

TOWN OF ERIE
BOARD OF TRUSTEES REGULAR MEETING ¹
Tuesday, March 10, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook Street, Erie, CO 80516

STUDY SESSION 5:45 P.M. COMMUNITY ROOM

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

III. APPROVAL OF THE AGENDA

IV. CONSENT AGENDA (The consent agenda is intended to contain items that are prepared to be decided without discussion. Any Board member may request removal of any item they do not want to consider without discussion or wish to vote no on, without jeopardizing the approval of other items on the consent agenda. Items removed will be placed under IX. General Business, a. in the order they appear on the Agenda.) (This should be done prior to the motion to approve.)

- a. Approval of the February 24, 2015 Meeting Minutes
- b. Approval of the March 3, 2015 Special Meeting Minutes

V. PUBLIC COMMENT (This agenda item provides the public an opportunity to discuss items other than ordinances on second reading, public hearings and consent agenda items that are not on the agenda. The Board of Trustees is not prepared to decide on matters brought up at this time, but if warranted, will place them on a future agenda.)

VI. PROCLAMATIONS AND PRESENTATIONS (This agenda item is intended to contain Presentations to the Board that do not require any Board action. Presentations are limited to fifteen (15) minutes.)

- a. Historic Preservation-Local Landmark Designation for 645 Holbrook Street

VII. RESOLUTIONS (This agenda item is for all matters that should be decided by resolutions.)

- a. Resolution 15-36; A Resolution Awarding a Construction Contract for Channel, Irrigation Ditch & W.Q. Restoration Project
- b. Resolution 15-37; A Resolution Awarding a Street Signage Supplies Contract

¹ FOR MORE INFORMATION ON THE AGENDA ITEMS LISTED OR FOR INDIVIDUALS WITH DISABILITIES NEEDING AUXILIARY AIDS OR TO REQUEST ASSISTANCE, PLEASE CONTACT THE TOWN CLERK'S OFFICE AT 645 HOLBROOK STREET, P.O. BOX 750, 303-926-2731.

RESOLUTIONS (continued)

- c. Resolution 15-38; A Resolution Awarding a Concrete Services Contract
- d. Resolution 15-39; A Resolution Awarding a Design Contract for Non-Potable Water System Improvements
- e. Resolution 15-35; A Resolution Authorizing The Engagement Of Sullivan Green Seavy, LLC For Legal Services For The Purpose Of Receiving Legal Services For Negotiating Memorandums Of Understanding With Oil And Gas Operators And Potential Erie Municipal Code Amendments

VIII. ORDINANCES (To adopt an Ordinance of the First Reading, a Motion/Second/Approval is required to suspend Resolution 02-44 and adopt the Ordinance on the First Reading.)

- a. Ordinance 05-2015; An Ordinance Annexing the Nelson-Kuhl Annexation, to the Town of Erie, Colorado, Providing for the Effective Date of this Ordinance; Setting Forth Detail in Relation Thereto (SECOND READING)
- b. Ordinance 06-2015; An Ordinance Zoning the Nelson-Kuhl Annexation; Providing for the Effective Date of this Ordinance; Setting Forth Details in Relation Thereto (SECOND READING)

IX. GENERAL BUSINESS (This agenda item is reserved for matters that are ready for Board action, and do not fit into other categories, i.e. resolutions, ordinances...)

- a. Retail Marijuana Businesses Question on 2015 Citizen Survey

X. STAFF REPORTS (This agenda item is reserved for specific items from Staff requiring Board direction or just relaying important information.)

Staff Reports Included in Agenda Packet

XI. BOARD OF TRUSTEES REPORTS & APPOINTMENTS (This agenda item is for all Board of Trustees reports, Board & Commission Appointment, and items of information as well as Board discussion items, not listed on the agenda.)

- a. BOT Reports

XII. ADJOURNMENT (The Board's Goal is that all meetings be adjourned by 10:30pm. An agenda check will be conducted at or about 10:00 p.m., and no later than at the end of the first item finished after 10:00 p.m. Items not completed prior to adjournment will generally be taken up at the next regular meeting.)

TOWN OF ERIE
BOARD OF TRUSTEES REGULAR MEETING 1
Tuesday, February 24, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Harris called the February 24, 2015 Regular Meeting of the Board of Trustees to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Roll Call:	Trustee Carroll	Present
	Trustee Schutt	Present
	Mayor Pro Tem Gruber	Present
	Trustee Moore	Absent/Excused
	Trustee Charles	Present
	Trustee Woog	Present
	Mayor Harris	Present

III. APPROVAL OF THE AGENDA

Action: Mayor Pro Tem Gruber moved to approve the February 24, 2015 agenda; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

IV. CONSENT AGENDA

- a. Approval of the February 10, 2015 Meeting Minutes
- b. Resolution 15-28; A Resolution Authorizing the Town of Erie, Colorado to Apply for a Grant from Great Outdoors Colorado for Funds to Assist with the Master Plan of the Flatiron Meadows Park Site, And Setting Forth Details In Relation Thereto
- c. Ordinance No. 02-2015; An Ordinance of the Town of Erie Authorizing the Town to Enter into the First Amendment to the Lease Agreement with Option to Purchase with Echo Brewing Cask & Barrel, Inc. (SECOND READING)
- d. Resolution 15-29; A Resolution Approving a GIS Software Hosting and Consulting Agreement
- e. Resolution 15-30; A Resolution Approving the Purchase of a TOC Analyzer
- f. Resolution 15-31; A Resolution in Support for Urban Drainage Storm-water
- g. Resolution 15-32; A Resolution Awarding a Construction Contract for a Segmented Circle and Wind Cone for Erie Municipal Airport.

CONSENT AGENDA (continued)

Action: Trustee Schutt moved to approve the February 10, 2015 Consent Agenda; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with the following roll call vote:

Trustee Schutt	Yes
Trustee Woog	Yes
Trustee Carroll	Yes
Trustee Charles	Yes
Mayor Pro Tem Gruber	Yes
Mayor Harris	Yes

V. PUBLIC COMMENT

Randy Kneebone, Erie Economic Development Counsel, 1384 Reliance Ct. Erie, CO. notified the Board that he was leaving the EEDC and thanked them for their past support.

VI. PROCLAMATIONS & PRESENTATIONS

a. National Nutrition Month

Farrell Buller, Director of Parks & Recreation presented this agenda item. March is National Nutrition Month. This campaign is created annually by the Academy of Nutrition and Dietetics and focuses attention on the importance of making informed food choices and developing sound eating and physical activity habits. The theme for 2015 is "Bite into a Healthy Lifestyle," which encourages everyone to adopt eating and physical activity plans that are focused on consuming fewer calories, making informed food choices and getting daily exercise in order to achieve and maintain a healthy weight, reduce the risk of chronic disease and promote overall health. March is also when the Meals on Wheels organizations nationwide launch their campaigns to combat hunger in our communities. Coal Creek Meals on Wheels is the non-profit organization proudly serving Lafayette, Louisville, Superior and Erie. Mayors for Meals are a collaborative effort which allows for the opportunity to raise awareness of hunger in our communities. Coal Creek's mission is to provide daily nutritious meals and related support services to members of our community in need, helping them to live with dignity in their own homes. Meals on Wheels clients face many different challenges, from financial to health issues and isolation. They support all ages and all demographics and every meal is tailored the individual needs of each client. Coal Creek Meals on Wheels not only delivers a meal, but companionship, safety and the ability for people to live with dignity in their homes.

VII. LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES

NELSON-KUHL ANNEXATION

PUBLIC HEARING

- a. Resolution 15-33; A Resolution Regarding the Nelson-Kuhl Annexation Comprehensive Plan Amendment; Adjusting Planning Area Boundary**

LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES (continued)

NELSON-KUHL ANNEXATION

Marty Ostholthoff, Director of Community Development presented staff recommendations for the approval of Resolution 15-33. The applicants are requesting approval of an amendment to the *2005 Town of Erie Comprehensive Plan*, Land Use Plan Map for property located at the southeast corner of State Highway 287 and Arapahoe Road. The property owned by the Town and currently within the municipal limits of the Town is proposed to be designated as RC-Regional Commercial on the Land Use Plan Map. In addition, the Town of Erie Urban Renewal Authority property (Nelson-Kuhl property) that is in the process of annexation is proposed to be designated as RC-Regional Commercial on the Land Use Plan Map. The site is located at the southeast corner of State Highway 287 and Arapahoe Road and is generally described as a part of the North ½ of Section 34, Township 1 North, Range 69 West of the 6th Principle Meridian. Staff recommends approval of Resolution 15-33 a resolution amending the 2005 Town of Erie Comprehensive Plan, Land Use Plan Map to designate the Nelson-Kuhl and Town of Erie properties as RC-Regional Commercial.

Action: Mayor Harris opened the Public Hearing for Resolution 15-33 at 6:35 p.m. There was no public comment on this agenda item and Mayor Harris closed the public hearing for Resolution 15-33 at 6:40 pm.

Action: Mayor Pro Tem Gruber moved to approve Resolution 15-33; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

PUBLIC HEARING

b. Resolution 15-34; A Resolution Regarding Nelson Kuhl Annexation; Adopting Certain Findings of Fact and Conclusions Favorable to the Annexation

Marty Ostholthoff, Director of Community Development presented staff recommendations for the approval of Resolution 15-34. The Town of Erie Urban Renewal Authority has submitted an Annexation application to annex approximately 29 acres of unincorporated Boulder County property into the Town of Erie. The application has been processed in accordance with C.R.S. 31-12-101, and Section 7.3, of the Town of Erie Unified Development Code. Staff finds the application to be in compliance with C.R.S. 31-12-101 and Section 7.3, Annexations, of Title 10 of the Municipal Code. The Annexation is in compliance with the required noticing requirements of C.R.S. 31-12-108; with published notice in the Colorado Hometown Weekly on January 14, 2015, January 21, 2015, January 28, 2015 and February 4, 2015. In addition, The Nelson-Kuhl Annexation Impact Report was filed with appropriate authorities in compliance with C.R.S 31-12-108.5. Staff recommends approval of Resolution 15-34: A Resolution Regarding the Nelson-Kuhl Annexation; Adopting Certain Findings of Fact and Conclusions Favorable to the Annexation.

Action: Mayor Harris opened the Public Hearing for Resolution 15-34 at 6:40p.m. There was no public comment on this agenda item and Mayor Harris closed the public hearing for Resolution 15-34 at 7:10pm.

Action: Mayor Pro Tem Gruber moved to approve Resolution 15-34; the motion was seconded by Trustee Schutt. The motion carried with all present voting in favor thereof.

LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES (continued)

NELSON-KUHL ANNEXATION

PUBLIC COMMENT

- Exhibit No. 01: Letter from Andrea Wrobel attached to this record.
Exhibit No. 02: Letter from R. L. Kurvink attached to this record.
Exhibit No. 03: Letter from Boulder County attached to this record.

Christine Berg, Mayor of Lafayette read a prepared statement attached to this record as Exhibit No. 04.
Patty Hasslacher, 3260 Billington Dr, Erie, CO.
Bart Howe, 3107 Stevens Circle, Erie, CO.
Olvin Galmamez, 1445 N. 11th Street, Lafayette, CO.
Karin Brown, 705 W. Lucerne Dr., Lafayette, CO.
Mary Kisselberth, 407 W. Lucerne Dr., Lafayette, CO.
Jeanne Stratton, 503 W. Lucerne Dr., Lafayette, CO.
Joe Szott, 1435 N. 111th St., Lafayette, CO.
Deborah Gonzales, 10994 Arapahoe Rd., Lafayette, CO.
Bob Karsted, 3256 Billington Dr., Erie, CO
Tom Hugles, 3255 Billington Dr., Erie, CO.

- c. Ordinance 05-2015; An Ordinance Annexing the Nelson-Kuhl Annexation, to the Town of Erie, Colorado, Providing for the Effective Date of this Ordinance; Setting Forth Detail in Relation Thereto

Marty Ostholthoff, Director of Community Development presented staff recommendations for the approval of Ordinance 05-2015. The Town of Erie Urban Renewal Authority has submitted an Annexation application to annex approximately 29 acres of unincorporated Boulder County property into the Town of Erie. The application has been processed in accordance with C.R.S. 31-12-101, and Section 7.3, of the Town of Erie Unified Development Code. On January 27, 2015 the Board of Trustees held a Substantial Compliance hearing on the Nelson-Kuhl Annexation Petition and established February 24, 2015 as the Public Hearing date for adopting Findings of Fact in favor of the proposed annexation. Staff finds the application in compliance with Section 7.3, Annexations, of Title 10 of the Municipal Code. The Annexation is in compliance with the required noticing requirements of C.R.S. 31-12-108; with published notice in the Colorado Hometown Weekly on January 14, 2015, January 21, 2015, January 28, 2015 and February 4, 2015. In addition, The Nelson-Kuhl Annexation Impact Report was filed with appropriate authorities in compliance with C.R.S 31-12-108.5. Staff recommends approval of Ordinance 05-2015; an Ordinance Annexing the Nelson-Kuhl property to the Town of Erie.

Action: This was the first reading of Ordinance 05-2015; this item will be brought back for Board action at the March 10, 2015 Regular Meeting of the Town of Erie Board of Trustees.

PUBLIC HEARING

d. **Ordinance 06-2015; An Ordinance Zoning the Nelson-Kuhl Annexation; Providing for the Effective Date of this Ordinance; Setting Forth Details in Relation Thereto**

Marty Ostholthoff, Director of Community Development presented staff recommendations for the approval of Ordinance 06-2015. The Town of Erie Urban Renewal Authority has submitted an Annexation application to annex approximately 29 acres of unincorporated Boulder County property into the Town of Erie. The application has been processed in accordance with C.R.S. 31-12-101, and Section 7.3, of the Town of Erie Unified Development Code. Concurrent with the processing of the annexation application the Town is required to grant an initial zoning of the annexed property. The applicant has requested that the initial zoning of the property be CC-Community Commercial. Staff finds the application is consistent with the approval criteria of Section 7.4, Initial Zoning, of the Town of Erie Municipal Code. Notice of this Public Hearing has been published in the Colorado Hometown Weekly on February 4, 2015, Property Posted as required on February 9, 2015 and letters to Adjacent Property Owners were sent on February 6, 2015. Staff recommends approval of Ordinance 06-2015; an Ordinance Zoning the Nelson-Kuhl property to CC-Community Commercial.

Action: Mayor Harris opened the Public Hearing for Ordinance 06-2015 at 7:25p.m. Mayor Harris closed the public hearing for Ordinance 06-2015 at 7:31pm.

Action: This was the first reading of Ordinance 06-2015; this item will be brought back for Board action at the March 10, 2015 Regular Meeting of the Town of Erie Board of Trustees.

VIII. GENERAL BUSINESS

a. **Vista Ridge Filing 11 Commercial – Traffic Project**

Chris Jensen, Vista Commercial Advisors, Inc. presented a request for the Town to fund a design for the removal of a traffic safety issue at the east entrance next to the 7 Eleven at the Village at Vista Ridge Shopping Center.

Action: General Board consensus was to direct staff to prepare an agreement which would limit the amount the Town would spend on a design to equal the amount of Cash-in-Lieu funds still available for this filing.

IX. BOARD OF TRUSTEES REPORTS

Trustee Woog asked that staff look into GFO additive that might improve the fuel efficiency of the Town's vehicle fleet.

Trustee Charles passed out an update on the Historic Preservation Tax credits from the State Historical Society to encourage people to landmark their historic properties.

