



AGENDA

A. CALL TO ORDER

1. Roll Call
2. 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
4. Board Liaison Reports
 - Town Board Member Baker – Water & Sewer Board; Poudre River Trail Corridor Board
 - Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority
 - Town Board Member 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 Park and Recreation Month
6. Public Invited to be Heard

Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Town Board.

Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three (3) minutes. Written comments are welcome and should be given to the Deputy Town Clerk prior to the start of the meeting.

B. CONSENT CALENDAR

1. Minutes of the June 9, 2014 Regular Town Board Meeting – M. Lee
2. Advisory Board Appointments – P. Garcia
3. Resolution No. 2014-34 - A Resolution Approving And Adopting A Policy For The Use Of Tablet Computers Provided By The Town Of Windsor To Its Elected Officials – John P. Frey, Assistant Town Attorney
4. Resolution No. 2014-35 – A Resolution Approving 2013 Audit Report – D. Moyer
5. Resolution No. 2014-36 – A Resolution Re-Appointing Teresa Ablao to Serve as the Town of Windsor Local Liquor Licensing Authority Pursuant to the Provisions of the Colorado Liquor Code and Pursuant to Chapter 6, Article I of the Windsor Municipal Code – J. Frey

C. BOARD ACTION

1. Public Hearing – An Ordinance amending Section 16-21-20(c)(5) of the Windsor Municipal Code to redefine the calculation of outdoor accessory storage within the Limited Industrial (I-L) zoning district
 - Legislative action
 - Staff presentation: Josh Olhava, Associate Planner

2. Ordinance No. 2014-1475 – An Ordinance amending Section 16-21-20(c)(5) of the Windsor Municipal Code to redefine the calculation of outdoor accessory storage within the Limited Industrial (I-L) zoning district
 - Legislative action
 - Staff presentation: Josh Olhava, Associate Planner

3. May Financial Report – D. Moyer

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. ADJOURN



TOWN BOARD REGULAR MEETING

June 9, 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 7:05 p.m.

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

- | | | |
|---------------|---|---------------|
| Also present: | Town Manager | Kelly Arnold |
| | Town Attorney | Ian McCargar |
| | Director of Parks, Recreation and Culture | Melissa Chew |
| | Town Clerk | Patti Garcia |
| | Director of Planning | Joe Plummer |
| | Management Intern | Kelly Unger |
| | Director of Engineering | Dennis Wagner |
| | Director of Public Works | Terry Walker |
| | Associate Planner | Paul Hornbeck |
| | Parks & Open Space Manager | Wade Willis |

2. Pledge of Allegiance
Mr. Baker led the Pledge of Allegiance.

In light of recent flooding Mayor Vazquez invited Mr. Arnold to address the community, to explain efforts to mitigate effects of runoff within Windsor. Mr. Arnold spoke at length pinpointing major areas of focus – County Road 13 (County Line Road), Highway 257, Xcel power equipment located at Eastman Park and adjacent to Poudre Heights Subdivision, and 7th Street. He also identified possible solutions to mitigate flooding caused by spring run-off.

Mr. Arnold presented a timeline of runoff flooding and how it unfolds historically. Mr. Wagner diagramed historic runoff and flood volumes at the Poudre River. He defined flow levels at which we can expect low level flooding – 3,000 CFS (cubic feet per second) and high level flooding – 6,000 CFS. Mr. Arnold also clarified that irrigation diversion had not yet begun prior to the flooding event because of higher than average precipitation in 2014.

Major Areas of Focus

County Road 13 (County Line Road)

- Peak flows at or below 3,000CFS
- Monitor shoulders for erosion
- No fill allowed per FEMA floodway guidelines

Highway 257

- Work closely with CDOT to monitor conditions
- Need for traffic signal at intersection of Crossroads and Highway 257
- Monitor sedimentation island west of railroad tracks

Xcel

- Raised transformer boxes out of floodway
- Augment slope at Eastman Park
- Re-examine Franchise Agreement

7th Street & Eastman Park

- 3,000 CFS – flow into south Eastman Park unimproved area

- 4,500 CFS – flow over and close 7th Street
- Evaluate bank erosion since September 2013 flooding

7th Street & River Place Drive

- 3,000 CFS – street flooding begins
- Poudre Heights HOA raised size of outlet box at irrigation lake
- Study culvert installation at 7th Street – would impact conveyance system in Water Valley

As part of the discussion, Mayor Vazquez clarified details of the Engineering study that took place in Water Valley. Mr. Wagner expanded on that study, explaining how a planned spillway works to mitigate flood waters from the Poudre, and differentiated flow levels from Eaton Ditch and the Poudre River. He noted that redirecting a portion of the water from the Eaton Ditch back into the river would represent a minute amount of the total flow, and would have insignificant effect on the river levels.

Proposals for Flood Mitigation

- Augmentation at Eaton Ditch
- Expansion of irrigation channel south of Laku Lakes

The following residents of the Poudre Heights subdivision addressed the Board with their concerns: Debbie Essert, Trevor Timmons, John Boyle, Lisa Geisick, Scott Sandridge and Heath Smith. Each spoke on items of importance including:

- Concern that redirecting Eaton Ditch flows will not mitigate flooding
- Public safety was compromised during flooding by road closures
- Lack of communication from the Town regarding the situation was troubling
- Residents who were “cut off” from the community turned to other municipalities for goods and services, and Windsor lost tax and sales revenues
- Town properties were also impacted by runoff flooding in the area
- The perception of repeat flooding will negatively impact property values
- The Safe Routes to School project may be significantly impacted
- Will there be adequate mitigation of mosquitos and standing water following this event
- Poor signage at detours; with heavy traffic on those routes
- Safety issues along detour routes, particularly at New Liberty and Highway 257
- No “Plan B” to fall back on if primary options fail
- Confusion persists regarding installation of a culvert along 7th Street
- FEMA funds may be available for damage mitigation
- Removal of debris accumulating in the Eaton Ditch should have a higher focus; resident is removing debris when requests for assistance are not answered
- Radial feed power should be addressed, and a second feed line added regardless of cost

The Town Board or staff responded by stating:

- Emergency access to the neighborhood was unchanged and emergency personnel had full access to the homes involved
- The Town empathizes with residents and their frustration, and is committed to evaluating the details of this event and finding solutions to the problems at hand
- The issues with Xcel and power outages were beyond the control of the Town and were requested long ago
- Mosquito control will continue and additional funds be directed to mitigation efforts if warranted
- More research, discussion and information will be gathered before making a complete decision on how to proceed
- Nature often surpasses all the rules and regulations in effect from Federal sources, and even the best design cannot mitigate every situation that will arise
- FEMA regulations demand no actions can impact conditions up or down stream

- Ms. Melendez, as the District 4 representative will attend neighborhood meetings in Poudre Heights and act as a liaison to convey information to residents
- Staff will investigate any sources for grant funding
- Staff will hold debriefing and review of compliance with franchise agreement with Xcel Energy
- Town will expeditiously engage in a study of the ditch and seek out additional storm water engineering data

The Board recessed briefly before continuing with the meeting.

3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board

Ms. Melendez moved to approve Agenda as presented; Mr. Baker seconded the motion.

Roll call on the vote resulted as follows:

Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Vazquez (Mr. Adams had not yet taken his seat at the dais)

Nays – None. Motion passed.

4. Board Liaison Reports

- Town Board Member Baker – Water & Sewer Board; Poudre River Trail Corridor Board
Mr. Baker had nothing new from the Water & Sewer Board, as they have not met since his last report. The Poudre River Trail Corridor Board will meet with Windsor staff to discuss motorized vehicles on the trail and ADA requirements, memorial bench guidelines, and trail use by outside groups. There will be considerable cleanup after flooding conditions, and the TrailAthlon was a huge success.
- Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority
Mr. Morgan stated the GWTA discussed signage, formation of a special taxing district, and scheduled trail improvements to be completed by 7/15. PReCAB met 6/3. A design consultant has been hired for Belmont Ridge Park, and designs will be presented later in this meeting. Construction on the park could begin as early as spring of 2015. Education efforts regarding proposed CRC expansion is in full swing.

Mr. Adams rejoined the meeting.

- Town Board Member Melendez – Downtown Development Authority; Chamber of Commerce
Ms. Melendez had nothing new from the DDA. She thanked all who participated in the All-Town BBQ. In place of staff additions, equipment will be added/upgraded. Ms. Melendez elaborated a Flag Day celebration at the American Legion will include a flag retirement ceremony, a flag history ceremony, flag/coloring book give away and luncheon. The event will take place 6/14 from 9-11 a.m. at the American Legion.
- Town Board Member Rose – Clearview Library Board
Mr. Rose reported the Library Board will meet 6/26 at 5:30 p.m.
- Town Board Member Bishop-Cotner – Historic Preservation Commission; North Front Range/MPO alternate
Mr. Bishop-Cotner reported the MPO meeting included a presentation on pollution in Rocky Mountain National Park; flood update; VanGo service report addition of six new vans beginning service starting 6/19; and need for a MOA update for air quality control.
- Town Board Member Adams – Tree Board; Student Advisory Leadership Team (SALT)
Mr. Adams had nothing new from the Tree Board; they will meet 6/24. He added SALT will meet on 6/26.
- Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO

Mayor Vazquez stated the Grand Opening for the Windsor Housing Authority will take place on 6/25. They are working hard to mitigate issues with the solar system. Mr. Plummer clarified the issues have been resolved to his knowledge.

5. Public Invited to be Heard

There was no additional public comment.

