



TOWN BOARD WORK SESSION MEETING

September 21, 2015 – 6:00 P.M.

Town Board Chambers

301 Walnut Street, Windsor, CO 80550

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

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

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

AGENDA

1. Downtown Development Authority Draft Budget Presentation – P. Garcia
2. GoCo Grant Applications – W. Willis
 - Pickle Ball
 - Co-Sponsor of Skyview Elementary Playground
3. Poudre Water Shed presentation – W. Willis
4. Future meetings agenda



MEMORANDUM

Date: September 21, 2015
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Patti Garcia, Town Clerk/Assistant to Town Manager
Re: Downtown Development Authority Draft 2016 Budget
Item #: WKS - 1

Background / Discussion:

The Windsor Downtown Development Authority (DDA) Board of Directors would like to present the enclosed 2016 budget for review by the Windsor Town Board. Colorado State Statute requires that each year the DDA present their budget to the Town Board for review and approval. The DDA Board of Directors will be considering their 2016 budget at their November 18, 2015 regular meeting contingent upon Town Board consideration. Prior to approval of their budget, the DDA Board will be considering a mill levy increase to four mills which will be assessed on the DDA members starting in 2016. In April 2012, the DDA voters approved a mill of up to five mills to be assessed.

Since the inception of the DDA in 2011, many goals have been accomplished with a sampling listed below:

- Implementation of the façade program; two businesses have taken advantage of the program to date
- Completion of the Mill Feasibility Study
- Revision of the Downtown Corridor Plan for bike rack placement
- Amendment of parking regulations to encourage investment in downtown
- Marketing program – new website, monthly newsletter, partnership with the WindsorNow for DDA business advertisements
- Established partnerships with local businesses, Town of Windsor, Library, Department of Local Affairs, and other DDA's
- Partnered with the Town of Windsor on the clean-up of nuisance lots in the DDA
- Partnered with various entities on special events in the DDA area
- Beautification of DDA with new planters, benches and bike racks
- Creation of an environment where businesses want to be part of the DDA

The DDA Board will be creating a 2016-2017 Work Plan based on objectives and projects reflective of their continued work and short and long term goals which will include and are not limited to:

- Hire part time Executive Director
- Continue to market the Façade Program
- Partner on Farmers Market efforts
- Continue partnerships with Library, DOLA, American Legion and other DDA businesses
- Continue to support Library in their relocation efforts
- Signage for the DDA area
- Development of DDA property

- Expand boundaries through annexation

Financial Impact:

The DDA is expecting an approximate \$521,839 balance at the end of 2015. The DDA Board is proposing to carry over that amount to their 2016 budget.

The DDA is projecting \$13,080 in revenue from their property tax increment and \$15,959 in revenue from the property tax from the 4.0 mill levy that will be assessed on the DDA members. Their budget also reflects the \$270,000 transfer from the Town of Windsor General Fund as agreed to in the enclosed Town of Windsor and DDA Intergovernmental Agreement (IGA). The IGA denotes the funding is to be provided to the DDA through fiscal year 2016 and states at 1.3.g. that during the first half of fiscal year 2016 that the Town and DDA are to review and evaluate the funding – if it will continue and if so, at what level.

Relationship to Strategic Plan

Goal 3.D.: Support the Downtown Development Authority (DDA)

Attachments:

2016 Windsor DDA Draft Budget

2014-2015 Work Plan

Town of Windsor/DDA Intergovernmental Agreement

Downtown Development Authority Fund Detail Budget

ACCT NO	ACCOUNT NAME	ACTUAL - PROJECTED			DOWNTOWN DEVELOPMENT AUTHORITY (DDA) FUND -19		NOTES
		2015 BUDGET	Thru JUL 2015	AUG-DEC 2015	2015 PROJ.	2016 BUDGET	
DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REVENUE - 19		DOWNTOWN DEVELOPMENT AUTHORITY (DDA)					
4001	<i>Beginning Fund Balance</i>	343,151			360,955	521,839	
4311	Property Tax From Mill Levy	11,566	10,428	1,138	11,566	15,959	4 mills
4312	Auto Tax	0	493	352	846	850	
4324	Incremental Property Tax	14,326	10,673	3,653	14,326	13,080	
4334	Grants	0	0	0	0	0	
4364	Interest Income	5	3	2	6	5	
4367	Donations	0	0	0	0	0	
4376	Transfer from TOW General Fund	270,000	157,500	112,500	270,000	270,000	TOW Gen Fund transfer through 2016
DOWNTOWN DEVELOPMENT AUTHORITY REVENUES TOTAL		295,897	179,098	117,646	296,744	299,894	
AVAILABLE RESOURCES		639,048			657,699	821,734	
DOWNTOWN DEVELOPMENT AUTHORITY (DDA) EXPENDITURES -19							
DOWNTOWN DEVELOPMENT AUTHORITY - 486							
5112	Wages/Part Time	0	0	0	0	38,000	
5130	FICAMED	0	0	0	0	551	
5131	FICA	0	0	0	0	2,356	
5134	Unemployment Insurance	0	0	0	0	114	
	<i>Personal Services Total</i>	0	0	0	0	41,021	
6210	Office Supplies	500	79	50	129	500	
6213	Public Relations/Advertising	25,000	15,729	6,000	21,729	25,000	Banners, DDA signage, event support/promotion
6214	Board Development	4,000	340	2,150	2,490	4,000	2016 DCI Conference - Pueblo
6217	Dues/Fees/Subscriptions	770	785	560	1,345	2,000	Chamber \$250, DCI \$295, Special Districts Assn \$521.55
6218	Small Equipment	0	0	0	0	2,500	Computer, phone, calculator
6219	Special Equipment	20,000	780	0	780	10,000	bike racks, planters, beautification items
6242	Street Repair/Maintenance	1,500	300	0	300	1,500	DDA lot maintenance
6245	Travel/Mileage	150	0	0	0	500	Visit other DDA's & conference travel
6246	Liability Insurance	2,053	0	2,053	2,053	2,500	General liability - \$2M
6252	Legal Services	10,000	1,295	1,000	2,295	10,000	Liley Rogers & Martell
6253	Contract Service	46,500	81	1,200	1,281	7,200	VistaWorks \$1,200, office space use \$6,000
6256	Publishing/Recording	0	0	0	0	500	legal notices, etc.
6263	Postage	350	62	50	112	350	
6264	Printing/Binding	500	0	0	0	500	
6267	Study/Review/Analysis/Consulting	20,000	8,028	10,000	18,028	20,000	Retreat facilitator, consultants/architect/realtor - library, DDA-owned lots
6268	County Treasurer Fees	0	316	0	316	0	
6269	Miscellaneous	0	0	0	0	0	
6270	Façade Program	160,000	0	80,000	80,000	100,000	
6290	Elections	0	0	0	0	0	
	<i>Operating & Maintenance Total</i>	291,323	27,796	103,063	130,859	187,050	
7302	Admin Support Charge by Town of Windsor	5,000	2,917	2,083	5,000	5,000	monthly financial reports, consultation w/TOW
	<i>Debt Service Total</i>	5,000	2,917	2,083	5,000	5,000	
8410	Land/Easements	0	0	0	0	0	
8412	Site Improvements	0	0	0	0	5,000	Fencing for back lot - railroad

