



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Agenda

### Town Council

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Tuesday, November 28, 2023

7:00 PM

Town Hall Board Room

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or Immediately following the Urban Renewal Authority Meeting  
In Person Meeting

Link to Watch or Comment Virtually: <https://bit.ly/BOT4thTuesday2023>

#### I. Call Meeting to Order and Pledge of Allegiance

7:00 p.m.

#### II. Roll Call

#### III. Approval of the Agenda

#### IV. Consent Agenda

7:00-7:05 p.m.

[23-579](#) Approval of the October 27, 2023, BOT Special Meeting Minutes

**Attachments:** [10-27-2023 BOT Special Meeting Minutes](#)

[23-576](#) Approval of the November 14, 2023, Board of Trustees Regular Meeting Minutes

**Attachments:** [11-14-2023 BOT Minutes](#)

[23-535](#) A Resolution of the Town Council of the Town of Erie Approving an Agreement for Professional Services with Kimley-Horn and Associates, Inc. for the Sheridan Parkway and Ridgeview Drive Traffic Signal

**Attachments:** [Resolution 23-126 Agreement](#)

[23-541](#) A Resolution of the Town Council of the Town of Erie Accepting a Warranty Deed for the Westerly Zone 4 Water Line

**Attachments:** [Board of Trustees Resolution Warranty Deed](#)

[23-542](#) A Resolution of the Town Council of the Town of Erie Approving an Intergovernmental Agreement with the Office of the State Court Administrator for a Juror List

**Attachments:** [Resolution 23-147](#)  
[IGA for Juror List 2024 Wheel](#)

[23-575](#) A Resolution of the Town Council of the Town of Erie Appointing Sara Hancock as the Town Treasurer

**Attachments:** [Resolution 23-146](#)

[23-574](#) An Ordinance of the Town Council of the Town of Erie Amending the Erie Municipal Code to Replace All References to "Board of Trustees" with "Town Council" and to Replace All References to "Town Administrator" with "Town Manager"

**Attachments:** [031-2023 BOT to Council-O111623 \(003\)](#)

[23-580](#) A Resolution of the Town Council of the Town of Erie Adopting Amended Town Council Rules of Order and Procedure to Replace All References to "Board of Trustees" with "Town Council" and to Replace All References to "Town Administrator" with "Town Manager"

**Attachments:** [Resolution 23-149](#)  
[Town Council Rules of Order and Procedure](#)

## **V. Public Comment On Non-Agenda and Consent Items only.**

7:05-7:15 p.m.

*(This agenda item provides the public an opportunity to discuss items that are not on the agenda or consent agenda items only. The Town Council is not prepared to decide on matters brought up at this time, but if warranted, will place them on a future agenda.)*

## **VI. General Business**

[23-528](#) Presentation by SVVSD Superintendent Dr. Don Haddad

7:15-7:35 p.m.

*Presenter(s): Dr. Don Haddad, SVVSD Superintendent*

[23-550](#) PUBLIC HEARING: An Ordinance of the Town Council of the Town of Erie Providing for the Supplemental Appropriation of Money to Various Funds for the 2023 Budget Year

**Attachments:** [Ordinance](#)  
[Town of Erie 2023 3rd Supplemental Handout](#)

7:35-7:50 p.m.

*Presenter(s): Victoria Runkle, Interim Finance Director*

[23-549](#) A Resolution of the Board of Trustees of the Town of Erie Adopting the Town's Fee Schedule

**Attachments:** [Resolution 23-141](#)

7:50-8:05 p.m.

*Presenter(s): Victoria Runkle, Interim Finance Director*

[23-539](#) PUBLIC HEARING: A Resolution of the Town Council of the Town of Erie, Colorado Designating 754 Holbrook Street as a Historic Landmark

**Attachments:** [Resolution 23-150](#)  
[Landmark Application and Nomination 754 Holbrook](#)  
[Landmark Presentation 754 Holbrook](#)  
[Public Notice 754 Holbrook.pdf](#)

8:05-8:15 p.m.

Presenter(s): Mike Turner, Chair, Historic Preservation Advisory Board

## **VII. Staff Reports**

*Information Only*

[23-569](#) Public Works Monthly Report

**Attachments:** [Public Works Monthly Report](#)

[23-573](#) Finance Sales Tax Monthly Report

**Attachments:** [Finance Sales Tax Monthly Report](#)

[23-564](#) Planning & Development Monthly Report

**Attachments:** [Planning & Development Monthly Report - November 2023](#)

## **VIII. Council Member Reports and Announcements**

8:15-8:35 p.m.

## **IX. Executive Session**

[23-581](#) EXECUTIVE SESSION to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), regarding the legal services agreement with the Town Attorney and the services agreement for the Erie Municipal Airport.

8:35-9:35 p.m.

## **X. Adjournment**

9:35 p.m.

*(The Council'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

645 Holbrook Street  
Erie, CO 80516

Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-579, **Version:** 1

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**SUBJECT:**

Approval of the October 27, 2023, BOT Special Meeting Minutes

**DEPARTMENT:** Administration

**PRESENTER(S):** Debbie Stamp, Town Clerk

**TIME ESTIMATE:** \_\_\_ minutes

**STAFF RECOMMENDATION:**

Approve the minutes from the October 27, 2023, Board of Trustees Special Meeting

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Effective Governance

**ATTACHMENT(S):**

1. 10-27-2023 BOT Special Meeting Minutes





# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes

### Board of Trustees

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Friday, October 27, 2023

5:30 PM

Virtual

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#### Special Meeting

Watch Virtually: <https://bit.ly/BOTSpecial10272023>

#### I. Call Meeting to Order and Pledge of Allegiance

Mayor Brooks called the meeting to order at 5:30 p.m.

#### II. Roll Call

**Present:** 7 - Mayor Brooks  
Mayor Pro Tem Loflin  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

#### III. Approval of the Agenda

Mayor Pro Tem Loflin made a motion to approve the agenda. Trustee Harrison seconded the motion. The motion passed by the following vote at 5:33 p.m.

**Ayes:** 7 - Mayor Brooks  
Mayor Pro Tem Loflin  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

#### IV. General Business

[23-540](#)

A Resolution of the Board of Trustees of the Town of Erie Approving Full and Final Settlement Agreement and Release between the Town of Erie and National Union

**Attachments:** [National Union-R102523](#)  
[Settlement Agreement - FINAL \(02074187xBCD43\)](#)

Malcolm Fleming, Town Administrator, presented the item at 5:34 p.m.

Trustee Sawusch made a motion to approve Resolution 23-128. Trustee Harrison seconded the motion The motion passed by the following vote at 5:45 p.m.

- Ayes** 7 - Mayor Brooks  
Mayor Pro Tem Loflin  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

**V. Adjournment**

Mayor Brooks adjourned the meeting at 5:46 p.m.

Approved \_\_\_\_\_  
Mayor

Attest \_\_\_\_\_  
Town Clerk



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-576, **Version:** 1

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**SUBJECT:**

Approval of the November 14, 2023, Board of Trustees Regular Meeting Minutes

**DEPARTMENT:** Administration

**PRESENTER(S):** Debbie Stamp, Town Clerk

**TIME ESTIMATE:** \_\_\_ minutes

**STAFF RECOMMENDATION:**

Approve the Board of Trustee Regular Meeting minutes from November 14, 2023.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Effective Governance

**ATTACHMENT(S):**

1. 11-14-2023 BOT Minutes



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Meeting Minutes

### Board of Trustees

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Tuesday, November 14, 2023

6:30 PM

Town Hall Board Room

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#### In-Person Meeting

Watch or Comment Virtually: <https://bit.ly/BOT2ndTuesday2023>

#### I. Call Meeting to Order and Pledge of Allegiance

Mayor Pro Tem Loflin called the meeting to order at 6:34 p.m.

#### II. Roll Call

**Present:** 6 - Mayor Pro Tem Loflin  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

**Absent:** 1 - Mayor Brooks

#### III. Approval of the Agenda

Mayor Pro Tem Loflin announced that Item 23-549; A Resolution of the Board of Trustees of the Town of Erie Adopting the Town's Fee Schedule was being pulled from the agenda due to errors found on the Fee Schedule. This item will be brought back before the Board of Trustees at their regular meeting on November 28, 2023.

Trustee Bell asked that Item 23-509; A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to the Construction Manager at Risk Contract with Fransen Pittman Construction for the Town Hall Expansion Project and Item 23-516; A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to Professional Services Agreement with Hoffmann, Parker, Wilson & Carberry, P.C. to increase the Hourly Compensation Rate be moved from the Consent Agenda to General Business.

**Trustee Bell made a motion to approve the amended agenda. Trustee Baer seconded the motion. The motion passed by the following vote at 6:37 p.m.**

**Ayes** 6 - Mayor Pro Tem Loflin  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

**Absent** 1 - Mayor Brooks

#### **IV. Consent Agenda**

[23-538](#) Approval of the October 24, 2023, Board of Trustees Meeting Minutes

**Attachments:** [10-24-2023 BOT Minutes](#)

[23-478](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Agreement for Professional Services with Fehr & Peers for a Transportation Mobility Plan

**Attachments:** [Resolution 23-117](#)  
[Transportation Mobility Plan PSA - Fehr & Peers](#)

[23-509](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to the Construction Manager at Risk Contract with Fransen Pittman Construction for the Town Hall Expansion Project

**Attachments:** [Resolution 23-140](#)  
[Third Amendment](#)

This item was moved to General Business.

[23-510](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to the Professional Services Agreement with RockSol Consulting for Design and Post-Design Services for the Weld County Road 3 Bridge Replacement Project

**Attachments:** [Third Amendment](#)  
[Res 23-138](#)  
[Location Map](#)

[23-516](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to Professional Services Agreement with Hoffmann, Parker, Wilson & Carberry, P.C. to Increase the Hourly Compensation Rate

**Attachments:** [Resolution 23-120](#)  
[Third Amendment to Professional Services Agreement](#)

This item was moved to General Business.

[23-520](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Second Amendment to the Agreement with HDR Engineering, Inc. for the Design of the Water Reclamation Facility Expansion

**Attachments:** [Resolution 23-125](#)  
[Contract Amendment](#)

[23-527](#) A Resolution of the Board of Trustees of the Town of Erie Adopting Modifications to the Rules and Regulations Governing the Erie Cemetery

**Attachments:** [Resolution 23-123](#)  
[Erie Cemetery Rules & Regulations](#)

[23-529](#) Approval to Amend the Board of Trustees 2023 Meeting Schedule cancelling the December 26, 2023 meeting.

[23-531](#) A Resolution of the Board of Trustees of the Town of Erie Approving Contract Amendment 1 to the Construction Contract with L4 Construction, LLC, for the Lagoon Conversion to Stormwater Quality Pond and Demolition of the South Water Reclamation Facility Improvements.

**Attachments:** [Resolution 23-129](#)  
[Contract Amendment](#)

[23-534](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement and Accepting Dedications as Shown on the Final Plat for the Canyon Creek Filing No. 7 Subdivision

**Attachments:** [Resolution No. 23-132](#)  
[Development Agreement](#)  
[Canyon Creek Filing No. 7 Subdivision Plat.pdf](#)

[23-536](#) A Resolution of the Board of Trustees of the Town of Erie Approving the Second Amendment to Development Agreement for Colliers Hill Subdivision Filing No. 4G

**Attachments:** [Resolution 23-127](#)  
[Second Amendment to Development Agreement \(Colliers Hill Subdivision, Filing 4G\)](#)  
[Development Agreement \(Colliers Hill Subdivision, Filing 4G\)](#)  
[First Amendment to Development Agreement \(Colliers Hill Subdivision, Filing 4G\)](#)  
[Memo from Developer](#)

[23-562](#)

**Attachments:** [Resolution 23-144](#)  
[Fleming Employment Agreement 4th Amendment 2023.01.24](#)  
[Malcolm Fleming - PDP 2023.11.14](#)

[23-554](#) A Resolution of the Board of Trustees of the Town of Erie Adopting the 2024 Legislative Agenda

**Attachments:** [2023-2024 Legislative Policy Agenda](#)  
[Town of Erie legislative engagement tools](#)  
[Resolution 23-142](#)

[23-543](#) A Resolution of the Board of Trustees of the Town of Erie Consenting to the Mayor's Appointment of Ashraf Shaikh to the Board of Commissioners of the Town of Erie Urban Renewal Authority

**Attachments:** [Resolution 23-137](#)

[23-545](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement and Accepting Dedications as Shown on the Final Plat for Canyon Creek Filing No. 8 Subdivision

**Attachments:** [Resolution No. 23-133](#)  
[Development Agreement](#)  
[Canyon Creek Filing No. 8 Subdivision Plat](#)

[23-547](#) A Resolution of the Board of Trustees of the Town of Erie Approving a Development Agreement and Accepting Dedications as Shown on the Final Plat for Erie Junction

**Attachments:** [Resolution No. 23-134](#)  
[Development Agreement](#)  
[Erie Junction Subdivision Plat](#)

[23-548](#) A Resolution of the Board of Trustees of the Town of Erie Approving the First Amendment to Development Agreement for Sunset Filing No. 1

**Attachments:** [Resolution No. 23-135](#)  
[First Amendment to Sunset Filing No.1 Development Agreement](#)

**Trustee Harrison made a motion to approve the Consent Agenda. Trustee Bell seconded the motion. The motion passed by the following vote at 6:37 p.m.**

**Ayes** 6 - Mayor Pro Tem Loflin  
 Trustee Baer  
 Trustee Bell  
 Trustee Harrison  
 Trustee Hoback  
 Trustee Sawusch

**Absent** 1 - Mayor Brooks

**V. Public Comment On Non-Agenda and Consent Items only.**

Mayor Pro Tem Loflin read the Public Comment Rules and opened Public Comment at 6:38 p.m.

The following spoke:

- 1. Jennipher Jobe spoke about Erie Village/Coal Creek Project

With no additional speakers, Mayor Pro Tem Loflin closed Public Comment at 6:42 p.m.

**VI. General Business**

[23-509](#)

A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to the Construction Manager at Risk Contract with Fransen Pittman Construction for the Town Hall Expansion Project

**Attachments:** [Resolution 23-140](#)  
[Third Amendment](#)

Trustee Bell asked that this item be moved to General Business for discussion.

Chad Alexander, Facility Operation Services Manager, and Todd Fessenden, Director of Public Works, answered questions from Board of Trustee members beginning at 6:43 p.m.

**Trustee Baer made a motion to approve Resolution 23-140. Trustee Hoback seconded the motion. The motion passed by the following vote at 6:54 p.m.**

**Ayes** 5 - Mayor Pro Tem Loflin  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback

**Nayes** 1 - Trustee Sawusch

**Absent** 1 - Mayor Brooks

[23-516](#)

A Resolution of the Board of Trustees of the Town of Erie Approving the Third Amendment to Professional Services Agreement with Hoffmann, Parker, Wilson & Carberry, P.C. to Increase the Hourly Compensation Rate

**Attachments:** [Resolution 23-120](#)  
[Third Amendment to Professional Services Agreement](#)

Trustee Bell asked that this item be moved to General Business for



discussion.

Austin Pierce-Flanagan, Town Attorney, answered questions from Board of Trustee members beginning at 6:55 p.m.

**Trustee Bell made a motion to table the item until November 28, 2023, when it will be discussed during Executive Session. Trustee Sawusch seconded the motion. The motion passed by the following vote at 7:04 p.m.**

**Ayes** 4 - Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Sawusch

**Nayes** 2 - Mayor Pro Tem Loflin  
Trustee Hoback

**Absent** 1 - Mayor Brooks

[23-560](#) Presentation of 90 Second Celebration Video

Melissa Wiley, Deputy Town Administrator, introduced the item at 7:05 p.m.

[23-553](#) Public Hearing: An Ordinance of the Board of Trustees of the Town of Erie Summarizing Expenditures and Revenues for each Fund, Adopting a Budget for the Town of Erie for the 2024 Budget Year, and Appropriating Sums of Money to the Various Town Funds for the 2024 Budget Year.

- Attachments:** [Ordinance 030-2023](#)  
[Schedule A](#)  
[2024 Budget Memo](#)  
[Schedule of Reports](#)  
[Presentation](#)

Mayor Pro Tem Loflin opened the Public Hearing at 7:18 p.m.

Kristin Bruner, Finance Budget Analyst, and Cassie Bethune, Finance Manager, presented the item at 7:19 p.m.

With no speakers in-person or online virtually, Mayor Pro Tem Loflin closed the Public Hearing at 7:51 p.m.

**Trustee Harrison made a motion to approve Ordinance 030-2023. Trustee Hoback seconded the motion. The motion passed by the following vote at 7:58 p.m.**

**Ayes** 4 - Mayor Pro Tem Loflin  
Trustee Baer  
Trustee Harrison  
Trustee Hoback

**Nayes** 2 - Trustee Bell  
Trustee Sawusch

**Absent** 1 - Mayor Brooks

[23-549](#) A Resolution of the Board of Trustees of the Town of Erie Adopting the Town's Fee Schedule

**Attachments:** [Resolution 23-141](#)

This item was removed from tonight's agenda. It will be scheduled for the Board of Trustees regular meeting on November 28, 2023.

[23-563](#) A Resolution of the Board of Trustees of the Town of Erie, Colorado Designating Portions of General Fund Reserves for Specific Purposes.

**Attachments:** [Resolution 23-143](#)

[GF Reserve Calculation Worksheet](#)

Malcolm Fleming, Town Administrator, presented the item at 7:59 p.m.

**Trustee Baer made a motion to approve Resolution 23-143. Trustee Harrison seconded the motion. The motion passed by the following vote at 8:28 p.m.**

**Ayes** 6 - Mayor Pro Tem Loflin  
Trustee Baer  
Trustee Bell  
Trustee Harrison  
Trustee Hoback  
Trustee Sawusch

**Absent** 1 - Mayor Brooks

[23-552](#) A Resolution of the Board of Trustees of the Town of Erie Approving an Intergovernmental Agreement to Participate in a Minimum Wage Study

**Attachments:** [Presentation](#)

[Regional Minimum Wage Cost Sharing IGA 2023 20231102](#)

[Resolution 23-136](#)

Stephanie Pitts-Noggle, Economic Development Manager, and Alberto De Los Rios, Diversity, Equity and Inclusion Manager presented the item at 8:30 p.m.

**Trustee Harrison made a motion to approve Resolution 23-136. Trustee Baer seconded the motion. The motion passed by the following vote at 9:21 p.m.**

**Ayes** 4 - Mayor Pro Tem Loflin  
Trustee Baer  
Trustee Harrison  
Trustee Hoback

- Nayes** 2 - Trustee Bell  
Trustee Sawusch
- Absent** 1 - Mayor Brooks

[23-559](#)      **Transportation Planning Updates**

**Attachments:** [Transportation Planning Updates Presentation](#)

Miguel Aguilar, Senior Transportation Planner, presented the item at 9:21 p.m.

**VII. Staff Reports**

[23-511](#)      Bi-Monthly Vector Air Airport Report

**Attachments:** [Airport Report](#)

**VIII. Board Member Reports and Announcements**

Board members spoke about the Open House at the Erie Police Department on November 15, Leaf Composting on November 18, the Recycling Center is capable of accepting composting, Parade of Lights on December 1, Thank You to all those came out to vote and a very Happy Thanksgiving to all.

**IX. Adjournment**

Mayor Pro Tem Loflin adjourned the meeting at 10:19 p.m.



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-535, **Version:** 1

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**SUBJECT:**

A Resolution of the Town Council of the Town of Erie Approving an Agreement for Professional Services with Kimley-Horn and Associates, Inc. for the Sheridan Parkway and Ridgeview Drive Traffic Signal

**DEPARTMENT:** Public Works

**PRESENTER(S):** Todd Fessenden, Public Works Director  
Jonathan Williams, Civil Engineer II

**FISCAL SUMMARY:**

Cost as Recommended:	\$132,441
Balance Available:	\$0
Budget Line Item Number:	300-70-110-605000-100412
New Appropriation Required:	Yes

**POLICY ISSUES:**

None

**STAFF RECOMMENDATION:**

Approve the Resolution

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

The Town of Erie requested our consultant, Fox Tuttle Associates, to perform a Signal Warrant Analysis at the intersection of Sheridan Parkway and Ridgeview Drive. The results of the signal warrant study dated March 31, 2023, determined that a signal is warranted at this time.

Following this determination, the Town of Erie met and coordinated with the City and County of Broomfield regarding funding and maintenance of the signal because a portion of the intersection is located within Broomfield's jurisdiction. Broomfield agreed to share in the funding through an IGA under separate process. Once the separate IGA is complete reimbursement for this signal project will occur. The purpose of this funding request is to begin the design effort for the signal to expedite construction of the signal in 2024. Staff anticipates that the design effort can be completed in approximately 6 months thus allowing bid and construction to occur through the summer months. Upon completion the Town of Erie will own and maintain the signal.

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Well-Maintained Transportation Infrastructure
- ✓ Safe and Healthy Community

**ATTACHMENT(s):**

1. Resolution
2. Agreement

**Town of Erie  
Resolution No. 23-126**

**A Resolution of the Town Council of the Town of Erie  
Approving an Agreement for Professional Services with Kimley-  
Horn and Associates, Inc. for the Sheridan Parkway and Ridgeview  
Drive Traffic Signal**

**Whereas**, the Town requires the services of Kimley-Horn and Associates, Inc. for the Sheridan Parkway and Ridgeview Drive Traffic Signal; and

**Whereas**, Kimley-Horn and Associates, Inc. holds itself as having the requisite expertise and experience to perform the required services.

**Now Therefore be it Resolved by the Town Council of the Town of Erie, Colorado, that:**

**Section 1.** The Agreement for Professional Services with Kimley-Horn and Associates, Inc. is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Agreement for Professional Services on behalf of the Town.

**Adopted this 28<sup>th</sup> day of November, 2023.**

\_\_\_\_\_  
Justin Brooks, Mayor

**Attest:**

\_\_\_\_\_  
Debbie Stamp, Town Clerk

**Agreement for Professional Services**  
**(Sheridan Parkway and Ridgeview Drive Traffic Signal Project)**

This Agreement for Professional Services (the "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2023 (the "Effective Date"), by and between the Town of Erie, a Colorado municipal corporation with an address of 645 Holbrook Street, P.O. Box 750, Erie, CO 80516, (the "Town"), and Kimley Horn and Associates, Inc. an independent contractor with a principal place of business at 6200 S. Syracuse Way, Suite 300, Greenwood Village, CO 80111 ("Contractor") (each a "Party" and collectively the "Parties").

Whereas, the Town requires professional services; and

Whereas, Contractor has held itself out to the Town as having the requisite expertise and experience to perform the required professional services.

Now Therefore, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

**I. Scope of Services**

A. Contractor shall furnish all labor and materials required for the complete and prompt execution and performance of all duties, obligations, and responsibilities which are described or reasonably implied from the Scope of Services set forth in **Exhibit A**, attached hereto and incorporated herein by this reference, and known as: Sheridan Parkway and Ridgeview Drive Traffic Signal Project.

B. A change in the Scope of Services shall not be effective unless authorized as an amendment to this Agreement. If Contractor proceeds without such written authorization, Contractor shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit or implied contract. Except as expressly provided herein, no agent, employee, or representative of the Town is authorized to modify any term of this Agreement, either directly or implied by a course of action.

**II. Term and Termination**

A. This Agreement shall commence on the Effective Date, and shall continue until Contractor completes the Scope of Services to the satisfaction of the Town, or until terminated as provided herein.

B. Either Party may terminate this Agreement upon 30 days advance written notice. The Town shall pay Contractor for all work previously authorized and completed prior to the date of termination. If, however, Contractor has substantially or materially breached this Agreement, the Town shall have any remedy or right of set-off available at law and equity.

### **III. Compensation**

In consideration for the completion of the Scope of Services by Contractor, the Town shall pay Contractor \$132,441. This amount shall include all fees, costs and expenses incurred by Contractor, and no additional amounts shall be paid by the Town for such fees, costs and expenses. Contractor may submit periodic invoices, which shall be paid by the Town within 30 days of receipt.

### **IV. Professional Responsibility**

A. Contractor hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and professional licenses in good standing, required by law. The work performed by Contractor shall be in accordance with generally accepted professional practices and the level of competency presently maintained by other practicing professional firms in the same or similar type of work in the applicable community. The work and services to be performed by Contractor hereunder shall be done in compliance with applicable laws, ordinances, rules and regulations.

B. The Town's review, approval or acceptance of, or payment for any services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

C. Because the Town has hired Contractor for its professional expertise, Contractor agrees not to employ subcontractors to perform any work under this Agreement, except as expressly set forth in the Scope of Services.

D. Contractor shall at all times comply with all applicable law, including without limitation all current and future federal, state and local statutes, regulations, ordinances and rules relating to: the emission, discharge, release or threatened release of a Hazardous Material into the air, surface water, groundwater or land; the manufacturing, processing, use, generation, treatment, storage, disposal, transportation, handling, removal, remediation or investigation of a Hazardous Material; and the protection of human health, safety or the indoor or outdoor environmental, including without limitation the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.* ("CERCLA"); the Hazardous Materials Transportation Act, 49 U.S.C. § 1801, *et seq.*; the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.* ("RCRA"); the Toxic Substances Control Act, 15 U.S.C. § 2601, *et seq.*; the Clean Water Act, 33 U.S.C. § 1251, *et seq.*; the Clean Air Act, 42 U.S.C. § 7401, *et seq.*; the Occupational Safety and Health Act, 29 U.S.C. § 651, *et seq.*; all applicable environmental statutes of the State of Colorado; and all other federal, state or local statutes, laws, ordinances, resolutions, codes, rules, regulations, orders or decrees regulating, relating to, or imposing liability or standards of conduct concerning any hazardous, toxic or dangerous waste, substance or material, as now or at any time hereafter in effect.



## **V. Ownership**

Any materials, items, and work specified in the Scope of Services, and any and all related documentation and materials provided or developed by Contractor shall be exclusively owned by the Town. Contractor expressly acknowledges and agrees that all work performed under the Scope of Services constitutes a "work made for hire." To the extent, if at all, that it does not constitute a "work made for hire," Contractor hereby transfers, sells, and assigns to the Town all of its right, title, and interest in such work. The Town may, with respect to all or any portion of such work, use, publish, display, reproduce, distribute, destroy, alter, retouch, modify, adapt, translate, or change the Work Product without providing notice to or receiving consent from Contractor; provided that Contractor shall have no liability for any work that has been modified by the Town.

## **VI. Independent Contractor**

Contractor is an independent contractor. Notwithstanding any other provision of this Agreement, all personnel assigned by Contractor to perform work under the terms of this Agreement shall be, and remain at all times, employees or agents of Contractor for all purposes. Contractor shall make no representation that it is a Town employee for any purposes.

## **VII. Insurance**

A. Contractor agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Contractor pursuant to this Agreement. At a minimum, Contractor shall procure and maintain, and shall cause any subcontractor to procure and maintain, the insurance coverages listed below, with forms and insurers acceptable to the Town.

1. Worker's Compensation insurance as required by law.
2. Commercial General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$2,000,000 general aggregate. The policy shall be applicable to all premises and operations, and shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations. The policy shall contain a severability of interests provision, and shall include the Town and the Town's officers, employees, and contractors as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.
3. Professional liability insurance with minimum limits of \$1,000,000 each claim and \$2,000,000 general aggregate.

B. Such insurance shall be in addition to any other insurance requirements imposed by law. The coverages afforded under the policies shall not be canceled, terminated or materially changed without at least 30 days prior written notice to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. Any insurance carried by the Town, its officers, its employees or its contractors shall be excess and not contributory insurance to that provided by Contractor. Contractor shall be solely responsible for any deductible losses under any policy.