X. ADJOURNMENT

Action: Trustee Charles moved to adjourn the February 24, 2015 Regular Meeting of the Town of Erie Board of Trustees; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all present voting in favor thereof.

Action: Mayor Harris adjourned the February 24, 2015 Regular Meeting of the Town of Erie Board of Trustees at 8:12p.m.

Respectfully Submitted,

Nancy J. Parker, CMC, Town Clerk

Tina Harris, Mayor



Andrea Wrobel
PO Box 827
Nederland, CO 80466
720-289-1665

Town of Erie
Board of Trustees
PO Box 750
Erie, CO 80516

Via: Email

RE: Annexation and Zoning of the Nelson/Kuhl Property

Dear Ms. Mayor and Esteemed Trustees:

I am writing to provide public comment on the proposed annexation and zoning of the Nelson/Kuhl property located at the southeast corner of Arapahoe Road and US Hwy. 287. Although I am opposed to the annexation and commercial zoning of this land, I do understand Erie's need for additional sales tax revenue and hence my comments are aimed at mitigating the potential adverse effects of such a commercial development on surrounding property owners both within unincorporated Boulder County, City of Lafayette, and Town of Erie.

1. Compatibility. Erie town staff claim the commercial zoning is compatible with the surrounding area. It should be noted that lands directly east of the Nelson/Kuhl property are in an agricultural land use and are not directly compatible with large scale commercial development. In addition, portions of the Nelson/Kuhl property have been mapped by Boulder County as Agricultural Lands of National Importance. Commercial development does not appear to be compatible with such a designation and also does not seem to fit with Erie's 2005 Comprehensive Plan guiding principle of Stewardship of the Natural Environment.

2. Erie's 2005 Comprehensive Plan, Chapter 4 Land Use Sec 4-9 Regional Commercial Policies

RC1.4 Where large-scale commercial and employment abuts other land uses, particularly residential areas, buffering and transition space should be designed to minimize visual and noise impacts.

I sincerely hope this policy would be implemented to buffer any proposed commercial development to neighboring residential lands to the east and south. A minimum buffer of 400 ft on the south and east sides of the Nelson property would likely be needed to effectively mitigate adverse noise effects and adverse effects to the viewshed.

3. Erie's 2005 Comprehensive Plan, Chapter 10 Regional Coordination, Sec. 10-1

REGIONAL COORDINATION The Town will coordinate its land use goals and policies with those set forth by other governmental agencies within the region and identify areas requiring ongoing collaboration and cooperation

INTERGOVERNMENTAL AGREEMENTS The Town will work to maintain Intergovernmental Agreements already in place and continue to pursue new Intergovernmental Agreements with neighboring jurisdictions to address issues such as the location of future growth and development, the provision of public facilities and services, the conservation of natural resources, revenue sharing, and to discourage sprawling rural residential development outside of defined growth areas.

With the recent expiration of the Intergovernmental Agreement (IGA), which included this area, what new IGAs are being pursued to achieve Erie's Regional Coordination standards?

4. Erie's 2005 Comprehensive Plan, Chapter 13 Community Character and Design
Goal #4: Community Buffers. Work with neighboring communities to establish appropriate community buffers, which may include open space, rural areas, and/or agricultural lands.

POLICIES: CCD 4.1— COMMUNITY BUFFERS The Town will strive to retain its identifiable edges and preserve community character by promoting physical separation from neighboring municipalities using intergovernmental agreements, clustering, open space acquisition, the transfer of development rights, or other mechanisms as appropriate.

The proposed Nelson/Kuhl annexation and zoning actions before you provide an opportunity to specify a community buffer between Erie, Lafayette, and Boulder County. Such a designation could be through development restrictions of an PUD overlay district, designation of an open-space buffers, or other mechanism. Such a buffer is clearly in keeping with Erie's Comprehensive Plan. Thank you for your consideration.

Sincerely,



February 23, 2015

Andrea Wrobel
PO Box 827
Nederland, CO 80466

R.L.Kurvink
Owner: 1425 N. 111th St. Lafayette
Mailing: PO Box 2282, Arvada, 80001

February 24, 2015

Town of Erie, Board of Trustees
PO Box 750
Erie, CO 80516



Re: Annexation & Zoning of Nelson/Kuhl Properties; Resolution 15-16

Dear Ms. Mayor and Esteemed Trustees:

I object to this "Petition for Annexation" especially "Item 8" suggesting a change of zoning classification to "Community Commercial".

Despite the rather historically unconventional way former Mayor Joe Wilson pursued these properties with Urban Renewal, this recently associated action seems to point to a somewhat disingenuous nature against the spirit of two IGA agreements, Boulder County and especially to the City of Lafayette.

With all due respects, I find this annexation proposal for commercial development in my backyard both disrespectful and appalling. It appears now our neighborhood is in the middle of a throw-down competition with Lafayette for tax revenues along Hwy 287.

Whether or not the IGA's have expired, the reasons and benefits for stakeholders contained in East Central IGA 1994/95, and Super IGA 2003 -have not expired because the situation (final corridor acreage) and requirements (best interest of the citizens) remain the same.

Pertaining to C.R.S.29-20-101, parties enter into IGA's in order to "minimize negative impacts on surrounding areas and protect the environment". The common sense need of this is still necessary irregardless of any contract expiration date. Also still needed is a "comprehensive plan" in order to "preclude urban sprawl which would obliterate the boundaries of Lafayette and Erie". Other benefits of the IGA's seem to be for citizen stakeholders i.e., "binding commitment by the responsible jurisdictions for the preservation of the rural character of surrounding lands...is in the **best interest of the citizens** of each party..". To develop this area as commercial is NOT in my opinion, in the best interests of the citizens of northern Lafayette.

I would approve of continued rural or agricultural use but not anything that would have 24 hr 'Walmart lighting'. I would not be opposed to refilling Prince Lake and use it as a recreational fishing for a fee, which I heard historically it was used for this prior to a reservoir. I am concerned with any paving or concrete covering the Nelson property as it would alter absorption rate & drainage and could cause flooding issues to my property as I am directly down hill and immediately next door. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be "R.L. Kurvink", written over a horizontal line.

R.L. Kurvink
PO Box 2282, Arvada, CO 80001



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

February 24, 2015

Town of Erie
546 Holbrook, PO Box 750
Erie, CO 80516



RE: Nelson-Kuhl Annexation and amendment to the Town of Erie's Comprehensive Plan.

Dear Town Planning Staff and Board of Trustees,

Thank you for forwarding the Annexation Impact Report for the Nelson-Kuhl Annexation. As you are aware the county and town have a long history of cooperation and collaboration as evidenced by the 20-year Intergovernmental Agreement. Although that agreement has lapsed, we believe the basic principles and spirit of cooperation and joint efforts still remains and are committed to further discussions on this specific annexation as well as considering future collaborative efforts and intergovernmental agreements.

Comments:

The town's Comprehensive Plan furthers the goal of establishing buffers between communities which helps maintain community identity. The IGAs helped us promote and implement this shared goal. The Nelson-Kuhl proposal appears to meet state statutory requirements for annexation. However, the materials provided as part of the Annexation Impact Report and as part of the Comprehensive Plan amendment are not detailed enough to review and analyze all potential impacts.

The Comprehensive Plan amendment as proposed, from outside Erie's Planning area inside the planning area with a Land Use Designation of Regional Commercial, could have great impacts on county and Lafayette residents in the immediate vicinity. With such a designation the following goals and policies from the Town of Erie's Comprehensive Plan are relevant:

Goal #4: Community Buffers

Work with neighboring communities to establish appropriate community buffers, which may include open space, rural areas, and/or agricultural lands.

POLICIES:

CCD 4.1— COMMUNITY BUFFERS

The Town will strive to retain its identifiable edges and preserve community character by promoting physical separation from neighboring municipalities using intergovernmental agreements, clustering, open space acquisition, the transfer of development rights, or other mechanisms as appropriate.

RC 1.4—TRANSITIONS

Where large-scale commercial or employment uses abuts other land uses, particularly residential areas, buffering and transition space should be designed to minimize visual and noise impacts.

HN 2.2—RURAL SUBDIVISIONS

The Town will ensure that the quality and character of existing rural subdivisions is protected as new, higher-intensity development occurs on adjacent parcels. Transitions in density, the incorporation of open space buffers, and other techniques should all be explored to minimize impacts on existing residents.

Based on the above at a minimum the development should be set back and adequately buffered. This buffer area will help any new development to be compatible with the neighboring county residences to the greatest extent possible. In particular, new development should be mindful of the mountain views they enjoy. Building heights, bulk, lighting and landscaping can all have impacts that deserve careful consideration.

It is not apparent from the materials submitted or the staff report how much community outreach was conducted in this Comprehensive Plan amendment and annexation process. Ideally, the community (Lafayette and county residents) would be provided notice and have opportunities to raise issues in neighborhood meetings prior to the Board taking action on the Comprehensive Plan amendment or the annexation. If the Board approves the proposals the county requests that, as development plans are formed, the town work with the area residents (both unincorporated and in Lafayette) who are most directly impacted by the proposal. All efforts should be made to work closely with them to mitigate impacts.

The town and county have also been participating in efforts at the Consortium of Cities, where we have been reviewing the affordability of living on the Front Range and in Boulder County. As development is considered for this parcel there should be a focus on how it will foster an economically diverse set of interests and help meet the affordability needs of Boulder county communities. Things to consider include having a strong connection to transit and alternative modes, reserving office or commercial space for non-profits and other agencies who provide services, live-work accommodations, etc. The county is *prepared* to discuss possibilities and ideas as development plans are considered.

Again, thank you for the opportunity to comment and we look forward to further work on this and other issues.

Regards,



Dale Case, AICP

Director, Boulder County Land Use Department

Mayor Tina Harris and Trustees

Nelson –Kuhl Annexation

February 24, 2015



Mayor Christine Berg's comments:

Good evening, Mayor and Trustees. My name is Christine Berg and I am the mayor of Erie's neighbor, the City of Lafayette. I am speaking before you this evening in that capacity.

In 1914 Robert Frost authored a poem entitled *Mending Wall*, in which he coined the proverb "good fences make good neighbors." The concept of that proverb can be traced back to Benjamin Franklin's *Poor Richards Almanac*, in which Mr. Franklin advised "Love your neighbor, but don't pull down your hedge."

The proverb applies equally well to municipal neighbors. In the early years on the Front Range, the towns of Erie, Lafayette and Louisville, were distinct communities, each reflecting their own special character. The same may be said of Broomfield and their more recent incorporation and development. As growth has occurred on the Front Range over the past half century, our towns have physically grown closer and closer to each other. These east Boulder County towns and cities have worked

diligently to maintain their independence and special charm by incorporating “fences and hedges” between these communities in order to “buffer and preserve each community’s character.” In recent years, Lafayette has been successful in its relationship with both Broomfield and Louisville in establishing buffers between these municipalities and, as a result, our cities have enjoyed the benefits of cooperation while working with each other to preserve their own independent identity.

One of the central purposes of the East Central Boulder County IGA, which expired last December, was to formalize buffers between Lafayette and Erie. The Nelson-Kuhn property constituted the buffer between Lafayette and Erie. While Lafayette understands the economic necessities of commercial development, Lafayette is concerned that the proposed Nelson-Kuhn Annexation will result in tearing down the “hedge” that fosters a good neighborly relationship between the two cities.

The Nelson parcel, which immediately abuts an established single-family residential neighborhood in Lafayette, was acquired in 2012 by the Town of Erie Urban Renewal Authority. That acquisition was completed without the benefit of an Urban Renewal Plan to guide the potential development and disposition of the property. Because there was no Urban Renewal Plan in place, the public process associated with the

adoption of an Urban Renewal Plan and, thus, the acquisition itself, was not followed. This places both Erie and Lafayette, and specifically the citizens of Lafayette who reside immediately adjacent to the Nelson property, in a position of uncertainty about the impacts of the annexation, and potential future development. The make-up of the Town of Erie Board of Trustees (and its Urban Renewal Authority) has changed since the acquisition of the property in 2012. Lafayette is hopeful that the two municipalities can now work together and cooperate to the end that Erie and Lafayette may maintain their separate identities and be respectful of the citizens of each other's community.

Should the Board of Trustees move forward with this annexation we expect that any land use approvals in the future with respect to the Nelson-Kuhn parcels will address, and include, provisions for significant "buffering" between any proposed development and the single family residential area to the south. If, and when, development is proposed, or perhaps even before a specific development is proposed, we ask that you involve Lafayette, and the residents to the south, in the process so a plan for buffering can be jointly developed in a manner that is respectful of, and beneficial to, all involved.

I am happy to answer any questions and provide my contact information.

TOWN OF ERIE
BOARD OF TRUSTEES SPECIAL MEETING
Tuesday, March 3, 2015
6:00 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Harris called the March 3, 2015 Special Meeting of the Board of Trustees to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

Roll Call: Trustee Carroll – present
Mayor Pro Tem Gruber – present
Trustee Charles – present
Trustee Moore – present
Trustee Woog – present
Trustee Schutt – absent/excused
Mayor Harris – present

III. APPROVAL OF THE AGENDA

Action: Trustee Charles moved to approve the March 3, 2015 agenda; the motion was seconded by Trustee Woog. The motion carried with all present voting in favor thereof.

IV. GENERAL BUSINESS (This agenda item is reserved for matters that are ready for Board action, and do not fit into other categories, i.e. resolutions, ordinances...)

a. Interviews for Oil & Gas Special Counsel:

Lance Astrella, Esq.

Barbara J.B. Green and John T. Sullivan; Sullivan Green Seavy LLC

Randy Feuerstein and John R. Heronimus; Dufford & Brown Attorneys at Law

David Neslin; Davis Graham and Stubbs LLP

V. EXECUTIVE SESSION

Action: Trustee Charles moved to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; specifically, to discuss the selection of an oil and gas attorney to represent the Town.

Mayor Harris announced, it's Tuesday, and the time is 8:15 p.m. For the record, I am the presiding officer, Mayor Tina Harris. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session are the following persons:

Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Dan Woog, Scott Charles, and Jennifer Carroll, and Waylon Schutt; Town Administrator A.J. Krieger; Public Works Director Gary Behlen; and Assistant to the Town Administrator Fred Diehl.

This is an executive session for the following purpose:

For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; specifically, to discuss the selection of an oil and gas attorney to represent the Town.

Upon completion of the Executive Session, Mayor Harris announced that the time is now 9:21 p.m., and the executive session has been concluded. The participants in the executive session were:

Mayor Tina Harris; Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Dan Woog, Scott Charles, and Jennifer Carroll, and Waylon Schutt; Town Administrator A.J. Krieger; Public Works Director Gary Behlen; and Assistant to the Town Administrator Fred Diehl.

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Seeing none, the next agenda item is adjournment.

VI. ADJOURNMENT

Action: Trustee Charles moved to adjourn the March 3, 2015 Town of Erie Board of Trustees Special Meeting; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all present voting in favor thereof.

Action: Mayor Harris adjourned the March 3, 2015 Town of Erie Board of Trustee Special Meeting at 9:22 p.m.

Respectfully Submitted,

Nancy J. Parker, CMC, Town Clerk

Tina Harris, Mayor

Site No. 1



Your Future is Here

**HISTORIC LANDMARK PROPERTIES
NOMINATION FORM**

PLEASE NOTE: If this (Site) property was included in the survey of potential historic sites conducted by Front Range Research Associates for the Town of Erie in 2008-2010, most if not all the information is in the HISTORIC BUILDINGS SURVEY (2009/2010) FINAL SURVEY REPORT. Use the information in the report for this form. Attach a copy of the report to this form. If the (site) property was **not** included in the survey, use reliable newspaper clippings, brochures, copies of photographs, etc. All materials submitted may not be returned.

