City of Louisville
COLORADO • SINCE 1878

City Council

Agenda

Tuesday, April 21, 2015
City Hall, Council Chambers
749 Main Street
7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

4. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Council requests that public comments be limited to 3 minutes. When several people wish to speak on the same position on a given item, Council requests they select a spokesperson to state that position.

5. CONSENT AGENDA

The following items on the City Council Agenda are considered routine by the City Manager and shall be approved, adopted, accepted, etc., by motion of the City Council and roll call vote unless the Mayor or a City Council person specifically requests that such item be considered under "Regular Business." In such an event the item shall be removed from the "Consent Agenda" and Council action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading "Consent Agenda" will appear in the Council Minutes in their proper order.

A. Approval of Bills
B. Approval of Minutes – April 7, 2015
C. Approve Resolution No. 19, Series 2015 – A Resolution Recommending Approval of a Replat to Subdivide a Single 334,325 SF Lot into Two Separate Lots in the P-C Zone District, Located at 248 Centennial Parkway/1172 W. Century, Lot 1, Block 2, Centennial Valley Business Filing 6
D. Approve Resolution No. 20, Series 2015 – A Resolution Approving an Intergovernmental Agreement between Boulder County and the City of Louisville Concerning Boulder County's Environmental Sustainability Matching Grant Program for Award of a Community Garden Grant
E. Approve Resolution No. 21, Series 2015 – A Resolution Approving the Community Development Block Grant – Disaster Recovery Collaborative Intergovernmental Agreement
F. Approval of License and Improvement Agreement Between the City of Louisville and the Downtown Business Association for use of the Steinbaugh Pavilion for the Annual Street Faire

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Citizen Information

If you wish to speak at the City Council meeting, please fill out a sign-up card and present it to the City Clerk.

Persons with disabilities planning to attend the meeting who need sign language interpretation, assisted listening systems, Braille, taped material, or special transportation, should contact the City Manager's Office at 303 335-4533. A forty-eight-hour notice is requested.

G. Approve 2015 Arbor Day Proclamation

6. COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA (Council general comments are scheduled at the end of the Agenda.)

7. CITY MANAGER'S REPORT

8. REGULAR BUSINESS

A. LOUISVILLE CELEBRATION OF POETRY DAY PROCLAMATION

- Presentation

B. LOUISVILLE LAW ENFORCEMENT MEMORIAL AT HELBURG PARK – DISCUSSION AND DIRECTION

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Action

C. GATEWAY ANNEXATION

1. ORDINANCE NO. 1687, SERIES 2015 – AN ORDINANCE AMENDING ORDINANCE NOS. 1165 AND 1166, SERIES 1994 CONCERNING THE GATEWAY ANNEXATION AND APPROVING AN AMENDMENT TO AN ADDENDUM TO ANNEXATION AGREEMENT – 2ND READING –PUBLIC HEARING – (ADVERTISED DAILY CAMERA 04/12/2015)

- Mayor Opens Public Hearing
- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Additional Public Comments
- Mayor Closes Public Hearing
- Action

2. **RESOLUTION NO. 22, SERIES 2015 – A RESOLUTION APPROVING AN AMENDMENT TO THE GATEWAY FINAL PLANNED UNIT DEVELOPMENT (PUD) TO MODIFY THE HEIGHT ALLOWANCE LANGUAGE ON LOTS 1 AND 2, BLOCK 1 FROM "1 STORY WITH A 26 FEET MAXIMUM BUILDING HEIGHT" TO "1 OR 2 STORIES WITH A MAXIMUM BUILDING HEIGHT OF 26 FEET"**
   - Staff Presentation
   - Public Comments (Please limit to three minutes each)
   - Council Questions & Comments
   - Action

D. FLATIRONS REHABILITATION PLANNED UNIT DEVELOPMENT (PUD) AND GENERAL DEVELOPMENT PLAN (GDP)

1. **ORDINANCE NO. 1688, SERIES 2015 – AN ORDINANCE APPROVING AN AMENDMENT TO THE CENTENNIAL VALLEY GENERAL DEVELOPMENT PLAN TO ALLOW INSTITUTIONAL USES ON PARCEL G2 – 2nd Reading – Public Hearing (Advertised *Daily Camera* 04/12/2015)**
   - Mayor Opens Public Hearing
   - Staff Presentation
   - Public Comments (Please limit to three minutes each)
   - Council Questions & Comments
   - Additional Public Comments
   - Mayor Closes Public Hearing
   - Action

2. **RESOLUTION NO. 23, SERIES 2015 – A RESOLUTION APPROVING AN 8TH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR CENTENNIAL VALLEY**
   - Staff Presentation
   - Public Comments (Please limit to three minutes each)
   - Council Questions & Comments
   - Action

3. RESOLUTION NO. 24, SERIES 2015 – A RESOLUTION APPROVING A FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN TO ALLOW FOR THE CONSTRUCTION OF A 44,000 SQUARE FOOT, 48 BED SKILLED REHABILITATION FACILITY AT 1107 CENTURY DRIVE, LOT 1, BLOCK 3, CENTENNIAL VALLEY BUSINESS PARK 1

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Action

E. DOWNTOWN/OLDTOWN PARKING STATUS UPDATE

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Action

F. AWARD BID FOR THE 2015 PARKING LOT EXTENSION: 611 FRONT STREET

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Action

G. APPROVAL OF 2016 GOALS

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Action

H. ORDINANCE NO. 1689, SERIES 2015 – AN ORDINANCE REPEALING AND REENACTING CHAPTER 14.16 OF THE LOUISVILLE MUNICIPAL CODE REGARDING SPECIAL EVENTS PERMIT – 1st Reading – Set Public Hearing 05/05/2015

- City Attorney Introduction
- Action

I. ORDINANCE NO. 1690, SERIES 2015 – AN ORDINANCE AMENDING SECTION 2.32.060 OF THE LOUISVILLE MUNICIPAL CODE REGARDING THE COLLECTION OF MUNICIPAL COURT ASSESSMENTS – 1ST Reading – Set Public Hearing 05/05/2015

- City Attorney Introduction
- Action

J. EXECUTIVE SESSION

1. PENDING LITIGATION

(Louisville Charter, Section 5-2(d) – Authorized Topics – Consultation with an attorney representing the City with respect to pending litigation, and C.R.S. 24-6-402(4)(b))

City Manager and City Attorney are Requesting the City Council Convene an Executive Session for the Purpose of Consultation with Respect to Pending Litigation

REGULAR BUSINESS ITEMS SUSPENDED

- **Requests for Executive Session**
- **City Clerk Statement**
- **City Attorney Statement of Authority**
- **City Council Action on Motions for Executive Session**
- **Executive Session**
- **Council Reconvene**

REGULAR BUSINESS ITEMS CONTINUED

REPORT – DISCUSSION/DIRECTION/ACTION – PENDING LITIGATION

9. CITY ATTORNEY'S REPORT

10. COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

11. ADJOURNMENT

City of Louisville
Cash Disbursement Edit List

Batch: 89990 Period: 04/02/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
	FOR BANK ACCOUNT:	4 FIRST NATIONAL BANK OF COLORAD			Control Disbursement Account	
13640-1	CHILD SUPPORT ENFORCE OFFICE					
	032715	EMPLOYEE GARNISHMENT PP#07	03/27/15	04/26/15	255.23	255.23
10301-1	COLORADO COMMUNITY SHARES					
	033115	1ST QTR 2015 CONTRIBUTIONS	03/31/15	04/30/15	980.00	980.00
2070-1	FLOOD & PETERSON INSURANCE INC					
	723001	WORKERS COMP PREMIUM 3 OF 10	02/02/15	03/04/15	15,783.00	15,783.00
655-1	FOOTHILLS UNITED WAY					
	033115	1ST QTR 2015 CONTRIBUTIONS	03/31/15	04/30/15	448.00	448.00
14002-1	KANSAS PAYMENT CENTER					
	032715	EMPLOYEE GARNISHMENT PP#07	03/27/15	04/26/15	85.85	85.85
9750-1	LEGALSHIELD					
	032515	#22554 MAR 15 EMPLOYEE PREMIUM	03/25/15	04/24/15	348.90	348.90
8	BRUCE & MARY JANDA					
	030315	PROPERTY DAMAGE REIMBURSEMENT	03/03/15	04/02/15	480.00	480.00
12087	MOMENTUM TEXTILES					
	805070918	UPHOLSTERY FABRIC	03/27/15	04/26/15	1,240.74	1,240.74
3735-1	PETTY CASH - BARB KELLEY					
	040115	PETTY CASH FRONT DESK	04/01/15	05/01/15	374.46	
	040115	PETTY CASH FRONT DESK	04/01/15	05/01/15	29.90	404.36
6609-1	TRAVELERS					
	478699	WORKERS COMP DEDUCTIBLE	02/27/15	03/29/15	249.94	249.94
	BANK TOTAL PAYMENTS				20,276.02	20,276.02
	GRAND TOTAL PAYMENTS				20,276.02	20,276.02

City of Louisville
Cash Disbursement Edit List

Batch: 90065 Period: 04/09/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
	FOR BANK ACCOUNT:	4 FIRST NATIONAL BANK OF COLORAD			Control Disbursement Account	
13762-1	ATOMIC FORGE & WELDING INC					
	4192	DOWNTOWN BIKE RACKS DEPOSIT	03/26/15	04/25/15	6,640.00	6,640.00
14058-1	BRETT TUBBS					
	040315	EXPENSE REPORT 3/2-3/31/15	04/03/15	05/03/15	215.97	215.97
4855-1	CENTURYLINK					
	032015	MAR 15 PHONE SERVICE	03/20/15	04/19/15	1,161.27	
	032015	MAR 15 PHONE SERVICE	03/20/15	04/19/15	71.67	
	032015	MAR 15 PHONE SERVICE	03/20/15	04/19/15	46.20	1,279.14
10290-13	CMCA					
	040715	ELECTION TRAINING HANSON	04/07/15	05/07/15	25.00	25.00
13567-1	CONSOLIDATED ELECTRICAL DISTRIBUTORS INC					
	1872-439058	EVSE CHARGE POINT SERVICE	03/31/15	04/30/15	510.00	510.00
11373-1	DELLENBACH CHEVROLET INC					
	040615	CHEVY COLO CUSTOM TOPPER PD	04/06/15	05/06/15	2,350.00	
	63474	2015 CHEVY COLORADO PD	04/08/15	05/08/15	26,500.00	28,850.00
12087	MOMENTUM GROUP					
	805070918R	UPHOLSTERY FABRIC LIB	04/06/15	05/06/15	1,238.04	1,238.04
55	DAWN PETERSON					
	U!00000969	7360/452071501: UTILITY REFUND	04/09/15	04/09/15	55.08	55.08
3875-1	XCEL ENERGY					
	450468622	GAS USAGE CORRECTION LIB	03/26/15	04/25/15	6,362.79	6,362.79
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	BANK TOTAL PAYMENTS				45,176.02	45,176.02
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	GRAND TOTAL PAYMENTS				45,176.02	45,176.02

Batch: 90114 Period: 04/21/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
	FOR BANK ACCOUNT:	4 FIRST NATIONAL BANK OF COLORAD			Control Disbursement Account	
4630-1	3M COMPANY					
	OF64343	SERVICE AGREEMENT LIB EQUIP	04/02/15	05/02/15	24,839.00	24,839.00
8791-1	ACA DENVER BOILER					
	C642827	HVAC PREVENTIVE MAINT NWTP	03/20/15	04/19/15	220.25	
	C642828	HVAC PREVENTIVE MAINT SWTP	03/20/15	04/19/15	365.50	
	S681229	POOL BOILER REPAIR LRC	03/20/15	04/19/15	2,365.00	
	S681281	HVAC SERVICE CH	03/26/15	04/25/15	87.99	3,038.74
5369-1	ACCUTEST MOUNTAIN STATES INC					
	D2-59741	LAB ANALYSIS FEES WWTP	02/23/15	03/25/15	250.00	
	D2-59858	LAB ANALYSIS FEES WWTP	02/23/15	03/25/15	169.00	
	D3-60632	LAB ANALYSIS FEES WWTP	03/25/15	04/24/15	169.00	
	D3-60697	LAB ANALYSIS FEES WWTP	03/25/15	04/24/15	250.00	838.00
9751-1	ADAMS COUNTY SHERIFF DEPT					
	86902	HANDGUN INSTRUCTOR SCHOOL	03/31/15	04/30/15	750.00	750.00
1006-1	ALL CURRENT ELECTRIC INC					
	3186	MARSHALL PIPELINE TRANSFORMER	03/27/15	04/26/15	678.51	678.51
14056-1	AM SALVAGE					
	706157	RECLAIMED BARNWOOD GC SIGNAGE	02/19/15	03/21/15	3,334.00	3,334.00
11286-1	B A LAWRENCE LLC					
	BA3615	PUMP ALIGNMENT CTC LIFT	03/09/15	04/08/15	340.00	340.00
8575-1	BC INTERIORS					
	58203	LATERAL FILE CMO	04/08/15	05/08/15	511.43	511.43
12306-1	BEACON ATHLETICS					
	0442513-IN	BALLFIELD SUPPLIES	03/13/15	04/12/15	1,912.84	1,912.84
13855-1	BIG AIR JUMPERS INC					
	O14924	NITE AT REC INFLATABLES	04/03/15	05/03/15	535.00	
	O14925	NITE AT REC INFLATABLES	04/10/15	05/10/15	535.00	1,070.00
11605-1	BOBCAT OF THE ROCKIES LLC					
	11198324	TOOLCAT MOWING ATTACHMENT	03/20/15	04/19/15	6,460.00	
	11198325	BOBCAT COMPACT EXCAVATOR	03/20/15	04/19/15	32,991.00	
	11198380	GP BUCKET	03/23/15	04/22/15	999.00	40,450.00
640-1	BOULDER COUNTY					
	033115	MAR 15 BOULDER COUNTY USE TAX	03/31/15	04/30/15	33,639.55	33,639.55
7739-1	BOULDER COUNTY					
	10655	JAN-APRI DRUG TASK FORCE FEES	03/24/15	04/23/15	1,028.00	1,028.00
12880-1	BOYAGIAN CONSULTING LLC					
	040315	MAR 15 PROFESSIONAL SERVICES	04/03/15	05/03/15	2,500.00	2,500.00
7706-1	BRANNAN SAND & GRAVEL CO LLC					
	136041	ASPHALT	03/20/15	04/19/15	43.15	

Batch: 90114 Period: 04/21/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
	136457	ASPHALT	03/27/15	04/26/15	44.01	
	136563	ASPHALT	03/30/15	04/29/15	86.30	173.46
13344-1	BROWN HILL ENGINEERING & CONTROLS LLC					
	9457	SCADA MAINTENANCE WTP	03/16/15	04/15/15	1,175.00	
	9458	RAW WATER VALVE NWTP	03/16/15	04/15/15	865.50	
	9478	INSTALL COMMUNICATIONS/RADIOS	03/20/15	04/19/15	1,898.50	
	9510	NORTH END LIFT STATION PROGRAM	04/03/15	05/03/15	11,526.00	15,465.00
10900-1	CAROL CREECH					
	030515	REIMBURSE NON-RES EXPAND FEES	03/05/15	04/04/15	133.00	133.00
935-1	CENTENNIAL PRINTING CO					
	57128	UTILITY RATE INCREASE MAILING	03/26/15	04/25/15	1,092.26	
	57128	UTILITY RATE INCREASE MAILING	03/26/15	04/25/15	1,092.26	2,184.52
10773-1	CENTRIC ELEVATOR CORP					
	235343	APR 15 ELEVATOR MAINT PC	04/01/15	05/01/15	243.09	
	235344	APR 15 ELEVATOR MAINT LIB	04/01/15	05/01/15	443.50	
	235345	APR 15 ELEVATOR MAINT RSC	04/01/15	05/01/15	260.71	
	235346	APR 15 ELEVATOR MAINT CH	04/01/15	05/01/15	265.59	1,212.89
13352-1	CGRS INC					
	2-10242-49409	FUEL TANK POLLING	03/31/15	04/30/15	25.00	25.00
13964-1	CHANDLER ASSET MANAGEMENT					
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	185.12	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	11.42	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	2.06	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	0.29	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	244.08	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	31.25	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	21.86	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	5.22	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	45.47	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	383.22	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	18.98	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	477.96	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	406.19	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	107.25	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	22.15	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	7.99	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	38.86	
	17171	MAR 15 INVESTMENT FEES	04/02/15	05/02/15	41.63	2,051.00
1005-1	CHEMATOX LABORATORY INC					
	16099	DUI BLOOD TEST	03/28/15	04/27/15	20.00	20.00

Batch: 90114 Period: 04/21/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
4785-1	CINTAS CORPORATION #66					
	66268863	UNIFORM RENTAL WWTP	02/16/15	03/18/15	100.92	
	66273162	UNIFORM RENTAL WWTP	02/23/15	03/25/15	100.92	
	66285186	UNIFORM RENTAL WTP	03/16/15	04/15/15	113.00	
	66288795	UNIFORM RENTAL WWTP	03/23/15	04/22/15	100.92	
	66288796	UNIFORM RENTAL WTP	03/23/15	04/22/15	130.76	
	66292451	UNIFORM RENTAL WTP	03/30/15	04/29/15	113.00	659.52
14047-1	CITY OF NORTHGLENN					
	825	LAB ANALYSIS FEES WTP	02/28/15	03/30/15	1,315.00	1,315.00
1245-1	COLORADO MOSQUITO CONTROL INC					
	15-3729	MAR 15 MOSQUITO CONTROL SERV	03/31/15	04/30/15	1,280.56	
	15-3729	MAR 15 MOSQUITO CONTROL SERV	03/31/15	04/30/15	236.69	1,517.25
10164-1	COLORADO MOTOR VEHICLES					
	033115	DEFAULT JUDGMENT FEES	03/31/15	04/30/15	90.00	90.00
1250-1	COLORADO MUNICIPAL LEAGUE					
	3313	MUNICIPAL CAUCUS LUNCH MUTH	03/16/15	04/15/15	13.00	
	3328	MUNICIPAL CAUCUS LUNCH BALSER	03/23/15	04/22/15	13.00	26.00
1063-1	COLORADO SENIOR SOFTBALL ASSOC					
	040215	SR LEAGUE FEES/BALLS 3 TEAMS	04/02/15	05/02/15	646.50	646.50
14008-1	CUNINGHAM GROUP ARCHITECTURE INC					
	42655	SMALL AREA PLANS	03/25/15	04/24/15	37,614.00	
	42655	SMALL AREA PLANS	03/25/15	04/24/15	20,610.00	58,224.00
10590-1	DELL MARKETING LP					
	XJNFT79R4	EXTENDED DELL SERVER MAINT	03/26/15	04/25/15	6,647.95	
	XJNK53C71	DELL VERTEX VIRTUALIZED HOST	04/01/15	05/01/15	6,733.64	13,381.59
1915-1	EXQUISITE ENTERPRISES INC					
	42084	DESK PLATES FINANCE	04/03/15	05/03/15	32.40	32.40
1970-1	FEDEX					
	2-980-69565	SHIPPING	03/26/15	04/25/15	42.11	42.11
13916-1	FERGUSON WATERWORKS					
	824061	BALL CORP STOPS/SETTERS	03/25/15	04/24/15	933.96	933.96
10623-1	FRONT RANGE LANDFILL INC					
	37761	LANDFILL FEES	03/31/15	04/30/15	4,114.97	4,114.97
10722-1	GALE/CENGAGE LEARNING					
	54858029	ADULT BOOKS AND MEDIA	03/25/15	04/24/15	37.93	
	54898666	ADULT BOOKS AND MEDIA	04/01/15	05/01/15	125.88	163.81
6847-1	GENERAL AIR SERVICE & SUPPLY					
	4393545-1	CYLINDER RENTAL WWTP	03/09/15	04/08/15	131.45	131.45
13162-1	HD SUPPLY WATERWORKS LTD					
	D708308	BALL CORPS/YOKES	03/27/15	04/26/15	1,458.06	1,458.06

Batch: 90114 Period: 04/21/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
14055-1	HIGHER GROUND GOLF COMPANY					
	031315	GOLF BIKES	03/13/15	04/12/15	6,360.00	6,360.00
2475-1	HILL PETROLEUM					
	0482201-IN	UNLEADED/BIODIESEL FUEL	03/27/15	04/26/15	10,650.16	10,650.16
13642-1	HUBER TECHNOLOGY INC					
	JI09692	COMPACTOR SOLENOID VALVES WWTP	03/16/15	04/15/15	1,915.00	1,915.00
2615-1	INGRAM LIBRARY SERVICES INC					
	84156100	TEEN BOOKS AND MEDIA	03/05/15	04/04/15	33.57	
	84157861	CHILDRENS BOOKS AND MEDIA	03/05/15	04/04/15	73.96	
	84262217	CHILDRENS BOOKS AND MEDIA	03/12/15	04/11/15	76.31	
	84283373	CHILDRENS BOOKS AND MEDIA	03/15/15	04/14/15	98.94	
	84345440	CHILDRENS BOOKS AND MEDIA	03/18/15	04/17/15	466.29	
	84345441	CHILDRENS BOOKS AND MEDIA	03/18/15	04/17/15	494.79	
	84363483	TEEN BOOKS AND MEDIA	03/19/15	04/18/15	43.39	
	84365251	CHILDRENS BOOKS AND MEDIA	03/19/15	04/18/15	58.10	
	84365252	CHILDRENS BOOKS AND MEDIA	03/19/15	04/18/15	317.92	
	84378499	CHILDRENS BOOKS AND MEDIA	03/20/15	04/19/15	98.85	
	84380940	CHILDRENS BOOKS AND MEDIA	03/20/15	04/19/15	55.50	
	84385936	CHILDRENS BOOKS AND MEDIA	03/22/15	04/21/15	75.47	
	84434889	TEEN BOOKS AND MEDIA	03/25/15	04/24/15	18.83	
	84437011	CHILDRENS BOOKS AND MEDIA	03/25/15	04/24/15	213.01	
	84465459	CHILDRENS BOOKS AND MEDIA	03/26/15	04/25/15	120.24	
	84480427	TEEN BOOKS AND MEDIA	03/27/15	04/26/15	16.24	
	84483596	CHILDRENS BOOKS AND MEDIA	03/27/15	04/26/15	28.55	
	84488765	CHILDRENS BOOKS AND MEDIA	03/29/15	04/28/15	18.13	
	84502009	TEEN BOOKS AND MEDIA	03/30/15	04/29/15	55.15	
	84526898	TEEN BOOKS AND MEDIA	03/31/15	04/30/15	26.21	2,389.45
8881-1	INGRAM LIBRARY SERVICES INC					
	84096352	ADULT BOOKS AND MEDIA	03/02/15	04/01/15	240.08	
	84113876	ADULT BOOKS AND MEDIA	03/03/15	04/02/15	115.40	
	84136787	ADULT BOOKS AND MEDIA	03/04/15	04/03/15	571.57	
	84163968	ADULT BOOKS AND MEDIA	03/05/15	04/04/15	39.07	
	84262215	ADULT BOOKS AND MEDIA	03/12/15	04/11/15	224.94	
	84262216	ADULT BOOKS AND MEDIA	03/12/15	04/11/15	289.37	
	84283372	ADULT BOOKS AND MEDIA	03/15/15	04/14/15	39.05	
	84301660	ADULT BOOKS AND MEDIA	03/16/15	04/15/15	239.11	
	84325779	ADULT BOOKS AND MEDIA	03/17/15	04/16/15	53.54	
	84345439	ADULT BOOKS AND MEDIA	03/18/15	04/17/15	245.64	
	84437010	ADULT BOOKS AND MEDIA	03/25/15	04/24/15	617.61	
	84465458	ADULT BOOKS AND MEDIA	03/26/15	04/25/15	90.25	

Batch: 90114 Period: 04/21/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
	84483595	ADULT BOOKS AND MEDIA	03/27/15	04/26/15	71.41	
	84488764	ADULT BOOKS AND MEDIA	03/29/15	04/28/15	9.29	
	84506968	ADULT BOOKS AND MEDIA	03/30/15	04/29/15	297.28	3,143.61
13280-1	INSIGHT PUBLIC SECTOR INC					
	1100410904	MS SQL SERVER SOFTWARE TYLER	03/24/15	04/23/15	4,678.32	4,678.32
13817-1	ISRAEL ALVARADO					
	2015-09	NITE AT REC DJ SERVICES	04/03/15	05/03/15	275.00	
	2015-10	NITE AT REC DJ SERVICES	04/10/15	05/10/15	275.00	550.00
9877-1	J-8 EQUIPMENT COMPANY INC					
	185124	FUEL CARDS UNIT 5375	03/27/15	04/26/15	20.65	20.65
13978-1	JACK WAGNER					
	040715	SILVER SNEAKERS CARDIO CLASS	04/07/15	05/07/15	25.00	25.00
13342-1	JOHN TAFOYA					
	1502-TR	TUITION REIMBURSEMENT	04/08/15	05/08/15	691.75	
	1503-TR	TUITION REIMBURSEMENT	04/08/15	05/08/15	748.21	1,439.96
2780-1	KAISER LOCK & KEY SERVICE INC					
	101396	INSTALL/REKEY LOCKS CH	02/26/15	03/28/15	540.80	540.80
14000-1	KATHRYN LAWRENCE					
	154	GOLF COURSE LOGO DESIGN	04/10/15	05/10/15	600.00	
	155	GOLF COURSE SIGN CONCEPTS	04/10/15	05/10/15	2,400.00	3,000.00
11337-1	KISSINGER AND FELLMAN PC					
	21029	COMCAST FRANCHISE NEGOTIATIONS	03/20/15	04/19/15	1,168.50	1,168.50
13828-1	LANDSCAPES UNLIMITED LLC					
	PP11033015	CCGC PHASE 2 CONSTRUCTION	03/30/15	04/29/15	47,731.96	47,731.96
12298-1	LAUNCH ADVERTISING LLC					
	825	TRANSPORTATION PLAN UPDATE	03/25/15	04/24/15	3,290.00	3,290.00
3070-1	LL JOHNSON DISTRIBUTING CO					
	1680170-00	TURF MAINT EQUIPMENT CCGC	03/30/15	04/29/15	12,608.96	
	1680172-00	TURF MAINT EQUIPMENT CCGC	03/30/15	04/29/15	11,223.27	
	1680174-00	TURF MAINT EQUIPMENT CCGC	03/30/15	04/29/15	15,751.82	
	1682286-00	TURF MAINT EQUIPMENT CCGC	03/30/15	04/29/15	21,152.32	
	1682287-00	TORO WORKMAN 4-WHEEL DR KITS	04/10/15	05/10/15	3,978.00	64,714.37
13939-1	LOUISVILLE ARTS DISTRICT					
	042013-360	LAD ADVERTISING SPONSORSHIP	03/27/15	04/26/15	1,000.00	1,000.00
5432-1	LOUISVILLE FIRE PROTECTION DISTRICT					
	033115	MAR 15 FIRE PROTECT DIST FEES	03/31/15	04/30/15	7,605.00	
	040715	CPR & FIRST AID TRAINING PD	04/07/15	05/07/15	205.00	7,810.00
9870-1	MANAGER OF FINANCE					
	TB2014-71	OPERATIONAL RISK MGMT HINZ	03/24/15	04/23/15	100.00	100.00
13905-1	MARK ZAREMBA					

Batch: 90114 Period: 04/21/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
	032515	927 MAIN NEW CONSTRUCT GRANT	03/25/15	04/24/15	7,268.00	7,268.00
11072-18	MERRICK AND COMPANY					
	139024	ELDORADO RAW WTR INTAKE DESIGN	03/20/15	04/19/15	17,579.93	17,579.93
11204-1	METRO FENCE COMPANY INC					
	2015-044	ORNAMENTAL FENCING	03/27/15	04/26/15	2,507.00	2,507.00
8	ASHLEY STOLZMANN					
	022715	DRCOG CONF HOTEL STOLZMANN	02/27/15	03/29/15	107.36	107.36
15	FRANSEN PITTMAN GENERAL CONTRACTORS					
	032515	REFUND DUPLICATE IMPACT FEES	03/25/15	04/24/15	19,661.92	19,661.92
15	EJ 1900 CHERRY LLC					
	032515A	REFUND IMPACT FEES	03/25/15	04/24/15	1,570.08	1,570.08
6	MARY MULCAHEY					
	033115	BLOOMIN SENIOR SUPPLIES	03/31/15	04/30/15	130.28	130.28
6	LINDA JACKSON					
	040815	SENIOR ESCORT DINNER	04/08/15	05/08/15	60.24	60.24
11061-1	MOUNTAIN PEAK CONTROLS INC					
	7474	SCADA WORK WWTP	03/19/15	04/18/15	460.00	460.00
14064-1	NORTHERN COLORADO CRIME STOPPERS					
	031515	2015 PARTICIPATION DUES	03/15/15	04/14/15	200.00	200.00
314-1	PARKSON CORPORATION					
	AR1/51011112	DRUM THICKENER WHEELS & AXLES	03/13/15	04/12/15	4,551.07	4,551.07
10951-1	PINNACOL ASSURANCE					
	17460988	WORKERS COMP DEDUCTIBLES	02/10/15	03/12/15	3,947.26	
	17460988	WORKERS COMP DEDUCTIBLES	02/10/15	03/12/15	2,230.18	
	17489051	WORKERS COMP DEDUCTIBLES	03/02/15	04/01/15	1,120.52	
	17489051	WORKERS COMP DEDUCTIBLES	03/02/15	04/01/15	253.41	
	17529102	WORKERS COMP AUDIT ADJUSTMENT	03/31/15	04/30/15	1,515.00	
	17529444	WORKERS COMP DEDUCTIBLES	04/01/15	05/01/15	60.49	9,126.86
3840-1	PREMIER TIRE TERMINAL					
	1684101	TIRES UNIT 5307	03/30/15	04/29/15	454.00	454.00
99	BILL SCHMIDT					
	884472	ACTIVITY REFUND	04/07/15	05/07/15	45.00	45.00
99	DOUG SZYCHER					
	884501	ACTIVITY REFUND	04/07/15	05/07/15	50.00	50.00
99	COMPASS USA					
	884504	ACTIVITY REFUND	04/07/15	05/07/15	52.50	52.50
13668-1	RESOURCE BASED INTERNATIONAL					
	2015-02	FEB 15 WATER RIGHTS ADMIN	03/25/15	04/24/15	12,375.00	12,375.00
8513-1	SAFETY & CONSTRUCTION SUPPLY					
	21554-IN	HARD HATS PW	01/12/15	02/11/15	62.30	62.30

Batch: 90114 Period: 04/21/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
11306-1	SAFEWARE INC					
	3438206	CL2 SENSOR CREDIT	11/21/14	12/21/14	370.00-	
	3452584	GAS DETECTOR REPAIR SHOPS	03/06/15	04/05/15	384.25	14.25
1201-1	SUPPLYWORKS					
	333750362	BREAKROOM SUPPLIES PC	04/01/15	05/01/15	239.02	239.02
14063-1	TECHNOLOGY SERVICES					
	1512384	RADAR POWER PLUG REPAIR	04/08/15	05/08/15	76.00	
	1512385	RADAR POWER PLUG REPAIR	04/08/15	05/08/15	76.00	152.00
6609-1	TRAVELERS					
	480336	WORKERS COMP DEDUCTIBLES	03/31/15	04/30/15	945.96	
	480336	WORKERS COMP DEDUCTIBLES	03/31/15	04/30/15	352.37	1,298.33
4765-1	UNCC					
	21503485	MAR 15 LOCATES #48760	03/31/15	04/30/15	516.23	516.23
11087-1	UNITED SITE SERVICES					
	114-2776349	TOILET RENTAL MINERS FIELD	03/16/15	04/15/15	209.60	
	114-2776350	TOILET RENTAL CENTENNIAL PARK	03/16/15	04/15/15	209.60	
	114-2776351	TOILET RENTAL CLEO MUDROCK	03/16/15	04/15/15	209.60	
	114-2776352	TOILET RENTAL HERITAGE PARK	03/16/15	04/15/15	209.60	
	114-2776354	TOILET RENTAL LES FIELD	03/16/15	04/15/15	182.02	
	114-2776356	TOILET RENTAL COTTONWOOD PARK	03/16/15	04/15/15	182.02	
	114-2776358	TOILET RENTAL ENRIETTO FIELD	03/16/15	04/15/15	182.02	
	114-2792761	TOILET RENTAL SKATE PARK	03/23/15	04/22/15	204.65	1,589.11
12804-1	US BANK - CORPORATE TRUST SERVICES					
	040915	URA PUBLIC IMPROVEMENTS	04/09/15	04/09/15	51,656.00	
	040915	URA PUBLIC IMPROVEMENTS	04/09/15	04/09/15	42,264.00	
	040915	URA PUBLIC IMPROVEMENTS	04/09/15	04/09/15	375,680.00	469,600.00
10658-1	WINTER EQUIPMENT COMPANY INC					
	IV26789	SNOWPLOW BLADES	03/30/15	04/29/15	5,949.99	5,949.99
5115-1	WL CONTRACTORS INC					
	25321	MAR 15 FIBER MAINTENANCE	04/10/15	05/10/15	100.00	
	25321	MAR 15 FIBER MAINTENANCE	04/10/15	05/10/15	1,021.31	1,121.31
10884-1	WORD OF MOUTH CATERING INC					
	2015-07	SR MEAL PROGRAM 3/30-4/10/15	04/10/15	05/10/15	2,096.25	2,096.25
11324-1	XCEL ENERGY					
	451193746	MAR 15 SPRINKLERS	04/01/15	05/01/15	117.79	117.79
11081-1	XEROX FINANCIAL SERVICES LLC					
	297208	APR 15 COPIER LEASE	04/04/15	05/04/15	990.00	990.00
13555-1	YOUNG REMBRANDTS - NW DENVER & BOULDER					
	428	CONTRACTOR FEES ELEM DRAWING	02/24/15	03/26/15	137.20	
	430	CONTRACTOR FEES ANIMAL CARTOON	03/23/15	04/22/15	87.50	

Batch: 90114 Period: 04/21/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
	431	CONTRACTOR FEES ANIMAL CARTOON	03/24/15	04/23/15	52.50	
	432	CONTRACTOR FEES ANIMAL CARTOON	03/25/15	04/24/15	87.50	364.70
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	BANK TOTAL PAYMENTS				939,769.86	939,769.86
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	GRAND TOTAL PAYMENTS				939,769.86	939,769.86

CITY OF LOUISVILLE
PURCHASING CARD SUMMARY
STATEMENT PERIOD 02/20/15 - 03/20/15

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
1000BULBS.COM	800-624-4488	PHIL LIND	FACILITIES	02/27/2015	105.76
2457 CED	FORT COLLINS	ROBERT DUPORT	WATER	03/12/2015	229.81
800 ROLLCALL SERVICE	904-2732440	DAWN BURGESS	CITY MANAGER	02/20/2015	5.85
ACT*CGFOA	877-551-5560	PENNEY BOLTE	SALES TAX	02/24/2015	90.00
ACT*COLORADO CREATIVE	877-551-5560	SUZANNE JANSSEN	CITY MANAGER	02/25/2015	144.28
ACT*OXENFORD CONSULTIN	877-551-5560	BRIAN GARDUNO	OPERATIONS	03/10/2015	300.00
ADM/SHOP DENVER MUSEUM	DENVER	KATIE BEASLEY	REC CENTER	03/10/2015	-34.00
ADM/SHOP DENVER MUSEUM	DENVER	KATIE BEASLEY	REC CENTER	02/20/2015	323.00
AGG/ASP DISPTCH COLE O	GOLDEN	DAVE NICHOLS	OPERATIONS	03/19/2015	688.75
AIS SPECIALTY PRODUCTS	818-6269870	BRETT TUBBS	FACILITIES	03/13/2015	404.06
AIS SPECIALTY PRODUCTS	818-4394141	BRETT TUBBS	FACILITIES	03/04/2015	197.97
ALBERTSONS #00812	LOUISVILLE	LAURA LOBATO	POLICE	03/14/2015	56.11
ALBERTSONS #00812	LOUISVILLE	LINDA PARKER	REC CENTER	03/12/2015	10.32
ALBERTSONS #00812	LOUISVILLE	LINDA PARKER	REC CENTER	03/05/2015	72.84
ALBERTSONS #00812	LOUISVILLE	LINDA PARKER	REC CENTER	02/19/2015	20.00
ALL WEST TROPHIES INC	LAFAYETTE	DEAN JOHNSON	PARKS	02/27/2015	44.50
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	03/17/2015	20.99
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/16/2015	15.74
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	03/16/2015	180.90
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	03/16/2015	165.97
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	03/16/2015	61.01
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	03/15/2015	36.28
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/14/2015	6.47
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	03/14/2015	11.99
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	CLIFFORD SWETT	IT	03/13/2015	-71.10
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	TONY DESANTIS	PUBLIC WORKS	03/11/2015	99.98
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	MONICA GARLAND	BUILDING SAFETY	03/11/2015	36.30
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	03/07/2015	26.46
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	CLIFFORD SWETT	IT	03/04/2015	-83.73
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/02/2015	-17.50
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/27/2015	-3.99
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/27/2015	18.12
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	KRISTEN PORTER	REC CENTER	02/26/2015	15.90
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	LESLIE RINGER	HUMAN RESOURCES	02/25/2015	30.62
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	LESLIE RINGER	HUMAN RESOURCES	02/25/2015	4.93
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/24/2015	83.44
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/24/2015	6.34
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/24/2015	44.97

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/24/2015	84.01
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/23/2015	27.60
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/23/2015	8.49
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/22/2015	12.99
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/21/2015	14.88
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/21/2015	21.08
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/20/2015	17.03
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/20/2015	21.49
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/20/2015	56.19
AMAZON MKTPLACE PMTS	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/19/2015	8.59
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/17/2015	38.28
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/19/2015	12.96
AMSAN CORP	08565333261	PATRICIA MORGAN	REC CENTER	02/23/2015	99.08
AMSAN CORP	08565333261	ROBERT ERICHSEN	PARKS	02/19/2015	352.84
ARAMARK UNIFORM	800-504-0328	JULIE SEYDEL	REC CENTER	03/12/2015	116.16
ARC*SERVICES/TRAINING	800-733-2767	KAYLA FEENEY	REC CENTER	02/20/2015	95.00
AROYAN	781-331-1332	DAVID SZABADOS	FACILITIES	03/12/2015	1,749.99
ASTRAL COMMUNICATIONS	BOULDER	JENNI DUNCAN	POLICE	02/25/2015	121.92
AT&T DATA	08003310500	CRAIG DUFFIN	PUBLIC WORKS	03/10/2015	30.00
AT&T DATA	08003310500	KURT KOWAR	PUBLIC WORKS	02/20/2015	30.00
AT&T*BILL PAYMENT	08009995445	DIANE M KREAGER	FINANCE	03/18/2015	74.40
ATOMIC CAR WASH	LOUISVILLE	CHRIS LICHTY	PARKS	03/16/2015	7.00
ATOMIC CAR WASH	LOUISVILLE	BOB BERNHARDT	PARKS	03/12/2015	12.00
ATOMIC CAR WASH	LOUISVILLE	DAVID ALDERS	PARKS	03/12/2015	7.00
ATOMIC CAR WASH	LOUISVILLE	KERRY KRAMER	PARKS	03/11/2015	7.00
ATOMIC CAR WASH	LOUISVILLE	MATT LOOMIS	PARKS	03/11/2015	11.00
ATOMIC CAR WASH	LOUISVILLE	ERIK SWIATEK	PARKS	03/11/2015	13.00
ATOMIC CAR WASH	LOUISVILLE	DENNIS COYNE	PARKS	03/11/2015	14.00
ATOMIC CAR WASH	LOUISVILLE	CHRIS LICHTY	PARKS	03/10/2015	14.00
ATOMIC CAR WASH	LOUISVILLE	TYLER DURLAND	PARKS	03/10/2015	10.00
AMAZON.COM	AMZN.COM/BILL	MONICA GARLAND	BUILDING SAFETY	03/20/2015	33.66
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/17/2015	22.93
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/16/2015	14.99
AMAZON.COM	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	03/16/2015	36.72
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/09/2015	19.26
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/04/2015	-.02
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/04/2015	-.04
AMAZON.COM	AMZN.COM/BILL	MONICA GARLAND	BUILDING SAFETY	03/04/2015	38.37
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/02/2015	22.97
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/02/2015	35.94
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/02/2015	36.69
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	03/01/2015	22.99

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/25/2015	14.99
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/25/2015	86.88
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/25/2015	61.87
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/23/2015	14.96
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/23/2015	36.98
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/23/2015	35.25
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/21/2015	16.99
BACK FLOW TECH	LAKEWOOD	PATRICK FARRELL	WATER	02/19/2015	70.00
BARNES&NOBLE*COM	800-843-2665	RICHARD S LAMBORNE	LIBRARY	02/28/2015	2.99
BARNES&NOBLE*COM	800-843-2665	RICHARD S LAMBORNE	LIBRARY	02/28/2015	2.99
BARNES&NOBLE*COM	800-843-2665	RICHARD S LAMBORNE	LIBRARY	02/28/2015	2.00
BARNES&NOBLE*COM	800-843-2665	RICHARD S LAMBORNE	LIBRARY	02/28/2015	2.00
BARONE, INC	ARVADA	BRIAN GARDUNO	OPERATIONS	03/16/2015	196.07
BARTKUS OIL	BOULDER	ANTHONY M BRUNNING	WASTEWATER	03/10/2015	478.75
BARTKUS OIL	BOULDER	ANTHONY M BRUNNING	WASTEWATER	03/05/2015	478.75
BBTOOLS LLCMATCO DIS	BROOMFIELD	MASON THOMPSON	OPERATIONS	03/06/2015	69.00
BBTOOLS LLCMATCO DIS	BROOMFIELD	RON CHOATE	OPERATIONS	02/27/2015	170.00
BCI*BIRCHCOMMUNICATION	888-275-0777	DIANE M KREAGER	FINANCE	03/06/2015	645.11
BEST BUY 00014167	DENVER	MATTHEW BUSH	IT	03/19/2015	69.99
BEST BUY MHT 00001867	BROOMFIELD	MATTHEW BUSH	IT	03/13/2015	44.99
BLACKJACK PIZZA	LOUISVILLE	ALLISON DICARO	REC CENTER	03/13/2015	30.46
BLACKJACK PIZZA	LOUISVILLE	ALLISON DICARO	REC CENTER	03/13/2015	46.31
BOBCAT COMMERCE CITY	COMMERCE CITY	MASON THOMPSON	OPERATIONS	03/19/2015	107.00
BOULDER PARKING-CAGID	BOULDER	HEATHER BALSER	CITY MANAGER	03/06/2015	2.50
BOULDER VALLEY SCHOOL	07205615205	KATHY MARTIN	REC CENTER	02/25/2015	1,268.50
BROOMFIELD RENTALS INC	BROOMFIELD	MATT LOOMIS	PARKS	03/18/2015	105.60
BROOMFIELD RENTALS INC	BROOMFIELD	MATT LOOMIS	PARKS	03/18/2015	-26.40
BESTBUYCOM670866003247	888-237289	MATTHEW BUSH	IT	02/25/2015	12.99
CANTEEN 74052176	DENVER	POLLY A BOYD	PARKS	03/05/2015	87.85
CARROT TOP IND00 OF 00	919-7326200	DENNIS COYNE	PARKS	02/25/2015	182.72
CENTENNIAL PRINTING	LOUISVILLE	PENNEY BOLTE	SALES TAX	03/16/2015	506.09
CENTENNIAL PRINTING	LOUISVILLE	KATIE MEYER	REC CENTER	02/25/2015	25.00
CENTENNIAL PRINTING	LOUISVILLE	POLLY A BOYD	PARKS	02/20/2015	201.00
CENTURYLINK	800-244-1111	DIANE M KREAGER	FINANCE	03/18/2015	4,347.04
CENTURYLINK	800-244-1111	DIANE M KREAGER	FINANCE	03/18/2015	74.00
CO DEPT OF AGRICUL	DENVER	HARLAN VITOFF	PARKS	03/19/2015	103.02
CO DEPT OF REVENUE	DENVER	HUGO ROMERO	OPERATIONS	03/11/2015	36.55
COFFEE TERRACE	DENVER	DAVE NICHOLS	OPERATIONS	02/25/2015	27.90
COLE INFORMATION SERVI	8002832855	JILL SIEWERT	LIBRARY	02/24/2015	334.95
COLORADO BARRICADE	DENVER	JEFF LEBECK	OPERATIONS	03/02/2015	682.86
COLORADO PARKS AND REC	303-2310943	KATIE MEYER	REC CENTER	03/04/2015	85.00
COLORADO PARKS AND REC	303-2310943	AMANDA PERERA	REC CENTER	02/27/2015	95.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
COLORADO PARKS AND REC	303-2310943	KATIE BEASLEY	REC CENTER	02/27/2015	95.00
COLORADO PARKS AND REC	303-2310943	DIANE EVANS	REC CENTER	02/20/2015	95.00
COLORADO POWERSPORTS D	DENVER	RON CHOATE	OPERATIONS	02/20/2015	56.41
COLORADO POWERSPORTS D	DENVER	RON CHOATE	OPERATIONS	02/20/2015	-56.41
COLORADO POWERSPORTS D	DENVER	RON CHOATE	OPERATIONS	02/20/2015	51.99
COLORADO SPORTS HALL O	720-2583535	KATIE BEASLEY	REC CENTER	03/11/2015	198.00
COLORADO WATER WELL PU	3038929053	DAVID DEAN	GOLF COURSE	03/12/2015	150.61
COLUMBINE APPLIANCE	ERIE	DIANE EVANS	REC CENTER	03/16/2015	89.00
COMCAST CABLE COMM	800-COMCAST	POLLY A BOYD	PARKS	02/22/2015	246.62
COMCAST DENVER CS 1X	800-266-2278	JILL SIEWERT	LIBRARY	03/20/2015	108.93
COMCAST DENVER CS 1X	800-266-2278	JILL SIEWERT	LIBRARY	03/20/2015	171.15
COMCAST DENVER CS 1X	800-266-2278	JILL SIEWERT	LIBRARY	03/20/2015	110.78
COMCAST DENVER CS 1X	800-266-2278	DIANE M KREAGER	FINANCE	03/06/2015	5.98
COMCAST DENVER CS 1X	800-266-2278	DIANE M KREAGER	FINANCE	03/06/2015	5.98
CONOCO FOOD PLAZA	GUNNISON	DAVID DEAN	GOLF COURSE	02/19/2015	76.54
CPS DISTRIBUTORS INC B	BOULDER	VICKIE ILKO	OPERATIONS	03/12/2015	188.49
CPS DISTRIBUTORS INC B	BOULDER	VICKIE ILKO	OPERATIONS	03/02/2015	12.77
CPS DISTRIBUTORS INC B	BOULDER	VICKIE ILKO	OPERATIONS	03/02/2015	200.25
CPS DISTRIBUTORS INC B	BOULDER	VICKIE ILKO	OPERATIONS	03/02/2015	113.48
CREJ	03036231148	DAWN BURGESS	CITY MANAGER	03/12/2015	300.00
CROWN TROPHY OF BOULDE	303-443-3151	JUSTIN ELKINS	WASTEWATER	02/19/2015	83.36
CUSTOM FENCE & SUPPLY	LONGMONT	DENNIS COYNE	PARKS	02/18/2015	191.20
CUSTOMINK TSHIRTS	08002934232	KATIE BEASLEY	REC CENTER	03/18/2015	255.96
DAILY CAMERA	BOULDER	AMANDA PERERA	REC CENTER	02/19/2015	118.00
DAILY CAMERA SUBSCRIPT	303-4443444	DAWN BURGESS	CITY MANAGER	03/13/2015	11.14
DASH MEDICAL GLOVES	FRANKLIN	JENNI DUNCAN	POLICE	02/27/2015	126.80
DBC IRRIGATION SUPPLY	BROOMFIELD	DAVID ALDERS	PARKS	03/13/2015	29.43
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	03/02/2015	321.03
DBC IRRIGATION SUPPLY	BROOMFIELD	DAVID ALDERS	PARKS	02/19/2015	45.72
DEMCO INC	800-9624463	JILL SIEWERT	LIBRARY	03/12/2015	560.60
DEWALT FCTRY STORE #01	DENVER	BRETT TUBBS	FACILITIES	03/16/2015	14.91
DISCOUNT TWO WAY RADIO	03102246200	DAVE HINZ	POLICE	03/18/2015	66.20
DOLRTREE 4479 00044792	LAFAYETTE	ALLISON DICARO	REC CENTER	03/13/2015	10.00
EARL'S SAW SHOP	BOULDER	CHRIS LICHTY	PARKS	03/02/2015	147.17
EARL'S SAW SHOP	BOULDER	BOB BERNHARDT	PARKS	02/20/2015	170.45
ECONOMY HANDICRAFTS	718-431-9300	KIM CONTINI	REC CENTER	03/09/2015	119.88
EMERGENCYSIGNS.NET	713-596-8085	DAVID SZABADOS	FACILITIES	03/04/2015	128.70
EQUICROSS	08662220030	ANTHONY M BRUNNING	WASTEWATER	03/19/2015	60.61
ESSENTIAL ART PRODUCTS	866-4589779	AMANDA PERERA	REC CENTER	03/06/2015	87.37
FASTENAL COMPANY01	LOUISVILLE	DAVE NICHOLS	OPERATIONS	03/18/2015	49.34
FASTENAL COMPANY01	LOUISVILLE	BRETT TUBBS	FACILITIES	03/17/2015	115.92
FASTENAL COMPANY01	LOUISVILLE	MASON THOMPSON	OPERATIONS	03/16/2015	35.34

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
FASTENAL COMPANY01	LOUISVILLE	MASON THOMPSON	OPERATIONS	03/13/2015	199.76
FASTENAL COMPANY01	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	03/13/2015	63.72
FASTENAL COMPANY01	LOUISVILLE	MASON THOMPSON	OPERATIONS	03/11/2015	561.71
FASTENAL COMPANY01	LOUISVILLE	GLEN SIEDENBURG	WATER	03/09/2015	16.68
FASTENAL COMPANY01	LOUISVILLE	DAVE NICHOLS	OPERATIONS	03/09/2015	75.98
FASTENAL COMPANY01	LOUISVILLE	FRANCIS H TRICKEL	WATER	03/05/2015	23.51
FASTENAL COMPANY01	LOUISVILLE	BRETT TUBBS	FACILITIES	02/27/2015	181.02
FASTENAL COMPANY01	LOUISVILLE	DAVE NICHOLS	OPERATIONS	02/24/2015	89.81
FASTENAL COMPANY01	LOUISVILLE	DAVE NICHOLS	OPERATIONS	02/20/2015	29.94
FEDEX 780239642807	MEMPHIS	JENNI DUNCAN	POLICE	02/21/2015	43.00
FIRST CHOICE-BOYER'S C	303-9649400	DAWN BURGESS	CITY MANAGER	03/11/2015	155.00
FIRST CHOICE-BOYER'S C	303-9649400	DAWN BURGESS	CITY MANAGER	03/09/2015	663.15
FODOR BILLIARDS-N DENV	THORNTON	KATIE BEASLEY	REC CENTER	03/14/2015	87.95
FRONTIER	DENVER	ROBERT P MUCKLE	CITY MANAGER	03/18/2015	30.00
FRONTIER	DENVER	DAWN BURGESS	CITY MANAGER	03/17/2015	20.00
FUN EXPRESS	800-228-0122	KIM CONTINI	REC CENTER	03/10/2015	303.55
G & G EQUIPMENT INC	FREDERICK	KERRY KRAMER	PARKS	03/13/2015	592.00
GENERAL AIR SERVICE WA	BOULDER	DAVE NICHOLS	OPERATIONS	03/04/2015	82.78
GENERAL AIR SERVICE ZU	303-8927003	DENNIS COYNE	PARKS	03/13/2015	9.15
GENERAL AIR SERVICE ZU	303-8927003	DENNIS COYNE	PARKS	03/13/2015	8.27
GENESIS EDUCATION INC	3604226764	KRISTEN PORTER	REC CENTER	02/25/2015	28.50
GLOBAL MACHINERY (MOTO	DENVER	CHRIS LICHTY	PARKS	03/06/2015	122.79
GOPHER SPORT	08776997927	KAYLA FEENEY	REC CENTER	03/13/2015	373.23
GOVERNMENT FINANCE	312-977-9700	DIANE M KREAGER	FINANCE	02/27/2015	370.00
GREEN CO2 SYSTEMS	FORT COLLINS	PAUL BORTH	REC CENTER	03/05/2015	883.60
HERTZ	DENVER	DAVID DEAN	GOLF COURSE	02/28/2015	177.41
HOBBY LOBBY #21	LOUISVILLE	KIM CONTINI	REC CENTER	03/14/2015	226.93
HOBBY LOBBY #21	LOUISVILLE	PATRICIA MORGAN	REC CENTER	02/24/2015	4.19
HOBBY LOBBY #21	LOUISVILLE	MONICA GARLAND	BUILDING SAFETY	02/18/2015	14.98
HOTEL COLORADO	GLENWOOD SPRI	HEATHER BALSER	CITY MANAGER	03/01/2015	238.00
HOTEL DENVER	GLENWOOD SPRI	MALCOLM H FLEMING	CITY MANAGER	03/01/2015	118.15
IN *BEAN AND BERRY	720-3286890	AARON DEJONG	CITY MANAGER	03/04/2015	4.99
IN *PEACEKEEPER PRODUC	909-5966699	DAVE HINZ	POLICE	02/26/2015	249.00
IN *SPECIAL EVENT SAFE	619-2555511	MIKE MILLER	POLICE	03/11/2015	599.00
INSTANT IMPRINTS	LOUISVILLE	KATIE BEASLEY	REC CENTER	02/24/2015	27.94
INSTANT IMPRINTS	LOUISVILLE	JUSTIN ELKINS	WASTEWATER	02/19/2015	14.00
INSTRUMENT & SUPPLY WE	05012623282	MARK TIRONE	WASTEWATER	03/11/2015	443.74
INT'L CODE COUNCIL INC	888-422-7233	RANDY DEWITZ	BUILDING SAFETY	03/03/2015	39.95
JAX RANCH & HOME	LAFAYETTE	TANNER THORSON	WASTEWATER	03/19/2015	124.56
JAX RANCH & HOME	LAFAYETTE	STEVE HITE	OPERATIONS	03/09/2015	149.99
JAX RANCH & HOME	LAFAYETTE	TANNER THORSON	WASTEWATER	03/05/2015	-174.54
JAX RANCH & HOME	LAFAYETTE	TANNER THORSON	WASTEWATER	03/05/2015	193.94

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
JAX RANCH & HOME	LAFAYETTE	TANNER THORSON	WASTEWATER	03/05/2015	174.54
JAX RANCH & HOME	LAFAYETTE	TYLER DURLAND	PARKS	03/02/2015	33.98
JOHNSTONE SUPPLY OF DE	DENVER	BRETT TUBBS	FACILITIES	02/20/2015	283.24
KAISER LOCK & KEY	LOUISVILLE	ROBERT CARRA	WATER	03/04/2015	63.00
KELE, INC	901-382-4300	BRETT TUBBS	FACILITIES	03/10/2015	87.05
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	03/18/2015	20.68
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	03/16/2015	37.56
KING SOOPERS #0013	LOUISVILLE	MEREDITH KRAUTLER-KLEMI	REC CENTER	03/13/2015	47.58
KING SOOPERS #0013	LOUISVILLE	DAWN BURGESS	CITY MANAGER	03/12/2015	20.27
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	03/09/2015	98.35
KING SOOPERS #0013	LOUISVILLE	RUSSELL K BROWN	WATER	03/08/2015	71.97
KING SOOPERS #0013	LOUISVILLE	MEREDITH KRAUTLER-KLEMI	REC CENTER	03/06/2015	-12.43
KING SOOPERS #0013	LOUISVILLE	MEREDITH KRAUTLER-KLEMI	REC CENTER	03/06/2015	196.54
KING SOOPERS #0013	LOUISVILLE	PEGGY JONES	REC CENTER	03/05/2015	24.93
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	03/03/2015	19.77
KING SOOPERS #0013	LOUISVILLE	KRISTEN PORTER	REC CENTER	03/02/2015	22.34
KING SOOPERS #0013	LOUISVILLE	KATIE BEASLEY	REC CENTER	02/26/2015	26.97
KING SOOPERS #0013	LOUISVILLE	JILL SIEWERT	LIBRARY	02/24/2015	21.97
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	02/23/2015	112.99
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	02/23/2015	-112.99
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	02/23/2015	107.02
KING SOOPERS #0013	LOUISVILLE	JENNI DUNCAN	POLICE	02/20/2015	28.81
KING SOOPERS #0013	LOUISVILLE	ALLISON DICARO	REC CENTER	02/20/2015	547.55
KING SOOPERS #0013	LOUISVILLE	KRISTEN PORTER	REC CENTER	02/19/2015	8.75
KING SOOPERS #0013	LOUISVILLE	KRISTEN PORTER	REC CENTER	02/19/2015	35.65
KING SOOPERS #0013	LOUISVILLE	KRISTEN PORTER	REC CENTER	02/19/2015	-9.06
KING SOOPERS #0613 FUE	LOUISVILLE	JEFFREY FISHER	POLICE	03/11/2015	27.38
KOHL'S #0343	LOUISVILLE	KERRY HOLLE	PUBLIC WORKS	02/20/2015	116.99
L.L. JOHNSON DIST	DENVER	RON CHOATE	OPERATIONS	03/18/2015	182.50
LE PEEP MCCASLIN BLVD	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	03/04/2015	29.15
LE PEEP MCCASLIN BLVD	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	02/26/2015	37.91
LE PEEP MCCASLIN BLVD	LOUISVILLE	HUGO ROMERO	OPERATIONS	02/22/2015	10.88
LE PEEP MCCASLIN BLVD	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	02/22/2015	29.55
LEISURE TIME AWARDS	BOULDER	DAVID D HAYES	POLICE	02/19/2015	79.00
LEWAN & ASSOCIATES INC	303-759-5440	JENNI DUNCAN	POLICE	03/12/2015	78.20
LEWAN & ASSOCIATES INC	303-759-5440	DIANE M KREAGER	FINANCE	03/06/2015	3,831.80
LEXISNEXIS RISK DAT	08883328244	CHRISTI GORDANIER	POLICE	03/03/2015	61.70
LONGS PEAK EQUIP CO	LONGMONT	MARK TIRONE	WASTEWATER	02/26/2015	472.25
LOUISVILLE CAR WASH	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	03/17/2015	5.00
LOUISVILLE CAR WASH	LOUISVILLE	DAVE NICHOLS	OPERATIONS	03/12/2015	5.00
LOUISVILLE CAR WASH	LOUISVILLE	STEVE HITE	OPERATIONS	03/09/2015	5.00
LOUISVILLE CHAMBER OF	LOUISVILLE	DAWN BURGESS	CITY MANAGER	02/20/2015	314.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
LOUISVILLE GAS & GROCE	LOUISVILLE	TANNER THORSON	WASTEWATER	03/17/2015	25.90
LOWES #00220*	LOUISVILLE	BRETT TUBBS	FACILITIES	03/19/2015	20.19
LOWES #00220*	LOUISVILLE	KATIE BEASLEY	REC CENTER	03/18/2015	55.94
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	03/18/2015	21.42
LOWES #00220*	LOUISVILLE	MIKE THOMPSON	FACILITIES	03/18/2015	6.92
LOWES #00220*	LOUISVILLE	BRIAN SINNER	PARKS	03/17/2015	53.96
LOWES #00220*	LOUISVILLE	MATTHEW E TRUJILLO	POLICE	03/17/2015	12.88
LOWES #00220*	LOUISVILLE	MIKE THOMPSON	FACILITIES	03/17/2015	33.96
LOWES #00220*	LOUISVILLE	BRIAN SINNER	PARKS	03/16/2015	68.12
LOWES #00220*	LOUISVILLE	MIKE THOMPSON	FACILITIES	03/16/2015	22.69
LOWES #00220*	LOUISVILLE	FRANCIS H TRICKEL	WATER	03/15/2015	-45.47
LOWES #00220*	LOUISVILLE	FRANCIS H TRICKEL	WATER	03/14/2015	45.47
LOWES #00220*	LOUISVILLE	FRANCIS H TRICKEL	WATER	03/14/2015	407.49
LOWES #00220*	LOUISVILLE	FRANCIS H TRICKEL	WATER	03/14/2015	41.91
LOWES #00220*	LOUISVILLE	JESSE DEGRAW	REC CENTER	03/13/2015	29.02
LOWES #00220*	LOUISVILLE	DAVID DEAN	GOLF COURSE	03/13/2015	24.97
LOWES #00220*	LOUISVILLE	BRIAN SINNER	PARKS	03/12/2015	24.29
LOWES #00220*	LOUISVILLE	KATHLEEN D LORENZO	PARKS	03/12/2015	3.98
LOWES #00220*	LOUISVILLE	FRANCIS H TRICKEL	WATER	03/12/2015	61.96
LOWES #00220*	LOUISVILLE	KATHLEEN D LORENZO	PARKS	03/11/2015	14.74
LOWES #00220*	LOUISVILLE	DAVID DEAN	GOLF COURSE	03/11/2015	16.20
LOWES #00220*	LOUISVILLE	RUSSELL K BROWN	WATER	03/11/2015	24.51
LOWES #00220*	LOUISVILLE	HARLAN VITOFF	PARKS	03/10/2015	18.90
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	03/10/2015	10.04
LOWES #00220*	LOUISVILLE	BOB BERNHARDT	PARKS	03/09/2015	44.96
LOWES #00220*	LOUISVILLE	BOB BERNHARDT	PARKS	03/09/2015	-3.14
LOWES #00220*	LOUISVILLE	BOB BERNHARDT	PARKS	03/09/2015	.14
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	03/09/2015	32.60
LOWES #00220*	LOUISVILLE	BOB BERNHARDT	PARKS	03/09/2015	55.72
LOWES #00220*	LOUISVILLE	FRANCIS H TRICKEL	WATER	03/07/2015	4.68
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	03/05/2015	29.98
LOWES #00220*	LOUISVILLE	DAVID SZABADOS	FACILITIES	03/05/2015	1,802.31
LOWES #00220*	LOUISVILLE	KERRY HOLLE	PUBLIC WORKS	03/05/2015	29.94
LOWES #00220*	LOUISVILLE	FRANCIS H TRICKEL	WATER	03/05/2015	24.74
LOWES #00220*	LOUISVILLE	DAVID SZABADOS	FACILITIES	03/03/2015	39.96
LOWES #00220*	LOUISVILLE	TANNER THORSON	WASTEWATER	03/03/2015	294.76
LOWES #00220*	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	03/03/2015	1.59
LOWES #00220*	LOUISVILLE	HARLAN VITOFF	PARKS	03/02/2015	41.13
LOWES #00220*	LOUISVILLE	BRIAN SINNER	PARKS	03/02/2015	88.89
LOWES #00220*	LOUISVILLE	BRETT TUBBS	FACILITIES	02/27/2015	121.75
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	02/27/2015	216.05
LOWES #00220*	LOUISVILLE	GARY DAMIANA	OPERATIONS	02/25/2015	9.02

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
LOWES #00220*	LOUISVILLE	BRIAN SINNER	PARKS	02/25/2015	21.67
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	02/24/2015	20.97
LOWES #00220*	LOUISVILLE	DENNIS COYNE	PARKS	02/23/2015	7.98
LOWES #00220*	LOUISVILLE	CHRIS LICHTY	PARKS	02/20/2015	35.96
LOWES #00220*	LOUISVILLE	MIKE THOMPSON	FACILITIES	02/20/2015	17.06
LOWES #00220*	LOUISVILLE	DAVID ALDERS	PARKS	02/20/2015	19.98
LOWES #00220*	LOUISVILLE	KERRY KRAMER	PARKS	02/19/2015	6.88
LOWES #01989*	WESTMINSTER	BRETT TUBBS	FACILITIES	03/09/2015	73.57
MARRIOTT	DENVER	RANDY DEWITZ	BUILDING SAFETY	03/06/2015	7.00
MARRIOTT	DENVER	KENNETH SWANSON	BUILDING SAFETY	03/06/2015	20.00
MARRIOTT	DENVER	KENNETH SWANSON	BUILDING SAFETY	03/05/2015	39.00
MARRIOTT	DENVER	RANDY DEWITZ	BUILDING SAFETY	03/05/2015	7.00
MARRIOTT	DENVER	RANDY DEWITZ	BUILDING SAFETY	03/03/2015	7.00
MARRIOTT	DENVER	KENNETH SWANSON	BUILDING SAFETY	03/02/2015	62.08
MCCANDLESS TRUCK CENTE	AURORA	RON CHOATE	OPERATIONS	03/18/2015	-67.88
MCCANDLESS TRUCK CENTE	AURORA	RON CHOATE	OPERATIONS	03/18/2015	57.95
MCCANDLESS TRUCK CENTE	AURORA	RON CHOATE	OPERATIONS	03/06/2015	16.86
MCCANDLESS TRUCK CENTE	AURORA	RON CHOATE	OPERATIONS	02/25/2015	389.38
MCCANDLESS TRUCK CENTE	AURORA	RON CHOATE	OPERATIONS	02/23/2015	49.74
MCCANDLESS TRUCK CENTE	AURORA	RON CHOATE	OPERATIONS	02/18/2015	327.81
MCDONALD'S F14200	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	02/26/2015	7.15
MESSAGE MEDIA	MELBOURNE	MEREDYTH MUTH	CITY MANAGER	03/03/2015	900.00
METROINSTITUTE CPPA	6024522900	BOB BERNHARDT	PARKS	03/18/2015	31.50
METROINSTITUTE CPPA	6024522900	HARLAN VITOFF	PARKS	02/23/2015	63.00
MIKE'S CAMERA	BOULDER	RYAN MORRIS	POLICE	03/06/2015	342.94
MMM SPEC AGG QUARRY	DENVER	HARLAN VITOFF	PARKS	02/20/2015	494.68
MTD*TROY BILT	800-828-5500	MARK TIRONE	WASTEWATER	03/05/2015	92.13
MUDROCKS TAP AND T	LOUISVILLE	JEFF LEBECK	OPERATIONS	02/25/2015	73.41
NAPA AUTO PART 0026903	LOUISVILLE	DIANE M KREAGER	FINANCE	03/12/2015	1,756.06
NAPA AUTO PART 0026903	LOUISVILLE	TANNER THORSON	WASTEWATER	03/02/2015	1.83
NAPA AUTO PART 0026903	LOUISVILLE	ERIK SWIATEK	PARKS	03/02/2015	51.45
NAPA AUTO PART 0026903	LOUISVILLE	FRANCIS H TRICKEL	WATER	02/27/2015	33.38
NAPA AUTO PART 0026903	LOUISVILLE	ERIK SWIATEK	PARKS	02/22/2015	17.15
NEXT DOOR FOOD & DRINK	LOVELAND	SUZANNE JANSSEN	CITY MANAGER	03/03/2015	32.00
NORTHWEST PARKWAY LLC	303-9262500	KERRY HOLLE	PUBLIC WORKS	02/24/2015	8.30
NRC CHEM ENTRPRSES INC	08662679160	JEFF LEBECK	OPERATIONS	02/24/2015	417.35
NSC*NORTHERN SAFETY CO	800-631-1246	ANGELA NORENE	OPERATIONS	03/12/2015	374.57
NSC*NORTHERN SAFETY CO	800-631-1246	LAURA LOBATO	POLICE	02/20/2015	73.04
O MEARA FORD	NORTHGLENN	MASON THOMPSON	OPERATIONS	03/17/2015	46.12
O MEARA FORD	NORTHGLENN	RON CHOATE	OPERATIONS	03/03/2015	104.78
O MEARA FORD	NORTHGLENN	RON CHOATE	OPERATIONS	03/02/2015	111.90
O MEARA FORD	NORTHGLENN	RON CHOATE	OPERATIONS	02/19/2015	147.36

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
O.C.P.O. /C.E.C.T.I.	303-3948994	MICHAEL CLEVELAND	OPERATIONS	03/17/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	STEVE HITE	OPERATIONS	03/17/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	VICKIE ILKO	OPERATIONS	03/17/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	BRIAN GARDUNO	OPERATIONS	03/06/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	BRIAN GARDUNO	OPERATIONS	03/06/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	BRIAN GARDUNO	OPERATIONS	03/04/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	JUSTIN ELKINS	WASTEWATER	03/03/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	BRIAN GARDUNO	OPERATIONS	03/03/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	TANNER THORSON	WASTEWATER	02/25/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	BRIAN GARDUNO	OPERATIONS	02/21/2015	60.00
O.C.P.O. /C.E.C.T.I.	303-3948994	ANTHONY M BRUNNING	WASTEWATER	02/20/2015	60.00
OFFICE MAX	SUPERIOR	JENNI DUNCAN	POLICE	03/05/2015	25.77
OFFICE MAX	SUPERIOR	JUSTIN ELKINS	WASTEWATER	02/27/2015	11.99
OFFICE MAX	SUPERIOR	JENNI DUNCAN	POLICE	02/27/2015	87.77
OFFICEMAX CT*IN#554320	877-969-6629	MONICA GARLAND	BUILDING SAFETY	03/03/2015	70.50
OFFICEMAX CT*IN#577253	877-969-6629	DIANE M KREAGER	FINANCE	02/23/2015	376.25
OFFICEMAX CT*IN#674779	877-969-6629	MONICA GARLAND	BUILDING SAFETY	03/02/2015	24.67
OFFICEMAX CT*IN#772181	877-969-6629	MONICA GARLAND	BUILDING SAFETY	03/10/2015	52.29
PARK SUPPLY OF AMERICA	MINNEAPOLIS	BRETT TUBBS	FACILITIES	03/16/2015	-131.02
PARK SUPPLY OF AMERICA	MINNEAPOLIS	BRETT TUBBS	FACILITIES	03/16/2015	54.59
PARK SUPPLY OF AMERICA	MINNEAPOLIS	BRETT TUBBS	FACILITIES	03/16/2015	131.02
PARK SUPPLY OF AMERICA	MINNEAPOLIS	BRETT TUBBS	FACILITIES	03/16/2015	121.71
PARKED 20TH/STOUT	DENVER	MIKE MILLER	POLICE	02/26/2015	10.00
PARKER STORE LOUISVILL	303-762-6512	VICKIE ILKO	OPERATIONS	03/17/2015	9.44
PARKER STORE LOUISVILL	303-762-6512	STEVE HITE	OPERATIONS	03/05/2015	62.79
PAYFLOW/PAYPAL	08888839770	DIANE M KREAGER	FINANCE	03/02/2015	19.95
PAYFLOW/PAYPAL	08888839770	DIANE M KREAGER	FINANCE	03/02/2015	122.25
PAYPAL *AUSTINCYBER	4029357733	MATTHEW BUSH	IT	02/24/2015	94.99
PAYPAL *COLORADOPUB	4029357733	KATHLEEN HIX	HUMAN RESOURCES	02/24/2015	40.00
PAYPAL *DOWNTOWNLSV	4029357733	MEREDYTH MUTH	CITY MANAGER	03/06/2015	150.00
PAYPAL *INDIGOWATER	4029357733	ANTHONY M BRUNNING	WASTEWATER	02/19/2015	450.00
PIZZA KING LOUISVILLE	LOUISVILLE	HUGO ROMERO	OPERATIONS	02/23/2015	10.00
PIZZA KING LOUISVILLE	LOUISVILLE	JEFF LEBECK	OPERATIONS	02/21/2015	55.16
PREMIER CHARTERS	03032892222	KATIE BEASLEY	REC CENTER	03/12/2015	529.00
PREMIER CHARTERS	03032892222	KATIE BEASLEY	REC CENTER	03/11/2015	451.00
PREMIER CHARTERS	03032892222	KATIE BEASLEY	REC CENTER	03/09/2015	451.00
PREMIER CHARTERS	03032892222	KATIE BEASLEY	REC CENTER	03/05/2015	520.00
PREMIER CHARTERS	03032892222	KATIE BEASLEY	REC CENTER	02/19/2015	529.00
PUBLIC AGENCY TRAINING	03178215085	DAVE HINZ	POLICE	03/06/2015	295.00
R & M SALES CO INC	DENVER	CHRIS LICHTY	PARKS	02/18/2015	884.61
RED HILL GENERAL STORE	HILLSVILLE	BOB BERNHARDT	PARKS	03/02/2015	156.72
RESERVOIRS ENVIRONMENT	303-9641986	DAVID SZABADOS	FACILITIES	02/23/2015	12.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
RESIDENCE INN	COLORADO SPGS	DAVE HINZ	POLICE	02/27/2015	178.00
ROSE STEEL & SUPPLY	LAFAYETTE	BOB BERNHARDT	PARKS	03/05/2015	484.38
ROYAL SUPPLY	COMMERCE CITY	BRETT TUBBS	FACILITIES	03/04/2015	329.22
S&S WORLDWIDE	800-9373482	KIM CONTINI	REC CENTER	03/09/2015	143.40
SHINERETROF	8009831315	DAVID SZABADOS	FACILITIES	03/02/2015	532.77
SHOWCASES	03217835586	JILL SIEWERT	LIBRARY	03/10/2015	66.40
SHRED-IT DENVER	03032939170	JENNI DUNCAN	POLICE	03/09/2015	90.00
SHRED-IT DENVER	03032939170	DIANE M KREAGER	FINANCE	03/06/2015	30.00
SIGMA LUMINIUS	07344028587	DAVID SZABADOS	FACILITIES	03/13/2015	242.00
SIGNS NOW BOULDER INC	BOULDER	MONICA GARLAND	BUILDING SAFETY	03/18/2015	281.00
SIGNS NOW BOULDER INC	BOULDER	SEAN MCCARTNEY	PLANNING	02/26/2015	653.00
SIMMONS MANUFACTURING	07709573976	TANNER THORSON	WASTEWATER	03/10/2015	44.77
SOURCE OFFICE PRODUCTS	303-9648100	KERRY HOLLE	PUBLIC WORKS	03/19/2015	13.65
SOURCE OFFICE PRODUCTS	GOLDEN	ANGELA NORENE	OPERATIONS	03/06/2015	-9.90
SOURCE OFFICE PRODUCTS	303-9648100	DAWN BURGESS	CITY MANAGER	03/12/2015	107.69
SOURCE OFFICE PRODUCTS	303-9648100	ANGELA NORENE	OPERATIONS	03/12/2015	327.98
SOURCE OFFICE PRODUCTS	303-9648100	POLLY A BOYD	PARKS	03/09/2015	115.69
SOURCE OFFICE PRODUCTS	303-9648100	LESLIE RINGER	HUMAN RESOURCES	03/09/2015	37.24
SOURCE OFFICE PRODUCTS	303-9648100	ANGELA NORENE	OPERATIONS	03/03/2015	109.37
SOURCE OFFICE PRODUCTS	303-9648100	ANGELA NORENE	OPERATIONS	03/03/2015	271.54
SOURCE OFFICE PRODUCTS	303-9648100	DAWN BURGESS	CITY MANAGER	02/19/2015	80.96
SOUTHWEST AIRLINES	800-435-9792	CHRISTOPHER NEVES	IT	03/18/2015	324.00
SOUTHWEST AIRLINES	800-435-9792	CHRISTOPHER NEVES	IT	03/18/2015	25.00
SPEEDY SIGN WORKS INC	LAFAYETTE	JEFF LEBECK	OPERATIONS	03/10/2015	110.00
STAPLS7132156402000001	877-8267755	JENNI DUNCAN	POLICE	02/20/2015	229.31
STAPLS7132595066000001	877-8267755	POLLY A BOYD	PARKS	02/28/2015	90.11
STAPLS7132615413000001	877-8267755	KAREN FREITER	LIBRARY	02/28/2015	24.38
STAPLS7132615413000002	877-8267755	KAREN FREITER	LIBRARY	02/28/2015	67.89
STAPLS7132630918000001	877-8267755	LINDA LEBECK	CITY CLERK	02/28/2015	110.98
STAPLS7132850049000001	877-8267755	PATRICK FARRELL	WATER	03/12/2015	444.29
STAPLS7133320861000001	877-8267755	KERRY HOLLE	PUBLIC WORKS	03/13/2015	62.98
STAPLS7133320861000002	877-8267755	KERRY HOLLE	PUBLIC WORKS	03/13/2015	13.55
STAPLS7133320861001001	COPPELL	KERRY HOLLE	PUBLIC WORKS	03/17/2015	-1.99
STAPLS7133320861001002	COPPELL	KERRY HOLLE	PUBLIC WORKS	03/17/2015	-5.18
STARBUCKS #05587 LOUIS	LOUISVILLE	JENNI DUNCAN	POLICE	02/20/2015	14.95
STATEFOODSAFETY.COM	801-4941745	PATRICIA MORGAN	REC CENTER	03/11/2015	13.00
STERICYCLE	08667837422	POLLY A BOYD	PARKS	03/09/2015	264.11
SUPER TECH FILTER	DENVER	BRETT TUBBS	FACILITIES	02/20/2015	119.58
SUPPLYHOUSE.COM	08887574774	DAVID SZABADOS	FACILITIES	02/27/2015	448.95
SUPPLYWORKS CORP	08565333261	PATRICIA MORGAN	REC CENTER	03/12/2015	238.37
SURVEYMONKEY.COM	971-2445555	MONICA GARLAND	BUILDING SAFETY	03/02/2015	26.00
TANK EQUIPMENT, INC	THERESA@TANKE	GLEN SIEDENBURG	WATER	02/24/2015	362.80

