



**TOWN BOARD REGULAR MEETING**  
December 14, 2015 - 7:00 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.

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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. Staff Recognition – K. Arnold
6. 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 23, 2015 Regular Town Board Meeting and December 7, 2015 Special Town Board Meeting – K. Eucker
2. Resolution No. 2015 -79 – A Resolution Appointing Special Counsel and Approving the Terms of a Legal Services Agreement Between the Town of Windsor and the Law Firm of Gast Johnson & Muffly, PC, and Authorizing the Mayor to Execute Same – I. McCargar

3. Resolution No. 2015-80 – A Resolution of the Windsor Town Board Delegating to the Windsor Town Clerk the Authority and Responsibility to Appoint Judges of Election for the Municipal Election on April 5, 2016, Pursuant to the Authority Granted by C.R.S. § 31-10-401 – P. Garcia
4. Resolution No. 2015-81 – Advisory Board Appointments (Clearview Library District) – K. Emil
5. Resolution No. 2015-82 – A Resolution of Support for Improvements to Interstate 25 – K. Arnold
6. Resolution No. 2015-83 – A Resolution of the Windsor Town Board Pursuant to Section 9.1 (A) of the Windsor Home Rule Charter Reaffirming the Appointment of and Amending the Terms of Representation Between the Town of Windsor and Town Attorney Ian D. McCargar
7. Resolution No. 2015-84 – A Resolution Ratifying, Approving, and Confirming the Terms and Conditions of the Employment Agreement, as Amended, Between the Town of Windsor and Town Manager Kelly E. Arnold
8. Cancellation of December 28, 2015 Regular Town Board Meeting – P. Garcia
9. Report of Bills for November 2015 – D.Moyer

#### C. BOARD ACTION

1. Ordinance No. 2015-1513 – An Ordinance Approving the Disconnection of a Portion of the Zeiler Farms Second Annexation Pursuant to the Colorado Municipal Annexation Act of 1965, and Rescinding a Prior Approval of Statutory Vested Property Rights With Respect to the Property Disconnected Herein – Patrick McMeekin, Vima Partners, LLC  
*Super-majority vote required for adoption on second reading*
  - Second reading
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney
2. Ordinance No. 2015-1514 – An Ordinance Pursuant to Chapter 16, Article XXIII of the *Windsor Municipal Code* Approving the RainDance Planned Unit Development Within the Town of Windsor – Raindance Aquatic Investments, LLC and William F. Larrick, Inc., applicants/Mitch Black, Norris Design, applicant's representative  
*Super-majority vote required for adoption on second reading*
  - Second reading
  - Quasi-judicial action
  - Staff presentation: Paul Hornbeck, Associate Planner
3. Ordinance No. 2015-1515 – An Ordinance Repealing, Amending and Readopting Article VII, Section 11-7-10 of the *Windsor Municipal Code* with respect to the Snow and Ice Removal Lien Process
  - First Reading
  - Legislative action
  - Staff presentation: Kimberly Emil, Assistant Town Attorney
4. Site Plan Presentation – Highlands Industrial Park Subdivision 6<sup>th</sup> Filing, Lot 1 – Concrete Equipment & Supply – Brent Gendreau, G & G Property LLC., applicant/ Roger Wedderburn, Infusion Architects, applicant's representative
  - Staff presentation: Josh Olhava, Associate Planner
5. Resolution No. 2015-85 – A Resolution Initiating Annexation Proceedings for the

Weakland Annexation to the Town of Windsor, Colorado – Pat Weakland, applicant

- Legislative action
  - Staff presentation: Paul Hornbeck, Associate Planner
6. Resolution No. 2015-86 – A Resolution of the Town Board Approving The Eastman Park Master Plan
    - Legislative action
    - Staff presentation: Wade Willis Parks & Open Space Manager
  7. Resolution No. 2015-87 – A Resolution Approving and Adopting the December 7, 2014, Intergovernmental Agreement Between the Town of Windsor and the Town of Severance with Respect to Cost-Sharing Associated with a Sanitary Sewer Pipeline
    - Legislative action
    - Staff presentation: Stacy Johnson, Director of Economic Development & Kelly Arnold, Town Manager
  8. Resolution No. 2015-88 – A Resolution Establishing Rates For Town Of Windsor Water Service Customers, And Authorizing The Implementation Of Such Rates
    - Legislative action
    - Staff presentation: Dean Moyer, Director of Finance
  9. Update on Boardwalk Park Band Shell/Pavilion Project
    - Staff presentation: Eric Lucas, Director of Parks, Recreation & Culture
  10. Financial Report
    - Staff presentation: Dean Moyer, Director of Finance

#### D. COMMUNICATIONS

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

#### E. EXECUTIVE SESSION

An executive session pursuant to § 24-6-402 (4)(a), C.R.S., concerning the purchase, acquisition, lease, transfer, or sale of real property, and no members of the Town Board have any personal interests in such purchase, acquisition, lease transfer, or sale – open space (Kelly Arnold and Eric Lucas)

#### F. ADJOURN

The Town Manager, Town Attorney and Town Board will be gathering at Hearth Restaurant & Pub, 205 1/2 4th Street, immediately following the regular meeting.



**TOWN BOARD REGULAR MEETING**  
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MINUTES

A. CALL TO ORDER

Mayor Vazquez called the regular meeting to order at 7:01 p.m.

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

Also Present:

- |   |                |
|---|----------------|
| Town Manager                              | Kelly Arnold   |
| Town Attorney                             | Ian McCargar   |
| Town Clerk/Assistant to Town Manager      | Patti Garcia   |
| Communications/Assistant to Town Manager  | Kelly Unger    |
| Chief of Police                           | John Michaels  |
| Director of Finance                       | Dean Moyer     |
| Director of Parks, Recreation and Culture | Eric Lucas     |
| Budget Analyst                            | Vicki Miller   |
| Director of Engineering                   | Dennis Wagner  |
| Manager of Parks and Open Space           | Wade Willis    |
| Associate Planner                         | Paul Hornbeck  |
| Chief Planner                             | Carlin Barkeen |

2. Pledge of Allegiance

Town Board Member Adams 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

**Town Board Member Melendez motioned to approve the agenda as presented. 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; North Front Range/MPO alternate  
Mayor Pro Tem Baker had no report.
- Town Board Member Morgan – Parks, Recreation & Culture; Great Western Trail Authority  
Town Board Member Morgan had no report.
- Town Board Member Melendez – Downtown Development Authority; Chamber of Commerce

Town Board Member Melendez had no report for the Chamber of Commerce. Ms. Melendez reported the DDA met the new executive director and plans to make a formal presentation in the near future. The Town of Windsor, DDA and Chamber of Commerce are working on Windsor Wonderland scheduled for Saturday December 5<sup>th</sup> starting at noon with numerous activities scheduled. Downtown business will also have complimentary ornaments for patrons making purchases in the businesses on December 5<sup>th</sup>. Also, November 28<sup>th</sup> is small business Saturday.

- Town Board Member Rose – Clearview Library Board  
Town Board Member Rose-Absent
- Town Board Member Bishop-Cotner – Historic Preservation Commission; Planning Commission  
Town Board Member Bishop-Cotner had no report.
- Town Board Member Adams – Tree Board; Poudre River Trail Corridor Board  
Town Board Member Adams reported the Tree Board meeting has been cancelled. The Poudre River Trail Board had a successful volunteer recognition dinner.
- Mayor Vazquez – Windsor Housing Authority; North Front Range/MPO  
Mayor Vazquez had no report.

5. Invited to be Heard

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

B. CONSENT CALENDAR

1. Minutes of the November 9, 2015 Regular Town Board Meeting – K. Eucker
2. Advisory Board Appointments - P. Garcia
3. Resolution No. 2015-68 - A Resolution of Support for the Town's Efforts in Seeking a Grant From the Colorado Department of Local Affairs Energy and Mineral Impact Assistance Funds for the Purpose of Building a Public Works Service Facility - K. Unger
4. Resolution No. 2015-69 – A Resolution Vacating a Portion of the 10 Foot Utility and Drainage Easement Located at the East Property Line of 701 Automation Drive – P. Hornbeck

Mr. Arnold commented on item number B.3 as it is a big resolution on consent for sake of agenda coordination which is a grant application for the public works facility. The Town is seeking upwards of \$1 million. The application is due on December 1, 2015 and is currently being finalized. A final copy will be made available to the Town Board when the application is submitted.

**Town Board Member Adams motioned to approve the consent calendar as presented; 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.**

C. BOARD ACTION

1. Long Form Grant Request – Windsor-Severance Historical Society
  - Presentation: Sandy Brug

Sandy Brug with the Windsor Severance Historical Society reported the society has raised almost \$10,000 to date for the sculpture that will be placed at Boardwalk Park. The reason this grant is so important is that it will do two major things; the Poudre Heritage Alliance grant process is coming up after the first of the year and is usually a matching grant so the more money we have towards the statue the more money we can ask for in the grant process. The other reason is to give the artist a chance to start working on the statue. The grant request will also allow the society to lock in prices for materials.

Ms. Melendez recommended providing half of the amount requested, \$25,000 from the 2015 budget with the remaining \$25,000 to fill in a gap at the end of the project. Once the funds are raised by the society and it is determined what that gap may be the remaining funds up to \$25,000 can be provided that at the end of the project.

Mr. Bishop-Cotner commented that the recommendation is reasonable to approve \$25,000 now and \$25,000 later to be able to move forward with the project.

Mr. Baker is also in support of the recommendation but clarified that \$25,000 will be the last portion of the project after the society's fundraising efforts.

Ms. Melendez stated that was correct but is also recommending approving \$25,000 at this time out of the 2015 budget.

Mr. Adams inquired if \$50,000 was already promised to this group.

Ms. Melendez stated when society was before the board the first time, a presentation was made but there was no request for funds.

Mr. Vazquez inquired if without the \$25,000 the project cannot move forward through the phase one component.

Mr. Brug stated that is correct.

Mr. Adams inquired as to what the impact would be if the society waited for the second \$25,000.

Ms. Brug stated it would not hurt the project.

For Clarification, Mr. Vazquez stated the initial \$25,000 is putting the project in motion and if the society is successful in fundraising efforts for phase two, the second \$25,000 will be the last money in to ensure the project is complete.

Mr. Brug stated that is correct.

Ms. Garcia stated balance remaining in the Outside Agency Funding budget is \$54,258.

**Town Board Member Melendez motioned to approve \$25,000 in funding out of the Town Board's 2015 Outside Agency fund for the purpose of defraying costs associated with a clay model of the sculpture. An additional \$25,000 from the 2015 Outside Agency Fund will be carried over into 2016 and kept available to provide "gap" funding upon further request for the costs of bronze casting once the Historical Society has completed its own fundraising efforts. The Town's Director of Finance will establish the means by which this funding is accounted. 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.**

2. Ordinance No. 2015-1512 – An Ordinance Amending Section 16-27-70 of the Windsor Municipal Code and Adopting the New Digitized Weld County Flood Insurance Rate Maps and Flood Insurance Study Pertaining to the Flood Damage Prevention Measures Applicable to Land Use Practices within the Town of Windsor
  - Second reading
  - Legislative action
  - Staff presentation: Dennis Wagner, Director of Engineering

**Town Board Member Melendez motioned to approve Ordinance No. 2015-1512 – An Ordinance Amending Section 16-27-70 of the Windsor Municipal Code and Adopting the New Digitized Weld County Flood Insurance Rate Maps and Flood Insurance Study Pertaining to the Flood Damage Prevention Measures Applicable to Land Use Practices within the Town of Windsor; Town Board Member Bishop-Cotner seconded the motion.**

Director of Engineering Dennis Wagner stated the ordinance is an amendment to the Windsor Municipal Code. The Federal Emergency Management Agency (FEMA) have updated maps and digitized maps so they are in electronic form. FEMA intends to adopt the digitized mapping in January of 2016.

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

3. Public Hearing – Ordinance No. 2015-1513 - An Ordinance Approving the Disconnection of a Portion of the Zeiler Farms Second Annexation Pursuant to the Colorado Municipal Annexation Act of 1965, and Rescinding a Prior Approval of Statutory Vested Property Rights With Respect to the Property Disconnected Herein – Patrick McMeekin, Vima Partners, LLC
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney

**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, Rose, Melendez, Bishop-Cotner, Adams, Vazquez; Nays- None; Motion passed.**

Town Attorney Ian McCargar stated at the request of the property owner, a portion of the Zeiler Farms Second Annexation is being proposed for disconnection from the Town's corporate limits. This property was brought into town in 2009, but has since undergone a change of ownership and a change in vision. The current owner, Vima Partners, LLC, has proposed that the property be returned to Weld County jurisdiction, and essentially maintained for agricultural purposes indefinitely. This action is tied to a reallocation of sewer treatment capacity from this property to the RainDance property.

The Statutes allow for disconnection by ordinance if the Town Board, after “due consideration”, concludes that the “best interests of the town will not be prejudiced by the disconnection of such tract”. It is believed this request will have no harmful impact on the town’s best interest.

Mr. Vazquez inquired if the property is not in the Town of Windsor, how can the town prevent a land use application in the county and what are the advantages and disadvantages?

Mr. McCargar stated included in the agreement is language that if land use applications are filed that do not fit in the permitted land uses, the ground could be annexed back into the town.

Mr. Vazquez inquired about not foregoing all land use applications in the future.

Mr. McCargar stated essentially what can take place on the property is what Weld County’s agricultural zoning allows with the understanding that if the property expands beyond four residences and agricultural use that the town will become involved.

Ms. Melendez inquired if that is the applicants understanding as well and are they in agreement.

Mr. McCargar stated the applicant has signed the Zeiler Density Transfer Agreement that contains those terms.

Mr. McCargar stated if the property is no longer in Windsor; it is not subject to vested property rights.

Mr. Baker inquired if this agreement carries if the property is sold.

Mr. McCargar stated the agreement goes with the land.

Mr. Morgan inquired as to how many acres the property is.

Mr. McCargar stated it is a quarter section; approximately 160 acres.

**Town Board Member Adams 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.**

4. Ordinance No. 2015-1513 - An Ordinance Approving the Disconnection of a Portion of the Zeiler Farms Second Annexation Pursuant to the Colorado Municipal Annexation Act of 1965, and Rescinding a Prior Approval of Statutory Vested Property Rights With Respect to the Property Disconnected Herein – Patrick McMeekin, Vima Partners, LLC

- First reading
- Legislative action
- Staff presentation: Ian McCargar, Town Attorney

**Town Board Member Adams motioned to approve Ordinance No. 2015-1513 - An Ordinance Approving the Disconnection of a Portion of the Zeiler Farms Second Annexation Pursuant to the Colorado Municipal Annexation Act of 1965, and Rescinding a Prior Approval of Statutory Vested Property Rights With Respect to the Property Disconnected Herein – Patrick McMeekin, Vima Partners, LLC; Town Board Member Melendez seconded the motion.**

Town Attorney Ian McCargar had nothing further to add.

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

5. Resolution No. 2015-70 - A Resolution Approving the First Amendment to Zeiler Farms Annexations and Master Plan Annexation and Development Agreement to Allow for the Reallocation of Sanitary Sewer Density to Serve the Proposed Raindance Development
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney

**Town Board Member Melendez motioned to approve Resolution No. 2015-70; Town Board Member Bishop-Cotner seconded the motion.**

Town Attorney Ian McCargar stated the resolution would approve an agreement that would transfer 549 sanitary density units from the Zeiler property and to the RainDance property. The request comes from the landowner and is part of an overall plan for RainDance that calls for increased density. The same pipes and the same treatment facilities that will be used for RainDance were planned for this portion of the Zeiler property. The other impact to the Zeiler property is that the density transfer will render the property undevelopable beyond the four residential units that are referred to in the agreement.

This agreement also contains some terms and requirements for re-annexation if an application is filed for use other than what is permitted. Also, if oil and gas activity takes place on the surface of this property, that portion will be re-annexed into Windsor and that portion could include enough to meet the contiguity requirements of the statute and that portion will not be subject to Windsor's oil and gas regulations.

Ms. Melendez inquired if this reallocation will have financial impacts to the property where the density is being transferred or to the town's current sanitary system.

Mr. McCargar stated engineering has studied the situation and concluded the system would use the same pipes and treatment plant; it will just be coming from a different location. There should be no impact.

Mr. Vazquez stated the reality this is a reduction of impact as infrastructure will not travel as far.

Ms. Melendez inquired if there was any financial impact.

Mr. McCargar stated it allows the RainDance property to be developed at a higher density than it would if this density had remained with Zeiler but has no real financial impact.

Mr. Adams commented that he was in support of the resolution.

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

6. Resolution No. 2015-71 - A Resolution Approving an Agreement for Reallocation of Sanitary Sewer Capacity Units by, between, and among the Town of Windsor, Trolco, Inc., Vima Partners, LLC, and Raindance Aquatic Investments, LLC
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney

**Town Board Member Adams motioned to approve Resolution No. 2015-71; Town Board Member Bishop-Cotner seconded the motion.**

Town Attorney Ian McCargar stated this agreement isolates certain portions of Water Valley and either strips entirely a parcel of its density or partially strips a parcel of density so those density units can then be transferred to the RainDance property. This agreement is complicated as there are several different properties held by several different property owners. The particular basins and the particular units of density are all laid out in Exhibit B included in the Town Board packet which is a study and amendment to the sanitary sewer plan that has been reviewed by the town's engineering staff.

Ms. Melendez inquired if the Engineering Department has been presiding over the agreement.  
Mr. McCargar stated they have been.

Ms. Melendez inquired if the applicant concurs with the agreement.  
Mr. McCargar stated the study was prepared by TST Inc. who is the developer's engineering firm with their work being checked on by town staff.

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

7. Public Hearing – Ordinance No. 2015-1514 - An Ordinance Pursuant to Chapter 16, Article XXIII of the Windsor Municipal Code Approving the Raindance Planned Unit Development Within the Town of Windsor – Raindance Aquatic Investments, LLC and William F. Larrick, Inc., applicants/Mitch Black, Norris Design, applicant's representative
  - Quasi-judicial action
  - Staff presentation: Paul Hornbeck, 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 –Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays- None; Motion passed.**

Associate Planner Paul Hornbeck stated there have been two changes other than what was presented in the packet. The first being two public comments that have been received in the last few days and the other change being the memo mentions the accessory dwelling units being proposed on lots under 6,000 square feet which was an issue with the Planning Commission. That has since been removed from the proposal.

The applicants, Raindance Aquatic Investments, LLC and William F. Larrick, Inc., represented by Mr. Mitch Black of Norris Design, are proposing to create a Planned Unit Development (PUD) overlay district on approximately 1,133 acres known as RainDance PUD. The subject property is located at the western terminus of New Liberty Road; north of and adjacent to Crossroads Boulevard; and east of and adjacent to County Line Road (WCR 13).

In accordance with Article XXIII of Chapter 16 of the Municipal Code, the intent of PUD regulations is, among other things, intended to “provide flexibility in land planning and development, resulting in amenable relationships between buildings and ancillary uses and permitting more intensive use of land where well-related open space and recreational facilities are integrated into the overall design.” A complete copy of the Article XXIII PUD regulations is attached for further reference.

The subject rezoning application will create a PUD overlay district which constitutes an amendment to the Town’s Official Zoning District Map and the minimum standards approved with the PUD will be applied to future land use applications within the PUD district. The RainDance PUD proposes variations in minimum lot size, setbacks, street standards and other aspects of development in order to accommodate specific product types and neighborhood concepts. This is consistent with the intent of PUD regulations which are “intended to accomplish the purposes of public control to the same extent as do zoning and other regulations applicable to conventional lot-by-lot development, while simplifying, integrating and coordinating land development controls and providing necessary flexibility to encourage design innovation and creative community development.”

In addition to the aforementioned variations to Municipal Code requirements, the PUD proposes side yard easements associated with some of the product types that would allow neighboring property owners to utilize the entire property between homes with limitations outlined in the PUD documents. The intent is to create a more useable area between homes than the typical five (5) foot offsets seen in standard subdivision development.

Another unique aspect of the proposed PUD is the use of certain agricultural uses at the perimeter of the property along County Line Road (WCR 13) and Crossroads Boulevard to maintain an open and agrarian character. The agricultural uses that are allowed are specified in the PUD documents and those uses that require appropriate site plan approvals will be required to meet the site plan requirements of the RainDance PUD documents. The process is similar to the administrative site plan requirements of the Municipal Code, but tailored to agricultural uses.

Mr. Vazquez inquired if the agricultural use would be counted towards landscaping requirements.

Mr. Hornbeck stated it would not count as landscaping requirements.

Mr. Vazquez inquired as to why the agricultural use would not be considered landscaping.

Mr. Hornbeck stated that is something that could be considered. Another consideration is that for half the year through the winter it could be bare.

An enhanced parks and open space system is one of the amenities proposed with the RainDance PUD to justify approval of the PUD. The final park layout will be determined with the future platting of the property, but the PUD documents indicate that the approximate location of open space and park features will be within one-third (1/3) mile radius to every resident.

Included among the objectives that the PUD provisions are intended to further: "To encourage unity and diversity in land development, resulting in convenient and harmonious groupings of uses, structures and common facilities, varied type, design and layout of housing and other buildings and appropriate relationships of open spaces to intended uses and structures." Based upon the application materials, the RainDance PUD appears to further this objective.

The proposal is in conformance with Comprehensive Plan, Vision 2025 document, and the Strategic Plan.

At the June 3, 2015 regular meeting, the Planning Commission voted to recommend approval of the proposed Planned Unit Development to the Town Board subject to the following conditions listed in the staff memo. In the time that has elapsed since the time of the Planning Commission meeting, the applicant has addressed all four of the items.

Mr. Baker inquired if there will be animal units allowed.

Mr. Hornbeck stated there are some animal units allowed; hens, beekeeping, fish hatchery and other similar uses.

Mr. Vazquez commented that the question may be directed more towards horses, cattle, goats and pigs.

Mr. Hornbeck stated he does not see where they are allowed.

Mr. Baker inquired about the trail network through the property.

Mr. Hornbeck stated this is in the early stages of development.

Mr. Vazquez inquired if this area has been included in the overall trail master plan and making the connection between County Road 13 and 7<sup>th</sup> Street.

Mr. Hornbeck stated there is a trail plan for that corridor.

Applicant Martin Lind stated there are extensive trails throughout the property and that is a very important part of the project.

Applicant's Representative Mitch Black provided a presentation of the RainDance PUD project. The design objective for the PUD is to establish design guidelines that will facilitate a dynamic and diverse built environment. Plans for the property will ultimately include parks, trails, a school, a commercial district, agricultural integrated throughout the site, a championship golf course, and a variety of housing products. The proposed standards are also consistent with other Northern Colorado communities. Embracing agriculture throughout the project is also a main focus.

New Liberty Road will also connect existing developments to the east and the west and the diagonal road will provide a view of Longs Peak.

Mr. Vazquez inquired if there would be any light industrial.  
Mr. Black stated there would not.

Ms. Melendez inquired if the amenities of the project will be available to residents of the project or open to all and if this will turn into a gated community.

Mr. Black stated the project will not turn into a gated community over all but sometimes the active adult piece can be a gated community.

Mr. Black also stated there would be public access on the south edge to the parks but the metropolitan district may be involved in the as well.

Mr. Arnold inquired if the oil and gas pads have been accommodated for as far as distances from developments.

Mr. Black stated they have.

Ms. Melendez inquired about the email provided by Mr. Hornbeck regarding a citizen concern on density impact.

Mr. Lind stated the density is still not a high density project even though the word density has been associated with this project. In Fort Collins, they require five units per acre and this project is about 2 ½ units per acre. This is a large parcel of land and densities are not exceeding or coming close to exceeding the limit.

Mr. Morgan inquired where the existing oil and gas wells will land.

Mr. Lind stated there are surface agreements in place and one well is being vacated. No structures will be planned out as it is all at grade.

Mr. Morgan inquired if the Poudre Trail will need to be rerouted.

Mr. Lind stated a portion will need to be relocated.

Mr. Vazquez stated currently the only thing that connects 7<sup>th</sup> Street to County Road 13 is Highway 392 so with this new development and the continuation of New Liberty Road through it, residents west of County Road 13 will be able to safely ride bikes into Windsor.

Mr. Vazquez inquired if the orchards and agricultural areas will be operated and maintained by the metropolitan district.

Mr. Lind stated ownership will stay within the district with the hope that individuals would lease the ground for crops.

Patrick Davey, 8795 Longs Peak Circle, Windsor, CO

Mr. Davey stated he likes the layout with the community center but believes it would be more useful in the center of the project and believes it would give a bigger buffer to the people in the Steeplechase subdivision. Mr. Davey also likes the idea of the agricultural lots but is concerned if they are owned by homeowners that they will become weed patches and turned into RV storage.

Earl Pittman, 8413 Cherry Blossom Drive, Windsor, CO

Mr. Pittman believes the pad sites that will be going in at RainDance are more than 2000 feet away from the school and there is actually pads at Windsor Charter Academy that are closer to the school

than what is proposed for RainDance. Mr. Pittman also stated he is in support of the development being proposed by providing jobs, more housing, and connectivity with other neighborhoods.

Karen Speed, 8310 Cherry Blossom Drive, Windsor, CO

Ms. Speed has concerns with the density and the amount of traffic that will be on County Road 13. When it rains and the river is up, the north end of County Road 13 is usually closed as the water has flooded the area making the only entrance and exit at Crossroads. Ms. Speed believes turning County Road 13 into a four lane road could be beneficial.

Mr. Vazquez stated based on traffic studies, that County Road 13 is Colorado Boulevard all the way down to Denver and is a major arterial road. At some point in the future it will be four lanes. The roads that are there today are not necessarily the roads that will be there 50 years from now.

Rebekah Wilson, 5435 Far View Court, Windsor, CO

Ms. Wilson agrees that New Liberty Road will be very beneficial for many neighborhoods. Ms. Wilson is concerned about buses that make stops on Steeplechase as the subdivision has become busier over time and is concerned with the opening of New Liberty Road it becoming even busier. Mr. Wilson is also concerned that the neighborhood is an equestrian neighborhood and trying to cross horses on a busy street is a very dangerous situation.

Mr. Lind stated there will be no RV storage or weed patches at RainDance. Mr. Lind stated County Road 13 and Crossroads is a bad intersection and is working on getting a stoplight at that intersection.

Mr. McCargar stated there was a fair amount of time examining what appears to be the master plan which is a separate agenda item. When the meeting comes to that agenda item, if folks want to be heard on that issue rather than the PUD ordinance, then they will be asked to come back up to make the record.

**Town Board Member Melendez 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.**

8. Ordinance No. 2015-1514 - An Ordinance Pursuant to Chapter 16, Article XXIII of the Windsor Municipal Code Approving the RainDance Planned Unit Development Within the Town of Windsor – Raindance Aquatic Investments, LLC and William F. Larrick, Inc., applicants/Mitch Black, Norris Design, applicant's representative
  - First reading
  - Quasi-judicial action
  - Staff presentation: Paul Hornbeck, Associate Planner

**Mayor Pro Tem Baker motioned to approve Ordinance No. 2015-1514 - An Ordinance Pursuant to Chapter 16, Article XXIII of the Windsor Municipal Code Approving the RainDance Planned Unit Development Within the Town of Windsor – Raindance Aquatic Investments, LLC and William F. Larrick, Inc., applicants/Mitch Black, Norris Design, applicant's representative; Town Board Member Adams seconded the motion.**

Associate Planner Paul Hornbeck had nothing further to add.

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

9. Resolution No. 2015-72 - A Resolution Approving an Agreement by, between and among the Town Of Windsor, Raindance Aquatic Investments, LLC, and William F. Larrick, Inc., with Respect to the Planned Unit Development Known as "Raindance"
- Legislative action
  - Staff presentation: Ian McCargar, Town Attorney

**Town Board Member Adams motioned to approve Resolution No. 2015-72; Town Board Member Morgan seconded the motion.**

Town Attorney Ian McCargar stated ordinarily an agreement of this sort is something that would be handled administratively. Since a particular component of this agreement was brought before the Town Board for discussion at a work session and the Town Board gave instruction on how to resolve the disagreement over review time frames as development proposals come in within the RainDance PUD, the agreement is being presented for approval. Language was accepted by the developer and the developer has signed the agreement. The agreement that was included in the packet does not contain section 6, the language that was agreed upon by the town and the developers. Mr. McCargar recommended approving the agreement with the understanding that section six will be inserted which allows for fixed development review time frames that were acceptable to the developer that also allows for some flexibility in the application of those depending on circumstances over time.

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

10. Resolution No. 2015-73 - A Resolution Approving an Amended Master Plan for Property Within the Windsor Highlands Annexation No. 2, Raindance River Annexation and Windsor Highlands Annexation No. 1, Formerly Known As "Water Valley West", Which Property Shall Henceforth be Known as "Raindance" – Martin Lind, Raindance Aquatic Investments, LLC, applicant/Mitch Black, Norris Design, applicant's representative
- Quasi-judicial action
  - Staff presentation: Paul Hornbeck, Associate Planner

**Town Board Member Morgan motioned to approve Resolution No. 2015-73; Mayor Pro Tem Baker seconded the motion.**

Mr. Hornbeck stated the master plan amendment is proposed to reflect the RainDance PUD that was approved earlier this evening. The subject property was previously master planned and subdivided as Water Valley West. The residential and commercial density proposed in the amended master plan and the PUD are based on approval of earlier agenda items this evening.

The proposal is in conformance with the Comprehensive Plan, Vision 2025 document and the Strategic Plan.

At the June 3, 2015 Planning Commission meeting, the commission voted to recommend approval of the proposed amended master plan subject to conditions outlined in the staff memo; conditions 1-3 have all been addressed since that time. Condition four remains as an ongoing discussion between the town attorney and the applicant.

Mr. McCargar recommended the applicant state for the record that the material presented earlier when discussing the PUD would be considered by the Town Board when it comes to the master plan. The burden does fall on the applicant to demonstrate that an amended master plan is appropriate. Also, if anyone has comment to make on the master plan issue they can either speak separately to it or make reference to their comments made earlier.

Mr. Lind stated he is affirming and confirming that what has been submitted is what has been requested and understands the burden going forward to follow the guidelines.

Mr. Vazquez inquired if the applicant requests the evidence and information presented for the PUD application also be included as part of the master plan application.

Mr. Lind stated that is correct.

Patrick Davey, 8795 Longs Peak Circle, Windsor, CO

Mr. Davey stated he would like to see the heavier densities moved more into the center of the PUD.

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

11. Resolution No. 2015-74 – A Resolution of Support for the use of Larimer County Mill Levy Funds for Interstate 25 (I-25) Improvements

- Legislative action
- Staff presentation: Kelly Arnold, Town Manager

**Town Board Member Melendez motioned to approve Resolution No. 2015-74; Town Board Member Bishop-Cotner seconded the motion.**

Town Manager Kelly Arnold stated at a recent annual Larimer County municipal dinner meeting, representatives from Larimer County discussed a method of using Larimer County Road and Bridge Mill Levy funds to help off-set potential match funds needed for I-25 bridge improvements. The proposal is that Larimer County would increase the County Road and Bridge Mill levy by .4228 and lower the County General Fund Mill levy by a similar amount. This would generate an additional \$2 million a year for the Road and Bridge Mill levy. By statute, the Road and Bridge Mill levy is distributed to municipalities and county by a valuation formula. The proposal is that the municipal distribution of the increase would be kept by the County and used a match for the I-25 bridge improvements.

According to current valuations, the mill levy increase would mean an increase for Windsor in the amount just over \$22,000. The proposal is that this mill levy increase would stay in affect for a five year period. This proposal would not affect our current allocation and that would be distributed to Windsor as normal. Those funds are budgeted and used in the General Fund for street operational purposes.

The Resolution supports the proposal and also directs staff to engage in developing an Intergovernmental Agreement that would document the specifics of the proposal.

Mr. Vazquez stated Larimer County is shifting mills out of their general fund into their bridge and roadways fund but statutorily they then will be entitled to a portion of whatever roadway and bridge revenues they appropriate. So for clarification, our base is not going to change, any increase in the increment above and beyond what Windsor is currently already receiving they want to us forgo our ability to collect that revenue because they are pulling it out of the general fund and putting it into roadways and bridges. Also, the town is not waiving the base of \$20,000-\$30,000 that Windsor collected last year as that amount will still continue to be collected. Larimer County has come up with a creative solution to find alternate revenue sources to put into roadways and bridges without doing a tax increase and what they have realized is that they can redirect or re-appropriate funds out of their general fund into capital but if they do that, then by statue they would have to give us a percentage and through the IGA, the town is agreeing to forgo the entitlement to that increment.

Ms. Melendez inquired it states in the proposal if the grant was approved; what will happen if it is not awarded.

Mr. Arnold stated that will need to be worked into the IGA as that point had not been reached.

Ms. Melendez inquired if the valuation will be looked at year by year.

Mr. Arnold stated this proposal is based on today which is for presentation purposes only. As valuations increase, that money will also increase.

Mr. Baker inquired if we will still get the \$27K.

Mr. Arnold stated that is correct.

Mr. Morgan inquired if the area north of Crossroads will be one of the projects.

Mr. Arnold stated there are three bridges on I-25 that cross the Little Thompson, Big Thompson and Poudre Rivers that the funds from this will go towards.

Mr. Baker stated the Crossroads overpass is addressed by CDOT, \$30 million project.

Mr. Arnold stated that is a separate project.

Mr. Vazquez stated there are two projects that will happen in 2016 including I-25 and Crossroads and an extra lane from Highway 402 south. There is also a federal highway bill that could bring some extra widening and other lanes to I-25 but that is unknown at this time.

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

12. Public Hearing 2016 Budget

- Legislative action
- Staff presentation: Dean Moyer, Director of Finance

**Town Board Member Melendez motion 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.**

Director of Finance Dean Moyer stated the budget process started in August with a CIP meeting where capital projects were discussed, followed by the budget retreat in October and at the last meeting of the Town Board an update was given on any changes.

Mr. Moyer provided an overview of the Condensed Summary included in the packet.

- Beginning balance of all funds will be approximately \$60 million
- Estimated revenue collections are approximately \$45 million
- Estimated expenditures are approximately \$57 million
- Ending balance at the end of 2016 to be approximately \$47 million

Mr. Vazquez inquired as to why there was such a significant increase of 91% in the Mayor, Board and Municipal Court budget.

Mr. Moyer stated the 2016 budget reflects a transfer of funds into that budget for the public works / parks maintenance facility that is being paid for in cash. The funds were reflected in the general funds portion.

Mr. Baker inquired about the revenue from the recreation center bonds that were received in 2015; in theory there was a large surplus last year.

Mr. Moyer stated that is correct.

Mr. Vazquez inquired if only these two years will the anomalies be seen.

Mr. Moyer stated that is correct unless there is another similar project.

Mr. Arnold stated the Event Coordinator position is being evaluated as this position has been outsourced. In the future, that position may be brought back in house.

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

13. Resolution No. 2015-75 - 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, 2016, And Ending On The Last Day Of December, 2016, 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 2016 Budget Year

- Legislative action
- Staff presentation: Dean Moyer, Director of Finance

**Town Board Member Morgan motioned to approve Resolution No. 2015-75; Town Board Member Bishop-Cotner seconded the motion.**

Director of Finance Dean Moyer had nothing further to add.

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

14. Resolution No. 2015-76 - A Resolution Levying General Property Taxes For The Taxable Year 2015 To Help Defray The Costs Of Government For The Town Of Windsor, Colorado, For The 2016 Budget Year (Weld County)

- Legislative action
- Staff presentation: Dean Moyer, Director of Finance

**Town Board Member Melendez motioned to approve Resolution No. 2015-76; Town Board Member Bishop-Cotner seconded the motion.**

Director of Finance Dean Moyer stated Windsor's mill levy is 12.03.

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

15. Resolution No. 2015-77 - A Resolution Levying General Property Taxes For The Taxable Year 2015 To Help Defray The Costs Of Government For The Town Of Windsor, Colorado, For The 2016 Budget Year (Larimer County)

- Legislative action
- Staff presentation: Dean Moyer, Director of Finance

**Mayor Pro Tem Baker motioned to approve Resolution No. 2015-77; Town Board Member Bishop-Cotner seconded the motion.**

Director of Finance Dean Moyer had nothing further to add.

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

16. Resolution No. 2015-78 - A Resolution of the Town Board of the Town of Windsor, Colorado, Approving the 2016 Windsor Downtown Development Authority Budget; Making Annual Appropriations for the Windsor Downtown Development Authority for the Fiscal Year Ending December 31, 2015; and Fixing the Mill Levy for the Windsor DDA District for the Fiscal Year Ending December 31, 2016

- Legislative action
- Staff presentation: Patti Garcia, Town Clerk/Assistant to Town Manager

**Town Board Member Adams motioned to approve Resolution No. 2015-78; Town Board Member Bishop-Cotner seconded the motion.**

Town Clerk Patti Garcia represented the Downtown Development Authority (DDA) as Colorado State Statute requires that each year the DDA present their budget to the Town Board for review and approval. The Town Board previously reviewed the budget at a work session and the DDA did approve their budget at their October regular meeting. The only change to the budget is based on the executive director position being contracted out; the wages that were included under personal services were moved to contract fees. Also the mill levy has been increased to four mills and will likely increase to the maximum five mills next year.

Mr. Baker inquired about the \$110,000 out of \$240,000 is going to actual projects as that seems like a small amount.

Ms. Garcia stated at the time the budget was developed the executive director position was still being looked at, the library feasible study was moving forward and ideas regarding the back lots were being discussed. Once the contract is signed and the executive director is introduced to the Town Board, it will be clear that the executive director comes with all the expertise of development planning, architecture, all of the pieces to move the DDA to the next level.

Mr. Arnold stated the DDA heard the necessity of moving onto other projects and making sure there is some impact being shown. It is anticipated the DDA will be talking to the Town Board in the near future regarding ideas, vision and the agreement that will expire in a little over a year.

Ms. Melendez stated the new hire comes with a lot of experience in development and that is the next phase of the DDA.

Mr. Baker stated it seems like 42% of funds going to projects is pretty low.

Ms. Garcia stated that is a lot of carry over and the IGA actually speaks to only allowing use of those carry over funds for capital projects and cannot be used for general administration.

**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 reminded the Town Board of the executive session.
2. Communications from Town Staff  
Mr. Vazquez inquired about the Syrian refugees relocating to Greeley.  
Chief Michaels stated there have been relocations from various countries into Colorado but specific numbers are not available.

Mr. Vazquez inquired about anything that law enforcement is concerned with.

Chief Michaels stated intelligence reports are received from various federal agencies but nothing to cause an alarm at this point.

Mr. Vazquez has heard Loveland, Fort Collins and Greeley are preferred cities for relocation.

Chief Michaels has not heard that information.

Earl Pittman stated Syrian refugees have come into Colorado through the Colorado Refugee Program. There been five families that have come into Colorado in 2015. There are Syrian families that have sponsored members of their family to come live with them. Syrian refugees are placed in metropolitan cities like Denver and Colorado Springs with access to a case worker within a 50 mile radius. Refugees are living in government funded housing.

3. Communications from the Town Manager

Mr. Arnold congratulated all that were involved in completing the budget. Almost nine years of ongoing discussion with the federal government on the need for maps. Congratulations on wrapping up many long term projects this evening.

4. Communications from Town Board Members

Mr. Vazquez congratulated the Windsor football team for their win at Palmer Ridge and the next game is scheduled for Saturday at 1:00 in Longmont.

E. EXECUTIVE SESSION

An executive session pursuant to C.R.S. § 24-6-402 (4) (b) to confer with the Town Attorney for the purposes of receiving legal advice on specific legal questions concerning Raindance Conservation Easement (Ian D. McCargar)

**Town Board Member Melendez motioned to go into executive session pursuant to C.R.S. § 24-6-402 (4) (b) to confer with the Town Attorney for the purposes of receiving legal advice on specific legal questions concerning Raindance Conservation Easement (Ian D. McCargar); 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.**

**Upon a motion duly made, the Town Board returned to the regular meeting at 10:24 p.m.**

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

Upon returning to the regular meeting, Mayor Vazquez advised that if any participants in the Executive Session believed the session contained any substantial discussion of any matters not included in the motion to convene the Executive Session, or believed any improper action occurred during the Session in violation of the Open Meetings Law; such concerns should now be stated. Hearing none, the Regular Meeting resumed at 10:24 p.m.

F. ADJOURN

**Town Board Member Bishop-Cotner motioned to adjourn; 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.**

The meeting was adjourned at 10:24 p.m.



**TOWN BOARD SPECIAL MEETING**  
December 7, 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.

MINUTES

A. CALL TO ORDER

Mayor Vazquez called the regular meeting to order at 6:01 p.m.

- |                     |        |  |
|---------------------|--------|--|
| 1. <u>Roll Call</u> | Mayor  | John Vazquez<br>Christian Morgan<br>Jeremy Rose<br>Kristie Melendez<br>Robert Bishop-Cotner<br>Ivan Adams<br>Myles Baker |
|                     | Absent |  |

|               |                                      |              |
|---------------|--------------------------------------|--------------|
| Also Present: | Town Manager                         | Kelly Arnold |
|               | Town Attorney                        | Ian McCargar |
|               | Town Clerk/Assistant to Town Manager | Patti Garcia |

2. Pledge of Allegiance  
Town Board Member Adams led the Pledge of Allegiance.

B. EXECUTIVE SESSION

1. An executive session pursuant to §24-6-402 (4) (f)(I) to discuss personnel matters where the employees who are the subject of the executive session have not both requested an open meeting - Town Manager annual review, Town Attorney annual review (K. Arnold and I. McCargar)  
**Town Board Member Melendez motioned to go into an executive session pursuant to §24-6-402 (4) (f)(I) to discuss personnel matters where the employees who are the subject of the executive session have not both requested an open meeting - Town Manager annual review, Town Attorney annual review; Town Board Member Morgan seconded the motion. Roll call on the vote resulted as follows: Yeas – Rose, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays-None; Motion passed.**

Upon a motion duly made, the Town Board returned to the regular meeting at 6:07 p.m.

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

Upon returning to the regular meeting, Mayor Vazquez advised that if any participants in the Executive Session believed the session contained any substantial discussion of any matters not included in the motion to convene the Executive Session, or believed any improper action occurred during the Session in violation of the Open Meetings Law, such concerns should now be stated.

Hearing none, the Regular Meeting resumed at 8:35 p.m.

C. ADJOURN

**Town Board Member Bishop-Cotner motioned to adjourn; Town Board Member Melendez seconded the motion. Roll call on the vote resulted as follows: Yeas - Rose, Melendez, Bishop-Cotner, Adams, Vazquez; Nays – None. Motion passed.**

The meeting was adjourned at 8:35 p.m.

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Krystal Eucker, Deputy Town Clerk



## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Regular meeting materials, December 14, 2015  
**From:** Ian D. McCargar, Town Attorney  
**Re:** Appointment of Special Litigation Counsel (Raindance Conservation Easement)  
**Item #:** B.2.

### **Background / Discussion:**

The attached Legal Services Agreement was presented to me by Todd Rogers of Gast Johnson & Muffly, PC. Under the terms set forth in the attached, Mr. Rogers is prepared to accept your appointment as special counsel in the Raindance Aquatic Investments suit pursuant to Charter Section 9.1 (G). He has already undertaken steps to protect the Town's interests in the litigation, and will continue to work with my office as the case unfolds.

Approval of his fee agreement assures compliance with the ethical duties of lawyers established by the Colorado Supreme Court. I have reviewed the fee agreement, and recommend its approval.

### **Recommendation:**

Adopt attached Resolution.

### **Attachments:**

- A Resolution Appointing Special Counsel and Approving the Terms of a Legal Services Agreement Between the Town of Windsor and the Law Firm Of Gast Johnson & Muffly, PC, and Authorizing the Mayor to Execute Same
- Legal Services Agreement

TOWN OF WINDSOR

RESOLUTION NO. 2015-79

A RESOLUTION APPOINTING SPECIAL COUNSEL AND APPROVING THE TERMS OF A LEGAL SERVICES AGREEMENT BETWEEN THE TOWN OF WINDSOR AND THE LAW FIRM OF GAST JOHNSON & MUFFLY, PC, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

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

WHEREAS, the Town has been named in a law suit filed in the Weld County District Court, which suit challenges the integrity of a conservation easement granted to the Town in 2003; and

WHEREAS, the Town Attorney has recommended the retention of special counsel in accordance with Charter Section 9.1 (G); and

WHEREAS, the Town Board has concluded that the Town’s interests in this litigation should be protected through the appointment of special counsel; and

WHEREAS, Todd W. Rogers of the law firm of Gast Johnson & Muffly, PC, (“the Firm”) has demonstrated the requisite skill, training, education and experience in the area of real property litigation, such that he is well qualified to serve as lead counsel in litigation protecting the Town’s interests; and

WHEREAS, Mr. Rogers has presented to the Town the attached Legal Services Agreement, incorporated herein by this reference as if set forth fully, thus memorializing the terms of the Firm’s representation; and

WHEREAS, the Town Attorney has reviewed and approved the attached Legal Services Agreement, determining it complies with the requirements of the Colorado Rules of Professional Conduct; and

WHEREAS, the Town Board wishes to appoint Mr. Rogers in this capacity, and to approve the attached Legal Services Agreement.

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

1. Todd Rogers of Gast Johnson & Muffly, PC, is hereby appointed special litigation counsel for the Town with respect to the pending litigation pursuant to Section 9.1 (G) of the Town’s Home Rule Charter.
2. The attached Legal Service Agreement between the Town of Windsor and the law firm of Gast Johnson & Muffly, PC, is hereby approved.

3. The Mayor is hereby authorized to execute the attached Legal Services Agreement on the Town's behalf.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By: \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

## LEGAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into this 19<sup>th</sup> day of November, 2015, by and between Gast Johnson & Muffly PC, the address of which is 323 South College Avenue, Suite 1, Fort Collins, CO 80524, hereinafter referred to as "the Firm," and Town of Windsor whose address for the purposes of this Agreement is c/o Ian McCargar, Town Attorney, 301 Walnut Street, Windsor, CO 80550, hereinafter referred to as "the Client."

The Client has requested that the Firm represent the Client in connection with a conservation easement held by the Client and certain litigation related to the conservation easement.

The purpose of this Legal Services Agreement is to set forth the mutual understanding of the Firm and the Client regarding the Firm's legal representation of the Client. The Firm and the Client agree as follows:

1. Attorney's Fees. The Client agrees to pay the Firm for services rendered on behalf of the Client. The hourly rate for attorneys' range from \$200 - \$225, depending on the attorney providing the service. The rate for legal assistants and paralegals range from \$75 - \$120 per hour.

Time will be recorded in one tenth (1/10) hour increments. Work for which time will be recorded includes, but is not limited to, the following: conferences with the Client and others, legal research, factual investigation, preparation of correspondence and legal documents, reading and analyzing email, correspondence and legal documents, preparation for and appearance in court and at other meetings, travel to and from court appearances and other meetings, and telephone conversations with the Client and others.

Statements for services rendered will generally be mailed on a monthly basis. The statements will indicate the work which was performed, the date upon which the work was performed, the time spent on each task, and the total amount due for the work performed during the period. Each statement will also itemize all costs advanced by our Firm on your behalf during the same period. Accounts which are more than thirty (30) days delinquent will accrue interest at the rate of eighteen percent (18%) per year until paid. The Client agrees to pay all costs, including reasonable attorney's fees, incurred by the Firm in collecting amounts owed to the Firm by the Client.

2. Expenses. The Client acknowledges that the Firm may incur various expenses in providing services to the Client. Examples of such expenses include, but are not limited to, court filing fees, deposition costs, expert witness fees, long distance telephone charges, photocopying, fax, and travel. The Client shall reimburse the Firm for all expenses paid by the Firm on behalf of the Client and said expenses shall be indicated on the monthly statements sent by the Firm to the Client. Certain expenses may be billed directly to the Client by the provider. In the event that the Client authorizes Gast Johnson & Muffly PC to retain other professionals or service providers, the Client agrees to pay the fees and charges of every other person or entity hired by Gast Johnson & Muffly PC pursuant to such authorization.

3. Representation by the Firm. Todd W. Rogers will have primary responsibility for your representation and will utilize other attorneys and office personnel in the best exercise of his professional judgment. Some aspects of our representation will require a higher expertise than others. It is our policy to assign and delegate responsibilities based upon the degree of experience and expertise required. If a paralegal is assigned to your matter, you should feel comfortable discussing informational matters with the paralegal, a highly skilled non-lawyer who works under the direct supervision of an attorney. Paralegals, as well as all our staff, are bound by the same codes of professional conduct and confidentiality as attorneys. However, paralegals are not attorneys and may not give you legal advice or operate independently of the supervising attorney. The primary contact should always be between the client and the attorney.

4. Termination of Representation. The Client may terminate the Firm’s representation by giving notice of such termination to the Firm in writing. If permission for withdrawal from any pending litigation is required by the rules of any court, the Firm shall withdraw from such litigation upon permission of the court. The Client shall pay to the Firm any balance due and owing for services rendered and expenses incurred to the date of the Firm's receipt of the Client's letter of termination. Such fees and expenses shall be due and payable on the date of termination.

5. Withdrawal of Representation. The Firm may withdraw as counsel for the Client and terminate this Agreement for any just cause by notifying the Client in writing. Examples of just cause for termination include, but are not limited to, the Client's failure to pay the Firm's fees or expenses within thirty (30) days after the mailing of any statement to the Client, the Client's failure to cooperate with the Firm in its representation of the Client, a determination that representation of the Client would result in a conflict of interest for the Firm, and any action or request by the Client which would require the Firm to violate the Code of Professional Responsibility approved by the Supreme Court of Colorado.

6. Document Retention Policy. Under the Firm’s document retention policy, we normally destroy client files seven years after a matter is closed, unless other arrangements are made with the Client. At that time, you will be contacted at your last known address to determine whether you would like to pick up your file(s) or have our firm destroy the records.

The Firm and the Client have executed this Agreement on the day and year set forth above.

GAST JOHNSON & MUFFLY PC

TOWN OF WINDSOR

By: \_\_\_\_\_  
Todd W. Rogers

By: \_\_\_\_\_

“The Firm”

“The Client”



## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Kelly Arnold, Town Manager  
**From:** Patti Garcia, Town Clerk/Assistant to the Town Manager  
**Re:** Resolution delegating to the Town Clerk authority to appoint election judges  
**Item #:** B.3.

**Background / Discussion:**

Colorado Revised Statute 31-10-401 grants the Town Board authority to consider a resolution delegating to the Town Clerk the authority and responsibility to appoint election judges. The base requirement to serve as an election judge is to be a registered voter in the state of Colorado.

The Clerk's office will solicit for judges in January/February 2016 and hold training for those being appointed in March 2016.

The attached resolution will permit the Town Clerk to appoint election judges for the April 5, 2016 municipal election.

**Relationship to Strategic Plan:**

Goal 1.B.

**Recommendation:**

Approve Resolution No. 2015-80 - A Resolution of the Windsor Town Board Delegating to the Windsor Town Clerk the Authority and Responsibility to Appoint Judges of Election for the Municipal Election on April 5, 2016, Pursuant to the Authority Granted by C.R.S. § 31-10-401

**Attachments:**

Resolution No. 2015-80

TOWN OF WINDSOR

RESOLUTION NO. 2015-80

A RESOLUTION OF THE WINDSOR TOWN BOARD DELEGATING TO THE WINDSOR TOWN CLERK THE AUTHORITY AND RESPONSIBILITY TO APPOINT JUDGES OF ELECTION FOR THE MUNICIPAL ELECTION ON APRIL 5, 2016, PURSUANT TO THE AUTHORITY GRANTED BY C.R.S. § 31-10-401

WHEREAS, the Regular Municipal Election for the Town of Windsor will take place on April 5, 2016; and

WHEREAS, C.R.S. § 31-10-401 grants the Town Board the authority to act by resolution to delegate to the Town Clerk the authority and responsibility to appoint judges of election; and

WHEREAS, the Town Board wishes to delegate the statutory authority for appointment of election judges to the Town Clerk as provided by law.

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

1. The Town Clerk for the Town of Windsor is authorized to appoint election judges pursuant to C.R.S. § 31-10-401, and to make and file a list of all persons so appointed.
2. Such list shall be a public record and shall be subject to inspection and examination during office hours by any qualified elector of the municipality with the right to make copies thereof.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

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John S. Vazquez, Mayor

ATTEST:

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Patti Garcia, Town Clerk

TOWN OF WINDSOR

RESOLUTION NO. 2015-81

A RESOLUTION RATIFYING THE CLEARVIEW LIBRARY DISTRICT'S INTERVIEW COMMITTEE SELECTIONS FILLING LIBRARY BOARD VACANCIES PURSUANT TO SECTION 4 OF THE DISTRICT'S BYLAWS

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 and the Weld Re-4 School District ("School District") formed the Windsor-Severance Library District, now known as the Clearview Library District ("Library District"), in accordance with Colorado law; and

WHEREAS, the Library District's Bylaws required that an Interview Committee be formed to assist the Library District in filling Library District Board vacancies, such Interview Committee consisting of School District appointees, Town Board appointees, and one member appointed by the Library District; and

WHEREAS, the Interview Committee ("Committee") met on December 1, 2015 to interview applications received for two (2) available positions, a board member and an alternate board member; and

WHEREAS, the Committee recommends Catherine Davis as the Library Board member and Rochelle Brotsky as the alternate board member; and

WHEREAS, the Clearview Library Board Bylaws § 4.4.2 requires the Town Board and the RE-4 School Board to ratify the Interview Committee's selections at their next regularly scheduled meeting; and

WHEREAS, the Town Board wishes to ratify the selections of Catherine Davis as the Library Board member and Rochelle Brotsky as the alternate board member.

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

1. Town Board hereby ratifies the selections of the Clearview Library District's Interview Committee of Catherine Davis, Library Board member, and Rochelle Brotsky, alternate Library Board member, pursuant to the Clearview Library Board Bylaws § 4.4.2.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By: \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

TOWN OF WINDSOR

RESOLUTION NO. 2015-82

A RESOLUTION OF SUPPORT FOR INTERSTATE 25 (I-25) IMPROVEMENTS

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 recognizes that Interstate Highway 25 (“I-25”) represents a vital connection for the communities of northern Colorado; and

WHEREAS, I-25 is an essential commuter and freight corridor and the only Colorado highway on the national freight plan; and

WHEREAS, the improvement of I-25 is essential for the economic health and wellbeing of the northern Colorado region; and

WHEREAS, the communities of northern Colorado wish to communicate the formal request of their communities and citizens; and

WHEREAS, the Town of Windsor requests that the legislature consider any and all actions to expedite the improvement and expansion of north I-25.

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

1. The Town of Windsor hereby requests and supports the legislature’s consideration of any and all actions to expedite the improvement and expansion of north I-25, including the following:
  - Support for a TRANS bond II ballot initiative;
  - Support for General Fund dollars benefiting transportation (maintenance and construction);
  - Support modification to Senate Bill 09-228 for maintenance designated for TRANS bond;
  - Support extending Senate Bill 09-228 for 10 years;
  - Support new revenue streams adopted by vote of electors, so long as they are designated for TRANS bond and the benefit goes toward transportation; and
  - Support tax credit legislation for specific highway projects.
2. This Resolution shall be effective as of the date of its adoption.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By: \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

TOWN OF WINDSOR

RESOLUTION NO. 2015-83

A RESOLUTION OF THE WINDSOR TOWN BOARD PURSUANT TO SECTION 9.1 (A) OF THE WINDSOR HOME RULE CHARTER REAFFIRMING THE APPOINTMENT OF AND AMENDING THE TERMS OF REPRESENTATION BETWEEN THE TOWN OF WINDSOR AND TOWN ATTORNEY IAN D. McCARGAR

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

WHEREAS, the Town’s Home Rule Charter provides for the appointment of the Town Attorney to serve as general legal counsel to the Town; and

WHEREAS, Ian D. McCargar serves as the Town Attorney pursuant to the Town Board’s appointment; and

WHEREAS, in 2013, the Town Board accepted the terms of representation between Mr. McCargar and the Town in the form of an engagement letter later executed by the Mayor on the Town’s behalf; and

WHEREAS, the Town Board has undertaken its annual review of Mr. McCargar’s performance, and has re-affirmed his appointment to serve as the Town Attorney; and

WHEREAS, the Town Board wishes to amend the terms of representation set forth in the engagement letter by increasing the amount of compensation payable to Mr. McCargar, effective January 1, 2016.

