



TOWN BOARD REGULAR MEETING
November 24, 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. 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
 - Mayor Pro Tem Baker – Water & Sewer Board; North Front Range/MPO alternate
 - 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; Planning Commission
 - Town Board Member Adams – Tree Board; Poudre River Trail Corridor Board
 - Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO
5. 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 November 10, 2014 Regular Town Board Meeting – P. Garcia
2. Advisory Board Appointment – P. Garcia
3. Resolution 2014-69 - A Resolution Appointing the Presiding Judge and Associate Judge for the Town Of Windsor Municipal Court, and Confirming the Term of Office for Each – I. McCargar
4. Resolution No. 2014-70 - Resolution Approving Deed of Dedication and Temporary Construction Easement from Extraction Oil & Gas, LLC, to the Town Of Windsor, and Authorizing the Mayor to Execute Same – I. McCargar
5. Resolution No. 2014-71 - A Resolution Approving The Expansion Of The Future Inclusion Area Of The Amended Consolidated Service Plan For Great Western Metropolitan Districts NOS. 1-7 – I. McCargar

C. BOARD ACTION

1. Ordinance No. 2014-1487 – An Ordinance Amending the Design Criteria and Procedures in Article XIII, Chapter 17 of the Windsor Municipal Code for the purpose of adding language pertaining to design criteria for large entertainment establishments
Super-majority vote required for adoption on second reading
 - Second reading
 - Legislative action
 - Staff presentation: Josh Olhava, Associate Planner

2. Ordinance No. 2014-1488 – An Ordinance Amending the Sign Regulations in Article IX, Chapter 16 of the Windsor Municipal Code for the purpose of adding language pertaining to the design criteria for signs that contain electronic message centers
Super-majority vote required for adoption on second reading
 - Second reading
 - Legislative action
 - Staff presentation: Josh Olhava, Associate Planner

3. Ordinance No. 2014-1489 - Ordinance Annexing Certain Municipally-owned Land Pursuant to the Provisions of § 31-12-106, C.R.S.
 - First reading
 - Legislative action
 - Staff presentation: Ian D. McCargar, Town Attorney

4. Community Recreation Center Expansion – Review timeline and scope of services with Barker Rinker Seacat Architecture who will be present to share information and answer any questions
 - Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
 - BRS Presentation: Dave Hammel, Principal, BRS

5. Resolution 2014-72 - A Resolution Approving And Adopting Revised Guidelines For The Use Of The Town Of Windsor's Mobile Show Stage By Third Parties
 - Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture

6. Public Hearing 2015 Budget
 - Legislative action
 - Staff presentation: Dean Moyer, Director of Finance

7. Resolution No. 2014-73 - A Resolution Summarizing Expenditures And Revenues For Each Fund, And Adopting A Budget For The Town Of Windsor, Colorado, For The Calendar Year Beginning On The First Day Of January, 2015, And Ending On The Last Day Of December, 2015, And Appropriating Sums Of Money To The Various Funds And Spending Agencies, In The Amount And For The Purpose As Set Forth Below, For The Town Of Windsor, Colorado, For The 2015 Budget Year
 - Legislative action
 - Staff presentation: Dean Moyer, Director of Finance

8. Resolution No. 2014-74 - A Resolution Levying General Property Taxes For The Taxable Year 2014 To Help Defray The Costs Of Government For The Town Of Windsor, Colorado, For The 2015 Budget Year (Weld County)
 - Legislative action
 - Staff presentation: Dean Moyer, Director of Finance

9. Resolution No. 2014-75 - A Resolution Levying General Property Taxes For The Taxable Year 2014 To Help Defray The Costs Of Government For The Town Of Windsor, Colorado, For The 2015 Budget Year (Larimer County)
 - Legislative action
 - Staff presentation: Dean Moyer, Director of Finance

10. Resolution No. 2014-76 - A Resolution of the Town Board of the Town of Windsor, Colorado, Approving the 2015 Windsor Downtown Development Authority Budget; Making Annual Appropriations for the Windsor Downtown Development Authority for the Fiscal Year Ending December 31, 2014; and Fixing the Mill Levy for the Windsor DDA District for the Fiscal Year Ending December 31, 2015
 - Legislative action
 - Staff presentation: Patti Garcia, Town Clerk/Assistant to Town Manager

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



MINUTES

A. CALL TO ORDER 7:03 pm

1. Roll Call

Mayor
Mayor Pro Tem

John Vazquez
Myles Baker
Christian Morgan
Kristie Melendez
Robert Bishop-Cotner
Ivan Adams

Absent:

Jeremy Rose

Also present:

Town Manager
Town Attorney
Assistant to the Town Manager/Town Clerk
Director of Engineering
Director of Planning
Associate Planner
Associate Planner
Management Assistant

Kelly Arnold
Ian McCargar
Patti Garcia
Dennis Wagner
Joe Plummer
Paul Hornbeck
Josh Olhava
Kelly Unger

2. Pledge of Allegiance

Mayor Pro Tem Baker 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. McCargar recommended a motion amending the agenda to add consideration of notification by the New Cache La Poudre Irrigating Company for participation in the Cornish Plains Reservoir Rental Water Program as C.18.

Town Board Member Adams motioned to approve the agenda as amended; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

4. Board Liaison Reports

- Mayor Pro-Tem Baker – Water & Sewer Board
Mayor Pro Tem Baker stated that the next meeting is November 12, 2014 at 6:30 am.
- Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority
Town Board Member Morgan reported that PReCAB met on election night, November 4th and watched as the results come in for the Recreation Center question. Slate Communications is being used for the 125th Anniversary events and the Board brainstormed some ideas. They also talked about the Healthy Lungs at Play program regarding smoking in the parks. Weld County may be able to assist with some funds. They discussed the Larimer County open space draft plan and it can be accessed on their website.

Great Western Trail Authority met on October 30, 2014 and they were updated on trails, usage and maintenance. The Eaton recreation center initiative was discussed and it will be right up against the trail. There was discussion on some special district formation possibly to seek one mil for equipment for maintenance.

- Town Board Member Melendez – Downtown Development Authority (DDA); Chamber of Commerce
Town Board Member Melendez reported that the DDA meets on Wednesday, November 19 at 7:30 am.

The Chamber of Commerce met November 5, 2014 and discussed seeking a new Board of Directors and will hopefully fill the three spots in January. A report from the Events & promotions committee discussed a new program called “Networking at noon” which was very successful. This will be taking place instead of the breakfast networking meetings. Windsor Wonderland is coming up and Santa will be arriving by train and will be at Old Town Hall and tree lighting ceremony at the old Depot.

- Town Board Member Rose - Clearview Library Board
No report - Absent
- Town Board Member Bishop-Cotner –Historic Preservation Commission; Planning Commission
Town Board Member Bishop-Cotner stated no report for Historic Preservation Committee and that they meet this Wednesday.

Town Board Member Bishop-Cotner reported that Planning Commission has several items on tonight’s agenda.

- Town Board Member Adams – Poudre River Trail Corridor Board; Tree Board
Town Board Member Adams reported that both boards cancelled meetings this month, no report.
- Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO
Mayor Vazquez reports that the North Front Range MPO authorized use of \$30 million for improving the interchange at Crossroads & I-25. Discussed appropriating State Transportation Planning dollars in the amount of \$5 million to the I-25 corridor for three lanes from Hwy 66 up to Hwy 14. CDOT Director Hunt has resigned and there will be a new director to build relationships with.

5. Public Invitation to be Heard

Mayor Vazquez opened the meeting for public comment.

Dan Johnston, 1504 Arroyo Drive, thanked the Mayor and Town Board for the leadership they have shown in annexing the "Pace property" enclave last week. We now ask the Town to request the COGCC hold a public hearing in Windsor on the Great Western proposal so the very real concerns of neighbors to the Pace property can be heard by the COGCC.

Mayor Vazquez stated that hopefully through the annexation process the citizens voices will be heard. We anticipated the request but the request

Mr. Arnold stated that right now he is not sure when the request can be made, he will provide a report after he has time to study the letter of request submitted tonight by Mr. Johnston and can completely research the process.

Mayor Vazquez believes there is a lot more to come with this application and Great Western Oil & Gas is at the table with the Town of Windsor. The goal is for everyone to have the opportunity to be heard.

B. CONSENT CALENDAR

1. Minutes of the October 27, 2014 Regular Town Board Meeting – B. Roome
2. Resolution 2014-65 - A Resolution Solution Confirming the Appointments of Ivan Adams and Kristie Melendez to Serve on the Clearview Library District's Interview Committee Pursuant to Section 4 of the District's Bylaws – I. McCargar
3. List of Bills October 2014 – D. Moyer

Town Board Member Bishop-Cotner motioned to approve the Consent Calendar as presented; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

C. BOARD ACTION

NOTE: The official record of this evening's proceedings shall include the application, staff memos and recommendations, packet materials and supporting documents, and all testimony received for the following Board Action items.

1. Site Plan Presentation – Highlands Industrial Park, First Filing, Lot 2, Block 1 Site Plan (Timberline Oil Tools, 4301 Greenfield Drive) – Russell Roger, 2R Investments, applicant / Brett Abernathy, Western Skies Construction, applicant's representative
 - a. Staff presentation: Paul Hornbeck, Associate Planner

Staff Presentation:

Mr. Hornbeck presented staff report Item C.1.a. Mr. Hornbeck stated that there is no recommendation as this item is for presentation purposes only.

2. Site Plan Presentation – Highlands Meadows Golf Course Subdivision, First Filing, Tract G-1 Site Plan (Golf Training Center) Highland Meadows Golf Course LLC, applicant / Jim Birdsall, TB Group, applicant's representative
 - Staff presentation: Paul Hornbeck, Associate Planner

Staff Presentation:

Mr. Hornbeck presented staff report Item C.2.a. Mr. Hornbeck stated that there is no recommendation as this item is for presentation purposes only.

3. Discussion of Referral to Planning Commission pursuant to § 16-7-40 of the Windsor Municipal Code - Conditional Use Grant for Temporary Outdoor Storage in the General Commercial (GC) zoning district – Burlington Subdivision, Lot 18 – 217 Second Street - Jeff and Joel Henderson, property owners, applicants/Suzanne and James Stewart, Arapahoe Rentals, applicants
 - Quasi-judicial action
 - Staff presentation: Josh Olhava, Associate Planner

Staff Presentation:

Mr. Olhava presented staff report Item C.3.a. Staff asks that the Town Board refer the matter to the Planning Commission for public hearing and recommendation to the Town Board for action.

Town Board Member Adams motioned to refer the matter to the Planning Commission for public hearing and recommendation to the Town Board for action; Town Board Member Morgan seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

4. Ordinance No. 2014-1484 – An Ordinance rezoning certain property known as Poudre Heights Subdivision, Second Filing, Tract I – Gail E. Rumley, President, Poudre Heights LP, applicant *Super-majority vote required for adoption on second reading*
 - Second reading
 - Quasi-judicial
 - Staff presentation: Paul Hornbeck, Associate Planner

Town Board Member Melendez motioned to approve Ordinance No. 2014-1484; Town Board Member Bishop-Cotner seconded the motion.

Staff Presentation:

Mr. Hornbeck presented staff report Item C.4.a. 23 SF and MF units – approval of a land use map amendment which changed the designation to residential mixed use. Proposal has followed notification procedures. Mr. Hornbeck stated that The Planning Commission forwarded a recommendation of approval to the Town Board with the following condition:

1. All staff redlines and comments shall be addressed

The applicant did not have any additional information.

Mayor Vazquez opened the meeting for public comment to which there was none.

Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

5. Ordinance No. 2014-1485 – An Ordinance Prohibiting the Operation of Internet Sweepstakes Facilities Through the use of Simulated Gambling Devices Within the Town of Windsor *Super-majority vote required for adoption on second reading*
 - Second reading
 - Legislative action
 - Staff presentation: Ian D. McCargar, Town Attorney

Town Board Member Bishop-Cotner motioned to approve Ordinance 2014-1485; Town Board Member Adams seconded the motion.

Staff Presentation:

Mr. McCargar presented staff report C.5.a. Staff recommends adopting the attached ordinance prohibiting the operation of internet sweepstakes facilities through the use of simulated gambling devices within the Town of Windsor. This ordinance was approved on first reading on October 27, 2014. The Ordinance follows the attorney general opinion that concluded that the use of simulated gaming is unlawful gambling and would require a constitutional amendment to move forward. This activity has the elements of gaming which are a wager, an element of chance and the possibility of a payout. The ordinance is modeled on a House Bill that was brought forward during the last State legislative session. There have been no changes from first reading.

Mayor Vazquez opened the meeting for public comment to which there was none.

Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

6. Public Hearing – An Ordinance Annexing and Zoning Certain Territory known as the Harmony Ridge Annexation to the Town of Windsor, Colorado – HR Exchange LLC., applicant; Jeff Mark, The Landhuis Company, applicant’s representative
 - Legislative action
 - Staff presentation: Josh Olhava, Associate Planner

Town Board Member Melendez motioned to open the public hearing; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

Staff Presentation:

Mr. Olhava presented staff report Item C.6.7.8.a.

The applicant, HR Exchange, LLC, represented by Mr. Jeff Mark of the Landhuis Company, are requesting to annex approximately 181.2 acres to the Town of Windsor. The property as a whole is being zoned Residential Mixed Use (RMU). Mr. Olhava stated at their November 5, 2014 Regular Meeting, the Planning Commission forwarded a recommendation of approval of the Harmony Ridge Annexation to the Town Board, subject to the applicant completing the Annexation process with the Town, and staff concurs with this recommendation.

Jeff Mark was present to answer questions from the Town Board. Mayor Vazquez confirmed with the applicant that adding additional acres RMU zoning in the west.

Mayor Vazquez asked where is the master plan for this proposed development.

Mr. Olhava stated that this will be coming forward at a later date. Mr. McCargar added that there will be a public hearing for the master plan.

Mayor Vazquez confirmed that tonight is just about the annexation.

Mr. Mark added that the last submittal of the master plan has been submitted to the Town of Windsor.

Public Comment

Cheryl Van Ackern, 36746 Brian Avenue, stated that the annexation application also includes zoning of the property. From what she understands no adjustments can be made since things have already been set. The Planning Commission and the Town Board hear a lot from neighbors that they don't want development. Ms. Van Ackern is not against development but is concerned about the effects that this will have on the density and traffic in the area. She is also concerned about the future impact and road improvement standards that are set. The developers want higher density by 604% if it is zoned RMU versus E-2. Wants the Town Board to impose lower density across the other areas of the development.

Rosalind Lioto, 36933 County Road 15 has concerns about traffic in the area. There are issues with speeding on road and residents on CR 6 and CR 74 have drive ways that have access to CR 15. Ms. Lioto stated concerns regarding traffic counts and speed issues.

Mayor Vazquez noted the 80% rule used by CDOT which is how the speed limit is set. Per Ms. Lioto the developer hired a traffic engineer to do a traffic study and they didn't include CR 15 and CR 76.

Mayor Vazquez said there are various factors that are considered in the study. He also stated this should be discussed during the master plan.

Per Ms. Lioto there are 25,000 in the Town of Windsor now and if this subdivision comes in it will add 5,000 more to the population which brings 20% of the population outside of town.

Ms. Van Ackern was allowed to address the Town Board one more time by Mayor Vazquez. She stated that the residents and developer have had some conversations. At the last meeting the master plan was presented and they were told that a lot of the "roads are already set" and many things have already been set that the residents will have a difficult time going forward trying to get anything changed. The current residents would like to have that dialogue and continue the dialogue as their opinion about the density compared of the developer are very different. They feel that the Boxelder sewer and its ability to serve an additional 1,650 residents is driving the development.

Jeanne McCreery, 36699 Brian Avenue, wants to encourage the board to provide guidance to the developer for responsible development that is respectful of the surrounding neighborhoods. Ms. McCreery requested significantly lower density in the development, perhaps down to 500-800 units; maintaining some part of their 'dark skies' neighborhood; an open space buffer immediately West of their subdivisions, in addition to a single story house restriction beyond the buffer zone; upgrading road classification and considering more immediate improvements to this area which is already a high safety concern for the residents in the area.

Mayor Vazquez explained that her comments are more for the master plan phase. This is not what is up for consideration tonight.

Sharon Offenbacher, 36883 CR15, agrees to what everyone else said.

Mr. Mark stated that they are going into further discussion to future meetings. They are trying to be fair and equitable to both parties. Mr. Mark noted that the area is already zoned to RMU and if they maxed that out they could build 1,800 units. They have chosen 1,650 units which is the number that the sewer will be able to serve.

Mayor Vazquez stated these will be discussions during master planning.

Town Board Member Melendez motioned to close the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

7. Resolution No. 2014-66 – A Resolution Making Certain Findings and Conclusions Pursuant to Section 31-12-110 C.R.S., Concerning the Harmony Ridge Annexation to the Town of Windsor, Colorado – HR Exchange LLC., applicant; Jeff Mark, The Landhuis Company, applicant's representative
 - Legislative action
 - Staff presentation: Josh Olhava, Associate Planner

Town Board Member Melendez motioned to approve Resolution No. 2014-66; Town Board Member Bishop-Cotner seconded the motion.

Staff Presentation:

Mr. Olhava reviewed the resolution language.

Mr. McCargar noted that this is a required statutory step.

Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

8. Ordinance No. 2014-1486 – An Ordinance Annexing and Zoning Certain Territory known as the Harmony Ridge Annexation to the Town of Windsor, Colorado – HR Exchange LLC., applicant, Jeff Mark, The Landhuis Company, applicant's representative
 - First Reading
 - Legislative action
 - Staff presentation: Josh Olhava, Associate Planner

Town Board Member Bishop-Cotner motioned to approve Ordinance No. 2014-1486; Town Board Member Melendez seconded the motion.

Staff Presentation:

Mr. Olhava stated he had nothing further to add from Agenda Item 6.

Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

9. Public Hearing – Conditional Use Grant for an off-premise sign for temporary residential advertising on the Serfer Annexation property at the southwest corner of SH 392 and County Line Road (WCR 13) – Mike Davidson, Century Communities, applicant / Andrew Schultz, Dodge Sign Company, applicant's representative
 - Quasi-judicial action
 - Staff presentation: Paul Hornbeck, Associate Planner

Town Board Member Adams motioned to open the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

Staff Presentation:

Mr. Hornbeck stated the applicant is requesting a Conditional Use Grant (CUG) for an off-premise sign to be located on the Serfer Annexation property located at the southwest corner of Highway 392 and County Line Road (Weld County Road 13). The property is zoned Recreation and Open Space (O). The sign would advertise and direct motorists to homes for sale within the Highpointe Subdivision, also known as the Reserve at Highpointe Estates. The subdivision is located approximately 1.7 miles south of the intersection of Highway 392 and Weld County Road 13. According to the applicant the sign is needed to direct traffic from Highway 392 to the subdivision. The Windsor Municipal Code does address subdivision-wide real estate promotional signage but does not permit such signage to be located off-premise.

Mr. Hornbeck stated that the Planning Commission forwarded a recommendation of denial to the Town Board at their November 5, 2014 meeting with the following findings of fact:

1. Off-premise residential signs including the proposed sign are not in significant compliance with the intent of the sign regulations as described in Section 16-9-10 of the Municipal Code.
2. Off-premise signs including the proposed sign detract from the physical appearance of the Town of Windsor.