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
TARGET 00017699	SUPERIOR	ALLISON DICARO	REC CENTER	03/06/2015	17.48
TARGET 00017699	SUPERIOR	ALLISON DICARO	REC CENTER	02/24/2015	29.81
THE BLUE PARROT	LOUISVILLE	DAVE NICHOLS	OPERATIONS	02/27/2015	24.49
THE BLUE PARROT	LOUISVILLE	DAVE NICHOLS	OPERATIONS	02/26/2015	37.22
THE BLUE PARROT	LOUISVILLE	DAVE NICHOLS	OPERATIONS	02/22/2015	35.47
THE HOME DEPOT 1506	LOUISVILLE	BOB BERNHARDT	PARKS	03/18/2015	25.97
THE HOME DEPOT 1506	LOUISVILLE	CHRIS LICHTY	PARKS	03/18/2015	11.14
THE HOME DEPOT 1506	LOUISVILLE	PHIL LIND	FACILITIES	03/16/2015	-95.00
THE HOME DEPOT 1506	LOUISVILLE	TANNER THORSON	WASTEWATER	03/16/2015	237.01
THE HOME DEPOT 1506	LOUISVILLE	PHIL LIND	FACILITIES	03/13/2015	118.97
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	03/13/2015	117.40
THE HOME DEPOT 1506	LOUISVILLE	PHIL LIND	FACILITIES	03/12/2015	98.00
THE HOME DEPOT 1506	LOUISVILLE	VICKIE ILKO	OPERATIONS	03/12/2015	117.40
THE HOME DEPOT 1506	LOUISVILLE	CRAIG DUFFIN	PUBLIC WORKS	03/11/2015	41.91
THE HOME DEPOT 1506	LOUISVILLE	DAVID DEAN	GOLF COURSE	03/11/2015	100.41
THE HOME DEPOT 1506	LOUISVILLE	PHIL LIND	FACILITIES	03/10/2015	1.36
THE HOME DEPOT 1506	LOUISVILLE	BRETT TUBBS	FACILITIES	03/10/2015	21.48
THE HOME DEPOT 1506	LOUISVILLE	JEFF LEBECK	OPERATIONS	03/09/2015	119.00
THE HOME DEPOT 1506	LOUISVILLE	BRETT TUBBS	FACILITIES	03/09/2015	117.97
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	03/05/2015	44.97
THE HOME DEPOT 1506	LOUISVILLE	BRETT TUBBS	FACILITIES	03/04/2015	45.35
THE HOME DEPOT 1506	LOUISVILLE	TYLER DURLAND	PARKS	03/04/2015	70.89
THE HOME DEPOT 1506	LOUISVILLE	BRETT TUBBS	FACILITIES	03/04/2015	13.83
THE HOME DEPOT 1506	LOUISVILLE	BRETT TUBBS	FACILITIES	03/04/2015	-49.17
THE HOME DEPOT 1506	LOUISVILLE	PATRICIA MORGAN	REC CENTER	03/03/2015	9.98
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	03/03/2015	10.76
THE HOME DEPOT 1506	LOUISVILLE	KERRY KRAMER	PARKS	03/02/2015	13.47
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	03/02/2015	-15.00
THE HOME DEPOT 1506	LOUISVILLE	MIKE THOMPSON	FACILITIES	03/02/2015	346.75
THE HOME DEPOT 1506	LOUISVILLE	MATT LOOMIS	PARKS	03/02/2015	1.33
THE HOME DEPOT 1506	LOUISVILLE	PHIL LIND	FACILITIES	03/02/2015	259.00
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	03/02/2015	624.98
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	02/27/2015	140.88
THE HOME DEPOT 1506	LOUISVILLE	ANTHONY M BRUNNING	WASTEWATER	02/27/2015	63.83
THE HOME DEPOT 1506	LOUISVILLE	HUGO ROMERO	OPERATIONS	02/25/2015	26.97
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	02/25/2015	81.64
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	02/25/2015	117.40
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	02/25/2015	-9.97
THE HOME DEPOT 1506	LOUISVILLE	HUGO ROMERO	OPERATIONS	02/25/2015	64.64
THE HOME DEPOT 1506	LOUISVILLE	BRETT TUBBS	FACILITIES	02/23/2015	49.17
THE HOME DEPOT 1506	LOUISVILLE	PHIL LIND	FACILITIES	02/20/2015	4.97
THE HOME DEPOT 1506	LOUISVILLE	PHIL LIND	FACILITIES	02/19/2015	23.14

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
THE HOME DEPOT 1506	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	02/18/2015	70.44
THE HOME DEPOT 1506	LOUISVILLE	VICKIE ILKO	OPERATIONS	02/18/2015	78.52
THE HOME DEPOT 1506	LOUISVILLE	MATT LOOMIS	PARKS	02/18/2015	12.97
THE HOME DEPOT 1506	LOUISVILLE	HUGO ROMERO	OPERATIONS	02/18/2015	97.61
THE HOME DEPOT 1506	LOUISVILLE	ANTHONY M BRUNNING	WASTEWATER	02/18/2015	13.00
THE HOME DEPOT 1506	LOUISVILLE	MATT LOOMIS	PARKS	02/18/2015	3.84
THE MOVING CONNECTION	303-6656683	JENNI DUNCAN	POLICE	02/19/2015	240.00
THE RADAR SHOP	03162635300	JENNI DUNCAN	POLICE	03/17/2015	118.50
TM *COLORADO ROCKIES	303-762-5491	KATIE BEASLEY	REC CENTER	02/26/2015	140.00
TOSHIBA BUSINESS SOLUT	CHANDLER	AMANDA PERERA	REC CENTER	02/24/2015	260.43
TYLER USER CONFERENCE	800-800-2581	CHRISTOPHER NEVES	IT	03/18/2015	885.00
THE HUCKLEBERRY	LOUISVILLE	DAWN BURGESS	CITY MANAGER	03/13/2015	291.00
UNITED AIRLINES	800-932-2732	MIKE MILLER	POLICE	03/11/2015	299.20
UNITED AIRLINES	800-932-2732	JUSTIN ELKINS	WASTEWATER	03/02/2015	404.20
UNITED SITE SERVICE	508-594-2564	DAVID DEAN	GOLF COURSE	03/13/2015	168.00
USA BLUE BOOK	08004939876	ROBERT CARRA	WATER	03/16/2015	565.69
USC FCCCHR	213-7402032	JUSTIN ELKINS	WASTEWATER	03/13/2015	119.00
USPS 07567002330362917	LOUISVILLE	JUSTIN ELKINS	WASTEWATER	03/10/2015	30.69
USPS.COM CLICK66100611	WASHINGTON	MONICA GARLAND	BUILDING SAFETY	02/24/2015	15.27
VERMEER SALES & SVCS O	COMMERCE CITY	CHRIS LICHTY	PARKS	03/09/2015	147.68
VICS LOUISVILLE	LOUISVILLE	SUZANNE JANSSEN	CITY MANAGER	02/19/2015	16.00
VZWRLSS*MY VZ VB P	800-922-0204	DIANE M KREAGER	FINANCE	03/14/2015	1,100.66
VZWRLSS*MY VZ VB P	ALPHARETTA	DIANE M KREAGER	FINANCE	03/05/2015	1,253.02
VZWRLSS*PRPAY AUTOPAY	888-294-6804	CRAIG DUFFIN	PUBLIC WORKS	03/05/2015	20.00
WALGREENS #7006	LOUISVILLE	JENNI DUNCAN	POLICE	03/19/2015	3.79
WALGREENS #7006	LOUISVILLE	JENNI DUNCAN	POLICE	02/24/2015	37.77
WHITESIDES BOOTS & CLO	BRIGHTON	ROBERT CARRA	WATER	02/20/2015	97.64
WM SUPERCENTER #1045	LAFAYETTE	SUZANNE JANSSEN	CITY MANAGER	02/19/2015	20.25
WW GRAINGER	877-2022594	DAVID SZABADOS	FACILITIES	03/18/2015	1,608.39
WW GRAINGER	877-2022594	DAVID SZABADOS	FACILITIES	03/18/2015	9.60
WW GRAINGER	877-2022594	DAVID SZABADOS	FACILITIES	03/18/2015	31.45
WW GRAINGER	877-2022594	BRETT TUBBS	FACILITIES	03/17/2015	135.57
WW GRAINGER	877-2022594	BRETT TUBBS	FACILITIES	03/17/2015	40.41
WW GRAINGER	877-2022594	PATRICK FARRELL	WATER	03/12/2015	396.56
WW GRAINGER	877-2022594	TANNER THORSON	WASTEWATER	03/12/2015	123.64
WW GRAINGER	877-2022594	BRETT TUBBS	FACILITIES	03/05/2015	465.72
WW GRAINGER	877-2022594	TANNER THORSON	WASTEWATER	03/05/2015	179.14
WW GRAINGER	877-2022594	PHIL LIND	FACILITIES	03/05/2015	151.60
WW GRAINGER	877-2022594	BRETT TUBBS	FACILITIES	03/05/2015	27.70
WW GRAINGER	877-2022594	TANNER THORSON	WASTEWATER	03/03/2015	38.20
WW GRAINGER	877-2022594	DAVID SZABADOS	FACILITIES	03/02/2015	179.82
WW GRAINGER	877-2022594	TANNER THORSON	WASTEWATER	03/02/2015	25.41

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
WW GRAINGER	877-2022594	TANNER THORSON	WASTEWATER	03/02/2015	130.55
WW GRAINGER	877-2022594	MARK TIRONE	WASTEWATER	02/26/2015	340.94
WW GRAINGER	877-2022594	MARK TIRONE	WASTEWATER	02/26/2015	87.09
WW GRAINGER	877-2022594	BRETT TUBBS	FACILITIES	02/25/2015	223.02
WW GRAINGER	877-2022594	BRETT TUBBS	FACILITIES	02/25/2015	223.23
WW GRAINGER	877-2022594	BRETT TUBBS	FACILITIES	02/25/2015	16.25
WW GRAINGER	877-2022594	DAVID SZABADOS	FACILITIES	02/19/2015	24.39
WW GRAINGER	877-2022594	PHIL LIND	FACILITIES	02/19/2015	370.61
WW GRAINGER	877-2022594	PHIL LIND	FACILITIES	02/19/2015	502.80
WWW.NEWEGG.COM	800-390-1119	DAVE HINZ	POLICE	03/12/2015	36.25
WWW.NEWEGG.COM	800-390-1119	DAVE HINZ	POLICE	02/24/2015	216.34
WWW.NEWEGG.COM	800-390-1119	DAVE HINZ	POLICE	02/24/2015	158.00
X-TRADING INC	DENVER	ALLISON DICARO	REC CENTER	02/20/2015	476.05
CREDIT BALANCE APPLIED		DIANE EVANS	REC CENTER	03/18/2015	-184.00
CREDIT BALANCE ON ACCT		CLIFFORD SWETT	IT	03/13/2015	154.83
TOTAL					**$ 76,641.55**

City of Louisville
COLORADO • SINCE 1878

City Council
Meeting Minutes

April 7, 2015
City Hall, Council Chambers
749 Main Street
7:05 PM

Call to Order – Mayor Muckle called the meeting to order at 7:00 p.m.

Roll Call was taken and the following members were present:

City Council: ***Mayor Robert Muckle, Mayor Pro Tem Hank Dalton City Council members: Sue Loo, Ashley Stolzmann, Chris Leh, Jeff Lipton and Jay Keany (arrived at 9:02 p.m.)***

Staff Present: ***Malcolm Fleming, City Manager***
Heather Balser, Deputy City Manager
Kurt Kowar, Public Works Director
Aaron DeJong, Economic Development Director
Troy Russ, Planning & Building Safety Director
Meredyth Muth, Public Relations Manager
Scott Robinson, Planner II
Nancy Varra, City Clerk

Others Present: ***Sam Light, City Attorney***

PLEDGE OF ALLEGIANCE

All rose for the pledge of agenda.

APPROVAL OF AGENDA

Mayor Muckle called for changes to the agenda and hearing none, moved to approve the agenda, seconded by Mayor Pro Tem Dalton. All were in favor. Absent: Council member Keany.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Jean Morgan, 1131 Spruce Street, Louisville, CO thanked City Manager Fleming for contacting her on the potential purchase of 1125 Pine Street to extend Lee Street.

John Willson, Fire Chief, Louisville Fire Protection District 895 W. Via Appia, Louisville, CO, stated he will report to the Council on a quarterly basis to address any question relative to the Fire District's activities. The Mayor and City Council did not have any questions or concerns, and thanked Fire Chief Willson for attending the meeting.

APPROVAL OF THE CONSENT AGENDA

MOTION: Mayor Muckle moved to approve the consent agenda, seconded by Mayor Pro Tem Dalton. All were in favor. Absent: Council member Keany.

- ***A. Approval of Bills***
- ***B. Approval of Minutes –March 17, 2015***
- ***C. Approval of RNL Contract Amendment for City Services Facility Construction Administrative Services***
- ***D. Award Bid for 2015 Sanitary Sewer Main Replacement***
- ***E. Approval of Bobcat Skid-Steer With Attachments Purchase***
- ***F. Approval of Purchase of Replacement Police Vehicles***

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

No items to report.

CITY MANAGER'S REPORT

City Manager Fleming thanked and congratulated Deputy City Manager Balser for her grant writing ability. She was assisted by the Public Works Director, Planning and Building Safety Director, Parks and Recreation Director and the Landscape Architect in obtaining a $15,000 Sustainability Grant from Boulder County. The City will use the funds to promote the community gardens. Deputy City Manager Balser explained the grant money will be used to build a community garden near Lydia Morgan including landscaping, design work and materials at the site. She noted the IGA for the Sustainability grant with Boulder County would be presented at the next Council meeting.

REGULAR BUSINESS

ORDINANCE No. 1683, SERIES 2015 – AN ORDINANCE AUTHORIZING A LOAN FROM THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY TO FINANCE IMPROVEMENTS TO THE CITY'S WASTEWATER AND STORMWATER SYSTEMS; AUTHORIZING THE FORM AND EXECUTION OF THE LOAN AGREEMENT AND A GOVERNMENTAL AGENCY BOND TO EVIDENCE SUCH LOAN; RATIFYING PRIOR DETERMINATIONS OF THE CITY COUNCIL; AND

PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH - 2nd Reading – Public Hearing

Mayor Muckle requested a City Attorney introduction.

City Attorney Light introduced Ordinance No. 1683, Series 2015.

Mayor Muckle opened the public hearing and requested a staff presentation.

Public Works Director Kowar explained Ordinance No. 1683, Series 2015 authorizes a loan agreement between the City of Louisville and the Colorado Water Resources & Power Development Authority (CWRPDA). This loan will provide funds for the City's Wastewater Treatment Plant Upgrade Project and the Storm Sewer Outfall Improvements Project. CWRPDA will issue federally-subsidized bonds to provide financing for the loan agreement. The final sale and pricing of the bonds, as well as the bids on the two projects, will determine the final structure of the loan. The bond closing is scheduled for the middle/end of May. The bid openings for the Wastewater Treatment Plant Upgrade Project and the Storm Sewer Outfall Improvements Project are April 22, 2015 and May 20, 2015, respectively. The proposed ordinance authorizes the City Manager and Finance Director to make final determination regarding the interest rate on the loan, the amount of the loan, and the term of the loan, subject to the following parameters:

- The interest rate on the loan shall not exceed 3.25%,
- The principal amount of the loan shall not exceed $43 million, and
- The final maturity of the loan shall not be later than December 1, 2037.

The loan will be repaid solely from the revenues of the Combined Utility Fund. In addition to operation, maintenance, and replacement, the Combined Utility Fund will be required to generate enough revenue to satisfy the current water utility debt service and to equal 110% coverage of the wastewater utility and storm water utility debt service on the CWRPDA loan.

Wastewater Treatment Plant Project Description: Of the maximum loan amount of $43 million, approximately $36 million would be applied to this project.

Storm Sewer Outfall Improvements Project Description: Of the maximum loan amount of $43 million, approximately $7 million would be applied to this project. The complete transaction including the $5 million use of reserves will be addressed in the May 5, 2015 budget amendment.

Staff recommendation: Staff recommended the City Council conduct a public hearing and adopt Ordinance No. 1683, Series 2015 on second and final reading.

COUNCIL COMMENTS

Mayor Muckle explained at previous meetings the City Council has had long discussions on the need to upgrade the City's Waste Water Treatment Plant to meet upcoming EPA requirements for water quality. He asked Public Works Director Kowar for an estimate on the cost for the upgrade. Public Works Director Kowar estimated it would be $36 Million for the Waste Water Treatment Plant portion.

Mayor Muckle explained the balance of the loan would be used for stormwater improvements identified by the Urban Drainage and Flood Control District. This bond is a low interest loan, which can be used for municipal infrastructure items.

Council member Lipton explained the Water Committee reviewed the loan last week and noted the recent rate increases over the next 3 to 5 years did not include the $43 Million. He stated if the entire $43 Million is spent, it will have to come back before the City Council to review the rate structure and make adjustments. Public Works Director Kowar agreed and noted the scope of projects could also be reviewed.

Mayor Muckle called for public comment and hearing none, closed the public hearing.

MOTION: Council member Lipton moved to approve Ordinance No. 1683, Series 2015, seconded by Council member Stolzmann. Roll call vote was taken. The motion carried by a vote of 6-0. Absent: Council member Keany.

HOWARD BERRY WATER TREATMENT PLANT

1. **RESOLUTION No. 16, SERIES 2015, APPROVING A FINAL PLAT AND SPECIAL REVIEW USE (SRU) TO PERMIT THE CONSTRUCTION OF A NEW AT-GRADE SAND DRYING BEDS TO HANDLE THE HOWARD BERRY WATER TREATMENT PLANT RESIDUALS AT 7000 MARSHALL ROAD – CONTINUED FROM 03/17/2015**
2. **APPROVE CONTRACT BETWEEN THE CITY OF LOUISVILLE AND MOLTZ CONSTRUCTION FOR THE CONSTRUCTION OF THE HOWARD BERRY SOLIDS HANDLING IMPROVEMENTS**

Mayor Muckle requested a staff presentation.

Planning and Building Safety Director Russ explained the applicant is the City of Louisville Public Works Department. They have applied for a final plat and special review use (SRU) to authorize outdoor drying beds on the Howard Berry Water Treatment Plan property. The drying beds are needed for the water treatment process. The property is currently zoned Agricultural (A). The Howard Berry Plant has been in operation since 1980. A SRU is needed for the use of drying beds. The Plat is required since the property has not been platted. Drying beds are known as "residuals handling facilities" and handling residuals on site will reduce the solids and metals load on the Wastewater Treatment Plant. The plan calls for three beds, 50' X 110', just east of the

current facility. Notices were sent to surrounding property owners within 500 feet, but to date, no comments have been received.

Public Land Dedication: The required dedication is 12% of the land being platted for a non-residential property, or cash-in-lieu equaling 12% of the appraised value of the property. This is already public land, but in keeping with the Louisville Municipal Code, staff recommended the project be conditioned on dedicating a combination of land and/or cash-in-lieu equivalent up to 12% for portions of the planned trail and improvements as determined in the analysis of alternative trail alignments. Payment would be through the Utility Enterprise Fund. Developing this trail would connect the future US 36 underpass and link Davidson Mesa with the Marshall Open Space. This connection will create a regional trail from Louisville to Eldorado Springs.

Special Review Use: City Facilities are allowed land use with a special review use permit. LMC Section 17.40.100 (A) lists five criteria to be considered by the Planning Commission in reviewing a Special Review Use application. The Planning Commission is authorized to place conditions on their recommendation of approval, if they believe conditions are necessary to comply with the criteria. Staff believes all five criteria for the Special Review Use have been met.

Staff recommendation: Staff recommended approval of the final Plat, PUD and SRU for the Louisville WWTP with the following condition:

1. The Howard Berry Water Treatment Facility shall dedicate a combination of land and or cash-in-lieu equivalent to, up to, 12% of the project site area needed for the portions of the planned trail and improvements as determined in the Alternatives Analysis.

Resolution No. 16, 2015 has been modified by the City Attorney to further condition the Plat dedication statement to remove the access easement dedication as the trail corridor will be established at a later date.

COUNCIL COMMMENT

Council member Loo inquired whether this type of trail dedication has ever been included in a final plat on city owned land. She felt the trail should be paid by the parks and open space funds rather than the Water Enterprise Fund.

Planning and Building Safety Director Russ explained City departments have been asked to contribute to the trail systems when it crosses through City property. He noted the Enterprise Fund contributed to the trail through the Waste Water Treatment Plant, which was approved last month. He explained Section 16.16.060.B.1 of the Louisville Municipal Code provides the City Council the discretion to determine public land

dedication. Council may direct staff on which fund should pay for the land dedication. Staff believed this dedication from the Enterprise Fund meets the obligation for the City.

City Manager Fleming explained the LMC requires platting for park or other public purposes. Council could determine this is a park service or that no dedication is required as it is already public land. He explained this could be a land dedication of 12% or a monetary contribution.

Council member Loo stated residents are paying a water treatment fee, which would be used to fund trails. She opposed the Enterprise Fund being used to fund trails. Planning and Building Safety Director Russ staff walked the facility grounds and discussed three alignments. He explained 10%, depending on the alignment would be a financial contribution and 90% would be for the land dedication.

COUNCIL COMMENT

Council member Stolzmann felt this was a misinterpretation of the Louisville Municipal Code for public use. She supported Council member Loo's comments and did not see the need to increase water bills any further. She felt the trails should be discussed as a capital project within the trails planning, to determine priority. She did not believe the Plat should include a land dedication. Mayor Pro Tem Dalton supported the plat and the dedication, but felt the cash in-lieu should not be from the Enterprise Fund.

Council member Ley agreed. He addressed the aesthetics of the site and inquired whether trees would be added to buffer the drying beds from the roadway. Planning and Building Safety Director Russ explained staff worked with the Parks Department on the landscaping, which is currently prairie land. There are not a lot of visible areas from Marshall Road and the drying beds would be invisible from the roadway.

Council member Lipton inquired whether there will be any emissions of odors from the drying beds. Public Works Director Kowar stated there would not be any odor with a clean water facility.

Council member Lipton agreed with other Council members that the land dedication should not be paid by the Water Enterprise Fund and suggested Open Space funding.

Mayor Muckle inquired whether Council would like to leave in a flexible land use dedication. Mayor Pro Tem Dalton suggested removing the land dedication and stating the intent to have a trail connecting to other properties and paid through other funds. Council member Stolzmann agreed the land dedication should be left out. She felt there may be a trail connection alignment through the County's property instead of along the road.

Planning and Building Safety Director Russ stated the Resolution could be revised to read if "public assess is needed". The language on the Plat would have to be revised because it is not a publically accessible site. Taking out the 12% condition would meet

the intent. City Manager Fleming suggested removing the "and/or cash-in-lieu equivalent".

City Attorney Light explained if the condition is removed the language in the last paragraph would need to be amended. He suggested the final paragraph be amended to read: "subject to the condition that the Plat dedication statement be revised to remove the access easement dedication as the trail corridor will be established at a later date".

RESOLUTION No. 16, SERIES 2015

MOTION: Council member Lipton moved to approve Resolution No. 16, Series 2015, with the removal of Condition 1 and the revisions as outlined by the City Attorney, seconded by Mayor Muckle.

Mayor Muckle offered a friendly amendment to the third whereas clause to delete the following last four words: "with the following conditions". Council member Lipton accepted the friendly amendment.

VOTE: All in favor. Absent: Council member Keany.

APPROVAL OF CONTRACT BETWEEN THE CITY OF LOUISVILLE AND MOLTZ CONSTRUCTION

Public Works Kowar reviewed staff's recommendation for approval of (1) a contract with Moltz Construction, Inc. in the amount of $2,066,510 for construction of water treatment residual sludge drying beds at the Howard Berry Water Treatment Plant (HBWTP) and (2) a 5% project contingency in the amount of $103,325 for a total construction cost of $2,169,835. Water Treatment Plant solids residuals are a by-product of drinking water treatment and have historically been discharged to the sanitary sewer system. The City's Water Treatment Facilities were not previously permitted even though they are specifically required to be by regulatory requirements

The City maintains a Colorado Department of Public Health and Environment required Industrial Pretreatment Program to monitor and enforce sanitary sewer discharge limits from commercial and industrial users. This ensures sanitary sewer discharges do not negatively impact the City's discharge permit for the Wastewater Treatment Plant.

Staff recommendation: Staff recommended the City Council award Moltz Construction the Howard Berry Solids Handling Improvements in the amount of $2,066,510, and authorize staff to execute change orders up to $103,325 and authorize the Mayor, Public Works Director and City Clerk to execute contract documents.

COUNCIL COMMENTS

Council member Loo stated if the byproducts are harmful in the water, would it not be harmful to the land. Public Works Director Kowar stated he did not know whether the government agencies would regulate drying beds beyond what is now regulated. He stated this is the standard method of handling sludge. If such regulations were put into place, it might require some sort of cover. He noted there were some sampling of sludge and the results showed the ambient conditions of metals were more hazardous than sludge.

Council member Loo inquired if the City's neighbors have been notified. Public Works Director Kowar confirmed they have been notified.

Mayor Muckle noted Moltz Construction was the low bidder on this project.

MOTION: Council member Lipton moved to approve the contract between the City of Louisville and Moltz Construction for the construction for the Howard Berry Solids Handling Improvements, as proposed by staff, seconded by Mayor Pro Tem Dalton. Roll call vote was taken. The motion carried by a vote of 6-0. Absent: Council member Keany.

RESOLUTION No. 17, SERIES E2015 – A RESOLUTION APPROVING A FINANCIAL ASSISTANCE AGREEMENT BETWEEN THE CITY OF LOUISVILLE AND BOULDER COUNTY HOUSING AUTHORITIY FOR BOULDER COUNTY HOUSING AUTHORITY'S AFFORDABLE HOUSING PROJECT AT 245 NORTH 96TH STREET – CONTINUED FROM 03/17/2015

Mayor Muckle re-opened the public hearing and requested a staff presentation.

Economic Development Director DeJong explained the Boulder County Housing Authority (BCHA) signed an IGA in 2012 with the City to maintain 146 affordable housing units in the City in addition to constructing 15 new units within 5 years. BCHA purchased a 13.4 acre parcel along Highway 42 in 2013 for an affordable housing project and planned to begin the project in 2017-2018. The annexation and zoning were approved on March 17. The preliminary PUD documents submitted included 231 total housing units; 80% affordable housing units including at least 60 age-restricted for seniors; commercial opportunities and a for sale (market) housing parcel.

<u>BCHA Financial Assistance</u>: Rebates or waivers of City Building Permit Fees of $430,500. Rebates or waivers of Impact Fees to include 20% waiver of Parks and Trails Fee of $62,762; 50% waiver of Municipal Facilities fee of $35,604; 100% waiver of Transportation Fee for $30,015 (no backfill) and Cash Contribution in 2018 of $486,121 for a total of $1,045,002.

<u>Other agreement items</u>: Agreement requires affordability outlined in annexation/zoning documents; Funds only to be used for construction of affordable housing; Agreement

terminates if project hasn't started by December 31, 2016 and the amounts are subject to annual appropriation.

Economic Development Director DeJong addressed the City Council questions from the March 17, 2015 meeting as follows:

Louisville Artist Co-Housing Component: BCHA RFP in early 2015 to find partners to share in development risk and complement affordable housing. The Artists Co-Housing and Art Underground proposal best met RFP intent. The agreement is still in negotiations. At a minimum, pro-rata share of land and infrastructure costs.

Flood-related funding to Project: Current funding available to create additional affordable housing supply in response to housing lost in the flood. Preference will be given to flood displaced residents, with 71 residents still without permanent housing. All BCHA properties have voluntarily given preference when there is a vacancy. Many flood victims desire to locate close to former homes. Several other projects being proposed to accommodate flood displaced victims.

Fiscal Model: Model supplied on March 16, 2015 complies with city requirements. The fiscal model does not analyze other governments such as Fire District; County and the School District. Removing non-profit and replacing with retail improves fiscal performance for on-going and one-time. The project as a whole remains negative for on-going and one-time. The one-time capital expenditures equals minus $667,795; adding in the first year subsidy equals minus $1,196,661and adding contribution in 2018 equals minus $1,682,782, which represents 3.2% of total construction cost ($52,000,000 project cost). Cost of assistance per affordable housing unit (185 units) is $9,100.

Department Budgets: The Planning and Building and Public Works are included in the General Fund operating budget. The General Fund will receive less revenue due to the rebates. The BCHA fee rebates however will not impact day to day operations.

Staff evaluation: Staff believed the project is compatible with Comprehensive Plan and meets 18 policies in that document for Housing, Municipal Infrastructure and Economic Development. It does not meet 2 policies for Fiscal performance. There is a need for affordable housing. The constricted supply and significant demand for housing is causing high prices. Construction costs and land market costs need subsidies to 'buy down' cost. Affordable rents can only facilitate $21,000,000 of traditional financing (mortgage). Subsidies needed to achieve affordability. Additional transportation connections and additional road options for North Louisville residents are provided. Advances road network outlined in the Comprehensive Plan; completes Hecla to Hwy 42 and advances Kaylix South (Christopher Plaza improvements and Davidson Highline extension needed to complete Kaylix).

Staff Justification: The project is consistent with IGA to encourage additional affordable housing. It continues the City's long standing history of providing assistance for affordable housing in Louisville (Lydia Morgan and Sunnyside) and helps BCHA secure additional assistance from Federal and State funding programs. It is mostly consistent with the City's Comprehensive Plan policies and principles on affordable housing. It supports Louisville businesses that see affordable housing as an obstacle in recruiting and retaining employees. It delivers portions of the street network identified in the 2013 Comprehensive Plan and Highway 42 Transportation Plan.

Staff recommendation: Approve Resolution No. 17, Series 2015, which approves the Financial Assistance Agreement with BCHA for affordable housing in Louisville.

COUNCIL COMMENTS

Council member Loo thanked the City staff and the Boulder County staff for their work on the financial agreement. She felt this project would be a good value for the City of Louisville.

Council member Lipton addressed the market based project and asked if there would be any property tax. Norrie Boyd, Boulder County Housing Authority, explained the market project will help support their low income housing project. Economic Development Director DeJong noted the market housing project would likely pay property taxes.

Council member Lipton wanted to ensure public funds are not used for the market based property and suggested the resolution include such language. He was not sure the County got maximum value for the land they sold to the artist housing project. He felt the land should have been subdivided and developed by a developer and the development money used to pay for the subsidized component of the housing project.

Norrie Boyd, Boulder County Housing Authority, explained the County does not have a purchase contract with the Artist Group. The County did issue an RFP to provide some financial assistance to facilitate the affordable housing development, but without the annexation they cannot parcel the property. She explained Boulder County cannot afford to build the affordable housing if they offer a deal to a market based commercial or residential development. She stressed the County must get cash for the market component in order to facilitate the affordable housing project.

Council member Lipton agreed, but was bothered the County may not have gotten maximum value for the land.

Council member Leh supported the proposed financial assistance. He felt the project was responsive to the community's need and was pleased with the agreement for the

number of affordable housing units. He felt the impacts about density and traffic would be addressed. He was disappointed the issues did not get resolved earlier.

Council member Stolzmann supported the project because of the changes made. She suggested in the future, if all information is not available, the matter be delayed. She understood the urgency to get the federal funds.

Mayor Muckle asked City Attorney Light to address the clauses in the agreement, which prohibit the financial assistance from being used in the market rate housing project. City Attorney Light explained the Financial Assistance Agreement stipulates Building Permit Fee and Impact Fee Rebates are provided only for affordable units and affordable units is defined as income and age restricted. Also the income and age restrictive project excludes market rate units.

Council member Lipton inquired whether there could be a condition in the resolution, which stipulates Louisville's public funds cannot be used for the project's private component. City Attorney Light stated it could be stated through a recital or a condition of intent, but if Council wants to add language that the County agrees to abide by, it should be added in the contract.

RESOLUTION No. 17, SERIES 2015

MOTION: Mayor Muckle moved to approve Resolution No. 17, Series 2015, and direct the City Attorney and authorize the Mayor to sign a resolution with an intent clause, which provides the City's public money will not be used for market based housing, seconded by Mayor Pro Tem Dalton.

City Attorney Light offered the following revisions to the resolution: 1) Add a new fourth to last Whereas clause to read as follows: **WHEREAS,** the City Council intends and the Agreement provides that such assistance is limited in use to support the construction and long-term affordability of affordable units and age-restricted units and not to be used for development or other costs for units that are not affordable or age-restricted units. 2) Add a new number 1 in the body of resolution after the Now, Therefore clause and renumber items 1-4 to 2-5. The new item 1 would read as follows: 1. The foregoing recitals are incorporated herein and made a part of this Resolution.

Council member Lipton noted Exhibit A should be"A copy of the Financial Agreement" instead of a "Business Assistance Agreement".

VOTE: Roll call vote was taken. The motion carried by a vote of 6-0. Absent: Council member Keany.

DISCUSSION/DIRECTION/ACTION – SOUTH BOULDER ROAD COMMUNITY SURVEY RESULTS AND QUESTIONS FOR MCCASLIN SURVEY - CONTINUED FROM 03/17/2015

Mayor Muckle requested a staff presentation.

Planner II Robinson explained on March 3rd staff presented a draft survey for the McCaslin Boulevard Small Area Plan. At the meeting Council requested staff develop additional questions to gauge public sentiment toward allowing residential uses in specific locations in the McCaslin corridor and other approaches to promoting desired development. As a result, two new questions were proposed.

1) Question seven asked about what tools and incentives respondents would support the City using to attract desired uses.

2) Question eight asks what type of housing, if any, respondents would support at different locations in the corridor.

Staff expressed concern the question may be perceived as suggesting the possibility of uses contradicting the Comprehensive Plan, which allows for the possibility of residential on the Sam's Club site, but nowhere else in the McCaslin Corridor. If Council shares the same concern, staff believes question seven and the other questions in the survey would provide enough information to determine if residential uses should be allowed.

Staff recommendation: Staff requested Council direction on any desired changes to the proposed survey questions and related information.

PUBLIC COMMENTS

John Leary, 1116 LaFarge Avenue, Louisville, CO addressed high density housing development with mixed use (apartments/condos over retail units) and referred to his conversation with a former City Manager, who defined mixed use as a developers' term for high density development. He felt mixed use is a false front for high density housing. He reported on mixed use development in Maryland, which he believed worked well and the difference between horizontal versus vertical mixed use. He stated there is mixed use in the downtown area and in Centennial Valley. He stressed the need for generating sales tax, which would be a significant financial benefit. He felt the real issue is the revenue structure benefit of sales tax and attracting sales tax generating businesses. He addressed the Highway 42 redevelopment area and the concept of having mixed use within the core area. He noted RTD reviewed the City TOD plan for the area and determined it would not work for a mixed use development because it did not have the amount of density needed. The TIF Market Study also determined mixed use would not work because it lacked a commercial component and traffic on Highway 42. He stated the Highway 42 development project does not have a single mixed use structure. He felt the theory of mixed use is not supported by the facts and calling something mixed

use does not make it mixed use. He addressed the theory of live, work and play in the same area and he noted very few people who live in Louisville actually work in Louisville. He felt the Council must be upfront with the public and not put abstract concepts questions in the survey, such as those that were included in the South Boulder Road Survey. He did not feel it was honest.

Sid Vinall, 544 Leader Circle, Louisville, CO voiced his appreciation for the surveys because they provide public feedback, which helps Council to make decision on the Small Area Plans. He stated the McCaslin Boulevard Small Area Plan survey questions must be concise, short and sweet. He made suggestions on revising some of the questions. He felt question seven was long and wordy and suggested making it shorter and more concise. He also felt some of the concepts are difficult for the average resident to understand.

COUNCIL COMMENTS

Mayor Muckle requested staff respond to the public comments.

Planner II Robinson explained the South Boulder Road Survey questions results are available on the City's web site. They are also included in the March 3rd City Council packet and in the April 9th Planning Commission packet. The results were also presented at the February public meeting.

Mixed Uses: Planner II Robinson explained the concept of live/work in mixed use, combines living and working space in the same unit. Work share is a term for informal office space for short term or long term for multiple businesses and mixed use combines different uses. He noted those concepts came from question number six. He stated staff is open to suggestions on making those terms clearer.

PUBLIC COMMENTS

Sid Vinall, 544 Leader Circle, Louisville, CO inquired when the results of the South Boulder Road survey would be reviewed. Planner II Robinson stated the South Boulder Road Small Area Plan survey questions would be reviewed at the April 9, 2015 Planning Commission meeting.

COUNCIL COMMENTS

Council member Stolzmann suggested reassessing what they want to get out of the survey. Council wanted community input on the South Boulder Road Small Area Plan process and the questions asked were to ensure Council was going in the right direction. She thought the purpose of the survey was to present a framework for all of the different scenarios, which would provide different options. She was not sure the first survey was of value and did not feel these survey questions would provide more

information regarding the McCaslin Small Area Plan. She felt the survey would be wasteful, but if the survey goes out she felt the Council should define mixed use.

Council member Loo addressed question seven and was not sure the average person would have an understanding of the planning and governmental terms. She requested question seven be revised to make it more understandable.

Mayor Pro Tem Dalton suggested John Leary rewrite all the survey questions and present them to City Council. He explained Mr. Leary described a lot of concepts, which may not be appropriately conveyed to staff.

Mayor Muckle did not feel the survey was quite ready. He was not sure what the Council would be learning from the questions asked about the McCaslin area. He stressed the Council wanted citywide input from the citizens.

Planning and Building Safety Director Russ stated staff understood the direction of the survey was to be a guiding influence for the City Council decisions. It was also clear from Council direction to provide a broad brush outreach. He explained the information being provided to the Planning Commission is three distinctly different alternatives. There is a combination of uses but the yield of residential units is significantly different based on what land is determined to be open space and infrastructure. The results from the South Boulder Road Small Area Plan will be reviewed by the Planning Commission in April and by the City Council in May. There are a full range of public involvement options including round table discussions and key stakeholder interviews as well as the survey, which will provide information on what uses and the characteristics of development are desired by the residents.

Council member Lipton felt it is important to get as much public input as possible and was interested in doing a basic and simple survey. Mayor Muckle agreed.

Council member Loo asked if there were any time crunch reasons for doing the survey sooner rather than later. Planning and Building Safety Director Russ explained they are trying to get the most out of the consultants' travel time and delaying the McCaslin survey will delay the South Boulder Road project (the final three scenarios). He stressed the survey, the workshops and stakeholder interviews will provide Council the information they need to make a decision.

Council member Lipton agreed it is important to bring the South Boulder Road Small Area Plan to a conclusion. He voiced his concern the consultant's travel time may be driving the McCaslin survey. He would support slowing down the process and adding to the consultant's travel budget because he wanted to make sure the project is done correctly.

Mayor Pro Tem Dalton addressed the timing of the survey, and the consultant's travel time and voiced his support for eliminating question seven.

Mayor Muckle inquired whether Council was interested in delaying the survey. There was Council consensus on delaying the survey for one month. City Manager Fleming requested when staff presents the survey in a month, Council provide specific direction to help finalize the survey questions. Council members agreed.

DISCUSSION/DIRECTION – 2015 PAVEMENT MANAGEMENT AND BOOSTER STREET IMPROVEMENTS

Mayor Muckle requested a staff presentation.

Public Works Director Kowar requested Council discussion on the 2015 Pavement Management and Booster Street Improvements program. The overall street improvement plan considers the street network at an overall pavement condition index of 75% as well as the booster pavement program, which is targeted to keep streets up from low scores. Over the last two years, the booster program evolved as a result of the downtown area and took into consideration Main and Front Street, which have low scores but are still in good shape. Redoing those streets will add to the appearance of downtown and improve the pavement score. There was also Council discussion about bringing other downtown (low score) streets up, which was added to the downtown booster street project.

In order to pave Main Street, a separate project was created to begin in April and be completed prior to the placement of the Main Street Patios on May 5th. When the bids came in for the project staff believed they were high based on similar bidding environments in other areas. Staff recommended delaying the Main Street Resurfacing (Pavement Booster) project. Also as a result of the high bids, staff recommended resurfacing Via Appia in 2015 instead of 2016, and doing McCaslin plus a portion of W. Cherry Street in 2016 instead of 2015. Staff will also include in the bid solicitation as a bid alternate resurfacing McCaslin Blvd. from South Boulder Road to just south of Via Appia. The Main Street paving project will also be added to the other bids.

COUNCIL QUESTIONS

Council member Lipton voiced his concern over the conditions of the streets and roadways in the City. He felt Via Appia, McCaslin and Washington are approaching dangerous conditions. He did not want to throw away money by simply patching the streets. He suggested looking at the City's resource base to determine whether more money is needed in the street budget.

Council member Loo stated her understanding if the Via Appia bid is too expensive then McCasln would be resurfaced first. City Manager Fleming explained that would not be the case. Main Street came in high because it is a small project. Staff proposes to include the Main Street project as a bid alternate in the resurfacing package. He explained it is a very difficult bidding environment. Anticipating the Via Appia bid might

be higher than budgeted, additional resources should be added to the budget in order to get the paving done. As an alternative, McCaslin and Cherry Street could be put out to bid to see what it would cost to do the major arterials.

Council member Loo stated McCaslin, Via Appia and Washington are all in very bad shape, but she advocated for McCaslin Boulevard because it has more traffic and is a gateway street. She would like to see a way to do all the streets.

COUNCIL COMMENTS

Council member Stolzmann stated what is posted on the City's Web site as the 2015 Pavement Plan is different than what is being proposed this evening. She stated McCaslin Boulevard is in terrible shape and suggested focusing on a plan and doing the right treatment rather than patchwork and then re-milling the street at a later time. She felt there is an equity issue with doing both streets in Ward II. She noted some Ward III streets, which were scheduled for resurfacing in 2015 were pushed back to 2019.

Public Works Director Kowar explained they are looking at switching McCaslin and Via Appia based on a recommendation from the City's operations staff. The operations staff was confident McCaslin was a safe travel road, however they did not have the same confidence in Via Appia.

Council member Keany arrived at 9:02 p.m.

Mayor Muckle inquired when the downtown patios are removed. City Manager Fleming stated they will be removed around October 15th.

Mayor Muckle inquired whether another downtown street should be paved in lieu of Main Street. Public Works Director Kowar confirmed another downtown street could be resurfaced, but could not guarantee the street would be resurfaced this year.

Council member Stolzmann was not in favor of delaying any of the booster paving projects this year in the downtown area. She suggested looking at putting money into the infrastructure.

Council member Lipton was inclined to do as much repaving as possible this year. He asked when the Council would see the first quarter financial results and projections on revenues. City Manager Fleming stated they are reviewed quarterly by the Finance Committee and they will be presented at the Budget Retreat on June 9.

Council member Lipton felt June 9th would be a time to look to surpluses for funding paving projects.

Mayor Pro Tem Dalton asked if the revenue projections will not be available until June, how it would affect the bidding process. Public Works Director Kowar stated they are trying to bid out projects in chunks to present those bids to Council in June.

Mayor Pro Tem Dalton stated it sounded like the Council would be looking at a lot of bid options in June and deciding on budget changes to do more streets projects. Mayor Muckle agreed and stated it is a difficult bidding environment and the streets are in really bad condition.

Council member Lipton inquired whether Public Works has started to fill pot holes. Public Works Director Kowar stated the staff is proposing to purchase (under separate Council Communications) milling/roller, patching and safety equipment costing roughly $100,000, which is needed to more cost-effectively complete street patching work. He estimated this would be on site within 30 days.

Council member Lipton was concerned over the safety of the streets and encouraged the Public Works Department to consider Washington Street.

Council member Loo stated her understanding the City crew identified pot holes, but asked if there is something on the City's web site for citizens to report pot holes. Public Relations Manager Muth stated there is a site located under City's Web Page, entitled "Report a Pothole". The link provides an email option to report a pot hole.

Public Works Director Kowar explained this winter was a very bad year in terms of pot holes. The Public Works staff will try to focus on the major problems until they have the resources to do the work the right way. He explained they will not have a booster project available by June 9th. More information is needed on the depth of water, sewer and gas lines. The crowns would have to be removed and the concrete inventoried. They would also have to understand the impacts of the trees.

Council member Stolzmann was disappointed that the Public Works Department and the City Managers' office decided to cancel the resurfacing of Main Street without any Council discussion. She did not feel this was consistent with what was discussed in the budgeting process.

Public Works Director Kowar stated Main Street can be repaved, but it may not be the best use of City resources. He stated his understanding the Council suggested moving to LaFarge or another downtown street.

City Manager Fleming explained part of the conclusion was Main Street is not in bad condition and there are other streets in need of repaving. He had already planned to put more money into street projects for 2015 and in future budget years.

AWARD BID FOR WASTEWATER TREATMENT PLANT BIOSOLIDS TRANSPORTATION AND FINAL USE SERVICES

Mayor Muckle requested a staff presentation.

Public Works Director Kowar explained staff recommends approving a 3-year contract with Veris Environmental for biosolids hauling and land application services. This contract avoids about $600,000 in up-front capital infrastructure and $450,000 in equipment life cycle replacement costs and ongoing operations and maintenance cost, which would be necessary over time to process biosolids at the Waste Water Treatment Plant. It also allows staff time to be focused on preventative maintenance and special projects on the Wastewater collection and treatment systems and on other projects instead of biosolid processing. It eliminates the main source of odors from the WWTP site and facilitates construction on the planned Urban Renewal Core Area regional detention.

Staff recommendation: Staff recommended awarding the Wastewater Treatment Plant Biosolids Transportation bid to Veris Environmental, LLC in the amount of $98,220.

COUNCIL COMMENTS

Mayor Muckle reported receiving citizens' comments relative to putting leaves into the City's biosolids. He felt the City could look at more leaf drop-off area.

MOTION: Mayor Muckle moved to award bid to Veris Environmental, LLC per their bid amount of $98,220 for the Wastewater Treatment Plant Biosolids Transportation and Final Use Services, seconded by Mayor Pro Tem Dalton. Roll call vote was taken. The motion carried by a vote of 7-0.

1125 PINE STREET

1. **RESOLUTION No. 18, SERIES 2015 – A RESOLUTION APPROVING A PURCHASE CONTRACT TO BUY AND SELL REAL ESTATE FOR THE CITY'S ACQUISITION OF APPROXIMATELY 0.39 ACRES OF PROPERTY LOCATED AT 1125 PINE STREET IN THE CITY OF LOUISVILLE**
2. **ORDINANCE No. 1684, SERIES 2015 – AN ORDINANCE AUTHORIZING THE PAYMENT OF CITY MONEYS FOR THE CITY'S ACQUISITION OF APPROXIMATELY 0.39 ACRES OF PROPERTY LOCATED AT 1125 PINE STREET IN THE CITY OF LOUISVILLE – 1ST READING – SET PUBLIC HEARING 04/21/2015**

Mayor Muckle requested a City Attorney introduction.

City Attorney Light introduced Ordinance No. 1684, Series 2015.

Mayor Muckle requested a staff presentation.

Economic Development Director DeJong reviewed the purchase contract for 1125 Pine Street. The property is a .39 acre parcel, which is approximately 55 feet wide. The parcel is needed for the Lee Avenue extension, included in the Highway 42 Plan. A

component of the Highway 42 Plan is to keep the highway at 3 lanes and enhance local street network connections. During the Highway 42 Plan preparation, concerns and opportunities were identified. The concerns include increased traffic; the affect to Miner's Field; and the impact on homes and neighborhoods. The opportunities include Hwy 42 improvements; transportation choices; Pine Street revitalization and emergency response.

The property is owned by Petra Properties, LLC. Discussions began in September of 2013 and negotiations continued during 2014 and 2015. Several executive sessions where conducted to receive negotiating strategy. Two appraisals were conducted; one on January 8, 2014 for a $335,000 value and the second was November 24, 2014 for a $270,000 value. There is an existing lease on the property for $1,800 per month, which expires March 31, 2016. The purchase price is $385,000, which is $50,000 above the highest appraisal. The seller is not willing to go any lower and the cost of condemnation would likely exceed the purchase price.

The main terms of the contract are as follows: The total purchase price is $385,000, with $50,000 earnest money deposit. The closing is to be June 15, 2015, however the closing can be extended by the Seller up until October 15, 2015 if they have not found an appropriate property for a 1031 exchange. The inspection period is through May 15, 2015. There will be no real estate commission owed by either party. The existing $1,800 per month lease remains on the property. The lease expires March 31, 2016.

Fiscal impact: $385,000 purchase price in the 2015 budget. If approved, staff will incorporate in the budget amendment scheduled for May 5, 2015 from undesignated and unrestricted General Fund reserves. The land cost would be attributed to the General Fund. In the future, funds are needed for design and construction of the Lee Avenue extension.

Staff recommendation: City Council approval of Resolution No. 18, Series 2015, the purchase contract for 1125 Pine and approve Ordinance No. 1684, Series 2015 on first reading and set a public hearing for April 21, 2015.

COUNCIL COMMENT

Council member Stolzmann requested an estimation of how many cars this would take off Highway 42 at rush hour. Planning and Building Safety Director Russ stated rush hour traffic on Highway 42 will not use this connection. This connection is for the Miners Field neighborhood and the DELO property.

PUBLIC COMMENT

Jean Morgan, 1132 Spruce Circle, Louisville, CO stated this connection will only benefit the DELO project and not the Miners Field neighborhood. She felt the connection will

impact the residents and the little leaguers at the ball field. She stated this neighborhood cul-de-sac is one of the oldest in the City and the most functional. She suggested a traffic study on Lee Avenue; a study of the number of cars making right turns from Highway 42 on Pine Street; a projection as to the increase in these numbers of cars when the DELO and Arnold properties are complete. She felt there should be a meeting with the two adjoining neighbors of 1125 Pine Street and a meeting with the two property owners south of the ball park. She also felt the Little League Association should be contacted for their feedback. She cited two options for consideration:

1) There is room for right turn lanes on Highway 42 at Griffith and South Streets and 2) there could be a slight jog in the road to the east to accommodate a long right-turn only lane. She did not believe Highway 42 needs to be five-lanes, nor should it be brought through the neighborhood. She requested the City conduct a study on the impact to the historic neighborhood. She stated there are 27 properties in the neighborhood and 32 residents have signed a petition stating they do not want the Lee Avenue Connection to Pine Street. She presented a copy of the petition to the City Council; her requests of items to be addressed with this proposal and the two options for Council consideration.

John Leary, 1116 LaFarge Avenue, Louisville, CO stated to his knowledge this plan has never been modeled or tested to see how well it will work. He explained a gravity model and how it would work. He stated during rush hour traffic backed up and this plan will only bring in more traffic and a traffic signal. He questioned whether the City will create a system that will work. He noted the City has not demonstrated it will work and if it doesn't work the City will have made an investment on something which has to be redone. He stated decisions are being made on faith rather than information. He felt the Council owes it to the residents to be clear on what is being proposed and suggested before the City invests any money they test the study to see if it will work.

Cindy Bedell, 662 W. Willow Street, Louisville, CO voiced her opposition to extending Lee Avenue. She felt it impacts the Miners Field residents and benefits the future residents of DELO. She stressed the importance of the historic neighborhoods and felt this issue highlights the cost of high density developments such as DELO.

Bruce MacKenzie, 1612 Cottonwood Drive, Louisville, CO found it strange this was not a part of the DELO presentation last week. He suggested the DELO development pay for this property as the City had subsidized the developer enough.

COUNCIL COMMENT

Council member Stolzmann was concerned with the proposal to purchase this property. She had reviewed the traffic study on Highway 42 and stressed there is a need to have current data on the impacts of new development. She requested more information on how this proposal would affect traffic on Highway 42 and whether it would eliminate the need for five lanes and if there will be a need to look at countywide Eco passes to reduce the amount of traffic on Highway 42. She was interested in knowing how the adjacent property owners feel about this street connection going between their two

houses. She stated this purchase was not included in the budget and noted if the City did buy the property, there would be no money to build the street. She suggested this could be delayed to allow more study to see how the traffic would be impacted today. She reminded Council the current study was done in response to a commuter rail station in the revitalization area.

Council member Keany stated in executive session he was a proponent of this purchase, but is now having second thoughts.

Mayor Pro Tem Dalton stated when Council approved the revitalization project it included the extension of Lee Avenue and all of the traffic considerations and CDOT issues. He noted three or four members of the current Council members were not on that Council. He felt it would be useful to provide this Council with the information, which influenced a previous Council's decision.

Mayor Muckle supported continuing this matter for further discussion. He noted it is part of the approved Highway 42 Plan, but felt it should be reviewed again.

Council member Lipton also supported a presentation on the Highway 42 redevelopment plan. He requested a description of what was proposed for the Highway 42 corridor development and compare it to what has changed with the DELO project.

Council member Leh asked whether another traffic study is warranted. He also supported continuing this matter and felt it should be scheduled earlier in the evening to allow more public participation.

Council member Loo asked if there would be any time sensitive issues if this matter was continued. Economic Development Director DeJong explained it would take a significant amount of time to accomplish all of Ms. Morgan's requested studies. It would also require funding for those studies. He explained the seller would like to move forward as soon as possible.

Council member Loo noted the City does not have funding available to put the street in at this time. She asked for the proposed timelines for the street. Economic Development Director DeJong explained the documentation would be presented for the 5-year CIP Project schedule, but the actual year had not been identified.

Planning and Building Safety Director Russ explained the timing of this extension was envisioned for when Pine Street is improved and Spruce Street is closed. He explained the purchase of the property is separate from the road construction. When the property became available if would be purchased, but the road would only be implemented at the time of the Pine Street intersection improvements and in coordination with CDOT requirements.

Council member Lipton stated it was not his anticipation all the options and alternatives would be explored. He requested the benefit of a presentation on the history of the Highway 42 Corridor. He noted the seller may also want more time. He noted the seller does not have any other options right now. He was interested in hearing from the surrounding property owners before a decision is made by Council.

Mayor Muckle suggested this matter be continued to the second meeting in May. There was Council consensus. City Manager Fleming noted the second meeting in May is the 19th.

RESOLUTION No. 18, SERIES 2015

MOTION: Mayor Muckle moved to continue to Resolution No. 18, Series 2015, to the May 19, 2015 City Council meeting, seconded by Council member Keany. All in favor.

ORDINANCE No. 1684, SERIES 2015

There was considerable discussion relative to whether the first reading of this ordinance should be approved on first reading or whether the first reading should be reset to the May 19th City Council meeting. City Attorney Light explained the closing of the property is still contingent upon the passage of the ordinance.

Council Direction: Council directed staff to bring the first reading of Ordinance No. 1684, Series 2015 before the Council at their May 19th meeting.

DISCUSSION/DIRECTION/ACTION – CITY OF LOUISVILLE COMMENTS ON RTD FARE STUDY AND US 36 BRT SERVICE PLAN

Mayor Muckle requested a staff presentation.

Deputy City Manager Balser reviewed two letters sent by the US 36 Mayors and Commissioners Coalition (MCC) to the RTD Chair and staff regarding concerns about the proposed US 36 Bus Rapid Transit (BRT) Service Plan and the RTD Fare Study recommendations. Louisville is a member of the MCC and participated in drafting both letters to express concerns articulated by all the communities along the US 36 Corridor. Staff is seeking direction as to whether the Louisville City Council would like to send its own letter, relating similar concerns and/or additional issues. A public meeting sponsored by RTD was held at the Louisville Recreation Center on April 1, 2015 to discuss the US 36 BRT Service Plan. Specific issues raised by constituents at the meeting include the following:

- Concerns with reduction in service to Boulder Junction
- Concerns with HX additional stops to Civic Center Station not providing “express service,” more of a local service, along with travel time increases
- Concerns with reduction in mid-day service to Civic Station, currently have overcrowding

- DIA service no longer providing a one seat ride at Westminster and Broomfield stations

Most of these service plan issues have been addressed in the March 10, 2015 MCC letters. Additionally, many communities along the US 36 corridor along with Louisville have expressed equity concerns regarding service levels for BRT. There was an RTD meeting on the fare study on April 6 in Boulder. The MCC has suggested either all the BRT fares should be the same as the local light rail fare being proposed for all routes/distances or another option would be to raise all rates in the RTD district a small percentage to allow one rate for service in the district that is simple, fair and consistent. The FasTracks investment along US 36 should not be treated differently in the rate structure from the other FasTracks investments in the region.

Fiscal impact: Proposed increases in RTD fares for Louisville residents and possible reductions in bus/BRT service along the US 36 Corridor.

Council Direction Requested: Should Council authorize staff to draft a letter articulating the salient points in both previous MCC letters and addresses specific Louisville issues advocated by City Council.

COUNCIL COMMENT

Mayor Pro Tem Dalton suggested Council authorize the Mayor to sign a letter to RTD.

Council member Stolzmann suggested the letter be very Louisville specific and focused on the City's issues. Her biggest issue was the HX service for commuters, which may see a reduction in service. She supported the proposed ABX Airport Express changes. She felt the proposed rates would cut some of the costs. She supported making all the fares equal.

Deputy City Manager Balser stated the key concern issue is the regional equity issue; specifically the amount the City and US 36 Corridor has paid into FasTracks and the amount the City will pay for BRT services.

Mayor Muckle agreed the BRT fare rate should be the same as the light rail rate.

Council Direction: There was consensus for writing a letter to RTD for the Mayor and obtaining City Councils' signatures.

RENEWAL OF COMCAST CABLE FRANCHISE

1. **ORDINANCE No. 1685, SERIES 2015, AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE BY THE CITY OF LOUISVILLE TO COMCAST OF COLORADO I, LLC AND ITS LAWFUL SUCCESSORS, TRANSFEREES AND ASSIGNS, FOR THE RIGHT TO MAKE REASONABLE AND LAWFUL USE OF**

RIGHTS-OF-WAY WITHIN THE CITY TO CONSTRUCT, OPERATE, MAINTAIN, RECONSTRUCT, REPAIR, AND UPGRADE A CABLE SYSTEM FOR THE PURPOSE OF PROVIDING CABLE SERVICES WITHIN THE CITY – 1ST READING – SET PUBLIC HEARING 05/05/2015

2. **ORDINANCE No. 1686, SERIES 2015, AN ORDINANCE RE-ESTABLISHING CITY OF LOUISVILLE CABLE TELEVISION CUSTOMER SERVICE STANDARDS – 1ST READING – SET PUBLIC HEARING 05/05/2015**

3. **LETTER OF AGREEMENT BETWEEN THE CITY OF LOUISVILLE AND COMCAST**

Mayor Muckle requested a City Attorney introduction.

City Attorney Light read Ordinance Nos. 1685 and 1686, Series 2015.

Mayor Muckle moved to approved Ordinance No. 1685, Series 2015 on first reading, ordered it published and set a public hearing for May 5, 2015, seconded by Mayor Pro Tem Dalton. All were in favor.

Mayor Muckle moved to approved Ordinance No. 1686, Series 2015 on first reading, ordered it published and set a public hearing for May 5, 2015, seconded by Mayor Pro Tem Dalton. All were in favor.

ORDINANCE No. 1687, SERIES 2015 – AN ORDINANCE AMENDING ORDINANCE NOS. 1165 AND 1166, SERIES 1994 CONCERNING THE GATEWAY ANNEXATION AND APPROVING AN AMENDMENT TO AN ADDENDUM TO ANNEXATION AGREEMENT – 1ST READING – SET PUBLIC HEARING 04/21/2015

Mayor Muckle requested a City Attorney introduction.

City Attorney Light read Ordinance Nos. 1687, Series 2015.

Mayor Muckle moved to approved Ordinance No. 1687, Series 2015 on first reading, ordered it published and set a public hearing for April 21, 2015, seconded by Council member Loo.

Council member Loo noted there was an email referring to a former Mayor's and Council member's position on this matter. She requested the record of the previous minutes regarding this issue be provided to the City Council.

VOTE: All were in favor.

ORDINANCE No. 1688, SERIES 2015 – AN ORDINANCE APPROVING AN AMENDMENT TO THE CENTENNIAL VALLEY GENERAL DEVELOPMENT PLAN

TO ALLOW INSTITUTIONAL USES ON PARCEL G2 – 1ST READING – SET PUBLIC HEARING 04/21/2015

Mayor Muckle requested a City Attorney introduction.

City Attorney Light read Ordinance Nos. 1688, Series 2015 and noted a draft of a development agreement would be forthcoming.

Mayor Muckle moved to approve Ordinance No. 1688, Series 2015 on first reading, ordered it published and set a public hearing for April 21, 2015, seconded by Mayor Pro Tem Dalton. All were in favor.

CITY ATTORNEY'S REPORT

No items to report.

COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

Council member Stolzmann reported on attending a Boulder County Eco Pass Feasibility Study meeting, where they proposed another study be conducted which will cost $150,000. Boulder County and the City of Boulder have agreed to pay the majority of the cost, but have requested communities in the area to also contribute to the funding of the study. She reported on a proposed State Senate bill which requires cities to purchase additional water rights for storm water detention ponds.

Mayor Muckle explained the State Water Engineer has determined municipalities must have water storage rights for detention ponds during floods. He noted it is for regional detention opposed to local detention. Council member Loo inquired whether CML has been involved in this discussion. Deputy City Manager Balser will follow up with CML and provide the Council with an update.

ADJOURN

MOTION: Mayor Muckle moved for adjournment, seconded by Mayor Pro Tem Dalton. All were in favor. The meeting adjourned at 10:27 p.m.

_____
Robert P. Muckle, Mayor

_____
Nancy Varra, City Clerk

SUBJECT: **RESOLUTION NO. 19, SERIES 2015 – A RESOLUTION RECOMMENDING APPROVAL OF A REPLAT TO SUBDIVIDE A SINGLE 334,325 SF LOT INTO TWO SEPARATE LOTS IN THE P-C ZONE DISTRICT, LOCATED AT 248 CENTENNIAL PARKWAY/1172 W. CENTURY, LOT 1, BLOCK 2, CENTENNIAL VALLEY BUSINESS FILING 6**

DATE: **APRIL 21, 2014**

PRESENTED BY: **LAUREN TRICE, PLANNING AND BUILDING SAFETY DEPARTMENT**

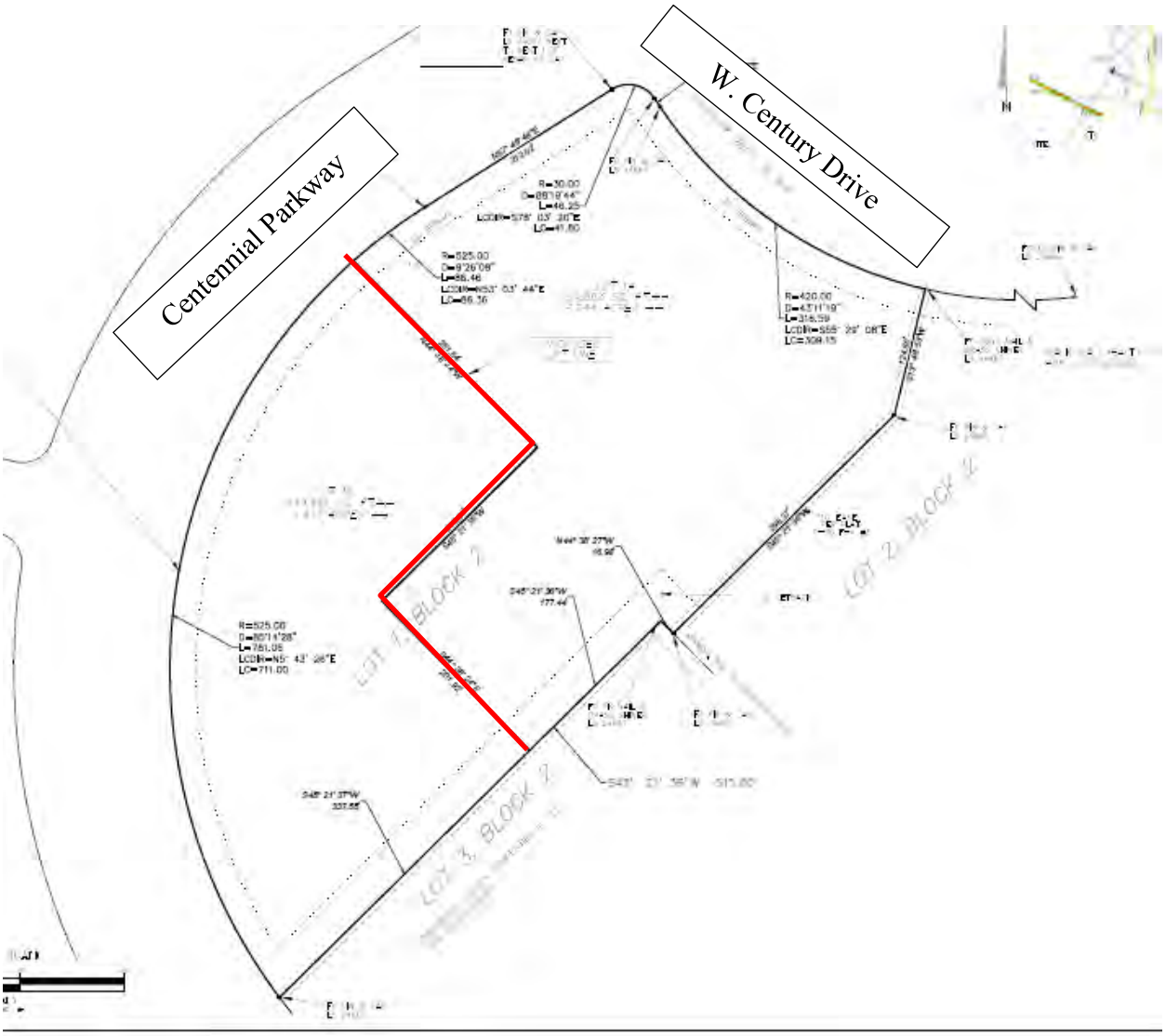
SUMMARY:

The applicants have submitted a land use application requesting approval of a replat request to subdivide a single 334,325 SF lot into a 184, 863 SF lot (Lot 1A) and a 149,461 SF lot (Lot 1B).

The site is located on the east side of Centennial Parkway, where it curves, and south of W. Century Drive within Centennial Valley Business Park Filing 6.

The property has two, one-story, L-shaped buildings. The building to the southeast, addressed 248 Centennial Parkway, is 38,894 SF. The building to the northwest, addressed 1172 W. Century Drive, is 49,050 SF.

PROPOSAL:
The minor subdivision request is to divide a single 334,325 SF lot into two smaller lots. The future lots, if approved, would reflect the orientation and addressing of the existing buildings. The building at 1172 W. Century Drive would be located on Lot 1A, which would be 184,863 SF and the building at 248 Centennial Parkway would be located at Lot 1B, which would be 149,461 SF. The only proposed change to the site is the addition of the lot line. Parking, cross access, and landscaping will be managed through a shared maintenance agreement.



SECTION 16.12.110

Section 16.12.110, of the Louisville Municipal Code (LMC), establishes the review procedures for a Minor Subdivision. The section states:

A subdivision application meeting one or more of the following criteria shall be eligible for review as a minor subdivision:

1. The subdivision results in no more than two lots; each lot is adjacent and has access to an accepted and maintained public street; the improvements required by chapter 16.20 (streets and utilities) are already in existence and available to serve each lot; each lot will meet the requirements of the city's zoning regulations without the necessity for a variance; no variance has been granted within the

three previous years to any lot; and, no part of the subdivision has been approved within three years prior to the date of the submission of the minor subdivision plat;

2. The subdivision is of a lot, previously created by an approved final subdivision plat, which is split or subdivided into not more than two lots and the lots created by the split comply with the applicable dimensional requirements of the city's zoning regulations."

Staff believes this request complies with the above criteria and is therefore eligible for a minor subdivision review.

ANAYLSIS:
The subdivision of property in Louisville is regulated by Title 16 of the Louisville Municipal Code. Since this is a minor subdivision request with no public right-of-way or public easements, staff reviewed the application against the criteria established in Sections 16.16.010 (General design and construction standards) and 16.16.050 (Lots).

Section 16.16.010
This section of the code applies seven general design criteria regarding the compatibility and functionality of the site, which staff has found the application meets. The proposed minor subdivision is in compliance with the 2013 Comprehensive Plan which recommends small parcels east of Centennial Parkway. Approval of the proposed additional lot line would not cause any changes to the existing site. Staff recommends a condition of approval be an agreement between the two lots to establish shared parking, cross access, and overall maintenance. The applicant has agreed to the condition.

Staff worked with the applicant to simplify the additional lot line to allow more options for future development as stated in Section 16.16.010(c) of the Louisville Municipal Code (LMC):

> "The layout of lots, blocks, and buildings and other structures must provide desirable settings for buildings and other structures, make appropriate use of natural contours, protect the view, provide for adequate light and air, and afford privacy and protection from adverse noise and traffic for the residents and neighbors."

Staff believes that the application meets the standards laid out in Section 16.16.010.

Section 16.16.050
Lot requirements are as follows:

A. *Lots shall meet all applicable zoning requirements.*

The proposed lots and existing structures would comply with the Centennial Valley Business Park Filing 6 Planned Unit Development and the underlying P-C Zone District. There are no changes to the existing building height or setbacks. The existing lot coverage is 88,782 SF (26.2%). The proposed lot coverage for Lot 1A is 49,050 SF (26.5%). The proposed lot coverage for Lot 1B is 38,894 SF (26.0%). The maximum lot coverage for the P-C Zone District is 40%.

B. *Each lot shall have vehicular access to a public street.*
The proposed Lot 1A has existing vehicular access off of W. Century Drive. The proposed Lot 1B has existing vehicular access off of Centennial Parkway.