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

**Section 1.** Ian D. McCargar is hereby re-appointed to serve as Town Attorney for the Town of Windsor, subject to and in accordance with the Windsor Home Rule Charter and the Colorado Code of Professional Conduct.

**Section 2.** The compensation and office budget for the Office of the Town Attorney shall be as set forth in Resolution 2015-75, subject to a three percent (3%) increase over Mr. McCargar’s 2015 salary, effective January 1, 2016.

**Section 3.** In addition, Mr. McCargar shall be eligible for the 1% increase in Town employer retirement contributions as authorized in Resolution 2015-75.

**Section 4.** All other terms of Mr. McCargar’s professional relationship with the Town shall remain as set forth in the engagement letter dated December 9, 2013.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By: \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

**FIFTH AMENDMENT  
TO  
EMPLOYMENT AGREEMENT DATED JANUARY 12, 2009**

THIS FIFTH AMENDMENT TO EMPLOYMENT AGREEMENT DATED JANUARY 12, 2009, is dated December 14, 2015, and is between the Town of Windsor, Colorado, a Colorado Home Rule Municipality (“Town”), and Kelly E. Arnold, Town Manager.

In accordance with the terms of the Town of Windsor Home Rule Charter, the parties wish to memorialize certain understandings with respect to the ongoing relationship between the Town and Mr. Arnold. Therefore, except as specifically set forth below, the parties reaffirm all provisions of the Employment Agreement dated January 12, 2009 (“Employment Agreement”), which provisions are incorporated herein by this reference as if set forth fully.

Notwithstanding the foregoing, the parties agree to amend the Employment Agreement as follows:

1. Section 6 (a) of the Employment Agreement shall be amended to read as follows:

Subject to the terms and conditions regarding termination as set forth elsewhere in this Employment Agreement, the Town agrees to pay the Employee as Town Manager a base annual salary of One-hundred-fifty-nine-thousand seventy-seven dollars (\$159,077.00), effective January 1, 2016, which represents a three percent (3%) increase over Mr. Arnold’s base salary for 2015.

2. Section 10 of the Employment Agreement shall be amended to read as follows:

Retirement Fund Contribution. The Town shall make monthly contributions to the Employee's 457 retirement fund in an amount equal to seven and one-half percent (7.5%) of Employee’s monthly salary, which represents a one percent (1%) increase over the previously-agreed contribution. In addition, at such time as the Employee becomes eligible to participate in the Town’s 401(a) Retirement Plan, he shall be afforded all benefits thereunder consistent with the Windsor Employee Handbook.

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

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

TOWN OF WINDSOR, COLORADO

\_\_\_\_\_  
John S. Vazquez, Mayor

\_\_\_\_\_  
Kelly E. Arnold, Town Manager

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ian D. McCargar, Town Attorney

TOWN OF WINDSOR

RESOLUTION NO. 2015-84

A RESOLUTION RATIFYING, APPROVING, AND CONFIRMING THE TERMS AND CONDITIONS OF THE EMPLOYMENT AGREEMENT, AS AMENDED, BETWEEN THE TOWN OF WINDSOR AND TOWN MANAGER KELLY E. ARNOLD

WHEREAS, the Town of Windsor (“Town”) is by its Home Rule Charter structured as a “council-manager” form of government, under which the Town Manager is responsible for Town operations and is accountable to the Town Board; and

WHEREAS, the Town’s Home Rule Charter provides that the Town Board shall review the job performance of the Town Manager on an annual basis, which reviews have customarily taken place late in the fourth quarter of each calendar year; and

WHEREAS, the Town Board has reviewed the 2015 job performance of the Town Manager, and has concluded that the Town Manager continues to perform at a high level, such that his employment contract should be extended; and

WHEREAS, the Town Manager’s initial Employment Agreement was approved by the Town Board under Resolution No. 2007-76; and

WHEREAS, the Town Board approved a revised Employment Agreement dated January 12, 2009, for the Town Manager by Resolution No. 2009-09, which Agreement remains in effect; and

WHEREAS, by various Resolutions since 2009, the Town Board has approved amendments to the Town Manager’s Employment Agreement as circumstances have required; and

WHEREAS, the Town Board wishes to reaffirm the Town Manager’s Employment Agreement, subject to the provisions of the Home Rule Charter, and further subject to the attached “Fifth Amendment to Employment Agreement Dated January 12, 2009”.

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

1. Kelly E. Arnold shall continue to serve as Town Manager as provided in and subject to the Town’s Home Rule Charter.
2. Mr. Arnold’s service to the Town shall be governed by the terms of the Employment Agreement dated January 12, 2009, approved by Resolution 2009-09, as subsequently

amended, and as specifically amended by the attached Fifth Amendment to Employment Agreement Dated January 12, 2009.

3. The Mayor is hereby authorized to execute the attached Fifth Amendment on behalf of the Town.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk



## MEMORANDUM

Date: December 14, 2015  
To: Mayor and Town Board  
Via: Kelly Arnold, Town Manager  
From: Patti Garcia, Town Clerk/Assistant to the Town Manager  
Re: Cancellation of December 28, 2015 Town Board Meeting  
Item #: B.8.

Background / Discussion:

Due to Christmas holiday, the December 28, 2015 work session and regular meeting of the Windsor Town Board will be cancelled.

# Report of Bills

## November 2015



TOWN OF WINDSOR  
 301 WALNUT STREET  
 WINDSOR, CO 80550  
[WWW.WINDSORGOV.COM](http://WWW.WINDSORGOV.COM)  
 (970) 674-2400  
 MON-FRI 8AM TO 5PM

**Check No. Vendor/Employee**

**Transaction Description**

Fund: 01 GENERAL FUND

Department: 000 NO PROJECT CODE ASSIGNED

|   |                                |   |            |            |
|---|--------------------------------|---|------------|------------|
| 75153                                     | ADVANCED COMFORT               | REFUND ON PERMIT  | 11/27/2015 | 177.36     |
| 75152                                     | CALATLANTIC GROUP, INC         | REFUND OF LRMR CTY USE TAX ON PERMIT                      | 11/27/2015 | 1,973.53   |
| 74976                                     | CITY OF GREELEY                | 2015 QTR 3 SOUTHGATE BUS PK IGA SALES TAX REVENUE SHARING | 11/06/2015 | 28,826.18  |
| 75057                                     | COLORADO DEPARTMENT OF REVENUE | SALES TAX PAYABLE   | 11/13/2015 | 86.00      |
| 75154                                     | DUSTIN JOHNSON                 | SALES TAX REFUND  | 11/27/2015 | 87.68      |
| 74957                                     | FAMILY SUPPORT REGISTRY        | WAGE ASSIGNMENT   | 11/06/2015 | 276.92     |
| 74958                                     | FAMILY SUPPORT REGISTRY        | WAGE ASSIGNMENT   | 11/06/2015 | 296.57     |
| 75099                                     | FAMILY SUPPORT REGISTRY        | WAGE ASSIGNMENT   | 11/27/2015 | 276.92     |
| 75100                                     | FAMILY SUPPORT REGISTRY        | WAGE ASSIGNMENT   | 11/27/2015 | 296.57     |
| 75040                                     | SAFEBUILT INC.                 | OCTOBER 2015 PERMIT REIMB                                 | 11/13/2015 | 101,980.91 |
| 75155                                     | THREE T INVESTMENTS, LLP       | REFUND-BALANCE OF DEPOSIT- E. FOSSIL CREEK RANCH          | 11/27/2015 | 215.00     |
| 74956                                     | UNITED WAY OF WELD COUNTY      | EMPLOYEE DONATION   | 11/06/2015 | 15.00      |
| 75098                                     | UNITED WAY OF WELD COUNTY      | EMPLOYEE DONATION   | 11/27/2015 | 15.00      |
| 74946                                     | WELD COUNTY DRUG TASK FORCE    | MUNICIPAL COURT COLLECTIONS-OCT 2015                      | 11/06/2015 | 1,183.00   |
| 75093                                     | WINDSOR-SEVERANCE FIRE PROTECT | FIRE DPT BLDG PERMIT FEE COLLECTION REIMB                 | 11/27/2015 | 18,550.00  |
| Total for Department: 000 NO PROJECT CODE |                                |   |            | 154,256.64 |

Department: 410 TOWN CLERK/CUSTOMER SERVI

|   |                               |   |            |          |
|---|-------------------------------|---|------------|----------|
| 75048                                       | CARD SERVICES                 | CUST SVC-CREDIT CARD MACHINE PAPER      | 11/13/2015 | 712.72   |
| 75105                                       | CENTURY LINK                  | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 4.22     |
| 75014                                       | CIRSA                         | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 12.64    |
| 74932                                       | COREN PRINTING, INC.          | ENGRAVED PLAQUES FOR ARTWORK            | 11/06/2015 | 37.00    |
| 75130                                       | ELECTION SYSTEMS AND SOFTWARE | ELECTION EQUIPMENT MAINTENANCE          | 11/27/2015 | 1,348.85 |
| 75022                                       | OFFICE DEPOT                  | OFFICE SUPPLIES                         | 11/13/2015 | 5.32     |
| 75114                                       | THE GREELEY TRIBUNE           | LEGAL NOTICE                            | 11/27/2015 | 173.60   |
| Total for Department: 410 TOWN CLERK/CUSTOI |                               |   |            | 2,294.35 |

Department: 411 MAYOR & TOWN BOARD

|  |                          |   |            |          |
|--|--------------------------|---|------------|----------|
| 75048                                      | CARD SERVICES            | MGR-FRAMES/STAFF DEV                        | 11/13/2015 | 644.90   |
| 75014                                      | CIRSA                    | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ     | 11/13/2015 | 63.54    |
| 75119                                      | CITY OF FORT COLLINS, CO | WINDSOR/FTC IGA CATERING                    | 11/27/2015 | 221.00   |
| 75055                                      | MYLES BAKER              | REIMB MILEAGE/PKG FOR TRANSP MATTERS SUMMIT | 11/13/2015 | 81.75    |
| 75022                                      | OFFICE DEPOT             | OFFICE SUPPLIES                             | 11/13/2015 | 76.18    |
| Total for Department: 411 MAYOR & TOWN BOA |                          |   |            | 1,087.37 |

Department: 412 MUNICIPAL COURT

|   |                   |   |            |          |
|---|-------------------|---|------------|----------|
| 75105                                     | CENTURY LINK      | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 1.28     |
| 75014                                     | CIRSA             | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 0.38     |
| 74937                                     | MICHAEL E MANNING | MUNICIPAL COURT JUDGE SVCS-OCT 2015     | 11/06/2015 | 1,410.00 |
| Total for Department: 412 MUNICIPAL COURT |                   |   |            | 1,411.66 |

Department: 413 TOWN MANAGER

|       |               |                        |            |        |
|-------|---------------|------------------------|------------|--------|
| 75048 | CARD SERVICES | COMM-ICMA CONF LODGING | 11/13/2015 | 546.09 |
|-------|---------------|------------------------|------------|--------|

| Check No. | Vendor/Employee      | Transaction Description                 | DATE       | AMOUNT |
|-----------|----------------------|---|------------|--------|
| 75105     | CENTURY LINK         | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 5.13   |
| 75014     | CIRSA                | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 3.56   |
| 74932     | COREN PRINTING, INC. | PRINTING-PRIDE TIER I NOTEPADS          | 11/06/2015 | 55.00  |
| 75131     | COREY RUSCH          | TIER I PRIDE WINNER AWARD               | 11/27/2015 | 25.00  |
| 75022     | OFFICE DEPOT         | OFFICE SUPPLIES                         | 11/13/2015 | 3.38   |
| 75086     | VARTEC TELECOM       | TELEPHONE SVC-FAX MACHINES              | 11/27/2015 | 1.26   |

Total for Department: 413 TOWN MANAGER 639.42

Department: 415 FINANCE

|       |                            |   |            |          |
|-------|----------------------------|---|------------|----------|
| 74982 | ANTON COLLINS MITCHELL LLP | 2014 AUDIT SVCS-FINAL BILLING           | 11/06/2015 | 9,956.41 |
| 75048 | CARD SERVICES              | FIN-CGFOA CONF/APA CLASS DENVER         | 11/13/2015 | 2,931.44 |
| 75105 | CENTURY LINK               | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 18.52    |
| 75094 | CHERYL TURNER              | CGFOA CONF MILEAGE/MEAL REIMB           | 11/27/2015 | 106.87   |
| 75014 | CIRSA                      | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 10.22    |
| 75073 | HELEN MEDINA               | OFFICE CHAIR REFINISHING- BALANCE DUE   | 11/13/2015 | 275.00   |
| 75022 | OFFICE DEPOT               | OFFICE SUPPLIES                         | 11/13/2015 | 1.01     |
| 75133 | STACEY SWANSON             | MILEAGE REIMB CGFOA CONF LOVELAND, CO   | 11/27/2015 | 36.80    |
| 75086 | VARTEC TELECOM             | TELEPHONE SVC-FAX MACHINES              | 11/27/2015 | 1.25     |

Total for Department: 415 FINANCE 13,337.52

Department: 416 HUMAN RESOURCES

|       |                               |   |            |          |
|-------|-------------------------------|---|------------|----------|
| 75035 | BANK OF COLORADO              | WELLNESS GIFT CARDS 53 STAFF X \$25     | 11/13/2015 | 1,325.00 |
| 75108 | BANK OF COLORADO              | WELLNESS GIFT CARDS 12 X \$25           | 11/27/2015 | 300.00   |
| 75048 | CARD SERVICES                 | HR-CHARGE DISPUTE REIMBURSED            | 11/13/2015 | 4,276.39 |
| 75105 | CENTURY LINK                  | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 7.13     |
| 75014 | CIRSA                         | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 8.13     |
| 75032 | HIRERIGHT SOLUTIONS INC       | BACKGROUND CHECKS                       | 11/13/2015 | 1,702.96 |
| 75106 | HIRERIGHT SOLUTIONS INC       | DRUG SCREEN                             | 11/27/2015 | 100.00   |
| 75128 | MEDICAL CENTER OF THE ROCKIES | DRUG SCREEN                             | 11/27/2015 | 165.00   |
| 75022 | OFFICE DEPOT                  | OFFICE SUPPLIES                         | 11/13/2015 | 0.59     |
| 75004 | VERIZON WIRELESS SERVICES LLC | CELLULAR SERVICE                        | 11/13/2015 | 36.22    |

Total for Department: 416 HUMAN RESOURCES 7,921.42

Department: 418 LEGAL SERVICES

|       |                                |   |            |          |
|-------|--------------------------------|---|------------|----------|
| 75048 | CARD SERVICES                  | LEGAL-CML CONF LODGING                        | 11/13/2015 | 144.48   |
| 75105 | CENTURY LINK                   | LONG DIST TELEPHONE SVC                       | 11/27/2015 | 4.99     |
| 75014 | CIRSA                          | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ       | 11/13/2015 | 3.56     |
| 75059 | JAMES M. MOCK PLLC             | RVW SVC PLAN-E. FOSSIL CREEK RANCH-METRO DIST | 11/13/2015 | 1,800.00 |
| 75124 | LAWRENCE JONES CUSTER GRASMICK | LEGAL SVCS-GENERAL                            | 11/27/2015 | 1,966.67 |
| 75127 | LIND AND OTTENHOFF, LLP        | LEGAL SVCS-OIL & GAS                          | 11/27/2015 | 909.60   |
| 75022 | OFFICE DEPOT                   | OFFICE SUPPLIES                               | 11/13/2015 | 0.39     |
| 75136 | WEST PUBLISHING CORPORATION    | WESTLAW SUBSCRIPTION OCT 2015                 | 11/27/2015 | 699.37   |

Total for Department: 418 LEGAL SERVICES 5,529.06

Department: 419 PLANNING & ZONING

|       |                        |   |            |          |
|-------|------------------------|---|------------|----------|
| 75048 | CARD SERVICES          | PLAN-SHIPPING                           | 11/13/2015 | 2,656.95 |
| 75105 | CENTURY LINK           | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 39.92    |
| 75014 | CIRSA                  | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 10.22    |
| 75022 | OFFICE DEPOT           | OFFICE SUPPLIES                         | 11/13/2015 | 0.99     |
| 75117 | PITMAN AN AGFA COMPANY | ADHESIVE CARRIER STRIP                  | 11/27/2015 | 440.68   |
| 74954 | SCOTT BALLSTADT        | REIMB PKG/LUNCH FOR MEETING             | 11/06/2015 | 15.68    |
| 75114 | THE GREELEY TRIBUNE    | HIGHLAND MEADOWS 12TH FILING            | 11/27/2015 | 21.00    |
| 75025 | THOMAS R ECKRICH       | APPRECIATION PLAQUE BOB FRANK           | 11/13/2015 | 40.00    |

| Check No.                                   | Vendor/Employee                          | Transaction Description                 | DATE       | AMOUNT    |
|---|--|---|------------|-----------|
| 75086                                       | VARTEC TELECOM                           | TELEPHONE SVC-FAX MACHINES              | 11/27/2015 | 1.25      |
| Total for Department: 419 PLANNING & ZONING |  |   |            | 3,226.69  |
| Department: 420 ECONOMIC DEVELOPMENT        |  |   |            |           |
| 75048                                       | CARD SERVICES                            | ECON-RTA MTG LODGING                    | 11/13/2015 | 1,220.15  |
| 75105                                       | CENTURY LINK                             | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 28.04     |
| 75014                                       | CIRSA                                    | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 3.56      |
| 74932                                       | COREN PRINTING, INC.                     | NAME BADGES                             | 11/06/2015 | 39.00     |
| 75022                                       | OFFICE DEPOT                             | OFFICE SUPPLIES                         | 11/13/2015 | 0.39      |
| 74996                                       | THE PRINT SHOP OF LOVELAND, LLC          | PRINTING-EXECUTIVE SUMMARY BOOKLETS     | 11/06/2015 | 90.00     |
| Total for Department: 420 ECONOMIC DEVELOP  |  |   |            | 1,381.14  |
| Department: 421 POLICE DEPARTMENT           |  |   |            |           |
| 75090                                       | BUNTING DISPOSAL, INC.                   | TRASH SVC                               | 11/27/2015 | 32.50     |
| 75048                                       | CARD SERVICES                            | PD-OFFICE SUPPLIES                      | 11/13/2015 | 1,652.85  |
| 75105                                       | CENTURY LINK                             | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 29.24     |
| 74943                                       | CENTURYLINK                              | UTILITIES                               | 11/06/2015 | 299.40    |
| 75003                                       | CHEMATOX LABORATORY INC                  | BLOOD ALCOHOL & DRUG SCREENS            | 11/13/2015 | 285.00    |
| 75014                                       | CIRSA                                    | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 80.65     |
| 75083                                       | CIRSA                                    | WORKMAN'S COMP                          | 11/27/2015 | 78.28     |
| 74932                                       | COREN PRINTING, INC.                     | BUSINESS CARDS/RUSCH/LAW                | 11/06/2015 | 139.00    |
| 75110                                       | GARDEN VALLEY VET HOSPITAL               | PET RECOVERY CARE/QTY 5                 | 11/27/2015 | 100.00    |
| 75058                                       | GOLDSCHMIDT AND ASSOCIATES LLC           | POLYGRAPH                               | 11/13/2015 | 110.00    |
| 75061                                       | INTERSTATE ALL BATTERY OF FT C           | AA/CR2032/CR123A                        | 11/13/2015 | 68.62     |
| 75112                                       | KINSCO, LLC                              | BADGE SILVER/SEWING/A KRAUSE            | 11/27/2015 | 7.49      |
| 75096                                       | MAIL N COPY                              | POSTAGE/RADAR SENT FOR REPAIR           | 11/27/2015 | 32.26     |
| 75022                                       | OFFICE DEPOT                             | OFFICE SUPPLIES                         | 11/13/2015 | 158.06    |
| 74939                                       | PETTY CASH                               | PETTY CASH REIMB                        | 11/06/2015 | 86.54     |
| 75044                                       | SIRCHIE FINGERPRINT LABORATORIES         | REPLACEMENT PADS/FINGERPRINTS           | 11/13/2015 | 84.62     |
| 75043                                       | STALKER RADAR                            | RADAR GUN REPAIR                        | 11/13/2015 | 60.00     |
| 75004                                       | VERIZON WIRELESS SERVICES LLC            | CELLULAR SERVICE                        | 11/13/2015 | 1,533.81  |
| 75141                                       | WELD COUNTY PUBLIC SAFETY IT             | NET MOTION LICENSE/MDT 51               | 11/27/2015 | 200.00    |
| Total for Department: 421 POLICE DEPARTMENT |  |   |            | 5,038.32  |
| Department: 428 RECYCLING                   |  |   |            |           |
| 75005                                       | WASTE MANAGEMENT OF COLORADO             | RECYCLE SITE PULLS                      | 11/13/2015 | 1,150.20  |
| Total for Department: 428 RECYCLING         |  |   |            | 1,150.20  |
| Department: 429 STREETS & ALLEYS            |  |   |            |           |
| 75122                                       | BOMGAARS                                 | UNIFORMS                                | 11/27/2015 | 588.87    |
| 75048                                       | CARD SERVICES                            | PW-LTAP TRAINING                        | 11/13/2015 | 150.00    |
| 75014                                       | CIRSA                                    | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 19.37     |
| 75083                                       | CIRSA                                    | WORKMAN'S COMP                          | 11/27/2015 | 509.67    |
| 75104                                       | DON KEHN CONSTRUCTION, INC.              | 3/4" ROCK                               | 11/27/2015 | 2,709.48  |
| 75079                                       | FORT COLLINS-LOVELAND WATER DISTRICT     | WATER PURCHASED                         | 11/27/2015 | 102.64    |
| 75047                                       | LARIMER COUNTY SOLID WASTE               | RUBBLE COMMERCIAL                       | 11/13/2015 | 443.52    |
| 75022                                       | OFFICE DEPOT                             | BUSINESS CARD REFILL PAGES              | 11/13/2015 | 52.90     |
| 75017                                       | POUDRE VALLEY RURAL ELECTRIC ASSOCIATION | UTILITIES                               | 11/13/2015 | 862.71    |
| 75087                                       | POUDRE VALLEY RURAL ELECTRIC ASSOCIATION | UTILITIES                               | 11/27/2015 | 6,518.87  |
| 75067                                       | SIGN POST SAVERS                         | SIGN BREAK-AWAY POST                    | 11/13/2015 | 1,341.00  |
| 75004                                       | VERIZON WIRELESS SERVICES LLC            | TOWN BILLBOARDS INTERNET SVC            | 11/13/2015 | 332.81    |
| 75011                                       | XCEL ENERGY                              | UTILITIES-STREETS                       | 11/13/2015 | 24,451.69 |

**Check No. Vendor/Employee**

**Transaction Description**

Total for Department: 429 STREETS & ALLEYS 38,083.53

Department: 430 PUBLIC WORKS DEPARTMENT

|       |                                   |   |            |          |
|-------|-----------------------------------|---|------------|----------|
| 75038 | AT AND T MOBILITY                 | PHONE SVC PW                            | 11/13/2015 | 84.50    |
| 75090 | BUNTING DISPOSAL, INC.            | TRASH SVC                               | 11/27/2015 | 48.75    |
| 75105 | CENTURY LINK                      | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 3.63     |
| 75082 | CENTURYLINK                       | PHONE SVC                               | 11/27/2015 | 58.54    |
| 75014 | CIRSA                             | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 25.18    |
| 74991 | COMPLETE WIRELESS TECHNOLOGIES    | ANNUAL RADIO OPERATIONAL CHECK          | 11/06/2015 | 807.50   |
| 74934 | GENERAL AIR SERVICE AND SUPPLY CO | WELDING SUPPLIES                        | 11/06/2015 | 84.04    |
| 75051 | GREELEY LOCK AND KEY              | INSTALL LOCK IN FILE CAVINET-TOWN HALL  | 11/13/2015 | 2,158.75 |
| 75022 | OFFICE DEPOT                      | BATTERIES                               | 11/13/2015 | 59.87    |
| 75086 | VARTEC TELECOM                    | TELEPHONE SVC-FAX MACHINES              | 11/27/2015 | 1.25     |
| 75004 | VERIZON WIRELESS SERVICES LLC     | CELLULAR SERVICE                        | 11/13/2015 | 32.03    |
| 74940 | XCEL ENERGY                       | UTILITIES-PW                            | 11/06/2015 | 776.38   |

Total for Department: 430 PUBLIC WORKS DEPA 4,140.42

Department: 431 ENGINEERING DEPARTMENT

|       |                                |   |            |        |
|-------|--------------------------------|---|------------|--------|
| 75048 | CARD SERVICES                  | ENG-LASER LEVEL BRACKET                 | 11/13/2015 | 291.73 |
| 75105 | CENTURY LINK                   | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 21.21  |
| 75014 | CIRSA                          | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 14.31  |
| 75022 | OFFICE DEPOT                   | OFFICE SUPPLIES                         | 11/13/2015 | 1.18   |
| 75117 | PITMAN AN AGFA COMPANY         | ADHESIVE CARRIER STRIP                  | 11/27/2015 | 440.67 |
| 74983 | SAFETY AND CONSTRUCTION SUPPLY | SAFETY VESTS/GLASSES                    | 11/06/2015 | 76.39  |
| 75114 | THE GREELEY TRIBUNE            | LEGAL NOTICE                            | 11/27/2015 | 123.00 |
| 75086 | VARTEC TELECOM                 | TELEPHONE SVC-FAX MACHINES              | 11/27/2015 | 1.25   |

Total for Department: 431 ENGINEERING DEPAR 969.74

Department: 432 CEMETERY

|       |                         |   |            |        |
|-------|-------------------------|---|------------|--------|
| 75090 | BUNTING DISPOSAL, INC.  | TRASH SVC                               | 11/27/2015 | 16.25  |
| 75014 | CIRSA                   | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 3.88   |
| 75027 | COUNTRY JOHNS           | WINDSOR LAKE RESTROOM SERVICE           | 11/13/2015 | 595.00 |
| 75007 | MANWEILER HARDWARE, INC | WASP SPRAY, PVC GLUE, GRASS SEED, KEY   | 11/13/2015 | 21.10  |
| 74940 | XCEL ENERGY             | UTILITIES-CEMETERY                      | 11/06/2015 | 624.56 |

Total for Department: 432 CEMETERY 1,260.79

Department: 433 COMMUNITY EVENTS

|       |                      |  |            |          |
|-------|----------------------|--|------------|----------|
| 75019 | ARAPAHOE RENTAL      | TABLES FOR HERITAGE FEST BEER GARDEN         | 11/13/2015 | 254.27   |
| 75048 | CARD SERVICES        | AHC-TRANSPORT LOANED ITEMS FOR HERITAGE FEST | 11/13/2015 | 185.34   |
| 75027 | COUNTRY JOHNS        | PORTABLE RESTROOM SVC-HERITAGE FEST          | 11/13/2015 | 190.00   |
| 75107 | DIGI PIX SIGNS       | POSTERS                                      | 11/27/2015 | 268.00   |
| 75060 | SLATE COMMUNICATIONS | HERITAGE FEST MATERIALS/EXPENSES             | 11/13/2015 | 391.10   |
| 75134 | SLATE COMMUNICATIONS | EVENT COORD                                  | 11/27/2015 | 6,950.00 |

Total for Department: 433 COMMUNITY EVENTS 8,238.71

Department: 450 FORESTRY

|       |                            |   |            |          |
|-------|----------------------------|---|------------|----------|
| 75109 | ALPHAGRAPHICS              | 2016 CALENDARS                          | 11/27/2015 | 3,731.22 |
| 75019 | ARAPAHOE RENTAL            | COMPACTOR RENTAL                        | 11/13/2015 | 35.42    |
| 75048 | CARD SERVICES              | FOREST-TREE BOARD MTG MEAL              | 11/13/2015 | 413.76   |
| 75014 | CIRSA                      | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 34.44    |
| 74984 | FERGUSON ENTERPRISES, INC. | CHRISTMAS LIGHT FOR DOWNTOWN            | 11/06/2015 | 2,584.50 |
| 75016 | JAX INC.                   | UNIFORMS                                | 11/13/2015 | 179.98   |

| Check No.                          | Vendor/Employee                               | Transaction Description               | DATE       | AMOUNT   |
|------------------------------------|---|---------------------------------------|------------|----------|
| 75007                              | MANWEILER HARDWARE, INC                       | CUT OFF BLADES, HANDLE WEDGES, PAINT  | 11/13/2015 | 15.69    |
| 75021                              | SCOTT'S ELECTRIC AND BUCKET TRUCK SERVICE INC | UNDERGROUND LOCATES FOR FORESTRY TREE | 11/13/2015 | 100.00   |
| 74971                              | VERMEER SALES AND SERVICE OF COLORADO         | TREE SPADE RENTAL                     | 11/06/2015 | 1,265.20 |
| Total for Department: 450 FORESTRY |   |                                       |            | 8,360.21 |

Department: 451 RECREATION

|                                      |                                 |  |            |           |
|--------------------------------------|---------------------------------|--|------------|-----------|
| 75019                                | ARAPAHOE RENTAL                 | PROPANE REFILL                                 | 11/13/2015 | 57.40     |
| 74998                                | BRANDON MURRI                   | NYSCA CERTIF REIMB                             | 11/06/2015 | 20.00     |
| 75048                                | CARD SERVICES                   | PARKS-CPRA NOCO CONF REG                       | 11/13/2015 | 3,562.32  |
| 75046                                | CASH-WA DISTRIBUTING CO.        | CONCESSIONS SUPPLIES                           | 11/13/2015 | 603.72    |
| 75105                                | CENTURY LINK                    | LONG DIST TELEPHONE SVC                        | 11/27/2015 | 29.73     |
| 75014                                | CIRSA                           | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ        | 11/13/2015 | 22.78     |
| 75027                                | COUNTRY JOHNS                   | PORT-O-LETS FOR FOOTBALL                       | 11/13/2015 | 223.93    |
| 74999                                | COUNTY OF WELD                  | SENIOR PARTY LUNCHES                           | 11/06/2015 | 195.00    |
| 74989                                | DENEICE J DYER                  | OCTOBER BALLET                                 | 11/06/2015 | 463.40    |
| 75023                                | ENVIROPEST                      | PEST CONTROL DIAMOND VALLEY CONCESSIONS        | 11/13/2015 | 90.00     |
| 75002                                | FOOT & FIDDLE SQUARE DANCE CLUB | SQUARE DANCING CLASSES INSTRUCTION             | 11/06/2015 | 756.00    |
| 74979                                | FORT COLLINS SOCCER CLUB        | FALL TRAVEL SOCCER DUES                        | 11/06/2015 | 675.00    |
| 74942                                | GARRETSON'S SPORT CENTER        | SOFTBALLS - 16"                                | 11/06/2015 | 89.95     |
| 75115                                | HIGHLAND PARK LANES             | ADAPTIVE BOWLING                               | 11/27/2015 | 274.40    |
| 74992                                | HUGO FLORES                     | TEEN NIGHT DJ - NOVEMBER                       | 11/06/2015 | 300.00    |
| 75065                                | HUGO FLORES                     | TEEN NIGHT DJ - OCTOBER                        | 11/13/2015 | 300.00    |
| 75001                                | JENNA MAYFIELD                  | NYSCA CERTIF REIMB                             | 11/06/2015 | 20.00     |
| 74986                                | KELLY D MOORE                   | COMP CHEER - OCTOBER PAYMENTS AND PAID IN-FULL | 11/06/2015 | 7,175.00  |
| 75030                                | KING SOOPERS                    | ADAPTIVE COOKING SUPPLIES                      | 11/13/2015 | 164.59    |
| 74961                                | KIRK MOSES                      | ASB FALL TROPHIES FOR LEAGUE/TOURNAMENT        | 11/06/2015 | 564.00    |
| 75096                                | MAIL N COPY                     | SCOREBOARD CONTROLLER POSTAGE                  | 11/27/2015 | 24.13     |
| 75007                                | MANWEILER HARDWARE, INC         | FIELD EQUIPMENT                                | 11/13/2015 | 136.38    |
| 74988                                | MARIE C DOTTS                   | SEPT/OCT T'AI CHI CHIH                         | 11/06/2015 | 598.50    |
| 74967                                | NATIONAL ALLIANCE FOR YOUTH SP  | NYSCA COACH CERTIFICATIONS                     | 11/06/2015 | 160.00    |
| 74968                                | SEAN GROGAN                     | YOUTH BASEBALL - CONTRACT STAFF                | 11/06/2015 | 27,226.75 |
| 75031                                | SEAN GROGAN                     | TURKEY BALL STAFF                              | 11/13/2015 | 1,753.00  |
| 75033                                | SEÑOR JALEPENOS                 | BURRITOS FOR TURKEY BALL                       | 11/13/2015 | 20.00     |
| 75000                                | THE NANNY BRIGADE               | NANNY BRIGADE CLASSES                          | 11/06/2015 | 297.50    |
| 75088                                | VICTORY SALES, INC              | ASB FALL LEAGUE AND TOURNAMENT SHIRTS          | 11/27/2015 | 484.63    |
| 74974                                | ZEXHAGS INC.                    | CLEANING OUTDOOR RECREATION SITES              | 11/06/2015 | 418.50    |
| Total for Department: 451 RECREATION |                                 |  |            | 46,706.61 |

Department: 452 AQUATICS/SWIMMING POOL

|  |  |   |            |          |
|--|--|---|------------|----------|
| 75082  | CENTURYLINK                                | PHONE SVC                               | 11/27/2015 | 123.90   |
| 75014  | CIRSA                                      | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 38.74    |
| 75126  | ISLAND LAKE MARINE & SPORTS, INC           | WINTERIZE & OIL CHANGE - BOAT           | 11/27/2015 | 230.71   |
| 74994  | JOHN DEERE FINANCIAL                       | STEEL CABLE AND WIRE ROPE CLIPS         | 11/06/2015 | 256.79   |
| 75030  | KING SOOPERS                               | VOLUNTEER SNACKS FOR CARA SWIM MEET     | 11/13/2015 | 24.89    |
| 75007  | MANWEILER HARDWARE, INC                    | GAS CANS FOR CIRSA AUDIT                | 11/13/2015 | 35.50    |
| 75042  | RED DOG SIGNS AND WRAPS                    | POOL SIGNS                              | 11/13/2015 | 1,251.36 |
| 75018  | VICTORY SALES, INC                         | CARA SWIM SHIRTS                        | 11/13/2015 | 124.56   |
| 75077  | WELD COUNTY DEPT OF PUBLIC HEALTH AND ENV. | CHIMNEY PARK POOL INSPECTION            | 11/27/2015 | 280.00   |
| 74940  | XCEL ENERGY                                | UTILITIES-POOL                          | 11/06/2015 | 322.99   |
| Total for Department: 452 AQUATICS/SWIMMING POOL |  |   |            | 2,689.44 |

Department: 454 PARKS

|       |                        |                                    |            |          |
|-------|------------------------|------------------------------------|------------|----------|
| 74985 | AGFINITY, INCORPORATED | FERTILIZER FALL APPLICATION        | 11/06/2015 | 3,256.20 |
| 74965 | AQUA SIERRA, INC.      | BACTERIAL INJECTION SYSTEM REPAIRS | 11/06/2015 | 1,585.00 |
| 75019 | ARAPAHOE RENTAL        | RENTAL GRADING EQUIPMENT AT POOL   | 11/13/2015 | 296.16   |

| Check No.                       | Vendor/Employee                          | Transaction Description                  | DATE       | AMOUNT    |
|---------------------------------|--|--|------------|-----------|
| 75147                           | BABYCHANGINGSTATIONS.COM                 | BABY CHANG STNS FOR PARKS                | 11/27/2015 | 1,376.40  |
| 75090                           | BUNTING DISPOSAL, INC.                   | TRASH SVC                                | 11/27/2015 | 630.50    |
| 75048                           | CARD SERVICES                            | PARKS-RMRTA CONF REG/TRAINING            | 11/13/2015 | 889.00    |
| 75105                           | CENTURY LINK                             | LONG DIST TELEPHONE SVC                  | 11/27/2015 | 6.48      |
| 74943                           | CENTURYLINK                              | UTILITIES                                | 11/06/2015 | 37.93     |
| 75014                           | CIRSA                                    | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ  | 11/13/2015 | 63.86     |
| 74932                           | COREN PRINTING, INC.                     | BUSINESS CARDS                           | 11/06/2015 | 81.00     |
| 75027                           | COUNTRY JOHNS                            | EASTMAN PARK RESTROOM SERVICE            | 11/13/2015 | 173.00    |
| 74962                           | DBC IRRIGATION SUPPLY                    | SAW BLADE                                | 11/06/2015 | 513.58    |
| 75052                           | FASTENAL COMPANY                         | CLAMPS FOR FISHING LINE RECYCLE CENTER   | 11/13/2015 | 16.87     |
| 75079                           | FORT COLLINS-LOVELAND WATER DISTRICT     | WATER PURCHASED                          | 11/27/2015 | 437.14    |
| 75041                           | G R MAROLT AND ASSOCIATES LLC            | MEMORIAL BENCHES JOCOBY & LUCERT         | 11/13/2015 | 2,195.00  |
| 75074                           | HELTON & WILLIAMSEN, P.C.                | WATER METER VERIFICATION TESTING         | 11/13/2015 | 499.13    |
| 75016                           | JAX INC.                                 | UNIFORMS                                 | 11/13/2015 | 174.99    |
| 74961                           | KIRK MOSES                               | PARK BENCH SIGN                          | 11/06/2015 | 10.50     |
| 75056                           | L AND M ENTERPRISES INC                  | IRRIGATION REPAIR                        | 11/13/2015 | 17,582.51 |
| 74993                           | LANDMARK MONUMENTS, LLC                  | BENCH FOR THE CROCKER FAMILY             | 11/06/2015 | 1,775.00  |
| 75096                           | MAIL N COPY                              | SHIPPING FOR A METER                     | 11/27/2015 | 92.10     |
| 75007                           | MANWEILER HARDWARE, INC                  | OCTOBER PARKS CHARGES                    | 11/13/2015 | 155.43    |
| 75008                           | MIRACLE RECREATION EQUIPMENT C           | WIRE MESH INCLOSURE                      | 11/13/2015 | 427.27    |
| 75080                           | MIRACLE RECREATION EQUIPMENT C           | TENSILE TOUGH LINKS                      | 11/27/2015 | 913.27    |
| 75022                           | OFFICE DEPOT                             | BATTERIES                                | 11/13/2015 | 50.01     |
| 75087                           | POUDRE VALLEY RURAL ELECTRIC ASSOCIATION | UTILITIES                                | 11/27/2015 | 38.51     |
| 75039                           | QUALITY WELL AND PUMP                    | INSTALL NEW PUMP                         | 11/13/2015 | 23,143.65 |
| 75086                           | VARTEC TELECOM                           | TELEPHONE SVC-FAX MACHINES               | 11/27/2015 | 1.25      |
| 75078                           | WHITNEY IRRIGATION COMPANY               | DITCH MANAGEMENT SERVICES-SEPTEMBER      | 11/27/2015 | 4,000.00  |
| 74952                           | WINDSOR-SEVERANCE FIRE PROTECT           | TOWN'S PORTION MUSEUM UTILITIES OCT 2015 | 11/06/2015 | 22.25     |
| 75011                           | XCEL ENERGY                              | UTILITIES-PARKS                          | 11/13/2015 | 7,864.58  |
| Total for Department: 454 PARKS |  |  |            | 68,308.57 |

Department: 456 ART & HERITAGE

|  |                         |   |            |          |
|--|-------------------------|---|------------|----------|
| 75048                                    | CARD SERVICES           | AHC-MPMA CONF RENTAL CAR/LODGING/FUEL/TOLLS | 11/13/2015 | 1,274.72 |
| 75105                                    | CENTURY LINK            | LONG DIST TELEPHONE SVC                     | 11/27/2015 | 12.08    |
| 74943                                    | CENTURYLINK             | UTILITIES                                   | 11/06/2015 | 51.06    |
| 75082                                    | CENTURYLINK             | PHONE SVC                                   | 11/27/2015 | 182.83   |
| 75014                                    | CIRSA                   | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ     | 11/13/2015 | 42.88    |
| 74932                                    | COREN PRINTING, INC.    | NAME BADGES                                 | 11/06/2015 | 17.00    |
| 75007                                    | MANWEILER HARDWARE, INC | PEST CONTROL SUPPLIES                       | 11/13/2015 | 36.40    |
| 75022                                    | OFFICE DEPOT            | OFFICE SUPPLIES                             | 11/13/2015 | 0.39     |
| 75086                                    | VARTEC TELECOM          | TELEPHONE SVC-FAX MACHINES                  | 11/27/2015 | 1.25     |
| 74940                                    | XCEL ENERGY             | UTILITIES-MUSEUM                            | 11/06/2015 | 341.40   |
| Total for Department: 456 ART & HERITAGE |                         |   |            | 1,960.01 |

Department: 457 TOWN HALL

|                                     |                        |   |            |          |
|-------------------------------------|------------------------|---|------------|----------|
| 75090                               | BUNTING DISPOSAL, INC. | TRASH SVC                               | 11/27/2015 | 21.50    |
| 75105                               | CENTURY LINK           | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 32.53    |
| 74943                               | CENTURYLINK            | UTILITIES                               | 11/06/2015 | 130.74   |
| 75012                               | CENTURYLINK            | UTILITIES                               | 11/13/2015 | 629.55   |
| 75082                               | CENTURYLINK            | PHONE SVC                               | 11/27/2015 | 64.44    |
| 75014                               | CIRSA                  | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 31.45    |
| 75011                               | XCEL ENERGY            | UTILITIES-KERN                          | 11/13/2015 | 2,161.41 |
| Total for Department: 457 TOWN HALL |                        |   |            | 3,071.62 |

Total for Fund:01 GENERAL FUND 381,063.44

**Check No. Vendor/Employee**

**Transaction Description**

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Department: 454 PARKS

|       |                    |                              |            |   |        |
|-------|--------------------|------------------------------|------------|---|--------|
| 75063 | THE BIRDSALL GROUP | PRJCT MGMT-COYOTE GULCH PARK | 11/13/2015 | 427.00                                  |        |
|       |                    |                              |            | Total for Department: 454 PARKS         | 427.00 |
|       |                    |                              |            | Total for Fund:02 PARK IMPROVEMENT FUND | 427.00 |

Fund: 03 CONSERVATION TRUST FUND

Department: 454 PARKS

|       |                           |                                      |            |   |          |
|-------|---------------------------|--------------------------------------|------------|---|----------|
| 75145 | ERO RESOURCES CORPORATION | FRANK STATE WILDLIFE AREA MANAGEMENT | 11/27/2015 | 1,686.00                                  |          |
| 75006 | KING SURVEYORS, INC.      | RIVER WEST TRAIL-DRAFT               | 11/13/2015 | 99.00                                     |          |
|       |                           |                                      |            | Total for Department: 454 PARKS           | 1,785.00 |
|       |                           |                                      |            | Total for Fund:03 CONSERVATION TRUST FUNI | 1,785.00 |

Fund: 04 CAPITAL IMPROVEMENT FUND

Department: 000 NO PROJECT CODE ASSIGNED

|       |                |                  |            |  |       |
|-------|----------------|------------------|------------|--|-------|
| 75154 | DUSTIN JOHNSON | SALES TAX REFUND | 11/27/2015 | 58.45  |       |
|       |                |                  |            | Total for Department: 000 NO PROJECT CODE AS | 58.45 |

Department: 429 STREETS & ALLEYS

|       |                                |                                    |            |  |            |
|-------|--------------------------------|------------------------------------|------------|--|------------|
| 75037 | A-1 CHIPSEAL CO                | SLURRY SEAL                        | 11/13/2015 | 223,771.41                                 |            |
| 75111 | A-1 CHIPSEAL CO                | SLURRY SEAL                        | 11/27/2015 | 11,777.44                                  |            |
| 75026 | FELSBURG HOLT AND ULLEVIG, INC | HWY 257/WALNUT ST TURN LANE DESIGN | 11/13/2015 | 630.00                                     |            |
| 75101 | FELSBURG HOLT AND ULLEVIG, INC | QUIET ZONE PLAN/ADMIN WORK         | 11/27/2015 | 3,525.28                                   |            |
| 75118 | INTERWEST CONSULTING GROUP INC | WCR 13/CRSSRDS SIGNAL DESIGN       | 11/27/2015 | 12,594.50                                  |            |
| 75138 | MARTIN MARIETTA MATERIALS, INC | ROADWAY IMPROVEMENT PJCT           | 11/27/2015 | 404,944.79                                 |            |
| 75146 | WALSH CONSTRUCTION, INC        | WALK REPLACEMENT @ MAIN & 3RD ST   | 11/27/2015 | 80,434.01                                  |            |
|       |                                |                                    |            | Total for Department: 429 STREETS & ALLEYS | 737,677.43 |

Department: 430 PUBLIC WORKS DEPARTMENT

|       |                      |                            |            |   |           |
|-------|----------------------|----------------------------|------------|---|-----------|
| 74995 | INFUSION ARCHITECTS  | PW SERVICE FACILITY DESIGN | 11/06/2015 | 15,000.00                                   |           |
| 74936 | KING SURVEYORS, INC. | TOPOGRAPHIC SURVEY         | 11/06/2015 | 7,336.00                                    |           |
|       |                      |                            |            | Total for Department: 430 PUBLIC WORKS DEPA | 22,336.00 |

Department: 432 CEMETERY

|       |               |                                  |            |                                    |       |
|-------|---------------|----------------------------------|------------|------------------------------------|-------|
| 75048 | CARD SERVICES | ENG-CEMETERY SIGN PERMIT APP FEE | 11/13/2015 | 50.00                              |       |
|       |               |                                  |            | Total for Department: 432 CEMETERY | 50.00 |

Department: 454 PARKS

|       |                               |  |            |          |
|-------|-------------------------------|--|------------|----------|
| 75102 | GREENPLAY, LLC                | CONSULTING SERVICE-LEGACY PLAN 2015    | 11/27/2015 | 5,605.00 |
| 75143 | ROOT HOUSE STUDIO             | BOARDWALK PARK BAND SHELL CONSTRUCTION | 11/27/2015 | 1,655.00 |
| 75071 | THK ASSOCIATES, INC           | EASTMEN PARK SOUTH MASTER PLAN         | 11/13/2015 | 4,900.00 |
| 75135 | VAUGHT FRYE LARSON ARCHITECTS | CHIMNEY PARK-RESTROOM CHANGES          | 11/27/2015 | 442.50   |

Total for Department: 454 PARKS 12,602.50

**Check No. Vendor/Employee**

**Transaction Description**

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Department: 456 ART & HERITAGE

|   |               |                     |            |            |
|---|---------------|---------------------|------------|------------|
| 75048                                     | CARD SERVICES | AHC-MUSEUM DOORBELL | 11/13/2015 | 12.77      |
| Total for Department: 456 ART & HERITAGE  |               |                     |            | 12.77      |
| Total for Fund:04 CAPITAL IMPROVEMENT FUN |               |                     |            | 772,737.15 |

Fund: 05 COMMUNITY & REC CENTER FUND

Department: 000 NO PROJECT CODE ASSIGNED

|  |                |                  |            |      |
|--|----------------|------------------|------------|------|
| 75154  | DUSTIN JOHNSON | SALES TAX REFUND | 11/27/2015 | 9.75 |
| Total for Department: 000 NO PROJECT CODE AS |                |                  |            | 9.75 |

Department: 490 COMMUNITY RECREATION CENT

|  |                               |   |            |          |
|--|-------------------------------|---|------------|----------|
| 75090                                      | BUNTING DISPOSAL, INC.        | TRASH SVC                               | 11/27/2015 | 113.75   |
| 75048                                      | CARD SERVICES                 | CRC-MOOYAH SITE VISIT LUNCH             | 11/13/2015 | 70.35    |
| 75105                                      | CENTURY LINK                  | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 2.08     |
| 75012                                      | CENTURYLINK                   | UTILITIES                               | 11/13/2015 | 629.55   |
| 75082                                      | CENTURYLINK                   | PHONE SVC                               | 11/27/2015 | 496.09   |
| 75014                                      | CIRSA                         | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 50.89    |
| 75030                                      | KING SOOPERS                  | WELCOME TO NEW STAFF                    | 11/13/2015 | 30.00    |
| 75137                                      | SECURITY AND SOUND DESIGN     | GYM AMP                                 | 11/27/2015 | 514.50   |
| 75004                                      | VERIZON WIRELESS SERVICES LLC | CELLULAR SERVICE                        | 11/13/2015 | 29.12    |
| 74940                                      | XCEL ENERGY                   | UTILITIES-CRC                           | 11/06/2015 | 5,896.08 |
| Total for Department: 490 COMMUNITY RECREA |                               |   |            | 7,832.41 |
| Total for Fund:05 COMMUNITY & REC CENTER   |                               |   |            | 7,842.16 |

Fund: 06 WATER FUND

Department: 000 NO PROJECT CODE ASSIGNED

|  |                                      |   |            |          |
|--|--------------------------------------|---|------------|----------|
| 75165  | Damian Rice                          | Utility Billing Refund - Closed Account | 11/27/2015 | 94.89    |
| 75167  | Dennis & Sara Bakula                 | Utility Billing Refund - Closed Account | 11/27/2015 | 0.50     |
| 75151  | DJ'S SNOWPLOWING & MAINTENANCE, INC. | WATER METER RENTAL DEPOSIT REFUND       | 11/27/2015 | 2,100.00 |
| 75156  | DR Horton                            | Utility Billing Refund - Closed Account | 11/27/2015 | 38.68    |
| 75166  | Frederick & Tanya Ernsting           | Utility Billing Refund - Closed Account | 11/27/2015 | 113.52   |
| 75089  | GLH CONSTRUCTION, INC.               | METER RENTAL REFUND                     | 11/27/2015 | 2,100.00 |
| 75168  | Gregory & Susan Baumhover            | Utility Billing Refund - Closed Account | 11/27/2015 | 85.64    |
| 75158  | Phillip Camenisch                    | Utility Billing Refund - Closed Account | 11/27/2015 | 39.86    |
| 75113  | QUALITY WELL AND PUMP                | METER RENTAL REFUND                     | 11/27/2015 | 2,100.00 |
| 75170  | Richmond American Homes              | Utility Billing Refund - Closed Account | 11/27/2015 | 78.92    |
| 75160  | Sergio Rodriguez-Vazquez             | Utility Billing Refund - Closed Account | 11/27/2015 | 36.02    |
| 75150  | VESTAS                               | WATER METER RENTAL DEPOSIT REFUND       | 11/27/2015 | 2,100.00 |
| Total for Department: 000 NO PROJECT CODE AS |                                      |   |            | 8,888.03 |

Department: 471 WATER

|       |                                  |   |            |          |
|-------|----------------------------------|---|------------|----------|
| 74978 | ACCUTEST MOUNTAIN STATES, INC    | WATER SAMPLE TESTING                    | 11/06/2015 | 864.00   |
| 75148 | AMERICAN LEAK DETECTION          | LEAK SURVEY                             | 11/27/2015 | 2,000.00 |
| 75048 | CARD SERVICES                    | ENG-CFWE ANNUAL DUES                    | 11/13/2015 | 100.00   |
| 75105 | CENTURY LINK                     | LONG DIST TELEPHONE SVC                 | 11/27/2015 | 1.03     |
| 75014 | CIRSA                            | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 77.48    |
| 75013 | CITY OF GREELEY WATER DEPARTMENT | WATER PURCHASED                         | 11/13/2015 | 2,727.48 |

| Check No. | Vendor/Employee                          | Transaction Description            | DATE       | AMOUNT     |
|-----------|--|------------------------------------|------------|------------|
| 74975     | CLEAR WATER SOLUTIONS INC                | WATER PROF SVCS                    | 11/06/2015 | 203.46     |
| 74933     | DANA KEPNER COMPANY, INC.                | STATIONARY ROD                     | 11/06/2015 | 207.36     |
| 75079     | FORT COLLINS-LOVELAND WATER DISTRICT     | WATER PURCHASED                    | 11/27/2015 | 31,033.27  |
| 75096     | MAIL N COPY                              | MAILING WATER SAMPLES              | 11/27/2015 | 11.95      |
| 75007     | MANWEILER HARDWARE, INC                  | COUPLER AND HARDWARE               | 11/13/2015 | 68.88      |
| 74938     | NORTH WELD COUNTY WATER DISTRICT         | WATER PURCHASED                    | 11/06/2015 | 101,799.66 |
| 75022     | OFFICE DEPOT                             | BATTERIES                          | 11/13/2015 | 49.81      |
| 75017     | POUDRE VALLEY RURAL ELECTRIC ASSOCIATION | UTILITIES                          | 11/13/2015 | 31.33      |
| 75087     | POUDRE VALLEY RURAL ELECTRIC ASSOCIATION | UTILITIES                          | 11/27/2015 | 32.08      |
| 75010     | SAFEWAY, INC.                            | MEETING REFRESHMENTS               | 11/13/2015 | 6.99       |
| 75129     | SOLDIER CANYON FILTER PLANT              | CBT CARRYOVER WATER FOR 2016       | 11/27/2015 | 26,343.42  |
| 75085     | USA BLUE BOOK                            | PIPE WRENCH & HYDRANT RATCH WRENCH | 11/27/2015 | 154.55     |
| 74947     | UTILITY NOTIFICATION CENTER OF COLORADO  | LOCATE TRANSMISSIONS               | 11/06/2015 | 504.79     |

Total for Department: 471 WATER 166,217.54

Department: 484 NON-POTABLE

|       |                                  |                   |            |           |
|-------|----------------------------------|-------------------|------------|-----------|
| 75036 | CLEAR WATER SOLUTIONS INC        | GEN WATER RIGHTS  | 11/13/2015 | 22,339.68 |
| 75009 | NORTH WELD COUNTY WATER DISTRICT | TRANSFERRED WATER | 11/13/2015 | 18.60     |
| 75011 | XCEL ENERGY                      | UTILITIES-KERN    | 11/13/2015 | 61.15     |

Total for Department: 484 NON-POTABLE 22,419.43

Total for Fund:06 WATER FUND 197,525.00

Fund: 07 SEWER FUND

Department: 481 SEWER SYSTEM

|       |  |  |            |           |
|-------|--|--|------------|-----------|
| 75048 | CARD SERVICES                            | WWTP UNIFORMS                            | 11/13/2015 | 44.99     |
| 74943 | CENTURYLINK                              | UTILITIES                                | 11/06/2015 | 196.50    |
| 75082 | CENTURYLINK                              | PHONE SVC                                | 11/27/2015 | 49.18     |
| 75014 | CIRSA                                    | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ  | 11/13/2015 | 55.34     |
| 74951 | DALE'S ENVIRONMENTAL SERVICES,           | SEWER LIN INSPECTIONS                    | 11/06/2015 | 29,948.00 |
| 75017 | POUDRE VALLEY RURAL ELECTRIC ASSOCIATION | UTILITIES                                | 11/13/2015 | 37.77     |
| 74948 | USA BLUE BOOK                            | BRUSH, FILTERS, HOSE FITTINGS, RAKE HEAD | 11/06/2015 | 366.78    |
| 75004 | VERIZON WIRELESS SERVICES LLC            | CELLULAR SERVICE                         | 11/13/2015 | 200.05    |
| 74940 | XCEL ENERGY                              | UTILITIES-WATER/SEWER                    | 11/06/2015 | 493.47    |