Owner(s) of (Site) Property Town of Erie

(Only the owner(s) of properties can nominate the property. If there are multiple owners, list the principal owner first for contact purposes. List all owners of interests in the property and use the exact name(s) as it appears on the recorded Title.)

Address of contact person Nancy Parker
(Street, City, State, Zip)

Phone 303 926 2731 Fax 303 926 2706 Email nparker@erieco.gov

Historic Name of Property (if applicable) Lincoln School

Address of Property 645 Holbrook St.

Structure(s) on the Property being nominated School Building
(List all that are applicable: i.e., house, commercial building, church, etc. Exclude structures not part of the nominated structure but are now located on the (site) property.)

Use of Property:

Historic Lincoln School

Current Town Hall

Sources(s) of information Colorado Cultural Resource Survey -
Preservation Office

Year of Construction 1906

Years(s) of Exterior Remodeling (if known) 1920 - 1999

Historic Narrative:

Use a separate sheet for the present history of the structure(s) and attach it to the form. Be as detailed as possible as to construction, use, persons who were/are associated with the structure through time, significant events involving the structure(s), etc.

Description:

Describe the structure(s) in detail and attach it to the form.

1. General characteristics: number and use of interior rooms, number of stories, construction materials (brick, wood, etc.) roof shape and structural system.
2. Specific features: porches, windows and doors, walls, chimney, dormers, etc.
3. Important decorative elements: finials, pilasters, bargeboards, brackets, half-timbering, sculptural relief, balustrades, corbelling, cartouches, murals, mosaics, etc.
4. Major alterations with dates, if known.
5. Any serious deterioration from neglect, lack of use, weather, age, etc.
6. If the structure was moved, when, why and how was it moved? Did changes take place in the structure as a result of the move?
7. If the structure was restored or reconstructed, when was it done? How accurately was it historically restored?

Photos:

Submit black/white or color photos from all four (4) sides of the structure.

Description of Property:

1. Legal: Lot 27-32 Block 23 Subdivision West Addition
(If applicable, attach a separate sheet with a metes and bounds description)
2. Describe fences, ground features, streams, wells, septic tanks, drainage ditch, leech field, swale, etc. Date any manmade features.

Nomination Criteria: (Check as many as apply)

A. Architectural Criteria. The property or structure has distinctive characteristics of a type, period, and method of construction or artisan.

X **B. Social/Historic Criteria:** The property or structure is associated with events or persons that have made a significant contribution to history.

X **C. Geographic Criteria:** The property has geographic significance.

Statement of Significance:

Explain the historic significance of the structure or property. Use the attached **STATEMENT OF HISTORIC SIGNIFICANCE CRITERIA** to guide your narrative. Tie the narrative specifically to as many of the various criteria found in the **STATEMENT** that are helpful in describing the structure or property being nominated.

Bibliography:

On separate sheet(s), list books, articles, websites and other materials used in preparing this form.

Optional Information:

You may submit any other information which might be helpful in considering the eligibility of this property. However, this material is not a substitute for providing information on the form requested. Optional materials may include newspaper clippings, brochures and copies of historic photographs. All materials submitted will be part of this nomination form and may not be returned.

Submit completed form and supporting information to:

Town of Erie
Community/Planning Department
645 Holbrook
Erie, CO 80516

Historic Narrative

The Lincoln School an irregular structure built in 1906 on a hill overlooking Coal Creek. The two-story building is constructed of local red sandstone and brick. A cupola tower contained the original school bell, until the 1999 remodel and is located at the south entrance facade. The south facade has 7 bays, the west 13, the east 11, and the north 1. The roof is a bellcast hip. There are two chimneys, both offset to the east, one plain and one with a linked top.

The details of the building give the structure its characteristic early twentieth century appearance. The foundation consists of massive blocks of local red sandstone. Supporting the upper two stories made of brick laid in a common bond. Red sandstone forms the lugsills on the first and second story windows. Radiating voussoirs with a carved keystone and jamb quoins are found on the more recent main entrance which was created by an addition to the north side of the building in 1920. The basement windows are set in blocks of red sandstone. All of the windows are double hung sash windows. The roof eave is a plain boxed cornice with a plain frieze.

Prior to the 1920 remodel the interior was is spacious and airy. The entry stairs lead up to a wide entry hall. At the end of the entry hall is a set of stairs which connects to the basement and second story. Prior to the 1999 remodel, the first floor, were the town of Erie has offices for the Town Council, the Town Clerk, the Court, the Police Department, and the Town Library. The second floor and basement were vacant, but were developed for further use by the community. There is an exterior fire escape on the east side of the building, from the second story to the ground level. The original coal boiler for the building is located in the basement, and is still in operation although it has been converted to gas.

The Lincoln School is significant for its role in public education in Erie and for its architectural features which reflect the characteristic elements of early twentieth century schools. The structure is also a local landmark and is the major significant public structure in an area important to the history of Colorado coal mining. The town of Erie was incorporated in 1874, and grew as a result of the local coal mining industry.

School was first held in Erie in the 1870 s in the first Town Hall building and in a house nearby. The first structure built specifically to serve school needs in Erie, Lincoln School, was a four room frame building constructed in 1881 on the site of the present school. When the number of students outgrew this building, it was moved from the site so that a new, larger school could be built. The new Lincoln School, the subject of this nomination, was completed in 1906 and attendance started in 1907. The building capacity was enlarged in 1920 with the addition of four rooms built on the north side of the building. The building served all twelve grades until 1929 when grades 7~12 moved to the new high school built a few blocks away. In 1930, due to the peak of the coal industry, Erie was one of the largest and most prosperous towns in Weld County. The population was just over one thousand, but with a new high school and a large elementary school, the town was noted for its splendidly equipped public school system. In 1966, after fifty-four years as a school, the Lincoln School building was abandoned for the new Erie Elementary School and given to the Town by the school district for community uses.

An extensive remodel of the interior of the building was completed in 1999, as well as a new roof and extensive repair to the exterior. The architecture of the Lincoln School reflects the typical features of schools built in the early twentieth century denoted by the height, the massing, the red brick, and the classical elements. In addition to being a local landmark, the building is one of the few distinctive examples of such a school remaining in this area. The Lincoln School was entered into the National Register of Historic Places on July 22, 2981.



LINCOLN
SCHOOL

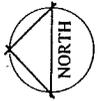
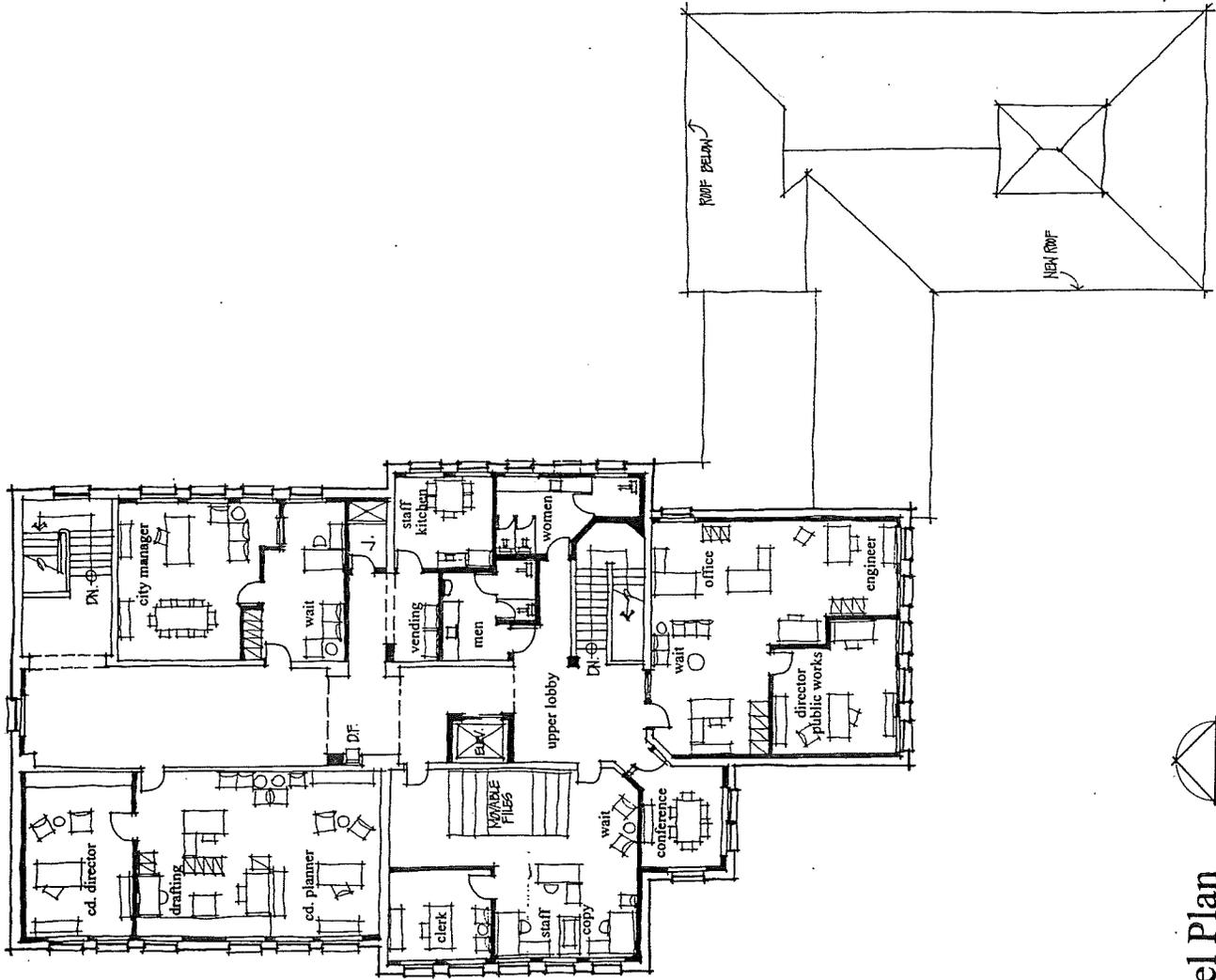
1874

TOWN OF ERIE

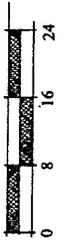
Est.

TOWN HALL

Erie Town Hall
 knudson gloss
 architects and planners
 4820 riverbend road
 boulder, colorado 80301
 OCTOBER 13, 1976

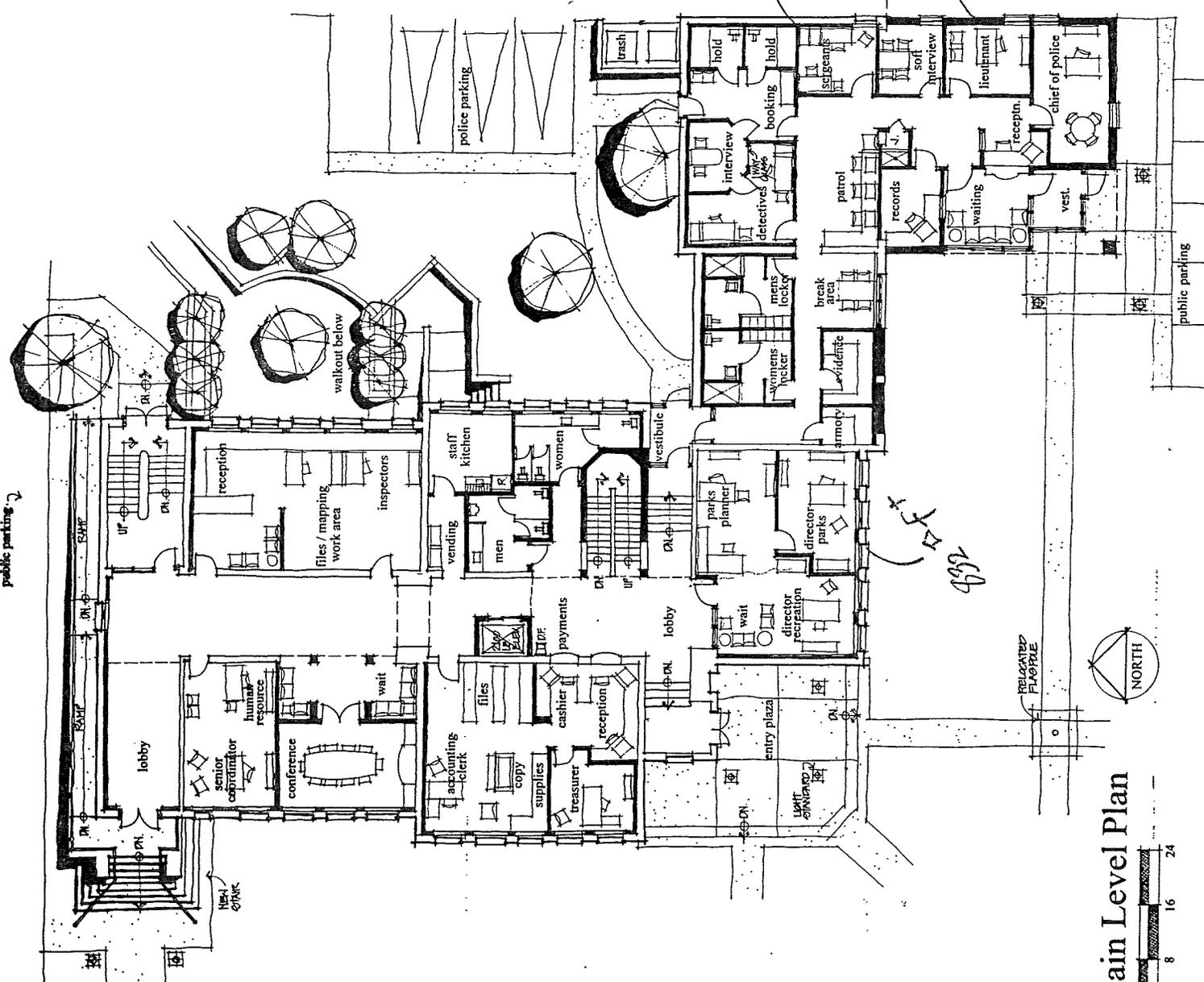
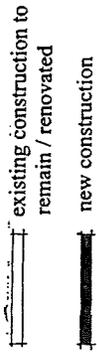


Upper Level Plan



Areas

Lower Floor	5419 sf.
Main Floor	
Existing	8234 sf.
Proposed	1065 sf.
Upper	6258 sf.
Total	20976 sf.