C. *The maximum depth of all residential lots shall not exceed 2½ times the width thereof. For all other lots, the depth shall not exceed three times the width.*
The dimensions for proposed Lot 1A are 450'x540'. The depth is 1.2 times the width. The dimensions for Lot 1B are 410'x450'. The depth is 1.09 times with width.

D. *The minimum lot frontage, as measured along the front lot lines shall be 50 feet, except for lots abutting a cul-de-sac, in which case such lot frontage may be reduced to 35 feet*.
The lot frontage for Lot 1A is approximated 350 feet ant the lot frontage for Lot 1B is approximately 790 feet.

Staff believes the application meets each of the seven criteria established in Section 16.16.050.

FISCAL IMPACT
No significant fiscal impact will result from the authorization of this request.

PLANNING COMMISSION ACTION:
The Planning Commission held a public hearing on the application on March 12, 2015. The Planning Commission voted 6-0 to recommend the City Council approve the application, with the following condition:

1. The applicant will provide an agreement between the two lots to establish shared parking, cross access, and overall maintenance.

RECOMMENDATION:
Staff believes the application meets each of the seven criteria established in both Section 16.16.010 and Section 16.16.050. Therefore, staff recommends that City Council approve the replat request for 248 Centennial Parkway/1172 W. Century Drive approving Resolution No. 19, Series 2015 with the following condition:

1. The applicant will provide, prior to recording, an agreement between the two lots to establish shared parking, cross access, and overall maintenance.

ATTACHMENTS:

1. Resolution No. 19, Series 2015
2. Application materials
3. Final Plat
4. Planning Commission Minutes

RESOLUTION NO. 19
SERIES 2015

A RESOLUTION RECOMMENDING APPROVAL OF A REPLAT TO SUBDIVIDE A SINGLE 334,325 SF LOT INTO TWO SEPARATE LOTS ZONED PLANNED COMMUNITY ZONE DISTRICT – COMMERCIAL (P-C), LOCATED AT 248 CENTENNIAL PARKWAY/1172 W. CENTURY DRIVE; LOT 1, BLOCK 2, CENTENNIAL VALLEY BUSINESS FILING 6.

WHEREAS, there has been submitted to the Louisville City Council an application for approval of a replat to subdivide a single 334,325 sf lot into two separate lots in the Planned community Zone District – Commercial (P-C), Lot 1, Block 2, Centennial Valley Business Filing 6; and

WHEREAS, the City Staff has reviewed the information submitted and found it to comply with Louisville Municipal Code Chapters 16.12.110 and 17.12.050; and

WHEREAS, after a duly noticed public hearing on March 12, 2015, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated March 12, 2015, the Planning Commission forwarded a recommendation of approval to the City Council for the replat, of 248 Centennial Parkway/1172 W. Century Drive, with the following condition:

1. The applicant will provide an agreement between the two lots to establish shared parking, cross access, and overall maintenance.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Louisville, Colorado does hereby approve a replat to subdivide a single 334,325 sf lot into two separate lots zoned Planned Community Zone District – Commercial P-C), located at 248 centennial parkway/1172 w. Century drive; Lot 1, Block 2, Centennial Valley Business Filing 6, with the following condition:

1. The applicant will provide, prior to recording, an agreement between the two lots to establish shared parking, cross access, and overall maintenance.

PASSED AND ADOPTED this 21st day of April, 2015

By: _____
Robert P. Muckle, Mayor

Attest: _____
Nancy Varra, City Clerk

City of Louisville
COLORADO • SINCE 1878

Department of Planning and Building Safety

749 Main Street • Louisville CO 80027 • 303.335.4592 • www.louisvilleco.gov

LAND USE APPLICATION

CASE NO. _____

APPLICANT INFORMATION

Firm: Baseline Land Surveying, Inc.
Contact: Roger Kelley
Address: 10475 Irma Dr.
Unit #3, Northglenn CO 80233
Mailing Address: "
Telephone: 303-457-3964
Fax: —
Email: baselinedenver@yahoo.com

OWNER INFORMATION

Firm: Westcore Vasona Centennial, LLC
Westcore Carson Centennial, LLC
Westcore Orchard Centennial, LLC
Contact: John Fetly
Address: 4435 Eastgate Mall
Suite 300
Mailing Address: "
Telephone: 1-858-362-1683
Fax: —
Email: jfetley@westcore.net

REPRESENTATIVE INFORMATION

Firm: Baseline Land Surveying
Contact: Roger Kelley
Address: 10475 Irma Dr.
Unit #3 Northglenn CO 80233
Mailing Address: "
Telephone: 303-457-3964
Fax:
Email: baselinedenver@yahoo.com

PROPERTY INFORMATION

Common Address: 248 Centennial Parkway
Legal Description: Lot 1 Blk —
Subdivision Centenial Valley Filing #6
Area: 334,325 Sq. Ft.

TYPE (S) OF APPLICATION

- ☐ Annexation
- ☐ Zoning
- ☐ Preliminary Subdivision Plat
- ☒ Final Subdivision Plat
- ☐ Minor Subdivision Plat
- ☐ Preliminary Planned Unit Development (PUD)
- ☐ Final PUD
- ☐ Amended PUD
- ☐ Administrative PUD Amendment
- ☐ Special Review Use (SRU)
- ☐ SRU Amendment
- ☐ SRU Administrative Review
- ☐ Temporary Use Permit: _____
- ☐ CMRS Facility: _____
- ☑ Other: (easement / right-of-way; floodplain; variance; vested right; 1041 permit; oil / gas production permit) REPLAT

PROJECT INFORMATION

Summary: The Owner would like to split this 1 Lot with 2 structures into 2 lots, with each lot having a structure

Current zoning: PCZD-CR Proposed zoning: N A

SIGNATURES & DATE

Applicant: Roger Kelly
Print: Roger Kelley
Owner: see attached signature pages
Print:
Representative: Roger Kelly
Print: Roger Kelley

CITY STAFF USE ONLY

- ☐ Fee paid: _____
- ☐ Check number: _____
- ☐ Date Received: _____

City of Louisville
COLORADO • SINCE 1878

Department of Planning and Building Safety

2014 Development Review Fees

Adopted: December 17, 2013

	2014 FEE
ANNEXATION & ZONING	
Annexation & initial zoning **	$6415
Rezoning **	$3810
Zoning Map Amendment **	$480
PLANNED UNIT DEVELOPMENT	
PUD – preliminary review (≤ 7 acres) **	$2590
PUD – final review (≤ 7 acres) **	$2590
PUD – preliminary review (> 7 acres) **	$3165
PUD – final review (> 7 acres) **	$2590
PUD – amendment **	$1715
Administrative PUD amendment	$515
SUBDIVISION	
Preliminary plat (≤ 15 acres) **	$1240
Preliminary plat (> 15 acres) **	$3240
Final plat (all) & Final agreement(s) (with final PUD) **	$965
Final plat (not accompanied by a PUD) **	$1775
Minor subdivision **	$1775
SPECIAL REVIEW USE	
Special Review Use (SRU) **	$1110
SRU amendment **	$910
SRU (use only, no development) **	$420
SRU administrative amendment (70% cost of SRU no development)	$335
Day Care (Neighborhood 6 – 12 children) **	$345
Planned Community Zone District	
PCZD (≤ 100 acres) **	$4920
PCZD (> 100 acres) **	$6525
Minor PCZD amendment **	$760
TEMPORARY USES	
Temporary use permit (administrative)	$185
Temporary use permit (public review) **	$260
Temporary sign permit	$90
CMRS FACILITY	
Public review **	$6515
Administrative review	$2790
OTHER LAND USE FEES	
Louisville Municipal Code Amendment **	$420
Easement or right-of-way vacation **	$1785
Floodplain development permit **	$395
Historic Preservation Commission – Major Demo Permit Review	$445
Historic Preservation Commission – Minor Demo Permit Review	$50
Variance or Appeal of the Zoning Administrator Decision	$725
Variance – After the fact **	$975
Oil & gas production permit **	$1225
1041 Permit **	$1225
Vested Right Request **	$1540
LP Gas Sales and Exchange	$565

Project types requiring a public hearing are noted with **. Project types requiring a public hearing will also pay a publication fee of $85.00 for each required public notice.

These fees are adopted pursuant to City of Louisville Ordinance No. 1291, Series 1998 and Ordinance No.1603, Series 2011. Signed and ordered this day, December 17, 2013:

Malcolm Fleming

Malcolm Fleming, City Manager

WESTCORE CARSON CENTENNIAL, LLC
a Delaware limited liability company

By: Westcore Carson, LLC
a Delaware limited liability company
its General Partner

By: WP Carson, LLC
a Delaware limited liability company
its Managing Member

By: MRB Manager, LLC
a Delaware limited liability company
its Manager

By: _____
Name: Marc Brutten
Title: Authorized Officer

WESTCORE ORCHARD CENTENNIAL, LLC
a Delaware limited liability company

By: Westcore OP Junction, LP
a Delaware limited partnership
its Sole Equity Member

By: Westcore Junction GP, LLC
a Delaware limited liability company
its General Partner

By: MRB Manager, LLC
a Delaware limited liability company
its Manager

By: _____
Name: Marc Brutten
Title: Authorized Officer

WESTCORE VASONA CENTENNIAL, LLC
a Delaware limited liability company

By: Westcore Vasona, LLC
a Delaware limited liability company
its Sole Equity Member

By: WP Vasona, LLC
a Delaware limited liability company
its Managing Member

By: MRB Manager, LLC
a Delaware limited liability company
its Manager

By: _____
Name: Marc Brutten
Title: Authorized Officer

Baseline Land Surveying, Inc.

10475 Irma Dr., Unit #3, Northglenn CO 80233 Ph 303-457-3964

November 6, 2014

Letter of Request

Subject: Lot 1, Centennial Valley Business Park Filing No. 6

To whom it may concern;

The owner would like to subdivide the above referenced Lot into 2 Lots, one lot for each building. There are currently two addresses for the Lot, so this is primarily for ease of record keeping and apportioning expenses and taxes to the individual building.

After discussion with The City, we have come up with a Lot Line configuration that splits the parking and landscaping into two more or less equal parts, so that it meets the PUD standards on this property. The Owner is agreeable to adding cross access and shared maintenance notes on the Replat, as they are not intending to change anything on the site except adding a Lot Line.

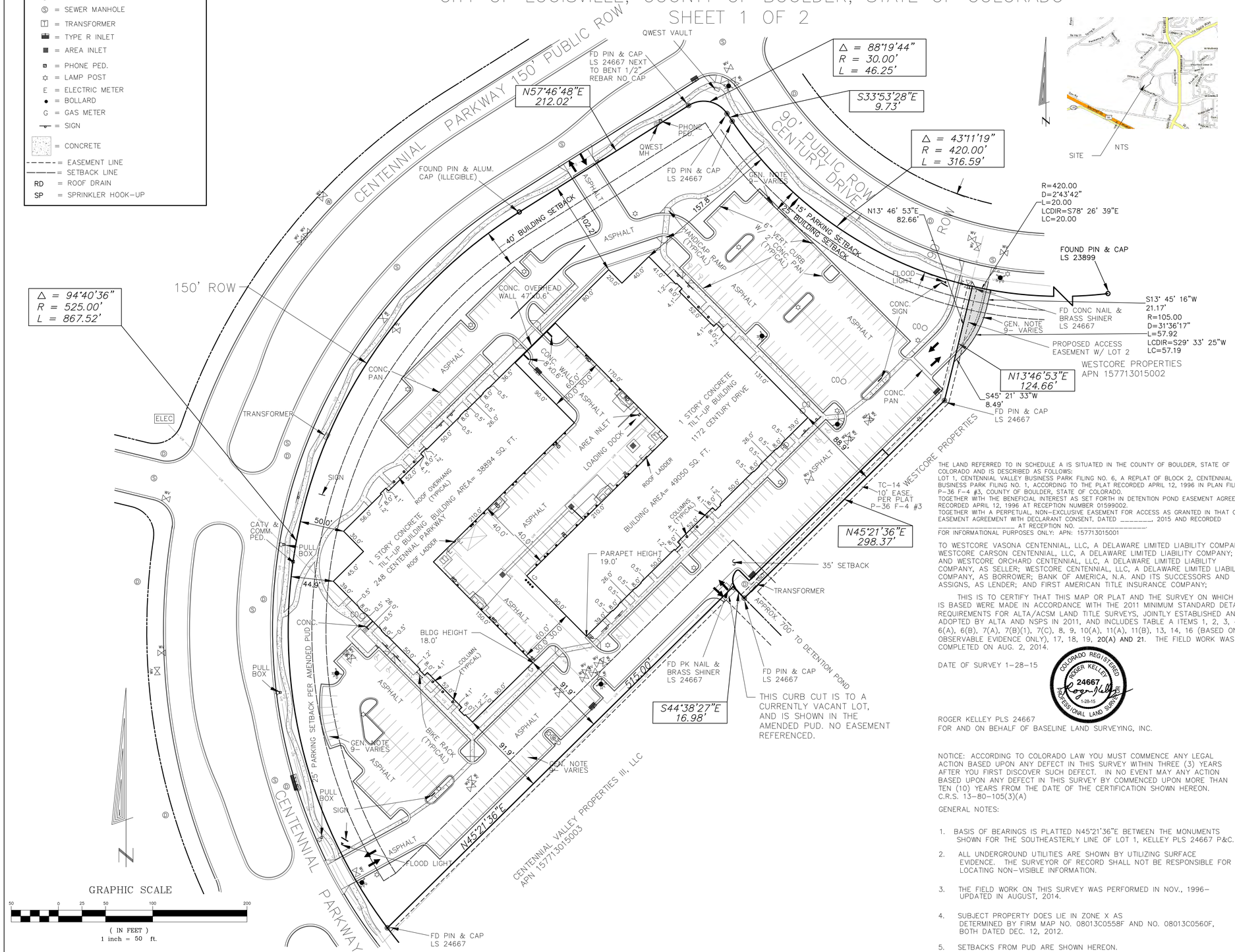
Thank you for your consideration..

Sincerely,
Roger Kelley
President
Baseline Land Surveying Inc.

ALTA/ACSM LAND TITLE SURVEY
LOT 1 CENTENNIAL VALLEY BUSINESS PARK, FILING NO.6

LOCATED IN THE NE 1/4 OF SECTION 13,
TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE 6TH P.M.
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO
SHEET 1 OF 2

LEGEND
- = FD PIN & CAP LS 24667
- = FD PK NAIL & SHINER LS 24667
- = FOUND MONUMENT AS PER DRAWING
- = FIRE HYDRANT
- = WATER VALVE
- CO = CLEANOUT
- = STORM MANHOLE
- = SEWER MANHOLE
- = TRANSFORMER
- = TYPE R INLET
- = AREA INLET
- = PHONE PED.
- = LAMP POST
- E = ELECTRIC METER
- = BOLLARD
- G = GAS METER
- = SIGN
- = CONCRETE
- = EASEMENT LINE
- = SETBACK LINE
- RD = ROOF DRAIN
- SP = SPRINKLER HOOK-UP



THE LAND REFERRED TO IN SCHEDULE A IS SITUATED IN THE COUNTY OF BOULDER, STATE OF COLORADO AND IS DESCRIBED AS FOLLOWS:
LOT 1, CENTENNIAL VALLEY BUSINESS PARK FILING NO. 6, A REPLAT OF BLOCK 2, CENTENNIAL VALLEY BUSINESS PARK FILING NO. 1, ACCORDING TO THE PLAT RECORDED APRIL 12, 1996 IN PLAN FILE NO. P-36 F-4 #3, COUNTY OF BOULDER, STATE OF COLORADO.
TOGETHER WITH THE BENEFICIAL INTEREST AS SET FORTH IN DETENTION POND EASEMENT AGREEMENT RECORDED APRIL 12, 1996 AT RECEPTION NUMBER 01599002.
TOGETHER WITH A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR ACCESS AS GRANTED IN THAT CERTAIN EASEMENT AGREEMENT WITH DECLARANT CONSENT, DATED _____, 2015 AND RECORDED _____, AT RECEPTION NO. _____.
FOR INFORMATIONAL PURPOSES ONLY: APN: 157713015001

TO WESTCORE VASONA CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY; WESTCORE CARSON CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY; AND WESTCORE ORCHARD CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS SELLER; WESTCORE CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS BORROWER; BANK OF AMERICA, N.A. AND ITS SUCCESSORS AND ASSIGNS, AS LENDER; AND FIRST AMERICAN TITLE INSURANCE COMPANY;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2011, AND INCLUDES TABLE A ITEMS 1, 2, 3, 4, 6(A), 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 10(A), 11(A), 11(B), 13, 14, 16 (BASED ON OBSERVABLE EVIDENCE ONLY), 17, 18, 19. **20(A) AND 21**. THE FIELD WORK WAS COMPLETED ON AUG. 2, 2014.

DATE OF SURVEY 1-28-15

COLORADO REGISTERED ROGER KELLEY 24667 1-28-15 PROFESSIONAL LAND SURVEYOR

ROGER KELLEY PLS 24667
FOR AND ON BEHALF OF BASELINE LAND SURVEYING, INC.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BY COMMENCED UPON MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. C.R.S. 13-80-105(3)(A)

GENERAL NOTES:

1. BASIS OF BEARINGS IS PLATTED N45°21'36"E BETWEEN THE MONUMENTS SHOWN FOR THE SOUTHEASTERLY LINE OF LOT 1, KELLEY PLS 24667 P&C.
2. ALL UNDERGROUND UTILITIES ARE SHOWN BY UTILIZING SURFACE EVIDENCE. THE SURVEYOR OF RECORD SHALL NOT BE RESPONSIBLE FOR LOCATING NON-VISIBLE INFORMATION.
3. THE FIELD WORK ON THIS SURVEY WAS PERFORMED IN NOV., 1996- UPDATED IN AUGUST, 2014.
4. SUBJECT PROPERTY DOES LIE IN ZONE X AS DETERMINED BY FIRM MAP NO. 08013C0558F AND NO. 08013C0560F, BOTH DATED DEC. 12, 2012.
5. SETBACKS FROM PUD ARE SHOWN HEREON.
6. LOT 1 AREA = 334,325 SQ. FT OR 7.68 ACRES, RECORD & MEASURED.
7. PARCEL IS ZONED PC-PCZD, PLANNED COMMUNITY COMMERCIAL. BUILDING HEIGHT= 18'; SITE BUILDING COVERAGE = 88,782 SQ. FT. (26.2%); BUILDING SETBACKS ARE 25' FROM CENTURY DRIVE (PARKING 15') AND 40' FROM CENTENNIAL PARKWAY (25' PARKING); AND 35' IS GRAPHICALLY SHOWN ON THE SOUTH LINE.
8. WE COUNTED 337 PARKING SPACES, OF WHICH 9 WERE HANDICAPPED SPACES.
9. NO OBVIOUS, VISIBLE ENCHROACHMENTS.
10. NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
11. NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK OR CONSTRUCTION OR REPAIRS.
12. NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
13. NO OBSERVED EVIDENCE OF WETLANDS AREA AS DELINEATED BY APPRORIATE AUTHORITIES.
14. NO OBSERVED EVIDENCE OF PROPERTY BEING USED AS A GRAVEYARD OR CEMETERY.
15. THIS SURVEY RELIED ON COMMITMENT NO. NCS-674883-13-SD PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY ON DEC. 23, 2014 FOR THE PROPERTY DESCRIPTION AND EASEMENTS OF RECORD.

TITLE COMMITMENT NOTES

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY BASELINE LAND SURVEYING, INC., (BLSI) TO DETERMINE OWNERSHIP OF THIS TRACT OR TO VERIFY THE DESCRIPTION SHOWN; THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS; NOR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, BLSI., RELIED UPON TITLE COMMITMENT NO. NCS-674883-13, PREPARED BY FIRST AMERICAN TITLE INSURANCE CO. ON DEC. 23, 2014, AT 5:00 P.M.

THE FOLLOWING COMMENTS ARE IN REGARDS TO FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-674883-13, DATED DEC 23, 2014, AT 5:00 P.M. THE NUMBERS IN OUR COMMENTS CORRESPOND TO THE NUMBERING SYSTEM USED IN SAID TITLE COMMITMENT.

SCHEDULE A

ITEM:	COMMENT:
1-4	BLSI., DID NOT EXAMINE OR ADDRESS THESE ITEMS.

SCHEDULE B-1

ITEM:	COMMENT:
1-13	BLSI., DID NOT EXAMINE OR ADDRESS THESE ITEMS.

SCHEDULE B-2

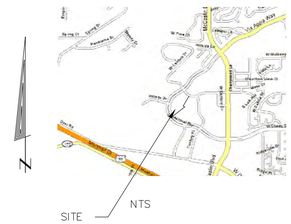
ITEM	COMMENTS
1.	VISIBLE EVIDENCE OF RIGHTS OR CLAIMS OR PARTIES IN POSSESSION ARE SHOWN HERON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
2.	VISIBLE EVIDENCE OF EASEMENTS OR CLAIMS OF EASEMENTS ARE SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
3.	VISIBLE DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA AND ENCROACHMENTS ARE SHOWN TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
4-5.	BLSI., DID NOT EXAMINE OR ADDRESS THESE ITEMS. (TAXES & LIENS)
6.	THESE LEASES DO NOT GRANT A SPECIFIC, PLOTTABLE EASEMENT ON THIS LOT. (OIL & GAS REC. NO. 360671, 495333, 00742476, 01597045) DOES AFFECT THIS PARCEL.
7.	THE RESERVATION IS FOR THE SE 1/4, AND DOES NOT AFFECT THIS LOT. (BOOK 777, PAGE 542)
8.	BOOK 922 PAGE 237 IS A BLANKET COAL EASEMENT THAT COVERS THIS PARCEL. AFFECTS THIS LOT.
9.	THESE ANNEXATION AGREEMENTS DO NOT GRANT A SPECIFIC, PLOTTABLE EASEMENT (REC. NOS. 373012, 621627, 643233). AFFECTS THIS LOT.
10.	THESE DEVELOPMENT AGREEMENTS DO NOT GRANT A SPECIFIC, PLOTTABLE EASEMENT (REC. NOS. 621626, 826993, 1102505, 643233, 1537633, 1585039, 1454714, AND 1594651.) SITE SPECIFIC ITEMS ARE ESTABLISHED BY THE PUD'S. AFFECTS THIS LOT.
11.	THESE AGREEMENTS DO NOT GRANT A SPECIFIC, PLOTTABLE EASEMENT (REC. NOS. 482949, 482950, 482951,482952, 482953, 482954, 683686, 1582037,1585038,1585040.) AFFECTS THIS LOT.
12.	THIS AGREEMENT DOES NOT GRANT A SPECIFIC, PLOTTABLE EASEMENT (REC. NOS. 554952). AFFECTS THIS LOT.
13.	THIS SUBDIVISION AGREEMENT DOES NOT GRANT A SPECIFIC, PLOTTABLE EASEMENT (REC. NOS. 1319000). AFFECTS THIS LOT.
14. 14.	PLATTED EASEMENTS ARE AS SHOWN HEREON. (P-36,F-4,#3, OR REC. NO. 1598999)
15.	THESE COVENANTS DO NOT GRANT A SPECIFIC, PLOTTABLE EASEMENT (REC. NOS. 826464 AND 1225850). AFFECTS THIS LOT, NO PLOTTABLE EASEMENTS.
16.	THIS GENERAL DEVELOPMENT PLAN DOES NOT GRANT A SPECIFIC, PLOTTABLE EASEMENT (REC. NOS. 593903, 942355,& 1537915). AFFECTS THIS LOT.
17.	THIS STORM SEWER EASEMENT LIES ACROSS THE ROAD, AND DOES NOT AFFECT THIS PARCEL. (REC. NO. 01582036)
18.	THE DETENTION POND IS OFFSITE- SEE SHEET 2 (REC. NO. 1599002) AFFECTS THIS LOT.
19.	THESE PUD'S SHOW PROPOSED DEVELOPMENT ITEMS; WE WILL SHOW WHAT IS ON THIS PARCEL. THE AMENDED PUD (2597277) ALLOWED FOR MORE PARKING THAN WAS BUILT. (REC. NOS. 1599000 & 2597277). AFFECTS THIS LOT.
20.	THIS DEVELOPMENT AGREEMENT DOES NOT GRANT A SPECIFIC, PLOTTABLE EASEMENT (REC. NO. 1629483). AFFECTS THIS PARCEL.
21.	THIS DECLARATION OF RECIPROCAL PARKING AND ACCESS EASEMENT COVERS ADJOINING LOTS 2&3- DOES NOT AFFECT THIS LOT. (REC. NO. 2634276).
22.	BLSI DID NOT EXAMINE OR ADDRESS THIS ITEM. (LEASES)

ALL DRAWN & WRITTEN INFORMATION APPEARING HEREIN SHALL NOT BE DUPLICATED, DISCLOSED, OR REPRODUCED OR PUBLISHED BY ANY METHOD IN WHOLE OR PART. TITLE TO THE PLANS & THE INFORMATION THEY DEPICT SHALL BE WITH BASELINE LAND SURVEYING, INC. BY PERUSING THESE PLANS VISUAL CONTACT WITH THESE PLANS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.
BLSI ©2014.
ALL RIGHTS RESERVED

BASELINE LAND SURVEYING, INC.
PROJ. 10127/9619ALT
10475 IRMA DR., UNIT #3, NORTHGLENN, COLORADO 80233 (303) 457-3964

REPLAT #1 OF
LOT 1, BLOCK 2 CENTENNIAL VALLEY BUSINESS PARK, FILING NO.6

LOCATED IN THE NE 1/4 OF SECTION 13,
TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE 6TH P.M.
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO
SHEET 1 OF 1



SUBDIVISION DEDICATION

WESTCORE VASONA CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 21.5% INTEREST; WESTCORE CARSON CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 56.75% INTEREST; AND WESTCORE ORCHARD CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 21.75% INTEREST HAS LAID OUT, SUBDIVIDED AND PLATTED SAID LAND AS PER DRAWING HEREON CONTAINED UNDER THE NAME AND STYLE OF REPLAT #1 LOT 1 CENTENNIAL VALLEY BUSINESS PARK, FILING NO. 6, A SUBDIVISION OF A PART OF THE CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE CITY OF LOUISVILLE AND THE PUBLIC, THE INGRESS-EGRESS AND FIRE LANE EASEMENTS AS SHOWN ON THE ACCOMPANYING PLAT FOR VEHICULAR, PEDESTRIAN AND EMERGENCY ACCESS, AS SHOWN ON THE ACCOMPANYING PLAT FOR THE PUBLIC USE THEREOF FOREVER AND DOES FURTHER DEDICATE TO THE USE OF THE CITY OF LOUISVILLE AND ALL MUNICIPALLY OWNED AND/OR FRANCHISED UTILITIES AND SERVICES THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE SO DESIGNATED AS EASEMENTS AND RIGHT-OF-WAYS FOR THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT FOR ALL SERVICES, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, TELEPHONE AND ELECTRIC LINES, WORKS, POLES AND UNDERGROUND CABLES, GAS PIPELINES, WATER PIPELINES, SANITARY SEWER LINES, STREET LIGHTS, CULVERTS, HYDRANTS, DRAINAGE DITCHES AND DRAINS AND ALL APPURTENANCES THERETO, IT BEING EXPRESSLY UNDERSTOOD AND AGREED BY THE UNDERSIGNED THAT ALL EXPENSES AND COSTS INVOLVED IN CONSTRUCTING AND INSTALLING SANITARY SEWER SYSTEM WORKS AND LINES, GAS SERVICE LINES, ELECTRICAL SERVICE WORKS AND LINES, STORM SEWERS AND DRAINS, STREET LIGHTING, GRADING AND LANDSCAPING, CURBS, GUTTERS, STREET PAVEMENT, SIDEWALKS AND OTHER SUCH UTILITIES AND SERVICES SHALL BE GUARANTEED AND PAID FOR BY THE SUBDIVIDER OR ARRANGEMENTS MADE BY THE SUBDIVIDER THEREOF WHICH ARE APPROVED BY THE CITY OF LOUISVILLE, COLORADO, AND SUCH SUMS SHALL NOT BE PAID BY THE CITY OF LOUISVILLE, COLORADO, AND THAT ANY ITEM SO CONSTRUCTED OR INSTALLED WHEN ACCEPTED BY THE CITY OF LOUISVILLE, COLORADO, SHALL BECOME THE SOLE PROPERTY OF SAID CITY OF LOUISVILLE, COLORADO, EXCEPT PRIVATE ROADWAY CURBS, GUTTER AND PAVEMENT AND ITEMS OWNED BY MUNICIPALLY FRANCHISED UTILITIES WHICH WHEN CONSTRUCTED OR INSTALLED, SHALL REMAIN THE PROPERTY OF THE OWNER AND SHALL NOT BECOME THE PROPERTY OF THE CITY OF LOUISVILLE, COLORADO.

LEGAL DESCRIPTION

LOT 1, CENTENNIAL VALLEY BUSINESS PARK, FILING NO. 6, A REPLAT OF BLOCK 2, CENTENNIAL VALLEY BUSINESS PARK FILING NO. 1, ACCORDING TO THE PLAT RECORDED APRIL 12, 1996 IN PLAN FILE NO. P-36 F-4 #3, COUNTY OF BOULDER, STATE OF COLORADO. TOGETHER WITH THE BENEFICIAL INTEREST AS SET FORTH IN DETENTION POND EASEMENT AGREEMENT RECORDED APRIL 12, 1996 AT RECEPTION NUMBER 1599002.

GENERAL NOTES:

1. BASIS OF BEARINGS IS ASSUMED N57°46'48"E BETWEEN THE MONUMENTS SHOWN FOR THE NORTHWESTERLY LINE OF LOT 1.
2. ACCESS, MAINTENANCE AND UTILITIES ARE TO BE SHARED BETWEEN THESE LOTS.
3. THE FIELD WORK ON THIS SURVEY WAS PERFORMED IN AUG, 2014
4. SUBJECT PROPERTY DOES NOT LIE WITHIN A 500 YEAR FLOOD PLAIN AS DETERMINED BY FIRM MAP NO. 08013C0558F AND NO. 08013C0560F, BOTH DATED JUNE 2, 1995.
5. SETBACKS FROM PLAT ARE SHOWN HEREON.
6. LOT 1 AREA = 334,325 SQ. FT OR 7.68 ACRES, RECORD & MEASURED.
7. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BY COMMENCED UPON MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. C.R.S. 13-80-105(3)(A)
8. EMERGENCY AND CITY OF LOUISVILLE MAINTENANCE ACCESS IS GRANTED HEREWITH OVER AND ACROSS ALL PAVED AREA'S FOR POLICE, FIRE, EMERGENCY AND CITY MAINTENANCE VEHICLES.

SURVEYOR'S CERTIFICATE

I, ROGER KELLEY P.L.S. A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY.

_____ _____
ROGER KELLEY P.L.S. #24667 DATE

OWNERSHIP BLOCK

WESTCORE VASONA CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 21.5% INTEREST; WESTCORE CARSON CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 56.75% INTEREST; AND WESTCORE ORCHARD CENTENNIAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 21.75% INTEREST HAVE LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS UNDER THE NAME OF _____ AND ALSO DEDICATE EASEMENTS AS SHOWN ON SAID _____ AS LAID OUT AND DESIGNATED ON THIS PLAT.

WITNESS OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____.

_____ _____ (NOTARY SEAL)
OWNER NAME AND SIGNATURE

_____
NOTARY NAME AND SIGNATURE
MY COMMISSION EXPIRES _____

** ** ** ** ** ** ** ** ** ** ** ** ** ** **

PLANNING COMMISSION CERTIFICATE

APPROVED THIS _____ DAY OF _____, 20_____ BY THE PLANNING COMMISSION OF THE CITY OF LOUISVILLE, COLORADO. RESOLUTION NO. _____, SERIES _____ .

** ** ** ** ** ** ** ** ** ** ** ** ** ** **

CITY COUNCIL CERTIFICATE

APPROVED THIS _____ DAY OF _____, 20_____ BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO. RESOLUTION NO. _____, SERIES _____ .

CITY SEAL

_____ _____
MAYOR SIGNATURE

_____
CITY CLERK SIGNATURE

CLERK AND RECORDER CERTIFICATE
(COUNTY OF BOULDER, STATE OF COLORADO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, ____. M., THIS _____ DAY OF _____ , 20___, AND IS RECORDED IN PLAN FILE _____ , FEE _____ PAID. _____ FILM NO. _____ RECEPTION.

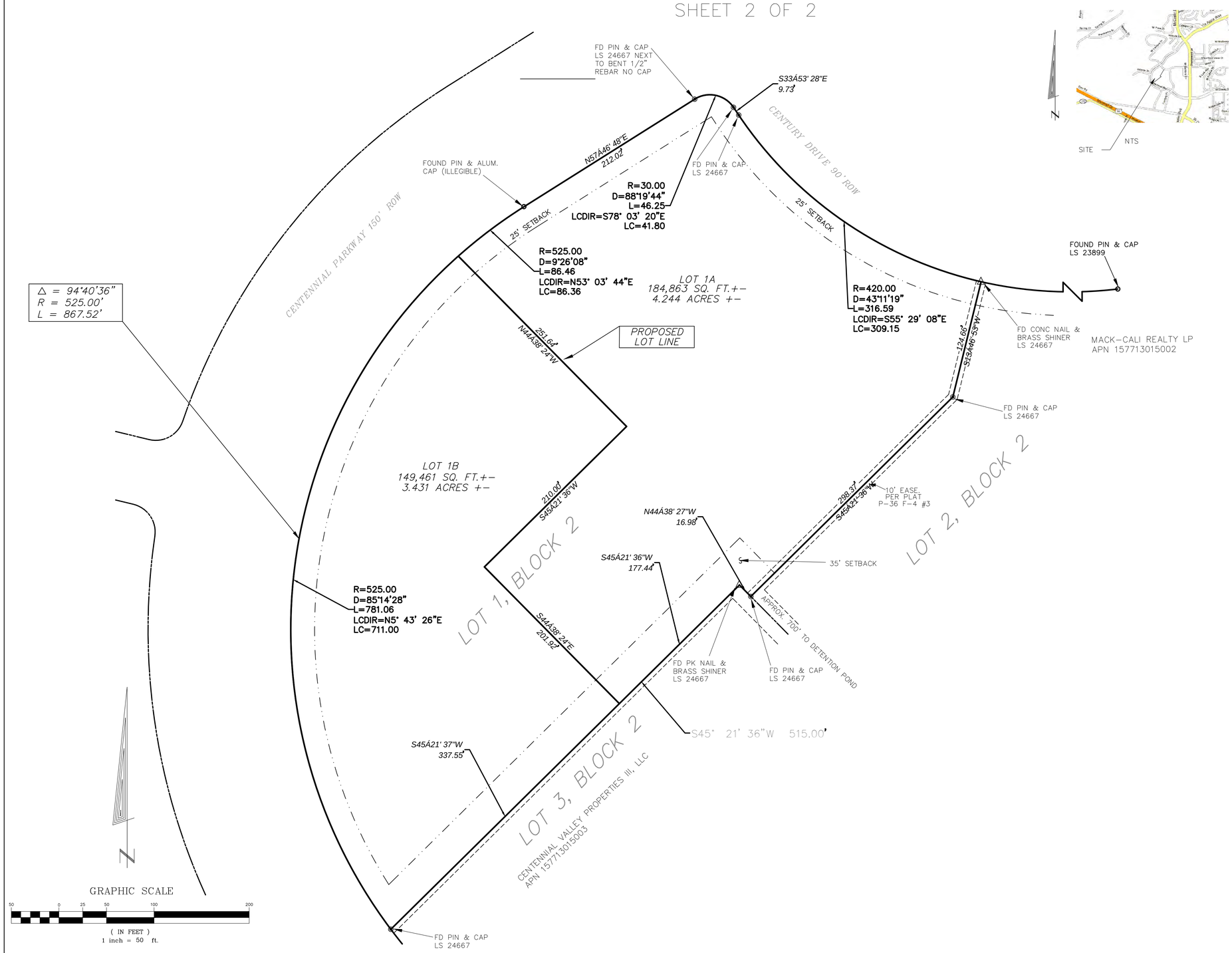
_____ _____
_____
CLERK & RECORDER DEPUTY

BASELINE LAND
SURVEYING, INC.

PROJ. 10127/9619ALT
10475 IRMA DR., UNIT #3, NORTHGLENN, COLORADO 80233 (303) 457-3964

REPLAT #1 OF
LOT 1 CENTENNIAL VALLEY BUSINESS PARK, FILING NO.6

LOCATED IN THE NE 1/4 OF SECTION 13,
TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE 6TH P.M.
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO
SHEET 2 OF 2



City of Louisville
COLORADO • SINCE 1878

Planning Commission

Meeting Minutes

March 12, 2015
City Hall, Council Chambers
749 Main Street
6:30 PM

- **Centennial Valley Replat: Resolution 09, Series 2015,** A resolution recommending approval of a replat to subdivide a single 334,325 sf lot into two separate lots zoned planned community zone district-commercial (P-C), located at 248 Centennial Parkway/1172 W. Century Drive; Lot 1, Block 2, Centennial Valley Business Filing 6.
    - Applicant and Representative: Roger Kelley, Baseline Land Surveying, Inc., President
    - Owner: John Fetley, Westcore Centennial
    - Case Manager: Lauren Trice, Planner I

Conflict of Interest and Disclosure:
None.

Public Notice Certification:
Published in the Boulder Daily Camera on February 22, 2015. Posted in City Hall, Public Library, Recreation Center, Courts, and Police Building on February 20, 2015. Mailed to surrounding property owners and property posted on February 20, 2015.

Staff Report of Facts and Issues:
Trice presented from Power Point:
- Property located at the intersection of W. Century Drive and Centennial Parkway
- Zoned Planned Community Zone District – Commercial (P-C)
- 334 sf and 325 sf
- 2 existing, one-story, L-shaped buildings
- No changes to existing site
- Lot 1A – 184,863 SF and Lot 1B – 149,461 SF
- Complies with Minor Subdivision Criteria

Commission Questions of Staff:
Tengler asks if Staff has any concerns about the size of the lot of the subdivision relative to the size of the buildings?
Trice answers negative.

Applicant Presentation:
Roger Kelley, Baseline Land Surveying, 10475 Irma Drive, Unit #3, Northglenn, CO 80223
- There is no proposed plan with no proposed development.
- It is a straight replat.

Commission Questions of Applicant:
Pritchard asks the applicant if he is comfortable with the condition.
Kelley verified with the owner that there is no problem with the condition for shared access or maintenance agreements.

Public Comment:
None.

Summary and request by Staff and Applicant:
Staff recommends Planning Commission approve of Resolution No. 9, Series 2015, a resolution recommending approval of a replat to subdivide a single 334,325 SF lot into two separate lots zoned Planned Community Zone District – Commercial (P-C), located at 248 Centennial Parkway/1172 Century Drive; Lot 1, Block 2, Centennial Valley Business Filing 6., with the following condition:

- The applicant will provide an agreement between the two lots to establish shared parking, cross access and overall maintenance.

Closed Public Hearing and discussion by Commission:
Russell in support. Rice in support. O'Connell in support. Moline in support. Brauneis in support. Tengler in support. Pritchard in support.

Motion made by Brauneis to approve Resolution No. 09, Series 2015, with the condition as stated. Seconded by Moline. Roll call vote.

Name	Vote
Chris Pritchard	Yes
Jeff Moline	Yes
Ann O'Connell	Yes
Cary Tengler	Yes
Steve Brauneis	Yes
Scott Russell	Yes
Tom Rice	Yes
Motion passed/failed:	Pass

Motion passes 7-0.

SUBJECT: **RESOLUTION NO. 20, SERIES 2015 – A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN BOULDER COUNTY AND THE CITY OF LOUISVILLE CONCERNING BOULDER COUNTY'S ENVIRONMENTAL SUSTAINABILITY MATCHING GRANT PROGRAM, FOR AWARD OF A COMMUNITY GARDEN GRANT**

DATE: **APRIL 210, 2015**

PRESENTED BY: **HEATHER BALSER, DEPUTY CITY MANAGER**
KURT KOWAR, PUBLIC WORKS DIRECTOR

SUMMARY:
The City of Louisville recently received notification of approval for a Boulder County Sustainability Grant in the amount of $15,000 to assist with the implementation of a community garden located at the intersection of Garfield/Lincoln streets, adjacent to Lydia Morgan, an affordable senior housing project. The Intergovernmental Agreement (IGA) is attached which also includes the grant application as Exhibit C. A preliminary site plan is also attached.

FISCAL IMPACT:
Receive $15,000 from Boulder County to assist in the implementation of a community garden in Louisville. This is money the City would have needed to budget/allocate for implementation in 2016.

RECOMMENDATION:
Approve Resolution No. 20, Series 2015

ATTACHMENT(S):
1. Resolution
2. IGA
3. Site Map

RESOLUTION NO. 20
SERIES 2015

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN BOULDER COUNTY AND THE CITY OF LOUISVILLE CONCERNING BOULDER COUNTY'S ENVIRONMENTAL SUSTAINABILITY MATCHING GRANT PROGRAM, FOR AWARD OF A COMMUNITY GARDEN GRANT

WHEREAS, the Colorado Constitution Article XIV, Section 18(2)(a) and C.R.S. §29-1-201 et seq. provide that political subdivisions of the State may contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating units; and

WHEREAS, In 2013, Boulder County created and implemented the Sustainability Matching Grant Program (the "Program"), which provides an opportunity for governmental organizations within Boulder County to undertake environmental sustainability priorities within their communities and helped the county collectively set goals for collaborative efforts, leveraging resources for a more regional approach to environmental sustainability; and

WHEREAS, In March 2015, Boulder County proposed recipients of the sustainability grants awarded under the Program, and the City of Louisville was awarded a grant for establishment of a new community garden at the intersection of Garfield and Lincoln streets (the "Project"); and

WHEREAS, there has been proposed an Intergovernmental Agreement ("IGA") between Boulder County and the City of Louisville for administration of the grant; and

WHEREAS, the parties are authorized to enter into the IGA pursuant to state law, including but not limited to C.R.S. § 29-1-201 et seq., and the City Council by this Resolution desires to approve said IGA and authorize its execution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

1. The Proposed Intergovernmental Agreement between the City of Louisville and the Boulder County Concerning Boulder County's Environmental Sustainability Matching Grant Program, for award of a community garden grant (the "IGA"), is hereby approved in essentially the same form as the copy of such IGA accompanying this Resolution.

2. The Mayor is authorized to execute the IGA on behalf of the City, except that the Mayor is hereby further granted authority to negotiate and approve such revisions to said IGA as the Mayor determines are necessary or desirable for the protection of the City, so long as the essential terms and conditions of the IGA are not altered.

3. The Mayor, City Manager and City staff are hereby authorized to execute all documents and do all other things necessary on behalf of the City to perform the obligations of the City under the IGA.

PASSED AND ADOPTED this _____ day of _____, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

Intergovernmental Agreement
Between Boulder County and the City of Louisville
Concerning Boulder County's Environmental
Sustainability Matching Grant Program

This Intergovernmental Agreement (the "Agreement") is entered into by the County of Boulder, a body corporate and politic of the State of Colorado ("Boulder County" or "County"), and the City of Louisville, a Colorado home-rule municipality (the "Recipient") (each, a "Party" or, collectively, the "Parties").

RECITALS

A. The Colorado Constitution Article XIV, Section 18(2)(a) and C.R.S. §29-1-201 et. seq provide that political subdivisions of the State may contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating units; and

B. In 2013, Boulder County created and implemented the Sustainability Matching Grant Program (the "Program") , which provides an opportunity for governmental organizations within Boulder County to undertake environmental sustainability priorities within their communities and helped the county collectively set goals for collaborative efforts, leveraging resources for a more regional approach to environmental sustainability; and

C. In March 2015, Boulder County proposed recipients of the sustainability grants awarded under the Program, including this award to the Recipient for establishment of a new community garden at the intersection of Garfield and Lincoln streets (the "Project").

AGREEMENT

In consideration of the covenants set forth herein and the mutual benefits to be derived by the Parties hereto, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

1. The Recipient's Obligations. The Recipient shall complete the Project, expending no less than $26,900.00 of its own funds in the form of a water tap, asphalt, copper pipe, fixtures and a meter for the garden (the "Matching Funds"). In accordance with the scope of work proposed by the Recipient in its grant application, incorporated here as Exhibit C, the Recipient shall report to the County on the progress of the Project on the first day of each quarter (July and October 2015 and January and April 2016) using the format of the reporting template attached hereto as Exhibit A.

2. Grant Award. Boulder County hereby awards the Recipient $15,000.00 (the "Award") in support of the Project. The Award shall be paid to the Recipient upon presentation of monthly invoices, of form and substance substantially similar to the form attached hereto as Exhibit B, including a detailed reporting of Award Funds and Matching Funds Expended. Monthly invoices shall be due by the 15th day of each month for the prior month's expenditures.

3. Term of Agreement. This term of this Agreement shall be as the date of its execution as set forth on the signature page attached to this Agreement. Subject to the annual

appropriations, this Agreement shall remain in effect until the completion of the Project, as indicated in Exhibit C, or April 30, 2016, whichever is sooner.

4. Modification. This Agreement may be altered, amended, or repealed only on the mutual agreement of the County and the Recipient by a duly executed written instrument. The financial obligations contained in this Agreement may be adjusted from time to time, subject to annual appropriations of the governing Party.

5. Assignment. This Agreement shall not be assigned or subcontracted by either Party without the express prior written consent of the other Party.

6. Successors and Assigns. This Agreement shall be binding upon the successors and assigns of the Parties.

7. Choice of Laws. The laws of the State of Colorado shall govern the interpretation and enforcement of this Agreement. Any litigation that may arise between the Parties involving the interpretation or enforcement of the terms of this Agreement, shall be initiated and pursued by the Parties in the Boulder Courts of the 20th Judicial District of the State of Colorado and the applicable Colorado Appellate Courts.

8. Waiver of Breach. Any waiver of a breach of this Agreement shall not be held to be a waiver of any other or subsequent breach of this Agreement. All remedies afforded in this Agreement shall be taken and construed as cumulative, that is, in addition to every other remedy provided herein or by law.

9. Integration. This Agreement cancels and terminates, as of its effective date, all prior agreements between the Parties relating to the services covered by this Agreement, whether written, oral, or partly written and partly oral.

10. No Indemnification. Neither Party indemnifies the other Party. The County and the Recipient each assume responsibility for the actions and omissions of its own agents and employees in the performance or failure to perform work under this Agreement. It is agreed that such liability for actions or omissions of their own agents and employees is not intended to increase the amounts set forth in the Colorado Governmental Immunity Act, now existing, or as the same may be later amended. By agreeing to this provision, the Parties do not waive nor intend to waive the limitations on liability which are provided to the Parties under the Colorado Governmental Immunity Act § 24-10-101 et seq., C.R.S., as amended.

11. Severability. If any provision of this Agreement is found to be invalid, illegal, or unenforceable, the validity and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

12. No Third Party Beneficiaries. The enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement shall be strictly reserved to the County and the Recipient, and nothing contained in this Agreement shall give or allow any claim or right of action whatsoever by any other or third person. It is the express intent of the

Parties to this Agreement that any person receiving services or benefits under this Agreement shall be deemed an incidental beneficiary only.

13. **Not Agent or Representative**. Neither Party is an agent or representative of the other Party and shall have no authority under this Agreement or otherwise to make representations or commitments, verbal or written, on behalf of the other Party without that Party's express prior consent.

14. **No Multiple-Fiscal Year Obligation.** All of the Party's financial obligations under this Agreement are contingent upon appropriation, budgeting, and availability of specific funds to discharge those obligations. Nothing in this Agreement constitutes a debt, a direct or indirect multiple fiscal year financial obligation, a pledge of either Party's credit, or a payment guarantee by either Party to the other.

15. **Counterparts.** This Agreement may be executed by facsimile and in any number of counterparts, each of which shall be deemed an original instrument, but all of which together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals this ____ day of _____, 2015.

BOULDER COUNTY

_____
Michelle Krezek, Commissioners Deputy
Boulder County

Attest: _____
Clerk to the Board

_____
Date

[Further signature page follows]

RECIPIENT

_____
Mayor

ATTEST:

_____

APPROVED AS TO FORM:

_____

Exhibit A

EXHIBIT A
QUARTERLY REPORTING TEMPLATE

Objective/Goal for your Sustainability Matching Grant:

Please list final desired outcome(s) as well as 3-4 intermediate milestones:

Please list the progress to date on your sustainability project below:

Please describe any challenges you are facing with implementation of your project.

Please list the measurable outcomes of this project to date. (Quantitative or qualitative)

Are you still on track to meeting your goals and your timeframe for project completion?

If applicable, please attach plans, projects, photos or data that showcases your accomplishments for this quarter.

Submit photos, videos or similar so we can share your successes publicly.

Exhibit B

Exhibit B

Sustainability Matching Grants - Boulder County, Colorado

Reimbursement Request Form

Contractor / Agency Information

Agency Name:	
Contact Person:	
Contact Phone Number:	
Employer / Taxpayer ID Number:	

Invoice Information

Invoice Number:	
Invoice Date:	
Billing Period:	

Payee Name	Transaction Date	Description of Goods / Services	Category	Amount
		Total Salary and Benefits		$ -
		Total Operating Expenses		$ -
		In Cash / In Kind Match		$ -
		Total Reimbursement Request:		$ -

Total Award Amount	
Total reimbursed prior to this invoice	
Current invoice amount	$ -
Award balance after invoice:	$ -

I certify that the goods and / or services included in this invoice comply with the spending requirements of the Boulder County, Colorado, Sustainabilty Matching Grants. Supporting documents for each line item will be furnished upon request.

Sign _____ Print Name _____ Title _____

Remit Request to:

Susie Strife 303-441-4565 sstrife@bouldercounty.org
Rebecca Hurt 303-441-4505 rhurt@bouldercounty.org
Boulder County Sustainability Office
P.O. Box 471
Boulder, CO 80306

Boulder County Use Only

Date Received _____

Received By _____

Exhibit C

Community Name: City of Louisville, CO
TAX ID# 84-6000689
Project Coordinator Name and Title: Kurt Kowar, Public Works Director
Mailing Address: 749 Main Street, Louisville, CO 80027
Phone: 303-335-4601
Email Address: kurtk@louisvilleco.gov
Proposed Start Date: 3rd/4th Quarter 2015
Reimbursement Criteria: Does this project meet an environmental priority within the applicant's municipality or town? YES
Will this project be completed within a 12 month timeframe? YES/Spring 2016
Will your team provide acknowledgement that the City is receiving funding from Boulder County to support this project? YES

What community will this project serve?

This project is implementation of a Community Garden located at the intersection of Garfield/Lincoln Streets, adjacent to Lydia Morgan, an affordable senior housing site. The garden will:

- Provide an additional community garden for Louisville citizens – particularly those without access to garden land (residents in multifamily homes, those with small yards, shaded yards or yards unsuitable for gardening).
- Provide citizens at Lydia Morgan senior housing an opportunity to garden.
- Address a recreational/sustainability trend strongly desired by citizens.

What are the goals of your community for this project?

- Conform to the intent of the Parks, Recreation and Open Space and Trails (PROST) Master Plan to provide a sense of community.
- Adhere to the goals of the City's Comprehensive Plan to provide a sense of community.
- Foster a sense of belonging and attachment for gardeners and the neighborhood.
- Provide an opportunity for development of a strong social network.
- Promote healthy food and a healthy lifestyle.
- Offer organic food at an affordable price.

What environmental sustainability benefits will your project provide to the local community?

- Model sustainability through organic practices and efficient use of resources.
- Reduce the cost of food transportation by locally sourcing food.
- Enhance sustainable practices in Louisville through the growing of local food.

Project Design, Logistics and Timeline: The City is proposing a neighborhood community garden be developed for citizen usage located on the NW and NE corners of the intersection of Garfield and Lincoln Streets. The City hopes this is the first of several small, neighborhood gardens throughout Louisville. It is anticipated that impact on the surrounding neighborhood will be minimal, although a Special Review Use (SRU) process will occur to ensure the

opportunity for public comment on the site. The garden will initially entail only 21-24 plots (not sure which side of the road will be completed first) but will prepare the site for all 45 plots at both locations on either side of the road. Intend to have walking/bike access with limited parking. The Louisville Sustainability Advisory Board (LSAB) is assisting with the garden plots and the plots will be managed by a self-governing citizen group-nonprofit 501 (C)(3) already in place. Gardner's will have specific requirements to participate such as an annual contract that outlines fees, water use, maintenance, rules, etc.

The design consists of in ground plots with raised beds for physically challenged access. There will be minimal pathway/surface treatments and ADA accessibility. There will also be a small (3'X5') tool shed on each side of the road (2 in total). A draft site plan is attached. A number of folks have already provided volunteer hours on this project such as the civil engineer work (pro bono), Louisville Boy Scout Troop 69, City staff and also anticipated landscape architecture services from CSU.

Expected outcomes include the initial 21-24 plots being utilized/under contract within a year of the garden's construction. This will be measured by the number of signed contracts and initial participation from the gardeners in construction as well as operation and maintenance activities over the year. The City intends for the gardens to be viable/accessible in the spring of 2016.

Budget Information:	**Amount**
1) Amount requested from Boulder County	$15,000
2) Applicant Cash Contribution	$0
3) Applicant In-kind staff or volunteer hour contribution labor	Numerous/volunteer
4) Other community funding	$26,900*
5) Total	$36,900

*City contribution of ¾ inch water tap @ $25,900 and $1,000 for asphalt, copper pipe & fixtures, meter

Additional Information: The $15,000 is to provide the following (may not be all inclusive, but our best guess):

Irrigation System

- Backflow preventer
- Irrigation clock
- Drip irrigation components
- Irrigation supply lines
- Quick couplers / spigots
- Irrigation hose
- Boring under road to connect each side and conduit

Accessible Crusher-Fine Pathways

- 4,000 square feet of crusher surfacing over compacted sub base and landscape filter fabric
- Concrete access from vehicles to and around the raised beds and possibly to water spigots and shed
- Loading/compaction equipment rental

ADA accessibility

- ADA parking spots and signage
- Accessible curb ramps

Garden Beds, Adjacent Landscaping and Composting Area

- Rototiller rental and fuel
- Some buffer landscaping, grasses, few shrubs
- Landscaping material bins

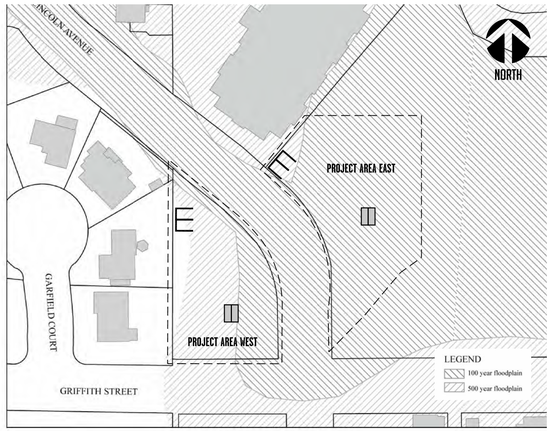
Tool Sheds

- Raised planting beds 18” in height

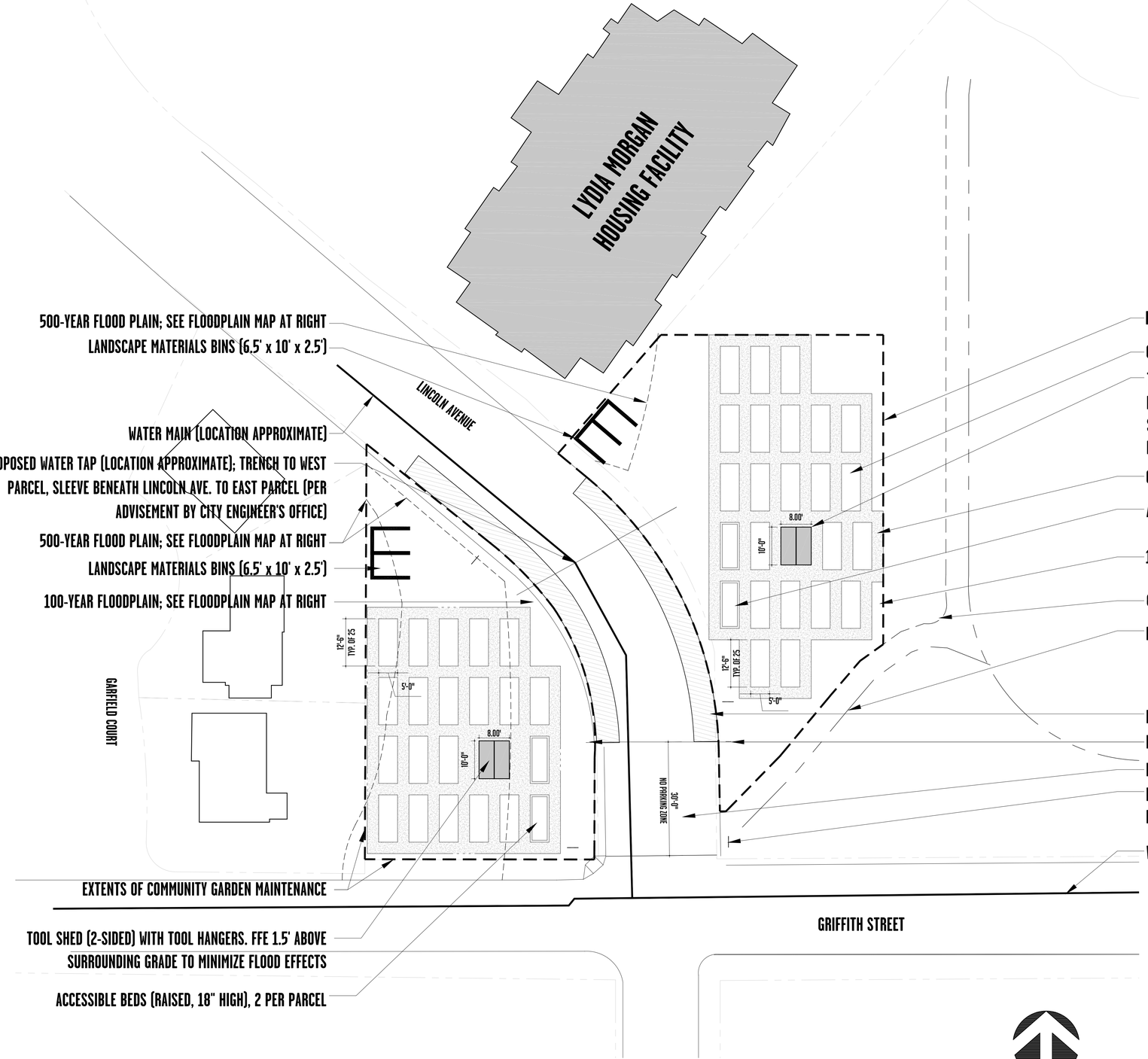
Criteria
Louisville Municipal Code
Section 17.40.

CRITERIA: A special review use application meeting all of the following criteria may be approved through an administrative review process:

- The garden will reduce the cost of food transportation and associated energy expenditures by locally sourcing food; energy used to produce/transport food is the third largest use of energy in Louisville.
- Activity will be allowed during daylight hours only.
- Very limited parking is required; access by foot or bike will be encouraged and sheds for storing tools will eliminate the need to use cars for transporting garden.
- The garden conforms to intent of the PROST Master Plan to provide garden for citizens. And it adheres to goals of the final Comprehensive Plan to provide a sense of community.
- The garden location is convenient to both the Lydia Morgan Elderly Housing facility and the Section 8 housing complex in the next block.
- Written contracts will hold gardeners accountable for fees, water use, maintenance, and adherence to rules.



FLOODPLAIN MAP: 1" = 40'



VICINITY MAP

Required PUD & SRU Certificates / Signature Blocks

** ** ** ** ** ** ** ** ** ** ** ** ** ** ** **

OWNERSHIP BLOCK

By signing this PUD, the owner acknowledges and accepts all the requirements and intent set forth in this PUD. Witness our hands and seals this _____ day of _____, 20____.

_____ (Notary Seal)
Owner Name and Signature

_____
Notary Name and Signature
My Commission Expires _____

** ** ** ** ** ** ** ** ** ** ** ** ** ** ** **

PLANNING COMMISSION CERTIFICATE

Approved this _____ day of _____, 20_____ by the Planning Commission of the City of Louisville, Colorado. Resolution No. _____, Series _____ .

** ** ** ** ** ** ** ** ** ** ** ** ** ** ** **

CITY COUNCIL CERTIFICATE

Approved this _____ day of _____, 20_____ by the City Council of the City of Louisville, Colorado. Resolution No. _____, Series _____ .

City Seal

_____
Mayor Signature

_____
City Clerk Signature

** ** ** ** ** ** ** ** ** ** ** ** ** ** ** **

CLERK AND RECORDER CERTIFICATE

(County of Boulder, State of Colorado)

I hereby certify that this instrument was filed in my office at _____ o'clock, ____. M., this _____ day of _____, 20___, and is recorded in Plan File _____, Fee _____ paid. _____ Film No. _____ Reception.

_____ _____
Clerk & Recorder Deputy

PROPOSED COMMUNITY GARDEN: Special Review Landscape Plan

Prepared by Adam Clack, The Land Mechanic LLC. LA License #788

August 27, 2014

NOT FOR CONSTRUCTION

SUBJECT: **RESOLUTION NO. 21, SERIES 2015 – A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY COLLABORATIVE INTERGOVERNMENTAL AGREEMENT**

DATE: **APRIL 21, 2015**

PRESENTED BY: **HEATHER BALSER, DEPUTY CITY MANAGER**

SUMMARY:
The Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) Program has appropriated funds for disaster assistance and is distributing appropriated funds to the State of Colorado. The State has agreed to sub allocate CDBG-DR funding to the City of Longmont, the Lead Agency, for the Participating Governments to complete public works, infrastructure and housing projects to aid in recovery for our communities from the September 2013 flood for the 2nd round of CDBG-DR funding. The Participating Governments include Boulder County, the cities of Boulder, Lafayette and Louisville, the Towns of Lyons, Jamestown and Nederland and the City of Longmont. Allocation of funds will be distributed based on the Partial Action Plan completed by the Participating Governments which can be viewed at http://longmontcolorado.gov/departments/departments-n-z/public-information/flood-information/disaster-recovery-plan. The sub allocation is a little over $63 million for the 2nd round of CDBG-DR funding.

The City of Longmont will be the Lead Agency in administering these programs throughout the County. Longmont has a long history of administering the various Housing and Urban Development programs and is familiar with the applicable Federal regulations.

The term of the agreement shall be for a period of 3 years until May 1, 2018 so as to complete all eligible activities funded during this agreement. The agreement shall be automatically renewed for one year periods if necessary to comply with the State agreement and to ensure the Collaborative' s participation in successive funding periods (Round 3 and/or succeeding additional funding Rounds with funding made available and agreed on pursue of accept by the Collaborative).

FISCAL IMPACT:
In the IGA and the Partial Action Plan the City has identified infrastructure amounts and proportionality of damage to reflect the Unmet Needs Assessment and to ensure that the City/each Participating Government can complete their highest priority projects that align with the Collaborative' s Guiding Principles. The damage estimates/unmet needs for Louisville are calculated at $4,177,830 which include local match for all FEMA worksheets (PW's) and unmet needs not covered by FEMA or FHWA for the Intake

Building, Coal Creek Golf Course and County Road Bridge. This is staff's best guess based on infrastructure needs only (not lost revenue, business expense, etc.). More work will need to occur to determine eligibility for CDBG-DR funds based on federal guidelines, procurement standards, use of Davis Bacon wages, eligible activity, etc. However, the City believes it's top priority to fund the unmet need (not FEMA funded) around the Water Intake Building will be eligible and meets the required timelines to pursue CDBG-DR funds in Round 2. This sub-allocation process will provide more certainty on funding and is directly linked to the Partial Action Plan completed by the Participating Governments.

RECOMMENDATION:
Approve Resolution No. 21, Series 2015

ATTACHMENT(S):
1. Resolution No. 21, Series 2015
2. IGA

RESOLUTION NO. 21
SERIES 2015

A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY COLLABORATIVE INTERGOVERNMENTAL AGREEMENT

WHEREAS, the Department of Housing and Urban Development ("HUD") Community Development Block Grant Disaster Recovery ("CDBG-DR") Program has appropriated funds for disaster assistance and is distributing appropriated funds to the State of Colorado; and

WHEREAS, Boulder County, the cities of Boulder, Lafayette, Louisville, and Longmont, and the towns of Lyons, Jamestown and Nederland (collectively the "Participating Governments") desire to participate in such funding; and

WHEREAS, the State of Colorado has determined it is in its best interest to sub-allocate CDBG-DR Program funding to the City of Longmont, the Lead Agency for the Participating Governments named above, to administer such federal funds, subject to certain conditions, for the purpose of completing public works, infrastructure and housing projects to aid in the recovery of our communities from the September 2013 flood for the second phase, or Round 2, of CDBG-DR funding; and

WHEREAS, the City of Louisville recognizes the need to address the flood impacts and recovery of communities in a coordinated and collaborative way ensuring that the unmet needs of residents and communities resulting from the flood are addressed in a logical, productive and locally determined fashion, and has determined that it will be mutually beneficial and in the public interest to enter into an Intergovernmental Agreement with the Participating Governments to accept CDBG-DR Program funding and lay out principles around the management and distribution of such funding; and

WHEREAS, the Participating Governments and Lead Agency are authorized to enter into cooperative agreements pursuant to the Colorado Constitution, Article XIV § 18, and § 29-l-203, C.R.S.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

1. The Proposed Community Development Block Grant – Disaster Recovery Collaborative Intergovernmental Agreement among the Participating Governments (the "IGA"), is hereby approved in essentially the same form as the copy of such IGA accompanying this Resolution.

2. The Mayor is authorized to execute the IGA on behalf of the City, except that the Mayor is hereby further granted authority to negotiate and approve such revisions to said IGA as the Mayor determines are necessary or desirable for the protection of the City, so long as the essential terms and conditions of the IGA are not altered.

3. The Mayor, City Manager and City staff are hereby authorized to execute all documents and do all other things necessary on behalf of the City to perform the obligations of the City under the IGA.

PASSED AND ADOPTED this _____ day of _____, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY COLLABORATIVE INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 2015, by and between Boulder County, the cities of Boulder, Lafayette and Louisville, the towns of Lyons, Jamestown and Nederland and the City of Longmont ("Longmont" or the "Lead Agency") (collectively the "Participating Governments"),

RECITALS

WHEREAS, the Department of Housing and Urban Development ("HUD") Community Development Block Grant Disaster Recovery ("CDBG-DR") Program has appropriated funds for disaster assistance and is distributing appropriated funds to the State of Colorado; and

WHEREAS, the State of Colorado has determined it is in its best interest to sub-allocate CDBG-DR Program funding to the City of Longmont, the Lead Agency for the Participating Governments named above, to administer such federal funds, subject to certain conditions, for the purpose of completing public works, infrastructure and housing projects to aid in the recovery of our communities from the September 2013 flood for the second phase, or Round 2, of CDBG-DR funding; and

WHEREAS, the State of Colorado entered into separate CDBG-DR Housing Grant Agreements with Boulder County for $2,500,000 in September, 2014, and with the City of Longmont for $2,750,000 for the first phase, or Round 1, of CDBG-DR funding, and those funds are separately administered by Boulder County and the City of Longmont, respectively, and are not subject to this Agreement; and

WHEREAS, the Participating Governments and the Lead Agency recognize the need to address the flood impacts and recovery of our communities in a coordinated and collaborative way ensuring that the unmet needs of our residents and our communities resulting from the flood are addressed in a logical, productive and locally determined fashion, and have determined that it will be mutually beneficial and in the public interest to enter into this Agreement to accept this funding and lay out principles around the management and distribution of the CDBG-DR Program funding; and

WHEREAS, the Participating Governments and Lead Agency are authorized to enter into cooperative agreements pursuant to the Colorado Constitution, Article XIV § 18, and § 29-l-203, C.R.S.

NOW THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the parties mutually agree to the following terms and conditions.

I. DEFINITIONS

For the purpose of this Agreement, the following terms shall have the meanings provided in this section:

“Disaster Act” means the Disaster Relief Appropriations Act, 2013 (Pub. L. 113-2) appropriating funds for the purpose of assisting recovery in the most impacted and distressed areas declared a major disaster event in calendar years 2011, 2012 and 2013.

“HCD Act” means Title I of the Housing and Community Development Act of 1974, as amended,

Stafford Act” means the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974.

“CDBG-DR” means the Community Development Block Grant – Disaster Recovery funding provided to the Collaborative through an Intergovernmental Agreement between the City of Longmont acting as the Lead Agency and the State of Colorado.

“Committee” means the Collaborative Committee made up of representatives from each Participating Government that will review project proposals and recommend funding options/scenarios to the Collaborative.

"Collaborative" means the Participating Governments and Lead Agency acting as a collective, pursuant to this Agreement as the Boulder County Flood Recovery Collaborative.

"Lead Agency" means the one member unit of general local government designated to act in a representative capacity for itself and the Participating Governments for the purposes of implementing the CDBG-DR Program and Regulations. The Lead Agency shall assume overall responsibility for ensuring that the CDBG-DR Program is carried out in compliance with the requirements of 24 CFR Part 570 and all Federal Register Notices pertaining to CDBG-DR funds appropriated by the Disaster Act, 2013 (Pub. L. 113-2), including requirements concerning eligibility, meeting a national objective and others outlined in the agreement with the State of Colorado. The lead agency for the Collaborative shall be the City of Longmont.

“Participating Governments” means Boulder County, the cities of Boulder, Lafayette, Longmont and Louisville, and the towns of Lyons, Jamestown and Nederland.

"Regulations" means the rules and regulations promulgated pursuant to the HCD Act, the Stafford Act and the Disaster Act, including all Federal Register Notices relevant to the Disaster Act and the CDBG regulations, including but not limited to 24 CFR Part 570.

“State Agreement” means the CDBG-DR Grant Agreement between the State of Colorado, Department of Local Affairs (“DOLA”), and the City of Longmont, as Lead Agency, for disbursement of CDBG-DR Round 2 funds.

II. TERM

a. **Term**. The term of this Agreement begins on the date of the last signature affixed hereon and shall continue for a period of three years until May 1, 2018 ("Initial Term"); provided however that this Agreement shall further remain in effect during the period necessary to complete all eligible activities funded during the term of the State Agreement, and any extensions of the State Agreement. Except as provided in paragraph II.b., Collaborative members are prohibited from withdrawing from the Agreement during this Initial Term.

This Agreement shall automatically be renewed for one year periods if necessary to comply with the State Agreement and to ensure the Collaborative's participation in successive funding periods (Round 3 and/or succeeding or additional funding Rounds with funding made available and agreed on to pursue or accept by the Collaborative) from the State. The Lead Agency shall notify each Participating Government in writing of its right to decide not to participate in the Collaborative for the next funding period. If a Participating Government decides not to participate in the Collaborative for the next funding period, the Participating Government shall notify the Lead Agency within 30 days after the date of the Lead Agency's notification. If a Participating Government fails to notify the Lead Agency that it is withdrawing from the Collaborative, the Participating Government shall be deemed to have consented to the renewal of this Agreement. The automatic renewal of the Agreement will not be binding upon a Collaborative member if the Lead Agency fails to notify a Collaborative member as required under this automatic renewal provision.

The Lead Agency shall provide a minimum of thirty (30) days advance written notice to each Participating Government of any new funding periods. Notice shall be sent by the Lead Agency to the following:

Commissioners' Deputy Boulder County Commissioners PO Box 471 Boulder, CO 80306	Town Administrator Town of Lyons PO Box 49 432 5th Ave Lyons, CO 80540
City Manager City of Boulder PO Box 791 Boulder, CO 80306	Mayor Town of Jamestown PO Box 298 Jamestown, CO 80455
Planning and Building Director City of Lafayette 1290 S. Public Rd. Lafayette, CO 80026	Town Administrator Town of Nederland 45 W. 1st St., PO Box 396 Nederland, CO 80466
Deputy City Manager City of Louisville 749 Main Street Louisville, CO 80027	Housing and Community Investment Manager City of Longmont 350 Kimbark St. Longmont, CO 80501

b. Termination. Participating Governments may withdraw from this Agreement in the following circumstances:

1. If a Participating Government has received its anticipated funding and completed its obligations under this Agreement, the Participating Government may voluntarily withdraw upon 30 days written notice to the Lead Agency. The Participating Government will be required to complete its responsibilities under Section V. of this Agreement before being released from this Agreement.
2. If a Participating Government objects to the manner in which the Collaborative is administering this Agreement, the Participating Government shall first notify the Collaborative of its objection and seek to resolve its differences with the Collaborative. If the Participating Government is unable to resolve its differences with the Collaborative, the Participating Government may withdraw from this Agreement upon 30 days written notice to the Lead Agency. After withdrawal, the Participating Government shall continue to be bound by the provisions of Section V. concerning reporting obligations to the Lead Agency and Disallowed Expenditures. This Agreement shall continue as to all remaining Collaborative members if a Participating Government withdraws.
3. This Agreement will terminate if a majority of the members of the Collaborative vote to terminate. In such event the Agreement shall remain in effect until the CDBG-DR funds from each of the contracted Funding Rounds are expended on eligible activities.

c. **Termination Notices**. Notices of termination or non-renewal, if any, shall be sent to the Lead Agency. Notices to the Participating Governments shall be sent to the addresses above in Section II.a. Notices to the Lead Agency shall be sent to: Housing and Community Investment Manager, City of Longmont, 350 Kimbark Street, Longmont CO 80501.