Budget 2016

Downtown Development Authority Fund Detail Budget

ACCT NO	ACCOUNT NAME	ACTUAL - PROJECTED			DOWNTOWN DEVELOPMENT AUTHORITY (DDA) FUND -19		NOTES
		2015 BUDGET	Thru JUL 2015	AUG-DEC 2015	2015 PROJ.	2016 BUDGET	
8440	Machinery/Equipment	0	0	0	0	5,000	Office furniture for DDA Exec Dir
	Capital Outlay Total	0	0	0	0	10,000	
DOWNTOWN DEVELOPMENT AUTHORITY EXPENDITURES TOTAL		296,323	30,712	105,147	135,859	243,071	
BEGINNING DDA BALANCE		343,151			360,955	521,839	
REVENUE		295,897			296,744	299,894	
Available Resources		639,048			657,699	821,734	
EXPENDITURES		296,323			135,859	243,071	
ENDING DDA BALANCE		342,725			521,839	578,663	



**STRATEGIC ACTION PLAN 2014-2015
WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY**

IDENTITY AND MESSAGING						
Objective	Projects	Action Item	Measurement of Success	Potential Partners	Timeline	
To promote and market the district	Develop a new and improved Windsor DDA website	Contract with website designer and locate a hosting site	New website will be live in 2014	Town of Windsor, Windsor Chamber of Commerce	Completed	Completed
	Partner with the Windsor Chamber of Commerce at various events	DDA Board members attend and participate with Chamber events	Booth at business events each year (i.e., Business Expo) and other events	Windsor Chamber of Commerce	Ongoing	Ongoing/annual
	Increase partnership/sponsorship opportunities with special events that are held in Boardwalk and Main Park	Communications with business and property owners regarding events	Businesses participate in events at Boardwalk and Main park, increase foot traffic from parks to downtown and increase sales during events	Special Event applicants, Town of Windsor, DDA Members	Ongoing	Ongoing/annual
Establish communication with all members of the DDA and the community	Establish relationship with newspapers, local publications and radio stations	Contract with local papers for a regular column or other updates on what is happening downtown, what events are coming up, etc.	At least a monthly communication/press release from the DDA	Windsor Now, Windsor Beacon, NCBR, Radio Stations, NPR	Ongoing	Ongoing/annual
	Develop a Windsor DDA email list for all DDA members	Send e-newsletters with the events scheduled, current and proposed projects, meeting times, etc. to the DDA members on a monthly basis	Obtain at least 75% of the DDA members email addresses and send out regular communication to the DDA members	N/A	Completed	Newsletter published monthly
	Solicit feedback and suggestions from DDA members	Create a comments page on the Windsor DDA website and formulate 'BIG IDEA' agenda item at the regular DDA Board meetings	DDA members attend and share their ideas and feedback at the meetings and/or website and DDA Board identifies next steps	DDA Members	Ongoing	Refer to Marketing Committee for review.
	Develop social media through the DDA website	Explore Twitter, Facebook, Smartphone Applications, Blogs, QR Codes, etc.	Establish appropriate media accounts and update regularly. Establish a baseline of followers and monitor the success of those accounts	DDA Members, Town of Windsor, Chamber of Commerce	Completed	Ongoing/annual



STRATEGIC ACTION PLAN 2014-2015
WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY

Establish communication with developers, investors, builders, realtors and other stakeholders	Develop promotional materials/handouts to distribute	Package the statistical data of the district including but not limited to, vacant parcels, square footages, allowed uses, etc.	Provide current statistical data on the website, at meetings and in promotional materials	Town of Windsor, local architects and realtors, CSU, UNC	2015-2016	Media kit has been created for distribution but no statistical data has been gathered.
		Attend realtor meetings, Upstate and NCEDC annual meetings	DDA Board members attend meetings and report back regularly	Upstate, NCEA, HBA, CSU, UNC	Ongoing	TOW Economic Development Director attends meetings on behalf of the TOW & DDA.