1065 SF
 1065 SF
 existing construction to be renovated
 new construction

Erie Town Hall
 knudson gloss
 architects and planners
 4820 riverbend road
 boulder, colorado 80301
 OCTOBER 15, 1976

Main Level Plan



Erie Town Hall

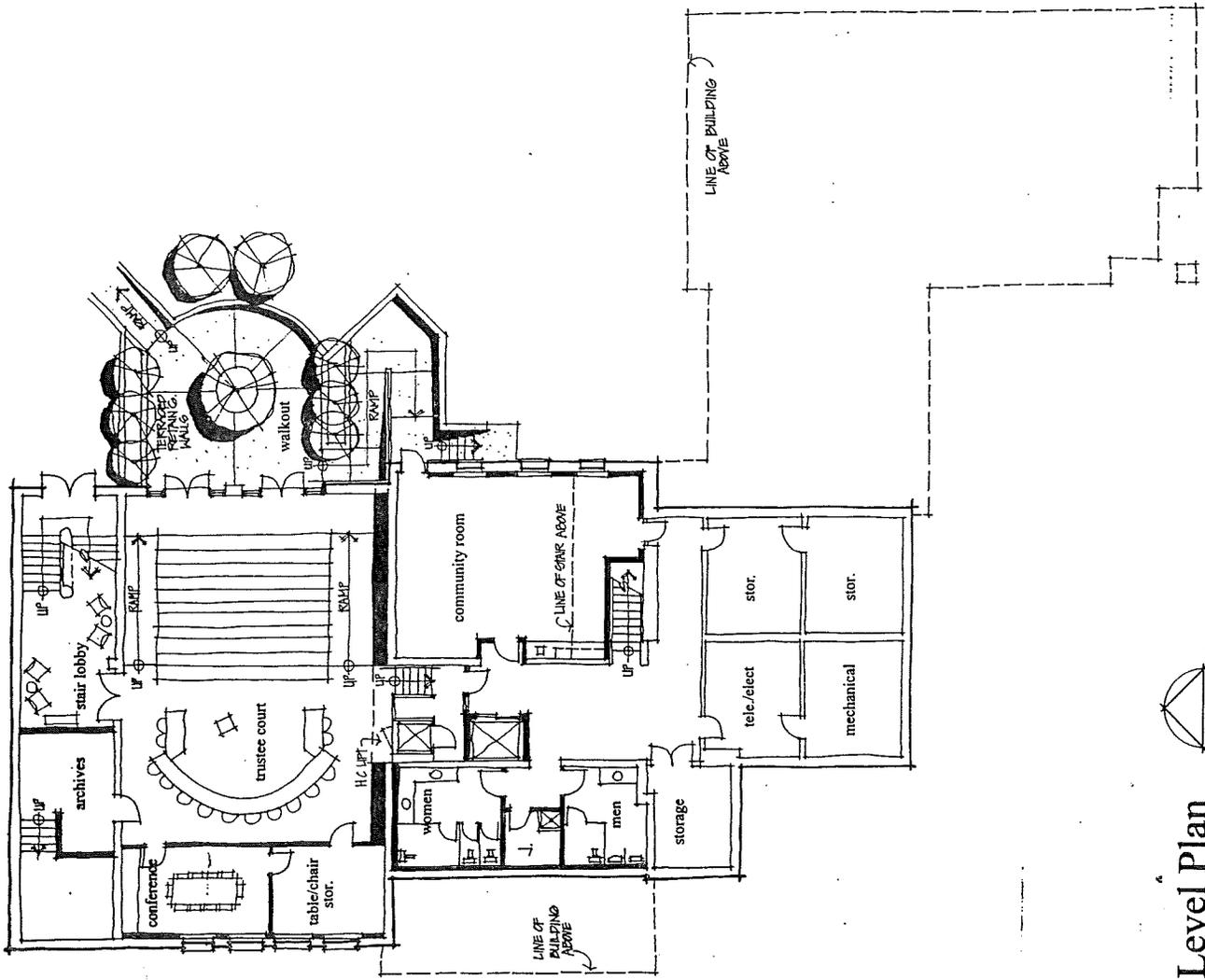
knudson gloss

architects and planners

4820 riverbend road

boulder, colorado 80301

OCTOBER 12, 1996

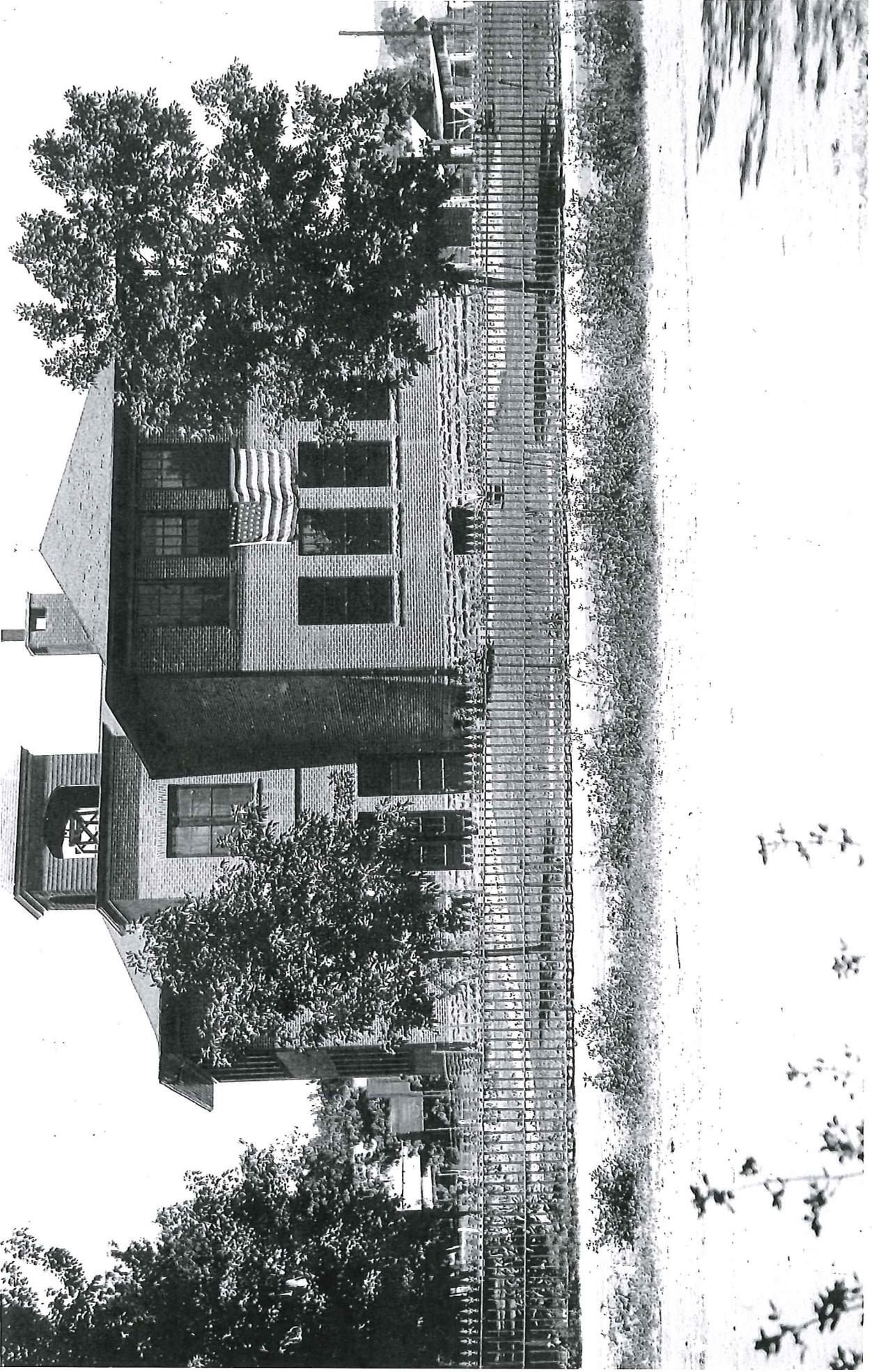


Basement Level Plan





1999



PRIOR TO 1920

**TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM**

Board Meeting Date: March 10, 2015

SUBJECT: **CONSENT AGENDA**
Consideration of Resolution 15-36: A Resolution Authorizing Award Of A Construction Contract To Dave's Earthworks Inc., For the Channel, Irrigation Ditch & Water Quality Pond Restoration Project In The Amount of \$103,032.81; And Setting Forth Details In Relation Thereto.

DEPARTMENT: Public Works

PRESENTER/PREPARER: **Gary Behlen, Director of Public Works**
Russell Pennington, Deputy Director of Public Works
Wendi Palmer, Civil Engineer

FISCAL	Cost as	\$118,490
	Recommended:	
INFORMATION:	Balance Available:	\$120,000 (with rollover appropriation of 2014 funds)
	Budget Line Item	520 . 70 . 110 . 605000 . 100144
	Number:	
	Fund:	Storm Drainage Operating
	New Appropriation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Required:	

STAFF RECOMMENDATION: Approving Resolution 15-36 awarding said contract, authorizing the Mayor to execute said contract, authorizing Staff to expend contracted and contingency funds.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Storm Drainage Operating Capital Improvement Budget includes funds for Drainage Channel Maintenance. Three areas have been identified that are in need of improvements. Two areas are within the drainage channel south of the railroad tracks, one just west of Briggs Street and the other in the water quality pond just prior to the channel entering Coal Creek. The third section is within the Leyner Cottonwood Ditch that is jeopardizing a residential fence.

An Invitation to bid was posted on the Town's website on February 6, 2015 to ensure that local contractors were notified about this project. No Erie contractors submitted bids.

A pre-bid meeting was held on February 12, 2015 and the following bids were received on February 27, 2015:

Bid Information:

Contractor	Bid Amount
Dave's Earthworks Inc.	\$ 103,032.81
53 Corporation	\$ 110,494.00
Dan's Custom Construction	\$ 153,309.00
Colt & Steel Corporation	\$ 155,808.89
Engineer's Estimate	\$ 57,861.16

The low bidder is Dave's Earthworks, Inc. They first opened their office in Colorado in 2007. Communities Dave's Earthworks, Inc. has recently worked in include: Thornton, Commerce City, Brighton, Arvada and Westminster. Staff has reviewed the bids, contacted several references of Dave's Earthworks, Inc. for similar projects and found Dave's Earthworks, Inc. to be acceptable.

Staff is recommending awarding the construction contract for the Channel, Irrigation Ditch & Water Quality Pond Restoration Project to Dave's Earthworks, Inc. in the amount of \$103,032.81.

Project Budget Summary

Contract	\$103,032.81
Contingency (15%)	\$ 15,457.19
Total	\$118,490.00

Project Schedule

Notice of Award	March 11, 2015
Notice to Proceed	March 25, 2015
Construction Complete	July 2015

Board Goal

This serves the Board's goal for Infrastructure – Fund and provide essential infrastructure that corresponds with the planned rate of growth.

Staff Review:

Approved by:



A.J. Krieger

Town Administrator

_____ **Town Attorney**
_____ **Town Clerk**
_____ **Community Development Director**
SR _____ **Finance Director**
_____ **Police Chief**
SLB _____ **Public Works Director**

ATTACHMENTS:

- a. Resolution 15-36
- b. Vicinity Map

RESOLUTION NO. 15-36

A RESOLUTION OF THE TOWN OF ERIE AUTHORIZING AWARD OF A CONSTRUCTION CONTRACT TO DAVE'S EARTHWORKS INC., FOR THE CHANNEL, IRRIGATION DITCH AND WATER QUALITY POND RESTORATION PROJECT IN THE AMOUNT OF \$103,032.81; AND SETTING FORTH DETAILS IN RELATION THERETO

WHEREAS, the Town of Erie, Colorado wishes to award a Construction Contract to Dave's Earthworks Inc., in the amount of \$103,032.81; and

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to enter into such contract.

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

Section 1. That the contract between the Town of Erie and Dave's Earthworks Inc. is found to be a reasonable and acceptable contract for the Channel, Irrigation Ditch and Water Quality Pond Restoration.

Section 2. That the Town of Erie be and is hereby authorized and directed to enter into the contract with Dave's Earthworks Inc. and the Appropriate Town Officers are hereby authorized and directed to sign and bind the Town of Erie to said contract in the amount of \$103,032.81 with a contingency not to exceed \$15,457.19.

Section 3. That this construction contract is found to be in the best interest of the Town of Erie, and necessary for the preservation of the public health and safety.

ADOPTED AND APPROVED THIS 10th DAY OF MARCH, 2015, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy J. Parker, CMC, Town Clerk

**VICINITY MAP FOR
Channel, Irrigation Ditch & Water Quality Pond Restoration**



TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: March 10, 2015

SUBJECT: **RESOLUTIONS**
 Consideration of Resolution 15-37: A Resolution Authorizing Award Of A Services Contract To Vulcan Signs for Annual Signage Supplies In The Amount Not-To-Exceed \$37,000; And Setting Forth Details In Relation Thereto.

DEPARTMENT: Public Works
PRESENTER/PREPARER: **Gary Behlen, Director of Public Works**
Jody Lambert, Operations & Maintenance Manager

FISCAL INFORMATION: Cost as Recommended: **\$37,000**
 Balance Available: \$37,000
 Fund: General Fund - Streets
 Budget Line Item Number: 100 . 70 . 710 . 535020 . 000000
 New Appropriation Required: Yes No

STAFF RECOMMENDATION: Approving Resolution 15-37 awarding said contract, authorizing the Mayor to execute said contract, authorizing Staff to expend contracted funds.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The 2015 General Fund Streets Operating Budget includes funds for purchase of street signage and supplies. Due to the nature of this type of contract, staff prepared the bid which included a list of the most frequently ordered signs (i.e. stop sign, street name signs, warning signs) and the bidders were asked to submit a per unit cost . This does not include any materials such as posts and associated hardware.

An Invitation to Bid was sent out and posted on the Town's website on January 28, 2015 and bids were received back on February 17, 2015.

Vendor	Bid Price
Vulcan Signs	\$188.94
Colorado Barricade Co	\$343.45
J&S Contractors Supply Co	\$362.10
Fast Signs of Broomfield	\$1,010.54

The submitted bids reflect the total bid amount for the per unit cost of all the frequently ordered signs.

Vulcan Signs is a nationwide supply company based in Foley, Alabama. They have provided this service to various municipalities including City of Nashville/Davidson County, Tennessee; City of Garland, Texas; State of Arkansas; Orange County, Orlando Florida, and City of Brownsville, Brownsville, Texas. There were no Erie bidders for this project. Staff recommends award of supplies service contract to Vulcan Signs. This contract allows for an up to two additional years renewal options providing the prices do not increase more than 2%.

Board Goal

This serves the Board's goal for Infrastructure – Fund and provide essential infrastructure that corresponds with the planned rate of growth.

Staff Review:

____ Town Attorney
 ____ Town Clerk
 ____ Community Development Director
 Finance Director
 ____ Police Chief
 Public Works Director

Approved by:


A.J. Krieger
Town Administrator

ATTACHMENTS:
 a. Resolution 15-37

RESOLUTION NO. 15-37

A RESOLUTION OF THE TOWN OF ERIE AUTHORIZING AWARD OF A SERVICES CONTRACT TO VULCAN SIGNS FOR ANNUAL SIGNAGE SUPPLIES IN THE AMOUNT NOT TO EXCEED \$37,000.00; AND SETTING FORTH DETAILS IN RELATION THERETO

WHEREAS, the Town of Erie, Colorado wishes to award a Services Contract to Vulcan Signs in the amount not to exceed \$37,000.00; and

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to enter into such contract.

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

Section 1. The 2015 General Fund Streets Operating Budget includes funds for the purchase of street signage and supplies.

Section 2. That the contract between the Town of Erie and Vulcan Signs is found to be a reasonable and acceptable contract for the Town's annual signage supplies.

Section 3. That the Town of Erie be and is hereby authorized and directed to enter into the contract with Vulcan Signs and the Appropriate Town Officers are hereby authorized and directed to sign and bind the Town of Erie to said contract in the amount not to exceed \$37,000.00.

Section 4. That this contract is found to be in the best interest of the Town of Erie, and necessary for the preservation of the public health and safety.