III. FUNDING

a. **Allocating CDBG-DR Program Funding.** The Committee will develop a Partial Action Plan for submission to the State, including obtaining public comment. Except as provided in Section IV of this Agreement, after review and approval of the Partial Action Plan by the State, the Committee will determine the specific allocation of funds for specific Housing Assistance and Infrastructure projects of the Participating Governments and rank such projects from first priority to last priority. In developing the Partial Action Plan and determining the specific allocations to the Collaborative members, the Committee shall focus on the following items: Percentage of Damage, Unmet Need and Guiding Principles as described in more detail below. Special rules for allocation of Housing Development funds are provided in paragraph c, below.

b. **Housing Assistance Programs.** Boulder County will administer Housing Assistance Programs providing individual assistance to households impacted by the flood for all the Boulder County communities, except Longmont. Longmont will administer Housing Assistance Programs for its residents, except it will continue to administer the Down Payment Assistance

Program countywide. Funding priorities for the Housing Assistance Programs will be presented by Boulder County and Longmont to the Committee for review and approval and will stay within the Housing and Infrastructure percentages outlined and approved in the Unmet Needs Assessment. Program delivery costs up to 20% of each program amount will be allowed to come from the program funding.

c. **Housing Development Projects.** New construction housing development projects will not be included in the Partial Action Plan submitted to the State for CDBG-DR Phase 2 funding. The State intends to directly administer funds for new housing construction within Boulder County.

d. **Infrastructure Projects.** Infrastructure amounts for each Participating Government will be determined by identifying proportionality of damage, and then adjusting amounts to reflect the Unmet Needs Assessment and to ensure that each Participating Government can complete their highest priority projects that are in alignment with the Collaborative's Guiding Principles.

1. **Percentage of Damages**. A percentage of damages will be calculated for each Participating Government and every attempt shall be made to ensure that each Participating Government receives funding for projects in approximately their percentage of the damages impacting their community. However, Participating Governments recognize that allocated amounts will not exactly match proportionality, as Participating Governments might require more or less than their proportional amount due to extent of damage in their jurisdiction, urgency of projects, and cost of highest priority projects. Funded Infrastructure Projects must comply with the following overriding requirements of the CDBG-DR program: project eligibility, meeting low/moderate income benefit percentages, being able to start and complete a project within the required time frame allowed, etc. The percentages and approximate funding levels set out below represent the damage estimates for each Participating Government.

Participating Government	Total Infrastructure PA Damages	Percentage of Infrastructure PA Damages	Total Housing IA & NFIP Damages	Percent of Housing Damages
Boulder County	**127,878,792**	**51.2%**	**$31,043,975**	**35.58%**
Boulder	**16,636,348**	**6.7%**	**$35,363,922**	**40.54%**
Jamestown	**10,109,702**	**4.0%**	**$1,425,930**	**1.63%**
Lafayette	**908,305**	**0.4%**	**$186,356**	**0.21%**
Louisville	**4,177,830**	**1.7%**	**$211,896**	**0.24%**
Longmont	**53,308,102**	**21.4%**	**$9,367,906**	**10.74%**
Lyons	**35,700,615**	**14.3%**	**$9,564,157**	**10.96%**
Nederland	**656,589**	**0.3%**	**$75,517**	**0.09%**
Total	**245,053,928**	**100.00%**	**$87,239,659**	**100.00%**

2. **Unmet Need**. The Committee will also review and consider the Unmet Need, as determined by the Collaborative's consultant, for each Participating Government. Every attempt shall be made to ensure that each Participating Government receives funding for projects to address their Unmet Need.
3. **Guiding Principles**. The Committee will also review and consider the Guiding Principles developed by the Collaborative, and will make every attempt to ensure

that each Participating Government receives funding for projects in accordance with the Guiding Principles, which are attached to this Agreement as Exhibit A, and by this reference made a part of this Agreement.

The actual amount of funding will be determined based on the prioritization of projects by the Committee. The Committee will review projects submitted by the Participating Governments and will discuss and prioritize projects and determine funding for projects based on the above criteria. The Committee shall also consider strategic priorities, programmatic requirements (i.e. CDBG-DR eligibility and national objective achievement), project readiness, and administrative burden.

4. **Award to Special Districts.** The Committee may also allocate funds to projects that wholly or partially benefit the special districts shown in Exhibit B (the "Special Districts"). The Participating Governments recognize that projects of the Special Districts may provide community benefits and be consistent with the principles behind this Agreement. Any Participating Government may submit a project for consideration to the Committee that includes one of the Special Districts as a participant or wholly benefits one of the Special Districts.
5. **Matching and Leveraging Funds.** Each Participating Government and the Lead Agency shall be responsible for identifying additional funding resources and submitting the applications required to those funding resources in order to provide matching and/or additional funds when a project cannot be fully funded with CDBG-DR funding.

e. Distribution and Management of CDBG-DR funds. Each Participating Government will be responsible for managing the project awarded according to all the CDBG-DR requirements in 24 CFR Part 570 (i.e. Procurement, Environmental Review, Davis-Bacon and Labor Standards, Fair Housing, etc.). Each Participating Government may establish its own procedures for contracting, expenditure and monitoring of funds, provided those procedures are consistent with CDBG-DR requirements and that the Participating Government complies with the requirements of Section V of this Agreement.

If a Participating Government has not committed (under contract) all of its allocated CDBG-DR funds within 12 months of project award, the Lead Agency shall reclaim the funding and award the funds to the next highest ranking priority project that can get under contract within 6 months. If that is not possible, the Committee shall reallocate the CDBG-DR funds to projects already approved for funding by the other Participating Governments, either through a pro-rata share to the Participating Governments based on their estimated funding allocation schedule set forth in Section III.d.1. or for one or more distinct projects as nominated and approved by the Committee. Any of these funding scenarios are with the caveat that the Participating Governments to which the funds are allocated can assure that it can commit the CDBG-DR funds within the required 6 month timeframe. It is anticipated that any funds in the State Agreement that are not expended within 24 months of the date of the State Agreement will be recaptured by the State.

f. Administrative Set Aside. The Lead Agency will be entitled to the entire general

administrative set aside under the State Agreement to cover the general administrative responsibilities of managing this State Agreement and ensuring compliance with the CDBG-DR program and the State Agreement. Each project will be allowed up to 20% of the project award for the Participating Government to use to cover its project delivery costs.

g. Program Income. Program Income as defined at 24 CFR 570.504 generated by a Participating Government will be held by each Participating Government that is a CDBG entitlement jurisdiction in a separate account specific to the CDBG-DR Program. Program Income generated by a Participating Government that is not a CDBG entitlement jurisdiction will be returned to the Lead Agency and will be used and programmed for flood recovery work eligible under the CDBG-DR program until this Agreement is terminated. Program Income received after the Agreement ends can be used by the Participating Government that is an entitlement community for any CDBG eligible use and the Lead Agency will place program income generated by non-entitlement jurisdictions in the Countywide Down Payment Assistance Program account to be used throughout the County for Down Payment Assistance. Appropriate documentation of the receipt and use of program income during the term of this Agreement will be provided to the Lead Agency in a format to be determined by the Lead Agency.

IV. LEAD AGENCY RESPONSIBILITIES

a. Legal Liability and Responsibilities. Subject to the provisions of this Agreement, the Lead Agency is authorized to act in a representative capacity for all of the Participating Governments for the purpose of the State Agreement and the Lead Agency assumes overall responsibility for ensuring that the Collaborative's CDBG-DR Program is carried out in compliance with the HCD Act, the Stafford Act and the Disaster Act as defined in Section I. The Lead Agency will be the governmental entity required to execute all grant agreements received from the State of Colorado pursuant to the Collaborative's request for CDBG-DR funds. The Lead Agency will have full responsibility for the execution of the CDBG-DR Program. The Lead Agency will be responsible for the Collaborative's information submittals, Project Funding Plan, when required, and for meeting the requirements of other applicable laws, overall administration, and performance of the CDBG-DR Program, including the CDBG-DR projects and activities to be conducted by the Participating Governments. The Lead Agency assumes overall responsibility for ensuring the Collaborative's CDBG-DR Program is carried out in compliance with the requirements of the Program.

b. Eligibility Review and Compliance Monitoring. The Lead Agency's supervisory, program and administrative obligations to the Participating Governments shall be limited to the performance of the administrative and program tasks necessary to make CDBG-DR funds available to the Participating Governments, to determine eligibility and to provide monitoring to various projects funded with CDBG-DR funds to ensure that they comply with applicable Federal laws and regulations.

c. Reporting Requirements. The Participating Governments will provide the Lead Agency with regular monthly or quarterly activity reports of CDBG-DR funded projects, as required by the State in the State Agreement. The Participating Governments shall, on a regular

reporting cycle, provide the Lead Agency with reports that capture and identify program income derived from the CDBG-DR funded activities.

V. PARTICIPATING GOVERNMENTS' RESPONSIBILITIES

a. Project Submissions. The Participating Governments shall prepare and submit to the Committee their project plan submissions in the format to be provided by the Lead Agency.

b. Reporting Requirements. The Participating Governments shall prepare and submit to the Lead Agency for consolidation into one report the following reports, if applicable, for submission to HUD according to applicable deadlines: Impediments to Fair Housing, Citizen Participation Plan, Minority Business Enterprise/Women's Business Enterprise reports, Labor Standards and Davis-Bacon reports, federal cash transaction reports, and annual project or performance reports such as what is needed for the DRGR reports as well as preparing and submitting any other reporting requirements that are required by DOLA.

c. Lead Agency and Participating Government Cooperation. The Lead Agency shall cooperate and work with the Participating Governments in the preparation of detailed projects and other activities to be conducted or performed within the Participating Government during the period this Agreement is in effect. The Participating Governments shall cooperate with the Lead Agency.

d. Authorization to Submit Required Documents. By executing this Agreement it is acknowledged that the Lead Agency has the authority to submit on behalf of the Collaborative to the State all required documentation needed to obtain the sub-allocation of funding (including the Boulder County Action Plan), obtain the Agreement with the State to receive and administer the Boulder County CDBG-DR funding, and maintain compliance with the State Agreement.

e. Disallowed Expenditures. The Participating Governments assume full responsibility for payment of CDBG-DR expenditures made in their jurisdictions that are disallowed by the State of Colorado, except if payments were made at the direction of the Lead Agency, in which case the Lead Agency shall share responsibility.

VI. MISCELLANEOUS PROVISIONS

a. Indemnification. Each party assumes responsibility for the actions and omissions of its agents and its employees in the performance or failure to perform work under this Agreement. It is agreed that such liability for actions or omissions of its own agents and employees is not intended to increase the amounts set forth in the Colorado Governmental Immunity Act, now existing, or as may be amended. By agreeing to this provision, the parties do not waive nor intend to waive the limitations on liability which are provided to the parties under the Colorado Governmental Immunity Act § 24-10-101 et seq., C.R.S., as amended.

b. Monitoring and Accounting. The Lead Agency shall maintain financial, project, and

other records and accounts for the Collaborative in accordance with the requirements of the HCD, Stafford and /or Disaster Acts and CDBG Regulations.

All Participating Governments agree to make available all records and accounts pertaining to CDBG-DR funded projects covered by this Agreement at all reasonable times to their respective personnel and duly authorized federal and/or state officials.

c. Other Applicable Laws. All projects undertaken pursuant to this Agreement shall be subject to any relevant State statutes, home rule charter provisions, assessment, planning, zoning, sanitary and building laws, ordinances and regulations applicable to each Participating Government or jurisdiction in which a project receiving CDBG-DR funds is situated.

d. Amendments. Should it become necessary to change the language of this Agreement to meet State approval without altering the intent of the Agreement, the Lead Agency is authorized to amend the Agreement with the written consent of the members, which may be provided electronically. All other amendments to this Agreement must be in writing and signed by the Lead Agency and Participating Governments. Each Participating Government may authorize staff members to sign amendments on its behalf. Longmont's Director of Community Services may sign such amendments on behalf of Longmont if the amendment does not substantially increase the scope of Longmont's obligations hereunder.

e. Severability. Invalidation of any one or more of the provisions of this Agreement shall in no way affect any of the other provisions thereof, which shall remain in full force and effect.

f. Financial Obligations of the Parties. Each party's financial obligations under this Agreement are contingent upon appropriation, budgeting, and availability of specific funds to discharge those obligations. Nothing in this Agreement constitutes a debt, a direct or indirect multiple fiscal year obligation, a pledge of the credit of either party, or a payment guarantee by either party to the other party.

g. Execution. This Agreement shall be executed by the appropriate officers of each Participating Entity pursuant to authority granted them by their respective governing bodies, and a copy of the authorizing resolution and executed Agreement shall be filed promptly at the offices of the Lead Agency.

EXECUTED as of the date first set forth above.

Boulder County Board of Commissioners

By:_____
Chair of the Board of County Commissioners

ATTEST:

_____
Clerk to the Board

City of Longmont

By:_____
Mayor, City of Longmont

_____
Date

SEAL

ATTEST:

_____
City Clerk

Approved as to Form and Substance:

_____
Originating Department

Approved as to Form:

_____
Assistant City Attorney

Proofread:

_____

City of Boulder

By:_____
City Manager, Boulder

_____
Date

SEAL

ATTEST:

_____
City Clerk

CITY OF LAFAYETTE, COLORADO

_____
Christine Berg, Mayor

ATTEST:

_____
Susan Koster, CMC
City Clerk

APPROVED AS TO FORM

_____
David S. Williamson, City Attorney

City of Louisville

By:_____
Mayor, City of Louisville

_____
Date

SEAL

ATTEST:

_____
Clerk to the City Council

Town of Lyons

By:_____
Mayor, Town of Lyons

_____
Date

SEAL

ATTEST:

_____
Clerk to the Board

THE TOWN OF NEDERLAND , COLORADO

ATTEST:

LauraJane Baur, Town Clerk

Joe Gierlach, Mayor

Town of Jamestown

By:_____
Mayor, Town of Jamestown

_____
Date

SEAL

ATTEST:

_____
Clerk to the Board

Exhibit A

CDBG-DR City Town County Collaborative
Guiding Principles and Selection Criteria

Approved January 9, 2015

The Participating Governments recognize that CDBG-DR funds will be insufficient to address all of the unmet needs in Boulder County. Therefore, the Participating Governments have identified the following Guiding Principles and Selection Criteria to prioritize needs countywide. Generally, our communities must be thoughtful in consideration of projects, and advance projects that clearly meet CDBG-DR criteria and that free up funding to complete projects that otherwise are not eligible for CDBG-DR.

Guiding Principles

1. *Multi-jurisdictional benefit:* Consider a holistic approach to flood recovery; implement projects that serve or benefit multiple jurisdictions.
2. *Alignment with Unmet Needs Assessment:* Use the Unmet Needs Assessment to guide allocation of funding; strive to achieve a reasonable balance of funding across communities and between infrastructure and housing projects.
3. *Resiliency:* Consider projects that result in a more resilient community; projects may go beyond flood repair, reducing risk and mitigating hazards in the community.
4. *Safe, accessible housing:* Support diverse and resilient communities by providing access and repairs to existing housing, new housing opportunities and replacement of housing destroyed by the flood, especially in communities where housing was destroyed.

Minimum Eligibility Criteria

1. Projects must meet HUD's CDBG-DR objectives and requirements (Urgent Need, Low/Moderate Income or Slum and Blight; procurement standards, use of Davis-Bacon wages, environmental review, eligible activity, etc.).
2. Projects must address impacts from the flood.
3. Projects must meet an Unmet Need as identified in the Unmet Needs Assessment.
4. Projects must be able to meet the timely expenditure of funds requirement, with funds expended within two years of the state and/or HUD funding agreements.

Infrastructure Selection Criteria

1. Top priority for each jurisdiction.
2. Considers a project's benefits across jurisdictions.
3. Maximizes and leverages resources.
   a. Maximize resources by considering a project's eligibility for other funding sources, e.g. projects that could be funded from competitive CDBG-DR funding categories.
   b. Considers leveraged resources.
4. Timeliness of projects assured.

   a. Construction projects have a realistic, attainable scope and schedule (e.g., ready to bid, ability to be completed within required time frame).
   b. Local match, buyout and other projects similarly must be able to be completed within expenditure deadlines.
5. Consideration of proportionate need in, and fiscal stability of, each community.
6. Reduces risk and mitigates and/or avoids hazards in a community.
7. For stream and creek projects, prioritize those that address the higher level of flood intensity and flood flow intervals and the corresponding damages resulting from the flood.

Housing Development Selection Criteria

1. Replaces housing in the community where it was lost when possible, but elsewhere in the county as close to that community as possible when it cannot be replaced in the community.
2. Top priority for each jurisdiction, with each jurisdiction (Longmont, City of Boulder, Boulder County) funded once before consideration given to a second project.
3. Project recommended by the Boulder County Housing Pipeline.
4. Considers the readiness/timing of projects.
5. Considers whether other resources are available, and leverages those resources where possible.
6. Support projects with a strong nexus between flood victims' housing needs and the project's housing (by income, population and type of housing).
7. All other factors in a project being equal, prioritize projects that will provide the deepest affordability for the longest period of time.

Exhibit B

List of Special Districts:

Allenspark Fire District
Boulder County Health Department
Boulder Mountain Fire District
Boulder Valley School District
Fairways Metropolitan District
Four Mile Canyon Fire District
Gold Hill Fire District
Left Hand Water District
Left Hand Fire District
Lyons Fire District
Lyons Ditch Company
Niwot Sanitation District
Pine Brook Water District
St. Vrain and Left Hand Water Conservancy District
St. Vrain Valley School District
Sunshine Fire District

City of Louisville
COLORADO • SINCE 1878

CITY COUNCIL COMMUNICATION
AGENDA ITEM 5F

SUBJECT: **APPROVAL OF LICENSE AND IMPROVEMENT AGREEMENT BETWEEN THE CITY OF LOUISVILLE AND THE DOWNTOWN BUSINESS ASSOCIATION FOR USE OF THE STEINBAUGH PAVILION FOR THE ANNUAL STREET FAIRE**

DATE: **APRIL 21, 2015**

PRESENTED BY: **MEREDYTH MUTH, PUBLIC RELATIONS MANAGER**

SUMMARY:
In 2003, the City and the Downtown Business Association (DBA) entered into a License and Improvement Agreement allowing the DBA to make improvements to the Steinbaugh Pavilion and have exclusive use of the facility for the Street Faire. The DBA and the City wish to update the agreement and remove that information which is no longer relevant to the agreement in 2015.

Attached is an updated agreement for your consideration. As with the 2003 agreement this updated version gives the DBA exclusive use of the Steinbaugh Pavilion for the Street Faire nights, updates the language related to liquor service for the event, and updates contact information for the DBA.

The City retains full ownership of the facility and has the ability to rent out the facility as staff sees fit at all times it is not in use for the Street Faire.

FISCAL IMPACT:
None

RECOMMENDATION:
Approval

ATTACHMENT(S):
1. License and Improvement Agreement

LICENSE AND IMPROVEMENT AGREEMENT

THIS LICENSE AND IMPROVEMENT AGREEMENT (hereinafter "Agreement") is made and entered into this ____ day of April, 2015, by and between the City of Louisville, Colorado, a municipal corporation (hereinafter "City") and the Downtown Business Association of Louisville, Inc., a Colorado nonprofit corporation (hereinafter "DBA").

WHEREAS, the City is the owner of certain real property located at 824 Front Street, Louisville, Colorado, which property is legally described on Exhibit A and depicted on Exhibit B, attached hereto and incorporated herein by reference; and

WHEREAS, the DBA desires to occupy such property from the City on a non-exclusive basis for conduct of the Louisville Street Faire and

WHEREAS, the City is willing to grant the DBA a revocable license to use and occupy such property on a non-exclusive basis, upon the other terms and conditions of this Agreement.

NOW, THEREFORE, the City and DBA agree as follows:

1. Licensed Premises. The City hereby grants to the DBA a non-exclusive and revocable license to use and occupy that certain real property legally described on Exhibit A, depicted on Exhibit B, and having a street address of 824 Front Street, Louisville, Colorado, 80027, together with improvements thereon (hereinafter the "Licensed Premises"). The DBA may use and occupy the Licensed Premises during the "DBA Exclusive Use Times" designated pursuant to this Agreement.

2. Term. This Agreement shall continue until terminated as provided herein or by written agreement of the parties.

3. Exclusive Use Periods. A. For the year 2015, the DBA shall have exclusive use of the Licensed Premises for conduct of the Downtown Louisville Street Faire ("Street Faire") on the dates set forth on Exhibit C, attached hereto and incorporated herein by reference. By April 30 of each year after 2015, the DBA and the City shall designate by mutual written addendum to this Agreement the DBA exclusive use dates and times for that year. Such addendum shall be executed by the City Manager and the DBA and attached to this Agreement. If the parties are unable to reach mutual agreement by January 31 on that year's dates and times of DBA use, then the City at its option may terminate this Agreement or set such dates and times as it determines, either action to be by written notice given to the DBA. The designated periods of the DBA's exclusive use shall be referred to in this Agreement as the "DBA Exclusive Use Times".

B. The DBA's use and occupancy of the Licensed Premises shall be limited to the DBA Exclusive Use Times designated pursuant to this Agreement. Except for the DBA Exclusive Use Times, the City shall have the right to occupy or use all portions of the Licensed Premises for any purpose of the City, including but not limited to renting or licensing the

Licensed Premises to other groups for performances or events. Any such rental or license by the City to third parties shall not include any of the DBA's personal property stored on the Licensed Premises.

C. Notwithstanding anything in this Agreement to the contrary, the mutual designation by the parties of any DBA Exclusive Use Times shall not in any way limit or impair, or be construed to limit or impair, the City's rights to terminate this Agreement for breach or for convenience as set forth in Sections 20 and 21 of this Agreement.

D. The DBA agrees that it does not have or claim, and shall not at any time in the future have or claim, any ownership interest or estate in the Licensed Premises, or any other interest in real property included in the Licensed Premises, by virtue of this Agreement or by virtue of Licensee's occupancy or use of the Licensed Premises. The permission granted to the DBA to use the Licensed Premises is a revocable license and not a leasehold interest or any other estate in the property.

4. Purposes. The Licensed Premises may be occupied and used by the DBA pursuant to this Agreement solely for the following purposes:

A. Construction, installation, maintenance, operation, repair and replacement of site improvements for conduct of the Street Faire, pursuant to the provisions of this Agreement;

B. Conduct of the weekly Street Faire, which consists of musical performances, food vending, arts and crafts booths, service and consumption of alcohol beverages as that term is defined in C.R.S. §12-47-103 , and similar festival activities. The Street Faire shall be conducted subject to all terms and conditions of this Agreement, and in accordance with the following standards and limitations:

(1) Amplified sound shall not be permitted beyond 10:00 p.m.
(2) No Street Faire activities, other than take down and clean up, shall extend beyond 10:00 p.m.
(3) Set-up for the weekly Street Faire shall commence no earlier than 3:00 p.m. on the day of the Faire.
(4) No carnival or amusement rides (defined to include rides with moving passenger compartments or tracks) shall be permitted.
(5) Alcohol service shall be limited in accord with the terms of the liquor license issued to the DBA pursuant to the Colorado Liquor Code and shall be served and consumed only within the area designated on such license. The alcohol service area shall be in a location and of a set-up acceptable to the City. The DBA shall be responsible for compliance with all special event permitting requirements of the Colorado Liquor Code as they pertain to conduct of the Street Faire.
(6) Promptly after the end of a Street Faire, the DBA shall have all temporary equipment and facilities removed from the Licensed Premises or stored upon the Licensed Premises in a location acceptable to the City.

5. Utilities and Trash. The City will provide electrical service and trash pickup for the Street Faire.

6. Site Improvements. A. The DBA shall have the right to construct and install site improvements on the Licensed Premises as approved by the City to facilitate the use of the Licensed Premises as a performance site for the Street Faire.

B. The DBA at its sole expense shall be responsible for the construction and installation of the improvements to be undertaken by it. Upon completion, final inspection and acceptance by the City, all improvements to the Licensed Premises shall be considered the Property of the City, and the DBA shall upon request provide the City with a bill of sale or other instrument conveying such improvements to the City. The City shall at such time issue a letter confirming acceptance of the improvements. At the time of the completion of the work, the DBA shall provide the City with copies of all receipts and other documents evidencing the full actual costs of the improvements made to the Licensed Premises, which shall be subject to verification by the City.

C. All work by the DBA upon the Licensed Premises shall be completed according to plans and specifications that are satisfactory to and approved by the City in advance of the commencement of such work. The DBA shall not commence any work on the Licensed Premises unless and until final written plans and specifications have been submitted to and approved by the City, in the City's sole discretion. Any such plans and specifications shall include all information required for issuance of a building permit, and shall be prepared and submitted to the City at least 20 days prior to the date of commencement of the work. Upon receipt, the City shall review and either approve or disapprove such plans, and in the event of disapproval shall advise the DBA of the changes or additional information required to make such plans acceptable to the City. Such process shall be repeated until the City has approved final plans and specifications for the work.

D. All work shall be completed in compliance with all codes, ordinances, rules and regulations of the City, in a good and workmanlike manner with appropriate building permits. Where required by City codes, ordinances, rules and regulations, the plans and specifications shall be stamped by a licensed architect or engineer. The DBA shall provide the City with lien waivers from all contractors or material providers providing work upon the Licensed Premises, in forms acceptable to the City. The DBA shall indemnify and hold harmless the City from all expense, liens, claims or damages to either persons or property arising out of or resulting from any work performed on the Licensed Premises at the instance of the DBA.

E. Except for the improvements specifically authorized by the City, the DBA shall not place, build, expand, or add to any structures or other items on the Licensed Premises.

7. General Use and Care of Licensed Premises. The DBA shall use reasonable care and caution to prevent damage, destruction or injury to the Licensed Premises. The DBA shall comply with all applicable ordinances, resolutions, rules, and regulations in the DBA's use and

occupancy of the Licensed Premises. Upon final acceptance, the City shall be responsible for repair and maintenance of the site improvements installed by the DBA, except that the DBA shall be responsible for any repairs attributable to the negligence or other fault of the DBA. Upon final acceptance, the DBA shall also be responsible for operation of improvements during the DBA's Exclusive Use Times.

8. Signs. The DBA shall not place or permit any signs on the Licensed Premises, except that the DBA may place temporary banner signs on the Licensed Premises in connection with the Street Faire, which signage shall comply with the City's sign ordinances and regulations. Any other signs proposed for the Licensed Premises shall be subject to the prior written approval of the City, which approval may be granted or denied in the City's sole discretion.

9. Hazardous Materials. The DBA shall not keep any hazardous materials in or about the Licensed Premises without prior written consent of the City, which will be granted or denied in the City's sole discretion. "Hazardous material" includes but is not limited to asbestos, other asbestotic material (which is currently or may be designated in the future as a hazardous material), any petroleum base products, pesticides, paints and solvents, polychlorinated biphenyl, lead, cyanide, DDT, acids, ammonium compounds, and other chemical products (excluding commercially used cleaning materials in ordinary quantities) and any substance or material defined or designated as a hazardous or toxic substance, or other similar term, by any federal, state, or local law.

10. Compliance. If the DBA fails to comply with its obligations under this Agreement, the City may at its sole option terminate this Agreement as provided herein or take such measures as it determines necessary to bring the Licensed Premises into compliance with the terms hereof, and the cost of any such measures shall be paid by the DBA.

11. Acknowledgment of General Condition. The DBA acknowledges that its use and occupancy hereunder is of the Licensed Premises in its present, as-is condition with all faults, whether patent or latent, and without warranties or covenants, express or implied. The DBA acknowledges the City shall have no obligation to repair, replace or improve any portion of the Licensed Premises in order to make such Premises suitable for the DBA's intended uses; however, the foregoing shall not limit the City's obligations to maintain and repair site improvements as provided in Section 7 of this Agreement.

12. Acknowledgment and Acceptance of Specific Matters. The DBA specifically acknowledges that the Licensed Premises may not currently meet standards under federal, state or local law for the DBA's intended use, including but not limited to accessibility standards under the Americans with Disabilities Act and Uniform Building Code and adopted and in force in the City of Louisville. Compliance with such standards, if required for the DBA's use, shall be at the sole cost and expense of the DBA. If the DBA determines that compliance with such standards for the DBA's use is not feasible or economical, then the DBA may terminate this Agreement and the parties shall be released from any further obligations hereunder.

13. Taxes. The Licensed Premises is presently exempt from any real property taxation. In the event the County Assessor determines that the Licensed Premises is subject to the lien of general property taxes due to the DBA's use or occupancy, the DBA shall be responsible for the payment of taxes.

14. Liens. The DBA shall be solely responsible for and shall promptly pay for all services, labor or materials furnished to the Licensed Premises at the instance of the DBA. The City may at the DBA's expense discharge any liens or claims arising from the same.

15. DBA's and City's Property. The City shall have no responsibility, liability, or obligation with respect to the safety or security of any personal property of the DBA placed or located on, at, or in the Licensed Premises, it being acknowledged and understood by the DBA that the safety and security of any such property is the sole responsibility and risk of the DBA. Except as otherwise specifically provided in this Agreement, the DBA shall have no responsibility, liability, or obligation with respect to the safety or security of any personal property of the City placed or located on, at, or in the Licensed Premises, it being acknowledged and understood by the City that the safety and security of any such property is the sole responsibility and risk of the City. The DBA shall not remove any of the City's personal property from the Licensed Premises. The City shall not remove any of the DBA's personal property from the Licensed Premises, except as permitted incident to termination of this Agreement.

16. Right of Entry. Notwithstanding any other provisions of this Agreement to the contrary, the City shall at all times have the right to enter the Licensed Premises to inspect, improve, maintain, alter or utilize the Licensed Premises in any manner authorized to the City. In the exercise of its rights pursuant to this Agreement, the DBA shall avoid any damage or interference with any City installations, structures, utilities, or improvements on, under, or adjacent to the Licensed Premises.

17. Indemnity and Release. The DBA shall be solely responsible for any damages suffered by the City or others as a result of the DBA's use and occupancy of the Licensed Premises. The DBA agrees to indemnify and hold the City, its elected and appointed officers, agents, and employees harmless from and against all liability, claims, damages, losses, and expenses, including but not limited to attorneys' fees, arising out of, resulting from, or in any way connected with (a) the DBA's use and occupancy of the Licensed Premises; (b) the conduct of the Street Faire; (c) any liens or other claims made, asserted or recorded against the Licensed Premises as a result of the DBA's use or occupancy thereof; or (d) the rights and obligations of the DBA under this Agreement.

18. Insurance. The DBA shall at its expense obtain, carry and maintain during the term of this Agreement, and shall require each contractor or subcontractor of the DBA performing work on the Licensed Premises to obtain, carry and maintain, a policy of comprehensive public liability insurance insuring City and the DBA against any liability arising out of or in connection with the DBA's use, occupancy or maintenance of the Licensed Premises or the condition thereof. Such insurance shall be at all times in an amount of not less than $1,000,000 combined single limit for bodily injury and property damage. Such policy shall include coverage for liquor liability and such other endorsements and coverages as the City may reasonably require. Such insurance shall include the DBA, its officers, employees and volunteers as named insureds, and shall also name City, its officers and employees as additional insureds. A certificate of insurance shall be completed by the DBA's insurance agent(s) as evidence that a policy or policies providing the coverages, conditions, and minimum limits required herein are in full force and effect, and shall be subject to review and approval by City prior to commencement of the DBA's occupancy of the Licensed Premises. As between the parties hereto, the limits of such insurance shall not limit the liability of the DBA.

19. No Waiver of Immunity or Impairment of Other Obligations. The City is relying on and does not waive or intend to waive by any provision of this Agreement the monetary limitations (presently $350,000 per person and $990,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. §24-10-101 et seq., as from time to time amended, or otherwise available to the City, and its officers and employees.

20. Termination for Breach. At the City's option, it shall be deemed a breach of this Agreement if the DBA defaults in the performance of any term or condition of this Agreement. In the event the City elects to declare a breach of this Agreement, the City shall have the right to give the DBA thirty (30) days written notice requiring compliance with the terms and conditions of this Agreement, or delivery of possession and cessation of further use of the Licensed Premises. In the event any default remains uncorrected after thirty (30) days written notice, the City, at City's option, may declare the license granted herein terminated and revoke permission for any further DBA use of the Licensed Premises without prejudice to any other remedies to which the City may be entitled. Additionally, City in the event of default may, but shall not be obligated to, correct or remedy the DBA's default at the DBA's expense. Any such action by City to correct or remedy a default by City shall not be deemed a waiver or release of default or a discharge of any liability of the DBA for the expense of correcting or remedying such default.

21. Termination for Convenience. The City shall also have the right at its option to terminate this Agreement for its convenience and without any cause of any nature by giving written notice at least ninety days (90) days in advance of the termination date.

22. Restoration of Licensed Premises. At the termination of this Agreement by lapse of time or otherwise, DBA shall deliver up the Licensed Premises in as good a condition as when the DBA took possession, excepting only ordinary wear and tear. At the time of such termination, the DBA at its sole option and expense may remove from the Licensed Premises any

items of personal property owned by the DBA. Any items of personal property not removed by the date of termination shall become the property of the City, and the DBA shall execute and deliver to the City, at the time of termination, a bill of sale for such items of personal property. Any fixtures, structures, or improvements owned by the DBA or on the Licensed Premises at the time of termination shall, at the City's sole option, be deemed the property of the City, or removed at the DBA's sole expense.

23. Notices. Any notices or communication required or permitted hereunder shall be given in writing and shall be personally delivered, or sent by facsimile transmission or by United States mail, postage prepaid, registered or certified mail, return receipt requested, addressed as follows:

City:	DBA:
City of Louisville Attn: City Manager 749 Main Street Louisville, CO 80027	Downtown Business Association of Louisville, Inc. Attn: James Tienken, President 824 Pine Street Louisville, CO 80027

or to such other address or the attention of such other person(s) as hereafter designated in writing by the parties. Notices given in the manner described above shall be effective, respectively, upon personal delivery, upon facsimile receipt, or upon mailing.

24. Existing Rights. The DBA understands that the license granted hereunder is granted subject to prior franchise agreements and subject to all easements and other interests of record applicable to the Licensed Premises. Licensee shall be solely responsible for coordinating its activities hereunder with the holders of such franchise agreements or of such easements or other interests of record, and for obtaining any required permission for such activities from such holders if required by the terms of such franchises or easements or other interests.

25. No Waiver. Waiver by the City of any breach of any term of this Agreement shall not be deemed a waiver of any subsequent breach of the same or any other term or provision thereof.

26. No Assignment. Except as provided in this Section 26, this Agreement and the license granted herein is personal to the parties hereto. The DBA shall not transfer or assign any rights or obligations under this Agreement, for monetary or any other consideration, without the prior written approval of the City, which approval is solely at the discretion of the City. Consent is hereby given for the DBA to assign to the Main Street Louisville Business Improvement District, a business improvement district organized pursuant to C.R.S. Section 31-25-1201 et seq. (hereinafter "District") the right to occupy the Licensed Premises in conjunction with the DBA; provided, however, that such consent shall not be deemed effective until the District has executed and delivered to the City its written agreement to be bound by all terms and conditions

of this Agreement. No such assignment shall relieve the DBA of its obligation to fully comply with the terms and conditions of this Agreement.

27. Entire Agreement. This Agreement is the entire agreement between the City and the DBA, may be amended only by written instrument subsequently executed by the City and the DBA. This Agreement replaces the License and Improvement Agreement between the City and the DBA dated April 4, 2003 ("Original Agreement"). Such Original Agreement is hereby terminated; as provided therein, all of the terms and conditions of the Original Agreement concerning release, indemnification, termination, remedies and enforcement shall survive termination.

28. Survival. All of the terms and conditions of this Agreement concerning release, indemnification, termination, remedies and enforcement shall survive termination of this Agreement.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date first above written.

CITY OF LOUISVILLE

By:_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

DOWNTOWN BUSINESS ASSOCIATION
OF LOUISVILLE, INC.

By:_____
Jim Tienken, President

ATTEST:

_____
Secretary

EXHIBIT A
LEGAL DESCRIPTION

PARCEL A:

The North 126 Feet of Block A, Town of Louisville, County of Boulder, State of Colorado, except that portion as conveyed by deed recorded March 11, 1963, in Book 1270 at Page 156.

The above-described parcel is also known as (through deeds of record) the South Half of Lot 2 and all of Lot 3, Block A, Town of Louisville.

PARCEL B:

The westerly 25 feet of the former Colorado and Southern Railroad right of way lying adjacent to the tract as set forth as Parcel A, above, County of Boulder, State of Colorado.

EXHIBIT B

MAP OF LICENSED PREMISES
(See Following Page)

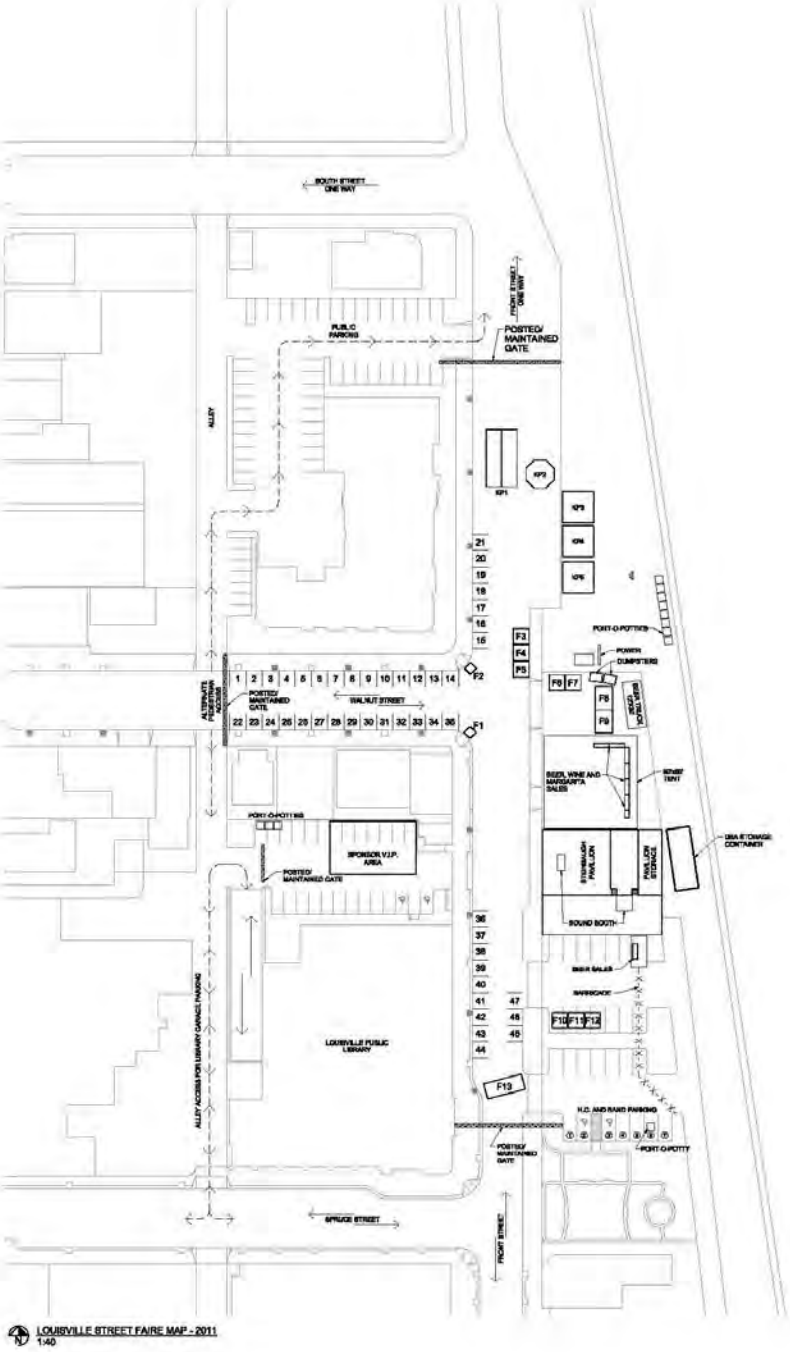


EXHIBIT C

DBA EXCLUSIVE USE TIMES – 2015

Friday, June 12, 2015

Friday, June 19, 2015

Friday, June 26, 2015

Friday, July 10, 2015

Friday, July 17, 2015

Friday, July 24, 2015

Friday, July 31, 2015

Friday, August 7, 2015

Friday, August 14, 2015

The parties have executed this Exhibit C (2015 Exclusive Use Dates) to the License and Improvement Agreement on the dates set forth their respective signatures.

CITY OF LOUISVILLE	DOWNTOWN BUSINESS ASSOCIATION OF LOUISVILLE, INC.
By:_____	By:_____
Malcolm Fleming City Manager	Jim Tienken, President

City of Louisville
COLORADO • SINCE 1878

CITY COUNCIL COMMUNICATION
AGENDA ITEM 5G

SUBJECT: **2015 ARBOR DAY PROCLAMATION**

DATE: **APRIL 21, 2015**

PRESENTED BY: **CHRIS LICHTY, PARKS & RECREATION DEPARTMENT**

SUMMARY:
One of the obligations of being a Tree City USA is to formally celebrate Arbor Day every year. This year the City of Louisville will be celebrating Arbor Day on Saturday, April 18th 2014. The Forestry Division of the Parks and Recreation Department in conjunction with the City of Louisville Horticulture and Forestry Advisory Board has developed a program of events that will promote the health and welfare of our Urban Forest. The enclosed proclamation, signed by the Mayor, formally announces this years' Arbor Day celebration.

FISCAL IMPACT:
N/A

RECOMMENDATION:
Approve

ATTACHMENT(S):
1. 2015 Arbor Day Proclamation

ARBOR DAY

WHEREAS, The City of Louisville conducts an annual Arbor Day Celebration, employs staff dedicated to tree care, has written a tree ordinance, and spends more than two dollars per capita on tree care, the National Arbor Day Foundation recognizes the City of Louisville as a Tree City USA for the 35th consecutive year and

WHEREAS, the City of Louisville received the Tree City USA Growth Award from the National Arbor Day Foundation for hiring a City Forester and completing an inventory of city trees and

WHEREAS, through the work of the Horticulture and Forestry Advisory Board, the City of Louisville has established and committed to an ongoing landscape beautification master plan involving the planting of numerous trees and shrubs and

WHEREAS, through lottery proceeds the City of Louisville has established an arboretum and continues to maintain and manage through sound arboricultural practices.

WHEREAS, the Horticulture and Forestry Advisory Board and City of Louisville staff continue to educate the public on sound horticultural and forestry practices and

WHEREAS, Arbor Day has been celebrated nationally since 1872.

NOW THEREFORE, I, Robert P. Muckle, Mayor of the City of Louisville, do hereby proclaim Saturday, April 18, 2015 as Arbor Day in the City of Louisville and urge all citizens to celebrate efforts to care for our trees and woodlands and to support our city's community forestry program, and I urge all citizens to plant trees to gladden the heart and promote the well-being of present and future generations.

DATED this 21st day of April 2015.

_____

Robert P. Muckle, Mayor

ATTEST:

_____

Nancy Varra, City Clerk

City of Louisville

COLORADO • SINCE 1878

City Manager's Report
April 21, 2015

CITY OF LOUISVILLE
EXPENDITURE APPROVALS $25,000.00 - $49,999.99
MARCH 2015

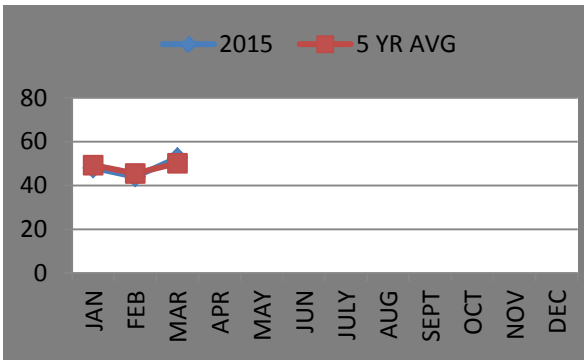
DATE	P.O. #	VENDOR	DESCRIPTION	AMOUNT
3/9/2015	92057	A.G. Wassenaar Inc.	Geotechnical Testing Services The multitude of 2015 Capital Improvement Projects require the services of a professional geotechnical firm to conduct materials testing and provide evaluation and engineering recommendations for potential geotechnical issues. They also provide construction inspection services. Requests were sent to six firms and proposals were received from A.G. Wassenaar, CTL Thompson, PSI, Terracon, Ground and Scott Cox. Public Works reviewed the proposals and recommended A.G. Wassenaar. They provided material testing for the 2011, 2012, 2013 and 2014 Street Resurfacing and Concrete Replacement Projects and performed satisfactory work. Hourly rates and laboratory testing costs are reasonable and competitive with other firms contacted.	$48,550.00
3/31/2015	92077	Dellenbach Chevrolet Inc.	Chevrolet Silverado 4X4 Truck This vehicle replaces a 2001 Ford Ranger (unit 3410) that was involved in an accident in December, deemed a total loss and removed from service. State bid pricing was used to purchase this truck.	$26,901.00
3/31/2015	92078	Dellenbach Chevrolet Inc.	Chevrolet Silverado 2500 4X4 Truck with Utility Bed This vehicle is being purchased for the new Facilities Maintenance Technician. State bid pricing was used to purchase this truck.	$31,566.00

PUBLIC WORKS MONTHLY REPORT FOR MARCH 2015

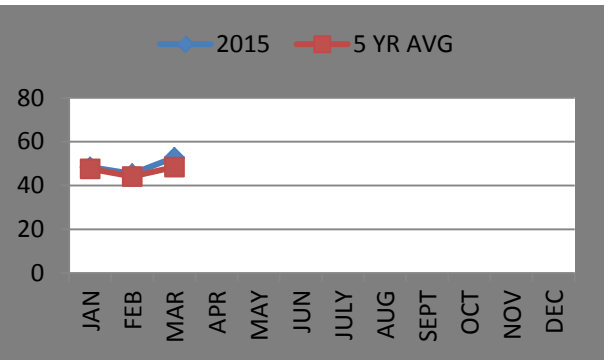
The mission of the Public Works Department is to provide high-quality, cost effective service to both our internal and external customers. The following are highlights of activities performed by the various divisions of the Public Works Department during the month of March 2015.

DIVISION ACTIVITIES/STATISTICS:

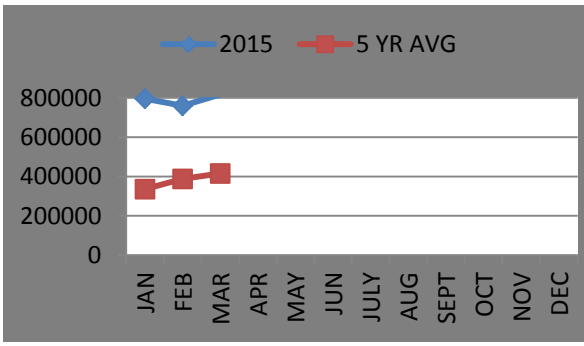
WASTEWATER PLANT DIVISION



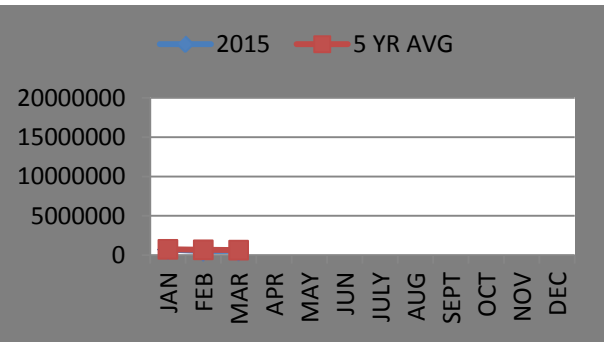
Influent Total Monthly Flow in MG



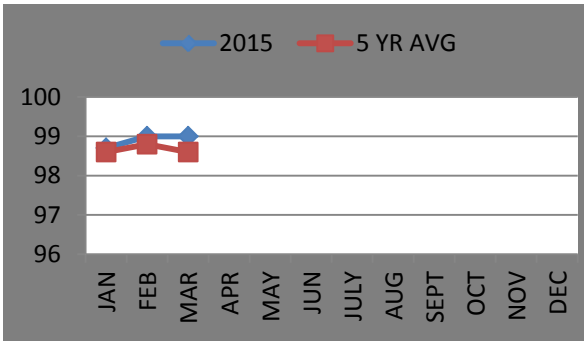
Effluent Total Monthly Flow in MG



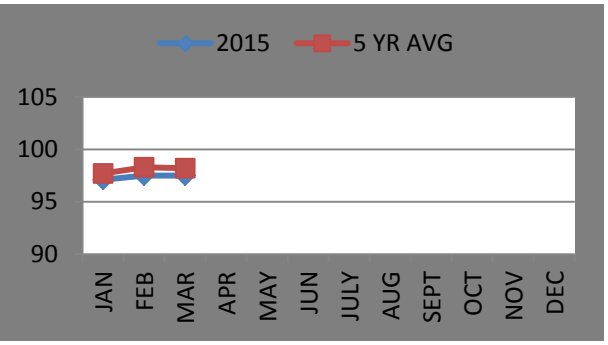
Potable Water Usage in Gallons



Reuse Flow in Gallons

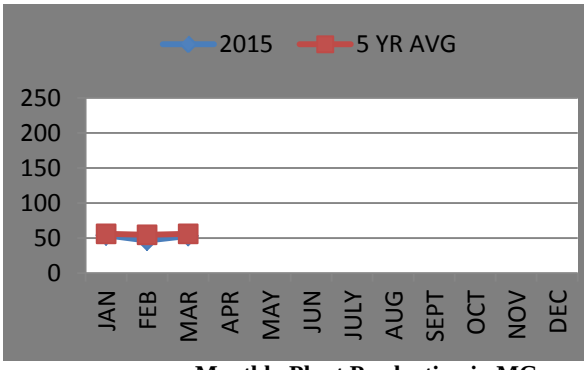


Average % BOD Removal

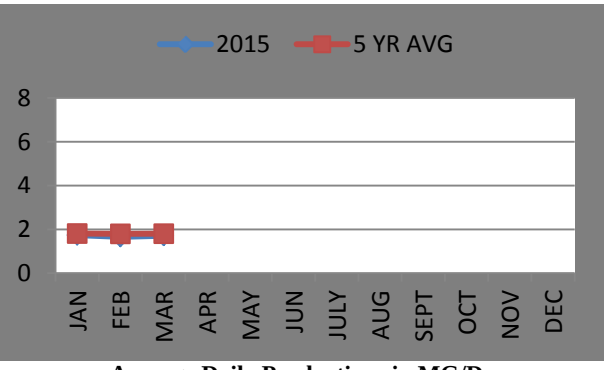


Average % TSS Removal

WATER PLANT DIVISION



Monthly Plant Production in MG



Average Daily Productions in MG/Day

Total Production Year to Date – 472.15 Acre Feet
Million Gallons 153.87

RAW WATER REPORT

Windy Gap Firming Project – The U.S. Bureau of Reclamation, Northern Water and its Municipal Subdistrict signed a new Windy Gap carriage contract. The U.S. Bureau of Reclamation issued a Record of Decision for the Project, enabling continued progress to design and construct Chimney Hollow Reservoir.

ENGINEERING DIVISION

Base Services

1. Staff is coordinating with Parks and Urban Drainage and Flood Control District on the Coal Creek Trail project under the BNSF bridge. Work progressed during the month.
2. Staff is coordinating the common sense drainage improvements at the golf course with the contractor
3. Issued eleven (11) Right-of-way/Overlot Grading Permits.

Development Projects

Public Works reviewed PUD referrals, civil plans, landscape plans, drainage reports and completed inspections for the following projects:

- North End Phase 2 – *Construction Acceptance issued.*
- North End Phase 3 – *Civil Plans reviewed and comments issued to Engineer.*
- Hutchinson Corner – *Material submittals approved. Reviewed Civil Plans and approved.*
- Flatiron Rehab Development – *Reviewed referral application and comments issued to Planning.*
- DELO Phase 1 & 1A –*Private storm sewer plan reviewed and approved. Reviewed Landscape Plan and approved.*
- 1960 Cherry Street – *Reviewed Landscape Plans and comments issued to Engineer.*
- Superior/Louisville Interconnect – *Civil Plans reviewed and comments issued.*
- Boulder Amplifier - *Civil Plans and SWMP reviewed and comments issued to Engineer.*

- Empire Storage – *Reviewed new building design and issued comments to Planning.*
- Grain Elevator – *Documents reviewed and comments issued to Planning.*
- Louisville/Lafayette Outfall Drainage Improvements – *Civil Plans reviewed and comments issued to UDFCD.*

Capital Projects

1. Dillon Rd & St. Andrews Traffic Signal Installation – Work with demolishing, installing traffic signal infrastructure and landscape installation.
2. 2015 Sanitary Sewer Project – Completed contract documents and accepted bids.
3. 2015 Pavement Booster Project – Accepted Bids.
4. 2015 Water Main Replacement – Completed contract documents and advertised for bid.
5. Front Street Parking Lot Expansion – Completed contract documents and solicited bids.
6. Stormwater Master Plan - JVA, Inc. continues to work on the first phase of the project.

County Road Bridge Design

Consultant continues to address CDOT comments.

Dillon Road Bridge Repair Design

Consultant continues to address CDOT comments.

Lafayette – Louisville Boundary Area Drainage Improvements (Formerly A-2)

The project team has submitted the 90 percent drawings in late March. The project has been submitted to the Boulder County Land Use permitting in March as well. Staff is attending a biweekly design progress meeting with Lafayette, Urban Drainage and the consultant. The team is also coordinating with developer for DELO and the wastewater treatment plant project to coordinate timelines and project information.

Wastewater Treatment Plant Design – Project design is complete. The project was advertised and a pre-bid conference was held.

Louisville/Superior Interconnect – Project design is in the final phase, with 95% drawings expected by mid-April of 2015.

South Plant Sludge Drying Beds – This project was advertised in March, bids were received, and a low bidder identified.

Eldorado Springs Raw Water Intake Design – The project is nearing 100% design and staff is working on approvals from the Colorado State Parks and FEMA.

Miscellaneous

1. Staff attended coordination meetings with KICP.
2. Staff is continuing their efforts on updating the Design and Construction Standards.
3. Staff continues its review of the new CDPHE Stormwater MS4 permit and coordinating with KICP for issuance of comments.

Inspections were performed at:

- Hutchinson Corner Subdivision
- North End Block 10
- St. Andrews & Dillon Rd.
- 147 Harper St.
- 749 Front St.
- 1036 Lincoln Ave.
- 1101 Jefferson Ave.
- 1960 Cherry St.

Facilities Project Summary for March 2015

Project	Status	Remark
CH Sprinkler	Substantially complete	Full coverage fire sprinkler & inert gas for IT room
Museum - Tomeo House Cellar Door	Substantially complete	Improve access to basement and keep animals out
Library entrance drain	Substantially complete	Prevent flooding and icing
New City Services	Roof on main building, heated vehicle storage in progress	Attending weekly meetings and reviewing submittals
South water plant pre-treatment room HVAC replacement	Request for proposals in progress	replacement
Golf Course Clubhouse HVAC replacement	Awarded to American Mechanical Services	replacement
North water plant flooring replacement	Awarded to Colorado Carpet	Vinyl and carpet replacement
Recreation Center Racquetball lighting – north court	Fixture order awarded to Graybar	LED lighting for court with motion sensor – south court complete

A picture is worth a thousand words…..

City Services - radiant floor shops area

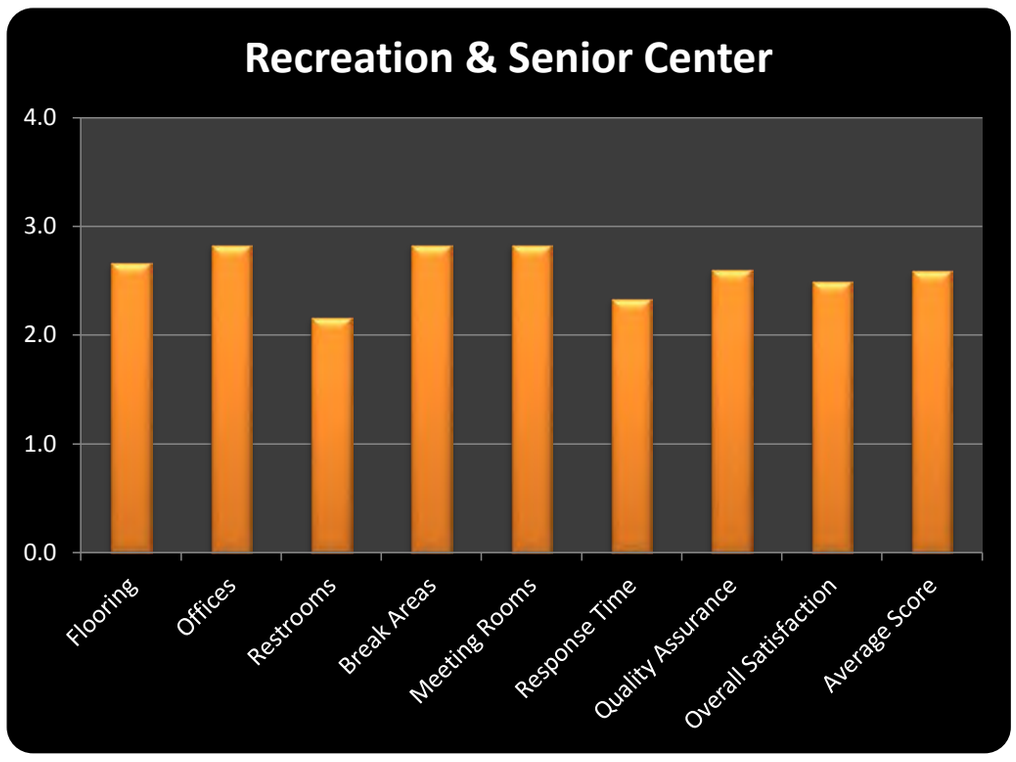
City Services - office radiant floor after concrete

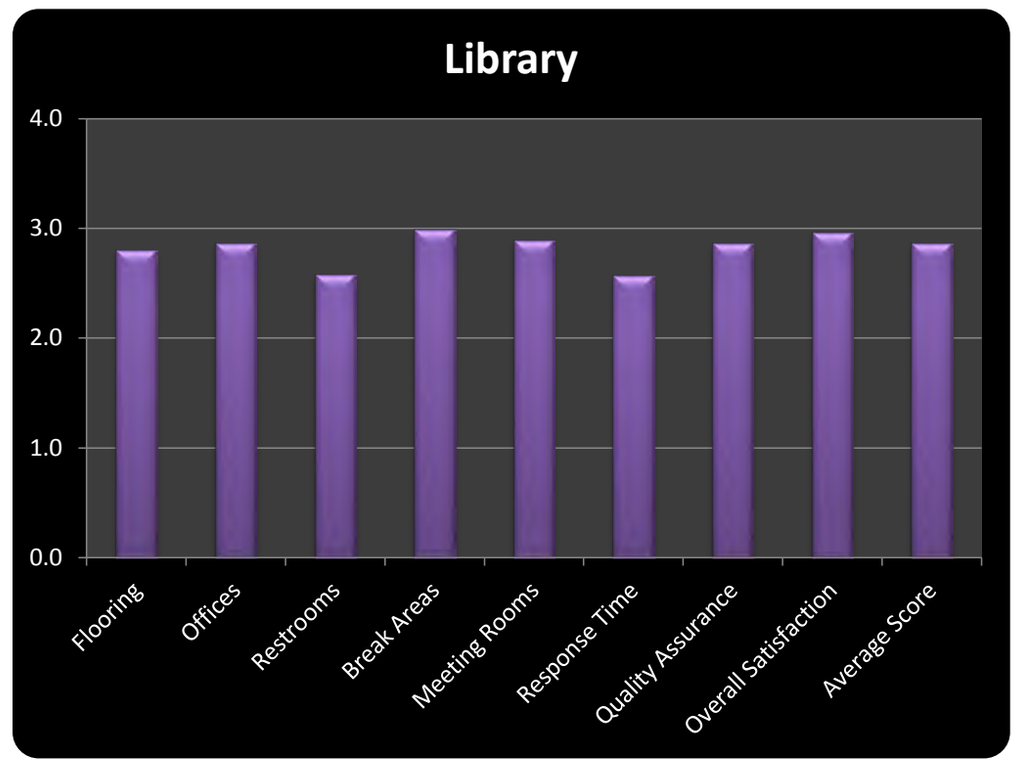
City Services – SW corner of office area

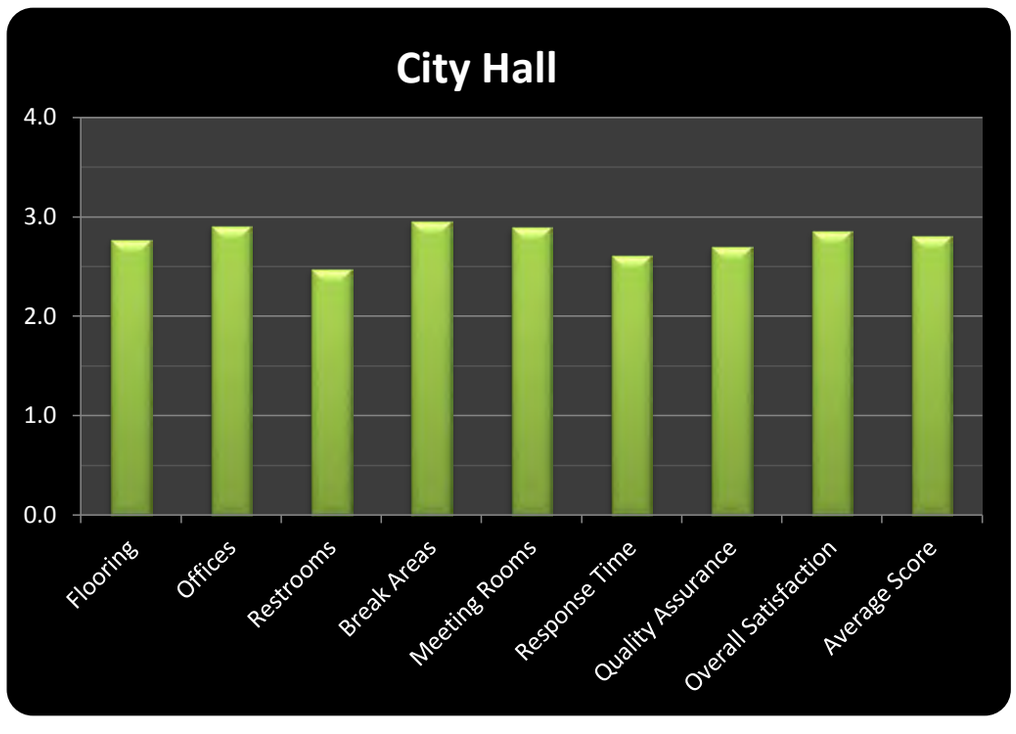
Tomeo House – cellar access door

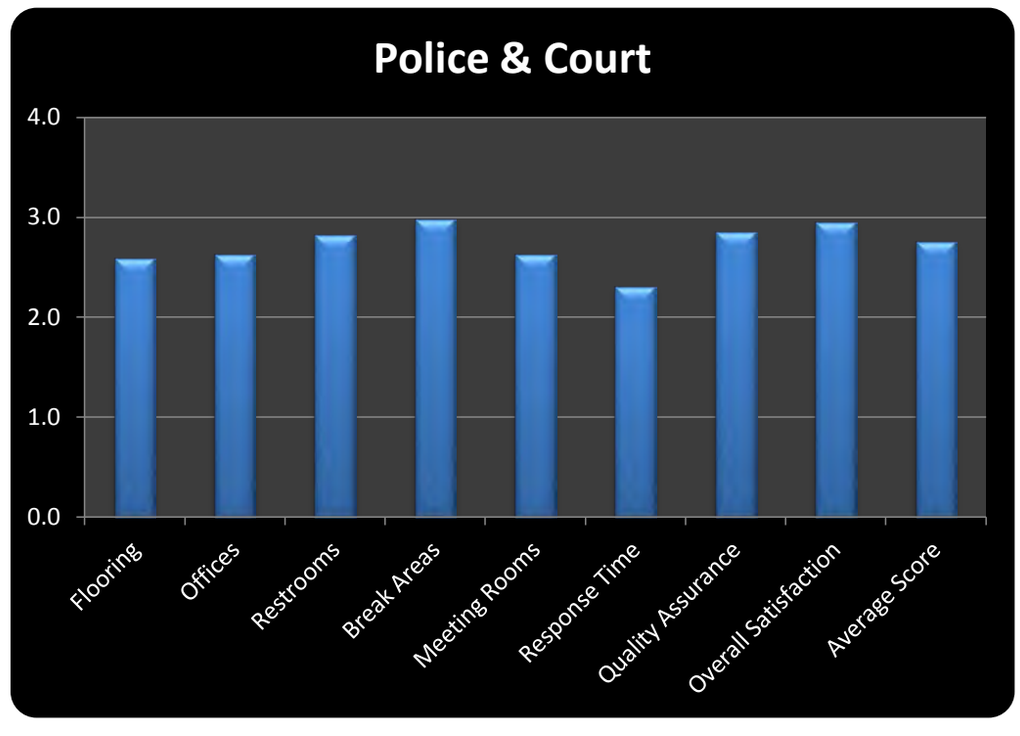
City of Louisville Custodial Services Survey
Q1 2015 - ISS Facility Services

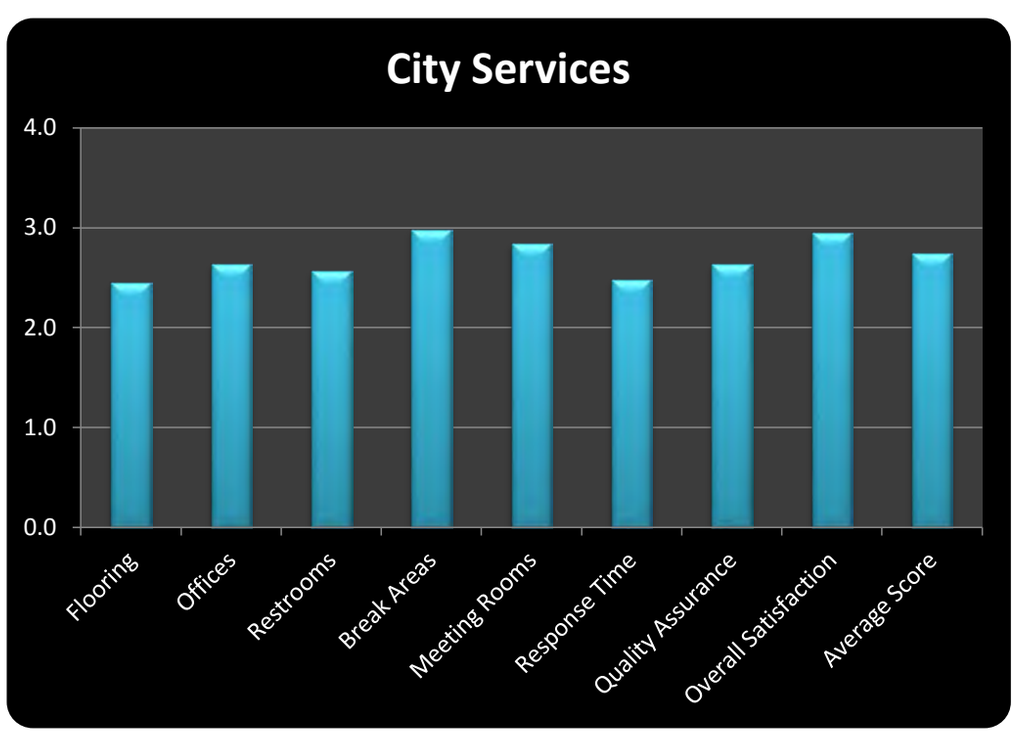
Outstanding = 4 Good = 3 Fair = 2 Poor = 1

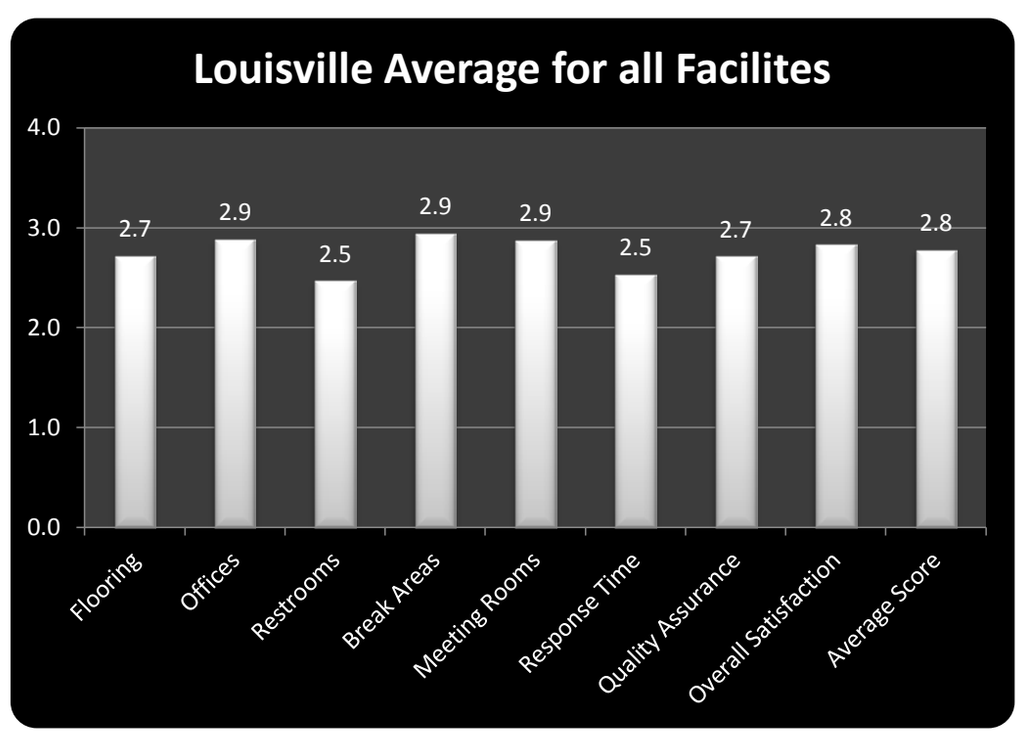












Public Works Operations
Monthly Report for March 2015

In March, the Operations Division performed the following tasks:

268	Work orders completed
359	Utility locations
766	Pothole(s) repaired
294	Lane miles swept
506	Miles of snow plowed
0	Gallons of magnesium chloride applied for de-icing
37	Tons ice slicer used for de-icing
33	Signs repaired or replaced
17	Dump truck loads hauled to landfill
0	Dump truck loads of asphalt to recycle
0.00	Feet of sewer line TV'ed this month
0.00	Tons of Salt & Sand Mix used for de-icing
15,655.58	Feet of sewer line cleaning this month
2,765.67	Feet of sewer line root & grease cutting (Quarterly)
62,294.62	Total feet cleaned & cut for 2015
1	Install signs - non TCO
1	Traffic Control Orders (TCO) completed
2	New water meter(s) installed
2	Water meter(s) repaired or replaced
0	Emergency sewer backup response

Work performed for Utility Billing:

6,997	Water meters read
105	Door tags hung
51	Consumption check / 0 usage
35	Re-reads and finals
11	Delinquent water turn off / on

In addition to general maintenance tasks the crew typically perform, the Division also completed these special projects:

Operations continued Valve Exercising for the LOW Zone in March 2015.

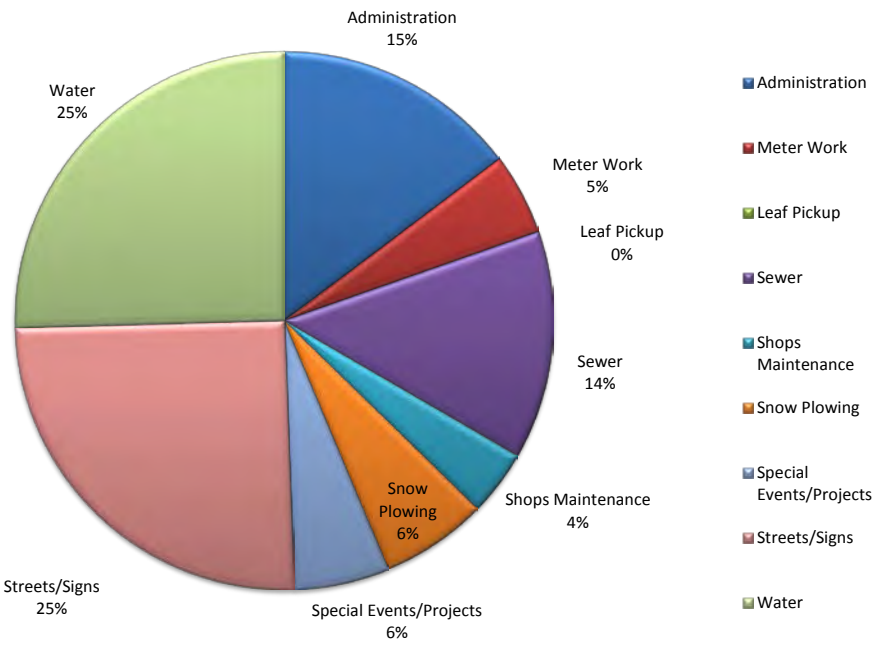
Potholing and patching was on-going and a high priority for this month.