The applicant was not present.

Mr. Plummer clarified this is for lots for sale not homes for sale.

Mayor Vazquez stated that he wants to see consistency with posted signs already in existence.

Pro Tem Baker asked if it is the size of the sign.

Mr. Hornbeck answered that yes, it is the overall height.

Mr. Hornbeck stated the off premise location is what the issue is.

Mayor Vazquez opened the meeting for public comment to which there was none.

Town Board Member Adams motioned to close the public hearing; Mayor Pro Tem Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

10. Conditional Use Grant for an off-premise sign for temporary residential advertising on the Serfer Annexation property at the southwest corner of SH 392 and County Line Road (WCR 13) – Mike Davidson, Century Communities, applicant / Andrew Schultz, Dodge Sign Company, applicant's representative

- Quasi-judicial action
- Staff presentation: Paul Hornbeck, Associate Planner

Town Board Member Adams motioned to approve the CUG as presented; Mayor Pro Tem Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – None; Nays – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Motion failed.

11. Public Hearing – An Ordinance Amending the Design Criteria and Procedures in Article XIII, Chapter 17 of the Windsor Municipal Code for the purpose of adding language pertaining to design criteria for large entertainment establishments

- Legislative action
- Staff presentation: Josh Olhava, Associate Planner

Town Board Member Melendez motioned to open the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

Staff Presentation:

Mr. Olhava presented staff report Item C.11.12.a. Following Planning Commission and Town Board work sessions and anticipating future entertainment establishments the ordinance is being presented.

Mr. Olhava stated at their November 5, 2014 Regular Meeting, the Planning Commission forwarded a recommendation of approval to the Town Board of the proposed code amendment language and Ordinance No. 2014-1487, and staff concurs with this recommendation.

The language is the same as presented in the work session.

Mayor Vazquez stated that these changes only going to affect architectural standards and exterior elevation appearances and the standards that they will comply with. 50,000 square feet is the beginning threshold.

Mayor Vazquez opened the meeting for public comment to which there was none.

Town Board Member Melendez motioned to close the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

12. Ordinance No. 2014-1487 – An Ordinance Amending the Design Criteria and Procedures in Article XIII, Chapter 17 of the Windsor Municipal Code for the purpose of adding language pertaining to design criteria for large entertainment establishments

- First reading
- Legislative action
- Staff presentation: Josh Olhava, Associate Planner

Town Board Member Bishop-Cotner motioned to approve Ordinance No. 2014-1487; Mayor Pro Tem Baker seconded the motion.

Staff Presentation:

Mr. Olhava stated he had nothing further to add from Agenda Item 11.

Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

13. Public Hearing – An Ordinance Amending the Sign Regulations in Article IX, Chapter 16 of the Windsor Municipal Code for the purpose of adding language pertaining to the design criteria for signs that contain electronic message centers
- Legislative action
 - Staff presentation: Josh Olhava, Associate Planner

Town Board Member Adams motioned to open the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

Staff Presentation:

Mr. Olhava presented staff report Item C.13.14.a.

Notes code section and read it – 16-9-60. Mr. Olhava stated at their November 5, 2014 Regular Meeting, the Planning Commission forwarded a recommendation of approval to the Town Board of the proposed code amendment language and Ordinance No. 2014-1488, and staff concurs with this recommendation.

Staff has worked to incorporate language that (2) The maximum allowed size of an electronic message center in a freestanding sign shall be no greater than fifty percent (50%) of the total allowed sign area. And (8) Building-mounted electronic message centers shall only be permitted when displaying time and temperature or when displaying fuel pricing on a fueling station canopy, and shall remain subject to the size limitations of Section 16-9-100 (b) for building-mounted signs, or not to exceed twenty (20) square feet, whichever is less.

Mr. McCargar stated that this is not for temporary town owned messaging in which the restrictions do not apply.

Mayor Vazquez opened the meeting for public comment to which there was none.

Town Board Member Melendez motioned to close the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

14. Ordinance No. 2014-1488 – An Ordinance Amending the Sign Regulations in Article IX, Chapter 16 of the Windsor Municipal Code for the purpose of adding language pertaining to the design criteria for signs that contain electronic message centers
- First reading
 - Legislative action
 - Staff presentation: Josh Olhava, Associate Planner

Town Board Member Melendez motioned to approve Ordinance No. 2014-1488; Town Board Bishop-Cotner Member seconded the motion.

Staff Presentation:

Mr. Olhava stated he had nothing further to add from Agenda Item 13.

Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

15. Public Hearing – Request to exceed the maximum height for a structure in the Residential Mixed Use (RMU) zoning district in accordance with Section 16-10-50(c) of the Windsor Municipal Code – Highland Meadows Golf Course Subdivision, Eighth Filing, Lot 6 – Dennis Fulgenzi, applicant; Cathy Mathis, TB Group, applicant’s representative
- Quasi-judicial action
 - Staff presentation: Josh Olhava, Associate Planner

Town Board Member Melendez motioned to open the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

Staff Presentation:

Mr. Olhava presented staff report Item C.15.16.a.

The maximum height allowed in the RMU zoning district is thirty-five (35) feet, in accordance with Sec. 16-24-40(4). The building is proposed to have a maximum ridge height of thirty-seven (39) feet. This is on the south east corner of the 8th filing of the Highland Meadows golf course.

Mr. Olhava stated at their November 5, 2014 Regular Meeting, the Planning Commission forwarded a recommendation of approval to the Town Board for the proposed height to not exceed forty (40) feet to allow for minor variations in the field during construction, subject to compliance with all building and fire code requirements, and staff concurs with this recommendation.

Applicant present to answer any questions.

Jon Turner, applicant, stated that they initially submitted at 38’ to allow for the height required for tennis tournaments. Mr. Turner stated that it will be a burden to not have the allowance.

Mayor Vazquez opened the meeting for public comment to which there was none.

Town Board Member Melendez motioned to close the public hearing; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

16. Resolution No. 2014-67 – A Resolution approving a request to exceed the maximum height for a structure in the Residential Mixed Use (RMU) zoning district in accordance with Section 16-10-50(c) of the Windsor Municipal Code – Highland Meadows Golf Course Subdivision, Eighth Filing, Lot 6 – Dennis Fulgenzi, applicant; Cathy Mathis, TB Group, applicant’s representative
- Quasi-judicial action
 - Staff presentation: Josh Olhava, Associate Planner

Town Board Member Bishop-Cotner motioned to approve Resolution No. 2014-67; Mayor Pro Tem Baker seconded the motion.

Staff Presentation:

Mr. Olhava stated he had nothing further to add from Agenda Item 15.

Mayor Vazquez stated his support of this request due to the burden.

Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

17. Resolution No. 2014-68 - A Resolution approving and adopting revisions to the schedule of certain development-fee related fees imposed by the Town of Windsor to include a fee for review and approval of accessory dwelling units.
- Legislative action
 - Staff presentation: Joe Plummer, Director of Planning

Town Board Member Bishop-Cotner motioned to approve Resolution No. 2014-68; Town Board Member Adams seconded the motion.

Staff Presentation:

Mr. Plummer presented staff report Item C.17.a.

ADU's were approved last month on second reading. Review fee for ADU's is now before the Town Board. Staff has analyzed the amount of staff time to review the application and have decided that it is similar to Conditional Use Grant applications. They plan to use a phase in schedule. Mr. Plummer stated staff recommends adoption of Resolution 2014-68 as presented.

Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

18. Consideration of Notification by New Cache la Poudre Irrigation Company for participation in Cornish Plains Reservoir leasing program. – I. McCargar

Mr. McCargar told the Board that the Town has received notification from the New Cache la Poudre Irrigation Company. Earlier at the Kern Board meeting, Mr. Grasmick, Kern Board Legal representative, recommended that the Kern Board decline to offer for leasing of the Kern's interest in Cornish Plains Reservoir. He also reviewed the Decree for the water right, and urged us to ask New Cache to allow the Kern to use its interest for augmentation, well depletions and return flows, and to receive it into Kern Reservoir for irrigation purposes.

Mr. McCargar asked for the Town Board to take consistent action with the Kern Board by authorizing counsel to decline the leasing program as well as reaching out to the New Cache la Poudre Irrigation Company to reaffirm that the Town is interested in keeping that water interest for augmentation as well as for irrigation purposes.

Town Board Member Melendez motioned to approve the recommendations of Mr. Grasmick relative to the New Cache La Poudre irrigation shares; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None; Motion passed.

D. COMMUNICATIONS

1. Communications from the Town Attorney –
Mr. McCargar stated we have an Executive Session following the meeting.

2. Communications from Town Staff -

Ms. Unger stated that tomorrow is Veterans Day and thanked all the veterans for their service.

3. Communications from the Town Manager

Mr. Arnold stated that next week there is no work session but a special meeting for the Town Manager and Town Attorney evaluations. Mr. Arnold asked for postponement at the November 24th Town Board Work Session of the downtown overlay parking district discussion. Staff believes that it needs some more work before moving forward.

Mr. Arnold also stated that the November 24th meeting will have the 125th anniversary update and the Housing Authority would like to meet with Town Board about potentially not seeking reimbursement of raw water fees. This might also be a good time to review the inquiry of the public invited to be heard regarding the COGCC hearing.

As of right now the December 22nd meeting is scheduled but we will review in 2 weeks to see if there is anything for the agenda.

4. Communications from Town Board Members

Mr. Bishop-Cotner will not be at the November 24th meeting.

Mr. Adams spoke of a salute the Veterans event at Windsor High School tomorrow at 10:45 am. Town Board is invited to attend.

- E. 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. - - VIMA Partners – K. Arnold

Town Board Melendez made a motion to go into 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. - - VIMA Partners; Mr. Adams seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Morgan, Rose, Melendez, Bishop-Cotner, Adams; Nays – None; Motion passed.

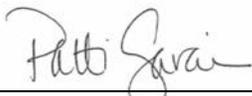
The meeting moved to Executive Session at 9:18 p.m.

Town Board Member Bishop-Cotner made a motion to return to the regular meeting at 10:05 p.m.; Town Board Member 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.

The Executive Session was closed and the Town Board returned to the Regular Meeting.

F. ADJOURN

Upon a duly made motion, the Regular Meeting was adjourned at 10:06 p.m.



Patti Garcia, Deputy Town Clerk



MEMORANDUM

Date: November 24, 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 Monday, November 17, 2014 and provided a recommendation of the following appointments:

Tree Board

Rebekah Wilson – Four year term expiring September, 2018

Financial Impact:

None.

Relationship to Strategic Plan:

1.B. Provide opportunities for residents to be involved and informed in town governance and community service.

Recommendation:

Approve the recommended appointments.

Attachments:

Applications of those being recommended for appointment.



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: Windsor Tree Board

Name: Rebekah Wilson

Address: 5435 Fair View Ct, Windsor, CO, 80550

Day Phone: (970) 391-5032 Night Phone: same

E-Mail Address: torwilson@gmail.com

How long have you been a resident in Windsor? 5 yrs

Current Occupation: Retired, healthcare administration Employer:

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

Ronald McDonald House, Steeplechase HOA, CO Health Medical Group, Flatton Community Hospital

Why do you want to become a member of this particular board or commission? Interested in getting more involved with growth and development of Windsor, and tree board ties in with my recent Master Gardener Certification.

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) Development of a plan to promote healthy tree growth in a developing city. I believe the tree board should be involved in city planning so that streets, sidewalks, etc allow for healthy vegetation.
- 2) Educating the public about the benefits of healthy trees, how to care for trees. This education may be done by addressing key groups in the community, and having a consistent presence in community functions.

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

I have substantial board experience. My master gardener certification will be helpful in encouraging positive outcomes for board goals. My career, my background in development and marketing, and my business experience will be helpful for planning, teaching, and public speaking.

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 talked with Alison O'Connor, and Janene Wilby*

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: *Downtown development*

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: *Felicitas Wilby* Date: *10/2/14*



MEMORANDUM

Date: November 24, 2014
To: Mayor and Town Board
Via: Regular meeting packets, November 24, 2014
From: Ian D. McCargar, Town Attorney
Re: Reappointment of Municipal Judges
Item #: B.3.

Background / Discussion:

In keeping with your instructions, I have prepared the attached Resolution reappointing Judge Manning and Judge Ablao for a term governed by *Windsor Municipal Code* Section 2-4-10 (a). The reference to Code Section 2-4-10 (a) incorporates the present two-year term of office provided therein. If approved, this Resolution will extend each judge's term to December 31, 2016.

The reference to the Oath of Office is a statutory expectation, and allows for continued service by each judge without further action.

Financial Impact: Already budgeted for 2015

Relationship to Strategic Plan: Safe community

Recommendation:

Adopt attached Resolution by an affirmative vote of at least 5 votes, per Charter Section 9.2.

Attachments:

Resolution Appointing the Presiding Judge and Associate Judge for The Town of Windsor Municipal Court, and Confirming the Term of Office for Each

TOWN OF WINDSOR

RESOLUTION NO. 2014-69

A RESOLUTION APPOINTING THE PRESIDING JUDGE AND ASSOCIATE JUDGE FOR THE TOWN OF WINDSOR MUNICIPAL COURT, AND CONFIRMING THE TERM OF OFFICE FOR EACH

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

WHEREAS, the Town is served by its Municipal Court, a duly-qualified court of record pursuant to § 2-4-20 of the *Windsor Municipal Code*; and

WHEREAS, § 2-4-10 (a) of the *Windsor Municipal Code* sets the term of office for the Presiding Judge and Associate Judge of the Windsor Municipal Court at two (2) calendar years; and

WHEREAS, § 9.2 of the Windsor Home Rule Charter calls for the Town Board to appoint the Presiding Judge of the Windsor Municipal Court by an affirmative vote of two-thirds (2/3rds) of the Town Board Members then in office; and

WHEREAS, the Town Board has concluded that the appointment of the Presiding Judge and Associate Judge for the Windsor Municipal Court is proper at this time.

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

1. Michael Manning is hereby appointed to serve as the Presiding Judge of the Windsor Municipal Court, effective January 1, 2015.
2. Teresa Ablao is hereby appointed to serve as an Associate Judge of the Windsor Municipal Court, effective January 1, 2015.
3. The term of office for the Presiding Judge and Associate Judge shall two (2) calendar years as provided in § 2-4-10 (a) of the *Windsor Municipal Code*, subject to the provisions of § 4.9 (E) of the Windsor Home Rule Charter.
4. The oath of office taken previously by each Judge shall be deemed re-affirmed without further action.

Upon motion duly made, seconded and carried by an affirmative vote of _____ Town Board Members presently in office, the foregoing Resolution was adopted this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: November 24, 2014
To: Mayor and Town Board
Via: Regular Meeting materials, November 24, 2014
From: Ian D. McCargar, Town Attorney
Re: Extraction Oil & Gas easement approval
Item #: B.4.

Background / Discussion:

From time to time, the Town negotiates with land owners for dedication of right-of-way for municipal purposes. Attached is a Deed of Dedication and Temporary Construction Easement signed by Extraction Oil & Gas, LLC, the purpose of which is to give the Town some needed right of way along Eastman Park Drive. Dennis Wagner and Curtis Templeman have been the primary staff leaders on this acquisition, and have assisted in assuring the documents give the Town what it needs within this particular property.

Financial Impact: None.

Relationship to Strategic Plan: Effective Infrastructure system

Recommendation: Adopt the attached Resolution Approving Deed of Dedication and Temporary Construction Easement from Extraction Oil & Gas, LLC, to the Town Of Windsor, and Authorizing the Mayor to Execute Same

Attachments:

Resolution Approving Deed of Dedication and Temporary Construction Easement from Extraction Oil & Gas, LLC, to the Town Of Windsor, and Authorizing the Mayor to Execute Same

Signed Deed of Dedication/Temporary Construction Easement

Upon recording return to:
Town of Windsor, Colorado
301 Walnut Street
Windsor, CO 80550

**DEED OF DEDICATION FOR RIGHT OF WAY
AND
TEMPORARY CONSTRUCTION EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, EXTRACTION OIL AND GAS, LLC, a limited liability company organized under the laws of the State of Colorado (“Grantor”), for valuable consideration the receipt and sufficiency of which is hereby acknowledged, does hereby dedicate, grant, transfer and convey to the TOWN OF WINDSOR, COLORADO, a Colorado home rule municipal corporation (“Town”), a perpetual exclusive right of way for municipal purposes on, over, across, under, along and within the real property located in Weld County, Colorado, as described in the legal description attached hereto as Exhibit A, incorporated herein by this reference as if set forth fully, together with all appurtenances thereto. Grantor warrants title to the same, free and clear of all liens and encumbrances, subject to reservations and exceptions of record. In addition, Grantor grants to Grantee a temporary construction easement within the real property described as set forth in the attached Exhibits B and C, incorporated herein by this reference as if set forth fully, which temporary construction easement shall expire thirty (30) days following completion of sanitary sewer facility construction within the right of way described in Exhibit A.

Notwithstanding the exclusive nature of the foregoing dedication, the Grantor may request exceptions to exclusivity for facilities perpendicular to Grantee’s facilities, consent to which will not be unreasonably withheld by Grantee.

Acceptance of this conveyance by the Town shall not impose upon the Town any obligation for installation, improvement or maintenance of the Property, which obligation shall arise, if at all, by separate action of the Town Board of the Town.

[Remainder of this page intentionally left blank - - signatures and notary on following page]

DATED this 7 day of Nov, 2014.

EXTRACTION OIL AND GAS, LLC

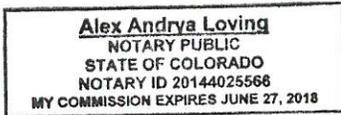
Matt Owens
Matt Owens, President

ACKNOWLEDGEMENT

STATE OF COLORADO)
) ss:
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 7 day of November, 2014, by Matt Owens, in his capacity as President for Extraction Oil and Gas, LLC.

Witness my official hand and seal. My commission expires June 27 2018.



Phillie H Young
Notary Public

ACCEPTANCE

The Town of Windsor hereby accepts the above Deed of Dedication and Temporary Construction Easement for municipal purposes as defined herein.

Dated this ____ day of _____, 2014.