**STRATEGIC ACTION PLAN 2014-2015
WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY**

ORGANIZATION						
Objective	Projects	Action Item	Measurement of Success	Potential Partners	Timeline	
To maintain and revitalize the district as a center for commercial, financial, governmental, social, recreational, and cultural activities and to prevent deterioration from occurring	Establish an annual work plan which implements the Downtown Design Guidelines and Financing Plan and the current DDA Strategic Plan	Establish schedule to review work plan prior to annual budget process	The successful adoption of the DDA budget by the Town of Windsor and the work plan by the DDA Board	Town of Windsor	2015	Ongoing/annual
	Explore Main Street Candidate program as a way to coordinate DDA activities	Attend quarterly Downtown Institutes, review Main Street benefits and requirements, request Main Street training and technical assistance from DOLA staff	Implement aspects of the Main Street 4-point approach	DOLA, DCI, State Historical Fund	2016	Executive Director to implement
	Explore options for the rehabilitation or re-use of the Historic Mill	Contract with a firm to conduct a feasibility study on the Historic Mill	Determination of appropriate property uses, building uses and realistic financial strategies for the protection, restoration and redevelopment of the Mill	DOLA, Town of Windsor	2014	Completed
	Establish process for development DDA-owned lots north of Main Street between 4th & 5th Streets	Finalize conceptual review documents & participate in a pre-marketing meeting with development community	Creation of concept plan that meets the vision of the DDA and has the support of the DDA members & developers	Town Board, Planning Commission, Development Community	2016	Ongoing - completing title search to establish property lines to be done prior to moving forward w/concept plans.
	Partner with community organizations working to better Windsor and downtown	Identify liaisons on DDA Board for various community organizations	DDA Board members attend meetings and report back regularly	Windsor Housing Authority, Parks and Recreation Board, Historic Preservation Commission, Town Board, Planning Commission, Civic Associations, etc.	2014/2015	DDA members attend as needed.



STRATEGIC ACTION PLAN 2014-2015
WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY

	Develop a volunteer program and coordinate with existing community volunteer programs	Meet with civic organizations to identify volunteer opportunities in the DDA. Promote volunteer opportunities through existing media and communication outlets	A DDA volunteer database	Civic organizations such as Kiwanis, Lions, Master Gardeners, Windsor-Severance Historical Society, Library, local schools, CSU, UNC, etc.	2016	Create projects - ie help at Farmer's Market, paint electrical boxes, etc. Look outside of DDA.
To assist the Town in promoting partnerships with the Colorado Department of Transportation (CDOT) and the Great Western Railroad (GWR) to relieve traffic, transportation and rail conflicts through the downtown	Educate the public and DDA members on CDOT and GWR regulations, potential projects and partnership opportunities	Meet and understand CDOT regulations for HWY 392 and HWY 257	Having held workshops with CDOT and Public Utilities Commission (PUC)	CDOT, GWR, PUC	2016	To be done in conjunction with concept plan for back lots.
		Meet with GWR	Establish a positive relationship with GWR	Broe/Great Western Railroad	2106	To be done in conjunction with concept plan for back lots.



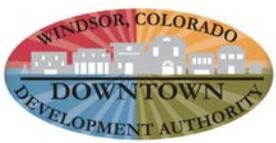
STRATEGIC ACTION PLAN 2014-2015
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PROMOTIONS						
Objective	Projects	Action Item	Measurement of Success	Potential Partners	Timeline	
Promote a diversity of activities in the district, encourage the creation & continuation of public events held in the DDA		Implement the Marketing Plan			Ongoing	DDA sponsors and helps fund non-profit activities and other events in DDA area
Promote Windsor's unique identity as a way of differentiating downtown Windsor from other communities	Identify events that promote Windsor's identity including building events that focus on Windsor's heritage; retail events that focus on getting people into the stores; and an image campaign that focuses on how the community sees the DDA	Participate in the planning of events and partner with organizers	DDA members participate in planning committees for Windsor events. Progress is reported at Board meetings on a regular basis. DDA participates at all	Town of Windsor, Chamber of Commerce, other event organizers	Ongoing	Ongoing
		Research Public Art Programs and identify options that would enrich awareness about the arts in the community and enhance the DDA area	Establishment of a public art program that provides visible outdoor art that historically celebrates Windsor's heritage and environment	Town of Windsor, Art & Heritage Department, other local municipalities	2015	Work being done in conjunction with Windsor's 125th celebration efforts



**STRATEGIC ACTION PLAN 2014-2015
WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY**

ECONOMIC RESTRUCTURING						
Objective	Projects	Action Item	Measurement of Success	Potential Partners	Timeline	
To encourage the renovation and reuse of vacant and deteriorated structures within the district	Develop an incentive program for new development and redevelopment projects	Explore opportunities for Town and DDA to establish incentive packages	The Town and the DDA agree on incentive guidelines and the DDA educates potential and existing business and property owners	Town of Windsor, realtors, DDA members, financial institutions	Completed	Completed - DDA board met with Economic Development Manager to learn about the incentive process.
	Develop a store front display program for vacant buildings	Contact property owners of vacant buildings, establish display criteria, and conduct outreach to civic organizations	Obtain agreements with property owners to utilize vacant storefronts	Schools, CSU, UNC, local artists, fire district, businesses, TOW, Chamber, realtors, property managers, etc.	On hold	Vacant storefronts are limited; the program is on hold.
Promote and support private and public developments that are consistent with the plans and objectives of the DDA	Review potential gathering places/exhibit halls/event facilities for the downtown area and determine what the appropriate size/scale of development is for Windsor	Review convention sites of other towns of similar size and review potential locations in existing buildings such as the Mill	List of potential sites located on DDA website	Town of Windsor	2015-2016	Exploring options for library placement in DDA
To encourage the development of new and rehabilitated buildings for use as needed to achieve a balanced mix of products and services within the district	Encourage office and residential to occupy second story spaces and encourage retail and restaurant uses to occupy first floor spaces	Review zoning regulations to ensure uses are allowed in downtown zone and identify locations for housing including multi-family and affordable	Modify documents as necessary	Housing Authority, Town of Windsor, developers	Ongoing	Revised parking regs adopted in 2015