Type of Work	Total Hours
Administration	293.50
Meter Work	97.75
Leaf Pickup	-
Sewer	273.00
Shops Maintenance	78.50
Snow Plowing	127.50
Special Events/Projects	113.50
Streets/Signs	500.50
Water	506.50
Storm Water	73.00
Fleet Maintenance	309.50
Total Manhours:	**2,373.25**

Total On/Call & Overtime Hours:	**71.75**
Total Paid Leave Hours:	**198.00**

Grand Total:	*Manhours:*	*2373.25*
	OT/On-Call:	*71.75*
	Paid Leave:	*198.00*
		2643.00

Total Hours from Timesheets:	**2654.5**
Total Unaccounted Hours:	**11.5**
Total Unaccounted Percent:	**0%**



City of Louisville
COLORADO • SINCE 1878

Department of Planning and Building Safety

749 Main Street • Louisville CO 80027 • 303.335.4592 • www.louisvilleCO.gov

Planning and Building Safety Activity Report
February - 2015

Planning Activity
The list represents projects within the various stages of the City's development approval, including: projects submitted to the Planning Division in referral; projects recommended by the Planning Commission; and those projects approved by City Council during the month. It is important to note approved projects may not be built. Approved Planned Unit Developments (PUDs) remain eligible for issuance of building permits for three years. Activity this month includes:

1. **In Referral:**
- 12 projects (282 residential units and 99,102sf of non-residential, 48-bed rehabilitation facility).
2. **Recommended by Planning Commission:**
- 1 projects (5 TH, 130 APT, and 26,000 sf of non-residential; SRU – Howard Berry)
3. **Approved by City Council:**
None – Alkonis Annexation continued.

Planning Summary – Feburary 2015					
Name	**Description**	**Rezoning**	**Planned Unit Development**		**Special Review Use**
			Preliminary	**Final**	
Downtown / Old Town					
Lawrence Enrietto Park SRU	LSAB Community Garden				S
Grain Elevator	PUD/SRU for 27,000 SF non-residential		CC	S	S
Industrial / CTC					
No Activity					
South Boulder Road					
Alkonis Annexation	Annex / GDP for 231 units and 18,404 sf	PC			
BCHA Plat/PPUD	Plat/PUD for 231 units and 18,404 sf		**S**		
Centennial Valley					
Howard Berry SRU	SRU Sludge beds for City's south waterplant				**PC**
Physicians Dv. Group	48 bed skilled rehabilitation facility	S		S	
480 W. Dahila	a PUD amendment to add a 698 sf			**S**	
Revitalization District					
Coal Creek	51 TH/Dplx Units, 30,000 sf Retail	CC	CC	S-Hold	
DELO Phase 2	5 TH, 130 APT, and 26,000 SF Commerical	CC	CC	**PC**	
DELO Plaza	23,000 sf Retail			S	
Via Appia					
No Activity					
North McCaslin					
Gateway PUD Amend	Change floor restriction, not hieght restriction			S	

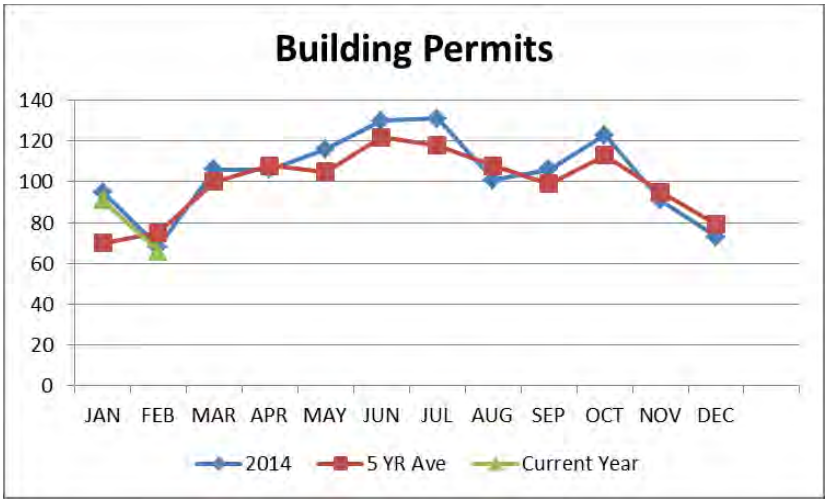
New; S – Submitted; PC – Planning Commission Recommendation; CC – City Council Approval

Development Activity
The status of approved projects is listed below.

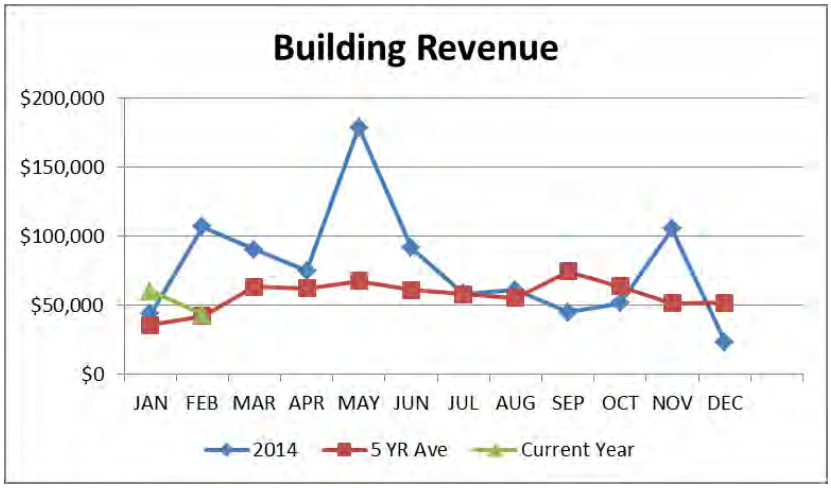
Development Summary – February 2015									
Name	Approved			Permits Issued			Remaining		
	Res. (Units)	Non-Res.		Res. (Units)	Non-Res.		Res. (Units)	Non-Res.	
		SF	Use		SF	Use		SF	Use
ACTIVE PUD (PERMITS ISSUED)									
North End									
Phase 2 – PA#2 / #3	122	-	-	-	-	-	88	-	-
South Boulder Road									
Center Court	111	32,000	Retail	-	-	-	111	-	-
Downtown / Old Town									
Scrapes	-	-	-	-	-	-	-	-	-
927 Main Street	2	560	Office	-	-	-	2	-	-
Copper Hill Subdivsion									
Copper Hill	9	-	-	-	-	-	1	-	-
Redevelopment DIstrict									
Delo – Phase 1/1A	55	1,000	Office	5	-	-	51	1,000	Office
Sub-Total	**299**	**33,560**	**Retail**	**5**	**-**	**-**	**271**	**1,000**	**Office**
INACTIVE PUD (NO PERMITS ISSUED)									
Colorado Tech Center									
Boulder Amplifiers	-	23,000	Flex						
1960 Cherry	-	59,137							
North End									
Phase 1 - Block 10	84	-	-						
Phase 2 - PA#1	21(+17*)	65,000	Com						
Downtown / Old Town									
931 Main Street	-	2,200	Office						
Hutchinson Corner	6	-	-						
Sub-Total	**111(+17)***	**149,337**	**Mix**						

* denotes a difference between the GDP and PUD

Construction Activity
Current building revenues are illustrated with the following information.



Summary by Month for Previous Year		
Previous Year 2014		
Month	Permits	Revenues
JAN	95	$43,676
FEB	68	$106,742
MAR	106	$90,464
APR	106	$74,732
MAY	116	$178,765
JUN	130	$91,403
JUL	131	$58,554
AUG	101	$61,003
SEP	106	$44,868
OCT	123	$51,294
NOV	91	$105,160
DEC	73	$23,513



Summary by Month for Last 5 years		
5 Year Average thru 2014		
Month	Avg Permit	Avg Rev
JAN	70	$35,557
FEB	75	$42,262
MAR	100	$63,410
APR	108	$62,280
MAY	105	$67,677
JUN	122	$60,902
JUL	118	$57,851
AUG	108	$55,136
SEP	99	$74,680
OCT	113	$63,857
NOV	95	$51,455
DEC	79	$51,893

BUILDING PERMITS – BY PERMIT TYPE

FEB 2015	Monthly					
	Current Month		Last Year Month		5 year Avg for FEB	
	FEB 2015		FEB 2015			
Permits	Permits	Revenues	Permits	Revenues	Permits	Revenues
New Commercial	0	$ -	1	$ 31,217	0.4	$ 8,355
Tenant Finish Comm	9	$ 16,994	5	$ 44,451	1.9	$ 5,664
New Residential (SFD)	0	$ -	4	$ 17,634	2	$ 6,700
Scrapes and Rebuilds	0	$ -	0	$ -	0	$ -
Alteration/Addition to Res	16	$ 17,372	8	$ 7,984	5.9	$ 4,928
Duplex	0	$ -	0	$ -	0	$ -
Townhomes 3 & 4 units	0	$ -	0	$ -	0	$ -
Townhomes 5 or more	5	$ 4,171	0	$ -	1.2	$ 2,266
Multifamily (Apartments)	0	$ -	0	$ -	0	$ -
Demo Residential	2	$ 100	5	$ 300	1.2	$ 60
Demo Commercial	1	$ 50	0	$ -	0	$ -
Minor and Trade	33	$ 4,740	45	$ 5,156	50	$ 7,844
TOTALS	**66**	**$ 43,427**	**68**	**$ 106,742**	**63**	**$ 35,817**

BUILDING REVENUES – BY PERMIT TYPE

FEB 2015	Yearly					
	Current YTD		Previous YTD		5 Year Avg YTD	
	FEB 2015		FEB 2015			
Permits	Permits	Revenues	Permits	Revenues	Permits	Revenues
New Commercial	0	$ -	1	$ 31,217	0.6	$ 10,890
Tenant Finish Comm	11	$ 33,393	11	$ 52,546	3.6	$ 8,791
New Residential (SFD)	4	$ 19,614	4	$ 17,634	3	$ 9,280
Scrapes and Rebuilds	0	$ -	0	$ -	0	$ -
Alteration/Addition to Res	29	$ 28,071	19	$ 18,155	10	$ 7,890
Duplex	0	$ -	0	$ -	0	$ -
Townhomes 3 & 4 units	0	$ -	0	$ -	0	$ -
Townhomes 5 or more	0	$ -	6	$ 15,732	3.8	$ 9,573
Multifamily (Apartments)	5	$ 4,171	0	$ -	0.2	$ 3,928
Demo Residential	4	$ 200	9	$ 500	2	$ 100
Demo Commercial	1	$ 50	0	$ -	0	$ -
Minor and Trade	103	$ 18,761	113	$ 14,634	162.2	$ 14,928
TOTALS	**157**	**$ 104,260**	**163**	**$ 150,418**	**185.4**	**$ 65,380**

City of Louisville
COLORADO • SINCE 1878

Department of Planning and Building Safety

749 Main Street • Louisville CO 80027 • 303.335.4592 • www.louisvilleCO.gov

Planning and Building Safety Activity Report
March - 2015

Planning Activity
The list represents projects within the various stages of the City's development approval, including: projects submitted to the Planning Division in referral; projects recommended by the Planning Commission; and those projects approved by City Council during the month. It is important to note approved projects may not be built. Approved Planned Unit Developments (PUDs) remain eligible for issuance of building permits for three years. Activity this month includes:

1. **In Referral:**
- projects (282 residential units and 88,176sf of non-residential)
2. **Recommended by Planning Commission:**
- 48-bed rehabilitation facility. Note PC recommended denial of 23,000 of retail.
3. **Approved by City Council:**
   3 projects: annexation and zoning for 231 residential units and 18,404 sf of non-residential; PUD for 5 TH, 130 APT, and 26,000 sf of non-residential; SRU – Howard Berry).

Planning Summary – March 2015					
Name	**Description**	**Rezoning**	**Planned Unit Development**		**Special Review Use**
			Preliminary	**Final**	
Downtown / Old Town					
Lawrence Enrietto Park SRU	LSAB Community Garden				S
Grain Elevator	PUD/SRU for 27,000 SF non-residential		CC	S	S
South Boulder Road					
Alkonis Annexation	Annex / GDP for 231 units and 18,404 sf	**CC**			
BCHA Plat/PPUD	Plat/PUD for 231 units and 18,404 sf		S		
Centennial Valley					
Howard Berry SRU	SRU Sludge beds for City's south waterplant				**PC**
Physicians Dv. Group	48 bed skilled rehabilitation facility	**PC**		**PC**	
480 W. Dahila	a PUD amendment to add a 698 sf			S	
McCaslin Market Place	a PUD to add 12,772 SF single story building with retail, and restaurant space.			**S**	
Revitalization District					
Coal Creek	51 TH/Dplx Units, 30,000 sf Retail	CC	CC	S-Hold	
DELO Phase 2	5 TH, 130 APT, and 26,000 SF Commerical	CC	CC	**CC**	
DELO Plaza	23,000 sf Retail			**PC Denied**	
North McCaslin					
Gateway PUD Amend	Change floor restriction, not hieght restriction			**PC**	

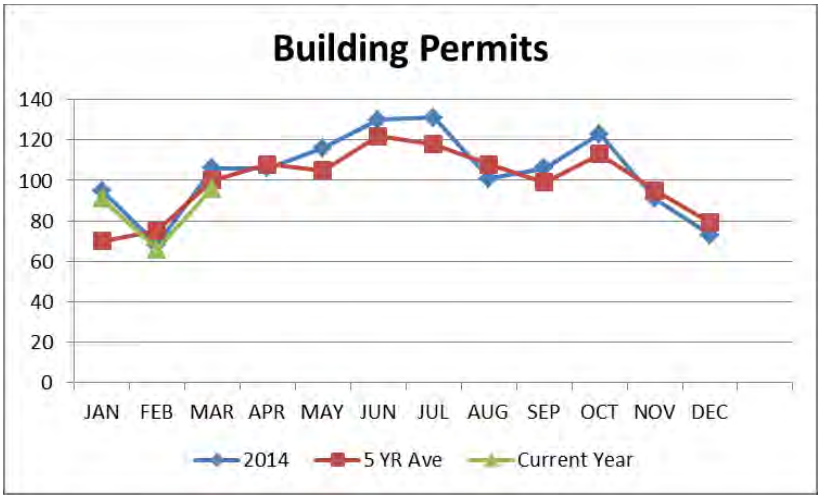
New; S – Submitted; PC – Planning Commission Recommendation; CC – City Council Approval

Development Activity
The status of approved projects is listed below.

Development Summary – March 2015									
Name	Approved			Permits Issued			Remaining		
	Res. (Units)	Non-Res.		Res. (Units)	Non-Res.		Res. (Units)	Non-Res.	
		SF	Use		SF	Use		SF	Use
ACTIVE PUD (PERMITS ISSUED)									
Colorado Tech Center									
1960 Cherry	-	59,137	Flex	-	59,137	Flex	-	-	-
North End									
Phase 2 – PA#2 / #3	122	-	-	-	-	-	88	-	-
South Boulder Road									
Center Court	111	32,000	Retail	-	-	-	111	-	-
Downtown / Old Town									
Scrapes	-	-	-	1	-	-	-	-	-
927 Main Street	2	560	Office	-	-	-	2	-	-
Copper Hill Subdivsion									
Copper Hill	9	-	-	-	-	-	1	-	-
Redevelopment DIstrict									
Delo – Phase 1/1A	55	1,000	Office	-	-	-	51	1,000	Office
Sub-Total	**299**	**92,697**	**Retail**	**1**	**59,137**	**Flex**	**253**	**1,000**	**Office**
INACTIVE PUD (NO PERMITS ISSUED)									
Colorado Tech Center									
Boulder Amplifiers	-	23,000	Flex						
North End									
Phase 1 - Block 10	84	-	-						
Phase 2 - PA#1	21(+17*)	65,000	Com						
Downtown / Old Town									
931 Main Street	-	2,200	Office						
Hutchinson Corner	6	-	-						
Sub-Total	**111(+17)***	**90,200**	**Mix**						

* denotes a difference between the GDP and PUD

Construction Activity
Current building revenues are illustrated with the following information.



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JUL	131	$58,554
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SEP	106	$44,868
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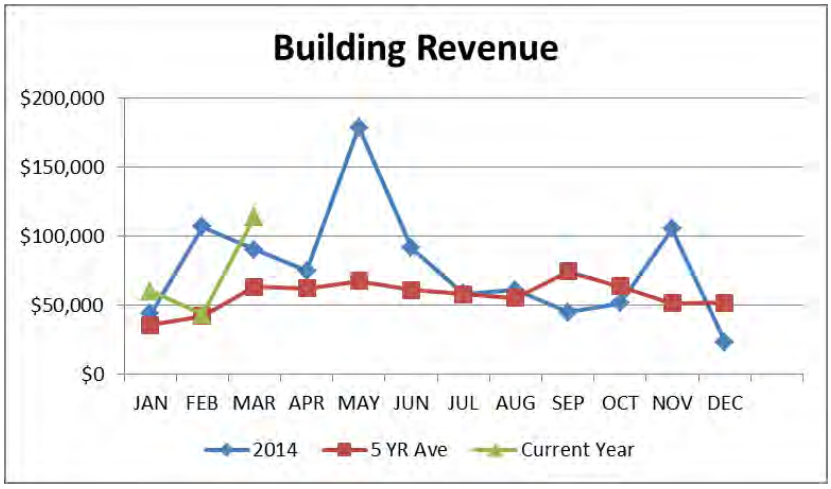
NOV	91	$105,160
DEC	73	$23,513



Summary by Month for Last 5 years		
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APR	108	$62,280
MAY	105	$67,677
JUN	122	$60,902
JUL	118	$57,851
AUG	108	$55,136
SEP	99	$74,680
OCT	113	$63,857
NOV	95	$51,455
DEC	79	$51,893

BUILDING PERMITS – BY PERMIT TYPE

MAR 2015	Monthly					
	Current Month		Last Year Month		5 year Avg for MAR	
	MAR 2015		MAR 2015			
Permits	Permits	Revenues	Permits	Revenues	Permits	Revenues
New Commercial	1	$ 32,472	0	$ -	0.2	$ 15,367
Tenant Finish Comm	12	$ 22,980	14	$ 19,311	1.8	$ 3,711
New Residential (SFD)	0	$ -	2	$ 8,799	2.8	$ 8,431
Scrapes and Rebuilds	1	$ 6,663	1	$ 8,610	0.2	$ 1,481
Alteration/Addition to Res	15	$ 15,143	15	$ 26,377	5.9	$ 7,158
Duplex	0	$ -	0	$ -	0.2	$ 248
Townhomes 3 & 4 units	0	$ -	0	$ -	0	$ -
Townhomes 5 or more	5	$ 17,371	6	$ 15,665	1.2	$ 3,133
Multifamily (Apartments)	1	$ 7,252	0	$ -	0.4	$ 8,246
Demo Residential	1	$ 50	1	$ 50	2.4	$ 120
Demo Commercial	0	$ -	5	$ 250	0.3	$ 17
Minor and Trade	60	$ 12,177	62	$ 11,403	72.8	$ 10,812
TOTALS	**96**	**$ 114,108**	**106**	**$ 90,465**	**88**	**$ 58,724**

BUILDING REVENUES – BY PERMIT TYPE

MAR 2015	Yearly					
	Current YTD		Previous YTD		5 Year Avg YTD	
	MAR 2015		MAR 2015			
Permits	Permits	Revenues	Permits	Revenues	Permits	Revenues
New Commercial	1	$ 32,472	1	$ 31,217	0.8	$ 26,257
Tenant Finish Comm	23	$ 56,373	25	$ 71,856	0.7	$ 8,244
New Residential (SFD)	4	$ 19,614	6	$ 26,433	5.8	$ 17,711
Scrapes and Rebuilds	1	$ 6,663	1	$ 8,610	0.2	$ 1,470
Alteration/Addition to Res	44	$ 43,214	34	$ 44,532	15.9	$ 15,048
Duplex	0	$ -	0	$ -	0.2	$ 248
Townhomes 3 & 4 units	0	$ -	0	$ -	0	$ -
Townhomes 5 or more	10	$ 21,543	12	$ 31,397	2.5	$ 6,353
Multifamily (Apartments)	1	$ 7,252	0	$ -	0.6	$ 12,174
Demo Residential	5	$ 250	14	$ 750	3.2	$ 160
Demo Commercial	1	$ 50	1	$ 50	0.3	$ 17
Minor and Trade	163	$ 30,938	175	$ 26,037	276	$ 25,756
TOTALS	**253**	**$ 218,369**	**269**	**$ 240,882**	**306.2**	**$ 113,438**

Louisville Public Library Report
2014 Turnover Rate

For all Colorado libraries serving communities of 25,000 to 100,000 residents, Louisville Public Library ranks first in turnover of the collection, with a total turnover rate of 5.74.
(Colorado State Library, Library Research Service, 2014)

Type of Material	Total Items	Total Checkouts	Checkouts / Item	
			Turnover 12/2014	Turnover 12/2013
ADULT				
"Have It Today" DVDs	425	22,089	52	44
Adult DVD	2,104	31,007	15	17
"Have It Today" Books	64	2,652	41	21
New Adult Fiction	594	19,511	33	19
New Adult Non-Fiction	468	10,180	22	12
We Recommend	190	3,202	17	16
Express Magazines	148	3,631	25	39
Pre-Loaded Nooks	14	126	9	16
TEEN				
Teen DVD	1,034	10,333	10	11
New Teen Fiction	98	1,327	14	10
CHILDREN				
Children's DVD	2,354	36,282	15	16
Children's Easy Readers	2,471	44,835	18	20
Children's Easy Picture Books	12,517	65,175	5	6
New Children's Easy Picture Books	331	8,426	25	18
Juv. Graphic	659	11,657	18	17
Board Books	876	11,173	13	15

As we work to meet the information needs of the community, Library staff looks at various statistics that detail use of materials. One report shows the annual turnover (how often particular types of library materials are checked out by users). Highest turnover occurs in recently released materials (“Have it Today” DVDs and books, Express magazines, and new fiction), “We Recommend” titles selected by staff, and Children’s Easy Readers, picture books and graphic novels.

Not all library materials are expected to have high turnover, yet still are important to our collection. But highly popular books, magazines and movies are purchased in numbers that will meet high needs, and are shelved in readily accessible areas of the library as a convenience to users.

LOUISVILLE MUNICIPAL COURT MONTHLY COURT REPORT 2015

TRAFFIC VIOLATIONS	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD 2015	YTD 2014
0 POINT VIOLATIONS	1	0	0										1	0
1 POINT VIOLATIONS	1	1	0										2	5
2 POINT VIOLATIONS	3	1	0										4	12
3 POINT VIOLATIONS	15	7	17										39	32
4 POINT VIOLATIONS	33	27	39										99	127
6 POINT VIOLATIONS	2	0	0										2	0
8 POINT VIOLATIONS	0	0	1										1	0
12 POINT VIOLATIONS	0	0	0										0	0
SUB TOTALS	55	36	57	0	0	0	0	0	0	0	0	0	148	176
SPEED VIOLATIONS														
1 POINT VIOLATIONS	0	2	2										4	9
4 POINT VIOLATIONS	20	33	27										80	131
6 POINT VIOLATIONS	3	4	2										9	22
12 POINT VIOLATIONS	0	0	0										0	0
SUB TOTALS	23	39	31	0	0	0	0	0	0	0	0	0	93	162
PARKING VIOLATIONS														
PARKING	53	24	33										110	24
PARKING/FIRE LANE	0	1	0										1	1
PARKING/HANDICAPPEI	1	2	1										4	4
SUB TOTALS	54	27	34	0	0	0	0	0	0	0	0	0	115	29
CODE VIOLATIONS														
BARKING DOGS	0	1	0										1	5
DOG AT LARGE	0	0	8										8	1
WEEDS/SNOW REMOVA	0	0	0										0	1
JUNK ACCUMULATION	0	1	0										1	0
FAILURE TO APPEAR	2	3	6										11	6
RESISTING AN OFFICER	0	0	0										0	0
DISORDERLY CONDUCT	0	0	0										0	0
ASSAULT	0	0	0										0	0
DISTURBING THE PEACI	0	0	0										0	1
THEFT	0	0	0										0	1
SHOPLIFTING	0	3	1										4	4
TRESPASSING	0	0	0										0	1
HARASSMENT	0	0	0										0	1
MISC CODE VIOLATIONS	4	2	8										6	7
SUB TOTALS	6	10	23	0	0	0	0	0	0	0	0	0	39	28
TOTAL VIOLATIONS	138	112	145	0	0	0	0	0	0	0	0	0	395	395
CASES HANDLED														
GUILTY PLEAS	70	33	59										162	58
CHARGES DISMISSED	12	18	20										50	49
*MAIL IN PLEA BARGAIN	30	33	34										97	210
AMD CHARGES IN COUF	26	26	30										82	68
DEF/SUSP SENTENCE	0	2	2										4	6
TOTAL FINES COLLECTE	$ 9,597.00	$ 9,370.00	$ 14,390.00										$ 33,357.00	$ 40,745.00
COUNTY DUI FINES	$ 1,669.26	$2,286.34	$ 1,536.21										$ 5,491.81	$ 3,211.79
TOTAL REVENUE	$ 11,266.26	$ 11,656.34	$ 15,926.21	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 38,848.81	$ 43,956.79

City of Louisville
COLORADO • SINCE 1878

CITY COUNCIL COMMUNICATION
AGENDA ITEM 8A

SUBJECT: **LOUISVILLE CELEBRATION OF POETRY DAY PROCLAMATION**

DATE: **APRIL 21, 2015**

PRESENTED BY: **SUZANNE JANSSEN, CULTURAL ARTS AND SPECIAL EVENTS COORDINATOR**

SUMMARY:
Resident Seventeen year old Louisville resident Julia Falkner, a senior at Monarch High School, is one of five students appointed by the President's Committee on the Arts & the Humanities to the National Student Poets Program (NSPP). The NSPP honors student poets and showcases their achievements for a national audience, inspiring other young people to excellence in their creative endeavors. This program is limited to student winners of a National Gold or Silver Medal in poetry in the Scholastic Art & Writing awards, the longest-running, most prestigious recognition program for creative teens in the United States.

During her year of service, Julia will promote an appreciation for poetry and creative expression through readings and leading community workshops on the importance of writing in one's academic, personal and professional life.

Lyla Hamilton and Julia Falkner will be in attendance to accept the Proclamation.

FISCAL IMPACT:
None.

RECOMMENDATION:
Request Mayor Muckle to sign the attached proclamation and urge citizens of Louisville to attend the May 17th Celebration of Poetry at the Louisville Public Library.

ATTACHMENT(S):
1. Proclamation

PROCLAMATION OF MAY 17, 2015
AS LOUISVILLE CELEBRATION OF POETRY DAY
IN HONOR OF JULIA FALKNER

WHEREAS: Louisville resident and Monarch High School senior Julia Falkner is one of five students named as National Student Poets for the 2014-2015 school year; and

WHEREAS: Eligibility for the National Student Poets Program is limited to student winners of a National Gold or Silver Medal in poetry in the Scholastic Art & Writing awards, the longest-running, most prestigious recognition program for creative teens in the United States;

WHEREAS: National Student Poets serve as ambassadors who bring poetry to people of all ages; and

WHEREAS: The creation and appreciation of poetry by people of all ages is important to the cultural life of our community; and

WHEREAS: The Comprehensive Plan of the City of Louisville calls for the promotion and advancement of the arts and culture as a constituent of the quality of life in our community;

WHEREAS: Julia Falkner and the Louisville Public Library will offer a multi-generational workshop and poetry reading on Sunday, May 17, from 2:00 PM – 4:30 PM;

Now, therefore, I, Robert Muckle, Mayor of Louisville, Colorado, do hereby proclaim May 17, 2015, Louisville Celebration of Poetry Day in honor of Julia Falkner and urge public officials, educators, librarians, merchants, and all the citizens of Louisville to honor the accomplishments of Julia Falkner and observe this day and to celebrate the cultural riches our community has to offer.

DATED this ___ day of April 2015

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

SUBJECT: **LOUISVILLE LAW ENFORCEMENT MEMORIAL AT HELBURG PARK—DISCUSSION AND DIRECTION**

DATE: **APRIL 21, 2015**

PRESENTED BY: **DAVE HAYES, POLICE CHIEF**
JOE STEVENS, DIRECTOR, PARKS AND RECREATION
ALLAN GILL, PARKS PROJECT PLANNER

SUMMARY:
The Committee working on this project has to date raised over $20,000 toward the project. Staff wants to provide a project status update and, in light of the Committee's successful fundraising efforts, Mayor Muckle suggested Council may want to consider amending the City's 2015 budget to provide the City's $20,000 in additional matching funding this year instead of waiting until 2016 as planned. This could allow the Memorial to be finished by October 28th, the 100th anniversary of Victor Helburg's murder.

Background
On Oct. 28, 1915, Louisville Marshal Victor Helburg was shot and killed in the line of duty. To this day, he remains the only Louisville law enforcement official to have died in the line of duty.

In early 2012, a committee of citizens began to plan a memorial park suitable for Victor Helburg, and any future Louisville police officers who make the ultimate sacrifice for this community, to be located at the Police and Courts Building. The committee's goal was to dedicate a park by Oct. 28th, 2015, the 100th anniversary of Victor Helburg's death.

The design and construction of a Memorial Park on the grounds of the Police/Courts Facility to commemorate Officer Victor Helburg's sacrifice to the City of Louisville and a memorial for future generations, was approved by Council as part of the city's 2015 Budget. The cost for this project is estimated at $50,000 with the City providing $10,000 towards the project in 2015, and up $20,000 in 2016, with the Helburg Memorial Committee asked to raise the remaining $20,000.

Members of the Committee worked with Allan Gill, and are in agreement with the design of the park and the memorial. City staff and members of the Helburg Committee are planning a ground breaking for this memorial at 10:00 a.m. on Friday, May 15, 2015 at the site of the new park.

FISCAL IMPACT:
Potential $20,000 budget amendment.

RECOMMENDATION:
Discussion and direction. Staff will prepare a budget amendment for consideration at the May 5th meeting if Council desires this action.

ATTACHMENTS:

1. Illustrative Plan
2. Memorial Plan Set

Conceptual Landscape Plan

0 10 20

Approximate Scale: 1"=20'-0"

North

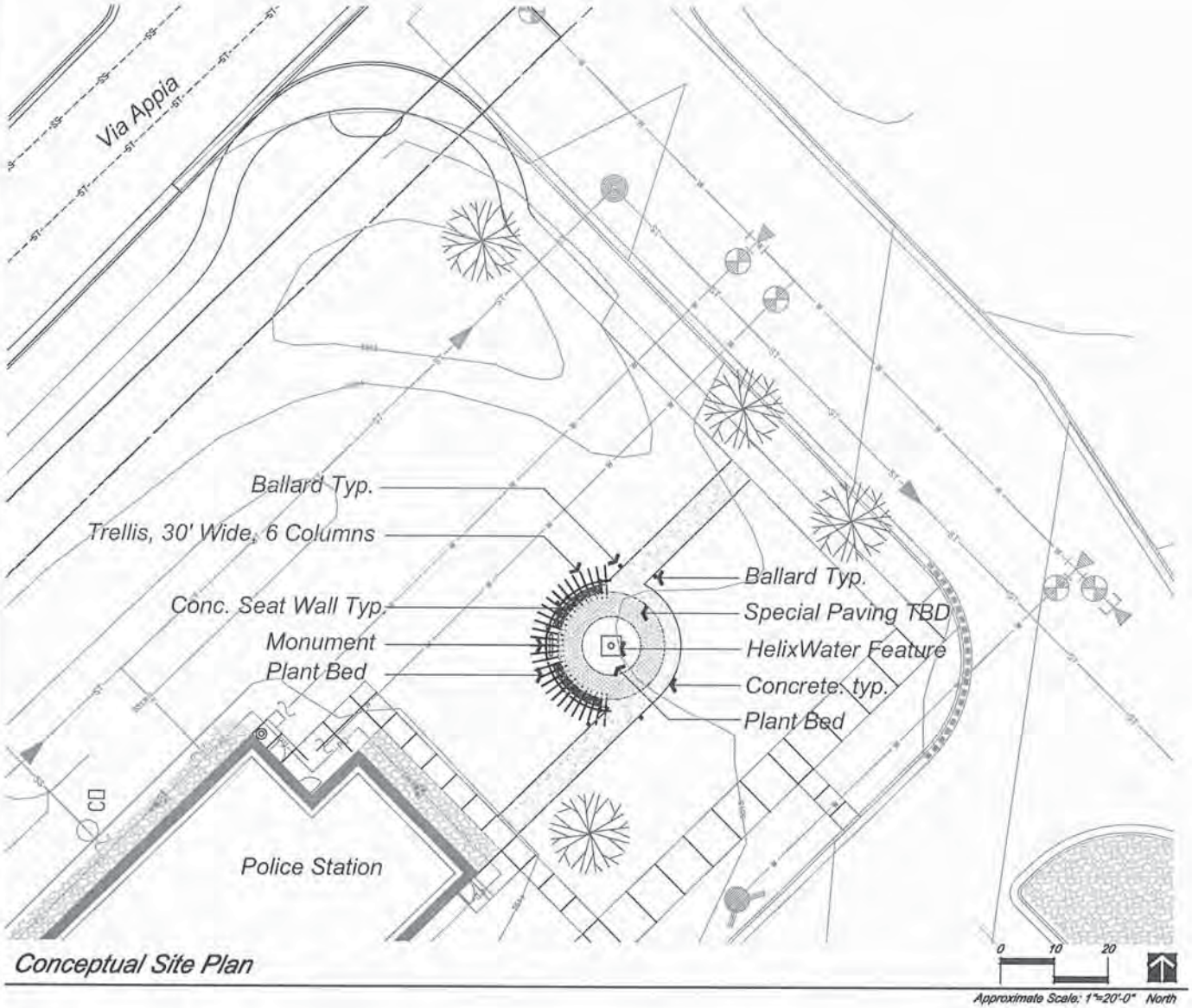
POLICE OFFICERS MEMORIAL

CITY OF LOUISVILLE

POLICE DEPARTMENT

City of Louisville

Parks, Recreation, Open Space and Trails Department



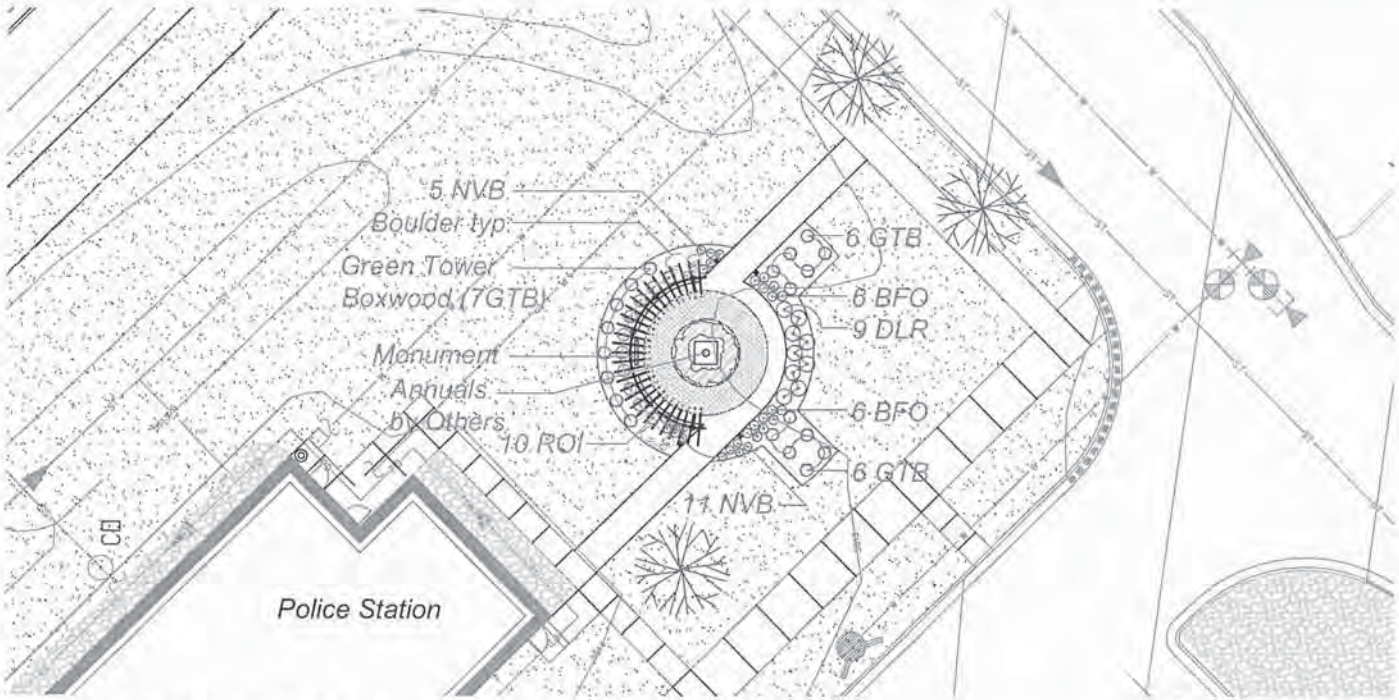
Conceptual Site Plan

City of Louisville
Parks, Recreation, Open Space and Trails Department

POLICE OFFICERS MEMORIAL
CITY OF LOUISVILLE
POLICE DEPARTMENT

Designed by:	AG
Reviewed by:	AG
Date:	Nov. 15, 2012
Project Number:	TBD
File Name:	CONCEPT - 1.dwg
Revisions:	

Sheet Number
1 OF 3



Conceptual Landscape Plan

0 10 20

Approximate Scale: 1"=20'-0" North

Plant List

Item	Scientific Name	Common Name	Size	Growth Habbit
12 BFO	Gallardia aristata 'Oranges and Lemon's'	Oranges and Lemons Blanket Flower	1 Gal.	12 - 18" H 12 - 18" W
9 DLR	Hemerocallis 'Red Select'	Red Daylily	1 Gal.	30 - 36" H 30 - 36" W
19 GTB	Buxus sempervirens 'Monrue'	Green Tower Boxwood	5 Gal.	9' H 1 - 2' W
2 JBC	Juniperus horizontalis 'Blue Chip'	Blue Chip Juniper	5 Gal.	1' H 6 - 8' W12
16 NVB	Verbena bipinnatifida	Native Verbena	1 Gal.	3 - 6" H 12 - 18" W
10 ROI	Rosa iceberg	Iceberg Rose	1 Gal.	2 - 3' H 18 - 24" W

Note:
The Iceberg Rose is multiflowering or reffered to as floribunda, deadhead for addtional blooming.
The Green Tower Boxwoods evoke the presence of officers watching over the memorial over time.

City of Louisville
Parks, Recreation, Open Space and Trails Department

POLICE OFFICERS MEMORIAL
CITY OF LOUISVILLE
POLICE DEPARTMENT

Designed by: AG
Reviewed by: AG
Date: Nov. 15, 2012
Project Number: TBD
File Name: CONCEPT - 1.dwg
Revisions:

Sheet Number
2 OF 3

Helix Fountain

Trellis

Green Tower Boxwood

Green Tower Boxwood Leaves

Red Select Daylily

Blanket Flower

Iceberg Rose

Native Verbena

City of Louisville
Parks, Recreation, Open Space and Trees Department

POLICE OFFICERS MEMORIAL

CITY OF LOUISVILLE
POLICE DEPARTMENT

Designed by: AG
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Revisions:

Sheet Number
3 OF 3

SUBJECT: **ORDINANCE NO. 1687, SERIES 2015 – AN ORDINANCE AMENDING ORDINANCE NOS. 1165 AND 1166, SERIES 1994 CONCERNING THE GATEWAY ANNEXATION AND APPROVING AN AMENDMENT TO AN ADDENDUM TO ANNEXATION AGREEMENT – 2ND Reading – Public Hearing (Advertised *Daily Camera* 04/12/2015)**

RESOLUTION NO. 22, SERIES 2015 – A RESOLUTION APPROVING AN AMENDMENT TO THE GATEWAY FINAL PLANNED UNIT DEVELOPMENT (PUD) TO MODIFY THE HEIGHT ALLOWANCE LANGUAGE ON LOTS 1 AND 2, BLOCK 1 FROM "1 STORY WITH A 26 FEET MAXIMUM BUILDING HEIGHT" TO "1 OR 2 STORIES WITH A MAXIMUM BUILDING HEIGHT OF 26 FEET "

DATE: **APRIL 21, 2015**

PRESENTED BY: **TROY RUSS, DIRECTOR OF PLANNING AND BUILDING SAFETY**

BACKGROUND:
The Louisville City Council approved the Gateway annexation and initial zoning with Ordinances 1165 and 1166, Series 1994. Section 5 of Ordinance 1165, Series 1994 and Section 3 of Ordinance 1166, Series 1994 (both attached) state, *"No more than two single family dwellings may be constructed on the portion of the property located on the west side of McCaslin Boulevard (Parcels Four and Five on Exhibit B). Such dwellings shall be single story and not more than twenty-six (26) feet in height. The final number of such dwellings will be determined through the P.U.D. process and may be one dwelling or two dwellings."*

The corresponding Annexation Agreement (also attached) includes the 1 story and 26 foot height restriction as stated in both the ordinances. The approved Gateway PUD regulates the 1 story and 26 foot height restriction in the Design Criteria Table on the coversheet.

In researching the item, staff believes the 1 story and 26 foot height restriction evolved from the community's interest in preserving the City's view of the Flatirons from McCaslin Boulevard. Minutes from the October 17, 1995 City Council meeting are attached.

The property is situated prominently between McCaslin Boulevard and the western edge of Davison Mesa, providing a spectacular view of the Boulder Valley. No additional regulatory tools (such as reduced lot coverage, increased roof pitch, or floor area) were employed in the PUD to preserve the view shed.

To supplement the 1995 minutes, staff interviewed the former City Council member who made the motion to approve the 26' height restriction, Rob Lathrup. As stated in this staff report, he mentioned he was concerned with the buildings' impact on the mountain views. He did not recall the specific reasoning behind the building story restriction. Staff also tried unsuccessfully to connect with former Mayor Davidson as to the specific reasoning for his amendment to Lathrop's motion restricting the building heights.

REQUEST
The applicant is requesting the City allow the 1 story restriction in the Design Criteria Table of the PUD be modified to allow a 2 story structure without altering the maximum 26 foot building height allowance.

STAFF ANALYSIS
Staff reviewed the request with the regulatory tools employed in the approved PUD along with the Restricted Rural Residential (R-RR) Zone District's yard and bulk standards documented in the Louisville Municipal Code (LMC).

The LMC specifies a 27 foot maximum building height and a 10% maximum lot coverage allowance in the underlying R-RR Zone District. The LMC does not regulate residential structure heights by building stories.

The property is approximately 98,000 sf. As such, the 10% lot coverage allowance would yield a 9,800 sf house. Unlike the Old Town overlay district, the PUD does not regulate roof pitch. In other words, the one story structure could employ a flat roof where the entire 9,800 sf house would be allowed to be 26 feet in height.

Staff believes the request, if approved, will not negatively impact the view shed given the regulatory tools used in the existing PUD and the LMC. In fact, applicant's suggested building design would reduce the potential negative impacts on the view shed, if approved, by reducing the potential building foot print, or lot coverage.

The applicant provided alternative development scenarios to illustrate differences between a single story structure and a two story structure. Key arguments by the applicant include energy efficiency, lot coverage, and roof lines. The applicant argues a single story structure is less efficient as heat used in the second floor of a structure would get lost in attic space of a single story structure. Staff agrees. The applicant also stated a two story structure could reduce the overall building's lot coverage when compared to a one story structure.

COPPER HILL (GATEWAY) SUBDIVISION HOA DESIGN REVIEW COMMITTEE
The applicant submitted the requested 2-story house design to the Copper Hill (Gateway) Homeowners Association Design Review Committee. The review committee supported the request for a *"two-story house that does not exceed 26-feet maximum height".* The Committee's response to the architect is included in the packet for City Council review.

PUBLIC COMMENT
Staff posted the property and mailed a public notice all properties owners within 500-feet of Lots 1 and 2, Block 1 of the Gateway Subdivision. No comments were received before the Planning Commission hearing. Three comments were received after the Planning Commission hearing (attached). One comment was in favor of the request. Two comments were opposed.

PLANNING COMMISSION ACTION:
The Planning Commission reviewed the proposal at its March 12, 2015 meeting and unanimously recommended approval. Planning Commission comments were focused on alternative techniques used to preserve view sheds and concluded they were not necessary given the nature of the original PUD language. The draft minutes to the hearing are attached.

Two public comments were heard during the public hearing. One was in favor of the requested. One individual asked for clarification regarding trade-off and public benefits.

FISCAL IMPACT:
No additional fiscal impacts are expected with this request.

STAFF RECOMMENDATION
Staff recommends City Council approve Ordinance No. 1687, Series 2015 and Resolution 22, 2015.

ATTACHMENTS:

1. Ordinance No. 1687, Series 2015
2. Resolution 22, Series 2015 (new for packet)
3. Draft Annexation Agreement Amendment
4. Planning Commission Resolution No. 08, Series 2015
5. Planning Commission March 12, 2015 Minutes
6. Public Comment – Jeff Waters (March 17th)
7. Public Comment – Brian Larson (March 24th)
8. Public Comment – Susan Morris (April 7th) (new for packet)
9. Copperhill HOA Design Review Committee Letter
10. Land Use Application, transmittal letter, and proposed building elevations,
11. Ordinance 1165, Series 1994,
12. Ordinance 1166, Series 1994,
13. Gateway Annexation Agreement (1996),
14. City Council minutes October 17, 1995.
15. Resolution 65, Series 1996, and
16. City Council minutes October 15, 1996
17. PowerPoint

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ORDINANCE NO. 1687
SERIES 2015

AN ORDINANCE AMENDING ORDINANCE NOS. 1165 AND 1166, SERIES 1994 CONCERNING THE GATEWAY ANNEXATION AND APPROVING AN AMENDMENT TO AN ADDENDUM TO ANNEXATION AGREEMENT

WHEREAS, on October 17, 1995, the City Council passed and adopted on second and final reading Ordinance No. 1165, Series 1994, "An Ordinance Annexing to the City of Louisville, Colorado, the Property Located in the North Half of Section 7, Township 1 South, Range 69 West, South of South Boulder Road and West of Washington Avenue," which was recorded on February 28, 1996 as Reception No. 01587000 in the Office of the Boulder County Clerk and Recorder; and

WHEREAS, also on October 17, 1995, the City Council passed and adopted on second and final reading Ordinance No. 1166, Series 1994, "An Ordinance Amending Title 17 of the Louisville Municipal Code Entitled 'Zoning' by Zoning Property Owned by the Louisview Corporation Known as the Gateway Annexation," which was recorded on February 28, 1996 as Reception No. 01587001 in the Office of the Boulder County Clerk and Recorder; and

WHEREAS, the City Council approved an Annexation Agreement for the Gateway Annexation dated December 5, 1995 and which was recorded on March 4, 1996 as Reception No. 01588412 in the Office of the Boulder County Clerk and Recorder and an Addendum to Annexation Agreement dated December 5, 1995 and which was recorded on March 4, 1996 as Reception No. 01588413 in the Office of the Boulder County Clerk and Recorder (the "Addendum"); and

WHEREAS, Ordinance Nos. 1165 and 1166 and the Addendum include provisions requiring the dwellings on the lots located on the west side of McCaslin Boulevard to be one story and no more than twenty-six feet in height; and

WHEREAS, there has been submitted to City Council a request to allow two story dwellings on said lots without changing the existing twenty-six foot height limitation; and

WHEREAS, City Council desires to amend Ordinance Nos. 1165 and 1166 and to approve an amendment to the Addendum to allow two story dwellings on said lots, subject to the twenty-six foot height limitation;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Section 5 of Ordinance No. 1165, Series 1994 is hereby by amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

Section 5 – That no more than two single family dwellings may be constructed on the portion of the property on the west side of McCaslin Boulevard ~~(Parcels Four and Five on Exhibit A)~~ (Lots 1 and 2, Block 1, Gateway PUD, a/k/a Copper Hill Community Interest Community, Assessor Parcel Nos. 157507226001 and 157507226002). Such dwellings shall be single or two story, but in no event shall such dwellings be ~~and not~~ more than twenty-six (26) feet in height. The final number of such dwellings shall be determined thorough the P.U.D. process and may be one dwelling or two dwellings.

Section 2. Section 3 of Ordinance No. 1166, Series 1994 is hereby by amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

Section 3. No more than two single family dwellings may be constructed on the portion of the property located on the west side of McCaslin Boulevard ~~(Parcels Four and Five on Exhibit B)~~ (Lots 1 and 2, Block 1, Gateway PUD, a/k/a Copper Hill Community Interest Community, Assessor Parcel Nos. 157507226001 and 157507226002). Such dwellings shall be single or two story, but in no event shall such dwellings be ~~and not~~ more than twenty-six (26) feet in height. The final number of such dwellings shall be determined thorough the P.U.D. process and may be one dwelling or two dwellings.

Section 3. The Amendment to Addendum to Annexation Agreement (Gateway Annexation) is hereby approved in essentially the same form as the copy of such Amendment accompanying this Ordinance. The Mayor and City Clerk are authorized to execute such Amendment, either as a single Amendment for both Lots or as a separate Amendment for each Lot, and the Mayor is hereby further granted the authority to negotiate and approve such revisions to said Amendment as the Mayor determines are necessary or desirable for the protection of the City, so long as the essential terms and conditions of the Amendment are not altered.

Section 4. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this _____ day of _____, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

APPROVED AS TO FORM:

_____
Light Kelly, P.C.
City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this _____ day of _____, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

RESOLUTION NO. 22
SERIES 2015

A RESOLUTION APPROVING AN AMENDMENT TO THE GATEWAY FINAL PLANNED UNIT DEVELOPMENT (PUD) TO MODIFY THE HEIGHT ALLOWANCE LANGUAGE ON LOTS 1 AND 2, BLOCK 1 FROM "1 STORY WITH A 26 FEET MAXIMUM BUILDING HEIGHT" TO "1 OR 2 STORIES WITH A MAXIMUM BUILDING HEIGHT OF 26 FEET.

WHEREAS, there has been submitted to the Louisville City Council an application requesting an amendment to the Gateway PUD to allow two-story residential units on Lots 1 and 2 on Block 1 of the Gateway Subdivision without changing the existing 26-foot height limitation; and

WHEREAS, the City Staff has reviewed the PUD amendment application and found it to comply with Louisville zoning regulations and would not alter the intended goal of the previous restriction in maximizing the City's view of the Flatirons from McCaslin Boulevard, or the views of the Flatirons from adjacent properties; and

WHEREAS, after a duly noticed public hearing on March 12, 2015, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated March 12, 2015, the Planning Commission recommends approval of the PUD Amendment to the City Council with no conditions; and

WHEREAS, City Council has reviewed the application, including the recommendation of the Planning Commission, and finds that it complies with Chapter 17.28.210 of the Louisville Municipal Code;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Louisville, Colorado does hereby recommend approval Resolution 22, Series 2015, a resolution recommending city council approve an amendment to the Gateway final Planned Unit Development (PUD) to modify the height allowance language on Lots 1 and 2, Block 1 from "1 story with a 26 feet maximum building height" to "1 or 2 stories with a maximum building height of 26 feet with no conditions.

PASSED AND ADOPTED this 21st day of April, 2015.

By: _____
Robert P. Muckle, Mayor
City of Louisville, Colorado

Attest: _____
Nancy Varra, City Clerk
City of Louisville, Colorado

AMENDMENT TO ADDENDUM TO ANNEXATION AGREEMENT

(Gateway Annexation)

THIS AMENDMENT TO ADDENDUM TO ANNEXATION AGREEMENT is made and entered into this _____ day of _____, 2015, by and between [redacted] 80206 (collectively, the "Owners"), and the CITY OF LOUISVILLE, a home rule municipal corporation of the State of Colorado ("City") with reference to that certain ADDENDUM TO ANNEXATION AGREEMENT by and between Louisview Corporation and City which is dated December 5, 1995 and was recorded on March 4, 1996 as Reception No. 01588413 in the Office of the Boulder County Clerk and Recorder and is hereinafter referred to as the "Addendum" and that certain ANNEXATION AGREEMENT by and between Louisview Corporation and the City which is dated December 5, 1995 and was recorded on March 4, 1996 as Reception No. 01588412 in the Office of the Boulder County Clerk and Recorder and is hereinafter referred to as the "Annexation Agreement;" and

WHEREAS, the Owners are the owners of Lots 1 and 2, Block 1, Gateway PUD, a/k/a Copper Hill Community Interest Community, Assessor Parcel Nos. 157507226001 and 157507226002; and

WHEREAS, the Addendum includes a provision requiring the dwellings on Lots 1 and 2 to be one story and no more than twenty-six feet in height; and

WHEREAS, the Owners and City desire to amend the Addendum to allow two story dwellings on Lots 1 and 2 without changing the existing twenty-six foot height limitation;

NOW, THEREFORE, in consideration of the recitals, promises, covenants and undertakings hereinafter set forth, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and confessed, the Owners and City agree as follows:

1. Section 14 of the Addendum is hereby amended to read as follows (words to be added are underlined; words deleted are ~~stricken through~~):

> 14. No more than two single family dwellings may be constructed on the portion of the property located on the west side of McCaslin Boulevard, Lots 1 and 2, Block 1, Gateway PUD, a/k/a Copper Hill Community Interest Community, Assessor Parcel Nos. 157507226001 and 157507226002 ~~Parcels No. 4 and No. 5 on the approved Annexation plat~~. Such dwellings shall be single or two story, but in no event shall such dwellings be ~~and not~~ more than twenty-six (26) feet in height. The final number of such dwellings will be determined thorough the P.U.D. process and may be one dwelling or two dwellings. If a final P.U.D. for the property is approved to the satisfaction of the City and the Owner, the Owner shall place the restrictions of this paragraph 14 in the deeds for the parcels of the property located on the west

side of McCaslin Boulevard, Lots 1 and 2, Block 1, Gateway PUD, a/k/a Copper Hill Community Interest Community, Assessor Parcel Nos. 157507226001 and 157507226002 ~~Parcels No. 4 and No. 5~~.

2. The Addendum to Annexation Agreement, as herein amended by this Amendment to Addendum, is hereby ratified and confirmed and remains in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the Owners and City have executed this Amendment to Addendum to Annexation Agreement as of the day and year first above set forth.

CITY OF LOUISVILLE

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

[Remainder of page left intentionally blank]

OWNER:
[redacted]

_____

ACKNOWLEDGEMENT

STATE OF COLORADO)
)ss
COUNTY OF _____)

The above and foregoing signature of [redacted] was subscribed and sworn to before me this _____ day of _____, 2015.

Witness my hand and official seal.

My commission expires on: _____.

(SEAL) _____
Notary Public

OWNER:
JEREMY LANCE WEISS

_____

ACKNOWLEDGEMENT

STATE OF COLORADO)
)ss
COUNTY OF _____)

The above and foregoing signature of Jeremy Lance Weiss was subscribed and sworn to before me this _____ day of _____, 2015.

Witness my hand and official seal.

My commission expires on: _____.

(SEAL) _____
Notary Public

OWNER:
DAN BOYD

_____

ACKNOWLEDGEMENT

STATE OF COLORADO)
)ss
COUNTY OF _____)

The above and foregoing signature of Dan Boyd was subscribed and sworn to before me this _____ day of _____, 2015.

Witness my hand and official seal.

My commission expires on: _____.

(SEAL) _____
Notary Public

OWNER:
JILL BOYD

_____

ACKNOWLEDGEMENT

STATE OF COLORADO)
)ss
COUNTY OF _____)

The above and foregoing signature of Jill Boyd was subscribed and sworn to before me this _____ day of _____, 2015.

Witness my hand and official seal.

My commission expires on: _____.

(SEAL) _____
Notary Public

RESOLUTION NO. 08
SERIES 2015

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVE AN AMENDMENT TO THE GATEWAY FINAL PLANNED UNIT DEVELOPMENT (PUD) TO MODIFY THE HEIGHT ALLOWANCE LANGUAGE ON LOTS 1 AND 2, BLOCK 1 FROM "1 STORY WITH A 26 FEET MAXIMUM BUILDING HEIGHT" TO "1 OR 2 STORIES WITH A MAXIMUM BUILDING HEIGHT OF 26 FEET.

WHEREAS, there has been submitted to the Louisville Planning Commission an application requesting an amendment to the Gateway PUD to allow two-story residential units on Lots 1 and 2 on Block 1 of the Gateway Subdivision without changing the existing 26-foot height limitation;

WHEREAS, the City Staff has reviewed the PUD amendment application and found it to comply with Louisville zoning regulations and would not alter the intended goal of the previous restriction in maximizing the City's view of the Flatirons from McCaslin Boulevard, or the views of the Flatirons from adjacent properties; and

WHEREAS, after a duly noticed public hearing on March 12, 2015, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated March 12, 2015, the Planning Commission recommends approval of the PUD Amendment to the City Council with no conditions:

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval Resolution 08, Series 2015, a resolution recommending city council approve an amendment to the Gateway final Planned Unit Development (PUD) to modify the height allowance language on Lots 1 and 2, Block 1 from "1 story with a 26 feet maximum building height" to "1 or 2 stories with a maximum building height of 26 feet with no conditions.

PASSED AND ADOPTED this 12th day of March, 2015.

By: _____
Chris Pritchard, Chairman
Planning Commission

Attest: _____
Ann O'Connell, Secretary
Planning Commission

Planning Commission

Meeting Minutes

March 12, 2015
City Hall, Council Chambers
749 Main Street
6:30 PM

DRAFT

Call to Order – Chairman Pritchard called the meeting to order at 6:30 P.M.

Roll Call was taken and the following members were present:

Commission Members Present:	Chris Pritchard, Chairman Cary Tengler, Vice Chairman Ann O'Connell, Secretary Steve Brauneis Jeff Moline Tom Rice Scott Russell
Staff Members Present:	Troy Russ, Director of Planning and Building Safety Sean McCartney, Principal Planner Scott Robinson, Planner II Lauren Trice, Planner I

Approval of Agenda –
Sean McCartney says that the first agenda item regarding Gateway PUD Amendment lists the wrong descriptor which should say" resolution recommending City Council approve an amendment to the Gateway Final Planned Unit Development (PUD) to modify the height allowance language on Lots 1 and 2, Block 1 from "1 story with 26 feet maximum building height" to "1 or 2 stories with a maximum building height of 26 feet".

Russell made motion and Moline seconded to approve the agenda. Motion passed by voice vote.

Approval of Minutes –
Moline made motion and O'Connell seconded to approve February minutes. Motion passed by voice vote. Abstain by Russell.

Public Comments: Items not on the Agenda
None.

Regular Business – Public Hearing Items

- **Gateway PUD Amendment: Resolution 08: Series 2015,** Resolution recommending City Council approve an amendment to the Gateway Final Planned Unit Development (PUD) to modify the height allowance language on Lots 1 and 2, Block 1 from "1 story

with 26 feet maximum building height" to "1 or 2 stories with a maximum building height of 26 feet".

- Applicant and Representative: Vern Seieroe, Architect
- [redacted]
- Case Manager: Troy Russ, Director of Planning and Building Safety

Conflict of Interest and Disclosure:
None.

Public Notice Certification:
Published in the Boulder Daily Camera on February 22, 2015. Posted in City Hall, Public Library, Recreation Center, Courts, and Police Building on February 20, 2015. Mailed to surrounding property owners and property posted on February 23, 2015.

Staff Report of Facts and Issues:
Russ presented from Power Point:

- Property located in southwest intersection of South Boulder Road and McCaslin in the Gateway subdivision. Block 1, Lots 1 and 2.
- Property annexed in the City with Ordinance 1166, Series 1994. Within the annexation is an agreement with specific language, both in ordinance and annexation agreement, stating the dwelling shall be a single story, not more than 26 feet in height, specifying floors and height.
- Property was approved for Planned Unit Development in Resolution 65, Series 1996. There is specific language on cover sheet under Land Use Summary stating maximum building height for Lots 1 and 2, Block 1 shall be one story with a maximum of 26 feet.
- City Council was concerned about the views. Staff interviewed the Council member who made the motion for the 26 feet height. He does not recall why Council did both the 26 feet height limitation and the story limitation. He said they were worried about preserving the view. It is consistent with the minutes found.
- Russ shows photographs taken on March 13, 2015 showing a building currently being built on Lot 1, which is 26 feet tall structure. Photography shows red line drawn to illustrate a 26 feet height for Lot 2.
- All properties east of McCaslin are allowed to build to 27 feet and two stories; west of McCaslin 26 feet and one story.
- Lot 2 is 98,000 sf, translating to a 9,800 sf footprint allowed.
- As a part of the PUD, there are no minimum root pitch requirements, no unique setback requirements, and no landscape controls.
- The approved landscape plan will eventually block the view. Landscaping in the right-of-way currently in place will crowd the view as well.
- A 26 feet, 2 story structure would not worsen the view corridor beyond what is allowed.
- Architect and property owners did contact the Copper Hill Homeowners Association Design Review Committee. The HOA Design Committee correspondence states they do support a two story house that does not exceed 26 feet in height. Staff has not received any comments from the public prior to this hearing.

Staff Recommendations:
Staff recommends approval of Resolution No. 08, Series 2015. A resolution recommending City Council approve an amendment to the Gateway Final Planned Unit Development (PUD) to modify the height allowance language on Lots 1 and 2, Block 1 from "1 story with 26 feet maximum building height" to "1 or 2 stories with a maximum building height of 26 feet".

Commission Questions of Staff:
Moline asks about location clarification of where photograph was taken.
Russ answers photo was taken at northwest corner of intersection, taken across McCaslin.

DRAFT

O'Connell asks about the 9,800 footprint or total square footage of the house?
Russ answers just the footprint. In current regulations, this is the allowed maximum. Staff has not received a building permit request.
Brauneis thanks Russ for contacting the City Council member who was involved. He clarified that on the east side of McCaslin, a 27 feet allowance and two stories are allowed.
Russ answers it is consistent with the underlying zone district.

Applicant Presentation:
Verne Seieroe, Architect, 417 Vivian Street, Longmont, CO.

- [redacted]
- The house as designed is intended to be energy efficient. There will be a library, mudroom, domestic utility room, and modest mother-in-law suite. Ceilings are 8 feet and 10 feet which fits into the height limitation. The roof pitch is 4:12.
- The architect and owners have approached the Copper Hill HOA Design Review Committee twice. The first time was in regard to the placement of the structure. The site plan shows the building placement and the Design Committee suggested it there or further to the north. They are trying to preserve the view corridor at Copper Hill Drive. The lot was purchased for location, size, and western view.
- Design considerations include no two story glass and no vertical elements. There are horizontal lines with eave depth.

[redacted]

- House was never meant to be a mammoth-sized house. The first floor would be the living space and her parents' living space with the second floor being three bedrooms for them and their children. The second story is much smaller than the first story.
- If the home needs to be single story, she is concerned about the footprint and environmental impact. More concrete means more heat radiation and less water absorption and more water runoff. They are also concerned about a large footprint translating to a larger loss of views.
- They wish a Craftsman/New England style home for the two story home. If a ranch style footprint is approved, then higher ceilings will be requested. She thinks the one story plan or the two story plan will reach 26 feet height.

Commission Questions of Applicant:
Tengler asks about residence location clarification on Staff photo. Tengler asks how high would a one story house be?
Seieroe uses pointer to show approximate location. He says a one story would approach 24 to 25 feet. Ceilings have been held back to 8 feet and 10 feet. Roof pitch would be increased to a 6:12 pitch.
Rice asks about two story square footage footprint? What is the comparison between two story and a one story configuration?
Seieroe answers the two story is approximately 5000 sf excluding the garage. Footprint increased between a one story and two story footprint would be 300 sf.

Public Comment:
Sherry Sommer, 910 South Palisade Court, Louisville, CO 80027
She says that currently, the numbers and figures make the project seem amorphous so when do they become firm? She feels a concession is being given in saying this home can be built to two stories. She wonders if the owners can give a concession that will benefit the City.

DRAFT

Pritchard answers that the Planning Commission (PC) is deciding the height issue tonight and what it entails. He states that the owners have a right to build to 26 feet resident, so a one story or a two story is allowed.
Russ answers that if there is a waiver to the LMC, then there is a trade-off for public benefit. This is not a waiver to the underlying zone district. They are not asking for a waiver to the LMC.
Rice clarifies that the PC is being asked to waive the one story requirement to allow two stories.
Russ answers affirmative.
Moline asks if the PC could recommend approval but it is conditional that the applicant presents the City with a plan consistent with the one presented tonight? Is that a reasonable condition?
Russ answers yes, but because of the level of specificity in the drawings Staff has as a part of the application, he would not feel comfortable for it to be binding. The PC could reduce the lot coverage requirement associated with this. They are at the 10% coverage and can build at 9,800 sf footprint down. He has not heard this size being proposed.

Dan Boyd, 1540 South 88th Street, Louisville, CO 80027
He is a professional civil engineer and building the home on Lot 1. He is in support of the request for two stories. He sees no negative impact and the positive impact is the reduced footprint for a two story. He would have built a two story if he had known he had the option.

Summary and request by Staff and Applicant:
Staff recommends approval. Nothing from applicant.

Closed Public Hearing and discussion by Commission:
Tengler in support. Brauneis in support. Moline in support. O'Connell in support. Rice in support. Russell in support. Pritchard in support.

Motion made by Russell to approve Resolution No. 08, Series 2015. Second by O'Connell.
Roll call vote.

Name	Vote
Chris Pritchard	Yes
Jeff Moline	Yes
Ann O'Connell	Yes
Cary Tengler	Yes
Steve Brauneis	Yes
Scott Russell	Yes
Tom Rice	Yes
Motion passed/failed:	Pass

Motion passes 7-0.

DRAFT

Troy Russ

From: Jeff Waters <jeffreytwaters@yahoo.com>
Sent: Tuesday, 17 March, 2015 1:08 PM
To: Planning
Subject: Gateway PUD Amendment- Case Number 14-051-FP

To Whom it May Concern;

We live at 1073 Copper Hill Ct which is directly east of this lot. We would be most affected by any change in the PUD. The first time I became aware of this is when I received your notification in the mail as my HOA board approved this without conferring with any other residents. We are obviously opposed to this change as it will increase the overall mass of the house and serve to obscure our view more than if the PUD is left as it is. This was a primary consideration when we purchased this lot and we hope this will be taken under serious consideration in your decision making process.

Best regards,

Jeff Waters

Troy Russ

From: Brian Larson <larson.brian.m@gmail.com>
Sent: Tuesday, 24 March, 2015 9:58 AM
To: Planning
Subject: 14-051 FP

Dear City of Louisville,

Please permit the 14-051 FP variance petition. There is no change in the maximum height of the building. It merely uses two stories instead of one in the same available space. This variance will help maintain existing views because it prevents the house from spreading out as far horizontally. It will also preserve more open space for animal habitat and recreation than a single story and widely spaced home would take up. The area where the planned build is occurring needs to efficiently avoid using open space to avoid erosion.

Our city needs to efficiently build where it is able to. Preventing a property owner who stays within the height restrictions from efficiently using their available property is cutting off the city's nose to spite its face. We also have goals for green space and small town feel. This plan encourages both of those goals. We should encourage this kind of creative development.

Sincerely,

Brian M. Larson
730 Copper Lane, #205
Louisville, CO 80027

Troy Russ

From: Troy Russ
Sent: Monday, 13 April, 2015 11:26 AM
To: Troy Russ
Subject: FW: Gateway request for change on west side of McCaslin

From: Susan Morris [mailto:susankmorris@gmail.com]
Sent: Tuesday, April 7, 2015 10:48 AM
To: City Council
Subject: Gateway request for change on west side of McCaslin

Mayor and City Council Members
I request that you deny any changes to the proposed house on the West side of McCaslin. I realize that the height limit will be the same.
However, I remember the lengthy thought process that was given to this parcel when it was first proposed. Our former mayor Chuck Sisk and former council member Tom Mayer discussed exactly this at length and made the height decisions both by feet and number of stories.
I hope you will honor the decision that was made by them and the rest of their city council.
Thank you
Susan Moris
939 West Maple Ct
Louisville

2 Feb 2015

TO: Vern Seieroe

FROM: Copper Hill Homeowners Association Design Review Committee

SUBJECT: Approval of Lot No 1, Block No. 1, PUD Amendment

The Copper Hill Homeowners Association Design Review Committee members have reviewed the proposal submitted by Vern Seieroe, architect for Tiera Nell/Jeremy Weiss. We do support the construction of a two-story house that does not exceed 26' maximum in height.

If you have any questions regarding this approval feel free to contact Kim Langley at 303-905-9936 or kim.langley01@gmail.com.

Regards,

Kim Langley, Phil Prine, and Katie Bell
Copper Hill Homeowners Association
Design Review Committee

RECEIVED
FEB 04 2015
CITY OF LOUISVILLE
DEPARTMENT OF PLANNING & BUILDING SAFETY

City of Louisville
COLORADO · SINCE 1878

Department of Planning and Building Safety

749 Main Street • Louisville CO 80027 • 303.335.4592 • www.louisvilleco.gov

LAND USE APPLICATION

CASE NO. _____

APPLICANT INFORMATION

Firm: Vern Seieroe, Architect
Contact: Vern Seieroe
Address: 417 Vivian St.
Longmont, CO 80501
Mailing Address: same

Telephone: 303 817 1303
Fax:
Email: vseieroe@aol.com

OWNER INFORMATION

[redacted]

REPRESENTATIVE INFORMATION

Firm:
Contact: see "Applicant" above
Address:

Mailing Address:

Telephone:
Fax:
Email:

PROPERTY INFORMATION

Common Address: 1566 S. 80th / 80303
Legal Description: Lot 1 Blk 1
Subdivision Copper Hill
Area: 97,994 Sq. Ft.

TYPE (S) OF APPLICATION

- ☐ Annexation
- ☐ Zoning
- ☐ Preliminary Subdivision Plat
- ☐ Final Subdivision Plat
- ☐ Minor Subdivision Plat
- ☐ Preliminary Planned Unit Development (PUD)
- ☐ Final PUD
- ■ Amended PUD
- ☐ Administrative PUD Amendment
- ☐ Special Review Use (SRU)
- ☐ SRU Amendment
- ☐ SRU Administrative Review
- ☐ Temporary Use Permit:
- ☐ CMRS Facility:
- ☐ Other: (easement / right-of-way; floodplain; variance; vested right; 1041 permit; oil / gas production permit)

PROJECT INFORMATION

Summary: change language in PUD per maximum building height.... Lot 1 & 2 Block 1 shall be 1 story w/ 26' maximum building height, to read, Lots 1 & 2 Block 1 shall be 1 or 2 story with 26' maximum building height.

Current zoning: ER Proposed zoning: ER

SIGNATURES & DATE

Applicant:
Print: Vern Seieroe
Owner:
Print: Tiera Nell & Jeremy Weiss
Representative:
Print: Vern Seieroe

CITY STAFF USE ONLY

- ☐ Fee paid:
- ☐ Check number:
- ☐ Date Received:

Vern Seieroe
architectural design • planning
office: 417 Vivian Street
telephone: 303 817 1303
Longmont, Colorado 80501
e-mail: vseieroe@aol.com

For consideration of:
Staff of the City of Louisville
Members of the Planning Commission of the City of Louisville
Member of the Council of the City of Louisville

Date: 5 February 2015

Re: Application for a Planned Unit Development Amendment
[redacted]

Members of the Staff, Planning Commission and City Council,

Tiera Nell and Jeremy Weiss Residence are owners of Lot No. 1, Block 1 of the Gateway Planned Unit Development, also known as the Copper Hill Neighborhood

Mrs. Nell and Mr. Weiss submit a concise question for your consideration as a Planned Unit Development Amendment. Will you approve and cause the change, at their request (application), to the Gateway PUD the following language found in the "PUD Design Criteria" under subheading "Land Use Summary" sub-subheading "Residential (Block 1)", sub-sub-sub heading and criteria, less underline:

From "Maximum Building Height – Lots 1 & 2 Block 1 shall be <u>1 story</u> with 26' Maximum Building Height",

to read
"Maximum Building Height – Lots 1 & 2 Block 1 shall be <u>1 or 2 stories</u> with 26' Maximum Building Height".

The Gateway PUD Block 1, of which Nell / Weiss owned Lot No. 1, is a part, states:
"Maximum Building Height – 26' (Lots -3 – 9)
Lots 1 & 2 Block 1 shall be 1 Story with 26' Maximum Building Height"
See the attached copies of the Gateway Planned Unit Development including a partial sheet of the 'Design Criteria'.