TOWN OF WINDSOR, COLORADO
a Colorado municipality

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

APPROVED AS TO FORM:

Ian D. McCargar, Town Attorney

PROPERTY DESCRIPTION

EXHIBIT A

(1 OF 2)

RIGHT-OF-WAY:

A Right-of-Way being a part of that parcel of land described in Personal Representatives Deed recorded on December 31, 1996 at Reception No. 2527284 of the Records of the Weld County Clerk and Recorder, located in the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township Six North (T6N), Range Sixty-seven West (R67W), of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 23 and assuming the South line of said SW1/4 as bearing North 89°44'23" East between the found monuments as shown, a distance of 2640.01 feet with all bearings contained herein relative thereto:

THENCE North 00°08'00" West along the Westerly line of said SW1/4 Section 23 a distance of 30.00 feet to the **POINT OF BEGINNING**;

THENCE North 00°08'00" West along the Westerly line of said SW1/4 Section 23 a distance of 35.00 feet;

THENCE North 89°43'33" East a distance of 919.89 feet;

THENCE South 00°13'42" East a distance of 35.22 feet;

THENCE South 89°44'23" West along the Northerly line of a 30.00 foot Right-of-Way (ROW) as described in Book 86 on Page 273 of the Records of the Weld County Clerk and Recorder a distance of 176.09 feet;

THENCE North 00°15'37" West a distance of 25.00 feet;

THENCE South 89°44'23" West a distance of 25.00 feet;

THENCE South 00°15'37" East a distance of 25.00 feet;

THENCE South 89°44'23" West along the Northerly line of a 30.00 foot Right-of-Way (ROW) as described in Book 86 on Page 273 of the Records of the Weld County Clerk and Recorder a distance of 718.85 feet to the **POINT OF BEGINNING**;

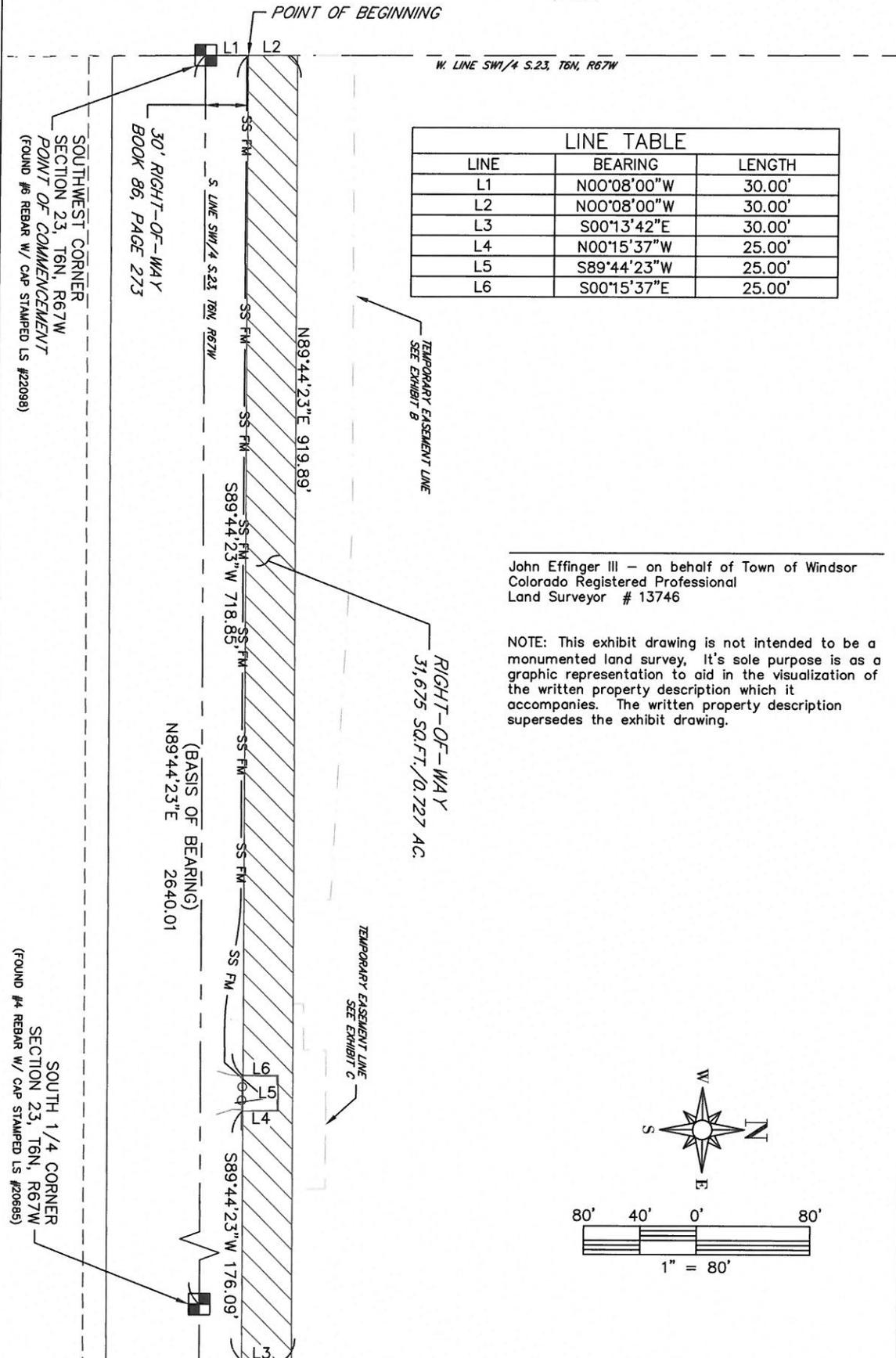
Said parcel contains 31,675 square feet or 0.727 Acres more or less (\pm), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

SURVEYOR'S CERTIFICATE

I, John Effinger, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.

John Effinger, III
Colorado Registered Professional
Land Surveyor #13746

Town of Windsor
301 Walnut Street
Windsor, CO 80550
(970) 674-2400



LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°08'00"W	30.00'
L2	N00°08'00"W	30.00'
L3	S00°13'42"E	30.00'
L4	N00°15'37"W	25.00'
L5	S89°44'23"W	25.00'
L6	S00°15'37"E	25.00'

John Effinger III – on behalf of Town of Windsor
 Colorado Registered Professional
 Land Surveyor # 13746

NOTE: This exhibit drawing is not intended to be a
 monumented land survey, it's sole purpose is as a
 graphic representation to aid in the visualization of
 the written property description which it
 accompanies. The written property description
 supersedes the exhibit drawing.

SOUTHWEST CORNER
 SECTION 23, T6N, R67W
 POINT OF COMMENCEMENT
 (FOUND #6 REBAR W/ CAP STAMPED LS #22098)

SOUTH 1/4 CORNER
 SECTION 23, T6N, R67W
 (FOUND #4 REBAR W/ CAP STAMPED LS #20888)



TOWN OF WINDSOR
 301 Walnut Drive | Windsor, CO 80550
 Phone: (970) 674-2400 | Fax: (970) 674-3492
 www.windsorgov.com

PROJECT NO: 2013-001
 DATE: 12-09-2013
 DRAWN: CTT
 CHECKED: JE

PROPERTY DESCRIPTION

EXHIBIT B

(1 OF 2)

TEMPORARY EASEMENT:

A Temporary Easement being a part of that parcel of land described in Personal Representatives Deed recorded on December 31, 1996 at Reception No. 2527284 of the Records of the Weld County Clerk and Recorder, located in the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township Six North (T6N), Range Sixty-seven West (R67W), of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 23 and assuming the South line of said SW1/4 as bearing North 89°44'23" East between the found monuments as shown, a distance of 2640.01 feet with all bearings contained herein relative thereto:

THENCE North 00°08'00" West along the Westerly line of said SW1/4 Section 23 a distance of 65.00 feet to the **POINT OF BEGINNING**;

THENCE North 00°08'00" West along Westerly line of said SW1/4 Section 23 a distance of 40.66 feet;

THENCE North 89°40'58" East a distance of 330.33 feet;

THENCE South 87°09'10" East a distance of 264.86 feet;

THENCE South 00°08'00" East a distance of 26.49 feet;

THENCE South 89°43'33" West a distance of 594.83 feet to the **POINT OF BEGINNING**;

Said parcel contains 22,388 square feet or 0.514 Acres more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

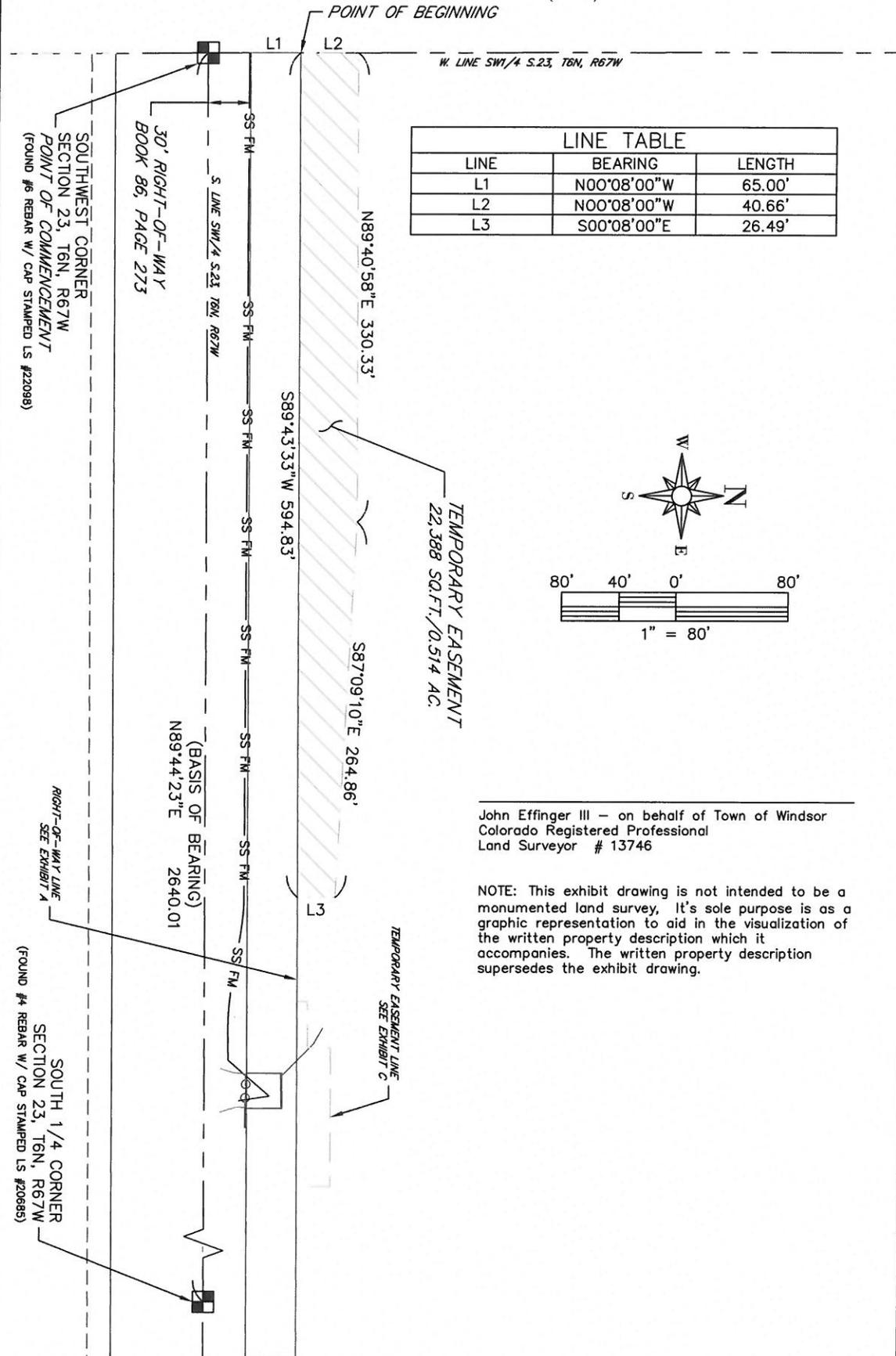
SURVEYOR'S CERTIFICATE

I, John Effinger, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.

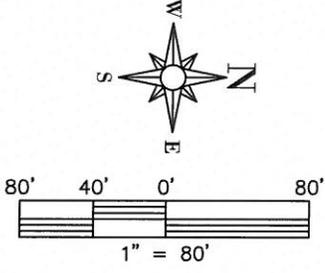
John Effinger, III
Colorado Registered Professional
Land Surveyor # 13746

Town of Windsor
301 Walnut Street
Windsor, CO 80550
(970) 674-2400

(2 of 2)



LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°08'00\"W	65.00'
L2	N00°08'00\"W	40.66'
L3	S00°08'00\"E	26.49'



John Effinger III – on behalf of Town of Windsor
 Colorado Registered Professional
 Land Surveyor # 13746

NOTE: This exhibit drawing is not intended to be a monumented land survey, it's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.



TOWN OF WINDSOR
 301 Walnut Drive | Windsor, CO 80550
 Phone: (970) 674-2400 | Fax: (970) 674-3492
 www.windsorgov.com

PROJECT NO: 2013-001
 DATE: 12-9-2013
 DRAWN: CTT
 CHECKED: JE

PROPERTY DESCRIPTION

EXHIBIT C

(1 OF 2)

TEMPORARY EASEMENT:

A Temporary Easement being a part of that parcel of land described in Personal Representatives Deed recorded on December 31, 1996 at Reception No. 2527284 of the Records of the Weld County Clerk and Recorder, located in the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township Six North (T6N), Range Sixty-seven West (R67W), of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 23 and assuming the South line of said SW1/4 as bearing North 89°44'23" East between the found monuments as shown, a distance of 2640.01 feet with all bearings contained herein relative thereto:

THENCE North 89°44'23" East along the Southerly line of said SW1/4 Section 23 a distance of 672.87 feet;

THENCE North 00°13'34" West a distance of 65.16 feet to the **POINT OF BEGINNING**;

THENCE North 00°08'00" West a distance of 7.41 feet;

THENCE North 89°44'23" East a distance of 32.58 feet;

THENCE North 00°08'00" West a distance of 16.29 feet;

THENCE North 89°44'23" East a distance of 98.04 feet;

THENCE South 00°08'00" East a distance of 23.68 feet;

THENCE South 89°43'33" West a distance of 130.62 feet to the **POINT OF BEGINNING**;

Said parcel contains 2,564 square feet or 0.059 Acres more or less (\pm), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

SURVEYOR'S CERTIFICATE

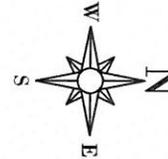
I, John Effinger, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.

John Effinger, III
Colorado Registered Professional
Land Surveyor #13746

Town of Windsor
301 Walnut Street
Windsor, CO 80550
(970) 674-2400

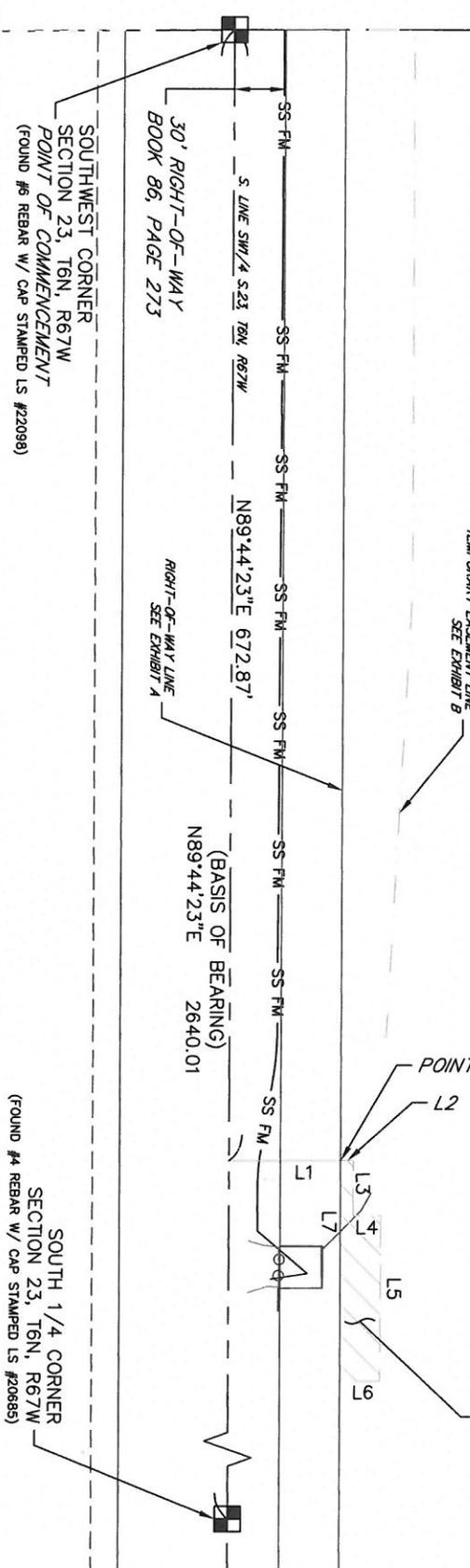
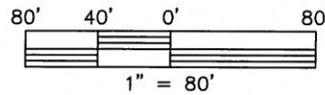
W. LINE SW1/4 S.23, T6N, R67W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°13'34"W	65.16'
L2	N00°08'00"W	7.41
L3	N89°44'23"E	32.58'
L4	N00°08'00"W	16.29'
L5	N89°44'23"E	98.04'
L6	S00°08'00"E	23.68
L7	S89°43'33"W	130.62



John Effinger III – on behalf of Town of Windsor
Colorado Registered Professional
Land Surveyor # 13746

NOTE: This exhibit drawing is not intended to be a monumented land survey, it's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.



TOWN OF WINDSOR

301 Walnut Drive | Windsor, CO 80550
Phone: (970) 674-2400 | Fax: (970) 674-3492
www.windsorgov.com

PROJECT NO: 2013-001
DATE: 12-9-2013
DRAWN: CTT
CHECKED: JE

TOWN OF WINDSOR, COLORADO

RESOLUTION NO. 2014-70

A RESOLUTION APPROVING A DEED OF DEDICATION FOR RIGHT OF WAY AND TEMPORARY CONSTRUCTION EASEMENT FROM EXTRACTION OIL & GAS, LLC, TO THE TOWN OF WINDSOR, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

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

WHEREAS, the Town requires right-of-way for municipal purposes generally within the southwest quarter of Section 23, Township 6 North, Range 67 West in the vicinity of Eastman Park Drive; and

WHEREAS, the owner of the property, Extraction Oil & Gas, LLC, has executed the attached Deed of Dedication and Temporary Construction Easement (“Easement”); and

WHEREAS, in order to assure legal transfer of the property interests represented in the Easement, the Town must formally accept the Easement; and

WHEREAS, the Town Board has reviewed the Easement, is prepared to accept it and by this Resolution authorize the Mayor to execute it on the Town’s behalf.

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

1. The attached Deed of Dedication and Temporary Construction Easement is hereby approved.
2. The Mayor is authorized to execute the said Deed of Easement on the Town’s behalf.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By: _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

SPENCER FANE

BRITT & BROWNE LLP

ATTORNEYS & COUNSELORS AT LAW

Memorandum

To: Town of Windsor

From: David S. O'Leary Esq.

Re: Proposed Expansion of the Future Inclusion Area for
Great Western Metropolitan Districts Nos. 1-7

Date: November 17, 2014

The Great Western Metropolitan Districts Nos. 1 - 7 (the "Districts") Amended Consolidated Service Plan (the "Service Plan") was approved by the Windsor Town Board by Ordinance No. 2008-1312 on January 14, 2008. The Service Plan provided for an expansion area of approximately 294 acres of land as a "Future Inclusion Area." The original map is attached with the area depicted in pink (*see Attachment 1*).

The proponents for the Districts are proposing to expand the Future Inclusion Area from 294 acres to up to approximately 1,152 acres of property to include the Kodak and Mann properties in potential expansion areas and help expedite inclusions if the property owners request. The Districts may assist with financing, installation and operation of public improvements for the inclusion property, upon requested by the petitioning property owners. The updated Future Inclusion Area is depicted in purple (*see Attachment 2*).

Currently there are seven (7) metropolitan districts which boundaries provide for approximately 1,529.07 acres of mixed-use property to serve the Great Western Development project area. District No. 1 is an operating District which coordinates the development, financing and capital improvement acquisition and operations on behalf of Districts 2-7 which are referred to as financing districts. These Districts include development of residential (District 2), retail (District 3), light industrial (District 4) and heavy industrial (Districts 5-7) property.