Total for Department: 481 SEWER SYSTEM 31,392.08

Department: 482 DISPOSAL PLANT

|       |  |   |            |          |
|-------|--|---|------------|----------|
| 75090 | BUNTING DISPOSAL, INC.                   | TRASH SVC                               | 11/27/2015 | 34.84    |
| 75048 | CARD SERVICES                            | WWTP-CONF MEALS                         | 11/13/2015 | 307.63   |
| 74943 | CENTURYLINK                              | UTILITIES                               | 11/06/2015 | 198.74   |
| 75082 | CENTURYLINK                              | PHONE SVC                               | 11/27/2015 | 61.26    |
| 75014 | CIRSA                                    | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 37.77    |
| 74959 | CMS MECHANICAL SERVICES, INC.            | FURNANCE INSPECTION                     | 11/06/2015 | 345.75   |
| 74955 | COLORADO ANALYTICAL LABORATORY           | LAB TEST                                | 11/06/2015 | 468.00   |
| 74941 | DXP ENTERPRISES, INC                     | HOSE, COUPLER, ADAPTER AND CLAMP        | 11/06/2015 | 259.48   |
| 75052 | FASTENAL COMPANY                         | QUICK LINKS                             | 11/13/2015 | 2,894.50 |
| 74935 | HACH ENVIRONMENTAL                       | LAB SUPPLIES                            | 11/06/2015 | 189.07   |
| 75016 | JAX INC.                                 | SNAP LINKS                              | 11/13/2015 | 119.90   |
| 75068 | KELLY SUPPLY COMPANY                     | ADAPTAFLX HOSE                          | 11/13/2015 | 1,659.91 |
| 75096 | MAIL N COPY                              | MAILING RETURN PARTS                    | 11/27/2015 | 70.60    |
| 75007 | MANWEILER HARDWARE, INC                  | DUCK TAPE                               | 11/13/2015 | 12.39    |
| 75022 | OFFICE DEPOT                             | TOWELS                                  | 11/13/2015 | 56.95    |
| 74963 | OPERATOR CERTIFICATION PROGRAM           | CERTIFICATION RENWAL                    | 11/06/2015 | 135.00   |
| 75017 | POUDRE VALLEY RURAL ELECTRIC ASSOCIATION | UTILITIES                               | 11/13/2015 | 258.18   |

| Check No.                                | Vendor/Employee                          | Transaction Description    | DATE       | AMOUNT     |
|--|--|----------------------------|------------|------------|
| 75087                                    | POUDRE VALLEY RURAL ELECTRIC ASSOCIATION | UTILITIES                  | 11/27/2015 | 17,773.79  |
| 74972                                    | SUBURBAN PROPANE                         | PROPANE TANK RENTAL        | 11/06/2015 | 67.00      |
| 75086                                    | VARTEC TELECOM                           | TELEPHONE SVC-FAX MACHINES | 11/27/2015 | 1.25       |
| 75142                                    | VELOCITY PLANT SERVICES LLC              | CLAIRIFIER RECOATING       | 11/27/2015 | 52,401.00  |
| Total for Department: 482 DISPOSAL PLANT |  |                            |            | 77,353.01  |
| Total for Fund:07 SEWER FUND             |  |                            |            | 108,745.09 |

Fund: 08 STORM DRAIN FUND

Department: 000 NO PROJECT CODE ASSIGNED

|  |                                |   |            |       |
|--|--------------------------------|---|------------|-------|
| 75157  | DR Horton                      | Utility Billing Refund - Closed Account | 11/27/2015 | 5.01  |
| 75164  | Highland Meadows Lots, LLC     | Utility Billing Refund - Closed Account | 11/27/2015 | 16.17 |
| 75162  | Jeffrey & Ashley Ladborde      | Utility Billing Refund - Closed Account | 11/27/2015 | 5.28  |
| 75163  | Joseph & Laurie Higgs          | Utility Billing Refund - Closed Account | 11/27/2015 | 5.86  |
| 75159  | Ridgeway Construction Services | Utility Billing Refund - Closed Account | 11/27/2015 | 6.15  |
| 75169  | Taxman Cahn Interests LLC      | Utility Billing Refund - Closed Account | 11/27/2015 | 6.04  |
| 75161  | William Kramer & Susan Zack    | Utility Billing Refund - Closed Account | 11/27/2015 | 3.61  |
| Total for Department: 000 NO PROJECT CODE AS |                                |   |            | 48.12 |

Department: 483 STORM DRAINAGE SYSTEM

|   |  |   |            |            |
|---|--|---|------------|------------|
| 74953                                       | ANDERSON CONSULTING ENGINEERS            | LAW BASIN W. TRIB FINAL DESIGN          | 11/06/2015 | 1,914.50   |
| 75095                                       | ANDERSON CONSULTING ENGINEERS            | LAW BASIN W TRIB FINAL DESIGN           | 11/27/2015 | 5,731.46   |
| 75014                                       | CIRSA                                    | PROP/CASUALTY INSUR ALLOCATION 2015 ADJ | 11/13/2015 | 42.17      |
| 75020                                       | GLH CONSTRUCTION, INC.                   | LAW BASIN W. TRIB CHANNEL               | 11/13/2015 | 349,300.90 |
| 75007                                       | MANWEILER HARDWARE, INC                  | CONCRETE                                | 11/13/2015 | 37.52      |
| 75076                                       | POUDRE VALLEY RURAL ELECTRIC ASSOCIATION | JOHN LAW PDM-POWERLINE RELOCATION       | 11/23/2015 | 11,890.50  |
| 75072                                       | WALSH CONSTRUCTION, INC                  | JOHN LAW PDM CONSTRUCTION               | 11/13/2015 | 206,230.75 |
| Total for Department: 483 STORM DRAINAGE SY |  |   |            | 575,147.80 |
| Total for Fund:08 STORM DRAIN FUND          |  |   |            | 575,195.92 |

Fund: 10 FLEET MANAGEMENT FUND

Department: 491 FLEET MANAGEMENT

|       |                                    |                                       |            |          |
|-------|------------------------------------|---------------------------------------|------------|----------|
| 74944 | 4 RIVERS EQUIPMENT                 | SKID SHOES & HARDWARE                 | 11/06/2015 | 152.70   |
| 74966 | AAA AUTO PARTS NAPA WINDSOR        | V-BELT                                | 11/06/2015 | 1,184.80 |
| 74985 | AGFINITY, INCORPORATED             | FUEL FOR FLEET                        | 11/06/2015 | 4,960.68 |
| 75019 | ARAPAHOE RENTAL                    | PROPANE                               | 11/13/2015 | 14.97    |
| 75075 | AUTOMOTIVE TRAINING AUTHORITY, INC | DIESEL DIAGRAM/SVC CLASSES            | 11/13/2015 | 597.00   |
| 75149 | BOB'S CAR WASH                     | CAR WASH TOKENS                       | 11/27/2015 | 50.05    |
| 75116 | CERTIFIED LABORATORIES DIVISION    | PENETRATING OIL                       | 11/27/2015 | 199.72   |
| 75064 | COMPLETE WIRELESS TECHNOLOGIES     | ANTENNA                               | 11/13/2015 | 11.17    |
| 75139 | COMPLETE WIRELESS TECHNOLOGIES     | 26 PIN ACCESSORY CONNECTOR W/IGNITION | 11/27/2015 | 100.00   |
| 75052 | FASTENAL COMPANY                   | NUTS AND BOLTS FOR STOCK              | 11/13/2015 | 383.86   |
| 75081 | GRAINGER, INC.                     | DIGITAL MULTIMETER                    | 11/27/2015 | 356.00   |
| 75034 | HENSLEY BATTERY LLC                | BATTERY                               | 11/13/2015 | 202.98   |
| 75016 | JAX INC.                           | TOOL BOX                              | 11/13/2015 | 579.98   |
| 75092 | KENZ AND LESLIE DISTRIBUTING       | ADDITIVES FOR FLEET VEHICLES          | 11/27/2015 | 703.80   |
| 75084 | LAWSON PRODUCTS, INC.              | SHOP SUPPLIES                         | 11/27/2015 | 947.55   |
| 75024 | MAC EQUIPMENT INC.                 | MUFFLER                               | 11/13/2015 | 487.79   |
| 75007 | MANWEILER HARDWARE, INC            | BATTERIES                             | 11/13/2015 | 14.55    |
| 75022 | OFFICE DEPOT                       | BATTERIES                             | 11/13/2015 | 49.81    |
| 75054 | PADS, LLC                          | WIRE WHEEL CLEANER, SUPPLIES          | 11/13/2015 | 203.35   |
| 74945 | SAFETY-KLEEN CORP.                 | SERVICE ON UNIT-PARTS WASHER          | 11/06/2015 | 460.53   |

| Check No.                                  | Vendor/Employee                      | Transaction Description | DATE       | AMOUNT    |
|--|--------------------------------------|-------------------------|------------|-----------|
| 74970                                      | SPRADLEY BARR FORD, INC - FT COLLINS | BLEND DOOR              | 11/06/2015 | 38.91     |
| 74969                                      | TOOL & ANCHOR SUPPLY                 | SHACKLE                 | 11/06/2015 | 171.00    |
| 75120                                      | WN MILLER COMPANY INC                | HEATED WIPER BLADES     | 11/27/2015 | 346.75    |
| Total for Department: 491 FLEET MANAGEMENT |                                      |                         |            | 12,217.95 |
| Total for Fund:10 FLEET MANAGEMENT FUND    |                                      |                         |            | 12,217.95 |

Fund: 11 INFORMATION TECHNOLOGY FUND

Department: 492 INFORMATION TECHNOLOGY

|   |                                 |   |            |           |
|---|---------------------------------|---|------------|-----------|
| 75070                                       | ACCELA, INC                     | ONLINE BILLS MONTHLY TRANSACTION FEES AUG/SEPT 2015 | 11/13/2015 | 3,094.00  |
| 75144                                       | ACCELA, INC                     | ONLINE UTILITY BILLS MONTHLY TRANS FEES OCT 2015    | 11/27/2015 | 2,147.00  |
| 75048                                       | CARD SERVICES                   | IT-WEBSITE SSL CERTIFICATES                         | 11/13/2015 | 690.75    |
| 75103                                       | COMCAST CABLE COMM. LLC         | INTERNET-CRC  | 11/27/2015 | 461.79    |
| 74997                                       | LATITUDE GEOGRAPHICS GROUP, LTD | GEOCORTEX ESSENTIALS GIS WEBSITE FRAMEWORK          | 11/06/2015 | 17,787.00 |
| 75045                                       | NEWEGG BUSINESS, INC            | SCANNER   | 11/13/2015 | 431.10    |
| 75022                                       | OFFICE DEPOT                    | OFFICE SUPPLIES                                     | 11/13/2015 | 0.79      |
| 74990                                       | QUILL CORPORATION               | TONER   | 11/06/2015 | 2,192.50  |
| 75029                                       | STATE OF COLORADO/OIT           | INTERNET SVC (OFFICE OF INTERNET SVC)-MAY-SEPT      | 11/13/2015 | 6,248.95  |
| 75004                                       | VERIZON WIRELESS SERVICES LLC   | CELLULAR SERVICE                                    | 11/13/2015 | 212.26    |
| 74950                                       | XEROX CORPORATION               | XEROX MONTHLY LEASE PYMT                            | 11/06/2015 | 2,049.60  |
| 75091                                       | XEROX CORPORATION               | MONTHLY XEROX LEASE PYMT                            | 11/27/2015 | 1,614.22  |
| Total for Department: 492 INFORMATION TECHN |                                 |   |            | 36,929.96 |
| Total for Fund:11 INFORMATION TECHNOLOGY    |                                 |   |            | 36,929.96 |

Fund: 15 HEALTH INSURANCE FUND

Department: 000 NO PROJECT CODE ASSIGNED

|  |                               |  |            |           |
|--|-------------------------------|--|------------|-----------|
| 74981  | 1ST BANK OF NORTHERN COLORADO | BI-WEEKLY EMPLOYEE PAYROLL DEDUCTIONS            | 11/06/2015 | 8,620.41  |
| 75123  | 1ST BANK OF NORTHERN COLORADO | BI-WEEKLY EMPLOYEE PAYROLL DEDUCTIONS-TERM CHECK | 11/27/2015 | 8,620.41  |
| Total for Department: 000 NO PROJECT CODE AS |                               |  |            | 17,240.82 |
| Total for Fund:15 HEALTH INSURANCE FUND      |                               |  |            | 17,240.82 |

Fund: 17 FACILITY SERVICES

Department: 496 CUSTODIAL SERVICE

|   |                         |                                      |            |          |
|---|-------------------------|--------------------------------------|------------|----------|
| 75048                                       | CARD SERVICES           | FAC-STAFF DEV                        | 11/13/2015 | 51.23    |
| 74973                                       | HILLYARD INC            | TISSUE, ROLL TOWELS, DETERGANT, ETC. | 11/06/2015 | 733.87   |
| 75022                                       | OFFICE DEPOT            | OFFICE SUPPLIES                      | 11/13/2015 | 1.58     |
| 75010                                       | SAFEWAY, INC.           | MTG SNACKS                           | 11/13/2015 | 27.53    |
| 75015                                       | SUPPLYWORKS             | TISSUE, ROLL TOWELS, MOP, ETC.       | 11/13/2015 | 538.40   |
| 75062                                       | UNISOURCE WORLDWIDE INC | GLASS CLEANER                        | 11/13/2015 | 310.49   |
| 75088                                       | VICTORY SALES, INC      | UNIFORMS                             | 11/27/2015 | 104.50   |
| Total for Department: 496 CUSTODIAL SERVICE |                         |                                      |            | 1,767.60 |

Department: 497 FACILITY MAINTENANCE

|       |                          |                               |            |          |
|-------|--------------------------|-------------------------------|------------|----------|
| 75049 | A17 ELEVATOR INSPECTIONS | ANNUAL ELEVATOR INSPECTION    | 11/13/2015 | 500.00   |
| 75132 | AIR COMFORT, INC         | HVAC REPAIR-PD                | 11/27/2015 | 3,158.90 |
| 75048 | CARD SERVICES            | FAC-DIAMOND VALLEY PERMIT FEE | 11/13/2015 | 450.58   |
| 74960 | CARRIER CORPORATION      | BASEBOARD REPLACEMENT         | 11/06/2015 | 3,500.00 |
| 75082 | CENTURYLINK              | PHONE SVC                     | 11/27/2015 | 50.07    |

| Check No. | Vendor/Employee                   | Transaction Description                   | DATE       | AMOUNT   |
|-----------|-----------------------------------|---|------------|----------|
| 75050     | COLO DEPT OF LABOR & EMPLOYMENT   | ELEVATOR INSPECTION REPORT- REC CENTER    | 11/13/2015 | 60.00    |
| 75023     | ENVIROPEST                        | PEST CONTROL-PUBLIC WORKS SHOP            | 11/13/2015 | 482.00   |
| 74934     | GENERAL AIR SERVICE AND SUPPLY CO | LIG. CO2. POOL                            | 11/06/2015 | 14.01    |
| 75081     | GRAINGER, INC.                    | FLUORESCENT LAMP                          | 11/27/2015 | 651.44   |
| 75051     | GREELEY LOCK AND KEY              | L-GENERATE CHANGE KEY, SINGLE KEY         | 11/13/2015 | 443.62   |
| 75125     | GREELEY LOCK AND KEY              | L-GENERATE CHANGE KEY, MASTER SYSTEM      | 11/27/2015 | 57.95    |
| 75097     | HOME DEPOT USA, INC               | JET FAN BLOWER                            | 11/27/2015 | 149.00   |
| 75007     | MANWEILER HARDWARE, INC           | FLYSWATTER, FLY STRIPS                    | 11/13/2015 | 4.30     |
| 75022     | OFFICE DEPOT                      | OFFICE SUPPLIES                           | 11/13/2015 | 0.39     |
| 75121     | OLD NATIONAL BANK                 | ENERGY EFFICIENCY LEASE PURCHASE NOV 2015 | 11/27/2015 | 3,455.41 |

Total for Department: 497 FACILITY MAINTENANCE 12,977.67

Total for Fund:17 FACILITY SERVICES 14,745.27

Fund: 19 DOWNTOWN DEVELOPMENT AUTHORITY

Department: 486 DOWNTOWN DEVELOPMENT AUTHORITY

|       |                        |   |            |           |
|-------|------------------------|---|------------|-----------|
| 75048 | CARD SERVICES          | DDA-DCI CONF LODGING                      | 11/13/2015 | 1,184.48  |
| 74949 | DOWNTOWN COLORADO, INC | PRE-CONFERENCE DINNER                     | 11/06/2015 | 90.00     |
| 75140 | KAILEE MELENDEZ        | WEBSITE UPDATES                           | 11/27/2015 | 94.00     |
| 75096 | MAIL N COPY            | LAMINATE POSTER-DDA                       | 11/27/2015 | 6.80      |
| 74931 | P & L PROPERTIES, LLC  | DDA- LESS LEGAL FEES TO LILEY LAW OFFICES | 11/02/2015 | 59,068.50 |
| 74977 | THE GREELEY TRIBUNE    | DDA PAGE TOP                              | 11/06/2015 | 333.00    |

Total for Department: 486 DOWNTOWN DEVELOPMENT 60,776.78

Total for Fund:19 DOWNTOWN DEVELOPMENT 60,776.78

Fund: 21 COMMUNITY CENTER EXPANSION

Department: 000 NO PROJECT CODE ASSIGNED

|       |                |                  |            |       |
|-------|----------------|------------------|------------|-------|
| 75154 | DUSTIN JOHNSON | SALES TAX REFUND | 11/27/2015 | 36.56 |
|-------|----------------|------------------|------------|-------|

Total for Department: 000 NO PROJECT CODE ASSIGNED 36.56

Department: 493

|       |                                |   |            |            |
|-------|--------------------------------|---|------------|------------|
| 75053 | BARKER RINKER SEACAT ARCHITECT | CRC EXPANSION                               | 11/13/2015 | 22,768.21  |
| 75048 | CARD SERVICES                  | CRC-B&H PHOTO-TIME LAPSE CAMERA             | 11/13/2015 | 260.00     |
| 74980 | COLORADO STANDBY LLC           | TEST SERVICE ON CRC GENERATOR               | 11/06/2015 | 1,350.00   |
| 74964 | CTL/THOMPSON, INC.             | CRC EXPANSION                               | 11/06/2015 | 3,775.00   |
| 75028 | CTL/THOMPSON, INC.             | CRC EXPANSION - FIELD AND LAB TESTING       | 11/13/2015 | 5,840.00   |
| 75051 | GREELEY LOCK AND KEY           | CHANGE LOCKS TO MEET FIRE CODE IN RECEIVING | 11/13/2015 | 303.50     |
| 75069 | PINKARD CONSTRUCTION COMPANY   | CRC EXPANSION                               | 11/13/2015 | 739,654.73 |
| 74987 | WORKSPACE INNOVATIONS LTD      | FURNITURE STORAGE/MOVING EQUIPMENT          | 11/06/2015 | 771.25     |

Total for Department: 493 774,722.69

Total for Fund:21 COMMUNITY CENTER EXPANSION 774,759.25

Total 2,961,990.79  
 Payroll 2 Pay Periods 371,539.80  
 Grand Total 3,333,530.59



## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Regular meeting materials, December 14, 2015  
**From:** Ian D. McCargar, Town Attorney  
**Re:** Disconnection and rescission of vested property rights (Zeiler Farms property)  
**Item #:** C.1.

### **Background / Discussion:**

At the request of the property owner, a portion of the Zeiler Farms Second Annexation is being proposed for disconnection from the Town's corporate limits. This property was brought into Town in 2009, but has since undergone a change of ownership and a change in vision. The current owner, Vima Partners, LLC, has proposed that the property be returned to Weld County jurisdiction, and essentially maintained for agricultural purposes indefinitely. This action is tied to a reallocation of sewer treatment capacity from this property to the RainDance property.

This property was approved for statutory vested property rights at the time it was annexed. Vested property rights are a tool by which development of property is given greater predictability over a prolonged period of time. Given that the property will no longer be part of Windsor, the attached Ordinance confirms that any vested property rights previously granted by Windsor will be rescinded.

Although this is an unusual step, the Planning Commission has recommended approval of the disconnection and rescission of vested property rights. The Statutes allow for disconnection by ordinance if the Town Board, after "due consideration", concludes that the "best interests of the ... town will not be prejudiced by the disconnection of such tract".

### **Recommendation:**

Adopt on second reading the attached Ordinance Approving the Disconnection of a Portion of the Zeiler Farms Second Annexation Pursuant to the Colorado Municipal Annexation Act of 1965, and Rescinding a Prior Approval of Statutory Vested Property Rights With Respect to the Property Disconnected Herein. Five votes required.

### **Attachments:**

Ordinance Approving the Disconnection of a Portion of the Zeiler Farms Second Annexation Pursuant to the Colorado Municipal Annexation Act of 1965, and Rescinding a Prior Approval of Statutory Vested Property Rights With Respect to the Property Disconnected Herein

Petition for Disconnection, July 9, 2014

**TOWN OF WINDSOR**

**ORDINANCE NO. 2015-1513**

**AN ORDINANCE APPROVING THE DISCONNECTION OF A PORTION OF THE ZEILER FARMS SECOND ANNEXATION PURSUANT TO THE COLORADO MUNICIPAL ANNEXATION ACT OF 1965, AND RESCINDING A PRIOR APPROVAL OF STATUTORY VESTED PROPERTY RIGHTS WITH RESPECT TO THE PROPERTY DISCONNECTED HEREIN**

**WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality, with all powers of self-governance reserved in accordance with state law; and**

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

**WHEREAS, included within the Town’s land use regulations are requirements for the annexation and disconnection of land (“Annexation Code”), which are codified within Chapter 15 the *Windsor Municipal Code*; and**

**WHEREAS, the Annexation Code specifically requires that the Town comply with the Colorado Municipal Annexation Act of 1965, codified at Title 31, Article 12 of the Colorado Revised Statutes, when annexing property to the Town, and when disconnecting property from the Town; and**

**WHEREAS, by Ordinance No. 2009-1348, the Town Board approved the annexation known as the Zeiler Farms Second Annexation (“Property”); and**

**WHEREAS, by Ordinance No. 2009-1349, the Town Board approved vested property rights for the Property pursuant to Title 24, Article 68, Part 1, C.R.S.; and**

**WHEREAS, the Owners of the Property have submitted a Petition for Disconnection of a portion of the Property (“Affected Property”), the legal description for which is set forth in the attached Exhibit A hereto and is incorporated herein by this reference as if set forth fully; and**

**WHEREAS, approval of the Petition for Disconnection will cause the Affected Property to return to its former status as Weld County real property, not subject to land use regulation or taxation by the Town; and**

**WHEREAS, the owners of the Property have undertaken negotiations with a third party, the purpose of which is to strip the Affected Property of sanitary sewer discharge capacity, the result of which will render the Affected Property incapable of development; and**

WHEREAS, the Town Board has given due consideration to the Petition for Disconnection, and is of the opinion that the best interests of the Town will not be prejudiced by the disconnection of the Affected Property; and

WHEREAS, the Town Board finds that the submittal of the Petition for Disconnection reflects the consent of the Property owners to the rescission of statutory vested property rights with respect to the Affected Property; and

WHEREAS, by its approval of the within Ordinance, the Town Board intends that its approval of this Ordinance, the Affected Property will not only be disconnected from the Town's corporate limits, but will, as a result of its disconnection, also lose any statutory vested property rights previously approved by the Town.

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

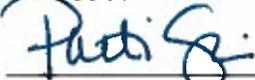
1. The Affected Property, described in Exhibit A hereto, is hereby DISCONNECTED from the Town's corporate limits.
2. The previous approval of statutory vested property rights for the Affected Property is hereby RESCINDED. Any statutory vested property right previously approved by the Town with respect to the Affected Property shall not be effective against Weld County, or any other local government which may subsequently obtain or assert jurisdiction over the Affected Property, including the Town in the event of re-annexation.
3. Upon the within Ordinance taking effect as provided in the Home Rule Charter, the Town Clerk is directed to file two (2) certified copies of this Ordinance, together with two (2) copies of the Disconnection Map, with the Weld County Clerk and Recorder to accomplish the disconnection.

Introduced, passed on first reading, and ordered published this 23<sup>rd</sup> day of November, 2015.

TOWN OF WINDSOR, COLORADO

By   
John S. Vazquez, Mayor

ATTEST:

  
Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By \_\_\_\_\_  
John S. Vazquez, Mayor

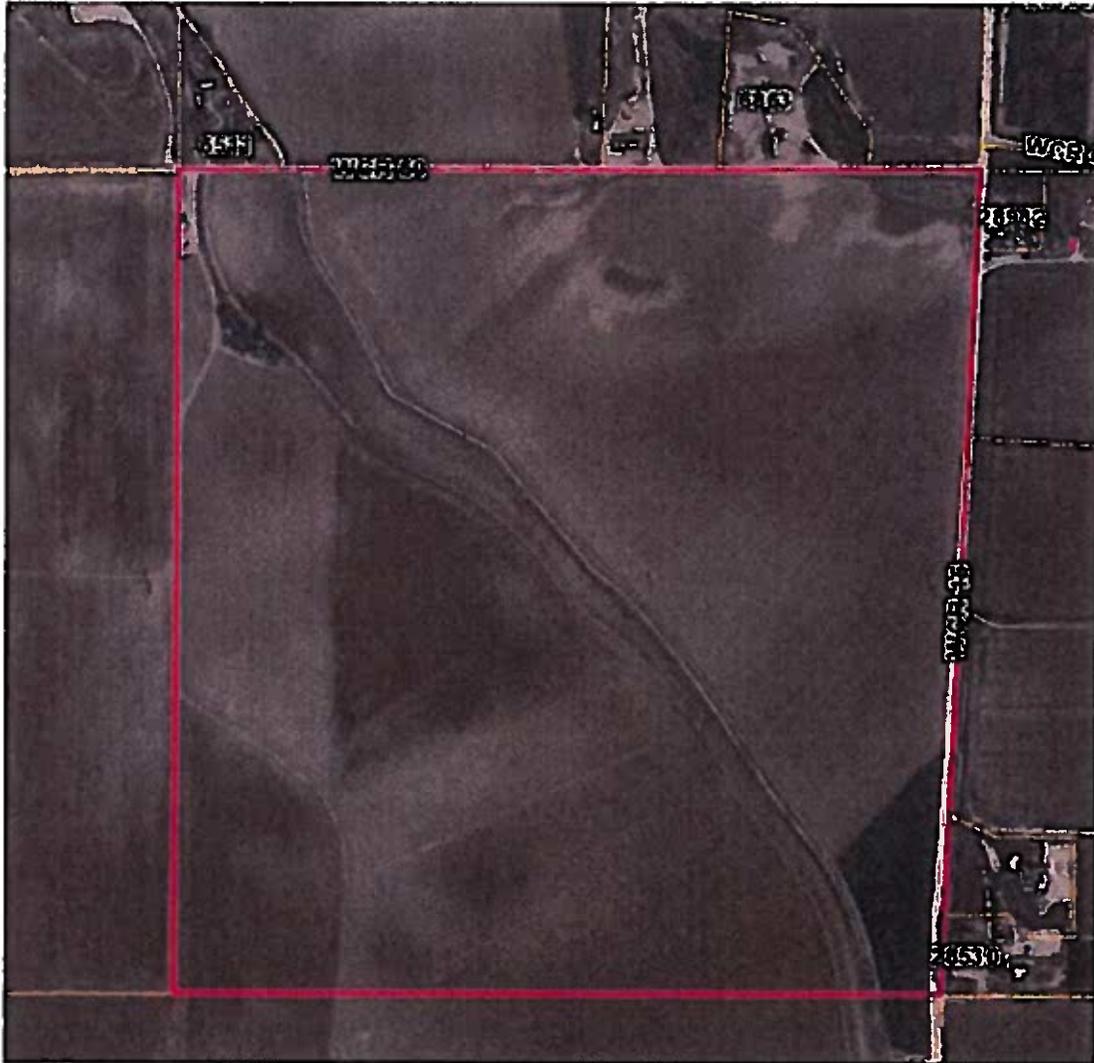
ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

**EXHIBIT A**

THE NE ¼ OF SECTION 7, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6<sup>TH</sup> P.M.,  
COUNTY OF WELD, STATE OF COLORADO,

DEPICTED IN RED AS:





## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Kelly Arnold, Town Manager  
**From:** Scott Ballstadt, AICP, Director of Planning  
Paul Hornbeck, Associate Planner  
**Subject:** Ordinance No. 2015-1514 approving zoning to create a Planned Unit Development (PUD) overlay district on approximately 1,133 acres known as RainDance PUD – second reading  
**Item #s:** C.2.a

**Discussion:**

The applicants, Raindance Aquatic Investments, LLC and William F. Larrick, Inc., represented by Mr. Mitch Black of Norris Design, are proposing to create a Planned Unit Development (PUD) overlay district on approximately 1,133 acres known as RainDance PUD. The subject property, previously master planned and subdivided as Water Valley West, is located at the western terminus of New Liberty Road; north of and adjacent to Crossroads Boulevard; and east of and adjacent to County Line Road (WCR 13).

In accordance with Article XXIII of Chapter 16 of the Municipal Code, the intent of PUD regulations is, among other things, intended to “provide flexibility in land planning and development, resulting in amenable relationships between buildings and ancillary uses and permitting more intensive use of land where well-related open space and recreational facilities are integrated into the overall design.” A complete copy of the Article XXIII PUD regulations is attached for further reference.

The subject rezoning application will create a PUD overlay district which constitutes an amendment to the Town’s Official Zoning District Map and the minimum standards approved with the PUD will be applied to future land use applications within the PUD district. The RainDance PUD proposes variations in minimum lot size, setbacks, street standards and other aspects of development in order to accommodate specific product types and neighborhood concepts (please see the PUD materials for examples of such variations). This is consistent with the intent of PUD regulations which are “intended to accomplish the purposes of public control to the same extent as do zoning and other regulations applicable to conventional lot-by-lot development, while simplifying, integrating and coordinating land development controls and providing necessary flexibility to encourage design innovation and creative community development.”

In addition to the aforementioned variations to Municipal Code requirements, the PUD proposes side yard easements associated with some of the product types that would allow neighboring property owners to utilize the entire property between homes with limitations outlined in the PUD documents. The intent is to create a more useable area between homes than the typical five (5) foot offsets seen in standard subdivision development (please see the PUD materials and enclosed product examples).

Another unique aspect of the proposed PUD is the use of certain agricultural uses at the perimeter of the property along County Line Road (WCR 13) and Crossroads Boulevard to maintain an open and agrarian character. The agricultural uses that are allowed are specified in the PUD documents and those uses that require appropriate site plan approvals will be required to meet the site plan requirements of the RainDance PUD documents. The process is similar to the administrative site plan requirements of the Municipal Code, but tailored to agricultural uses.

An enhanced parks and open space system is one of the amenities proposed with the RainDance PUD to justify approval of the PUD. The final park layout will be determined with the future platting of the property, but the PUD documents indicate that the approximate location of open space and park features will be within one-third (1/3) mile radius to every resident.

Included among the objectives that the PUD provisions are intended to further: “To encourage unity and diversity in land development, resulting in convenient and harmonious groupings of uses, structures and common facilities, varied type, design and layout of housing and other buildings and appropriate relationships of open spaces to intended uses and structures.” Based upon the application materials, the RainDance PUD appears to further this objective.

**Conformance with Comprehensive Plan:** The proposed RainDance PUD is consistent with the following Housing Goals and Policies of the Comprehensive Plan:

**GOALS:**

- 1. Promote an adequate supply and variety of safe and economically achievable housing products to meet the current and future needs of the community.*
- 2. Maintain housing that represents a diversity of style, density and price to meet the needs of Windsor residents.*

**POLICIES:**

1. All new developments should be encouraged to provide diversity in housing opportunities, both in terms of product offering and target market served, while minimizing public investment in capital expenditures for infrastructure.
2. A broad range of housing alternatives should be provided for senior citizens including single family housing, independent apartments, assisted living facilities and nursing care, which is affordable and conveniently located to community services and facilities.
11. Encourage and facilitate the development of housing which offers alternative choices in lifestyle such as townhouses, apartments and condominiums.

**Conformance with Vision 2025:** The proposed RainDance PUD is consistent with the following goals of the Vision 2025 document:

- Goal 1: Provide choices for housing in town, not just single family homes.  
Goal 3: Maintain open-space, charm, rural character of Town.

**Relationship to Strategic Plan:** The proposed RainDance PUD is consistent with Strategic Plan Vision #4: “Windsor enjoys a friendly community with a vibrant downtown, housing opportunities, choices for leisure, cultural activities, recreation and mobility for all.”

**Recommendation:**

The Town Board voted 6-0 to approve the Ordinance on first reading at the November 23, 2015 meeting. No changes have been made since that time.

**Notification:**

- Notice of June 3, 2015 Planning Commission public hearing published in May 22, 2015 Greeley Tribune
- Notice of November 23, 2015 Town Board public hearing published in November 6, 2015 Greeley Tribune
- Notice of June 3, 2015 Planning Commission public hearing posted on Town website May 18, 2015
- Notice of November 23, 2015 Town Board public hearing posted on Town website November 6, 2015

**Attachments:**

Ordinance 2015-1514  
minutes of the November 23, 2015 Town Board meeting  
minutes of June 3, 2015 Planning Commission meeting  
Article XXIII PUD Regulations  
application materials, examples & PUD justification  
PowerPoint slides

pc: Martin Lind, Raindance Aquatic Investments, LLC  
Patrick McMeekin, Raindance Aquatic Investments, LLC  
William F. Larrick, Inc., applicant  
Mitch Black, Norris Design, applicant's representative

TOWN OF WINDSOR

ORDINANCE NO. 2015-1514

AN ORDINANCE PURSUANT TO CHAPTER 16, ARTICLE XXIII OF THE *WINDSOR MUNICIPAL CODE* APPROVING THE RAINDANCE PLANNED UNIT DEVELOPMENT WITHIN THE TOWN OF WINDSOR

WHEREAS, the Town of Windsor is a home rule municipality with all powers conferred under Colorado law; and

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

WHEREAS, the Town has adopted the zoning regulations set forth in Chapter 16 of the *Windsor Municipal Code* (“Zoning Code”), under which parcels of land are identified and classified for regulatory purposes; and

WHEREAS, the property formerly master planned and subdivided as “Water Valley West” (“Property”), is presently zoned “Residential Mixed Use RMU” and “General Commercial GC”, pursuant to the regulations found in Articles XXIV and XIX of the Zoning Code; and

WHEREAS, the Property is now officially known as RainDance; and

WHEREAS, the owner of the Property, Raindance Aquatic Investments, LLC, has requested approval of a Planned Unit Development (“PUD”) district overlay for the Property pursuant to the provisions of *Windsor Municipal Code* Chapter 16, Article XXIII; and

WHEREAS, in accordance with the requirements for PUD district overlay approval, the request has been reviewed by staff and referred to the Planning Commission for review and recommendation following a public hearing; and

WHEREAS, the Planning Commission has recommended that the Town Board approve the request for PUD district overlay, subject to certain conditions to which the property owner has no objection; and

WHEREAS, pursuant to the requirements for PUD district overlay approval found in Article XXIII of the Zoning Code, the Town Board has convened a public hearing and heard relevant evidence with respect to the merits of the PUD request; and

WHEREAS, based upon the evidence presented at the public hearing, the Town Board concludes that the PUD district overlay should be approved.

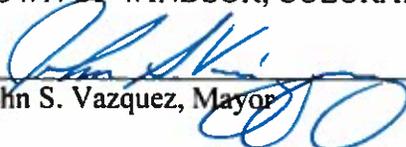
NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

The RainDance PUD district overlay is hereby approved, subject to the following conditions:

- a. Accessory dwelling units (ADUs) on lots smaller than 6,000 square feet shall be removed from the PUD documents and shall instead follow the ADU requirements outlined in Chapter 16, Article XXXIII of the *Windsor Municipal Code*; however, the property owner may propose to revisit this condition with proposed alternatives in the future.
- b. The transfer of sanitary sewer units serving property within the RainDance PUD shall be memorialized by agreements approved by separate action of the Town Board.
- c. The provision of public improvements and approval of future development within the RainDance PUD shall be governed by the Agreement between the Town and Raindance Aquatic Investments, LLC, dated November 23, 2015.

Introduced, passed on first reading and ordered published this 23<sup>rd</sup> day of November, 2015.

TOWN OF WINDSOR, COLORADO

  
\_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

  
\_\_\_\_\_  
Patti Garcia, Town Clerk

Introduced, passed on second reading and ordered published this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

\_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

6. Resolution No. 2015-71 - A Resolution Approving an Agreement for Reallocation of Sanitary Sewer Capacity Units by, between, and among the Town of Windsor, Trolco, Inc., Vima Partners, LLC, and Raindance Aquatic Investments, LLC
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney

**Town Board Member Adams motioned to approve Resolution No. 2015-71; Town Board Member Bishop-Cotner seconded the motion.**

Town Attorney Ian McCargar stated this agreement isolates certain portions of Water Valley and either strips entirely a parcel of its density or partially strips a parcel of density so those density units can then be transferred to the RainDance property. This agreement is complicated as there are several different properties held by several different property owners. The particular basins and the particular units of density are all laid out in Exhibit B which is a study and amendment to the sanitary sewer plan that has been reviewed by the town's engineering staff.

Ms. Melendez inquired if the Engineering Department has been presiding over the agreement.  
Mr. McCargar stated they have been.

Ms. Melendez inquired if the applicant concurs with the agreement.  
Mr. McCargar stated the study was prepared by TST Inc. who is the developer's engineering firm with their work being checked on by town staff.

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

7. Public Hearing – Ordinance No. 2015-1514 - An Ordinance Pursuant to Chapter 16, Article XXIII of the Windsor Municipal Code Approving the Raindance Planned Unit Development Within the Town of Windsor – Raindance Aquatic Investments, LLC and William F. Larrick, Inc., applicants/Mitch Black, Norris Design, applicant's representative
  - Quasi-judicial action
  - Staff presentation: Paul Hornbeck, 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 –Morgan, Melendez, Bishop-Cotner, Adams, Vazquez; Nays- None; Motion passed.**

Associate Planner Paul Hornbeck stated there have been two changes other than what was presented in the packet. The first being two public comments that have been received in the last few days and the other change being the memo mentions the accessory dwelling units being proposed on lots under 6,000 square feet which was an issue with the Planning Commission. That has since been removed from the proposal.

The applicants, Raindance Aquatic Investments, LLC and William F. Larrick, Inc., represented by Mr. Mitch Black of Norris Design, are proposing to create a Planned Unit Development (PUD)

overlay district on approximately 1,133 acres known as RainDance PUD. The subject property is located at the western terminus of New Liberty Road; north of and adjacent to Crossroads Boulevard; and east of and adjacent to County Line Road (WCR 13).

In accordance with Article XXIII of Chapter 16 of the Municipal Code, the intent of PUD regulations is, among other things, intended to “provide flexibility in land planning and development, resulting in amenable relationships between buildings and ancillary uses and permitting more intensive use of land where well-related open space and recreational facilities are integrated into the overall design.” A complete copy of the Article XXIII PUD regulations is attached for further reference.

The subject rezoning application will create a PUD overlay district which constitutes an amendment to the Town’s Official Zoning District Map and the minimum standards approved with the PUD will be applied to future land use applications within the PUD district. The RainDance PUD proposes variations in minimum lot size, setbacks, street standards and other aspects of development in order to accommodate specific product types and neighborhood concepts. This is consistent with the intent of PUD regulations which are “intended to accomplish the purposes of public control to the same extent as do zoning and other regulations applicable to conventional lot-by-lot development, while simplifying, integrating and coordinating land development controls and providing necessary flexibility to encourage design innovation and creative community development.”

In addition to the aforementioned variations to Municipal Code requirements, the PUD proposes side yard easements associated with some of the product types that would allow neighboring property owners to utilize the entire property between homes with limitations outlined in the PUD documents. The intent is to create a more useable area between homes than the typical five (5) foot offsets seen in standard subdivision development.

Another unique aspect of the proposed PUD is the use of certain agricultural uses at the perimeter of the property along County Line Road (WCR 13) and Crossroads Boulevard to maintain an open and agrarian character. The agricultural uses that are allowed are specified in the PUD documents and those uses that require appropriate site plan approvals will be required to meet the site plan requirements of the RainDance PUD documents. The process is similar to the administrative site plan requirements of the Municipal Code, but tailored to agricultural uses.

Mr. Vazquez inquired if the agricultural use would be counted towards landscaping requirements.

Mr. Hornbeck stated it would not count as landscaping requirements.

Mr. Vazquez inquired as to why the agricultural use would not be considered landscaping.

Mr. Hornbeck stated that is something that could be considered. Another consideration is that for half the year through the winter it could be bare.

An enhanced parks and open space system is one of the amenities proposed with the RainDance PUD to justify approval of the PUD. The final park layout will be determined with the future

platting of the property, but the PUD documents indicate that the approximate location of open space and park features will be within one-third (1/3) mile radius to every resident.

Included among the objectives that the PUD provisions are intended to further: "To encourage unity and diversity in land development, resulting in convenient and harmonious groupings of uses, structures and common facilities, varied type, design and layout of housing and other buildings and appropriate relationships of open spaces to intended uses and structures." Based upon the application materials, the RainDance PUD appears to further this objective.

The proposal is in conformance with Comprehensive Plan, Vision 2025 document, and the Strategic Plan.

At the June 3, 2015 regular meeting, the Planning Commission voted to recommend approval of the proposed Planned Unit Development to the Town Board subject to the following conditions listed in the staff memo. In the time that has elapsed since the time of the Planning Commission meeting, the applicant has addressed all four of the items.

Mr. Baker inquired if there will be animal units allowed.

Mr. Hornbeck stated there are some animal units allowed; hens, beekeeping, fish hatchery and other similar uses.

Mr. Vazquez commented that the question may be directed more towards horses, cattle, goats and pigs.

Mr. Hornbeck stated he does not see where they are allowed.

Mr. Baker inquired about the trail network through the property.

Mr. Hornbeck stated this is in the early stages of development.

Mr. Vazquez inquired if this area has been included in the overall trail master plan and making the connection between County Road 13 and 7<sup>th</sup> Street.

Mr. Hornbeck stated there is a trail plan for that corridor.

Applicant Martin Lind stated there are extensive trails throughout the property and that is a very important part of the project.

Applicant's Representative Mitch Black provided a presentation of the RainDance PUD project. The design objective for the PUD is to establish design guidelines that will facilitate a dynamic and diverse built environment. Plans for the property will ultimately include parks, trails, a school, a commercial district, agricultural integrated throughout the site, a championship golf course, and a variety of housing products. The proposed standards are also consistent with other Northern Colorado communities. Embracing agriculture throughout the project is also a main focus.

New Liberty Road will also connect existing developments to the east and the west and the diagonal road will provide a view of Longs Peak.

Mr. Vazquez inquired if there would be any light industrial.

Mr. Black stated there would not.

Ms. Melendez inquired if the amenities of the project will be available to residents of the project or open to all and if this will turn into a gated community.

Mr. Black stated the project will not turn into a gated community over all but sometimes the active adult piece can be a gated community.

Mr. Black also stated there would be public access on the south edge to the parks but the metropolitan district may be involved in the as well.

Mr. Arnold inquired if the oil and gas pads have been accommodated for as far as distances from developments.

Mr. Black stated they have.

Ms. Melendez inquired about the email provided by Mr. Hornbeck regarding a citizen concern on density impact.

Mr. Lind stated the density is still not a high density project even though the word density has been associated with this project. In Fort Collins, they require five units per acre and this project is about 2 ½ units per acre. This is a large parcel of land and densities are not exceeding or coming close to exceeding the limit.

Mr. Morgan inquired where the existing oil and gas wells will land.

Mr. Lind stated there are surface agreements in place and one well is being vacated. No structures will be planned out as it is all at grade.

Mr. Morgan inquired if the Poudre trail will need to be rerouted.

Mr. Lind stated a portion will need to be relocated.

Mr. Vazquez stated currently the only thing that connects 7<sup>th</sup> Street to County Road 13 is Highway 392 so with this new development and the continuation of New Liberty Road through it, residents west of County Road 13 will be able to safely ride bikes into Windsor.

Mr. Vazquez inquired if the orchards and agricultural areas will be operated and maintained by the metropolitan district.

Mr. Lind stated ownership will stay within the district with the hope that individuals would lease the ground for crops.

Patrick Davey, 8795 Longs Peak Circle, Windsor, CO

Mr. Davey stated he likes the layout with the community center but believes it would be more useful in the center of the project and believes it would give a bigger buffer to the people in the Steeplechase subdivision. Mr. Davey also likes the idea of the agricultural lots but is concerned if they are owned by homeowners that they will become weed patches and turned into RV storage.

Earl Pittman, 8413 Cherry Blossom Drive, Windsor, CO

Mr. Pittman believes the pad sites that will be going in at RainDance are more than 2000 feet away from the school and there is actually pads at Windsor Charter Academy that are closer to the school than what is proposed for RainDance. Mr. Pittman also stated he is in support of the development being proposed by providing jobs, more housing, and connectivity with other neighborhoods.

Karen Speed, 8310 Cherry Blossom Drive, Windsor, CO

Ms. Speed has concerns with the density and the amount of traffic that will be on County Road 13. When it rains and the river is up, the north end of County Road 13 is usually closed as the water has flooded the area making the only entrance and exit at Crossroads. Ms. Speed believes turning County Road 13 into a four lane road could be beneficial.

Mr. Vazquez stated based on traffic studies, that County Road 13 is Colorado Boulevard all the way down to Denver and is a major arterial road. At some point in the future it will be four lanes. The roads that are there today are not necessarily the roads that will be there 50 years from now.

Rebekah Wilson, 5435 Far View Court, Windsor, CO

Ms. Wilson agrees that New Liberty Road will be very beneficial for many neighborhoods. Ms. Wilson is concerned about buses that make stops on Steeplechase as the subdivision has become busier over time and is concerned with the opening of New Liberty Road it becoming even busier. Mr. Wilson is also concerned that the neighborhood is an equestrian neighborhood and trying to cross horses on a busy street is a very dangerous situation.

Mr. Lind stated there will be no RV storage or weed patches at RainDance. Mr. Lind stated County Road 13 and Crossroads is a bad intersection and is working on getting a stoplight at that intersection.

Mr. McCargar stated there was a fair amount of time examining what appears to be the master plan which is a separate agenda item. When the meeting comes to that agenda item, if folks want to be heard on that issue rather than the PUD ordinance, then they will be asked to come back up to make the record.

**Town Board Member Melendez 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.**

8. Ordinance No. 2015-1514 - An Ordinance Pursuant to Chapter 16, Article XXIII of the Windsor Municipal Code Approving the RainDance Planned Unit Development Within the Town of Windsor – Raindance Aquatic Investments, LLC and William F. Larrick, Inc., applicants/Mitch Black, Norris Design, applicant's representative
  - First reading
  - Quasi-judicial action
  - Staff presentation: Paul Hornbeck, Associate Planner

**Mayor Pro Tem Baker motioned to approve Ordinance No. 2015-1514 - An Ordinance Pursuant to Chapter 16, Article XXIII of the Windsor Municipal Code Approving the RainDance Planned Unit Development Within the Town of Windsor – Raindance Aquatic Investments, LLC and William F. Larrick, Inc., applicants/Mitch Black, Norris Design, applicant's representative; Town Board Member Adams seconded the motion.**

Associate Planner Paul Hornbeck had nothing further to add.



**PLANNING COMMISSION REGULAR MEETING**

**JUNE 3, 2015 – 7:00 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 Monday prior to the meeting to make arrangements.

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**MINUTES**

**A. CALL TO ORDER**

1. Roll Call

Chairman Schick called the regular meeting of the Windsor Planning Commission to order on June 3, 2015 at 7:01 p.m.

The following Planning Commission members were present:

Gale Schick  
Victor Tallon  
Steve Scheffel  
Robert Frank  
Andrew Vissers  
Ron Harding  
Charles Schinner

Absent  
Absent- Town Board Liaison

Wayne Frelund  
Robert Bishop-Cotner

Also Present: Director of Planning  
Town Attorney  
Assistant Town Attorney  
Director of Engineering  
Associate Planner  
Associate Planner  
Civil Engineer  
Deputy Town Clerk

Scott Ballstadt  
Ian McCargar  
Kim Emil  
Dennis Wagner  
Paul Hornbeck  
Josh Olhava  
Doug Roth  
Krystal Eucker

2. Review of Agenda by the Planning Commission and Addition of Items of New Business to the Agenda for Consideration by the Planning Commission

**Mr. Tallon moved to approve the agenda as presented; Mr. Frank seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

3. Public Invited to be Heard

Chairman Schick opened the meeting up for public comment to which there was none.

**B. CONSENT CALENDAR\***

1. Approval of the minutes of May 20, 2015

**Mr. Tallon moved to approve the consent calendar as presented; Mr. Frank seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**  
**Nays – None**  
**Motion carried.**

**C. BOARD ACTION**

1. Site Plan Presentation – Highland Meadows Golf Course Subdivision 13<sup>th</sup> Filing – Power to Play Sports – Jon Turner, applicant/ Eric Greene, Power to Play Sports, applicant’s representative
  - Staff presentation: Josh Olhava, Associate Planner

Per Mr. Olhava, the applicant, Mr. Jon Turner, represented by Mr. Eric Greene is proposing a new building in the Highland Meadows Golf Course Subdivision, 13<sup>th</sup> Filing, located off of and adjacent to Crooked Stick Drive and 350 feet from Fairgrounds Avenue.

The current configuration is Residential Mixed Use and General Commercial. This application has other items on the agenda for tonight’s meeting as well as other applications including a minor subdivision and a re-zoning that will be reviewed at another date.

Site characteristics include:

- an approximately 52,000 square foot building reaching 36’-8” tall;
  - Includes indoor basketball courts and a common area
- 6 indoor basketball courts;
- an outdoor patio; and
- 173 off street parking spaces, including accessible parking space(s).

The site to the east is the proposed fitness and tennis center presented to the Planning Commission on January 7, 2015. There are similarities in both site plan processes such as a building materials waiver.

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

The application is consistent with various elements of the Comprehensive Plan as well as the Vision 2025 document.

Mr. Schick inquired if the applicant has any further information to be presented.

Jon Turner, 6379 Crooked Stick Drive, Windsor Colorado stated the proposal is in the southwest section of Highland Meadows Golf Course. Originally when the annexing and

platting of the golf course took place, they didn't know what the fairgrounds development would entail so they pulled the 80 acres in the southwest corner back away as a buffer from the fairgrounds. The ground to the south and across from Crooked Stick, is zoned Industrial.

2. Waiver request of Commercial Corridor Plan Section III.B.3.b.(1) – Highland Meadows Golf Course Subdivision 13<sup>th</sup> Filing Site Plan (Power to Play Sports) – Jon Turner, applicant/ Eric Greene, Power to Play Sports, applicant's representative
  - Staff presentation: Josh Olhava, Associate Planner

Per Mr. Olhava, Mr. Jon Turner, represented by Mr. Eric Greene is requesting a waiver from Section III.B.3.b.(1) of the Commercial Corridor Plan regarding building materials. The site is located north of and adjacent to Crooked Stick Drive, and approximately 350 feet east of Fairgrounds Avenue, directly west of the proposed fitness and tennis center. The waiver request proposes building materials that are prohibited as follows:

Commercial Corridor Plan Section III.B.3.b.(1) states the following:

- b. The following building materials are prohibited as façade materials:*
  - (1) Vertical ribbed metal siding shall be prohibited. Only architectural grade metal panels will be allowed on non-prominent facades.*

As seen on the enclosed renderings, the applicant is proposing a mix of stone masonry, stucco and upgraded metal siding. Stucco material is utilized on the corners of the building and on the front/south façade. All facades include metal panels, enhanced by the use of differing colors, accents (such as the faux windows) and recessed elevations. The site will include additional landscaping around the building that will help to soften the site and building facades from the roadway. Staff does feel that the literal enforcement of the Commercial Corridor Plan standards restricting the use of metal paneling along the prominent building facades places a practical difficulty or undue hardship on the applicant.

Commercial Corridor Plan Section II.B.(2) states that requests for design criteria waivers shall be subject to review and determination by the Planning Commission. The Planning Commission may grant, conditionally grant or deny any waiver request brought under this sub-section. In order to receive a waiver, the applicant shall have the burden of establishing justification for waiver approval under the following criteria:

1. *Strict application of the applicable standard will result in either extraordinary practical difficulties or undue hardship.*

Staff believes strict application of the Commercial Corridor standards would result in a practical difficulty as the use is not intended for retail activities and that a basketball facility has certain design requirements. The applicant has proposed a mix of building materials, combined with recessed building elevations and accents to the facades that will minimize the impact of the use of metal panels. The applicant will work with staff to provide substantial landscaping to reduce the visual impacts of the building and parking lot placement.

2. *The proposed waiver, if approved, will protect the public interest equally or better than the standard for which the waiver is requested; and*

Staff believes the proposal for additional landscaping and building elements are consistent with the intent of the Commercial Corridor Plan, which is to convey an image of high quality development and community to residents, property owners and visitors (Commercial Corridor Plan - Purpose and Intent).

3. *Approval of the waiver request will not be detrimental to the public interest.*

Staff believes the public interest, public safety, and public welfare will not be detrimentally impacted by the proposed building materials, combined with additional landscaping.

The application is consistent with various commercial goals of the Comprehensive Plan and the Vision 2025 document does not address site specific details such as building materials.

Staff recommends the Planning Commission approve the use of high quality metal panels on the facades of the building with the following conditions:

1. The applicant will continue to work with staff through the site plan process, to provide substantial landscaping to reduce the visual impact of the building and parking lot placement.
2. Any reduction in building materials, colors or accents during the site plan review process will warrant an additional waiver request from by the applicant from the planning commission.

Mr. Scheffel inquired if the fitness and tennis facility used similar materials.

Mr. Olhava stated there was a waiver for materials as well. The north and west facades of the fitness and tennis facility are prominently metal due to the west façade being screened by the tennis courts, the distance from the road and additional landscaping.

Mr. Scheffel inquired if the two buildings will look like sister buildings.

Mr. Olhava stated the colors will not be the same but will have similar materials.

Mr. Turner stated they could comply with the commercial code but breaking up the materials could be more appealing. The goal of the area is to tie all the buildings together.

Mr. Scheffel inquired if they will look like they belong together.

Mr. Turner stated the buildings will look like they tie together. Landscaping, parking and sidewalks are tied together. The goal is to make it a complex and not individual site plans.

Mr. Schinner inquired about the closest distance from the middle of the road to the building as it appears to be set back from road.

Mr. Olhava stated it was 160 feet.

**Mr. Frank moved to approve the waiver request of Commercial Corridor Plan Section III.B.3.b.(1) – Highland Meadows Golf Course Subdivision 13<sup>th</sup> Filing Site Plan (Power to Play Sports) subject to staff conditions; Mr. Tallon seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**  
**Motion carried.**

3. Determination of off-street parking required for a use that is not enumerated in accordance with Section 16-10-30(7) of the Municipal Code – Highland Meadows Golf Course Subdivision 13<sup>th</sup> Filing Site Plan (Power to Play Sports) – Jon Turner, applicant/ Eric Greene, Power to Play Sports, applicant’s representative

- Staff presentation: Josh Olhava, Associate Planner

Per Mr. Olhava, the applicant, Mr. Jon Turner, represented by Mr. Eric Greene has submitted a site plan application in the Highland Meadows Golf Course Subdivision, Thirteenth Filing, located off of and adjacent to Crooked Stick Drive. The new building is being planned as an indoor basketball facility of approximately 52,000 square feet.