C. Contractor shall provide to the Town a certificate of insurance as evidence that the required policies are in full force and effect. The certificate shall identify this Agreement.

### **VIII. Indemnification**

A. Contractor agrees to indemnify and hold harmless the Town and its officers, insurers, volunteers, representative, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses and demands, including reasonable attorney fees, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Agreement if such injury, loss, or damage is caused in whole or in part by, the omission, error, professional error, mistake, negligence, or other fault of Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor, or which arise out of a worker's compensation claim of any employee of Contractor or of any employee of any subcontractor of Contractor; provided that Contractor's liability under this indemnification provision shall be to the fullest extent of, but shall not exceed, that amount represented by the degree or percentage of negligence or fault attributable to Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor or of any subcontractor of Contractor.

B. If Contractor is providing architectural, engineering, surveying or other design services under this Agreement, the extent of Contractor's obligation to indemnify and hold harmless the Town may be determined only after Contractor's liability or fault has been determined by adjudication, alternative dispute resolution or otherwise resolved by mutual agreement between the Parties, as provided by C.R.S. § 13-50.5-102(8)(c).

### **IX. Miscellaneous**

A. *Governing Law and Venue.* This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Boulder County, Colorado.

B. *No Waiver.* Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

C. *Integration.* This Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

D. *Third Parties.* There are no intended third-party beneficiaries to this Agreement.

E. *Notice.* Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first class U.S. Mail to the Party at the address set forth on the first page of this Agreement.

F. *Severability.* If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

G. *Modification.* This Agreement may only be modified upon written agreement of the Parties.

H. *Assignment.* Neither this Agreement nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other.

I. *Governmental Immunity.* The Town and its officers, attorneys and employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities or protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers, attorneys or employees.

J. *Rights and Remedies.* The rights and remedies of the Town under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

K. *Subject to Annual Appropriation.* Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

L. *Force Majeure.* No Party shall be in breach of this Agreement if such Party's failure to perform any of the duties under this Agreement is due to Force Majeure, which shall be defined as the inability to undertake or perform any of the duties under this

Agreement due to acts of God, floods, fires, sabotage, terrorist attack, strikes, riots, war, labor disputes, forces of nature, the authority and orders of government or pandemics.

In Witness Whereof, the Parties have executed this Agreement as of the Effective Date.

**Town of Erie, Colorado**

\_\_\_\_\_  
Justin Brooks, Mayor

Attest:

\_\_\_\_\_  
Debbie Stamp, Town Clerk

**Contractor**

By: Curtis D. Rowe

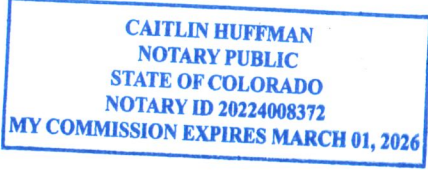
State of Colorado )  
) ss.  
County of Arapahoe )

The foregoing instrument was subscribed, sworn to and acknowledged before me this 5<sup>th</sup> day of November, 2023, by Curtis Rowe as Senior Vice President of Wimley-Horn.

My commission expires:

(Seal)

Caitlin Huffman  
\_\_\_\_\_  
Notary Public



## **Exhibit A Scope of Services**

### Contractor's Duties

During the term of this Agreement, Contractor shall perform the following duties, as directed by the Town:

#### **Task 1: Project Meetings and Coordination**

Contractor shall participate in and attend up to 6 virtual and up to 2 in person project meetings with the Town and other stakeholders.

Contractor shall provide project management and project administration services for this project for up to 20 hours.

#### **Task 2: Data Collection**

##### **Topographic Survey and Subsurface Utility Engineering**

Contractor shall, through its subcontractor Baseline Engineering, provide topographic survey and subsurface utility engineering services.

Contractor understands the project limits extend 250' from the project intersection on all four legs. Contractor shall locate relevant improvements, within the project limits in accordance with recognized standards and local practice, including:

- Control Work – Horizontal datum will be based on Colorado State Plane Coordinates, NAD83, North Zone 0501, scaled to ground. Vertical datum will be based on NAVD 88.
- Improvement – Above Ground features will be surveyed including
  - Top back of curb
  - Curb flowline
  - Back of Walkways
  - Centerline of roadway
- Utility – Survey locates, markings, and visible appurtenances will be surveyed within the project limits.
- Right-of-Way – Right-of-Way will be established/defined by the existing roadway features, GIS, and found survey monumentation.

Contractor shall provide survey of utility locates within the project limits and combine the field data with mapping information to prepare SUE plans noting the existing utilities. The depiction of existing underground facilities within the limits will meet the ASCE 38-22 standard and be shown to QL-B SUE plans.

Contractor shall provide 4 caisson investigations and 1 Controller Pad investigation at locations to be determined as part of the conceptual design process, to identify conflicts with existing utilities. Utilities within the test holes shall be located and identify to QL-A. Test holes will be backfilled with squeegee, and non-shrink grout to match the existing surface material.

### **Geotechnical Investigation**

Contractor shall, through its subcontractor Vivid Engineering, provide geotechnical engineering services.

Under observation of a qualified representative of the geotechnical engineer, Contractor shall drill 2 borings to a maximum depth of 30' or refusal. The borings shall be located near the proposed location of the anticipated signal poles foundation, with consideration to existing structures and utilities. Upon completion of drilling, the borings shall be backfilled with cuttings from the borings, and patched to match the existing ground surface, as applicable.

Contractor shall perform laboratory testing on selected soil samples in accordance with recognized standards and local practice and will include the following, subject to change based on the subsurface conditions encountered.

- Gradation Analysis/Atterberg Limits
- Moisture Content/Unit Weight
- Unconfined Compressive Strength
- Swell Test
- pH, Resistivity, Redox, Soluble Sulfates, Soluble Chlorides, Sulfides

Contractor shall perform an engineering analysis and evaluation of the resulting field and laboratory data for use in preparing geotechnical engineering recommendations for the proposed project. Contractor shall prepare a geotechnical report for the site, summarizing the findings, conclusions, and geotechnical recommendations. The report shall contain the following, as determined by the project team:

- A description of the proposed project, including a description of the surface and subsurface site conditions encountered during the field investigation.
- A Boring Location Plan showing the approximate boring locations.
- Boring logs that provide visual and laboratory soil classifications, relative density information, select laboratory testing, major changes in the soil type, and groundwater elevation, as applicable.
- Laboratory test results.
- Conclusions pertaining to feasibility of the proposed construction, impacts of geotechnical and geologic features on the proposed construction, and opinions on management of groundwater.

- Recommendations related to the geotechnical aspects of site preparation and earthwork.
- Seismic design coefficients in accordance with International Building Code.
- Recommendations for lateral earth pressures.
- Recommendations for foundation design, including recommended foundation type, allowable bearing capacities, embedment depths, and anticipated collapse/swelling soil or bedrock mitigation, as needed. Appendices that summarize the field investigation and laboratory testing programs.

### **Task 3: Intersection Modification Memo**

Contractor shall prepare an intersection modification memorandum for the intersection of Ridgeview Drive and Sheridan Parkway. The memorandum shall include an interim intersection condition, a signal timing plan for the intersection when signalized, and future intersection geometry and control recommendations.

#### **Interim Condition Analysis**

Contractor shall analyze the traffic levels at the Ridgeview Drive and Sheridan Parkway intersection based on existing conditions and existing traffic volumes provided in the Fox Tuttle signal warrant analysis. Recommendations to the existing geometry shall be provided if needed.

#### **Signal Timing Plans**

Contractor shall provide signal timing and phasing plans for use when the Ridgeview Drive and Sheridan Parkway intersection is signalized. The signal timing plan shall account for coordination with the signalized SH-7 (168<sup>th</sup> Avenue) and Sheridan Parkway intersection to the south, if needed. Signal timing plan shall account for the morning, midday, and afternoon time of day.

#### **Interim Intersection Configuration**

Contractor shall include with the intersection modification memo a conceptual interim intersection layout exhibit displaying the recommended improvements associated with this project. This exhibit shall display recommended multimodal improvements and signage enhancements at the intersection. In addition to the traffic signal and multimodal improvements, Contractor anticipates that curb access ramp improvements will be required on the northwest and southwest corners of the intersection.

#### **Ultimate Intersection Configuration**

Contractor shall obtain future traffic projections for the remaining undeveloped parcels within the Vista Highlands area from traffic studies previously prepared. These volumes shall be used to estimate future traffic projections at the Ridgeview Drive and Sheridan Parkway intersection. The buildout of each remaining development will determine when intersection geometry

improvements are needed based on the remaining undeveloped parcels and estimated background growth.

Based on the recommendation of the updated traffic analysis, Contractor shall prepare an exhibit displaying the ultimate build out of the intersection. This exhibit shall include recommendations for additional vehicle lanes, if needed, to accommodate future traffic volumes as well as anticipated multimodal improvements such as bike lanes and sidewalks. The ultimate improvements exhibit shall display the proposed traffic signal design to demonstrate how the signal will function with the full build-out.

Contractor shall provide this draft memorandum to the Town for review and comments, and also to the City and County of Broomfield. Contractor shall revise the draft report as appropriate and prepare the final report for use.

#### **Task 4: 60% Construction Documents**

Contractor shall prepare a 60% preliminary construction plan based on the improvements identified in the conceptual interim intersection layout exhibit prepared as part of the intersection modification memo.

60% construction plans shall consist of the following sheets, as determined by the project team:

- Title Sheet
- General Notes (Up to 2 Sheets)
- Summary of Approximate Quantities (Up to 2 Sheets)
- Removal and Reset Plan (Up to 1 Sheets)
- Roadway and Paving Plan (Up to 1 Sheets)
- ADA Ramp grading details (Up to 1 Sheets)
- Construction Details (Up to 2 Sheets)
- Traffic Signal Plan (Up to 2 Sheets)
- Signage and Striping Plan (Up to 2 Sheets)

Contractor shall prepare an engineer's opinion of probable cost (OPC) based on the construction documents. The OPC shall be submitted with the 60% construction plans.

#### **Task 5: 90% Construction Documents**

Contractor shall review the 60% construction plans and OPC and incorporate up to one round of comments and prepare 90% construction documents.

Contractor shall prepare technical specifications for the proposed improvements. Contractor assumes specifications for civil improvements will be based on Town of Erie standard specifications. Technical specifications shall be submitted with the 90% construction plans.



### **Task 6: Final Construction Documents**

Contractor shall review the 90% construction plans, specifications and OPC and incorporate up to one round of comments in a final deliverable sealed plan set.

### **Task 7: Bidding And Construction Phase Services**

Contractor shall assist the Town during the bidding and construction phases of the project as requested by the Town, for up to 50 hours.

Bidding and construction phase service shall include the services below, as requested by the Town:

*Bid Document Preparation and Contractor Notification.* Contractor shall support the Town in assembling a bid package and attend a pre-bid meeting with potential bidders. If requested, Contractor shall tabulate the bids received and evaluate general compliance of bids with the bidding documents. Contractor shall provide a summary of this tabulation and evaluation. If requested, Contractor shall notify the selected construction contractor.

*Pre-Construction Conference.* Contractor shall attend a Pre-Construction Conference with the Town and other relevant stakeholders before the start of construction.

*Construction Meetings.* Contractor shall attend additional construction meetings on site as requested by the Town.

*Clarifications and Interpretations.* Contractor shall respond to reasonable and appropriate construction contractor requests for information made in accordance with the Contract Documents and issue necessary clarifications and interpretations. Any orders authorizing variations from the Contract Documents may be made only by the Town.

*Shop Drawings and Samples.* Contractor shall review Shop Drawings and Samples and other data which construction contractor is required to submit, but only for general conformance with the Contract Documents. Such review and any action taken in response will not extend to means, methods, techniques, equipment choice and usage, schedules, or procedures of construction or to related safety programs. Any action in response to a shop drawing will not constitute a change in the Contract Documents, which can be changed only through the Change Orders.

*Applications for Payment.* Based on observations and on review of applications for payment and supporting documentation, Contractor shall recommend amounts that construction contractor be paid.

*Record Drawings.* Contractor shall prepare a record drawing for the project showing significant changes reported by the construction contractor or made to the design. Record drawings are not guaranteed to be as-built, but will be based on information made available.

Contractor will not supervise, direct, or control construction contractor's work, and will not have authority to stop the Work or responsibility for the means, methods, techniques, equipment choice and use, schedules, or procedures of construction selected by construction contractor, for safety programs incident to construction contractor's work, or for failure of the construction contractor to comply with laws. Contractor does not guarantee the construction contractor's performance and has no responsibility for the construction contractor's failure to perform in accordance with the construction contract documents.

### Contractor's Deliverables

In performance of the duties described above, Contractor shall deliver the following items to the Town, during the timeframes established by the Town:

Contractor shall provide 4 caisson investigations and 1 Controller Pad investigation at locations to be determined as part of the conceptual design process, to identify conflicts with existing utilities.

Contractor shall prepare a geotechnical report for the site, summarizing the findings, conclusions, and geotechnical recommendations.

Contractor shall prepare an intersection modification memorandum for the intersection of Ridgeview Drive and Sheridan Parkway. The memorandum shall include an interim intersection condition, a signal timing plan for the intersection when signalized, and future intersection geometry and control recommendations.

Deliverables:

- Draft Intersection Modification Memo
- Final Intersection Modification Memo

Contractor shall prepare a 60% preliminary construction plan based on the improvements identified in the conceptual interim intersection layout exhibit prepared as part of the intersection modification memo.

Deliverables:

- 60% Preliminary Plans
- 60% Engineer's Opinion of Probable Cost

Contractor shall prepare technical specifications for the proposed improvements based on the Town's standard specifications. Technical specifications shall be submitted with the 90% construction plans

Deliverables:

- Final Construction Plans
- Final Technical Specifications
- Final Engineer's Opinion of Probable Cost



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-541, **Version:** 1

---

**SUBJECT:**

A Resolution of the Town Council of the Town of Erie Accepting a Warranty Deed for the Westerly Zone 4 Water Line

**DEPARTMENT:** Planning and Development

**PRESENTER(S):** Jon Williams, Development Engineer  
Harry Brennan, Senior Planner

**STAFF RECOMMENDATION:**

Approve the resolution accepting the Warranty Deed for a 0.4731 acre parcel of land for the purposes of water line right of way.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

The Westerly Development is responsible for installing a new water main on Weld County Road 5 (WCR 5). The Town of Erie approved the design in late July 2023. Generally, the water line extends on the eastern side of WCR 5 from WCR 6 to the northern portions of the Westerly Subdivision. Originally, a small portion of this system extended west into the existing roadway due to private ownership of this property. Recently, however, Southern Land Company purchased this property and as the new owner is now able to eliminate this jog in the design and extend the waterline straight, consistent with the rest of the system on WCR 5. This deed will transfer ownership to the Town for the water line location as identified in the legal description.

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Well-Maintained Transportation Infrastructure
- ✓ Safe and Healthy Community
- ✓ Effective Governance

**ATTACHMENT(S):**

1. Resolution
2. Warranty Deed

**Town of Erie  
Resolution No. 23-130**

**A Resolution of the Town Council of the Town of Erie Accepting a  
Warranty Deed for the Westerly Zone 4 Water Line**

**Whereas**, the developer of Westerly wishes to transfer ownership of certain property to the Town for the purposes of maintaining waterline and utility infrastructure.

**Now Therefore be it Resolved by the Town Council of the Town of Erie, Colorado, that:**

**Section 1.** The Warranty Deed, in the form attached hereto, is hereby accepted.

**Adopted this 28<sup>th</sup> day of November, 2023.**

\_\_\_\_\_  
Justin Brooks, Mayor

**Attest:**

\_\_\_\_\_  
Debbie Stamp, Town Clerk

## Warranty Deed

This Warranty Deed, made this 27<sup>th</sup> day of October, 2023, between Erie Land Company, LLC a Delaware limited liability company, whose address is c/o Southern Land Company, LLC, 3990 Hillsboro Pike, Suite 400, Nashville, Tennessee 37215 (the "Grantor"), and the Town of Erie, a Colorado municipal corporation, with a legal address of P.O. Box 750, Erie, Colorado 80516 (the "Grantee").

Witnesseth, that the Grantor, for and in consideration of the sum of \$10.00, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey, and confirm, unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Weld, State of Colorado, described as follows: see **Exhibit A**, attached hereto and incorporated herein by this reference, consisting of approximately 24,713 square feet (the "Property").

Together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

To Have and to hold the said premises above bargained and described with the appurtenances, unto the Grantee, its successors and assigns forever. And the Grantor, for itself, its heirs and personal representatives, does covenant, grant, bargain, and agree to and with the Grantee, its successors and assigns, that at time of the ensealing and delivery of these presents, it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances, and restrictions of whatever kind or nature soever.

The Grantor shall and will Warrant and Forever Defend the above-bargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

In Witness Whereof, the Grantor has executed this deed on the date set forth above.

Erie Land Company, LLC,

A Delaware limited liability company

By: Southern Land Company, LLC,

[Handwritten Signature], (name)  
Vice President, (title)

State of Colorado )  
) ss.  
County of Denver )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of October, 2023, by Heidi Majerik, as VP and GM of Southern Land Company, LLC,

My commission expires: March 16<sup>th</sup>, 2026

(Seal)

[Handwritten Signature]  
Notary Public

KATHERINE GRACE WEIL  
Notary Public  
State of Colorado  
Notary ID # 20224010723  
My Commission Expires 03-16-2026

## Exhibit A



# EXHIBIT A

## PARCEL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF AN UNPLATTED PARCEL RECORDED AT RECEPTION NO. 4224398 IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:** THE WEST LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 21 IS ASSUMED TO BEAR NORTH 00°06'17" WEST AND BEING MONUMENTED AT THE SOUTH END BY A 3.25" ALUMINUM CAP STAMPED "LS 13155, 1998" IN A MONUMENT BOX, AND AT THE NORTH END BY A 3.25" ALUMINUM CAP STAMPED "PLS 26606, 2006" IN A MONUMENT BOX.

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 21, THENCE NORTH 00°06'17" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 904.30 FEET; THENCE NORTH 89°53'43" EAST, A DISTANCE OF 30.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL, THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 5 AS DESCRIBED IN BOOK 86, PAGE 273 OF SAID CLERK AND RECORDER'S OFFICE, AND THE **POINT OF BEGINNING**;

THENCE NORTH 00°06'17" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND THE WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 687.00 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL;

THENCE NORTH 89°53'43" EAST, ALONG THE NORTHERLY LINE OF SAID PARCEL, A DISTANCE OF 30.00 FEET;

THENCE SOUTH 00°06'17" EAST, A DISTANCE OF 687.00 FEET TO THE SOUTHERLY LINE OF SAID PARCEL;

THENCE SOUTH 89°53'43" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 30.00 FEET; TO THE **POINT OF BEGINNING**.

CONTAINING A CALCULATED AREA OF 20,610 SQUARE FEET OR 0.4731 ACRES, MORE OR LESS.

ALL LINEAL DISTANCES ARE REPRESENTED IN U.S. SURVEY FEET.

I, MARK A. GABERT, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

MARK A. GABERT, P.L.S. 38567  
FOR AND ON BEHALF OF MANHARD CONSULTING  
7600 E. ORCHARD ROAD, SUITE 150-N  
GREENWOOD VILLAGE, COLORADO 80111  
(303) 708-0500

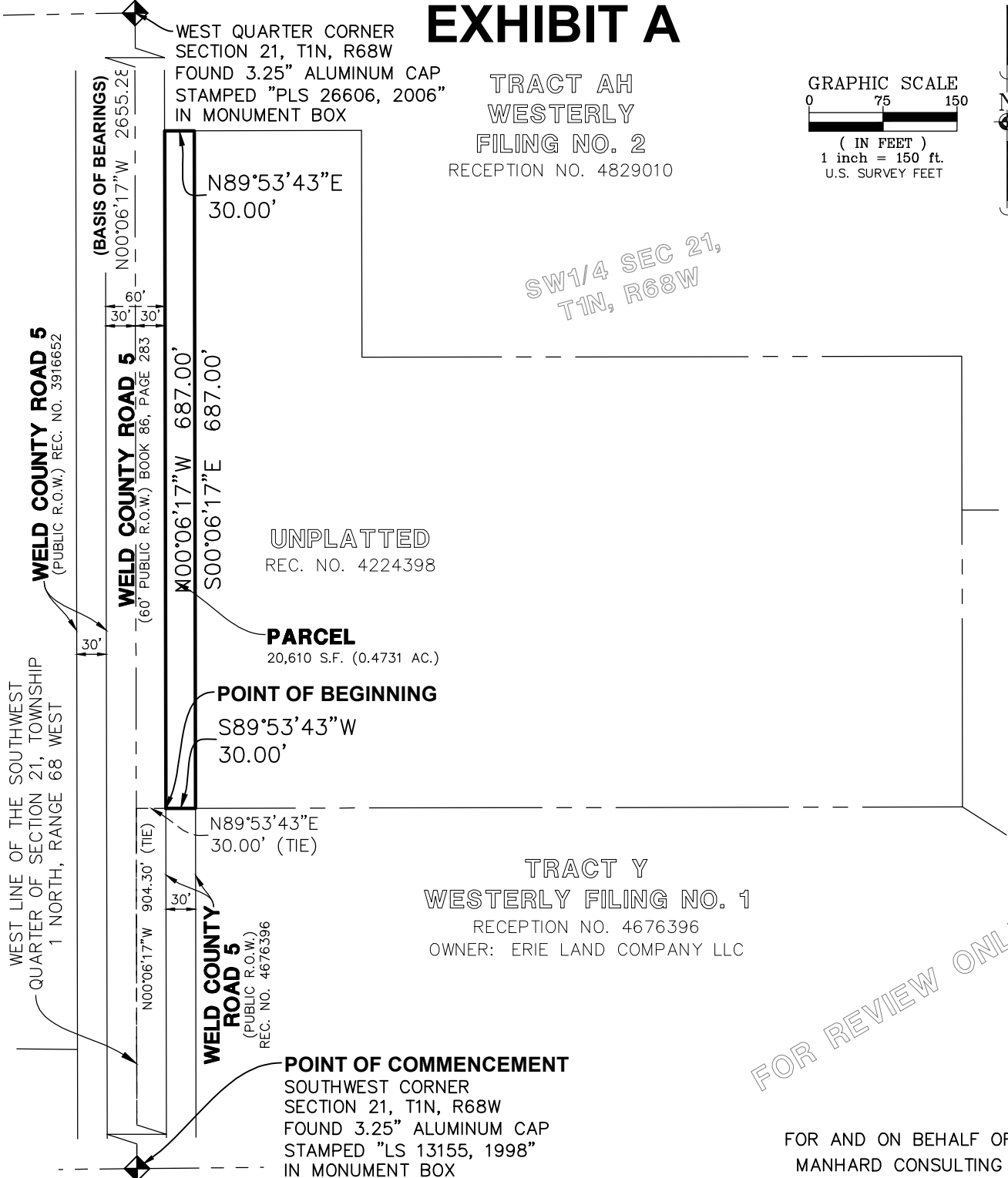
Dwg Name: P:\Sicerco05\dwg\Surv\Final Drawings\Exhibits\Survey\Additional Easement\SLC.ERCO05.03-Exhibit.dwg Updated By: MWood

10/6/2023 6:19 AM

# EXHIBIT A

TRACT AH  
WESTERLY  
FILING NO. 2  
RECEPTION NO. 4829010

GRAPHIC SCALE  
0 75 150  
( IN FEET )  
1 inch = 150 ft.  
U.S. SURVEY FEET



SW1/4 SEC 21,  
T1N, R68W

UNPLATTED  
REC. NO. 4224398

PARCEL  
20,610 S.F. (0.4731 AC.)

TRACT Y  
WESTERLY FILING NO. 1  
RECEPTION NO. 4676396  
OWNER: ERIE LAND COMPANY LLC

FOR REVIEW ONLY

FOR AND ON BEHALF OF  
MANHARD CONSULTING

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

7600 East Orchard Road, Suite 150-N, Greenwood Village, CO 80111 ph:303.708.0500 manhard.com  
Civil Engineering | Surveying & Geospatial Services | GIS  
Water Resource Management | Construction Management

UNPLATTED TRACT, RECEPTION NO. 4224398	
COUNTY OF WELD, STATE OF COLORADO	
EXHIBIT A	
PROJ. MGR.: JAF	SHEET
DRAWN BY: MKW	2 OF 2
DATE: 10/06/23	SLC.ERCO05.03
SCALE: 1"=150'	



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-542, **Version:** 1

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**SUBJECT:**

A Resolution of the Town Council of the Town of Erie Approving an Intergovernmental Agreement with the Office of the State Court Administrator for a Juror List

**DEPARTMENT:** Administration

**PRESENTER(S):** Danielle Trujillo, Court Administrator

**STAFF RECOMMENDATION:**

Approval of Resolution 23-147

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

The Erie Municipal Court requests access to the master juror wheel created by the Office of the State Court Administrator to obtain the most robust, inclusive, and accurate list of Erie residents for the purpose of summoning jurors.

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Engaged and Diverse Community
- ✓ Effective Governance

**ATTACHMENT(S):**

1. Resolution
2. IGA with Office of State Court Administrator

**Town of Erie  
Resolution No. 23-147**

**A Resolution of the Town Council of the Town of Erie Approving an  
Intergovernmental Agreement with the Office of the State Court  
Administrator for a Juror List**

**Whereas**, the Town Council finds that it is in the best interest of the Town and the public health, safety and welfare to approve an Intergovernmental Agreement with the Office of the State Court Administrator for the purposes of identifying prospective jurors within the Town's jurisdiction.

**Now Therefore be it Resolved by the Town Council of the Town of Erie, Colorado, that:**

**Section 1.** The Intergovernmental Agreement is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Intergovernmental Agreement on behalf of the Town.

**Adopted this 28<sup>th</sup> day of November, 2023.**

\_\_\_\_\_  
Justin Brooks, Mayor

**Attest:**

\_\_\_\_\_  
Debbie Stamp, Town Clerk

## INTERGOVERNMENTAL AGREEMENT FOR PROVISION OF JUROR LIST

1. PARTIES. The Parties to this Intergovernmental Agreement for Provision of Juror List (“Agreement”) are the COLORADO JUDICIAL DEPARTMENT (“Department”), by and through the Office of the State Court Administrator located at 1300 Broadway, Suite 1200, Denver, Colorado 80203, and the Town of Erie (“Town”). Department and Town may be referred to collectively as “Parties.” In consideration of their mutual promises and for their mutual benefit, the Parties agree as follows:
2. RECITALS & PURPOSE. The Department is required by C.R.S. § 13-71-108 to compile and maintain, in electronic form, a master juror wheel identifying potential jurors for the state courts of Colorado and is charged with certain responsibilities concerning public disclosure of information contained on the list of potential jurors. The Town is required by C.R.S. § 13-10-114(2) to establish a procedure for summoning and selecting prospective jurors. The Parties desire to make pertinent portions of Department’s current master juror wheel available to the Town for purposes of identifying prospective jurors within the Town’s jurisdiction. The Parties are authorized by C.R.S. § 29-1-203 to enter into agreements with one another to provide any function or service lawfully authorized to each.
3. EFFECTIVE DATE. This Agreement shall be effective upon the date it is fully executed by both Parties and shall terminate upon the Town’s performance of responsibilities as identified in subsection 5.d. below.
4. THE DEPARTMENT’S RESPONSIBILITIES. The Department shall prepare and deliver a list of potential jurors (“Juror List”) derived from its 2024 master juror wheel to the Town, and at no cost to the Town, as follows:

Boundaries: Town of Erie  
Zip codes: 80516  
Other Features: (If any)  
Format: Excel Spreadsheet  
Delivered by means of Email:  
Emailed to:  
Erie Municipal Court  
emc@erieco.gov

Delivery date: When available

5. THE TOWN’S RESPONSIBILITIES.
  - a. The Town shall treat the Juror List as a confidential record and shall not permit the inspection of the Juror List by the public or release the record by any means to the public or to any person other than Town employees who, by virtue of their job duties for the Town, need access to the Juror List. The Town will instruct its employees, agents, or any individual with access to the Juror List, that they are bound by this duty of confidentiality. The Town agrees to immediately notify the Office of the State Court

Administrator by telephone at (720) 625-5000 upon discovery of any unauthorized use or disclosure of the Juror List.