The consideration of the update of the Future Inclusion Area to define a larger potential expansion area includes the following key points for the Town to consider:

- The expansion of the defined Future Inclusion Area is allowed to be approved administratively and will not constitute a material modification to the Service Plan as defined within the Colorado Special District Act or Section X of the Service Plan as there is not a material departure from the Service Plan.
- There are no additional services or additional proposed increases to debt authorization and no changes to the powers and authorities of the Districts being proposed currently by this expansion.
- The Developer or one of its affiliated entities either owns, manages or contracts with the owner of the properties within the Future Inclusion Area proposed for possible inclusion.
- Actual inclusion is not requested at this time.

- Prior to inclusion of any Future Inclusion Area property:
 - A petition for inclusion submitted by 100% of the property owners must be received.
 - A public hearing must be conducted after publication of notice.
 - The Town of Windsor must be advised of any inclusions and boundary changes which are permitted by service plan.
 - If the Town considers the proposed inclusion a material modification, the inclusion would be considered by the Town Board for approval.
 - The property must be annexed to the Town and within the corporate boundaries of the Districts prior to inclusion.
 - The annexation and development agreements for any property will provide for the development requirements for the property and all improvements must be constructed in accordance with approved development plans.

- The Districts are authorized to undertake public improvements approved by the Town via the Service Plan as necessary to develop the public infrastructure for project, subject to site plan and planning department plan approvals.

- Maximum debt issuance authorization is currently \$62 million for current boundaries (1,529.07 acres of property). Original financing plans estimate capacity at mill levies and with operations and maintenance costs calculated within the financial projections (35 for District 2, 25 for Districts 3-5, 20 mills for District 6, and 11 mills for District No. 7). Any changes or expansions of debt authorization or current mill levy caps require prior approval of the Town.

- The Districts may apply for approval of an increase in the maximum debt issuance authorization if annexations and inclusions of the Future Inclusion Area property occur, changes to the model service plan or substantive changes to original assumptions and development considerations, upon submittal of a revised financing plan to the Town regarding the feasibility of any additional requests.

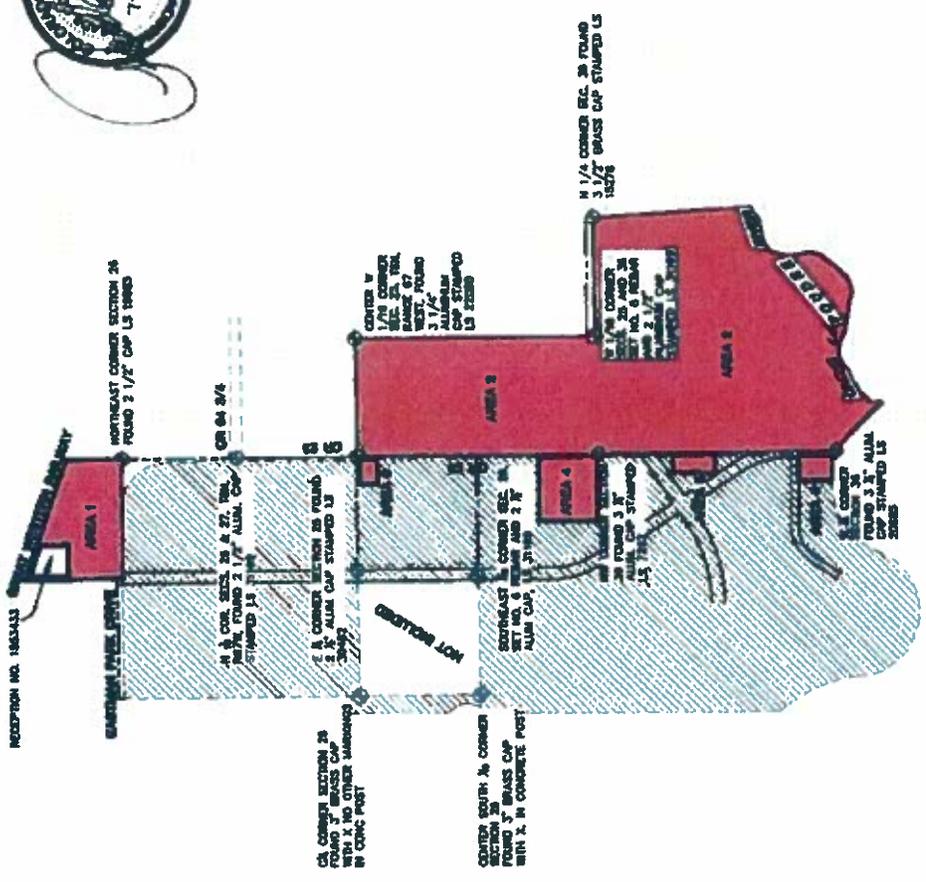
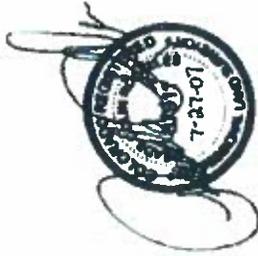
- Projected infrastructure improvements of Districts 1- 6 were estimated to be approximately \$89 million (in 2007 dollars) for the initial Districts' boundaries and approximately \$23 million (in 2007 dollars) for the Future Inclusion Area. If those estimates change, service plan amendments and updated financial plans and applications will be submitted to the Town for approval.

- The current service plan provides for Town imposed limitations of a maximum combined mill levy of 35 mills, up to 30 mills of which may be used for debt service with certain limitations on operations and maintenance functions of the Districts, subject to adjustment to offset the effect of the Gallagher amendment. The Districts' original financing plan estimates were run at 35 mills for the residential district (District No. 2) and 25 mills for commercial (Districts 3-5), with special consideration given to the incentives provided for the commercial property within District 6 allowing District 6 to limit its mill levy to 20 mills, and with special consideration given to the incentives provided for the commercial property within District 7 allowing District 7 to limit its mill levy to 11 mills. Any material changes or modifications to the powers, authorities, mill levy caps, or capital or debt authorization provided in the Service Plan require further amendment and any material modifications require additional approvals of the Town.

GREAT WESTERN METROPOLITAN DISTRICT FUTURE INCLUSION AREA

REF: 7-19-07 TO EXCLUDE FIRE PARCEL

WINDSOR, COLORADO



EXHIBIT

MAP OF FUTURE INCLUSION AREA BOUNDARIES



GREAT WESTERN METRO DISTRICT 6

FUTURE INCLUSION AREA

FUTURE INCLUSION AREA	ACROSS/DATE	ACRES
AREA 1		22.73
AREA 2		263.77
AREA 3		1.35
AREA 4		11.00
AREA 5		2.45
AREA 6		2.82
TOTAL		294.12



NO SCALE

TST, INC. CONSULTING ENGINEERS
 748 Whodlers Way
 Fort Collins, Colorado
 Phone: 970.226.0557
 Fax: 970.226.0204
 Job no. 1025.0016.00
 Filename: future inclusion 11x17 overall.dwg
 FEBRUARY 2, 2007



GREAT WESTERN METROPOLITAN DISTRICTS

FUTURE INCLUSION AREAS MAP

SECTIONS 22, 23, 25, 26, 27, 34, 35 AND 36
TOWNSHIP 6 NORTH
RANGE 67 WEST
TOWN OF WINDSOR
COUNTY OF WELD
STATE OF COLORADO

Legend

- Surveyed Corners
- Surveyed Section Lines
- BLM PLSS Grid (Does not represent actual section lines in this area)
- ▨ Great Western Metro District
- Future Inclusion Area

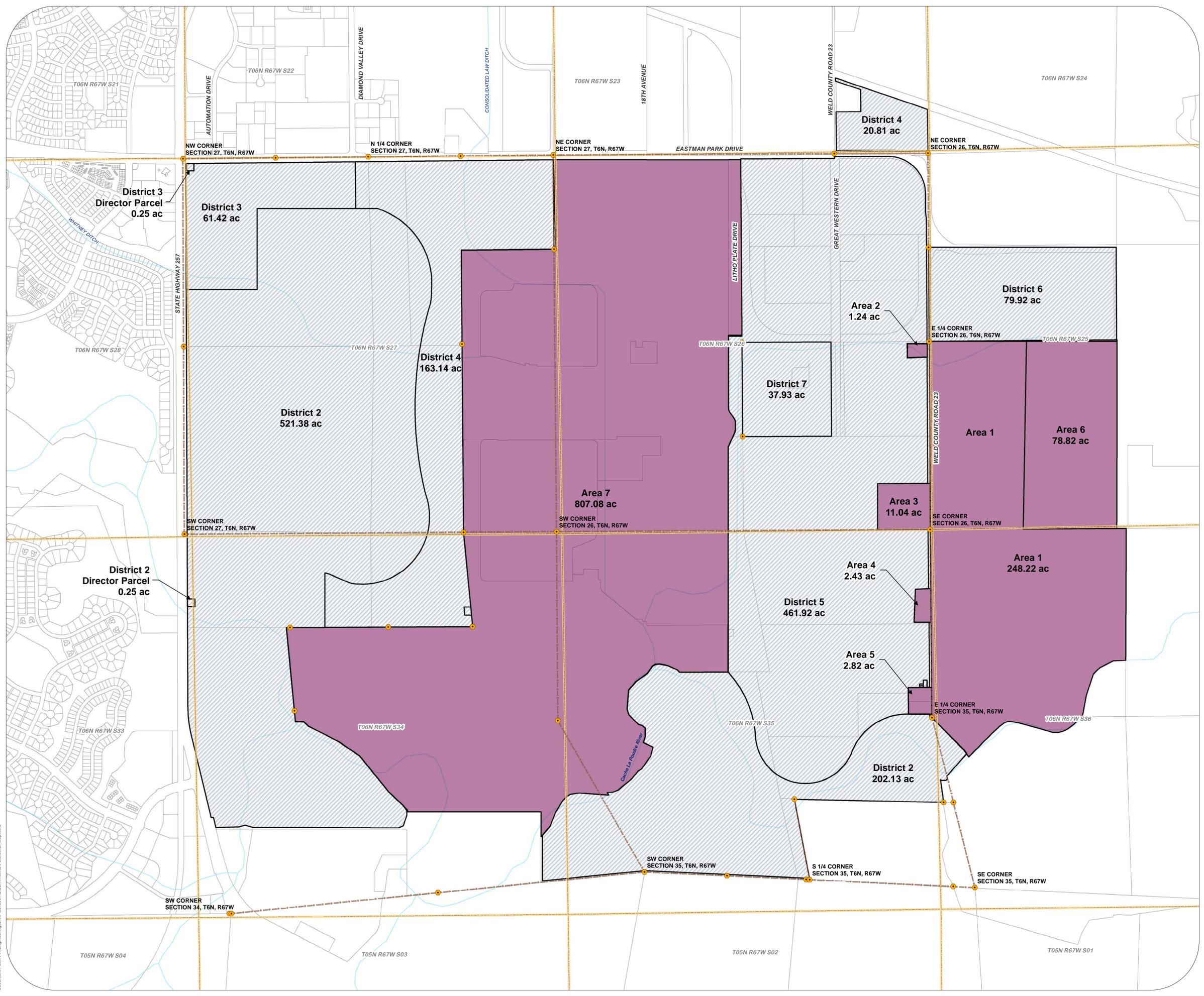
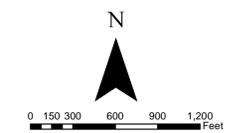
GREAT WESTERN INDUSTRIAL PARK FUTURE INCLUSION AREA TABLE	
Future Inclusion Area	Ac
Area 1	248.22
Area 2	1.24
Area 3	11.04
Area 4	2.43
Area 5	2.82
Area 6	78.82
Area 7	807.08
Total	1151.65



VICINITY MAP
NOT TO SCALE

DATE OF MAP: MAY 2014

DATE OF BOUNDARY: DECEMBER 2013
SOURCE OF BOUNDARY: FIELD SURVEY COMPLETED IN DECEMBER 2013



Document Path: P:\Engineering\W20130610\GIS\DATA\WINDSOR\FutureArea_Map.mxd

TOWN OF WINDSOR

RESOLUTION NO. 2014 - 71

A RESOLUTION APPROVING THE EXPANSION OF THE FUTURE INCLUSION AREA OF THE AMENDED CONSOLIDATED SERVICE PLAN FOR GREAT WESTERN METROPOLITAN DISTRICTS NOS. 1-7

WHEREAS, the Town of Windsor, Colorado (the "Town"), is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, the members of the Windsor Town Board (the "Town Board") have been duly elected, chosen and qualified; and

WHEREAS, by Ordinance No. 2008-1312, adopted January 14, 2008, the Town Board approved the Amended Consolidated Service Plan for Great Western Metropolitan Districts Nos. 1-7 (the "Service Plan"), and the Weld County District Court ordered the organization Districts 1-6 on November 6, 2007 and District No. 7 on May 6, 2008 pursuant to the requirements of the Special District Act; and

WHEREAS, that Service Plan provided for a Boundary Map as Exhibit C to depict a potential "Future Inclusion Area" of approximately 294.12 acres of land proposed to be included in the Districts in the future in accordance with the Service Plan and applicable inclusion statutes; and

WHEREAS, the Districts have submitted a proposal to update the 2008 Future Inclusion Area map and expand the future inclusion area to include the possibility of potential expansion of the Districts to include a total of 1,151.65 acres of property, including but not limited to the Kodak and Mann properties as depicted in the updated Future Inclusion Areas map provided and attached to this proposed Resolution as an updated Exhibit C; and

WHEREAS, the expansion of the defined Future Inclusion Area will not constitute a material modification to the Service Plan as defined within Colorado Special District Act, Section X of the Service Plan as there is not a material departure from the Service Plan, there will be no additional services or additional proposed increases to debt authorization and no changes to the powers and authorities of the Districts as they currently exist; and

WHEREAS, the Developer or one of its affiliated entities either owns, manages or contracts with the owner of the property within the Future Inclusion Area proposed for possible inclusion into the Districts in the future and has discussed the possibility of inclusion of the property with the property owners and the Town; and

WHEREAS, the Districts are not requesting actual inclusion at this time, rather any and all property proposed for inclusion into the Districts in the future based upon the current Service Plan, requires: (1) the property must be within the corporate limits and annexed to the Town, (2) submittal of a petition for inclusion by 100% of the property owners of any property proposed for inclusion to the applicable District(s), and (3) administrative approval of the Town for a proposed inclusion; and

WHEREAS, the Districts are requesting approval of the Town and agreement to allow the possibility of inclusion of up to and including the 1,151.65 acres of property should the requirements of the Title 32, Article 1, Part 2, C.R.S. as amended, the Service Plan and the Town Charter be met upon a valid petition of the property owners be submitted in the future; and

WHEREAS, the Town Board has considered the proposed expansion of potential Future Inclusion Area of the Districts; and

WHEREAS, based upon the evidence presented, it appears that the expansion of the Future Inclusion Area for the Amended Consolidated Service Plan for Great Western Metropolitan Districts Nos. 1-7 should be approved by the Town Board, subject to those conditions and limitations contained within the Service Plan and Town Code, in accordance with Section 32-1-204.5(1), C.R.S.

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

Section 1. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Town Board.

Section 2. The Town Board, finds and determines, that all of the jurisdictional and other requirements of Section 32-1-207(2), as amended and the Town Charter have been fulfilled.

Section 3. The Town Board further determines that all pertinent facts, matters and issues were submitted regarding the proposed expansion of the Future Inclusion Area, that no property owners within the Future Inclusion Area are bound by the Districts unless and until a valid petition for inclusion is submitted by the property owner(s), and only after the property is annexed to the Town so that the Town and the Districts have jurisdiction over the property of the proposed Future Inclusion Area in accordance with the Service Plan pursuant to Title 32, Article 1, part 2, C.R.S., as amended and the Town Charter.

Section 4. That, pursuant to Section 32-1-207, C.R.S., Section 32-1-204.5, C.R.S., Section 32-1-202(2), C.R.S., and Section 32-1-203(2), C.R.S., the Town Board, does hereby find and determine, based on the Service Plan, the representations by and on behalf of the Districts, and other evidence presented, that:

- (a) There is sufficient existing and projected need for continued organized service in the areas to be served by the Districts;
- (b) The existing service in the areas to be served by the Districts is not adequate for present and projected needs;
- (c) The Districts are capable of providing economical and sufficient services to the area they intend upon serving;
- (d) The area to be included within the Districts has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis; and

Section 5. The expansion of the Future Inclusion Area to include up to 1,151.65 acres of property is approved, subject to future inclusion requirements of the Service Plan, Town Charter and statutory requirements.

Section 6. The services and facilities to be provided by the Districts and the powers provided by the Districts shall be subject to the limitations expressed in the Service Plan, as amended from time to time.

Section 7. The Town Manager is authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Resolution.

Introduced, passed, adopted and approved this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

ATTEST:

John S. Vazquez, Mayor

Patti Garcia, Town Clerk



MEMORANDUM

Date: November 24, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Joseph P. Plummer, AICP, Director of Planning
Josh Olhava, Associate Planner
Subject: Ordinance No. 2014-1487 – An Ordinance Amending the Design Criteria and Procedures in Article XIII, Chapter 17 of the Windsor Municipal Code for the purpose of adding language pertaining to design criteria for large entertainment establishments
Item #: C.1

Discussion:

At the November 10, 2014 regular meeting, the Town Board approved Ordinance No. 2014-1487 on first reading and a super majority vote is required to approve on second reading.

During the evolution and review of the Summit Entertainment Center project, it was determined that the project was primarily an “entertainment” establishment as opposed to a retail establishment and would be more appropriately reviewed in accordance with the Commercial Corridor Plan and I-25 Corridor Plan standards, rather than the Design Criteria and Procedures for Large Retail Establishments found in Chapter 17, Article XIII, Division 2 of the Municipal Code. Also discussed was the use of tilt up concrete panels. The Commercial Corridor Plan permits tilt up concrete panels as an allowable building material but Section 17-13-280(2)b does not allow the use of tilt up concrete panels for use in large retail establishments. The Town has numerous examples of high quality projects which utilize tilt up concrete panels and the proposed language would eliminate the aforementioned prohibition.

Following the September 17th Planning Commission and October 20th Town Board work sessions, and in anticipation of future entertainment establishments, staff has prepared the enclosed Ordinance No. 2014-1487.

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:

- October 21, 2014 – legal notices posted on the Town of Windsor website
- October 24, 2014 – legal ad published in the paper

Recommendation:

Staff recommends that the Town Board approve Ordinance No. 2014-1487 on second reading as presented.