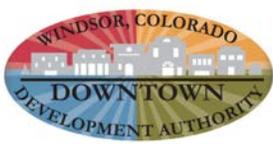
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	<p>Work with local architect to create an architectural inventory of structures within the district and to have available for consultations with prospective developers and/or businesses</p>	<p>Contract with local architect for the described projects</p>	<p>Upload architectural inventory information and consultation process and details to the DDA Website</p>	<p>Local architects</p>	<p>2016</p>	<p>Not started/scheduled</p>
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**STRATEGIC ACTION PLAN 2014-2015
WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY**

DESIGN						
Objective	Projects	Action Item	Measurement of Success	Potential Partners	Timeline	January 2014
To increase equal to the need, the net supply of off-street parking spaces within the district	Develop a parking program to provide sufficient public parking to service all occupants & owners within the DDA including parking garages & lots concentrating on areas of present parking deficiencies & future growth, increase the efficiency/effectiveness of existing parking, introduce programs to reduce parking needs such as trails, establish special parking zones & regulations	Commission a parking engineer to conduct a parking study downtown that will provide direction to the DDA on current and future parking demand/supply and other transportation issues, including pedestrian circulation	Implement the parking plan	Town of Windsor	2014/2015/2016	Amended parking regs adopted in 2015. DDA owned property is also being reviewed to address parking options.
To improve the pedestrian flow and protection	A pedestrian and vehicular circulation system including pedestrian amenities and a program to reduce automobile-pedestrian conflicts	Install new street signs and add directional signage in downtown and to downtown	Implementation of recommendations per plans	Town of Windsor, CDOT	Signage - 2016-2017	New pedestrian signs installed 2015. Signage to be discussed 2016.
To improve the visual attractiveness of the district	A beautification program in the following areas: major entrances, Windsor Lake and Boardwalk Park, walkways and public spaces	Clean up the corners at 4th Street and Main Street and 6th Street and Main Street to look like 5th Street and Main Street	Develop a prioritized list of beautification project with budget allocations	Town of Windsor, DDA members, volunteers	Ongoing	Completed
		Install more benches along the sidewalk, uniform in design				Benches to be added in DDA vacant lot between 408 and 411 Main
		Install additional trash cans				See above.
		Plant trees in the existing tree rings that are empty				Will ask Town Forester for inventory of empty rings
		Clean up the existing gas meters by painting them or covering them up				Not a viable project at this time due to conflict with Xcel.
		Façade renovation program				Ongoing



STRATEGIC ACTION PLAN 2014-2015
WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY

Align Municipal Code, Building Codes, Fire regulations and Town administrative policies to match Downtown Design Guidelines and Financing Plan	Work with the Town to revise the Downtown Corridor Plan standards and/or Central Business District Zoning regulations	Work with the Town of Windsor Planning Department, Planning Commission and DDA to review documents and begin revisions as necessary	Modify documents as necessary	Town of Windsor	2014/2015	Not started/scheduled
To encourage the preservation or reuse of historically or architecturally significant buildings in the district including, but not limited to, finding sources of funds and participating in lending funds compatible with enabling legislation and the plans and objectives of the DDA	Coordinate with the Windsor HPC to distribute educational brochures and information relative to available landmark status opportunities and financial incentives	Review and understand Downtown Historic Survey and partner with the HPC to implement survey recommendations	Schedule workshops, distribute information	Windsor Historic Preservation Commission, State Historical Fund, realtors	Ongoing	Ongoing work by HPC. Enhancement of Main Mile program completed by Planning.
To construct, install and place underground publicly and privately owned utility and communications systems	Require the undergrounding of utilities in conjunction with new and redevelopment projects within the district	Review and understand Town undergrounding funding opportunities and seek prioritization of funds in conjunction with redevelopment and beautification projects	Create prioritized project list and partner with Town to implement as funding is available	Town of Windsor, Utility companies		Difficult to require due to cost; current standards require undergrounding w new development. This should be a block by block project.

**INTERGOVERNMENTAL AGREEMENT BETWEEN TOWN OF
WINDSOR, COLORADO AND WINDSOR DOWNTOWN DEVELOPMENT
AUTHORITY REGARDING TOWN SUPPORT OF THE
WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY**

This INTERGOVERNMENTAL AGREEMENT ("IGA") is made and executed this 28th day of November, 2011, by and between the TOWN OF WINDSOR, a Colorado home rule municipal corporation (the "Town"), and WINDSOR DOWNTOWN DEVELOPMENT AUTHORITY, a body corporate and politic (the "DDA").

WITNESSETH:

WHEREAS, by Ordinance No. 2011-1401, the Town created and established the DDA with all the purposes and powers now or hereafter authorized by Part 8 of Colorado Revised Statutes Title 31, Article 25 (the "DDA Statute"), and all additional and supplemental powers necessary or convenient to carry out and effectuate the purposes and provisions of said Part 8 within the boundaries of the DDA as such boundaries presently exist and may in the future be expanded ("DDA Boundaries"); and

WHEREAS, the DDA Statute has declared that the organization of downtown development authorities will serve a public use; promote the health, safety, prosperity, security, and general welfare of the inhabitants thereof and of the people of this state; will halt or prevent deterioration of property values or structures within central business districts; halt or prevent the growth of blighted areas within such districts, and assist municipalities in the development and redevelopment of downtowns and in the overall planning to restore or provide for the continuance of the health thereof; and

WHEREAS, pursuant to C.R.S. §31-25-808, the DDA is empowered to cooperate with the Town, to enter into contracts with the Town and to make or receive from the Town grants, contributions and loans; and

WHEREAS, the citizens of Windsor have consistently urged that the Town make revitalization of downtown a priority; and

WHEREAS, the Town and the DDA recognize the overall economic benefit to the Town of maintaining and revitalizing its downtown, which area serves as the Town's center for commercial, financial, governmental, social, recreational, historic and cultural activities; and

