maneuvering and shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
5. All storage or equipment areas shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
6. Each site entrance drive shall not serve as direct vehicular access to individual parking spaces for a minimum distance, from right-of-way line, of forty-five (45) feet where abutting SH 392 or WCR 23, and thirty-five (35) feet where abutting all other streets. (S)

7. Landscape islands a minimum of fifteen (15) feet in length and eight (8) feet in width shall occur at ends of all parking rows. (S)
8. Parking lot areas shall be broken into sections of two hundred (200) parking spaces maximum, separated by landscaped buffers ten (10) feet in width or greater. (S)
9. All utility services to facilities shall be installed underground. (S)
10. All areas of outdoor sales shall be contained either within a paved parking lot or on display pads constructed of concrete which are connected by a paved drive to a paved parking lot. All such display areas must be shown on the site plan and approved by the reviewing municipality. (S)

C. Site Lighting:

1. The style of light fixtures shall be compatible with the style and character of buildings proposed on the site. If a precedent has been established within the district, it should be followed for any subsequent light fixtures that are used in corresponding or similar situations. (S)
2. Light poles shall not exceed thirty (30) feet in height. (S)
3. Lighting shall be designed to retain light within the property lines of a given building site and shall not spill any light outside said property lines. (S)
4. The face of a building or a ground mounted sign may be flood lit from above the ground provided that the fixture is not more than eighteen inches (18") above grade and is screened by low planting materials or other architectural elements. (S)
5. All exterior and security lighting shall have underground service. (S)

D. Site Amenities:

All building sites are encouraged to incorporate pedestrian amenities such as benches, fountains, courtyards, works of art, etc., especially at the entry locations. (G)

Exhibit "A-3"

IV. ARCHITECTURAL

A. Developments Within the Commercial Corridor Area:

The following architectural standards and guidelines shall be established as a minimum for development within the Commercial Corridor Area of the CPA:

1. Building walls should be subdivided and proportioned to the size of a person, using offsets, projections, overhangs, and recesses, in order to add architectural interest and variety and avoid the effect of a single, massive wall with no relation to human size. (G)
2. Ground floor facades that face streets or public walkways must be modulated with animating features such as windows, entrance areas, arcades, porches, pilasters, awnings, recessed or projecting display windows, and/or trellised vines along no less than 50% of the facade. (S)
3. No blank wall that faces a public street or walkway shall exceed fifty (50) feet in length. (S)
4. The predominant portion of any building shall not exceed thirty (30) feet in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty (40) feet in height. (S)
5. Sloped "residential" type roofs over building masses and at covered walkways are encouraged. (G) Where roofs are sloped, roofs shall slope at a minimum of 5 in 12. (S)
6. Architectural elements that add interest to roofs such as dormers, cupolas, clock towers, and other similar elements are encouraged. (G)
7. Flat rooflines should be avoided on low one story buildings, and where utilized on taller buildings they should feature a three dimensional cornice treatment on all walls facing streets or public walkways. (G)
8. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail.(G)
9. Building materials should consist of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric of the area as much as possible. (G)

10. Any materials other than those encouraged in #9 above, if used, should be used as integral parts of the overall building fabric in repeating modules, proportioned both horizontally and vertically to relate to human scale, and with enough depth at joints between architectural elements and materials to cast shadows. (G)
11. Metal siding panels shall be prohibited on prominent facades that face streets or public walkways, and only architectural grade metal panels will be allowed on non-prominent facades. Vertical ribbed metal siding panels shall be prohibited. (S)
12. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
13. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from public ways and adjacent properties, (S)
14. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)
15. Fully-enclosed trash enclosures constructed with building materials and colors to match the principal buildings on the site shall be provided. (S)