Section 16-10-30(7) of the Municipal Code states:

*“Uses not enumerated.*

*In any case where there is a question as to the parking requirements for a use or where such requirements are not specifically enumerated, the Planning Commission shall determine the appropriate application of the parking requirements to the specific situation.”*

The applicant is requesting that the Planning Commission determine that the 173 proposed parking spaces are adequate in order to move forward with the project. The applicant has provided an analysis of parking space need. In addition, the parking lot planned for the adjacent fitness and tennis center provides an opportunity for overflow parking, if needed. The site will also be connected to Town trails to provide alternative modes of transportation.

The application is consistent with various goals of the Comprehensive Plan and the Vision 2025 document does not note site specific details such as parking.

Staff recommends the Planning Commission determine the parking is appropriate as presented.

**Mr. Tallon moved to approve off-street parking required for a use that is not enumerated in accordance with Section 16-10-30(7) of the Municipal Code – Highland Meadows Golf Course Subdivision 13<sup>th</sup> Filing Site Plan (Power to Play Sports) as presented; Mr. Frank seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

4. Public Hearing – Final Major Subdivision – Highland Meadows Golf Course Subdivision 11<sup>th</sup> Filing – Jon Turner, applicant/ Jason Sherrill, Landmark Homes, applicant’s representative

- Staff presentation: Josh Olhava, Associate Planner

Mr. Schick closed the regular meeting and opened up the public hearing.

Per Mr. Olhava, the applicant, Mr. Jon Turner, represented by Mr. Jason Sherrill has submitted a major subdivision plat, known as Highland Meadows Golf Course Subdivision 11<sup>th</sup> Filing. The subdivision encompasses approximately 22 acres and is zoned Residential Mixed Use (RMU). The multi-family residential lots range from approximately 1,800 – 3,800 sq. ft.

Referral comments from the gas company pertaining to the gas easement across access points and roadway connections that were previously shown were not permitted by the gas company.

The applicant held a neighborhood meeting on March 4, 2014 with approximately 11 neighbors in attendance. Notes from the neighborhood meeting are attached to this packet for the Planning Commission's information and reference. The applicant received Preliminary Plat approval at the August 20, 2014 Planning Commission meeting. No major concerns or issues were raised during that meeting.

The application is consistent with various Socioeconomic and Overall Land Use goals and policies of the Comprehensive Plan as well as Residential Land Use goals and policies of the Comprehensive Plan. The application is consistent with Growth and Land Use Management elements of the Vision 2025 document as well as housing elements of the Vision 2025 document.

Staff recommends the Planning Commission forward to the Town Board a recommendation of approval of the final major subdivision subject to the following conditions:

1. All remaining Planning Commission and staff comments be addressed prior to recordation.
2. All subdivision requirements continue to be met.

At this time staff requests the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- All testimony presented during this public hearing
- Recommendation

Mr. Schick inquired if there were any comments or questions from the audience.

Bill Greeley, 6413 Half Moon Bay Drive, Windsor, Colorado wanted to comment on the traffic this will generate. There is also a proposal to the east for more development. This would add more traffic to an already busy road.

**Mr. Tallon moved to close the Public Hearing; Mr. Frank seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

5. Recommendation to Town Board – Final Major Subdivision – Highland Meadows Golf Course Subdivision 11<sup>th</sup> Filing – Jon Turner, applicant/ Jason Sherrill, Landmark Homes, applicant's representative

- Quasi-judicial action
- Staff presentation: Josh Olhava, Associate Planner

Per Mr. Olhava there are no further comments.

**Mr. Tallon moved to forward a recommendation of approval of the Final Major Subdivision – Highland Meadows Golf Course Subdivision 11<sup>th</sup> filing to the Town Board subject to conditions set by staff; Mr. Frank seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

6. Recommendation to Town Board – Final Site Plan – Highland Meadows Golf Course Subdivision 11<sup>th</sup> Filing – Jon Turner, applicant/ Jason Sherrill, Landmark Homes, applicant’s representative

- Quasi-judicial action
- Staff presentation: Josh Olhava, Associate Planner

Per Mr. Olhava, the applicant, Mr. Jon Turner, represented by Mr. Jason Sherrill has submitted a final site plan application, known as Highland Meadows Golf Course Subdivision 11<sup>th</sup> Filing – Site Plan. The site plan encompasses approximately 22 acres and is zoned Residential Mixed Use (RMU). A total of 68 townhome units are being proposed with the site plan, along with HOA maintained open space and private drives throughout the site. The multi-family residential lots range from approximately 1,800 – 3,800 sq. ft. All of the units have garages that are oriented inward to the private drives, while the front entrances face the exterior.

The application is consistent with various elements of the Comprehensive plan as well as the Vision 2015 document.

Staff recommends the Planning Commission forward to the Town Board a recommendation of approval of the Final Site Plan subject to the following conditions.

1. All remaining Planning Commission and staff comments shall be addressed.
2. All site plan requirements continue to be met.

At this time staff requests the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation

The applicant’s representative, Jason Sherrill of Landmark Homes, 1170 West Ash Street, Windsor, CO highlighted key points of the project. A greenway trail system will connect the existing Highland Meadows community to the proposed application. The 4 and 6 unit townhomes will be on their own lots, every home will have a 2 car garage with a 2 car driveway. The units will have full unfinished basements and come in 2 bedroom and 3 bedroom floor plans. Each unit will also have a fenced private yard.

Mr. Scheffel inquired if there is only 1 access point to the project.

Mr. Sherrill stated in this project there is one access point but there is an emergency exit to the north.

Mr. Harding inquired if the walking path will connect the boardwalk with the basketball facility.  
Mr. Sherrill stated they would.

Mr. Harding inquired if parking in the driveway will be allowed overnight.  
Mr. Sherrill stated they restrict using garages as storage so the garage has to be available for parking.

**Mr. Tallon moved to forward a recommendation of approval to Town Board for the Final Site Plan – Highland Meadows Golf Course Subdivision 11<sup>th</sup> Filing subject to the conditions presented by staff – Mr. Frank seconded the motion. Roll call on the vote resulted as follows:  
Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner  
Nays – None  
Motion carried.**

7. Recommendation to Town Board – A Petition to Disconnect a portion of the Zeiler Farms Second Annexation from the Town of Windsor and related transfers of sanitary sewer units to the RainDance property – Patrick McMeekin, Vima Partners, LLC
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney; Scott Ballstadt, Director of Planning

Per Mr. Ballstadt, the applicant, Vima Partners, LLC, represented by Mr. Patrick McMeekin, is proposing to disconnect a portion of the Zeiler Farms Second Annexation from the Town of Windsor and transfer the available sewer capacity to the Raindance property. As the Planning Commission may recall, this proposal was previously discussed at a Planning Commission work session on February 5, 2014. The Planning Commission was in favor of the proposal and subsequently amended the Town's Comprehensive Plan land use map on June 4, 2014 to change the land use depiction of the property to Parks, Open Space, Mineral Extraction and Floodplains to reflect the deed restriction that will be placed on the property. The deed restriction on the property will ensure that the property will remain in agricultural production or open space with the exception of minimal agricultural related homes.

Mr. McCargar stated the land owner has asked for a disconnection and in conjunction an amendment to the Zeiler annexation agreement with the intent to render the parcel incapable of future development. Under the terms of the negotiated agreement, the sewer density will be removed from the property. With limited uses for the property, four residential dwelling are permitted to be served by septic systems. Agricultural uses are permitted for the property as well. There are some land uses specifically prohibited in the agreement so that the Town does not entirely lose control of what will take place on the property. There are triggers that would require the property to be re-annexed. The next agenda item which is the agreement, protect the Town of Windsor and preserves the town's interest once the property is disconnected. The official action to de-annex would be an ordinance heard on two readings.

Mr. Ballstadt stated staff has conditions within the recommendation and the applicant is present for any further questions.

Martin Lind, 1625 Pelican Point, Windsor, CO stated the original intent of this proposal was to correct a residential leap frog annexation and development. Mr. Lind indicated that while the Zeiler Annexation was happening he did not feel it was the right time to approach the Zeilers to discuss residential uses with commercial uses on U.S. 34. As the recession subsided, negotiations took place with the Zeilers to buy this parcel as residential as everything else they have is commercial. The proposal increases the density in RainDance which was originally extremely low density and will remain lower density. It prevents Windsor from having to service a leap frog development of 600 homes out on a dirt road. There are no water and sewer services in the area. This will help preserve the agricultural heritage in the area. Another reason to de-annex is to stay away from conflicting uses being inside the town but utilizing the property for agriculture.

Mr. Ballstadt stated that the following proposed conditions of approval pertain to the three agenda items #7, #8 and #9:

1. Prior to scheduling Town Board consideration of the ordinance approving the RainDance PUD, the applicant shall submit to the Town fully executed original agreements for transfer of sanitary sewer units.
2. The applicant shall submit updated sewer master plan mapping and all related information necessary to reflect the resulting changes to the Town's sewer master plan in a format to be approved by the Town's Engineering Department.

Mr. Schick asked if the current agenda item is specifically the de-annexation.

Mr. Ballstadt stated that was correct.

**Mr. Frank moved to forward a recommendation of approval to the Town Board for Petition to Disconnect a portion of the Zeiler Farms Second Annexation from the Town of Windsor and related transfers of sanitary sewer units to the RainDance property as presented subject to staff conditions; Mr. Tallon seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

8. Recommendation to Town Board – Resolution Approving an Agreement Regarding the Transfer of Sewer Capacity Units from the Zeiler Farms Second Annexation to the Water Valley West property (a.k.a. RainDance)

- Legislative action
- Staff presentation: Ian McCargar, Town Attorney; Scott Ballstadt, Director of Planning

Per Mr. McCargar, the agreement that was referred to earlier is really an amendment to the Zeiler Farms annexation and Master Plan Development Agreement. The reason the amendment is necessary is because the annexation agreement specifically laid out how many sewer capacity units were available to the entire Zeiler Farms annexation. A deed restriction will be placed on the subject portion of the Zeiler property and the restriction will be conspicuously called out on the top and in the body of the document to put everyone on notice once this agreement is recorded that this property will be rendered undevelopable. With the absence of a different sanitary sewer facility, the land owner is really incapable of further development which is important so that future purchasers within this parcel understand. Also, this agreement has

requirements for re-annexation if things happen that were not intended. There are some very specific uses that are prohibited that would trigger re-annexation. Additionally, if oil and gas activity take place on this parcel, it is understood that at least that portion of the property that is devoted to oil and gas and that it is necessary to have contiguity of the annexation act will be re-annexed primarily because of the way taxation is handled on oil and gas rights. The land owner has agreed to the terms as well. There are some minor details still to be negotiated in the agreement, for example, the land owner will be required to dedicate rights of way to the Town if it is necessary to serve the remaining portions of the Zeiler Annexation. Lastly, the agreement will revoke or cancel some vested property rights that were approved by the Town Board for just this portion of the property. A signature from a third party, one of the original parties to the annexation agreement, has yet to sign the agreement. The concerns of that party have been met but they have not yet signed the agreement. Mr. McCargar respectfully requests that the Planning Commission recommend approval of the agreement subject to signatures of all parties.

Mr. Schick inquired if they are seeking Planning Commission approval on the transfer of sewer density.

Mr. Ballstadt stated that was correct.

Mr. Schinner inquired if the land will be undevelopable.

Mr. McCargar stated it is incapable of further development other than the four residential properties.

**Mr. Frank moved to forward a recommendation of approval of the agreement regarding the transfer of sewer capacity subject to the aforementioned conditions as presented to the Town Board; Mr. Tallon seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

9. Recommendation to Town Board – Resolution Approving an Agreement Regarding the Transfer of Sewer Capacity Units from portions of the Water Valley South Subdivision to the Water Valley West property (a.k.a. RainDance)

- Legislative action
- Staff presentation: Ian McCargar, Town Attorney; Scott Ballstadt, Director of Planning

Mr. McCargar stated this is a related agreement, not to be confused with the disconnection. The Engineering Department has worked on what the sewer capacity will be within portions of Water Valley; an agreement that takes some sewer capacity from certain parcels of Water Valley and transfers or reallocates them to the RainDance property. The final agreement is still being reviewed by Mr. Lind's attorneys. If the final analysis looks like there are no amendments to which has changed the essential core of what was approved with the Zieler agreement, we are able to move forward on this and a recommendation to the Town Board is appropriate. If the agreement comes back from Mr. Lind's attorneys with a lot of changes, if the tone and character change drastically, more discussion will need to take place. If the changes are not significant, it is respectfully requested the Planning Commission forward a recommendation of approval to the Town Board.

Mr. Schinner commented that since the sewer transfer agreements were not yet executed, a recommendation of tabling the item may be appropriate.

Mr. McCargar stated that comment would require a motion and vote.

**Mr. Schinner made a motion to table the current item until the final agreement document is completed; Mr. Scheffel seconded the motion.**

Mr. Ballstadt stated for clarification that the staff recommendation is that agenda items #7, #8 and #9 not be scheduled for Town Board consideration until the sewer transfer agreements are executed, so the proposed conditions of approval are similar to Mr. Schinner's motion.

Mr. Lind respectfully requested that the item would not be tabled and to honor the staff's recommendations. Mr. Lind anticipates no issues with the agreements.

**Mr. Schinner retracted the motion; Mr. Scheffel seconded the retraction after further discussion and clarification.**

Mr. Frank inquired for clarification, if the item was tabled, it would need to be presented to the Planning Commission after conditions have been met and then forwarded to Town Board.

Mr. McCargar stated that was correct.

Mr. Frank inquired for clarification, if staff conditions are similar to tabling the item.

Mr. McCargar stated staff is stating until a signed agreement is executed, the Town Board official action can't move forward.

Mr. Scheffel inquired as to how long Mr. Lind's attorney has had the information.

Mr. McCargar stated the agreement for transfer density out of Water Valley to RainDance has been in Mr. Lind's councils' hands for about three weeks.

Mr. Schick stated the way staff wants to proceed is not much different than tabling the item.

**Mr. Frank made a motion to recommend to Town Board approval of the Resolution Approving an Agreement Regarding the Transfer of Sewer Capacity Units from portions of the Water Valley South Subdivision to the Water Valley West property (a.k.a. RainDance) as presented subject to all staff recommendations and conditions; Mr. Tallon seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

10. Public Hearing – A Zoning proposal to create a Planned Unit Development (PUD) overlay district on approximately 1,133 acres known as Raindance PUD – Raindance Aquatic Investments, LLC and William F. Larrick, Inc., applicants/Mitch Black, Norris Design, applicant's representative

- Staff presentation: Scott Ballstadt, Director of Planning

Mr. Schick closed the regular meeting and opened up the public hearing.

Per Mr. Ballstadt, the applicants, RainDance Aquatic Investments, LLC and William F. Larrick, Inc., represented by Mr. Mitch Black of Norris Design, are proposing to create a Planned Unit Development (PUD) overlay district on approximately 1,133 acres with a total of 2792 units known as RainDance PUD. The subject property, previously master planned and subdivided as Water Valley West, is located at the western terminus of New Liberty Road; north of and adjacent to Crossroads Boulevard; and east of and adjacent to County Line Road (WCR 13).

The subject rezoning application will create a PUD overlay district which constitutes an amendment to the Town's Official Zoning District Map and the minimum standards approved with the PUD will be applied to future land use applications within the PUD district. The RainDance PUD proposes variations in minimum lot size, setbacks, street standards and other aspects of development in order to accommodate specific product types and neighborhood concepts. This is consistent with the intent of PUD regulations which are "intended to accomplish the purposes of public control to the same extent as do zoning and other regulations applicable to conventional lot-by-lot development, while simplifying, integrating and coordinating land development controls and providing necessary flexibility to encourage design innovation and creative community development."

Another unique aspect of the proposed PUD is the use of certain agricultural uses at the perimeter of the property along County Line Road (WCR 13) and Crossroads Boulevard to maintain an open and agrarian character. The agricultural uses that are allowed are specified in the PUD documents and those uses that require appropriate site plan approvals will be required to meet the site plan requirements of the RainDance PUD documents. The process is similar to the administrative site plan requirements of the Municipal Code, but tailored to agricultural uses.

An enhanced parks and open space system is one of the amenities proposed with the RainDance PUD to justify approval of the PUD. The final park layout will be determined with the future platting of the property, but the PUD documents indicate that the approximate location of open space and park features will be within one-third (1/3) mile radius to every resident.

Another aspect of the proposed PUD is up to 17 acres of commercial use in the southwest corner of the property.

The proposed PUD is consistent with the Housing Goals of the Comprehensive Plan as well as the Housing Goals of Vision 2025 document and the Strategic Plan.

Mr. Lind stated the town's staff has worked diligently with his team on this project. The streets in RainDance are oriented to focus on Longs Peak.

Mitch Black, Norris Design, 1101 Bannock Street, Denver, CO stated it is exciting to get to the point of presenting the proposed project to the Planning Commission and soon to the Town Board. Norris Design looked at the town code and adopted most of the codes; however the PUD is necessary for some product types. The proposed 2792 units are the maximum permitted through a sewer study on the 1,100 acres.

The southwest corner of the development will include a market place along with 60 acres of agricultural farm ground on the south and the west. There will be orchards and varieties of permanent crops that can be sold at the farmers market. Tree rows and hedge rows will also be a component of the development. The metro district will oversee and ensure that the agricultural work will be monitored and made sure done it is done properly.

The northern edge may be an opportunity for future development of an active adult community which would include 800 units next to the golf course. All the trails and roads lead to the central core area. There is a large park in the center that is planned as well as a school site. With the park and school next to each other, there can be shared uses between the two sites. The RainDance park is intended to include a high end large recreation facility to include a pool facility with slides and a lazy river. The grassy area can be utilized for sports games and practicing. The south end will include a community garden area with a large gathering space to be used for various events.

Some lots are less than 6,000 square feet and some of the smaller lots are 30 feet wide and 80 feet deep.

Mr. Schick inquired if there were any questions or comments from the public.

Annelise Cummings, 8180 White Owl Court, Windsor, CO commented that it sounds like the sewer capacity issues have been well studied but wondered how well the traffic congestion and residential density increases that go along with moving the housing unit allocations to the RainDance property have been considered, especially since the large part of the property is a golf course. She feels like the density is being pushed to the other corners. About a year ago it was relatively low density residential on the master plan but now parts are going to be as high as 24 units per acre and the Planning Commission should consider not approving the addition of all these extra units. Instead of figuring out how to change the zoning rules to change the lot sizes to allow the applicant to meet these needs, she feels rules were developed for a reason and would like to consider how changing rules affects needs and desires as a whole and not just a particular developer.

Jim Cummings, 8180 White Owl Court, Windsor, CO stated he is surprised by the number of units on this property. 2800 units at 2-2 ½ people per unit is about 6,000-7,000 people which is 25-30% of the total population of Windsor. Windsor is a pretty spread out city and we are trying to increase the city by 25-30% on 2/3 of this property. That is a lot of residential density crammed into one place. Especially in light of the city working on the new Comprehensive Plan it seems like awkward timing and a rush to do this. Mr. Cummings would like to hold off on this project until after the Comprehensive Plan is finished.

Fred Mitchell, 2056 Ridge West Drive, Windsor, CO stated he resides on the west side of the property and is impressed with the application. This does take a master plan overview. A number of neighbors and I were concerned about six months ago when the Pace property was proposed for oil and gas. There was no planning or thought process. Mr. Mitchell represents a small number of home owners that are in favor of the project. This type of master plan program is something they welcome and look forward to. Mr. Mitchell stated he could see his property value increase as a result.

**Mr. Tallon made a motion to close the public hearing; Mr. Frank seconded the motion. Roll call on the vote as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

11. Recommendation to Town Board – A Zoning proposal to create a Planned Unit Development (PUD) overlay district on approximately 1,133 acres known as RainDance PUD – Raindance Aquatic Investments, LLC and William F. Larrick, Inc., applicants/Mitch Black, Norris Design, applicant’s representative

- Quasi-judicial action
- Staff presentation: Scott Ballstadt, Director of Planning

Mr. Ballstadt stated the staff recommends the Planning Commission forward to the Town Board a recommendation of approval of the proposed Planned Unit Development subject to the following conditions:

1. Accessory dwelling units (ADUs) on lots smaller than 6,000 square feet shall be removed from the PUD documents and shall instead follow the ADU requirements outlined in Chapter 16, Article XXXIII of the Municipal Code.
2. Prior to scheduling Town Board consideration of the ordinance approving the RainDance PUD, the applicant shall submit to the Town fully executed original agreements for transfer of sanitary sewer units.
3. Prior to scheduling Town Board consideration of the ordinance approving the RainDance PUD, the applicant shall submit to the Town a fully executed original PUD agreement.
4. The PUD documents shall replace the use of “sharrows” with standard bike lanes in accordance with the Town’s street standards.

**Mr. Tallon made a motion to re-open the public hearing; Mr. Frank seconded the motion.**

**Roll call on the vote as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

Mr. Lind stated the accessory dwellings are a quality of life issue and an aging at home issue. One of the reasons we didn’t want to give up on the 6,000 square foot minimum is for the individuals that live here seasonally and so we are trying not to restrict to eliminate someone from having a live-in nurse just because their lot is smaller. We envision the accessory unit could be above a garage or outbuilding. We are proposing it with forethought and would be happy to restrict these if they are not built as originally planned. This gives us a tool for a senior that has a lock and leave home but they want to have a live-in caretaker; it gives them the ability to do that but only if designed into the original concept of the house rather than added after-the-fact.

Mr. Schick inquired about what the proposed minimum lots are.

Mr. Ballstadt stated 4,000 square feet for single family detached. There is a small dwelling single family detached at 2,400 square feet. Also a single family attached dwelling on 1,200 square feet.

Mr. Lind requested to have the minimum lot square foot for accessory dwellings to be 4,000 square feet and would also restrict the accessory dwellings to those that are built per the approved Master Plan for that property.

Mr. Schick stated he would like to see more details around this issue before making a decision. Further consideration is necessary before removing the condition and the Planning Commission should review and compare what Mr. Lind is proposing. Mr. Schick stated he didn't have enough information to make the decision on which direction to go.

Mr. McCargar stated the public hearing can be continued to another date to gather all information needed to make a decision or, if the Planning Commission is not prepared to make a recommendation based on the record tonight, that will be indicated in the recommendation to the Town Board and leave the decision to the Town Board with the assumption the Town Board will convene another public hearing on the subject. The applicant and staff will be prepared to discuss the issue.

**Mr. Tallon made a motion to close the public hearing; Mr. Frank seconded the motion. Roll call on the vote as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

Mr. Lind stated he concurred with Mr. Schick's concerns but would like to stay on track with the Town Board meetings. Mr. Lind asked if the PUD could move forward with staff's condition of approval regarding ADUs with the option to re-visit the issue with the Town Board when that meeting occurs. Staff will be given more detailed information before that time comes.

Mr. Frank asked if the ADU condition would come back before Planning Commission if it is re-visited in the future.

Mr. Ballstadt stated that it would require a Planning Commission recommendation to Town Board at that time.

Mr. Schick stated he is in agreement moving forward with staff recommendations.

Ms. Scheffel inquired about the staff recommendation regarding "sharrows".

Mr. Hornbeck stated sharrows, or shared lane markings, are when a vehicle lane is marked with a bike symbol so the bike and the vehicles can share the same lane. Other jurisdictions have used them but there are none in Windsor at this time. Staff's position is that sharrows can be an appropriate solution for existing streets in certain circumstances but bike lanes should be installed in this case because it's new construction.

**Mr. Tallon made a motion to re-open the public hearing; Mr. Frank seconded the motion.**

**Roll call on the vote as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**  
**Motion carried.**

Mr. McCargar stated that if there are questions related to the facts and more information is needed, the time to ask for that information is during the public hearing so that all information is covered.

Mr. Schick pointed out that there are times when questions are not raised until after the public hearing.

Mr. Hornbeck, for the purpose of stating the information during the public hearing, restated the information regarding the sharrows, or shared lane markings, explaining they are used when a vehicle lane is marked with a bike symbol so the bike and the vehicles can share the same lane. Other jurisdictions have used them but there are none in Windsor at this time. Staff's position is that sharrows can be an appropriate solution for existing streets in certain circumstances but bike lanes should be installed in this case because it's new construction.

Mr. Schick stated he agreed with staff since this is a new development.

Mr. Lind inquired if this would be paint on the road or increasing the street width.

Mr. Hornbeck stated a sharrow is paint on the road. To put in a bike lane they would need to add to the width of the road. Mr. Hornbeck stated that the proposed sharrows are located in the proposed commercial core area.

Mr. Scheffel inquired about the balance of the area.

Mr. Hornbeck stated other streets are proposed with standard bike lanes.

Mr. Scheffel inquired if the sharrows just pertain to the lower quadrant.

Mr. Black stated it is just in the lower quadrant; the oval with the store fronts. The speeds will be lower in that area with vehicles, people and bikes utilizing the shared area. With angled parking, bike lanes and cars, standard bike lanes will start pushing things father back.

Mr. Schick stated this comes down to a safety issue and doesn't want to compromise the safety of anyone who is living in that area or who is riding a bike and would recommend the segregated bike lane with the extra width for citizen safety.

Mr. Black stated if that is the direction they go, that will widen the character of the street.

Mr. Schick stated if it comes down to the character of the street or safety, safety should be the priority.

Mr. Harding stated he agreed. When bicycle traffic is promoted in this area, they need to feel safe riding in that area.

Mr. Scheffel stated the sharrows are proposed in the dense commercial portion of the development where there is more traffic and it seems counterintuitive to combine bikes and cars in such an area.

Mr. Scheffel inquired if golf carts will be permitted in this area.

Mr. Black stated they will be permitted. Mr. Black stated with the strong opinion of bike lanes everywhere, they may look into putting up signs that restrict bikes in the streets in that area.

**Mr. Tallon motioned to close the public hearing; Mr. Frank seconded the motion. Roll call on the vote as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

Mr. Schick stated the consensus of the Planning Commission is in favor of the dedicated bike lane in place of the sharrows.

Staff recommends the Planning Commission forward to the Town Board a recommendation of approval of the proposed Planned Unit Development subject to the following conditions:

1. Accessory dwelling units (ADUs) on lots smaller than 6,000 square feet shall be removed from the PUD documents and shall instead follow the ADU requirements outlined in Chapter 16, Article XXXIII of the Municipal Code; however, the applicant may propose to revisit this condition with proposed alternatives in the future.
2. Prior to scheduling Town Board consideration of the ordinance approving the RainDance PUD, the applicant shall submit to the Town fully executed original agreements for transfer of sanitary sewer units.
3. Prior to scheduling Town Board consideration of the ordinance approving the RainDance PUD, the applicant shall submit to the Town a fully executed original PUD agreement.
4. The PUD documents shall replace the use of “sharrows” with standard bike lanes in accordance with the Town’s street standards.

**Mr. Tallon made a motion to forward to the Town Board a recommendation of approval of the proposed Planned Unit Development subject to the conditions proposed by staff as revised to include the requirement of bike lanes rather than sharrows; Mr. Frank seconded the motion. Roll call on the vote as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

12. Recommendation to Town Board – Water Valley West Amended Master Plan (a.k.a. RainDance) – Martin Lind, Raindance Aquatic Investments, LLC, applicant/Mitch Black, Norris Design, applicant’s representative

- Quasi-judicial action
- Staff presentation: Scott Ballstadt, Director of Planning

Per Mr. Ballstadt, the applicants, Raindance Aquatic Investments, LLC and William F. Larrick, Inc., represented by Mr. Mitch Black of Norris Design, are proposing to amend the existing Water Valley West Master Plan to reflect the proposed RainDance Planned Unit Development (PUD). The subject property, previously master planned and subdivided into 4 large tracts, known as Water Valley West.

The master plan is consistent with the Housing Diversity Goals and Policies of the Comprehensive Plan as well as the Housing Goals of the Vision 2025 document and the Strategic Plan.

Mr. Ballstadt stated the golf course is situated over some existing conversation easements that the applicant will need to address.

Mr. McCargar stated 2 of the 3 conservation easements have been extinguished. There is a plan in place to extinguish the remaining small easement. Any official action approving the master plan will need to include the understanding that the approval is conditional upon the extinguishment of the last conversation easement.

Mr. Lind stated the conservation agreements contain language that will allow them to be moved to another parcel. If the easement cannot be extinguished, the process of moving the easement will take place to move it to another parcel.

Mr. Ballstadt stated the residential and commercial densities proposed in the amended master plan and the PUD are based on the approval of the proposed transfer of sanitary sewer units; therefore, the proposed conditions of approval require that all of the related agreements be executed prior to scheduling final approval by the Town Board.

Staff recommends the Planning Commission forward to Town Board a recommendation of approval of the proposed amended master plan subject to the following conditions:

1. Accessory dwelling units (ADUs) on lots smaller than 6,000 square feet shall be removed from the PUD documents and shall instead follow the ADU requirements outlined in Chapter 16, Article XXXIII of the Municipal Code; however, the applicant may propose to revisit this condition with proposed alternatives in the future.
2. Prior to scheduling Town Board consideration of the ordinance approving the RainDance PUD, the applicant shall submit to the Town fully executed original agreements for transfer of sanitary sewer units.
3. Prior to scheduling Town Board consideration of the ordinance approving the RainDance PUD, the applicant shall submit to the Town a fully executed original PUD agreement.
4. Nothing herein shall condone or permit a violation of the terms of the Deed of Conservation Easement dated December 8, 2003, recorded in Weld County at Reception No. 3139866. Extinguishment of the said conservation easement shall occur prior to Town approval of any future subdivision or site plan proposals.

**Mr. Tallon motioned to forward to the Town Board a recommendation of approval of the proposed amended master plan subject to the conditions presented by staff; Mr. Frank seconded the motion. Roll call on the vote as follows:**

**Yeas – Schick, Tallon, Scheffel, Frank, Vissers, Harding, Schinner**

**Nays – None**

**Motion carried.**

#### D. COMMUNICATIONS

1. Communications from the Planning Commission

Mr. Schinner inquired if the alley is now paved at Arapahoe Rentals.

Mr. Olhava stated at the last Planning Commission meeting, staff reported it has been paved, the landscaping has been satisfied, and staff is also reviewing the site plan proposal for that lot.

Mr. Vissers inquired why bike lanes/trails in town have a big metal post in the middle.

Mr. Ballstadt stated that is to prevent vehicles from accessing the trail.

2. Communications from the Town Board liaison

Absent

3. Communications from the staff

Mr. Ballstadt stated that at the work session on May 20<sup>th</sup> there was discussion regarding alternative ways to handle review of referrals from other jurisdictions. One option that staff is reviewing with Town Attorney is Planning Commission review of a draft referral response via email. If the draft raised issues that require Planning Commission discussion, the referral would need to be scheduled for the next regular meeting. If there were no issues with the draft, it could be forwarded to the referring jurisdiction.

Mr. Schick asked staff to continue refining the process with the Town Attorney and report back to the Planning Commission.

#### E. ADJOURN

**Upon a motion duly made, the meeting was adjourned at 9:33**



---

Krystal Eucker, Deputy Town Clerk

## ARTICLE XXIII - Planned Unit Development Regulations

### Sec. 16-23-10. - Intent.

- (a) The planned unit development (hereinafter called PUD) provisions contained herein are intended to provide for the planning and development of substantial tracts of land, suitable in location and character for the uses proposed, as unified and integrated entities in accordance with detailed development plans.
- (b) Such planned unit developments are to be permitted as amendments to the Official Zoning District Map upon approval of a specific development proposal which complies with the requirements and standards set forth in this Chapter.
- (c) The regulations contained herein, which are based on sound comprehensive planning principles, are adapted to unified planning and development and are intended to accomplish the purposes of public control to the same extent as do zoning and other regulations applicable to conventional lot-by-lot development, while simplifying, integrating and coordinating land development controls and providing necessary flexibility to encourage design innovation and creative community development.
- (d) Specifically, the PUD provisions are intended to further the following objectives:
  - (1) To provide flexibility in land planning and development, resulting in amenable relationships between buildings and ancillary uses and permitting more intensive use of land where well-related open space and recreational facilities are integrated into the overall design.
  - (2) To encourage unity and diversity in land development, resulting in convenient and harmonious groupings of uses, structures and common facilities, varied type, design and layout of housing and other buildings and appropriate relationships of open spaces to intended uses and structures.
  - (3) To encourage unified and planned development of a site without customary subdivision into single lots and without specific application of the district regulations as provided for individual lots, subject to the regulations set forth herein.
  - (4) To provide for and encourage the preservation and enhancement of desirable natural landscape and other features unique to a development site.
  - (5) To provide reasonable standards and criteria by which the specific proposals for a PUD can be evaluated.
  - (6) To provide a procedure which can relate the design and layout of unified residential, commercial or industrial developments to the particular site and demand for such development in a manner consistent with the preservation of property values within established residential areas.

### Sec. 16-23-20. - General location and planning requirements.

- (a) Relation to major transportation system. Planned development districts shall be so located with respect to major streets and highways or other transportation facilities as to be directly accessible without creating traffic on minor streets in residential areas outside such districts.
- (b) Relation to public utilities and community facilities. Planned development districts shall be so located in relation to public utilities and community facilities and services, either existing or to be available by the time development reaches the stage where they will be required, that such facilities can be provided at reasonable public cost.
- (c) Relation to general pattern of urban development. Planned development districts shall be planned and located in general compliance with the Comprehensive Development Plan and shall relate the major elements of the urban pattern, including housing, commercial facilities and principal places of employment, by physical proximity of major streets so as to provide for the convenience and amenity of residents of the community and reduce general traffic congestion by a close relationship between origins and destinations.

Sec. 16-23-30. - Physical character of site.

The site shall be suitable for the development proposed without hazards to structures, occupants or any property from probability of flooding on the site or on adjacent lands, erosion or deposition of eroded material on adjacent lands, subsidence of the soil or other dangerous conditions. Soil, groundwater level, drainage and topography shall be appropriate to both kind and pattern of use intended.

Sec. 16-23-40. - Site planning; external relationships.

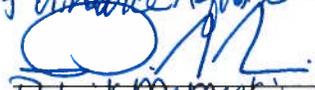
- (a) Vehicular access. Entrances and exits for vehicles shall be designed to encourage smooth traffic flow with minimum hazards to passing traffic or to traffic entering or leaving the development. Merging or turnout lanes may be required where anticipated traffic flows from or to the planned development indicate the need for such lanes. In no case shall streets within a planned development district connect to streets outside the district in such a way as to encourage use of any minor streets for through traffic.
- (b) Perimeter setback and screening. If topographical or other barriers do not provide adequate buffer between the planned development and adjacent uses, structures on the perimeter of the planned development shall be set back a distance equal to the minimum setback requirement of the adjoining district or shall be permanently screened by fences, walls or plantings as required to sufficiently protect the privacy and amenity of adjacent uses, to protect the planned development from potentially adverse external influences, such as a major street or highway and as necessary to make transition from adjoining districts.

Sec. 16-23-50. - Modifications of subdivision regulations.

- (a) The improvements required under Article X of Chapter 17, including streets, storm drainage, sanitary sewerage and potable water systems, shall be provided in each type of planned unit development.
- (b) The requirements and standards for the construction of streets and utilities set forth in the subdivision regulations shall be subject to modification where the plan and program for a PUD make adequate provision for vehicular and pedestrian access and circulation, recreation, utility and service needs of the tract when fully developed and occupied and which also provide such covenants, easements or other legal documents and provisions as will assume conformity to and successful implementation of the plan.

**REZONING PETITION**

We the undersigned, being the owners of the property described as a parcel of land in the Town of Windsor, County of Weld, State of Colorado, located in Sections 30, 31, and the west half of Section 29, Township 6 North, Range 67 West, of the sixth Principal Meridian and more particularly described as follows: Lots 1-5, Water Valley West Subdivision as shown on the plat thereof, recorded at the office of the Weld County Clerk and Recorder under reception number 3756094, containing 1,126.45 acres more or less, hereby request a Planned Unit Development overlay and do hereby pay the required fee.

| Date           | Owners Signature  | Mailing Address  |
|----------------|---|--|
| <u>9/9/14</u>  | <i>Rainbow Aquatic Enrichment, LLC</i><br>   | <b>1625 Pelican Lakes Point, Suite 201<br/>Windsor, Colorado 80550</b> |
| <u>9/12/14</u> | <i>Patrick McMeekin, Manager</i><br><br><i>William P. Farrick, Inc.</i><br><i>by Donald Farrick, Pres.</i> | <b>1625 Pelican Lakes Point, Suite 201<br/>Windsor, CO 80550</b>       |

1101 Bannock Street  
Denver, Colorado 80204  
303.892.1166



September 12, 2013

Mr. Scott Ballstadt – Chief Planner  
**Town of Windsor Planning Department**  
301 Walnut Street  
Windsor, CO 80550

**Re: Proposed Planned Unit Development for Water Valley West**

Dear Mr. Ballstadt:

On behalf of our clients, Don Larrick and Martin Lind, please find below the narrative description for the Water Valley West Planned Unit Development application.

The design objective for the Water Valley West PUD is to establish design guidelines that will facilitate a dynamic and diverse built environment on the Water Valley West site. As has been detailed in the Master Plan Amendment, the Water Valley West property will ultimately include parks, trails, a school, a commercial district, agricultural integrated throughout the site, a championship golf course, and a variety of housing products. This PUD is an integral step in achieving this broader vision for the Water Valley West property. The proposed standards are consistent with other Northern Colorado communities and a series of character photos, aerial photos, and various other approved plans have been provided in a separate document displaying how similar standards have been used in communities near Windsor.

Based on the proposed land use standards, a broader variety of housing product that fall below the 6,000 square foot single family detached lot size would be permitted on the Water Valley West site than would otherwise be allowed. These standards will also assist in orienting buildings towards the streets, generating a pedestrian-friendly built environment, and ensuring adequate provision for pedestrians, bicycles, and motor vehicles. As is shown on the Preliminary Zoning Map, residential density would decrease to the north and the east from a mixed use/commercial core located in the southwest corner of the property. By creating opportunities for a variety of housing products, the PUD will help make this transition occur.

It is our clients' objective to also integrate a variety of agricultural uses into Water Valley West. This PUD further details permitted agricultural uses, based on research of agricultural uses in similar integrated residential/agricultural communities, beyond the permitted uses listed in the *Windsor Town Code* (Sec. 16-32-20). These new standards differentiate from the General Commercial and the Residential/Mixed use portions of Water Valley West, incorporating into the community productive open space and tying the new development to Windsor's agricultural heritage.

In order to create more urban, walkable, and pedestrian-oriented streetscapes throughout the Water Valley West community, we are proposing a number of changes and additions to the roadway design standards. The proposed figures are based on precedents established in other Northern Colorado communities, including Windsor, Loveland, and Fort Collins. The roadway cross sections included in the PUD reflect these proposed design changes and include key Water Valley West features such as expanded tree lawns and wider sidewalks. A new retail major

1101 Bannock Street  
Denver, Colorado 80204  
303.892.1166



collector has also been designed that will allow for the opportunity to create a classic “main street” character in the commercial portion of Water Valley West. The proposed design of New Liberty Road includes a potential landscaped median, bike lanes, tree lawns, and trails in order to function as an attractive and inviting multi-modal corridor that bisects the Water Valley West neighborhood in a sensitive way.

Additional detail, including specific layout and configuration of open space, residential lots, local streets, streetscape character, parks, trails, neighborhood gathering spaces and other improvements, will be provided during the Major Subdivision stages of the project.

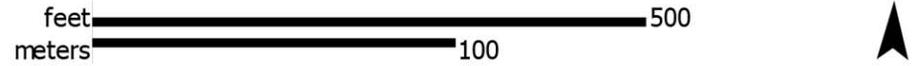
As we discussed recently, we would request this application move through the final stages of the review and approval process in the Town concurrent with the previously submitted Master Plan Amendment for Water Valley West. On an on-going basis, our team is available to meet with Town staff to review and discuss the proposed information or to provide additional examples of existing constructed examples.

Please let us know if you have any questions regarding this application, if you need additional information, or if we need to schedule review meetings to discuss our proposal. We look forward to hearing feedback and questions from the Town, and to working closely with Town Staff to refine this Planned Unit Development application in the coming weeks.

Sincerely,  
Norris Design

A handwritten signature in black ink, appearing to read "Mitch Black". The signature is fluid and cursive.

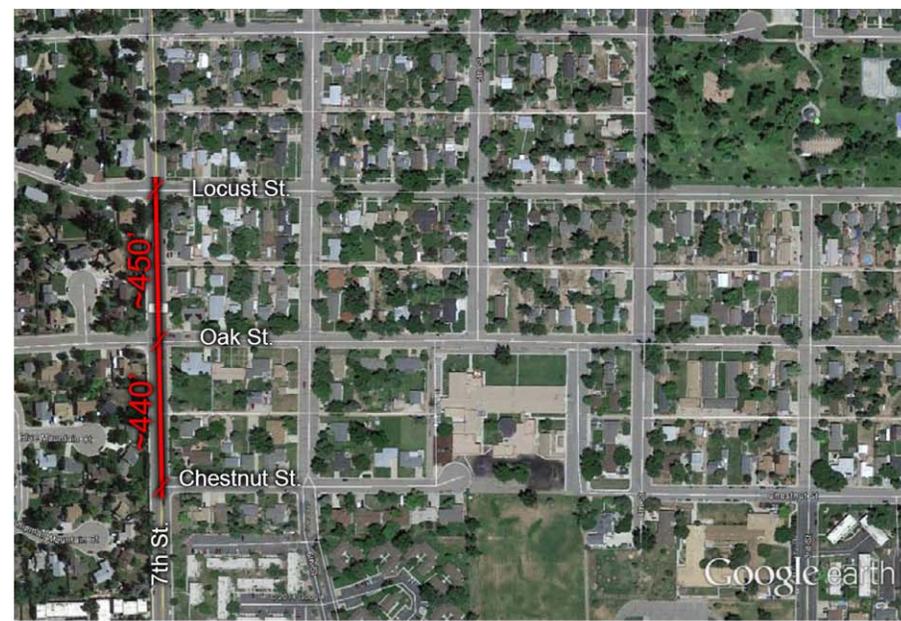
Mitch Black  
Principal



Note : Local intersections spaced less than 150' are tighter than the proposed PUD.

## Local Intersection Spacing Examples

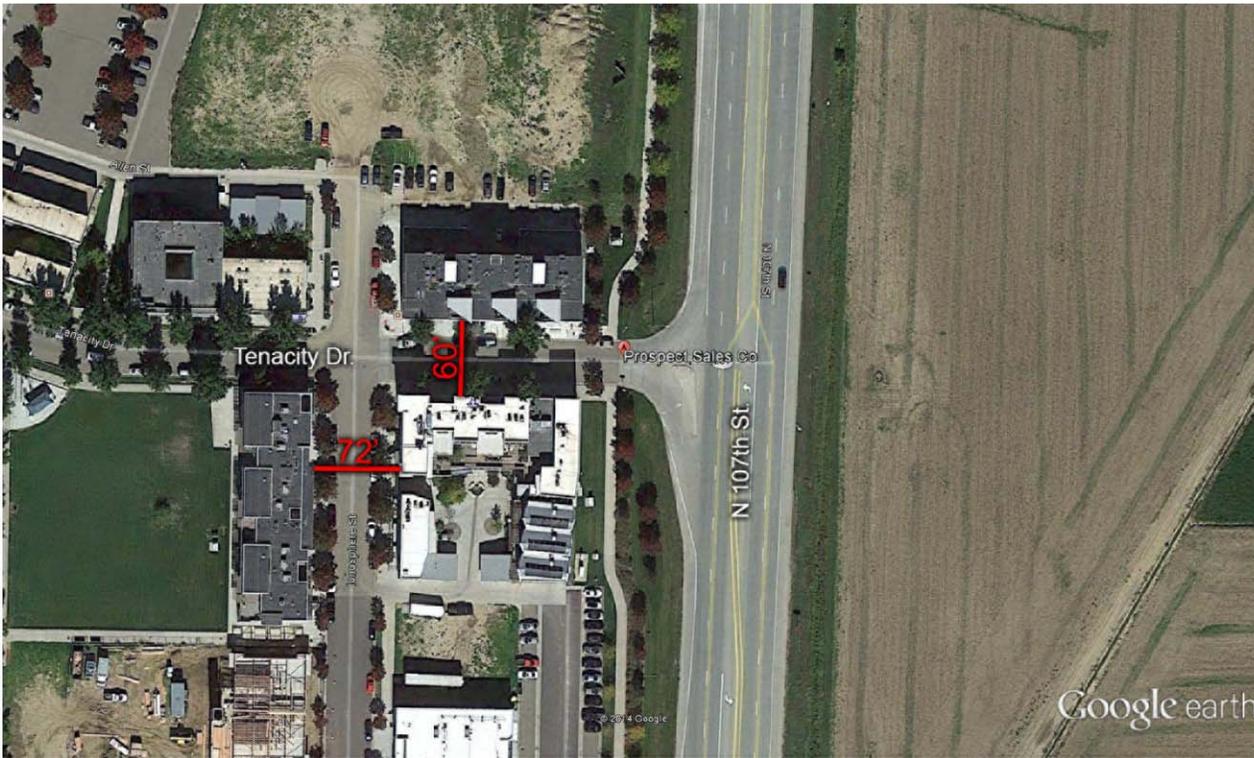
Location: Windsor



Note : Major collector intersections spaced less than 450' are tighter than the proposed PUD. The Collectors shown in this study are Urban Major Collectors as defined by the Town of Windsor Comprehensive Plan Illustration 8 - Roadway Classifications adopted 1/4/07

## Collector Intersection Spacing Examples

Location: Windsor



Note : Dimensions shown are from building face to building face. Dimensions shown are tighter than in the proposed PUD.

**Prospect Plan**



**72' Building to Building Perspective**

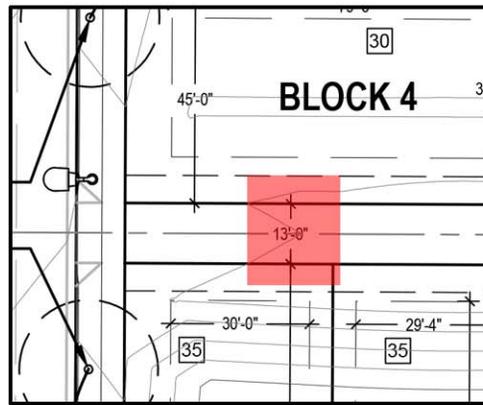
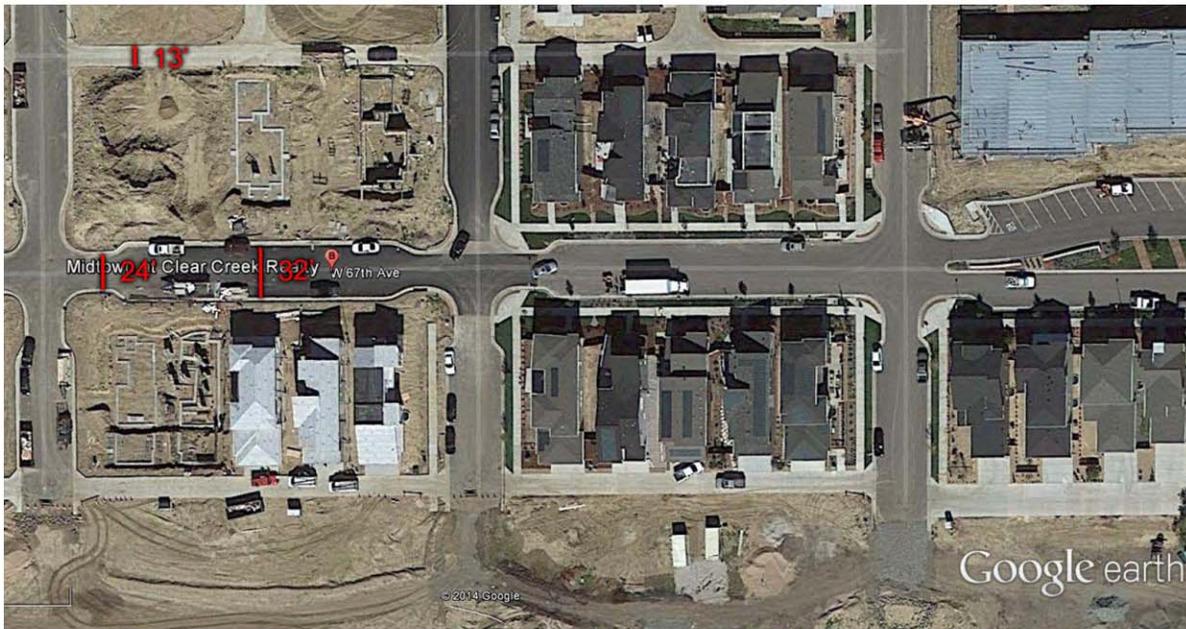


**60' Building to Building Perspective**

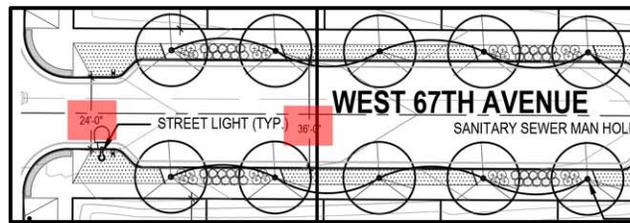
**Main Street Examples**

Location: Longmont

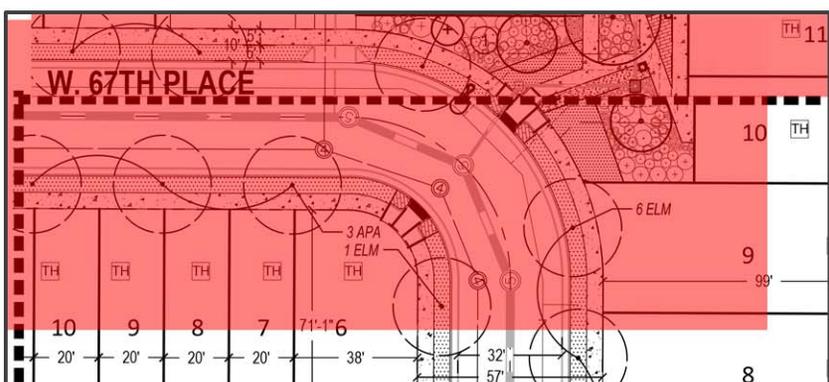
Development: Prospect Newtowne



**Alley Detail** - see plan to left



**Street Detail** - see plan to left



**50' Centerline Radius Detail** - no knuckle or bump-out

# Roadway Design Examples

Location: Adams County

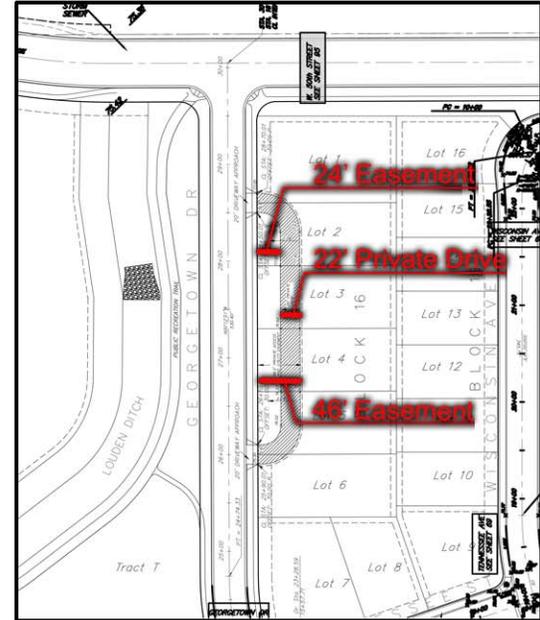
Development: MidTown



**Kendall Brook Plan**



Note: Dimensions shown are taken from the back of walk to the edge of pavement.



**Kendall Brook Plat**

## Loop Lanes Example

Location: Fort Collins

Development: Kendall Brook



Note : Dimensions shown are taken from the back of walk to the closest building face. Dimensions shown are tighter than in the proposed PUD.

**Prospect Plan**



**Minimum Front Yard Setback Example**

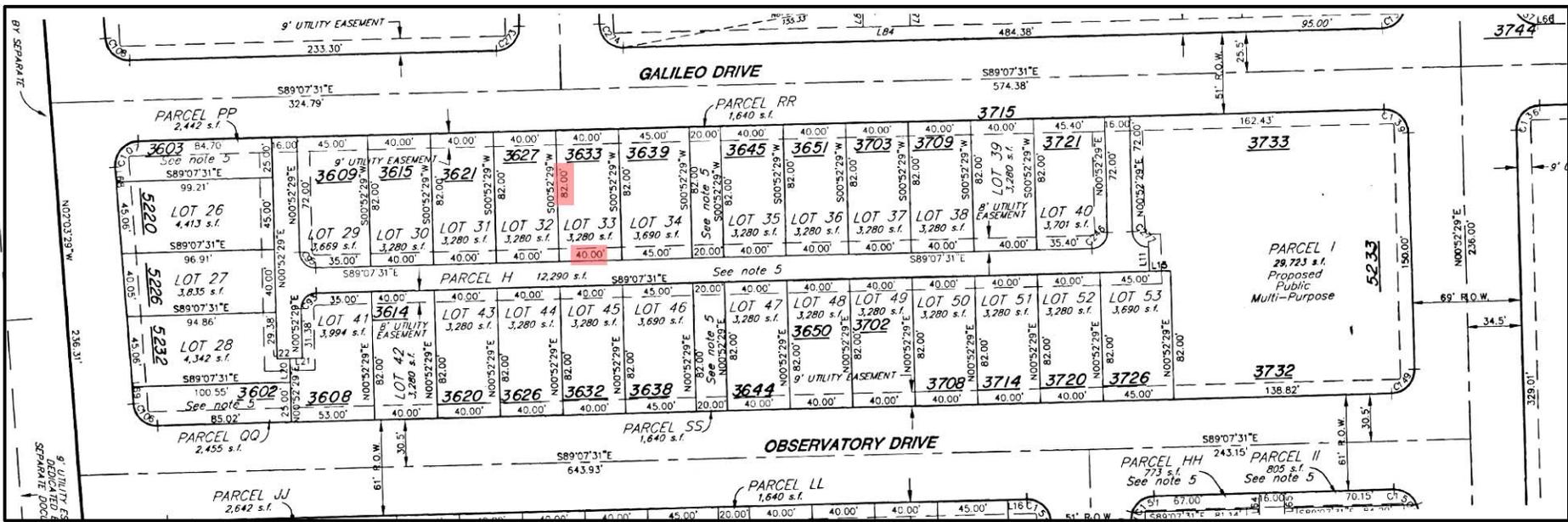
Location: Longmont  
 Development: Prospect Newtowne



**Water Valley South Filing 18 Final Plat**

# Small Lot Example - Single Family Detached Front Loaded

Location: Windsor  
 Development: Water Valley South



**Observatory Plat** - recorded as Willow Brook

Note : For a 40' wide single family rear loaded lot, the lot square footage shown is less than in the proposed PUD.