- b. In the event that the Town receives a request to inspect or copy the Juror List or any part thereof, the Town shall promptly refer the requesting party to the Office of State Court Administrator at 1300 Broadway, Suite 1200, Denver, CO 80203 or by telephone at (720) 625-5000.
- c. The Town shall only use the data furnished in the Juror List for the purpose of selecting jurors for trials in the Town's courts and the Town shall not use the data for any other purpose.
- d. Upon discontinuing the use of the Juror List for any reason whatsoever, the Town shall return to the Department all copies of the Juror List, in form and manner as requested by the Department. Any copy or copies that cannot be returned must be destroyed.

The terms and conditions in the above Agreement are accepted by the Parties by authorized signatures below.

COLORADO JUDICIAL DEPARTMENT

By: \_\_\_\_\_  
Typed: Steven Vasconcellos  
Title: State Court Administrator  
Date: \_\_\_\_\_

TOWN OF ERIE  
MUNICIPAL COURT

By: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-575, **Version:** 1

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**SUBJECT:**

A Resolution of the Town Council of the Town of Erie Appointing Sara Hancock as the Town Treasurer

**DEPARTMENT:** Administration

**PRESENTER(S):** Debbie Stamp, Town Clerk

**STAFF RECOMMENDATION:**

Approve Resolution 23-146 making the Town of Erie's Finance Director, Sara Hancock, the Town Treasurer.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

Pursuant to Erie Municipal Code § 1-6-3, the Town Council must appoint a Town Treasurer

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Effective Governance

**ATTACHMENT(S):**

1. Resolution 23-146

**Town of Erie  
Resolution No. 23-146**

**A Resolution of the Town Council of the Town of Erie Appointing  
Sara Hancock as the Town Treasurer**

**Whereas**, pursuant to Erie Municipal Code § 1-6-3, the Town Council must appoint a Town Treasurer.

**Now Therefore be it Resolved by the Town Council of the Town of Erie, Colorado, that:**

**Section 1.** The Town Council hereby appoints Sara Hancock as the Town Treasurer.

**Adopted this 28<sup>th</sup> day of November, 2023.**

\_\_\_\_\_  
Justin Brooks, Mayor

**Attest:**

\_\_\_\_\_  
Debbie Stamp, Town Clerk





# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-574, **Version:** 1

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**SUBJECT:**

An Ordinance of the Town Council of the Town of Erie Amending the Erie Municipal Code to Replace All References to "Board of Trustees" with "Town Council" and to Replace All References to "Town Administrator" with "Town Manager"

**DEPARTMENT:** Town Attorney

**PRESENTER(S):** Kendra Carberry, Town Attorney

**STAFF RECOMMENDATION:**

Approve Ordinance 031-2023 to amend the Erie Municipal Code to replace all references to Board of Trustees to Town Council and Town Administrator to Town Manager.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

On Nov. 7, 2023, the registered electors of the Town of Erie approved the Town of Erie Home Rule Charter which changes the form of the Town's governing body from a Board of Trustees to a Town Council and the title of the Town Administrator to Town Manager. Approving this Ordinance will replace all references to "Board of Trustees" in the Erie Municipal Code with "Town Council", replace all references to "Trustee" with "Council Member", in the singular or plural, as appropriate, and replace all references to "Town Administrator" with "Town Manager".

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Engaged and Diverse Community
- ✓ Small Town Feel
- ✓ Effective Governance

**ATTACHMENT:**

1. Ordinance 031-2023

**Town of Erie  
Ordinance No. 031-2023**

**An Ordinance of the Town Council of the Town of Erie Amending the Erie Municipal Code to Replace All References to "Board of Trustees" with "Town Council" and to Replace All References to "Town Administrator" with "Town Manager"**

**Whereas**, on November 7, 2023, the registered electors of the Town approved the Town of Erie Home Rule Charter (the "Charter");

**Whereas**, the Charter changes the form of the Town's governing body from a Board of Trustees to a Town Council, and changes the position of Town Administrator to Town Manager; and

**Whereas**, the Town Council wishes to update the Erie Municipal Code accordingly.

**Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:**

**Section 1.** In the Erie Municipal Code, all references to "Board of Trustees" shall be changed to "Town Council", all references to "Board" when referencing the Board of Trustees, shall be changed to "Council", all references to "Trustee" shall be changed to "Council Member", in the singular or plural, as appropriate, and all references to "Town Administrator" shall be changed to "Town Manager."

**Section 2.** Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

**Section 3.** Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

**Section 4.** Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

**Introduced, Read, Passed and Ordered Published this 28<sup>th</sup> day of November, 2023.**

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Justin Brooks, Mayor

**Attest:**

---

Debbie Stamp, Town Clerk



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-580, **Version:** 1

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**SUBJECT:**

A Resolution of the Town Council of the Town of Erie Adopting Amended Town Council Rules of Order and Procedure to Replace All References to "Board of Trustees" with "Town Council" and to Replace All References to "Town Administrator" with "Town Manager"

**DEPARTMENT:** Administration

**PRESENTER(S):** Debbie Stamp, Town Clerk

**STAFF RECOMMENDATION:**

Approve Resolution 23-149 adopting amended Town Council Rules of Order and Procedure to replace all references to "Board of Trustees" with "Town Council" and replace all references to "Town Administrator" with "Town Manager".

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

The registered electors of the Town of Erie approved the Home Rule Charter (the "Charter") on November 7, 2023. The Charter instructs that the Board of Trustees now becomes the Town Council and that the Town Administrator now becomes the Town Manager.

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Effective Governance

**ATTACHMENT(S):**

1. Resolution 23-149
2. Town Council Rules or Order and Procedure

**Town of Erie  
Resolution No. 23-149**

**A Resolution of the Town Council of the Town of Erie Adopting Amended Town Council Rules of Order and Procedure to Replace All References to "Board of Trustees" with "Town Council" and to Replace All References to "Town Administrator" with "Town Manager"**

**Whereas**, on November 7, 2023, the registered electors of the Town approved the Town of Erie Home Rule Charter (the "Charter");

**Whereas**, the Charter changes the form of the Town's governing body from a Board of Trustees to a Town Council, and changes the position of Town Administrator to Town Manager; and

**Whereas**, the Town Council wishes to amend the Rules of Order and Procedure accordingly.

**Now Therefore be it Resolved by the Town Council of the Town of Erie, Colorado that:**

**Section 1.** The Town Council Rules of Order and Procedure are hereby adopted in the form attached hereto.

**Adopted this 28<sup>th</sup> day of November, 2023.**

\_\_\_\_\_  
Justin Brooks, Mayor

**Attest:**

\_\_\_\_\_  
Debbie Stamp, Town Clerk

**TOWN OF ERIE**  
**COLORADO**

**TOWN COUNCIL**  
**RULES OF ORDER**  
**&**  
**PROCEDURE**



## 1. AUTHORITY AND PURPOSE

- 1.1 These Rules of Order and Procedure ("Rules") may be temporarily suspended by a majority vote of the Council members present. When making a motion to suspend these Rules, a Council member shall specify which rule, procedure or part thereof is being temporarily suspended, and the purpose for which the rule is to be suspended. The vote on any suspension shall be entered upon the record.
- 1.2 These Rules may be amended or new rules may be adopted by a majority vote of the Council members.

## 2. MEETINGS OF THE TOWN COUNCIL

- 21 **Regular Meetings:** The Town Council of the Town of Erie ("Council") shall meet in regular session on the second and fourth Tuesdays of each month beginning at 6:30 p.m. All Regular Meetings shall be held in the Council Chambers unless otherwise determined by the Council. The agenda for Regular Meetings shall be primarily devoted to the transaction of Town business requiring formal voting by the Council.
- 22 **Pre-Meeting:** Prior to the convening of a regular Council meeting, the Council may meet to review that night's agenda.
- 23 **Special Meetings:** Special Meetings are those held at any other time other than the date of the Regular Meetings, and are for the purpose of transacting limited municipal business that cannot otherwise be transacted in a timely fashion at a Regular Meeting. Such municipal business must be included in the notice of the meeting. Special Meetings may be called as follows: by the Mayor; at the verbal or written request of 3 members of the Council; or by the Town Manager. Notice of the Special Meeting shall be in writing to each of the members of the Council, and such written notice may be via electronic means including e-mail and facsimile. A Special Meeting may also be called by a motion at a Regular Meeting, and with the approval of a majority vote of the Council.

**24 Study Sessions:** The Council may meet in a Study Session, to be held on a date requested by the Town Manager, for the purpose of receiving reports and updates and discussing Town business. No decisions can be made nor may any actions be taken at a study session. All actions taken and all decisions made must be approved at either a Regular or Special Meeting. Study Sessions are open to the public; however, no testimony or comments shall be received from the public at these meetings unless the presiding officer otherwise directs at the Study Session. A Council member may attend a Study Session by electronic means if they are unable to attend in person.

### 3. COUNCIL MEETING PARTICIPANTS

**3.1 Mayor:** The Mayor shall preside over meetings of the Council. The Mayor shall have the right to speak and to vote as any other member of the Council. Duties of the Mayor as presiding officer include:

- a. Open the meeting at the appointed time, and call the meeting to order.
- b. Announce the business coming before the Council in accordance with the agenda-and introduce items of business.
- c. Control the proceedings of the meeting and recognize Council members, staff and members of the public who are entitled to the floor.
- d. State or cause to be stated and put to a vote all questions that legitimately come before the Council and announce the results of the vote. Although not prohibited, the presiding officer generally does not propose a motion.
- e. Enforce the Council's rules relating to debate, order, and decorum at meetings.
- f. Decide all questions of order.
- g. Adjourn the meeting.

**3.2 Mayor Pro Tem:** At the first meeting following each election, the Council shall elect from within its membership a Mayor Pro Tem, who shall



become the acting Mayor in the absence of the Mayor, with the same duties and responsibilities of the Mayor.

- 3.3 Temporary Chair:** In the event both the Mayor and the Mayor Pro Tem are absent from a meeting, the Town Clerk shall call the Council to order and call the roll. If a quorum is present, the Council shall elect by a majority vote a Temporary Chair who will preside over the meeting until the arrival of the Mayor or the Mayor Pro Tem, at which time the Temporary Chair shall relinquish the chair upon conclusion of the business immediately before the Council.
- 3.4 Council members:** All Council members have the right to full participation in all meetings. Council members are expected to attend all Regular Meetings, Special Meetings and Study Sessions.
- 3.5 Absences:** In the event a Council member will be absent, the Council member should notify the Mayor or the Town Clerk as soon as possible prior to the Council meeting.
- 3.6 Executive staff:** The Town Manager and the Town Attorney, or their designees, shall attend all meetings of the Council. They shall have the ability to take part in all discussions of the Council, but shall have no votes. The Town Attorney, upon request of the Council, shall provide either a written or oral opinion on questions of law.
- 3.7 Town Clerk:** The Town Clerk, or designee, shall attend all meetings of the Council and shall keep the official minutes of proceedings and perform other such duties as may be requested by the Council.
- 3.8 Other Municipal Employees:** The head of any department or any employee of the Town, as directed by the Town Manager, shall attend meetings of the Council.

## 4. AGENDA & NOTICE OF MEETINGS

- 4.1 The agenda** shall be set by the Mayor and Town Manager. Items to be included on the agenda may be submitted by the Mayor, members of the Council, the Town Manager, or by staff. Council members wishing to place an item on the agenda must first consult with the Mayor; an

item may be placed on the agenda at the direction of a majority of the Council at a meeting or Study Session.

- 4.2** The Town Clerk shall maintain an “Advance Agenda” listing the meeting schedule and issues the Town Manager anticipates presenting to the Council at each meeting. The Town Clerk shall update the Advance Agenda at least bi-weekly and shall provide an electronic copy of the most recent update at least 5 days prior to each Council meeting.
- 4.3** The Town Clerk shall prepare all agendas upon the direction of the Town Manager.
- 4.4** At any point in the Council meeting, any Council member, when recognized by the presiding officer or when in possession of the floor, may request that a new item (not currently on the agenda) be placed on the current Council meeting agenda or on a future agenda. Such a request shall be made in a formal manner, such as: “I request\_\_\_\_\_be placed on the agenda for (this) (the next) (a specific future) meeting.” If a second is obtained, then a discussion and vote shall be taken on the Council Member’s request. If a majority of those Council Members present vote in the affirmative, then the request shall be granted
- 4.5** No later than Friday preceding the Regular meeting, the Town Clerk will publish on the Town’s website a packet including the agenda for the next meeting showing the order of business. Unsigned written or anonymous communications shall not be included in the packet.
- 4.6** Included in the packet will be a summary of items expected to come before the Council at its next Regular meeting and the information prepared and compiled by Town staff for each item.
- 4.7** A notice of meeting shall be published on the Town's website at least 24 hours prior to a Regular Meeting, Special Meeting or Study Session. Any other notice allowable by law shall be permissible. Notices shall be published as designated by the Council by resolution at the beginning of each calendar year.
- 4.8** In the event that an Executive Session will be held at a time other than in conjunction with a Regular or Special Meeting, notice of such

Executive Session and its purpose shall be published on the Town's website at least 24 hours prior to the meeting.

**4.9 Proclamations.** Procedure and policy for placing a proclamation on the Council agenda is as follows:

**PURPOSE:**

- a. Ceremonial and used for recognition for local person, event, etc.
- b. To honor persons or groups who impact the Town.
- c. Nationally recognized events or activities with local interest.
- d. Non-controversial and non-political.
- e. Should not be subject to strong differences of opinion in the community.
- f. Should not have policy implications.
- g. Should not contain facts and figures that need to be verified.

**PROCEDURE:**

- a. Proclamations require a Council sponsor - staff will work with the Council to see who will sponsor.
- b. A draft shall be submitted at least 2 weeks prior to the Council meeting – the Town may edit the draft.
- c. Staff circulates the proclamation to the Council prior to scheduling so the Council can advise staff of any objection.
- d. If no objections, the proclamation will be scheduled.
- e. When applicable, a representative should be there to accept the proclamation.

## **5. MEETING PROCEDURES**

**5.1** The order of business shall be as follows (unless modified by a majority vote of the Council members present):

- a. **Call to Order**
- b. **Pledge of Allegiance and Roll call**
- c. **Approval of Agenda.** The Town Manager will advise Council members of items which need to be added to or deleted from the agenda, Council members may request addition or removal of agenda

items at this time. Amendments to the order of business or the agenda must be approved by a majority of the Council members present.

d. **Election Related Actions.** After each municipal election, the newly elected members shall be sworn in by the Town Clerk, the Council shall elect the Mayor Pro Tem, the Council shall appoint the Town Officers (Town Manager, Town Attorney, Town Treasurer and Town Clerk) and the Town Clerk shall swear in said Officers.

e. **Consent Agenda.** The Town Manager will put on the Consent Agenda items for Council approval without discussion or debate. Prior to the motion to approve, a Council member may request removal of an item on the Consent Agenda. Items removed will be considered under “General Business” in the order they appeared on the agenda.

f. **Public Comment.** This period is the opportunity for members of the public to comment for up to 3 minutes on any matter not on the agenda or scheduled for public hearing or public comment. The Council shall not take action on items not on the meeting agenda. However, the Council may direct that issues raised during this period be considered on a subsequent agenda, and simple questions may be answered at the presiding officer’s direction. To ensure the Council is able to consider issues already on the meeting agenda, if public comment during this period takes more than 45 minutes, the presiding officer may defer additional public comment to the end of the meeting or to a subsequent meeting.

g. **General Business.** Under this agenda category the Council shall consider Proclamations, Appointments, Presentations, Resolutions, Ordinances and other matters. The order of matters shall be that most conducive to public involvement and the efficient use of the Council’s, presenter’s and Town staff’s time.

h. **Staff Reports.** Information or staff items that do not require action by the Council.

i. **Council Reports** Information sharing, appointments and discussion of items not on the agenda.

j. **Executive Session** (as needed). An Executive Session may be scheduled anywhere on the agenda as determined to be appropriate by the Council.

k. **Adjournment.**

## 5.2 Public Comment Procedures.

a. In addition to the period reserved for public comment on matters not on the agenda, members of the public shall have the opportunity to comment on Resolutions and Ordinances, and other matters before the Council as determined by the presiding officer or applicable law, during the time designated for Public Comment on that matter and when recognized by the presiding officer. Each person shall first sign a public comment sheet listing their name, address, telephone number, and the specific agenda item on which they want to comment. Public comment sheets will be prepared by the Town Clerk.

b. The Town Clerk will deliver the comment sheets to the presiding officer, who will call the names of the persons who indicated they wished to speak in the order they signed up.

c. Prior to making comments, each person will, for the record, give their name and address. If they neglect to do this, the Town Clerk will ask for this information.

d. Each person will be permitted to speak during the designated times for Public Comment for a period of time not to exceed three (3) minutes. The Town Clerk will operate the speaker's timing system and monitor the speaker's time. The timing system will not apply to Council members, Town staff, or presentations by applicants or petitioners.

e. Order:

i. The presiding officer reads title of ordinance or resolution into the record.

ii. Staff presentation.

iii. Applicant/petitioner presentation.

iv. Public comment.

- v. Public comment closed.
- vi. Council deliberation.
- vii. Council motion and action.

**5.3 Electronic Participation:** No Council member may attend a Regular Meeting or Special Meeting or an Executive Session by electronic means, including by telephone, computer or any other device except as provided by the Town's Remote Meeting Policy.

**5.4 Executive Sessions:** All information and discussions taking place in an Executive Session shall remain confidential and shall not be released in any form, repeated or shared, by any participant in the Executive Session unless by a vote of the majority of the Council, at which point, the participants are released from the confidentiality requirement set forth herein.

**5.5 Meeting Minutes:** The Town Clerk shall prepare meeting minutes, which shall be primarily a record of the action taken at the meeting, not what was said by members of the Council. The minutes shall contain a separate paragraph for each item or subject matter, and should reflect each item considered and the disposition of each motion or matter on which action is taken. Comments by Council members or the public may be summarized. The minutes may be corrected or amended by motion of a Council member. If the correction is minimal or insubstantial (incorrect spelling, etc.), it is preferable to contact the Town Clerk prior to the meeting. A corrected copy of the minutes shall then be prepared for approval by the Council at its meeting.

**5.6 Recess:** The presiding officer may call a recess not to exceed (20) minutes at any time during a meeting to determine a rule of order or at the request of a majority of the Council. The presiding officer may call a recess at any time between items of business.

## 6. VOTING

**6.1** Votes may be taken either by voice vote or by roll call vote. A voice vote is achieved by asking those in favor of an item to indicate such as a group and then by asking those in opposition to an item to likewise

indicate such as a group. A roll call vote is achieved by having each Council member individually indicate their vote either in favor of or in opposition to the item. All votes are announced by the Mayor with the assistance of the Town Clerk, as necessary.

- 6.2** Roll call votes are recorded in the minutes and indicate the names of the Council members who voted in opposition. Any Council member may call for a roll call vote at any time.
- 6.3** The order of a roll call vote shall rotate with each vote taken, with the exception that the presiding officer shall always cast the last vote of the roll call.
- 6.4** All ordinances, resolutions, and orders for the appropriation of funds require an affirmative vote of a majority of the Council. Executive Sessions require an affirmative vote of  $\frac{2}{3}$  of the quorum present, and emergency ordinances require an affirmative vote of  $\frac{3}{4}$  of the entire Council. All other actions may be approved by a majority of those present. No votes may be taken unless a quorum of 4 Council members is present, except a vote to continue the meeting and all agenda items to a date certain.
- 6.5** All ordinances and resolutions approving the expenditure of funds require a roll call vote.
- 6.6** No Council member may abstain from voting, except if they indicate a conflict of interest, as defined by state law or the Erie Municipal Code. In that case, the Council member should state the conflict, step down from the Council platform and leave the chambers during the discussion and vote. If any Council member attempts to abstain in any other circumstance, the refusal shall be counted as an affirmative vote.
- 6.7** In case of a tie vote on any motion, the motion shall be considered defeated.

## **7. MOTIONS**

- 7.1** All matters before the Council shall be introduced by motion. A motion refers to a formal proposal by a Council member upon which the Council



may take action. Motions are generally introduced by voice. However, if the motion is long or involved, motions should be put in writing. Motions shall be put in writing if requested by two (2) Council members.

**7.2** All motions must be seconded in order for discussion to occur.

**7.3** The following steps shall be taken for the presentation and disposition of motions:

- a. The presiding officer recognizes a Council member.
- b. The Council member proposes a motion.
- c. Another member seconds the motion.
- d. The presiding officer may cause the motion to be restated.
- e. The Council debates/discusses the motion (amendments to the motion or other substitute motions may be made during the debate/discussion).
- f. At the conclusion of the debate/discussion, the presiding officer may cause the motion to be restated.
- g. Vote is taken and the presiding officer announces the results of the vote.

**7.4** The following motions are the most commonly used:

- a. **Motion to amend:** A motion to amend may take the form of inserting, striking out or striking out and inserting words, sentences, or paragraphs. A motion to amend must be pertinent to the main motion. It is proper to make a motion to amend an amendment. Motions shall be discussed in the reverse order from which they were proposed.
- b. **Motion to continue:** A motion to continue has the effect of moving an item to a future agenda. The motion shall include the date to which the item is being continued.
- c. **Motion to lay on the table:** This motion is used to set aside an item currently under discussion for a more pressing matter. It is not used to “kill” a matter. Once the more pressing matter has been disposed with,



a motion to take from the table is in order. This motion shall be made at the same Council meeting or at the next Regular or Special Meeting.

d. **Motion to postpone indefinitely:** Approval of this motion effectively “kills” the item and no further discussion can be held. If the motion fails, discussion on the motion, and a vote, can be had. Reconsideration of a Motion postponed indefinitely shall require the affirmative vote of a majority of the Council.

e. **Motion to move the previous question:** This motion is used to cut off debate and to bring an immediate vote on the pending motion. A Motion to move the previous question requires a two-thirds ( $\frac{2}{3}$ ) vote of those present to prevail. This motion cannot be made while a Council member has the floor. A vote is first taken on the motion; if successful, debate is halted and a vote on the main motion is made. If the vote on the motion to move the previous question fails, debate on the main motion may continue.

f. **Motion to reconsider:** Any action taken by the Council may be reconsidered. A motion to reconsider must be made at the same meeting at which the action occurred, or at the next following Regular or Special meeting. The motion must be made by a Council member who voted on the prevailing side and that Council member shall so state that in the motion. A vote is then taken on the motion to reconsider. The passage of a motion to reconsider suspends all action on the original motion. The original question is then placed before the Council in the exact form it was in when previously adopted. Once the vote is taken and the results determined, no further reconsideration can be granted.

**7.5** Any motion may be withdrawn prior to a vote on that motion with the concurrence of the person seconding the motion.

**7.6** When a main motion is before the Council, no other business or motion may be brought before the Council except for a secondary or subsidiary motion as follows: (a) motion to amend, (b) motion to continue, (c) motion to lay on the table, (d) motion to postpone indefinitely, (e) motion to move the previous question, or (f) motion to refer. These subsidiary motions [(a) through (f)] shall have precedence in the order indicated.

## **8. CHAMBERS**

- 8.1** The Council Chambers shall be under the supervision and control of the Town Clerk when the Council is not in session.
- 8.2** The Chambers shall be used primarily for the transaction of public business of the Town.
- 8.3** Members shall occupy seats in the Chambers as assigned to them by the Mayor, except that the Mayor Pro Tem shall occupy the seat immediately to the right of the Mayor. New seat assignments shall be made after each regular municipal election.
- 8.4** The Chief of Police, or their designee, shall maintain the peace in the Chambers.
- 8.5** Smoking is prohibited in the Chambers and all areas of Town Hall.



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-528, **Version:** 1

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**SUBJECT:**

Presentation by SVVSD Superintendent Dr. Don Haddad

**DEPARTMENT:** Administration

**PRESENTER(S):** Dr. Don Haddad, SVVSD Superintendent

**TIME ESTIMATE:** 30 minutes

**POLICY ISSUES:**

The intersection between SVVSD and Town issues, including coordination on development related issues like school sites, safe routes to school, and transportation demand management, and continuing support for the Town's School Resource Officers (SROs) in SVVSD schools, which SVVSD funds.

**STAFF RECOMMENDATION:**

Consider Dr. Haddad's presentation and discuss issues of importance to the Town.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

Dr. Don Haddad, Superintendent of St. Vrain Valley School District will give a presentation on SVVSD issues and address questions and comments from the Board.

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Attractive Community Amenities
- ✓ Engaged and Diverse Community
- ✓ Prosperous Economy
- ✓ Well-Maintained Transportation Infrastructure
- ✓ Small Town Feel
- ✓ Safe and Healthy Community
- ✓ Effective Governance
- ✓ Environmentally Sustainable
- ✓ Fiscally Responsible

**ATTACHMENT(s):** None



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

**File #:** 23-550, **Version:** 1

**SUBJECT:**

**PUBLIC HEARING:** An Ordinance of the Town Council of the Town of Erie Providing for the Supplemental Appropriation of Money to Various Funds for the 2023 Budget Year

**DEPARTMENT:** Finance

**PRESENTER(S):** Victoria Runkle, Interim Finance Director

**TIME ESTIMATE:** 5 minutes

**FISCAL SUMMARY:**

Cost as Recommended:	\$4,477,364
Balance Available:	\$1,687,092
Budget Line Item Number:	205-30-110-604000
New Appropriation Required:	Yes

**STAFF RECOMMENDATION:**

Adopt the Budget Amendment Ordinance

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

Following the passage of the 2<sup>nd</sup> Supplemental, certain items remain that must be addressed before the calendar year.

The first request in this 3<sup>rd</sup> Supplemental Resolution is required because the Town’s purchasing rules state the Board of Trustees must approve every cost change in a capital project of more than \$50,000.

On Tuesday, Nov. 14 the Board of Trustees approved Agenda Item 23-520, the second contract amendment for the North Water Reclamation Facility (NWRf) with HDR Engineering for \$120,000. Staff has requested a transfer of an available \$100,000 from the Sewer Rehabilitation budget to the North Water Rehabilitation Facility (NWRf) project where only \$57,065 is remaining before this contract amendment. This transfer will provide enough funds to meet the requirements of the contract amendment. The Sewer Rehabilitation Project will have \$270,000 remaining and this will

meet the needs of that project.

After the transfer, the balances will be as illustrated in the following table:

Account number	Transfer	Remaining Balance After Transfer Approval
510-70-110-605000-100115	(\$100,000)	\$270,000
510-70-110-605000-100267	\$100,000	\$157,065

The second request in 3<sup>rd</sup> Supplemental is to meet the requirements of property purchases from American Rescue Plan Act (ARPA) monies. In 2023 both the Cheesman and Page properties were purchased using ARPA monies. The former property, aka the Cheesman Property, was purchased in February 2023. This purchase was originally budgeted in 2022, and there was a \$25,000 deposit made in 2022. While the purchase was anticipated, and the source of payment identified, the actual purchase was not re-appropriated in 2023. In reviewing the grants, staff discovered this was also not included in either the 1<sup>st</sup> or 2<sup>nd</sup> Supplemental Resolutions earlier in the year.