B. CONSENT CALENDAR

1. Minutes of the May 27, 2014 Regular Town Board Meeting – M. Lee
2. Report of Bills for May 2014 – D. Moyer

Mr. Morgan moved to approve the Consent Calendar as presented; Mr. Adams seconded the motion. Roll call on the vote resulted as follows:

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

Nays – None. Motion passed.

C. BOARD ACTION

1. Resolution 2014-32 – A Resolution Approving the Master Plan for the Neighborhood Park Site in the Belmont/Fossil Ridge Subdivision within the Town of Windsor

- Legislative action
- Staff presentation: Wade Willis, Parks and Open Space Manager

Mr. Baker moved to approve Resolution 2014-32; Mr. Bishop-Cotner seconded the motion.

Mr. Willis addressed the Board stating the Birdsall Group has conducted four public meetings regarding the park. Mr. Birdsall also spoke briefly explaining the process followed to date, the unique characteristics of the park topography and the plan for that space, regional trail ties, preferred amenities and desires of the neighborhood, design concepts, irrigation challenges, native landscaping and natural elements of playground themes.

Mr. Baker inquired if there would be electricity at the site. He called this a “great addition” to the community. Mr. Birdsall responded there will be low level bollard lighting on a timer, to create a low impact on the surrounding neighborhood. Ms. Melendez inquired how big the park is, and how many homes will be serviced by this park. Mr. Birdsall clarified it is just over six acres, and Mr. Ron Steinbach, President of the Highland Ridge HOA estimated it will serve in the area of 280+ homes. Mr. Morgan asked what variety of grass will be used. Mr. Willis responded it is too early in the planning process to have specifics, but water conservation will be a consideration since non-potable irrigation is not available at this site.

Mr. Steinbach spoke stating the he likes the park, and it has been ten years since the park land was deeded to the Town. Neighbors like the lighting concept and are anxious to have the park completed. Mr. Mark Betz, a resident of the neighborhood addressed the Board stating strong support for the park and its hybrid design. Mr. Willis pointed out extremely successful social media campaigns to inform residents of this process.

Roll call on the vote resulted as follows:

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

Nays – None. Motion passed.

2. Resolution 2014-33 – A Resolution Approving the Name of the Neighborhood Park Site in the Belmont/Fossil Ridge Subdivision within the Town of Windsor, Colorado

- Legislative action
- Staff presentation: Wade Willis, Parks and Open Space Manager

Mr. Bishop-Cotner moved to approve Resolution 2014-33; Mr. Baker seconded the motion.

Mr. Willis reported PReCAB passed Resolution 2014-PRC05 to name the park Coyote Gulch Park. He briefly recapped the subdivision processes that have taken place in the area, noting Coyote Gulch was chosen to represent the entire area and not draw focus to any one subdivision.

Ms. Melendez asked if residents were in agreement with the name selection. Mr. Willis stated there was no definitive winner from the choices. He clarified that traditionally PReCAB forwards their name selection to the Board for consideration. Mr. Morgan stated this choice is inclusive of all neighborhoods, and he believes the process was very fair.

Roll call on the vote resulted as follows:

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

Nayes – None. Motion passed.

3. Site Plan Presentation – Highlands Industrial Park Subdivision, Second Filing, Lot 2, Block 3 Site Plan (AP Restoration , 4487 Bents Drive) – Jeff Mauck, MBM Development, LLC, applicant / Randal King, King Contracting, LLC, applicant’s representative

- Staff presentation: Paul Hornbeck, Associate Planner

Mr. Hornbeck began by stating AP Restoration in Highlands Industrial Park will be reviewed administratively. He reviewed the location, zoning, size, proposed uses, landscaping and building elevations.

Mr. Tim Bement, of MBM Development spoke briefly clarifying parking needs vary during different phases of their operations. He told the Board operations are expanding in Windsor. He explained they are an emergency based services company, and parking needs are unpredictable. Mr. Arnold inquired if vehicles will be parked/stored on site, or if they are taken home daily by employees. Mr. Bement noted occasional training events bring more vehicles to the site as well.

D. COMMUNICATIONS

1. Communications from the Town Attorney
Mr. McCargar had nothing to add at this time.
2. Communications from Town Staff
There were no additional communications from staff.
3. Communications from the Town Manager
Mr. Arnold reported summer programs are in full swing. He spoke of a recent local car show, and of discussions to take place with the organizer of the event to see if future shows will require modifications.
4. Communications from Town Board Members

E. ADJOURN

**Mr. Adams moved to adjourn; Mr. Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Meeting was adjourned at 9:29 p.m.**



MEMORANDUM

Date: June 23, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Patti Garcia, Town Clerk/Assistant to Town Manager
Re: Advisory Board Appointments
Item #: B.2.

Background / Discussion:

Town Board Members conducted advisory board interviews on Tuesday, June 10, 2014 and provided a recommendation of the following appointments:

Planning Commission

Bob Frank – Four year term expiring March, 2018
Andrew Vissers – Four year term expiring March, 2018
Ron Harding, Jr. – Vacated alternate term expiring March, 2015

Water & Sewer Board

Jack Goodell – Four year term expiring March, 2018
Darrel Zimbelman – Four year term expiring March, 2018

Financial Impact:

None.

Relationship to Strategic Plan:

1.C. Provide and support ample opportunities for residents to be actively involved in the town governance process and in serving the community.

Recommendation:

Approve the recommended appointments.

Attachments:

Applications of those being recommended for appointment.



6:30 5/14/14 12pm

Advisory Board/Commission Application

To be considered a candidate for a board or commission, please complete this application and return it to the Town Clerk's Office, 301 Walnut Street, Windsor, CO 80550, fax to (970) 686-7180 or email to pgarcia@windsorgov.com. Application deadlines vary. Late applications will be kept on file for one year for future vacancies.

Qualifications: All positions require residency within the Town of Windsor and some positions require a particular area of experience or vocation.

Additional information can be found on the Town's website under Boards and Commissions or contact the Town Clerk's office at (970) 674-2400.

Candidates will be invited to an interview with the Town Board and appointments are made by the Town Board as a whole.

Name of Board or Commission: PLANNING COMMISSION

Name: ROBERT (BOB) FRANK

Address: 717 SHIPMAN MTN. CT.

Day Phone: 970-214-8857 Night Phone:

E-Mail Address: RFRANKWINDSOR@AOL.COM

How long have you been a resident in Windsor? 35 YRS.

Current Occupation: ENGINEER (RET) Employer:

Do you currently serve, or have you served previously, on a board or commission? If so, which one(s)? PLANNING COMMISSION

Why do you want to become a member of this particular board or commission?

I HAVE THE EDUCATION AND EXPERIENCE.

Briefly explain what you believe are the two most important issues facing this board or commission, and how do you believe this board or commission should address each issue?

1) ANNUALLY UPDATE THE COMPREHENSIVE PLAN.

2) YEARLY REVIEW THE TOWN'S ZONING AND LAND USE.

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:

MEMBER APA #194668

Please specify any activities which might create a conflict of interest that would prevent you from official action if you should be appointed to this board or commission:

N/A

Have you attended a meeting of the board or commission you are applying to or talked to anyone currently on the board? Yes No

Comments: _____

If not appointed at this time, would you be interested in serving on any other advisory boards or commissions at the Town of Windsor? If so, please list any preferences: _____

All applicants are strongly encouraged to attend a regularly scheduled meeting of the board or commission for which they are applying.

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 for assistance.

I certify that all statements on this form are true and complete. I further understand that false statements shall be sufficient cause for rejection of this application or for grounds to apply the penalty provisions of the Code of Ethics.

Signature: Robert Frank Date: 5/14/14



5:45 Rec'd 5/14/14 9:15 am

Advisory Board/Commission Application

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Candidates will be invited to an interview with the Town Board and appointments are made by the Town Board as a whole.

Name of Board or Commission: PLANNING COMMISSION

Name: ANDREW VISSERS

Address: 1900 E. SEADRIFT DR UNIT C

Day Phone: 970-481-1861 Night Phone: 970-481-1861

E-Mail Address: ANDY_VISSERS@YAHOO.COM

How long have you been a resident in Windsor? 2 YRS

Current Occupation: FACILITY ENGINEER Employer: COVIDIEN

Do you currently serve, or have you served previously, on a board or commission? If so, which one(s)?
NO

Why do you want to become a member of this particular board or commission? I WOULD LIKE TO SERVE

THE COMMUNITY BY HELPING TO PREPARE A MASTER PLAN OF THE TOWN OF WINDSOR TO ENSURE RESPONSIBLE GROWTH & DEVELOPMENT
Briefly explain what you believe are the two most important issues facing this board or commission, and how do you believe this board or commission should address each issue?

1) PREPARATION + MAINTENANCE OF A MASTER PLAN - THIS SHOULD BE ADDRESSED BY LOOKING AT BOTH SHORT TERM DEVELOPMENT OF THE COMMUNITY AND NEIGHBORHOODS AND LONG TERM SUSTAINABILITY FOR GROWTH INTO THE FUTURE

2) PROPER ZONING CLASSIFICATIONS FOR CURRENT AND FUTURE AREAS OF THE TOWN - THIS SHOULD BE ADDRESSED BY VIEWING THE TOWN FROM AN OVERALL HOLISTIC POINT OF VIEW TO DETERMINE WHERE INDUSTRY, COMMERCIAL AND RESIDENTIAL NEIGHBORHOODS SHOULD BE LOCATED SEPARATELY, AS WELL AS WITHIN REASONABLE PROXIMITY OF ONE ANOTHER

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission: I HAVE WORKED AN ENGINEER IN THE CONSTRUCTION INDUSTRY FOR OVER 15 YEARS, SPECIFICALLY, OVER THE LAST 5 YEARS, IN THE LAYOUT AND PLANNING OF A ONE MILLION SQUARE FOOT COMMERCIAL CAMPUS. I AM ALSO A CERTIFIED ENERGY MANAGER AND AN ACTIVE MEMBER OF THE ASSOCIATION OF ENERGY ENGINEERS (AEE)

Please specify any activities which might create a conflict of interest that would prevent you from official action if you should be appointed to this board or commission:

N/A

Have you attended a meeting of the board or commission you are applying to or talked to anyone currently on the board? Yes NO

Comments: I HAVE NOT TALKED TO ANYONE ON THIS COMMISSION BUT MY WIFE IS ON THE HISTORIC PRESERVATION COMMISSION

If not appointed at this time, would you be interested in serving on any other advisory boards or commissions at the Town of Windsor? If so, please list any preferences: BOARD OF ADJUSTMENTS OR WATER SEWER BOARD

All applicants are strongly encouraged to attend a regularly scheduled meeting of the board or commission for which they are applying.