B. Developments Outside of the Commercial Corridor Area:

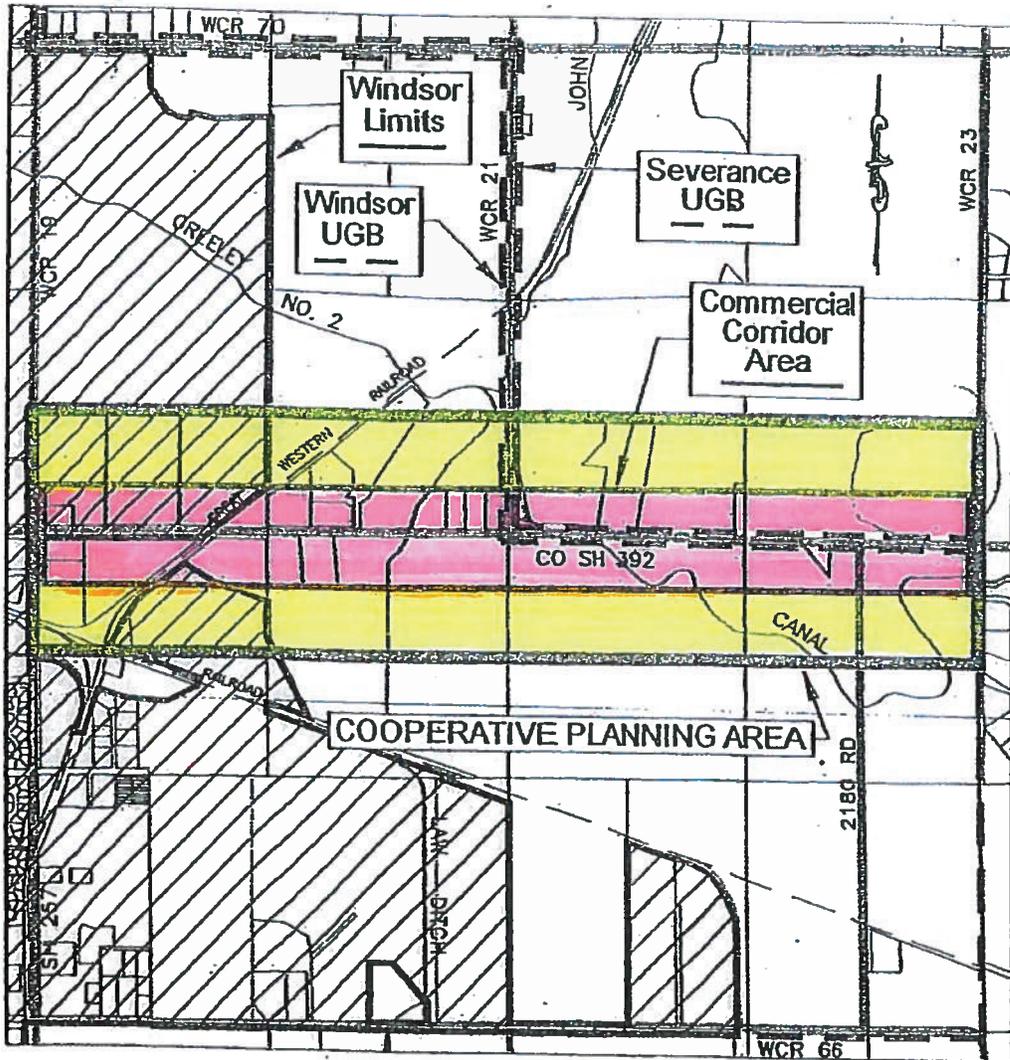
The following architectural standards and guidelines shall be established as a minimum for development not located within the Commercial Corridor Area of the CPA:

1. Building walls should be designed so as to add architectural interest to the façade. (G)
2. No blank wall that faces a public street or walkway shall exceed fifty (50) feet in length. (S)
3. The predominant portion of any building shall not exceed thirty (30) feet in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty (40) feet in height. (S)
4. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail. (G)
5. Building materials consisting of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric are encouraged. (G)