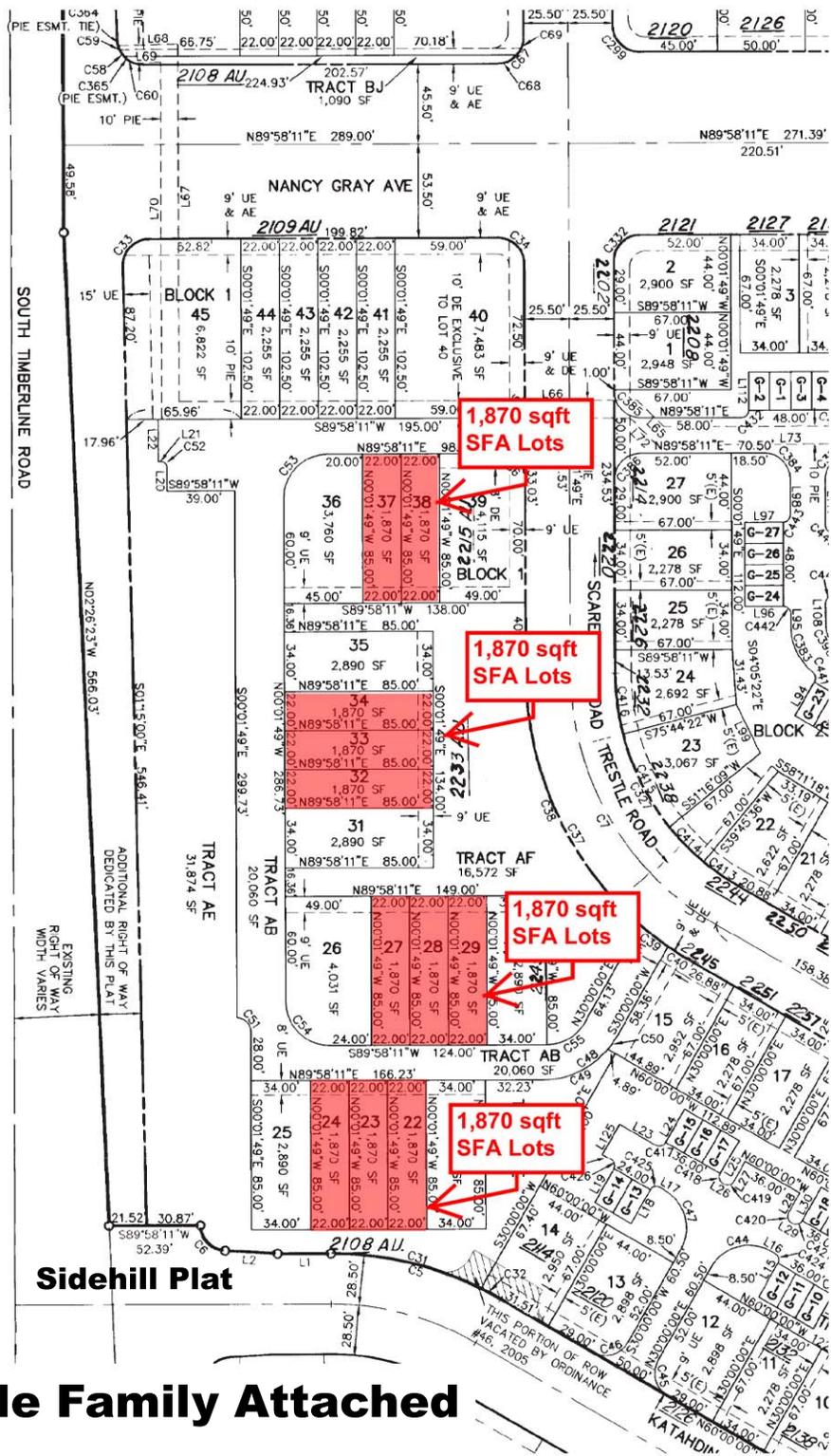
**Observatory Plan**



# Small Lot Examples - Single Family Detached Rear Load

Location: Fort Collins

Development: Observatory Village



# Small Lot Examples - Single Family Attached

Location: Fort Collins

Development: Sidehill

Table 1.04.1

General Parameters

| Street Classification                            | URBAN SECTION              |                         |                         |                        |  |                                 |                              |                        |                           |
|--|----------------------------|-------------------------|-------------------------|------------------------|--|---------------------------------|------------------------------|------------------------|---------------------------|
|  | Major Arterial             | Minor Arterial          | Major Collector         | Major Collector Retail | Minor Collector  | Local Ind/Comm                  | Local Residential            | Alley with Fire Access | Alley without Fire Access |
| Number of Lanes                                  | 4-6 / 7 / 4-6              | 2 / 5 / 2               | 2 / 3 / 2               | 3                      | 2 / 2 / 2  | 2 / 2 / 2                       | 2 / 2 / 2                    | 1 / 2                  | 1                         |
| Right-of-Way Width                               | 115-141 / 135 ft / 120-140 | 84 / 110 ft / 100       | 66 / 80 ft / 80         | 65-80 ft               | 76 / 53-68 ft / 67                                       | 66-72 / 50 ft / 60              | 51 / 56-59 ft / 50           | 12-20 / 20 ft          | 13 ft                     |
| Roadway Width <sup>(1)</sup>                     | 83-107 / 104 ft / 80-116   | 52 / 80 ft / 38-76      | 40 / 33-48 ft / 38-48   | 39-60 ft               | 50 / 33-48 ft / 36-44                                    | 44-50 / 36 ft / 34              | 30 / 36 ft / 34              |                        |                           |
| Width at Intersections <sup>(1)</sup>            | N/A                        | N/A                     | N/A                     | N/A                    | N/A  | N/A                             | N/A                          |                        |                           |
| Number of Travel Lanes                           | 4-6 / 4 / 4-6              | 2 / 4 / 2               | 2 / 2 / 2               | 2                      | 2 / 2 / 2  | 2 / 2 / 2                       | 1 / 2 / 2                    |                        |                           |
| Travel Lane Width                                | 12 / 12 ft / 12            | 12 / 12 ft / 12         | 12 / 12 ft / 12         | 12 ft                  | 11 / 12 ft / 11  | 11-12 / 11 ft / -               | 16 / 11 ft / 10              |                        |                           |
| Designated Bike Lanes                            | Y / Yes / Y                | Y / Yes / Y             | Y / Yes / Y             | No                     | Y / Yes / Y  | varies / No / No                | varies / No / No             |                        |                           |
| Bike Lane Width                                  | 8 / 6 ft / 5-7             | 8 / 6 ft / 5-7          | 8 / 4.5 ft / 5-7        | N/A                    | 6-8 / 4.5 ft / 5-7                                       | 0 or 6 / N/A / N/A              | 0 or 4 / N/A / N/A           |                        |                           |
| Parking Lane Width                               | None / None / None         | None / None / None      | None / 7.5 ft / 5-7     | 7.5 ft                 | 0-8 / 7.5 ft / 0-6                                       | 0, 8-10 / 7 ft / -              | 7 / 7 ft / 7                 | 8 ft                   | 8 ft                      |
| Sidewalk Width                                   | 6-7 / 5 ft / 6             | 6 / 5 ft / 6            | 5 / 5 ft / 6            | 5 ft                   | 5 / 5 ft / 5   | 6-6.5 / 5 ft / 5                | 4.5 / 5 ft / 5               |                        |                           |
| Vertical, Driveover, or Rollover Curb and Gutter | V / V / V                  | V / V / V               | V / V / V               | V                      | V / D <sup>(3)</sup> / V, D, or R                        | V / V / V, D, or R              | V or D / Varies / V, D, or R | Varies                 | Varies                    |
| Traffic Volume (ADT)                             | 15-35k+ / >25k / 16k-48k   | 3.5-15k / >10k / 7k-16k | 3.5-5k / 3.5-10k / 3-7k | 3.5-5.5k               | 2.5-3.5k / 1.5-3.5k / 1-3k                               | <2.5k / <2.5k / 0.2-1k          | <1.0k / <1.5k / 0.2-1k       |                        |                           |
| Design Speed (MPH)                               | 50 / 50 / 50               | 50 / 45 / 45            | 40 / 35 / 40            | 30                     | 40 / 30 / 30   | 30 / 25 / 30                    | 25-30 / 25 / 25              |                        |                           |
| Posted Speed (MPH)                               | 35-45 / 45 / 45            | 30-45 / 40 / 40         | 30-35 / 30 / 35         | 25                     | 25-30 / 25 / 25  | 25 / 25 / 25                    | 25 / 25 / 25                 |                        |                           |
| Turn Lanes <sup>(4)</sup>                        | Req. / Required / Req.     | Req. / Required / Req.  | Req. / Required / Req.  | Varies <sup>(5)</sup>  | Varies <sup>(6)</sup> / Varies <sup>(5)</sup> / Not Req. | Varies <sup>(6)</sup> / No / No | No / No / No                 | No                     | No                        |

(1) Flow Line to Flow Line (Urban Section) or shoulder to shoulder (Rural Section).

(2) Detached Bikeway in lieu of on-street Bike Lane (where required).

(3) Vertical curb required for industrial/commercial development.

(4) Left-turn lanes are always required, right-turn lanes are required if TIS indicates need.

(5) Where Minor Collectors intersect with streets of high traffic volume or high speeds, left turn lanes required.

(6) To provide left turn lanes at intersections, parking shall be removed.

See standard details for performance options.

Fort Collins

Loveland

Proposed

Table 1.07.3

| Technical Design Criteria                                    |           |   |  |                        |                       |                                 |                              |                             |
|--|-----------|---|--|------------------------|-----------------------|---------------------------------|------------------------------|-----------------------------|
| ROADWAY CLASSIFICATION                                       |           | ARTERIAL                                    |  | COLLECTOR              |                       |                                 | LOCAL                        |                             |
| Design Elements  |           | Urban Major<br>4-6 / 7 lanes / 4-6          | Urban Minor<br>2 / 5 lanes / 2                       | Urban Major<br>3 lanes | Urban Major<br>Retail | Urban Minor<br>2 lanes *        | Urban<br>Ind/Comm 2<br>lanes | Urban Local<br>2 lanes      |
| <b>Overall Design Parameters</b>                             |           |   |  |                        |                       |                                 |                              |                             |
| Design Speed (MPH)   |           | 50 / 50 / 50                                | 50 / 45 / 45   | 40 / 35 / 40           | 30                    | 40 / 30 / 30                    | 30 / 25 / 30                 | 25-30 / 25 / 25             |
| Posted Speed (MPH)   |           | 35-45 / 45 / 45                             | 30-45 / 40 / 40                                      | 30-35 / 30 / 35        | 25                    | 25-30 / 25 / 25                 | 25 / 25 / 25                 | 25 / 25 / 25                |
| Stopping Sight Distance                                      |           | 400 / 400 ft / 400                          | 400 / 400 ft / 325                                   | 275 / 275 ft / 275     | 275'                  | 275 / 275 ft / 200              | 200 / 200 ft / 200           | 200 / 200 ft / 150          |
| <b>Horizontal Alignment</b>                                  |           |   |  |                        |                       |                                 |                              |                             |
| Min. Centerline radius                                       |           | 1075 / 1075 ft / 1075                       | 1075 / 600 ft / 825                                  | 600 / 500 ft / 600     | 500 ft                | 600 / 275 ft / 275              | 275 / 275 ft / 275           | 165 / 150 ft / 165          |
| Max. Superelevation  |           | 4 / 6% / 4                                  | 4 / 5% / 4   | 4 / 4% / 4             | 4%                    | 0 / 4% / 0                      | NA                           | NA                          |
| Min. Tangent lengths <sup>(1)</sup>                          |           | 200 / 200 ft / 200                          | 200 / 200 ft / 200                                   | 150 / 150 ft / 150     | 150 ft                | 100 / 100 ft / 100              | 100 / 100 ft / 100           | 100 / 50 ft / 50            |
| <b>Vertical Alignment</b>                                    |           |   |  |                        |                       |                                 |                              |                             |
| Max. Centerline Grade  |           | 5 / 5% / 5                                  | 5 / 5% / 5   | 6 / 6% / 6             | 5%                    | 8 / 8% / 8                      | 8 / 6% / 8                   | 8 / 8% / 8                  |
| Min. Gutter Flowline Grade                                   |           | 0.5 / 0.5% / 0.5                            | 0.5 / 0.5% / 0.5                                     | 0.5 / 0.5% / 0.5       | 0.5%                  | 0.5 / 0.5% / 0.5                | 0.5 / 0.5% / 0.5             | 0.5 / 0.5% / 0.5            |
| Min. K-value for<br>Vertical curves                          | Crest     | 110 / 195 / 110                             | 110 / 125 / 80                                       | 60 / 90 / 60           | 60                    | 60 / 60 / 45                    | 30 / 30 / 45                 | 20 / 30 / 45                |
|  | Sag       | 90 / 120 / 90                               | 90 / 90 / 70   | 60 / 75 / 60           | 60                    | 60 / 60 / 40                    | 40 / 45 <sup>(5)</sup> / 30  | 30 / 45 <sup>(5)</sup> / 30 |
| <b>Intersection Design</b>                                   |           |   |  |                        |                       |                                 |                              |                             |
| Min. sight distance at drives & intersections <sup>(2)</sup> |           | 1030 / 1030 ft / 1030                       | 1030 / 940 ft / 830                                  | 660 / 800 ft / 660     | 335 ft                | 660* / 335 ft / 310             | 310 / 260 ft / 310           | 260 / 260 ft / 260          |
| <b>Access Management</b>                                     |           | <b>(A) / (B)</b>                            | <b>(A) / (B)</b>                                     |                        |                       |                                 |                              |                             |
| Min. distance between<br>Intersections                       | w/ Signal | 2640 / 2640' / 2640                         | 2640 / 1200' / 2640                                  | NA                     | NA                    | NA                              | NA                           | NA                          |
|  | No signal | 1320/660** /<br>NA/1320' / 1320/660         | 1320/330** / 1320'/500' <sup>(4)</sup><br>/ 1320/660 | 330 / 450' / 330       | 450'                  | 250 / 250' / 250                | 200 / 330' / 200             | 200 / 150' / 200            |
| Min. distance between driveways                              |           | 460-660** /<br>NA/590' <sup>(3)</sup> / 660 | 460-660** /<br>NA/350' <sup>(3)</sup> / 660/330      | 75 / 150' / 75         | 150'                  | 100* / 125' <sup>(8)</sup> / 30 | 30 / 50' / 30                | 12 / 10' / 12               |
| Driveway Configuration                                       |           | Radial curb return                          | Radial Curb return                                   | Radial or Curb cut     | Radial or<br>Curb cut | Radial or Curb Cut              | Radial or Curb Cut           | Radial or Curb Cut          |

(1) Between reverse curves or at intersections.

(2) Left-turn from Stop Sign.

(3) Right-in / Right-out Only Per Approval of Town Engineer.

(4) ¾ Movement Only Per Approval of Town Engineer.

(5) AASHTO values may be used within 100' of controlled intersections or other locations where speed is reduced.

(6) INTERNAL TO THE WATER VALLEY WEST PROPERTY, ANY LOCAL STREET MAY ACCESS ANY COLLECTOR AND ANY COLLECTOR MAY ACCESS ANY ARTERIAL.

(7) THERE WILL BE NO MINIMUM AMOUNT OF VEHICULAR OR PEDESTRIAN ACCESS POINTS REQUIRED INTO THE WATER VALLEY WEST PROPERTY.

(8) For commercial driveways only. 10' for Single Family Detached residential driveways.

\* - Fort Collins Minor Collector is a higher road classification, compare to connector local

\*\* - For a distance less than 460' an administrative variance must be approved by the Local Entity Engineer; for a distance greater than 660' a modification in accordance with the Land Use Code will be required.

Note: Deviations require a traffic study and analysis by a licensed engineer and must be approved by the Town Engineer.

(A) Without Raised Median

(B) With Raised Median

Fort Collins

Loveland

Proposed

# **A Zoning proposal to create a Planned Unit Development (PUD) overlay district for the RainDance property**

Scott Ballstadt, AICP  
Paul Hornbeck  
December 14, 2015

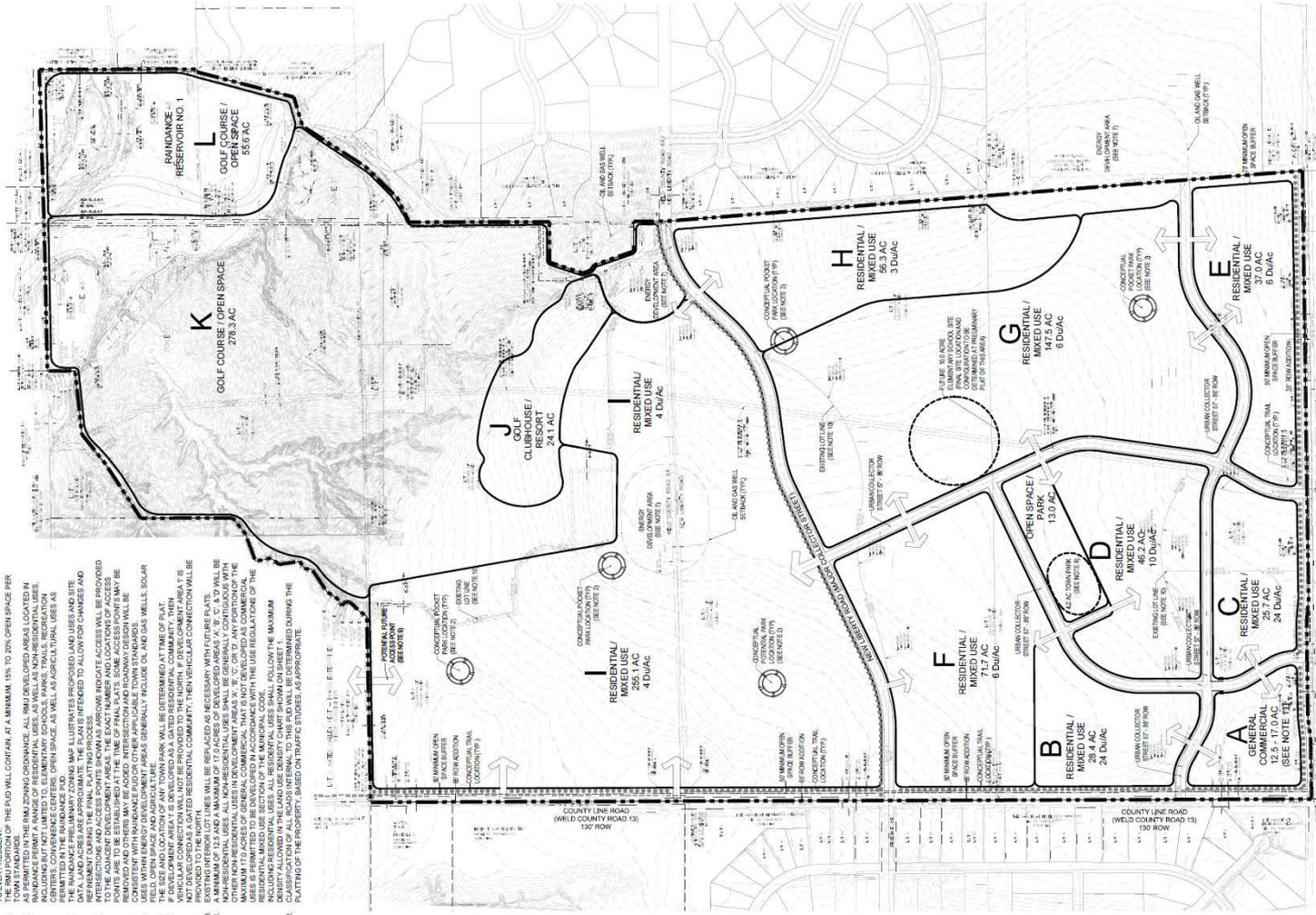
Town Board

Item C.2



# RAIN DANCE PUD

- NOTES**
1. THE PROPOSED ROAD ALIGNMENTS, INCLUDING NEW LIBERTY ROAD WELD COUNTY ROAD 64, ARE SHOWN FOR INFORMATION ONLY. THE FINAL SIZE, SHAPE, LOCATION AND PROGRAMMING OF OPEN SPACE AND CONCEPTUAL PARKING ARE SUBJECT TO CHANGE AND WILL BE DETERMINED AT THE TIME OF FINAL PLAT. THE PROPOSED ROAD ALIGNMENTS AND CONCEPTUAL PARKING ARE LOCATED TO AVOID THE RAIN DANCE PUD TO EVERY RESIDENT.
  2. THE RAIN DANCE PUD WILL CONTAIN, AT A MINIMUM, 15% TO 20% OPEN SPACE PER TOWN 67 AND 68.
  3. AS PERMITTED IN THE ZONING ORDINANCE, ALL RMU DEVELOPED AREAS LOCATED IN THE RAIN DANCE PUD SHALL BE SUBJECT TO THE RAIN DANCE PUD DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO, ELEMENTARY SCHOOLS, PARKS, TRAILS, RECREATION AREAS, AND OPEN SPACE, AS WELL AS AGRICULTURAL USES AS PERMITTED IN THE ZONING ORDINANCE.
  4. THE RAIN DANCE PRELIMINARY ZONING MAP ILLUSTRATES PROPOSED LAND USES AND SITE INTERSECTIONS AND ACCESS POINTS SHOWN AS ARROWS INDICATE ACCESS WILL BE PROVIDED TO ALL DEVELOPED AREAS. THE RAIN DANCE PUD WILL BE SUBJECT TO THE RAIN DANCE PUD DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO, ELEMENTARY SCHOOLS, PARKS, TRAILS, RECREATION AREAS, AND OPEN SPACE, AS WELL AS AGRICULTURAL USES AS PERMITTED IN THE ZONING ORDINANCE.
  5. THE RAIN DANCE PUD WILL BE SUBJECT TO THE RAIN DANCE PUD DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO, ELEMENTARY SCHOOLS, PARKS, TRAILS, RECREATION AREAS, AND OPEN SPACE, AS WELL AS AGRICULTURAL USES AS PERMITTED IN THE ZONING ORDINANCE.
  6. INTERSECTIONS AND ACCESS POINTS SHOWN AS ARROWS INDICATE ACCESS WILL BE PROVIDED TO ALL DEVELOPED AREAS. THE RAIN DANCE PUD WILL BE SUBJECT TO THE RAIN DANCE PUD DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO, ELEMENTARY SCHOOLS, PARKS, TRAILS, RECREATION AREAS, AND OPEN SPACE, AS WELL AS AGRICULTURAL USES AS PERMITTED IN THE ZONING ORDINANCE.
  7. USES WITHIN ENERGY DEVELOPMENT AREAS GENERALLY INCLUDE OIL AND GAS WELLS, SOLAR PANELS, AND OTHER ENERGY RELATED USES. THE RAIN DANCE PUD WILL BE SUBJECT TO THE RAIN DANCE PUD DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO, ELEMENTARY SCHOOLS, PARKS, TRAILS, RECREATION AREAS, AND OPEN SPACE, AS WELL AS AGRICULTURAL USES AS PERMITTED IN THE ZONING ORDINANCE.
  8. THE SIZE AND LOCATION OF ANY TOWN PARK WILL BE DETERMINED AT THE TIME OF PLAT. THE RAIN DANCE PUD WILL BE SUBJECT TO THE RAIN DANCE PUD DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO, ELEMENTARY SCHOOLS, PARKS, TRAILS, RECREATION AREAS, AND OPEN SPACE, AS WELL AS AGRICULTURAL USES AS PERMITTED IN THE ZONING ORDINANCE.
  9. THE RAIN DANCE PUD WILL BE SUBJECT TO THE RAIN DANCE PUD DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO, ELEMENTARY SCHOOLS, PARKS, TRAILS, RECREATION AREAS, AND OPEN SPACE, AS WELL AS AGRICULTURAL USES AS PERMITTED IN THE ZONING ORDINANCE.
  10. EXISTING INTERLOT LINES WILL BE REPLACED AS NECESSARY WITH FUTURE PLATS. THE RAIN DANCE PUD WILL BE SUBJECT TO THE RAIN DANCE PUD DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO, ELEMENTARY SCHOOLS, PARKS, TRAILS, RECREATION AREAS, AND OPEN SPACE, AS WELL AS AGRICULTURAL USES AS PERMITTED IN THE ZONING ORDINANCE.
  11. A MINIMUM OF 12.5 AND A MAXIMUM OF 17.0 ACRES OF DEVELOPED AREAS A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, OR ANY PORTION OF THE RAIN DANCE PUD SHALL BE DEVELOPED IN ACCORDANCE WITH THE USE REGULATIONS OF THE RAIN DANCE PUD DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO, ELEMENTARY SCHOOLS, PARKS, TRAILS, RECREATION AREAS, AND OPEN SPACE, AS WELL AS AGRICULTURAL USES AS PERMITTED IN THE ZONING ORDINANCE.
  12. DENSITY ALLOWED IN ALL ROADS INTERNAL TO THIS PUD WILL BE DETERMINED DURING THE PLATING OF THE PROPERTY, BASED ON TRAFFIC VOLUMES, AS APPROPRIATE.



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Planned Unit Development  
Windsor, Colorado

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DATE:  
09/12/2014  
REVISIONS:  
12/29/2014  
05/04/2015  
05/26/2015  
07/06/2015

SHEET TITLE:  
PRELIMINARY  
ZONING MAP  
400' SCALE  
SHEET NUMBER:  
2 of 16



# RAINANCE PUD LAND USE STANDARDS

## LAND USE STANDARDS

**INTENT OF LAND USE STANDARDS**  
 THE INTENT OF THESE LAND USE STANDARDS IS TO ESTABLISH AND ENTITLE THE LOT REQUIREMENTS THAT WILL FACILITATE THE DEVELOPMENT OF A MORE URBAN, VIBRANT COMMUNITY TO ORIGINATE SUCH COMMUNITY. THESE STANDARDS INCLUDE SMALLER LOTS, A DIVERSITY OF HOUSING TYPES THAT ARE VIABLE GIVEN CURRENT HOUSING TRENDS, AND PEDESTRIAN-ORIENTED STREETS/SCAPES. REDUCTIONS IN ON-LOT OPEN SPACE AS A RESULT OF THE SMALLER LOTS WILL BE OFFSET BY INCREASED COMMUNITY OPEN SPACE IN A VARIETY OF FORMS.

| Use   | Development Area          |                                |                   |                               |                |   | Accessory Uses   |  |   |   |                               |  |                                  |  |                                       |                |               |             |             |
|---|---------------------------|--------------------------------|-------------------|-------------------------------|----------------|---|--|--|---|---|-------------------------------|--|----------------------------------|--|---------------------------------------|----------------|---------------|-------------|-------------|
|   | Permitted Maximum Density | Minimum Lot Area (square feet) | Minimum Lot Width | Minimum On-Lot Open Space (2) | Maximum Height | Minimum Setback for all Structures from Arterials (6) | Minimum Setback for all Structures from Collectors (6) | Minimum Front Yard Setback-Frontal Structure (6) | Minimum Front Yard Setback-Corner (non-arterial road) (6) (7) | Minimum Front Yard Setback-Garage (garage door) (6) | Minimum Side Setback (5) (10) | Minimum Side Corner Yard Setback (9) (6) | Minimum Building Separation (13) | Minimum Rear Yard Offset (non-arterial road) | Minimum Rear Yard Offset (alley road) | Maximum Height | Front Setback | Side Offset | Rear Offset |
| (SFD) Single-Family Detached Dwelling with Front Loaded Garage          | 4 du/ac                   | 4,000 sqft                     | 45'               | 30%                           | 35/45 (3)      | 20'   | 15'  | 15'  | 15'   | 20'   | 5' (10)                       | 15'                                      | 30'                              | 15'  | n/a                                   | 15' (15)       | 20'           | 5'          | 5'          |
| (SFD) Single-Family Detached Dwelling with Rear Loaded Garage           | 4 du/ac                   | 4,000 sqft                     | 40'               | 30%                           | 35/45 (3)      | 20'   | 15'  | 15'  | 15'   | n/a (8)   | 5' (10)                       | 15'                                      | 30'                              | N/A  | 5' (14)                               | 15' (15)       | 20'           | 5'          | 5'          |
| (SFD) Single-Family Detached Small Dwelling with Rear Loaded Garage (3) | 12 du/ac                  | 2,400 sqft                     | 30'               | 30%                           | 35/45 (3)      | 20'   | 15'  | 15'  | 15'   | n/a (8)   | 5' (10)                       | 15'                                      | 30'                              | N/A  | 5' (14)                               | 15' (15)       | 20'           | 5'          | 5'          |
| (SFA) Single-Family Attached Dwelling                                   | 16 du/ac                  | 1,200 sqft                     | 15'               | 20%                           | 35/45 (3)      | 20'   | 15' (3)  | 15/0' (3)  | 15'   | 20'   | 5' (11)                       | 15'                                      | 30'                              | 30'  | 5' (14)                               | 15' (15)       | 20'           | 5'          | 5'          |
| (MF) Multi-Family Dwelling  | 24 du/ac                  | n/a                            | n/a               | n/a                           | 35/45 (3)      | 20'   | 15/0' (5)  | n/a  | n/a   | n/a   | 10/0' (12)                    | 20'                                      | 15'                              | 15'  | 5' (14)                               | 20'            | 20'           | 5'          | 5'          |
| Non-Residential   | n/a                       | n/a                            | n/a               | n/a                           | 50/70 (4)      | 20'   | 15/0' (5)  | n/a  | n/a   | n/a   | 10/0'                         | 20'                                      | 15'                              | 15'  | n/a                                   | 20'            | 20'           | 5'          | 5'          |

SEE SHEETS 7-9 FOR LOT DIMENSION TYPICALS

### LAND USE STANDARDS NOTES

- A MAXIMUM OF 400 SINGLE-FAMILY DETACHED SMALL DWELLINGS WITH REAR LOADED GARAGE WILL BE PERMITTED ADJACENT TO 10' TOWN TRAIL.
- REFERS TO THE PERCENT OF OPEN SPACE ON A RESIDENTIAL LOT. ON-LOT OPEN SPACE INCLUDES LAWN AREA, DECORATIVE ROCK, PLANT MATERIAL, PAVERS AND LANDSCAPED AREAS. ON-LOT OPEN SPACE DOES NOT INCLUDE ANY DECORATIVE ROCK THAT LIES UPON OR OVER THE PROPERTY, INCLUDING BUT NOT LIMITED TO: DETACHED GARAGES, CARPORTS, SHEDS, GAZEBOS, PERGOLAS, DECKS, PATIOS, IMPERVIOUS SURFACES, CONCRETE OR ASPHALT DRIVEWAYS, PARKING AREAS OR PEDESTRIAN PATHWAYS.
- MAXIMUM TWO-STORY HEIGHT IS 35' 48" FOR THESE STORY. BUILDING HEIGHT EXCLUDES APPLIANCE WHICH ARE AN INTEGRAL PART OF ANY PRINCIPAL STRUCTURE SUCH AS CLOCK TOWERS, CUPOLAS, PARAPETS, ROOFTOP MECHANICAL SCREEN TREATMENTS, CHIMNEYS, SMOKESTACKS, FLUES, COOLING TOWERS, VENTILATORS, ELEVATOR BULKHEAD, STAIRWAY ENCLOSURES, FIRE TOWERS, UTILITY POLES, SUPPORT STRUCTURES, ORNAMENTAL STRUCTURES, AND SOLAR ENERGY SYSTEMS THESE ITEMS ARE SUBJECT TO HEIGHT LIMITATIONS AS DEEMED APPROPRIATE DURING THE DEVELOPMENT REVIEW PROCESS.
- 50' FOR THE PRIMARY STRUCTURE, 70' INCLUDES APPURTENANCES WHICH ARE AN INTEGRAL PART OF ANY PRINCIPAL STRUCTURE SUCH AS CLOCK TOWERS, CUPOLAS, PARAPETS, ROOFTOP MECHANICAL, SCREEN TREATMENTS, CHIMNEYS, SMOKESTACKS, FLUES, COOLING TOWERS, VENTILATORS, ELEVATOR BULKHEAD, STAIRWAY ENCLOSURES, FIRE TOWERS, UTILITY POLES, SUPPORT STRUCTURES, ORNAMENTAL STRUCTURES, AND SOLAR ENERGY SYSTEMS.
- IF SETBACK PERMITTED IN DEVELOPED AREAS A, B, C, AND D ON STREETS WHERE DEVELOPMENT IS PEDESTRIAN-ORIENTED, PEDESTRIAN-ORIENTED DEVELOPMENTS INCLUDE BUT ARE NOT LIMITED TO: PEDESTRIAN PATHWAYS, DECKS, PATIOS, CAFE SEATING AREAS, TREE GRATES, PERGOLAS OR SHADE STRUCTURES, PEDESTRIAN-ORIENTED DEVELOPMENTS GENERALLY ENTAIL MORE URBAN DEVELOPMENT PATTERNS WHERE BUILDINGS ARE TYPICALLY LOCATED CLOSER TO THE STREET, WHERE NECESSARY, UTILITIES ARE TO BE LOCATED IN THE REAR OF THE LOT WHEN 9' LOT LINES ARE USED.
- SETBACK MEANS THE HORIZONTAL DISTANCE BETWEEN ANY STRUCTURE AND THE ESTABLISHED STREET RIGHT-OF-WAY LINE. APPURTENANCE STRUCTURES, INCLUDING BUT NOT LIMITED TO COVERED PORCHES, COURTYARDS, BAY WINDOWS, AND GUTTERS CAN ENCRUSH INTO SETBACK UP TO THE UTILITY EASEMENTS.
- THE MINIMUM FRONT YARD SETBACK IS DEFINED FROM THE RIGHT-OF-WAY TO THE STREET-FACING BUILDING PLANE OF A SIDE LOAD GARAGE.
- MINIMUM FRONT YARD SETBACK TO GARAGE DOES NOT APPLY TO SINGLE-FAMILY RESIDENTIAL LOTS THAT ARE REAR LOADED.
- IN SIDE LOADED CONDITIONS, THE MINIMUM SIDE CORNER YARD SETBACK TO GARAGE DOOR SHALL BE 20' TO EQUAL THE MINIMUM FRONT YARD SETBACK TO GARAGE.
- ZERO LOT LINE CONFIGURATIONS ARE ALLOWED AS USE BY THE RAINANCE ADMINISTRATIVE SITE PLAN, AS DETAILED ON SHEET 18 OF THIS PUD. WHEN ZERO LOT LINE CONFIGURATIONS ARE PERMITTED, DETACHED GARAGES MAY ALSO UTILIZE A 0' SIDE OFFSET. ADDITIONALLY, A SHARED MAINTENANCE EASEMENT OR SIDE YARD USE EASEMENT MUST BE PROVIDED ON ADJACENT PROPERTY AND DRAINAGE MUST BE ACCOUNTED FOR. DIMENSIONS, PRINCIPLES, AND NOTES ON SHEET 18 OF THIS PUD SHALL APPLY TO THE USE OF SIDE YARD USE EASEMENTS. ALL PLAT APPLICATION PROPOSING ZERO LOT LINE OR SIDE YARD USE EASEMENT CONFIGURATIONS MUST CONCURRENTLY SUBMIT AN APPLICATION FOR THE RAINANCE ADMINISTRATIVE SITE EASEMENT TO SHEET 18 OF THIS PUD. REFER TO SHEET 18 FOR THE RAINANCE ADMINISTRATIVE NOTES ON SHEET 18 FOR MORE INFORMATION.
- EXTERIOR WALLS FOR SINGLE-FAMILY ATTACHED DWELLINGS SHALL HAVE A 0' MINIMUM SIDE OFFSET (CREATING A 10' MINIMUM BUILDING SEPARATION). WHEN DWELLINGS HAVE A SHARED WALL/COMMON WALL CONDITION, NO SIDE OFFSET WILL BE PROVIDED.
- EXTERIOR WALLS FOR MULTIFAMILY DWELLINGS SHALL HAVE A 10' MINIMUM SIDE OFFSET (CREATING A 20' MINIMUM BUILDING SEPARATION). WHEN DWELLINGS HAVE A SHARED WALL/COMMON WALL CONDITION, NO SIDE OFFSET WILL BE PROVIDED.
- IF BUILDING SEPARATION IS REQUIRED FOR COMMON WALL LOTS.
- PARKING IS NOT ALLOWED BETWEEN ALLEY AND GARAGE IN IF CONDITION; REFER TO SHEET 13 FOR OTHER ALLEY PARKING CONFIGURATIONS AND SETBACKS.
- ACCESSORY DWELLING UNITS ARE PERMITTED, PER TOWN CODE.

### GENERAL NOTES

- WHEN NECESSARY, TREAD OF FIRST ENTRY STEP MAY BE LOCATED IMMEDIATELY ADJACENT TO PUBLIC SIDEWALK BUT NOT ADJACENT TO 10' TOWN TRAIL.
- SIDE YARD USE EASEMENTS ARE PERMITTED ON RESIDENTIAL LOTS WITH IMPROVEMENTS INCLUDING BUT NOT LIMITED TO DECKS, PATIOS, LANDSCAPING, WALLS, FENCES, RAILS, FURNITURE, DRIVEWAYS AND SIMILAR ELEMENTS ARE PERMITTED WITHIN THE DEFINED USE EASEMENT. REFER TO SIDE YARD USE EASEMENT NOTES ON SHEET 9 FOR MORE INFORMATION.
- PRINCIPAL STRUCTURES DO NOT INCLUDE ATTACHED OR DETACHED GARAGES OR OTHER ACCESSORY STRUCTURES.
- A TANDIUM GARAGE CONFIGURATION IS CALCULATED THE SAME WAY AS A GARAGE WITH STANDARD CONFIGURATION FOR MEETING RESIDENTIAL PARKING REQUIREMENTS. TANDIUM GARAGE CONFIGURATIONS ARE ONLY PERMITTED WHEN ON-STREET PARKING IS PROVIDED.
- ROOF OVERHANGS ARE PERMITTED IN THE BUILDING SETBACK/OFFSET AND ARE NOT INCLUDED AS A PART OF LOT COVERAGE. IN NO INSTANCE MAY AN ENCROACHMENT CROSS THE PROPERTY LINE OR BE LOCATED LESS THAN SIX FEET FROM THE BUILDING FACE OF THE ADJACENT PROPERTY. WHEN AN ENCROACHMENT IS LESS THAN 6' FROM THE PROPERTY LINE, THE THEN CURRENT IBC AND/OR IFC CODE REQUIREMENTS AND AMENDMENTS WITHIN THE GOVERNING MUNICIPALITY WILL BE ENFORCED WITH REGARD TO EXTERIOR WALL FIRE RESISTANT RATING AND MINIMUM FIRE SEPARATION DISTANCE REQUIREMENTS. ALL BUILDING COMPONENTS SUCH AS ROOF OVERHANGS, DECKS, SIDEWALK BUMP-OUT CHIMNEYS, THAT ARE LESS THAN 6' FROM A PROPERTY LINE MUST MEET ALL CURRENT BUILDING CODE REQUIREMENTS. ROOF OVERHANGS AND JOISTS SHALL NOT EXCEED 24" INTO THE AREA; HOWEVER OPENINGS ARE PROHIBITED AS NOTED IN CURRENT BUILDING CODE.
- ALL DETACHED RESIDENCES SHALL HAVE A USABLE COVERED PORCH AND ALL OTHER RESIDENTIAL STRUCTURES SHALL HAVE A USABLE COVERED PORCH OR EQUIVALENT COVERED AREA ON ALL GROUND FLOORS. REFER TO COMMUNITY COVENANTS AND RESTRICTIONS FOR PORCH AND/OR STOP DESIGN REGULATIONS.
- THE MAXIMUM HEIGHT OF THE TWO-STORY RESIDENTIAL UNITS SHALL BE SIX FEET AND THE MAXIMUM HEIGHT WITHIN THE DEVELOPMENT SHALL NOT EXCEED 4 STOREYS OR FIFTY FEET. HOWEVER IS LESS MIXED USE AND MULTIFAMILY BUILDINGS GREATER THAN THREE STOREYS AND SUBJECT TO THE INTERNATIONAL BUILDING CODE (IBC), THE MAXIMUM HEIGHT OF A SINGLE FAMILY RESIDENCE SHALL NOT EXCEED 3 STOREYS IN HEIGHT WHEN CONSTRUCTED OF MATERIALS COMBUSTIBLE PER TABLE 503 OF THE 2006 IBC. A MAXIMUM OF 4 STOREYS IS PERMITTED FOR A SINGLE FAMILY RESIDENCE IF USING A CONSTRUCTION TYPE OF IV, III, OR II PER TABLE 603 OF THE IBC.
- ACCESSORY DWELLING UNITS ARE PERMITTED, PER TOWN CODE.
- PORTABLE STRUCTURE PERMITTED OVER GARAGE STRUCTURE SHALL MEET THE REQUIREMENTS OF THE THEN CURRENT IRC AND ECC AND AMENDMENTS WITHIN THE GOVERNING MUNICIPALITY.
- WINDOW WELLS ARE PERMITTED TO ENCRUSH INTO OFFSETS UP TO 3 FEET, AS LONG AS ADEQUATE DRAINAGE IS ACCOMMODATED.
- ALL CONSTRUCTION SHALL ADHERE TO ALL BUILDING AND FIRE CODES IN EFFECT AT THE TIME OF BUILDING PERMIT ISSUANCE.

### PERMITTED AGRICULTURAL USES TABLE

| Use  | OC | RMU | A = ALLOWED BY RIGHT |
|--|----|-----|----------------------|
| <b>Agricultural</b>  |    |     |                      |
| Retail Sales/Wholesale of Agricultural Products (farmers market Christmas tree sales, pumpkin sales, permanent outside stand market garden, produce stand, feed store/farm supply, greenhouse/nursery, and similar uses) | A  | A   |                      |
| Community Supported Agriculture Farm (crop production, on-site keeping of hens, bee keeping, fish hatcheries, and similar uses)  | A  | A   |                      |
| Accessory Building Incidental to Agricultural Use, such as a Silo, Barn, Barn, Cane, Crib, and similar structures  | A  | A   |                      |
| Preparation of Food Products   | A  | A   |                      |
| Research and/or Scientific Labs  | A  | A   |                      |
| Accessory Storage Facilities and Outdoor Storage that is Accessory to a Principal On-site Agricultural Use   | A  | A   |                      |
| Apartment (pick-your-own produce events, hay rides, children's hay meek, seasonal festivals, pumpkin patches, harvest houses, corn mazes, school field trips, and similar uses)  | A  | A   |                      |
| Community Garden   | A  | A   |                      |
| Place of Assembly  | A  | A   |                      |
| Overnight  | A  | A   |                      |

**NOTES:**

- THIS RAINANCE PUD ZONING OVERLAY ALLOWS FOR AGRICULTURAL USES AS IDENTIFIED IN THIS DOCUMENT.
- AT RAINANCE, WHEN THE WINDSOR MUNICIPAL CODE REQUIRES AN "ADMINISTRATIVE SITE PLAN", THE APPLICANT SHALL SUBMIT A RAINANCE ADMINISTRATIVE SITE PLAN, PER THE PROCEDURE DESCRIBED ON SHEET 16 OF THIS PUD.
- AT RAINANCE, WHEN THE WINDSOR MUNICIPAL CODE REQUIRES A "SITE PLAN" (OTHER THAN AN "ADMINISTRATIVE SITE PLAN"), THE STANDARD TOWN PROCESS SHALL BE USED. WHEN AGRICULTURAL USES CAN BE IMMEDIATELY REVIEWED THROUGH OTHER MEANS, SUCH AS A BUILDING PERMIT REVIEW, THE DIRECTOR OF PLANNING MAY AVOID THIS REQUIREMENT OR MAY INSTEAD REQUIRE A RAINANCE ADMINISTRATIVE SITE PLAN, PER THE PROCEDURE DESCRIBED ON SHEET 16 OF THIS PUD.

### DEVELOPED AREA USES

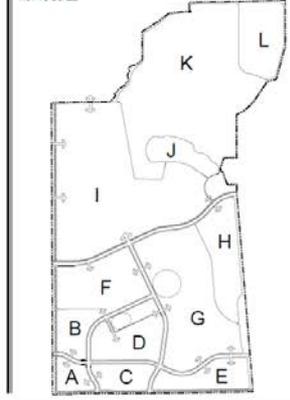
| Developed Area:       | Amalgamated Use:                 | Maximum Density (DU/AC) |
|-----------------------|----------------------------------|-------------------------|
| A. General Commercial | Commercial M, SFA, Office, RMU   | 24 DU/AC                |
| B. TRAM               | MF, SFA, SFD, Commercial, Office | 24 DU/AC                |
| C. TRAM               | MF, SFA, SFD, Commercial, Office | 24 DU/AC                |
| D. TRAM               | MF, SFA, SFD, Commercial, Office | 10 DU/AC                |
| E. TRAM               | SFD, SFA                         | 6 DU/AC                 |
| F. TRAM               | SFD, SFA                         | 6 DU/AC                 |
| G. TRAM               | SFD, SFA                         | 6 DU/AC                 |
| H. TRAM               | SFD                              | 3 DU/AC                 |
| I. TRAM               | SFD, SFA, Active Adult           | 6 DU/AC                 |

### DEVELOPED AREA USES NOTES

- MP/MULTI-FAMILY, SFA=SELF-FAMILY ATTACHED, MIXED USE AND SFD=SELF-FAMILY DETACHED. ALL DEVELOPED AREAS MAY INCLUDE A VARIETY OF OTHER LAND USES, INCLUDING OPEN SPACE. OPEN SPACE MAY INCLUDE BUT IS NOT LIMITED TO PARKS, RECREATION IMPROVEMENTS, TRAILS, AND AGRICULTURE.
- A MINIMUM OF 12 AC AND A MAXIMUM OF 17 ACRES OF DEVELOPED AREAS 'A', 'B', 'C', & 'D' WILL BE NON-RESIDENTIAL USES. ALL NON-RESIDENTIAL USES SHALL BE GENERALLY CONTIGUOUS WITH OTHER NON-RESIDENTIAL USES IN DEVELOPED AREAS 'A', 'B', 'C', OR 'D'. ANY PORTION OF THE MAXIMUM 17 ACRES OF GENERAL COMMERCIAL THAT IS NOT DEVELOPED AS COMMERCIAL USES IS PERMITTED TO BE DEVELOPED IN ACCORDANCE WITH THE USE REGULATIONS OF THE RESIDENTIAL MIXED USE SECTION OF THE MUNICIPAL CODE, INCLUDING RESIDENTIAL USES. ALL RESIDENTIAL USES SHALL FOLLOW THE MAXIMUM DENSITY ALLOWED IN THE DEVELOPED AREA USES CHART ABOVE.

### KEY MAP

NOT TO SCALE



**RainDance**  
 Planned Unit Development  
 Windsor, Colorado

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ENGINEER

PREPARED BY: G. J. JONES  
 DATE: 08/12/2014  
 REVISIONS:  
 12/29/2014  
 05/04/2015  
 05/26/2018  
 07/06/2015  
 SHEET TITLE:  
 LAND USE STANDARDS  
 SHEET NUMBER:  
 6 of 16



# RAINDANCE PUD LAND USE STANDARDS

| Use   | Development Area          |                                |                   |                               | Maximum Height | Minimum Setback for all Structures from Arterials (6) | Minimum Setback for all Structures from Collectors (6) | Minimum Front Yard Setback-Principal Structure (6) | Minimum Front Yard Setback-Garage (non-garage door side) (6) (7) | Minimum Front Yard Setback-Garage (garage door side) | Minimum Side Offset |
|---|---------------------------|--------------------------------|-------------------|-------------------------------|----------------|---|--|--|--|--|---------------------|
|   | Permitted Maximum Density | Minimum Lot Area (square feet) | Minimum Lot Width | Minimum On-Lot Open Space (2) |                |   |  |  |  |  |                     |
| (SFD) Single-Family Detached Dwelling with Front Loaded Garage          | 4 du/ac                   | 4,000 sqft                     | 45'               | 30%                           | 35'/45' (3)    | 20'   | 15'  | 15'  | 15'  | 20'  | 5' (10)             |
| (SFD) Single-Family Detached Dwelling with Rear Loaded Garage           | 4 du/ac                   | 4,000 sqft                     | 40'               | 30%                           | 35'/45' (3)    | 20'   | 15'  | 15'  | 15'  | n/a (8)  | 5' (10)             |
| (SFD) Single-Family Detached Small Dwelling with Rear Loaded Garage (1) | 12 du/ac                  | 2,400 sqft                     | 30'               | 30%                           | 35'/45' (3)    | 20'   | 15'  | 15'  | 15'  | n/a (8)  | 5' (10)             |
| (SFA) Single-Family Attached Dwelling                                   | 16 du/ac                  | 1,200 sqft                     | 15'               | 20%                           | 35'/45' (3)    | 20'   | 15' (5)  | 15'/0' (5)   | 15'  | 20'  | 5' (11)             |
| (MF) Multifamily Dwelling   | 24 du/ac                  | n/a                            | n/a               | n/a                           | 35'/45' (3)    | 20'   | 15'/0' (5)   | n/a  | n/a  | n/a  | 10'/0' (12)         |
| Non-Residential   | n/a                       | n/a                            | n/a               | n/a                           | 50'/70' (4)    | 20'   | 15'/0' (5)   | n/a  | n/a  | n/a  | 10'/0'              |

SEE SHEETS 7 - 9 FOR LOT DIMENSION TYPICALS

| Use   | Accessory Uses                           |                                  |   |                                       |                |               |             |             |
|---|--|----------------------------------|---|---------------------------------------|----------------|---------------|-------------|-------------|
|   | Minimum Side Corner Yard Setback (9) (6) | Minimum Building Separation (13) | Minimum Rear Yard Offset (non-alley load) | Minimum Rear Yard Offset (alley load) | Maximum Height | Front Setback | Side Offset | Rear Offset |
| (SFD) Single-Family Detached Dwelling with Front Loaded Garage          | 15'                                      | 10'                              | 15'                                       | n/a                                   | 15' (15)       | 20'           | 5'          | 5'          |
| (SFD) Single-Family Detached Dwelling with Rear Loaded Garage           | 15'                                      | 10'                              | N/A                                       | 5' (14)                               | 15' (15)       | 20'           | 5'          | 5'          |
| (SFD) Single-Family Detached Small Dwelling with Rear Loaded Garage (1) | 15'                                      | 10'                              | N/A                                       | 5' (14)                               | 15' (15)       | 20'           | 5'          | 5'          |
| (SFA) Single-Family Attached Dwelling                                   | 15'                                      | 10'                              | 10'                                       | 5' (14)                               | 15' (15)       | 20'           | 5'          | 5'          |
| (MF) Multifamily Dwelling   | 20'                                      | 15'                              | 15'                                       | 5' (14)                               | 20'            | 20'           | 5'          | 5'          |
| Non-Residential   | 20'                                      | 15'                              | 15'                                       | n/a                                   | 20'            | 20'           | 5'          | 5'          |

SEE SHEETS 7 - 9 FOR LOT DIMENSION TYPICALS



# RAINDANCE PUD AGRICULTURAL USES

## PERMITTED AGRICULTURAL USES TABLE

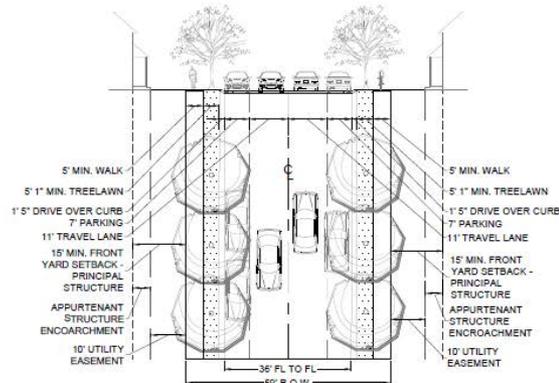
| Use  | GC | RMU |
|--|----|-----|
| <b>Agricultural</b>  |    |     |
| Retail Sales/Wholesale of Agricultural Products (farmers market, Christmas tree sales, pumpkin sales, permanent roadside stand, market garden, produce stand, feed store/farm supply, greenhouse/nursery, and similar uses). | A  | A   |
| Community Supported Agriculture Farm (crop production, orchard, keeping of hens, bee keeping, fish hatcheries, and similar uses).  | A  | A   |
| Accessory Building Incidental to Agricultural Use, such as a Silo, Stable, Barn, Pen, Coop, Crib, or Similar Structures  | A  | A   |
| Preparation of Food Products   | A  | A   |
| Research and/or Scientific Labs  | A  | A   |
| Enclosed Storage Facilities and/or Outdoor Storage that is Accessory to a Principal On-site Agricultural Use   | A  | A   |
| Agritainment (pick-your-own produce events, hay rides, children's play areas, seasonal festivals, pumpkin patches, haunted houses, corn mazes, school field trips, and similar uses).  | A  | A   |
| Community Garden   | A  | A   |
| Places of Assembly   | A  | A   |
| Greenhouse   | A  | A   |

A = ALLOWED BY RIGHT

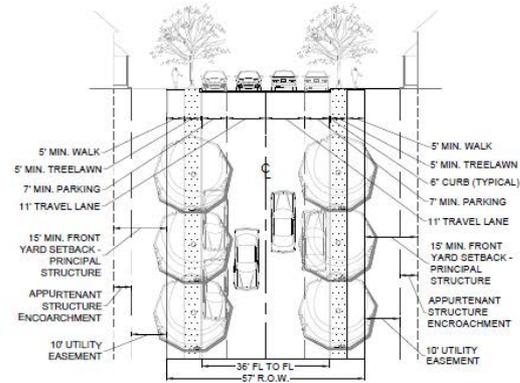
**NOTES:**

1. THIS RAINDANCE PUD ZONING OVERLAY ALLOWS FOR AGRICULTURAL USES AS IDENTIFIED IN THIS DOCUMENT.
2. AT RAINDANCE, WHEN THE WINDSOR MUNICIPAL CODE REQUIRES AN "ADMINISTRATIVE SITE PLAN", THE APPLICANT SHALL SUBMIT A RAINDANCE ADMINISTRATIVE SITE PLAN, PER THE PROCESS DESCRIBED ON SHEET 16 OF THIS PUD.
3. AT RAINDANCE, WHEN THE WINDSOR MUNICIPAL CODE REQUIRES A "SITE PLAN" (OTHER THAN AN "ADMINISTRATIVE SITE PLAN") THE STANDARD TOWN PROCESS SHALL BE USED. WHEN AGRICULTURAL USES CAN BE ADEQUATELY REVIEWED THROUGH OTHER MEANS, SUCH AS A BUILDING PERMIT REVIEW, THE DIRECTOR OF PLANNING MAY WAVE THIS REQUIREMENT OR MAY INSTEAD REQUIRE A RAINDANCE ADMINISTRATIVE SITE PLAN, PER THE PROCESS DESCRIBED ON SHEET 16 OF THIS PUD.

# RAIN DANCE PUD STREET STANDARDS



**LOCAL STREET 'A'**  
PARKING ON TWO SIDES - 59' R.O.W.  
POSTED SPEED LIMIT - 25 MPH  
DRIVE OVER CURB

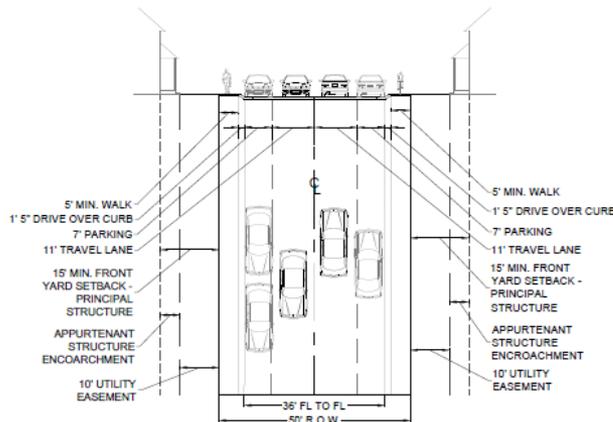


**LOCAL STREET 'B'**  
PARKING ON TWO SIDES - 57' R.O.W.  
POSTED SPEED LIMIT - 25 MPH  
VERTICAL CURB

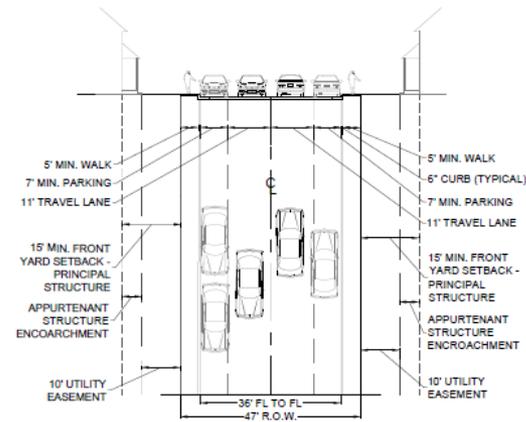
**LOCAL STREETS WITH DETACHED WALKS**

NOTE: RIGHT OF WAY MAY INCREASE TO ACCOMMODATE FOR TURN LANES AS NEEDED BASED ON ENGINEERING DESIGN.