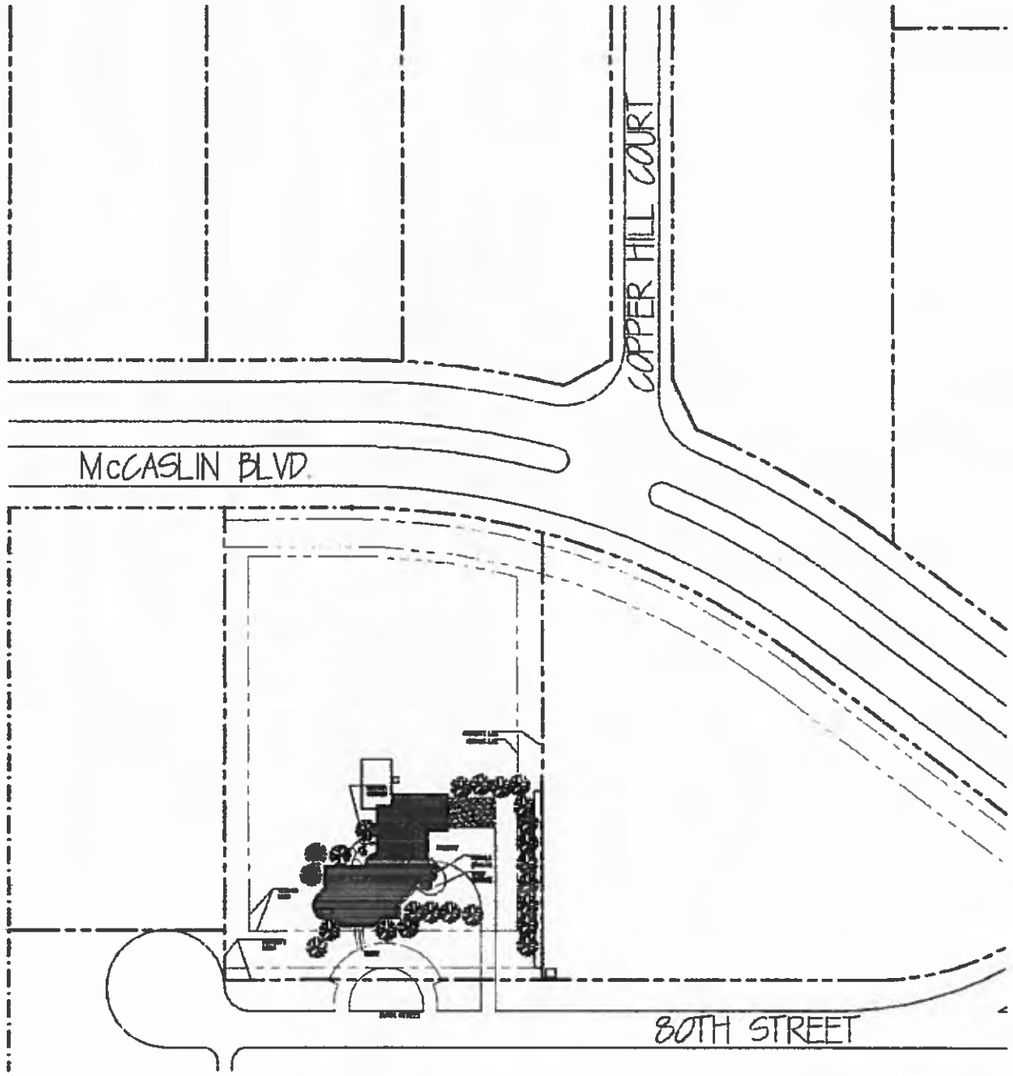
It is our belief that if the house is 26' maximum building height, then it fulfills the intent of the Planned Unit Development and any other restrictions of height on Lot 1 and in fact improves the conditions for the purpose the language was intended and for the Copper Hill neighborhood. That reasoning is as follows.

1. The house will be 25' 6" in height. This satisfies any view criteria originally established as the maximum actual building height in unchanged. The number stories bears no effect upon building height as the effective and ultimate limitation of the PUD is the Maximum Building Height of 26 feet.

2. The roof, as proposed, is a lower sloped roof, 4:12 slope. If the residence were to be a one story structure, the architect would recommend a 6:12 slope with the greater space allowed so as to create a preferred design aesthetic and so as to create a greater attic volume dissipating heat vertically towards the ridge and more successfully as part of the attic ventilation system.

3. The house as proposed is placed upon the site so as to create a view corridor for the Copper Hill neighbors to the East, across McCaslin including as they drive along Copper Hill Court in a westerly direction. See the following proposed Site Plan.

Vern Seieroe
architectural design
office: 417 Vivian Street
telephone: 303 817 1303
planning
Longmont, Colorado 80501
e-mail: vseieroe@aol.com



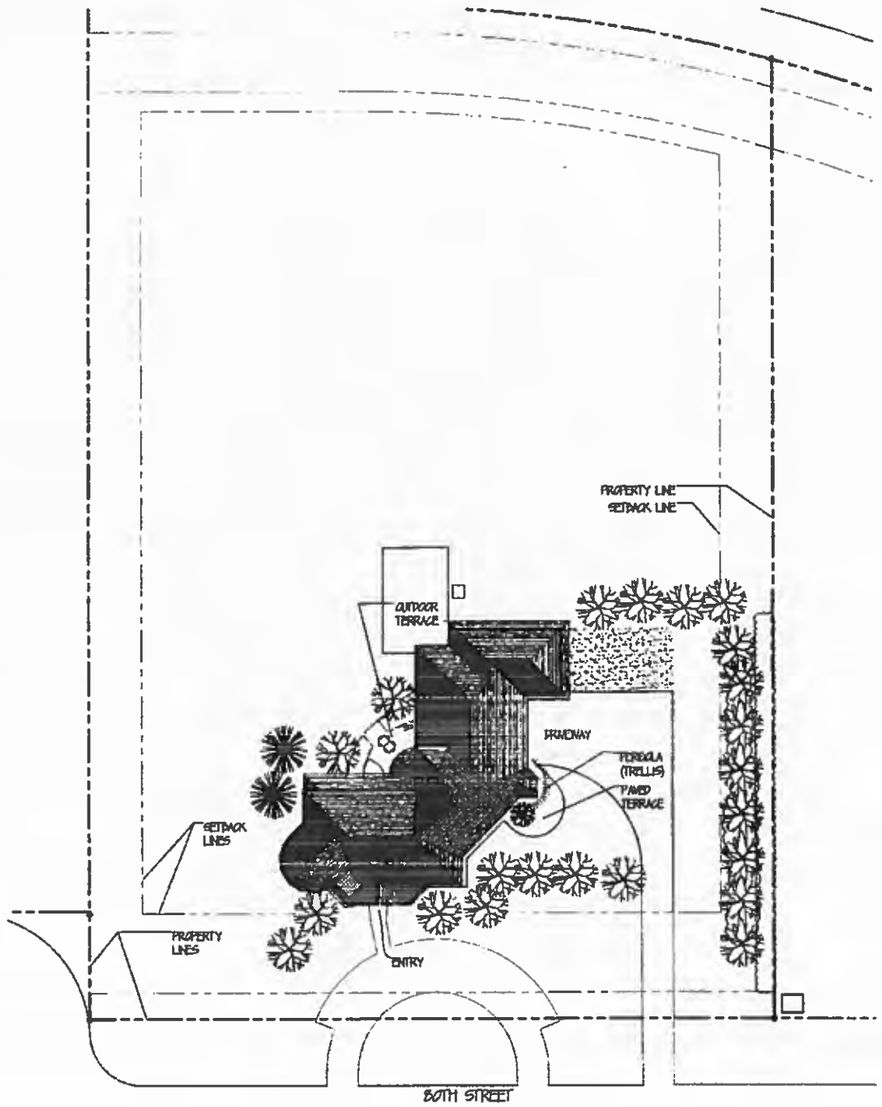
1566 S. 80TH ST., LOUISVILLE, CO

SITE PLAN – 02/04/2015 1" = 100' 0"

← North This Site Plan encompasses the western portion of the Copper Hill neighborhood including some of the properties located east of McCaslin. The proposed residence is placed to the North so as to create more openness to the view from east of McCaslin.

4. A similar size house (floor area) as the proposed, but designed as a single story structure, would be spread a much greater distance across the lot blocking more view from the east. This is demonstrated in the following two site plans, first the proposed two story plan.

Vern Seleroe
architectural design
office: 417 Vivian Street
telephone: 303 817 1303
planning
Longmont, Colorado 80501
e-mail: vseleroe@aol.com



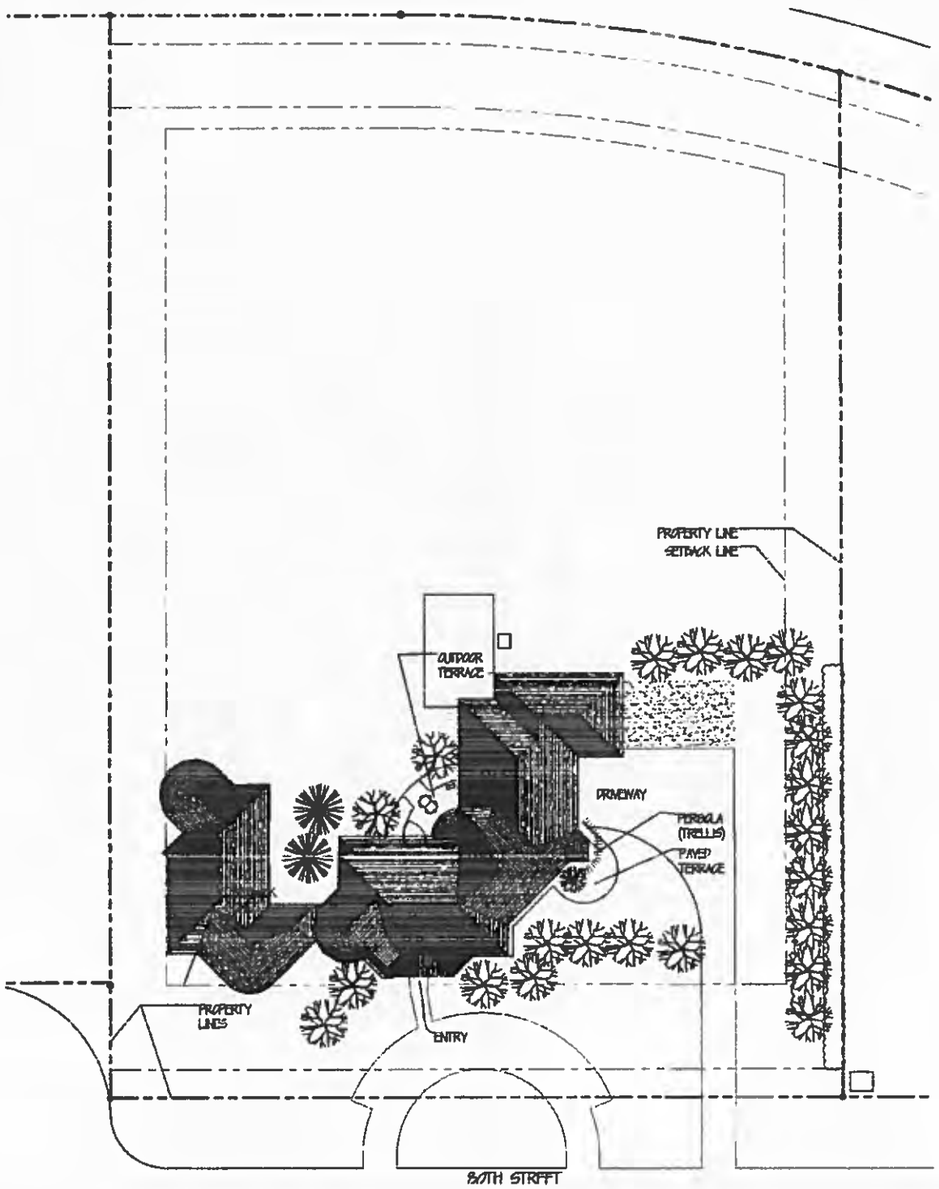
1566 S. BOTH ST., LOUISVILLE, CO

SITE PLAN – 02/04/2015 1" = 100' 0"

← North on Site Plan above

This drawing represents the Site Plan of the proposed house that Mrs Nell and Mr Weiss would like to build It is a two story proposal that would require approval of the proposed Planned Unit Development Amendment Design criteria naturally include taking advantage of the views to the west and moving the house to the north in order to create a view corridor between the house under construction on at Lot 2 to the South and this house for the rest of the Copper Hill neighborhood that resides to the east of these properties and east of McCaslin

Vern Seieroe
architectural design • planning
office: 417 Vivian Street
telephone: 303 817 1303
Longmont, Colorado 80501
e-mail: vseieroe@aol.com



1566 S. 80TH ST., LOUISVILLE, CO

SITE PLAN – 02/04/2015 1" = 100 0"

← North on Site Plan above

This is a hypothetical plan suggesting how this architect might design a one story residence for Mrs. Nell and Mr. Weiss. The design adheres to the same criteria as in the proposed Site Plan for a two story structure with a significant consideration for the views to the west and the consideration of the views of the Copper Hill neighborhood to the east.

Vern Seieroe
architectural design • planning
office: 417 Vivian Street
telephone: 303 817 1303
Longmont, Colorado 80501
e-mail: vseieroe@aol.com

5. A single story house, being more spread out, may have nearly the same roof height (building height) as a two story because it will be spread out over a greater area causing the roof to be taller and the need for overhead glazing such as clearstories and skylights. Note than no clear stories or skylights are proposed by Mrs. Nell and Mr. Weiss with a two story structure.

6. The house will have a much greater cost to build because it will have a much larger roof area, a much larger foundation, and a much larger excavation though the cost of stairway(s) will be reduced.

7. Further, the house will have a greater use of energy, and associated cost, to heat and cool as it will have a much larger roof area and on grade, floor area. The second floor, as proposed, covers 2,183 square feet of the first floor. Thus, a similar size one story structure will require a 2,183 square larger roof area and thus greater heat loss by the increased square footage. The same is true for the additional floor area on the ground floor, which will result in an increased the ground floor area by 2,183 square feet and therefore a greater area of heat loss for that square footage of area.

8. The resulting one story structure will also require a greater use of building materials, or resources as the result of larger roof area and a large foundation.

9. The increased building footprint will contribute to an increase in storm water runoff, and the resulting increase in storm water retention volume, and a further resulting increase in the impact of storm water runoff beyond the onsite storm water drainage mitigation systems.

10. A one story structure will obstruct a greater portion of the open view to the West for the Copper Hill neighborhood residents. The Copper Hill Design Review Committee has expressed their support for the proposed plan as a two story structure and for this Amendment to the Gateway Planned Unit development that Mrs. Nell and Mr. Weiss bring forward.

+Mrs. Nell and Mr. Weiss are grateful for your consideration of their request for an Amendment to the Gateway Planned Unit Development and for the effort and time expended by staff, the Planning Commission members, and the members of City Council.

On their behalf, I express their appreciation.

Vern Seieroe, architectural design

DESIGN CRITERIA

SETBACK CRITERIA

RESIDENTIAL (BLOCK 1)

Front Yard – 40' Minimum

Side Yard – 20' Minimum (60' Combined Min. Between Principle Buildings.)

Rear Yard – 30' Minimum

From McCoslin Blvd. – 40' Minimum

PROFESSIONAL PLAZA (BLOCK 2)

Front Yard – 50' Minimum

Side Yard Abutting Kennedy Ave. – 50' Minimum

Rear Yard – 50' Minimum

Side Yard Abutting Residential – 50' Minimum

LAND USE SUMMARY

Residential (Block 1)

Total Area – 22.8 Acres
Total Number of Lots – 9

Gross Density – 0.4 Units/Acre

Mean Lot Size – 1.78 Acres

Minimum Lot Size – 1.5 Acres

Maximum Lot Size – 2.34 Acres

Maximum Lot Coverage – 10% of Gross Area

Maximum Building Height – 27' (Lots 3 – 9)
Lots 1 & 2 Block 1 Shall be 1 Story
with 26' Maximum Building Height

Dedicated Open Space – 5.12 Acres (22.5%)

Professional Plaza (Block 2)

Total Area – 6.7 Acres

Building Coverage – 21,000 s.f. (7.2%)

Parking Area – 70,358 s.f.

Buildings: 4 – 6000 s.f. Buildings

1 – 12,000 s.f. Building

Total 36,000 s.f.

Open Space Area – Lot 1 = 2.99 Acres (58.3%)
– Lot 2 = 1.55 Acres (100%)
– Total = 3.18 Acres (67.8%)

Parking Spaces 213

Maximum Building Height – 30'
4 Buildings Shall be Designated as Medical Use
or Professional Office
& 1 Building Shall be For Non–Medical Use –
(One Story Building on West Side of Lot 1 Block 2)

GATEWAY
Final P.U.D.

A Part Of The North Half Of North Half Of Section 7, Township 1 South, Range 69 West, 6TH Principal Meridan, City Of Louisville, County Of Boulder, State Of Colorado

LEGAL DESCRIPTION
LOTS 1, 2 & OUTLOT A BLOCK 1

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE S 00°06'53" E 69.93 FEET ALONG THE WESTERLY BOUNDARY OF SAID NORTH HALF OF THE NORTH HALF OF SECTION 7;
THENCE N 89°33'07" E 70.00 FEET TO THE POINT OF BEGINNING;
THENCE N 89°29'34" E 309.80 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290;
THENCE ALONG THE WESTERLY RIGHT OF WAY OF McCASLIN BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290 THE FOLLOWING COURSES:
1. S 45°44'14" E 42.92 FEET;
2. S 00°56'38" E 348.16 FEET;
3. ALONG THE ARC OF A CURVE TO THE RIGHT 385.87 FEET, SAID ARC SUBTENDED BY A RADIUS OF 605.62, A CENTRAL ANGLE OF 36°30'23", AND A CHORD BEARING S 17°15'33" W 379.36 FEET;
4. S 35°30'45" W 296.59 FEET;
5. N 54°29'15" W 15.68 FEET;
6. ALONG THE ARC OF A CURVE TO THE RIGHT 189.80 FEET TO THE EASTERLY RIGHT OF WAY OF 80TH STREET, SAID ARC SUBTENDED BY A RADIUS OF 350.00 FEET, A CENTRAL ANGLE OF 54°32'22", AND A CHORD BEARING N 27°18'04" W 182.75 FEET;

THENCE ALONG THE RIGHT OF WAY OF SAID 80TH STREET THE FOLLOWING COURSES:
1. N 00°06'53" W 532.51 FEET PARALLEL WITH AND 30.00 FEET EASTERLY, MEASURED PERPENDICULARLY FROM SAID WESTERLY BOUNDARY OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7;
2. N 89°53'07" E 40.00 FEET;
3. N 00°06'53" W 176.00 FEET TO THE POINT OF BEGINNING, CONTAINING 364480 SQUARE FEET (8.072 ACRES).

TOGETHER WITH:

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE S 00°06'53" E 1102.32 FEET ALONG THE WESTERLY BOUNDARY OF SAID NORTH HALF OF THE NORTH HALF OF SECTION 7;
THENCE N 89°33'07" E 30.00 TO THE EASTERLY RIGHT OF WAY OF 80TH STREET, THE POINT OF BEGINNING;

THENCE N 00°06'53" W 157.98 FEET ALONG SAID RIGHT OF WAY TO THE RIGHT OF WAY OF McCASLIN BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290;
THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES:
1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, 86.52 FEET, SAID ARC SUBTENDED BY A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 14°39'34", AND A CHORD BEARING S 47°09'28" E 86.34 FEET;
2. S 54°29'15" E 16.68 FEET;
3. S 35°30'44" W 12.00 FEET;
4. ALONG THE ARC OF A CURVE TO THE LEFT 108.51 FEET TO THE POINT OF BEGINNING, SAID ARC SUBTENDED BY A RADIUS OF 615.00 FEET, A CENTRAL ANGLE OF 10°06'34", AND A CHORD BEARING S 30°27'28" W 108.37 FEET;

SAID PARCEL CONTAINS 4511 SQUARE FEET (0.104 ACRES).

LEGAL DESCRIPTION
LOTS 3,4,5,6,7,8,9 & OUTLOTS B & C BLOCK 1

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE N 89°29'34" E 568.75 FEET ALONG THE NORTH BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 7;
THENCE S 00°30'27" E 60.00 FEET TO THE POINT OF BEGINNING;

THENCE N 89°29'33" E 871.39 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NUMBERS 875290 AND 962816;
THENCE S 00°28'37" E 220.81 FEET ALONG THE WESTERLY BOUNDARY OF TRACT D, HILLSBOROUGH WEST SUBDIVISION FILING NO. 1;
THENCE ALONG THE BOUNDARY OF BLOCK 1, SAID HILLSBOROUGH WEST SUBDIVISION FILING NO. 1 THE FOLLOWING COURSES:
1. S 89°31'23" W 22.88 FEET;
2. S 00°28'37" E 338.08 FEET;
3. S 28°48'02" W 261.30 FEET;
4. N 43°35'10" W 63.62 FEET;
5. S 89°31'23" W 833.82 FEET;

THENCE ALONG THE EASTERLY RIGHT OF WAY OF McCASLIN BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290 THE FOLLOWING COURSES:
1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT 462.33 FEET, SAID ARC SUBTENDED BY A RADIUS OF 725.62 FEET, A CENTRAL ANGLE OF 36°30'22" AND A CHORD BEARING N 17°15'33" E 454.53 FEET;
2. N 00°56'38" W 257.08 FEET;
3. N 44°15'33" E 42.65 FEET TO THE POINT OF BEGINNING, CONTAINING 723855 SQUARE FEET, (16.62 ACRES).

LEGAL DESCRIPTION
LOT 1 BLOCK 2

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE N 89°29'34" E 1678.48 FEET ALONG THE NORTHERLY LINE OF SAID NORTH HALF OF THE NORTH HALF OF SECTION 7;
THENCE S 00°28'37" E 60.00 FEET TO THE POINT OF BEGINNING;

THENCE N 89°29'33" E 1010.81 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 962816;
THENCE S 00°06'48" E 221.43 FEET ALONG THE EASTERLY BOUNDARY OF THE NORTHWEST QUARTER OF SECTION 7 TO THE NORTHERLY BOUNDARY OF BLOCK 3 HILLSBOROUGH WEST SUBDIVISION FILING NO. 1;
THENCE S 89°31'23" W 1008.41 FEET ALONG SAID NORTHERLY BOUNDARY TO THE EASTERLY RIGHT OF WAY OF KENNEDY AVENUE;
THENCE N 00°28'37" W 230.89 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING, CONTAINING 223365 SQUARE FEET (5.126 ACRES).

LEGAL DESCRIPTION
LOT 2 BLOCK 2

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7;

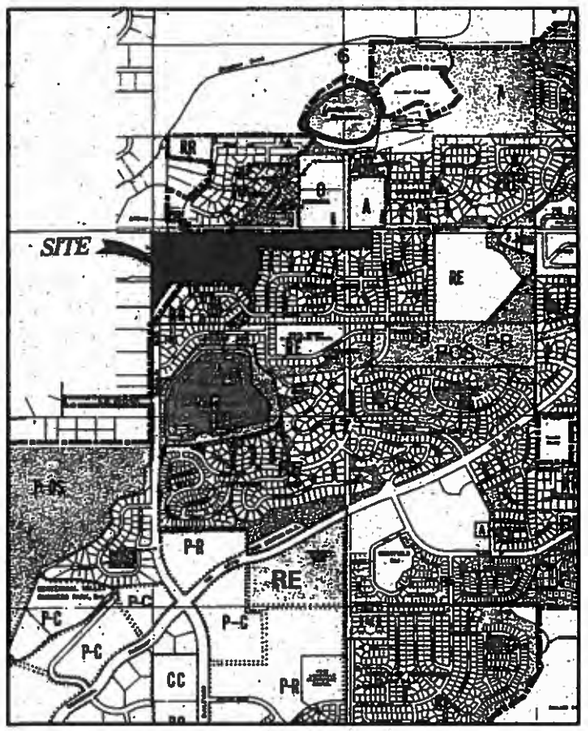
THENCE S 00°06'48" E 60.00 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 7;
THENCE N 89°53'13" E 75.00 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD, AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 962816, TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY N 89°53'13" E 304.11 FEET;
THENCE S 00°28'37" E 221.23 FEET ALONG THE WESTERLY BOUNDARY OF LOTS 47 THROUGH 50, BLOCK 3, HILLSBOROUGH WEST SUBDIVISION FILING NO. 1;
THENCE S 89°31'25" W 305.51 ALONG THE NORTHERLY BOUNDARY OF LOTS 34 & 33, BLOCK 3, SAID HILLSBOROUGH WEST SUBDIVISION FILING NO. 1 TO THE EASTERLY BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 962861;
THENCE ALONG SAID EASTERLY BOUNDARY N 00°06'48" W 221.36 FEET TO THE POINT OF BEGINNING, CONTAINING 67458 SQUARE FEET (1.5488 ACRES).

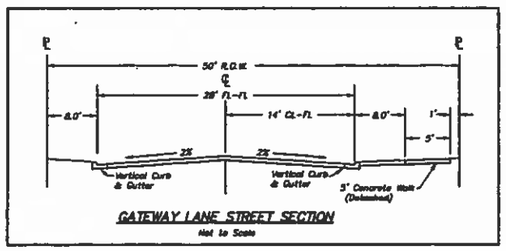
NOTES:

1. 80TH STREET IS OWNED BY BOULDER COUNTY AND WILL NOT BE MAINTAINED BY THE CITY OF LOUISVILLE.
2. NO DECIDUOUS TREES SHALL BE PLANTED WITHIN FIVE FEET OR CONIFEROUS TREES WITHIN TEN FEET OF A PUBLIC UTILITY OR SIDEWALK.
3. ACCESS TO THE SITE FROM McCASLIN BOULEVARD AND/OR SOUTH BOULDER ROAD MAY BE MODIFIED IN THE FUTURE BY THE CITY.

   IF, AT ANY TIME IN THE FUTURE, IT IS DETERMINED BY THE CITY THAT SUCH MODIFICATION IS APPROPRIATE TO ENHANCE TRAFFIC FLOW ON ONE OR MORE SURROUNDING STREETS, OR TO MITIGATE AN UNSAFE SITUATION, UPON NOTIFICATION FROM THE CITY, PROPERTY OWNERS ON LOT 1, BLOCK 2 (COMMERCIAL OFFICE) AGREE TO MAKE SUCH MODIFICATIONS ON AND ADJOINING SOUTH BOULDER ROAD, AS MAY BE REASONABLY REQUIRED BY THE CITY, AND AGREE TO PAY FOR THE COST THEREOF, AS REASONABLY ALLOCATED AMONG PROPERTY OWNERS BY THE CITY. EACH PRESENT AND FUTURE PROPERTY OWNER SHALL ACKNOWLEDGE IN WRITING THE FOREGOING AUTHORITY OF THE CITY.
4. THE OUTLOTS A & B & C WILL BE DEDICATED FOR OPEN SPACE TO THE CITY OF LOUISVILLE. THE DEVELOPER OF THIS PROJECT WILL PROVIDE NATIVE SEEDING, ETC. TO CONTRIBUTE A NATURAL LOOK WHICH BLENDS WITH THE CHARACTER AND FUNCTION OF THIS NATURAL GATEWAY AND THE RURAL SITES OF THE AREA. ALTERNATELY, AT THE REQUEST OF THE CITY, THE DEVELOPER IS WILLING TO CONTRIBUTE CASH-IN-LIEU TOWARD THE OPEN SPACE LANDSCAPE DEVELOPMENT OF THESE OUTLOTS.
5. LANDSCAPING WITHIN OUTLOTS A, B & C, SOUTH BOULDER ROAD RIGHT OF WAY AND McCASLIN BOULEVARD RIGHT OF WAY SHALL BE MAINTAINED BY THE CITY OF LOUISVILLE. DETENTION PONDS (OUTLOT D AND LOT 2 BLOCK 2) SHALL BE PRIVATELY MAINTAINED.
6. LANDSCAPING ALONG GATEWAY LANE SHALL BE MAINTAINED BY ADJACENT LOT OWNERS.
7. PUBLIC IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LOUISVILLE DESIGN AND CONSTRUCTION STANDARDS, LATEST EDITION.
8. ALL RESIDENTIAL HOMES SHALL BE REQUIRED TO HAVE SPRINKLER SYSTEMS FOR FIRE PROTECTION.
9. FOR THE PURPOSES OF CALCULATING PARKING DEMAND THE GROSS LEASABLE SQUARE FOOTAGE SHALL NOT EXCEED 6,000 S.F. OR 12,000 S.F. PER BUILDING.
10. OUTLOT D SHALL BE PRIVATELY OWNED AND MAINTAINED.
11. BLOCK 1 DEVELOPMENT MAY BE CONSTRUCTED IN TWO PHASES. PHASE 1 WOULD BE WEST OF THE LOUISVILLE IRRIGATION LATERAL AND PHASE 2 EAST OF THE LATERAL. A TEMPORARY TURN AROUND WILL BE PROVIDED ON GATEWAY LANE.
12. THE CITY WILL NOT BE RESPONSIBLE FOR REPAIR OR REPLACEMENT TO SURFACE IMPROVEMENTS WITHIN A UTILITY EASEMENT AS A RESULT OF MAINENANCE ACTIVITIES.
13. THE EXISTING GRADE ON LOT 1, BLOCK 2, THE COMMERCIAL OFFICE SITE SHALL BE SUBSTANTIALLY MAINTAINED.



VICINITY MAP



GATEWAY LANE STREET SECTION
Not to Scale

DESIGN CRITERIA

SETBACK CRITERIA

RESIDENTIAL (BLOCK 1)
Front Yard – 40' Minimum
Side Yard – 20' Minimum (60' Combined Min. Between Principle Buildings.)
Rear Yard – 30' Minimum
From McCaslin Blvd. – 40' Minimum

PROFESSIONAL PLATA (BLOCK 2)
Front Yard – 50' Minimum
Side Yard Abutting Kennedy Ave. – 50' Minimum
Rear Yard – 50' Minimum
Side Yard Abutting Residential – 50' Minimum

LAND USE SUMMARY

Residential (Block 1)
Total Area – 22.8 Acres
Total Number of Lots – 9
Gross Density – 0.4 Units/Acre
Mean Lot Size – 1.78 Acres
Minimum Lot Size – 1.5 Acres
Maximum Lot Size – 2.34 Acres
Maximum Lot Coverage – 10% of Gross Area
Maximum Building Height – 27' (Lots 3 – 9)
Lots 1 & 2 Block 1 Shall be 1 Story with 28' Maximum Building Height
Dedicated Open Space – 5.12 Acres (22.5%)

Professional Plaza (Block 2)
Total Area – 6.7 Acres
Building Coverage – 21,000 s.f. (7.2%)
Parking Area – 70,358 s.f.
Buildings: 4 – 6000 s.f. Buildings
1 – 12,000 s.f. Building
Total 36,000 s.f.
Open Space Area – Lot 1 = 2.99 Acres (56.3%)
– Lot 2 = 1.53 Acres (100%)
– Total = 3.18 Acres (67.8%)
Parking Spaces 213
Maximum Building Height – 30'
4 Buildings Shall be Designated as Medical Use or Professional Office
& 1 Building Shall be For Non-Medical Use – (One Story Building on West Side of Lot 1 Block 2)

See 8 1/2" x 11" sheet of this area.

PLANNING COMMISSION CERTIFICATE

APPROVED THIS 10th DAY OF September 1996 BY THE PLANNING COMMISSION OF THE CITY OF LOUISVILLE, COLORADO.
RESOLUTION NO. 21 SERIES 1996

CHAIRMAN SECRETARY

CITY COUNCIL CERTIFICATE

APPROVED THIS 15th DAY OF October 1996 BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO.
RESOLUTION NO. 68 SERIES 1996

MAYOR CITY CLERK

CLERK AND RECORDER CERTIFICATE

COUNTY OF BOULDER)
STATE OF COLORADO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT 9:00 O'CLOCK A.M. THIS 24th DAY OF March 1997, AND IS DULY RECORDED IN PLAN FILE P-39 F-3 #8,9,10,11,12,13,14,15-16
FEE $91.00 PAID —
FILM NO. 2194 RECEPTION NO. 16826346

RECORDER DEPUTY

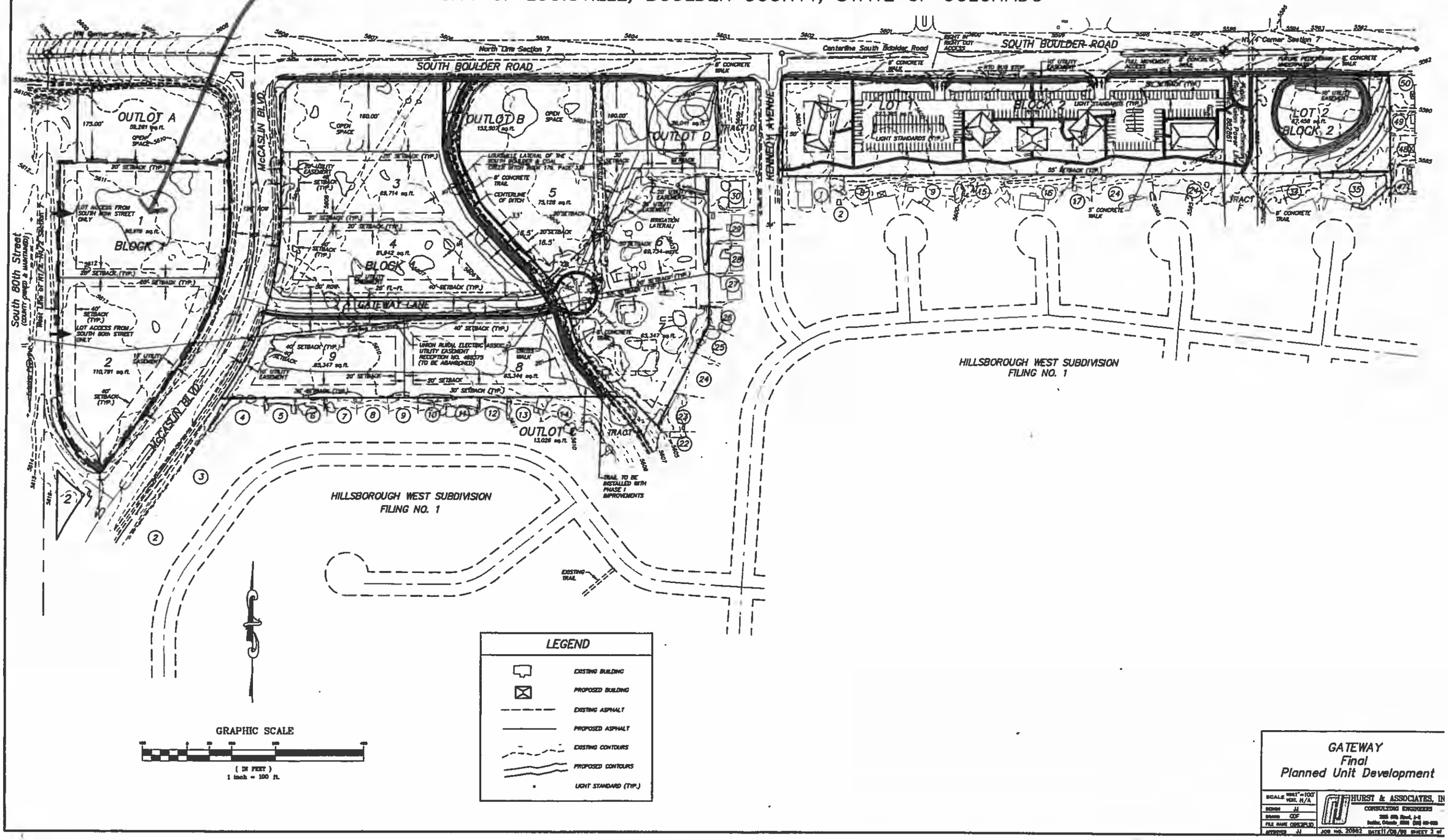
GATEWAY
Final
Planned Unit Development

SCALE HOR. N/A VERT. N/A	HURST & ASSOCIATES, INC. CONSULTING ENGINEERS
DESIGN JJ	
DRAWN GDF	
FILE NAME BEPUD2V	
APPROVED JJ	JOB NO. 20867 DATE 11/08/96 SHEET 1 of 8

Block 1, Lot 1 & 2

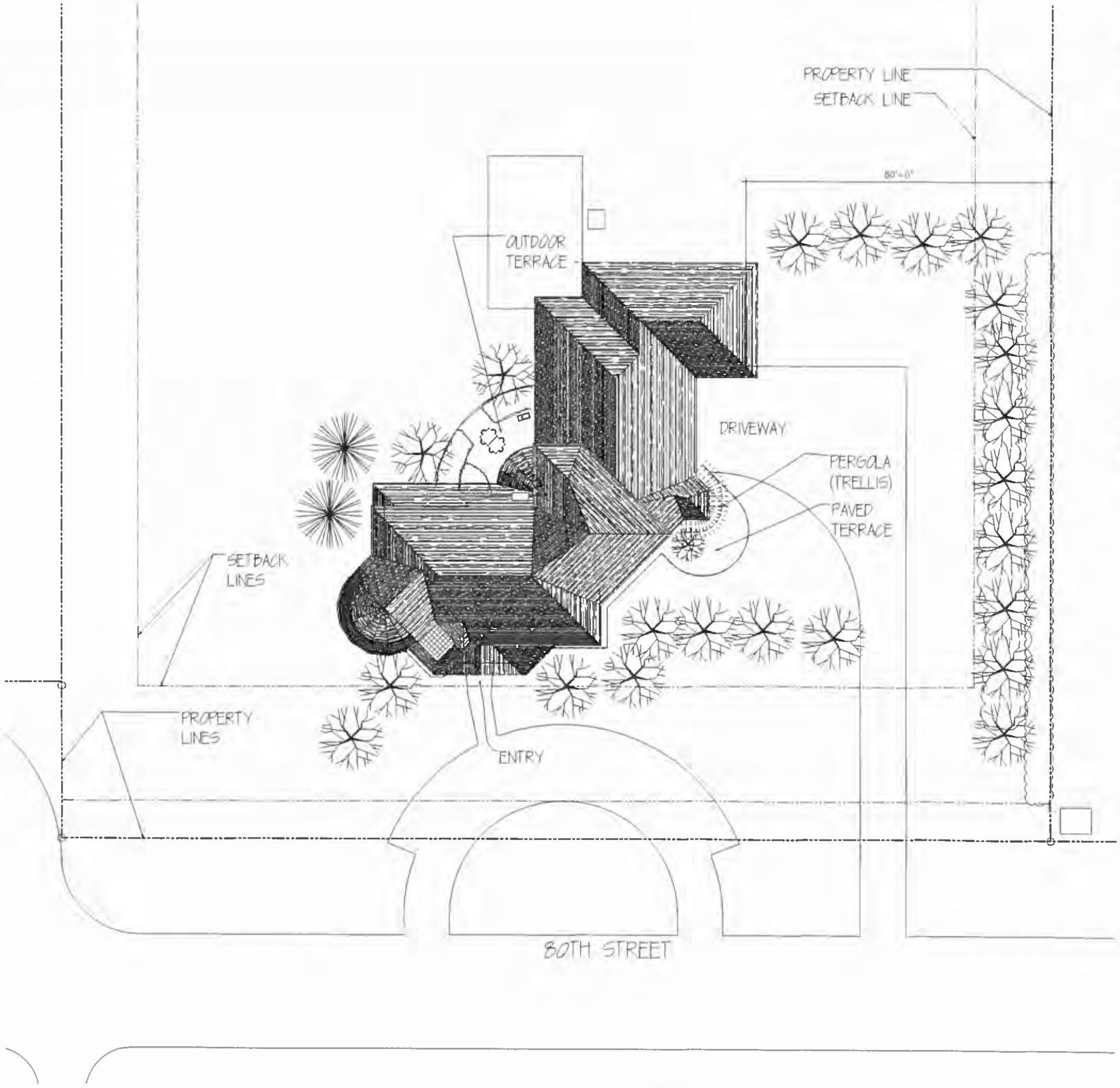
Gateway
Final P.U.D.

A PART OF THE NORTH HALF OF THE NORTH HALF OF
SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, 6TH P.M.
CITY OF LOUISVILLE, BOULDER COUNTY, STATE OF COLORADO

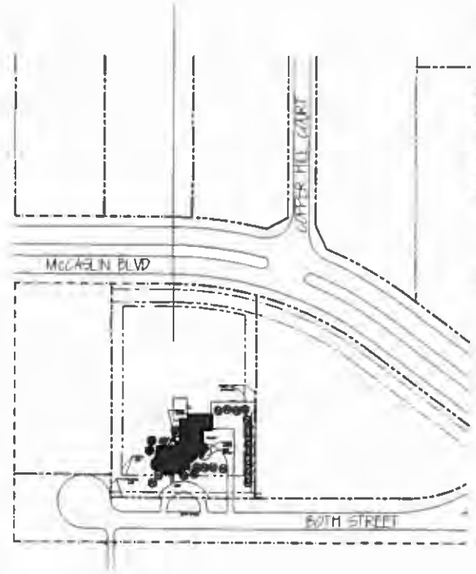


GATEWAY
Final
Planned Unit Development

HURST & ASSOCIATES, INC.
CONSULTING ENGINEERS



2 A010 SITE PLAN
1" = 30'-0"



1 A010 AREA SITE PLAN
1" = 100'-0"

471 Vivian Street
Longmont, CO 80501
(303) 817-1303 (office)
(303) 817-1303 (studio)
vsciercie@aol.com
Vern Seierce Architectural Design
Architecture Design Planning Interior Architecture

[redacted]

CONCEPTUAL DESIGN

SITE PLAN

COPYRIGHT 2014
All drawn and written information duplicated disclosed or otherwise appearing herein shall not be used without written consent of Vern Seierce Architect A.I.A.

job no. 1401
date: 12 JANUARY 2015
drawn: VMS
checked: VMS
revised: 1 01.29.2015
2 REV2
3 REV3
4 REV4
5 REV5
6 REV6
7 REV7

Sheet
A010

2 A200 SOUTH ELEVATION
1/4" = 1'-0"

1 A200 WEST ELEVATION
1/4" = 1'-0"

471 Vivian Street
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(303) 817-1303 (studio)
vseleroe@aol.com
Vern Seleroe Architectural Design
Architecture Design Planning Interior Architecture

[redacted]

CONCEPTUAL DESIGN

WEST + SOUTH ELEVATIONS

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job no.	1401
date:	26 JANUARY 2015
drawn:	VMS
checked:	VMS
revised:	REV1
	REV2
	REV3
	REV4
	REV5
	REV6
	REV7

Sheet
A200

1 A201 EAST ELEVATION
1/4" = 1'-0"

471 Vivian Street
Longmont, CO 80501
(303) 817-1303 (office)
(303) 817-1303 (fax/dir)
vseleroe@aol.com
Vern Seleroe Architectural Design
Architecture Design Planning Interior Architecture

[redacted]

CONCEPTUAL DESIGN

EAST + NORTH ELEVATIONS

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job no. 1401
date: 26 JANUARY 20 5
drawn: VMS
checked: VMS
revised: REV1
REV2
REV3
REV4
REV5
REV6
REV7

Sheet
A201

5-1

#01587000 02/28/96 03:14 PM REAL ESTATE RECORDS
F2109 CHARLOTTE HOUSTON BOULDER CNTY CO RECORDER

ORDINANCE NO. 1165,
SERIES 1994

26

AN ORDINANCE ANNEXING TO THE CITY OF LOUISVILLE, COLORADO, THE PROPERTY LOCATED IN THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SOUTH OF SOUTH BOULDER ROAD AND WEST OF WASHINGTON AVENUE

WHEREAS, the City Council of the City Of Louisville, Colorado, hereby determines that the parcel of real property described below is owned by the Louisview Corporation; and,

WHEREAS, not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City limits of the City of Louisville; and,

WHEREAS, a community of interest exists between the territory proposed to be annexed and the City of Louisville; and,

WHEREAS, the territory proposed to be annexed is urban or will be urbanized in the near future and the territory is capable of being integrated into the City of Louisville; and,

WHEREAS, an annexation election of qualified electors is not required for this annexation; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO;

Section 1 - That the following described property situated in the County of Boulder, State of Colorado be annexed to the City of Louisville, to wit:

See Attached, Exhibit A

Section 2 - That said territory is hereby annexed to the City of Louisville and included within the corporate boundaries thereof as an integral part of the City;

Section 3 - That said territory shall become, upon annexation to the City, a part of Ward 1;

Section 4 - That this annexation ordinance shall not take effect until the City of Louisville and the Louisview Corporation have approved an Addendum to Annexation Agreement (Item VI, D.1 on the Council Agenda for the October 17, 1995 City Council meeting);

Section 5 - That no more than two single family dwellings may be constructed on the portion of the property located on the west side of McCaslin Boulevard (Parcels Four and Five on Exhibit A). Such dwellings shall be single story and not more than twenty-six (26) feet in height. The final number of such dwellings will be determined through the P.U.D. process and may be one dwelling or two dwellings.

INTRODUCED, READ AND ORDERED PUBLISHED this 18th day of October, 1994.

Tom Davidson, Mayor

ATTEST:

Maj-Lis Kemper, City Clerk

APPROVED AS TO FORM:

Susan Griffiths, City Attorney
Griffiths & Tanoue, P.C.

PASSED AND ADOPTED ON SECOND AND FINAL READING this 17th day of October, 1995.

Tom Davidson, Mayor

ATTEST:

Maj-Lis Kemper, City Clerk

EXHIBIT A

5-3

65

LEGAL DESCRIPTION
PARCEL ONE

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7,

THENCE S 00°06'49" E 60.00 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 7;
THENCE N 89°33'13" E 75.00 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD, AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 962816, TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY N 89°33'13" E 304.11 FEET;
THENCE S 00°28'37" E 221.23 FEET ALONG THE WESTERLY BOUNDARY OF LOTS 47 THROUGH 50, BLOCK 3, HILLSBOROUGH WEST SUBDIVISION FILING NO. 1;
THENCE S 89°31'25" W 305.51 ALONG THE NORTHERLY BOUNDARY OF LOTS 34 & 35, BLOCK 3, SAID HILLSBOROUGH WEST SUBDIVISION FILING NO. 1 TO THE EASTERLY BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO 862861;
THENCE ALONG SAID EASTERLY BOUNDARY N 00°06'49" W 221.39 FEET TO THE POINT OF BEGINNING, CONTAINING 67458 SQUARE FEET (1.5486 ACRES).

LEGAL DESCRIPTION
PARCEL TWO

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE N 89°29'34" E 1678.49 FEET ALONG THE NORTHERLY LINE OF SAID NORTH HALF OF THE NORTH HALF OF SECTION 7;
THENCE S 00°28'37" E 60.00 FEET TO THE POINT OF BEGINNING;

THENCE N 89°29'33" E 1010.81 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 962816;
THENCE S 00°06'49" E 221.43 FEET ALONG THE EASTERLY BOUNDARY OF THE NORTHWEST QUARTER OF SECTION 7 TO THE NORTHERLY BOUNDARY OF BLOCK 3 HILLSBOROUGH WEST SUBDIVISION FILING NO. 1;
THENCE S 89°31'23" W 1009.41 FEET ALONG SAID NORTHERLY BOUNDARY TO THE EASTERLY RIGHT OF WAY OF KENNEDY AVENUE;
THENCE N 00°28'37" W 220.89 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING, CONTAINING 223395 SQUARE FEET (5.128 ACRES).

LEGAL DESCRIPTION
PARCEL THREE

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE N 89°29'34" E 559.75 FEET ALONG THE NORTH BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 7;
THENCE S 00°30'27" E 60.00 FEET TO THE POINT OF BEGINNING;

THENCE N 89°29'33" E 971.59 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NUMBERS 875290 AND 962816;
THENCE S 00°28'37" E 220.81 FEET ALONG THE WESTERLY BOUNDARY OF TRACT D, HILLSBOROUGH WEST SUBDIVISION FILING NO. 1;
THENCE ALONG THE BOUNDARY OF BLOCK 1, SAID HILLSBOROUGH WEST SUBDIVISION FILING NO. 1 THE FOLLOWING COURSES:

1. S 89°31'23" W 22.88 FEET;
2. S 00°28'37" E 336.09 FEET;
3. S 26°48'02" W 261.50 FEET;
4. N 43°35'10" W 93.82 FEET;
5. S 89°31'23" W 930.92 FEET;

THENCE ALONG THE EASTERLY RIGHT OF WAY OF McCASLIN BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290 THE FOLLOWING COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT 462.33 FEET, SAID ARC SUBTENDED BY A RADIUS OF 725.62 FEET, A CENTRAL ANGLE OF 36°30'22" AND A CHORD BEARING N 17°15'33" E 454.55 FEET;
2. N 00°59'38" W 257.08 FEET;
3. N 44°15'53" E 42.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 723855 SQUARE FEET, (16.62 ACRES).

LEGAL DESCRIPTION
PARCEL FOUR

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE S 00°06'53" E 69.93 FEET ALONG THE WESTERLY BOUNDARY OF SAID NORTH HALF OF THE NORTH HALF OF SECTION 7;
THENCE N 89°33'07" E 70.00 FEET TO THE POINT OF BEGINNING.
THENCE N 89°29'34" E 309.80 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290;
THENCE ALONG THE WESTERLY RIGHT OF WAY OF McCASLIN BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290 THE FOLLOWING COURSES:

1. S 45°44'14" E 42.92 FEET;
2. S 00°59'38" E 248.16 FEET;
3. ALONG THE ARC OF A CURVE TO THE RIGHT 385.87 FEET, SAID ARC SUBTENDED BY A RADIUS OF 605.62, A CENTRAL ANGLE OF 36°30'22", AND A CHORD BEARING S 17°15'33" W 379.38 FEET;
4. S 35°30'45" W 298.59 FEET;
5. N 54°29'15" W 16.69 FEET;
6. ALONG THE ARC OF A CURVE TO THE RIGHT 189.80 FEET TO THE EASTERLY RIGHT OF WAY OF 80TH STREET, SAID ARC SUBTEDED BY A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 54°22'22", AND A CHORD BEARING N 27°18'04" W 182.75 FEET;

THENCE ALONG THE RIGHT OF WAY OF SAID 80TH STREET THE FOLLOWING COURSES:

1. N 00°06'53" W 532.51 FEET PARALLEL WITH AND 30.00 FEET EASTERLY, MEASURED PERPENDICULARLY FROM SAID WESTERLY BOUNDARY OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7,
2. N 89°53'07" E 40.00 FEET;
3. N 00°06'53" W 176.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 264480 SQUARE FEET (6.072 ACRES).

LEGAL DESCRIPTION
PARCEL FIVE

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7,

THENCE S 00°06'53" E 1102.32 FEET ALONG THE WESTERLY BOUNDARY OF SAID NORTH HALF OF THE NORTH HALF OF SECTION 7,
THENCE N 89°33'07" E 30.00 TO THE EASTERLY RIGHT OF WAY OF 80TH STREET, THE POINT OF BEGINNING;

THENCE N 00°06'53" W 157.98 FEET ALONG SAID RIGHT OF WAY TO THE RIGHT OF WAY OF McCASLIN BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290,
THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, 66.52 FEET, SAID ARC SUBTENDED BY A RADIUS OF 260.00 FEET, A CENTRAL ANGLE OF 14°39'34", AND A CHORD BEARING S 47°09'28" E 66.34 FEET;
2. S 54°29'15" E 16.68 FEET;
3. S 35°30'44" W 12.00 FEET;
4. ALONG THE ARC OF A CURVE TO THE LEFT 108.51 FEET TO THE POINT OF BEGINNING, SAID ARC SUBTENDED BY A RADIUS OF 615.00 FEET, A CENTRAL ANGLE OF 10°06'34", AND A CHORD BEARING S 30°27'28" W 108.37 FEET;

SAID PARCEL CONTAING 4511 SQUARE FEET (0.104 ACRES).

#01587001 02/28/96 03:14 PM REAL ESTATE RECORDS
F2109 CHARLOTTE HOUSTON BOULDER CNTY CO RECORDER

5-1

ORDINANCE NO. 1166,
SERIES 1994

AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE ENTITLED "ZONING" BY ZONING PROPERTY OWNED BY THE LOUISVIEW CORPORATION KNOWN AS THE GATEWAY ANNEXATION

26

WHEREAS, the City of Louisville has annexed certain real property, by adopting Ordinance No. 1166, Series 1994; and,

WHEREAS, it is necessary that the zoning thereof be determined;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. That Section 17.04.050 of the Louisville Municipal Code, entitled "Zoning Map -District Boundaries Established", shall be amended to include the following described property, and that the parcel shall be zoned in accordance with the zoning indicated after the description below:

See Attached Exhibit A,

"AO-T" - ADMINISTRATIVE OFFICE - TRANSITION

See Attached Exhibit B,

"SF-R" - SINGLE FAMILY, RURAL, on Parcel Three as described on Exhibit B;

See Attached Exhibit C,

"R-RR" - RESTRICTED RURAL RESIDENTIAL, on Parcels Four and Five on Exhibit C.

Section 2. This Ordinance shall take effect immediately after Ordinance No. 1165, Series 1994, takes effect.

Section 3. No more than two single family dwellings may be constructed on the portion of the property located on the west side of McCaslin Boulevard (Parcels Four and Five on Exhibit B). Such dwellings shall be single story and not more than twenty-six (26) feet in height. The final number of such dwellings will be determined through the P.U.D. process and may be one dwelling or two dwellings.

5-2

INTRODUCED, READ AND ORDERED PUBLISHED this 18th day of October, 1994.

BY:

Tom Davidson, Mayor

ATTEST:

CITY OF LOUISVILLE SEAL COLORADO

Maj-Lis Kemper, City Clerk

APPROVED AS TO FORM:

Susan Griffiths, City Attorney
Griffiths & Tanoue, P.C.

PASSED AND ADOPTED ON SECOND AND FINAL READING this 17th day of October, 1995.

BY:

Tom Davidson, Mayor

ATTEST:

By: Maj-Lis Kemper, City Clerk

CITY OF LOUISVILLE COLORADO

EXHIBIT A

5-3

LEGAL DESCRIPTION
PARCEL ONE

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7,

THENCE S 00°06'49" E 60.00 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 7;
THENCE N 89°33'13" E 75.00 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD, AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 962816, TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY N 89°33'13" E 304.11 FEET;
THENCE S 00°28'37" E 221.23 FEET ALONG THE WESTERLY BOUNDARY OF LOTS 47 THROUGH 50, BLOCK 3, HILLSBOROUGH WEST SUBDIVISION FILING NO. 1;
THENCE S 89°31'25" W 305.51 ALONG THE NORTHERLY BOUNDARY OF LOTS 34 & 35, BLOCK 3, SAID HILLSBOROUGH WEST SUBDIVISION FILING NO. 1 TO THE EASTERLY BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO 862861;
THENCE ALONG SAID EASTERLY BOUNDARY N 00°06'49" W 221.39 FEET TO THE POINT OF BEGINNING, CONTAINING 67458 SQUARE FEET (1.5486 ACRES).

LEGAL DESCRIPTION
PARCEL TWO

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE N 89°29'34" E 1678.49 FEET ALONG THE NORTHERLY LINE OF SAID NORTH HALF OF THE NORTH HALF OF SECTION 7;
THENCE S 00°28'37" E 60.00 FEET TO THE POINT OF BEGINNING;

THENCE N 89°29'33" E 1010.81 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 962816;
THENCE S 00°06'49" E 221.43 FEET ALONG THE EASTERLY BOUNDARY OF THE NORTHWEST QUARTER OF SECTION 7 TO THE NORTHERLY BOUNDARY OF BLOCK 3 HILLSBOROUGH WEST SUBDIVISION FILING NO. 1;
THENCE S 89°31'23" W 1009.41 FEET ALONG SAID NORTHERLY BOUNDARY TO THE EASTERLY RIGHT OF WAY OF KENNEDY AVENUE;
THENCE N 00°28'37" W 220.89 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING, CONTAINING 223395 SQUARE FEET (5.128 ACRES).

5-4

EXHIBIT B

LEGAL DESCRIPTION
PARCEL THREE

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE N 89°29'34" E 559.75 FEET ALONG THE NORTH BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 7;
THENCE S 00°30'27" E 60.00 FEET TO THE POINT OF BEGINNING;

THENCE N 89°29'33" E 971.59 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NUMBERS 875290 AND 962816;
THENCE S 00°28'37" E 220.81 FEET ALONG THE WESTERLY BOUNDARY OF TRACT D, HILLSBOROUGH WEST SUBDIVISION FILING NO. 1;
THENCE ALONG THE BOUNDARY OF BLOCK 1, SAID HILLSBOROUGH WEST SUBDIVISION FILING NO. 1 THE FOLLOWING COURSES:

1. S 89°31'23" W 22.88 FEET;
2. S 00°28'37" E 336.09 FEET;
3. S 26°48'02" W 261.50 FEET;
4. N 43°35'10" W 93.82 FEET;
5. S 89°31'23" W 930.92 FEET;

THENCE ALONG THE EASTERLY RIGHT OF WAY OF McCASLIN BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290 THE FOLLOWING COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT 462.33 FEET, SAID ARC SUBTENDED BY A RADIUS OF 725.62 FEET, A CENTRAL ANGLE OF 36°30'22" AND A CHORD BEARING N 17°15'33" E 454.55 FEET;
2. N 00°59'38" W 257.08 FEET;
3. N 44°15'53" E 42.65 FEET TO THE POINT OF BEGINNING, CONTAINING 723855 SQUARE FEET, (16.62 ACRES).

EXHIBIT C

5-5

LEGAL DESCRIPTION
PARCEL FOUR

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7;

THENCE S 00°06'53" E 69.93 FEET ALONG THE WESTERLY BOUNDARY OF SAID NORTH HALF OF THE NORTH HALF OF SECTION 7;
THENCE N 89°33'07" E 70.00 FEET TO THE POINT OF BEGINNING,
THENCE N 89°29'34" E 309.80 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF SOUTH BOULDER ROAD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290;
THENCE ALONG THE WESTERLY RIGHT OF WAY OF McCASLIN BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290 THE FOLLOWING COURSES:

1. S 45°44'14" E 42.92 FEET;
2. S 00°59'38" E 248.16 FEET;
3. ALONG THE ARC OF A CURVE TO THE RIGHT 385.87 FEET, SAID ARC SUBTENDED BY A RADIUS OF 605.62, A CENTRAL ANGLE OF 36°30'22", AND A CHORD BEARING S 17°15'33" W 379.38 FEET;
4. S 35°30'45" W 298.59 FEET;
5. N 54°29'15" W 16.69 FEET;
6. ALONG THE ARC OF A CURVE TO THE RIGHT 189.80 FEET TO THE EASTERLY RIGHT OF WAY OF BOTH STREET, SAID ARC SUBTEDED BY A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 54°22'22", AND A CHORD BEARING N 27°18'04" W 182.75 FEET;

THENCE ALONG THE RIGHT OF WAY OF SAID BOTH STREET THE FOLLOWING COURSES.

1. N 00°06'53" W 532.51 FEET PARALLEL WITH AND 30.00 FEET EASTERLY, MEASURED PERPENDICULARLY FROM SAID WESTERLY BOUNDARY OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7,
2. N 89°53'07" E 40.00 FEET;
3. N 00°06'53" W 176.00 FEET TO THE POINT OF BEGINNING, CONTAINING 264480 SQUARE FEET (6.072 ACRES).

LEGAL DESCRIPTION
PARCEL FIVE

THAT PORTION OF THE NORTH HALF OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 69 WEST, SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 7.

THENCE S 00°06'53" E 1102.32 FEET ALONG THE WESTERLY BOUNDARY OF SAID NORTH HALF OF THE NORTH HALF OF SECTION 7,
THENCE N 89°33'07" E 30.00 TO THE EASTERLY RIGHT OF WAY OF BOTH STREET, THE POINT OF BEGINNING;

THENCE N 00°06'53" W 157.98 FEET ALONG SAID RIGHT OF WAY TO THE RIGHT OF WAY OF McCASLIN BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED AT RECEPTION NO. 875290;
THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES.

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, 66.52 FEET, SAID ARC SUBTENDED BY A RADIUS OF 260.00 FEET, A CENTRAL ANGLE OF 14°39'34", AND A CHORD BEARING S 47°09'28" E 66.34 FEET;
2. S 54°29'15" E 16.68 FEET;
3. S 35°30'44" W 12.00 FEET;
4. ALONG THE ARC OF A CURVE TO THE LEFT 108.51 FEET TO THE POINT OF BEGINNING, SAID ARC SUBTENDED BY A RADIUS OF 615.00 FEET, A CENTRAL ANGLE OF 10°06'34", AND A CHORD BEARING S 30°27'28" W 108.37 FEET;

SAID PARCEL CONTAING 4511 SQUARE FEET (0.104 ACRES).

#01588413 03/04/96 02:41 PM REAL ESTATE RECORDS
F2110 CHARLOTTE HOUSTON BOULDER CNTY CO RECORDER

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ADDENDUM TO
ANNEXATION AGREEMENT

THIS ADDENDUM is made and entered into this 5TH day of DEC, 1995, by and between LOUISVIEW CORPORATION, herein referred to as the "Owner", and the "CITY OF LOUISVILLE", a municipal corporation of the State of Colorado, hereinafter referred to as "Louisville" or "City".

WITNESSETH:

WHEREAS, the Owner and Louisville have entered into an Annexation Agreement with respect to certain property described therein ("property"), a copy of which is attached hereto; and

WHEREAS, the Owner has executed a petition to annex the property, a copy of which petition is attached hereto, incorporated herein, and made a part hereof; and

WHEREAS, it is to the mutual benefit of the parties hereto to enter into this Addendum to govern the rights and obligations of the parties subsequent to the annexation.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE PREMISES AND THE COVENANTS AS HEREINAFTER SET FORTH, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. Owner agrees to execute and promptly submit a preliminary P.U.D. on the property for prompt consideration by the City of Louisville.

2. Owner agrees to provide the documents, surveys, engineering work, maps, reports, and the other documents necessary for the City to act upon a preliminary P.U.D. relating to the property and agrees to pay all fees connected therewith.

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3. Louisville shall act upon the preliminary P.U.D., following the process described in the City ordinances, no later than 180 days from the date of submission. Owner may thereafter submit a final P.U.D. proposal for the property, including all documents and the payment of all fees related thereto. If so, the City shall act upon the final P.U.D., following the process described in the City ordinances, no later than 180 days from the date of submission of the final P.U.D. proposal.

4. The parties recognize that it is the intent and desire of Owner to develop the property in a manner consistent with the zoning requested and that the granting of zoning by the City of SF-R for the residential portion and AO-T for the commercial portion is a condition to maintaining the annexation of the property to the City of Louisville. The Owner and Louisville agree that if the preliminary or final P.U.D., submitted by the Owner is not approved to the satisfaction of the City and the Owner within 180 days from the date of submission, then this annexation shall be null and void and all things of value returned to each of the parties, except that the City will retain all fees paid by the Owner related to the preliminary and final P.U.D. proposal.

5. The City agrees upon disconnection of the property from the City that all rights-of-way dedicated and all water rights held in escrow shall be ~~turned~~ returned to the Owner.

6. All water rights listed on Exhibit C to the Annexation Agreement shall be held in escrow by a person or entity approved by the Owner and the City until approval of the final P.U.D. and the time for filing any referendum on the P.U.D. has lapsed or any referendum on the P.U.D. has failed, at which time the water rights shall be transferred to the City in accordance with paragraph 13 of the Annexation Agreement. If the final P.U.D. is not approved to the satisfaction of the City and the Owner and the Owner withdraws the annexation, all water rights held in escrow shall be returned to the Owner.

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7. This agreement embodies the entire agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein and this agreement supersedes all previous communications, representations, or agreements, either verbal or written between the parties.

8. This Agreement shall be binding upon an enure to the benefit of the heirs, transferees, successors, and assigns hereof and shall constitute covenants running with the land.

9. This Addendum may be recorded with the County Clerk of Boulder County, Colorado at the Owner's expense.

10. Subject to the conditions precedent herein, this Agreement may be enforced in any court of competent jurisdiction.

11. The parties acknowledge that the zoning of and P.U.D. action relating to the property is subject to the legislative discretion of the City Council and the rights of initiative and referendum reserved to the citizens of Louisville. No assurance of zoning or P.U.D. approval has been made or relied upon by the Owner. In the event that in the exercise of its legislative discretion, the City's action on the zoning or P.U.D. proposal for the property is not satisfactory to the Owner, then the sole and exclusive remedy of the Owner shall be disconnecting the property from the City and the return to the Owner of all dedicated rights-of-way and escrowed water rights, as described above.

12. The parties agree to cooperate and provide/sign all documents and take all actions necessary to achieve any disconnection of the property from the City pursuant to this Agreement.

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13. The parties agree that if any part, term, portion or provision of this Addendum conflicts with the Annexation Agreement that the Addendum shall take precedent.

14. No more than two single family dwellings may be constructed on the portion of the property located on the west side of McCaslin Boulevard, Parcels No. 4 and No. 5 on the approved Annexation plat. Such dwellings shall be single story and not more than twenty-six (26) feet in height. The final number of such dwellings will be determined through the P.U.D. process and may be one dwelling or two dwellings. If a final P.U.D. for the property is approved to the satisfaction of the City and the Owner, the Owner shall place the restrictions of this paragraph 14 in the deeds for the parcels of the property located on the west side of McCaslin Boulevard, Parcels No. 4 and No. 5.

OWNER: LOUISVIEW CORPORATION

By: _____
PRESIDENT

CITY OF LOUISVILLE

By: _____
Tom Davidson, Mayor

ATTEST:

By: _____
Maj-Lis Kemper, City Clerk

#01588412 03/04/96 02:41 PM REAL ESTATE RECORDS
F2110 CHARLOTTE HOUSTON BOULDER CNTY CO RECORDER

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Revised 11/07/95

ANNEXATION AGREEMENT

THIS AGREEMENT is made and entered into this 5TH day of DECEMBER, 1995 by and between LOUISVIEW CORPORATION, hereinafter referred to as the "Owner," and the CITY OF LOUISVILLE, a municipal corporation of the State of Colorado, hereinafter referred to as "Louisville" or "City".

WITNESSETH:

WHEREAS, the Owner desires to annex to Louisville the property more particularly described on Exhibit "A," which is attached hereto, incorporated herein, and made a part hereof (such property is hereinafter referred to as "the property"); and

WHEREAS, Owner has executed a petition to annex the property, a copy of which petition is attached hereto as Exhibit "B," and incorporated herein and made a part hereof; and

WHEREAS, it is to the mutual benefit of the parties hereto to enter into the following Agreement; and

WHEREAS, Owner acknowledges that upon annexation, the property will be subject to all ordinances, resolutions, and other regulations of the City of Louisville, as they may be amended from time to time.

WHEREAS, Owner acknowledges that the need for conveyances and dedication of certain property, including but not limited to property for ways and easements to Louisville as contemplated in this Agreement, are directly related to and generated by development intended to occur within the property and that no taking thereby will occur requiring any compensation.

RECORDER'S NOTE: Document lacks a legal description

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NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE PREMISES AND THE COVENANTS AS HEREINAFTER SET FORTH, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. Owner agrees to execute, promptly upon request of Louisville, any and all surveys and other documents necessary to effect the annexation of the property and the other provisions of this Agreement. Owner agrees to not sign any other petition for annexation of the property or any petition for an annexation election relating to the property, except upon request of Louisville.

2. Owner agrees to provide legal documents, surveys, engineering work, newspaper publication, maps, and reports determined by Louisville to be necessary to accomplish the annexation, and has paid to the City of Louisville an annexation fee in the amount of Three Hundred Dollars ($300.00) plus Sixty Dollars ($60.00) per acre annexed.

3. Louisville shall act upon Exhibit "B" within six months of the date of filing thereof with the City Clerk, unless Owner consents to later action.

4. The parties recognize that it is the intent and desire of Owner to develop the property in a manner generally consistent with the zoning requested and that the granting of such zoning by the City of Louisville is a condition to annexation of the property. Owner shall take all action necessary to permit zoning by Louisville of the annexed property within the time prescribed by state statutes.

5. Owner agrees to dedicate by General Warranty Deed or appropriate instrument of conveyance acceptable to the City easements and rights-of-way for streets and other public ways and for other public purposes, as required by City ordinances and

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resolutions. Such dedications shall occur immediately upon request of the City except that internal rights-of-way shall be dedicated at the time of subdivision platting, unless the City specifies another time.

6. Owner agrees to design, improve, and provide signage, lighting, and signalization for, all public streets and other public ways within or adjacent to the property in accordance with City ordinances and resolutions and other applicable standards, subject to any reimbursement which may be provided for in such ordinances, resolutions, and standards, and to make such other improvements as required by City ordinances and resolutions, to guarantee construction of all required improvements, and, if requested by Louisville, to dedicate to Louisville any or all other required improvements. Owner agrees to enter into an agreement pertaining to such improvements and other matters prior to any development of the property.

7. If requested by Louisville, Owner agrees to include the property in one or more special improvement districts or other mechanisms established by Louisville for making improvements to streets and other public ways, or for making other public improvements authorized by law, and Owner hereby appoints the City Administrator of Louisville as Owner's attorney-in-fact for the purpose of executing all documents determined by Louisville to be necessary for such inclusion. If requested by Owner, Louisville agrees to consider the establishment of one or more special improvement districts for making such improvements.

8. Owner agrees that the design, improvement, construction, development, and use of the property shall be in conformance with, and that Owner shall comply with, all City ordinances and resolutions including, without limitation, ordinances and resolutions pertaining to subdivision, zoning, storm drainage, utilities, and flood control.

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9. Nothing contained in this Agreement shall constitute or be interpreted as a repeal of the City's ordinances or resolutions, or as a waiver of the City's legislative, governmental, or police powers to promote and protect the health, safety, and welfare of the City and its inhabitants; nor shall this Agreement prohibit the enactment or increase by the City of any tax or fee.

10. No right or remedy of disconnection of the property from the City shall accrue from this Agreement, other than that provided by applicable state laws. In the event the property or any portion thereof is disconnected at Owner's request, Louisville shall have no obligation to serve the disconnected property or portion thereof and this Agreement shall be void and of no further force and effect as to such property or portion thereof.

11. The parties agree that if any part, term, portion, or provision of this Agreement is held by a court of competent jurisdiction to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining parts, terms, portions, or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, portion, or provision held to be invalid.

12. Louisville agrees to make available to the property all of the usual municipal services in accordance with the ordinances and policies of the City which services include, but are not limited to, police protection and water and sewer services. Owner acknowledges that City services do not include, as of the date of the execution of this Agreement, fire protection or emergency medical services, but the property is presently included within the boundaries of and is entitled to receive such services from the Louisville or Cherryvale Fire Protection District.

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13. Owner represents to the City that the water rights listed on Exhibit "C", attached hereto and incorporated herein by this reference, constitute all of the water rights appurtenant to the Subject Property. In accordance with Section 16.32.030(G) of the Louisville Municipal Code, as amended, and existing City policy as set forth in Resolution No. 52, Series 1988, and as amended by Resolution No. 9, Series 1989, Owner agrees to convey to the City, upon annexation of the Subject Property, all water rights listed on Exhibit "C", and any related stock certificates evidencing ownership of the water rights, free and clear of all encumbrances and with all taxes and assessments related thereto and paid in full, unless the City in writing rejects any or all such water rights.

Owner hereby acknowledges its receipt of a copy of City of Louisville Resolution No. 52, Series 1988, and Resolution No. 9, Series 1989, concerning City Policy with respect to the dedication of water rights to the City in connection with annexations, and agrees to comply with such Resolutions and with any amendments thereto, including any applicable amendments adopted subsequent to the annexation of the Subject Property.

14. The parties agree that they will cooperate with one another in accomplishing the terms, conditions, and provisions of the Agreement, and will execute such additional documents as necessary to effectuate the same.

15. This Agreement may be amended by the City and any Owner without the consent of any other Owner as long as such amendment affects only that Owner's portion of the property. Such amendments shall be in writing, shall be recorded with the County Clerk of Boulder County, Colorado, shall be covenants running with the land, and shall be binding upon all persons or entities having an

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interest in the property subject to the amendment unless otherwise specified in the amendment. Except as otherwise provided herein, this Agreement shall not be amended unless approved in writing by all parties hereto.

16. This Agreement embodies the entire agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein; and this Agreement supersedes all previous communications, representations, or agreements, either verbal or written, between the parties.

17. Owner agrees to indemnify and hold harmless the City and the City's officers, employees, agents, and contractors, from and against all liability, claims, and demands, including attorney's fees and court costs, which arise out of or are in any manner connected with the annexation of the property, or with any other annexation or other action determined necessary or desirable by the City in order to effectuate the annexation of the property, or which are in any manner connected with Louisville's enforcement of this Agreement. Owner further agrees to investigate, handle, respond to, and to provide defense for and defend against or at the City's option to pay the attorney's fees for defense counsel of the City's choice for, any such liability, claims, or demands.

18. As used in this Agreement, the term "Owner" shall include any of the heirs, transferees, successors, or assigns of Owner, and all such parties shall have the right to enforce this Agreement, and shall be subject to the terms of this Agreement, as if they were the original parties thereto.

19. As used in this Agreement, unless otherwise specifically provided herein, any reference to any provision of any City ordinance, resolution, or policy is intended to refer to any

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subsequent amendments or revisions to such ordinance, resolution, or policy, and the parties agree that such amendments or revisions shall be binding upon Owner.

20. This Agreement shall be binding upon and inure to the benefit of the heirs, transferees, successors, and assigns hereof, and shall constitute covenants running with the land. This Agreement shall be recorded with the County Clerk of Boulder County, Colorado, at Owner's expense. Subject to the conditions precedent herein, this Agreement may be enforced in any court of competent jurisdiction.

21. This Agreement shall be null and void if the City fails to approve the annexation of the property.

22. The Owner acknowledges that the annexation and zoning of the property are subject to the legislative discretion of the City Council of the City of Louisville. No assurances of annexation or zoning have been made or relied upon by Owner. In the event that, in the exercise of its legislative discretion, any action with respect to the property herein contemplated is not taken, then the sole and exclusive remedy for the breach hereof accompanied by the exercise of such discretion shall be the withdrawal of the petition for annexation by the Owner, or disconnection from the City in accordance with state law, as may be appropriate.