Attachments: Ordinance No. 2014-1487

TOWN OF WINDSOR, COLORADO

ORDINANCE NO. 2014 - 1487

AN ORDINANCE AMENDING CHAPTER 17, ARTICLE XIII OF THE *WINDSOR MUNICIPAL CODE* WITH RESPECT TO LARGE RETAIL FACILITIES AND LARGE ENTERTAINMENT FACILITIES

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

WHEREAS, the Town has in place a comprehensive system of land use regulations, including regulations applicable to retail facilities having more than 50,000 square feet of gross leasable area; and

WHEREAS, the Town’s regulations applicable to large retail establishments do not necessarily fit neatly into large entertainment-based establishments that do not emphasize the sale of tangible goods at retail; and

WHEREAS, the Town believes that regulations should be tailored to address unique characteristics where reasonable and practical; and

WHEREAS, the current restrictions on tilt-up concrete panels do not reflect the evolution of concrete panel technology; and

WHEREAS, the Town’s Planning Commission has undertaken a review of Chapter 17, Article XIII of the Windsor Municipal Code, and has recommended the revisions set forth herein; and

WHEREAS, the Town Board has given due consideration to the recommendations of the Planning Commission; and

WHEREAS, the within Ordinance promotes the public health, safety and welfare.

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

Section 1. Section 17-13-210 of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

Sec. 17-13-210. Supplementary regulations.

No large retail establishment occupying more than fifty thousand (50,000) square feet of gross leasable area (GLA), as defined in Section 16-2-20 of this Code, shall be approved for construction or occupancy unless such establishment has been determined by the Town Board to be in compliance with this Division, including subsequent amendments thereto. In addition to the foregoing, no large retail establishment occupying more than fifty thousand (50,000) square feet of GLA shall be approved for construction or occupancy unless such establishment has obtained approval of a qualified commercial site plan approval by the Town Board in accordance with the requirements and standards set forth in this Code.

The Design Criteria and Procedures set forth in this Division 2 of Article XIII of Chapter 17, shall not apply to Large Entertainment Establishments located within a Commercial Corridor Plan area, or governed by design standards contained within any Intergovernmental Agreement or any area governed by specific site plan development standards.

For the purposes of this section, *Large Entertainment Establishments* shall be defined as any facility, the primary purpose of which is devoted to recreational or entertainment uses, such as showing motion pictures or the presentation of dramatic, musical or live performances or containing amusement facilities such as bowling, billiards, and video arcades.

Section 2. Section 17-13-280 (2) of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

(2) Prohibited materials. Predominant exterior building materials shall not include:

- a. Smooth-faced concrete block.
- b. Prefabricated steel or other metal panels.

Section 3. Section 17-13-320 (1) of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

(1) No more than eighty-five percent (85%) of the off-street parking area for the lot, tract or area of land devoted to the large retail establishment shall be located between the front facade and the abutting streets, or "front parking area." If the applicant proposes more than eighty-five percent (85%) of the parking to be located in the front parking area and,

in the determination of the Planning Commission and Town Board, the applicant's proposal is equal to or better than the parking lot configuration which meets the eighty-five-percent standard, the Planning Commission may make a recommendation regarding the alternative proposal to the Town Board for final determination.

Introduced, passed on first reading, and ordered published this 10th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

MEMORANDUM

Date: November 24, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Joseph P. Plummer, AICP, Director of Planning
Josh Olhava, Associate Planner
Subject: Ordinance No. 2014-1488 – An Ordinance Amending the Sign Regulations in Article IX, Chapter 16 of the Windsor Municipal Code for the purpose of adding language pertaining to the design criteria for signs that contain electronic message centers
Item #: C.2

Discussion:

At the November 10, 2014 regular meeting, the Town Board approved Ordinance No. 2014-1488 on first reading and a super majority vote is required to approve on second reading.

Currently, section 16-9-70(b) of the municipal code prohibits signs that contain flashing or moving lights as follows:

(b) No sign shall be illuminated by or contain flashing, intermittent rotating or moving light or lights. The only exception shall be signs which provide a legitimate public service, such as the giving of time and temperature.

On January 21, 2004, the Planning Commission ratified an interpretation of this section of the code for electronic reader board or message center signs that the message on the sign could change once per day or 24 hours.

Staff has received inquiries and interest in recent years from businesses to allow electronic reader boards to change more frequently to make better use of their investment. Following the September 17th Planning Commission and October 20th Town Board work sessions, staff has prepared the enclosed Ordinance No. 2014-1488.

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:

- October 21, 2014 – legal notices posted on the Town of Windsor website
- October 24, 2014 – legal ad published in the paper

Recommendation:

Staff recommends that the Town Board approve Ordinance No. 2014-1488 on second reading as presented.

Attachments: Ordinance No. 2014-1488

TOWN OF WINDSOR, COLORADO

ORDINANCE NO. 2014 - 1488

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE IX OF THE *WINDSOR MUNICIPAL CODE* WITH RESPECT TO ELECTRONIC READER BOARD SIGNS WITHIN THE TOWN OF WINDSOR, COLORADO

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

WHEREAS, the Town has in place a comprehensive system of land use regulations, including regulations applicable to outdoor advertising and signage; and

WHEREAS, Chapter 16, Article IX of the *Windsor Municipal Code* (“Sign Code”) contains all regulations applicable to signage; and

WHEREAS, the evolution of technology in the advertising world has led to increased demand for signage capable of displaying electronically-changing text and images; and

WHEREAS, the current Sign Code prohibits any sign “...illuminated by or contain flashing, intermittent rotating or moving light or lights”, with the exception of signs “...which provide a legitimate public service, such as the giving of time and temperature”; and

WHEREAS, the changing landscape of electronic advertising has brought about a review of the Town’s prohibited sign regulations by the Planning Commission, and such review has resulted in recommendations by the Planning Commission for revisions to the Sign Code; and

WHEREAS, the Town Board has given due consideration to the Planning Commission’s recommendations and the needs of commerce within a growing community; and

WHEREAS, the Town Board finds that this Ordinance promotes the public health, safety and welfare; and

WHEREAS, the Town Board, by adoption of this Ordinance, wishes to amend the Sign Code to allow for electronic reader board signage, subject to the requirements set forth herein.

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

Section 1. Section 16-9-60 of the *Windsor Municipal Code* is hereby amended by the addition of a new sub-section (f), which shall read as follows:

(f) **Electronic Message Centers.** The provisions and limitations of this sub-section are adopted to minimize driver distraction, protect corridor and community aesthetics, and protect the public health, safety and welfare.

For the purposes of this section, *electronic message center* shall mean the portion of an on-premise freestanding sign capable of displaying words or images that can be electronically changed by remote or automatic means. *Electronic message center* shall not include temporary Town-owned messaging facilities. Permanent Town-owned messaging facilities shall be subject to the limitations set forth herein.

Signs containing an electronic message center shall be subject to the following limitations:

1. Electronic message center signs shall be permitted in the following zoning districts only: General Commercial (GC), Neighborhood Commercial (NC), Limited Industrial (I-L), Heavy Industrial (I-H), and the commercial portions of Residential Mixed Use (RMU).
2. The maximum allowed size of an electronic message center in a freestanding sign shall be no greater than fifty percent (50%) of the total allowed sign area.
3. The electronic message center must be programmed so that the displayed message does not change more frequently than once every two (2) minutes from one (1) static display to another instantaneously and without the use of scrolling, flashing, fading or other similar effects. The message or image displayed must be complete without continuation in content to the next message.
4. The electronic message center:
 - A. Shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare;
 - B. Shall not have moving text, images or varying light intensity;

- C. Shall not exceed 600 candelas per square meter between dusk to dawn and 800 candelas per square meter during all other times, as measured at the sign's face;
 - D. Shall contain a mechanism for the sign to revert to a black screen if the sign malfunctions;
 - E. Shall be integrated harmoniously into the design of the larger sign face and structure;
 - F. Shall not be the predominant element of the sign and, if located at the top of a sign, must include a substantial cap feature above the electronic message center consisting of the same material, form, color and texture as is found on the sign face or structure.
5. No temporary signs as provided in Section 16-9-130 shall be permitted for any business for which a freestanding electronic message center has been approved by the Town.
6. The electronic message center must be provided with automatic dimming software, solar sensors or a comparable method as approved by the Town to control brightness for nighttime viewing and variations in daytime light conditions. Each application for electronic message center approval shall include the manufacturer's specifications programmed to meet this requirement, along with a description of the proposed dimming method.
7. In no event shall a freestanding electronic message center sign be allowed within one-hundred-fifty (150) feet of the nearest residential district or development, with this distance being measured from the nearest portion of the sign to the nearest property line contained within any such residential district or development.
8. Building-mounted electronic message centers shall only be permitted when displaying time and temperature or when displaying fuel pricing on a fueling station canopy, and shall remain subject to the size limitations of Section 16-9-100 (b) for building-mounted signs, or not to exceed twenty (20) square feet, whichever is less.

Section 2. Section 16-9-70 (b) of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

(b) Except as provided in sub-section 16-9-60 (f) of this Code and in this sub-section, no sign shall be illuminated by or contain flashing, intermittent rotating or moving light or lights. Signs displaying time and temperature are permitted.

Introduced, passed on first reading, and ordered published this 10th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: November 24, 2014
To: Mayor and Town Board
Via: Regular Meeting materials, November 24, 2014
From: Ian D. McCargar, Town Attorney
Re: Kyger Annexation (Municipally-owned land)
Item #: C.3.

Background / Discussion:

The attached Ordinance Annexing Certain Municipally-owned Land is presented for approval and, assuming final adoption, will bring the Kyger property into Windsor. The Town Manager has urged that this property be brought into the Town's corporate limits to assure Town police authority within the property and to subject the property to the Town's oil and gas CUG regulatory authority, if necessary.

As to the latter, the purchase of the Kyger property earlier this year was subject to an existing oil and gas lease, the terms of which required the operator (Bayswater Exploration) and the property owner (the Town) to reach an agreement for surface use. We reached an SUA with Bayswater which, although allowing surface use as compelled in the Lease, confined it to a certain "envelope" in the northeast corner of the property. At this time, there is no pending application for oil and gas activity on the site, but the Town Manager feels we should annex this municipally-owned property as provided by law.

Annexation of municipally-owned property is governed by § 31-12-106, C.R.S., under which the annexation of the Kyger property may be accomplished by ordinance. No public hearings or publication is required. In short, this annexation ordinance is handled just as any other ordinance under the Charter.

Financial Impact: None.

Relationship to Strategic Plan: Community spirit and pride

Recommendation: Adopt the attached Ordinance Annexing Certain Municipally-owned Land Pursuant to the Provisions of § 31-12-106, C.R.S.

Attachments:

Ordinance Annexing Certain Municipally-owned Land Pursuant to the Provisions of § 31-12-106, C.R.S.

TOWN OF WINDSOR

ORDINANCE NO. 2014 – 1489

AN ORDINANCE ANNEXING CERTAIN MUNICIPALLY-OWNED LAND PURSUANT TO THE PROVISION OF § 31-12-106, C.R.S.

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

WHEREAS, § 31-12-106, C.R.S., authorizes the annexation of municipally-owned land by ordinance if otherwise eligible in accordance with state law; and

WHEREAS, that certain parcel of land more fully and precisely described on “Exhibit A”, attached hereto and incorporated herein by this reference as if set forth fully (“Property”), was acquired in March, 2014, and is solely owned by the Town; and

WHEREAS, the Property is eligible for annexation in accordance with Section 30 (1) (c) of Article II of the Colorado Constitution, and in accordance with §§ 31-12-104 (1) (a) and 31-12-105, C.R.S.; and

WHEREAS, the Property is not solely a public right-of-way or street; and

WHEREAS, in accordance with the foregoing, the Town Board finds and concludes that all provisions of the Municipal Annexation Act of 1965 have been complied with.

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

1. The Property, more fully and precisely described in Exhibit A hereto, is hereby annexed to the Town of Windsor, and shall henceforth be known as the “Kyger Annexation to the Town of Windsor”.
2. The Property shall be zoned “Recreation and Open Space O District” pursuant to Chapter 16, Article XXII of the *Windsor Municipal Code*, and such zoning classification shall hereafter be shown on the Official Annexation Map on file in the office of the Director of Planning for the Town of Windsor, Colorado.
3. The Official Zoning District Map of the Town of Windsor shall be changed in accordance with this Ordinance and in accordance with the zoning classification on the Official Annexation Map, and entries shall be made thereon noting the annexation of the Property. Such entries, together with a brief description of the nature of the change, shall be signed by the Mayor of the Town of Windsor, attested to by the Town Clerk, and properly filed with the Larimer County Clerk and Recorder.

Introduced, passed on first reading, and ordered published this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 8th day of December, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

EXHIBIT A

THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, EXCEPT PORTION CONVEYED FOR HIGHWAY IN BOOK 1085 AT PAGE 552, COUNTY OF LARIMER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: CONSIDERING THE EAST LINE OF SAID SOUTHEAST QUARTER AS BEARING SOUTH 00 DEGREES 34 MINUTES 07 SECONDS EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE ALONG SAID EAST LINE OF SAID SOUTHEAST QUARTER NORTH 00 DEGREES 34 MINUTES 07 SECONDS WEST 110.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE NORTH 00 DEGREES 34 MINUTES 07 SECONDS WEST 2512.56 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER SOUTH 89 DEGREES 48 MINUTES 25 SECONDS WEST 2601.05 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER SOUTH 00 DEGREES 08 MINUTES 53 SECONDS EAST 2557.21 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED RECORDED IN BOOK 1085, AT PAGE 552 RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTH LINE OF SAID BOOK 1085, PAGE 552 THE FOLLOWING THREE COURSES AND DISTANCES: NORTH 89 DEGREES 55 MINUTES 22 SECONDS EAST 2549.20 FEET; NORTH 44 DEGREES 39 MINUTES 22 SECONDS EAST 70.40 FEET; NORTH 89 DEGREES 57 MINUTES 57 SECONDS EAST 20.68 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER AND THE TRUE POINT OF BEGINNING.



MEMORANDUM

Date: November 24, 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 Expansion
Item #: C.4.a.

Background / Discussion:

As you know, we have elected to continue to work with Barker Rinker Seacat Architecture (BRS) for the design, construction documents and through construction of the Community Recreation Center expansion.

Attached are excerpts from the contract:

- BRS Principals and subcontractors
- BRS Scope of Services – Fee Allocation
- BRS Timeline

The key anticipated dates in the timeline are:

- Commencement of Schematic Design date: December 1, 2014
- Commencement of Construction date: July 15, 2015
- Substantial completion: August 11, 2016

A team of staff has been assembled to comprise the project team and work with BRS. Our first meeting is December 9th. This team includes:

- Melissa M. Chew, Director of Parks, Recreation & Culture
- Tara Fotsch, Manager of Recreation
- Kelly Arnold, Town Manager
- Kelly Unger, Management Assistant
- Omar Herrera, Civil Engineer
- Dave French, Manager of Facilities

Staff will work with BRS to lay out the schedule and times that material will be presented to Town Board/Parks, Recreation & Culture Advisory Board for information and updates, as well as input as necessary. Additionally the Town web site will feature regular updates for the community, in keeping with our open process.

Dave Hammel, Principal, will be present to give a brief overview of the process and answer any questions you may have.

Financial Impact:

Figures provided at the 11-10-14 Budget Work Session reflect 2015 budget for BRS and commencement of construction. The feasibility study and budget estimated the professional fees at \$1,352,201. As you can see from the attached scope of services/fee allocation in

Attachment C, the Architectural/ Engineering total fee is \$1,331,279, an amount \$20,922 under budget.

Relationship to Strategic Plan:

Goal 2.A.

Recommendation:

N/A – for information and discussion only. The contract with BRS will be signed by the Town Manager.

Attachments:

- b. BRS Principals and subcontractors
- c. BRS Scope of Services – Fee Allocation
- d. BRS Timeline

Contractor: Barker, Rinker Seacat Architecture

Barker Rinker Seacat Architecture—or BRS for short—has lengthy experience and high success is designing projects that reflect community and owners needs and preferences. They have completed a variety of projects across the United States, with much emphasis on recreation / community, since 1975.

Capabilities range from feasibility studies to master plans, full design services through contract administration. Their mission is to serve clients and provide their communities with the absolute best solutions through innovation, expertise and customization. Committed to the environment and solutions that promote a healthy planet, they help projects achieve the greatest level of sustainability within budget.

Mr. Steve Blackburn, Principal
Barker Rinker Seacat Architecture
3457 Ringsby Court
Unit 200
Denver, CO 80216
303.455.1366
Email Address: steveblackburn@brsarch.com

Mr. Dave Hammel, Principal
Barker Rinker Seacat Architecture
3457 Ringsby Court
Unit 200
Denver, CO 80216
303.455.1366
Email Address: davehammel@brsarch.com

Subcontractors:

Landscape Design John BirkeyPrincipal & Partner Norris Design 1101 Bannock Street Denver, CO 80204 303.892.1166	Civil Engineer Brian J. Campbell, P.E.,Project Manager JVA, Inc. Consulting Engineers 25 Old Town Square, Suite 200 Ft. Collins, CO 80524 970.225.9099
Structural Engineer Tom Soell, P.E.,Principal JVA, Inc. Consulting Engineers 25 Old Town Square, Suite 200 Ft. Collins, CO 80524 970.225.9099	Mechanical Engineer Timothy Harris,Vice President The Ballard Group 2525 S. Wadsworth Blvd Lakewood, CO 80227 303.988.4514
Electrical Engineer Jon Brooks. P.E.Principal Architectural Engineering Design Group 1900 Wazee Street, Suite 350 Denver, CO 80202 303.296.3034	Aquatics Design Engineer Doug Whiteaker,Principal Water Technology, Inc. 100 Park Avenue, P.O. Box 614 Beaver Dam, WI 53916 920.887.7375
Boundary & Topographical Brian J. Campbell, P.E.,Project Manager JVA, Inc. Consulting Engineers 25 Old Town Square, Suite 200 Ft. Collins, CO 80524 970.225.9099	Sustainability & Commissioning Susan Reilly, P.E.,Principal Group 14 Engineering 1325 East 16 th Avenue Denver, CO 80218 303.861.2070

Exhibit B: Fee Summary

Windsor Community Recreation Center Addition

Scope of Services - Fee Allocation

Prepared 11-Nov-2014

Revised 18-Nov-2014

Construction Budget

Construction Cost \$ 13,429,543

Includes Owner budgets for the following:
On Site Construction; Building Construction;
and Contingencies for Site, Estimating and Construction

Design Fee Allocation

Breakdown by Phase

Basic Design Services	Total	%*	Breakdown by Phase				
			SD cost	DD cost	CD cost	BN cost	CA cost
Architect of Record	\$ 782,356	5.83%	\$ 117,353	\$ 234,707	\$ 203,413	\$ 15,647	\$ 211,236
Associate Architect	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Civil Engineer	\$ 57,000		\$ 8,500	\$ 18,250	\$ 23,500	\$ 500	\$ 6,250
Landscape Design	\$ 19,050		\$ 3,400	\$ 4,300	\$ 7,000	\$ 500	\$ 3,850
Structural Engineer	\$ 77,200		\$ 12,300	\$ 18,300	\$ 31,300	\$ 500	\$ 14,800
Mechanical & Plumbing	\$ 81,220		\$ 8,302	\$ 24,306	\$ 34,706	\$ 600	\$ 13,306
Electrical Engineer	\$ 47,350		\$ 4,635	\$ 18,840	\$ 18,840	\$ 500	\$ 4,535
Aquatics	\$ 82,255		\$ 12,980	\$ 20,060	\$ 29,635	\$ 1,500	\$ 18,080
Specifications	\$ 6,700		\$ -	\$ 4,000	\$ 2,700	\$ -	\$ -
Additional Requested Services							
Civil - off site							
Fire & Life Safety	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Energy Modeling	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Daylight Analysis	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Lightning Dissipation System	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Acoustics	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Audio Visual Design	\$ 3,250		\$ 488	\$ 975	\$ 845	\$ 65	\$ 878
Sound System Design	\$ 3,700		\$ 350	\$ 1,500	\$ 1,500	\$ -	\$ 350
Security Design - Access Control	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Tele / Data / TV Cabling Design	\$ 9,010		\$ 1,352	\$ 2,703	\$ 2,343	\$ 180	\$ 2,433
Solar Thermal Design	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Sustainability Consulting	\$ 15,000		\$ 10,005	\$ 4,995	\$ -	\$ -	\$ -
LEED Certification Submittal	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Kitchen Design							
Commissioning - Fundamental	\$ 17,876		\$ -	\$ -	\$ 1,788	\$ -	\$ 16,088
Commissioning - Enhanced	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Assistance with CM/GC Selection	\$ 650		\$ 650	\$ -	\$ -	\$ -	\$ -
CM/GC On-Site Interview	\$ 3,000		\$ 3,000	\$ -	\$ -	\$ -	\$ -
As Built Documents	\$ 15,540						\$ 15,540
Land Survey	\$ 8,000		\$ 8,000				
3D Rendering of Addition	\$ 5,500			\$ 5,500			
Interiors	\$ 66,622		\$ 16,664	\$ 18,094	\$ 19,461	\$ 1,330	\$ 11,073
Accelerated Design Schedule	\$ 30,000			\$ 12,000	\$ 18,000	\$ -	\$ -
Optional Services (not requested or included)							
Furniture Selection	NA		\$ -	\$ -	\$ -	\$ -	\$ -
Wayfinding Signage	NA		\$ -	\$ -	\$ -	\$ -	\$ -
Digital Signage Design	NA		\$ -	\$ -	\$ -	\$ -	\$ -
Commissioning (if not LEED)	NA		\$ -	\$ -	\$ -	\$ -	\$ -
Auto Shade Design	NA		\$ -	\$ -	\$ -	\$ -	\$ -
Subtotals	\$ 548,923	4.09%	\$ 207,978	\$ 388,530	\$ 395,030	\$ 21,322	\$ 318,419

Total Fees \$ 1,331,279

* % of Construction Cost



MEMORANDUM

Date: November 24, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
Re: Resolution 2014 – 72 Show Stage Guidelines Memo
Item #: C.5.a.