SCALE: 1"=20'



**LOCAL STREET 'C' - ATTACHED WALK**  
PARKING ON TWO SIDES - 50' R.O.W.  
POSTED SPEED LIMIT - 25 MPH  
DRIVE OVER CURB



**LOCAL STREET 'D' - ATTACHED WALK**  
PARKING ON TWO SIDES - 47' R.O.W.  
POSTED SPEED LIMIT - 25 MPH  
VERTICAL CURB

**LOCAL STREETS WITH ATTACHED WALKS**

NOTE: RIGHT OF WAY MAY INCREASE TO ACCOMMODATE FOR TURN LANES AS NEEDED BASED ON ENGINEERING DESIGN.

SCALE: 1"=20'



# RAINDANCE PUD & AMENDED MASTER PLAN

| <b>Developed Areas:</b>                   | <b>Acres</b>   | <b>Residential<br/>Density</b> | <b>Max.<br/>Density<br/>(Du/Ac)</b> | <b>Anticipated Uses<sup>3</sup></b>                         |
|---|----------------|--------------------------------|-------------------------------------|---|
| A General Commercial <sup>1 &amp; 5</sup> | 17.0           | High                           | 24                                  | Commercial, MF, SFA <sup>4</sup> , Office, RMU, Agriculture |
| B RMU <sup>5</sup>                        | 28.4           | High                           | 24                                  | MF, SFA, SFD, Commerical, Office, Agriculture               |
| C RMU <sup>5</sup>                        | 25.7           | High                           | 24                                  | MF, SFA, SFD, Commerical, Office, Agriculture               |
| D RMU <sup>6</sup>                        | 46.2           | Medium High                    | 10                                  | MF, SFA, SFD, Commerical, Office, Agriculture               |
| E RMU                                     | 37.0           | Medium                         | 6                                   | SFD, SFA, Agriculture                                       |
| F RMU                                     | 71.7           | Medium                         | 6                                   | SFD, SFA, Agriculture                                       |
| G RMU                                     | 147.5          | Medium                         | 6                                   | SFD, SFA, Agriculture                                       |
| H RMU                                     | 56.3           | Very Low                       | 3                                   | SFD, Agriculture  |
| I RMU                                     | 255.1          | Low                            | 4                                   | SFD, SFA, Active Adult, Agriculture                         |
| Right-of-Way Arterial                     | 16.0           | -                              | -                                   | -   |
| Right-of-Way Collector                    | 33.2           | -                              | -                                   | -   |
| J Golf Clubhouse / Resort <sup>2</sup>    | 24.1           | -                              | -                                   | Golf Course, Clubhouse, Resort                              |
| K Golf Course / Open Space                | 278.3          | -                              | -                                   | Golf Course, Open Space                                     |
| L Golf Course / Open Space                | 55.6           | -                              | -                                   | Golf Course, Open Space                                     |
| Central Park                              | 13.0           | -                              | -                                   | Open Space, Agriculture                                     |
| Open Space Buffer                         | 28.4           | -                              | -                                   | Open Space, Agriculture                                     |
| <b>Total</b>                              | <b>1,133.5</b> |                                |                                     |   |

| <b>Summary:</b>          | <b>Acres</b>   | <b>Percent of Site</b> |
|--------------------------|----------------|------------------------|
| Proposed Open Space:     | 399.4          | 35.2%                  |
| Proposed Developed Land: | 734.1          | 64.8%                  |
| <b>Total</b>             | <b>1,133.5</b> | <b>100%</b>            |

### **Residential Units:<sup>7</sup>**

|                          |            |
|--------------------------|------------|
| Maximum Number of Units  | 2,792      |
| Gross Density            | 2.46 Du/Ac |
| Net Density <sup>8</sup> | 3.80 Du/Ac |





# RECOMMENDATION

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The Town Board voted 6-0 to approve the Ordinance on first reading at the November 23, 2015 meeting. No changes have been made since that time.



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## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Regular meeting materials, December 14, 2015  
**From:** Kimberly Emil, Assistant Town Attorney  
**Re:** Snow and Ice Removal Code amendment  
**Item #:** C.3.

**Background / Discussion:**

Staff is recommending an amendment to the Chapter 11, Article VII, Section 11-7-10 of the *Windsor Municipal Code*, known generally as the Snow and Ice Removal Code. After a comprehensive review of the lien process, staff has concluded that a reference to Chapter 7, Article I was a clerical error, as it should have referred to Chapter 7, Article III which addresses the abatement and lien process for weeds and brush. The Town's current practice is to handle snow and ice removal like the weeds and brush process, therefore the snow and ice removal process language has been amended to reflect the same process, eliminating the confusing cross reference to Chapter 7. The Chief of Police has reviewed and agrees with this proposed change.

**Financial Impact:** None.

**Relationship to Strategic Plan:** Community Spirit and Pride.

**Recommendation:** Adopt the attached Ordinance on first reading.

**Attachments:** Ordinance Repealing, Amending and Re-Adopting Sections 11-7-10 of the Windsor Municipal Code with Respect to the Snow and Ice Removal Lien Process

TOWN OF WINDSOR

ORDINANCE NO. 2015-1515

AN ORDINANCE REPEALING, AMENDING AND READOPTING ARTICLE VII, SECTION 11-7-10 OF THE *WINDSOR MUNICIPAL CODE* WITH RESPECT TO THE SNOW AND ICE REMOVAL LIEN PROCESS

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

WHEREAS, the Town has in place a comprehensive system of regulations governing streets, sidewalks and public property, the intention of which is to protect the public health, safety and welfare; and

WHEREAS, Section 11-7-10 of the *Windsor Municipal Code* pertains to the removal of snow and ice from sidewalks and addresses the manner in which costs may be assessed against the property; and

WHEREAS, the language addressing cost assessments refers to the provisions set forth in Chapter 7, Article I of the *Windsor Municipal Code*; and

WHEREAS, upon further review, staff has concluded that the reference to Chapter 7, Article I was a clerical error, as it should have referred to Chapter 7, Article III which addresses the abatement and lien process for weeds and brush; and

WHEREAS, it is the recommendation of staff to handle the snow removal lien identically to weed and brush removal, rather than invoking the more-complex judicial process found in Chapter 7, Article 1 of the *Windsor Municipal Code*; and

WHEREAS, this Amendment is necessary to reconcile current practice by removing the incorrect code reference and specifying the Snow and Ice Removal Code procedures for abatement and assessment of costs; and

WHEREAS, the Town Board believes that the within Ordinance is necessary to promote clarity in the requirements of the Code with respect to procedures for abatement and assessment of costs for snow and ice removal; and

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

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

Section 11-7-10 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

The owners or occupants of property abutting upon or adjacent to sidewalks within the corporate limits of the Town shall at all times keep such sidewalks free and clear of snow and ice. In the event such owners or occupants fail to remove snow and ice from such sidewalks within twenty-four (24) hours after the accumulation of snow and ice thereon, the Town may have the sidewalks cleaned and cleared of snow and ice, and the cost thereof, including inspection and other incidental costs and an additional cost for administration not to exceed ten percent (10%), shall be assessed against the property in accordance with the assessment provisions set forth below.

(a)The Chief of Police designee shall certify in writing the costs associated with snow and ice removal measures undertaken pursuant to this Section, and such certification shall be mailed by certified mail, return receipt requested, to both the owner of the property and to the property address if different from the owner's address. Such service shall constitute proof of notice to the property owner for all intents and purposes hereunder.

(b)The owner of any property subject to a snow and ice removal lien under this Article shall have the right to request a hearing before the Municipal Court. Such request shall be in writing, shall contain the requestor's mailing address and shall be delivered in person to the Police Department within ten (10) days of the mailing specified in Subsection (a) above. Upon receipt of a request for a hearing, the Chief of Police designee or Town Prosecutor shall schedule a hearing before the Municipal Court and provide written notice of the same to the requesting party by first-class mail, postage prepaid, to the address appearing on the request for hearing. Failure to request a hearing as provided in this Subsection shall be deemed a waiver of any objections to the lien for snow and ice removal measures established in this Section.

(c)If a hearing is timely requested by the property owner, the sole question at the hearing shall be the cost incurred by the Town for snow and ice removal measures associated with the subject property. The Chief of Police designee, and/or Town Prosecutor shall present any evidence in support of the costs associated with the snow and ice removal measures in question. The property owner shall have a right to present evidence and argument in opposition. The Municipal Judge shall determine all evidentiary questions and shall render a written order within thirty (30) days of the hearing containing findings and conclusions as to the amount of the lien. The written order shall be mailed to the property owner and a copy provided to the Chief of Police and to the Town Prosecutor.

(d)Any lien established under this Section shall constitute a perpetual lien on the property upon which snow and ice removal measures were undertaken in accordance with this Section.

(e)The attachment of such lien is not dependent on the recording of written notice, and the lien is prior and superior to all other liens, claims, titles and encumbrances, whether or not prior in time, except liens for general taxes. The lien remains attached to the property from the date the snow and ice removal costs are incurred until all such costs, together with simple interest at the rate of eight percent (8%) per annum from the date the costs were incurred, are paid.

(f)The Town is not required to seek payment of snow and ice removal costs from any person other than the owner of the property. No change of ownership, occupancy or possession affects the application of this Section, and the failure of any owner to discover that property was purchased against which a lien for snow and ice removal costs exists in no way affects such owner's liability for payment in full.

(g)The Town may enforce its lien by a suit for foreclosure and sale of the property subject to the lien. The proceeds of the sale shall be applied to the unpaid snow and ice removal costs and allowable court costs in the manner provided for foreclosure of statutory liens.

(h)The lien may also be enforced by certification of assessment upon the property to the treasurer of the county wherein the property is located for collection by the county in the same manner as delinquent general taxes and special assessments upon such property are collected or by any other means provided by law.

(i)Unpaid snow and ice removal costs, together with simple interest at eight percent (8%) per annum and costs of collection, may also be collected by civil suit against the owner of the property, commenced at any time after the charges become due.

(j)The remedies provided under this Section are cumulative and supplemental to each other.

(k)This Section shall apply to all snow and ice removal costs incurred by the Town on or after December 14, 2015.

Introduced, passed on first reading, and ordered published this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 11<sup>th</sup> day of January, 2016.

TOWN OF WINDSOR, COLORADO

By \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk



## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Kelly Arnold, Town Manager  
Scott Ballstadt, AICP, Director of Planning  
**From:** Josh Olhava, Associate Planner  
**Subject:** Site Plan Presentation – Highlands Industrial Park Subdivision 6th Filing, Lot 1  
– Concrete Equipment & Supply – Brent Gendreau, G & G Property LLC.,  
applicant/ Roger Wedderburn, Infusion Architects, applicant’s representative  
**Location:** 7285 Greenfield Drive  
**Item #:** C.4

### **Background:**

The applicant, Mr. Brent Gendreau, represented by Mr. Roger Wedderburn, is proposing a new site development in the Highlands Industrial Park Subdivision. The site is zoned Limited Industrial (I-L) and surrounded by other industrial users and industrial zoned property. The site is located directly north of and adjacent to Crossroads Boulevard, and west of Wagner Equipment Company and Greenfield Drive.

Site characteristics include:

- 1 new building of approximately 11,000 square feet, including offices and storage;
- an outdoor storage yard;
- 13 dedicated, off street parking spaces, including accessible parking space(s);
- perimeter vinyl coated chain-link fencing with concrete pillars and accents along view corridors;
- approximately 27% landscaped areas; and
- façade materials include a mix between concrete and metal finishes.

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

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

### **Goals:**

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

**Policies:**

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

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

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

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

**Enclosures:** application materials  
staff PowerPoint

pc: Brent Gendreau, G & G Property LLC., applicant  
Roger Wedderburn, Infusion Architects, applicant's representative



# LAND USE APPLICATION

**1** Land use applications shall include all items listed in the application submittal checklist and the Town of Windsor Municipal Code. The Town of Windsor Planning Department reserves the right to reject incomplete submittals. The application fee and all associated materials are to be provided with this form. Staff will review the submittal and advise you of its completeness for processing.

**2**

**APPLICATION TYPE:**

- Annexation
- Master Plan
- Rezoning
- Minor Subdivision
- Lot Line Adjustment
- Major Subdivision
- Site Plan
- Administrative Site Plan

**SUBTYPE:**  
(for Major Subdivisions and Site Plans only)

- Preliminary
- Final
- Qualified Commercial/Industrial

**Project Name\*:** Concrete Equipment Supply

**Legal Description\*:** Lots 2 & 3 of the Highland Industrial Park, Windsor, CO

**Address/Location\*:** 4375 & 4285 Greenfield Drive Windsor CO

**Existing Zoning:** Light Industrial      **Proposed Zoning:** Light Industrial

**3**

**OWNER:**

Name(s)\*: Brent Gendreau

Company: G & G Property LLC.

Address\*: P.O. Box 109 Silt, CO 81652

Phone #\*: 970 379 1745      Email\*: BG@cesone.com

**APPLICANT (Owner or Owner's Representative):**

Name\*: Roger Wedderburn

Company: Infusion Architects

Address\*: 125 E. 5th Street Suite 101 Loveland CO 80537

Phone #\*: 3037101900      Email\*: roger.wedderburn@infusionarchitects.com

**AUTHORIZED REPRESENTATIVE:**

Name: Roger Wedderburn

Company: Infusion Architects

Address: 125 E. 5th Street Suite 101 Loveland CO 80537

Phone #: 3037101900      Email: roger.wedderburn@infusionarcitects.com

**4** All correspondence will only be sent to those listed above. It is the sole responsibility of those listed to distribute correspondence to other applicable parties.

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

Signature:       Date: 10-2-15

(Proof of owner's authorization is required with submittal if signed by Applicant)

Print Name: BRENT GENDREAU      \*Required fields

10-2-2015

Town of Windsor  
301 Walnut St.  
Windsor, CO 80550

**Land Use Application**  
**Concrete Equipment and Supply**  
**Lots 2 & 3 of the Highland Industrial Park, Windsor, CO**

Concrete Equipment & Supply is a local concrete supply business, currently located a quarter mile northwest of the lots in question, within the City of Loveland; Brent Gendreau of Concrete Equipment & Supply is proposing the project. Mr. Gendreau is bringing his business to the Town of Windsor and has purchased Lots 2 & 3 of the Highland Industrial Park for his new facility. The building is design to accommodate corporate office, sales, storage, and deliveries of concrete equipment that will be use by local contractor to service northern Colorado and the Front Range.

Concrete equipment supply employs 6-8 employees, has light truck along with semi-truck deliveries, and pick-up throughout the day. Between retail, pick-up and deliveries there are approximately 7-8 trips per day. Brent also host contractors to his site where he engages in demonstrations, sales and ordering of his products, concrete equipment.

Sincerely,



Roger Wedderburn, AIA, NCARB  
Infusion Architects

**SITE PLAN PRESENTATION**  
**HIGHLANDS INDUSTRIAL PARK SUBDIVISION**  
**6<sup>TH</sup> FILING, LOT 1**  
**(CONCRETE EQUIPMENT & SUPPLY)**

Josh Olhava, Associate Planner  
December 14, 2015

Town Board

Item C.4



# QUALIFIED COMMERCIAL & INDUSTRIAL SITE PLAN

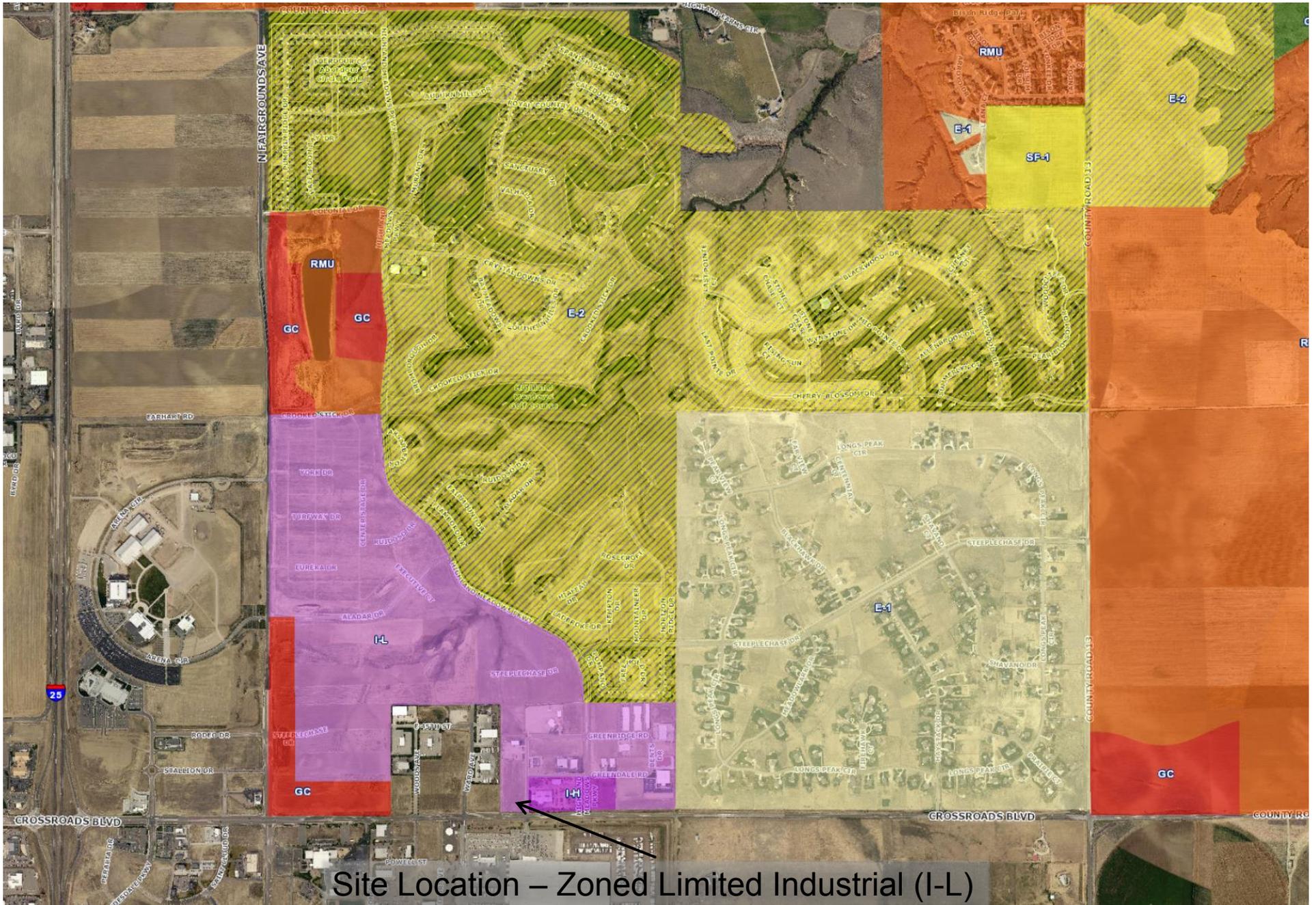
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Article IX of Chapter 17 of the Municipal Code outlines the purposes of the Qualified Commercial & Industrial Site Plan process such that:

## **Sec. 17-9-10. Intent and Purpose**

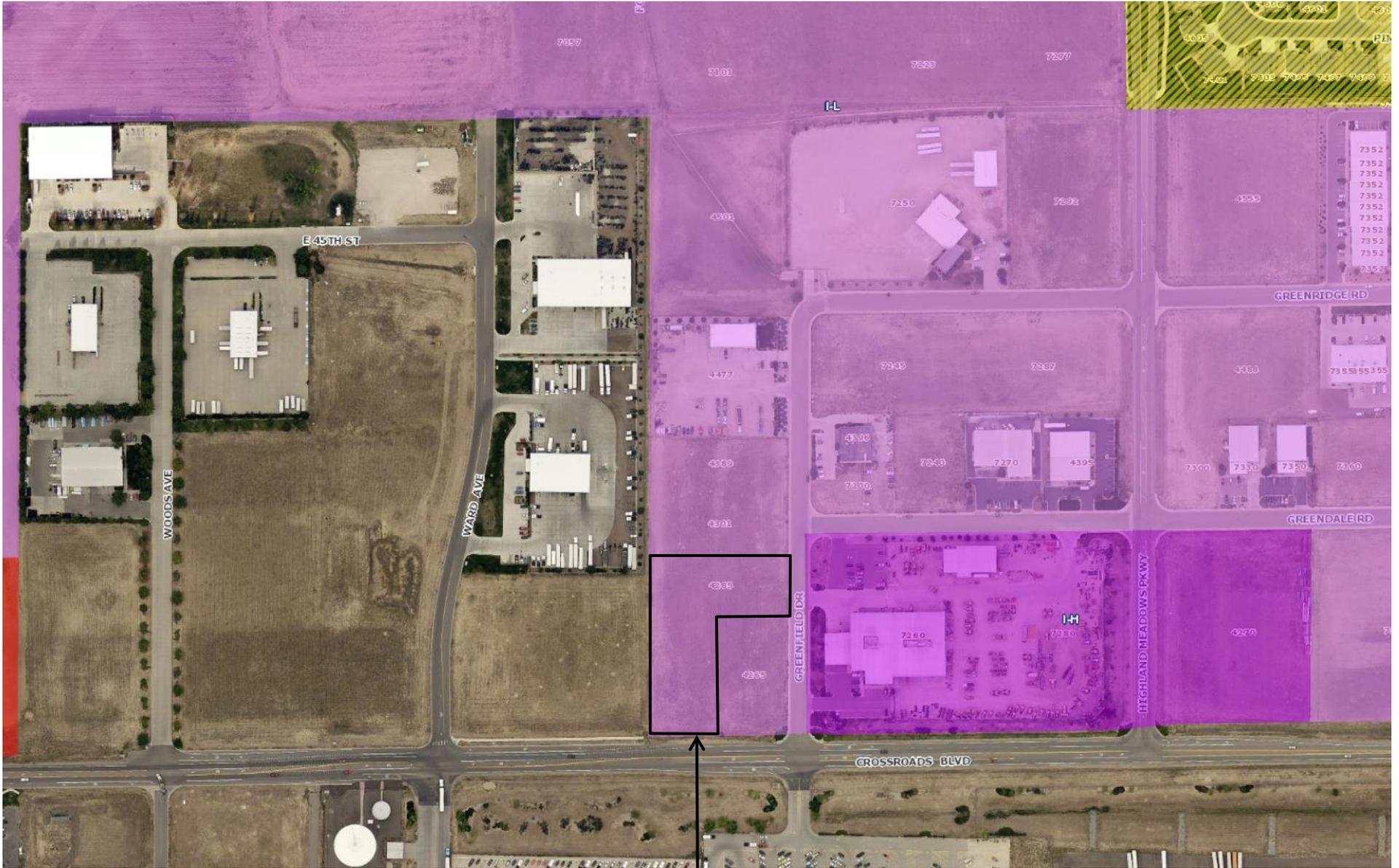
“Commercial and industrial site plans proposed to be developed on lots that have either previously been subdivided or are presently being subdivided as part of a minor subdivision shall qualify for administrative site plan review in accordance with the requirements of this Section.”

# REGIONAL ZONING MAP



Site Location – Zoned Limited Industrial (I-L)

# SITE PROXIMITY ZONING MAP

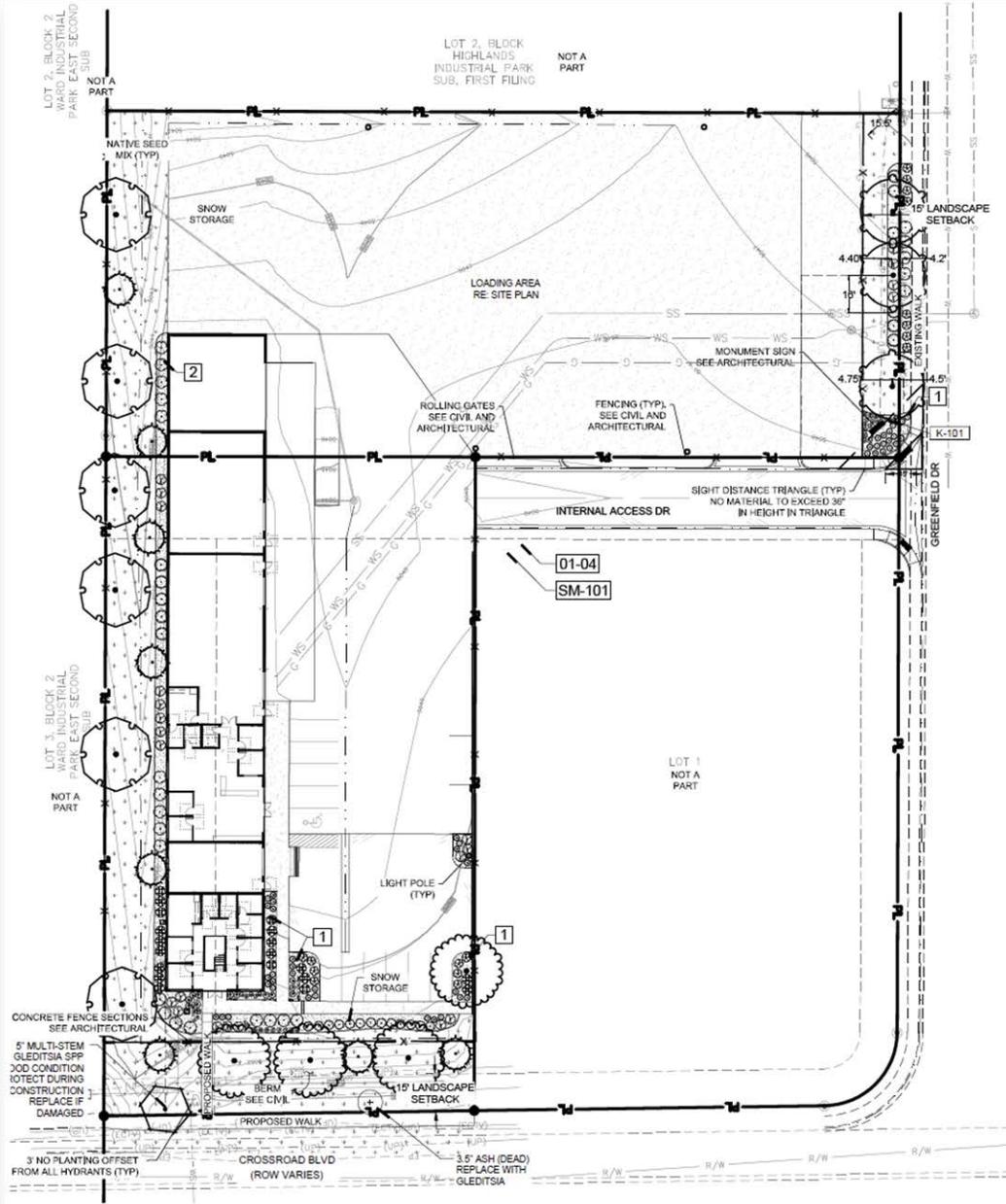


Site Location – Zoned Limited Industrial (I-L)





# LANDSCAPE PLAN



## PLANT SCHEDULE

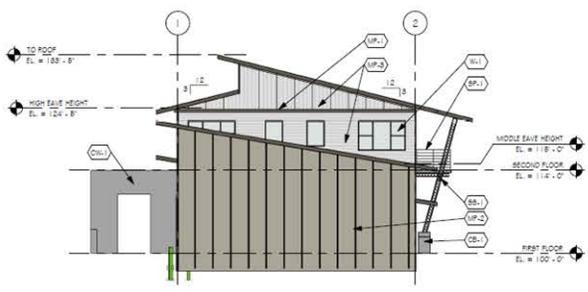
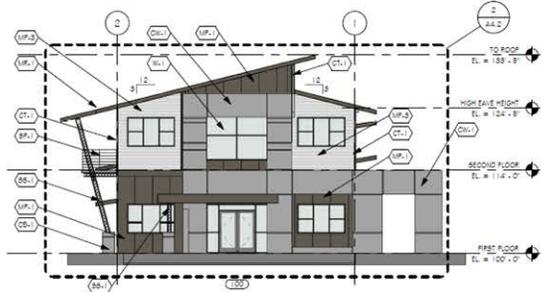
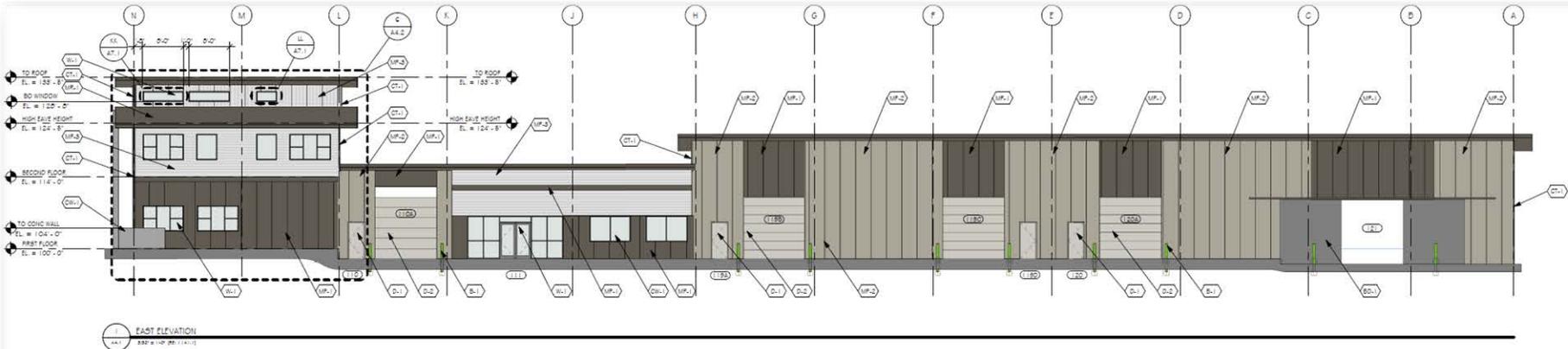
QTY FOR REFERENCE ONLY. VERIFY ALL QUANTITIES PER PLAN

| TREES         | CODE   | QTY       | COMMON NAME / BOTANICAL NAME  | CONT   | CAL    |
|---------------|--------|-----------|---|--------|--------|
|               | CO     | 6         | COMMON HACKBERRY / CELTIS OCCIDENTALIS  | B & B  | 2" CAL |
|               | GTS    | 4         | SHADEMASTER LOCUST / GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER' TM   | B & B  | 2" CAL |
|               | PP     | 8         | PINON PINE / PINUS EDULIS   | 0' B&B |        |
|               | QM     | 3         | CHINKAPIN OAK / QUERCUS MUEHLENBERGII   | B & B  | 2" CAL |
|               | EX-REM | 1         | EXISTING TREE TO BE REMOVED / REMOVE AS INDICATED   | EX     |        |
|               | EX-RET | 1         | EXISTING TREE TO REMAIN / TO REMAIN- PROTECT DURING CONSTRUCTION<br>REMOVED TREES TO BE MITIGATED PER MUNICIPAL STANDARDS                           | EX     |        |
| SHRUBS        | CODE   | QTY       | COMMON NAME / BOTANICAL NAME  | CONT   |        |
|               | AXP    | 16        | PANCHITO MANZANITA / ARCTOSTAPHYLOS X COLORADOENSIS 'PANCHITO'  | 5 GAL  |        |
|               | CD     | 23        | BLUE MIST SHRUB / CARYOPTERIS X CLANDONENSIS 'DARK KNIGHT'  | 5 GAL  |        |
|               | ES     | 11        | TALL BLUE RABBITBRUSH / CHRYSOTHAMNUS NAUSEOSUS SSP ALBICAULIS  | 5 GAL  |        |
|               | POL    | 19        | DWARF PURPLE NINEBARK / PHYSCARPUS OPULIFOLIUS 'LITTLE DEVIL'   | 5 GAL  |        |
|               | PB     | 10        | SAND CHERRY / PRUNUS BESSEYI  | 5 GAL  |        |
|               | PPB    | 13        | SAND CHERRY / PRUNUS BESSEYI 'PAWNEE BUTTES'  | 5 GAL  |        |
| GRASSES       | CODE   | QTY       | COMMON NAME / BOTANICAL NAME  | CONT   |        |
|               | BB     | 47        | BLUE GRAMA / BOUTELOUA GRACILIS 'BLONDE AMBITION'   | 1 GAL  |        |
|               | PVD    | 13        | DALLAS BLUES SWITCH GRASS / PANICUM VIRGATUM 'DALLAS BLUES'   | 1 GAL  |        |
|               | PVS    | 25        | BURGUNDY SWITCH GRASS / PANICUM VIRGATUM 'SHENENDOAH'   | 1 GAL  |        |
|               | SW     | 13        | BIG SACATON / SPOROBOLUS WRIGHTII   | 1 GAL  |        |
| GROUND COVERS | CODE   | QTY       | COMMON NAME / BOTANICAL NAME  | CONT   |        |
|               | PBS    | 16,127 SF | PAWNEE BUTTES SEED COMPANY / NATIVE LOW GROW SEED MIX<br>5 LBS/1000 SF. IRRIGATED LOW GROW MIX.   | SEED   |        |
| MULCHES       | CODE   | QTY       | COMMON NAME / BOTANICAL NAME  | CONT   |        |
|               | AGG    | 4,046 SF  | RIVER ROCK MIXTURE / AGGREGATE<br>APPROX 60% 1" RIVER ROCK, 30% 2-4" RIVER ROCK, 10% 4-8" COBBLE OVER<br>PERMEABLE WEED BARRIER AT 3" UNIFORM DEPTH | MULCH  |        |

LANDSCAPE PLAN  
SCALE: 1" = 30'

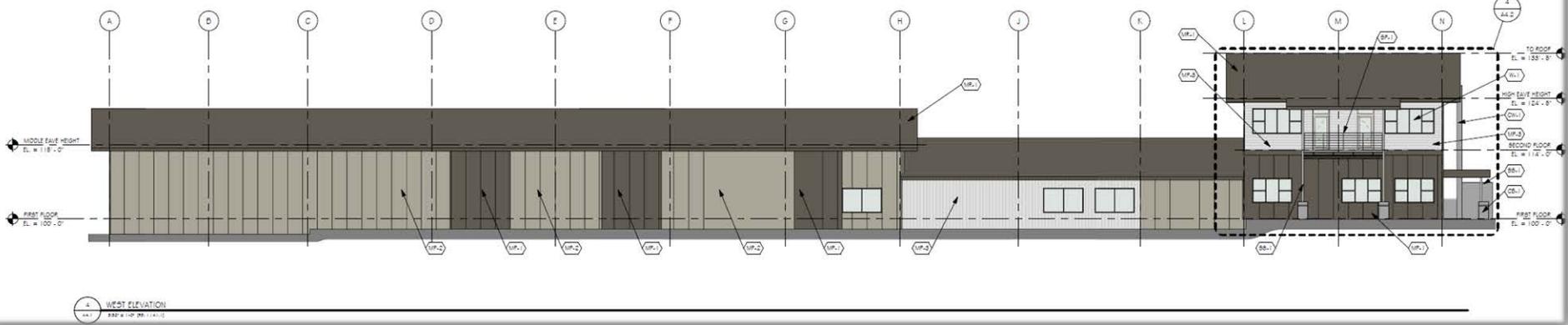


# ELEVATIONS



**EXTERIOR ELEVATION KEYNOTE**

|      |  |
|------|--|
| B-1  | ○ KOLAID CONIC FILLED PIPE BALCONY, PAINT BY 6953 FESTIVAL GREEN         |
| BD-1 | □ BULK DOORS & ○ EPURED RAILTRAC, PAINT BY 7024-A BUIABLE BROWN          |
| CB-1 | □ CONCRETE BASE  |
| CT-1 | ○ METAL DOORER WALL, COLOR: CHEF ULTRALITE PREMIUM CHARCOAL GRAY         |
| CH-1 | □ CONCRETE WALL  |
| CV-1 | ○ HOLLOW METAL DOOR & FRAME, PAINT BY 7018 REPOSE GREY                   |
| D-2  | ○ INSULATED QUARTER ROUND OVERHEAD DOOR, PAINT BY 7018 REPOSE GREY       |
| MP-2 | ○ METAL PANEL SIDING, COLOR: CHEF ULTRALITE PREMIUM CHARCOAL GRAY        |
| MP-3 | ○ METAL PANEL SIDING, COLOR: CHEF ULTRALITE PREMIUM AEM GRAY             |
| MP-4 | ○ METAL PANEL SIDING, COLOR: CHEF ULTRALITE PREMIUM SAVANNAH             |
| MP-5 | ○ PREFINISHED METAL ROOFING, COLOR: CHEF ULTRALITE PREMIUM CHARCOAL GRAY |
| SP-1 | ○ STEEL PIPE DOWNSPOUT, COLOR: 7018/10/10 CHARCOAL GREY                  |
| SB-1 | ○ SLATCH SUFFER, FINISH: SILVER BEAN SYSTEM                              |
| SW-1 | ○ ALUMINUM 6/10/60/60 WINDOW SYSTEM                                      |





## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Kelly Arnold, Town Manager  
Scott Ballstadt, AICP, Director of Planning  
**From:** Paul Hornbeck, Associate Planner  
**Subject:** Resolution No. 2015-85 - A Resolution Initiating Annexation Proceedings for the Weakland Annexation to the Town of Windsor, Colorado – Pat Weakland, applicant  
**Item #s:** C.5.a

**Background:**

The applicant, Mr. Pat Weakland, is requesting to annex approximately 9.868 acres to the Town of Windsor, as illustrated on the enclosed petition. The applicant is requesting General Commercial (GC) zoning.

**Conformance with Comprehensive Plan:**

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

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

**Conformance with Vision 2025:**

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

**Recommendation:**

Staff recommends approval of Resolution No. 2015-85 as presented.

**Notification:**

None required for this Resolution.

**Attachments:** Resolution No. 2015-85  
Annexation Petition  
PowerPoint slides

pc: Pat Weakland, Applicant

TOWN OF WINDSOR, COLORADO

RESOLUTION NO. 2015-85

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

WHEREAS, the Town Clerk has received an Annexation Petition dated November 6, 2015, a copy of which is attached hereto and incorporated herein by this reference as if set forth fully, seeking annexation of certain real property described therein and proposed as the “Weakland Annexation”; and

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

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

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

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

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John S. Vazquez, Mayor

ATTEST:

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Patti Garcia, Town Clerk

Annexation Petition

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

(I, We) the landowner(s) of more than 50% of the territory, excluding public streets and alleys, described as (Lot B of recorded Exemption No. 0807-18-3-RE-1425, being a part of the East ½ of the SW ¼ of section 18, Township 6 North, Range 67 West of the 6<sup>th</sup> P. M.) containing 9.87 acres more or less, allege the following to be true and correct:

The perimeter of the proposed annexation has a distance of 2,831.16 feet, of which 975.4 feet are contiguous to the existing TOWN limits of the TOWN OF WINDSOR. A minimum of 1/6 of the perimeter of the proposed annexation is contiguous to the TOWN OF WINDSOR.

We further allege:

1. It is desirable and necessary that said territory be annexed to the TOWN OF WINDSOR.
2. A community of interest exists between the said territory and THE TOWN OF WINDSOR.
3. Said territory is integrated or capable of being urbanized in the near future.
4. Said territory is integrated or capable of being integrated with the TOWN OF WINDSOR.
5. No Land held in identical ownership is divided into separate parcels unless the owner of said tract has consented in writing or joins in this petition.
6. No land in identical ownership comprises 20 acres and together with improvements had an assessed valuation in excess of \$200,000.00 in the year preceding the filing of this petition.
7. No proceedings for annexation of the territory have been commenced for annexation to another municipality.
8. The signers hereof compromise the landowners of more than 50% of the territory proposed to be annexed exclusive of streets and alleys, and are in fact owners of 100% of the hereinafter described property.

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

In addition to the annexation, the undersigned request the zoning of General Commercial (G.C.) for the above described property.

| Date    | Owners Signature | Mailing address                       |
|---------|------------------|---------------------------------------|
| 11-6-15 |                  | 6461 Hwy 392  <br>Windsor Co<br>80550 |
| 11/6/15 |                  |                                       |

# **Weakland Annexation**

## **Initiating Annexation Proceedings**

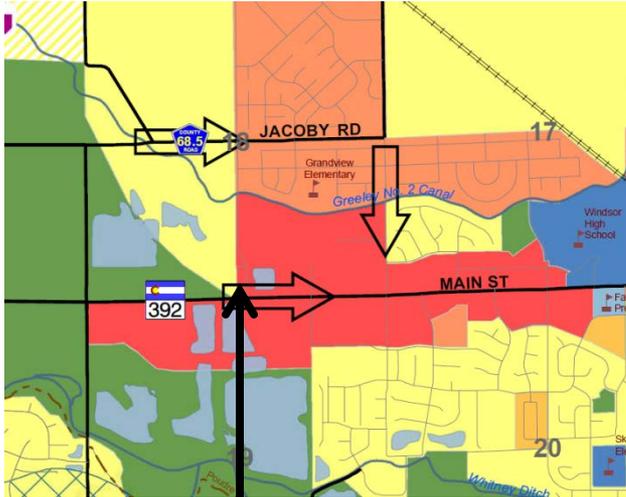
Paul Hornbeck, Associate Planner  
December 14, 2015

Town Board

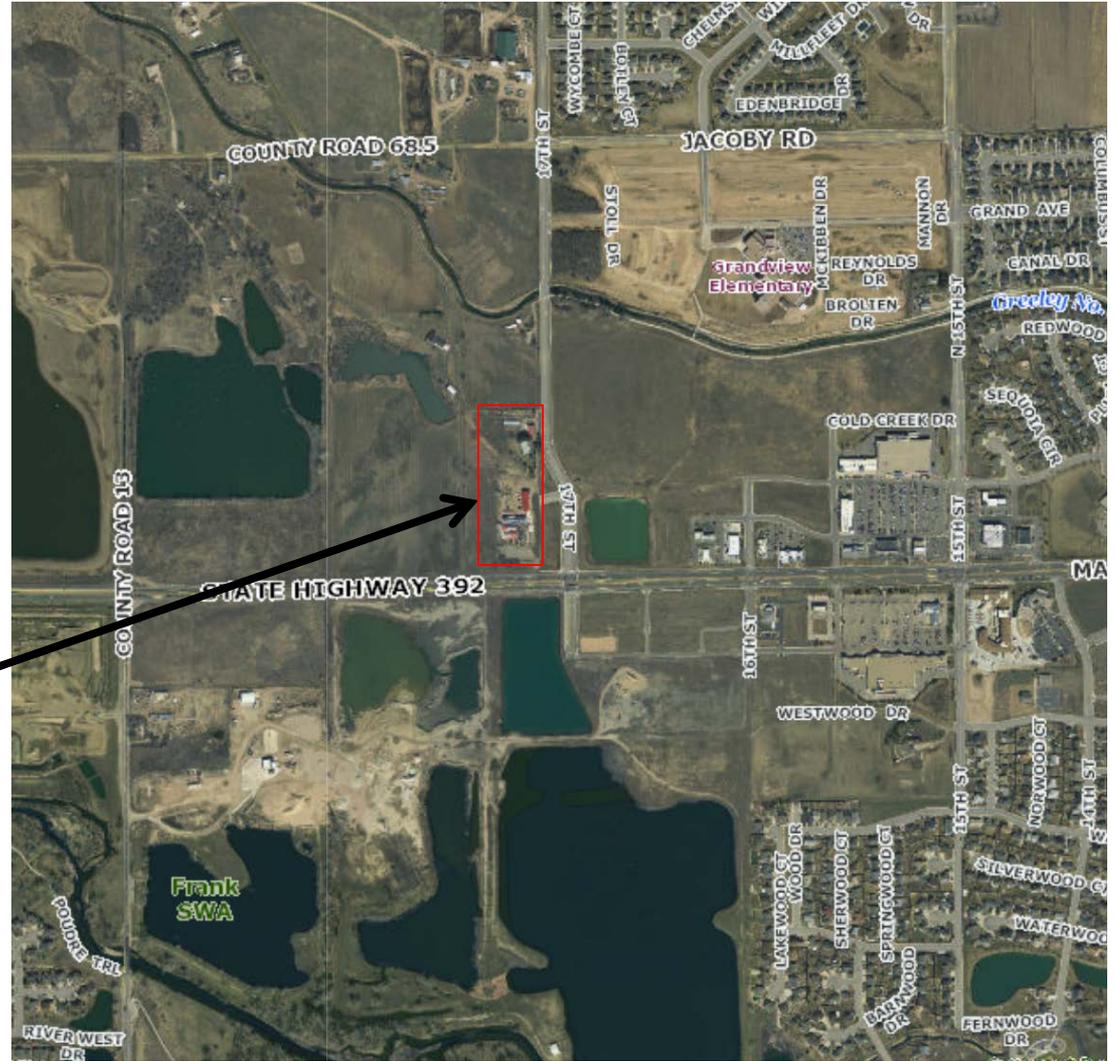
Item C.5

# LOCATION

Land Use Map



Subject Property







# RECOMMENDATION

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Staff Recommends that the Town Board approve Resolution 2015-85 Initiating Annexation Proceedings as presented



# ANNEXATION REQUEST

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Staff requests that the following be entered into the record:

- Staff memorandum and supporting documents
- Recommendation



## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor, Town Board & Parks, Recreation & Culture Advisory Board  
**Via:** Kelly Arnold, Town Manager  
**From:** Wade Willis, CPRP, Parks and Open Space Manager  
**Re:** Eastman Park South Master Plan  
**Item #:** C.6.

### **Background / Discussion:**

Parks staff, working in tandem with the Engineering Department, has commissioned THK Associates to develop a Master Plan for Eastman Park South (EPS). EPS was donated as a part of the overall 52 acre site from the Eastman Kodak Company in 1990. In 2002 the north half of the park was developed into a 25 acre soccer park. The south portion, delineated by the Poudre River and Poudre Trail, has largely remained in a natural state. The majority of the EPS site, which for the purposes of this project includes from the Poudre Trail to the southern tip where 7<sup>th</sup> Street and Laku Lake Road meet, is a field of grass hay that is harvested annually by a local farmer. The site also includes the Poudre River, an archery range and the Treasure Island Garden.

Staff has worked diligently with THK to develop a plan which has been presented to PReCAB and posted on the Town Website for almost 2 months. The entire public process has consisted of the following to date:

- August 8, 2015 Joint Work Session of PReCAB and Tree Board
- September 1, 2015 Onsite Data Gathering 10:00 – 4:30
- September 1, 2015 Public Presentation 5:00 – 7:00
- September 18 – Ongoing On Town Website News Center
- October 6, 2015 Presentation to PReCAB
- November 3, 2015 Adoption of Resolution 2015-PRC04 by PReCAB

Funding for this project is identified in the Town CIP Program for 2018 (Construction Documents) with construction scheduled for 2019. The total cost of construction is estimated to be \$1.1 Million and would be funded from the Park Improvement Fund.

Tonight, the final Master Plan Design is being presented to Town Board along with master plan level cost estimates for implementation of the plan.

### **Financial impact:**

\$50,000 allocated in 2015 Capital Budget (\$15,000 from a PHA Grant Award)

**Relationship to Strategic Plan:**

Goal 1.A.B.C.E.F.G.H, 2.A.B., 4.B.

**Recommendation:**

Staff recommends adoption of Resolution 2015-86 approving the Eastman Park South Master Plan.

**Attachments:**

- a. Master Plan Documents
- b. Resolution Approving Eastman Park South Master Plan
- c. Project Cost Estimate

TOWN OF WINDSOR

RESOLUTION NO. 2015- 86

A RESOLUTION APPROVING A CONCEPTUAL MASTER PLAN FOR EASTMAN PARK SOUTH IN THE TOWN OF WINDSOR

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 places high value on its parks and open space; and

WHEREAS, the Town of Windsor constructs, manages and maintains community parks within its corporate limits; and

WHEREAS, in 2007, the Town Board adopted by resolution the Town’s Parks, Recreation, Trails and Open Lands Master Plan which identifies service areas and amenities appropriate for development as community parks; and

WHEREAS, in 2015, the Town retained THK Associates to assist with the master planning process for Eastman Park South, a parcel of approximately 25 acres adjacent to Eastman Park which has up to this point remained largely in its natural state; and

WHEREAS, on August 8, 2015 and again on September 1, 2015 the Town held public meetings seeking input on conceptual designs for Eastman Park South; and

WHEREAS, THK Associates and Town staff have arrived at a Conceptual Master Plan for Eastman Park South, a reduced copy of which is attached hereto for reference; and

WHEREAS, the Parks, Recreation and Culture Advisory Board has considered the attached Conceptual Master Plan and staff’s recommendation, and concluded that approval of the attached Conceptual Master Plan is essential for appropriate planning and budgeting for improving the Town’s parks system; and

WHEREAS, the Town Board has considered the Conceptual Master Plan, the recommendations of staff and the Parks, Recreation and Culture Advisory Board, and desires to formally approve the Conceptual Master Plan for Eastman Park South.

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

The attached Eastman Park South Conceptual Master Plan, is hereby recommended for acceptance by the Town of Windsor Town Board as a planning document for future improvements and development of the park.

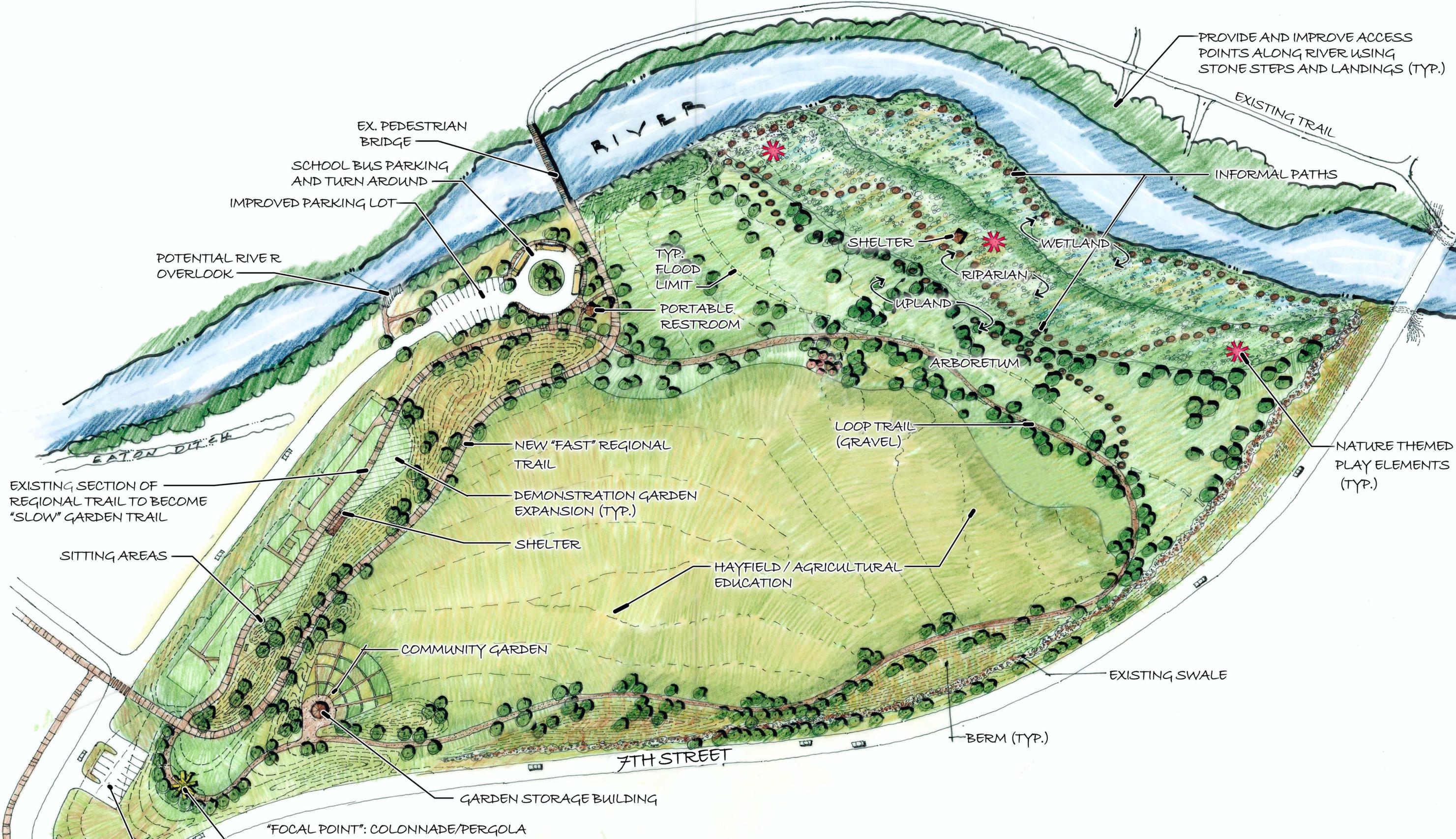
Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By: \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

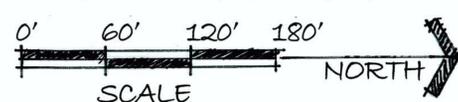


NOTE: THE ENTIRE EASTMAN PARK SOUTH IS DESIGNATED FLOODWAY AND FILLING ISN'T PERMITTED UNLESS NO-RISE IN FLOOD ELEVATION CAN BE DEMONSTRATED.