WHEREAS, the Town and the DDA desire to promote redevelopment opportunities in the downtown that will generate economic development that results in increased employment, and increased tax revenue while preserving and enhancing the unique character of downtown as the heart of Windsor; and

WHEREAS, on February 22, 2010, the Town Board adopted Resolution No. 2010-13, within which the Town Board approved and adopted the Town of Windsor Downtown Design Guidelines and Financing Plan ("Downtown Plan"); and

WHEREAS, the Town and DDA acknowledge that Resolution No. 2010-13 directs Town staff and administration to work cooperatively with downtown business and property owners to implement the objectives of the Downtown Plan; and

WHEREAS, it is important that the Town and the DDA work closely together, especially in the initial years, to develop and approve appropriate planning and funding tools to maximize quality redevelopment opportunities in the downtown; and

WHEREAS, the Town and the DDA have agreed that the qualified electors of the DDA will be asked at the April, 2012, municipal election to authorize certain financial transactions related to DDA tax increment monies and approving the future levy of an ad valorem tax to fund operations of the DDA; and

WHEREAS, it is anticipated that, until sufficient property tax increment is being generated and property tax monies are available for operations, the DDA will need funding and administrative support from the Town for its operations and for capital and program expenditures; and

WHEREAS, the Town and the DDA desire to enter into this IGA to memorialize their respective commitments in connection with downtown planning objectives, the 2010 Election and the interim funding of the DDA;

WHEREAS, the DDA Board, on November 16, 2011, determined that this IGA is consistent with and in furtherance of the goals and purposes of the DDA and thereupon approved the terms of this IGA and authorized its Chairperson to execute it;

WHEREAS, the Town Board, on Nov 28, 2011, determined that this IGA is consistent with and in furtherance of the goals and purposes of the Town and the DDA and thereupon approved the terms of this IGA and authorized the Town Manager to execute it; and

NOW, THEREFORE, in consideration of the mutual promises and other valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

ARTICLE ONE

TOWN COMMITMENTS

1.1 2012 Election.

- a. The Town's next biennial municipal election will take place on April 3, 2012 ("Municipal Election"). The DDA will through the Town Manager present to the Town Board a resolution ("DDA Election Resolution") for Town Board adoption which will refer to the qualified electors of the DDA the questions related to DDA financing, including whether the DDA should impose an *ad valorem* tax of up to five (5) mills upon all real property within the DDA Boundaries to be effective in January, 2012 ("Mill Levy Measure"). The proposed DDA Election Resolution will be referred by the DDA to the Town Manager sufficiently in advance of the applicable election deadline, such that the DDA Election Resolution may undergo revision and refinement, if necessary, before presentation for official action by the Town Board. The Town Board shall vote affirmatively in favor of the DDA Election Resolution, in order that the Mill Levy Measure is placed upon the ballot for consideration by the DDA electors during the Municipal Election.
- b. The Town will conduct the Municipal Election as required by law. The Town Clerk shall be designated the Election Official for the Municipal Election. The DDA and the Town will work cooperatively to produce a current and complete roster of all qualified electors within the DDA Boundaries in order that the Municipal Election may proceed as a mail election. The form and content of this roster shall be subject to final approval by the Town Clerk.

1.2 Development and Redevelopment Regulations.

- a. The Town and the DDA will work together to evaluate existing Town regulations applicable to land development and redevelopment ("Existing Land Use Regulations") to ascertain if such regulations promote the objectives of the Downtown Plan for responsible development and redevelopment within the DDA

Boundaries. To the extent Existing Land Use Regulations are deemed to be inconsistent with the objectives of the Downtown Plan, Town staff will work cooperatively with the DDA to arrive at revisions more consistent with the Downtown Plan, which revisions will be presented for review and comment to the Town's Planning Commission and to the Town Board for adoption or approval, as the case may be. The parties recognize that the adoption of Town policy is exclusively within the discretion and authority of the Town Board.

- b. In addition to an evaluation of Existing Land Use Regulations, the Town will work cooperatively with the DDA to evaluate new or additional regulations intended to promote responsible development and redevelopment within downtown Windsor ("New Land Use Regulations"). Town staff will prepare any proposed New Land Use Regulations, but will consult with the DDA before referring any such regulations for Town Board consideration, adoption or approval. The parties recognize that the adoption of Town policy is exclusively within the discretion and authority of the Town Board.

1.3 Interim Funding with Town Sales Tax Revenue.

- a. **Initial Funding Duration.** For fiscal years 2012 through 2016 and subject to the terms set forth herein, the Town will provide funding to the DDA from sales tax revenue generated within the DDA Boundaries, as set forth below in Sections 1.3.b. through 1.3.g. inclusive.
- b. **Sales Tax Base.** The Town will collect and set aside in a special fund for DDA budget revenue purposes a sum equal to all sales tax revenue collected by the Town within the original DDA boundaries for fiscal year 2010, less that percentage which is required by law for retirement of the bonded indebtedness associated with construction of the Community Recreation Center. This sum will be considered the "Sales Tax Base" for purposes of this IGA. Contingent upon Town approval of the DDA budget for each of the fiscal years identified in Section 1.3.a. above, the Sales Tax Base may be used by the DDA for its budgeted operations, programming, capital projects and the maintenance of appropriate reserves in accordance with the terms of this IGA. In the event the DDA original boundaries for fiscal year 2010 are expanded, the Town, in consultation with the DDA, shall determine whether such additional property should be added to the Sales Tax Base.
- c. **Sales Tax Increment.** In addition to the Sales Tax Base, the Town shall collect and set aside in a special fund for DDA budget revenue purposes a sum equal to

the portion of sales tax revenue collected within the DDA Boundaries in excess of the Sales Tax Base revenue, which excess will be considered the "Sales Tax Increment" for purposes of this Agreement. Contingent upon Town approval of the DDA budget for each fiscal year, the Sales Tax Increment may be used by the DDA for its budgeted operations, programming, capital projects and the maintenance of appropriate reserves in accordance with this IGA. Notwithstanding the funding duration timeframe set forth in Section 1.3.a, above, it is the intent of the Town Board that the Sales Tax Increment shall be appropriated by the Town Board to the DDA through the thirty-year tax increment term permitted under State law for the purpose of creating an incentive to downtown businesses to maximize retail opportunities and to assist the DDA in meeting the goals of the Downtown Strategic Plan.