ADOPTED AND APPROVED THIS 10th DAY OF MARCH, 2015, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado Municipal Corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, CMC, Deputy Town Clerk

**TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM**

Board Meeting Date: March 10, 2015

SUBJECT: **RESOLUTIONS**
Consideration of Resolution 15-38: A Resolution Authorizing Award Of A Services Contract To R White Construction, LLC for Concrete Services In The Amount Not-To-Exceed \$100,000; And Setting Forth Details In Relation Thereto.

DEPARTMENT: Public Works

PRESENTER/PREPARER **Gary Behlen, Director of Public Works**
Jody Lambert, Operations & Maintenance Manager

FISCAL INFORMATION: Cost as Recommended: **\$100,000**
Balance Available: \$100,000
Fund: General Fund – Streets
Budget Line Item Number: 100 . 70 . 710 . 602100 . 000000
New Appropriation Required: Yes No

STAFF RECOMMENDATION: Approving Resolution 15-38 awarding said contract, authorizing the Mayor to execute said contract, authorizing Staff to expend contracted funds.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The 2015 General Fund Streets Capital Budget includes funds for repair services to concrete throughout the Town. The Public Works Department is responsible for maintenance of concrete including curb, gutter, sidewalk, etc. throughout the Town of Erie. The Bid Form includes estimated quantities of needed repairs using 2014 information. Please note, these are estimates and may vary +/- 10%. There may be additional work requested from the awarded Contractor outside of the Bid Form.

The Town intends to issue to the successful bidder an on-going maintenance Agreement For Services, along with “emergency repairs” as needed, for 2015, with the option to extend the Agreement for two (2) additional one (1) year periods. All work considered an “emergency repair” shall be completed within an agreed upon time period of notification.

Due to the nature of these services, quantities from 2014 were used in the bidding process. This will be adjusted as actual areas are identified later this spring with a quantity resolution. An Invitation to Bid was sent out and posted on the Town’s website on January 30, 2015. Bids were received on February 17, 2015 and are listed as follows:

<u>Vendor</u>	<u>Bid Price</u>
R White Construction, LLC	\$125,700
Excavation Construction Specialist, Inc	\$129,224

R White Construction, LLC is located in Nunn, Colorado and only does work for Federal and local government agencies such as: Longmont, Golden, Nunn, Conifer, Fort Collins, etc. There were no Erie bidders for this service. Staff recommends award of service contract to R White Construction, LLC. This contract allows for an up to two additional years renewal options providing the prices do not increase more than 2%.

Board Goal

This serves the Board’s goal for Infrastructure – Fund and provide essential infrastructure that corresponds with the planned rate of growth.

Staff Review:

_____ Town Attorney
_____ Town Clerk
_____ Community Development Director
SR Finance Director
JP Police Chief
JP Public Works Director

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS:

- a. Resolution 15-38

RESOLUTION NO. 15-38

A RESOLUTION OF THE TOWN OF ERIE AUTHORIZING AWARD OF A SERVICES CONTRACT TO R WHITE CONSTRUCTION, LLC FOR CONCRETE SERVICES IN THE AMOUNT NOT TO EXCEED \$100,000.00; AND SETTING FORTH DETAILS IN RELATION THERETO

WHEREAS, the Town of Erie, Colorado wishes to award a Services Contract to R White Construction, LLC in the amount not to exceed \$100,000.00; and

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to enter into such contract.

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

Section 1. The 2015 General Fund Streets Operating Budget includes funds for the repair services to concrete throughout the Town.

Section 2. That the contract between the Town of Erie and R White Construction, LLC is found to be a reasonable and acceptable contract for concrete services.

Section 3. That the Town of Erie be and is hereby authorized and directed to enter into the contract with R White Construction, LLC and the Appropriate Town Officers are hereby authorized and directed to sign and bind the Town of Erie to said contract in the amount not to exceed \$100,000.00.

Section 4. That this contract is found to be in the best interest of the Town of Erie, and necessary for the preservation of the public health and safety.

ADOPTED AND APPROVED THIS 10th DAY OF MARCH, 2015, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado Municipal Corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, CMC, Deputy Town Clerk

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: March 10, 2015

SUBJECT: **CONSENT AGENDA**
 Consideration of Resolution 15-39: A Resolution Authorizing Award Of A Design Contract To McLaughlin Water Engineers, A Division of Merrick & Company, for the Non-Potable Water System Improvements – Phase 1, In The Amount Of \$84,869.00; And Setting Forth Details In Relation Thereto.

DEPARTMENT: Public Works

PRESENTER/PREPARER: **Gary Behlen, Director of Public Works**
Russell Pennington, Deputy Director of Public Works
Wendi Palmer, Civil Engineer

FISCAL	Cost as Recommended:	\$106,100
INFORMATION:	Balance Available:	\$2,251,500
	Budget Line Item Number:	500 . 70 . 110 . 605000 . 100136
	Fund:	
	New Appropriation Required:	Water Capital <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

STAFF RECOMMENDATION: Approving Resolution 15-39 awarding said contract, authorizing the Mayor to execute said contract, authorizing Staff to expend contracted funds and contingency funds.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The 2015 Capital Budget includes funds to design and construct improvements to the Town’s non-potable water system. One component of these improvements is to design and construct improvements to enable the existing reuse/non-potable pump station at the Town’s North Water Reclamation Facility and reuse/non-potable waterline to provide non-potable water for irrigation of parks, open space and right-of-ways in two pressure zones.

The initial phase will provide non-potable water to:

- Colliers Hill
- Coal Creek Park
- Reliance Park
- Existing irrigation pond that serves the Erie Community Park

A Request for Proposal was posted on the Town’s website on January 14, 2015 to ensure that local consultants were notified about this project.

The following schedule was used for consultant selection:

Request for Proposal Issued	January 14, 2015
Pre-Proposal Meeting	January 21, 2015
Proposals Due	February 11, 2015
Consultant Selected	February 25, 2015

Staff reviewed 5 proposals. One of the proposals was determined to not meet the requirements of the

Request for Proposal. The following are the fee proposals for the four firms that did meet the requirements of the RFP for design:

Fee Proposal Information

McLaughlin Water Engineers	\$84,869.00
TTG	\$109,425.00
SEH	\$224,526.00
Burns & McDonnell	\$238,315.00

Staff is recommending awarding McLaughlin Water Engineers, a Division of Merrick & Company, this project based on their qualifications, approach to the project, and design cost. McLaughlin Water Engineers has experience with this type of project design and successfully completed the Town's Potable Water Master Plan Update.

Project Budget Summary

Contract	\$84,869.00
Contingency (25%)	\$21,231.00
Total	\$106,100.00

Remaining funds will be used in the construction of the project, and the extension of the existing non-potable waterline. The Town is currently working with the deployment of Colliers Hill to extend the non-potable line to Colliers Hill and south to Erie Parkway. Both projects will be presented to the Board later in the year.

Project Schedule

Notice of Award	March 11, 2015
Final Design Complete	July, 2015
Construction Contract Bid	August, 2015
Construction Complete	Late 2015 early 2016

Board Goal

This serves the Board's goal for Infrastructure – Fund and provide essential infrastructure that corresponds with the planned rate of growth.

Staff Review:

____ Town Attorney
____ Town Clerk
____ Community Development Director
57 Finance Director
[Signature] Police Chief
[Signature] Public Works Director

Approved by:

[Signature]
A.J. Krieger
Town Administrator

ATTACHMENTS:

- a. Resolution 15-39
- b. Vicinity Map

RESOLUTION NO. 15-39

A RESOLUTION OF THE TOWN OF ERIE AUTHORIZING AWARD OF A DESIGN CONTRACT TO MCLAUGHLIN WATER ENGINEERS, A DIVISION OF MERRICK & COMPANY, FOR THE NON-POTABLE WATER SYSTEM IMPROVEMENTS – PHASE 1, IN THE AMOUNT OF \$84,869.00; AND SETTING FORTH DETAILS IN RELATION THERETO

WHEREAS, the Town of Erie, Colorado wishes to award a Design Contract to McLaughlin Water Engineers, A Division of Merrick & Company, for the non-potable water system improvements – phase 1; and

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to enter into such contract.

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

Section 1. That the contract between the Town of Erie and McLaughlin Water Engineers, A Division of Merrick & Company, is found to be a reasonable and acceptable contract for the non-potable water system improvements.

Section 2. That the Town of Erie be and is hereby authorized and directed to enter into the contract with McLaughlin Water Engineers, A Division of Merrick & Company, and the Appropriate Town Officers are hereby authorized and directed to sign and bind the Town of Erie to said contract in the amount of \$84,869.00 with a contingency not to exceed \$21,231.00.

Section 3. That this contract is found to be in the best interest of the Town of Erie, and necessary for the preservation of the public health and safety.

ADOPTED AND APPROVED THIS 10th DAY OF MARCH, 2015, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

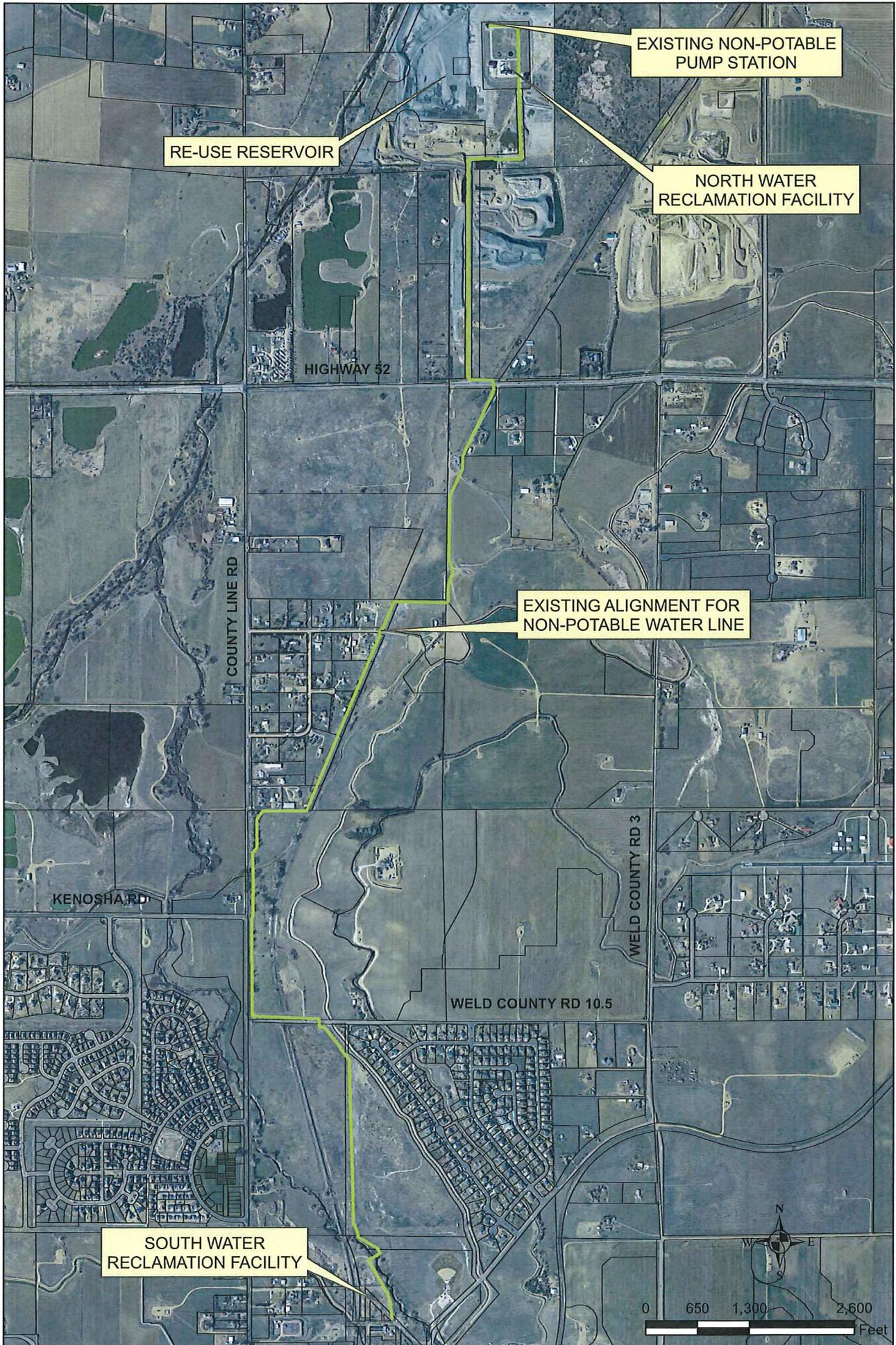
TOWN OF ERIE,
a Colorado Municipal Corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, CMC, Deputy Town Clerk

NON-POTABLE WATER SYSTEM IMPROVEMENTS



RESOLUTION NO. 15-35

A RESOLUTION AUTHORIZING THE ENGAGEMENT OF SULLIVAN GREEN SEAVY, LLC FOR LEGAL SERVICES FOR THE PURPOSE OF RECEIVING LEGAL SERVICES FOR NEGOTIATING MEMORANDUMS OF UNDERSTANDING WITH OIL AND GAS OPERATORS AND POTENTIAL ERIE MUNICIPAL CODE AMENDMENTS; AUTHORIZING AND DIRECTING THE MAYOR TO BIND THE TOWN OF ERIE TO SAID ENGAGEMENT; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Town of Erie, Colorado wishes to enter into negotiations for Memorandums of Understanding with Oil and Gas Operators operating within the Town of Erie and make potential amendments to the Erie Municipal Code; and

WHEREAS, the Town of Erie, Colorado wishes to enter into an agreement with Sullivan Green Seavy, LLC for legal services for the purpose of negotiation of Memorandums of Understanding with Oil and Gas Operators and to receive legal advice for potential amendments to the Erie Municipal Code; and

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to effect such an engagement.

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

Section 1. That the Engagement Letter between the Town of Erie and Sullivan Green Seavy, LLC, a copy of which is attached hereto and incorporated herein by reference, is found to be reasonable and acceptable for legal services for the purpose of negotiation of Memorandums of Understanding with Oil and Gas Operators and to receive legal advice for potential amendments to the Erie Municipal Code.

Section 2. That the Town of Erie be and is hereby authorized and directed to engage Sullivan Green Seavy, LLC, and the Mayor is hereby authorized and directed to bind the Town of Erie to said engagement for legal services for the purpose of negotiation of Memorandums of Understanding with Oil and Gas Operators and to receive legal advice for potential amendments to the Erie Municipal Code.

Section 3. That entering into the engagement is found to be in the best interest of the Town of Erie, and necessary for the preservation of the public health and safety.

ADOPTED AND APPROVED THIS 10th DAY OF MARCH, 2015, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy J. Parker, CMC, Town Clerk

SULLIVAN GREEN SEAVY LLC

John T. Sullivan

Direct: 303-440-9101

john@sullivangreenseavy.com

Barbara J.B. Green

Direct: 303-355-4405

barbara@sullivangreenseavy.com

March 4, 2015

VIA EMAIL: ajkrieger@erieco.gov

Mayor Tina Harris

Board of Trustees of the Town of Erie

A.J. Krieger, Town Administrator

645 Holbrook Street

Erie, CO 80516

Re: Letter of Engagement

Dear Mayor Harris, Trustees, and A.J.:

We are very pleased that the Town of Erie has decided to engage Sullivan Green Seavy LLC to assist the Town in negotiations of memoranda of understanding with oil and gas operators and any related matters. Barbara Green and John Sullivan will be the lead attorneys on this matter. The Town is at the forefront of important statewide issues that we have found both challenging and rewarding since 2003.