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 for assistance.

I certify that all statements on this form are true and complete. I further understand that false statements shall be sufficient cause for rejection of this application or for grounds to apply the penalty provisions of the Code of Ethics.

Signature: Andrew S. Windsor Date: 5.13.14



570
original
rec'd 5/13/14

Advisory Board/Commission Application

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Qualifications: All positions require residency within the Town of Windsor and some positions require a particular area of experience or vocation.

Additional information can be found on the Town's website under Boards and Commissions or contact the Town Clerk's office at (970) 674-2400.

Candidates will be invited to an interview with the Town Board and appointments are made by the Town Board as a whole.

Name of Board or Commission: Planning

Name: Ron Harding Jr.

Address: 5480 Collier Ct Windsor, CO 80528

Day Phone: 970-797-2408 Night Phone: 970-568-8359

E-Mail Address: RonHardingjr@comcast.net

How long have you been a resident in Windsor? 3+ years

Current Occupation: Real Estate Appraiser Employer: Self Employed

Do you currently serve, or have you served previously, on a board or commission? If so, which one(s)?
No

Why do you want to become a member of this particular board or commission? To be a part of this growing community

Briefly explain what you believe are the two most important issues facing this board or commission, and how do you believe this board or commission should address each issue?

1) To not properly think thru and discuss future expansion of Windsor.

2) To properly budget the amount of tax revenue coming into the town

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:

My current job allows me to see what is taking place, and hear what people think about the building that is taking place.

Please specify any activities which might create a conflict of interest that would prevent you from official action if you should be appointed to this board or commission:

None

Have you attended a meeting of the board or commission you are applying to or talked to anyone currently on the board? Yes No

Comments:

If not appointed at this time, would you be interested in serving on any other advisory boards or commissions at the Town of Windsor? If so, please list any preferences: Possibly

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I certify that all statements on this form are true and complete. I further understand that false statements shall be sufficient cause for rejection of this application or for grounds to apply the penalty provisions of the Code of Ethics.

Signature: Ronald [Signature] Date: 5/18/14



b:45
Rec'd 5/27/14
7:32am

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Candidates will be invited to an interview with the Town Board and appointments are made by the Town Board as a whole.

Name of Board or Commission: Water and Sewer

Name: Jack Goodell

Address: 714 Parkview Mtn Dr.

Day Phone: 970-539-0302 Night Phone: 970-686-5016

E-Mail Address: jack.goodell@yahoo.com

How long have you been a resident in Windsor? 35 Years

Current Occupation: construction Employer: Self employed

Do you currently serve, or have you served previously, on a board or commission? If so, which one(s)?
Water and Sewer

Why do you want to become a member of this particular board or commission?
have been and would continue to be involved in the related issues of water and sewer

Briefly explain what you believe are the two most important issues facing this board or commission, and how do you believe this board or commission should address each issue?

1) Obtaining and maintaining water rights for our potable water and for the
augmentation of our wells for parks and recreation areas

2) Possibly creating our own water system

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission: Have been on this board for 22 years

constructing water and sewer systems

Please specify any activities which might create a conflict of interest that would prevent you from official action if you should be appointed to this board or commission:

none

Have you attended a meeting of the board or commission you are applying to or talked to anyone currently on the board? Yes No

Comments: _____

If not appointed at this time, would you be interested in serving on any other advisory boards or commissions at the Town of Windsor? If so, please list any preferences: none at this time

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The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 for assistance.

I certify that all statements on this form are true and complete. I further understand that false statements shall be sufficient cause for rejection of this application or for grounds to apply the penalty provisions of the Code of Ethics.

Signature: Jack Goodell

Date: 5-24-14



RECEIVED MAY 05 2014

6:15

Advisory Board/Commission Application

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Name of Board or Commission: Water & Sewer Board

Name: Darell D. Zimbelman

Address: 8258 Spinnaker Bay Drive, Windsor CO 80528-7535

Day Phone: 970-593-2908 Night Phone: 970-204-0723

E-Mail Address: ddz.wtr.engr@mac.com

How long have you been a resident in Windsor? 3 years, 9 months

Current Occupation: water engr. (retired) Employer: No. Co Water Conservancy District (before retired)

Do you currently serve, or have you served previously, on a board or commission? If so, which one(s)?

Not in Windsor. I served on the Loveland Utility Commission (Water Board) for nearly 30 years.

Why do you want to become a member of this particular board or commission? I have nearly ⁵⁰40 years of ^{deez} experience as a professional Water Resources Engineer that I would like to bring to the Town.

Briefly explain what you believe are the two most important issues facing this board or commission, and how do you believe this board or commission should address each issue?

- 1) Ensuring that the Town has viable, secure and adequate raw water supplies, now and in the future, that provide the resources and infrastructure needed to develop in desirable ways. The Board needs to continue to look for local and regional opportunities for participating in water supply or water treatment projects and then help citizens understand the options. The new reservoir west of Town is a good example.
- 2) Keeping abreast of new and more stringent Federal and State waste water treatment rules and regulations which could have a huge impact on the cost of treatment infrastructure and plan for the most viable ways to increase treatment capacity in order to stay ahead of growth and modernization needs.

Participate in regional conferences and alliances that focus on waste water treatment and rely on staff input.

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:

B.S. & M.S. in Civil (Hydraulic) Engr.; Ph.D. in Industrial & Systems Engr.: Colo Registered Professional Engr.; Diplomate Water Resources Engr., American Academy of Water Resources Engineers (retired); Fellow, American Society of Civil Engineers; Life Member, U.S. Commission on Irrigation & Drainage

Please specify any activities which might create a conflict of interest that would prevent you from official action if you should be appointed to this board or commission:

None

Have you attended a meeting of the board or commission you are applying to or talked to anyone currently on the board? Yes No

Comments: I have not attended a Board meeting.

I have worked with Board Chair, Kenton Brunner, during the time when I was employed by the Northern Colorado Water Conservancy District.

If not appointed at this time, would you be interested in serving on any other advisory boards or commissions at the Town of Windsor? If so, please list any preferences: Not at this time.

All applicants are strongly encouraged to attend a regularly scheduled meeting of the board or commission for which they are applying.

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 for assistance.

I certify that all statements on this form are true and complete. I further understand that false statements shall be sufficient cause for rejection of this application or for grounds to apply the penalty provisions of the Code of Ethics.

Signature:

Date: May 5, 2014



MEMORANDUM

Date: June 10, 2014
To: Mayor and Town Board
Via: Regular meeting materials, June 23, 2014
From: Ian D. McCargar, Town Attorney
Re: Resolution revising tablet computer policy
Item #: B.2

Background / Discussion:

The evolution of technology has allowed Town officials the ability to work more efficiently at lower cost through the use of tablet computers. In 2014, the Apple iPad tablets were replaced with Microsoft Surface tablets. A question arose about whether Town Board Members could retain their iPads as a continuing benefit of elected office. After reviewing the Charter and evaluating the Town's practices with respect to benefits provided to elected officials, I have concluded that the retention of the iPads does not offend the limitations on Town Board Member compensation set forth in the Charter.

Accordingly, I have prepared the attached Resolution, which is identical in all respects to the previous tablet computer Resolution, with one exception. The language with respect to retention and ownership of tablet computers, either at the end of an elected term or when technology is upgraded, allows for the official to retain ownership of the tablet computer. The tablet computers are treated as a benefit of office, similar to conferences, seminars and other discretionary items of value given to public officials from time to time.

Financial Impact: None. The residual value of the iPad tablets was not included in the budget.

Recommendation: Adopt the attached Resolution Approving And Adopting A Policy For The Use Of Tablet Computers Provided By The Town Of Windsor To Its Elected Officials

Attachment: Resolution Approving And Adopting A Policy For The Use Of Tablet Computers Provided By The Town Of Windsor To Its Elected Officials

TOWN OF WINDSOR

RESOLUTION NO. 2014-34

A RESOLUTION APPROVING AND ADOPTING A POLICY FOR THE USE OF TABLET COMPUTERS PROVIDED BY THE TOWN OF WINDSOR TO ITS ELECTED OFFICIALS

WHEREAS, the Town of Windsor takes pride in the delivery of effective governmental services in a manner which is environmentally-conscious, efficient and cost-effective; and

WHEREAS, the Town of Windsor relies extensively on electronic data devices for its operations, including the regular use of electronic mail, electronic document storage, electronic document transmittal and electronic data display; and

WHEREAS, the use of electronic data devices and electronic media conserves natural resources by reducing the amount of paper used in the course of Town business; and

WHEREAS, the Windsor Town Board has concluded that the provision of an tablet computers for each elected official for Town business is consistent with the Town's efforts to remain technologically efficient at all levels; and

WHEREAS, the Town of Windsor reaffirms its commitment to adhere to all applicable requirements of Colorado law regarding open meetings, open records and fair campaign practices; and

WHEREAS, the Town of Windsor desires to adopt the within-stated policies as a tool for the efficient, convenient and proper use of tablet computers provided to its elected officials.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, that the within Resolution shall serve as the Town's policy for the use of tablet computers issued by the Town to its elected officials:

GENERAL PROVISIONS

Each Town elected official will receive a functioning tablet computer for his or her official use. The Town will retain all rights of ownership associated with each tablet computer issued for the use of Town elected officials while serving as an elected official. The tablet computer issued to each Town elected official is a Town-owned facility, and will remain the property of the Town.