6. Architectural grade metal panels will be allowed on prominent facades that face streets or public walkways, subject to a textured masonry wainscoting with a minimum profile of four inches (4") being applied to all such prominent facades. Any such textured masonry wainscoting shall (a) be a minimum of four feet (4') in height and shall be applied to the entire length of all such prominent facades, (b) consist of textured unit masonry such as brick, stone, or architectural grade concrete masonry units, and (c) wrap around the corners of all ends of all such prominent facades for a minimum distance of ten feet (10'). Other grades of metal siding panels shall be allowed on non-prominent facades, and except as otherwise specified above, the application of wainscoting on non-prominent facades is optional. (S)
7. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
8. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from streets and public walkways. (S)
9. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)
10. Fully-enclosed trash enclosures constructed with building materials and colors to match the principal buildings on the site shall be provided. (S)

EXHIBIT "A"

URBAN GROWTH BOUNDARIES, COMMERCIAL CORRIDOR
AREA AND COOPERATIVE PLANNING AREA





M E M O R A N D U M

Date: May 12, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
 Dean Moyer, Director of Finance and IT
Re: CRC Expansion Public Policy Discussion
Item #: 8.a.

Background / Discussion:

Below are some suggestions associated with public education for the CRC Expansion ballot question. These suggestions work in partnership with recommendations by George K. Baum & Company (GKB), who will be present to discuss the details of their recommendations as attached.

By May 27th: Develop marketing materials as follows...

- Web page – info about project, cost and timing, photos
- Social media post schedule; links to relevant articles in media
- Water bill insert (July or August bill)
- Rack cards or post cards to hand out (not mailed)
- Reverse email strategy to recreation program participants
- Link page dedication (delivered first week of August)
- Newspaper articles (meet with reporters to strategize)

Starting June 1st: Public meetings as follows:

- Senior lunches
- Info at Concert Series
- Info as special events
- Info at summer sports
- Info at concession stands, CRC, TH
- Service clubs outreach
- District meetings (School, Library, Fire)
- CRC public meetings – open to all

Financial Impact:

Postcards	10,000 for \$135.00	15,000 for \$201.00	20,000 for \$267.02
Rackcards	10,000 for \$363.00	15,000 for \$530.00	20,000 for \$699.44
Utility bill inserts			Full color insert \$350.00
Posters			1,000 18x24 for \$352.12
GKB Public Policy Education			\$15,398.00
TOTAL			\$17,066.58

One possible source of funding the Public Policy segment is the Elections line item in the Town Clerk general fund budget. \$50,000 was budgeted to cover the estimated cost of both an April and November election. Although the exact cost of the November election is unknown, there was a cost savings in cancelling the April election.

Relationship to Strategic Plan:

Goal 1F

Recommendation:

For discussion and provide direction to Town Manager.

Attachments:

- b. GKB – Cover memo
- c. GKB – Public Policy Timeline / Budget
- d. GKB – 4 Step Approach

PUBLIC POLICY: A THREE-PHASE APPROACH

The public policy approach that George K. Baum & Company (“GKB”) will use in assisting the Town of Windsor in developing a bond proposal to be potentially placed on the November 2014 ballot can be broken into three phases: Needs Assessment, Public Outreach and Community Comment. The approach is focused on respecting the taxpayer, and only making the decision to place these measures on the ballot after it has been properly vetted by the community.

PHASE #1: NEEDS ASSESSMENT

Determining Your Needs & Outlining Execution

There are a variety of key tasks that need to be accomplished as part of the Needs Assessment phase of the process, including preparation of a comprehensive public policy timeline and budget, development of a “Plan A” proposal to test, preparation of a preliminary financing plan and tax impact analysis, development of a 500-word argument, and development of a key influencer database.

- **Comprehensive Voter Analysis:** George K. Baum & Company will prepare a comprehensive voter analysis based on historical voting records, detailing projected voter turnout for a November 2014 election, demographics of the electorate, and other important data.
- **Your Argument & Supporting Data:** GKB will then assist the Town of Windsor in preparing the core messaging and assembling information needed to develop public information materials.
- **Key Influencer Database:** GKB will also guide the Town in developing a key influencer database. This database will include community opinion shapers such as business leaders, civic leaders, major property taxpayers, and others. Identifying and effectively communicating with this group is a critical step in our proposed approach.