Background / Discussion:

At the work session on November 10, 2014, we discussed the Show Stage Rental Guidelines and changes to exclude out of town rentals. The attached Resolution makes reference to ceasing such rentals, and the guidelines (also attached) reflect that change in policy. Only three inquiries had been received for 2015, all of whom were advised that the stage might not be available for out of town rentals. All have since been notified.

Financial Impact:

N/A – figures provided at work session reflect reduced maintenance, staff time and gasoline.

Relationship to Strategic Plan:

Goal 2.A.

Recommendation:

Move to adopt Resolution 2014 – 72, adopting the Revised Show Stage Guidelines.

Attachments:

- b. Resolution 2014 – 72
- c. Show Stage Guidelines (redline version; revised 11-17-14)

TOWN OF WINDSOR

RESOLUTION NO. 2014-72

A RESOLUTION APPROVING AND ADOPTING REVISED GUIDELINES FOR THE USE OF THE TOWN OF WINDSOR'S MOBILE SHOW STAGE BY THIRD PARTIES

WHEREAS, the Town of Windsor owns a mobile Show Stage which provides a place within which musical, theatrical and other public presentations may take place; and

WHEREAS, the Town of Windsor has customarily permitted third parties to use the mobile Show Stage under terms and conditions previously approved by the Director of Parks and Recreation; and

WHEREAS, by Resolution No. 2009-17 adopted on February 9, 2003, the Town Board approved Guidelines for third-party use of the mobile Show Stage; and

WHEREAS, by Resolution No. 2009-34 adopted on May 11, 2009, the Town Board further authorized the use of the mobile Show Stage for out-of-town users; and

WHEREAS, given the increasing costs of maintenance, depreciation and general ownership costs associated with the mobile Show Stage, the Town of Windsor has determined it necessary to restrict the use of the mobile Show Stage for functions and events taking place within the Town's geographical limits; and

WHEREAS, the Town's Director of Parks, Recreation and Culture has revised the former Guidelines, and has arrived at the attached Guidelines in keeping with the Town Board's desire to restrict the use of the mobile Show Stage to events and functions within the Town.

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

1. The Town hereby adopts the attached Guidelines, which are incorporated herein by this reference. All prior mobile Show Stage Guidelines are hereby revoked.
2. The Director of Parks, Recreation and Culture is authorized to implement the attached Guidelines as a tool for managing the availability of the mobile Show Stage to third party users.
3. The attached Guidelines shall represent the Town's general approach to the use of the mobile Show Stage by third parties.

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

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



Windsor Parks, Recreation & Culture Department
Community Events
301 Walnut Street, Windsor CO 80550
Phone: (970) 674-2441 Fax: (970) 674-2456

Show Stage Guidelines

The representative of the requesting organization, on behalf of himself/herself and all individuals using the Show Stage, agree to hold the Town of Windsor, its agents, officers and employees harmless from any claims of whatever kind or nature resulting from the use of the Show Stage.

These scheduling guidelines are intended to assist the user when making reservations, and to guide Parks, Recreation & Culture staff in resolving conflicts that arise with scheduling facilities. The Show Stage can ONLY be utilized for Town of Windsor events and Town Partnered events within the town limits, on Town property. ~~lable for rent by governmental entities or any event or agency with a non profit status as determined by the IRS. The Show Stage may only be used at locations within a twenty mile radius of the center of the Town of Windsor, as identified by the attached map.~~

Specifications

Total Weight: 19,920lbs; Trailer Weight – 17,280lbs, Tongue Weight – 2,640, Overall Road Width: 8’6”, Overall Road Length w/hitch: 40’, Overall Height: 13’3”, Stage Platform: 14’ deep; 36’ wide, Canopy: 7’3” to the rear of stage; 12’7” to the front of stage, End Walls: hinged in 30 degree increments to fully extend, Sound Shell Lighting: 8 slim line fluorescent tubes (not visible to audience), electrical system: 125amp/220/110V load center; 3-20 Amp breakers plus the following: main breaker and 10 additional breakers; 8 quadplex receptacles in canopy over 8 circuits 2 duplex mounted in canopy rear over 2 circuits, 50’ 6/4W 220V50 Amp power entry cord, and 4’ piggy back cord for 110V household current use, Portable Power: 7,000 watt generator 120V/56.7 Amp gas powered air cooled mounted in exterior compartment of unit, Stage Skirt: Fully enclosed undercarriage, Stage Access: 2 sets of stairs with hand rails.

Show Stage Reservation Requests

In order to assure proper scheduling, it is necessary that all requests and/or changes be submitted in writing on the proper forms to be approved by the **Event Coordinator**. Town of Windsor shall have priority in the scheduling and usage of the Show Stage.

To begin the process of reserving the Show Stage for any activity/event, representative of the requesting organization must complete a **Show Stage Rental Request Form** and return it to the Event Coordinator for approval. **The Request must be accompanied by the signed acknowledgement of Receipt of Guidelines and Insurance Policy.** The requesting organization shall comply with all the requirements of the Americans with Disabilities Act. Requests must be made at least fourteen days in advance of any scheduled event.

Insurance

Event or agency must show proof of property and casualty insurance with a minimum of \$1,000,000.00 property and casualty coverage naming the Town of Windsor as additionally insured.

Location/Transportation

Town Staff will approve all Show Stage locations to avoid potential damage to turf, other facilities, and the Show Stage itself. Town Staff will approve how/when/where/who and if Show Stage can be transported safely and without damage.

Equipment

All equipment belonging to the renter must be removed from the Show Stage by the renter immediately following the end of the event.

Special Notes

- The Show Stage comes equipped with a 50ft power cord, and one power pedestal
- Once Town Staff has set up the Show Stage, it may not be moved.
- Attaching banners or any other advertisements must be made by tape that will not leave a residue or damage surface of Show Stage when removed.
- No nails, screws, thumbtacks, push pins, etc. can be used on any surface of the Show Stage.



SHOW STAGE REQUEST
Windsor Parks, Recreation & Culture Department
Community Events
301 Walnut Street, Windsor CO 80550
Phone: (970) 674-2400 Fax: (970) 674-2456

In consideration of the granting of this permit, the event organizer, on behalf of himself/herself and all individuals using the Show Stage under the terms of this permit, agree to hold the Town of Windsor, its agents, officers and employees harmless from any claims of whatever kind or nature resulting from the use of the Show Stage. The event organizer agrees that it will not discriminate on the basis of disability and will comply with all requirements of the Americans with Disabilities Act in its use of the said facility.

Event Name/Organization: _____ Activity: _____		
Contact: _____		
Evening Phone: _____	Day Phone: _____	Cell Phone: _____
Mailing Address: _____		
_____ (City)	_____ (State)	_____ (Zip Code)

Date(s) Requested _____

Location Requested _____

Request
Only

I have read and understand the contents of the Show Stage guidelines and policies.
I understand Windsor Parks, Recreation & Culture Department reserves the right to amend or revise said document.

I _____, representative for the group submitting these requests have received and agree to follow the Town of Windsor Show Stage Guidelines.

Signature: _____ Date: _____

This receipt/request must be signed and filed with the Windsor Event Coordinator. .

<input type="radio"/> Proof of Insurance (1 million liability naming Town of Windsor as additionally insured) <input type="radio"/> Acknowledgment of Receipt of Show Stage Guidelines (signed)
Received by: _____
Date: _____ Time: _____

Approved _____
Denied _____
Pending _____
_____ Authorized Signature



MEMORANDUM

Date: November 24, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Dean Moyer, Director of Finance
Re: 2015 Budget Hearing
Item #: C.6.

Overview

Tonight is the public hearing for our 2015 Budget. The notice of budget was published in the Windsor Beacon on November 7 and November 14, 2014. The 2015 Budget was based on the strategic plan developed by the Town Board and the results of our budget workshop held on October 11, 2014. Expenditures were approved which supported the strategic plan and were within revenue constraints. Any increase in expenditures or range of service had to be tied to the strategic plan.

REVENUES

Examining data from the previous three budget years that was better than expected, the Board increased revenue projections on retail sales tax. Additionally, voters approved a .75% sales and use tax to fund the expansion of the existing Community Recreation Center. The assessed valuation has increased slightly over last year, causing an increase in projected property tax collections.

Retail Sales Tax

Revenues covered by the existing 3.2% sales tax rate are set to the average of collections 2012 actual, 2013 actual and adjusted projected 2014 collections and are budgeted at \$7.1 million. Total retail sales tax projected under the new .75% rate are estimated at \$1.4 million. This new rate goes into effect on January 1, 2015.

Construction Use Tax

Building permits are projected to be 275 permits but at a lower value per single family home. The Use Tax associated with the 3.2% rate total \$1,891,336, and are set to the average of actual 2012 and 2013 actual collections and the projected 2014 collections. Total use tax projected under the new .75% rate are estimated at \$282,565. This new rate goes into effect on January 1, 2015.

Property Taxes

Windsor experienced an increase in assessed valuation this year of roughly \$4 million or 1% increase over last year. Our mill levy remains at 12.03 mills and will produce a tax increase in tax collections of roughly \$55,000. This is a direct increase in revenue to the general fund.

OPERATING EXPENDITURES

The total provision for full time employees produced a net addition of 5.275 FTE. New staff position funding was provided for two Police Officers, a Civil Engineer and a Customer Service Utility Clerk. A Support Technician for IT was converted from a part time to full time position. An Assistant Town Attorney was added by eliminating a contracted prosecutor position. The cost of these additions including taxes and benefits totaled \$412,717.

Existing full time employee salaries included a 3.00% merit pay increase pool. Total cost of this adjustment including associated benefits and taxes was \$197,764.

Operating and personnel expenditures for 2015 are budgeted 7.0% higher than 2014 budgeted.

CAPITAL EXPENDITURES

The Board and staff developed a five-year capital plan covering 2015 through 2019. Attached is a list of projects to be completed in 2015, with the CRC expansion, railroad quiet zone project, Kyger Reservoir, road improvements and Coyote Gulch Park being near the top of the list and directly tied to the strategic plan. Also planned are two drainage projects in the Law Basin.

The capital plan has benefitted from the previous three years producing higher revenue than expected. The Board has also decided to dedicate severance tax revenue to the capital improvement plan. The result is a robust plan for improvements through 2019.

SUMMARY AND PROJECTIONS

The last few years have been better than expected on the revenue front. As a result we are able to increase our operations budget while continuing to fund an extensive capital improvement plan. We expect 2015 to follow a similar path of producing a strong revenue stream of funding to be applied in the community.

Attachments:

2015 Budget Condensed Summary

PUBLIC HEARING

NOVEMBER 24, 2014



2015 PROPOSED BUDGET

CONDENSED SUMMARY

TOWN OF WINDSOR, COLORADO

JANUARY 1, 2015 – DECEMBER 31, 2015

Town of Windsor 2015 Proposed Budget Overview

Fund	Beginning Balance	Revenues	Expenditures	Ending Balance
General Fund	\$ 8,014,127	\$ 13,578,695	\$14,023,349	\$ 7,569,473
Park Improvement Fund	2,887,220	1,491,514	1,510,475	2,868,258
Conservation Trust Fund	562,658	198,654	423,392	337,920
Capital Improvement Fund	8,222,220	9,141,564	8,250,711	9,113,073
Community Rec Center Fund	180,942	1,005,304	1,125,576	60,670
Community Rec Center Fund	-	17,923,815	9,485,594	8,438,221
Water Fund O & M	6,693,355	3,702,315	3,460,890	6,934,781
Water Fund PIF	4,448,653	1,296,367	847,836	4,897,184
Water Fund Raw Water	318,208	148,234	466,442	0
Water Fund / Non-Potable	2,788,633	489,672	3,274,842	3,463
Sewer Fund O & M	3,691,297	1,968,412	1,686,226	3,973,483
Sewer Fund PIF	4,045,641	1,743,421	1,069,396	4,719,667
Storm Drain O & M	381,739	333,867	284,565	431,042
Storm Drain PIF	1,840,348	2,179,781	4,020,130	0
Fleet Management	337,918	1,203,351	1,382,853	158,416
Information Technology	54,380	881,006	881,379	54,007
Facilities Services	41,091	642,064	600,340	82,814
Windsor Building Authority	145,528	145,080	145,080	145,528
Economic Dev. Incentive Fund	-	200,000	-	200,000
All Funds Total	\$ 44,653,959	\$ 58,273,118	\$52,939,076	\$ 49,988,000

**COMMUNICATIONS
BUDGET TRANSMITTAL MESSAGE**

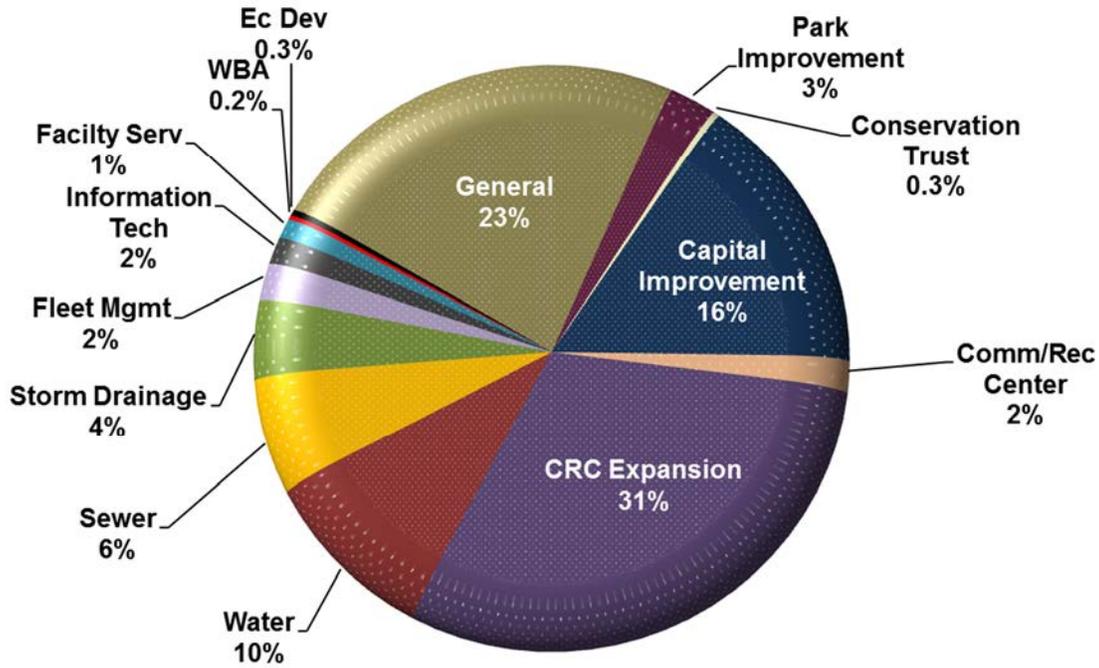
The 2015 Town of Windsor, Colorado Budget is hereby respectfully submitted. The enclosed document is the product of many staff hours dedicated to meeting the challenge of allocating scarce financial resources among the ever evolving list of community needs.

The following is a table of basic statistics for the Town Budget. Revenue resources include both estimated beginning Fund Balance and revenues for fiscal year 2015.