# CONCEPTUAL MASTER PLAN

## EASTMAN PARK SOUTH

NOVEMBER 2, 2015



**Eastman Park South - Master Plan**  
**Opinion of Probable Landscape Construction Costs**  
**October 21, 2015**

| <i>Description</i>                              | <i>Unit</i> | <i>Size</i>                     | <i>Qty.</i> | <i>Cost Ea.</i> | <i>Total Cost</i>   |
|---|-------------|---------------------------------|-------------|-----------------|---------------------|
| <b>Site Demolition</b>                          |             |                                 |             |                 |                     |
| Removal of Existing Tree Vegetation             | LS          |                                 | 1           | \$6,000.00      | \$6,000.00          |
| Clear and Grub                                  | SF          |                                 | 597,606     | \$0.20          | \$119,521.20        |
| Remove existing trail at pedestrian bridge      | LS          |                                 | 1           | \$1,800.00      | \$1,800.00          |
| Remove existing HC pad and fence at parking lot | LS          |                                 | 1           | \$1,200.00      | \$1,200.00          |
| Remove existing archery range                   | LS          |                                 | 1           | \$500.00        | \$500.00            |
|   |             |                                 |             |                 |                     |
| <b>SUBTOTAL</b>                                 |             |                                 |             |                 | <b>\$129,021.20</b> |
| <b>Grading</b>                                  |             |                                 |             |                 |                     |
| Riparian Bench Creation (Cut)                   | CY          |                                 | 14,574      | \$4.00          | \$58,296.89         |
| Riparian Bench Creation (Fill)                  | CY          |                                 | 24          | \$4.00          | \$95.11             |
| Berm Creation (Cut)                             | CY          |                                 | 527         | \$4.00          | \$2,107.11          |
| Berm Creation (Fill)                            | CY          |                                 | 10,600      | \$4.00          | \$42,398.81         |
|   |             |                                 |             |                 |                     |
| <b>SUBTOTAL</b>                                 |             |                                 |             |                 | <b>\$102,897.93</b> |
| <b>Hardscape</b>                                |             |                                 |             |                 |                     |
| Loop Trail - 8' crusher fine                    | SF          | 90 SF/ 2" Deep per ton \$36.00  | 20,032      | \$0.40          | \$8,012.80          |
| Fast Trail - 10' concrete                       | SF          | 6" Thick                        | 12,347      | \$5.00          | \$61,735.00         |
| Narrow Trail - 3' crusher fine                  | SF          | 90 SF/ 2" Deep per ton \$36.00  | 8,552       | \$0.40          | \$3,420.80          |
| Parking lot Asphalt (North)                     | SF          | \$4.00 Per SF                   | 15,833      | \$4.00          | \$63,332.00         |
| Parking lot Asphalt (South)                     | SF          | \$4.00 Per SF                   | 6,574       | \$4.00          | \$26,296.00         |
| Parking lot Curb & Gutter                       | LF          |                                 | 638         | \$15.00         | \$9,570.00          |
| Parking lot Sidewalk and Trail                  | SF          | 6" Thick                        | 2,615       | \$5.00          | \$13,075.00         |
| Community Garden crusher fines                  | SF          | 90 SF/ 2" Deep per ton \$36.00. | 2,388       | \$0.40          | \$955.20            |
| Concrete Pad for Structures                     | SF          | 6" Thick                        | 558         | \$5.00          | \$2,790.00          |
| Environmental Play Opportunities                | LS          |                                 | 3           | \$9,000.00      | \$27,000.00         |
|   |             |                                 |             |                 |                     |
| <b>SUBTOTAL</b>                                 |             |                                 |             |                 | <b>\$216,186.80</b> |
| <b>Landscape</b>                                |             |                                 |             |                 |                     |
| Trees   | EA          | 2" Dec / 6' Ever                | 188         | \$400.00        | \$75,200.00         |
| Tree Stakes                                     | EA          | 10' Stake                       | 150         | \$50.00         | \$7,500.00          |
| Native Seed                                     | SF          |                                 | 357,108     | \$0.10          | \$35,710.80         |
| Willow Plantings - wetland bench                | SF          | 2 Per 4' O.C. / 150817 SF       | 18,853      | \$2.50          | \$47,132.50         |
| Willow Plantings - riparian bench               | EA          | 2 Per 10' O.C. / 90675 SF       | 1,814       | \$2.50          | \$4,535.00          |
| Perennials - wetland bench                      | EA          | 10' O.C. / 150817 SF            | 1,508       | \$3.00          | \$5,442.00          |
| Riparian Seed - wetland bench                   | SF          |                                 | 150,817     | \$0.39          | \$58,818.63         |
| Riparian Seed - riparian bench                  | SF          |                                 | 90,675      | \$0.39          | \$35,363.25         |
|   |             |                                 |             |                 |                     |
| <b>SUBTOTAL</b>                                 |             |                                 |             |                 | <b>\$269,702.18</b> |
| <b>Items</b>                                    |             |                                 |             |                 |                     |
| 10'10 simple shelter                            | LS          |                                 | 2           | \$10,000.00     | \$20,000.00         |
| 4 benches                                       | EA          |                                 | 4           | \$800.00        | \$3,200.00          |
| Community Garden soil amendment                 | CY          | 5 CY / 1000 SF                  | 45          | \$55.00         | \$2,475.00          |
| Storage building                                | LS          |                                 | 1           | \$12,000.00     | \$12,000.00         |
| Interpretive Signs                              | EA          |                                 | 4           | \$1,200.00      | \$4,800.00          |
| Focal Point <sup>1</sup>                        | LS          |                                 | 1           | \$35,000.00     | \$35,000.00         |
|   |             |                                 |             |                 |                     |
| <b>SUBTOTAL</b>                                 |             |                                 |             |                 | <b>\$77,475.00</b>  |
|   |             |                                 |             |                 |                     |
| <b>SUBTOTAL</b>                                 |             |                                 |             |                 | <b>\$795,283.11</b> |
| <b>25% Contingency</b>                          |             |                                 |             |                 | <b>\$198,820.78</b> |
| <b>Estimated Landscape</b>                      |             |                                 |             |                 | <b>\$994,103.88</b> |

Note: This estimate includes costs for material, installation and guarantee.

\* Irrigation has not been included in this cost estimate

1. Price may vary as Focal Point has not been determined or designed



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## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Kelly Arnold, Town Manager  
**From:** Stacy Johnson, Director of Economic Development  
**Re:** Sanitary Sewer pipeline Reimbursement IGA (Town of Severance)  
**Item #:** C-7

### **Background / Discussion:**

Since 2013, staff has been working with Chris Ruff and his team on redevelopment of 9050 Hwy 392 (the former Champion Auto site). Mr. Ruff's team owns what is known as East Pointe and Falcon Point subdivisions in this vicinity.

Mr. Ruff has completed construction of water and sanitary sewer lines to serve his property, which will promote development in this area. The extended sanitary sewer pipeline through the Ruff property will allow the Town to extend the sewer pipeline to the Windsor Cemetery's proposed restroom facilities. Mr. Ruff requested reimbursement of the sewer line cost, which is only a proportion of the overall cost he paid to install the sanitary sewer pipeline through East Pointe and Falcon Point. The Town Manager has agreed to this reimbursement in the amount of \$167,919.00, it being his intention all along for the Town to bear a portion of this cost.

In 2000, the Town of Windsor and Town of Severance entered into an IGA which established a development corridor in this area, and within which one-third of sales tax and property tax revenue will be shared by the municipalities. Given that Severance will benefit from development on the Windsor side of the corridor, Severance has agreed to enter into the attached IGA for the reimbursement of one-third of the Ruff sewer line reimbursement (\$55,917.00). Under the attached IGA, repayment will occur through the Town's retention of what would have been Severance's share of the shared revenue stream until the full \$55,917.00 is collected. The pace at which this repayment occurs will depend on economic activity in the corridor.

The Severance Town Board approved the attached IGA on December 7<sup>th</sup>.

### **Financial Impact:**

Reimbursement to Ruff, offset by Severance repayment: \$167,919 (-) \$55,719 = \$112,200.

### **Recommendations:**

Approval of Resolution No. 2015-87. Simple majority required.

### **Attachments:**

Intergovernmental Agreement (Sanitary Sewer Line Cost Recovery), together with Exhibit A; Resolution No. 2015-87

**Relationship to Strategic Plan:** Diversify, Grow & Strengthen the Local Retail and Industrial Economy

**INTERGOVERNMENTAL AGREEMENT  
(Sanitary Sewer Line Cost Recovery)**

THIS INTERGOVERNMENTAL AGREEMENT is made and entered into this 7th day of December, 2015, by and between THE TOWN OF WINDSOR, a home rule municipality and political subdivision of the State of Colorado (“Windsor”) and THE TOWN OF SEVERANCE, a statutory town and political subdivision of the State of Colorado (“Severance”). The parties hereto, when referring to both, may also be referred to herein as “municipalities” or “parties.” Either party hereto may also be referred to as “municipality” or “party.”

RECITALS

WHEREAS, the Windsor Town Board and the Severance Town Board have a long history of intergovernmental cooperation; and

WHEREAS, the parties have recently participated in extensive discussions concerning development which is occurring and is expected to occur within and in the vicinity of the Cooperative Planning Area established under the Intergovernmental Agreement dated December 11, 2000; and

WHEREAS, Windsor has recently expended funds to reimburse the developer cost of a sanitary sewer line installed along the south side of Colorado State Highway 392, which sanitary sewer line is capable of and intended to serve development within the Cooperative Planning Area; and

WHEREAS, both parties acknowledge the potential benefits of this infrastructure in terms of increased development, redevelopment, revenue generation and general public benefit; and

WHEREAS, Severance acknowledges that it should bear a portion of Windsor’s expense for the sanitary sewer line; and

WHEREAS, the parties desire to set forth their understandings with respect to cost-sharing for the sanitary sewer line in this Agreement; and

WHEREAS, the statutes of the State of Colorado, specifically the Local Government Land Use Control Enabling Act, Colorado Revised Statutes, 29-20-101, *et seq.*, further authorizes the parties to enter into mutually binding and enforceable agreements regarding the sharing of revenue under these circumstances; and

WHEREAS, this Agreement is entered into by Windsor and Severance pursuant to the aforesaid constitutional and statutory authority as well as other powers inherently granted to statutory and home rule municipalities by the State of Colorado;

NOW, THEREFORE, in consideration of the covenants and obligations expressed herein, it is hereby agreed by and between Windsor and Severance as follows:

1. **Preamble.** Both municipalities hereby acknowledge that the recitals set forth above are true and correct, and those recitals are incorporated into the body of this Intergovernmental Agreement. Both municipalities, further, acknowledge and reaffirm the Intergovernmental Agreement dated December 11, 2000.

2. **Determination of Severance Cost Share.**

Windsor has expended the sum of \$167,919.00 for the construction of a sanitary sewer line capable of serving the East Pointe and Falcon Point subdivisions, both of which are depicted in the attached Exhibit A, which by this reference is incorporated herein. The parties agree that Severance will bear one-third of this cost, or \$55,917.00, which shall herein be referred to as the "Severance Cost Share".

3. **Recovery of Severance Cost Share.**

- (a) Windsor and Severance agree that the Severance Cost Share will be paid through the accumulation and retention by Windsor of Severance's one-third share of sales tax, use tax and property revenue generated within the Cooperative Planning Area as provided in the December 11, 2000, Intergovernmental Agreement. Severance agrees that, until such time as the Severance Cost Share is paid in full, Windsor shall be entitled to retain Severance's portion of sales tax and property tax generated within the Cooperative Planning Area identified in Exhibit A. All Severance sales tax, use tax and property revenue share funds retained by the Town of Windsor pursuant to this sub-paragraph shall be applied to the Severance Cost Share until the Severance Cost Share is paid in full.
- (b) By March 1 of each year during which the Severance Cost Share remains unpaid, Windsor shall provide Severance with an accounting of sales tax and property tax revenue generated within the Cooperative Planning Area during the preceding calendar year, together with an accounting of credits to which Severance is entitled in order that the parties may determine the status of the Severance Cost Share balance. Nothing herein shall preclude Severance from requesting further accounting. At such time as Windsor has recovered the full Severance Cost Share through retained Severance revenue, Windsor shall notify Severance in writing and shall thereafter disburse to Severance its share of sales tax, use tax and property tax revenue as provided in the December 11, 2000, Intergovernmental Agreement.

- (c) Nothing herein shall preclude the parties from reaching other agreements with respect to infrastructure cost-sharing, revenue sharing and other items of cooperation available under Colorado law.

4. **TABOR.** It is understood and agreed that for purposes of the application of the revenue limitations contained in Article X, Section 20, of the Colorado Constitution, all revenues retained by Windsor and thereafter credited to Severance shall be deemed revenues collected solely for the purpose of passing those revenues through to Severance, and Severance shall be obligated to count and include such revenues for TABOR purposes. It is further understood and agreed that the financial obligations imposed upon Windsor and Severance by the terms of this Agreement are specifically subject to the annual appropriation of monies by the respective municipalities to fund those obligations. Windsor and Severance state their intention to plan appropriation of such monies to fulfill their respective financial obligations under this Agreement.

5. **Parties to Exercise Good Faith.** Windsor and Severance agree to devote their best efforts and to exercise good faith in implementing and adhering to the provisions of this Agreement throughout its term.

6. **Intent of Agreement.** This Agreement is intended to describe rights and responsibilities only as between the named parties hereto. It is not intended to and shall not be deemed to confer rights to any persons or entities not named as parties hereto nor to require Windsor or Severance to annex any property or to provide any services to any land. This Agreement is not intended to limit in any way the powers or responsibilities of Weld County or of any other political subdivision of the State of Colorado not a party hereto.

7. **Rights upon Default and Mediation provisions.** The Local Government Land Use Enabling Act, earlier referred to in this Agreement, provides that agreements between municipalities for the purposes set forth herein are mutually binding and enforceable. Both parties hereby acknowledge the binding and enforceable nature of this Agreement. Should either party fail to comply with the provisions of this Agreement, the other party, after providing written notification to the non-complying party, and upon the failure of the non-complying party to achieve compliance within ninety (90) days after said notice, may at its option, either terminate this Agreement or maintain an action in a court of competent jurisdiction for specific performance, injunctive, or other appropriate relief. In the event of such litigation, each party shall be responsible for its own costs, including attorney fees. It shall be the obligation of the parties to submit to mediation any issue of non-compliance prior to declaring this Agreement terminated or prior to commencing an action in court as aforesaid. The parties shall agree on the appointment of a mediator who shall be experienced in matters of local government and the legal obligations of local government entities. In the event the parties are unable to agree upon a mediator, each party shall appoint an independent third party, and the third parties so appointed shall select a single mediator. The procedures and methodology for mediation shall be

determined by the mediator. Appointment of the mediator shall take place no later than thirty (30) days following written notification as provided in this paragraph, and mediation shall be completed no later than sixty (60) days thereafter.

By the provisions of this paragraph it is the express intention of the parties to establish fully enforceable consequences upon the breach of this Agreement, while not in any way limiting the ability of the parties to freely exercise legislative discretion.

8. **Effective Date.** This Agreement shall be presented to the governing board of the respective municipalities for adoption by resolution, following notice as required by the Colorado Open Meetings Law, § 24-6-401, *et. seq.* This Agreement shall become effective upon its adoption by both municipalities.

9. **Term.** The parties intend this Agreement to remain in full force and effect until the Severance Cost Share is paid in full.

10. **Amendment.** All amendments to this Agreement must be made in writing and approved by the governing bodies of both municipalities by resolution.

11. **Notices.** Requirements of notice hereunder shall be deemed satisfied upon mailing to the parties as follows:

To Windsor:  
Town Manager  
301 Walnut Street  
Windsor, CO 80550

Copy to:  
Town Attorney  
301 Walnut Street  
Windsor, CO 80550

To Severance:  
Town Administrator  
3 South Timber Ridge Parkway  
PO Box 339  
Severance, CO 80546

Copy to:  
Severance Town Attorney  
Gregory Bell, Esq.  
Bell, Gould, Linder & Scott, P.C.  
322 East Oak Street  
Fort Collins, CO 80524

12. **Effect of Invalidity.** If any portion of this Agreement is held invalid or unenforceable by a court of competent jurisdiction as to either party or as to both parties, such invalidity or unenforceability shall not affect the remainder of this Agreement, except that if a requirement or limitation is declared invalid as to one party, any corresponding requirements or limitation shall be deemed invalid as to the other party.

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

**TOWN OF WINDSOR**

By: \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

[Seal]

APPROVED AS TO FORM:

\_\_\_\_\_  
Ian D. McCargar, Town Attorney

**TOWN OF SEVERANCE**

By: \_\_\_\_\_  
Donald Brookshire, Mayor

ATTEST:

\_\_\_\_\_  
Betty Mauch, Town Clerk

[Seal]

APPROVED AS TO FORM:

\_\_\_\_\_  
Gregory Bell, Town Attorney



Falcon Point

DIAMOND VALLEY DR

E GARDEN DR

TECHNOLOGY

392

21

TOWN OF WINDSOR

RESOLUTION NO. 2015 - 87

A RESOLUTION APPROVING AND ADOPTING THE DECEMBER 7, 2014, INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF WINDSOR AND TOWN OF SEVERANCE WITH RESPECT TO COST-SHARING ASSOCIATED WITH A SANITARY SEWER PIPELINE

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

WHEREAS, the Town has a long history of cooperative relations with its municipal neighbors, including the Town of Severance (“Severance”); and

WHEREAS, in December, 2000, the Town entered into an Intergovernmental Agreement with the Town of Severance, the purpose of which was to promote orderly development of a half-mile wide corridor extending north and south along State Highway 392 on the eastern edge of Town (“Corridor”); and

WHEREAS, the Town and Severance agreed to sales tax and property tax revenue-sharing within the Corridor, such that each municipality will benefit from commercial and industrial development occurring in the Corridor; and

WHEREAS, the developer of the Falcon Point and East Pointe Subdivisions (“Developer”) has completed an extension to the Town’s sanitary sewer pipeline (“Pipeline”), which extension will serve commercial and industrial development in and around the Corridor; and

WHEREAS, the Town has reimbursed a substantial portion of the Developer’s cost associated with the Pipeline by separate agreement with the Developer; and

WHEREAS, recognizing that Severance will benefit from development in the Corridor, the Town and Severance have entered into negotiations to arrive at an agreement under which Severance will over time bear its share of the Pipeline cost; and

WHEREAS, on December 7, 2015, the Town of Severance approved the attached Intergovernmental Agreement (Sanitary Sewer Line Cost Recovery) dated December 7, 2015, the terms of which are incorporated herein by this reference as if set forth fully; and

WHEREAS, in order to assure cost-sharing and eventual recovery of Severance’s portion of the sanitary sewer pipeline, the Town Board wishes to approve the attached Intergovernmental Agreement.

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

1. The attached Intergovernmental Agreement (Sanitary Sewer Line Cost Recovery) dated December 7, 2015, is hereby approved and adopted.
2. The Mayor is hereby authorized to execute the attached Intergovernmental Agreement on behalf of the Town.
3. The Town Attorney is authorized to make such modifications to the form of the attached Intergovernmental Agreement as may be necessary to carry out the intent of this Resolution.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By: \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk



---

## MEMORANDUM

**Date:** December 9, 2015  
**To:** Town Board  
**Via:** Kelly Arnold, Town Manager  
**From:** Dean Moyer, Director of Finance and Information Systems  
**Re:** 2016 Water Rates  
**Item #:** C.8

### **Background / Discussion:**

Our current rate structure was developed in response to the worst part of the drought in 2003, as well as our 2011 water rate study recommendations.

We added a third tier to this system in 2012 to target those customers that use on a monthly basis more water than was dedicated with their property when annexed, especially targeting single family homes without a non-potable irrigation system. The tiers are tied to the annual CBT water share allocation, one tier at the historical allocation of 16,000 gallons per month, the second tier being 16,001 up to 22,500 gallons per month and the third tier being over 22,500 gallons per month. The 22,500 gallons per month equates to 100% CBT allocation spread over 12 months.

Historically we have passed along any increases from our suppliers and cost of service increases to our customers by adjusting the dollars charged per 1,000 gallons. We have learned from Greeley that our cost for 2016 water should increase by 8%. We also learned that North Weld will not be increasing our rate for 2016. Our contract with South Ft. Collins does not call for any cost increase in 2016 water.

Water purchase records show that we purchase about 37% of our water supply from the City of Greeley.

At their meeting on December 9, 2015, the Water and Sewer Board considered the rate structure for 2016. They recommended increasing the usage rate per 1,000 gallons to recover the cost increase from one of our suppliers. They also recommended rounding each base rate to an even dollar amount.

### **Financial Impact:**

Using a weighted average approach to apply the cost increase, I am proposing that we increase the rates by 2.96% this year. This is figured by dividing an 8% increase by the 37% portion of our overall water supply.

### **Recommendation**

Adopt the rate structure as presented, making it effective beginning January 15, 2016. The 15<sup>th</sup> is when we read meters and this date will be the first reading day in the year.

**Attachments:**

Existing 2015 Water Rate Chart  
Proposed 2016 Water Rate Chart  
Resolution 2015-88

| Existing<br>2015 Water<br>Rates  |                     |   |                             |                             |                           |                        |                        |
|--|---------------------|---|-----------------------------|-----------------------------|---------------------------|------------------------|------------------------|
| Customer<br>Category   | Monthly<br>Base Fee | 1 <sup>st</sup> Tier<br>Usage<br>Charge | 2nd Tier<br>Usage<br>Charge | 3rd Tier<br>Usage<br>Charge | 1st Tier<br>Threshold     | 2nd Tier<br>Threshold  | 3rd Tier<br>Threshold  |
|  |                     | (per 1,000<br>gallons)                  | (per 1,000<br>gallons)      | (per 1,000<br>gallons)      | (gallons<br>per<br>month) | (gallons per<br>month) | (gallons per<br>month) |
| $\frac{3}{4}$ " Single Family<br>Residential w/o<br>Dual Water<br>System | \$14.81             | \$3.62                                  | \$5.40                      | \$8.05                      | 16,000                    | 16,001-<br>22,500      | >22,500                |
| $\frac{3}{4}$ " Residential<br>with Operative<br>Dual System             | \$14.81             | \$3.62                                  | \$5.40                      | -                           | 9,700                     | -                      | -                      |
| 1" Residential<br>with Operative<br>Dual System                          | \$23.93             | \$3.62                                  | \$5.40                      | -                           | 9,700                     | -                      | -                      |
| 1.5" Residential<br>with Operative<br>Dual System                        | \$49.00             | \$3.62                                  | \$5.40                      | -                           | 9,700                     | -                      | -                      |
| $\frac{3}{4}$ " Multi-family<br>Residential                              | \$9.57              | \$3.62                                  | \$5.40                      | -                           | 15,700                    | -                      | -                      |
| $\frac{3}{4}$ " Commercial-<br>Industrial-School                         | \$14.81             | \$3.62                                  | \$5.40                      | -                           | 157,000                   | -                      | -                      |
| 1" Commercial-<br>Industrial-School                                      | \$23.93             | \$3.62                                  | \$5.40                      | -                           | 157,000                   | -                      | -                      |
| 1.5" Commercial-<br>Industrial-School                                    | \$49.00             | \$3.62                                  | \$5.40                      | -                           | 157,000                   | -                      | -                      |
| 2" Commercial  | \$77.49             | \$3.62                                  | \$5.40                      | -                           | 493,000                   | -                      | -                      |
| 2" Industrial  | \$77.49             | \$3.62                                  | \$5.40                      | -                           | 783,000                   | -                      | -                      |
| 2" School  | \$77.49             | \$3.62                                  | \$5.40                      | -                           | 157,000                   | -                      | -                      |
| 3" School  | \$145.87            | \$3.62                                  | \$5.40                      | -                           | 306,700                   | -                      | -                      |
| 4" Industrial  | \$243.25            | \$3.62                                  | \$5.40                      | -                           | 2,461,000                 | -                      | -                      |

| Proposed<br>2016 Water<br>Rates  |                     |   |   |   |  |   |   |
|--|---------------------|---|---|---|--|---|---|
| Customer<br>Category   | Monthly<br>Base Fee | 1 <sup>st</sup> Tier<br>Usage<br>Charge<br>(per 1,000<br>gallons) | 2nd Tier<br>Usage<br>Charge<br>(per 1,000<br>gallons) | 3rd Tier<br>Usage<br>Charge<br>(per 1,000<br>gallons) | 1st Tier<br>Threshold<br>(gallons<br>per<br>month) | 2nd Tier<br>Threshold<br>(gallons per<br>month) | 3rd Tier<br>Threshold<br>(gallons per<br>month) |
| $\frac{3}{4}$ " Single Family<br>Residential w/o<br>Dual Water<br>System | \$15.00             | \$3.73  | \$5.56  | \$8.29  | 16,000   | 16,001-<br>22,500                               | >22,500   |
| $\frac{3}{4}$ " Residential<br>with Operative<br>Dual System             | \$15.00             | \$3.73  | \$5.56  | -   | 9,700  | -   | -   |
| 1" Residential<br>with Operative<br>Dual System                          | \$24.00             | \$3.73  | \$5.56  | -   | 9,700  | -   | -   |
| 1.5" Residential<br>with Operative<br>Dual System                        | \$49.00             | \$3.73  | \$5.56  | -   | 9,700  | -   | -   |
| $\frac{3}{4}$ " Multi-family<br>Residential                              | \$10.00             | \$3.73  | \$5.56  | -   | 15,700   | -   | -   |
| $\frac{3}{4}$ " Commercial-<br>Industrial-School                         | \$15.00             | \$3.73  | \$5.56  | -   | 157,000  | -   | -   |
| 1" Commercial-<br>Industrial-School                                      | \$24.00             | \$3.73  | \$5.56  | -   | 157,000  | -   | -   |
| 1.5" Commercial-<br>Industrial-School                                    | \$49.00             | \$3.73  | \$5.56  | -   | 157,000  | -   | -   |
| 2" Commercial  | \$77.00             | \$3.73  | \$5.56  | -   | 493,000  | -   | -   |
| 2" Industrial  | \$77.00             | \$3.73  | \$5.56  | -   | 783,000  | -   | -   |
| 2" School  | \$77.00             | \$3.73  | \$5.56  | -   | 157,000  | -   | -   |
| 3" School  | \$146.00            | \$3.73  | \$5.56  | -   | 306,700  | -   | -   |
| 4" Industrial  | \$243.00            | \$3.73  | \$5.56  | -   | 2,461,000  | -   | -   |

TOWN OF WINDSOR

**RESOLUTION NO. 2015- 88**

A RESOLUTION ESTABLISHING RATES FOR TOWN OF WINDSOR WATER SERVICE CUSTOMERS, AND AUTHORIZING THE IMPLEMENTATION OF SUCH RATES

WHEREAS, the Town of Windsor is a Colorado Home Rule Municipality, with all powers of self-government as provided by Colorado law; and

WHEREAS, in keeping with the commands of Windsor Municipal Code Section 13-2-90, the Town Board has annually undertaken to fix rates for users of the Town's municipal treated water system; and

WHEREAS, on December 14, 2015, the Town Board was presented a proposed water rate structure developed by Town staff; and

WHEREAS, the aforementioned water rate structure states that:

- sixty three percent (63%) of the Town's water customers are in the category of "*3/4 inch Single Family Residential without a Dual Water System*"; and
- this customer category accounts for fifty three percent (53%) of the Town's annual water usage;

and

WHEREAS, the aforementioned water rate structure contains a recommendation that the Town consider an additional third-tier usage threshold and rate for the customer category of "*3/4 inch Single Family Residential without a Dual Water System*"; and

WHEREAS, the Water and Sewer Board has recommended that the Town Board approve the within-described rates to offset supplier price increases and otherwise assure the prudent management of the Town's water utility enterprise; and

WHEREAS, the Town Board has considered the recommendations of the 2015 Water Rate Study, the needs of the community and the financial realities of the Town's treated water supply sources; and

WHEREAS, in addition to the authority found within *Windsor Municipal Code* Section 13-2-90, Section 12.2 of the Windsor Home Rule Charter authorizes the Town Board to establish rates for the use of municipal water.

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

1. Commencing with the monthly billing period beginning January 15, 2016, only Town water users in customer category of “*3/4 inch Single Family Residential without a Dual Water System*” shall be subject to a third tier of water usage and corresponding fees, as is set forth in the attached schedule. All other users shall be subject to the first-tier and second-tier rates set forth in the attached schedule.
2. Commencing with the monthly billing period beginning January 15, 2016, Town water users shall be assessed an increased usage charge per 1,000 gallons of water used. As is set forth in the following schedule, usage under the applicable first-tier threshold for each customer category shall be charged at \$3.73/1,000 gallons per month. Usage over the applicable second-tier threshold, but under the applicable third-tier threshold, shall be charged at \$5.56/1,000 gallons per month. Usage over the applicable third-tier threshold shall be charged \$8.29/1,000 gallons per month.
3. In order to maintain the system and plan for additional system improvements, the monthly base fee for each category of water user shall be increased to the levels set forth in the attached table.
4. The table attached hereto shall be incorporated herein by this reference as if set forth fully.
5. The within Resolution shall supersede all prior rate-setting Resolutions for treated water customers served by the Town’s water utility enterprise.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14<sup>th</sup> day of December, 2015.

TOWN OF WINDSOR, COLORADO

By \_\_\_\_\_  
John S. Vazquez, Mayor

ATTEST:

\_\_\_\_\_  
Patti Garcia, Town Clerk

| Proposed<br>2016 Water<br>Rates  |                     |   |   |   |  |   |   |
|--|---------------------|---|---|---|--|---|---|
| Customer<br>Category   | Monthly<br>Base Fee | 1 <sup>st</sup> Tier<br>Usage<br>Charge<br>(per 1,000<br>gallons) | 2nd Tier<br>Usage<br>Charge<br>(per 1,000<br>gallons) | 3rd Tier<br>Usage<br>Charge<br>(per 1,000<br>gallons) | 1st Tier<br>Threshold<br><br>(gallons<br>per<br>month) | 2nd Tier<br>Threshold<br><br>(gallons per<br>month) | 3rd Tier<br>Threshold<br><br>(gallons per<br>month) |
| <sup>3</sup> / <sub>4</sub> " Single Family<br>Residential w/o<br>Dual Water<br>System | \$15.00             | \$3.73  | \$5.56  | \$8.29  | 16,000   | 16,001-<br>22,500                                   | >22,500   |
| <sup>3</sup> / <sub>4</sub> " Residential<br>with Operative<br>Dual System             | \$15.00             | \$3.73  | \$5.56  | -   | 9,700  | -   | -   |
| 1" Residential<br>with Operative<br>Dual System  | \$24.00             | \$3.73  | \$5.56  | -   | 9,700  | -   | -   |
| 1.5" Residential<br>with Operative<br>Dual System                                      | \$49.00             | \$3.73  | \$5.56  | -   | 9,700  | -   | -   |
| <sup>3</sup> / <sub>4</sub> " Multi-family<br>Residential                              | \$10.00             | \$3.73  | \$5.56  | -   | 15,700   | -   | -   |
| <sup>3</sup> / <sub>4</sub> " Commercial-<br>Industrial-School                         | \$15.00             | \$3.73  | \$5.56  | -   | 157,000  | -   | -   |
| 1" Commercial-<br>Industrial-School  | \$24.00             | \$3.73  | \$5.56  | -   | 157,000  | -   | -   |
| 1.5" Commercial-<br>Industrial-School  | \$49.00             | \$3.73  | \$5.56  | -   | 157,000  | -   | -   |
| 2" Commercial  | \$77.00             | \$3.73  | \$5.56  | -   | 493,000  | -   | -   |
| 2" Industrial  | \$77.00             | \$3.73  | \$5.56  | -   | 783,000  | -   | -   |
| 2" School  | \$77.00             | \$3.73  | \$5.56  | -   | 157,000  | -   | -   |
| 3" School  | \$146.00            | \$3.73  | \$5.56  | -   | 306,700  | -   | -   |
| 4" Industrial  | \$243.00            | \$3.73  | \$5.56  | -   | 2,461,000  | -   | -   |



## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Kelly Arnold, Town Manager  
**From:** Eric Lucas, Director of Parks, Recreation, and Culture  
**Re:** Boardwalk Park Band Shell  
**Item #:** C.9

### **Background / Discussion:**

On July 20<sup>th</sup> Town Board directed staff to move forward with design development of a band shell / shelter located at the current show stage pad within Boardwalk Park. The Town contracted with Bob Walsh from Root House Design who developed several concepts that were discussed on July 20<sup>th</sup> during a joint work session between the Town Board and PReCAB. At that time the Town Board directed staff to move forward with the design of Concept one.

Subsequently, staff worked with Root House Studio (RHS) to create a performance venue that will work for small and large events. At the November 11<sup>th</sup> meeting of the Town Board, staff and Mr. Walsh from RHD presented the entirety of Concept one. The cost estimates for the entire scope of the project was significantly higher than several of the Board members felt comfortable with. Staff was directed to bring back the band shell / shelter item as a standalone project with detailed cost estimates.

Tonight's presentation by staff will review the proposed band shell design along with a presentation of the cost estimates for the project. With Town Board support the intent is to move forward with final design drawings to help ensure the project can be constructed in the spring of 2016. This timeline will enable staff to utilize the structure for events in 2016.

### **Financial Impact:**

None at this time. It should be noted that the 2016 budget reflects an appropriation of \$500,000 which represents the entirety of concept one. The \$179,892 cost estimate for the band shell is significantly under that amount.

### **Relationship to Strategic Plan:**

Goal 2.A.

### **Recommendation:**

Direct staff to proceed with construction documents based on the current design drawings and feedback received during meeting.

**Attachments:**

C.9.a Architect Renderings

C.9.b Cost Estimate



# Boardwalk Park Band Shell Cost Estimate

## Design Development Cost Estimate

17-Nov-15

The following cost estimate provides general costs for the band shell improvements. These estimates are intended for planning purposes and should not be construed as final costs. Final costs will be determined when engineering and construction documentation has been completed.

| BAND SHELL & PERFORMANCE STAGE                               |      |              |          |                      |
|--|------|--------------|----------|----------------------|
|  | Unit | Unit Cost    | Quantity | Cost                 |
| <b>PRECONSTRUCTION &amp; DEMOLITION</b>                      |      |              |          |                      |
| Mobilization & Permitting                                    | LS   | 4500.00      | 1        | \$ 4,500.00          |
| Removal of Dance Pad & Adjacent Sidewalk                     | SF   | \$ 2.15      | 2500     | \$ 5,375.00          |
| <b>SUBTOTAL</b>  |      |              |          | <b>\$ 9,875.00</b>   |
| <b>EARTH WORK &amp; LANDSCAPING</b>                          |      |              |          |                      |
| Reshape Building Site  | LS   | \$ 2,200.00  | 1        | \$ 2,200.00          |
| Earth Work - Fine Grading                                    | SY   | \$ 0.75      | 2,000    | \$ 1,500.00          |
| Irrigation Modifications                                     | SF   | \$ 1.10      | 1,200    | \$ 1,320.00          |
| Soil Amendments  | CY   | \$ 35.00     | 10       | \$ 350.00            |
| Flower and Shrub Beds  | SF   | \$ 3.50      | 275      | \$ 962.50            |
| Turf (Sod)   | SF   | \$ 0.95      | 2,200    | \$ 2,090.00          |
| Trees  | EA   | \$ 950.00    | 2        | \$ 1,900.00          |
| <b>SUBTOTAL</b>  |      |              |          | <b>\$ 10,322.50</b>  |
| <b>HARDSCAPE IMPROVEMENTS</b>                                |      |              |          |                      |
| Concrete Stage, Steps and Ramp                               | SF   | \$ 9.50      | 2800     | \$ 26,600.00         |
| By-Pass Sidewalk   | SF   | \$ 7.50      | 600      | \$ 4,500.00          |
| <b>SUBTOTAL</b>  |      |              |          | <b>\$ 31,100.00</b>  |
| <b>PERFORMANCE STAGE</b>                                     |      |              |          |                      |
| Prefabricated RCP Band Shell w/Custom Architectural Features | LS   | \$ 67,850.00 | 1        | \$ 67,850.00         |
| Concrete Block Support Columns                               | EA   | \$ 3,500.00  | 4        | \$ 14,000.00         |
| Town of Windsor Sign   | LS   | \$ 1,800.00  | 1        | \$ 1,800.00          |
| Retractable Backdrop Screening                               | LS   | \$ 7,500.00  | 1        | \$ 7,500.00          |
| Lighting and Electric/Sound Hook-Ups                         | LS   | \$ 9,500.00  | 1        | \$ 9,500.00          |
| <b>SUBTOTAL</b>  |      |              |          | <b>\$ 100,650.00</b> |
| <b>TOTAL</b>   |      |              |          | <b>\$ 151,947.50</b> |
| Contingency 10%  |      |              |          | \$ 15,194.75         |
| <b>TOTAL COSTS WITH 10% CONTINGENCY</b>                      |      |              |          | <b>\$ 167,142.25</b> |
| Add Alternate - Concrete Dance Pad (85' x 20')               | SF   | \$ 7.50      | 1700     | \$ 12,750.00         |



## 2015 MONTHLY FINANCIAL REPORT

### Special points of interest:

- CRC expansion sales tax collections surpass budget requirement for the ninth consecutive month.
- Single Family Residential (SFR) building permits total 256 through October 2015. This is up from the October 2014 number of 217.
- 31 business licenses were issued in October, of which 19 were sales tax vendors.



### Highlights and Comments

- \* Sales tax collections of the 3.2% sales tax for October was \$834,647.
- \* October 2015 year-to-date gross sales tax increased 4.69% from October 2014.
- \* Construction use tax through October is at 96.22% of the annual budget at \$1,810,298.



**13th Street Paving**



**CRC Parking Lot Paving**



**Railroad Quiet Zone Medians**

#### Summer Paving Projects Winding Down

The 13th Street paving was part of the overall 2015 street maintenance projects totaling \$2.1 million. The railroad medians are part of the Railroad Quiet Zone project amounting to \$3,358,305 total which includes a \$2 million TIGER V grant. The Community Recreation Center (CRC) east parking lot will provide additional parking for the CRC and its expansion. Total CRC Expansion project will cost \$16,776,289, funded with a sales tax revenue bond.

### Inside this issue:

|                             |   |
|-----------------------------|---|
| Sales, Use and Property Tax | 2 |
| Year-to-Date Sales Tax      | 4 |
| All Fund Expenditures       | 5 |
| General Fund Expenditures   | 6 |
| Capital Project Status      | 7 |

### Items of Interest

- The Town of Windsor held its annual budget hearing on November 23. The proposed \$57M 2016 budget was adopted at the Regular Board meeting.
- The first \$1M sales tax collection month was recorded in October.
- Visit us at [www.windsorgov.com](http://www.windsorgov.com) and look for live streaming of Town Board and Planning Commission meetings.

**Sales, Use and Property Tax Update**

**October 2015**

| Benchmark =83%              | Sales Tax   | Construction Use Tax | Property Tax | Combined     |
|-----------------------------|-------------|----------------------|--------------|--------------|
| Budget 2015                 | \$7,142,651 | \$1,881,336          | \$4,200,440  | \$13,224,427 |
| Actual 2015                 | \$7,084,229 | \$1,810,298          | \$4,148,226  | \$13,042,753 |
| % of Budget                 | 99.18%      | 96.22%               | 98.76%       | 98.63%       |
| Actual Through October 2014 | \$6,766,887 | \$1,277,292          | \$4,004,296  | \$12,048,475 |
| Change From Prior Year      | 4.69%       | 41.73%               | 3.59%        | 8.25%        |
| CRC Expansion Budget 2015   | \$1,406,250 | \$282,565            |              | \$1,688,815  |
| CRC Expansion Actual 2015   | \$1,401,975 | \$358,395            |              | \$1,760,370  |
| CRC Expansion % of Budget   | 99.70%      | 126.84%              |              | 104.24%      |

Ideally at the end of the tenth month of the year you want to see 83% collection rate on your annual budget number. We have exceeded that benchmark in all three tax categories.

At this point last year we had collected \$4,004,296 in property taxes, or 96.58% of the annual budget. This year through October we have collected 98.76% of the annual budget.

**Building Permit Chart**

**October 2015**

|                          | SFR | Commercial | Industrial | Total  |
|--------------------------|-----|------------|------------|--------|
| Through October 2015     | 256 | 2          | 2          | 260    |
| Through October 2014     | 217 | 3          | 4          | 224    |
| % change from prior year |     |            |            | 16.07% |
| 2015 Budget Permit Total |     |            |            | 279    |
| % of 2015 Budget         |     |            |            | 93.19% |

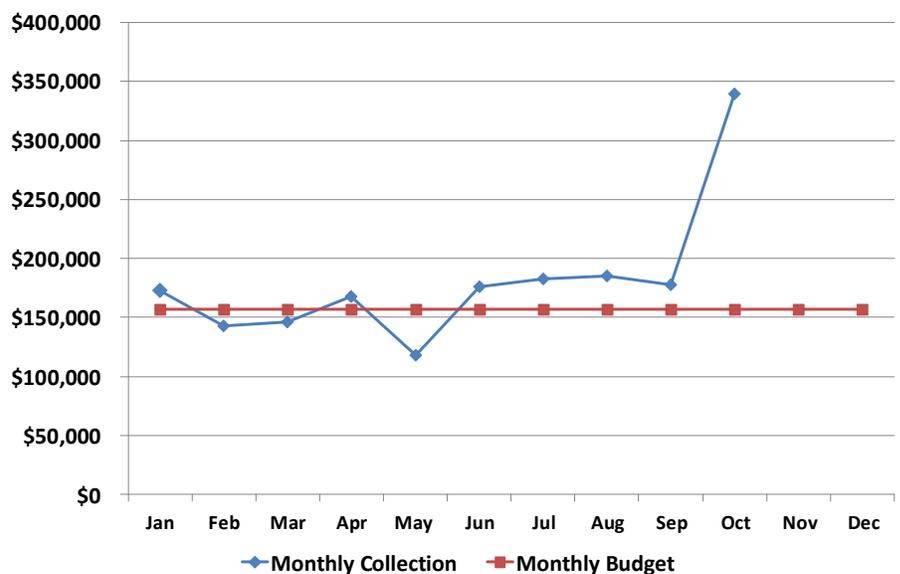
**Building Permits and Construction Use Tax**

We are showing a 16.07% increase in number of permits as compared to October 2014. We issued 256 SFR permits through October 2015 as compared to 217 through October of 2014.

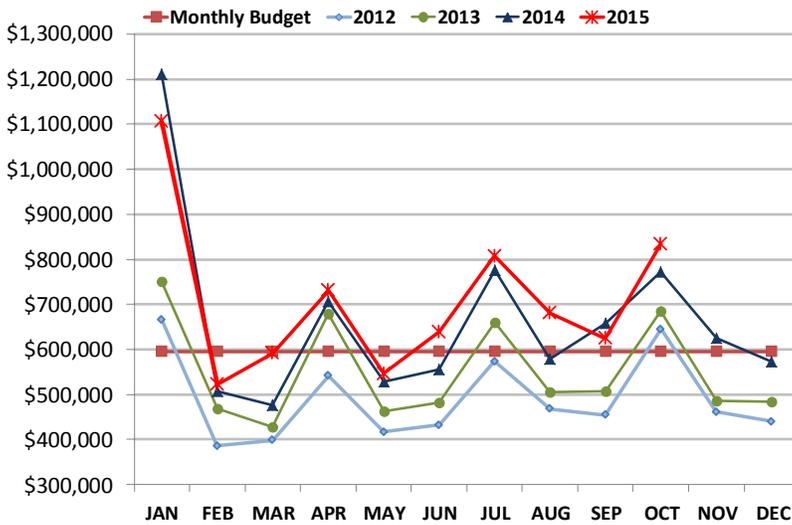
October 2015 construction use tax is above our required monthly collection for the seventh month out of ten in 2015.

The .75% construction use tax for the CRC expansion is at 126.84% of the annual budget, surpassing the ten month benchmark of 83%.

**Construction Use Tax Collections - 3.2%**



### Sales Tax Collections in Dollars - 3.2%

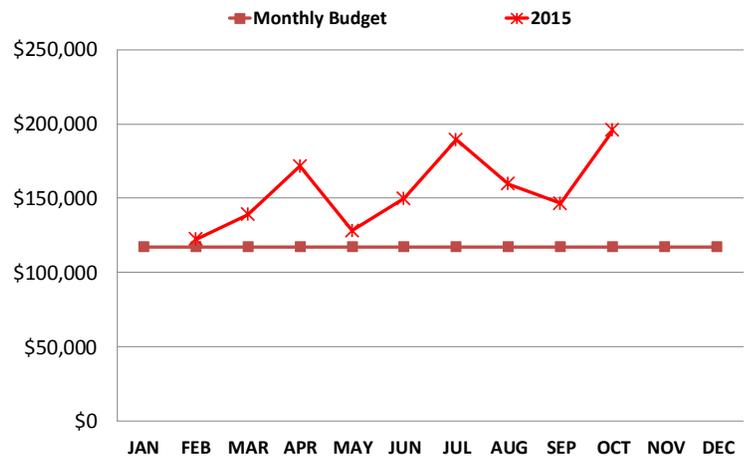


Gross sales tax collections for the month of October 2015 were \$62,917 or 8.15% higher than October 2014.

October 2015 year-to-date collections increased 4.69% from October 2014 year-to-date collections.

CRC Expansion sales tax collection for October 2015 was \$195,781. The required monthly collection to meet the budgeted projections is \$117,188.

### Community Recreation Center Expansion Sales Tax



## October Highlights

October is a “quarterly collection” month, meaning that the collections are for sales made in September and also for the third quarter for quarterly filers. October collections increased over the 2014 number and cleared our monthly requirement. All of our sectors increased over 2014 and one of our mid sized vendors submitted two payments in October. Construction and related hardware produced the most notable increase over 2014.

## Looking Forward

### 3.2% Collections

The Town budgeted \$7.1M in sales tax for 2015, making our average monthly collection requirement \$595,221. October collections were above this mark at \$834,647. If we keep the pace through the rest of the year we should collect \$8.5M in this portion of our sales tax.

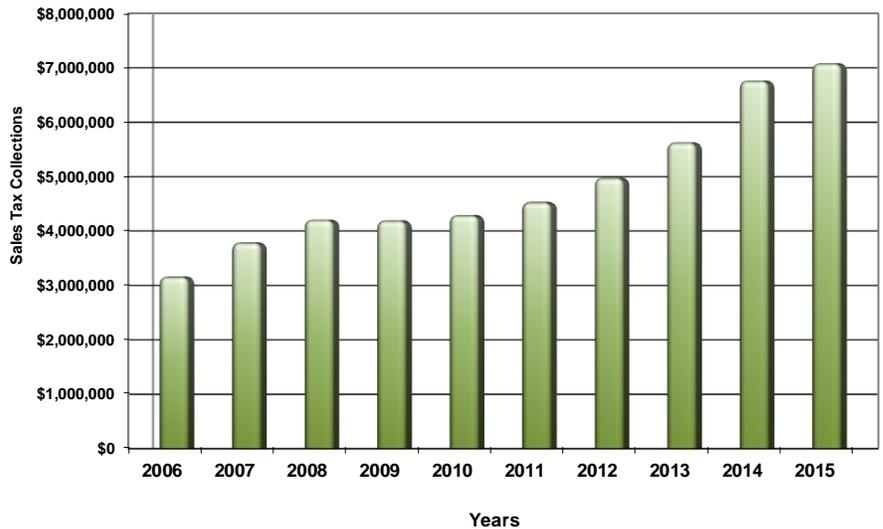
### .75% Collections

This was the ninth month of collections for the new sales tax rate. Our monthly budget requirement is \$117,188. We collected \$195,781. Our first nine months of this collection exceeded our monthly budget projection requirement. This pace should put us ahead of our annual projection of \$1,406,256.

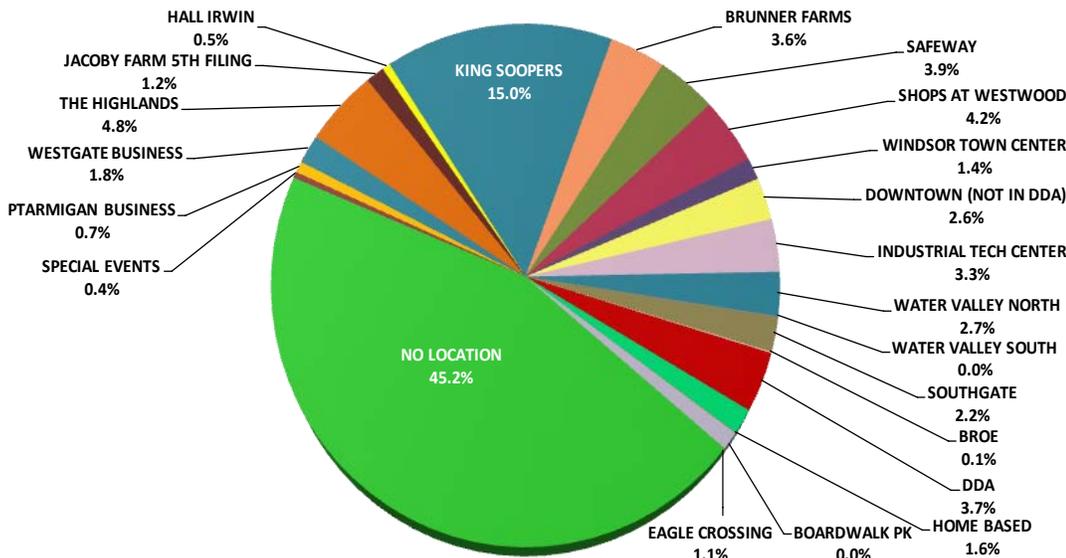
Through October we have collected \$7.1M in our 3.2% sales tax. In comparison, \$6.6M was the entire year of collections in 2013. The new CRC Expansion tax is an additional \$1,401,975.

Between these two pieces of our tax rate, we collected \$1M in sales tax in October 2015. This is the first time we have ever collected \$1M in one month.

### Year-to-Date Sales Tax Collections -3.2% Through October 2006-2015



### Sales Tax Revenue by GEO Code OCTOBER 2015



*The King Soopers Center remains the largest local driving force in sales tax collections.*

### Year-to-Date Sales Tax

Our sales tax base has not changed a great deal over the past decade, with groceries and utilities leading our industry sectors in sales tax collection. Some of this increase can be attributed to an overall increase in prices and cost of living, estimated at 2.8% for the first half of 2015 in the Denver/Boulder/Greeley area.

- We had 3 sales tax license closures in October 2015 while issuing 19 new licenses.
- The Highlands and Shops at Westwood areas have overtaken the Safeway complex in sales tax percentage of total collections. The Highlands is located north of Crossroads and includes Wagner Equipment. The Shops at Westwood include Loaf & Jug, Ace Hardware, Dairy Queen and Guadalajara Restaurant.
- Between the DDA(3.7%) and the Downtown(2.6%) total of 6.3% also surpassed the Safeway complex.

### All Funds Expense Chart

October 2015

Benchmark = 83%

*Operations expenditures are at 79% of the annual budget.*

*Purchase of replacement vehicles in the Fleet Fund drove the internal service funds mark slightly above the 83% benchmark.*

*Economic reimbursements for two local businesses caused the "other entities" fund to exceed the 83% benchmark.*

| <u>General Government</u>              | <u>Current Month</u> | <u>YTD Actual</u>   | <u>2015 Budget</u>  | <u>% of Budget</u> |
|--|----------------------|---------------------|---------------------|--------------------|
| General Fund                           | \$1,079,925          | \$11,588,020        | \$14,023,349        | 83%                |
| Special Revenue                        | \$738,882            | \$1,729,027         | \$3,059,443         | 57%                |
| Internal Service                       | \$287,731            | \$2,477,586         | \$2,864,572         | 86%                |
| Other Entities (WBA, Ec Dev Inc)       | \$12,090             | \$282,414           | \$145,080           | 195%               |
| <b>Sub Total Gen Govt Operations</b>   | <b>\$2,118,628</b>   | <b>\$16,077,047</b> | <b>\$20,092,444</b> | <b>80%</b>         |
| <b>Enterprise Funds</b>                |                      |                     |                     |                    |
| Water-Operations                       | \$331,923            | \$2,812,556         | \$3,900,156         | 72%                |
| Sewer-Operations                       | \$88,601             | \$1,448,321         | \$1,725,992         | 84%                |
| Drainage-Operations                    | \$23,894             | \$321,590           | \$436,551           | 74%                |
| <b>Sub Total Enterprise Operations</b> | <b>\$444,418</b>     | <b>\$4,582,467</b>  | <b>\$6,062,699</b>  | <b>76%</b>         |
| <b>Operations Total</b>                | <b>\$2,563,046</b>   | <b>\$20,659,514</b> | <b>\$26,155,143</b> | <b>79%</b>         |

*plus transfers to CIF and Non-Potable for loan*

*Through October, operating and capital expenditures combined to equal 55% of the 2015 Budget.*

| <u>General Govt Capital</u>         | <u>Current Month</u> | <u>YTD Actual</u>   | <u>2015 Budget</u>  | <u>% of Budget</u> |
|-------------------------------------|----------------------|---------------------|---------------------|--------------------|
| Capital Improvement Fund            | \$234,961            | \$3,079,950         | \$8,250,711         | 37%                |
| CRC Expansion Fund                  | \$623,767            | \$2,303,432         | \$9,485,594         | 24%                |
| <b>Enterprise Fund Capital</b>      |                      |                     |                     |                    |
| Water                               | \$160,460            | \$1,898,446         | \$4,129,854         | 46%                |
| Sewer                               | \$22,865             | \$433,157           | \$1,029,630         | 42%                |
| Drainage                            | \$236,098            | \$966,063           | \$3,868,144         | 25%                |
| <b>Sub Total Enterprise Capital</b> | <b>\$419,423</b>     | <b>\$3,297,666</b>  | <b>\$9,027,628</b>  | <b>37%</b>         |
| <b>Capital Total</b>                | <b>\$1,278,151</b>   | <b>\$8,681,048</b>  | <b>\$26,763,933</b> | <b>32%</b>         |
| <b>Total Budget</b>                 | <b>\$3,841,197</b>   | <b>\$29,340,562</b> | <b>\$52,919,076</b> | <b>55%</b>         |

### All Funds Expenditures

The Town is where it should be at this time of year regarding expenditures. Work on CIP projects is also going strong and payment requests will start to increase in the coming months. We will need to amend the 2015 budget in the economic development area. We did not have money budgeted for expenditures in this fund for 2015, but have made some incentive payments from this fund.

Construction on the CRC Expansion has begun and will increase the pace of capital spending.



### General Fund Expense Chart

|     | Department                           | Current Month      | YTD Actual          | 2015 Budget         | % of Budget  |
|-----|--------------------------------------|--------------------|---------------------|---------------------|--------------|
| 410 | Town Clerk/Customer Service          | \$48,896           | \$505,411           | \$639,239           | 79.1%        |
| 411 | Mayor & Board                        | \$33,603           | \$431,363           | \$566,827           | 76.1%        |
| 412 | Municipal Court                      | \$1,616            | \$14,076            | \$19,623            | 71.7%        |
| 413 | Town Manager                         | \$31,521           | \$342,406           | \$411,099           | 83.3%        |
| 415 | Finance                              | \$45,435           | \$543,463           | \$625,213           | 86.9%        |
| 416 | Human Resources                      | \$25,980           | \$280,829           | \$401,269           | 70.0%        |
| 418 | Legal Services                       | \$30,910           | \$300,015           | \$339,035           | 88.5%        |
| 419 | Planning & Zoning                    | \$48,585           | \$500,716           | \$701,911           | 71.3%        |
| 420 | Economic Development                 | \$28,368           | \$328,391           | \$408,075           | 80.5%        |
| 421 | Police                               | \$267,390          | \$2,697,574         | \$3,122,689         | 86.4%        |
| 428 | Recycling                            | \$2,644            | \$28,511            | \$49,970            | 57.1%        |
| 429 | Streets                              | \$120,280          | \$999,661           | \$1,201,242         | 83.2%        |
| 430 | Public Works                         | \$31,779           | \$357,909           | \$520,968           | 68.7%        |
| 431 | Engineering                          | \$56,298           | \$630,049           | \$743,073           | 84.8%        |
| 432 | Cemetery                             | \$7,706            | \$91,710            | \$128,885           | 71.2%        |
| 433 | Community Events                     | \$12,823           | \$142,301           | \$214,698           | 66.3%        |
| 450 | Forestry                             | \$21,340           | \$245,199           | \$322,947           | 75.9%        |
| 451 | Recreation Programs                  | \$109,812          | \$1,442,965         | \$1,622,163         | 89.0%        |
| 452 | Pool/Aquatics                        | \$4,160            | \$182,522           | \$189,558           | 96.3%        |
| 454 | Parks                                | \$114,294          | \$1,113,972         | \$1,264,939         | 88.1%        |
| 455 | Safety/Loss Control                  | \$434              | \$4,844             | \$16,760            | 28.9%        |
| 456 | Art & Heritage                       | \$17,424           | \$207,416           | \$270,563           | 76.7%        |
| 457 | Town Hall                            | \$18,627           | \$196,717           | \$242,603           | 81.1%        |
|     | <b>Total General Fund Operations</b> | <b>\$1,079,925</b> | <b>\$11,588,020</b> | <b>\$14,023,349</b> | <b>82.6%</b> |

### General Fund Expenditures

General Fund operating expenditures are right at the 83% of budget benchmark through October.