The second property purchased is the Page Property. This was budgeted for 2024; and how fast the purchase would ultimately be completed was not anticipated.

The following table illustrates how the ARPA monies were appropriated, and with the purchase of the properties, how they should be appropriated now.

---

ARPA Cashflow			
	2023 Adopted Budget	2023 - Supplemental Changes	2024 Proposed Budget
Beginning Available on 1/1/2023	\$6,531,556	\$6,531,556	\$1,687,092
2023 Original Appropriation	\$243,100		
1st Supplemental - Consultation Costs		\$34,000	
2nd Supplemental Use of ARPA monies for the maintenance of the Cheesman property		\$90,000	
Third Supplemental Cheesman Property Purchase		\$1,125,019	
Page Property Purchase		\$3,352,345	
2024 Proposed Budget			\$1,220,000
Changes from 2024 to 2023			\$ (3,352,345)
Estimated Ending FB	\$6,288,456	\$1,687,092	\$467,092

The 2024 Recommended Budget presented to you on Nov. 14, decreased the 2024 ARPA appropriation; assuming the monies would be moved from 2024 to 2023.

The total 3<sup>rd</sup> Supplemental appropriates \$4,477,364 from ARPA monies for the purchase of the two land parcels, Cheesman and Page. The 2024 Budget appropriates \$87,000 from the General Fund for maintenance costs at the properties.

The final request in this 3<sup>rd</sup> Supplemental resolution is from Public Works for \$100,000. This is a transfer from one account number to another: all within the same Fund. It needs no appropriation, but it does require approval.

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Attractive Community Amenities
- ✓ Prosperous Economy
- ✓ Safe and Healthy Community
- ✓ Effective Governance
- ✓ Fiscally Responsible

**ATTACHMENT:**

1. Ordinance
2. Town of Erie 2023 3rd Supplemental Handout



**Town of Erie  
Ordinance No. 027-2023**

**An Ordinance of the Town Council of the Town of Erie Providing  
for the Supplemental Appropriation of Money to Various Funds for  
the 2023 Budget Year**

**Whereas**, on November 15, 2022, the Board of Trustees adopted the Town's 2023 budget, and the Town made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget;

**Whereas**, in certain instances amounts expended and revenues received, as outlined in "Schedule A" attached hereto and incorporated herein, have exceeded the annual budget projections, and in other instances projected revenue receipts and expenditures will be less than budgeted;

**Whereas**, it is required by law and necessary to provide for the supplemental appropriation of expenditures in excess of the adopted 2023 budget; and

**Whereas**, on November 28, 2023, the Town Council held a properly-noticed public hearing on the supplemental appropriation.

**Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, that:**

**Section 1.** The amendments outlined in Schedule A are hereby made to the budgeted appropriations and corresponding adjustments are hereby made to the budgeted revenues and expenses of each fund listed. Any amount shown in the "3rd Supplemental Appropriation" column of Schedule A are hereby ratified retroactive to the adoption of the original 2023 budget.

**Section 2.** Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

**Section 3.** Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

**Section 4.** Effective Date. This Ordinance shall take effect 10 days after publication following adoption.



**Introduced, read, passed and ordered published this 28<sup>th</sup> day of November, 2023.**

---

Justin Brooks, Mayor

**Attest:**

---

Debbie Stamp, Town Clerk

**Schedule A**

Account	Amount	Balance after Adoption
510-70-110-605000-100115	(\$100,000)	\$270,000
510-70-110-605000-100267	\$100,000	\$157,000
205-30-110-604000-212121	\$4,477,364	\$1,687,092

# Town of Erie 2023 3<sup>rd</sup> Supplemental

Changes in Fund Balances/Working Capital - 2023 Budget 3rd Supplemental						
	Beginning Balance	Revenues	Expenditures	Net Increase/Decrease	Other Charges	Ending Balance
Grants Fund - 205	-482,624	9,060,048	6,890,332	2,169,716		1,687,092

Summary of 3rd Supp. Changes 2023	Column Labels				
Row Labels	New Capital Request	Rollovers	Transfers	Grand Total	
<b>Expenses</b>	\$ 3,352,345	\$ 1,125,019	\$	-	\$ 4,477,364
205 - Grants Fund	\$ 3,352,345	\$ 1,125,019			\$ 4,477,364
510 - Wastewater Fund			\$	-	\$ -
<b>Grand Total</b>	\$ 3,352,345	\$ 1,125,019	\$	-	\$ 4,477,364

3rd Supplemental Detail 2023						
Fund	Object *	Project *	New Capital Request	Rollovers	Transfers	Grand Total
<b>Expenses</b>			\$ 3,352,345	\$ 1,125,019	\$ -	\$ 4,477,364
205 - Grants Fund	604000 - Land	212121 - ARPA Grant	\$ 3,352,345	\$ 1,125,019		\$ 4,477,364
510 - Wastewater Fund	605000 - Construction	100115 - Sewer Rehabilitation			\$(100,000)	\$(100,000)
		100267 - NWRP Expansion			\$ 100,000	\$ 100,000
<b>Grand Total</b>			\$ 3,352,345	\$ 1,125,019	\$ -	\$ 4,477,364





# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

**File #:** 23-549, **Version:** 1

**SUBJECT:**

A Resolution of the Board of Trustees of the Town of Erie Adopting the Town’s Fee Schedule

**DEPARTMENT:** Finance

**PRESENTER:** Victoria Runkle, Interim Finance Director

**TIME ESTIMATE:** 5 minutes

**STAFF RECOMMENDATION:**

Adopt the Resolution.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

Annually departments analyze their various fees to determine if they are still meeting the goals of each one. Departmental staff members recommend changing the following fees for 2024.

- The Clerk is recommending a new “Open Container/Private Event fee of \$25 for each event.
- The Block Party fee is lower than many of the Town’s neighboring municipalities.
- The Police Department is reorganizing their fees to align better with requests.
- The Building Division fees have not changed for several years.

These fees reflect the Town’s cost of providing service. They do not generate significant revenue. For example, the Reinspection fees will generate approximately \$15,000 in 2023. This is more than 2022 collections, primarily due to the number of roofing inspections.

Fee Type	Fee Amount
Block parties	<del>10</del> /day

	\$25/day
Open Container/Private Event	\$25/each event
Crime/Incident Reports	\$7.00 for the first ten (10) pages.
	\$0.25 for each additional page
Crash Reports	No charge
Research Fee	\$33.58/hr
	First Hour free of charge
Video Recording	\$20.00/hr
Photos	\$5.00 per 25 photos
Thumb Drive	\$20.00 in addition to the video/photo fee
VIN Inspection (Noncertified)	\$10.00
Fingerprints	\$10 per card
Local Background Check	No Charge
Sex Offender Registration	No Charge
Notary	No Charge
Bond Filing Fee	No Charge
Demolition	\$25 \$75
Inspections, not otherwise listed	<del>47.00</del> \$75.00 per hour, 1 hour minimum
Inspections outside normal business hours	<del>47.00</del> \$75.00 per hour, 2 hour minimum
Reinspection fees	<del>47.00</del> \$75.00 per hour, 1 hour minimum

All other fees will remain the same in 2024 as they currently are in 2023.

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Effective Governance
- ✓ Fiscally Responsible

**ATTACHMENT:**

1. Resolution

**Town of Erie  
Resolution No. 23-141**

**A Resolution of the Board of Trustees of the Town of Erie Adopting  
the Town's Fee Schedule**

**Whereas**, to cover the costs of certain services, the Town charges fees; and

**Whereas**, pursuant to Section 2-10-1 of the Erie Municipal Code, the Board of Trustees adopts the Town's current Fee Schedule by resolution.

**Now Therefore be it Resolved by the Board of Trustees of the Town of Erie,  
Colorado, that:**

**Section 1.** The Board of Trustees hereby adopts the Fee Schedule attached hereto, effective January 1, 2024.

**Adopted this 14<sup>th</sup> day of November, 2023.**

\_\_\_\_\_  
Justin Brooks, Mayor

**Attest:**

\_\_\_\_\_  
Debbie Stamp, Town Clerk

**Town of Erie Fee Schedule**  
(all fees are in U.S. Dollars)

**Administrative Fees**

Fee Type	Fee Amount
Amusement devices, pinball games, music boxes, etc.:	
Dealer license	\$25
Operator license, first device	\$10
For each additional device	\$10
Annexation elections	Actual costs, as determined by Town Clerk
Backyard chicken license	\$25
Billiard halls, game rooms, and restaurants; license	\$25
Plus, for each room over 1	\$25
Billiard tables, shuffleboard tables, other games and shooting galleries; license for first table, shooting gallery, etc.	\$25
Block parties	<del>10/day</del> \$25/day
Open Container/Private Event	\$25/each event
Commercial business license	\$50/year
Door-to-door solicitation license (no group rates):	
Per individual	\$35/month
	\$100/year
Handbill distributor license	\$5/day
	\$25/month
	\$50/year
Home occupation license	\$25/year
Junk dealers	\$25/3 months
	\$50/year
Liquor licenses	Fees set forth in the State Liquor Code. List available in Town Clerk's Office.
Manufacturing or assembly license	\$100/year
Medical marijuana patient registration:	
Application fee	\$50
Late application fee	\$25

Fee Type	Fee Amount
Medical marijuana primary caregiver license:	
Application fee	\$100
Late application fee	\$200
Mobile Vendor Permit	\$50/year



Fee Type	Fee Amount
Promotional Associations:	
Application for Promotional Association	\$500/year
Application for attachment to a common consumption area	\$100/year
Application for recertification of a Promotional Association	\$100/year
Special events:	
Application processing fee	\$200
Permit fee	\$50

### Police Department Fees

Fee Type	Fee Amount
<b>Reports:</b>	
<b>Copies</b>	0.25/page
<b>Fingerprints:</b>	
Resident/Nonresidents (out of state or FBI prints)	10
Nonresidents	15
<b>VIN inspections:</b>	
Noncertified	10
Audio/video/photo thumb drives	20
Research/Redaction (no charge for first hour)	33.58/hour
Bond filing fee	25/warrant
Crime/Incident Reports	\$7.00 for the first ten (10) pages. \$0.25 for each additional page
Crash Reports	No charge
Research Fee	\$33.58/hr First Hour free of charge
Video Recording	\$20.00/hr
Photos	\$5.00 per 25 photos
Thumb Drive	\$20.00 in addition to the video/photo fee
VIN Inspection (Noncertified)	\$10.00
Fingerprints	\$10 per card
Local Background Check	No Charge
Sex Offender Registration	No Charge
Notary	No Charge
Bond Filing Fee	No Charge

## Municipal Court Fees

Fee Type	Fee Amount
Collection fee upon referral of delinquent monetary amounts due to a collection agency	25% of total due
Court costs upon entry of a plea of guilty, nolo contendere, or finding of guilt or liability	\$30
Default judgment fee	\$30
Outstanding judgment warrant (OJW)	\$30
Payment plan fee (charged once, only if total due not paid in 30 days)	\$25
Traffic accident fee	\$50
Warrant fee	\$55
Deferred sentence/prosecution fee	\$50
Seal records filing fee	\$65
Jury fee (forfeited if jury summonsed; refunded if found not guilty)	\$25
Certified copy of any court record	\$15
Discovery fee up to 10 pages, .10 per page thereafter	\$5
Discovery fee for CD/Thumb drive	\$20
Criminal justice records (excludes law enforcement reports, criminal history and driver's license information). Includes search, retrieval, redaction, and copy/download of up to 10 pages, 0.10/page thereafter	\$10
Criminal justice records requests requiring more than 15 minutes to search retrieve, redact, and copy/download. Deposit for estimated amount to be paid prior to search.	\$45/hour

## Public Works Department Fees

Fee Type	Fee Amount
Airport land rental:	
Improved land	\$0.28/square foot annually
Unimproved land	\$0.14/square foot annually
T-hangar space rental	\$50/month
Airport through-the-fence fee:	
Residential	\$600/year
Commercial	\$0.25/square foot (minimum 600 annually)
Design and construction standards book	\$50
Easement or right-of-way review	\$50

Fee Type	Fee Amount
Access Permit	Temporary and Residential - 150 Industrial and Commercial \$300
Right-of-way permit	\$150
Floodplain development permit	\$50, plus third party review and FEMA application and review fees
Stormwater Quality Permit	\$100 review fee plus \$25/disturbed acre; \$100 annual renewal fee
Meter pit covered (no read)	\$50
Meter reinstallation	\$47
Public improvement permit:	
Sewer main	\$0.15/linear foot
Manholes	\$20
Service lateral inspection	\$20
Storm drainage:	
Main installation	\$0.15/linear foot
Storm drainage inlets	\$20
Storm sewer manholes	\$20
Sediment and erosion control	\$50/acre
Trickle channels	\$0.15/linear foot
ponds/dirt	\$0.05/cubic yard
Drainageways, major (concrete)	\$6/cubic yard
Surface improvements:	
Curb, gutter, or curbwalk	\$0.15/linear foot
Detached sidewalk/trails	\$0.15/linear foot
Handicap ramps	\$15
Pavement	\$0.15/square yard
Cross pan	\$25
Drive approach for streets with detached walks or vertical curbs	\$15
Proof roll (based on road centerline)	\$0.10/linear foot
Major structures (concrete)	\$6/cubic yard
Water improvements:	
Main installation	\$0.15/linear foot
Hydrant	\$20
Service line, including meter pit	\$30
Valves	\$2
Manholes or vaults	\$20
Landscape improvements:	
Site preparation	\$0.02/square yard

Fee Type	Fee Amount
Improved surfaces	\$0.15/ square yard
Trees and shrubs	\$2
Fences	\$0.10/linear foot
Total lot including all structures and equipment	\$500
Sod	\$0.10/square yard
Facilities	50% of construction costs
Plan review and inspection	65% of PIP fee
Standard GIS maps:	
8.5 inches x 11 inches	\$10
11 inches x 17 inches	\$13
18 inches x 24 inches	\$16
24 inches x 36 inches	\$20
36 inches x 58 inches	\$25
Storm drainage fee:	<b>2024</b>
Rate per single-family residential equivalent (SFRE) <sup>1</sup>	\$11.98
<b>Notes</b>	
<p><sup>1</sup> Irrigation customers are not assessed a storm drainage fee. Storm drainage fees are assessed based on the impervious area of the property. The average impervious square footage of a single-family residence in the Town is 5,300 square feet, defined as a single-family residential equivalent (SFRE). All residential customers will be charged on the assumption that their property is equal to 1 SFRE. Commercial customers will be charged based on the impervious square footage divided by 5,300 square feet. For example, for a commercial property with 25,000 impervious square feet, the monthly storm drainage fee would be 56.55 in 2023 (25,000 impervious square feet divided by 5,300 square feet equals 4.72 SFREs; 4.72 SFREs multiplied by 11.98 = 56.55).</p>	

Fee Type	Fee Amount
Tie down rental:	
North ramp	\$35
South ramp	\$50

Wastewater rates: <sup>1</sup>		
	2023	2024
Service charge, amount per monthly bill:		
Residential: Single-Family, Multi-Family, & Townhomes <sup>2</sup>	\$10.30	\$10.30
Commercial	\$10.30	\$10.30
Volume charge, amount per 1,000 gallons (based on Winter average usage December—February) <sup>3</sup> :	2023	2024
Residential:		
Single-Family	\$9.45	\$9.45
Townhomes <sup>2</sup> & Multi-Family	\$8.20	\$8.20
Commercial:	\$8.20	\$8.20
<b>Notes</b>		
<p><sup>1</sup> All gallon usage is based on water usage and is calculated by rounding to the nearest 1,000 gallons. For commercial accounts, if internal water usage patterns for the months of December—February are not representative of internal usage throughout the year, the monthly wastewater volume charge will be based on each month's water usage. The appropriate basis for commercial wastewater charges for each account will be established by the Town at the inception of each account, and is subject to adjustment if usage patterns change. The effective date for the rate increase shall be the first day of the calendar year.</p> <p><sup>2</sup> If individually metered.</p> <p><sup>3</sup> Average winter wastewater usage will be used during the following 12 months to calculate the volume charge. For example, average usage for December 2023, January 2024 and February 2024 will be used as the basis for the volume charge for the period March 2024.</p>		

Fee Type	Fee Amount
Water hydrant meter:	
Deposit	\$3,000
Fee:	
Per 1,000 gallons	\$6.57
Water meter:	
Shutoff fee	\$20
Turn on fee	\$20
Reread fee	\$50

Fee Type	Fee Amount	
Water rates, potable:		
Service charge, amount per monthly bill:		
	<b>2023</b>	<b>2024</b>
Residential: Single-Family, Townhomes <sup>1</sup> , & Multi-Family		
¾ inch	\$19.36	\$19.36
1 inch	\$26.83	\$26.83
1½ inches	\$45.53	\$45.53
2 inches	\$67.96	\$67.96
3 inches	\$127.78	\$127.78
4 inches	\$195.08	\$195.08
6 inches	\$382.01	\$382.01
Commercial and irrigation:		
¾ inch	\$19.36	\$19.36
1 inch	\$26.83	\$26.83
1½ inches	\$45.53	\$45.53
2 inches	\$67.96	\$67.96
3 inches	\$127.78	\$127.78
4 inches	\$195.08	\$195.08
6 inches	\$382.01	\$382.01
Volume charge, amount per 1,000 gallons:		
Residential: Single-Family & Townhomes <sup>1</sup>	<b>2023</b>	<b>2024</b>
First 5,000 gallons	\$5.53	\$5.53
Next 10,000 gallons	\$6.92	\$6.92
Next 10,000 gallons	\$10.35	\$10.35
Over 25,000 gallons	\$15.49	\$15.49
Residential: Multi-Family		
First 5,000 gallons	\$5.53	\$5.53
Next 10,000 gallons	\$5.53	\$5.53
Next 10,000 gallons	\$5.53	\$5.53
Over 25,000 gallons	\$5.53	\$5.53
Commercial:		
Per 1,000 gallons	\$6.57	\$6.57
Irrigation:		
Per 1,000 gallons	\$8.16	\$8.39
<b>Notes</b>		
<sup>1</sup> Usage is based on water usage and is calculated by rounding to the nearest 1,000 gallons. The effective date for the rate increase is the first day of the calendar year.		
<sup>2</sup> If individually metered.		

Fee Type	Fee Amount
Water rates, nonpotable:	
Volume charge, amount per 1,000 gallons:	
Vista Ridge development	\$1.33
Town owned facilities	\$1.33
Customers with on site nonpotable storage	\$2.66
Customers with direct connection to Town's nonpotable system	\$4.32
Fee Type	Fee Amount
Oil and gas well development water rate	\$11.46/1,000 gallons
Reuse water rate	\$200/acre-foot
Meter pit rejection	\$100

### Planning & Development Department Fees

Fee Type	Fee Amount
Annexation/De-annexation:	
Minor annexation - up to 20 acres	\$500
Minor Annexation - 20 acres to 40 acres	\$1,000
Major Annexation – Over 40 acres	\$2,000
Comprehensive Plan Amendment:	
Minor – Less than 40 acres	\$200
Major – More than 40 acres	\$1,000
Site Improvement Plan:	
Residential	\$200 plus 10/unit
Non-residential Major ( $\geq 10,000$ s.f. GFA )	\$1,000
Non-residential Minor ( $< 10,000$ s.f. GFA)	\$500
Site Plan Amendment:	
Residential	\$200 plus 10/unit
Non-residential Major	\$500
Non-residential Minor	\$100
Special Use Permit	
Oil and Gas well	\$1,200
All other types	\$500
Subdivision:	
Sketch Plan	\$500 plus 5/lot
Preliminary Plan	\$1,000 plus 20/lot
Final Plat	\$1,000 plus 10/lot
Minor Subdivision	\$1,000
Annexation Plat	\$200
Minor Amendment	\$200

Fee Type	Fee Amount
Zoning	
Planned Development (PD)	\$5,000 plus 10 per acre
PD or PUD Amendment	\$1,500 plus 10 per acre
Any other zoning	\$500 plus 10 per acre
Any other zoning amendment	\$250 plus 10 per acre
Easement and land dedications (not part of subdivision)	\$50
Architectural review w/o subdivision or site plan	\$300/model
Temporary use permit	\$50
Third party review of any application (incl. legal)	Cost to the Town
Wireless communication facility – administrative review	\$250
Wireless communication facility – Planning Commission	\$500
Variance	\$300
Special District Service Plan: Letter of Intent Submittal Fee: Application Fee:  Annual Fee: Non-Model Service Plan Fee:	\$2,500 \$7,500 plus \$7,500 deposit \$500 for single project or \$500 plus \$250 for each additional district beyond the first \$5,000

Fee Type	Fee Amount
Other Expenses:	\$2,500 plus \$2,500 deposit If deposit is not sufficient, applicant shall pay all reasonable consultant, legal, and other fees and expenses incurred by the Town, within 30 days
Fee in Lieu of Open Space land dedication	\$48,500/acre
Neighborhood park land and construction cost fee	\$236,564/acre
Miscellaneous Fees	
Recordation of mylars	\$10/sheet
Recordation of paper	\$5/sheet
Public notice	Actual cost
Vacation of right-of-way or easement	\$200
Unified Development Code	\$25
Comprehensive Plan	\$25



Copies of maps/plans	
18 inches x 24 inches	\$2/sheet
24 inches x 36 inches	\$3.50/sheet
Over 24 inches x 36 inches	\$0.60/square foot
Copies of any other document	\$0.25/page

### **Building Permit Fees**

Fee Type	Fee Amount
Building permit fees, based on total valuation:	
Total valuation:	
1 to 500	\$23.50
501 to 2,000	\$23.50 for first 500 plus \$3.05 for each additional 100 or fraction thereof
2,001 to 25,000	\$69.25 for first 2,000 plus \$14 for each additional 1,000 or fraction thereof
25,001 to 50,000	\$391.25 for first 25,000 plus \$10.10 for each additional 1,000 or fraction thereof
50,001 to 100,000	\$643.75 for first 50,000 plus \$7 for each additional 1,000 or fraction thereof
100,001 to 500,000	\$993.75 for first 100,000 plus \$5.60 for each additional 1,000 or fraction thereof

Fee Type	Fee Amount
500,001 to 1,000,000	\$3,233.75 for first 500,000 plus \$4.75 for each additional 1,000 or fraction thereof
1,000,001 and up	\$5,608.75 for first 1,000,000 plus \$3.15 for each additional \$1,000 or fraction thereof
Electrical permit fees, residential, based on total finished square feet:	
Total finished square feet:	
0 to 1,000	\$35
1,001 to 1,500	\$55
1,501 to 2,000	\$70
1,501 to 2,000	\$70 for the first 2,000 plus \$3 per 100 square feet or fraction thereof for more than 2,000 square feet
Electrical permit fees, all other permit types, based on total valuation:	
Total valuation:	
0 to 300	\$30
301 to 2,000	\$35
2,001 to 50,000	\$15 per 1,000 or fraction thereof
50,000 to 500,000	\$50 plus 14 per 1,000 or fraction thereof
500,001 and up	\$550 plus 13 per 1,000 or fraction thereof
Mechanical permit fees, residential, based on total finished square feet:	
Total finished square feet:	
0 to 1,000	\$60
1,001 to 1,500	\$70
1,501 to 2,000	\$80
1,501 to 2,000	\$80 for first 2,000 square feet plus \$3 per 100 square feet or fraction thereof for more than 2,000 square feet
Mechanical permit fees, all other permit types, based on total valuation:	
Total valuation:	
0 to 300	\$35
301 to 2,000	\$45
2,001 to 50,000	\$17 per 1,000 or fraction thereof
50,001 to 500,000	\$50 plus \$16 per 1,000 or fraction thereof
500,001 and up	\$550 plus \$15 per 1,000 or fraction thereof

Fee Type	Fee Amount
Plumbing permit fees, residential, based on total finished square feet:	
Total finished square feet:	
0 to 1,000	\$75
1,001 to 1,500	\$110
1,501 to 2,000	\$150
1,501 to 2,000	\$150 for the first 2,000 square feet plus \$5 per 100 square feet or fraction thereof for more than 2,000 square feet
Plumbing permit fees, all other permit types, based on total valuation:	
Total valuation:	
0.00 to 300	\$45
301 to 2,000	\$50
2,001 to 50,000	\$18 per 1,000 or fraction thereof
50,001.00 to 500,000.00	\$50 plus \$17 per 1,000 or fraction thereof
500,001.00 and up	\$550 plus \$16 per 1,000 or fraction thereof
Miscellaneous permit fees: Fees are charged as listed above with the following exceptions:	
Additional plan review required by changes, additions or revisions to plans	\$75 per hour, 1 hour minimum
Construction trailer	\$1,000
Demolition	<del>25</del> \$75
Fence:	
Residential	Based on fees in valuation table, not to exceed \$47
Commercial	Based on fees in valuation table, not to exceed \$47
For use of outside consultants for plan checking and inspections	Actual costs
Inspections, not otherwise listed	<del>47/hour, 1 hour minimum</del> \$75/hour, 1 hour minimum
Inspections outside normal business hours	<del>47/hour, 2 hours minimum</del> \$75/hour, 2 hours minimum

Fee Type	Fee Amount		
Irrigation system:			
Residential	Based on fees in valuation table		
Commercial	Based on fees in valuation table		
Mobile home and travel parks per space	\$30		
Mobile home setup	\$125		
Mobile sales office	\$100		
Reinspection fees	<del>47/hour, 1 hour minimum</del> \$75/hour, 1 hour minimum		
Reroof:			
Residential	Based on fees in valuation table, not to exceed \$47		
Commercial	Based on fees in valuation table, not to exceed \$47		
Solar energy device or system:			
Residential	\$164.50		
Commercial	Based on fees in valuation table, not to exceed 1,000		
Temporary electrical construction meter	\$25		
Building codes, filing fees for appeals	\$250		
Contractor licensing, based on calendar year:	Annual (Jan. 1)	<sup>3</sup> / <sub>4</sub> Fee (Apr. 1)	<sup>1</sup> / <sub>2</sub> Fee (July 1)
Concrete and form	\$75	\$56.25	\$37.50
Excavator	\$50	\$37.50	\$25.00
General contractor:			
Class A — (commercial)	\$150	\$112.50	\$75
Class B — (residential)	\$100	\$75	\$50
Class C — (all other)	\$50	\$37.50	\$25
House and building mover	\$75	\$56.25	\$37.50
Mechanical	\$100	\$75	\$50
Plumbing	\$100	\$75	\$50
Plan check fee	65% of building permit fee		
Use Tax:			
Boulder County	Current Boulder County use tax rate multiplied by material costs (or 50% of job valuation as determined by chief building official <sup>1</sup> )		
Town	Current Town use tax rate multiplied by material costs (or 50% of job valuation as determined by chief building official <sup>1</sup> )		

Fee Type	Fee Amount
Wastewater tap fee:	
¾ inch	\$8,860
1 inch	\$14,767
1½ inches	\$29,533
2 inches	\$47,253
3 inches	\$88,600
4 inches	\$147,667
6 inches	\$295,333
Potable water tap fee <sup>2</sup> :	
¾ inch <sup>6</sup>	\$12,050
1 inch	\$20,080
1½ inches	\$40,170
2 inches	\$64,270
3 inches	\$120,500
4 inches	\$200,830
6 inches	\$401,670
Fee in lieu of dedication <sup>2</sup> (potable water rights fee):	
¾ inch	\$16,243 (See also note 4)
1 inch	See note 4
1½ inches	See note 4
2 inches	See note 4
3 inches	See note 4
4 inches	See note 4
6 inches	See note 4
Non-potable water tap fee <sup>4</sup> :	
Per acre-foot	\$17,410

**Notes**

<sup>1</sup> Building Valuation is established by using the **first** Building Valuation Data Table published by the International Code Council (**ICC**) ~~for~~ of the preceding year.