Town-issued tablet computers will be loaded with software for the conduct of Town business as deemed necessary by the Town's Information Technology (IT) Department. Although the installation of other programs or applications is not prohibited, no other

programs or applications shall be installed on Town-issued tablet computers without prior consultation with the Town's IT Department.

Town-issued tablet computers are primarily intended for the conduct of Town business. The use of Town-issued tablet computers for purposes other than Town business is permitted; however, users are cautioned that data kept on Town-owned computer facilities may be considered "kept and maintained" by the Town under the Colorado Open Records Act.

Town-issued tablet computers may be used for the full spectrum of Town business, including but not limited to: note-taking, public meeting preparation, public meeting participation, constituent communications, electronic mail communication, receipt of electronically-stored documents, internet research, storage of electronically-stored documents, transmission of electronically-stored documents, display of electronically-stored documents and modification of electronically stored documents.

Each elected official will receive through the Town's IT Department a password and a dedicated electronic mail address. Elected officials may use their Town-issued tablet computers to receive, review and transmit electronic communication and documents within the Town's computer systems as coordinated and facilitated through the Town's IT Department.

Each Town elected official will take reasonable precautions to assure the security of the Town's computer systems is protected, and that the Town-issued tablet computer in his or her possession is properly cared for at all times.

At the conclusion of each elected official's term of office or, if prior in time, at such time as Town-issued tablet computers are retired or replaced, each elected official may receive ownership of his or her Town-issued tablet computer as a benefit of Town Board service. No consideration or compensation will be required. At such time as ownership of a Town-issued tablet computer is transferred to a Town Board Member pursuant to this paragraph, the tablet computer in question will no longer be considered a Town-owned facility for any purpose; at that point, the tablet computer in question will be considered privately-owned by the recipient, and its use will not be subject to this Resolution.

ELECTRONIC MAIL COMMUNICATION

Town-issued tablet computers may be used for email communication for any lawful purpose including purposes unrelated to Town business. The electronic files associated with Town elected official email communication will be kept and maintained by the Town within its computer facilities.

The Colorado Open Records Act applies to electronic mail communication kept or maintained by the Town. As such, elected official email communication documents may be subject to inspection and copying, subject to provisions of the Act.

The retention, preservation and destruction of email files kept or maintained by the Town will be governed by the Town's IT Department policies as presently in place, and as such IT Department policies may later be amended.

OTHER ELECTRONIC DOCUMENTS

Town elected officials will receive most documents related to Town business through the Town-issued tablet computer via electronic mail. Town elected officials may use their Town-issued tablet computer for any necessary and convenient purpose related to these documents. Town elected officials may use Town-issued tablet computers for receipt and storage of documents not necessarily related to Town business; however, users are cautioned that data kept on Town-owned computer facilities may be considered "kept and maintained" by the Town under the Colorado Open Records Act.

Town elected officials will have wireless access to the Town's computer system while within Town buildings, including meeting rooms and Town Board chambers. Town elected officials will be responsible for their own wireless access outside of the Town buildings and Town Board chambers.

Documents and images stored on Town-issued tablet computers may be considered "kept and maintained" by the Town under the Colorado Open Records Act, thus subjecting all such documents and images to inspection and copying subject further to the provisions of the Act. Town elected officials are not required to keep or maintain any documents within the Town-issued tablet computer, and may delete or save to other data storage devices any files as is deemed appropriate from time to time. Town-installed program files may not be deleted without prior consultation with the Town's IT Department.

USE OF TOWN-ISSUED TABLET COMPUTERS DURING PUBLIC MEETINGS

Town elected officials shall not use Town-issued tablet computers for transmitting and/or receiving data communication (including but not limited to electronic mail) to or from any person during any meetings convened for the conduct of any public business. This limitation may be rendered inapplicable if there is a need to provide Town elected officials with specific documents or images distributable via electronic mail by the Town Clerk, or upon request by any Town official or staff.

In order to assure the preservation of due process rights for participants in *quasi*-judicial proceedings before the Town Board, the use of Town-issued tablet computers shall be limited exclusively to note-taking during any *quasi*-judicial public hearing.

Subject to the foregoing limitations and consistent with the Town elected official's duties, Town-issued tablet computers may be used during public meetings for:

- Review and display of documents, memoranda, correspondence and images;
- Note-taking, document margin comments and similar purposes;

- Internet-based research of questions raised within the public meeting or pertinent to the resolution of any matter before the Town Board while acting in a legislative capacity; and
- Any other lawful purpose not inconsistent with the duties of public officials.

The use of Town-issued tablet computers shall not distract, deter, interrupt, or in any way interfere with the conduct of public business during public meetings of Town elected officials.

**USE OF TOWN-ISSUED TABLET COMPUTERS FOR CANDIDATE AND/OR
ISSUE CAMPAIGNS**

The use of Town-issued tablet computers for the purpose of promoting a candidate nomination, retention, recall, or election, or for the purpose of promoting or discouraging a local ballot issue is prohibited.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 23rd day of June, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

TOWN OF WINDSOR

RESOLUTION NO. 2014-35

A RESOLUTION ACCEPTING THE AUDIT REPORT FOR 2013 PREPARED BY ANTON COLLINS MITCHELL LLP, CERTIFIED PUBLIC ACCOUNTANTS.

IT IS HEREBY RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS;

1. That the audit report of 2013, prepared by Anton Collins Mitchell LLP, Certified Public Accountants, 3545 W 12th Street, Suite 201, Greeley, Colorado, is hereby accepted by the Board of Trustees of the Town of Windsor, Colorado.
2. That said audit report constitutes an audit of the books and financial records of the Town of Windsor, Colorado, for the calendar year 2013.
3. That the Mayor and the Director of Finance are authorized to distribute such audit report to the Colorado Division of Local Government, as the official audit report of the Town of Windsor, Colorado, and to provide such audit report to such other agencies as are necessary.

Upon motion duly made, seconded, and carried, the foregoing Resolution was adopted this 23rd day of June, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: June 23, 2014
To: Mayor and Town Board
Via: Regular Meeting materials, June 23, 2014
From: Ian D. McCargar, Town Attorney
Re: Reappointment of Liquor License Authority
Item #: B.5

Background / Discussion: Teresa Ablao's current term as the appointed Local Licensing Authority under the Colorado Liquor Code is about to expire. You may recall that Ms. Ablao was appointed to take over all responsibility for local liquor licensing in Windsor last year. She has served in this capacity, handling all matters from new licenses to disciplinary actions. The Town Clerk's Office continues to support the Local Licensing Authority at the administrative level, and the Town Attorney serves as the Town's advocate as needed.

The transition to Ms. Ablao's service as the Local Licensing Authority has gone well. The community has not seen any decline in service. Disciplinary cases have been handled with dispatch, while adhering to the requirements of law. The Authority has reported regularly to the Town Board as expected.

The attached Resolution accomplishes two things: re-appointment of Ms. Ablao for another year, and approval of her Professional Services Agreement. The latter is identical to last year's, except the dates have been changed.

Financial Impact: From July, 2013, through March, 2014, the Local Licensing Authority has shown expenses of \$ \$1,728.75, which is in line with what we estimated last year. We anticipate this cost will fall somewhat, assuming there are no lengthy disciplinary hearings; some of this expense is attributable to "start-up" efforts that will not be replicated in future years.

Relationship to Strategic Plan: Safe and secure community; strong local retail economy

Recommendation: Adopt the attached Resolution Re-Appointing Teresa Ablao To Serve As The Town Of Windsor Local Liquor Licensing Authority Pursuant To The Provisions Of The Colorado Liquor Code And Pursuant To Chapter 6, Article I Of The Windsor Municipal Code

Attachments:

Resolution Re-Appointing Teresa Ablao To Serve As The Town Of Windsor Local Liquor Licensing Authority Pursuant To The Provisions Of The Colorado Liquor Code And Pursuant To Chapter 6, Article I Of The Windsor Municipal Code

Professional Services Agreement

TOWN OF WINDSOR

RESOLUTION NO. 2014-36

A RESOLUTION RE-APPOINTING TERESA ABLAO TO SERVE AS THE TOWN OF WINDSOR LOCAL LIQUOR LICENSING AUTHORITY PURSUANT TO THE PROVISIONS OF THE COLORADO LIQUOR CODE AND PURSUANT TO CHAPTER 6, ARTICLE I OF THE *WINDSOR MUNICIPAL CODE*

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

WHEREAS, during the past year, pursuant to an appointment made in accordance with Title 12, Article 47 of the Colorado Revised Statutes (“Liquor Code”), the duties of the Local Liquor Licensing Authority have been presided over by Teresa Ablao; and

WHEREAS, the Town Board has reviewed the functioning of the Local Licensing Authority under Ms. Ablao’s leadership; and

WHEREAS, the Town Board has concluded that Ms. Ablao has demonstrated a high level of competence and consistency in her service to the Town in this capacity; and

WHEREAS, the Town Board wishes to retain the considerable expertise and experience in liquor licensing, liquor enforcement and liquor procedure demonstrated by Ms. Ablao for the coming year; and

WHEREAS, the Town Attorney has worked closely with Ms. Ablao to arrive at a Professional Services Agreement, a copy of which is attached hereto and incorporated herein by this reference as if set forth fully; and

WHEREAS, the aforesaid Professional Services Agreement provides for the delegation of Local Liquor Licensing Authority functions to Ms. Ablao, and further provides for continuing administrative protocols for the benefit of the community; and

WHEREAS, by the terms of this Resolution, the Town Board desires to re-appoint Ms. Ablao to serve as the Town’s Local Liquor Licensing Authority pursuant to the provisions of the Liquor Code and Chapter 6, Article I of the *Windsor Municipal Code*.