We have agreed to offer the Town our public sector rate of \$ 375/hour. Legal Assistant time will be billed at \$110/hour. We also will bill the Town for out-of-pocket expenses incurred on the Town's behalf. Our statements will be submitted monthly, and payment in full is due within 30 days after the date of the statement.

We look forward to working with you on this important project. John Sullivan will attend the Board of Trustees meeting on Tuesday, March 10, 2015, and we will both attend the meeting on March 17. Please let us know if you have any other questions.

Sincerely,

Barbara Green

John Sullivan

ATTORNEYS & COUNSELORS AT LAW

2036 E. 17th Avenue
Denver, CO 80206
Phone: 303-322-0366
Fax: 303-316-0377

3223 Arapahoe Avenue, Suite 300
Boulder, CO 80303
Phone: 303-440-9101
Fax: 303-443-3914

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: March 10, 2015

SUBJECT: **ORDINANCES**
Consideration of Ordinance 05-2015: An Ordinance Annexing The Nelson-Kuhl Property, To Be Known As The Nelson-Kuhl Annexation To The Town Of Erie, Colorado, Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto. Second Reading

PURPOSE: Annexation of the Nelson-Kuhl Property

CODE: Erie Municipal Code, Title 10

DEPARTMENT: Community Development

PRESENTER: R. Martin Ostholthoff, Director

FISCAL	Cost as Recommended:	n/a
INFORMATION:	Balance Available:	n/a
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

STAFF
RECOMMENDATION: Approval of Ordinance 05-2015; an Ordinance Annexing the Nelson-Kuhl property to the Town of Erie.

PLANNING
COMMISSION
RECOMMENDATION: Not applicable

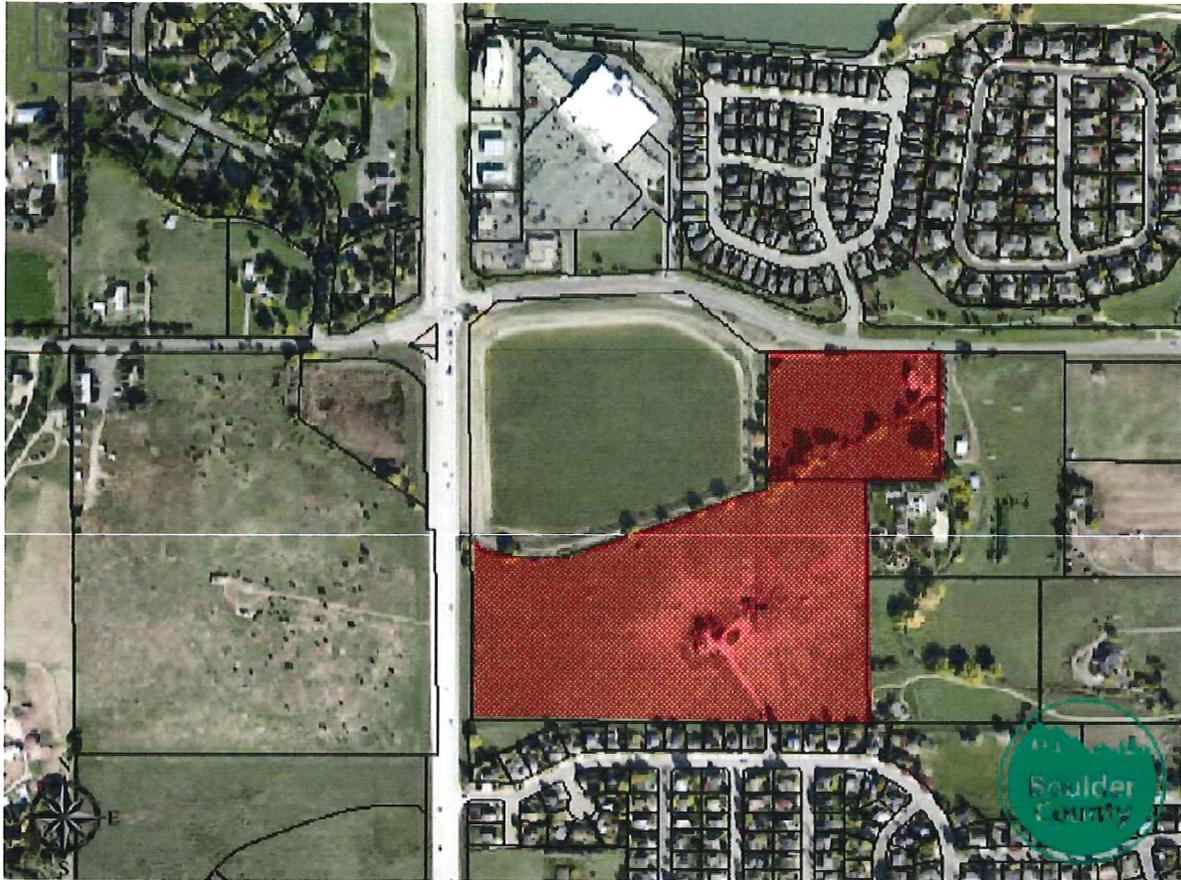
SUMMARY AND BACKGROUND OF SUBJECT MATTER:

GENERAL INFORMATION:

Owner/Applicant: Town of Erie Urban Renewal Authority
AJ Krieger, Executive Director
645 Holbrook Street
P.O. Box 750
Erie, CO 80516
(303) 926-2700

Requested Action: Approval of the annexation of the Nelson-Kuhl property.

Location: The site is located at the southeast corner of State Highway 287 and Arapahoe Road and is generally described as a part of the North ½ of Section 34, Township 1 North, Range 69 West of the 6th Principle Meridian. The site is highlighted in red below.



BACKGROUND INFORMATION:

The Town of Erie Urban Renewal Authority has submitted an Annexation application to annex approximately 29 acres of unincorporated Boulder County property into the Town of Erie. The application has been processed in accordance with C.R.S. 31-12-101, and Section 7.3, of the Town of Erie Unified Development Code.

On January 27, 2015 the Board of Trustees held a Substantial Compliance hearing on the Nelson-Kuhl Annexation Petition and established February 24, 2015 as the Public Hearing date for adopting Findings of Fact in favor of the proposed annexation.

Existing Zoning: RR-Rural Residential (Boulder County)

Existing Land Use: Single family residential and agricultural

Size: Approximately 29 acres

2005 Comprehensive Plan Designation: RC-Regional Commercial proposed

Proposed Zoning: CC-Community Commercial

Adjacent Zoning and Comprehensive Plan Land Use Designation:

	CURRENT ZONING	COMPREHENSIVE PLAN – LAND USE MAP DESIGNATION
NORTH	PD – Planned Development (Arapahoe Ridge)	MDR – Medium Density Residential CC – Community Commercial
SOUTH	R1 – Medium Density Residential (City of Lafayette)	Medium Density Residential (City of Lafayette)

EAST	RR – Rural Residential (Boulder County)	IGA Rural Preservation (City of Lafayette)
WEST	A - Agricultural (Boulder County)	Commercial (City of Lafayette)

STAFF ANALYSIS AND FINDING'S:

Compliance with Town Standards:

Staff finds the application in compliance with Section 7.3, Annexations, of Title 10 of the Municipal Code.

1. **THE ANNEXATION IS IN COMPLIANCE WITH THE MUNICIPAL ANNEXATION ACT OF 1965 (C.R.S. 31-12-101, ET SEQ., AS AMENDED).**

Staff Comment: The application has been found to be in compliance with C.R.S. 31-12-101.

Public Notice:

The Annexation is in compliance with the required noticing requirements of C.R.S. 31-12-108; with published notice in the Colorado Hometown Weekly on January 14, 2015, January 21, 2015, January 28, 2015 and February 4, 2015.

In addition, The Nelson-Kuhl Annexation Impact Report was filed with appropriate authorities in compliance with C.R.S 31-12-108.5.

Staff Recommendation:

Approval of Ordinance 05-2015; an Ordinance Annexing the Nelson-Kuhl property to the Town of Erie.

Staff Review:

- ___ Town Attorney
- ___ Town Clerk
-  Community Development Director
- ___ Finance Director
- ___ Police Chief
- ___ Public Works Director

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS:

- A. Ordinance 05-2015
- B. Annexation Map

ATTACHMENT A

ORDINANCE NO. 05-2015

AN ORDINANCE ANNEXING THE NELSON-KUHL PROPERTY, PURSUANT TO THE PETITION OF THE OWNER THEREOF, TO BE KNOWN AS THE NELSON-KUHL ANNEXATION TO THE TOWN OF ERIE, COLORADO; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, a Petition for Annexation (“Petition”) has been filed by the Town of Erie Urban Renewal Authority, PO Box 750, 645 Holbrook Street, Erie, Colorado, 80516, for the annexation to the Town of the following described real property (“Property”); to wit:

See “Exhibit A,” attached hereto and incorporated herein by this reference.

WHEREAS, a public hearing was held on said Petition pursuant to statute on February 24, 2015; and

WHEREAS, the Board of Trustees by Resolution determined that the applicable parts of C.R.S. 31-12-104 and 31-12-105 have been met, that an election is not required under C.R.S. 31-12-107(2), and that no additional terms and conditions are to be imposed; and

WHEREAS, it is the opinion of the Board of Trustees that it is desirable and necessary that the described Property be annexed to the Town of Erie, Colorado; and

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Erie, Colorado; that;

Section 1. The above described Property is hereby annexed to and included within the town limits of the Town of Erie.

Section 2. The proposed annexation is consistent with the Town of Erie Three Mile Plan.

Section 3. The Mayor and Town Clerk are authorized and directed to complete all the necessary procedures and sign all necessary documents required for annexation of said Property to the Town including filing the required certified copies of the annexation ordinance and a map of the area to be annexed containing a legal description of such area with the Boulder County Clerk and Recorder.

Section 4. Zoning of the Property. Requested zoning for the property is CC – Community Commercial. Zoning shall be accomplished by separate ordinance whose effective date shall not be sooner than the effective date of this annexation ordinance.

Section 5. Severance Clause. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

Section 6. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed. The repeal established herein shall not be construed to revive any ordinance Code provision or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 7. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

INTRODUCED, PASSED, ADOPTED AND ORDER PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS 10TH DAY OF MARCH, 2015.

PUBLISHED IN FULL ON THE _____ DAY OF _____, 2015.

TOWN OF ERIE, COLORADO, a
Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy J. Parker, CMC, Town Clerk

EXHIBIT A
Legal Description

A PARCEL OF LAND SITUATED IN SECTION 34, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 34; THENCE S00°22'13"W ALONG THE EAST LINE OF ANNEXATION BY THE CITY OF LAFAYETTE RECORDED MAY 2, 1989 AT RECEPTION NO. 980491 AND 980493 A DISTANCE OF 643.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF ANNEXATION BY THE TOWN OF ERIE RECORDED AUGUST 15, 1994 AT RECEPTION NO. 1454442 FOR THE FOLLOWING FOUR (4) COURSES: 1) S68°59'17"E A DISTANCE OF 204.91 FEET; 2) N85°45'43"E A DISTANCE OF 195.00 FEET; 3) S72°38'43"E A DISTANCE OF 718.00 FEET; 4) N25°05'43"E A DISTANCE OF 505.89 FEET TO THE SOUTH RIGHT OF WAY LINE OF ARAPAHOE ROAD; THENCE S89°57'57"E ALONG THE SOUTH LINE OF AREA ANNEXED BY THE TOWN OF ERIE SEPTEMBER 4, 1997 AT RECEPTION NO. 1727895 A DISTANCE OF 413.06 FEET; THENCE S00°00'21"W A DISTANCE OF 439.85 FEET; THENCE N89°58'08"W A DISTANCE OF 252.20 FEET; THENCE S00°01'03"E A DISTANCE OF 846.38 FEET TO THE NORTH LINE OF A REPLAT OF BEACON HILL SUBDIVISION RECORDED MARCH 17, 1982 AT RECEPTION NO. 487195; THENCE S89°54'45"W ALONG SAID NORTH LINE A DISTANCE OF 1442.71 FEET TO A POINT ON THE EAST LINE OF SAID ANNEXATION AT RECEPTION NO. 980491; THENCE ALONG SAID EAST LINE FOR THE FOLLOWING TWO (2) COURSES: 1) N00°22'04"W A DISTANCE OF 648.33; 2) N00°22'13"E A DISTANCE OF 26.98 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,279,045 SQUARE FEET OR 29.363 ACRES, MORE OR LESS.

ATTACHMENT B

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: March 10, 2015

SUBJECT: **ORDINANCES**
Consideration of Ordinance 06-2015: An Ordinance Zoning The Nelson-Kuhl Property, Pursuant To The Petition Of The Owner Thereof, To CC-Community Commercial, Providing For The Effective Date Of This Ordinance; And Setting Forth Details In Relation Thereto. Second Reading.

CODE: Erie Municipal Code, Title 10

DEPARTMENT: Community Development

PRESENTER: R. Martin Ostholthoff, Director

FISCAL	Cost as Recommended:	n/a
INFORMATION:	Balance Available:	n/a
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000
	New Appropriation Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

STAFF
RECOMMENDATION: Approval of Ordinance 06-2015; an Ordinance Zoning the Nelson-Kuhl property to CC-Community Commercial.

PLANNING
COMMISSION
RECOMMENDATION: Not applicable

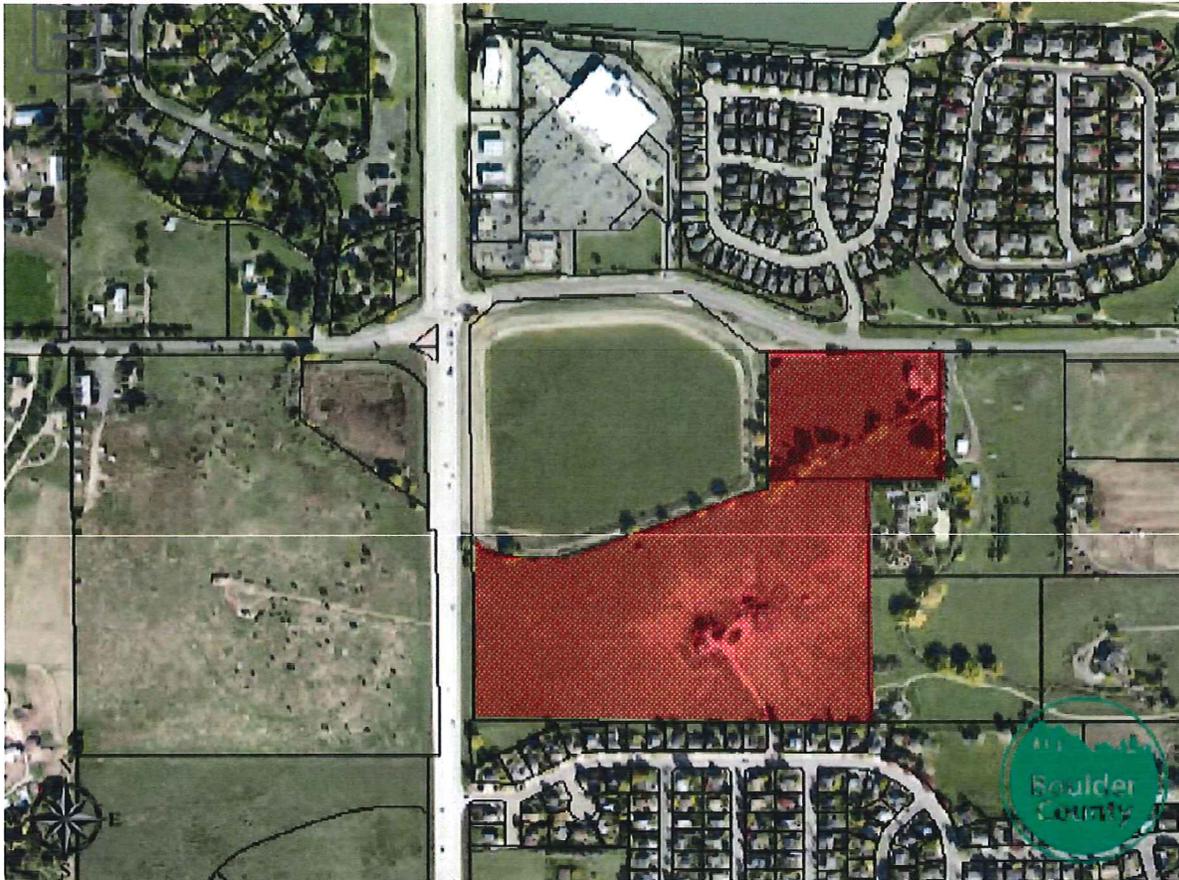
SUMMARY AND BACKGROUND OF SUBJECT MATTER:

GENERAL INFORMATION:

Owner/Applicant: Town of Erie Urban Renewal Authority
AJ Krieger, Executive Director
645 Holbrook Street
P.O. Box 750
Erie, CO 80516
(303) 926-2700

Requested Action: Approval of the Initial Zoning of the Nelson-Kuhl property.