Most of the parks, recreation and swimming pool expenditures are concentrated in the summer causing those departments to be ahead of the pace.

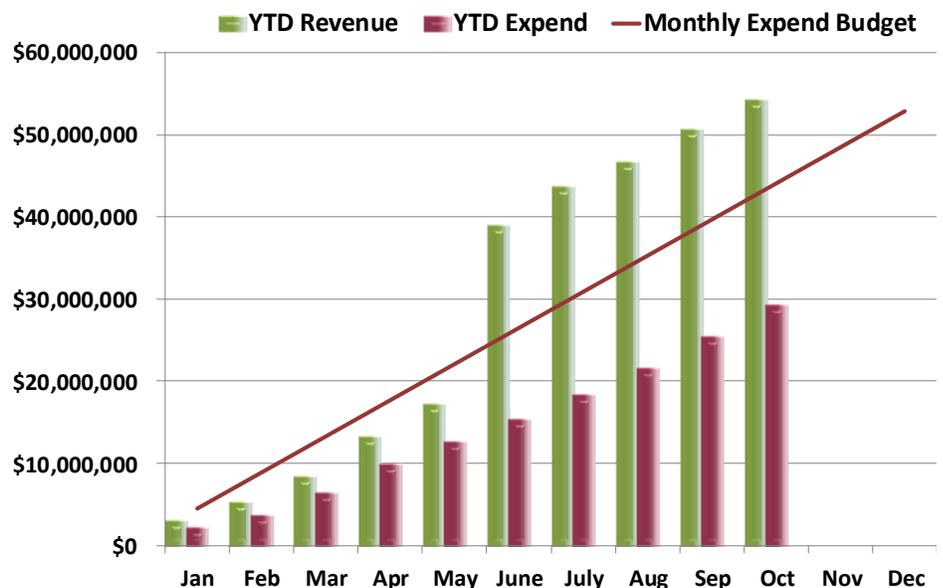
Other departments reflect large one time expenditures paid in the first half of the year.

### Revenue and Expenditure

The chart on the right shows monthly revenue compared to monthly expenditure as well as a trend line showing the total 2015 budget expended equally over twelve months.

Our monthly budgeted total expenditures equal \$4,409,923. In October we collected \$3,562,166 in total revenue. The chart on the right reflects our actual results through September, though somewhat skewed by the bond issue proceeds in June.

### Combined Revenue and Expenditures





**TOWN OF WINDSOR 2015 MAJOR CAPITAL PROJECT STATUS**  
*As of NOVEMBER 1, 2015*  
*arranged by reporting department*

| 2015 Projects  | 2015 Budget | Spent YTD   | Dept.   | Multi-Yr  | Est. Start Process | Actual Start | % Complete | Est. Complete | Actual Complete |
|--|-------------|-------------|---------|-----------|--------------------|--------------|------------|---------------|-----------------|
| PW/Parks Maintenance Facility Design   | \$330,000   | \$93,809    | T Mng   | 2014-2017 | Aug 1              |              | 2%         | Dec 31        |                 |
| GW Railroad Quiet Zone w/grant   | \$3,158,305 | \$95,941    | Eng DB  | 2014-2016 | Aug 1              | Sep 1        | 56%        | Aug 2016      | 2016            |
| Street Maintenance (overlay, crack seal, chip seal)                                  | \$2,100,000 | \$723,637   | Eng CT  | 2015      | Apr 1              | Apr 1        | 80%        | Sept 1        |                 |
| Walnut St / Hwy 257 Turn Lane  | \$190,000   | \$30,237    | Eng DB  | 2015-2016 | Nov 1              | Apr 1        | 43%        | 2016          | 2016            |
| Eastman Pk/7th St Roundabout Design  | \$70,000    | \$18,684    | Eng OH  | 2015-2016 | Feb 9              | Feb 9        | 60%        | Nov 30        |                 |
| Windsor Sign I-25  | \$64,276    | \$60,378    | Eng DW  | 2015      | Jan 15             | Mar 15       | 100%       | May 1         | Jun 1           |
| WCR21 Bridge Replacement w/grant   | 2014        | \$255,672   | Eng CT  | 2013-2015 | Feb 2014           | Jul 6        | 99%        | Apr 15        |                 |
| Eaton Ditch Control  | \$185,000   | \$126,469   | Eng DW  | 2015      | Apr 1              | Apr 1        | 100%       | Jun 1         | May 31          |
| Poudre River Maintenance   | \$50,000    | \$32,925    | Eng     | 2015      | Apr                | Apr          | 100%       | EOY           | Oct 1           |
| 3 M gal. Water Tank w/grant  | \$407,100   | \$390,537   | Eng DW  | 2012-2015 | Mar 2014           | Mar '14      | 100%       | Apr 30        | Sep 1           |
| Water Line Replacement Study   | \$180,000   | \$18,020    | Eng CT  | 2015      | May 1              | 21-May       | 50%        | Nov           |                 |
| Kyger Reservoir Pump Station   | \$2,514,325 | \$43,879    | Eng OH  | 2014-2016 | Nov 1              |              | 30%        | Feb 2016      | 2016            |
| Replace Force Main to Gravity Sewer w/grant  | 2014        | \$313,942   | Eng CT  | 2013-2015 | Feb 9              | Feb          | 100%       | Apr 23        | Apr 23          |
| Update Storm Water Study   | \$100,000   | \$0         | Eng DW  | 2015      |                    |              | 0%         | 2016          | 2016            |
| Law Basin Master Plan Channel - construction w/ PDM Grant - 2012-2015                | \$2,128,069 | \$293,046   | Eng DR  | 2012-2015 | Sep 1              |              | 45%        | End Dec       |                 |
| Law Basin West Tributary Channel - 2013-2015   | \$1,740,075 | \$551,460   | Eng OH  | 2013-2016 | Sep 1              |              | 55%        | Mar 2016      | 2016            |
| Coyote Gulch Park Development  | \$1,222,000 | \$1,196,780 | Eng DB  | 2014-2015 | July               | Jul 6        | 98%        | EOY           |                 |
| Windsor Trail 257 Road Crossing @ Grasslands   | \$17,100    | \$0         | Eng KB  | 2015      | Sept               |              | 27%        | Mid Oct       |                 |
| Windsor Lake Rip Rap   | \$250,000   | \$0         | Eng DR  | 2015      | Nov 1              |              | 0%         | Dec 31        | 2018            |
| Chimney Park North Shelter Replacement   | \$57,310    | \$0         | Eng OH  | 2015-2016 | Nov 1              |              | 5%         | Apr 2016      | 2016            |
| Main Park Shelter Replacement (2)  | \$113,190   | \$0         | Eng OH  | 2015      | Nov 1              |              | 5%         | Apr 2016      | 2016            |
| Cemetery sidewalks, gate archway & engineering                                       | \$373,414   | \$41,870    | Eng CT  | 2015      | Jun 1              | Jul 1        | 50%        | Oct 1         |                 |
| Museums -Depot Deck, Railings, Ramp  | \$45,000    | \$37,774    | Eng OH  | 2015      | May                | May          | 100%       | mid Sep       | mid Sep         |
| Boardwalk Pk-6th St/Cedar landscape, irrigate, design                                | 23,602      | \$0         | Pks/WW  | 2015      | Late Aug           | Sep 1        | 100%       | Oct 1         |                 |
| Poudre Trail Concrete at 3 Bells   | \$25,000    | \$0         | Pks/MC  | 2015      | Jul                |              | 0%         | Oct           | Unknown         |
| Windsor Trail Windsor West Connection plan   | \$200,000   | \$0         | Pks/WW  | 2015-2016 | Jun                |              | 0%         | Dec           | Design 2016     |
| Eaton House Master Plan/Structural Assess w/grant                                    | \$40,000    | \$0         | Pks/AD  | 2015      | Jun                |              | 10%        | Dec 31        | 2016            |
| Eastman Pk South Master Plan   | \$25,000    | \$15,802    | Pks/W/T | 2015      | Jun                | Aug 4        | 99%        | Nov 1         |                 |
| Parks and Recreation Master Plan   | \$50,000    | \$27,750    | Pks/W/T | 2015      | May                | Jul 1        | 60%        | Dec 1         |                 |
| Non-Potable Water- Construction of pipe encasement east of Universal Forest Products | \$329,409   | \$308,387   | Pks/Rec | 2015      | Jan                | Jan          | 100%       | Feb 1         | Feb 1           |
| Install pump at Covenant Park  | \$49,000    | \$2,475     | Pks/Rec | 2014-2015 | 2014               | 2014         | 40%        | Jun 15        |                 |
| Poudre Plan corrections & TH connection to Main Pk                                   | 2014        | \$410       | Pks/Rec | 2014-2017 | Jan                |              | 40%        | Sep 1         | 2017            |
| CRC Expansion  | \$9,485,594 | \$2,303,267 | Pks/Rec | 2014-2016 | Jul 1              | Aug 1        | 45%        | Aug 2016      |                 |
| Sewer Line Rehab   | \$78,130    | \$0         | P Wks   | 2015      | Apr 1              |              | 20%        | Aug 30        |                 |
| Sewer Nutrient Program w/grant   | \$837,000   | \$119,205   | P Wks   | 2014-2016 | Jul 1              | Sep 1        | 100%       | 2016          | 2016            |
| Repl. #3,4,18,29,40,43,45,46,51,104,105,107,115,116,117,118,120,121,122              | \$750,500   | \$841,536   | P Wks   | 2015      | Jan 1              |              | 100%       | Jul 1         | Oct 23          |
| 2 New PD Vehicles/equipped   | \$110,000   | \$89,794    | P Wks   | 2015      | Jan 1              |              | 100%       | Jul 1         |                 |
| Color key for funds =  | PIF         | CTF         | CIF     | WF        | NPWF               | SF           | SDF        | FF            | ITF             |



## Our Vision:

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

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

WINDSOR promotes QUALITY DEVELOPMENT.

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

WINDSOR is a GOOD ENVIRONMENTAL STEWARD.



### *2015 Monthly Financial Report*

Town of Windsor  
301 Walnut Street  
Windsor, CO 80550

Phone: 970-674-2400  
Fax: 970-674-2456

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

*The 2015 Budget continues to focus on fiscal responsibility while building a long-term sustainable community through strategic investments and emphasizing the maintenance of existing infrastructure. In order to achieve these goals, the 2015 Budget emphasizes the importance of funding the key day-to-day tools that lead to success. These tools are employees, technology, and providing services most highly rated by citizens.*

**We're on the Web**

[www.windsorgov.com](http://www.windsorgov.com)



## MEMORANDUM

**Date:** December 14, 2015  
**To:** Mayor and Town Board  
**Via:** Patti Garcia, Town Clerk/Assistant to the Town Manager  
**From:** Kelly Arnold, Town Manager  
**Re:** 2016 Municipal Election  
**Item #:** D. Communications

### **Background / Discussion:**

The Town of Windsor municipal election will be April 5, 2016 for Mayor and Board Members to represent Districts 1, 3, and 5. The election will be conducted by mail ballot.

Candidate packets will be available beginning December 28, 2015 on the Town of Windsor website at [www.windsorgov.com](http://www.windsorgov.com) or at Windsor Town Hall, 301 Walnut Street, Windsor, CO 80550. Nomination petitions will be available for pick up from the Town Clerk's office beginning Monday, January 5, 2016. Petitions can be circulated beginning January 5, 2016 and must be turned in to the Clerk's office by Monday, January 25, 2016 at 5:00 p.m.

New for this election:

- **Military and overseas voters.** Pursuant to the passage of House Bill 15-1130, municipal elections are to adhere to the same federal and state procedural requirements that help ensure that United States military personnel and American civilians living abroad can vote in elections. Letters will be sent in early February to registered electors of the military and voters who reside overseas to inform them of the upcoming election, let them know what will be included on the ballot and the timeframe for return. The last day to receive and count these ballots is April 13, 2016.
- **Same day voter registration.** Voters will be able to register on election day for the municipal election. In order to register and vote in a municipal election, a person must be a resident of the state for 22 days prior to the date of the election and a resident of the municipality at the time they register. The deadlines are as follows:
  - March 14, 2016 - Last day to become a resident of Colorado and be eligible to vote
  - March 25, 2016 - Last day to register to vote at Town Hall, through a voter registration drive or online
  - March 26-April 5, 2016 – Register in person at the office of the County Clerk

The attached calendar outlines specific dates regarding the election.

### **Relationship to Strategic Plan:**

Goal 1.B.

### **Attachments:**

2016 Municipal Election Calendar



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## Election Calendar

| <b>Deadline</b>          | <b>Action</b>   |
|--------------------------|---|
| Upon Candidacy           | Candidate Affidavit due within ten (10) days of becoming a candidate  |
| January 5, 2016          | First day Nomination Petitions can be circulated  |
| January 25, 2016         | Last day Nomination Petitions may be circulated and filed with the Town Clerk   |
| February 1, 2016         | Last day Nomination Petition signatures, if determined by the Town Clerk to be insufficient, may be amended, corrected, or replaced |
| February 1, 2016         | Last day to submit an Affidavit of Intent for a write in candidate  |
| February 2, 2016         | Last day to withdraw from nomination  |
| February 22, 2016        | Last day to mail UOCAVA ballots (Uniformed and Overseas Citizens Absentee Voting Act)   |
| <i>February 22, 2016</i> | <i>Drawing of lots for ballot placement – 4:45 pm<br/>Candidate Orientation – 5:00 pm</i>   |
| March 14, 2016           | First day mail ballots can be sent to registered electors and made available at the Town Clerk's office                             |
| April 5, 2016            | Election Day  |
| April 13, 2016           | Last day to receive and count UOCAVA ballots  |
| April 18, 2016           | Town Board Special Meeting<br>Swear in new Town Board members   |
| May, 2016                | Town Board Retreat/Strategic Planning   |

## DEVELOPMENT REVIEW NEWSLETTER – NOVEMBER/DECEMBER 2015

### COMPREHENSIVE PLAN

- Upcoming Events:
  - Joint Planning Commission/Town Board Work Session to review draft January 18, 2016
  - CPAC meeting date to be determined (likely in January, 2016)
  - Community Open House date to be determined (likely in January, 2016)
- Targeted plan adoption: Q1, 2016

### POLICIES, PROCEDURES, & STANDARDS

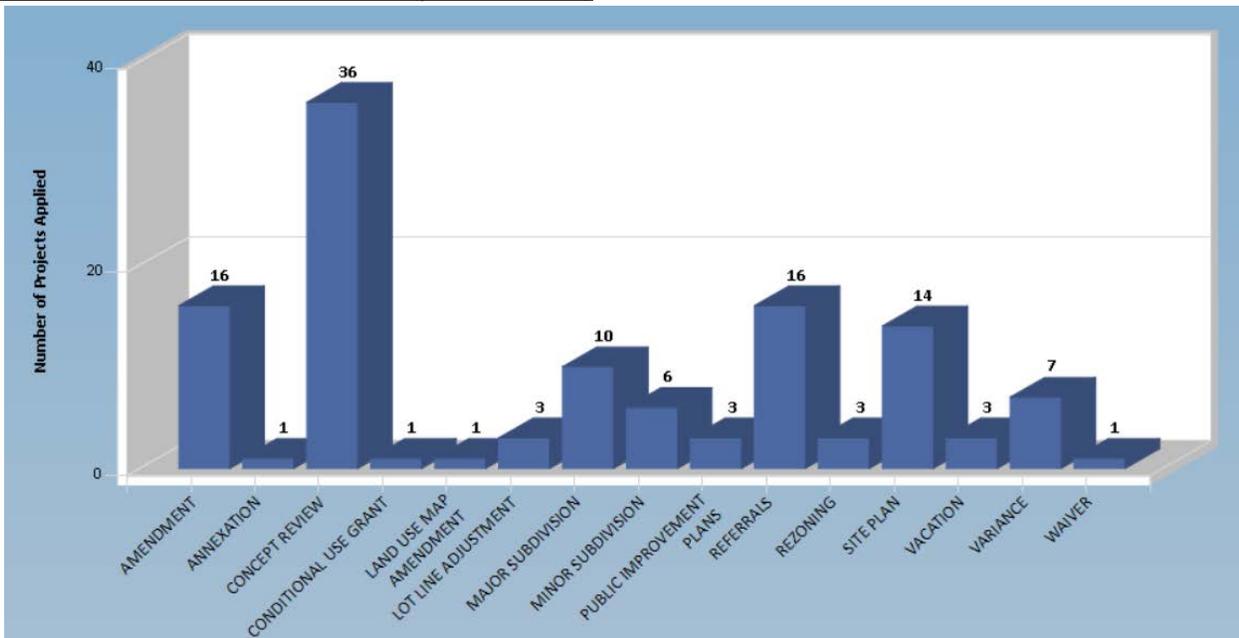
#### Road Impact Fees

Staff is currently preparing amendments to the Road Impact Fee “look back” process. Item is scheduled before Planning Commission on January 6, 2016 and Town Board on January 11, 2016

#### Home Occupations with Students

After work sessions with both the Planning Commission and Town Board to get feedback, staff has prepared an ordinance to amend the Municipal Code to increase the number of students allowed with home occupations from two to eight students, subject to approval of a Conditional Use Grant. Item is scheduled before Planning Commission on January 6, 2016 and Town Board on January 11, 2016.

### PROJECTS APPLIED FOR BY TYPE (year to date)



Total Projects: 121

### Building Permit Summary for October, 2015

|                                   | Monthly Total | Monthly Valuation | Year-to-Date Total | Year-to-Date Valuation |
|-----------------------------------|---------------|-------------------|--------------------|------------------------|
| New Single Family Permits         | 17            | \$5,824,141       | 256                | \$82,412,535           |
| New Multi-Family Permits          | 6             | \$6,637,531       | 31                 | \$10,967,232           |
| New Commercial/Industrial Permits | 1             | \$4,000,000       | 4                  | \$14,691,673           |

## Major Development Projects Currently Under Review

More Detailed review timeframes can be found at <http://windsor.gov/DocumentCenter/View/13290>

| <b>Project</b>  | <b>Description</b>  | <b>Status</b>                                     |
|---|---|---|
| <b>Burlington Subdivision - Lot 17 (217 2<sup>nd</sup> St)</b>  |   |   |
| Arapahoe Rental Site Plan   | New 1,000 s.f. building & landscaping   | Reviewing 2 <sup>nd</sup> submittal               |
| <b>Diamond Valley Subdivision 5<sup>th</sup> - Lots 1 &amp; 2 (9481 Eastman Park Dr)</b>                  |   |   |
| Silverline Services Site Plan   | Construction of 2,400 s.f. building in first phase  | Reviewing 3 <sup>rd</sup> submittal               |
| <b>Fossil Creek Meadows (Northwest of WCR 5 &amp; WCR 32E)</b>  |   |   |
| Amended Master Plan & Preliminary Major Subdivision   | Platting of 292 single family lots  | Awaiting 2 <sup>nd</sup> submittal                |
| <b>Fossil Ridge Subdivision (Hi Leah Dr off of Highland Meadows Pkwy)</b>                                 |   |   |
| 5 <sup>th</sup> Filing Preliminary Plat   | 10 lot subdivision  | Awaiting 2 <sup>nd</sup> submittal from applicant |
| Windsor Highlands Amended Master Plan   | Amendment to allow 10 additional lots   | Awaiting 2 <sup>nd</sup> submittal from applicant |
| <b>Great Western Industrial Park 2<sup>nd</sup> Annexation (East of HWY 257)</b>                          |   |   |
| Amended Master Plan, Land Use Map Amendment & Rezoning to PUD   | Proposal of mixed industrial, commercial, and residential development on 745 acres        | Reviewing 1 <sup>st</sup> submittal               |
| <b>Great Western Industrial Park 3<sup>rd</sup> - Lot 1, Block 1 (11140 Eastman Park Dr)</b>              |   |   |
| Vestas Site Plan – Phase X  | Approximately 40,000 s.f. in various additions  | Awaiting 4 <sup>th</sup> submittal from applicant |
| <b>Highlands Industrial Park 6<sup>th</sup> (Crossroads Blvd &amp; Greenfield Dr)</b>                     |   |   |
| Concrete Equipment Supply Site Plan & Minor Subdivision   | New 10,000 s.f. building  | Reviewing 2 <sup>nd</sup> submittal               |
| <b>Highland Meadows Golf Course 8<sup>th</sup> - Lot 6 (Crooked Stick Dr &amp; Highland Meadows Pkwy)</b> |   |   |
| Fitness & Tennis Center Site Plan   | 40,000 s.f. building with outdoor tennis courts   | Awaiting check print from applicant               |
| <b>Labue Farm (North of Crossroads Blvd at WCR 15)</b>  |   |   |
| Annexation  | Annexation of 155 acres   | Awaiting 2 <sup>nd</sup> submittal                |
| <b>Lakeview Addition 7<sup>th</sup> (Cedar St at Highway 257)</b>   |   |   |
| Preliminary Site Plan   | New four unit apartment building  | Reviewing 2 <sup>nd</sup> submittal               |
| <b>Poudre Heights Subdivision 3<sup>rd</sup> (Northwest of 7<sup>th</sup> St &amp; New Liberty Rd)</b>    |   |   |
| Preliminary Plat & Preliminary Site Plan  | Platting of 392 residential lots including site planning of 125 townhome units            | Awaiting 2 <sup>nd</sup> submittal from applicant |
| <b>The Ridge at Harmony Road (Northeast of CR 74 &amp; WCR 13 intersection)</b>                           |   |   |
| Final Major Subdivision   | Platting of 418 residential lots in first filing  | Reviewing 2 <sup>nd</sup> submittal               |
| <b>Shutts Subdivision 3<sup>rd</sup> (Fairgrounds Ave &amp; LCR 30)</b>                                   |   |   |
| Preliminary Major Subdivision & Preliminary Site Plan   | 66 condominiums, 32 townhomes, 37 single family lots, and up to 11,000 s.f. of commercial | Awaiting 2 <sup>nd</sup> submittal from applicant |
| <b>South Hill Subdivision (Northwest of Crossroads Blvd &amp; 7<sup>th</sup> St)</b>                      |   |   |
| Final Plat  | 210 lots on 124 acres   | Awaiting check-prints from applicant              |
| <b>Valley Center Subdivision - Lot F (9231 Eastman Park Dr)</b>   |   |   |
| Agrifab Colorado Site Plan  | New 6,000 s.f. building   | Awaiting 2 <sup>nd</sup>                          |
| <b>Water Valley South 9<sup>th</sup> - Lots 1 &amp; 2 (South of Crossroads Blvd &amp; HWY 257)</b>        |   |   |
| Self-Storage  | Construction of six buildings housing 97 indoor storage units                             | Awaiting 2 <sup>nd</sup> submittal from applicant |
| <b>Windshire Park Annexation (North and east of the end of 17<sup>th</sup> St)</b>                        |   |   |
| Amended Master Plan   | Amendment to change Parcel E designation from Church to Townhomes                         | Reviewing 2 <sup>nd</sup> submittal               |
| <b>Windshire Park 4<sup>th</sup> (15<sup>th</sup> St &amp; Windshire Dr)</b>                              |   |   |
| Preliminary Major Subdivision & Preliminary Site Plan   | 58 Townhomes on 8.5 acre tract  | Reviewing 1 <sup>st</sup> submittal               |
| <b>Windsor Commons Subdivision 2<sup>nd</sup> - Lot 2 (1101 Automation Drive)</b>                         |   |   |
| Windsor Commons Self-Storage Site Plan  | New 70,000 s.f. building  | Awaiting 4 <sup>th</sup> submittal                |



# National League of Cities

2015 ANNUAL REPORT



NATIONAL  
LEAGUE  
of CITIES



**“When you belong to NLC, there is a support system — through classes and personal relationships — that helps you constantly grow and improve as a leader. This has been so important to me, and I am committed to helping others develop as well.”**

— RAP HANKINS,  
VICE MAYOR, TROTWOOD, OHIO; CHAIR, NLC LEADERSHIP FELLOWS



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# From the President and Executive Director

**At the 2014 Congress of Cities in Austin, Texas, we declared 2015 would be “The Year of Connecting.”**

As city leaders we know the value of a connection. We make connections with residents in our communities every day. We help them make connections through reliable transportation networks, affordable housing, safe neighborhoods and good jobs. The connections that we facilitate help our communities thrive.

The National League of Cities (NLC) supports city leaders by making connections of its own. Over the course of 2015, NLC connected cities to big ideas, research, grants and technical assistance, and to innovative leaders in the public and private sectors.

The work of the National League of Cities is ultimately about the work of mayors, council members and thousands of dedicated Americans serving and working for cities and towns across the nation. We are proud of the role NLC plays in connecting these city leaders with each other. We are proud of the great work they are doing to build vibrant communities.



**Ralph Becker**  
President  
Mayor, Salt Lake City, Utah



**Clarence E. Anthony**  
CEO/Executive Director

“The Year of Connecting” was also a year of results, bringing NLC closer to the goals outlined in our strategic plan. We are increasingly visible in the media, on Capitol Hill and at the White House. We are helping cities innovate and are raising the profile and capacity of city leaders. We are working under an improved governance structure and are financially strong.

We are pleased to bring you this report of NLC’s successes in fiscal year 2015, and look forward to keeping up the momentum as we work together for a great 2016.



**Ralph Becker**  
President 2014-2015



**Clarence E. Anthony**  
CEO/Executive Director

# Highlights of a Successful 2015



## In Fiscal Year 2015 the National League of Cities...

### Welcomed the President of the United States

City leaders from across the country welcomed keynote speaker President Barack Obama to NLC's annual Congressional City Conference.

### Initiated discussions with presidential candidates

NLC's member-led, bipartisan Elections Task Force developed the Cities Lead 2016 platform and began to inform presidential candidates about issues that matter to cities.

### Kept the voice of cities in front of Congress and the Administration

NLC was active on Capitol Hill and with the Administration in fiscal year 2015, organizing more than one hundred meetings between city leaders and national leaders, holding issue briefings on the Hill and activating our advocacy network to write and call members of Congress.

### Shared big ideas

Through its conferences, meetings, articles and research reports, NLC helped city leaders think big and share solutions. NLC

- hosted the Big Ideas for Cities event, the Big Ideas for Small Business Network Summit and the first Big Ideas for Small Cities special conference session.
- formalized a partnership with the White House and Small Business Administration on the StartUp in a Day initiative.
- co-hosted the first Resilient Cities Summit.
- brought city leaders together to share information at 15 community conversations in cities across the country about improving outcomes in education.

## NLC'S STRATEGIC PLAN GOALS

1. Proactively drive federal policy.
2. Promote innovation and provide proven strategies and valuable resources.
3. Raise the profile of city governments as key leaders and partners in improving the quality of life for our nation.
4. Expand the capacity of city officials to serve as ethical, effective and engaged leaders.
5. Transform our organization so that it is focused on top priorities, fully aligned, nimble, accountable and transparent.

*The National League of Cities' fiscal year is October 1 – September 30.*

**“You don’t have a lot of time for gridlock. You’ve got to get the job done. People are expecting you to deliver. And you’re part of the reason why America is coming back.”** — PRESIDENT BARACK OBAMA



## **PRESIDENT ANNOUNCES NEW TECHHIRE INITIATIVE AT NLC CONFERENCE**

In March, President Obama signaled the importance of cities and their leaders when he accepted NLC’s invitation to address the Congressional City Conference. During his keynote speech President Obama announced TechHire, a new initiative to partner with cities, higher education and the private sector to expand access to technology jobs in communities across the country.

TechHire involves universities and community colleges as well as nontraditional approaches such as “coding bootcamps” and high-quality online courses that can rapidly train workers for a well-paying job.

“Success is going to rest on folks like you—on mayors, councilmembers, local leaders,” said the president, “because you’ve got the power to bring your communities together and seize this incredible economic development opportunity that could change the way we think about training and hiring the workers of tomorrow.”

# Driving Federal Policy

## NLC ADVOCACY IN ACTION AND 2015 LEGISLATIVE PRIORITIES

### STRATEGIC PLAN GOAL 1

Proactively drive federal policy on behalf of cities, on issues that directly impact them.



**With the strength of a growing advocacy network of city leaders, NLC made significant progress on legislation that matters most to cities, keeping city priorities front and center in Washington.**

### Key Legislative Wins

- Securing introduction of e-fairness legislation in both the House and the Senate to require online businesses to collect the same sales taxes that main street businesses collect.
- Preserving the full municipal bond tax exemption.
- Securing \$3 billion in funding for the Community Development Block Grant program.
- Turning back efforts to permanently ban local taxing authority over Internet access.
- Leading efforts to pass the Terrorism Risk Insurance Act, which ensures that local governments have access to affordable risk insurance coverage.
- Mobilizing support to pass the Energy Efficiency Improvement Act, which will improve the energy efficiency of commercial buildings in local communities.

### NLC Advocacy in Action

- NLC's five constituency groups participated in a D.C. fly-in, lobbying more than 30 congressional offices.
- NLC briefed more than 200 congressional staff and city leaders on the need for federal support of local transportation priorities. NLC President Ralph Becker also urged a House committee to find sustainable funding for a new federal transportation plan that would increase local control.
- More than 300 city officials wrote House members in support of e-fairness.
- During NLC's annual legislative conference, city leaders advocated for NLC's action agenda in more than 100 meetings on Capitol Hill.

- NLC leaders and members made repeated visits to Washington to advocate for increased investment in the nation's infrastructure. Nearly 100 city officials and state league leaders participated in the NLC White House Summit on Infrastructure and, during National Infrastructure Week, NLC President Becker and NLC Policy and Advocacy Committee members urged lawmakers to invest in and modernize national infrastructure systems.
- Senator Barbara Boxer (D-CA) commended NLC from the Senate floor for its support of a new transportation bill.
- NLC promoted the interests of cities in nine Supreme Court cases through the State and Local Legal Center.
- NLC established its 2016 Presidential Election Task Force, a bipartisan group of 17 city officials and state league executive directors, who developed the Cities Lead 2016 platform to educate and influence presidential candidates.

### NLC 2015 LEGISLATIVE PRIORITIES

- Close the Online Sales Tax Loophole
- Invest in Local Transportation Priorities
- Protect Municipal Bonds



## BRINGING CITY ISSUES TO PRESIDENTIAL CANDIDATES

NLC got an early start on next year's presidential race with the launch of Cities Lead 2016, an initiative to raise the profile of cities and city issues during the campaign. A bipartisan task force of city leaders and state league directors appointed by NLC President Ralph Becker has worked throughout 2015 to forge a platform focusing on the three priorities most important to cities: the economy, public safety and infrastructure investment. NLC also executed an action plan to make these issues front and center of the debates. In the coming year, city leaders around the nation and NLC will use this platform to engage with presidential candidates to ensure they address the issues that matter to American's cities and towns.

## PRESIDENTIAL ELECTION TASK FORCE

### Co-Chairs

Karen Freeman-Wilson  
Mayor  
City of Gary, Indiana

Betsy Price  
Mayor  
City of Fort Worth, Texas

### Members

Richard Berry  
Mayor  
Albuquerque, New Mexico

Dan Gilmartin  
Executive Director  
Michigan Municipal League

Susan Haynie  
Mayor  
City of Boca Raton, Florida

Alan Kemp  
Executive Director  
Iowa League of Cities

Kevin Kramer  
Councilmember  
City of Louisville, Kentucky

Dot LaMarche  
Vice Mayor  
City of Farragut, Tennessee

Cindy Lerner  
Mayor  
City of Pinecrest, Florida

Sam Mamet  
Executive Director  
Colorado Municipal League

Paul Meyer  
Executive Director  
North Carolina League of Municipalities

Bill Peduto  
Mayor  
City of Pittsburgh, Pennsylvania

David Sander  
Vice Mayor  
City of Rancho Cordova, California

Craig Thurmond  
Mayor  
City of Broken Arrow, Oklahoma

Randal Wallace  
Councilmember  
City of Myrtle Beach, South Carolina

Nan Whaley  
Mayor  
City of Dayton, Ohio

Judy Silva  
Executive Director  
New Hampshire Municipal Association

# Promoting Innovation and Sharing Knowledge

## STRATEGIC PLAN **GOAL 2**

**Promote innovation and provide proven strategies and valuable resources that address the challenges cities face.**



**From practical problem solving to large-scale innovations, cities are leading the country forward. In 2015, NLC has been a resource and thought leader for and about cities.**

### **Studying Fiscal Trends**

NLC celebrated the 30th Anniversary of the City Fiscal Conditions survey with a release event in New York City. The media, financial analysts, members of Congress and cities themselves rely on this survey of finance officers, the only annual source of city budget information.

### **Taking the Pulse of Cities**

In its second year, *State of the Cities*, the annual analysis of mayoral state of the city addresses, was widely covered by major media outlets, including *The Washington Post*, Associated Press, *Fast Company* and others. *State of the Cities* is the leading barometer of how the nation's mayors see the top issues facing cities.

### **Researching the Sharing Economy**

NLC released the results of the first nationwide survey of city views on the sharing economy, also commonly referred to as collaborative consumption. The sharing economy encompasses peer-to-peer transactions in which providers and consumers share resources and

services such as housing, cars, rides and more. NLC convened leaders in elected office, business, media and academia on the subject, and made presentations to audiences ranging from state municipal leagues to the Federal Trade Commission and Harvard University.

### **Sharing City Practices on NLC.org**

NLC continues to expand the City Practices section of its website to provide examples of successful programs from cities across the country.

### **Helping StartUps**

Recognized by the White House and Small Business Administration for its ongoing work to strengthen local entrepreneurship, NLC is the federal government's exclusive implementation partner on the StartUp in a Day initiative to help cities streamline the permitting and licensing processes involved in starting a new business.

### **NEW RESOURCES ON URBAN DEVELOPMENT AND LAND USE**

**The Rose Center for Public Leadership in Land Use brings new resources to NLC's Center for City Solutions and Applied Research, including information, best practices and peer networks, along with fellowship, education and training programs. Learn more at [danielrosecenter.org](http://danielrosecenter.org)**

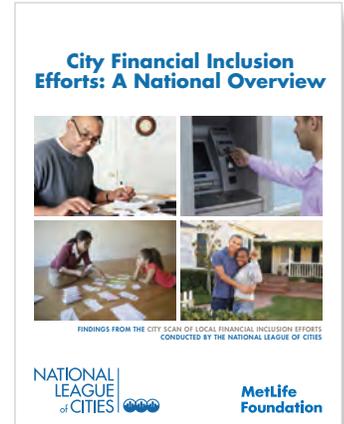
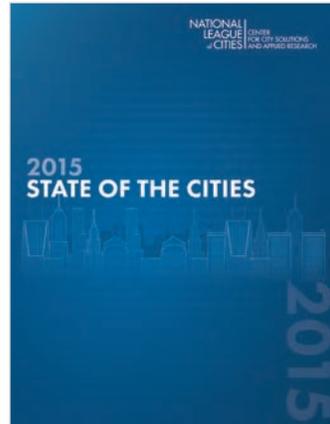
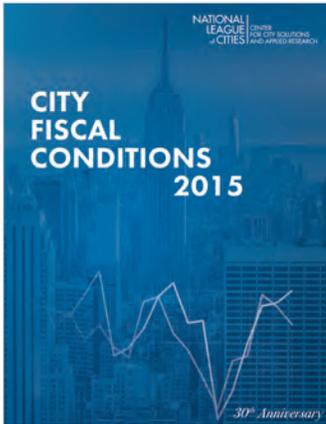
### **Ending Veteran Homelessness**

NLC partnered with the U.S. Department of Housing and Urban Development to hold 10 regional forums across the country, which drew more than 1,000 elected leaders and community stakeholders, in support of the First Lady's Mayors Challenge to End Veteran Homelessness. More than 750 elected officials—including 601 mayors, eight governors and 149 county and city officials—have joined the challenge.

### **Bringing Children Into Nature**

In partnership with the Children & Nature Network, NLC launched Cities Connecting Children to Nature, an initiative to help city leaders develop policies and programs that cultivate outdoor connections for young people.

New NLC publications range from analyses of current conditions to examinations of emerging trends.



Its objectives include improving health, developing cognitive and interpersonal skills and nurturing a new generation of environmental stewards.

### Researching City and State Fiscal Structures

A new research partnership between NLC and the state municipal leagues produced its first analysis, *Cities and State Fiscal Structure*. The report examined how states limit or expand the ability of cities to fund services and found that no state has expanded the fiscal authority of its cities since the recession.

### Helping Cities Develop Innovative Technology

In 2015 NLC's Corporate Partners Program increased its focus on government technology and civic innovation. NLC supported the second Multi-City Innovation Campaign (MCIC), a joint effort among 25 local governments, NLC, Esri, Socrata, Jumpstart Foundry and Code for America. This year's program developed next-generation technology for health and safety. The Harvard Kennedy School of Government recognized MCIC as a "Bright Idea."

### CITY OF THE FUTURE

NLC's *City of the Future* initiative explores current and future trends in technology, economics, climate, culture and demographics through a city-centric lens. Its first report will focus on the interrelationship of technology and mobility. Future reports will explore issues including housing, economic development and transportation.

### Helping Families Build Financial Knowledge and Stability

NLC's Institute for Youth, Education, and Families released *City Financial Inclusion Efforts: A National Overview*, which found that in 65 percent of the cities surveyed, elected officials are working with community partners to increase residents' financial knowledge and develop programs to help families build financial stability.

### NLC SAVINGS AND SOLUTIONS PROGRAMS

NLC continued to provide savings and solutions to cities through its strategic business partner programs:

- The U.S. Communities Government Purchasing Alliance celebrated 15 years of partnership with NLC. U.S. Communities saves cities and towns an average of 10 percent on products and services.
- Build America Mutual (BAM) has helped more than 500 cities and towns save \$44 million in financing costs since its inception in 2012.
- The NLC Prescription Discount Card Program surpassed \$20 million in savings for residents in participating cities and towns.
- The NLC Service Line Warranty Program, which provides residents with access to an affordable water and sewer warranty, added an In Home Plumbing line of service to meet customer demand.
- Strategic business partner programs earned NLC \$1.6 million, helping fund its advocacy, research and city solutions activities and keep member dues affordable.

**“The success of the YEF Institute reaffirms why NLC is a crucial organization for thinking and learning. It provides unique opportunities for us and folks we work with to have serious, focused discussions in a safe space.”**

—MICHAEL NUTTER, MAYOR, PHILADELPHIA



# The Institute for Youth, Education, and Families

## CELEBRATING 15 YEARS OF BUILDING STRONG COMMUNITIES

**NLC’s Institute for Youth, Education, and Families (YEF Institute) grew out of the belief that to thrive, cities need strong leaders who make the education, safety and health of the families and children in their communities a citywide priority.**

Conceived and developed under the leadership of the late Boston Mayor Thomas M. Menino, the YEF Institute has become the “go-to” place for city officials who want to improve outcomes for children and families in their communities.

The YEF Institute is perhaps best known for its focus on practical help and advice to city leaders. Through its Mayors’ Institutes, technical assistance projects, Leadership Academies and peer learning networks, the YEF Institute reaches cities of all sizes and brings together local leaders to develop partnerships that produce innovative, long-term solutions.

From a staff of three, the YEF Institute has grown to 26 staff members with expertise in early childhood success, education and expanded learning, health and community wellness, reengagement

of disconnected youth, violence prevention and family economic success.

The YEF Institute’s programs and success in documenting best practices have earned nationwide respect. National foundations and other funders have invested a cumulative \$50 million in its work. YEF Institute projects have channeled nearly \$25 million in additional funding to NLC member cities, either as pass-through grants or foundation investments made directly to cities.

The National League of Cities is proud to celebrate the YEF Institute’s 15-year history of helping cities become more vibrant and prosperous by focusing on the well-being of children and families.

To learn how your city can get involved, visit [www.nlc.org/iyef](http://www.nlc.org/iyef).

**“The work that the YEF Institute is doing is simply amazing. Lives have been changed for the better through the Institute’s work.”**

— GARRET NANCOLAS  
MAYOR, CALDWELL, IDAHO

# Raising the Profile of City Governments

## STRATEGIC PLAN **GOAL 3**

Raise the profile of city governments as key leaders and partners in improving the quality of life in our nation.



### **NLC, First Lady Celebrate Let's Move! Cities, Towns and Counties**

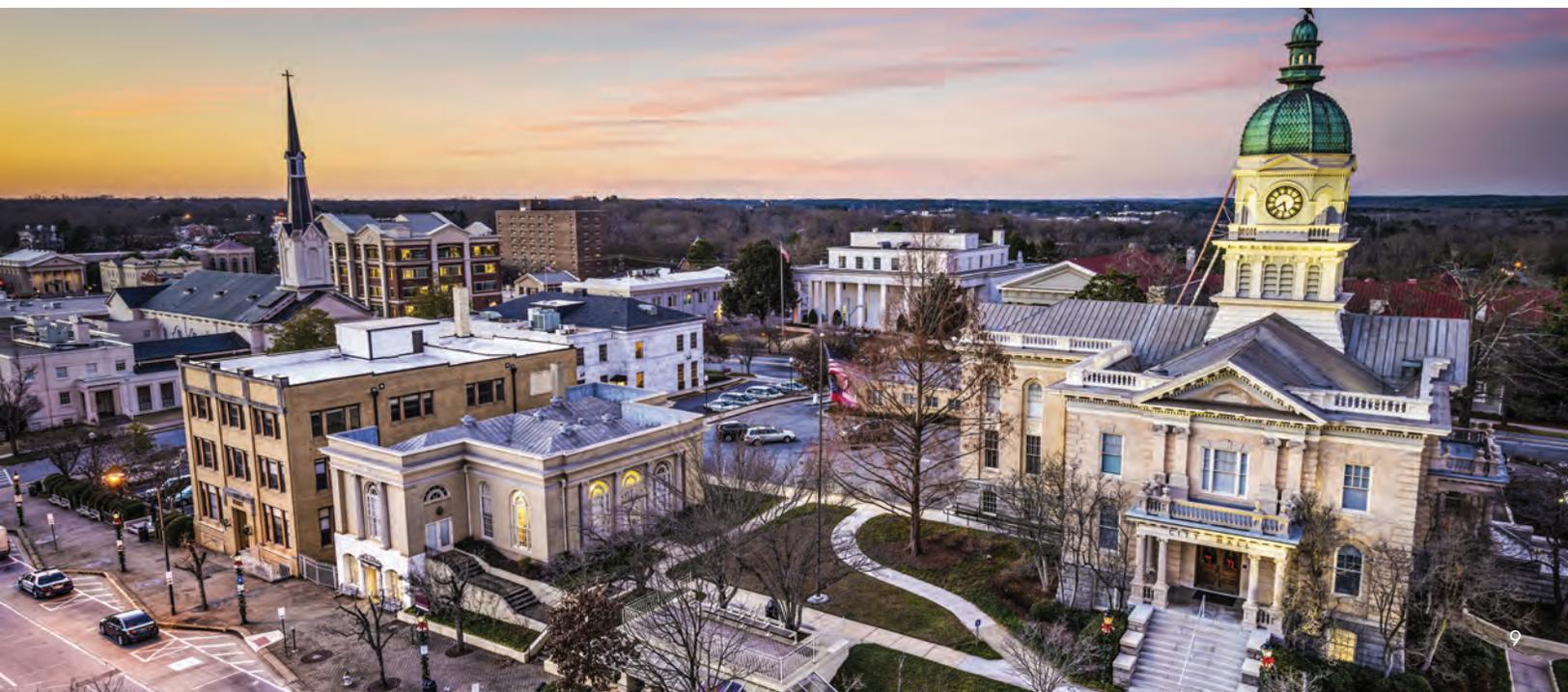
NLC joined First Lady Michelle Obama at the White House to honor local elected officials who participate in the *Let's Move!* Cities, Towns and Counties initiative. Since July 2012, 500 cities, towns and counties have joined *Let's Move!*, which helps local officials ensure that kids and families in their communities have access to healthy, affordable food and opportunities to be physically active.

### **Celebrating Small Cities**

Cities across the country celebrated Small Cities Month in June by issuing proclamations, holding events and showcasing what they love about their communities. NLC used social media to highlight small cities, featuring a different location on Facebook each day of the month. The #smallcities15 hashtag achieved a cumulative reach of over 64,000 during April, May and June.

### **Keeping Cities in the News**

Major media outlets including *The New York Times*, *Wall Street Journal*, *Washington Post*, *USA Today*, *International Business Times*, *Bloomberg*, *Fast Company* and the Associated Press featured NLC in stories on city issues. A number of political and trade publications, including *Governing*, *The Hill*, *Roll Call*, *Next City* and *Government Technology* also featured NLC. NLC was mentioned more than 14,300 times in national and local media outlets in fiscal year 2015.



# Expanding the Capacity of City Leaders

## STRATEGIC PLAN **GOAL 4**

Expand the capacity of municipal officials to serve as ethical, effective and engaged leaders.



**NLC University offered a rich mix of learning opportunities to help municipal officials improve their leadership skills.**

### **Eliminating Barriers to Success**

During the 2015 Leadership Summit, NLC University co-hosted two REAL Talks with NLC's Race, Equity and Leadership initiative on how city leaders can respond to historical, systemic and structural barriers caused by racism and other inequities.

### **Partnering for Leadership Development**

NLC University developed partnerships with universities, nonprofit organizations and online education providers to develop new courses, conference seminars and long-term leadership development opportunities that will be available in the coming year.

### **Online Learning**

NLC University launched its first online course, *Understanding Foreclosure: A City Leader's Guide*, in partnership with Wells Fargo, and began development of additional courses to be released in the coming year.

### **Added New Award Levels**

NLC University premiered three new award levels in its Certificate Program—Diamond Cum Laude, Diamond Magna Cum Laude, and Diamond Summa Cum Laude—to recognize officials who go above and beyond the current award levels to enhance their skills.

### **Annual Leadership Summit**

NLC University's annual Leadership Summit in Orlando, Florida, helped city leaders examine leadership in tough times.

### **Big Ideas for Small Cities**

NLC University's first Big Ideas for Small Cities event attracted more than 300 representatives from small cities to hear city officials share ideas they've used to drive change in their communities.

# Transforming the Organization

## STRATEGIC PLAN **GOAL 5**

**Achieve our mission and goals through an organizational structure that is aligned, nimble, accountable and transparent.**



### **NLC Hits the Road**

NLC's membership team has been on the road, traveling to recruit new members and increase member engagement. In 2015, the team visited 20 cities and exhibited at 19 local government conferences and meetings. NLC gained 46 new member cities in fiscal year 2015.

### **Young Elected Leaders Network**

NLC established the Young Elected Leaders Network (YEL) to provide support to the newest generation of leaders at every level of elected office.

### **Improving Our Technology to Better Serve Our Members**

NLC invested in improvements to its network infrastructure, moved its email to the cloud and upgraded its computers and software to ensure that its technology supports the needs of staff and members.

### **Preparing to Move to Capitol Hill**

NLC has selected a new office location within walking distance of the U.S. Capitol, reflecting the League's increased focus on strengthening the voice of cities in Washington. NLC and the National Association of Counties (NACo) will move into the same new building in the summer of 2016. The new location

will include a shared NLC/NACO conference center, a great location to host press events and meetings for city leaders. NLC will retain its 30 percent ownership in its current building, which will be rebuilt between July 2016 and 2020.



## Financial Performance

The National League of Cities' financial position is strong. At the end of fiscal year 2015, NLC's cash balance was \$6.6 million and receivables had increased to \$3.8 million. The general fund investment balance ended the year at \$9.0 million and the building fund investments ended the year with a balance of 17.5 million.

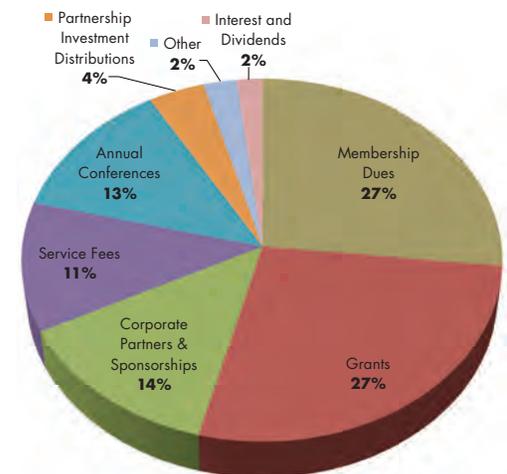
## Highlights of NLC's Financial Position in FY2015

- Business partner program revenues increased by 15% over FY2014 to a record \$1.6 million.
- Program, enterprise and support services increased expenses by only 5% through continued emphasis on cost control that enabled resources for new service initiatives.

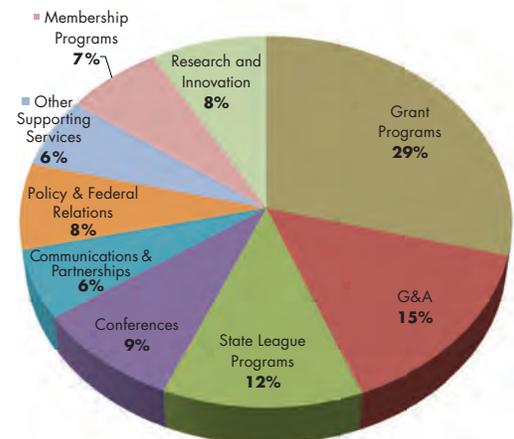
- Unrestricted general fund net assets reached \$7.8 million, an increase of 10% over the prior year.
- Building fund investments of \$17.5 million provide resources and flexibility for a seamless financial transition to a new headquarters location near the U.S. Capitol in July of 2016.

|  | FY2015               | FY2014              |
|--|----------------------|---------------------|
| <b>Revenue and Other Support</b>               |                      |                     |
| Membership Dues                                | \$6,082,107          | \$6,108,875         |
| Grants   | 6,219,603            | 6,522,271           |
| Corporate Partners & Sponsorships              | 3,083,838            | 2,901,163           |
| Service Fees                                   | 2,613,191            | 2,492,352           |
| Annual Conferences                             | 2,897,411            | 2,835,038           |
| Partnership Investment Distributions           | 927,000              | 928,320             |
| Other  | 545,811              | 736,152             |
| Interest and Dividends                         | 426,311              | 357,890             |
| <b>Total Revenue and Support</b>               | <b>\$22,795,272</b>  | <b>\$22,882,061</b> |
| <b>Expenses</b>                                |                      |                     |
| Grant Programs                                 | \$6,439,381          | \$6,452,832         |
| G&A  | 3,316,475            | 3,022,801           |
| State League Programs, NLC-RISC and NLC Mutual | 2,706,494            | 2,732,552           |
| Conferences                                    | 2,008,430            | 2,437,376           |
| Communications & Partnerships                  | 1,324,945            | 1,200,828           |
| Policy & Federal Relations                     | 1,650,671            | 1,781,773           |
| Other Supporting Services                      | 1,345,417            | 998,774             |
| Membership Programs                            | 1,507,264            | 1,252,697           |
| Research and Innovation                        | 1,833,673            | 1,151,545           |
| <b>Total Expenses</b>                          | <b>\$22,132,749*</b> | <b>\$21,031,178</b> |

## National League of Cities FY 2015 General Fund



**Total Revenue and Support:  
\$22,795,272**



**Total Expenses:  
\$22,132,749\***

Certain prior year amounts have been reclassified to conform to the current year presentation. Partnership investment distributions are now being included in the revenues and other support reported. These distributions have been added to the FY14 figures above to make them comparable to FY15.

NLC's audit is in progress and will be completed in November. Numbers reported above are unaudited.

\*Column does not add exactly due to rounding errors.

# 2014-2015 Board of Directors

ELECTED NOVEMBER 2014

## Officers

### President

Ralph E. Becker  
*Mayor, Salt Lake City, Utah*

### First Vice President

Melodee Colbert Kean  
*Councilmember, Joplin, Missouri*

### Second Vice President

Matt Zone  
*Councilmember, Cleveland, Ohio*

## Immediate Past President

Christopher B. Coleman  
*Mayor, Saint Paul, Minnesota*

## Past Presidents

Ted Ellis  
*Mayor, Bluffton, Indiana*

Brian J. O'Neill  
*Councilman, Philadelphia, Pennsylvania*

## Board Members

Matthew Appelbaum  
*Mayor, Boulder, Colorado*

Tennell Atkins  
*Mayor Pro Tem, Dallas Texas*

Ricki Y. Barlow  
*Councilmember, Las Vegas, Nevada*

Robert Bauman  
*Alderman, Milwaukee, Wisconsin*

Joe Buscaino  
*Councilmember, Los Angeles, California*

Wally Campbell  
*Councilmember, Goodyear, Arizona*

Leland Cheung  
*City Councillor, Cambridge, Massachusetts*

Dennis Doyle  
*Mayor, Beaverton, Oregon*

Samuel Ferreri  
*Mayor, Greenacres, Florida*

Karen Freeman-Wilson  
*Mayor, Gary, Indiana*

Jasmine Gore  
*Vice Mayor, Hopewell, Virginia*

Elvi Gray-Jackson  
*Assembly Member, Anchorage, Alaska*

Ronald C. Green  
*City Controller, Houston, Texas*

Matthew C. Greller  
*Executive Director/Chief Executive Officer,  
Indiana Association of Cities and Towns*

Andy Hafen  
*Mayor, Henderson, Nevada*

Mary Hamann-Roland  
*Mayor, Apple Valley, Minnesota*

Scott A. Hancock  
*Executive Director, Maryland  
Municipal League*

Klaus Hanson  
*Councilmember, Laramie, Wyoming*

Elizabeth Hurst  
*Councilmember, Fairburn, Georgia*

Van R. Johnson  
*Mayor Pro Tem – Alderman,  
District 1, Savannah, Georgia*

R. Michael Kasperzak, Jr.  
*Councilmember,  
Mountain View, California*

Alan Kemp  
*Executive Director, Iowa League of Cities*

Kevin Kramer  
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*Mayor, Pinecrest, Florida*

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Patricia Lockwood  
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## State Leagues, their presidents, executive directors and staffs

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## Volunteers

NLC relies heavily on volunteers, who help forward its advocacy, policy, research and leadership agenda. We could not be effective as an organization without your efforts.

# NLC Core Beliefs

## We believe in...

- **Representative, participatory local government.**
- **Local government as the cornerstone of government in the United States.**
- **The value of public service.**
- **The value of diversity throughout our organization and our communities.**
- **Municipal authority over municipal issues.**
- **A commitment to the highest ethical standards among all public officials.**
- **Civility and mutual respect.**
- **Anticipating the needs of communities and developing strategies to meet those needs and improve the quality of life.**
- **Partnerships, coalitions and collaborations to strengthen cities and our advocacy efforts.**



**The NLC City Summit (formerly the Congress of Cities) will be hosted by the city of Pittsburgh, Pennsylvania, November 16-19, 2016.**

**“U.S. Communities Government Purchasing Alliance is proud to have the National League of Cities as a founding national sponsor. NLC’s credibility with cities and towns has directly benefited U.S. Communities and provided the opportunity for us to share the unique benefits of cooperative purchasing with NLC members. As a result of the support of NLC and 29 state municipal league sponsors at the state level, U.S. Communities has delivered more than \$1 billion in savings to local governments, educational institutions and non-profit organizations since it was established.”**

— CHRIS MELLIS, NATIONAL PROGRAM MANAGER,  
U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE

**“The NLC University provides our members with an opportunity to expand their knowledge areas that will benefit them as well as the citizens that they represent. Our citizens depend upon us to provide leadership for our community. Expanding our knowledge of how to be better leaders benefits everyone. Our mission in life should be to make the world a better place to live than it was before we arrived. We can do this by sharing what we know and what we have learned with others. NLC University helps us to do just that!”** — COUNCILMAN W. L. PATE, JR., BEAUMONT, TX







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