- d. **Unexpended Town Funds.** To the extent that DDA budgeted funds from the Sales Tax Base or the Sales Tax Increment, or any combination thereof, is not expended as provided in this IGA in a given DDA fiscal year, the Town agrees that any such unexpended funds shall be transferred at the conclusion of each fiscal year to a DDA Reserve Fund, which Reserve Fund monies may be used by the DDA for one or more capital projects, subject to the approval of the Town Board of any DDA budget which includes expenditure of such monies. Any unexpended revenues from the Sales Tax Base as of December 31, 2016, shall be subject to the provisions of Section 1.3.g. below.
- e. **Interest Earned on Town Funds.** The DDA shall be entitled to retain any interest earned on funds provided by the Town, including interest earned on unexpended Town funds. Interest on Town funds shall be separately accounted for as revenue within the DDA budget for each fiscal year during the initial funding duration described in this Section.
- f. **Credit for Town Administrative Support.** Given the substantial value of the administrative support provided by the Town to the DDA, the Town shall be entitled to offset against the revenue sources identified in Sections 1.3.b. and 1.3.c. the actual cost of direct administrative support provided to the DDA for those Town employees listed on Exhibit "A," attached hereto and incorporated herein by this reference, not to exceed a total of Thirty-five Thousand Dollars (\$35,000) in 2012. The Town and the DDA will meet during the last quarter of 2012 to review actual costs to date of such administrative support and projected administrative support needs for 2013.

- g. **Review and Evaluation in 2016.** During the first half of Fiscal Year 2016, the parties will review and evaluate downtown Windsor needs and the DDA's progress in meeting the objectives of the Downtown Plan, the DDA Downtown Strategic Plan and any other objectives established by mutual agreement during the preceding fiscal years. The purpose of such review and evaluation shall be to determine whether further Town sales tax funding will continue and, if so, at what levels. The parties anticipate that the completion of such review and evaluation will result in an amendment of the within Agreement with respect to ongoing sales tax funding by the Town.
- h. **Town Funding Contingency.** Notwithstanding any of the foregoing, the parties agree that, in the event the Mill Levy Measure is not approved by the DDA electors, the Town may elect, in its sole discretion, to renegotiate the financial and administrative support provided to the DDA.

1.4 Downtown Incentive Program.

The Town hereby states its intention to develop a Town-wide retail development incentive program, within which retail development incentives for the downtown area will be included. The Town will work cooperatively with the DDA with respect to any downtown development incentives prior to Town Board action on any such incentives. Such downtown development incentives may include deferral, reimbursement or waiver of all or any portion of fees customarily included in the cost of building permits or other development approvals. The parties acknowledge that the adoption of Town policy is exclusively within the discretion and authority of the Town Board.

1.5 Continuance of Routine Maintenance of Downtown Improvements.

The Town will continue to be responsible for routine maintenance of Town improvements within the DDA Boundaries. However, in the event that any capital improvements funded by the DDA requires extra maintenance due to the enhanced nature of such improvements, in conjunction with annual Town Board approval of DDA budgets, the Town and DDA will reach specific agreements with respect to the allocation of maintenance responsibility for any such DDA capital improvements reflected in each such budget.

ARTICLE TWO

DDA COMMITMENTS

- 2.1 **Municipal Election.** The DDA recognizes that it needs to generate revenue independently of Town resources. Accordingly, the DDA agrees to support the Municipal Election as follows:
- a. **Preparation of Ballot Materials.** The DDA shall be responsible for the timely and complete preparation of the Municipal Election ballot title, ballot question and any other ballot-related requirements of the Town Clerk pursuant to applicable law.
 - b. **TABOR Materials.** The DDA shall be responsible for the timely and complete preparation of all notices, informational material and documentation required for compliance with Article X, Section 20 of the Colorado Constitution and related statutory requirements ("TABOR Materials"). DDA will coordinate with the Town Clerk with respect to the distribution of TABOR materials as required by law.
 - c. **DDA Payment of Election Costs.** The DDA shall reimburse the Town for all out-of-pocket election costs attributable to the Municipal Election, payment for which shall be rendered to the Town Clerk within sixty (60) days of the Town Clerk's final certification of the Municipal Election ballot results.
 - d. **Voter Education.** The DDA will support the Municipal Election by community outreach, downtown stakeholder communication and public education. The DDA will be primarily responsible for assuring public awareness and the significance of the Municipal Election.
- 2.2 **Financial and Administrative Self-Sufficiency.** As part of its effort to become a self-sustaining entity supported by financial and administrative resources distinct from Town resources, the DDA agrees to undertake the following efforts:
- a. **Grant Funding.** The DDA will actively seek available grant funding from both public and private sources to further support its revenue requirements.
 - b. **Capital Projects Focus.** The DDA acknowledges that one of its primary purposes is to increase property values within its boundaries, thus generating *ad valorem* property tax revenue statutorily available to the DDA. Therefore, the

DDA will concentrate on the development of a formal Capital Improvements Plan emphasizing projects which are likely to result in increased property values within the DDA boundaries, while recognizing that a variety of DDA-funded activities and programs will also be necessary to provide needed economic vitality.