Location: The site is located at the southeast corner of State Highway 287 and Arapahoe Road and is generally described as a part of the North ½ of Section 34, Township 1 North, Range 69 West of the 6th Principle Meridian. The site is highlighted in red below.



BACKGROUND INFORMATION:

The Town of Erie Urban Renewal Authority has submitted an Annexation application to annex approximately 29 acres of unincorporated Boulder County property into the Town of Erie. The application has been processed in accordance with C.R.S. 31-12-101, and Section 7.3, of the Town of Erie Unified Development Code.

Concurrent with the processing of the annexation application the Town is required to grant an initial zoning of the annexed property. The applicant has requested that the initial zoning of the property be CC-Community Commercial.

Existing Zoning: RR-Rural Residential (Boulder County)

Existing Land Use: Single family residential and agricultural

Size: Approximately 29 acres

2005 Comprehensive Plan Designation: RC-Regional Commercial proposed

Proposed Zoning: CC-Community Commercial

Adjacent Zoning and Comprehensive Plan Land Use Designation:

	CURRENT ZONING	COMPREHENSIVE PLAN – LAND USE MAP DESIGNATION
NORTH	PD – Planned Development (Arapahoe Ridge)	MDR – Medium Density Residential CC – Community Commercial
SOUTH	R1 – Medium Density Residential (City of Lafayette)	Medium Density Residential (City of Lafayette)

EAST	RR – Rural Residential (Boulder County)	IGA Rural Preservation (City of Lafayette)
WEST	A - Agricultural (Boulder County)	Commercial (City of Lafayette)

STAFF ANALYSIS AND FINDING'S:

Compliance with Town Standards:

Staff finds the application is consistent with the approval criteria of Section 7.4, Initial Zoning, of the Town of Erie Municipal Code:

1. **THE INITIAL ZONING WILL PROMOTE THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE;**
Staff Comment: The proposed zoning will promote the public health, safety and welfare.
2. **THE INITIAL ZONING IS CONSISTENT WITH THE TOWN'S COMPREHENSIVE MASTER PLAN AND THE PURPOSES OF THIS CODE;**
Staff Comment: The proposed zoning is consistent with the 2005 Town of Erie Comprehensive Plan Land Use Plan Map recommendation of commercial uses.
3. **THE INITIAL ZONING IS CONSISTENT WITH THE STATED PURPOSE OF THE PROPOSED ZONING DISTRICT;**
Staff Comment: The proposed zoning is consistent with the stated purpose of the CC-Community Commercial zone district.
4. **ADEQUATE FACILITIES AND SERVICES (INCLUDING ROADS AND TRANSPORTATION, WATER, GAS, ELECTRIC, POLICE AND FIRE PROTECTION, AND SEWAGE AND WASTE DISPOSAL, AS APPLICABLE) WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING ADEQUATE LEVELS OF SERVICE TO EXISTING DEVELOPMENT;**
Staff Comment: All such services and facilities are available or will be available in the near future while maintaining adequate levels of service to existing development.
5. **THE INITIAL ZONING IS NOT LIKELY TO RESULT IN SIGNIFICANT ADVERSE IMPACTS UPON THE NATURAL ENVIRONMENT, INCLUDING AIR, WATER, NOISE, STORM WATER MANAGEMENT, WILDLIFE, AND VEGETATION, OR SUCH IMPACTS WILL BE SIGNIFICANTLY MITIGATED;**
Staff Comment: No significant adverse impacts are anticipated to properties in the vicinity of the subject property that cannot be mitigated.
6. **THE INITIAL ZONING IS NOT LIKELY TO RESULT IN SIGNIFICANT ADVERSE IMPACTS UPON OTHER PROPERTY IN THE VICINITY OF THE SUBJECT PROPERTY; AND**
Staff Comment: No significant adverse impacts are anticipated to properties in the vicinity of the subject property that cannot be mitigated.
7. **FUTURE USES ON THE SUBJECT TRACT WILL BE COMPATIBLE IN SCALE WITH USES ON OTHER PROPERTIES IN THE VICINITY OF THE SUBJECT TRACT.**
Staff Comment: Future use of the property will be compatible in scale with properties in the vicinity.

Public Notice:

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	February 4, 2015
Property Posted as required:	February 9, 2015

Letters to Adjacent Property Owners:

February 6, 2015

Staff Recommendation:

Approval of Ordinance 06-2015; an Ordinance Zoning the Nelson-Kuhl property to CC-Community Commercial.

Staff Review:

Town Attorney
 Town Clerk
 Community Development Director
 Finance Director
 Police Chief
 Public Works Director

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS:

- A. Ordinance 06-2015
- B. Initial Zoning Map

ATTACHMENT A

ORDINANCE NO. 06-2015

AN ORDINANCE ZONING THE NELSON-KUHL PROPERTY, PURSUANT TO THE PETITION OF THE OWNER THEREOF, TO CC-COMMUNITY COMMERCIAL; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, a request for initial zoning has been filed by the Town of Erie Urban Renewal Authority, PO Box 750, 645 Holbrook Street, Erie, Colorado, 80516, for the zoning of the following described real property (“Property”) simultaneously with the annexation of the Property to the Town, to wit:

See “Exhibit A,” attached hereto and incorporated herein by this reference.

WHEREAS, the initial zoning of land while annexation is underway is authorized by C.R.S. 31-12-115; and

WHEREAS, a public hearing was held on said request in combination with the requested annexation of the property on February 24, 2015; and

WHEREAS, it is the opinion of the Board of Trustees that it is desirable and necessary that the described Property be zoned CC-Community Commercial in accordance with application for initial zoning and Title 10 of the Municipal Code of the Town of Erie, Colorado;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Erie, Colorado; that;

Section 1. The above described Property is hereby zoned CC-Community Commercial. All activities conducted on the Property shall be in conformance with the applied zoning as identified in Title 10 of the Municipal Code of the Town of Erie, Colorado.

Section 2. The official zone district map of the Town of Erie, dated June 12, 2014, shall be amended by the designation of the above described Property CC-Community Commercial.

Section 3. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage or upon the affixation of signatures on the annexation map and the annexation ordinance and the recording of the same, whichever occurs later.

Section 4 Validity. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the Ordinance including each part, section,

subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid

INTRODUCED, READ, ADOPTED, ORDERED AND PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS 10TH DAY OF MARCH 2015.

PUBLISHED IN FULL ON THE _____ DAY OF _____, 2015.

**TOWN OF ERIE, COLORADO, a
Colorado municipal corporation**

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

EXHIBIT A

Legal Description

A PARCEL OF LAND SITUATED IN SECTION 34, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 34; THENCE S00°22'13"W ALONG THE EAST LINE OF ANNEXATION BY THE CITY OF LAFAYETTE RECORDED MAY 2, 1989 AT RECEPTION NO. 980491 AND 980493 A DISTANCE OF 643.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF ANNEXATION BY THE TOWN OF ERIE RECORDED AUGUST 15, 1994 AT RECEPTION NO. 1454442 FOR THE FOLLOWING FOUR (4) COURSES: 1) S68°59'17"E A DISTANCE OF 204.91 FEET; 2) N85°45'43"E A DISTANCE OF 195.00 FEET; 3) S72°38'43"E A DISTANCE OF 718.00 FEET; 4) N25°05'43"E A DISTANCE OF 505.89 FEET TO THE SOUTH RIGHT OF WAY LINE OF ARAPAHOE ROAD; THENCE S89°57'57"E ALONG THE SOUTH LINE OF AREA ANNEXED BY THE TOWN OF ERIE SEPTEMBER 4, 1997 AT RECEPTION NO. 1727895 A DISTANCE OF 413.06 FEET; THENCE S00°00'21"W A DISTANCE OF 439.85 FEET; THENCE N89°58'08"W A DISTANCE OF 252.20 FEET; THENCE S00°01'03"E A DISTANCE OF 846.38 FEET TO THE NORTH LINE OF A REPLAT OF BEACON HILL SUBDIVISION RECORDED MARCH 17, 1982 AT RECEPTION NO. 487195; THENCE S89°54'45"W ALONG SAID NORTH LINE A DISTANCE OF 1442.71 FEET TO A POINT ON THE EAST LINE OF SAID ANNEXATION AT RECEPTION NO. 980491; THENCE ALONG SAID EAST LINE FOR THE FOLLOWING TWO (2) COURSES: 1) N00°22'04"W A DISTANCE OF 648.33; 2) N00°22'13"E A DISTANCE OF 26.98 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,279,045 SQUARE FEET OR 29.363 ACRES, MORE OR LESS.

ATTACHMENT B

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: March 10, 2015

SUBJECT: **STAFF REPORT**
Annual Audit – Required Communication Between CliftonLarsonAllen, The Auditors Of The Town of Erie’s 2014 Financial Statements, And The Board Of Trustees

DEPARTMENT: Finance

PRESENTER: **Steve Felten**
Finance Director

FISCAL Cost as
INFORMATION: Recommended:
Balance Available:
Budget Line Item
Number: 000 . 00 . 000 . 000000 . 000000
New Appropriation Required: Yes No

STAFF RECOMMENDATION: No action required.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Professional auditing standards require that certain information be communicated to an auditee’s governing board by its auditors. Attached to this staff report is a letter from CliftonLarsonAllen, LLP, (Clifton), auditors of the Town’s 2014 financial statements, to fulfill that requirement.

The attached letter identifies the responsibilities of Clifton in the conduct of their audit under applicable standards. Their primary responsibility is to form and express an opinion about whether the financial statements prepared by management with the Board’s oversight are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States. In addition, this communication is made with the objective of establishing a two-way dialogue between the Board and Clifton.

No action is required on this item.

Staff Review:

____ Town Attorney
____ Town Clerk
____ Community Development Director
57 Finance Director
____ Police Chief
____ Public Works Director

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS:

a. Letter from CliftonLarsonAllen, LLP



CliftonLarsonAllen

CliftonLarsonAllen LLP
8390 East Crescent Parkway, Suite 600
Greenwood Village, CO 80111
303-779-5710 | fax 303-779-0348
CLAconnect.com

February 2, 2015

Board of Trustees
Town of Erie, Colorado
Erie, CO

We are engaged to audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Erie as of and for the year ended December 31, 2014. Professional standards require that we communicate to you the following information related to our audit.

Our responsibility under Auditing Standards Generally Accepted in the United States of America and OMB Circular A-133

Our responsibilities, as described by professional standards, are as follows:

- Forming and expressing opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America.
- Considering, as part of planning and performing our audit, the entity's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinions on the financial statements and not to provide assurance on the internal control over financial reporting.
- Considering internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133.
- Planning and performing the audit to obtain reasonable, rather than absolute, assurance about whether the financial statements as a whole are free from material misstatement.
- Performing, as part of obtaining reasonable assurance about whether the entity's financial statements are free of material misstatement, tests of the entity's compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions is not an objective of our audit.
- Examining, in accordance with OMB Circular A-133, on a test basis, evidence about the entity's compliance with the types of compliance requirements described in the "U.S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement" applicable to each of its major federal programs for the purpose of expressing an opinion on the entity's compliance with those requirements. While our audit will provide a reasonable basis for our opinion, it will not provide a legal determination on the entity's compliance with those requirements.
- Communicating significant matters related to the financial statement audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures specifically to identify such matters.
- Communicating matters required by law, regulation, agreement, or other requirements.

Our audit of the financial statements does not relieve you or management of your responsibilities.



An independent member of Nexia International

Our audit of the financial statements will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We will generally communicate our significant findings at the conclusion of the audit. However, some matters may be communicated sooner, particularly if significant difficulties are encountered during the audit where assistance is needed to overcome the difficulties or if the difficulties may lead to a modified opinion. We will also communicate any internal control related matters that are required to be communicated under professional standards.

We expect to begin our audit on approximately April 13, 2015 and issue our report on approximately June 5, 2015.

Other planning matters

Recognizing the importance of two-way communication, we encourage you to provide us with information you consider relevant to the audit. This may include, but is not limited to, the following items:

- Your views about the following matters:
 - The appropriate person(s) in the entity's governance structure with whom we should communicate.
 - The allocation of responsibilities between those charged with governance and management.
 - The entity's objectives and strategies and the related business risks that may result in material misstatements.
 - Matters you believe warrant particular attention during the audit and any areas for which you request additional procedures to be undertaken.
 - Significant communications with regulators.
 - Other matters you believe are relevant to the audit of the financial statements.
- The attitudes, awareness, and actions of those charged with governance concerning (a) the entity's internal control and its importance in the entity, including how those charged with governance oversee the effectiveness of internal control, and (b) the detection or the possibility of fraud.
- The actions of those charged with governance in response to developments in law, accounting standards, corporate governance practices, and other related matters.
- The actions of those charged with governance in response to previous communications with the auditor.
- Your understanding of the risks of fraud and the controls in place to prevent and detect fraud, including your views on the following matters:
 - The "tone at the top" conveyed by management.
 - The risk that the entity's financial statements or schedule of expenditures of federal awards might be materially misstated due to fraud.
 - Programs and controls that the entity has established to mitigate identified fraud risks or that otherwise help to prevent, deter, and detect fraud.

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: March 10, 2015

SUBJECT: **STAFF REPORT**

Community Development Monthly Reports

DEPARTMENT: Community Development

PRESENTER: R. Martin Ostholthoff, Director

FISCAL	Cost as Recommended:	n/a					
INFORMATION:	Balance Available:	n/a					
	Budget Line Item Number:	000 . 00 . 000 . 000000 . 000000					
	New Appropriation Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

STAFF
RECOMMENDATION: n/a

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Building Permit Monthly Report

The attached Building Permit Report indicates the number of new residential building permits issued to date (through February 2015) versus the building permit projections utilized in determining the 2015 budget. The Town issued 30 new residential building permits in February.