Revenue Resources	
General Fund	\$ 21,592,822
Park Improvement Fund	4,378,734
Conservation Trust Fund	761,312
Capital Improvement Fund	17,363,785
Community / Recreation Center Fund	1,186,246
Community / Recreation Center Expansion Fund	17,923,815
Water Fund	19,885,438
Sewer Fund	10,654,734
Storm Drainage Fund	3,641,035
Fleet Management Fund	1,478,439
Information Technology Fund	1,272,110
Facility Services Fund	659,636
Windsor Building Authority Fund	290,593
Economic Development Incentive Fund	200,000
TOTAL ALL FUNDS	\$ 102,927,076

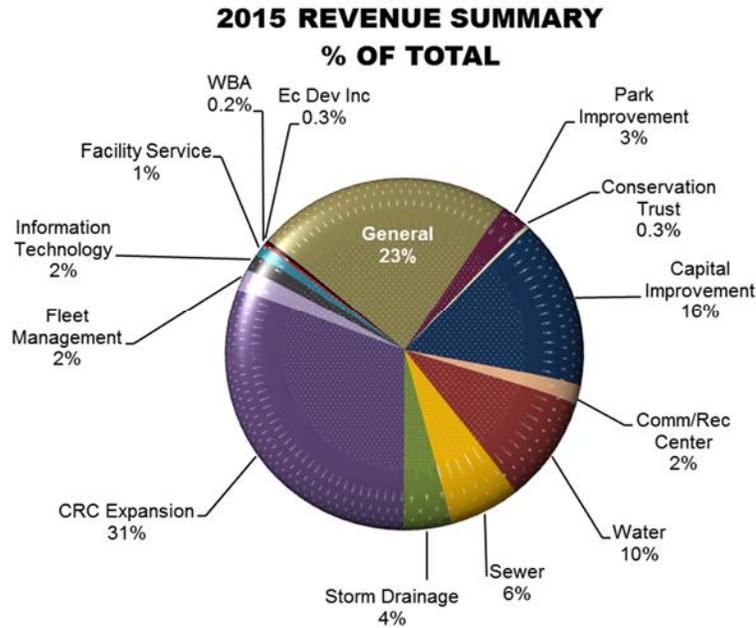
Estimated Expenditures	
General Fund	\$ 14,023,349
Park Improvement Fund	1,510,475
Conservation Trust Fund	423,392
Capital Improvement Fund	8,250,711
Community / Recreation Center Fund	1,125,576
Community / Recreation Center Expansion Fund	9,485,594
Water Fund	8,050,010
Sewer Fund	2,755,622
Storm Drainage Fund	4,304,695
Fleet Management Fund	1,382,854
Information Technology Fund	881,379
Facility Services Fund	600,340
Windsor Building Authority Fund	145,080
Economic Development Incentive Fund	0
TOTAL ALL FUNDS	\$ 52,939,075

**2015 REVENUE SUMMARY % OF TOTAL
All Funds**



TOWN OF WINDSOR ALL FUND REVENUE SUMMARY by Source 2015 BUDGET															
Revenue	General Fund	Park Improv. Fund	Conserv. Trust Fund	Capital Improv. Fund	Comm/Rec Center Fund	CRC Expansion Fund	Water Fund	Sewer Fund	Drain Fund	Fleet Mgmt Fund	Info Tech Fund	Facility Services Fund	WBA Fund	Ec Dev Incentive Fund	Total
Taxes	10,037,304	100,154	-	4,779,970	564,548	1,688,815	-	-	-	-	-	-	-	-	17,170,790
Licenses	281,309	-	-	-	-	-	-	-	-	-	-	-	-	-	281,309
Intergov. Revenue	1,030,232	-	-	-	-	-	-	-	-	-	-	-	-	-	1,030,232
Services	1,076,189	-	-	-	53,717	-	-	-	-	-	-	-	-	-	1,129,906
Fines	173,721	-	-	-	-	-	-	-	-	-	-	-	-	-	173,721
Miscellaneous	136,451	-	-	-	-	-	-	44,003	-	105,000	-	-	-	-	285,454
Collections for Other Govern	92,419	-	-	-	-	-	-	-	-	-	-	-	-	-	92,419
Park Improv. Fees	-	1,391,043	-	-	-	-	-	-	-	-	-	-	-	-	1,391,043
Lottery Funds	-	-	198,560	-	-	-	-	-	-	-	-	-	-	-	198,560
Traffic Impact Fees	-	-	-	942,218	-	-	-	-	-	-	-	-	-	-	942,218
Water Sales	-	-	-	-	-	-	3,465,086	-	-	-	-	-	-	-	3,465,086
Plant Invest. Fees	-	-	-	-	-	-	1,140,534	905,079	643,259	-	-	-	-	-	2,688,872
Raw Water Fees	-	-	-	-	-	-	333,934	-	-	-	-	-	-	-	333,934
Sanitary Sewer Serv	-	-	-	-	-	-	-	1,733,621	-	-	-	-	-	-	1,733,621
Drainage Service	-	-	-	-	-	-	-	-	333,867	-	-	-	-	-	333,867
Interest/Invest Income	-	317	93	67,572	39	135,000	232,229	2,130	537	-	-	-	-	-	437,918
Grants	-	-	-	3,174,305	-	-	95,000	190,000	1,031,172	-	-	-	-	-	4,490,477
Loan Proceeds	-	-	-	-	-	16,100,000	-	837,000	-	-	-	-	-	-	16,937,000
Interfund Transfers/Loans	751,072	-	-	177,500	387,000	-	369,805	-	504,814	1,098,351	881,006	642,064	145,080	200,000	5,156,692
TOTAL REVENUES	13,578,695	1,491,514	198,654	9,141,564	1,005,304	17,923,815	5,636,589	3,711,833	2,513,649	1,203,351	881,006	642,064	145,080	200,000	58,273,118

A comparison of total budgeted revenues by fund and the year over year percentage change appears in the following chart, again reflecting a conservative revenue approach.

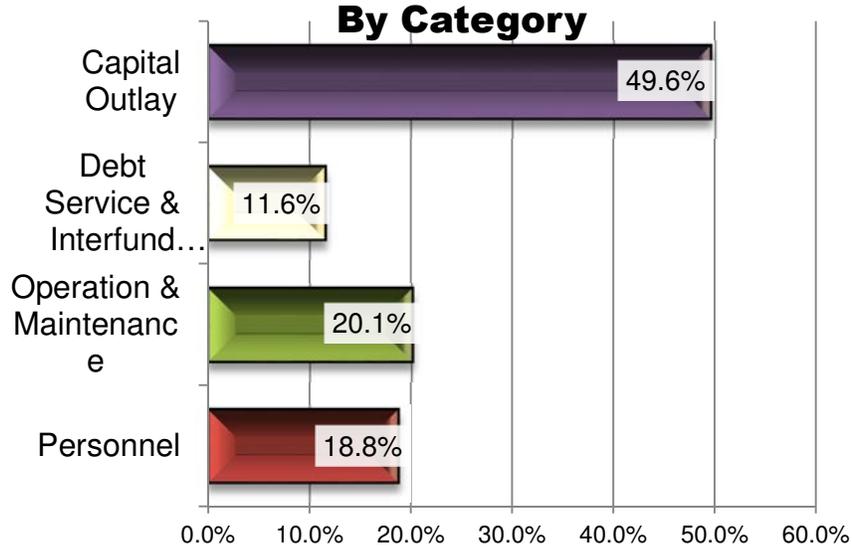


TOWN OF WINDSOR - 2015 BUDGET			
Revenue Summary	Adopted	Proposed	% of Total
with percentage change	2014	2015	2015
General Fund	\$ 12,587,683	\$ 13,578,695	34%
Park Improvement Fund	1,560,368	1,491,514	4%
Conservation Trust Fund	346,484	198,654	0.5%
Capital Improvement Fund	5,387,978	9,141,564	23%
Community / Rec. Center Fund	986,054	1,005,304	2%
Water Fund	10,167,969	5,636,589	14%
CRC Expansion Fund	-	17,923,815	31%
Sewer Fund	2,800,250	3,711,833	9%
Storm Drainage Fund	1,545,685	2,513,649	6%
Fleet Management Fund	1,164,001	1,203,351	3%
Information Technology Fund	1,059,146	881,006	2%
Facility Services Fund	612,806	642,064	2%
Windsor Building Authority Fund	145,080	145,080	0.4%
Economic Development Incentive Fund	-	200,000	0.5%
	\$ 38,363,504	\$ 58,273,118	100%
Percentage Change		51.9%	

Percentage increase would only be 5.2% excluding the CRC Expansion Fund, new this year with bond proceeds of \$16,100,000. Water Fund Non-Potable Kyger Reservoir loan proceeds of \$4,500,000 in 2014. TIGER V grant of \$3,158,305 in Capital Improvement Fund in 2015. Sales Tax increases in General, Capital and CRC Funds.

**FINANCIAL PLAN
EXPENDITURE SUMMARIES**

2015 TOTAL EXPENDITURES



TOWN OF WINDSOR						
ALL FUND EXPENDITURE BREAKDOWN BY CATEGORY						
2015 BUDGET						
	2011	2012	2013	2014	2014	2015
	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED	BUDGET
Personnel	\$ 8,006,645	\$ 8,109,703	\$ 8,274,359	\$ 9,283,950	\$ 8,992,546	\$ 9,935,952
Operation & Maintenance	6,989,193	8,762,807	8,263,433	8,742,122	9,693,478	10,644,653
Debt Service & Interfund Transfers	8,722,072	10,832,556	5,705,500	5,433,226	8,224,315	6,124,415
Capital Outlay	9,959,331	12,122,751	6,127,870	15,287,308	14,967,851	26,234,057
Total Expenditures	\$ 33,677,241	\$ 39,827,817	\$ 28,371,162	\$ 38,746,606	\$ 41,878,190	\$ 52,939,076
Personnel	23.8%	20.4%	29.2%	24.0%	21.5%	18.8%
Operation & Maintenance	20.8%	22.0%	29.1%	22.6%	23.1%	20.1%
Debt Service & Interfund Transfers	25.9%	27.2%	20.1%	14.0%	19.6%	11.6%
Capital Outlay	29.6%	30.4%	21.6%	39.5%	35.7%	49.6%
Total Expenditures	100%	100%	100%	100%	100%	100%

2012 debt service includes \$3,894,944 payment to refunding bond and debt issuance costs to refinance CRC debt.

2014 includes purchase of Kyger Reservoir.

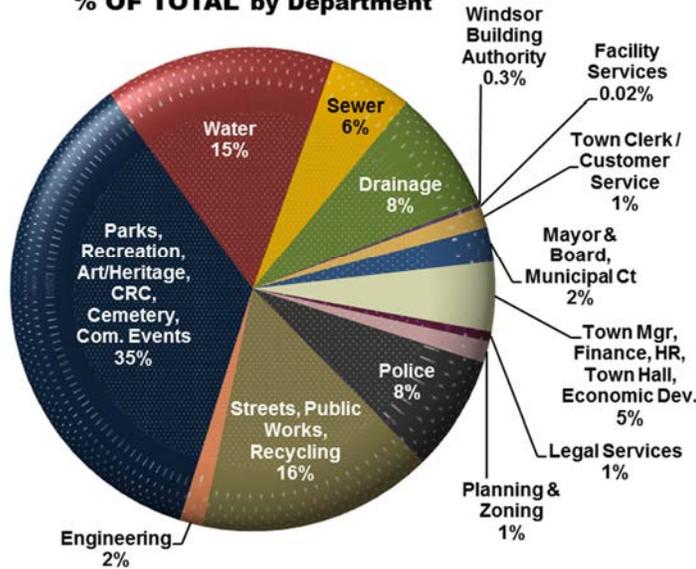
2015 capital outlay includes Railroad Quiet Zones, Kyger Reservoir pump station, Law Basin Master Channel – all over two million dollars. Also \$9.5 million is included to begin the CRC Expansion.

TOWN OF WINDSOR				
ALL FUND EXPENDITURE SUMMARY by Department				
2015 BUDGET				
EXPENDITURES	2015 Total	% of Total	2014 Total	% Change 2014 - 2015
Town Clerk / Customer Service	\$ 746,503	1%	\$ 610,612	22.3%
Mayor & Board, Municipal Court	1,230,985	2%	590,850	108.3%
Town Manager, Finance, HR, Town Hall, Economic Development	2,477,711	5%	1,904,894	30.1%
Legal Services	345,636	1%	370,000	0.0%
Planning & Zoning	768,765	1%	883,770	-13.0%
Police	4,047,181	8%	3,305,317	22.4%
Streets, Public Works, Recycling	8,308,937	16%	5,639,183	47.3%
Engineering	830,483	2%	676,325	22.8%
Parks, Recreation, Art/Heritage, CRC, Cemetery, Community Events	18,578,445	35%	8,271,458	124.6%
Water	8,162,932	15%	6,234,756	30.9%
Sewer	2,920,404	6%	2,160,515	35.2%
Drainage	4,367,515	8%	1,311,388	233.0%
Windsor Building Authority	145,080	0.3%	145,080	0.0%
Facility Services	8,500	0.02%	-	0.00%
TOTAL EXPENDITURES	\$ 52,939,076	100%	\$ 32,104,148	64.90%

Without the CRC Expansion included, the percentage change would have been 35.35%. Budgeted for 2015, are capital drainage projects totaling nearly \$3.9 million, with \$3.2 million for the TIGER grant railroad quiet zone project, and \$2.8 million for the Kyger Reservoir pump station, with \$2.1 million for street improvements, and \$1.2 million for Coyote Park construction, rendering a substantial increase in infrastructure. The Mayor & Board includes the \$500,000 transfer from Capital to Storm Drainage Fund. The Economic Development Incentive Fund is associated with the Economic Development Department and has the \$200,000 transfer.

2015 ALL FUND EXPENDITURE SUMMARY

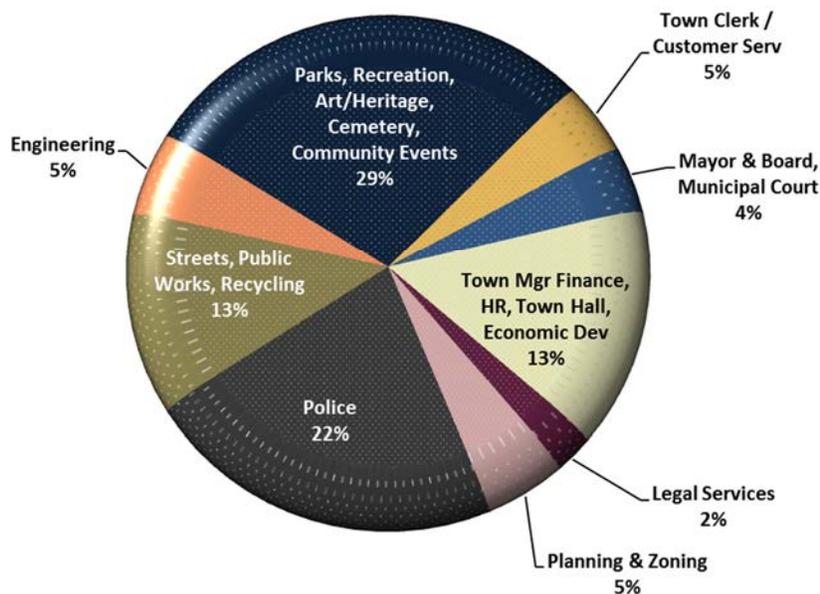
% OF TOTAL by Department



TOWN OF WINDSOR					
GENERAL FUND EXPENDITURE SUMMARY by Division					
2015 BUDGET					
EXPENDITURES	2013	2014	2014	2015	% of 2015 Total
	ACTUAL	BUDGET	PROJECTED	BUDGET	
Town Clerk / Customer Service	\$ 534,839	\$ 612,550	\$ 631,023	\$ 639,239	5%
Mayor & Board, Municipal Court	430,658	497,723	420,039	586,450	4%
Town Mgr. Finance, HR, Town Hall, Economic Development	1,562,884	1,788,327	1,787,605	2,105,019	14%
Legal Services	410,764	329,869	333,303	339,035	3%
Planning & Zoning	805,034	610,990	595,069	701,911	5%
Police	2,661,340	2,853,408	2,813,095	3,122,689	22%
Streets, Public Works, Recycling	1,432,284	1,483,280	1,555,219	1,772,179	12%
Engineering	591,997	618,025	623,417	743,073	5%
Parks, Recreation, Art/Heritage, Cemetery, Community Events	3,619,736	3,921,954	3,870,626	4,013,754	31%
TOTAL EXPENDITURES	\$ 12,049,536	\$ 12,716,127	\$ 12,629,396	\$ 14,023,349	100%

The 2015 Budget reflects the addition of 5.275 employees.

**2015 GENERAL FUND EXPENDITURES
Percentage by Division**



If all of the full-time positions are approved during the budget process, the employee roster will be as follows:

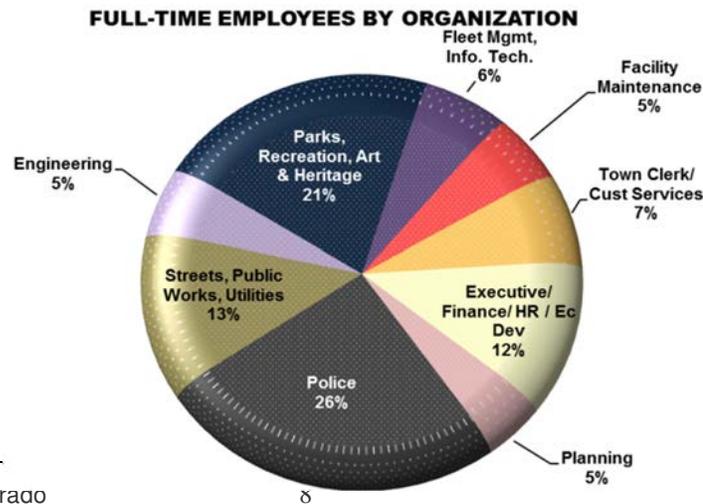
FULL-TIME EMPLOYEE COMPARISON								
Number by Department								
Department	Actual 1 2009	Actual 1 2010	Actual 2011	Actual 2012	Actual 2013	Projected 2014	Budgeted 2015	Percent of 2015
Town Clerk / Customer Serv.*	2	7	7	7	7	7	8	7.3%
Executive & Legal	3	2	2	2	2	3	3.75	3.4%
Finance	7	5	5	5	5	5	5	4.6%
Human Resources	2	2	2	2	2	3	3	2.7%
Planning	6	5	5	5	5	5	5	4.6%
Economic Development	-	-	1	1	1	1	1	0.9%
Police	23	23	23	25	25	26	28	25.5%
Recycling***	-	-	-	-	-	-	-	-
Streets****	3	3	3	3	3	3	4	3.6%
Pub Works	2	2	2	2	2	2	3	2.7%
Engineering	5	5	5	5	5	5	6	5.5%
Cemetery	1	1	1	1	1	1	1	0.9%
Community Events	-	-	-	-	-	1	1	0.9%
Forestry	2	2	2	2	2	2	2	1.8%
Recreation	5	5	5	5	5	5	5	4.6%
Aquatics ***	-	-	-	-	-	-	-	-
Park Maintenance	8	7	6	6	7	7	7	6.4%
Art & Heritage/Museum	2	2	2	2	2	2	2	1.8%
Community/Recreation Cntr.	5	5	4	4	5	5	5	4.6%
Water Utility ****	3	3	3	3	3	4	2.5	2.3%
Sewer Utility	3	3	3	3	3	4	4.5	4.1%
Storm Drain Utility ***	1	1	1	1	1	1	0	0.0%
Fleet Management	3	3	3	3	3	3	3	2.7%
Information Technology	3	3	3	3	3	3	4	3.6%
Facility Maintenance	-	-	6	6	6	6	6	5.5%
Total Full Time Employees	89	89	94	96	98	104	109.75	100.0%
Total Part Time Employees	11	11	14	42.13	39.85	39.15 FTE	34.3 FTE	
Total Seasonal Employees	133	133	39.1	FTE				

* Reorganization in 2010 to optimize personnel from existing departments to form Customer Services

**Part-time and seasonal employees will be noted only as full-time equivalent (FTE) starting 2012

***These divisions are served only by part-time personnel

**** Storm Drainage vacancy was replaced with a Street Supervisor and Admin Assistant moved from Water to Public Works



STAFFING AND PERSONNEL

Budget requests for additional personnel in the 2015 Budget underscore the continued pressures on Town staff. Funds are allocated for 5.275 FTE positions: Assistant Town Attorney will be a 0.75 full-time employee rather than two contracted positions with an overall savings; two new police officers are needed to have more coverage during all shifts; a new Civil Engineer position and Customer Service position are due to increased demand; and the promotion of a part-time to a full-time position in the Information Technology department is the result of increased workload.

Other staffing changes are: create three new supervisor positions in Parks, Streets and Utilities, expected to be filled with internal promotions; adding two additional Police Sergeants based on internal promotions; eliminate the Marketing position from the Community Recreation Center Fund and replace it with a Communications Coordinator in the Town Manager’s Office (the Communications Coordinator position will have a different job description than the Marketing position); and the current Management Assistant position will change to Communications/Assistant to Town Manager and will be responsible for supervising the program.