<sup>2</sup> The fee in lieu of water dedication (potable water rights fee) and potable water tap fee are separate and distinct. The fee in lieu of water dedication is required by Section 8-1-9 of the Erie Municipal Code. Potable water tap fees are required by Sections 8-1-8 and 8-1-18 of the Erie Municipal Code.

<sup>3</sup> A small home is defined in Section 8-1-3 of the Erie Municipal Code. An additional \$1,205 may be added to this tap fee for each additional 1,000 square feet of lot size. Townhomes and condominiums are dwelling units described in Section 8-1-3. This tap fee shall apply to condominiums with individual water taps.

<sup>4</sup> Section 8-1-9 of the Municipal Code defines the manner in which the Town determines the amount of fees in lieu of water dedication.

<sup>5</sup> The non-potable water tap fee does not apply to Town-owned property. For all other property, the non-potable tap fee includes the water rights fee, so no separate fee in lieu of dedication is required.

<sup>6</sup> For residential units that require a ¾ inch potable water tap but also require an automatic sprinkler system, the ¾ inch water tap fee shall be charged, but a Fireflow Surcharge of \$170 shall be added to said tap fee.

**Miscellaneous Fees**

Fee Type	Fee Amount
Copies:	
Audiotapes	\$15
Information provided on:	
Thumb drive	\$20
Photographs	\$15 plus actual copy cost
Videotapes	\$15
Faxing services	1/page
Financial statement report (audit)	\$15
Meeting room rental fee:	
Resident	\$35/hour
Nonresident	\$40/hour
Nonprofit	\$15/hour
Municipal Code book	\$125/year, plus postage
Photocopying services	\$0.25
Returned check fee	\$25
Standard computer printouts	\$1.25/page

## Cemetery Fees

Fee Type	Fee Amount	
Cemetery grave	\$2,000/space	
Grave opening and closing	\$1,275	7:00 A.M. to 3:00 P.M. weekdays
Cremaains open and closing	\$650	7:00 A.M. to 3:00 P.M. weekdays
Open and close after 3:00 P.M. or Saturday	\$550 additional	
Grave marking for monument placement	First time no charge, 40 for all additional requests	



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-539, **Version:** 1

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**SUBJECT:**

**PUBLIC HEARING:** A Resolution of the Town Council of the Town of Erie, Colorado Designating 754 Holbrook Street as a Historic Landmark

**DEPARTMENT:** Legislative

**PRESENTER(S):** Mike Turner, Chair, Historic Preservation Advisory Board

**TIME ESTIMATE:** 10 minutes

**STAFF RECOMMENDATION:**

Approve the resolution designating 754 Holbrook Street as a Historic Landmark.

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Attractive Community Amenities
- ✓ Engaged and Diverse Community
- ✓ Small Town Feel

**ATTACHMENT(S):**

1. Landmark Designation Resolution 754 Holbrook
2. Landmark Application and Nomination 754 Holbrook
3. Landmark Presentation 754 Holbrook
4. Public Notice 754 Holbrook



**Town of Erie  
Resolution No. 23-150**

**A Resolution of the Town Council of the Town of Erie Designating  
754 Holbrook Street as a Historic Landmark**

**Whereas**, the Erie Municipal Code provides for the nomination and designation of structures and sites of special historical or architectural value;

**Whereas**, a historic property can be nominated for designation by the Town of Erie Historic Preservation Board by an application submitted by the owner or authorized representative of the property;

**Whereas**, the Erie Historic Preservation Advisory Board, upon application of the owner of the property at 754 Holbrook Street (the "Property") initiated proceedings pursuant to Section 3-3-8.B. of the Erie Municipal Code; and

**Whereas**, the Erie Historic Preservation Advisory Board has recommended the designation of the Property as a historic landmark.

**Now Therefore be it Resolved by the Town Council of the Town of Erie, Colorado, that:**

**Section 1.** The Town Council hereby designates the Property as a historic landmark pursuant to Section 3-3-8 of the Erie Municipal Code.

**Adopted this 28<sup>th</sup> day of November, 2023.**

\_\_\_\_\_  
Justin Brooks, Mayor

**Attest:**

\_\_\_\_\_  
Debbie Stamp, Town Clerk

# Historic Landmark Nomination

## Historic Landmark Nomination

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*Before submitting this application, contact the Erie Historic Advisory Board about the status of your property's historical survey. If the property has previously been surveyed, EHPAB will provide you with your historical survey to be attached to this application prior to submittal. Otherwise, your property will be listed on the Erie Historic Resource Inventory and prioritized for a future historical survey. As soon as it is available, EHPAB will send you the completed historical survey to be attached and submitted with this application.*

---

Historic Name of Property (if applicable)	Sease House
Address of Property	754 Holbrook St.
Owner of Property	Cathleen and Jeffrey Sease

---

### Owner Contact Information

---

Street Name	754 Holbrook St.
City, State, Zip	Erie, Co 80516
Email	<a href="mailto:cathleensease@aol.com">cathleensease@aol.com</a>
Phone	720-839-7695

---

(Section Break)

---

### Description of Property/Site

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1. Legal: Lot	10-11
Block	30
Subdivision	<i>Field not completed.</i>
2. Describe fences, ground features, streams, wells, septic tanks, drainage ditch, leech field, swale, etc. Date any manmade features.	Neighbors to the north and south have built fences, but we have not.
3. Year of Construction	1929

---

4. Structures on the Property/Site	House, Garage, Railroad Cabin, Coal Shed
5. Historic Use	Home
6. Current Use	Home
7. Year(s) of Exterior Remodeling (if known)	The first addition was done in the 1980's by John and Patricia Wyant. The second addition was completed in 2005.
(Section Break)	
Upload Historic Property Survey	<a href="#">Holbrook Survey.pdf</a>
Electronic Signature	Cathleen Sease
Date	6/9/2023

# HISTORIC LANDMARK PROPERTY NOMINATION

**Owner(s) of Property (Site):** Cathleen and Jeffrey Sease

**NOTE:** Only the owner(s) of properties can nominate the property. (Resolution 11-113 3-3-8) 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.

**Street:** 754 Holbrook Street      **City:** Erie      **State:** CO      **Zip:** 80516

**Phone:** (720) 839-7695      **Email:** [cathleensease@aol.com](mailto:cathleensease@aol.com)

**Historic Name of Property (if applicable):** Sease House

**Address of Property:** 754 Holbrook Street

**Structure(s) on the Property being nominate:** House

**NOTE:** List all that are applicable: i.e., house, commercial building, church, barn, garage etc.  
**Exclude** structures not part of the nominated structure but are now located on the property (site).

**Description of Property (site):**

1. **Legal:**    **Lot:** 10-11      **Block:** 30      **Subdivision:** \_\_\_\_\_  
(If applicable, attach a separate sheet with metes and bounds description)

2. **Describe fences, ground features, streams, wells, septic tanks, drainage ditch, leech field, swale, etc. Date any manmade features. Wood picket fence, date unknown.**

a. Mature landscape; half-height wooden picket fence.

**Use of Property:** Welsh Presbyterian Church / Home

**Historic:** Church / Residence

**Current:** Residence

**Year of Construction:** ca. 1929

**Years(s) of Exterior Remodeling (if known):** 1980 and 2005

# HISTORIC LANDMARK PROPERTY NOMINATION

## Statement of Significance:

**Note:** *Historic Landmarks must be at least fifty (50) years old and meet, among others, one or more of the criteria for Architectural, Social/Historic, or Geographic/Environmental significance as described below. A Historic Landmark may be exempt from the age standard if it is found to be exceptionally important to other significant criteria. (Town of Erie, Ordinance No. 28-2010, Series of 2010, Section 3-3-19 Criteria for Designation).*

### 1. Historic sites shall meet one or more of the following criteria:

\_\_\_\_\_ a. **Architectural:** The property or structure has distinctive characteristics of a type, period, and method of construction or artisan.

- Exemplifies specific elements of an architectural style or period;
- Example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally, or locally;
- Demonstrates superior craftsmanship or high artistic value;
- Represents an innovation in construction materials or design;
- Style is particularly associated with the Town of Erie or one of its neighborhoods;
- Represents a built environment of a group of people in an era of history;
- Pattern or grouping of elements representing at least one of the above criteria; or
- Significant historic remodel.

\_\_\_\_\_ b. **Social/historic:**

- Site of a historic event that had an effect on society or the community;
- Exemplifies cultural, political, economic, or social heritage of the community; or
- An association with a notable person or the work of a notable person.

\_\_\_\_\_ c. **Geographic/environmental:**

- Enhances sense of identity of the community; or
- An established and familiar natural setting or visual feature of the community.

# HISTORIC LANDMARK PROPERTY NOMINATION

2. All sites will be evaluated for their physical integrity using the following criteria, but a site need not meet all of the following criteria:

Shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state or nation;

Retains original design features, materials and/or character;

Original location or same historic context after having been moved; or

Has been accurately reconstructed or restored based on documentation.

### 3. Reason for Landmarking

- a. The railroad cabin on this property is historically significant as it relates to Erie's coal mining and railroad past. The structure resides close to a set of Erie railroad tracks that are no longer used. This structure was used either a cabin or storage shed by the railroad. It represents how railroad out-buildings were constructed. This structure was recommended for Landmarking by Metcalf Archeology. Metcalf performed an archeological survey as part of Phase II of the HPAB Master Plan of 2017.

HPAB Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# Erie Landmark Nomination



**Railroad Cabin  
(754 Holbrook)**

# Landmark Nomination

## 754 Holbrook Street

Built 1929



Meets the following Landmark criteria:

- Exemplifies specific elements of an architectural style or period.
- Represents a built environment of a group of people in an era of history.
- Exemplifies cultural, political, economic, or social heritage of the community.
- Shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation.



# Landmark Nomination

## 754 Holbrook Street Railroad Cabin



Metcalf Archeology identified this cabin as eligible for Landmarking as part of the Phase II Survey

- The railroad cabin on this property is historically significant as it relates to Erie's coal mining and railroad past.
- The structure resides close to a set of Erie railroad tracks that are no longer used.
- Pre-dates the construction of the original residence.

NOTICE OF PUBLIC HEARING  
BOARD OF TRUSTEES  
TOWN OF ERIE

Notice is hereby given that on Tuesday, November 28, 2023, at 6:30 PM, or as soon as possible thereafter at the Erie Town Hall Board Room, 645 Holbrook Street, Erie, CO 80516, a PUBLIC HEARING will be held upon the application made by Cathleen and Jeffrey Sease, 754 Holbrook Street, Erie, CO 80516 for the purpose of considering a Historic Landmark Designation pursuant to the Codes of the Town of Erie and applicable State Statutes.

The affected property is located: 754 Holbrook Street, Erie, CO 80516

The legal description of the property is: Lot 10-11, Block 30, West Addition

The application is on file with the Town of Erie.

Interested and affected parties are encouraged to attend. The Board of Trustees will be taking comments prior to making a determination or taking any action on this matter.

Debbie Stamp  
Town Clerk

FOR QUESTIONS OR COMMENTS, CONTACT  
TOWN OF ERIE  
PLANNING & DEVELOPMENT DEPARTMENT  
P.O. BOX 750  
ERIE, COLORADO 80516  
PHONE: (303) 926-2770  
FAX: (303) 926-2706

Please publish in the Colorado Hometown Weekly on Wednesday, November 8, 2023.  
Please send the affidavit of publication and billing to:

Town Clerk  
Town of Erie  
PO Box 750  
Erie, CO 80516

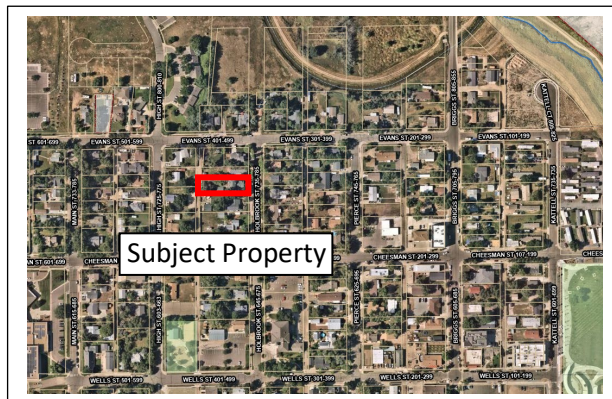


# TOWN OF ERIE PUBLIC HEARING NOTICE

November 10, 2023

The Town of Erie Historic Preservation Advisory Board (HPAB) has scheduled the following item for consideration:

Applicant: Cathleen Sease  
 Project Description: Historic Landmark Property Nomination  
 Legal Description: ERI 24635 L10-11 BLK30 WEST ADD, Town of Erie, County of Weld, State of Colorado  
 Location: 754 Holbrook St., Erie, CO 80516



HPAB Chairperson: Mike Turner  
 Board or Commission: Board of Trustees  
 Hearing For: Historic Landmark Property Nomination  
 Date of Hearing: November 28, 2023  
 Time: 6:30 PM  
 Place: Board of Trustees meetings will be held in person in the Town Hall Board Room, 645 Holbrook Street (lower level, northeast entrance) **UNLESS** otherwise noted in the **Town Calendar on the Town's website**. You can access the Town Calendar by going to the Town's website, [www.erieco.gov](http://www.erieco.gov) and scrolling to the bottom of the page to "Events & Meetings". Select the "Board of Trustees Meeting" in the box or click "View All" for more information, dates, and access to the meeting agenda. Please note: Public Comment can be given both in person and via Zoom (please see the Town Calendar at [www.erieco.gov](http://www.erieco.gov) for Zoom information).

This letter is your notice of the above referenced hearing(s). We are sending you this notice as required by Erie Municipal Code Title X, Chapter 3.3.8.C.1. or as a referral agency of the Town. Copies of the application and support material for this project are on file and available for public inspection. Applicant materials are typically posted to the Town of Erie Agenda Center, online at <https://erie.legistar.com>, the Friday before the public hearing date. Public comment is welcome during public hearings; or, you may send email comments [planningapplication@erieco.gov](mailto:planningapplication@erieco.gov); or, written comments to Town of Erie - Planning, P.O. Box 750, Erie, CO 80516-0750. If you have any questions, please call Planning at 303-926-2770.







# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-569, **Version:** 1

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**SUBJECT:**

Public Works Monthly Report

**DEPARTMENT:** Public Works

**PRESENTER(S):** Todd Fessenden, Public Works Director

**POLICY ISSUES:** This is a monthly report and thus has minimal policy implications.

**STAFF RECOMMENDATION:** For information only.

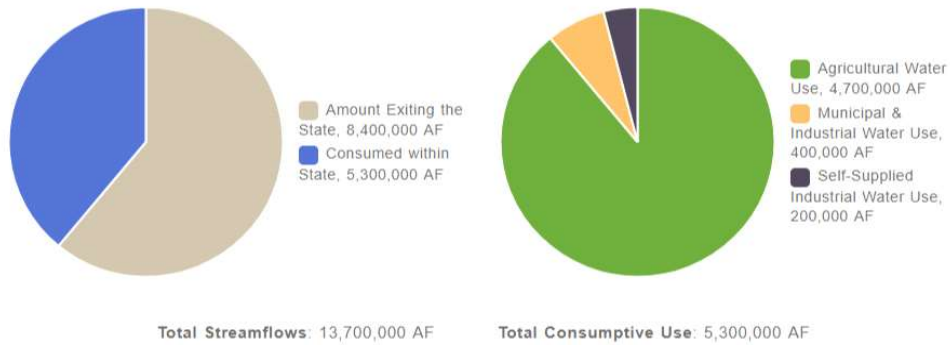
**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

The Public Works Monthly Report includes Capital Improvement Project updates and other significant Public Works related activity.

The Water Treatment and Water Reclamation graphs depict the monthly production averages and the average per capita usage, based on the population within the system at the Lynn R. Morgan Water Treatment Facility and the North Water Reclamation Facility from 2020 - 2023.

Also included are plant treatment capacities, permit limits, peak demand data, as well as pertinent weather information for the same period. The updated chart below comes from Colorado Water Plan and represents consumptive use (water permanently removed from immediate water environment) by each sector, and therefore are lower than total water withdrawn or diverted.

Colorado Consumptive Water Use



Charts recreated from Colorado Water Plan (2015). Note that figures represent consumptive use (water permanently removed from immediate water environment) by each sector, and therefore are lower than total water withdrawn or diverted.

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Safe and Healthy Community
- ✓ Effective Governance
- ✓ Environmentally Sustainable
- ✓ Fiscally Responsible

**ATTACHMENT(S):**

1. Monthly Report

# Public Works Report

## October 2023

### **Front Range Landfill (FRL) Updates**

The Facilitator Request for Proposals (RFP) for FRL Community Stakeholders process is complete and Kearns and West was the selected firm. We will be working with them over the course of the next several weeks to develop the selection process.

### **Capital Improvement Projects**

#### **NWRF Solar**

Project includes an approximately 5.5-acre solar array east of the facility that could cover close to 100% (1.7 MW) of the building's current energy use. Grant funding is being explored to support this project. Waiting on additional information from Iconergy, which has been conferring with United Power and mapping electrical feeds through multiple meters. Grant funding and new IRA cash back in lieu of tax credits are being explored to support this project. Staff met with Iconergy and explored options to reduce peaking with the use of batteries, Iconergy is putting together a proposal to begin detailed design.

#### **North Water Treatment Facility (NWTF) Design**

Design has kicked off on this second Water Treatment Facility at the NWRF Facility site. This facility will treat Boulder Creek water and Filly Lake water initially, then later be expanded to treat NISP, and possibly be a joint-use project with Left Hand Water District to treat their NISP water, for reasons of economy of scale. This phase of the design will progress us to 15% drawings, site conceptual layout, treatment alternatives, green infrastructure alternatives (Triple Bottom Line) to include a large solar array. Staff met in the last month with water counsel and consultant Burns and McDonnell and has decided to design a 6.67 MGD Reverse Osmosis plant.

#### **Streetlight Acquisition:**

Negotiations to purchase Town streetlights from Xcel Energy and United Power continue. Town representatives and Tanko presented at a recent United Power board meeting in late October to discuss their proposed power rate structure. United Power's initial response is to continue with the lumen-based rate structure that they are offering. The Town and Tanko are advocating for a watt-based structure mimicking what Xcel Energy is offering for their streetlights in Erie. Purchase date could be as early as quarter 1 in 2024. The town is working with Tanko to establish a Streetlight Master Plan to guide streetlight related development moving forward.

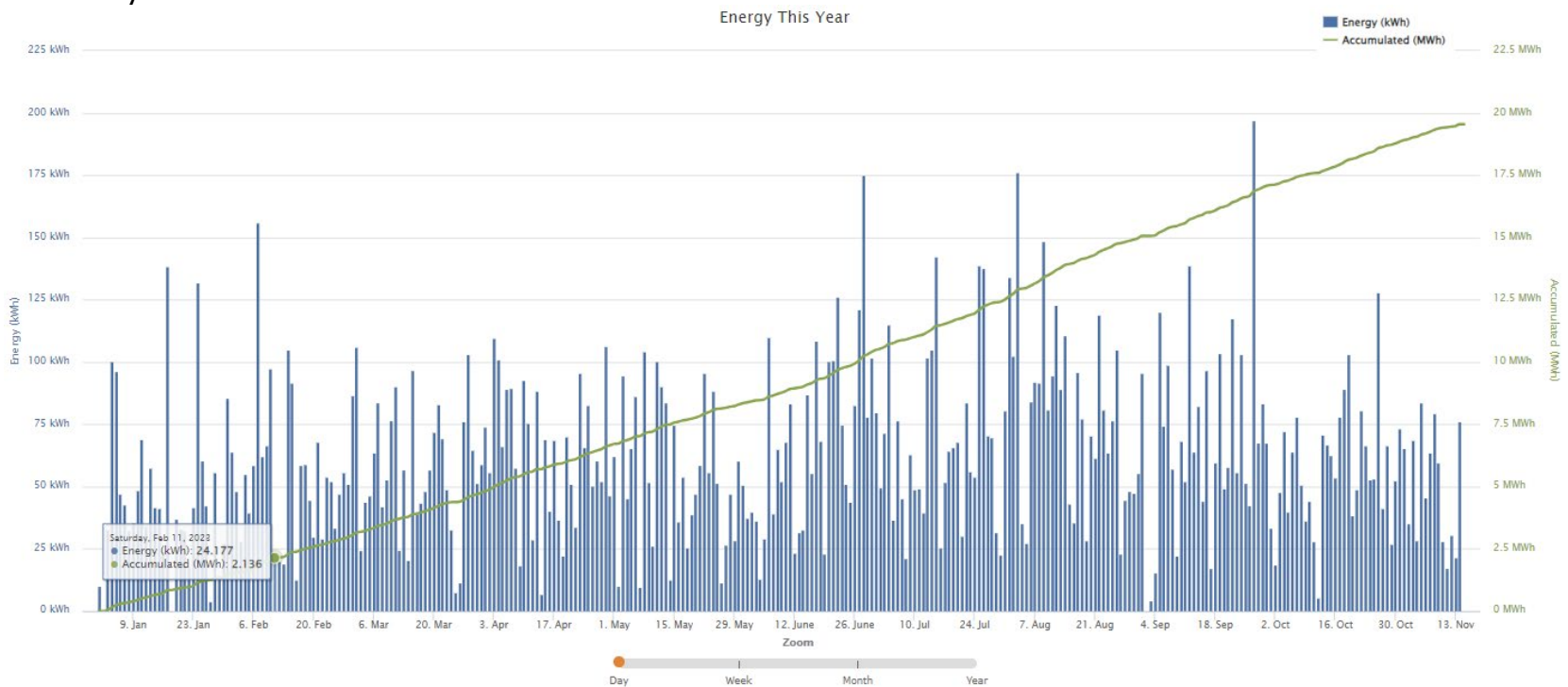
# Sustainability and Water Conservation

## Sustainability Division General Updates:

The PV solar array at the new Sustainability Division office at 625 Pierce Street is still waiting on Xcel for final interconnection. The Air Source Heat Pump is running well, and the building will soon be net zero for its carbon emissions. Sustainability will have an open house in early 2024 to showcase the building and its renovations.

## Air Quality & Transportation:

- The Sustainability Division continues to participate in the Boulder County Regional Transportation Electrification cohort. We are still waiting to hear about Boulder County's grant of which Erie committed as a project partner along with most other Boulder County municipalities.
- [Indoor air quality rebates](#) continue to trickle in.
- We are exploring non-metered level 2 EV charger opportunities at Leon A Worl Service Center (LAWSC) as currently Town EVs at this location are charged via a standard 120-volt outlet. We should have at least one level 2 charger installed at LAWSC by the end of 2023.





*The above image outlines the total energy used by the Town of Erie ChargePoint EV charging stations since the start of 2023. GHG emissions avoided per month (and EV charger use) have steadily increased in 2023. Since January 1<sup>st</sup>, Town of Erie EV charging stations have used 19.549 MWh of energy, avoiding a total of 13,880 kg of greenhouse gas emissions.*

## **Energy:**

- [Solar United Neighbors \(SUN\) Boulder County Co-op](#): This roof-top solar bulk purchase campaign is already the most successful campaign that SUN has facilitated. 12 Erie residents have signed up to participate in the 252-member group from all of Boulder County and Erie. The program members selected Smart Wave Solar for their installer on November 2<sup>nd</sup> and did so for several reasons including their competitive pricing structure and high-quality product. Check out the campaign website and resources here: <https://www.solarunitedneighbors.org/co-ops/colorado/boulder-county-solar-co-op/>.
- TOE [Energy Efficiency Rebates](#) to date:
  - Increased participation with 24 rebate recipients to date since the program's 8/1 launch.
  - Total rebate funding spent: \$9,769.99
  - Social media and utility billing advertising will continue through the end of the year.

## **Waste, Recycling, & Composting:**

- David Winsett, Part-time Waste Diversion Technician, will begin on November 27<sup>th</sup> and will cover weekend operations at the Recycling Center moving forward.
- Erie's 2023 Tree Advisory Board and Sustainability Advisory Board sponsored [Leaf & Pumpkin Collection Event](#) is November 18<sup>th</sup> from 9-3 at the Recycling Center. These materials will be continuously collected throughout the fall with special support from volunteers on site on the 18<sup>th</sup>.
- [Resource Central](#) will begin advertising a weekly re-use material pickup in Erie. The Town will begin advertising this diversion opportunity soon with the support of Resource Central.
- Sustainable Purchasing Policy department specific focus groups began in mid-November through the support of Lotus Sustainability & Engineering. An EV Procurement Plan conversation is occurring as part of this project. Draft policies will be developed from these conversations with time for department review and feedback as well as senior leadership. The goal is to have both a Sustainable Purchasing Policy and EV Procurement Policy ready for adoption by February of 2024.

## **Outreach and Education:**

- Sustainability launched its first sustainability and water conservation focused newsletter on November 1<sup>st</sup> and will continue the first of each month moving forward. If you are interested in receiving this newsletter, please signup on the Town of Erie Notify Me website under "sustainability": <https://www.erieco.gov/list.aspx>.
- Sustainability is hosting a tour for town staff and board members of [GEOS, a net zero neighborhood in Arvada](#) from 1:30-3:30 on December 15<sup>th</sup>. If you are interested in participating, please email Eryka Thorley directly, [ethorley@erieco.gov](mailto:ethorley@erieco.gov).
- Sustainability participated in the [C2ES](#) Climate Resilient Economies 2<sup>nd</sup> Roundtable event on November 14<sup>th</sup> in Denver. This event convened sustainability staff, economic development, and business leaders from around the Front Range. The Northern Front Range was chosen as one of 10 locations for this unique incubator opportunity with Erie being one of the original applicants.

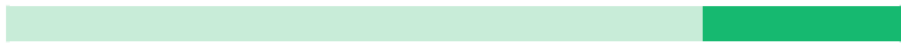
## **Water Conservation & Efficiency (as of November 7th)**

1. [Turf Replacement Rebate Program](#) – Program has ended for 2023.
  - A. 46 Boulder County participants completed projects: \$67,391.61 spent in rebate funding in Boulder County to date representing 47,477 sq. ft. of total turf conversion.
  - B. 30 Weld County participants completed projects: \$40,390.00 in rebates spent and 34,571.75 sq. ft. of landscape conversion.
  - C. Total program numbers for 2023:
    1. \$107,781.61 rebate dollars spent.
    2. 82,018.75 sq. ft. of landscape conversion
2. Post-participation turf program survey was sent out to participants from 2022 and 2023 programs on 11/7. So far there are 75 responses.
3. Water efficiency rebates continue to be steadily utilized by residents with 143 participants to date representing \$14,556.47 in rebates funded.
4. Utility billing and sustainability staff continue to work together to send out weekly leak alerts to customers showing leaks on their smart meters.