PHASE #2: PUBLIC INFORMATION PROGRAM

Communication & Outreach Efforts

Implementing a comprehensive public information program—funded by the Town (not the campaign)—is critical. A significant number of voters make a decision on tax-related referenda well before a campaign kicks into gear. It’s important that the Town flush out any and all concerns that taxpayers may have well before the final ballot question is adopted in August (if pursued). It’s also important that the Town’s electorate be well informed before they participate in a community opinion survey.

- **Communicating with Community Opinion Shapers (Including Town Employees):** Our recommended approach starts with establishing a strong dialogue with community opinion shapers. Communicating with key influencers prior to rolling out a town-wide public information program is highly recommended. Business leaders, elected officials, civic leaders, the press, religious leaders, key seniors, and others need to be part of the dialogue from the very start. GKB is adept in developing communications strategies, materials and timelines for this important first-step in the public information program.
- **Communicating with Active Voter Households:** Following a public information effort focused on community opinion shapers, we recommend the Town expand the audience to include all active voter households. This includes voters who at least voted in the last general election or registered since the last general election. Again, GKB is prepared to assist the Town with voter identification efforts, issue framing and messaging, copywriting, graphic design, print and mail oversight and other tasks associated with this expanded public information program. We recommend that at least two public information pieces be sent to all active voter households, which provide a concise overview of the problems, solutions and costs associated with the proposals.
- **Presentations:** The Town should consider making presentations to civic groups, business groups and other organizations as part of the public information program.
- **Earned Media:** The Town should work with the media in providing them with details of the proposed project.
- **Website:** The Town will want to post information on the proposed project on its website, including future public information meetings.

PHASE #3: COMMUNITY COMMENT

Mail Survey & Citizen-Led Task Force

After the public information program has been implemented, it's then time to gather public input via public meetings and a community opinion survey.

- **Public Meetings:** GKB recommends the Town host public meetings to discuss the proposed project and tax measure and gather community feedback. These public meetings can be promoted in the direct mail pieces that are sent to active voter households.
- **Mail Survey:** Mail surveys are an excellent method of further informing voters in your community about your facility and operating needs and proposed solutions, and gathering feedback. They are best described as a “town meeting from your kitchen table.” Rather than giving only a small random sampling of voters the chance to voice their opinion, the mail survey would be sent to every active voter household in the Town of Windsor. GKB’s team will assist the Town staff in writing the mail survey questions, providing graphic design and copywriting services, overseeing production and mail services and analyzing the survey results.

Town of Windsor

DRAFT #1: Preliminary Public Policy Timeline & Budget

		# Targeted	Est Hard Costs	2014						
Public Policy Program				May	Jun	Jul	Aug	Sep	Oct	Nov
1	Finalize Key Influencer Database									
2	Finalize "Most Likely Case" Package to Test									
3	Finalize 500-Word Argument (Problem, Solution, Cost, Urgency)									
4	Correspondence/Meetings With Town and Parks & Recreation Employees/Volunteers									
5	Correspondence With All Key Influencers	250	\$500							
6	Presentations / Public Meetings									
7	Earned Media (Specific to Proposal)									
8	Direct Mail #1: Letter and Attachment to Active Voter Households (13,114 voters = 7,800 HH)	7,800	\$5,148							
9	Direct Mail #2: Newsletter to Active Voter Households	7,800	\$4,290							
10	Mail Survey to Active Voter Households	7,800	\$5,460							
11	Adopt Ballot Question (If Pursued)									
TOTAL			\$15,398							

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PUBLIC POLICY PROCESS

1

Needs Assessment

- Define Proposal to Test
- Supporting Information
- 500-Word Argument
- Voter Analysis
- Key Influencer Database