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

1. Pursuant to the provisions of the Liquor Code, Teresa Ablao is hereby re-appointed as the Town of Windsor Local Liquor Licensing Authority for a period of one year from the date of this Resolution.

2. The attached Professional Services Agreement between Ms. Ablao and the Town is hereby approved for a one-year period.

3. The Mayor is hereby authorized to execute the attached Professional Services Agreement on behalf of the Town.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 23rd day of June, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

PROFESSIONAL SERVICES AGREEMENT
(Town of Windsor Local Liquor Licensing Authority)

THIS AGREEMENT is made and entered into this ____ day of June, 2014, by and between the TOWN OF WINDSOR, COLORADO, a Colorado home-rule municipality (hereinafter, "Town") and TERESA ABLAO, attorney at law (hereinafter, "Ablao").

WITNESSETH:

WHEREAS, the Colorado Liquor Code, § 12-47-101, *et. seq.*, provides for establishment of a Local Licensing Authority, the function of which is to make all quasi-judicial and administrative determinations pertaining to the issuance, transfer, renewal, suspension and revocation of liquor licenses within a defined area; and

WHEREAS, pursuant to the authority granted under the Colorado Liquor Code, the Windsor Town Board has by Resolution No. 2013-29 appointed Ablao the Local Licensing Authority for Liquor Code administration within the Town's corporate limits; and

WHEREAS, the Town Board has reviewed the past performance of Ablao, and has concluded that Ablao continues to demonstrate the requisite experience, training, education and familiarity with liquor licensing practices and procedures; and

WHEREAS, the Town Board wishes to retain Ablao for the purpose of serving as the Liquor Licensing Authority in all liquor licensing matters under the Colorado Liquor Code; and

WHEREAS, Ablao desires to serve in this capacity, subject to the terms set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and obligations hereinafter set forth, it is agreed between the parties as follows:

1. Preamble. The parties acknowledge that the recitals set forth above are true and correct, and those recitals are incorporated into the body of this Agreement.
2. Professional Services. Ablao agrees to provide professional services to the Town as the Liquor Licensing Authority in all liquor licensing matters. Such services shall include:
 - (a) Convening regular meetings of the Local Licensing Authority on a schedule established in consultation with the Town Clerk's Office, and such special meetings of the Local Licensing Authority as may be necessary to assure orderly and effective administration of the Local Licensing Authority's duties;
 - (b) Working in cooperation with the Town Clerk's Office with respect to administration of liquor licenses within the Town; and

- (c) Reporting to the Town Board on a minimum quarterly basis the activities of the Local Licensing Authority.

Ablao agrees to perform the duties of Local Licensing Authority in a competent and professional manner, and in compliance with applicable Colorado law.

3. Term. This Agreement shall commence upon Ablao's appointment by Resolution of the Town Board and shall continue for one (1) year thereafter unless sooner terminated as provided herein. The Town Board shall annually evaluate Ablao's performance, and this Agreement may be extended for additional one (1) year periods by agreement between the parties, approved by Resolution of the Town Board.
4. Termination. The foregoing time periods notwithstanding, the Town may terminate this Agreement at any time without cause by providing written notice of termination to Ablao. In the event of termination, Ablao shall be paid for services rendered prior to the date of termination subject only to the satisfactory performance of her obligations under this Agreement. Such payment shall be Ablao's sole right and remedy for such termination.
5. Compensation. In consideration of the services to be performed pursuant to this Agreement, the Town agrees to pay Ablao the sum of Seventy-five Dollars (\$75) per hour. Ablao shall bill the Town on a quarterly basis by itemized statements acceptable to the Town.
6. Hearing Room and Support Services. The Town shall provide Ablao hearing room space as needed to administer the Local Licensing Authority processes delegated to Ablao hereunder. The Town Clerk's Office will provide administrative support to the Local Licensing Authority as has customarily been provided to the Town Board in its capacity as Local Licensing Authority. The Town Clerk's Office will timely provide Ablao with all documents and reports filed with or generated by Town staff with respect to the liquor licensing duties delegated to Ablao hereunder, and such information as may requested by Ablao for the discharge of Local Licensing Authority duties delegated hereunder. Ablao shall at her own expense maintain such other office space as she deems necessary to perform the duties of Local Licensing Authority, including a mailing address and communications availability by telephone, facsimile and electronic mail.
7. Independent Contractor. With respect to services performed under this Agreement, Ablao shall be deemed an independent contractor. The Town shall not be responsible for withholding any portion of Ablao's compensation hereunder for the payment of FICA, Workers' Compensation, or other taxes or benefits, or for any other purpose.
8. Personal Services. It is understood that the Town enters into this Agreement based upon the special abilities of Ablao, and that this Agreement shall be considered as an agreement for personal services. Accordingly, Ablao shall neither assign any responsibilities nor delegate

any duties arising under this Agreement.

- 9. Notices. Any notice, request or other communication to either party by the other party concerning the terms and conditions of this Agreement shall be in writing and shall be deemed given only (1) when actually received by the addressees, or (2) when sent postage prepaid by certified United States mail, return receipt requested, addressed as follows:

TOWN:	<i>Copy to:</i>	ABLAO:
Town of Windsor 301 Walnut Street Windsor, CO 80550	Ian D. McCargar, Town Attorney 131 Lincoln Ave., Suite 100 Fort Collins, CO 80524	Teresa Ablao P.O. Box 7142 Loveland, CO 80537

- 10. Entire Agreement. This Agreement constitutes the entire agreement between the parties concerning the services to be rendered by Ablao to the Town. Neither Ablao nor the Town is bound by any representation not stated in this Agreement.
- 11. Governing Law. The laws of the State of Colorado shall govern validity, interpretation, performance and enforcement of this Agreement.
- 12. Binding Effect. The terms of this Agreement shall inure to the benefit of the parties, including their successors and permissible assigns, if any.

IN WITNESS WHEREOF, the undersigned parties have caused this Agreement to be executed on the day and year first written above.

TOWN OF WINDSOR, COLORADO

By: _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Teresa Ablao, Attorney at Law



MEMORANDUM

Date: June 23, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Josh Olhava, Associate Planner
Subject: Public Hearing – Ordinance No. 2014-1475 – An Ordinance amending Section 16-21-20(c)(5) of the Windsor Municipal Code to redefine the calculation of outdoor accessory storage within the Limited Industrial (I-L) zoning district
Item #: C.1.C.2

Discussion:

Chapter 16, Article XXI of the Municipal Code outlines the Limited Industrial (I-L) zoning district regulations. An amendment to Section 16-21-20(c) was approved in 2012 which limited the amount of outdoor storage allowed as an accessory use in the I-L zoning district to sixty-five (65%) of the total square footage of the property and this amendment has worked well thus far. However, the amendment also specified how such outdoor storage should be calculated and that calculation has caused confusion.

Therefore, in order to make the code more user friendly for applicants as well as staff, the following subtractions from the code language are proposed (for reference all text that is depicted as strike-through is proposed to be eliminated):

Sec. 16-21-20. Use regulations.

(c) Accessory uses. Assuming approval of designated uses by right as aforesaid, the following shall be permitted accessory uses in the Limited Industrial I-L District:

- (1) Office, power supply and other such uses normally auxiliary to the principal industrial use.
- (2) Parking and service areas.
- (3) Accessory signs as otherwise regulated by this Code or the laws of the State.
- (4) Residential quarters for guards and caretakers.
- (5) Accessory outdoor storage that is normally auxiliary to the principal industrial use of the property. The total square footage of accessory outdoor storage in the Limited Industrial I-L District shall not exceed sixty-five percent (65%) of the total square footage of the property. ~~which shall be calculated as the combined total square footage of the footprint of all buildings, landscaping, paved parking and drive areas on the property.~~ Any such storage located 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.....

Comprehensive Plan:

Commercial and Industrial Land Use Goal 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.

Notification: The following notifications were completed in accordance with the Municipal Code:

Public Hearing notifications for Planning Commission and Town Board public hearings were as follows:

- June 6, 2014 – legal notices posted on the Town of Windsor website
- June 6, 2014 – legal ad published in the paper

Recommendation:

At their June 18, 2014 regular meeting, the Planning Commission voted to forward a recommendation of approval of the proposed code amendment to the Town Board, and staff concurs with this recommendation.

