



## Legislation Details (With Text)

**File #:** 20-227      **Version:** 1      **Name:**  
**Type:** Consent Agenda      **Status:** Agenda Ready  
**File created:** 4/14/2020      **In control:** Town Council  
**On agenda:** 4/28/2020      **Final action:**  
**Title:** A Resolution of the Board of Trustees of the Town of Erie Authorizing Negotiations, Purchase, and if Necessary, the Exercise of the Town's Powers of Eminent Domain to Acquire a Fee Interest in Certain Real Property for a Public Water Pipeline and a Public Trail

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution, 2. Boulder County Staff Packet for 2-19-20 PC Meeting

Date	Ver.	Action By	Action	Result
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### SUBJECT: CONSENT

**A Resolution of the Board of Trustees of the Town of Erie Authorizing Negotiations, Purchase, and if Necessary, the Exercise of the Town's Powers of Eminent Domain to Acquire a Fee Interest in Certain Real Property for a Public Water Pipeline and a Public Trail**

**DEPARTMENT:** Public Works

**PRESENTER/PREPARER:** Todd Fessenden, Public Works Director  
Wendi Palmer, Civil Engineer

### FISCAL INFORMATION:

Cost as Recommended: NA  
Balance Available: NA  
Budget Line Item Number: NA  
New Appropriation Required: NA

### STAFF RECOMMENDATION:

Approve the Resolution and authorize Town Staff to negotiate the property purchase.

### SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Town of Erie's 2013 Water Master Plan identifies the need for a Zone 3, 30-inch and 24-inch transmission waterline from the Water Treatment Plant to the Zone 3 Water Storage Tank Site. At the March 13, 2018 Board of Trustees meeting the Board awarded the design of the Zone 3 Waterline Extension Phase 2.

The preferred alignment of the waterline line leaves the Water Treatment Plant as a 30-inch line, that would run south in 119th Street ROW on the eastern edge, and then turn east as a 24-inch line until connecting to the Zone 3 Water Line Storage Tanks. This alignment passes through Boulder County Open Space and aligns with a planned trail connection between County Line Road and 119th Street.

This alignment requires securing a 30-foot easement or acquiring land from Boulder County to place the 24-inch line and 10-foot trail along the northern boundary of the Boulder County Open Space. The transmission water line is needed to meet the existing and future demand for water supply to the Town's 1.5-MG and 4-MG water storage tanks that supply water to the Zone 3 and Zone 4B water pressures zones.

Town Staff has been working with Boulder County to acquire property for the Zone 3 Waterline Extension, and a public trail. The first step was to obtain approval from Boulder County Planning Commission through the Land Use Department which occurred on February 19, 2020. The next step is to get approval through the Boulder County Open Space Department. In order to move forward, the Town must approve a Resolution for Notice of Intent (NOI) and submit it to Boulder County Open Space.

Once Boulder County Open Space receives the NOI, the County will review the request with its staff and, in a public meeting, with the Parks & Open Space Advisory Committee (POSAC). Based on that review, the POSAC will make a recommendation to the Board of County Commissioners to approve or deny the request. The POSAC notice requires the County issue Adjacent Property Owner Notifications, which they will do once they receive the NOI.

**ATTACHMENTS:**

1. Resolution
2. Boulder County Staff Packet for 2-19-20 PC Meeting