2

Public Information Program

- Communications With Staff & Volunteers
- Key Influencer Letter
- Letter to Active Voters
- FAQ Newsletter to Active Voters
- Community Presentations
- Earned Media
- Other

3

Community Comment

- Public Meetings
- Mail Survey

4

Campaign

- Organization
- Fundraising
- Supporter Database
- Letterhead Letter
- Community Events
- Presentations
- Signage
- Direct Mail
- Voter ID
- Canvassing
- Letters to Editor
- Print Ads
- GOTV/Other

Adoption of Ballot Question if Pursued (Aug 2014)

SIPC Member FINRA
www.sipc.org www.finra.org



George K. Baum & Company
INVESTMENT BANKERS SINCE 1928



MEMORANDUM

Date: May 12, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Terry Walker, Director of Public Works & Patti Garcia, Town Clerk/Assistant to Town Manager
Re: Spring Run Off/Water Conservation update
Item #: C.9.

Background / Discussion

Spring and summer brings all types of water challenges to northern Colorado, some years there are drought conditions, other years there is flooding – and sometimes it is both. Stream flow forecasts are estimated to be above average for 2014. Reports indicate Colorado is between 150-175% of average snow pack which could result in spring snow melt flooding. Staff has identified the potential areas for flooding in Windsor as County Road 13, 7th Street, Highway 392 and possibly Highway 257. The potential of the spring run-off has been discussed at the staff level and the following actions will be put into place in order to prepare for a flood event:

- Town staff will monitor the flood gauges and different locations along the rivers; both Larimer and Weld Counties will monitor runoff levels and debris.
- The Windsor Police Department, Public Works and Windsor/Severance Fire District have created a communications plan for a flood event.
- Public Works has approximately 200 sand bags filled with about 1,000 bags available to be filled; additional barricades, sandbags and cones have been ordered.
- The Waste Water Treatment Plant has built a berm around the power transformer to hopefully avoid any power outages. Additional fuel will be on site for the generator and personnel will be on site 24 hours, seven days a week if necessary.
- Staff is in communications with Xcel Energy to potentially relieve the power issue due to flooding in Eastman Park; no date has been established in the relocation of the transformer in Eastman Park.
- The Town has a cleanup plan which will be activated once water has receded.

In the event of a flood, staff will communicate updates through the Town of Windsor website, Facebook, and social media.

Even with the potential for flooding, water conservation is still an action that will be pursued by the Town. Municipal Code Section 13-2-420 puts water restrictions in place May 1 through September 30 of each year with watering restricted from 10 a.m. to 6 p.m. daily. The 2008 Water Conservation Plan recommended conservation programs and measures that would potentially save 12% of the Town's water over a ten year period (2008-2016). An update to the Plan in 2011 indicated that a majority of the recommendations had been implemented and were being maintained but that the Town had not yet met the 12% savings goal.

In 2013, the Town executed two measures included in the Conservation Plan; distribution of Residential Audit Kits and the creation of a Water Conservation webpage. The Residential Audit Kit project was well received with 341 Kits checked out by Windsor residents in 2013. Preliminary reports of those utility accounts that received Audit Kits show a decrease of approximately 22% in water usage from April-December, 2013 compared to the same time period in 2012. A contributing factor to the report is the rainfall that was received late summer and early fall. A review of water consumption by all customers during the same time period indicates a 15% decrease in water usage from April-December 2013 compared to 2012. Staff plans on distributing the Water Audit Kits again in 2015

New efforts for 2014 water conservation will include material identifying Best Management Practices for business, industrial and public water use and a water use calculator; all items will be posted on the Town's website and Facebook page. Additional conservation ideas include:

- Providing a link to Evapotranspiration (ET) Irrigation Scheduling information
ET schedules are calculated using several different factors that influence the efficiency of watering and then determine how much water is needed for a certain watering period. Northern Colorado Water Conservancy District has a link on their website that provides irrigation guidelines for several Northern Colorado areas.
- Irrigation system standards for new development
The Town currently requires the installation of an irrigation system for new development. It has been recommended that the program be expanded to require an irrigation clock and rain and/or wind sensors for new development. Clear Water estimates a two percent savings of outdoor usage in new Residential, Public, and Landscape customer's water usage if implemented.
- Water budget for landscape plans
This conservation method would require landscape plans to include the submission of a Water Budget which would help target the amount of water a landowner should use in a typical watering season. It would require identification of applicable hydrozones (high, moderate, low, and very low water zones), calculate the area and determine the total square feet for all zones and the number of gallons needed per season. The recommended maximum use is an average of 15 gallons per square foot per season for all zones.