Attachments: ordinance

pc: Windsor Town staff

TOWN OF WINDSOR

ORDINANCE NO. 2014 - 1475

AN ORDINANCE AMENDING SECTION 16-21-20 (c) (5) OF THE *WINDSOR MUNICIPAL CODE* WITH RESPECT TO ACCESSORY OUTDOOR STORAGE AREAS

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 intention of which is to protect the public health, safety and welfare; and

WHEREAS, the regulation of land use within the Town’s Limited Industrial I-L zoning district is set forth in Chapter 16, Article XXI of the *Windsor Municipal Code* (“Code”); and

WHEREAS, the regulation of accessory uses within the Limited Industrial I-L zoning district is set forth in Section 16-21-20 (c) of the Code; and

WHEREAS, the Town Board and Planning Commission have each conducted public hearings as required by law with respect to an amendment of Section 16-21-20 (c) (5) of the Code; and

WHEREAS, the Planning Commission has presented its recommendation to the Town Board in this regard; and

WHEREAS, the Town Board believes that the within Ordinance is necessary to promote clarity in the requirements of the Code with respect to accessory outdoor storage areas normally auxiliary to the principal use; and

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

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

Section 16-21-20 (c) (5) of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

- (5) Accessory outdoor storage that is normally auxiliary to the principal industrial use of the property. The total square footage of accessory outdoor storage in the Limited Industrial LI District shall not exceed sixty-five percent (65%) of the total square footage of the property. Any such storage located 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. Chain-link fencing with slats shall not be considered adequate opaque fencing. 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.

Introduced, passed on first reading, and ordered published this 23rd day of June, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 14th day of July, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

2014 MONTHLY FINANCIAL REPORT

Special points of interest:

- Highest May sales tax collection on record at \$528,293.
- Single Family Residential (SFR) building permits total 104 through May. This is down from the May 2013 number of 197.
- 33 new business licenses were issued in May, 16 of which were sales tax vendors.

Highlights and Comments

- * We recorded our highest gross sales tax collection for the single month of May.
- * May 2014 year-to-date gross sales tax increased 22.86% over May 2013.
- * Construction use tax through May is at 35.22% of the budget at \$616,233.
- * Year-to-date total revenue through May exceeded expenditures by roughly \$1.5M.

3 Million Gallon Water Tank Construction Begin



Breaking Ground for Water Tank

Construction begins for the new three million gallon in-ground concrete storage reservoir. The location is south of Windsor adjacent to the current water tank. The project total 2013-2014 cost is expected to be \$3.2 million with a Colorado Department of Local Affairs grant of \$650,000. The storage reservoir is expected to be complete by March 2015.

Inside this issue:

Sales, Use and Property Tax	2
Year-to-Date Sales Tax	4
Monthly Sales Tax	5
All Fund Expenditures	6
General Fund Expenditures	7

Items of Interest

- The 7-Eleven store at Crossroads began remitting sales tax in March 2014.
- Summer Concerts began on June 5, in conjunction with the All town BBQ.
- Visit us at www.windsorgov.com and look for live streaming of Town Board and Planning Commission meetings.

Sales, Use and Property Tax Update**May 2014**

Benchmark =42%	Sales Tax	Construction Use Tax	Property Tax	Combined
Budget 2014	\$5,944,547	\$1,749,737	\$4,146,285	\$11,840,569
Actual 2014	\$3,428,002	\$616,233	\$2,515,584	\$6,559,819
% of Budget	57.67%	35.22%	60.67%	55.40%
Actual Through May 2013	\$2,790,067	\$1,003,972	\$2,297,786	\$6,091,825
Change From Prior Year	22.86%	-38.62%	9.48%	7.68%

Ideally through the fifth month of the year you would like to see 42% collection rate on your annual budget number. We have reached that benchmark in two of the three tax categories.

At this point last year we had collected \$2.3M in property taxes, or 56.1% of the annual budget. We are ahead of that pace this year.

Building Permit Chart**May 2014**

	SFR	Commercial	Industrial	Total
Through May 2014	104	3	0	107
Through May 2013	197	1	11	209
% change from prior year				-48.80%
2014 Budget Permit Total				373
% of 2014 Budget				28.69%

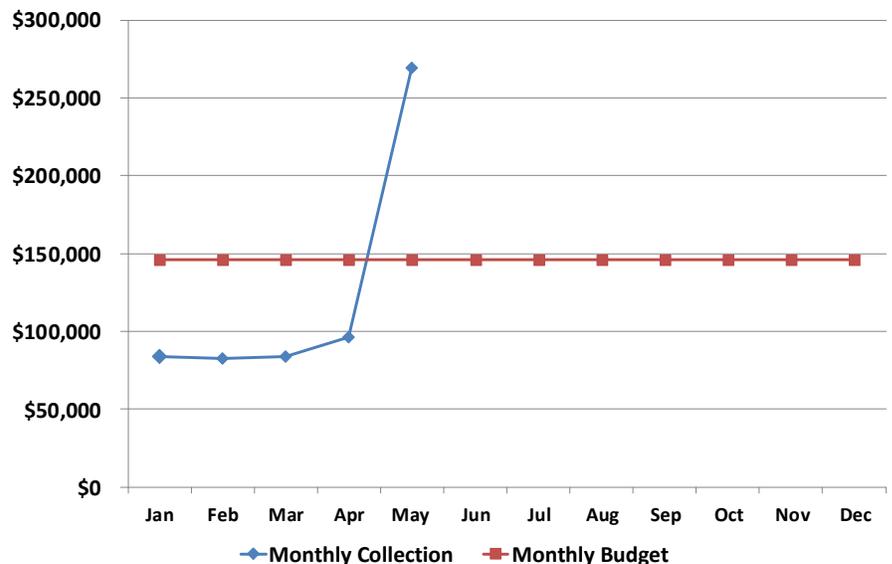
Building Permits and Construction Use Tax

We are showing a 48.80% decrease in number of permits as compared to May 2013. We issued 104 SFR permits through May 2014 as compared to 197 through May of 2013.

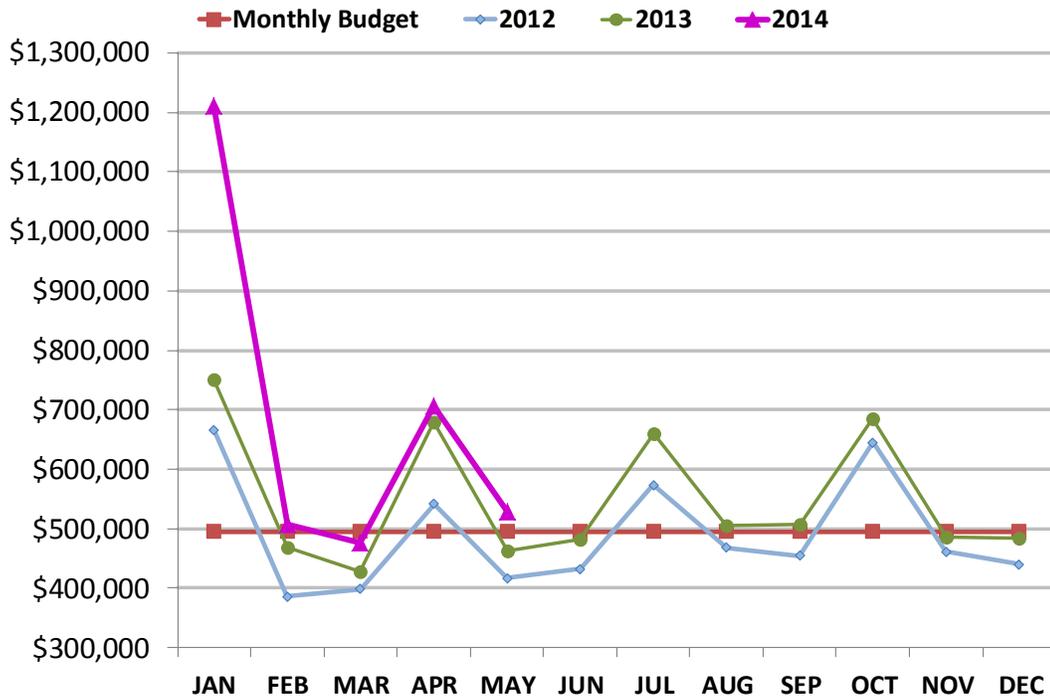
Construction use tax is above our required monthly collection for the first month this year.

We issued 36 SFR permits in the month of May, making it our strongest month for building permits in 2014.

We will monitor this trend as it relates to our Capital Improvement Plan, as to whether the lower number of building permits will require an alteration in our project schedule.

Construction Use Tax Collections

Sales Tax Collections in Dollars



Gross Sales tax collections for May 2014 were approximately \$66,000 higher than May 2013.

May Facts

May is a “single collection” month, meaning that the collections are for sales made in April. May produced a strong collection month, surpassing the two previous years in collections as well as our monthly budget collections requirement.

We did not receive any voluntary compliance or audit payments in May, adding strength to the positive indicator of higher collections than last year.

We had half the number of delinquent accounts in May compared to May 2013. Sixteen delinquencies as compared to 31 last year.