STAFFING AND PERSONNEL RELATED COSTS

A summary of new full-time positions proposed for the 2015 Budget year follows:

NEW FULL-TIME POSITIONS PROPOSED FOR 2015

Position	2015 Salary & Benefits	Funding Source
Assistant Town Attorney*	\$ 77,697	General Fund
Police Officer	67,114	General Fund
Police Officer	67,114	General Fund
Civil Engineer	94,792	General Fund
Customer Service / Utilities	50,564	General Fund
PC Support Technician**	55,436	Information Technology Fund

* 0.75 FTE positions with the elimination of contractual Town Prosecutor and Assistant Town Attorney

** Make a part-time position to full-time (net 0.525FTE)

Net addition of 5.275 staff

The following are the major Capital Projects for 2015.

MAJOR 2015 CAPITAL IMPROVEMENT PLAN PROJECTS			
Over \$100,000			
Fund		Description	2015 Budget
CRCE	CRC	Beginning of CRC Expansion (2015-2016)	\$9,485,594
CIF	Street	GW Railroad Quiet Zone Project w/ 100 % TIGER grant included	3,158,305
WATER	Non-Potable	Kyger Reservoir Pump Station & water supply	2,812,325
DRAIN	Drain Impact	Law Basin Master Plan Channel w/ PDM Grant included (2012-2015)	2,128,069
CIF	Street	Street Maintenance – overlays, sealcoating, crack sealing, concrete replacement	2,100,000
DRAIN	Impact Fees	Law Basin West Tributary Channel (2013-2015)	1,740,075
PIF	Neighborhood	Coyote Gulch Park development	1,222,000
SEWER	Impact Fees	Sewer Nutrient Program w/ CDPHE grant included	837,000
WATER	Impact Fees	Three million gallon Water Tank w/ DOLA grant included (2012-2015)	407,100
CIF	Cemetery	Cemetery streetscape sidewalks, gate & archway engineering/construction, + engineering for 2016 Phase	373,414
Multi	GF/CIF/WF/SF	PW/Parks Maintenance Facility design (2015-2017)	330,000
CIF	Parks	Non-Potable Water- Pipe Encasement East of UFP	329,409
WATER	Impact Fees	Northern Integrated Supply Project (NISP)	288,750
CTF	Lottery Funds	Windsor Lake -Shoreline rip-rap	250,000
PIF	LCOS	Windsor Trail Windsor West connection easements and engineering	200,000
CIF	Streets/RIF	SH 257 & Walnut St Left turn lane	190,000
CIF	Parks	Eaton Ditch flood control	185,000
WATER	User Fees	Water Replacement Lines Study	180,000
CTF	Lottery Funds	Windsor Trail CR21 & 392 underpass (related to John Law)	147,292
CIF	Street	I-25 / SH 392 Interchange balance	117,000
CIF	Main Park	Main Park - replace shelters	113,190

Fund Codes: **GF**- General Fund, **PIF** – Park Improvement Fund, **CTF** – Conservation Trust Fund, **CIF** – Capital Improvement Fund, **CRCE** – Community Recreation Center Expansion Fund.

TOWN OF WINDSOR

RESOLUTION NO. 2014-73

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND, AND ADOPTING A BUDGET FOR THE TOWN OF WINDSOR, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2015, AND ENDING ON THE LAST DAY OF DECEMBER, 2015, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE TOWN OF WINDSOR, COLORADO, FOR THE 2015 BUDGET YEAR

WHEREAS, Article 11 of the Town of Windsor Home Rule Charter contains requirements for the formulation, presentation and adoption of the annual budget; and

WHEREAS, the Town Board of the Town of Windsor has appointed Kelly Arnold, Town Manager to prepare and submit a proposed budget to said governing body at the proper time, and;

WHEREAS, Kelly Arnold, Town Manager has submitted a proposed budget to this governing body on October 11, 2014 for its consideration, and;

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 24, 2014 and interested taxpayers were given an opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

WHEREAS, it is necessary to appropriate the revenues provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of the Town of Windsor.

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

Section 1. That the budget as submitted amended, and herein below summarized by fund, is hereby approved and adopted as the budget of the Town of Windsor for the year stated above.

REVENUE RESOURCES

General Fund	\$ 21,592,822
Park Improvement Fund	4,378,734
Conservation Trust Fund	761,312
Capital Improvement Fund	17,363,785
Community / Recreation Center Fund	1,186,246
Community / Recreation Center Expansion Fund	17,923,815
Water Fund	19,885,438
Sewer Fund	10,654,734
Storm Drainage Fund	3,641,035
Fleet Management Fund	1,478,439
Information Technology Fund	1,272,110
Facility Services Fund	659,636
Windsor Building Authority Fund	290,593
Economic Development Incentive Fund	200,000
TOTAL ALL FUNDS	\$ 102,927,076

ESTIMATED EXPENDITURES

General Fund

Current Operating Expenses	\$11,392,930
Debt Service and Transfers	<u>2,630,419</u>
Total General Fund	\$14,023,349

Park Improvement Fund

Current Operating Expenses	\$ 11,000
Debt Service and Transfers	25,873
Capital Outlay	<u>1,473,602</u>
Total Park Improvement Fund	\$ 1,510,475

Conservation Trust Fund

Current Operating Expenses	\$ 9,000
Capital Outlay	<u>414,392</u>
Total Conservation Trust Fund	\$ 423,392

Capital Improvement Fund

Current Operating Expenses	\$ 2,372,792
Small Equipment	117,350
Capital Outlay	4,934,842
Debt Service and Transfers	<u>825,727</u>
Total Capital Improvement Fund	\$ 8,250,711

Community/Recreation Center Fund

Current Operating Expenses	\$ 461,425
Debt Service and Transfers	<u>664,151</u>
Total Community/Rec Center Fund	\$ 1,125,576

Community/Recreation Center Expansion Fund

Capital Outlay	<u>\$ 9,485,594</u>
Total Community/Rec Center Fund	\$ 9,485,594

Water Fund

Current Operating Expenses	\$ 2,881,797
Debt Service	303,972
Capital Outlay	4,149,854
Transfers	<u>714,387</u>
Total Water Fund	\$ 8,050,010

Sewer Fund

Current Operating Expenses	\$ 1,127,473
Debt Service	232,396
Capital Outlay	1,029,630
Transfers	<u>366,122</u>
Total Sewer Fund	\$ 2,755,621

Storm Drainage Fund

Current Operating Expenses	\$ 239,666
Capital Outlay	3,868,144
Transfers	<u>196,885</u>
Total Storm Drainage Fund	\$ 4,304,695

Fleet Management Fund

Current Operating Expenses	\$ 514,853
Capital Outlay	<u>868,000</u>
Total Fleet Management Fund	\$ 1,382,853
Information Technology Fund	
Current Operating Expenses	\$ 857,978
Transfers	13,401
Capital Outlay	<u>10,000</u>
Total Information Technology Fund	\$ 881,379
Facility Services Fund	
Current Operating Expenses	\$ 594,340
Transfers	<u>6,000</u>
Total Facility Services Fund	\$ 600,340
Windsor Building Authority Fund	
Debt Service	\$ <u>145,080</u>
Total Windsor Building Authority Fund	\$ 145,080
Economic Development Incentive Fund	
Total Economic Development Fund	\$ <u>0</u>
<hr/>	
TOTAL ALL FUNDS	\$52,939,075

Section 2. That the budget hereby approved and adopted shall be signed by the Mayor and Members of the Town Board, and shall be made a part of the public records of the Town of Windsor, Colorado.

Section 3. That the sums described above are and shall be appropriated for the 2015 Budget Year.

Section 4. The Town Clerk is hereby instructed to publish this Resolution in full upon adoption thereof by the Town Board.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

TOWN OF WINDSOR

RESOLUTION NO. 2014-74

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE TAXABLE YEAR 2014 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF WINDSOR, COLORADO, FOR THE 2015 BUDGET YEAR

WHEREAS, the Town Board of the Town of Windsor, has adopted the annual budget in accordance with the Local Government Law, on November 24, 2014, and;

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from the property tax is \$3,045,901, and;

WHEREAS, the amount of money necessary to balance the budget for bonds and interest is none, and;

WHEREAS, the 2014 valuation for assessment for the Town of Windsor, as certified by the Weld County Assessor, is \$253,192,100.

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

SECTION 1. That for the purpose of meeting all general operating expenses of the Town of Windsor during the 2015 budget year, there is hereby levied a tax of 12.03 mills upon each dollar of the total valuation for assessment of all taxable property within the Town for the taxable year 2014.

SECTION 2. That for the purpose of meeting all bonds and interest of the Town of Windsor during the 2015 budget year, there is hereby levied a tax of 00.000 mills upon each dollar of the total valuation for assessment of all taxable property within the Town for the taxable year 2014.

SECTION 3. That the Town Clerk is hereby authorized and directed to immediately certify to the County Commissioners of Weld County, Colorado the mill levied for the Town of Windsor as hereinabove determined and set.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

TOWN OF WINDSOR

RESOLUTION NO. 2014-75

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE TAXABLE YEAR 2014 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF WINDSOR, COLORADO, FOR THE 2015 BUDGET YEAR

WHEREAS, the Town Board of the Town of Windsor, has adopted the annual budget in accordance with the Local Government Law, on November 24, 2014, and;

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from the property tax is \$1,154,539 and;

WHEREAS, the amount of money necessary to balance the budget for bonds and interest is none, and;

WHEREAS, the 2014 valuation for assessment for the Town of Windsor, as certified by the Larimer County Assessor, is \$95,971,680.

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

SECTION 1. That for the purpose of meeting all general operating expenses of the Town of Windsor during the 2015 budget year, there is hereby levied a tax of 12.03 mills upon each dollar of the total valuation for assessment of all taxable property within the Town for the taxable year 2014.

SECTION 2. That for the purpose of meeting all bonds and interest of the Town of Windsor during the 2015 budget year, there is hereby levied a tax of 00.000 mills upon each dollar of the total valuation for assessment of all taxable property within the Town for the taxable year 2014.

SECTION 3. That the Town Clerk is hereby authorized and directed to immediately certify to the County Commissioners of Larimer County, Colorado the mill levied for the Town of Windsor as hereinabove determined and set.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: November 24, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Patti Garcia, Town Clerk/Assistant to Town Manager
Re: 2015 Windsor Downtown Development Authority Budget
Item #: C.10.

Background / Discussion:

The Downtown Development Authority Board of Directors (DDA) approved their 2015 budget along with a mill levy increase to three mills at their November 19, 2014 regular meeting contingent upon Town Board consideration. Colorado State Statute requires that each year the DDA present their budget to the Town Board for review and approval.

Financial Impact:

The DDA is expecting to carry over an approximate \$343,151 balance at the end of 2014. The DDA Board is proposing to carry over that amount into their 2015 budget. They will use these additional funds for the 2015 projects as specified in the to-be-completed 2015 Work Plan.

The DDA is projecting \$14,326 in revenue from their property tax increment and \$11,566 in revenue from the property tax from the 3.0 mill levy that will be assessed on the DDA members.

Relationship to Strategic Plan:

This item is consistent with Goal 3.A. of the Town of Windsor Strategic Plan: Support the Downtown Development Authority

Attachments:

- Resolution No. 2014-76 - A Resolution of the Town Board of the Town of Windsor, Colorado, Approving the 2015 Windsor Downtown Development Authority Budget; Making Annual Appropriations for the Windsor Downtown Development Authority for the Fiscal Year Ending December 31, 2014; and Fixing the Mill Levy for the Windsor DDA District for the Fiscal Year Ending December 31, 2015
- 2015 DDA budget

TOWN OF WINDSOR

RESOLUTION NO. 2014-76

A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, APPROVING THE 2015 WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY BUDGET; MAKING ANNUAL APPROPRIATIONS FOR THE WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014; AND FIXING THE MILL LEVY FOR THE WINDSOR DDA DISTRICT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015

WHEREAS, on February 28, 2011, the Town Board of the Town of Windsor, Colorado (“Town Board”), adopted Ordinance No. 2011-1401, which established the Windsor Downtown Development Authority (“DDA”); and

WHEREAS, the DDA has been duly organized in accordance with the C.R.S. § 31-25-801, et seq.; and

WHEREAS, on October 16, 2013, the Board of Directors of the DDA (“DDA Board”), acting pursuant to the provisions of C.R.S. § 31-25-816, adopted a budget for the fiscal year ending December 31, 2014, and determined the mill levy necessary to help defray the costs of expenditures to be incurred by the DDA during the fiscal year ending December 31, 2014; and

WHEREAS, the DDA Board has recommended to the Town Board a mill levy of two (2) mills upon each dollar of assessed valuation on all taxable property within the DDA district, such levy being deemed appropriate in light of the DDA’s operational and maintenance needs for the fiscal year ending December 31, 2015; and

WHEREAS, it is the desire of the Town Board to approve the budget adopted by the DDA Board; to appropriate the sum of Six Hundred Thirty Nine Thousand, Forty Eight Dollars (\$639,048) for expenditure on conducting the business of the DDA and for its projects and programs in accordance with the Town Board-approved DDA Plan of Development; and to fix the mill levy for the DDA District at two (e) mills for the fiscal year ending December 31, 2015; and

WHEREAS, C.R.S. § 39-5-128(1) requires certification of any tax levy to the Board of County Commissioners no later than December 15.

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

1. The 2015 DDA Budget is hereby approved; and
2. There is hereby appropriated for expenditure by the DDA the sum of Six Hundred Thirty Nine Thousand, Forty Eight Dollars (\$639,048) for expenditure by the DDA on

conducting the business of the DDA and for its projects and programs in accordance with the Town Board-approved DDA Plan of Development; and

3. That the mill levy rate for the fiscal year ending December 31, 2015, of the assessed value of all taxable property within the DDA district as of December 31, 2014, shall be hereby set at three (3) mills, which mill levy has been deemed appropriate by the DDA Board for said fiscal year and which mill levy represents the amount of taxes for the DDA. Said mill levy shall be certified to the County Assessor and the Board of County Commissioners of Weld County, Colorado, by the Town Clerk as provided by law.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 24th day of November, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Downtown Development Authority Fund Detail Budget

ACCT NO	ACCOUNT NAME	2011 ACTUAL	2012 ACTUAL	2013 ACTUAL	2014 BUDGET	ACTUAL - PROJECTED		2014 PROJ.	2015 BUDGET	NOTES
						Thru JUN 2014	JUL-DEC 2014			
DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REVENUE - 19										
DOWNTOWN DEVELOPMENT AUTHORITY (DDA)										
4001	<i>Beginning Fund Balance</i>	0	0	50,322	157,210			148,954	343,151	
4311	Property Tax From Mill Levy	0	0	4,175	7,712	6,372	1,340	7,712	11,566	
4312	Auto Tax	0	0	306	0	303	303	606	0	
4324	Incremental Property Tax	0	0	16,496	16,052	12,477	3,575	16,052	14,326	
4364	Interest Income	0	0	32	5	2	2	5	5	
4370	Donations	0	0	2,000	0	0	0	0	0	
4376	Transfer from TOW General Fund	0	250,000	250,000	265,000	132,293	132,293	264,586	270,000	
DOWNTOWN DEVELOPMENT AUTHORITY REVENUES TOTAL		0	250,000	273,008	288,769	151,447	137,513	288,961	295,897	
AVAILABLE RESOURCES		0	250,000	323,330	445,979			437,914	639,048	
DOWNTOWN DEVELOPMENT AUTHORITY (DDA) EXPENDITURES - 19										
DOWNTOWN DEVELOPMENT AUTHORITY - 486										
5112	Wages/Part Time	0	0	0	0	475	0	475	0	
5130	FICAMED	0	0	0	0	7	0	7	0	
5131	FICA	0	0	0	0	29	0	29	0	
5134	Unemployment Insurance	0	0	0	0	1	0	1	0	
5135	Worker's Compensation Insurance	0	0	0	0	0	0	0	0	
	<i>Personal Services Total</i>	0	0	0	0	513	0	513	0	
6210	Office Supplies	0	202	45	200	0	0	0	500	
6213	Public Relations/Advertising	0	3,240	19,788	25,000	2,488	14,200	16,688	25,000	
6214	Board Development	0	851	0	3,200	0	1,600	1,600	4,000	
6217	Dues, Fees, Subscriptions	0	1,184	2,388	770	120	630	750	770	
6218	Small Equipment	0	0	2,848	0	0	0	0	0	
6219	Special Equipment	0	0	0	0	860	0	860	20,000	
6242	Street Repair/Maintenance	0	0	0	0	1,219	2,587	3,806	1,500	
6245	Mileage	0	14	0	100	0	0	0	150	
6246	Liability Insurance	0	0	0	1,297	1,724	330	2,054	2,053	
6251	Audit Services	0	0	0	0	0	0	0	0	
6252	Legal Services	0	17,574	4,447	10,000	3,746	3,000	6,746	10,000	
6253	Contract Service	0	14,262	7,829	20,000	1,440	19,200	20,640	46,500	
6256	Publishing/Recording	0	7	13	0	0	0	0	0	
6263	Postage	0	289	302	350	159	75	234	350	
6264	Printing/Binding	0	0	73	500	0	150	150	500	
6267	Study/Review/Analysis/Consulting	0	34,848	0	20,000	7,422	12,000	19,422	20,000	
6268	County Treasurer Fees	0	0	310	300	283	283	566	0	
6269	Miscellaneous	0	0	0	700	529	0	529	0	
6270	Façade Program	0	0	0	100,000	0	0	0	160,000	
6290	Elections	0	762	0	0	0	0	0	0	
	<i>Operating & Maintenance Total</i>	0	73,234	38,042	182,417	19,989	54,054	74,044	291,323	
7302	Admin Support Charge by Town of Windsor	0	1,470	20,000	20,000	10,000	10,000	20,000	5,000	
	<i>Debt Service Total</i>	0	1,470	20,000	20,000	10,000	10,000	20,000	5,000	
8410	Land/Easements	0	93,349	116,335	0	0	0	0	0	
8412	Site Improvements	0	31,625	0	20,000	207	0	207	0	
8420	Building & Structures	0	0	0	0	0	0	0	0	
	<i>Capital Outlay Total</i>	0	124,974	116,335	20,000	207	0	207	0	
DOWNTOWN DEVELOPMENT AUTHORITY EXPENDITURES TOTAL		0	199,678	174,376	222,417	30,709	64,054	94,763	296,323	
BEGINNING DDA BALANCE		0	0	50,322	157,210			148,954	343,151	
REVENUE		0	250,000	273,008	288,769			288,961	295,897	
Available Resources		0	250,000	323,330	445,979			437,914	639,048	

Downtown Development Authority Fund Detail Budget

ACCT NO	ACCOUNT NAME	2011 ACTUAL	2012 ACTUAL	2013 ACTUAL	2014 BUDGET	ACTUAL - PROJECTED		2014 PROJ.	2015 BUDGET	NOTES
						Thru JUN 2014	JUL-DEC 2014			
EXPENDITURES		0	199,678	174,376	222,417			94,763	296,323	
ENDING DDA BALANCE		0	50,322	148,954	223,562			343,151	342,725	