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OWNER:
LOUISVIEW CORPORATION

ATTEST:

By: Carol A. Zyrenek

By: Edwin D. Hyman
PRESIDENT

CITY OF LOUISVILLE

By: Tom Davidson
Mayor Tom Davidson

ATTEST:

By: Linda Salas
~~Mary-Lis Kempf~~ DEPUTY, City Clerk

ACKNOWLEDGEMENT

STATE OF COLORADO)
)ss
COUNTY OF Denver)

The above and foregoing signature of Edwin D. Hyman, was subscribed and sworn to before me this 5th day of December, 1995.

Witness my hand and official seal.

Carol A. Zyrenek
NOTARY SIGNATURE

My commission expires on: _____

My Commission Expires June 16, 1999

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EXHIBIT "C"

(_____ Annexation Agreement)

Water Rights Appurtenant to Property.

Water Rights Number(s)	Number of Shares	Certificate
_____	_____	_____
_____	_____	_____
_____	_____	_____

Lathrop moved that Council approve Ordinance No. 1165, Series 1994, on second and final reading contingent upon approval of item D4, Annexation Agreement and Addendum, and with the condition that the Annexation Agreement include a restriction on the height of the two residential properties west of McCaslin to not exceed 26'. Such restriction shall also become part of any approved PUD.

Davidson offered a friendly amendment that they also be single story.

Lathrop agreed. Seconded by Howard.

Griffiths stated that she understood the motion was not to amend the ordinance, but to make the ordinances approval conditional upon the approval of an annexation agreement and inclusion in the annexation agreement the various limitations.

Lathrop clarified that it was contingent upon item D4, the Addendum, and to include in the annexation agreement the height restriction.

Roll call was taken. Motion passed by a 6 - 1 vote with Mayer voting against.

ORDINANCE NO. 1166, SERIES 1994 - AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE ENTITLED "ZONING" BY ZONING PROPERTY OWNED BY THE LOUISVIEW CORPORATION KNOWN AS THE GATEWAY ANNEXATION - 2ND READING - CONTINUED PUBLIC HEARING FROM DECEMBER 20, 1994 (RE-PUBL. LSVL. TIMES W/FULL ORDINANCE 9/6/95)

Griffiths read by title only Ordinance No. 1166, Series 1994, "An ordinance amending Title 17 of the Louisville Municipal Code entitled "Zoning" by zoning property owned by the Louisview Corporation known as the Gateway Annexation."

Davidson noted that there had already been staff presentation and the applicant did not wish to make any further presentation..

Davidson opened the public hearing calling for anyone wishing to speak on this ordinance.

NONE

Davidson closed the public hearing and called for Council comments, questions, or motions.

Lathrop moved that Council approve Ordinance No. 1166, Series 1994, zoning of annexed land, Gateway Annexation, second reading with the following amendments: That it be contingent upon approval of item D4, Annexation Agreement and Addendum; That the zoning ordinance also include the restriction on the height of single family homes west of McCaslin to be 26'; That the number of homes west of McCaslin are not to exceed two and that they be single story. Seconded by Howard.

Lathrop amended his motion to change the zoning designation from RR-R to SF-R. Seconder, Howard, accepted that.

Davidson moved to amend Lathrop's motion to zone 6.1 acres south of South Boulder Road between 80th Street and McCaslin Boulevard and the .1 acre between west of McCaslin Boulevard and south of 80th Street as RR-R. Seconded by Sisk. Roll call was taken on the amendment. Motion passed by a 4 - 3 vote with Howard, Lathrop, and Levihn voting against.

Davidson called for a roll call on the original amended Ordinance No. 1166. To clarify, Davidson stated that Council was now voting on Ordinance No. 1166 with his amendment and all of the amendments that Lathrop originally added. Motion passed by a 7 - 0 vote.

Davidson told the applicant that his amendment did not imply in any way that he would not necessarily vote for a PUD that would allow two homes on that land.

ANNEXATION AGREEMENT AND ADDENDUM (tabled from prior discussion)

Sisk moved that Council bring this back for discussion now, that Ordinances No. 1165 and 1166 had been approved including all of the restrictions from Lathrop on the annexation and on the zoning. He added another restriction that if the PUD is approved, the restrictive language on the deeds to the properties located west of McCaslin would be included on any deeds conveying those properties. Seconded by Howard.

Levihn wanted to make sure the applicant understood how the previous amendment affects this now.

Barry Morris and Mr. Ostrander, his attorney, thought it was okay with them.

Susan Griffiths, City Attorney, stated that Mr. Ostrander had suggested a revision to the Agreement regarding the time of how long the water rights would be held in escrow. She suggested that the language in paragraph No. 6, first sentence be changed to "All water rights listed on Exhibit C to the Annexation Agreement shall be held in escrow by a person or entity approved by the Owner and the City until approval of the final PUD and the time for any referendum of the PUD has lapsed or any referendum has failed, at which time the water rights shall be transferred to the City....".

Sisk and Howard, seconder, accepted that. Roll call was taken. Motion passed by a 7 - 0 vote.

BREAK

Davidson called for a five minute break.

Council returned from break.

RESOLUTION NO. 65
SERIES 1996

A RESOLUTION APPROVING
A FINAL SUBDIVISION PLAT AND PUD DEVELOPMENT PLAN FOR GATEWAY

WHEREAS, there has been submitted to the Louisville City Council by Louisview Corporation a Final Subdivision Plat and PUD Development Plan for Gateway; and

WHEREAS, all materials related to the Final Subdivision Plat PUD Development Plan have been reviewed by City Staff and the Planning Commission and found to be in compliance with the Louisville zoning ordinances, subdivision regulations, and related policies; and

WHEREAS, after a properly advertised public hearing concerning said Final Subdivision Plat PUD Development Plan, the Planning Commission recommended to the City Council approval; and

WHEREAS, the City Council finds that said Final Subdivision Plat PUD Development Plan should be approved, subject to the following conditions:

1. The applicant shall provide notice to the City of water rights escrow compliance.

2. A note should be added to the PUD stating that the existing grade on the office portion of the development shall be substantially maintained.

3. A fence notations and graphics shall be removed from the Final PUD site plan (sheet two of the PUD submittal).

4. Note No. 2 on the fence plan shall be revised to state, "No solid privacy fencing is allowed within the front setback as measured as the actual distance between the front of structure and the property line."

5. Note No. 3 on the fence plan shall be modified to reflect a minimum setback for a privacy fence from McCaslin Blvd. as 80 feet rather than 50 feet.

6. Note No. 3 on the cover sheet of the PUD concerning access shall be modified as follows: "ACCESS TO THE SITE FROM MCCASLIN BLVD. AND/OR SOUTH BOULDER ROAD MAY BE MODIFIED IN THE FUTURE BY THE CITY. IF, AT ANY TIME IN THE FUTURE, IT IS DETERMINED BY THE CITY THAT SUCH MODIFICATION IS APPROPRIATE TO ENHANCE TRAFFIC FLOW ON ONE OR MORE SURROUNDING STREETS, OR TO MITIGATE AN UNSAFE SITUATION, UPON NOTIFICATION FROM THE CITY, PROPERTY OWNERS ON LOT 1, BLOCK 2 (COMMERCIAL OFFICE) AGREE TO MAKE SUCH MODIFICATIONS ON AND ADJOINING SOUTH BOULDER ROAD, AS MAY BE REASONABLY REQUIRED BY THE CITY, AND AGREE TO PAY FOR THE COST THEREOF, AS REASONABLY ALLOCATED AMONG PROPERTY OWNERS BY THE CITY. EACH

PRESENT AND FUTURE PROPERTY OWNER SHALL ACKNOWLEDGE IN WRITING THE FOREGOING AUTHORITY OF THE CITY."

7. The subdivider shall pay a cash-in-lieu of landscape fee in the amount of twenty-five thousand ($25,000) dollars. The cash payment shall be paid prior to the issuance of the first building permit within the Gateway development.

8. The overall separation of the homes located on Lots 1 and 2, Block 1 (west of McCaslin Blvd.) shall be maximized to maintain view corridors from McCaslin Blvd. Prior to issuance of a building permit for either Lot 1, or Lot 2, Block 1 staff will review the building plan for adequate building separation.

9. The commercial office (AO-T) site lighting levels shall be reduced after business hours, as directed by staff.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Louisville, Colorado does hereby approve the Final Subdivision Plat and PUD Development Plan for Gateway. A copy of the Final PUD Development Plan is attached hereto.

PASSED AND ADOPTED this 15th day of October, 1996.

By: Tom Davidson

Tom Davidson, Mayor
City of Louisville, Colorado

ATTEST:

Dave Clabots, City Clerk

Howard moved that Council approve Ordinance No 1231, Series 1996, Owen Annexation on second reading, seconded by Keany. Roll call was taken. Motion passed by a 6 - 0 vote with Sisk being excused.

ORDINANCE NO. 1232, SERIES 1996 - ZONING PROPERTY ANNEXED TO THE CITY OF LOUISVILLE KNOWN AS THE OWEN ANNEXATION - 22.46 ACRES - 2ND READING - PUBLIC HEARING (PUBL. LSVL. TIMES 9/11, 9/18, 9/25, & 10/2/96)

Tanoue read by title only Ordinance No. 1232, Series 1996, "An ordinance zoning property annexed to the City of Louisville and known as the Owen Annexation."

Davidson opened the public hearing calling for anyone wishing to speak on this ordinance.

NONE

Davidson closed the public hearing.

Howard moved that Council approve Ordinance No. 1232, Series 1996, on second and final hearing. Seconded by Keany. Roll call was taken. Motion passed by a 6 - 0 vote with Sisk being excused.

RESOLUTION NO. 65, SERIES 1996 - FINAL SUBDIVISION REPLAT AND FINAL PUD DEVELOPMENT PLAN FOR GATEWAY

Paul Wood, Planning Director, stated that this property is located at McCaslin Boulevard and South Boulder Road. Conditions 1, 2, and 3 reflected the conditions that had not been met on Planning Commission's Resolution No. 21. The proposed Street continued to reflect a 28' rather than 36' with a 5' sidewalk on one side. The width of the right-of-way had been revised to reflect 50' as opposed to 45'. The plat proposed dedication of Outlots A, B, and C to the City for open space. Outlot D is to be a privately owned and maintained as a second detention facility. A note had been added to the PUD requiring that each home have an interior sprinkler system in lieu of secondary access into the development as required by the Louisville Fire Protection District. A total of five office buildings totaling 36,000 s.f. were proposed within the AO-T zone district, Lot 1 Block 2, with 213 off-street parking spaces.

Davidson called for the applicant's presentation.

John C. Durham, Norris Dullea Company, 243 East Nineteenth Avenue, Suite 1(X), Denver, Colorado 80203, reviewed the project. He asked that two lots be allowed west of McCaslin rather than one to help make the project financially feasible. He also asked for a variance on the fencing, because of the intersection of two arterials, to do privacy fences with a minimum setback of 50' rather than 80'.

Mike Stroh, Knudson Gloss, architects and planners, 4820 Riverbend Road, Boulder, Colorado 80301, reviewed the details of the office buildings.

Bill Boulet, Chairman of the Planning Commission, 728 Grant, Louisville, Colorado, stated that the Planning Commission voted against two houses west of McCaslin as they felt it was not justified. He pointed out that the Planning Commission approved one more house than would be justified by the SF-R zoning on the east side of McCaslin, which balanced this out.

Davidson called for Council comments and questions.

Lathrop was concerned about the fencing in relation to protection from McCaslin Boulevard. He did not have a problem with the two lots on the west side of McCaslin.

Keany and Howard were concerned about the fencing.

Sisk wanted the exterior pole lighting reduced at night on the AO-T. He wanted a specific time put on the PUD for the lighting to be turned off /dimmed.

Lathrop asked staff if note No. 3 on the PUD would be changed.

Tom Phare, Public Works Director, stated that the fourth and fifth lines should be struck. Staff had originally crafted some language with the City Attorney when the City was looking at the Parcel L access and they had been using that standard language since then on access issues.

Lathrop felt that by changing that note the City was opening a liability that was not determined today.

Howard liked the project, particularly compared to its initial concept six years ago.

Mayer wanted just one house west of McCaslin as it would preserve the low density development west of McCaslin and preserve the skyline. He pointed out that when Barry Morris bought the land the zoning only allowed one house and now its up to five commercial buildings and eight residential lots which greatly increases the value of the property.

Levihn did not have a problem with two homes on the west side of McCaslin.

Sisk did not mind the two homes, but was concerned with the placements of the homes and that they be minimal as far as blocking the views. He wanted the placement of the homes on the west side to be subject to the discretion of City staff. He wanted to know the trade-off for having the two lots.

Howard asked about the quantity of the donation to the underpass and also about the placement of the homes on the west side of McCaslin.

Barry Morris, Louisview Corporation, 2991 Pearl Street, Boulder, Colorado 80301, stated that they had changed all of their drainage for the buildings so they would be compatible with the area that would go into their detention ponds. He stated that he would be willing to donate $25,000. He would also be willing to work with staff as to the placement of the homes west of McCaslin.

Davidson asked the City Attorney to read the language on the access to South Boulder Road.

Tami Tanoue, Griffiths & Tanoue, stated that note No. 3 on the PUD would read "Access to the site from McCaslin Boulevard and/or South Boulder Road may be modified in the future by the City. If at any time in the future it is determined by the City that change is appropriate to enhance traffic flow on one or more surrounding streets or to mitigate an unsafe condition, upon notification from the City, property owners on Lot 1, Block 2 (commercial office) agree to such changes on an adjoining South Boulder Road as may be reasonably required by the City and agree to pay for the cost thereof, as reasonably allocated among the property owners by the City. Each present and future property owner shall acknowledge in writing the forgoing authority of the City."

Lathrop took exception to the fact that Council would take a $25,000 in exchange for a vote.

Sisk responded that Mr. Morris made a comment that he was willing to contribute money and all Sisk was trying to do was to quantify that amount. He took great offense to the suggestion that it would extract a positive vote. Morris made the proposal and Sisk was trying to get it on the table.

Howard moved that Council approve Resolution No. 65, Series 1996, the Final Subdivision Replat and PUD Development Plan for Gateway with the following conditions: Conditions No. 1, 2, 4, 5, and 6; and the added/modified language from the City Attorney; and two additional conditions that the developer work with staff in defining the separation of the footprints and that there be a $25,000 contribution to be credited to the City of Louisville's appropriation for the new underpass, seconded by Levihn.

Keany offered a friendly amendment that the exterior and parking lighting be reduced to 25% after business hours, whatever percent and hour staff recommended.

Howard and seconder Levihn accepted that. Roll call was taken. Motion passed by a 4 - 2 vote with Sisk abstaining and Mayer and Davidson voting against.

RESOLUTION NO. 66, SERIES 1996 - APPROVING AN AMENDMENT TO A FINAL PUD DEVELOPMENT PLAN FOR CHRISTOPHER PLAZA

Paul Wood, Planning Director, stated that this is to clarify the area and type of signage. The Planning Commission and applicant agreed to the following criteria:

City Council - Public Hearing

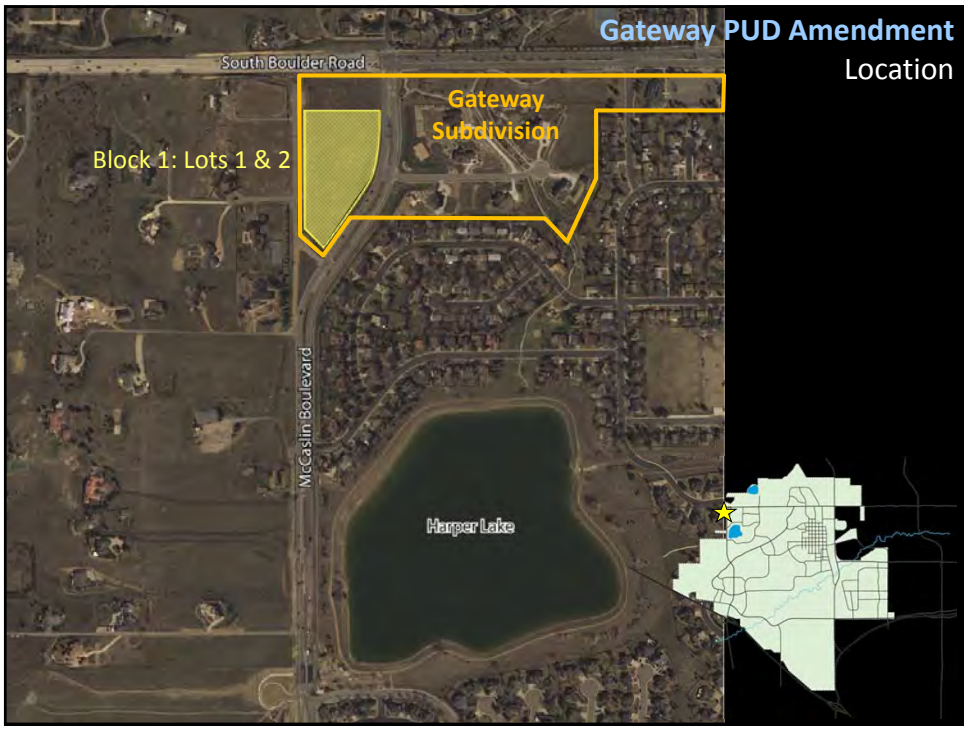
Gateway Planned Unit Development

Amendment

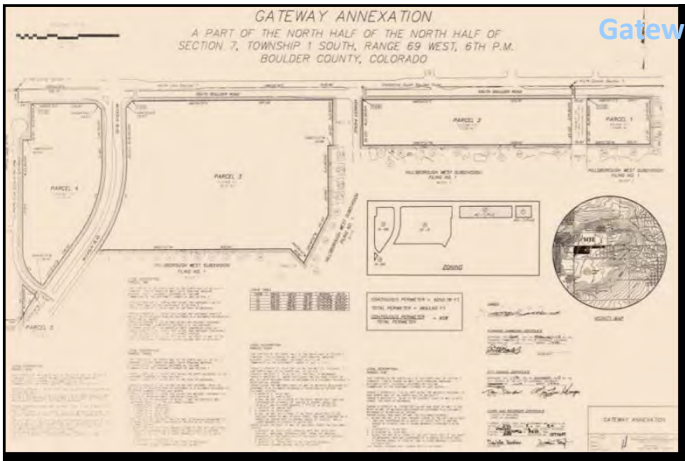
ORDINANCE NO. 1687, SERIES 2015 – AN ORDINANCE AMENDING ORDINANCE NOS. 1165 AND 1166, SERIES 1994 CONCERNING THE GATEWAY ANNEXATION AND APPROVING AN AMENDMENT TO AN ADDENDUM TO ANNEXATION AGREEMENT – 2ND Reading

RESOLUTION NO. 22, SERIES 2015 – A RESOLUTION APPROVING AN AMENDMENT TO THE GATEWAY FINAL PLANNED UNIT DEVELOPMENT (PUD) TO MODIFY THE HEIGHT ALLOWANCE LANGUAGE ON LOTS 1 AND 2, BLOCK 1 FROM "1 STORY WITH A 26 FEET MAXIMUM BUILDING HEIGHT" TO "1 OR 2 STORIES WITH A MAXIMUM BUILDING HEIGHT OF 26 FEET.

Prepared by
Planning and Building Safety Department



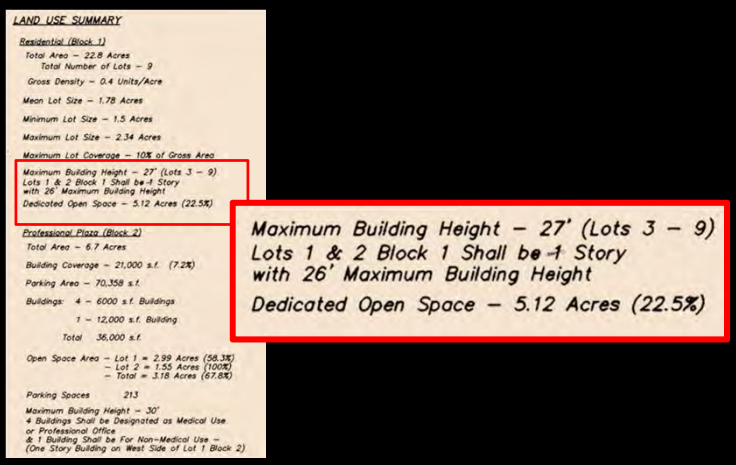
Gateway PUD Amendment
Background



Annexation – Ordinances 1165 and 1166, Series 1994

"No more than two single family dwellings may be constructed on the portion of the property located on the west side of McCaslin Boulevard (Parcels Four and Five on Exhibit B). Such dwellings shall be single story and not more than twenty-six (26) feet in height. The final number of such dwellings will be determined through the P.U.D. process and may be one dwelling or two dwellings."

Gateway PUD Amendment
Background


LAND USE SUMMARY

Residential (Block 1)
Total Area – 22.8 Acres
Total Number of Lots – 9
Gross Density – 0.4 Units/Acre
Mean Lot Size – 1.78 Acres
Minimum Lot Size – 1.5 Acres
Maximum Lot Size – 2.34 Acres
Maximum Lot Coverage – 10% of Gross Area
Maximum Building Height – 27' (Lots 3 – 9)
Lots 1 & 2 Block 1 Shall be 1 Story
with 26' Maximum Building Height
Dedicated Open Space – 5.12 Acres (22.5%)

Professional Plaza (Block 2)
Total Area – 6.7 Acres
Building Coverage – 21,000 s.f. (7.2%)
Parking Area – 70,358 s.f.
Buildings: 4 – 6000 s.f. Buildings
1 – 12,000 s.f. Building
Total 36,000 s.f.
Open Space Area – Lot 1 = 2.99 Acres (58.3%)
– Lot 2 = 1.55 Acres (100%)
– Total = 3.18 Acres (67.8%)
Parking Spaces 213
Maximum Building Height – 30'
4 Buildings Shall be Designated as Medical Use or Professional Office
& 1 Building Shall be For Non-Medical Use –
(One Story Building on West Side of Lot 1 Block 2)

Maximum Building Height – 27' (Lots 3 – 9)
Lots 1 & 2 Block 1 Shall be 1 Story
with 26' Maximum Building Height
Dedicated Open Space – 5.12 Acres (22.5%)

Sheet 1

Planned Unit Development approved - Resolution 65, Series 1996

Gateway PUD Amendment
View from McCaslin

Note the building under construction is located on Lot 1.
It is a 26 foot tall one story structure.

Gateway PUD Amendment
Staff Analysis

Maximum Building Height – 27' (Lots 3 – 9)
Lots 1 & 2 Block 1 Shall be 1 Story
with 26' Maximum Building Height
Dedicated Open Space – 5.12 Acres (22.5%)

The PUD uses limited view preservation tools:

1. 26 foot height limit;
2. 1 Story; and
3. A 10% lot coverage (underlying RR-R District). Lot is 98,000 sf, translating to a 9,800 sf footprint.

No minimum roof pitch;
No unique setback requirements; and
No Landscape controls.

Gateway PUD Amendment
Staff Analysis

PUD uses limited view preservation tools:

1. 26 foot height limit;
2. 1 Story; and
3. A 10% lot coverage (Lot is 98,000 sf)

No minimum roof pitch; and
No unique setback requirements.
Approved landscape plan will eventually block the view.

Staff observations

1) The allowed 26 foot, one story, structure will limit the existing unencumbered view;
2) A 26-foot, two story, structure will not worsen the impact on the view shed beyond what is allowed.
3) A two story structure within the allowed 26-feet would likely minimize view impacts by allowing a smaller building foot print (lot coverage).

Gateway PUD Amendment
HOA Design Review Committee

2 Feb 2015

TO: Vern Seieroe

FROM: Copper Hill Homeowners Association Design Review Committee

SUBJECT: Approval of Lot No 1, Block No. 1, PUD Amendment

The Copper Hill Homeowners Association Design Review Committee members have reviewed the proposal submitted by Vern Seieroe, architect for Tiera Nell/Jeremy Weiss. We do support the construction of a two-story house that does not exceed 26' maximum in height.

If you have any questions regarding this approval feel free to contact Kim Langley at 303-905-9936 or kim.langley01@gmail.com.

Regards,

Kim Langley, Phil Prine, and Katie Bell
Copper Hill Homeowners Association
Design Review Committee

Gateway PUD Amendment
Recommendation

Staff recommends City Council approve Ordinance No. 1687, Series 2015 and Resolution No. 22, Series 2015

City of Louisville
COLORADO • SINCE 1878

CITY COUNCIL COMMUNICATION
AGENDA ITEM 8D

SUBJECT: **FLATIRONS REHABILITATION PLANNED UNIT DEVELOPMENT (PUD) AND GENERAL DEVELOPMENT PLAN (GDP)**

1. **ORDINANCE NO. 1688, SERIES 2015 – AN ORDINANCE APPROVING AN AMENDMENT TO THE CENTENNIAL VALLEY GENERAL DEVELOPMENT PLAN TO ALLOW INSTITUTIONAL USES ON PARCEL G2 – 2ND Reading – Public Hearing (Advertised *Daily Camera* 04/12/2015)**

2. **RESOLUTION NO. 23, SERIES 2015 – A RESOLUTION APPROVING AN 8TH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR CENTENNIAL VALLEY**

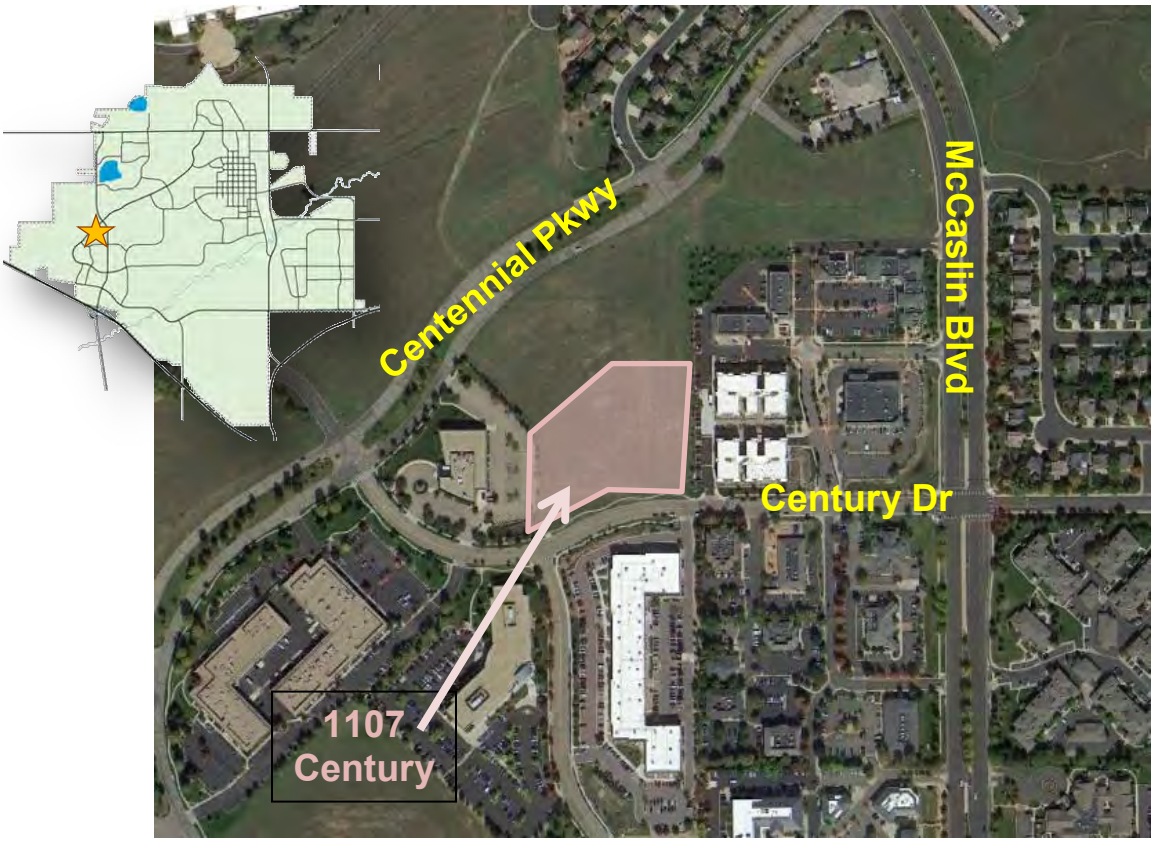
3. **RESOLUTION NO. 24, SERIES 2015 – A RESOLUTION APPROVING A FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN TO ALLOW FOR THE CONSTRUCTION OF A 44,000 SQUARE FOOT, 48 BED SKILLED REHABILITATION FACILITY AT 1107 CENTURY DRIVE, LOT 1, BLOCK 3, CENTENNIAL VALLEY BUSINESS PARK 1**

DATE: **APRIL 21, 2015**

PRESENTED BY: **SCOTT ROBINSON, PLANNING AND BUILDING SAFETY DEPARTMENT**

SUMMARY:

The applicant, BHA Design, is requesting approval of a final Planned Unit Development (PUD) and General Development Plan (GDP) and development agreement amendments to allow for the construction of a new 44,000 square foot, 48 bed skilled physical rehabilitation facility within the Planned Community Zone District - Commercial (PCZD-C) zone district. The existing GDP for this area allows uses limited to research, office, and retail. Since the proposed medical facility does not fall under one of those allowed uses, the applicant is requesting to amend the GDP to authorize the proposed "institutional" use. Staff believes allowing the proposed institutional use complies with the Comprehensive Plan and other applicable requirements with one exception; the material (wood) proposed for a trash and generator enclosure. The Planning Commission agreed and recommends—as does staff—approving the proposal on the condition that the trash and generator enclosure be constructed of durable materials (masonry or metal) to comply with the guidelines applicable for this area.



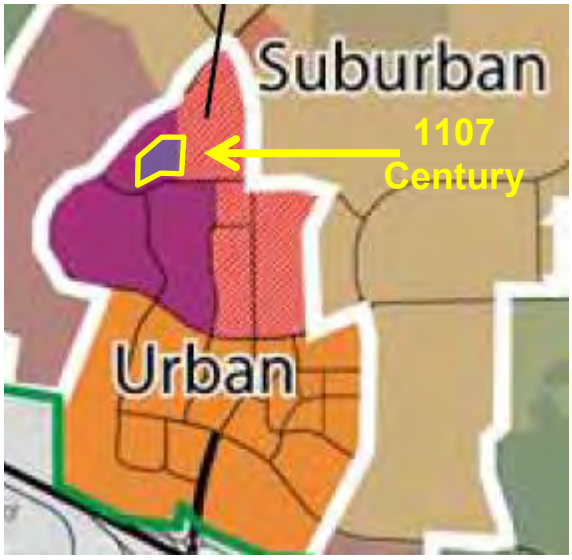
The site is located in Centennial Valley on the north side of Century Drive. The property is adjacent to the Centennial Pavilion Lofts to the east and office buildings to the west and south. The land to the north is currently vacant and zoned PCZD-C.

REQUEST:
The proposed land use request is for a 44,000 square foot building containing a 48 bed skilled physical rehabilitation facility. The property is zoned PCZD-C and is subject to the Commercial Development Design Standards and Guidelines (CDDSG) and the Centennial Valley GDP.

GDP and Development Agreement Amendments
When the Centennial Valley area was rezoned in 1984, a General Development Plan was adopted for the development. The GDP acts as the zoning for the area, stating which land uses are allowed on which parcels. A development agreement was also adopted providing, among other things, further definition of the allowed uses and their permitted locations. The GDP and agreement have been amended several times since 1984, most recently in 2005.

The GDP designates the area including 1107 Century as “Parcel G,” with allowed uses limited to research, office, and retail. The proposed medical facility does not fall under

one of those allowed uses. The applicant is requesting to amend the GDP to designate 1107 Century as "Parcel G2," with an authorized use of "institutional," which would allow the requested use. General Development Plans may be amended under section 17.72.060 of the Louisville Municipal Code. The Comprehensive Plan provides guidelines on whether a proposed amendment is appropriate.



The 2013 Comprehensive Plan update designates 1107 Century as "urban special district." The Comprehensive Plan indicates special districts should include a mix of uses tailored to the specific area, including institutional. The Centennial Valley special district currently includes mostly office uses. The addition of an institutional use such as a skilled physical rehab facility would integrate well into the area while adding to the mix of uses and complying with the Comprehensive Plan.

The proposed 8th amendment to the development agreement would provide further clarity on what specific uses would be allowed under the institutional designation. Those uses are listed as:

a. Medical clinics
b. Rehabilitative nursing facilities
c. Convalescent centers
d. Skilled nursing facilities
e. Acute treatment units
f. Home care agencies
g. Hospice care
h. Assisted living facilities
i. Long-term care facilities

The development agreement and GDP are complementary documents. When one is amended the other needs to be as well to ensure the intended changes are given effect. The proposed development agreement amendment reflects only the changes in the proposed GDP amendment and vice-versa.

Planned Unit Development

The proposed site plan includes a single building with a 22,000 square foot footprint. The building is located in the northwest corner of the lot, and faces southeast. The building, parking, and driveways are proposed to cover 50% of the site. The remainder of the site, if approved, would include a pedestrian hardscape area, landscaped setback areas, and landscaped drainage facilities.

The parking is proposed to be split into two areas, with a larger lot on the east side of the building and a smaller lot on the south side, connected by a driveway. There is a proposed service and loading area at the northeast corner of the building, which includes a trash enclosure and generator, both of which would be screened. A courtyard area is provided for employees and guests at the back of the building. A porte-cochere extends over part of the driveway at the front of the building to provide shelter for the main entrance. The proposed site plan meets all setback requirements and does not include any waiver requests to the standards outlined in the CDDSG.

Parking

The CDDSG does not provide parking guidelines for institutional uses of this nature, however section 17.20.020 does have parking guidelines for hospitals of three spaces per two beds. That translates to 72 spaces recommended for the proposed 48 bed facility. The applicant is proposing 70 parking spaces, or 2.92 spaces per two beds. The applicant has provided an analysis of its parking needs based on staffing levels indicating 70 spaces will be adequate. Staff finds this arrangement satisfactory.

Vehicular and Pedestrian Circulation

There are two proposed vehicular access points to the site along Century Drive. The eastern access point is about 130 feet west of the entrance drive for the Centennial Pavilion Lofts and about 80 feet west of the entrance drive for building across the street to the south. The western access is about 150 feet east of the intersection of Century Drive and Century Place. The two accesses are approximately 150 feet apart. These locations comply with the CDDSG. The two accesses would allow vehicles to reach both parking areas and move through the porte-cochere and front entrance area.

The proposed site plan includes internal sidewalks to provide access from the parking areas to the building entrances. The site already has sidewalks along Century Drive. There is a proposed pedestrian connection from the sidewalk along Century Drive to the internal circulation walks and main entrance.

Architecture

The majority of the building exterior would be exterior insulated finishing system (EIFS) panels of various shades of beige. The EIFS panels have the appearance of stucco, and would be accented by stone veneer at the base of the building and a green metal parapet cap. The main entrance is proposed to be on the south elevation, with a secondary entrance at the back to access the courtyard area. The proposed building includes significant horizontal articulation and vertical articulation provided by gable facades along the front of the building. Windows would be repeated at regular intervals. The main entrance would be accented by the porte-cochere.

In the elevation drawing submitted to Planning Commission, the ends of the side wings had large blank walls. Planning Commission placed a condition on their recommendation that the walls be redesigned to provide more visual interest. The applicant has submitted the following revised elevations, which staff believes meets the intent of the condition.

The proposed building would be 26.5 feet tall which is below the maximum permitted height of 35 feet in the CDDSG. All roof mounted mechanical equipment would be screened by the roof parapet.

The applicant has indicated the enclosure for the trash and generator is to be a wood picket fence. Section 6.1(F) of the CDDSG states "wood is not an acceptable fence/screening material." Planning Commission approved a condition requiring the enclosures to be constructed of a material that complies with the CDDSG. The applicant has agreed to the condition and staff recommends Council carry forward the same condition.

Landscape Plan and Drainage:
The proposed landscaping has been placed to screen the parking lot from the public view point and to provide a buffer between adjacent land uses. The drainage for the

site would be accommodated in three detention ponds along the southern side of the site. The detention ponds would be seeded with native seeding. The parking area would include landscaped islands separating parking bays. The landscape plan as submitted complies with the CDDSG. The drainage and utilities plans have been reviewed by Public Works and they have found them satisfactory.

Signs:
The applicant is proposing a monument sign at the main entrance. The proposed monument sign and any additional signs would comply with the CDDSG.

Lighting:
The applicant has submitted a lighting plan which includes wall lights on the building and pole lighting in the parking lot. The lights meet the specifications of the CDDSG.

FISCAL IMPACT:
The proposed institutional use should have a similar fiscal impact to the office use which is currently allowed on the property.

PLANNING COMMISSION ACTION:
The Planning Commission reviewed the proposed GDP amendment and final PUD at their March 12, 2015 meeting. Three members of the public spoke at the public hearing. One suggested the use should be located in an existing vacant building in the area, one felt the use would be more appropriate near Avista Hospital, and one was concerned about traffic and other impacts. There was also some concern that the rehabilitation included drug and alcohol rehab, which it does not. Most of the Commission was in support of the project, believing any negative impacts would be no worse than what the currently allowed uses would create and the use would provide some valuable diversity in the area. Commissioner Russell expressed his opposition, believing the project design was not good enough to justify the GDP amendment. Planning Commission voted 6-1 to recommend approval of the final PUD and GDP amendment.

RECOMMENDATION:
Staff recommends City Council approve Ordinance No. 1688, Series 2015, Resolution No. 23, Series 2015, and Resolution No. 24, Series 2015 approving the GDP amendment, development agreement amendment, and final PUD for Flatirons Rehab with one condition:

1. The trash and generator enclosures shall be constructed of durable materials such as stone, brick, or metal with dark finishes in compliance with section 6.1(F) of the CDDSG.

ATTACHMENTS:

1. Ordinance No. 1688, Series 2015
2. Application materials
3. Amended GDP
4. Resolution No. 23, Series 2015 (agreement)
5. Draft 8th amendment to development agreement
6. Resolution No. 24, Series 2015 (PUD)
7. PUD documents
8. Planning Commission resolution
9. Planning Commission draft minutes
10. Public comments

ORDINANCE NO. 1688
SERIES 2014

AN ORDINANCE APPROVING AN AMENDMENT TO THE CENTENNIAL VALLEY GENERAL DEVELOPMENT PLAN TO ALLOW INSTITUTIONAL USES ON PARCEL G2

WHEREAS, the City Council by Ordinance No. 824, Series 1984, previously approved a Planned Community Zone District (PCZD) General Development Plan for property known as Centennial Valley; and

WHEREAS, the City has amended the PCZD General Development Plan several times, most recently by Resolution No. 53, Series 2005; and

WHEREAS, Physicians Development Group, the owner of Lot 1, Block 3, Centennial Valley Business Park Filing 1, has submitted to the City a request for approval of an amendment to the PCZD General Development Plan to designate that lot "Parcel G2" and change the allowed uses from "Research/Office/Retail" to "Institutional", and to make other revisions to the General Development Plan provisions in connection therewith; and

WHEREAS, after a duly noticed public hearing on March 12, 2015 concerning said amendment to the PCZD General Development Plan, where evidence and testimony were entered into the record, including without limitation the findings in the Louisville Planning Commission Staff Report dated March 12, 2015, the Planning Commission recommended approval of such amendment to the City Council; and

WHEREAS, the City Council has duly considered the Planning Commission's recommendation; and

WHEREAS, the City Council has held a duly noticed public hearing on the proposed amendment to the PCZD General Development Plan, at which evidence and testimony were entered into the record, including without limitation the findings in the City Council staff report and other documents as listed in such report; and

WHEREAS, based on the evidence and testimony in the record, the City Council finds that the proposed amendment to the PCZD General Development Plan, subject to conditions, complies with Louisville zoning regulations and policies, the principles and policies of the 2013 Citywide Comprehensive Plan, the requirements of the Planned Community Zone District chapter of the Louisville Municipal Code, and the criteria, requirements and provisions of other applicable sections of the Louisville Municipal Code, and that the proposed amendment should be approved, subject to the conditions set forth in this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. The City Council of the City of Louisville hereby approves the proposed amendment to the Planned Community Zone District (PCZD) General Development Plan for Centennial Valley (Case No. 14-050-FP/ZN), a copy of which is attached hereto and incorporated herein by this reference, and the 2.60-acre parcel therein denoted as Lot 1, Block 3, Centennial Valley Business Park Filing 1, is hereby designated Parcel G2 with an allowed use of Institutional, subject to the following conditions:

1. Allowed institutional uses shall be limited to the following: medical clinics, rehabilitative nursing facilities, convalescent centers, skilled nursing facilities, acute treatment units, home care agencies, hospice care, assisted living facilities, and long-term care facilities.

2. The applicant shall record an 8th Amendment to the Centennial Valley Development Agreement, drafted by the City Attorney, along with the City Council approved GDP.

Section 2. Said amendment to the Planned Community Zone District (PCZD) General Development Plan for Centennial Valley shall be recorded in the Office of the Boulder County Clerk and Recorder and the City zoning map shall be amended accordingly.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this _____ day of _____, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

APPROVED AS TO FORM:

_____
Light, Kelly & Dawes, P.C.
City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

City of Louisville
COLORADO · SINCE 1878

Department of Planning and Building Safety

749 Main Street • Louisville CO 80027 • 303.335.4592 • www.louisvilleco.gov

RECEIVED
CITY OF LOUISVILLE
DEPARTMENT OF PLANNING & BUILDING SAFETY

LAND USE APPLICATION

RECEIVED
DEC 04 2014
CITY OF LOUISVILLE
DEPARTMENT OF PLANNING & BUILDING SAFETY

CASE NO. _____

APPLICANT INFORMATION

Firm: BHA DESIGN INC.
Contact: Jason Messaros
Address: 1603 Oakridge Dr.
Fort Collins, Co. 80525
Mailing Address: Same
Telephone: 970-223-7577
Fax:
Email: jmessaros@bhadesign.com

OWNER INFORMATION

Firm: Physicians Development Group
Contact: Butch Nuss
Address: 7200 W 13th St. N.
Wichita, KS 67212
Mailing Address:
Telephone: 913-526-8984
Fax: 316-295-4379
Email: bnuss@physdevgroup.com

REPRESENTATIVE INFORMATION

Firm: BHA DESIGN INC.
Contact: Jason Messaros
Address: 1603 Oakridge Dr.
Fort Collins, Co. 80525
Mailing Address: Same
Telephone: 970-223-7577
Fax:
Email: jmessaros@bhadesign.com

PROPERTY INFORMATION

Common Address: 1107 CENTURY DR
Legal Description: Lot 1 Blk 3
Subdivision: CENTENNIAL VALLEY BUSINESS PARK 1
Area: 113,205 Sq. Ft.

TYPE(S) OF APPLICATION

- ☐ Annexation
- ☐ Zoning
- ☐ Preliminary Subdivision Plat
- ☐ Final Subdivision Plat
- ☐ Minor Subdivision Plat
- ☒ Preliminary Planned Unit Development (PUD)
- ☐ Final PUD
- ☐ Amended PUD
- ☐ Administrative PUD Amendment
- ☐ Special Review Use (SRU)
- ☐ SRU Amendment
- ☐ SRU Administrative Review
- ☐ Temporary Use Permit: _____
- ☐ CMRS Facility: _____
- ☐ Other: (easement / right-of-way; floodplain; variance; vested right; 1041 permit; oil / gas production permit)

PROJECT INFORMATION

Summary: Two-story Skilled Rehabilitation Facility with 48 patient beds, Type II-A construction, 45,118 sf

Current zoning: P-C Proposed zoning: P-C

SIGNATURES & DATE

Applicant: Jason Messaros 12-4-2014
Print: Jason Messaros
Owner: Butch Nuss
Print: Butch Nuss
Representative: Jason Messaros 12-4-2014
Print: Jason Messaros

CITY STAFF USE ONLY

- ☐ Fee paid: _____
- ☐ Check number: _____
- ☐ Date Received: _____

P·D·G

Physicians Development Group

December 10, 2014

City of Louisville Colorado
Department of Planning and Building Safety
Attention: Scott Robinson
749 Main Street, 1st Floor
Louisville, CO 80027

Reference: Land Use Application - Rehabilitation Facility located at 1107 Century Drive, Lot 1, Block 3, Centennial Valley Business Park 1

Mr. Robinson,

The Flatirons Health & Rehab facility will be located at 1107 West Century Drive, Louisville, Colorado 80027. This facility will operate as a 48-patient Skilled Nursing Facility, providing short term skilled nursing and rehabilitation services to individuals who require intervention to return to their prior level of function before their decline. The facility will be Medicare Certified, operate as a Skilled Nursing Facility specializing in short term rehabilitation.

Flatirons Health & Rehab will have 48 private rooms, each with their own bathroom including an accessible shower. These 48 rooms are designed around four specific houses, each having twelve resident rooms, a Nurse Station, Medication Room, Clean and Soiled Utility rooms, Laundry, Living Room and Activities areas. Two houses then will share a kitchen and dining spaces. The building will be two stories and contain the majority of the Administrative space on the first floor and a large Therapy space on the second floor. There will be two houses (24 resident rooms) on the first floor and two houses on the second floor, two kitchens and dining spaces one on each floor.

The facility will have an Executive Director, Office Manager, two Social Workers, an Activities Director, Environmental Services Director, two Housekeepers each day, a Certified Dietary Manager and two cooks on the day and evening shifts. The nursing department will employ a RN Director of Nursing, two RN Unit Directors, two RN Assessment Nurses, and staff two houses each shift with RNs and two houses each shift with LPNs. Additionally, each house will have two nurse aides on the day and evening shifts and one nurse aide each house on the night shift. The Therapy department will staff Registered Physical, Occupational and Speech Therapists, as well as Certified Physical and Occupational Therapy Assistants to meet the patient load requirements.

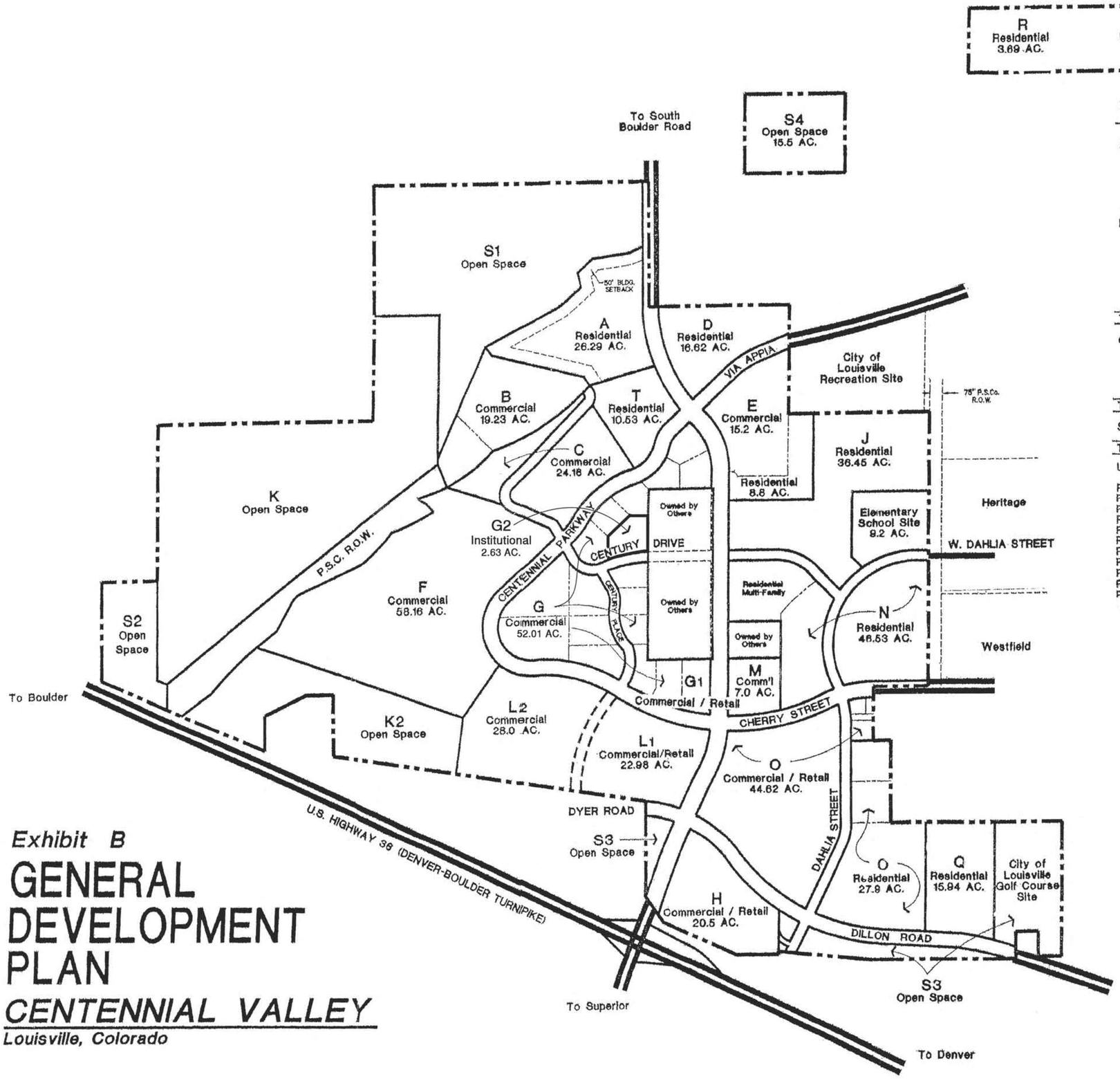
The facility will run 3 shifts over a 24-hour period with 74 full time equivalent employees. The highest level of staffing occurs during the day shift between the hours of 8 a.m. and 4:30 p.m. of 52 employees. After the day shift change, the levels are reduced by 50% because the therapy and administrative staff only work on the day shift. The evening and night shift consists of nursing and care staff.

Sincerely,

Butch Nuss

Butch Nuss
Vice President of Development

7200 W. 13th Suite #5 Wichita, KS 67212 Office: (316) 773.1313 Fax: (316) 773.1310



DESIGNATED USES	PLANNING AREAS	ACREAGE	AVERAGE DENSITY	DWELLING UNITS	GROSS BUILDING AREA
RESIDENTIAL					
SINGLE FAMILY	A D E J N Q R T	155.46	3.92	609	-
MULTI-FAMILY	N O	37.29	13.70	511	-
TOTAL RESIDENTIAL		192.75	5.81	1120	N/A
NON-RESIDENTIAL					
RETAIL	H L M O G1	62.98	.20	-	515,000 SF
RESEARCH / OFFICE	B C F G L	181.56	.36	-	2,841,400 SF
INSTITUTIONAL	G2	2.63	.41	-	47,000 SF
MIXED USE (EXCLUDING RESIDENTIAL)	O E H M	47.39	.36	-	477,500 SF
TOTAL NON-RESIDENTIAL		294.56	.31	N/A	3,880,900 SF
TOTAL DEVELOPMENT		487.31 AC.	N/A	1120	3,880,900 SF
OPEN SPACE					
OPEN SPACE PARCELS K, K2, S1-S5		295.01			
ARTERIAL ROADS		90.46			
TOTAL OPEN SAPCE		385.47			
SCHOOL SITE		9.22			
TOTAL LAND		882.00 AC.			

USE FOR EACH PARCEL ALLOWABLE UNDER DESIGNATED USES (1)

PARCEL L	CORPORATE USER / RETAIL / MIXED USE
PARCEL B C F G	RESEARCH / OFFICE / RETAIL
PARCEL G2	INSTITUTIONAL
PARCEL E	MIXED USE / COMMERCIAL
PARCEL M	RETAIL / OFFICE
PARCEL O	MIXED USE / RETAIL
PARCEL H	HOTEL / MIXED USE / RETAIL
PARCEL N O	TOWNHOUSE AND MULTI-FAMILY
PARCEL A D E J N Q R T	SINGLE FAMILY DETACHED
PARCEL K - K_2	OPEN SPACE
PARCEL S_1 - S_5	OPEN SPACE

(1) SPECIFIC DESCRIPTIONS OF PERMITTED LAND USES AND DENSITIES FOR EACH PARCEL IDENTIFIED ON THE GDP MAY BE FOUND IN THE CENTENNIAL VALLEY AMENDED AND RESTATED DEVELOPMENT AGREEMENT AS AMENDED.

PLANNING COMMISION CERTIFICATE

RECOMMENDED APPROVAL THIS _____ DAY OF _____, 20__ BY THE PLANNING COMMISSION OF THE CITY OF LOUISVILLE, COLORADO.
RESOLUTION NO. _____ SERIES _____

CITY COUNCIL CERTIFICATE

APPROVED THIS _____ DAY OF _____, 20__ BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO.
RESOLUTION NO. _____ SERIES _____

MAYOR _____ CITY CLERK _____ SEAL

CLERK AND RECORDER CERTIFICATE

(COUNTY OF BOULDER
STATE OF COLORADO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, ____ . M., THIS _____ DAY OF _____, 20__, AND IS RECORDED IN PLAN FILE _____, FEE _____ PAID _____ FILM NO. _____, RECEPTION

CLERK & RECORDER _____ DEPUTY _____

Exhibit B

GENERAL DEVELOPMENT PLAN

CENTENNIAL VALLEY

Louisville, Colorado

0' 300' 600' 900'

REVISED AND AMENDED
September 2014

RESOLUTION NO. 23
SERIES 2015

A RESOLUTION APPROVING AN 8TH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR CENTENNIAL VALLEY

WHEREAS, there has been submitted to the Louisville City Council a request for approval of an amendment to the Centennial Valley General Development Plan, including a proposed 8th Amendment to the Amended and Restated Development Agreement, in order to authorize a change in land use for property located at 1107 Century Drive and designated Parcel G2 on the general development plan; and

WHEREAS, all materials related to the amendment to the General Development Plan and associated agreements have been reviewed by City Staff, the Planning Commission and City Council; and

WHEREAS, after a duly noticed public hearing on March 12, 2015, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated March 12, 2015, the Planning Commission recommended approval of said amendments; and

WHEREAS, City Council has reviewed the application, including the recommendation of the Planning Commission, and finds that it complies the Louisville Municipal Code;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Louisville, Colorado does hereby approve an 8th Amendment to the Amended and Restated Development Agreement for Centennial Valley.

PASSED AND ADOPTED this 21st day of April, 2015.

By: _____
Robert P. Muckle, Mayor
City of Louisville, Colorado

Attest: _____
Nancy Varra, City Clerk
City of Louisville, Colorado

EIGHTH AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT

THIS EIGHTH AMENDMENT is made and entered into this 21st day of April, 2015 by and between THE CITY OF LOUISVILLE, a Colorado municipal corporation (the "City") and CENTENNIAL VALLEY PROPERTIES I LLC, a Colorado limited liability company, CENTENNIAL VALLEY PROPERTIES II LLC, a Colorado limited liability company, CENTENNIAL VALLEY PROPERTIES III LLC, a Colorado limited liability company, CENTENNIAL VALLEY PROPERTIES IV LLC, a Colorado limited liability company, CENTENNIAL VALLEY PROPERTIES V LLC, a Colorado limited liability company, CENTENNIAL VALLEY PROPERTIES VI LLC, a Colorado limited liability company (collectively, "Subdivider"), and FLATIRONS HEALTH DEVELOPMENT, LLC (the "Developer").

RECITALS

WHEREAS, the City and Louisville Associates, a joint venture, entered into an Amended and Restated Development Agreement dated April 17, 1984, as amended from time to time (the "Development Agreement") relating to the development of certain real property in the City generally known as Centennial Valley (the "Property"). The Development Agreement addresses, among other things, the approval and implementation of a related development plan and the allocation of building area among various parcels within the Property;

WHEREAS, the Fifth Amendment to the Amended and Restated Development Agreement dated July 6, 1995 ("Fifth Amendment") contains an Exhibit M concerning Land Allocation within the Property. Note 3 on Exhibit M to the Fifth Amendment provides as follows: "Individual parcels may not develop to the average F.A.R., in which case the Buildable Square Footage may be reallocated to other Commercial Parcels subject to the mutual agreement of the City and the Subdivider;"

WHEREAS, in the Sixth Amendment to the Amended and Restated Development Agreement dated March 19, 1996, there was approved a reallocation of building area between Parcel G and Parcel H; and

WHEREAS, in the Seventh Amendment to the Amended and Restated Development Agreement dated December 20th, 2005, there was approved a reallocation of building area between Parcel L-1 and Parcel G-1; and

WHEREAS, the parties herby desire by this Eighth Amendment that 47,000 square feet of research/office square footage allocated to Parcel G be reclassified as institutional square footage allocated to Parcel G-2 (as defined by this Amendment).

NOW, THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties have executed this Eighth Amendment to confirm such reallocation of building area as follows:

1. **Adjustment of Allocation.** Subdivider, Developer, and the City hereby agree that 47,000 square feet of Research/Office square footage allocated from the Property identified as Parcel G of the recorded General Development Plan for Centennial Valley (the "Development Plan"), is hereby reclassified as institutional square footage allocated to Lot 1, Block 3, Centennial Valley Business Park, Filing 1, Parcel "G-2" for all purposes of the Development Agreement. Such square footage for Parcel G-2 is reclassified from Research/Office use to Institutional use. The institutional uses permitted for Parcel G-2 shall be limited to the following:
    a. Medical clinics;
    b. Rehabilitative Nursing Facilities;
    c. Convalescent Centers;
    d. Skilled Nursing Facilities;
    e. Acute Treatment Unit;
    f. Home Care Agency;
    g. Hospice Care;
    h. Assisted Living Facilities;
    i. Long-term Care Facilities.

2. **Effect of Amendment.** This Amendment shall become effective immediately upon execution by the parties. Except as amended hereby, the Development Agreement and previous Amendments thereto shall remain in full force and effect in accordance with their terms.

IN WITNESS THEREOF, the parties have executed this Amendment as of the date set forth above.

CENTENNIAL VALLEY PROPERTIES I, LLC,
A Colorado limited liability company

By: Koelbel and Company, as Manager

By: _____
Walter A. Koelbel, Jr.,
As President and Authorized Agent

CENTENNIAL VALLEY PROPERTIES II, LLC,
A Colorado limited liability company

By: Koelbel and Company, as Manager

By: _____
Walter A. Koelbel, Jr.,
As President and Authorized Agent

CENTENNIAL VALLEY PROPERTIES III, LLC,
A Colorado limited liability company

By: Koelbel and Company, as Manager

By: _____
Walter A. Koelbel, Jr.,
As President and Authorized Agent

CENTENNIAL VALLEY PROPERTIES IV, LLC,
A Colorado limited liability company

By: Koelbel and Company, as Manager

By: _____
Walter A. Koelbel, Jr.,
As President and Authorized Agent

CENTENNIAL VALLEY PROPERTIES V, LLC,
A Colorado limited liability company

By: Koelbel and Company, as Manager

By: _____
Walter A. Koelbel, Jr.,
As President and Authorized Agent

CENTENNIAL VALLEY PROPERTIES VI, LLC,
A Colorado limited liability company

By: Koelbel and Company, as Manager

By: _____
Walter A. Koelbel, Jr.,
As President and Authorized Agent

FLATIRONS HEALTH DEVELOPMENT, LLC,
A Colorado limited liability company

By: _____
John Walker
As CFO and Authorized Agent

ATTEST:

_____

CITY OF LOUISVILLE,
A Colorado home rule municipal corporation

By: _____
Bob Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

RESOLUTION NO. 24
SERIES 2015

A RESOLUTION APPROVING A FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN TO ALLOW FOR THE CONSTRUCTION OF A 44,000 SQUARE FOOT, 48 BED SKILLED REHABILITATION FACILITY AT 1107 CENTURY DRIVE, LOT 1, BLOCK 3, CENTENNIAL VALLEY BUSINESS PARK 1

WHEREAS, there has been submitted to the Louisville City Council an application for a final planned unit development (PUD) to allow for the construction of a 44,000 square foot building, 48 bed skilled rehabilitation facility at 1107 Century Drive, Lot 1, Block 3, Centennial Valley Business Park 1; and

WHEREAS, the City Staff has reviewed the information submitted and found it complies with Louisville Municipal Code Chapter 17.28; and

WHEREAS, after a duly noticed public hearing on March 12, 2015, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated March 12, 2015, the Planning Commission recommended approval of said PUD to the City Council; and

WHEREAS, City Council has reviewed the application, including the recommendation of the Planning Commission, and finds that it complies with Chapter 17.28.210 of the Louisville Municipal Code;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Louisville, Colorado does hereby approve a final planned unit development (PUD) to allow for the construction of a 44,000 square foot building, 48 bed skilled rehabilitation facility at 1107 Century Drive, Lot 1, Block 3, Centennial Valley Business Park 1with one condition:

1. The trash and generator enclosures shall be constructed of durable materials such as stone, brick, or metal with dark finishes in compliance with section 6.1(F) of the CDDSG.

PASSED AND ADOPTED this 21st day of April, 2015.

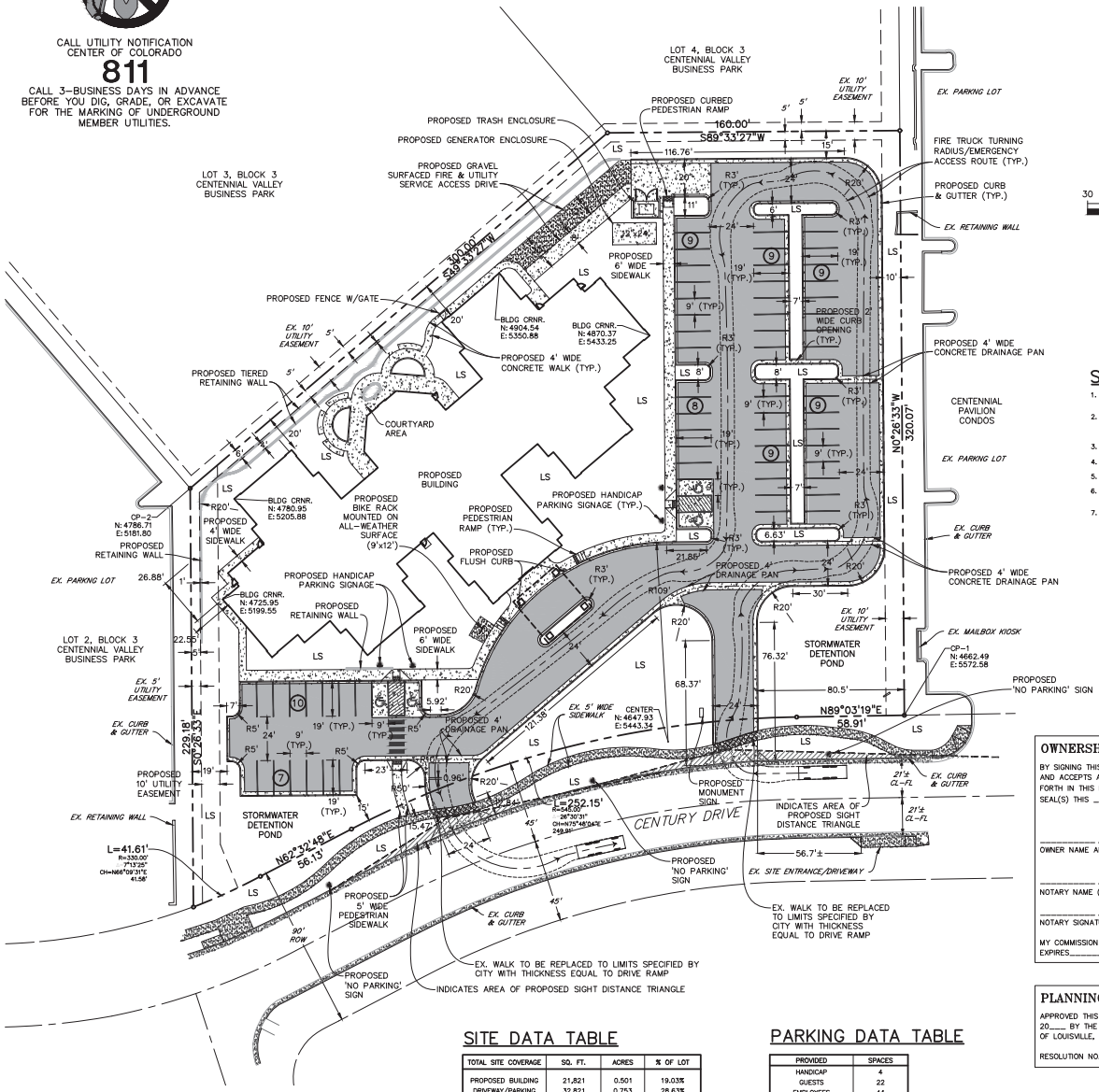
By: _____
Robert P. Muckle, Mayor
City of Louisville, Colorado

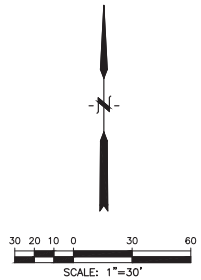
Attest: _____
Nancy Varra, City Clerk
City of Louisville, Colorado

CALL UTILITY NOTIFICATION CENTER OF COLORADO

811

CALL 3-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.





VICINITY MAP
SCALE: NOT TO SCALE

SITE INFORMATION:

1. ADDRESS – 1107 CENTURY DR. LOUISVILLE, CO. 80027.
2. SITE INFO. – LOT 1, BLOCK 3, CENTENNIAL VALLEY BUSINESS PARK, FILING NO. 1, COUNTY OF BOULDER, STATE OF COLORADO.
3. EXISTING ZONING – PC (PLANNED COMMUNITY COMMERCIAL)
4. MAXIMUM BUILDING HEIGHT ALLOWED – 35'
5. MAXIMUM ALLOWABLE IMPERVIOUS AREA – 70%
6. TOTAL LOT COVERAGE – BUILDING & STRUCTURES ON SITE = 21,821 SQ. FT. OR 19.03% OF LOT 1
7. NUMBER OF PATIENT ROOMS = 48

LEGEND

PROPERTY LINE
PARKING SPACES
LANDSCAPE AREA ..... LS
PROPOSED SIGN
EX. CONCRETE
PROPOSED CONCRETE
PROPOSED ASPHALT
PROPOSED GRAVEL

SITE DATA TABLE

TOTAL SITE COVERAGE	SQ. FT.	ACRES	% OF LOT
PROPOSED BUILDING	21,821	0.501	19.03%
DRIVEWAY/PARKING	32,821	0.753	28.63%
LANDSCAPING	45,623	1.047	39.80%
HARD SURFACES	14,375	0.331	12.54%
TOTAL	114,640	2.632	100%

PARKING DATA TABLE

PROVIDED	SPACES
HANDICAP	4
GUESTS	22
EMPLOYEES	44
TOTAL	70
BICYCLE SPACES	7

OWNERSHIP SIGNATURE BLOCK

BY SIGNING THIS PUD, THE OWNER ACKNOWLEDGES AND ACCEPTS ALL THE REQUIREMENTS AND INTENT SET FORTH IN THIS PUD. WITNESS MY/OUR HAND(S) SEAL(S) THIS _____DAY OF _____, 20____.

_____ _____
OWNER NAME AND SIGNATURE

_____ _____ (NOTARY SEAL)
NOTARY NAME (PRINT)

_____
NOTARY SIGNATURE

MY COMMISSION EXPIRES_____

CLERK AND RECORDER CERTIFICATE (COUNTY OF BOULDER, STATE OF COLORADO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, ____, M., THIS _____DAY OF _____, 20____, AND IS RECORDED IN PLAN FILE _____, FEE _____ PAID. _____ FILM NO. _____ RECEPTION.

_____
CLERK & RECORDER

_____
DEPUTY

PLANNING COMMISSION CERTIFICATE

APPROVED THIS _____ DAY OF _____, 20____ BY THE PLANNING COMMISSION OF THE CITY OF LOUISVILLE, COLORADO.

RESOLUTION NO. _____, SERIES _____

CITY COUNCIL CERTIFICATE

APPROVED THIS _____ DAY OF _____, 20____ BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO.

RESOLUTION NO. _____, SERIES _____

(CITY SEAL)

_____
MAYOR SIGNATURE

_____
CITY CLERK SIGNATURE

NEENAN architecture

DREXEL, BARRELL & CO.
Engineers - Surveyors
1800 38TH STREET
BOULDER, COLORADO 80301
CONTACT: CAMERON KNAPP, P.E.
(303) 442-4338
BOULDER • COLORADO SPRINGS
GRAND JUNCTION • GREELEY

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
303-232-1991
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

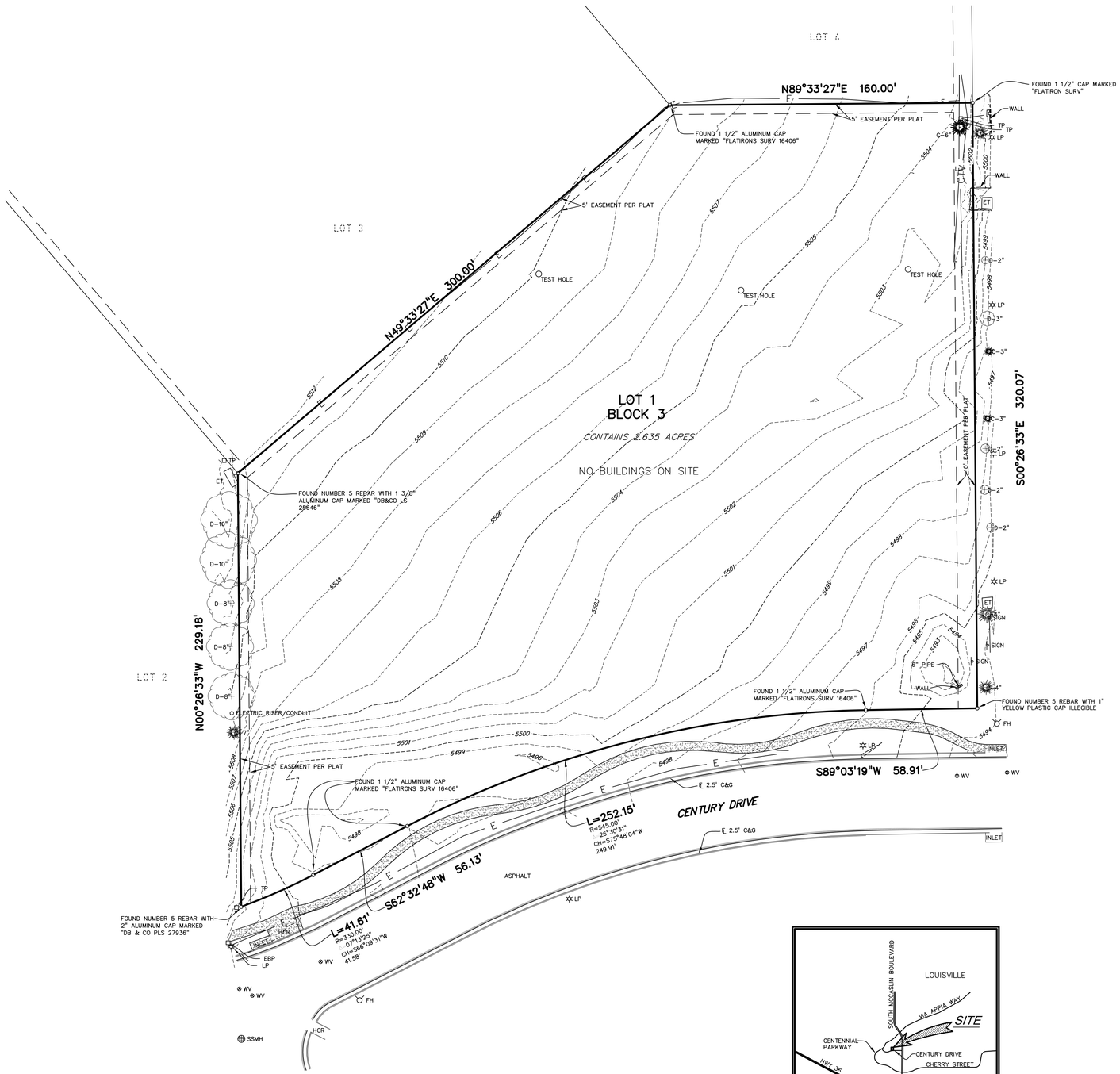
Flatirons Rehabilitation
Physicians Development Group
1107 Century Dr, LOUISVILLE, CO 80027

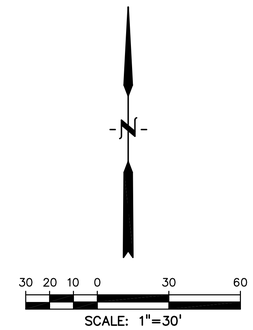
SITE LAYOUT PLAN

ISSUED FOR PLANNING REVIEW	2/13/2023
ISSUED FOR SD	--/--/--
ISSUED FOR DD	--/--/--
ISSUED FOR PERMIT	--/--/--
ISSUED FOR CONSTRUCTION	--/--/--
REVISION NUMBER	REVISION DATE
CITY STAFF REVISION 1	--/--/--
PLOT DATE	02/12/23

2854

C1.00



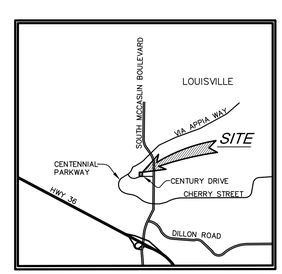


LEGEND

C & G	CURB & GUTTER
EPB	ELECTRIC PULLBOX
ET	ELECTRIC TRANSFORMER
FH	FIRE HYDRANT
E	FLOWLINE
FH	FIRE HYDRANT
HCR	HANDICAP RAMP
LP	LIGHT POLE
SSMH	SANITARY SEWER MANHOLE
TP	TELEPHONE PEDESTAL
WV	WATER VALVE
CTV	CABLE TELEVISION LINE MARKS
E	ELECTRIC LINE MARKS
	CONCRETE
	EDGE OF ASPHALT
C-10"	CONIFEROUS TREE W/TRUNK DIA.
D-10"	DECIDUOUS TREE W/TRUNK DIA.