Looking Forward

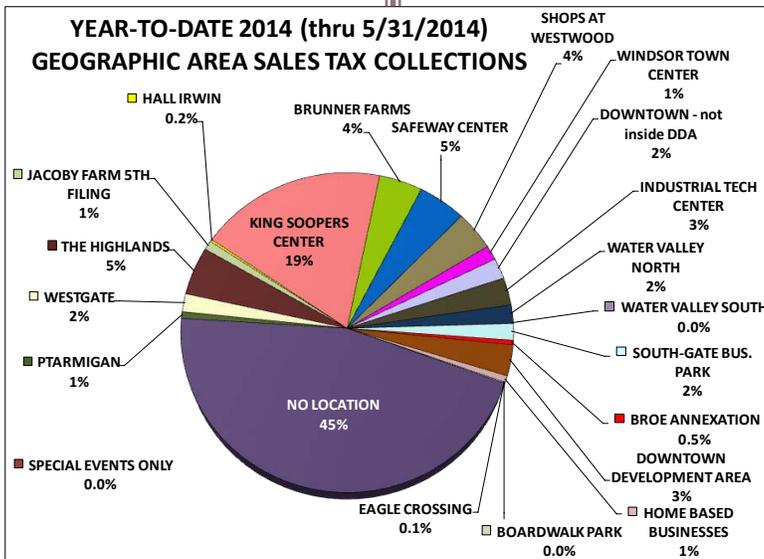
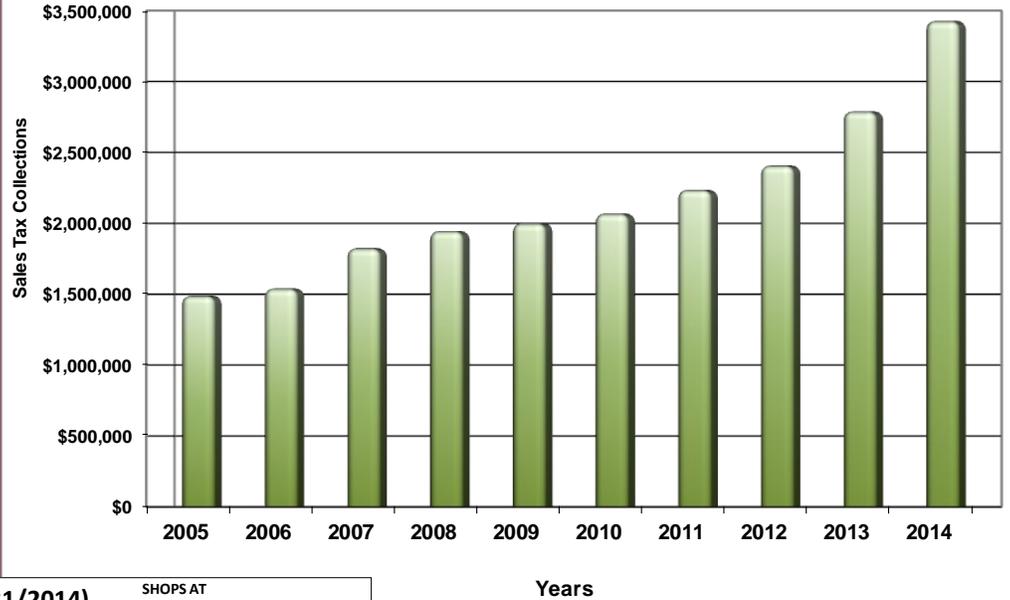
We budgeted \$6M in sales tax for 2014, making our average monthly collection requirement \$500,000. We were above that mark for the fourth time this year out five months. In January we received a large “outlier” payment from a local manufacturer. Reducing January’s collection by this amount down to \$891,348, through the first five months of 2014 we are averaging \$621,765 in collections per month. If we maintain this average through the end of the year, we will come in at \$7.5-\$8M in collections.

We are in good shape moving into the summer and out of our historically weakest collection months. This is an indicator that bodes well for the rest of 2014. Surpassing our sales tax collection target will aid our slow start in construction use tax.

Through May we have collected \$3.4M in sales tax.

This is roughly \$638,000 higher than 2013.

Year-to-Date Sales Tax Collections Through May 2005-2014



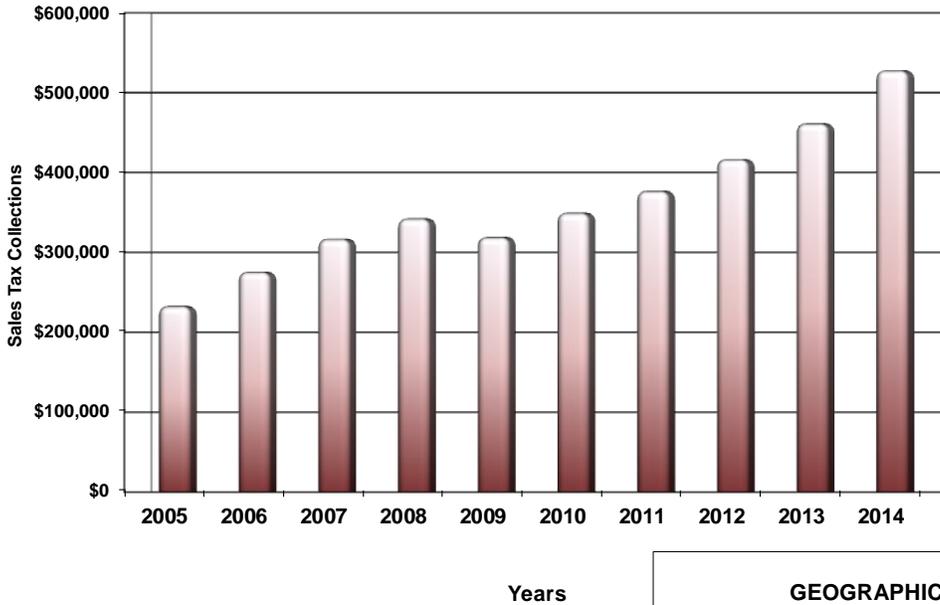
Our sales tax base is still anchored through groceries and utilities.

Year-to-Date Sales Tax

Our sales tax base has not changed a great deal over the past decade, with groceries and utilities leading our industry sectors in sales tax collection. Some of this increase can be attributed to an overall increase in prices and cost of living.

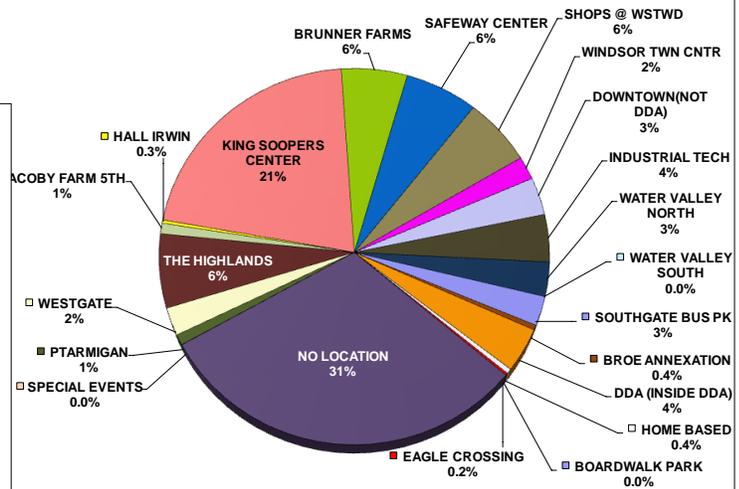
- Groceries, liquor, general merchandise, utilities and auto parts all increased collections over May 2013.
- Our current year to date collections through May of \$3,428,002 are higher than the entire year of collections for 2004. It also exceeds each of the individual annual collections of all of the years preceding 2004.

Sales Tax Collections Month of May 2005-2014



In the month of May 2014, we have collected \$528,293 in sales tax.

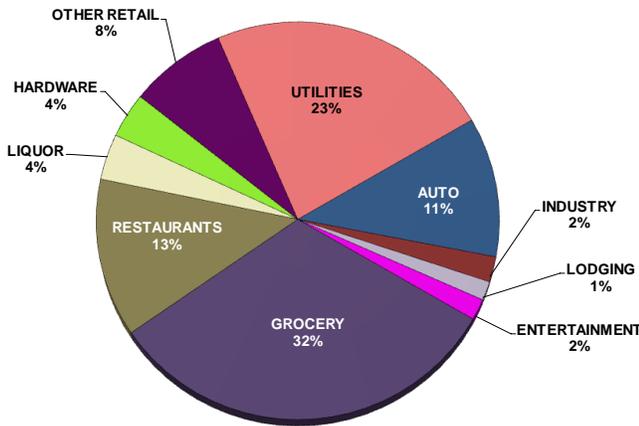
MAY 2014 GEOGRAPHIC AREA SALES TAX COLLECTIONS



Geographic area chart now shows a breakdown between the DDA and the rest of the Downtown

MAY 2014

(This graph IS NOT inclusive of all tax payers)



Monthly Sales Tax

- May gross collections of \$528,293 were 14.4% higher than May 2013. May 2014 was the highest May collection on record.
- Our sales tax base is necessity driven, as demonstrated in the pie graph above. Necessities of food, utilities and automobiles comprised 79% of our May sales tax collections.
- The King Soopers Center leads the way in collections by business with a physical presence in Windsor.
- The DDA collections were down roughly \$1,700 over May 2013.
- The new 7 Eleven store at crossroads remitted their first sales tax return in March 2014.

All Funds Expense Chart

May 2014

Benchmark =42%

Operations expenditures are on track as a whole, expending 36% of the annual budget compared to the benchmark of 42%.

General Government	Current Month	YTD Actual	2014 Budget	% of Budget
General Fund	\$1,057,335	\$5,140,102	\$12,716,127	40%
Special Revenue	\$90,093	\$408,352	\$2,439,201	17%
Internal Service	\$346,978	\$1,393,403	\$3,104,165	45%
Other Entities(WBA)	\$12,090	\$60,455	\$145,080	42%
Sub Total Gen Govt Operations	\$1,506,496	\$7,002,312	\$18,404,573	38%
Enterprise Funds				
Water-Operations	\$195,769	\$972,024	\$3,467,536	28%
Sewer-Operations	\$57,933	\$499,956	\$1,591,886	31%
Drainage-Operations	\$41,783	\$174,824	\$402,276	43%
Sub Total Enterprise Operations	\$295,485	\$1,646,804	\$5,461,698	30%
Operations Total	\$1,801,981	\$8,649,116	\$23,866,271	36%

plus transfers to CIF and Non-Potable for loan

Through May, operating and capital expenditures combined to equal 35% of the 2014 Budget.