2.3 Development and Approval of Downtown Strategic Plan.

The DDA has undergone a comprehensive strategic planning process, the result of which will be a DDA Downtown Strategic Plan adopted by the DDA Board of Directors. The Downtown Strategic Plan will guide the DDA in its approach to its objectives, such that the dedication of funds provided to the DDA by the Town is consistent with a strategy developed in advance.

2.4 Preparation of Annual Budget, 2012 Work Plan.

- a. **Annual Budget.** Attached is the Preliminary 2012 DDA Budget, the format of which shall serve as a model for all future DDA budgets. Commencing in fiscal year 2012, the DDA will provide to the Town the DDA's annual budget by no later than November 1 of each year. The Town Board will complete its review of the DDA budget and issue its budget approval by December 31 of each year.
- b. **Annual Work Plan.** Attached is a copy of the DDA's Preliminary 2012 Work Plan, which provides a format for annual Work Plans which shall be provided to the Town each year in association with the DDA's budget submittals as provided in Section 2.4.a.

ARTICLE THREE

MISCELLANEOUS

3.1 Expansion of DDA Boundaries. The parties acknowledge that the DDA Statute governs the expansion of downtown development authority boundaries, and agree that the procedures set forth in said Part 8 shall apply to any expansion of the original DDA boundaries.

3.2 Notices. All notices to be given to parties hereunder shall be in writing and shall be sent by certified mail to the addresses specified below:

If to the DDA: Windsor Downtown Development Authority
Attn: Chairperson
P.O. Box 381
Windsor, CO 80550

With a copy to: Liley, Rogers & Martell, LLC
Attn: Lucia A. Liley, Esq.
300 South Howes Street
Fort Collins, CO 80521

If to the Town: Town of Windsor
Attn: Town Manager
301 Walnut Street
Windsor, CO 80550

With a copy to: Ian McCargar
Frey McCargar & Plock, LLC
131 Lincoln Avenue, Suite 100
Fort Collins, CO 80524

- 3.3 **Governing Law.** This IGA shall be governed by, and its terms construed under the laws of the State of Colorado.
- 3.4 **Third Party Beneficiaries.** It is the mutual intent of the parties hereto that this IGA shall inure to the benefit of only the parties hereto. Accordingly, nothing in this IGA shall be construed as creating any right or entitlement which inures to the benefit of any third party.
- 3.5 **Annual Appropriation.** All financial obligations of the Town or the DDA arising under this IGA that are payable after the current fiscal year are contingent upon funds for that purpose being annually appropriated, budgeted and otherwise made available by the Town Board of the Town, in its discretion, and/or the Board of Directors of the DDA, in its discretion, as applicable.
- 3.6 **Benefit, Binding Effect, Covenant.** The parties hereto recognize that there are legal constraints imposed upon them by the constitution, statutes, and rules and regulations of the State of Colorado and of the United States, and imposed upon them by their respective governing statutes, charters, ordinances, rules and regulations, and that, subject to such constraints, the parties intend to carry out the terms and conditions of this IGA.

Notwithstanding any other provision of this IGA to the contrary, in no event shall either of the parties be obligated hereunder to exercise any power or take any action that is prohibited by applicable law. Whenever possible, each provision of this IGA shall be interpreted in such a manner so as to be effective and valid under applicable law.

IN WITNESS WHEREOF, the parties have executed this IGA the day and year first above written.

TOWN OF WINDSOR, COLORADO, a
municipal corporation

By: _____

Kelly Arnold, Town Manager

ATTEST:

Patti Garcia
Patti Garcia, Town Clerk



APPROVED AS TO FORM:

Ian McCargar
Ian McCargar, Town Attorney

WINDSOR DOWNTOWN
DEVELOPMENT AUTHORITY, a body
corporate and politic

By: _____

Bob Winter, Chairperson

ATTEST:

Craig Peterson
Craig Peterson, Secretary

Exhibit "A"

Town Employees

Elizabeth Fields

Patti Garcia

Dean Moyer

Any other Town employees authorized by the Town Manager and the
DDA Board



MEMORANDUM

Date: September 21, 2015
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Wade Willis, CPRP, Parks and Open Space Manager
Re: GOCO Grant Applications
Item #: WKS Item 2.

Background / Discussion:

Outdoor Classroom - Skyview Elementary School is requesting that the Town of Windsor sponsor their grant request to Great Outdoors Colorado to develop an outdoor classroom. This outdoor classroom will create an area on the east side of the school where students and the community will have the opportunity to learn about natural ecosystems and the environment. Great Outdoors Colorado (GOCO) offers Local Government Park, Outdoor Recreation and Environmental Education (LPOR) grants for these types of projects. Cities, counties and parks and recreation districts are eligible to apply for the grants and can sponsor projects for ineligible entities like schools for grants. Tonight representatives will provide a short presentation about the project. At the September 1, 2015 PReCAB recommended support of this project.

Pickleball Court - A local group of pickleball players is requesting that one of the existing inline hockey rinks at Main Park is transformed into a pickleball court. This group regularly utilizes the Community Recreation Center to play and is requesting a dedicated improved outdoor area. The scope of the work would generally consist of removal of the rink backboards, installation of fencing, court nets and surface improvements. Approximately half of this \$45,100 project could be funded with a GOCO grant which staff would develop with the assistance of the pickleball players, the remainder would come from the CIF.

Staff has spoken to GOCO staff regarding both projects; both projects do meet the criteria for Local Government Park, Outdoor Recreation and Environmental Education (LPOR) Grants and Mini Grants. This category is for smaller projects costing \$60,000 or less and is designed for the following types of projects:

- New park development: Creating a park where one does not exist.
- Enhancing existing park facilities: Improving current park facilities, including installing or creating new facilities at existing parks.
- Park land acquisition: Acquiring land for a future park.
- Environmental education facilities: Building new facilities or enhancing existing ones.

Applications we're posted Aug. 3, grant writing workshops are scheduled for September, applications are due Nov. 5 and grants will be awarded in March 2016.