### Accounts with EyeOnWater

# 22%

Out of 11,985 Accounts



**9,311** 78%  
Without EyeOnWater

**2,674** 22%  
With EyeOnWater

### User Count

# 2,501

EyeOnWater Users

Active in the last 30 days



Active in the last 24 hours



### New Sign-ups

# 137

Sign-ups in Last 6 Months



User Sign-ups Per Month

[View All EyeOnWater Users](#)

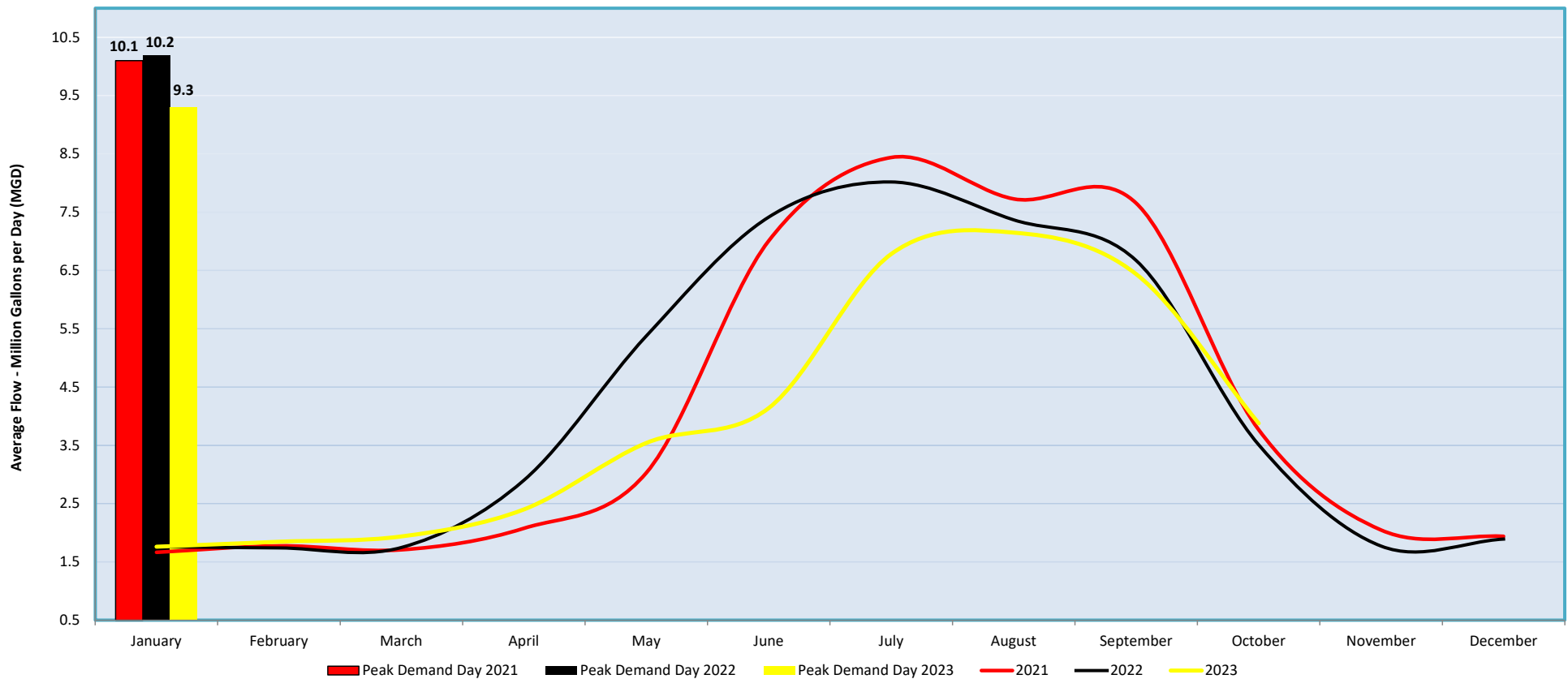
[View Detailed User Analytics](#)

## Lynn R. Morgan Water Treatment Facility (WTF)

**Average Flow Million Gallons per Day (MGD):    2020 – 4.1 MGD    2021 – 4.3 MGD    2022 – 4.2 MGD**

July 2022 set a new record for the peak daily production at 10.2 MG. February 2020 had the lowest monthly demand at 1.49 MG. As new development comes online with water saving features and smaller landscaped areas, combined with the Town’s strong tier pricing and conservation messaging we are seeing water demands reacting appropriately. Overall water demands are down due to wet, cool weather this year. Our peak day this year was lower than even 2020. Typically, peak-day increases 0.5 MG each year.

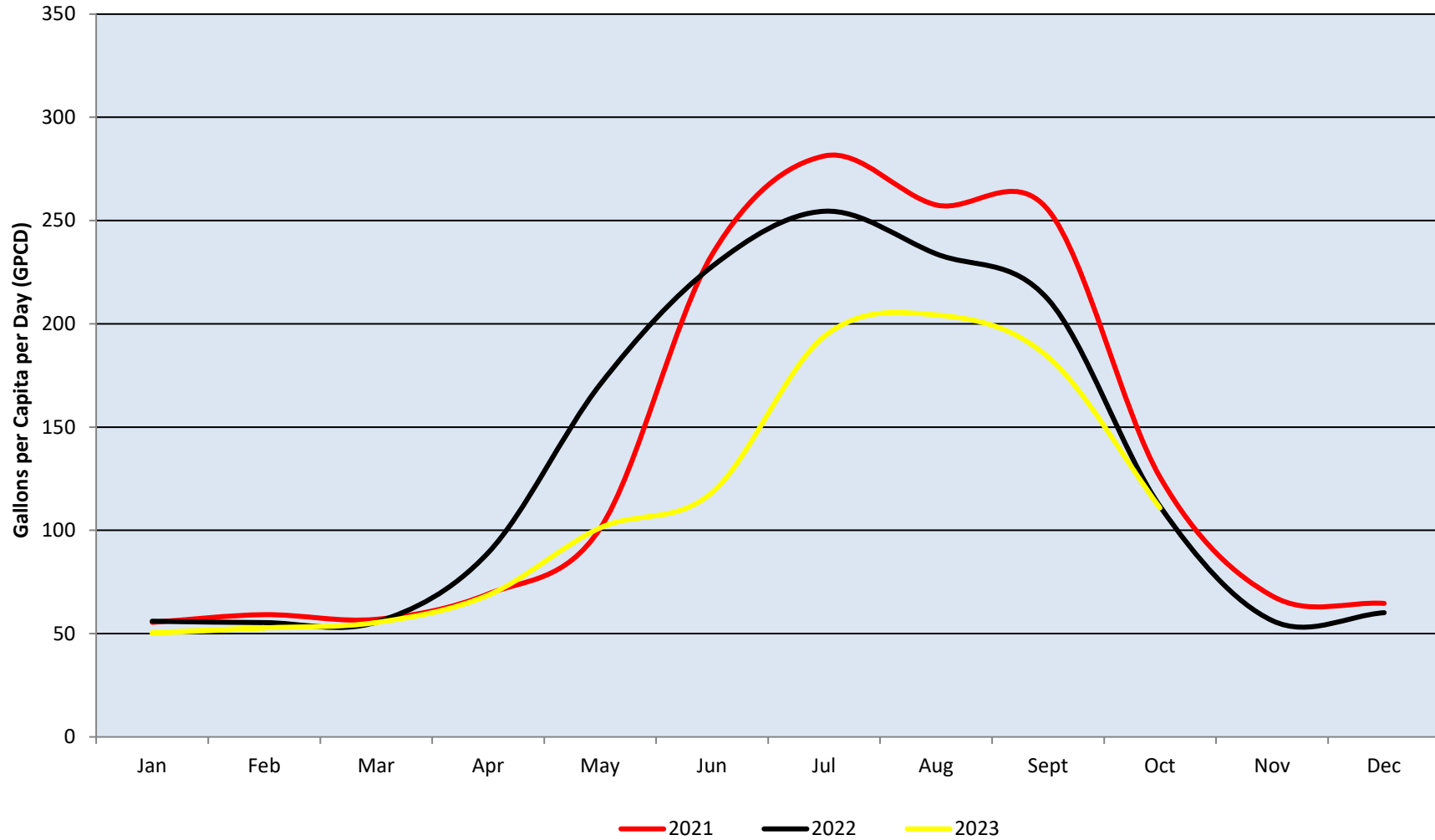
### Average Monthly Production



**Average Per Capita per Day (GPCD):**      **2020** – 143 GPCD    **2021** – 136 GPCD    **2022** – 132 GPCD

July 2020 had the highest average daily usage at 294 gallons GPCD. January 2023 had the lowest usage since 2019 at 50 GPCD. Indoor demands during winter remain relatively stable. Drought messaging, along with wetter conditions, seems to be helping curb excessive use. Reducing summer irrigation and increasing reuse water availability will reduce reliance on treated water supplies in the future. Outdoor irrigation amounts to roughly 40% of annual deliveries, the shift in demand is notable.

### Average Daily Usage Per Capita

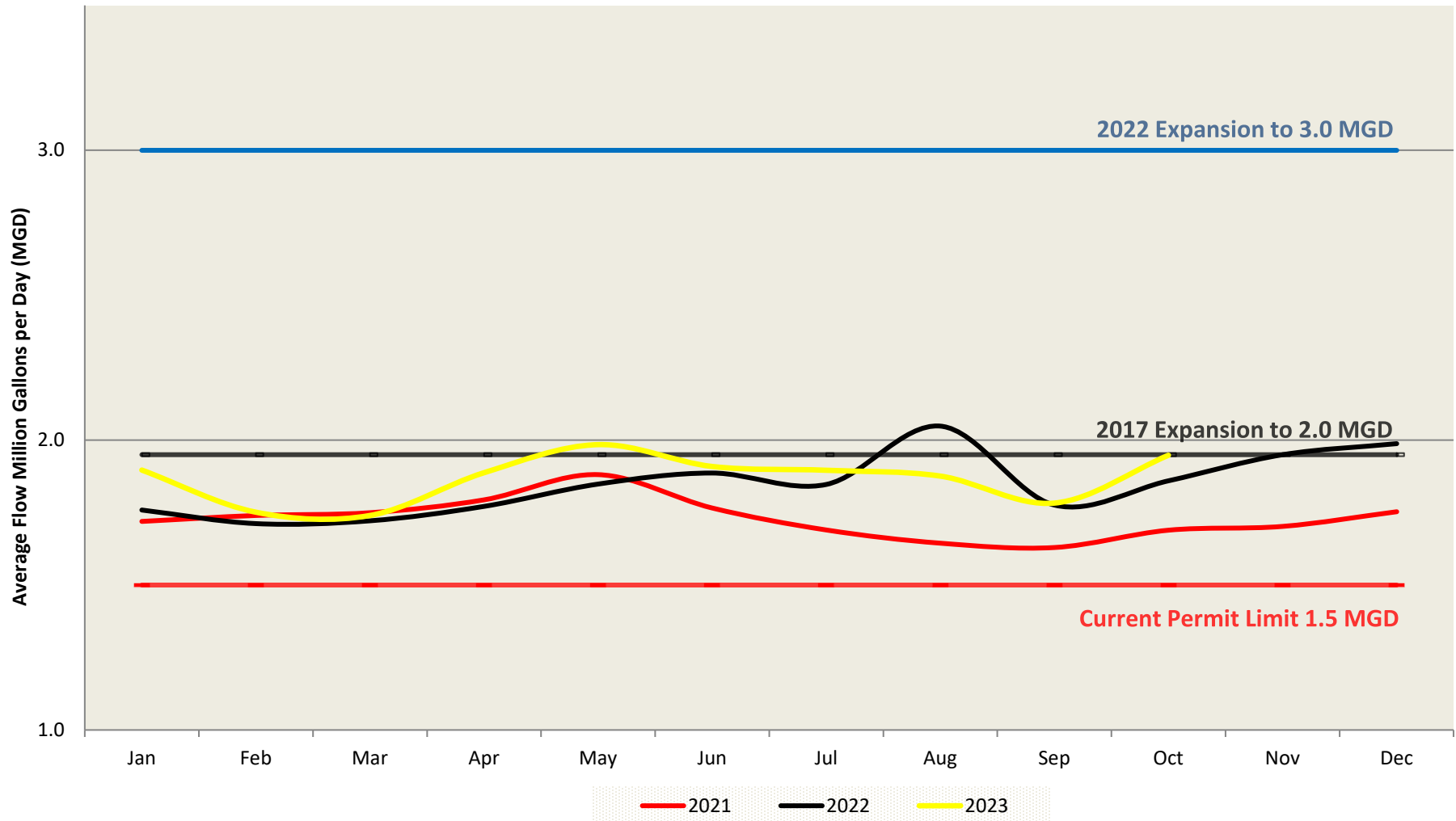


# North Water Reclamation Facility

**Average Flow MGD:** 2020 - 1.66 MGD 2021 - 1.73 MGD 2022 - 1.85 MGD

January 2020 had the lowest average flow of 1.53 million gallons per day (MGD). August 2022 set a high average monthly flow of 2.05 MGD, likely due to microburst rainstorms that month.

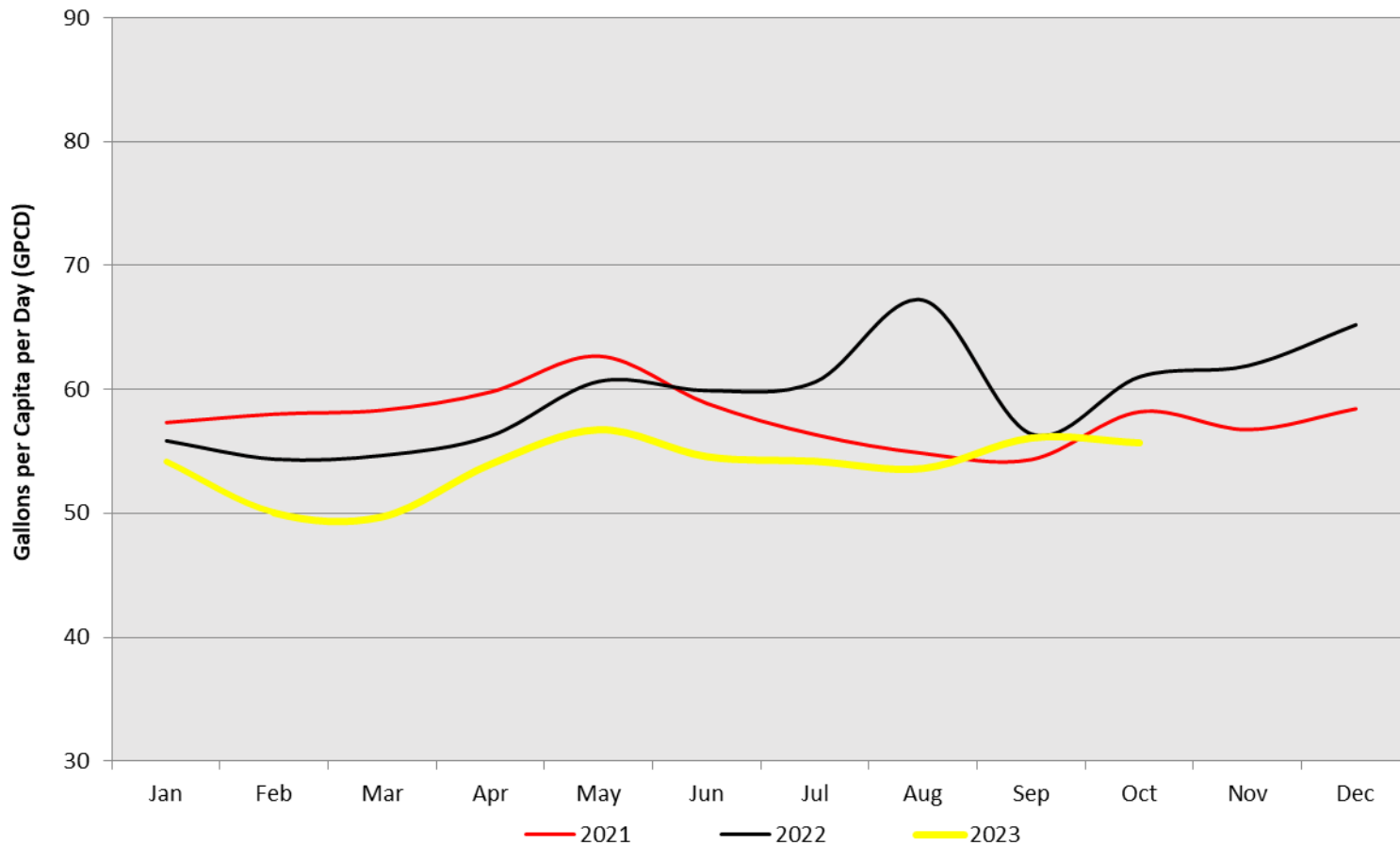
## Average Monthly Flows



**Annual Gallons Per Capita per Day (GPCD):    2020 - 58 GPCD    2021 - 58 GPCD    2022 - 59 GPCD**

This graph depicts customer indoor water usage. August 2022 had the highest usage at 67 GPCD, again due to intense rain. February 2023 had the lowest usage at 50 GPCD. Fall, with relatively little precipitation and dropping groundwater levels, is typically a good indicator of true daily flows. Even with inflows due to excessive precipitation, indoor water usage continues to drop due to new construction and water saving features as well as a relatively new and non-leaking sewer system.

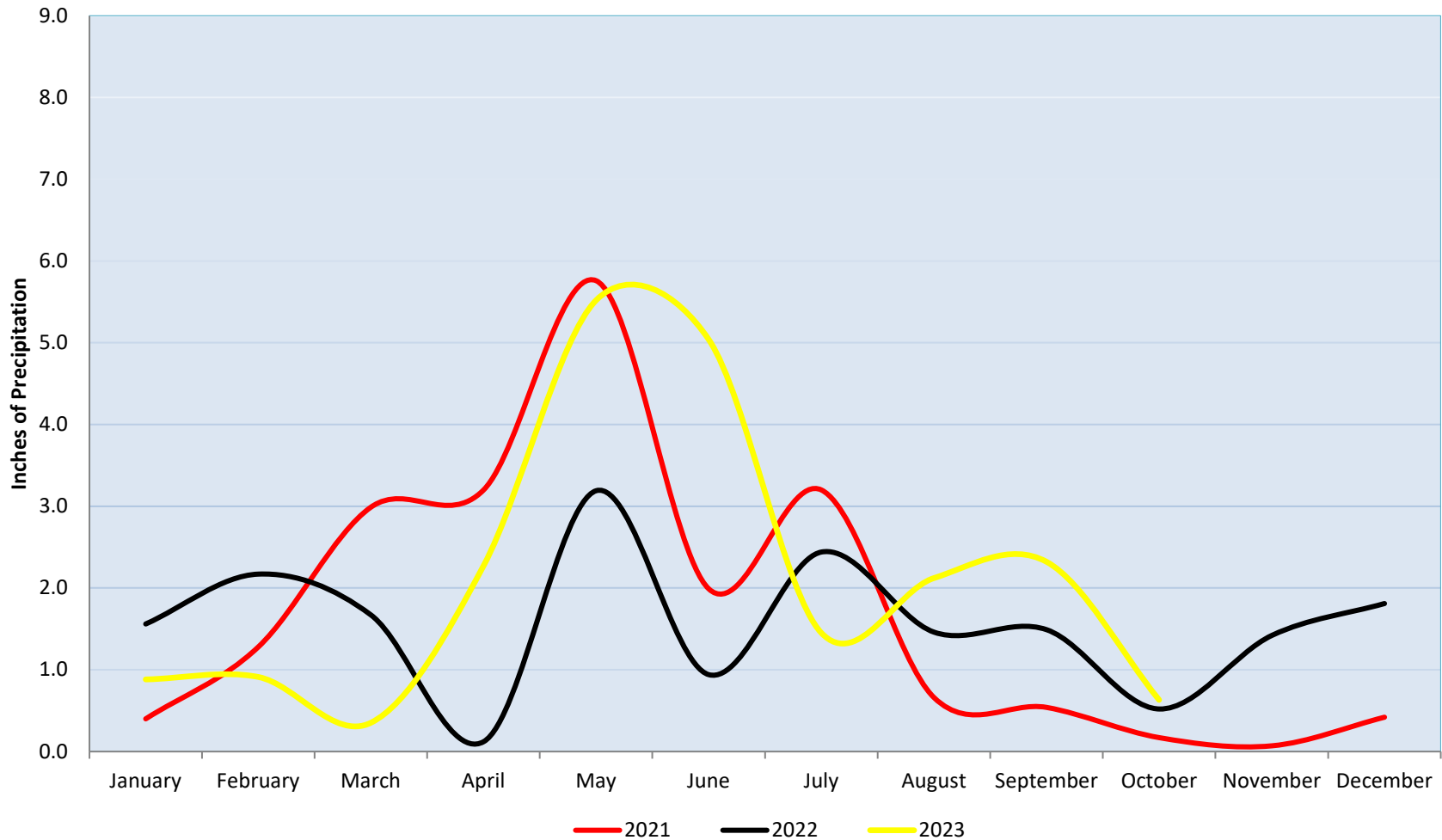
**Average Daily Usage Per Capita**



## Monthly Data for Boulder – National Oceanic and Atmospheric Administration (NOAA) & Natural Resource Conservation Service (NRCS)

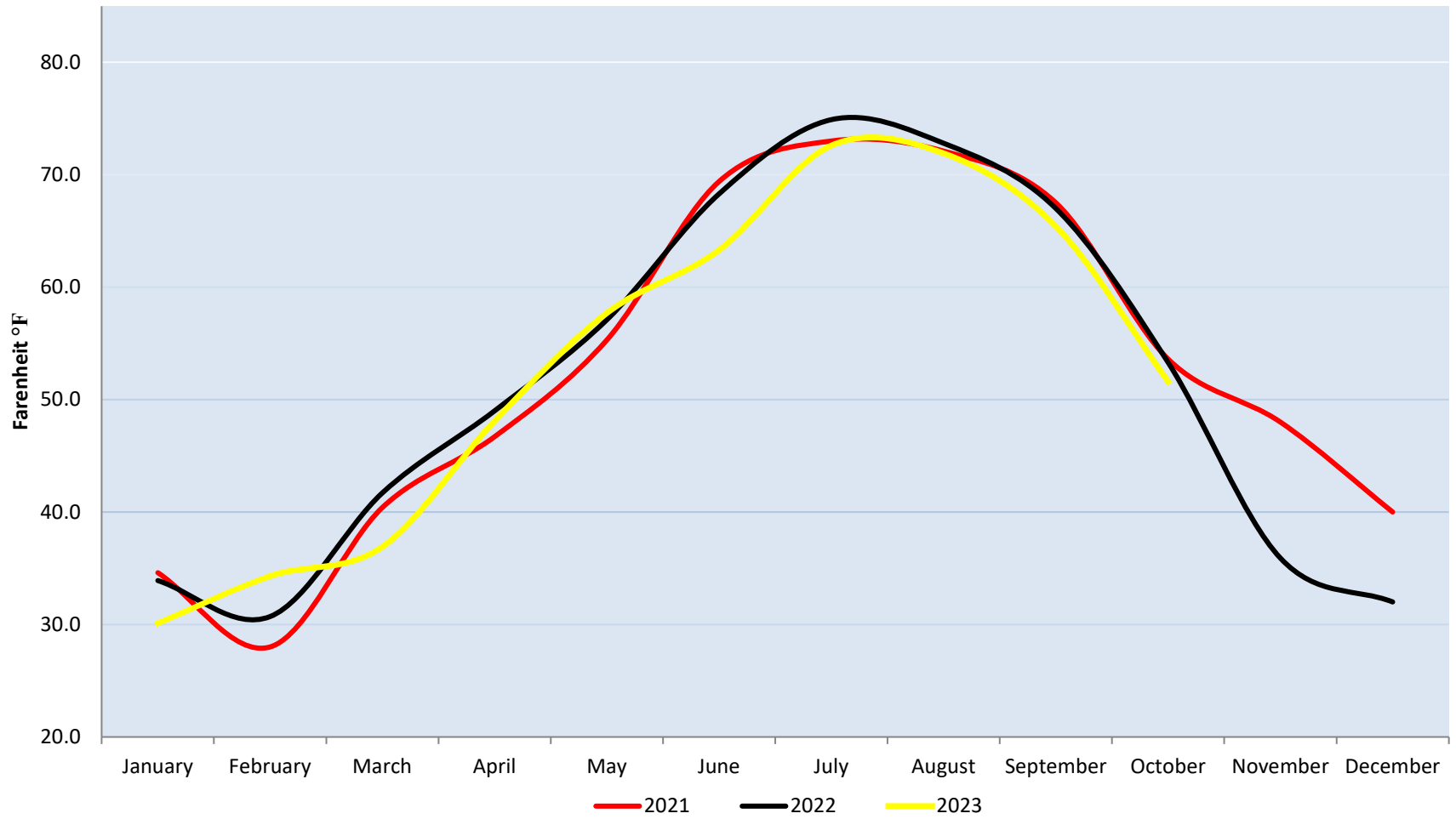
NOAA is predicting 33–40% below normal precipitation and 33-40% above below normal temperatures into early December. This years odd precipitation is on display in the graph below.