These are all recommended projects in the 2008 Conservation Plan.

The Water Conservation Plan will be updated in 2015 and adopted no later than July, 2016; the Colorado Water Conservation Board requires water providers to have a State-approved plan that is updated at least once every seven years to continue the ability to obtain low-interest loans through them and/or the Water and Power Development Authority. In 2008, the Town received a grant from the Colorado Water Conservation Board (CWCB) for \$30,985 to complete the Plan; the Town matched the grant with \$11,332 of in-kind services for a total cost of \$42,317. The Town will go through the same process for the 2016 Water Conservation Plan with Clearwater Solutions facilitating the grant application process and creation of the Conservation Plan. Clearwater has submitted a preliminary Professional Services Agreement to create the Water Conservation Plan Grant Application for \$4,700. All cost estimates are similar to the 2008 effort and will be built into the 2015/2016 budgets.

Relationship to Strategic Plan:

Goal 1.G. Lead through stewardship of natural resources.

Recommendation:

Material is for informational purposes.

Attachments:

None.



8000 E. Iliff Ave.
Denver, CO 80231

TB Communications

May 5, 2014

VIA FACSIMILE

Kelly Arnold
Town Manager
Town of Windsor
301 Walnut St.
Windsor, CO 80550
Fax No. 970-686-7180

RE: Channel Lineup Changes

Dear Kelly,

Effective 6/12/14, Weather Scan (Ch. 212) will no longer be available on the channel lineup in your community. Local weather information can still be found on The Weather Channel.

Should you have any questions regarding this information, please feel free to contact me at 303-603-2012.

Sincerely,

A handwritten signature in cursive script that reads "Glenn Walker".

Glenn Walker
Government Affairs Manager



TO: Town of Windsor
FROM: Diane Gregg, Partner, 3 Painted Ladies
DATE: April 30, 2014
SUBJECT: Windsor Paint and Fundraising Drive Recap Report

3 Painted Ladies, LLC, a Northern Colorado paint recycling and reprocessing company, conducted a Town of Windsor Paint and Fundraising Drive on April 26, 2014. The company partnered with the Town to collect good leftover latex paint from its citizens and businesses, including the municipality. A donation of \$1 per can was requested from all who chose to recycle their paint, with those proceeds to be donated to the Windsor Meadows Apartments, a branch of the Housing Authority. The event was conducted from 9 am to 3 pm at the Windsor Recycling Center. The event proved to be very successful, with people participating by dropping off paint most of the hours of operation.

Our thanks to the Town of Windsor support, specifically David French and his crew and the volunteers from the Windsor Housing Authority. The results, both the number of cans collected and the monies collected exceeded our expectations. The following is a compilation of all results – paint and monies collected:

Paint Collected	# and %/cans		Funds Collected
Good Paint	350 76%		\$549 Donations Collected at Paint Drive
Bad Paint	109 24%		\$105 Town Of Windsor Invoice
TOTAL	459		\$654 additional \$195 donated
			-\$ 78 Disposal Fee*
			\$576 Housing Authority Donation**

**disposal fee: 109 total bad paint collected; 71% (\$78) retained by 3 Painted Ladies or 12% of total funds collected.*

***a check for the Windsor Housing Authority will be delivered to Cheri Mellman, manager, once we receive the Town of Windsor check.*

We look forward to working with the Town of Windsor again with the hope to turn this Paint Drive into an annual event.