For 2015 the Town has issued 59 building permits or 15 percent of the yearly projected total of 400 building permits.

The Building Permit Reports for 2014 and 2013 are attached hereto for comparison.

Historic Erie Neighborhood Building Permit Fee Waiver

The effective date of the Historic Erie Neighborhood waiver was October 6, 2012.

A total of 4 permits valued at \$243.00 in fees were waived for the month of February 2015. The cumulative value of fees waived since the inception of the program is \$22,570.11. A breakdown of the fees waived is attached hereto.

Staff Review:

___ Town Attorney
___ Town Clerk
 Community Development Director
___ Finance Director
___ Police Chief
___ Public Works Director

Approved by: 

A.J. Krieger
Town Administrator

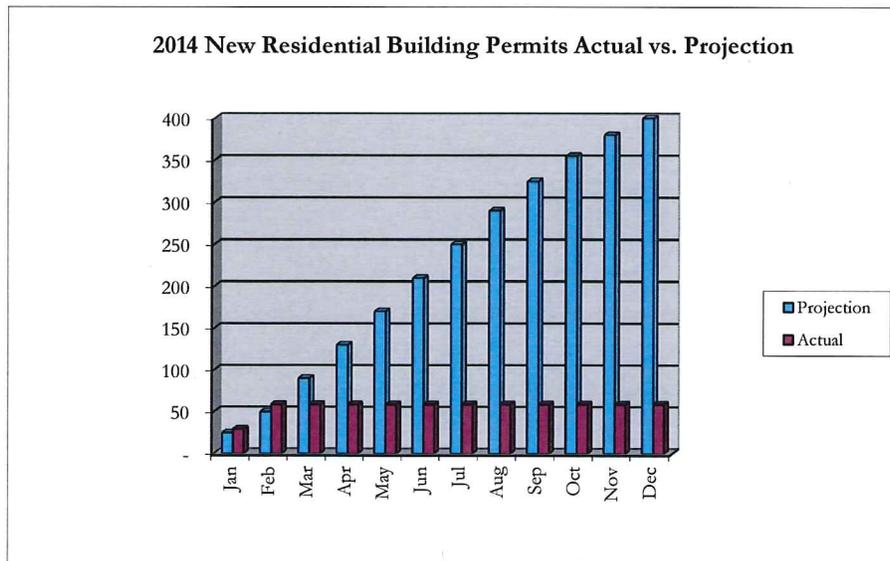
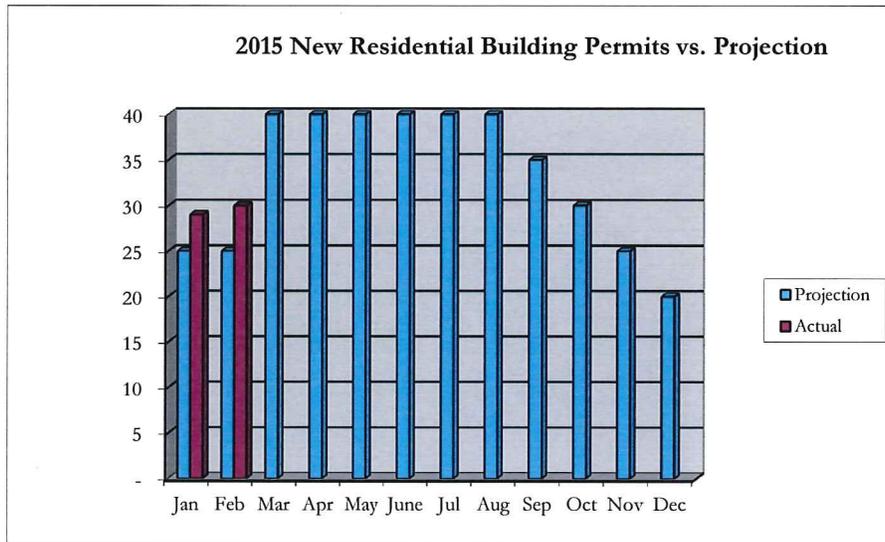
ATTACHMENTS:

- A. 2015/2014/2013 Building Permits to Projection Comparison
- B. Historic Erie Neighborhood Fees Waived

ATTACHMENT A

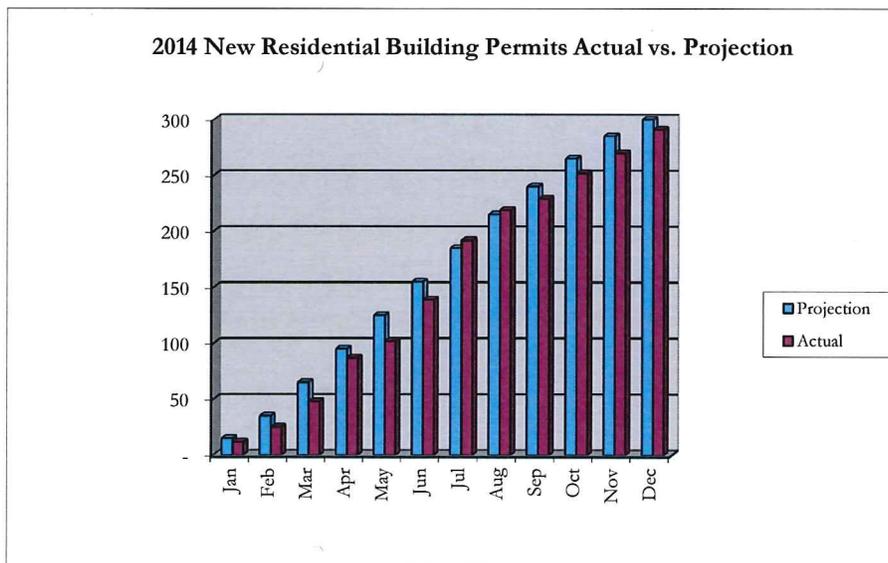
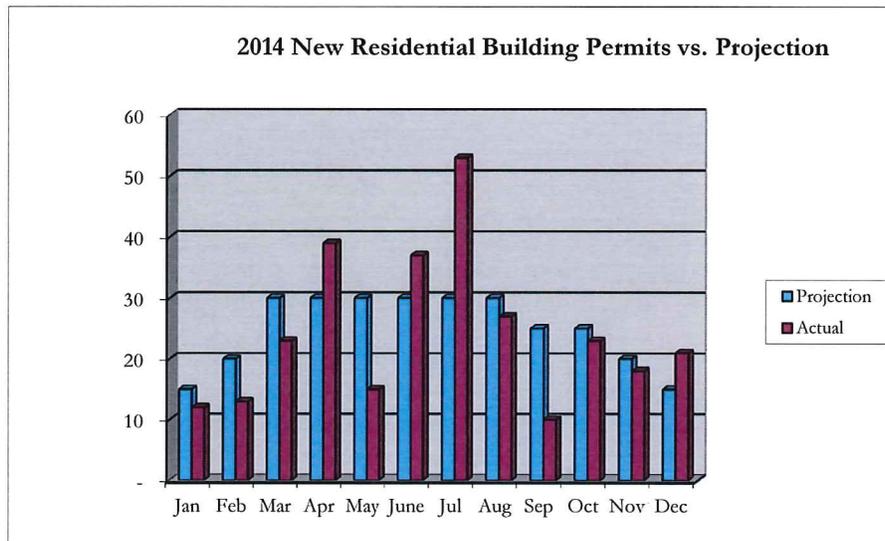
2015 Building Permits to Projection Comparison

2015	Month by Month		Seasonal Projection		Accumulation	
	Projection	Actual			Projection	Actual
Jan	25	29	8%	Jan	25	29
Feb	25	30	7%	Feb	50	59
Mar	40		11%	Mar	90	59
Apr	40		12%	Apr	130	59
May	40		10%	May	170	59
June	40		11%	Jun	210	59
Jul	40		10%	Jul	250	59
Aug	40		8%	Aug	290	59
Sep	35		7%	Sep	325	59
Oct	30		6%	Oct	355	59
Nov	25		7%	Nov	380	59
Dec	20		5%	Dec	400	59
Total	400					



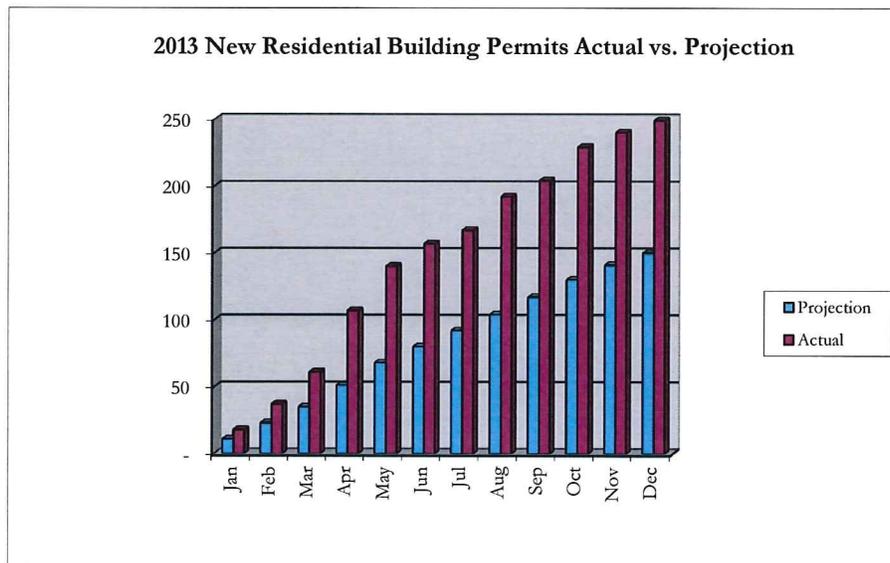
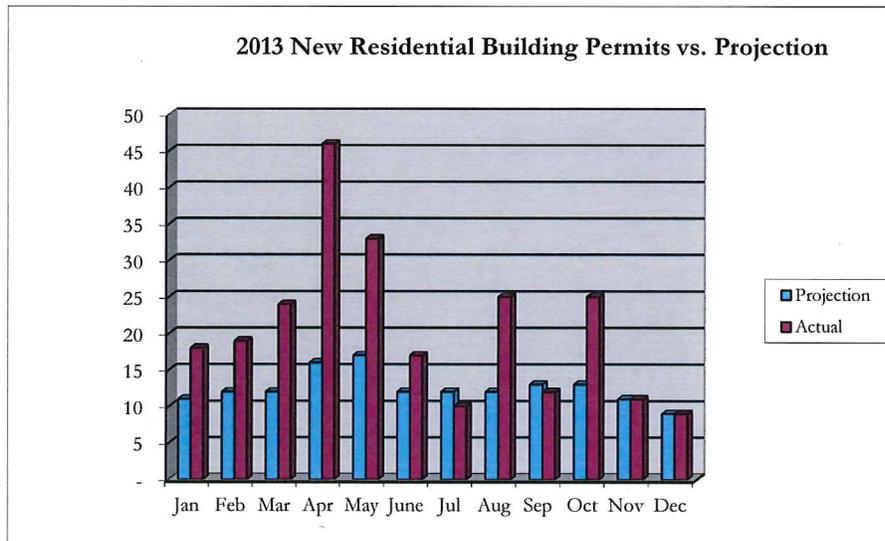
2014 Building Permits to Projection Comparison

2014	Month by Month		Seasonal Projection	Accumulation		
	Projection	Actual		Projection	Actual	
Jan	15	12	8%	Jan	15	12
Feb	20	13	7%	Feb	35	25
Mar	30	23	11%	Mar	65	48
Apr	30	39	12%	Apr	95	87
May	30	15	10%	May	125	102
June	30	37	11%	Jun	155	139
Jul	30	53	10%	Jul	185	192
Aug	30	27	8%	Aug	215	219
Sep	25	10	7%	Sep	240	229
Oct	25	23	6%	Oct	265	252
Nov	20	18	7%	Nov	285	270
Dec	15	21	5%	Dec	300	291
Total		300				



2013 Building Permits to Projection Comparison

2013	Month by Month		Seasonal Projection		Accumulation		
	Projection	Actual			Projection	Actual	
Jan	11	18	8%		Jan	11	18
Feb	12	19	7%		Feb	23	37
Mar	12	24	11%		Mar	35	61
Apr	16	46	12%		Apr	51	107
May	17	33	10%		May	68	140
June	12	17	11%		Jun	80	157
Jul	12	10	10%		Jul	92	167
Aug	12	25	8%		Aug	104	192
Sep	13	12	7%		Sep	117	204
Oct	13	25	6%		Oct	130	229
Nov	11	11	7%		Nov	141	240
Dec	9	9	5%		Dec	150	249
Total		150					



ATTACHMENT B

Contractor Name	Home Owner	Property Address	Building Fee	Electrical Fee	Mechanical Fee	Plumbing Fee	Misc. Fee	Total Fees Waived	Use Tax Collected
SEC Electrical Svcs	Nancy & Larry Utterback	675 Briggs St		\$ 60.00				\$ 60.00	\$ 35.00
Carbon Valley Htg Homeowner	Cindy Drozda	655 Pierce ST			\$ 68.00			\$ 68.00	\$ 58.76
Service Experts	Barbara Nichols	325 Wells St	\$ 47.00					\$ 47.00	\$ 43.64
	William Fletcher	440 Briggs St			\$ 68.00			\$ 68.00	\$ 54.61
			\$ 47.00	\$ 60.00	\$ 136.00	\$ -	\$ -	\$ 243.00	\$ 192.01

SPRING
2015

Erie Municipal Airport Capital Improvement Plan

Vector Air Management

Overview of the Erie Municipal Airport Capital Improvement Plan



© 2011 Raymond Brown

Jason Hurd
Vector Air Management
Updated Spring 2015



CIP Projects – The following is a brief description of CIP projects.

OUTSTANDING 2014 GRANTS

Snow Plow Equipment: The previous Town owned airport snow plow truck was purchased in the mid 1990's. The truck was in serious disrepair and in some situations cannot handle large snow events. The acquisition of newer, more capable snow removal equipment will help return the airport to service more quickly and more efficiently after major snow events. This grant has already been accepted by the town of Erie and the equipment outlined will be purchased when the Wind Sock and Segmented Circle project is completed before summer 2015.

Sweeping and Mowing Equipment: Additional equipment to sweep the airport surfaces as well as mow the grounds adjacent to the airport surfaces will improve efficiency of airport operations as well as reduce the possibility of aircraft damage from foreign object debris on airport surfaces.

Wind Sock and Segmented Circle Replacement: The current wind sock is lighted for night operations but not easily visible. Installation of a new wind sock with improved lighting will improve operational safety for night operations. The segmented circle is a visual indicator of traffic pattern direction for pilots. The current segmented circle is functional but in disrepair. This project has been approved, a contractor has been selected and construction is anticipated to begin Spring 2015.

2015-2020

In years 2015 and 2019 it is anticipated the Airport will participate in the General Aviation Entitlement Loan Program. This program allows the grants available to the Erie Municipal Airport during those years to be loaned to other Colorado airports for larger, more costly projects. In return those airports will eventually loan The Erie Airport the grants available to them during their normal funding cycle. Exchanging grants with other airports for multiple years allows The Erie Municipal Airport to conduct larger projects that exceed the funds normally available in a single grant year.

2016

Construction of Snow Removal Equipment (SRE) Building: This building is slated to house the equipment purchased in 2015 in order to maintain the equipment in a safe and clean environment.