### Precipitation





# Mean Temperature



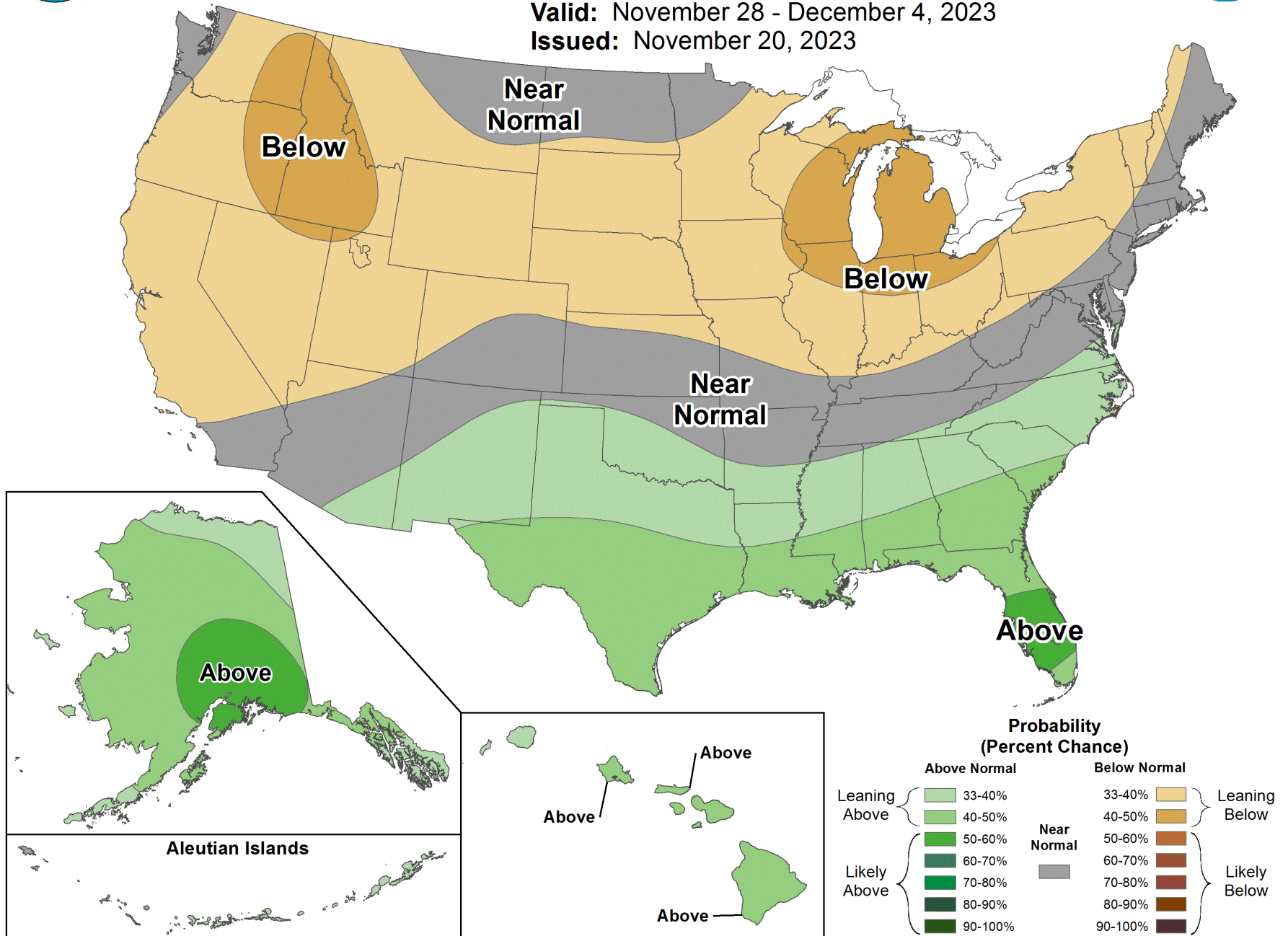


# 8-14 Day Precipitation Outlook



Valid: November 28 - December 4, 2023

Issued: November 20, 2023





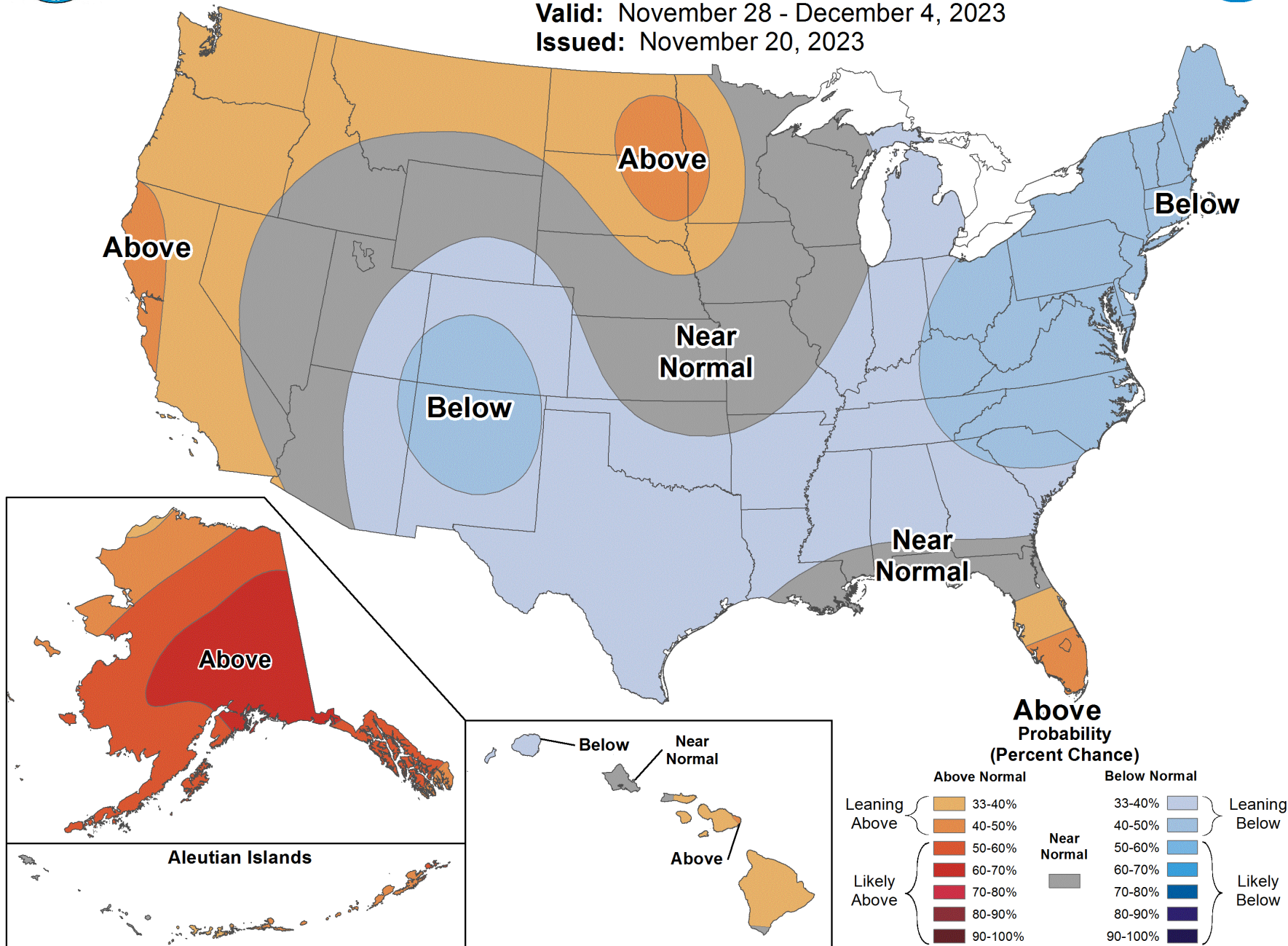


# 8-14 Day Temperature Outlook



Valid: November 28 - December 4, 2023

Issued: November 20, 2023



## Engineering Division Updates

### Land Use Projects

Project Name	Project Description	Project Status
Erie Air Park Replat D	5 Light Industrial/Hangar Bldgs - 10.340 acres	Referral Review
Erie Highlands Filing 18 FP	Residential - 124 townhome units	On Hold
Old Town - Main Street Subdivision - FP	Residential Lots	Referral Review
Lafferty Farm FP	127 Residential Lots	Referral Review
Ranchwood Town Center MS/SP	Residential Mix of Townhomes and Apartments – 288 Units	Referral Review
Colliers Hill Filing 6 – FP	Residential - 452 Single Family Units	Referral Review
Old Town - Erie Junction - FP	Residential - 10 duplex buildings/1 tri-plex building	Referral Review
Redtail Ranch PP	Residential - 546 lots	Referral Review
Erie Village Filing 5 – MS/SP	Mixed use development, 38 Townhomes, 32 Single Family Residential, 30,000 sq. ft office/retail	Referral Review
Spring Hill PP	Residential Development	Referral Review
Erie Indoor Sports – FP	SE Corner of CLR and Bonnell	PP – BOT Scheduled; FP – Referral Review
Westerly PP 3	Residential - 276 units - Single Family/Paired Homes/Townhomes	Referral Review
Westerly Filing 3 FP	Residential 228 Lots	Referral Review
Canyon Creek Filing 7 FP	106 Single Family Units	Referral Review
Canyon Creek Filing 8 FP	88 Paired Homes	Referral Review
Erie Highlands Commercial	Commercial Plat	On Hold
Vista Ridge Filing 14, Lot 9	Children’s Eye Physician	Referral Review
Four Corners – Antelo Apartments	Apartments – 202 Units	Referral Review
Nine Mile Corner – Chase Bank – Lot 9	Site Plan	Referral Review
Nine Mile Corner- Chic-fil-a	Site Plan	Referral Review
Summerfield FP 1	446 Residential Lots	Final Plat Approved; Finalizing Engineering Design
North Westerly	Annexation/Initial Zoning/Pre-DA	Annexation and Pre-

		DA Approved
Summerfield PP 2	Residential	Referral Review
Parkdale Filing 5 FP	Residential	Referral Review
Vista Ridge – Little Sunshine Playhouse Preschool – SP		Referral Review
Vista Ridge – Bellco Credit Union – SP		Referral Review
Four Corners Commercial Corner – SP/FP	Commercial Corner Development	Referral Review
Vista Ridge F14 – Valvoline	Site Plan	Referral Review
Vista Ridge – Dutch Bros SP	Site Plan	Referral Review
North Westerly – Annexation and Initial Zoning	Residential and Commercial Development	Referral Review
111 <sup>th</sup> & Arapahoe	Annexation and Zoning	Referral Review

### Development Construction Projects Status

Project	Status
BV PK-8 School	In Acceptance Process
Compass Filing 3	In Final Acceptance Process
Compass Filing 4	In Final Acceptance Process
Flatiron Meadows Filing 12	In Final Acceptance Process
Flatiron Meadows Filing 13	In Warranty
111th Waterline Extension	In Warranty
Four Corners	Under Construction
Nine Mile MS	In Warranty
Nine Mile MF	In Warranty
Nine Mile Lowe's	In Warranty
Nine Mile Taco Bell	In Warranty
Nine Mile UC Health	In Warranty
Nine Mile Lot 3 Shops	In Warranty
Parkdale Fil 1&2	Under Construction
Parkdale Fil 3	Under Construction
Parkdale Amenity Center	Scheduling Pre-Construction Meeting
Wild Rose	In Warranty

Erie Highlands Filing 14 & 15	In Warranty
Erie Highlands Filing 16	In Warranty
Colliers Hill Filing 4D	In Warranty
Colliers Hill Filing 4E	In Warranty
Colliers Hill Filing 4F	In Warranty
Colliers Hill 4G	Under Construction
Colliers Hill 4H	Under Construction
Colliers Hill 4I	Under Construction
Colliers Hill 5	In Warranty
Erie Commons Filing 4 - 3rd Amend. Townhomes	In Final Acceptance Process
Erie Commons Filing 4 - 4th Amend. Commercial Plat	In Warranty
Erie Commons Filing 4 - 5th Amend. Wee Cottages	In Warranty
Erie Commons Filing 4 - Circle K	In Initial Acceptance Process
Erie Commons Filing 4 - Ziggy's Coffee	Under Construction
Erie Commons Filing 4 - Premier Members Credit Union	In Warranty
Sunset	Under Construction
Westerly Filing 1	In Warranty
Westerly Filing 2	Under Construction
Westerly Zone 4 Waterline	Scheduling Pre-Construction Meeting
Westerly Amenity Center	Under Construction
Morgan Hill Filing 2	In Warranty
Morgan Hill Metro District 2 Improvements	In Warranty
Morgan Hill Clubhouse / Pool	In Warranty
Right Move Storage	In Warranty
Erie Self Storage	In Initial Acceptance Process
Vista Ridge Filing 1A	Under Construction
Vista Ridge Filing 6, 2nd Amendment	In Warranty
Vista Ridge Filing 14, Lot 12B	In Warranty
Vista Ridge Filing 14, Lot 12 A&D	In Warranty
Vista Ridge - Popeye's	In Warranty
Vista Ridge - Autowash	In Warranty
Rex Ranch Filing 2	In Warranty

Rex Ranch Filing 3	In Warranty
Old Town - 730 Briggs	In Warranty
Coal Creek Properties	In Warranty
Creekside	In Initial Acceptance Process
Coal Creek Center - Core and Shell (Starbucks)	Under Construction
Coal Creek Center - Eye Care Center	In Warranty

### Capital Improvement Projects

Project	Status
Traffic Signal Communication Project	Implementation and Training Underway
Weld County Road 7 and Erie Parkway Signal	In Acceptance Process
Coal Creek Reach 1 - 3 Improvements	Under Construction
Zone 2 Waterline Improvements	Tank site and easement negotiation underway with Southern Land.
Zone 2 Tank Site and Tank Design	Tank site and easement negotiation underway with Southern Land.
Horizontal Directional Drilling Well Project	Working on potential change order/redrill expectations with contractor
North Water Reclamation Facility Expansion	Complete – Working on punchlist
Zone 3 - Phase 2B and Zone 4 Waterline Extension	Under Construction; WCR 4 Closed; Expecting paving late Sept/early Oct, Experiencing weather delays. Zone 3/Zone 4 testing ongoing.
County Line Road Improvements - Telleen to Evans	Coordinating with CDOT on Easements and coordinating with Xcel on power burial and street light placement.
County Line Road Improvements - Telleen to Austin	Working toward 50% design for North and South Phase
Old Town Connection to Colliers Hill	Study Session held in September for iconic bridge design consideration
IGA with Colliers Hill - WCR 5 Widening/Re-Use Line Ext.	Improvements Undergoing Punch List identification and corrections;
Town Center Roundabouts - Design and Construction	North Roundabout in Land Coordination / South Roundabout – 50% design review
Water Quality Pond - Lagoon Conversion	Boardwalk, shade shelter, and storm structures under construction
Mobile Bypass Pumping Station	Acquisition Underway; Anticipated delivery in fourth quarter of 2023
119th and Erie Parkway Roundabout Improvement	Scheduled for BOT meeting for construction contract

111th and Arapahoe Intersection Improvements	IGA Approved with Lafayette; Design underway; Signal timing corridor plan being developed.
Boulder Creek Streambed Stabilization	Construction completed; Working on restoration work and planting
Pipe South Boulder Canyon Ditch along 119th	Design complete; In Easement Negotiation
Re-Use High Zone Pump Station	Pumps installed; New parts to be delivered based on initial testing; Coordinating with development for future testing
Vista Ridge Detention Pond Modifications	In Design
Neighborhood Speed Mitigation Program	Focus Group meetings starting in September
Red Hawk Elementary School Traffic Study	Operations and Maintenance working on install; Engineering and Planning to Pursue Safe Routes to School Grant for additional work
Filly Lake Well Pump Station and Pipeline Project	In design.
North Water Treatment Plant	In Design
Sheridan and Ridgeview Signal Warrant Analysis	RFPs from on-call received; will move forward with selected on-call consultant
Zone 3 Water Tank	Town will begin alternatives analysis in late 2023
Water Quality Pond and Irrigation Pond Repairs	Engineering and Operations and Maintenance Coordinating on repairs.
Transportation Standards and Specifications Update	TAC meeting #1 scheduled
NW Regional Drainage Evaluation	In Coordination with Frederick on IGA

### **Projects in Support of other Departments**

Transportation Department Development

Neighborhood Speed Mitigation Program (NSMP)

Central Square Software Implementation – Under Development

Comprehensive Plan, Plan Map, and Zoning Map Amendments and Transportation Master Plan

2023 Town of Erie Standards and Specifications for Design and Construction Updates

I-25 Gateway Planning

### **Streets, Transportation & General Updates**



## **Snapshot of Upcoming Major Streets Projects 2023**

Sheridan Reconstruction from Ridgeview to CR4 – Complete  
Mill and overlays on 119<sup>th</sup>, County Line Road and Kenosha – Complete  
Closures of CR4 between CR5 and Bonanza for Water Pipeline – Complete  
County Line Road between Telleen and Cheeseman for Safer Mainstreets Project – Xcel Undergrounding - Upcoming  
CR5 Partial Closures related to Sunset Development and Widening – Ongoing  
119<sup>th</sup> and Erie Parkway Roundabout Improvements - Underway

### **Other Significant Projects**

SH7 & 119<sup>th</sup> Intersection Improvements – Lafayette/CDOT  
SH7 Preliminary Corridor Design – CDOT  
US287 Bus Rapid Transit – Phase 2 – Mobility and Safety  
SH 52 & I-25 Mobility Hubs  
SH7 Bike Treatment Plan  
111<sup>th</sup> and Arapahoe Improvements (w/Lafayette)





# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-573, **Version:** 1

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**Subject:**

Finance Sales Tax Monthly Report

**Department:** Finance

**Presenter(s):** Cassie Bethune, Finance Manager

**Staff Recommendation:**

Information Only

**Summary and Background of Subject Matter:**

The Finance Sales Tax Monthly Report provides an update on vehicle and non-vehicle sales tax including the breakdown between economic zones.

**Board Priority(s) Addressed:**

- ✓ Prosperous Economy
- ✓ Effective Governance
- ✓ Fiscally Responsible

**Attachment:**

1. Finance Sales Tax Monthly Report



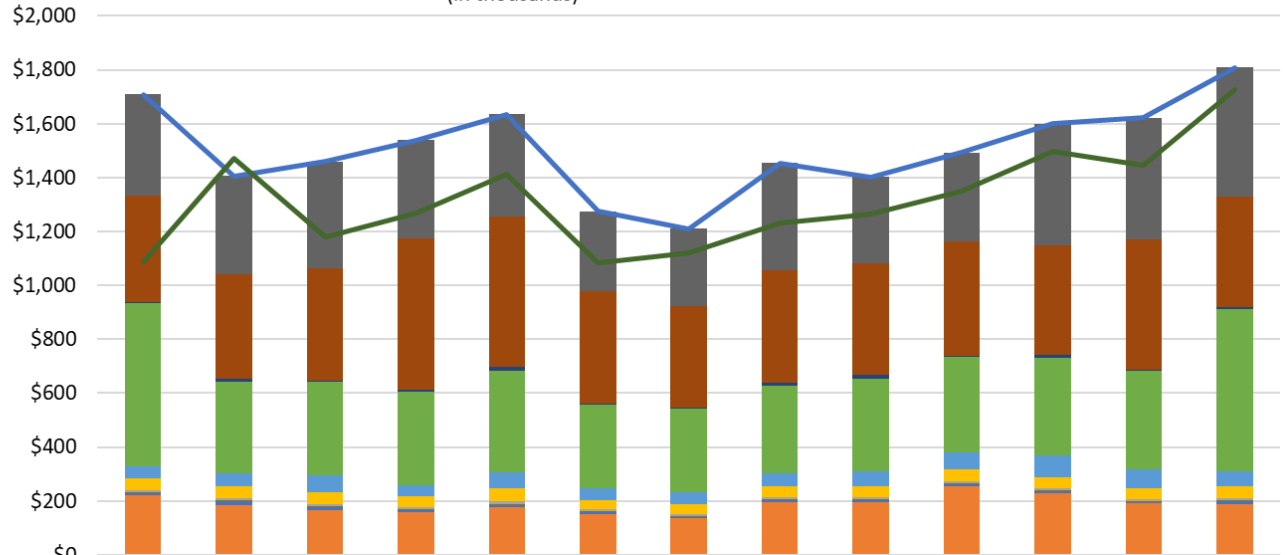
# Monthly Sales Tax Update

## October 2023 Receipts

### Monthly Highlights (non-vehicle sales tax):

- There is a two-month delay between tax filing and receipts. As a statutory Town, the State collects sales tax on the Town's behalf and remits to the Town on a monthly basis.
- Total non-vehicle Sales Tax receipts for October 2023 (August filing month) was **\$1.809 million**, which exceeds the monthly budget of \$1.725 million by \$84k, or 5%.
- **\$185,689 (11.4%) increase** from September 2023 receipts (July filing month).
- **\$100K (6%) increase** compared to October 2022 receipts, mainly due to increased growth in Internet Sales and in the Historic Downtown Erie and All Others zones.
- Excluding new and missing taxpayers, October sales tax receipts increased \$82K, or 6% compared to October 2022.

Non Vehicle Sales Tax Revenues by Month  
Actual vs Budget  
(in thousands)



	Aug22/Oct 22	Sep22/Nov 22	Oct22/Dec 22	Nov22/Jan 23	Dec22/Feb 23	Jan23/Mar 23	Feb23/Apr 23	Mar23/Ma y23	Apr23/Jun 23	May23/Jul 23	Jun23/Aug 23	Jul23/Sep2 3	Aug23/Oct 23
10 - All Others	\$375	\$365	\$397	\$366	\$378	\$295	\$288	\$398	\$319	\$331	\$453	\$453	\$478
09 - Internet Sales	\$395	\$387	\$415	\$560	\$560	\$416	\$374	\$416	\$415	\$423	\$408	\$482	\$412
08 - Erie - Other	\$6	\$10	\$4	\$6	\$14	\$5	\$4	\$13	\$14	\$5	\$11	\$6	\$8
07 - Vista Ridge/Hwy 7	\$605	\$340	\$346	\$349	\$376	\$312	\$313	\$324	\$343	\$353	\$359	\$365	\$601
06 - Historic Downtown Erie	\$43	\$49	\$64	\$41	\$61	\$42	\$43	\$51	\$58	\$62	\$82	\$68	\$57
05 - Erie Parkway	\$46	\$44	\$44	\$40	\$48	\$34	\$36	\$39	\$40	\$45	\$40	\$44	\$43
04 - Austin Industrial Park	\$6	\$7	\$8	\$7	\$11	\$9	\$7	\$9	\$7	\$7	\$8	\$6	\$7
03 - Airport	\$3	\$4	\$4	\$4	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$5
02 - County Line Rd (North of Telleen)	\$9	\$14	\$9	\$7	\$6	\$5	\$4	\$6	\$7	\$8	\$7	\$5	\$8
01 - Arapahoe & 287	\$221	\$186	\$167	\$159	\$178	\$153	\$138	\$196	\$196	\$254	\$230	\$191	\$190
Non-Vehicle Sales Tax Total	\$1,709	\$1,405	\$1,459	\$1,538	\$1,635	\$1,274	\$1,210	\$1,454	\$1,402	\$1,493	\$1,601	\$1,623	\$1,809
Non-Vehicle Budgeted Sales Tax	\$1,087	\$1,471	\$1,178	\$1,269	\$1,414	\$1,083	\$1,119	\$1,231	\$1,266	\$1,349	\$1,498	\$1,444	\$1,725



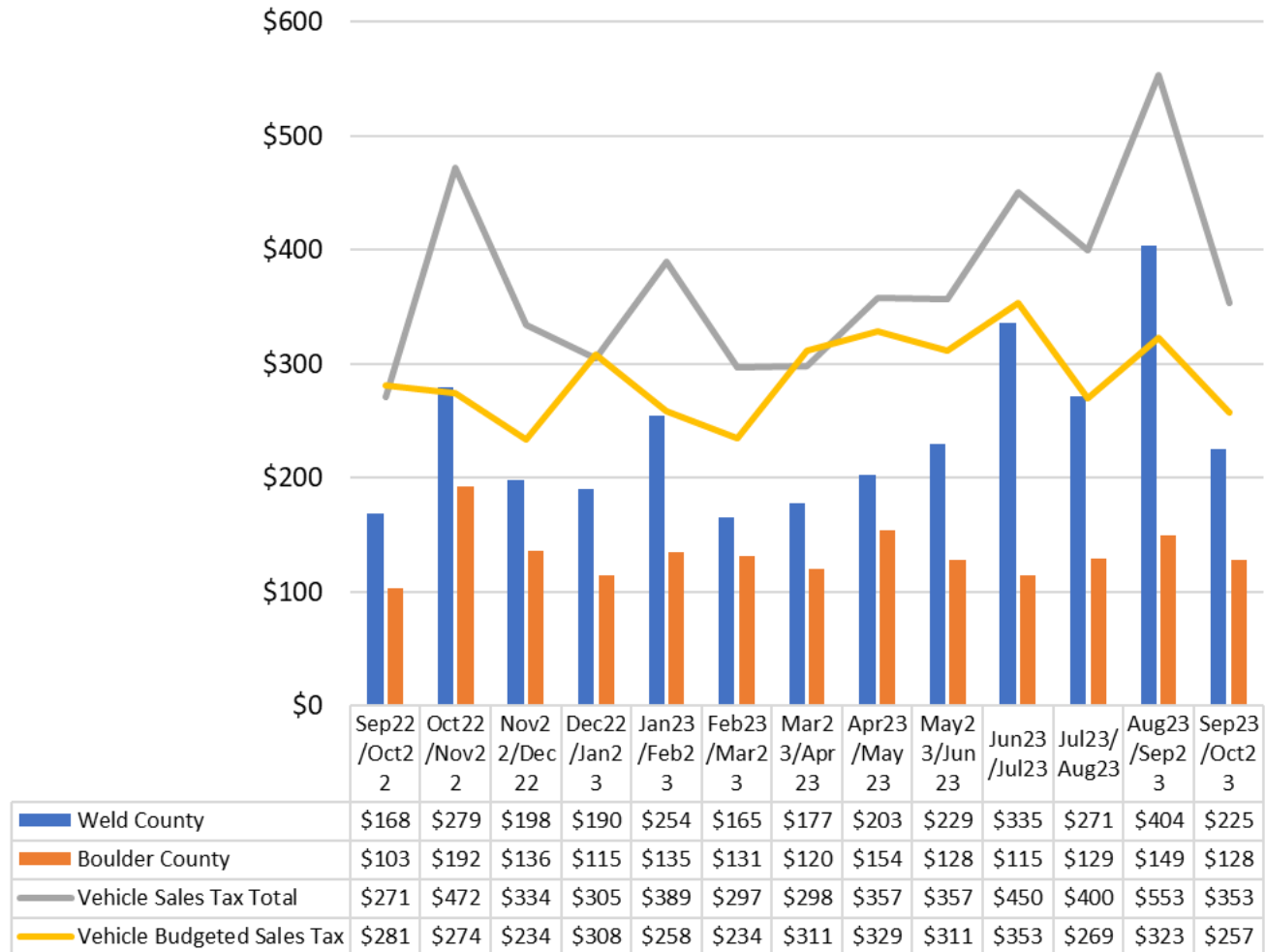
# Monthly Sales Tax Update

## October 2023 Receipts

### Monthly Highlights (vehicle sales tax):

- Vehicle sales tax receipts have a one-month delay. The counties collect taxes and remit to the Town on a monthly basis.
- Total vehicle Sales Tax receipts for October 2023 (September sales) was **\$353K**, which is more than the monthly budget of \$257K by \$96K, or 37%.
- **\$200K (36.2%) decrease** from September 2023 receipts (August sales).
- **\$82K (30%) increase** compared to October 2022 receipts.
- Total vehicle sales tax receipts YTD are **\$3.454 million**, which exceeds the monthly budget to date of \$2.647 million by \$808K, or 31%.
- The budget per month is based on monthly trends from the prior year.

Vehicle Sales Tax Revenues by Month  
Actual vs Budget  
(in thousands)

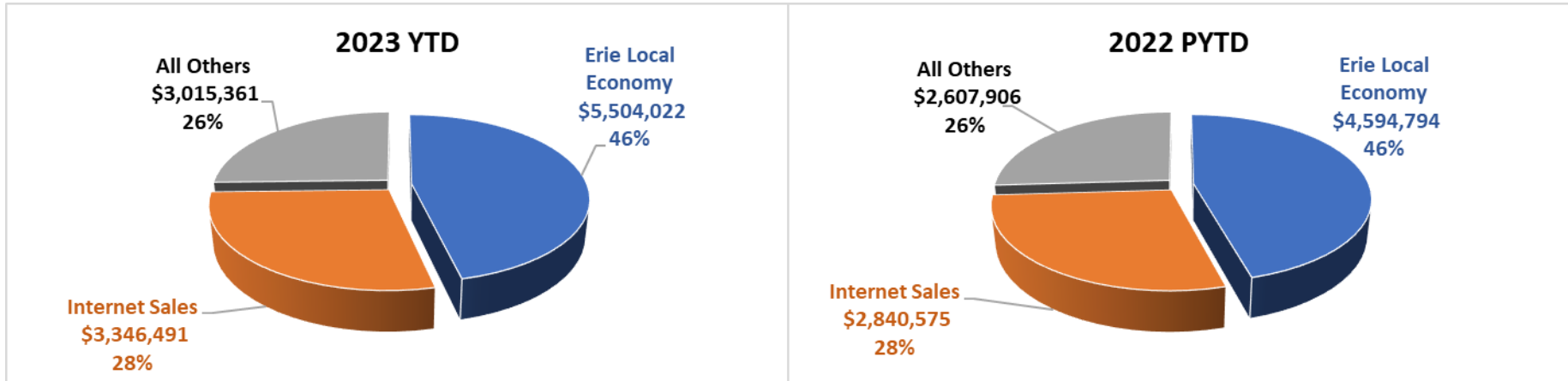




# Monthly Sales Tax Update

## October 2023 Receipts

### Non-vehicle Sales tax breakdown by Local Economy vs. Others



- 46% of the total non-vehicle sales tax receipts as of October 2023 (August filing month) are generated from within Erie, remaining the same as 2022.
- The “All Others” category includes sales tax generated from vendors outside of Erie, utilities, and cable companies. This category makes up 26% in October 2023, remaining the same as 2022.
- Internet sales continues to make up a significant portion of Erie’s total non-vehicle sales tax revenues. 28% of the 2023 non-vehicle tax receipts come from internet sales, remaining the same as 2022.
- Of the \$1.809 million of non-vehicle sales tax receipts in October, \$990,000 (55%) comes from the top 10 taxpayers, compared to \$949,000 (56%) in October 2022.
- Overall, we’ve seen an increase in the Erie local economy over the last year, and we expect it to continue to grow as more businesses come online such as King Soopers at Nine Mile.