General Govt Capital	Current Month	YTD Actual	2014 Budget	% of Budget
Capital Improvement Fund	\$720,930	\$1,264,285	\$5,339,148	24%
Enterprise Fund Capital				
Water	\$90,020	\$3,485,869	\$7,134,081	49%
Sewer	\$0	\$3,326	\$512,875	1%
Drainage	\$22,127	\$52,408	\$1,894,231	3%
Sub Total Enterprise Capital	\$112,147	\$3,541,603	\$9,541,187	37%
Capital Total	\$833,077	\$4,805,888	\$14,880,335	32%
Total Budget	\$2,635,058	\$13,455,004	\$38,746,606	35%

All Funds Expenditures

We are where we always are at this time of year. We are slightly behind the operations benchmark, but will catch up quickly in the next three months of summer operations.

We are behind our general capital benchmark but slightly ahead in the water fund capital expenditures. This is driven mostly by the purchase of the Kyger property in early March.

General Fund Expense Chart

Department		Current Month	YTD Actual	2014 Budget	% of Budget
410	Town Clerk/Customer Service	\$43,625	\$234,690	\$612,550	38.3%
411	Mayor & Board	\$33,602	\$200,067	\$477,796	41.9%
412	Municipal Court	\$1,792	\$6,462	\$19,930	32.4%
413	Town Manager	\$24,864	\$131,662	\$322,910	40.8%
415	Finance	\$74,148	\$280,188	\$606,852	46.2%
416	Human Resources	\$28,853	\$152,629	\$409,870	37.2%
418	Legal Services	\$28,854	\$138,757	\$329,869	42.1%
419	Planning & Zoning	\$40,276	\$228,095	\$610,990	37.3%
420	Economic Development	\$36,114	\$104,997	\$193,297	54.3%
421	Police	\$221,452	\$1,229,447	\$2,853,407	43.1%
428	Recycling	\$2,548	\$11,783	\$42,770	27.5%
429	Streets	\$84,983	\$369,544	\$1,009,692	36.6%
430	Public Works	\$33,161	\$187,444	\$430,818	43.5%
431	Engineering	\$46,691	\$265,515	\$618,026	43.0%
432	Cemetery	\$9,145	\$43,381	\$118,590	36.6%
433	Community Events	\$12,752	\$46,340	\$113,566	40.8%
450	Forestry	\$29,429	\$118,934	\$324,531	36.6%
451	Recreation Programs	\$150,827	\$677,830	\$1,708,136	39.7%
452	Pool/Aquatics	\$7,110	\$27,605	\$186,568	14.8%
454	Parks	\$98,173	\$457,635	\$1,206,005	37.9%
455	Safety/Loss Control	\$0	\$1,341	\$16,760	8.0%
456	Art & Heritage	\$30,139	\$119,675	\$264,560	45.2%
457	Town Hall	\$18,797	\$106,081	\$238,634	44.5%
Total General Fund Operations		\$1,057,335	\$5,140,102	\$12,716,127	40.4%

General Fund Expenditures

The general fund operations are beginning to even out as we move into the second quarter.

June operations will most likely put us back ahead of the monthly pace as our operations get into full speed for the summer by adding more seasonal employees.

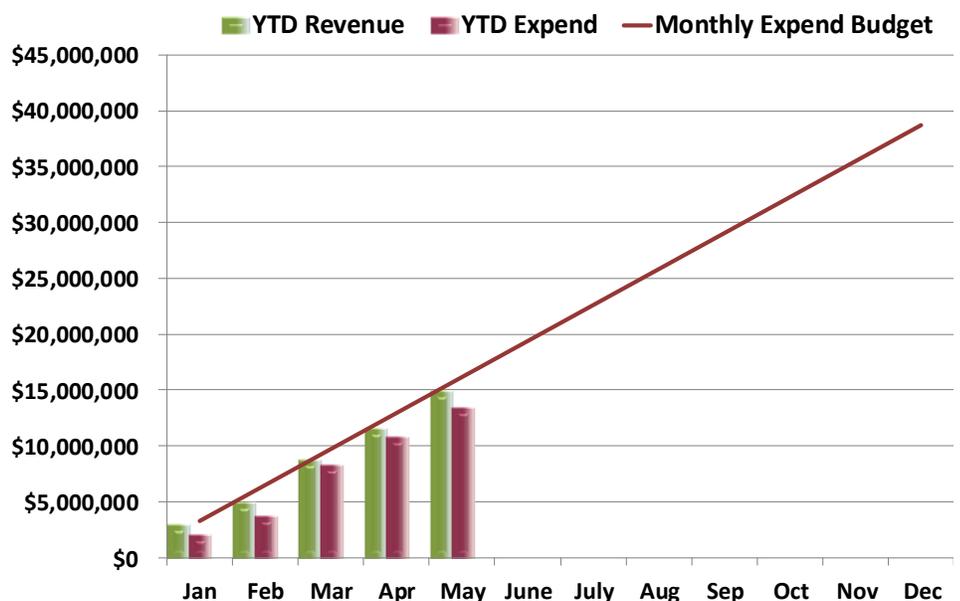
Revenue and Expenditure

The chart on the right shows monthly revenue compared to monthly expenditure as well as a trend line showing the total 2014 budget expended equally over twelve months.

Our monthly budgeted total expenditures equal \$3,228,884. In May we collected \$3,437,233 in total revenue. The chart on the right reflects our actual results through May.

May YTD revenue total exceeded expenditures by roughly \$1.5M.

Combined Revenue and Expenditures



Our Vision:

WINDSOR'S hometown feel fosters an energetic COMMUNITY SPIRIT AND PRIDE that makes our town a special place in Northern Colorado.

WINDSOR has a VIBRANT DOWNTOWN AND LAKE which is a community focal point and destination.

WINDSOR has a STRONG LOCAL ECONOMY with diverse business sectors that provide jobs and services for residents.

WINDSOR promotes quality development through MANAGED GROWTH.

WINDSOR residents enjoy a friendly community with HOUSING OPPORTUNITIES, CHOICES for LEISURE, CULTURAL ACTIVITIES, and RECREATION, and MOBILITY for all.

WINDSOR is a GOOD ENVIRONMENTAL STEWARD.



2014 Monthly Financial Report

Town of Windsor
301 Walnut Street
Windsor, CO 80550
Phone: 970-674-2400
Fax: 970-674-2456

The 2014 Budget continues to focus on fiscal responsibility while building a long-term sustainable community through strategic investments and emphasizing the maintenance of existing infrastructure. In order to achieve these goals, the 2014 Budget emphasizes the importance of funding the key day-to-day tools that lead to success. These tools are employees, technology, and providing services most highly rated by citizens.

The Town of WINDSOR strengthens community through the fiscally responsible and equitable delivery of services, support of hometown pride, and encourages resident involvement.

We're on the Web

www.windsorgov.com



MEMORANDUM

Date: June 23, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
Re: Community Recreation Center Public Meetings
Item #: D.1.a.

Background / Discussion:

As you know, we have held two public sessions to date regarding the proposed expansion of the Community Recreation Center:

June 12, 2014 at Clearview Library

- Three public in attendance
- Presentation by staff
- Q& A session

June 18, 2014 at the Community Recreation Center

- Approximately 50 people stopped by the table with general questions
- One individual made specific trip to ask financial questions

In general, people are pleased with the information and many had already received mailers or other information. Financial questions, and aquatic related questions seem to be the most prevalent, while expressing interest in weight equipment follows closely.

In addition to these meetings, staff has been present at other "events" to share info including, the summer concerts, swim lessons and ball games.

As far as other communication, below is a timetable:

- Letter to key influencers – sent
- Letter to registered voters – sent
- Media feature articles – 6/15 Windsor Now!, 6/22 Beacon
- Newsletter to registered voters – 6/23
- Survey to registered voters – early July
- Utility bill inserts - July

Financial Impact:

As per approved expenditures.

Relationship to Strategic Plan:

Goal 1F

Recommendation:

N/A – for info only

Attachments:

- b. Summary of CRC public questions

2014 CRC Proposed Expansion Outreach Questions

Date	Source	Questions/Comment
6/12	Email	Are any of the Energy Companies contributing or their service companies? They do in other communities they operate in and where their employees are living. That is one of the first questions we have.
6/12	Public Meeting- Library	What is the length of time for sales tax to raise the \$16.1 million?
6/12	Public Meeting- Library	Is all the money for construction or is part for subsidy?
6/12	Public Meeting- Library	The bond payment has been subsidized from the General Fund in the past. How do we know that we won't have to continue to subsidize the debt?
6/12	Public Meeting- Library	What other Town projects are there to compete with? Are there other bonds outstanding?
6/12	Public Meeting- Library	Do we currently charge people to use our facility? What about in the future?
6/12	Public Meeting- Library	Is this facility going to be open to Windsor residents only? Will non-residents pay more?
6/12	Public Meeting- Library	Sales Tax clarification – will there be a split for bond funding and operations?
6/12	Public Meeting- Library	What types of additional programs can occur with this expansion?
6/12	Public Meeting- Library	If this calls for a 20 year bond, will we get a 20 year quality pool?
6/12	Public Meeting- Library	Is this competition to other private entities in Windsor?
6/18	Open House - CRC	What is the Town's current bond rating?
6/18	Open House - CRC	What is the interest rate on the current CRC bond?
6/18	Open House - CRC	What is the anticipated cost recovery compared to current?