Financial Impact:

Staff is requesting \$45,100 on the 2016 Budget (\$25,100 CIF & \$20,000 GOCO) for the pickleball court improvements; no funding is required for the sponsorship for Skyview.

Relationship to Strategic Plan:

Goal 1.B, C, F, & 2. A

Recommendation:

For discussion only

Attachments:

Request letter September 2, 2015

September 2, 2015

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

Subject: Main Park/Hockey Rink Repurpose

Dear Mayor and members of the Town Board

On behalf of the many local Pickleball players, we wish to thank you for the facilities and accommodations you and your staff afford us at the Recreation Center and at Main Park. Also, we thank you for meeting with us and for the time Wade Willis and Tara Fotsch have spent assisting us with a possible 2016 improvement project at Main Park.

Many of us enjoy playing Pickleball utilizing the old In-Line hockey rinks at Main Park. We've been allowed to paint our own lines and bring our own nets and enjoy some cooler early morning and evening play. It also was our primary location for play during the Summer 2014 resurface of the Recreation Center gymnasium. We understand from our discussions with staff that the hockey rinks are no longer used for any type of organized hockey play, and rarely, if ever used for anything other than warm weather pickleball. Our hope is that the Town Board will favorably view the Advisory Board's recommendation and will consider a repurpose of one of the hockey rinks to 4, separately fenced outdoor pickleball courts.

Recently, Wade Willis arranged a meeting at Main Park with a coatings contractor experienced with court surfaces. George Stahlin is a Loveland contractor that recently built the two new tennis courts in Water Valley South. Our request and recommendation is to resurface half the existing concrete pad and create 4 fenced pickleball courts, surfaced like normal tennis courts at a cost of about \$41,000. Please note in the estimate that George is volunteering to do a complete proposal if needed.

We are happy to attend your September 21 Work Session to discuss this potential park improvement project. We'll look forward to your questions.

Sincerely,



Brian H. Moeck
Windsor, Co



Charlotte Jorgensen
Windsor, CO

c: Mr. Kelly Arnold



MEMORANDUM

Date: September 21, 2015
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Wade Willis, CPRP, Parks and Open Space Manager
Re: Poudre Water Shed Master Plan
Item #: WKS Item 3.

Background / Discussion:

The Coalition for the Poudre River Water Shed (CPRW) is a 501(c)3 a local nonprofit based in Fort Collins. CPRW has approached town staff regarding an opportunity to participate in a regional effort to develop a floodplain master plan for the Poudre River east of I-25. Their mission is to improve & maintain the ecological health of the Poudre River watershed through community collaboration. They work collaboratively with other stakeholders to identify the highest hazards in order to target on-the-ground restoration actions. CPRW's initial work has been focused on planning, prioritizing, and implementing post-fire restoration in the upper watershed in response to the High Park Fire. Some stakeholders in the lower portions of the river have identified a need for more work regarding flood and floodplain planning. CPRW is offering to help coordinate and lead a collaborative effort to respond to this need. CPRW staff has identified grant funding from the Community Block Development Grant – Disaster Recovery to fund this project. Staff from CPRW will provide a brief presentation about their efforts and the proposed project.

Financial Impact:

None at this time. If CPRW is successful in acquisition of the grant, some form of match may be required, staff anticipates the match requirements can be met with an in-kind contribution.

Relationship to Strategic Plan:

Goal 1.A, C, E, F & H

Recommendation:

Support Windsor's participation in the development of a floodplain restoration plan and with acquisition of a grant.

Attachments:

NA



FUTURE TOWN BOARD MEETINGS

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

September 28, 2015 6:00 p.m.	Town Board Work Session Construction Defects discussion – I. McCargar Municipal Code Sec. 16-10-20(1)i. regarding Home Occupations that Involve the Tutoring of more than two Students – P. Hornbeck
September 28, 2015 7:00 p.m.	Town Board Meeting Kern Board Meeting
October 5, 2015 6:00 p.m.	Town Board Work Session - Cancelled Town Board attending District 2 meeting in Severance, CO
October 12, 2015 5:30 p.m./1 st floor conference room	Board/Manager/Attorney Monthly Meeting
October 12, 2015 7:00 p.m.	Town Board Meeting
October 19, 2015 6:00 p.m.	Town Board Work Session Road Impact Fee review of “look-back” provisions
October 26, 2015 6:00 p.m.	Town Board Work Session NFRMPO presentation – Terri Blackmore Windsor-Weld County Coordinated Planning Agreement draft common development standards
October 26, 2015 7:00 p.m.	Town Board Meeting
November 2, 2015 6:00 p.m.	Town Board Work Session
November 9, 2015 5:30 p.m./1 st floor conference room	Board/Manager/Attorney Monthly Meeting
November 9, 2015 7:00 p.m.	Town Board Meeting Kern Board Meeting
November 16, 2015 6:00 p.m.	Town Board Work Session
November 16, 2015 6:00 p.m.	Town Board Work Session
November 23, 2015 7:00 p.m.	Town Board Meeting

November 30, 2015	Fifth Monday
December 7, 2015 6:00 p.m.	Town Board Work Session
December 14, 2015 5:30 p.m./1 st floor conference room	Board/Manager/Attorney Monthly Meeting
December 14, 2015 7:00 p.m.	Town Board Meeting
December 21, 2015 6:00 p.m.	Town Board Work Session

Additional Events

October 5, 2015	District 2 meeting – Severance – attending: Vazquez, Melendez, Baker, Morgan, Adams, Arnold
October 9, 2015; 5 pm	Conserving Nature's Resources VIP reception - attending: Melendez
October 10, 2015; 8 am	Budget work session
October 22, 2015; 6 pm	Larimer County dinner – attending: Vazquez, Melendez, Baker, Morgan, Adams
October 29, 2015; 6 pm	Weld County Town /County dinner

Future Work Session Topics

None.