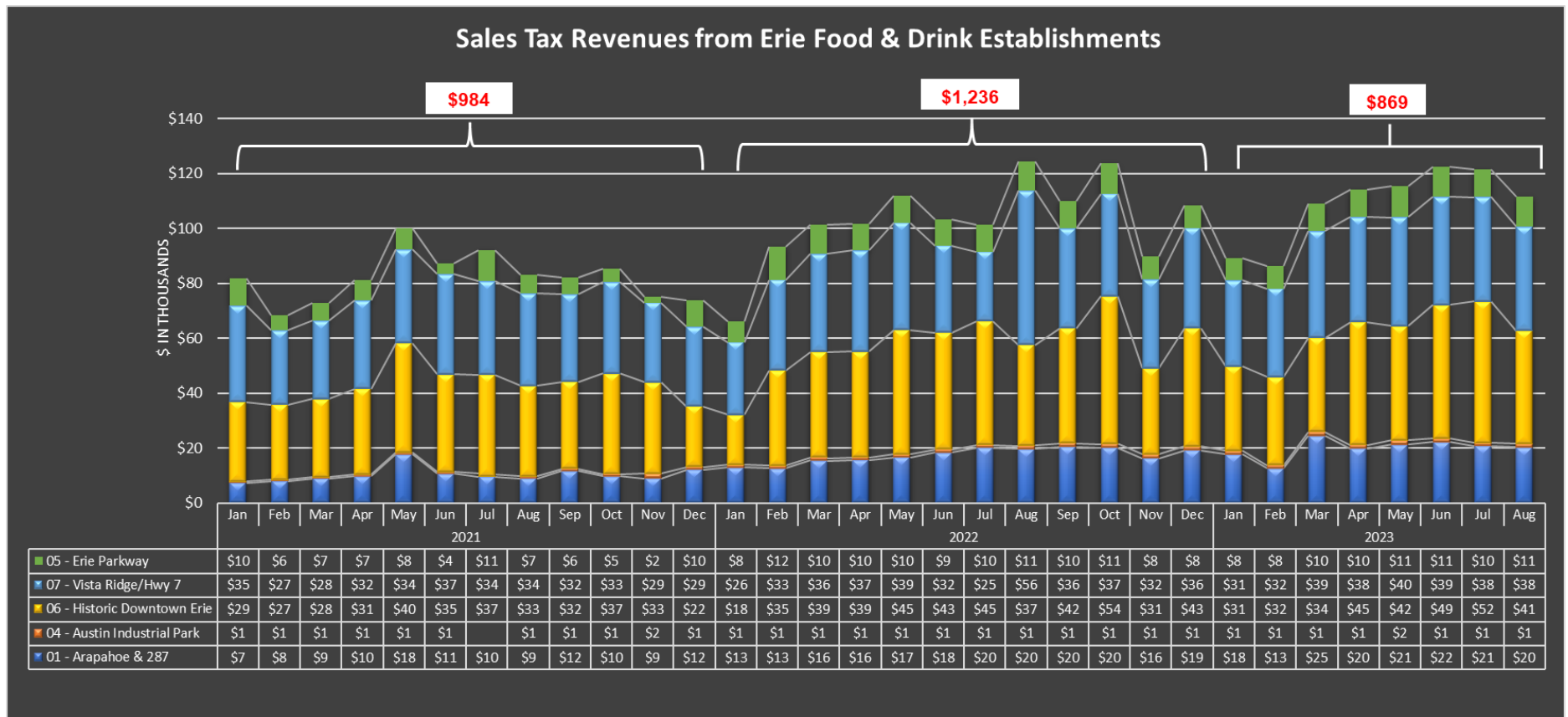


# Monthly Sales Tax Update

## October 2023 Receipts

### Food and Drinks Establishments Sales tax breakdown by Economic Zone

Sales tax from food and drink establishments make up 16% of the non-vehicle sales tax generated from businesses within Erie and 7% of the total non-vehicle sales tax including internet and other sales. October 2023 sales tax receipts (August filing month) from these establishments are \$111,000, which is about \$10,000 (8%) lower than the prior month and \$13,000 (10%) lower than October 2022 receipts.





# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-564, **Version:** 1

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**SUBJECT:** Staff Report  
Planning & Development Monthly Report

**DEPARTMENT:** Planning & Development

**PRESENTER:** Sarah Nurmela AICP, Director of Planning & Development

**STAFF RECOMMENDATION:**  
Informational Only

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

The Planning & Development Monthly Report includes updates from all divisions within the Planning & Development Department, including Planning, Building, Housing, and Transportation.

Updates and information include land use application and building permit activity as well as interdepartmental and intergovernmental efforts.

**ATTACHMENT:**

1. Planning & Development Monthly Report - November 2023



# PLANNING & DEVELOPMENT MONTHLY REPORT

Review of October 2023

## STAFF HIGHLIGHTS

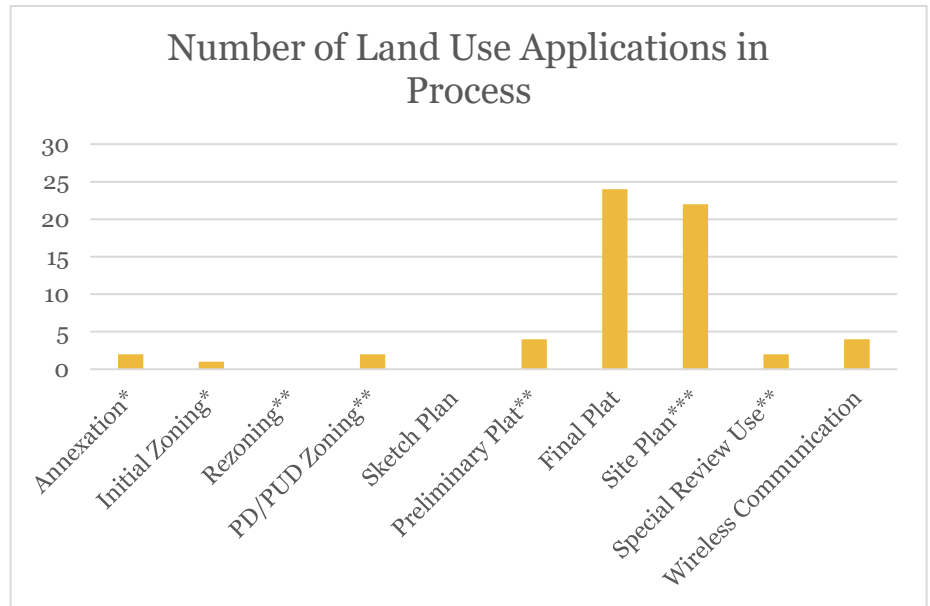
- The Planning Manager position recruitment initiated mid-month.
- Planning welcomes new hire Joshua Campbell as its newest Strategic Planner.
- Operations welcomes Matthew Lloyd to fill the new Code Inspector position. Matthew will oversee compliance with Building Codes and the Unified Development Code.
- Building welcomes Joel Champagne to the role of Deputy Chief Building Official. Joel was previously working for the City & County of Denver bringing extensive residential plan review and construction inspection knowledge and experience.
- Affordable Housing welcomes new Housing Management Analyst, Eric Leveridge to the team.
- Staff continues to work with consultants to develop the Erie Gateway PD.

## PLANNING DIVISION

### Current Planning

#### Land Use Applications

Planning had a total of 61 active land use applications in process in October; the graph illustrates the breakdown of applications by type. The land use application project type details can be found in the Development Application List on the [Town website](#).



**\*BOT review \*\* PC & BOT review \*\*\* PC review – Projects 25,000 square feet or greater**

*Note: Land use applications for Sketch Plan, Site Plan (under 25,000 square feet) and Final Plat are approved administratively. Projects within a PD zone district also have an administrative approval depending on their specific land use requirements.*



## Pre-Application Meetings

In addition to the land use applications listed above, Planning staff also meets with potential developers in pre-application meetings to discuss a concept or idea for development. Planning provides guidance on Code requirements and what formal land use applications apply. In October 2023, the Planning staff held five Pre-application meetings for the following projects/properties:

1. **Baxter Farm:** 3423 County Road 6 – Add 2 Ranchette Homes each on 2 acres of land
2. **Wildrose:** Schmidt Rural Estate Lots - Subdivide 32 acre parcel into 3 lots for Single Family Development
3. **North Westerly:** East of County Road 5 & North of Erie Parkway - Planned Development
4. **Summerfield:** Northskye Active Adult Amenity Building
5. **Erie Four Corners:** NW Corner of County Line Rd & Austin Avenue - Condos/90 units

## Strategic Planning

### Elevate Erie

- Vision and Values survey closed on October 1 with over 140 responses. Staff is working on finalizing the vision statement and core values phrases.
- The Town issued a Request for Qualifications for Fiscal Analysis of Land Use in late August and received three responses. All were interviewed. Staff selected Verdunity and are under contract.
- The Town issued a Request for Quote in September for a targeted Economic Market Analysis. This will fill in gaps identified in the previous Market Analysis. Three responses were received, and staff are working with one to develop the scope and contract.
- Fehr & Peers was retained to complete the Transportation Mobility Plan. This contract will go before the Board of Trustees in mid-November.
- Trestle was also retained to provide targeted engagement support for the remaining phases of the project.
- Planning staff continues to write and assemble the Existing Conditions report to be complete in November.
- A Technical Advisory (TAC) meeting was held on October 20 and a Planning Advisory Committee (PAC) meeting was on October 23. These meetings provided initial results of the Vision and Core Values survey, updates on consultants, and included some scenario framing activities with the group.

### Gateway/I-25 South

- A draft plan is posted on the Engage Erie website [here](#) from the October 5 Gateway-area meeting.
- A draft planned development document is currently under review and editing.
- Next steps for the project include one-on-one meetings with on-site property owners to obtain additional feedback; focused traffic counts and analysis along County Roads 7 and 10 in the vicinity of the planning area; and a future community meeting focused on interim and future road improvements along these segments.

## Multi-Department Projects

Other Town departments and other jurisdictions rely on the participation of Planning staff in their projects. Below is a list of the projects Planning participated in during October 2023.

- **Economic Development**
  - Downtown Improvements – collaboration with Economic Development
  - I-25 Gateway South – Leading Planned Development for Town property
  - Town Center – Collaboration with Economic Development
- **Interdepartmental**
  - Special District Policy implementation and reviews
  - Central Square software implementation
  - Capital Improvement Project Coordination

## BUILDING DIVISION

### Building Activity

#### What's Going On

- Building permit applications received on and after the 1<sup>st</sup> of October 2023 are now required to comply with the Town adopted 2021 International Codes (I-Codes), including the 2021 International Residential Code (IRC) and 2021 International Energy Conservation Code (IECC).
- The services of several drone pilots were secured to assist with the extensive re-roof inspection workload. Video footage is provided by the pilots in accordance with drone re-roof inspection specifications that are reviewed and accepted by inspection staff.

#### What's Going Up

- The Nine Mile King Soopers construction project continues with an anticipated completion date of late 2023/early 2024.
- The Aura apartment complex in Colliers Hill continues construction of multi-family buildings within phases 2 & 3.

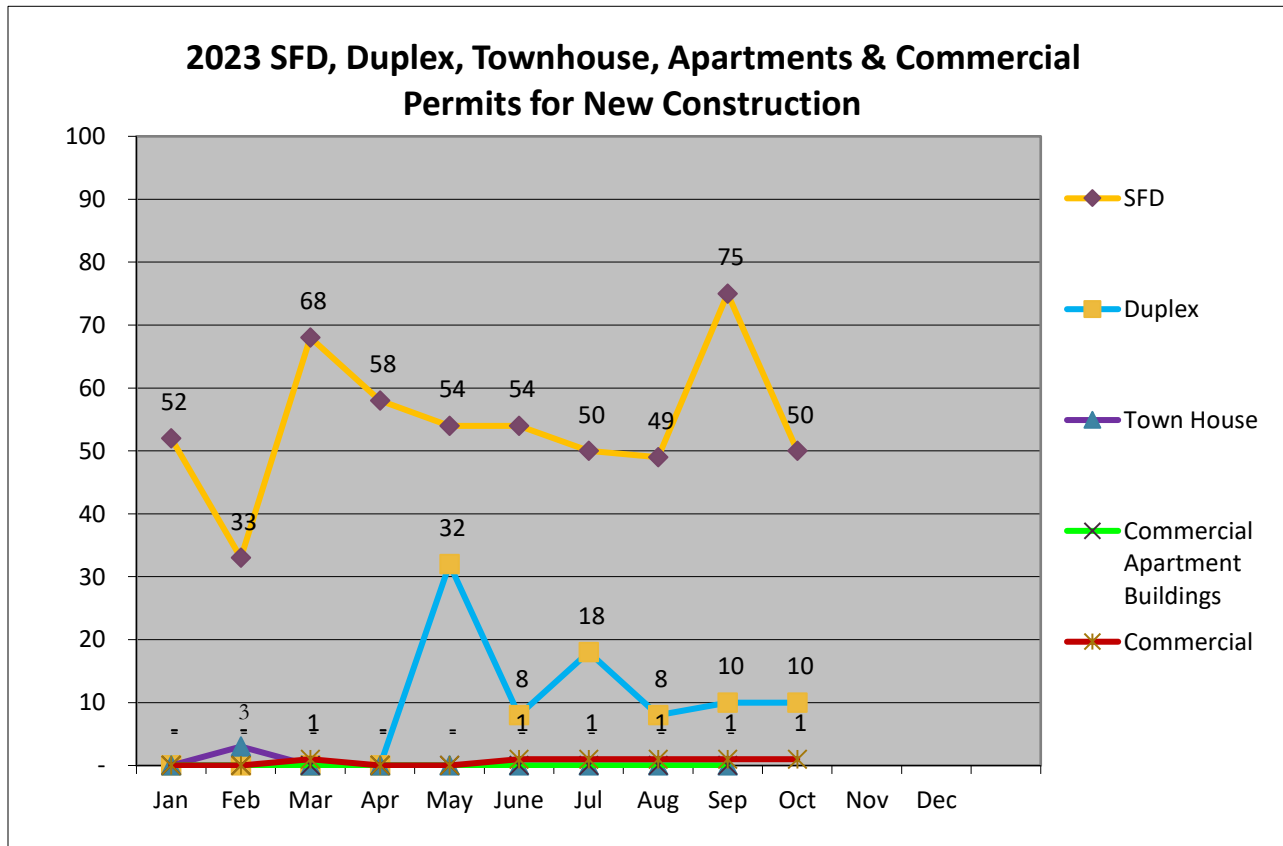
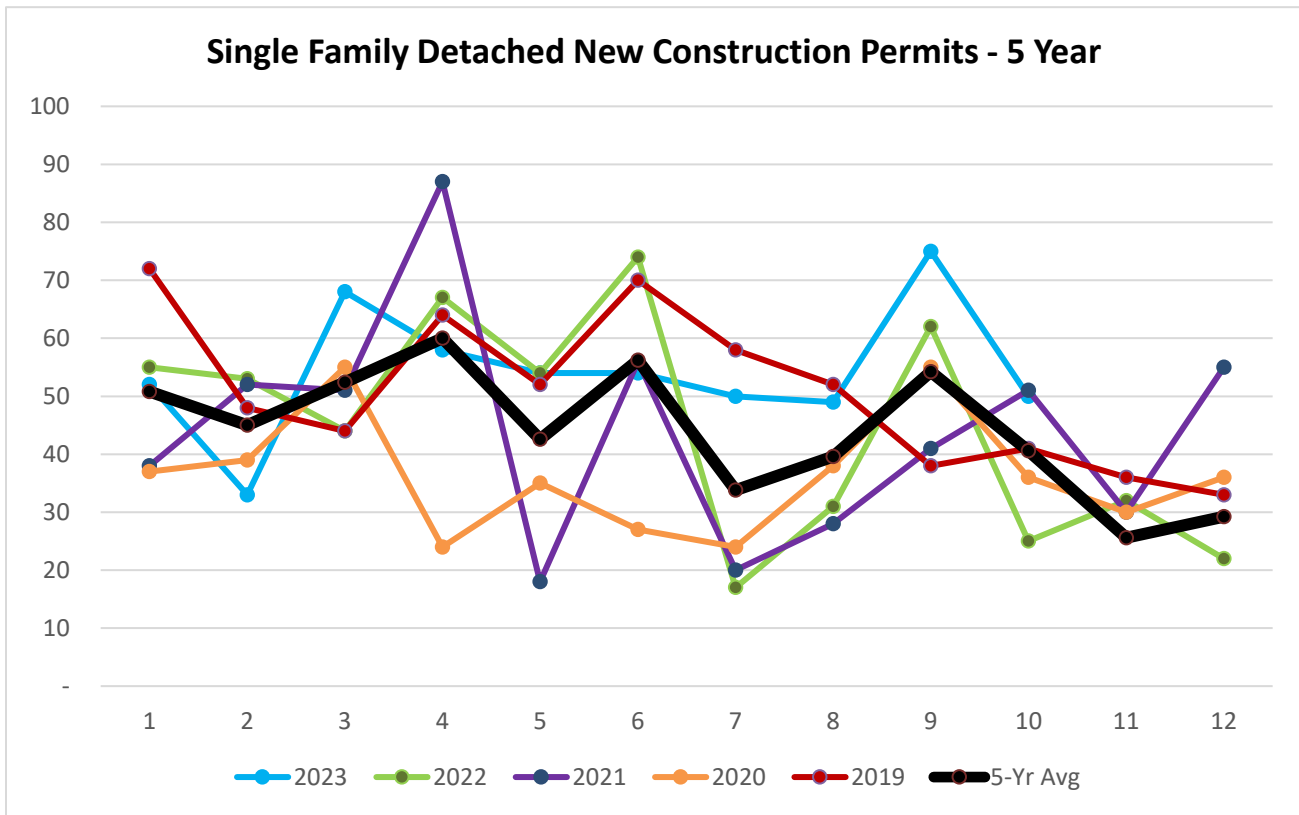
#### Summary of this month's Permit and Inspection Activity:

- 886 Total Building Permits issued (7,068 YTD) – 514 re-roof permits (58%) and 60 single-family dwellings (detached, attached & townhomes - 632 YTD).
- 3,147 inspections performed (150 per business day / 37 per inspector per day – 4 inspectors).
- 64 Certificates of Occupancy issued - 63 Residential and 1 Commercial.

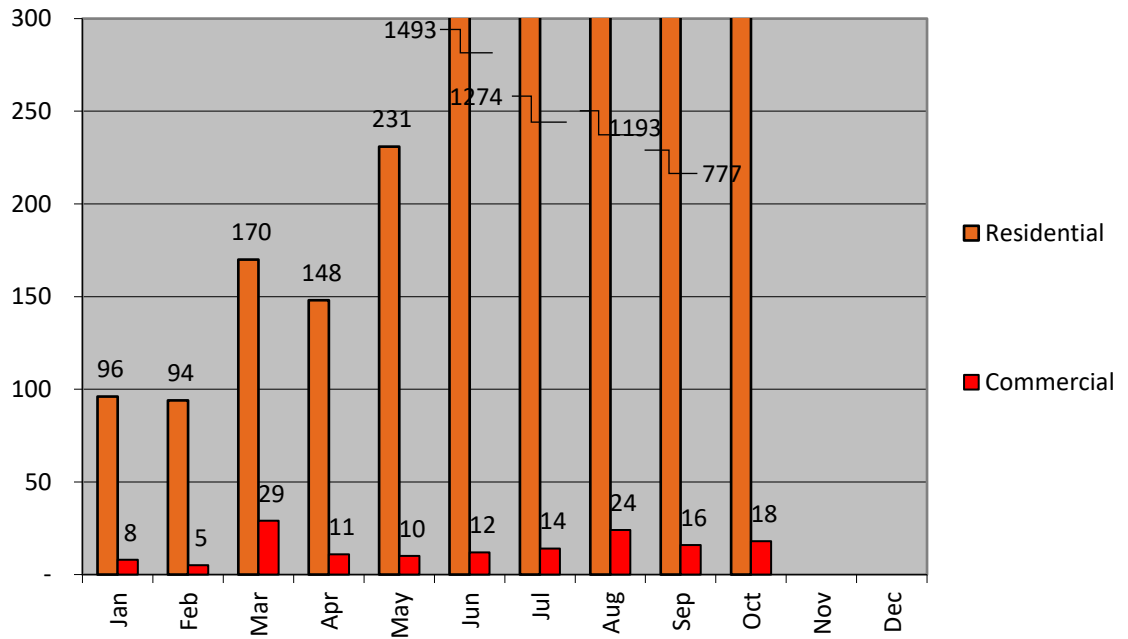
#### Commercial Project Permit Applications in Plan Review Queue:

- 2990 Arapahoe – Chase Bank
- 501 Commons Dr. – Daycare Center
- 645 Holbrook St. - Town Hall Expansion & Renovation
- 2351 Hwy 7 – Valvoline
- 2885 Mountain View Blvd. – Pediatric Eye Clinic

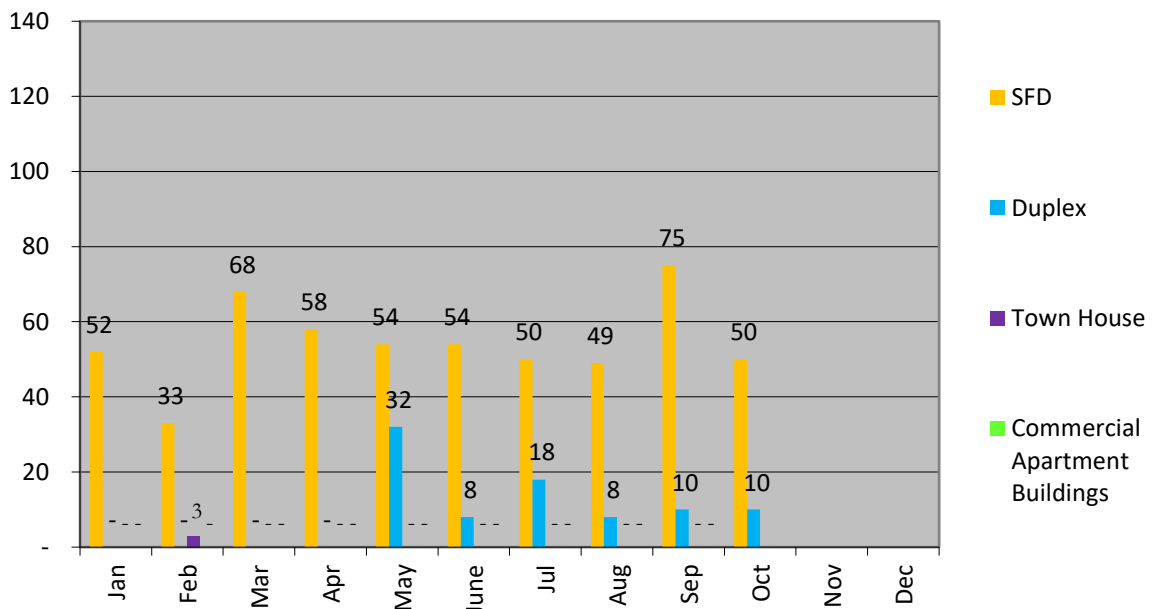
- 550 Pinnacle Blvd. – Antelo 6 Bldg./206 Unit Multi-Family Complex
- 2120 Village Vista Dr. – Pearle Vision tenant improvement



### 2023 Total All Other Permits



### 2023 Total New Dwelling Units



### Detached Single Family New Construction Building Permit Trends

	2019	2020	2021	2022	2023	5-Yr. Avg	2023 Month to Avg	Cum Yr. to Avg
Jan	72	37	38	55	52	51	1	1
Feb	48	39	52	53	33	45	-12	-11
Mar	44	55	51	44	68	52	16	5
Apr	64	24	87	67	58	60	-2	3
May	52	35	18	54	54	43	11	14
Jun	70	27	56	74	54	56	-2	12
Jul	58	24	20	17	50	34	16	28
Aug	52	38	28	31	49	40	9	38
Sep	38	55	41	62	75	54	21	58
Oct	41	36	51	25	50	41	9	68
Nov	36	30	30	32	-	26	-26	42
Dec	33	36	55	22	-	29	-7	35
<b>TOTAL</b>	<b>608</b>	<b>436</b>	<b>527</b>	<b>536</b>	<b>543</b>	<b>530</b>	<b>35</b>	<b>6</b>

### All Permit Types by Month

2023	Residential Permits*	Commercial Permits*	All Permit Types*	New Dwellings Permits
Jan	96	8	156	52
Feb	94	5	135	36
Mar	170	29	268	68
Apr	148	11	217	58
May	231	10	327	86
Jun	1,493	12	1,568	62
Jul	1,274	14	1,357	68
Aug	1,193	24	1,275	57
Sep	777	16	879	85
Oct	807	18	886	60
Nov				
Dec				
<b>TOTAL</b>	<b>6283</b>	<b>147</b>	<b>7068</b>	<b>632</b>

\* Includes: Mechanical, Electrical, Plumbing, Roofing, Decks, and Fence permits.

## Projects in Support of other Town Departments

- Dale Ulmer, Commercial Plans Examiner, works closely with Shumaila Hafeez, Local Business Administrator in Economic Development in the coordination of a project's certificate of occupancy and business license.
- The Team is working closely with Public Works on the permitting and implementation of the new Town Hall expansion and renovation.

## AFFORDABLE HOUSING DIVISION

- Briefed the Planning Commissioner on the Town's Affordable Housing efforts.
- Continued research on an Inclusionary Housing Ordinance
- Advanced the development of the Cheesman parcel, including:
  - working through site design issues;
  - planning for neighborhood meeting soon;
  - Preparing to submit application for the Strong Communities Infrastructure funds in support of this project (application due in December 2023; awards in February 2024; work can tentatively start in May 2024).
- Page Property – Closed on the property on October 25, 2023 (in partnership with the Parks and Recreation Department). Moving forward with site planning in collaboration with P&R.
- Staff is working with colleagues in the Boulder County Regional Housing Partnership to:
  - Develop a funding request under the HUD Pathways to Reducing Obstacles to Affordable Housing grant (due November 6, 2023)
  - Advance the IGA for assistance from City of Boulder for Affordable Housing Compliance Assistance (original IGA is being split into two IGAs for clarity)
- Staff attended the Housing Colorado Conference
- Staff represented the Town of Erie on CU Denver First Friday Presentation on State and Local Partnerships: Affordable Housing Development

## TRANSPORTATION DIVISION

### Transportation and Mobility Plan

- Vision statement is in development
- Consultant is developing draft Policies and Programs

### RTD Annexation

- Erie will be looking at three of four RTD methods to annex into RTD

### US 287 Vision Zero Safety and Mobility Study:

- Draft report complete with recommendations

### Division Leads

Kelly Driscoll - Planning

Ed Kotlinksi – Building

MJ Adams – Affordable Housing

Miguel Aguilar - Transportation





# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

Town Council

**Board Meeting Date: 11/28/2023**

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**File #:** 23-581, **Version:** 1

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**SUBJECT:**

EXECUTIVE SESSION to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), regarding the legal services agreement with the Town Attorney and the services agreement for the Erie Municipal Airport.

**DEPARTMENT:** Town Attorney

**PRESENTER(S):** Kendra Carberry, Town Attorney

**TIME ESTIMATE:** 60 minutes

**BOARD PRIORITY(S) ADDRESSED:**

- ✓ Effective Governance