LEGAL DESCRIPTION

LOT 1, BLOCK 3, CENTENNIAL VALLEY BUSINESS PARK,
FILING NO. ONE, COUNTY OF BOULDER, STATE OF COLORADO



VICINITY MAP
NOT TO SCALE

NEENAN architecture®
2601 Mission Drive
Fort Collins, Colorado 80525
(970) 493-8472
Fax (970) 493-8496

DREXEL, BARRELL & CO.
Engineers - Surveyors
3800 38TH STREET
BOULDER, COLORADO 80301
CONTACT: CAMERON KNAPP, P.E.
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Flatirons Rehabilitation
Physicians Development Group
1107 Century Dr, LOUISVILLE, CO 80027

EXISTING CONDITIONS SURVEY

ISSUED FOR PLANNING REVIEW:	2/13/2015
ISSUED FOR SD:	mm/dd/yy
ISSUED FOR DD:	mm/dd/yy
ISSUED FOR PERMIT:	mm/dd/yy
ISSUED FOR CONSTRUCTION:	mm/dd/yy
REVISION NUMBER	REVISION DATE
CITY STAFF REVISION 1	mm/dd/yy
PLOT DATE	02/09/15

2854

C2.00

PROJECT BENCHMARK

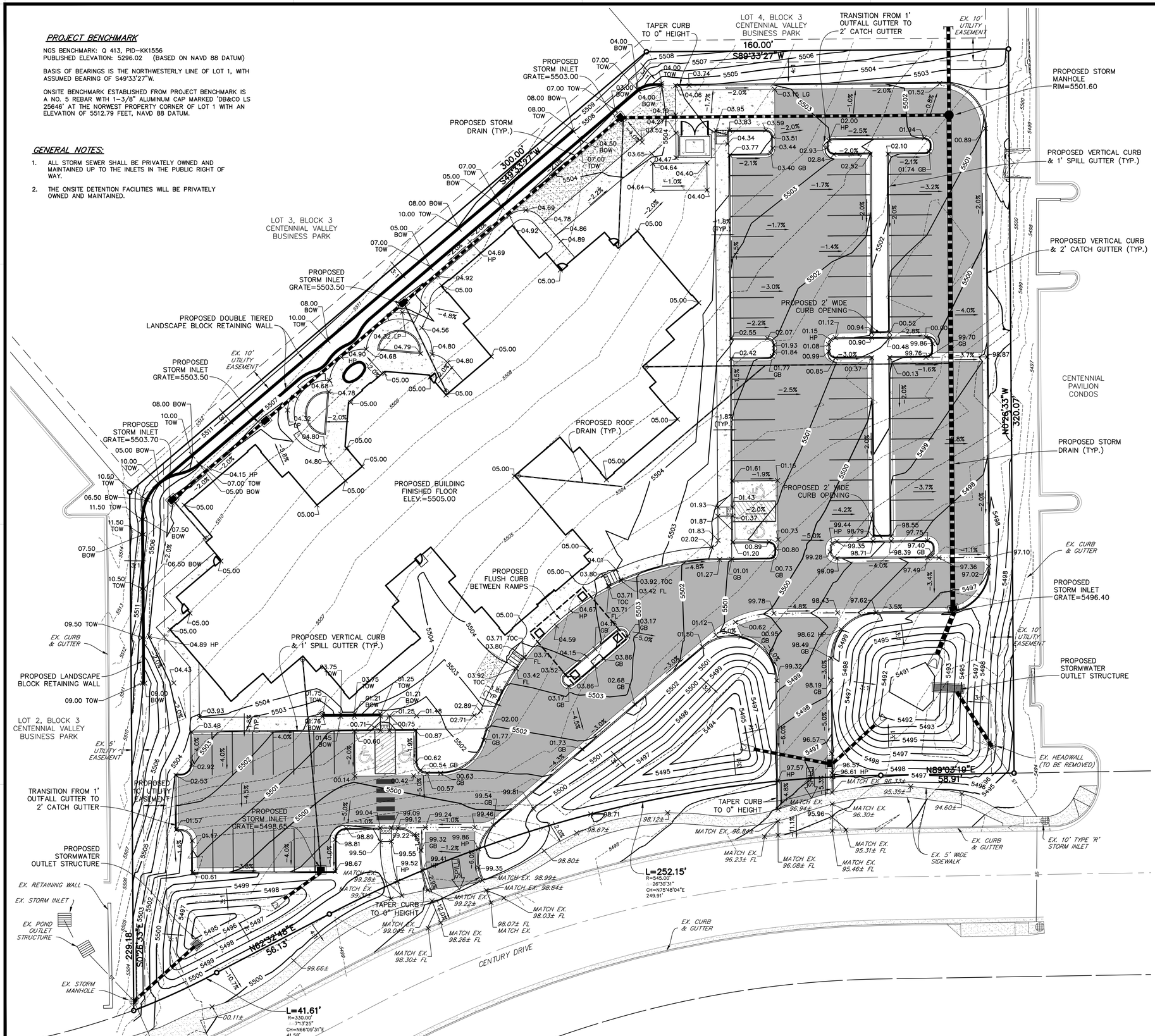
NGS BENCHMARK: Q 413, PID–KK1556
PUBLISHED ELEVATION: 5296.02 (BASED ON NAVD 88 DATUM)

BASIS OF BEARINGS IS THE NORTHWESTERLY LINE OF LOT 1, WITH ASSUMED BEARING OF S49°33'27"W.

ONSITE BENCHMARK ESTABLISHED FROM PROJECT BENCHMARK IS A NO. 5 REBAR WITH 1–3/8" ALUMINUM CAP MARKED "DB&CO LS 25646" AT THE NORWEST PROPERTY CORNER OF LOT 1 WITH AN ELEVATION OF 5512.79 FEET, NAVD 88 DATUM.

GENERAL NOTES:

1. ALL STORM SEWER SHALL BE PRIVATELY OWNED AND MAINTAINED UP TO THE INLETS IN THE PUBLIC RIGHT OF WAY.
2. THE ONSITE DETENTION FACILITIES WILL BE PRIVATELY OWNED AND MAINTAINED.



SCALE: 1"=20'

LEGEND

PROPERTY LINE	
EX. INTERMEDIATE CONTOUR	5364
EX. INDEX CONTOUR	5365
EX. SPOT ELEVATIONS	× 56.23
PROPOSED INTERMEDIATE CONTOUR	5364
PROPOSED INDEX CONTOUR	5365
PROPOSED SPOT ELEVATION (ALL C&G ELEVATIONS ARE ? UNLESS OTHERWISE NOTED)	× 56.23
EX. STORM LINE	EX. 18" RCP STORM
PROPOSED STORM SEWER	18"RCP
FLOWLINE OF DRAINAGE SWALE	
BACK OF WALK	BW
GRADE BREAK	GB
LIP OF GUTTER	LG
HIGH POINT	HP
FLOWLINE	FL
LOW POINT	LP
TOP BACK OF CURB	TOC
FINISHED FLOOR	FF
BASE OF WALL	BOW
TOP OF WALL	TOW
EX. CONCRETE	
PROPOSED CONCRETE	
PROPOSED GRAVEL	
PROPOSED ASPHALT	
DETENTION POND OVERFLOW LOCATION	SPILL

NOTE:

1. ADD 5500 TO ALL SPOT ELEVATIONS

CALL UTILITY NOTIFICATION CENTER OF COLORADO
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303-232-1991
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Flatirons Rehabilitation Physicians Development Group

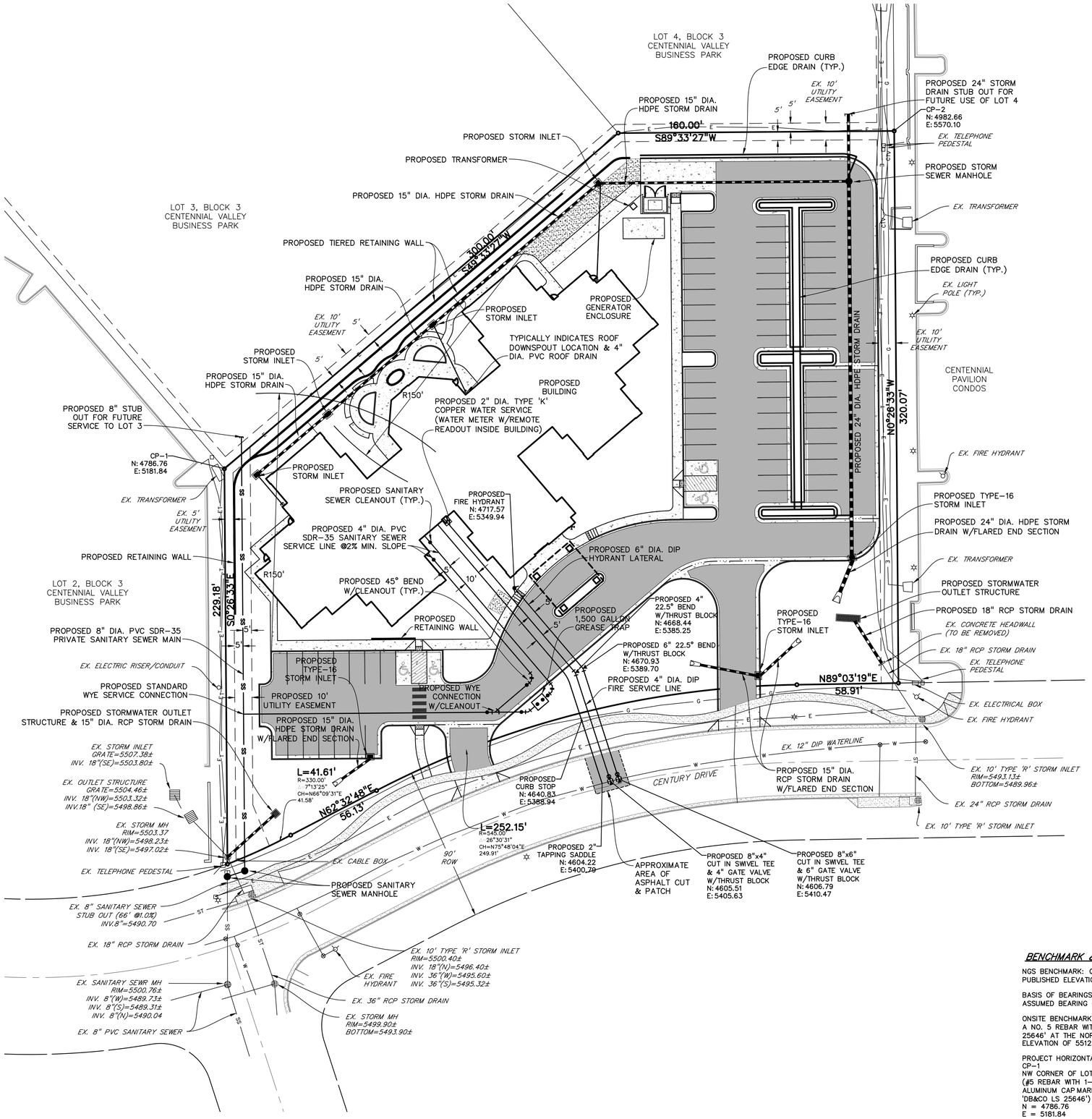
1107 Century Dr, LOUISVILLE, CO 80027

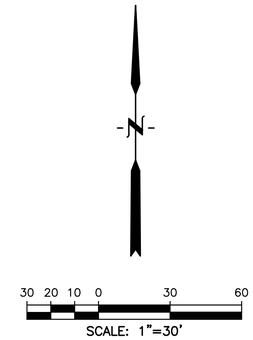
GRADING PLAN

ISSUED FOR PLANNING REVIEW:	2/13/2015
ISSUED FOR SD:	-/-/-/-
ISSUED FOR DD:	-/-/-/-
ISSUED FOR PERMIT:	-/-/-/-
ISSUED FOR CONSTRUCTION:	-/-/-/-
REVISION NUMBER:	REVISION DATE:
CITY STAFF REVISION 1	-/-/-/-
PLOT DATE	02/10/15

2854

C3.00





LEGEND

PROPERTY LINE	
EX. SANITARY SEWER	EX. 8" PVC SAN. SEWER
EX. WATER LINE	EX. 8" WATER
EX. GAS LINE	G
EX. BURIED ELECTRIC LINE	E
EX. STORM LINE	EX. 18" RCP STORM
EX. FIRE HYDRANT	
EX. WATER VALVE	
EX. WATER METER	
EX. MANHOLE	
EX. LIGHT POLE	
PROPOSED STORM SEWER	18"RCP
PROPOSED SANITARY SEWER	8"PVC
PROPOSED WATER LINE	8"PVC
PROPOSED GAS LINE	G
PROPOSED BURIED ELECTRIC LINE	E
PROPOSED BURIED TELEPHONE LINE	T
PROPOSED CABLE TV LINE	CTV
PROPOSED OVERHEAD POWER/ELECTRIC	OVH
PROPOSED FIRE HYDRANT	
PROPOSED WATER VALVE	
PROPOSED WATER METER	
PROPOSED MANHOLE	
PROPOSED LIGHT POLE	
PROPOSED POWER POLE	
EX. CONCRETE	
PROPOSED CONCRETE	
PROPOSED ASPHALT	
PROPOSED GRAVEL	

BENCHMARK & CONTROL POINT DESCRIPTIONS

NGS BENCHMARK: Q 413, PID-KK1556
PUBLISHED ELEVATION: 5296.02 (BASED ON NAVD 88 DATUM)

BASIS OF BEARINGS IS THE NORTHWESTERLY LINE OF LOT 1, WITH ASSUMED BEARING OF S49°33'27"W.

ONSITE BENCHMARK ESTABLISHED FROM PROJECT BENCHMARK IS A NO. 5 REBAR WITH 1-3/8" ALUMINUM CAP MARKED 'DB&CO LS 25646' AT THE NORWEST PROPERTY CORNER OF LOT 1 WITH AN ELEVATION OF 5512.79 FEET, NAVD 88 DATUM.

PROJECT HORIZONTAL CONTROL:

CP-1	CP-2
NW CORNER OF LOT 1	NE CORNER OF LOT 1
(#5 REBAR WITH 1-3/8" ALUMINUM CAP MARKED 'DB&CO LS 25646')	(1-1/2" CAP MARKED 'FLATIRON SURV')
N = 4786.76	N = 4982.66
E = 5181.84	E = 5570.10

CALL UTILITY NOTIFICATION
CENTER OF COLORADO
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303-232-1991
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FOR THE MARKING OF UNDERGROUND
MEMBER UTILITIES.

Flatirons Rehabilitation
Physicians Development Group
1107 Century Dr, LOUISVILLE, CO 80027

MASTER UTILITY PLAN

ISSUED FOR PLANNING REVIEW:	2/13/2015
ISSUED FOR SD:	--/--/--
ISSUED FOR DD:	--/--/--
ISSUED FOR PERMIT:	--/--/--
ISSUED FOR CONSTRUCTION:	--/--/--
REVISION NUMBER	REVISION DATE
CITY STAFF REVISION 1	--/--/--
PLOT DATE	02/12/15

2854

C4.00

1 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

2 NORTH ELEVATION
SCALE: 3/32" = 1'-0"

3 WEST ELEVATION
SCALE: 3/32" = 1'-0"

4 EAST ELEVATION
SCALE: 3/32" = 1'-0"

5 ENTRY PERSPECTIVE
SCALE: NONE

NEENAN architecture®
2901 Midpoint Drive
Fort Collins, Colorado 80525
(970) 482-1972
Fax: (970) 493-5669

Flatirons Rehabilitation
Physicians Development Group
1107 Century Dr, LOUISVILLE, CO 80027

ISSUED FOR PLANNING REVIEW	10-24-14
ISSUED FOR SD	11-14-14
ISSUED FOR DD	11-21-14
ISSUED FOR PERMIT	12-3-14
ISSUED FOR CONSTRUCTION	12-3-14
REVISION NUMBER	REVISION DATE
CITY STAFF REVISION 1	12-3-14

PLOT DATE 12/3/2014 1:10:33 PM

2854

ELEV

PLANT NOTES

1. MATERIALS SHALL BE IN ACCORDANCE WITH AAN SPECIFICATIONS FOR NUMBER ONE GRADE.
2. LANDSCAPE AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
3. TREES TO BE BALLED AND BURLAPPED.
4. LANDSCAPING SHALL BE MAINTAINED BY THE PROPERTY OWNERS.
5. QUANTITIES PROVIDED IN PLANT SCHEDULE ARE FOR INFORMATION ONLY. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING QUANTITIES SHOWN ON PLAN.
6. FIELD LOCATE UTILITIES PRIOR TO PLANTING.
7. MAINTAIN THE FOLLOWING SEPARATIONS:
   TREES - 10' FROM ALL WATER AND SEWER MAINS, STORMWATER AND SERVICES
   SHRUBS - 5' FROM ALL WATER AND SEWER MAINS, STORMWATER AND SERVICES

SEED & SOD MIXES

SEED MIX

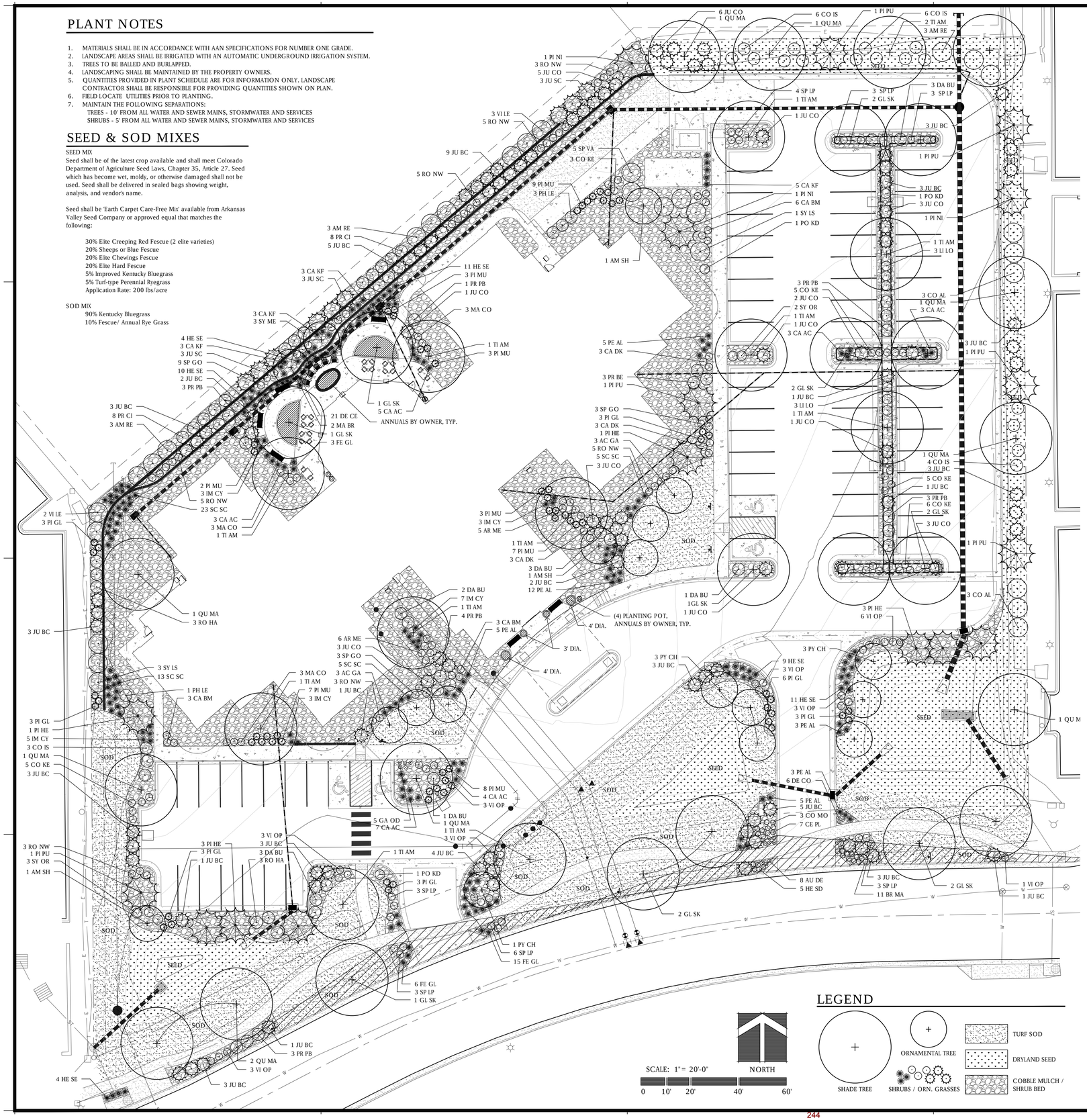
Seed shall be of the latest crop available and shall meet Colorado Department of Agriculture Seed Laws, Chapter 35, Article 27. Seed which has become wet, moldy, or otherwise damaged shall not be used. Seed shall be delivered in sealed bags showing weight, analysis, and vendor's name.

Seed shall be 'Earth Carpet Care-Free Mix' available from Arkansas Valley Seed Company or approved equal that matches the following:

30% Elite Creeping Red Fescue (2 elite varieties)
20% Sheeps or Blue Fescue
20% Elite Chewings Fescue
20% Elite Hard Fescue
5% Improved Kentucky Bluegrass
5% Turf-type Perennial Ryegrass
Application Rate: 200 lbs/acre

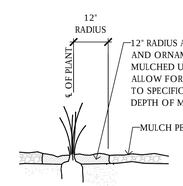
SOD MIX

90% Kentucky Bluegrass
10% Fescue/ Annual Rye Grass

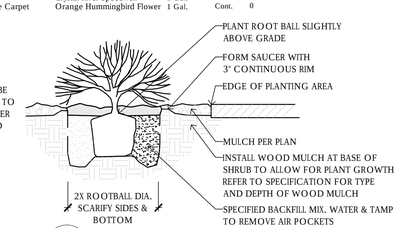


REPRESENTATIVE PLANT LIST

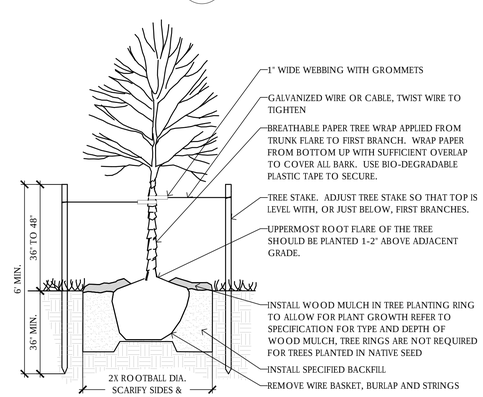
Key	Botanical name	Common Name	Size at Planting	Root	Quantity
DECIDUOUS CANOPY TREES					
GL SK	Gleditsia triacanthos inermis Skyline	Skyline Honeylocust	2 1/2" Cal.	BB	14
QU MA	Quercus macrocarpa	Bur Oak	3" Cal.	BB	10
TI AM	Tilia americana 'Redmond'	Redmond Linden	3" Cal.	BB	13
ORNAMENTAL TREES					
AC GA	Acer tartican 'GarAnn'	Hotwings Maple	2" Cal.	BB	6
AM GR	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	2" Cal.	BB	0
AM SH	Amelanchier canadensis	Shadblow Serviceberry	2" Cal.	BB	3
MA BR	Malus Brandywine	Brandywine Crabapple	2" Cal.	BB	2
MA SS	Malus 'Spring Snow'	Spring Snow Crabapple	2" Cal.	BB	0
PY CH	Pyrus calleryana 'Chanticleer	Chanticleer	2" Cal.	BB	7
EVERGREEN TREES					
JU SC	Juniperous scopulorum	Rocky Mountain Juniper	8' Height	BB	9
PI NI	Pinus nigra	Austrian Pine	8' Height	BB	3
PI HE	Pinus heldrechii (leucodermis)	Bosnian Pine	8' Height	BB	8
PI PO	Pinus ponderosa	Ponderosa Pine	8' Height	BB	0
PI PU	Picea pungens	Colorado Spruce	8' Height	BB	6
EVERGREEN SHRUBS					
JU BC	Juniperus horizontalis 'Blue Chip'	Blue Chip Juniper	5 Gal.	Cont.	66
JU CO	Juniperus communis	Common Juniper	5 Gal.	Cont.	30
PI MU	Pinus mugo 'Mops'	Miniature Mugo Pine	5 Gal.	Cont.	42
PI GL	Picea pungens 'Globe'	Dwarf Globe Green Spruce	5 Gal.	Cont.	24
DECIDUOUS SHRUBS & GROUNDCOVERS					
AM RE	Amelanchier alnifolia Regent	Regent Serviceberry	5 Gal.	Cont.	9
AM UT	Amelanchier utahensis	Utah Serviceberry	5 Gal.	Cont.	0
AM CA	Amorpha canescens	Leadplant	5 Gal.	Cont.	0
AR ME	Aronia melanocarpa Iroquois Beauty	Black Chokeberry	5 Gal.	Cont.	11
CA BM	Caryopteris x clandonensis 'Blue Mist'	Blue Mist Spirea	5 Gal.	Cont.	12
CA DK	Caryopteris x clandonensis 'Dark Night'	Dark Night Spirea	5 Gal.	Cont.	9
CO AL	Cornus alba 'Argentomarginata'	Variegated Dogwood	5 Gal.	Cont.	6
CO IS	Cornus stolonifera 'Isanti'	Isanti Dogwood	5 Gal.	Cont.	19
CO KE	Cornus stolonifera 'Kelsey'	Dwarf Kelsey Dogwood	5 Gal.	Cont.	24
DA BU	Daphne x burkwoodi 'Carol Mackie'	Carol Mackie Daphne	5 Gal.	Cont.	13
EU AL	Euonymus alatus 'Compactus'	Dwarf Burning Bush	5 Gal.	Cont.	0
FO NE	Forestiera neomexicana	New Mexico Privet	5 Gal.	Cont.	0
LI LO	Ligustrum vulgare 'Lodense'	Lodense Privet	5 Gal.	Cont.	6
MA CO	Mahonia aquifolium compacta	Compact Oregon Grape Holly	5 Gal.	Cont.	9
PE AT	Perovskia atriplicifolia	Russian Sage	5 Gal.	Cont.	0
PH MO	Physocarpus monogynus	Native Ninebark	5 Gal.	Cont.	0
PH LE	Philadelphus lewisii Cheyenne	Cheyenne Mockorange	5 Gal.	Cont.	4
PO KD	Potentilla fruticosa 'Kathryn Dykes'	Kathryn Dykes Potentilla	5 Gal.	Cont.	3
PO SN	Potentilla fruticosa 'Snowbird'	Snowbird Potentilla	5 Gal.	Cont.	0
PR CI	Prunus x cistena	Purple Leaf Plum	5 Gal.	Cont.	16
PR PB	Prunus besseyi 'Pawnee Buttes'	Creeping Western Sandcherry	5 Gal.	Cont.	17
PR BE	Prunus besseyi	Western Sandcherry	5 Gal.	Cont.	3
RI RL	Ribes silvestre 'Red Lake'	Red Lake Currant	5 Gal.	Cont.	0
RO HA	Rosa x harisonii	Harison's Yellow Shrub Rose	5 Gal.	Cont.	6
RO NW	Rosa x 'Nearly Wild'	Single Pink Shrub Rose	5 Gal.	Cont.	29
SP LP	Spiraea japonica 'Little Princess'	Little Princess Spirea	5 Gal.	Cont.	25
SP GO	Spiraea japonica 'Goldflame'	Goldflame Spirea	5 Gal.	Cont.	15
SP VA	Spiraea vanhouttei 'Reinaissance'	Remaissance Vanhoute Spirea	5 Gal.	Cont.	5
SY LS	Syringa vulgaris 'Ludwig Spaeth'	Dark Purple Lilac	5 Gal.	Cont.	4
SY ME	Syringa meyeri 'Palibin'	Dwarf Korean Lilac	5 Gal.	Cont.	3
SY MO	Syringa vulgaris 'Montaigne'	Soft Pink French Lilac	5 Gal.	Cont.	0
SY OR	Symphoricarpos orbiculatus	Red Coralberry	5 Gal.	Cont.	5
VI LE	Viburnum lentago	Nannyberry Viburnum	5 Gal.	Cont.	5
VI OP	Viburnum opulus 'Nanum'	Dwarf European Cranberrybush	5 Gal.	Cont.	25
ORNAMENTAL GRASSES			Planting		
CA AC	Calamagrostis x acutiflora 'Overdam'	Variegated Reed Grass	1 Gal.	Cont.	25
CA KF	Calamagrostis acutiflora	Karl Foerester Feather Reed Grass	1 Gal.	Cont.	14
DE CE	Deschampsia cespitosa	Tufted Hairgrass	1 Gal.	Cont.	21
FE GL	Festuca glauca 'Elijah Blue'	Blue Fescue	1 Gal.	Cont.	24
HE SE	Helictorichon sempervirens	Blue Avena Grass	1 Gal.	Cont.	49
IM CY	Imperata cylindrica 'Red Baron'	Japanese Blood Grass	1 Gal.	Cont.	21
OR HY	Oryzopsis hymenoides	Indian Rice Grass	1 Gal.	Cont.	0
PE AL	Pennisetum alopecuroides 'Hameln'	Dwarf Fountain Grass	1 Gal.	Cont.	33
SC SC	Schizachyrium scoparium 'Blaze'	Little Bluestem Grass	1 Gal.	Cont.	46
PERENNIALS AND GROUNDCOVERS					
AC CQ	Achillea millefolium 'Cerise Queen'	Common Red Yarrow	1 Gal.	Cont.	0
AC MI	Achillea millefolium	Common White Yarrow	1 Gal.	Cont.	0
AG CO	Agastache surantiaca 'Coronado'	Coronado Hyssop	1 Gal.	Cont.	0
AG RU	Agastache rupestris	Sunset Hyssop	1 Gal.	Cont.	0
AR UU	Arctostaphylos uva-ursi	Kinnikinnick	1 Gal.	Cont.	0
AU DE	Aubrieta deltoidea 'Purple Gem'	Purple Rockcress	1 Gal.	Cont.	8
BR MA	Brunnera macrophylla	False Forget-Me-Nots	1 Gal.	Cont.	11
CE PL	Ceratosigma plumbaginoides	Plumbago	1 Gal.	Cont.	7
CO MO	Coreopsis verticillata 'Moonbeam'	Moonbeam Coreopsis	1 Gal.	Cont.	3
DE CO	Delosperma cooperi	Purple Iceplant	1 Gal.	Cont.	6
GA OD	Gallium odoratum	Sweet Woodruff	1 Gal.	Cont.	5
GU SP	Guara lindheimeri 'Siskiyou Pink'	Pink Whirling Butterflies	1 Gal.	Cont.	0
HE SD	Hemerocalis 'Stella De Oro'	Dwarf Yellow Daylily	1 Gal.	Cont.	5
IB SE	Iberis sempervirens	Evergreen Candytuft	1 Gal.	Cont.	0
LI PE	Linum perenne 'Lewisii	Blue Flax	1 Gal.	Cont.	0
OE MA	Oenothera macrocarpa	Missouri Evening Primrose	1 Gal.	Cont.	0
PE ST	Penstemon strictus	Rocky Mountain Penstemon	1 Gal.	Cont.	0
PH SU	Phlox subulata 'Emerald Cushion Blue'	Creeping Blue Phlox	1 Gal.	Cont.	0
SA CH	Santolina rosmarinifolia	Lavender Cotton	1 Gal.	Cont.	0
SA NE	Salvia nemorosa 'May Night'	May Night Purple Salvia	1 Gal.	Cont.	0
VE CR	Veronica Crystal River	Crystal River Speedwell	1 Gal.	Cont.	0
ZA GA	Zauschneria garrettii Orange Carpet	Orange Hummingbird Flower	1 Gal.	Cont.	0



1 ORNAMENTAL GRASS PLANTING
SCALE: N.T.S.



2 SHURB PLANTING
SCALE: N.T.S.



3 TREE PLANTING
SCALE: N.T.S.

LEGEND

SHADE TREE
ORNAMENTAL TREE
SHRUBS / ORN. GRASSES
TURF SOD
DRYLAND SEED
COBBLE MULCH / SHRUB BED

NEENAN architsruction®
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ISSUED FOR PLANNING REVIEW:	12/04/2014
ISSUED FOR SD:	-/-/-
ISSUED FOR DD:	-/-/-
ISSUED FOR PERMIT:	-/-/-
ISSUED FOR CONSTRUCTION:	-/-/-
REVISION NUMBER	REVISION DATE
CITY STAFF REVISION 1	-/-/-
PLOT DATE	2/11/2015 5:04:46 PM

2854

L1.00

TYPE: AA2, AA4S, AA4T

LITHONIA LIGHTING®

FEATURES & SPECIFICATIONS

INTENDED USE – Ideal for parking areas, street lighting, walkways and car lots.

CONSTRUCTION – Rugged, die-cast, soft corner aluminum housing with 0.12" nominal wall thickness. Die-cast door frame has impact-resistant,tempered, glass lens that is fully gasketed with one-piece tubular silicone. Finish: Standard finish is dark bronze (DDB) polyester powder finish, with other architectural colors available.

OPTICS – Anodized, aluminum reflectors: IES full cutoff distributions R2 (asymmetric), R3 (asymmetric), R4 (forward throw) and R5S (square) are interchangeable. High-performance anodized, segmented aluminum reflectors IES full cutoff distributions SR2 (asymmetric), SR3 (asymmetric) and SR4SC (flat wide throw, sharp cutoff). High-performance reflectors attach with tool-less fasteners and are reactable and interchangeable.

ELECTRICAL – Ballast: High pressure sodium: 70-150W is a high reactance, high power factor. Constant wattage autotransformer for 200-400W. Metal halide: 70-150W is high reactance, high power factor and is standard with pulse-start ignitor technology. "SCWA" not required. Constant wattage autotransformer for 175-400W. Super CWA (pulse start ballast), 88% efficient and ESA legislation compliant, is required for metal halide 151-400W (SCWA option) for US shipments only. CSA, NOM or INTL required for probe start shipments outside of the US. Pulse-start ballast (SCWA) required for 200W, 320W, or 350W. Ballast is 100% factory-tested.

Socket: Porcelain, two positally oriented mesh base socket for 70-150M. Mogul base socket for 175M and above, and 70-400S, with copper alloy, nickel-plated screw shell and center contact. UL listed 1500W, 600V.

LISTINGS – UL Listed (standard). CSA Certified (see Options). UL listed for 25°C ambient and wet locations. IP65 rated in accordance with standard IEC 529.

WARRANTY ---- 1-year limited warranty. Complete warranty terms located at www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx

Note: Specifications subject to change without notice.

NIGHTTIME FRIENDLY™ Complies with LEED credits for light pollution reduction

Catalog Number	
Notes	
Type	

CONTOUR SERIES

Soft Square Lighting

KAD

Specifications

EPA: 1.2 ft.²

*Weight: 35.9 lbs (16.28 kg)

Length: 17-1/2 (44.5)

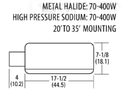
Width: 17-1/2" (44.5)

Depth: 7-1/8 (18.1)

All dimensions are inches (centimeters) unless otherwise specified.

*Weight as configured in example below.

METAL HALIDE: 70-400W
HIGH PRESSURE SODIUM: 70-400W
20' TO 35' MOUNTING



ORDERING INFORMATION For shortest lead times, configure product using **bolded options**.

Example: KAD 400M R3 T8 SCWA SPD04 LPI

KAD						
Series	**Wattage**	**Distribution**			**Voltage**	**Ballast**
KAD	Metal halide 70M[1,2] **250M**[3] 100M[1] 320M[1] 150M 350M[1,4] 175M[1] **400M**[1,4,9] 200M[1]	High pressure sodium[5] 70S 100S 150S **250S** **400S**	Ceramic metal halide 70MHC[12] 100MHC[1] 150MHC	Standard reflectors R2 IES type II asymmetric[1] **R3** IES type III asymmetric[1] **R4** IES type IV forward throw[1] R5S IES type V square	High performance reflectors[6] SR2 IES type II asymmetric[1] SR3 IES type III asymmetric[1] SR4SC IES type IV forward throw	120 208[8] 240[8] **277** **347** **480**[8] **TB**[10] 2X8X8[10]

KAD			
Series	**Ballast**	**Mounting**[13]	
KAD	(blank) Magnetic ballast CWI Constant wattage isolated[1] ***Pulse Start Ballast*** **SCWA** Super CWA pulse-start ballast NOTE: For dimming in US territories, SCWA must be specified to comply with ESA.	Ships in fixture carton **SPD__** Square pole RPD__ Round pole WSD__ Wall bracket WWD__ Wood or pole wall Ships separately[13,14] DAD12P Degree arm (pole) DAD12WB Degree arm (wall) WBA Decorative wall bracket[15] KMA Mast arm external fitter KTMR Twin mounting bar	Arm length **04** 4" arm 06 6" arm **09** 9" arm 12 12" arm

Options				Finish[18]				Lamp[21]
Shipped installed in fixture SF Single fuse (120, 277, 347V)[16] DF Double fuse (208, 240, 480V)[16] PD Power tap[17] **PER** NEMA twist-lock receptacle only (no photocontrol) QRS Quartz restrike system[18] QRSTD QRS time delay[18] WTB Terminal wiring block[17]	**CSA** CSA Certified INTL Available MH for probe start chipping outside the U.S. REGC1 California Title 20, effective 1/1/2010 Shipped separately[3] HS House side shield PE1 NEMA twist-lock PE (120, 208, 240V)	PE3 NEMA twist-lock PE (347V) PE4 NEMA twist-lock PE (480V) PE7 NEMA twist-lock PE (277V) SC Shorting cap for PER option VG Vandal guard[19] WG Wire guard[19]	**(blank)** Dark bronze **DWH** White **DBL** Black **DMB** Medium bronze **DNA** Natural aluminum Super Durable Finishes DDBXD Dark bronze DBLXD Black	DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white			**LPI** Lamp included **L/LP** Less lamp

Accessories: Tenon Mounting Slipfitter *(RPwx required.) Order as separate catalog number. Must be used with pole mounting.*						
	Number of fixtures					
Tenon O.D.	One	Two@180°	Two@90°	Three@120°	Three@90°	Four@90°
2-3/8"	T20-190	T20-280	T20-290[22]	T20-320[22]	T20-390[22]	T20-490[22]
2-7/8"	T25-190	T25-280	T25-290[22]	T25-320	T25-390[22]	T25-490[22]
4	T35-190	T35-280	T35-290[22]	T35-320	T35-390[22]	T35-490[22]

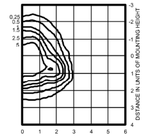
Notes
1 Not available with SCWA.
2 Not available with 400V.
3 These wattages do not comply with California Title 20 regulations.
4 Must be ordered with SCWA.
5 These wattages require the REGC1 option to be chosen for shipments into California Title 20 compliance. 250M REGC1 is not available in 347 or 480V.
6 Reduced jacket E028 required for SR2, SR3 and SR4SC optics.
7 House-side shield available.
8 High performance reflectors not available with QRSTD.
9 Must specify CWI for use in Canada.
10 Optional multi-tap ballast (120, 208, 240, 277V, in Canada: 120, 277, 347V).
11 Consult factory for available wattages.
12 9" arm is required when two or more luminaires are oriented on a 90° drilling pattern.
13 May be ordered as an accessory.
14 Must specify finish when ordered as an accessory.
15 Available with SPD04 and SPD09.
16 Must specify voltage. N/A with T8.
17 Only available with SR2, SR3 and SR4SC optics.
18 Max allowable wattage lamp included.
19 Prefix with KAD when ordered as an accessory.
20 See www.lithonia.com/archookies for additional color options.
21 Must be specified. L/LP not available with MHC.
22 Must use RPD09.

OUTDOOR KAD-M-S

KAD Metal Halide, Arm-mounted Soft Square Cutoff

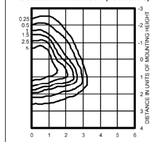
Coefficient of Utilization
Initial Footcandles

KAD 400M R2 Test no. 1193083101P
ISOILLUMINANCE PLOT (Footcandle)



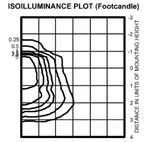
400W pulse start metal halide lamp, rated 38000 lumens. Footcandle values based on 20' mounting height.
Classification: Type II, Short, Full Cutoff

KAD 400M R3 Test no. 1192040902P
ISOILLUMINANCE PLOT (Footcandle)



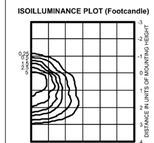
400W pulse start metal halide lamp, rated 38,000 lumens. Footcandle values based on 20' mounting height.
Classification: Type II, Short, Full Cutoff

KAD 400M R4 Test no. 1191110101P
ISOILLUMINANCE PLOT (Footcandle)



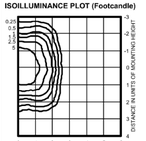
400W pulse start metal halide lamp, rated 38,000 lumens. Footcandle values based on 20' mounting height.
Classification: Unclassified (Type III, Very Short), Full Cutoff

KAD 400M R4HS Test no. 1192061101P
ISOILLUMINANCE PLOT (Footcandle)



400W pulse start metal halide lamp, rated 38,000 lumens. Footcandle values based on 20' mounting height.
Classification: Unclassified (Type III, Very Short), Full

KAD 400M R5S Test no. 1194040801P
ISOILLUMINANCE PLOT (Footcandle)



400W pulse start metal halide lamp, rated 38000 lumens. Footcandle values based on 20' mounting height.
Classification: Unclassified (Type NC, Very Short), Full Cutoff

Notes
1 Photometric data for other distributions can be accessed at www.lithonia.com.
2 Tested to current IES and NEMA standards under stabilized laboratory conditions. Various operating factors can cause differences between laboratory data and actual field measurements. Dimensions and specifications on this sheet are based on the most current available data and are subject to change without notice.
3 For electrical characteristics, consult outdoor technical data specification sheets on www.lithonia.com.

Mounting Height Correction Factor
(Multiply the IK lineal by the correction factor)
25 ft. = 0.64
35 ft. = 0.32
40 ft. = 0.25

$$\left(\frac{\text{Existing Mounting Height}}{\text{New Mounting Height}}\right)^2 = \text{Correction Factor}$$

LITHONIA LIGHTING® An Acuity Brands Company

OUTDOOR: One Lithonia Way Conyers, GA 30012 Phone: 770.922.9000 Fax: 770-918-1209 www.lithonia.com

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KAD-M-S

TYPE: WW

D-Series Size 1
LED Wall Luminaire

Catalog Number	
Notes	
Type	

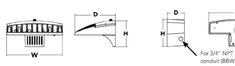
d*series

Specifications
Luminaire

Width: 13-3/4" (34.9 cm) **Weight:** 12 lbs (5.4 kg)
Depth: 10" (25.4 cm)
Height: 6-3/8" (16.2 cm)

Back Box (BBW, ELCW)

Width: 13-3/4" (34.9 cm) **BBW Weight:** 5 lbs (2.3 kg)
Depth: 4" (10.2 cm) **ELCW Weight:** 10 lbs (4.5 kg)
Height: 6-3/8" (16.2 cm)



Introduction
The D-Series Wall luminaire is a stylish, fully integrated LED solution for building-mount applications. It features a sleek, modern design and is carefully engineered to provide long-lasting, energy-efficient lighting with a variety of optical and control options for customized performance.

With an expected service life of over 20 years of nighttime use and up to 74% in energy savings over comparable 250W metal halide luminaires, the D-Series Wall is a reliable, low-maintenance lighting solution that produces sites that are exceptionally illuminated.

Ordering Information **EXAMPLE:** DSXW1 LED 20C 1000 40K T3M MVOLT DDBTXD

DSXW1 LED								
Series	**LEDs**	**Drive Current**	**Color temperature**	**Distribution**	**Voltage**	**Mounting**	**Control Options**	**Other Options**	**Finish** (required)
DSXW1 LED	10C 10 LEDs (one engine) 20C 20 LEDs (two engines)	350 350 mA 530 530 mA 700 700 mA 1000 1000 mA (1 A)	30K 3000 K 40K 4000 K 50K 5000 K AMBPC Amber phosphor converted	T2S Type II Short T2M Type II Medium T3S Type III Short T3M Type III Medium T4M Type IV Medium TFTM Forward Throw Medium ASYGF Asymmetric diffuse	MVOLT[1] 120[1] 208[1] 240[1] 277[1] 347[1] 480[1]	**Shipped included** (blank) Surface mounting bracket BBW Surface-mounted back box (for conduit entry)[2]	**Shipped installed** PE Photoelectric cell, button type[3] DMG 0-10V dimming driver (no controls) PIR 180° motion/ambient light sensor, <15' mtg ht[4] PIRH 180° motion/ambient light sensor, 15-30' mtg ht[4] ELCW Emergency battery backup (includes external component enclosure)[5]	**Shipped installed** SF Single fuse (120, 277 or 347V)[6] DF Double fuse (208, 240 or 480V)[6] HS House-side shield[7] SPD Separate surge protection[8] **Shipped separately**[9] BSW Bird-deterrent spikes WG Wire guard VG Vandal guard DDL Diffused drop lens	DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white DSSTXD Textured sandstone

NOTES
1 MVOLT driver operates on any line voltage from 120-277V (50/60 Hz). Specify 120, 208, 240 or 277 options only when ordering with fusing (SF, DF options), or photocontrol (PE option).
2 Only available with 20C, 700mA or 1000mA. Not available with PIR or PIRH.
3 Back box ships installed on fixture. Cannot be field installed. Cannot be ordered as an accessory.
4 Photocontrol (PE) requires 120, 208, 240, 277 or 347 voltage option. Not available with motion/ambient light sensors (PIR or PIRH).
5 PIR specifies the Sensor Switch SBGR-10-DCP control; PIRH specifies the Sensor Switch SBGR-6-DCP control; see Motion Sensor Guide for details. Includes ambient light sensor. Not available with "PE" option (button type photocell). Dimming driver standard. Not available with 20 LED/1000 mA configuration (DSXW1 LED 20C 1000).
6 Cold weather (-30C) rated. Not compatible with conduit entry applications. Not available with BBW mounting option. Not available with fusing. Emergency components located in back box housing. Emergency mode IES files located on product page at www.lithonia.com.
7 Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option. Not available with ELCW.
8 Also available as a separate accessory; see Accessories information.
9 See the electrical section on page 3 for more details.

Accessories
Ordered and shipped separately.

DSXRMS U House-side shield (one per light engine)
DSXRBSW U Bird-deterrent spikes
DSXRWG U Wire guard accessory
DSXRVG U Vandal guard accessory

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Performance Data

Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Actual performance may differ as a result of end-user environment and application. Actual wattage may differ by +/-8% when operating between 120-480V +/- 10%. Contact factory for performance data on any configurations not shown here.

LEDs	Drive Current (mA)	System Watts	Test Type	U3 Lumens	U3 B	U3 U	U3 G	U3 LPW	U4 Lumens	U4 B	U4 U	U4 G	U4 LPW	U5 Lumens	U5 B	U5 U	U5 G	U5 LPW	AMBPC Lumens	AMBPC B	AMBPC U	AMBPC G	AMBPC LPW
10C (10 LEDs)	530mA	20 W	T2S	1,843	1	0	1	92	1,956	1	0	1	98	1720	1	0	1	86	1,264	0	0	1	63
			T2M	1,756	1	0	1	88	1,864	1	0	1	93	1,648	1	0	1	82	1,205	0	0	1	60
			T3S	1,822	1	0	1	91	1,934	1	0	1	97	1,710	1	0	1	86	1,250	0	0	1	63
			T3M	1,804	1	0	1	90	1,914	1	0	1	96	1,693	1	0	1	85	1,237	0	0	1	62
			T4M	1,767	1	0	1	88	1,876	1	0	1	94	1,658	1	0	1	83	1,212	0	0	1	61
			TFTM	1,817	0	0	1	92	1,950	0	0	1	98	1,724	0	0	1	86	1,260	0	0	1	63
			ASYGF	1,642	1	0	1	82	1,743	1	0	1	87	1,541	1	0	1	77	1,127	0	0	1	56
10X (10 LEDs)	700mA	27 W	T2S	2,272	1	0	1	84	2,409	1	0	1	89	2,421	1	0	1	90	1,544	0	0	1	57
			T2M	2,165	1	0	1	80	2,296	1	0	1	85	2,307	1	0	1	85	1,472	0	0	1	55
			T3S	2,247	1	0	1	83	2,382	1	0	1	88	2,394	1	0	1	89	1,527	0	0	1	57
			T3M	2,224	1	0	1	82	2,358	1	0	1	87	2,370	1	0	1	88	1,512	0	0	1	56
			T4M	2,179	1	0	1	81	2,310	1	0	1	86	2,322	1	0	1	86	1,481	0	0	1	55
			TFTM	2,243	1	0	1	84	2,401	1	0	1	89	2,413	1	0	1	89	1,539	0	0	1	57
			ASYGF	2,025	1	0	1	75	2,147	1	0	1	80	2,158	1	0	1	80	1,376	0	0	1	51
	1000mA	40 W	T2S	3,013	1	0	1	75	3,190	1	0	1	80	3,202	1	0	1	80	2,233	1	0	1	58
			T2M	2,870	1	0	1	72	3,040	1	0	1	76	3,051	1	0	1	76	2,130	1	0	1	55
			T3S	2,978	1	0	1	74	3,155	1	0	1	79	3,166	1	0	1	79	2,230	1	0	2	57
			T3M	2,946	1	0	1	74	3,121	1	0	1	78	3,134	1	0	1	78	2,207	1	0	2	56
			T4M	2,888	1	0	1	72	3,059	1	0	1	76	3,071	1	0	1	77	2,143	1	0	2	55
			TFTM	2,972	1	0	1	75	3,180	1	0	1	80	3,192	1	0	1	80	2,228	1	0	2	57
			ASYGF	2,684	1	0	1	67	2,843	1	0	1	71	2,854	1	0	1	71	1,991	1	0	2	51
20C (20 LEDs)	530mA	36 W	T2S	3,649	1	0	1	101	3,876	1	0	1	108	3,629	1	0	1	95	2,504	1	0	1	70
			T2M	3,478	1	0	1	97	3,694	1	0	1	103	3,267	1	0	1	91	2,387	1	0	1	66
			T3S	3,609	1	0	1	100	3,833	1	0	1	106	3,390	1	0	1	94	2,477	1	0	1	69
			T3M	3,572	1	0	1	99	3,794	1	0	1	105	3,356	1	0	1	93	2,451	1	0	2	68
			T4M	3,500	1	0	1	97	3,717	1	0	1	103	3,288	1	0	1	91	2,402	1	0	1	67
			TFTM	3,638	1	0	1	101	3,864	1	0	1	107	3,418	1	0	1	95	2,496	1	0	1	69
			ASYGF	3,252	1	0	1	90	3,454	1	0	1	96	3,056	1	0	1	85	2,232	1	0	1	62
	700mA	47 W	T2S	4,502	1	0	1	96	4,776	1	0	1	102	4,794	1	0	1	102	3,065	1	0	1	65
			T2M	4,290	1	0	1	91	4,552	1	0	1	97	4,569	1	0	1	97	2,921	1	0	1	62
			T3S	4,452	1	0	1	95	4,723	1	0	1	100	4,741	1	0	1	101	3,031	1	0	1	64
			T3M	4,407	1	0	1	94	4,675	1	0	1	99	4,693	1	0	1	100	3,000	1	0	1	64
			T4M	4,318	1	0	1	92	4,581	1	0	1	97	4,598	1	0	1	98	2,939	1	0	1	63
			TFTM	4,488	1	0	1	95	4,761	1	0	1	101	4,779	1	0	1	102	3,053	1	0	1	65
			ASYGF	4,012	1	0	1	85	4,257	1	0	1	91	4,273	1	0	1	91	2,732	1	0	1	58
	1000mA	74 W	T2S	5,963	1	0	1	80	6,327	1	0	1	84	6,351	1	0	1	85	4,629	1	0	1	63
			T2M	5,681	1	0	1	76	6,029	1	0	1	80	6,052	1	0	1	81	4,221	1	0	2	58
			T3S	5,896	1	0	1	79	6,256	1	0	1	83	6,280	1	0	1	84	4,380	1	0	2	60
			T3M	5,837	1	0	1	78	6,193	1	0	1	83	6,216	1	0	1	83	4,335	1	0	2	59
			T4M	5,719	1	0	1	76	6,067	1	0	1	81	6,090	1	0	1	81	4,248	1	0	2	58
			TFTM	5,944	1	0	1	79	6,307	1	0	1	84	6,330	1	0	1	84	4,455	1	0	2	60
			ASYGF	5,314	1	0	1	71	5,638	1	0	1	75	5,660	1	0	1	75	3,947	1	0	2	54

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DSXW1-LED
Rev. 9/17/14

LUMINAIRE SCHEDULE

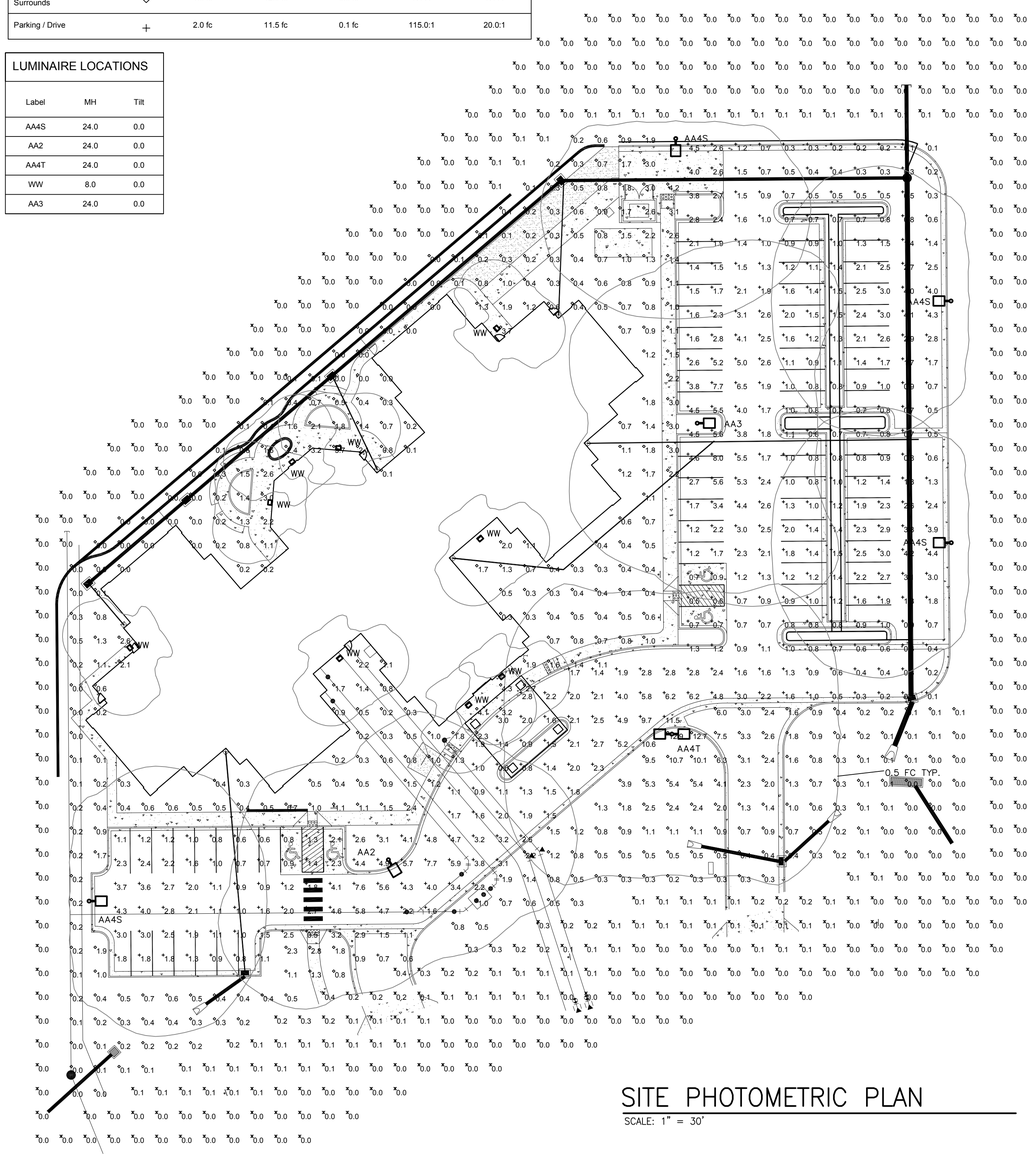
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	AA2	1	LITHONIA KAD 320M SR2 (PULSE START)	Area Luminaire, 320W MH, High Performance SR2 Reflector, Full Cutoff MEETS THE "NIGHTTIME FRIENDLY" CRITERIA	ONE 320-WATT CLEAR ED-28 METAL HALIDE, HORIZONTAL POSITION.	KAD_320M_SR2_(PULSE_START).ies	29700	1.00	368
	AA3	1	LITHONIA KAD 320M SR3 (PULSE START)	Area Luminaire, 320W MH, High Performance SR3 Reflector, Full Cutoff MEETS THE "NIGHTTIME FRIENDLY" CRITERIA	ONE 320-WATT CLEAR ED-28 METAL HALIDE, HORIZONTAL POSITION.	KAD_320M_SR3_(PULSE_START).ies	29700	1.00	368
	AA4S	4	LITHONIA KAD 320M SR4SC (PULSE START)	Area Luminaire, 320W MH, High Performance SR4SC Sharp Cutoff Reflector, Full Cutoff MEETS THE "NIGHTTIME FRIENDLY" CRITERIA	ONE 320-WATT CLEAR ED-28 METAL HALIDE, HORIZONTAL POSITION.	KAD_320M_SR4SC_(PULSE_START).ies	29700	1.00	368
	AA4T	1	LITHONIA KAD 320M R4 (PULSE START)	Area Luminaire, 320W MH, R4 Reflector, Full Cutoff MEETS THE "NIGHTTIME FRIENDLY" CRITERIA	ONE 320-WATT CLEAR ED-28 METAL HALIDE, HORIZONTAL POSITION.	KAD_400M_R4_(PULSE_START).ies	29700	1.00	912
	WW	9	LITHONIA DSXW1 LED 10C 530 40K T4M MVOLT	DSXW1 LED WITH 1 LIGHT ENGINE, 10 LED's, 530mA DRIVER, 4000K LED, TYPE 4 MEDIUM OPTIC	LED	DSXW1_LED_10C_530_40K_T4M_MVOLT.ies	Absolute	1.00	20

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Boundary Spill	×	0.0 fc	0.4 fc	0.0 fc	N / A	N / A
Building / Property Surrounds	◇	1.0 fc	12.9 fc	0.0 fc	N / A	N / A
Parking / Drive	+	2.0 fc	11.5 fc	0.1 fc	115.0:1	20.0:1

LUMINAIRE LOCATIONS

Label	MH	Tilt
AA4S	24.0	0.0
AA2	24.0	0.0
AA4T	24.0	0.0
WW	8.0	0.0
AA3	24.0	0.0



SITE PHOTOMETRIC PLAN
SCALE: 1" = 30'

SRB CONSULTING ENGINEERING
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303-232-1991
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

Flatirons Rehabilitation
Physicians Development Group
1107 Century Dr, LOUISVILLE, CO 80027

ISSUED FOR PLANNING REVIEW:	12/04/2014
ISSUED FOR SD:	--/--/--
ISSUED FOR DD:	--/--/--
ISSUED FOR PERMIT:	--/--/--
ISSUED FOR CONSTRUCTION:	--/--/--
REVISION NUMBER:	REVISION DATE:
CITY STAFF REVISION 1	02/13/15
PLOT DATE	02/11/15

2854

P1.00

RESOLUTION NO. 10
SERIES 2015

A RESOLUTION RECOMMENDING APPROVAL OF A FINAL PLANNED UNIT DEVELOPMENT (PUD) GENERAL DEVELOPMENT PLAN (GDP) AMENDMENT FOR A NEW 44,000 SQUARE FOOT, 48 BED SKILLED REHABILITATION FACILITY AT 1107 CENTURY DRIVE, LOT 1, BLOCK 3, CENTENNIAL VALLEY BUSINESS PARK 1.

WHEREAS, there has been submitted to the Louisville Planning Commission an application for approval of a Final Planned Unit Development and General Development Plan amendment to allow for the construction of a 44,000 square foot building, 48 bed skilled rehabilitation facility at 1107 Century Drive, Lot 1, Block 3, Centennial Valley Business Park 1; and

WHEREAS, the City Staff has reviewed the information submitted and found it to comply with Louisville Municipal Code Chapters 17.28 and 17.72; and

WHEREAS, after a duly noticed public hearing on March 12, 2015, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated March 12, 2015, the Planning Commission finds the Flatirons Rehab final PUD and GDP amendment, located on Lot 1, Block 3, of the Centennial Valley Business Park 1 subdivision should be approved with the following conditions:

1. The trash and generator enclosures shall be constructed of durable materials such as stone, brick, or metal with dark finishes in compliance with section 6.1(F) of the CDDSG.

2. Ghost windows or extra stickwork shall be added to the front facade end walls of the side wings to create additional visual interest.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval of a Final Planned Unit Development and General Development Plan amendment to allow for the construction of a 44,000 square foot, 48 bed skilled rehabilitation at 1107 Century Drive, Lot 1, Block 3, Centennial Valley Business Park 1 with the following conditions:

1. The trash and generator enclosures shall be constructed of durable materials such as stone, brick, or metal with dark finishes in compliance with section 6.1(F) of the CDDSG.

2. Ghost windows or extra stickwork shall be added to the front facade end walls of the side wings to create additional visual interest.

PASSED AND ADOPTED this 12th day of March, 2015.

By: _____
Chris Pritchard, Chairman
Planning Commission

Attest: _____

Ann O'Connell, Secretary
Planning Commission

Planning Commission

Meeting Minutes

March 12, 2015
City Hall, Council Chambers
749 Main Street
6:30 PM

Call to Order – Chairman Pritchard called the meeting to order at 6:30 P.M.

Roll Call was taken and the following members were present:

Commission Members Present:	Chris Pritchard, Chairman Cary Tengler, Vice Chairman Ann O'Connell, Secretary Steve Brauneis Jeff Moline Tom Rice Scott Russell
Staff Members Present:	Troy Russ, Director of Planning and Building Safety Sean McCartney, Principal Planner Scott Robinson, Planner II Lauren Trice, Planner I

- **Centennial Valley Skilled Nursing: Resolution 10, Series 2015,** A resolution recommending approval of a final planned unit development (PUD) and general development plan (GDP) amendment for a new 44,000 square foot, 48 bed skilled rehabilitation facility at 1107 Century Drive, Lot 1, Block 3, Centennial Valley Business Park 1.
  - Applicant, Representative and Owner: Flatiron Rehab
  - Case Manager: Scott Robinson, Planner II

Conflict of Interest and Disclosure:
None.

Public Notice Certification:
Published in the Boulder Daily Camera on February 22, 2015. Posted in City Hall, Public Library, Recreation Center, Courts, and Police Building on February 20, 2015. Mailed to surrounding property owners and property posted on February 20, 2015.

Staff Report of Facts and Issues:
Robinson presented from Power Point:

- Final PUD and GDP amendment to allow for a new 44,000 sf, 48 beds, skilled rehabilitation facility at 1107 Century Drive, located in Centennial Valley Business Park.
- It is located between McCaslin and Centennial Parkway, behind the Centennial Pavilion Lofts.

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- Property is zoned Planned Community Zone District - Commercial (PCZD-C) zone district . It is governed by the Centennial Valley General Development Plan, last modified in 2005.
- The GDP designates the area including 1107 Century as "Parcel G," with allowed uses limited to research, office, and retail. The proposed medical facility does not fall under one of those allowed uses. The applicant is requesting to amend the GDP to designate 1107 Century as "Parcel G2," with an authorized use of "institutional," which would allow the requested use. The proposed use is for a skilled nursing facility for patients needing physical therapy or post-surgery rehabilitation for short stays (days or weeks) but not long term residents.
- The 2013 Comprehensive Plan update designates 1107 Century as "urban special district." The Comprehensive Plan indicates special districts should include a mix of uses tailored to the specific area, including institutional. The Centennial Valley special district currently includes mostly office uses. The addition of an institutional use such as a skilled rehab facility would integrate well into the area while adding to the mix of uses and complying with the Comprehensive Plan.
- SITE PLAN: The proposed site plan includes a single building with a 22,000 square foot footprint. The building is located in the northwest corner of the lot, and faces southeast. The building, parking, and driveways are proposed to cover 50% of the site. The remainder of the site, if approved, will include a pedestrian hardscape area, landscaped setback areas, and landscaped drainage facilities.
- PARKING: The CDDSG does not provide parking guidelines for institutional uses of this nature; however, Section 17.20.020 does have parking guidelines for hospitals of three spaces per two beds. That translates to 72 spaces recommended for the proposed 48 bed facility. The applicant is proposing 70 parking spaces, or 2.92 spaces per two beds. The applicant has provided an analysis of its parking needs based on staffing levels indicating 70 spaces will be adequate. Staff finds this arrangement satisfactory.
- ARCHITECTURE: The majority of the building exterior would be exterior insulated finishing system (EIFS) panels of various shades of beige. The EIFS panels have the appearance of stucco, and would be accented by stone veneer at the base of the building and a green metal parapet cap. The main entrance is proposed to be on the south elevation, with a secondary entrance at the back to access the courtyard area. The proposed building includes significant horizontal articulation and vertical articulation provided by gable facades along the front of the building. Windows would be repeated at regular intervals. The main entrance would be accented by the porte-cochere. The proposed building will be 26.5 feet tall which is below the maximum permitted height of 35 feet in the CDDSG. All roof mounted mechanical equipment will be screened by the roof parapet.
- The ends of the side wings have sizeable blank walls with no glazing. Staff recommends a condition, which the applicant has agreed to, that additional texture be added to the walls. Staff recommends either ghost windows or additional stick-work to match the style of the building.
- The trash and generator enclosures shall be constructed of durable materials such as stone, brick, or metal with dark finishes in compliance with section 6.1(F) of the CDDSG.
- LANDSCAPING: The landscaping has been placed to screen the parking lot from the public view point and to provide a buffer between adjacent land uses. The drainage for the site will be accommodated in three detention ponds along the southern side of the site. The detention ponds will be seeded with native seeding. The parking area will include landscaped islands separating parking bays. The landscape plan as submitted complies with the CDDSG. The drainage and utilities plans have been reviewed by Public Works and they have found it satisfactory.
- SIGNS: The applicant is proposing a monument sign at the main entrance. The proposed monument sign and any additional signs will comply with the CDDSG.

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- LIGHTING: The applicant has submitted a lighting plan which includes wall lights on the building and pole lighting in the parking lot. The lights meet the specifications of the CDDSG.

O'Connell makes motion to enter three emails into the record. Seconded by Tengler. Passed by voice vote.

Commission Questions of Staff:
O'Connell asks about institutional use on the property. Could future tenants and owners be able to use the property as an institutional use as well? Do you have a definition for institutional use for PC?
Robinson answers yes, it is tied to this specific parcel. It does not cover any other parcels in Centennial Valley. When it goes to City Council, there will be an amendment to the development agreement for Centennial Valley giving more detail. It will be zoned for institutional use.
Tengler asks for examples of institutional use.
Robinson answers examples include general use medical facilities, civic uses, schools, and day care.
O'Connell says the Comp Plan includes a mix of uses tailored to a specific area. Why do we want institutional in that area?
Robinson answers the plan is to get a complementary mix of usage not reliant on offices; to get different traffic patterns.
Russell says there are references in the public comments about this being an alcohol and rehabilitation center. Is this a potential use?
Robinson says his understanding is this is not a drug and alcohol rehab facility. Those types of centers require a SRU.
Pritchard asks if an alcohol rehab facility fall under the definition of "institution?"
Robinson answers affirmative.
Brauneis clarifies the PC is not approving this type.
Moline asks about building coverage guidelines for this lot?
Robinson answers the building footprint plus parking cannot exceed more than 70%.

Applicant Presentation:
Jason Messaros, 1603 Oak Ridge Drive, Fort Collins, CO 80525, Landscape Architect
He has no additional presentation.

Commission Questions of Applicant:
Pritchard asks whether he has looked over the conditions from Staff?
Messaros answers he has reviewed them and is okay with them.
Rice asks about a letter from the Centennial Pavilion Lofts Condominium Association HOA to the east of the property pointed out four items of concern.
Messaros answers he is not familiar with these items. All of the typical parameters for construction will be maintained.
Rice asks Robinson about the letter. Are these four issues addressed by building code?
Robinson answers:

- #1 - 44,000 sf building be located on the northwestern corner of the lot. Robinson says the building is indeed located in the NW corner.
- #2 – significant drainage directed east of the planned development. Robinson says the drainage plan has been reviewed by Public Works and approved. Because of the site slope, the drainage will go to the SE corner where the detention pond is.
- #3 – adequate barrier on the east side of the development to protect from excessive soil "pollution". Robinson says there will be standard construction requirements such as a silt fence.

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- #4 – area between our property and planned development have appropriate landscaping and open space. Robinson says there is landscaping between the property and the parking lot and additional landscaping in the parking lot itself.

Robinson feels all four items have been addressed and met.
Moline asks the applicant his definition of what a skilled nursing facility is and what are typical patients?
Messaros says skilled nursing facility is a place between a hospital stay and home. After surgical procedures, patients are not ready to take care of themselves, so they spend a little time at a facility to get on their feet. It is not hospital care but it is skilled nursing, being maintained and observed. There are no surgical practices taking place at the facility.
Tengler asks about the length of stay and type of patient. Is this the next step up from assisted living for a senior or physical rehab after surgery?
Masaros says it is not a nursing home but is available for all age groups post hospital stay or prior to a hospital stay. It is medical-related but not necessarily care-related. Length of time for projected stay is a number of weeks as opposed to months.
Tengler asks whether the owner manages a number of facilities?
Messaros says the owner owns a number of facilities throughout the country.
Tengler mentions other letters in the record. Some dealt with security. Are there security measures regarding patients posing threat to neighbors nearby.
Messaros says it is not part of the program.
Tengler asks about the amount of traffic it may bring. What are the typical guests and the typical traffic patterns associated with this clientele? Any ambulances or emergency vehicles?
Messaros says the majority of traffic is related to employees. Patients will be brought in by hospital van. There will be typical traffic use patterns seen at a medical facility such as a hospital. Patients will receive visitors on occasion. It is not busy at night but visitors may come at night outside business hours. Ambulances will not be a typical situation.

Robinson says he has the allowed institutional uses would be from the draft amendment to the development agreement. City Council still has to agree to it. Draft states "institutional use is permitted for Parcel G2 shall be limited to the following: medical clinics, rehabilitative nursing facilities, convalescent centers, skilled nursing facilities, acute treatment units, home care agencies, hospice care, assisted living facilities, and long term care facilities".

Public Comment:
Priscilla Carlson and Dave Bahr, 1053 West Century Drive, Unit 208, Louisville, CO 80027
She states there are vacant buildings in the area. If there are buildings already built and vacant, why can they not be used? She and her husband were at the recent McCaslin Corridor meeting and mention was made of a blended Main Street versus McCaslin. Parks were discussed. If there are resources that are empty, perhaps they could be considered.

Robert Snyder, Century Lofts, 1057 Century Drive, Unit 321, Louisville, CO 80027
He lives on the third floor and enjoys a good view to the west. He is concerned about increased traffic in the neighborhood. The design shows the parking lot next to an existing parking lot. It sounds like more traffic to the residential area. He mentions that Louisville has a "hospital zone" where Avista Hospital is located. Perhaps this would be a better location for this venue.

Peter Wolton, 1112 Hillside Lane, Louisville, CO 80027
He lives in the neighborhood to the west of the property. He also works at Plexus at 285 Century Place in the middle of the business park. He walks around the field on a daily basis. He has talked with his neighbors and is happy to hear the facility will not be a drug and alcohol rehabilitation center. He is concerned about increased noise pollution and traffic from the employees. He asks about shifts and when they begin and end. He asks if they could be coordinated with rush hour traffic. He wonders about a graveyard shift which typically begins at

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11 pm. He also mentions the McCaslin Small Plan Area which wants to make it a vibrant urban/suburban area. He does not think a surgery rehab center seems to fit in with this growth plan. He does not think it will draw people into shops.

Summary and request by Staff and Applicant:
Russ mentions the about the small area planning process. The City did not place a moratorium on development here. It is not governed by the small area plan or the planning process. The PC is being asked to review this application against the existing regulation, the Commercial Development Design Standards and Guidelines within the Centennial Valley GDP. It can be confusing to the public. The McCaslin Study was just begun and the purpose is to update the standards to which this project is judged against.

Robinson recommends approval of **Centennial Valley Skilled Nursing: Resolution 10, Series 2015,** A resolution recommending approval of a final planned unit development (PUD) and general development plan (GDP) amendment for a new 44,000 square foot, 48 bed skilled rehabilitation facility at 1107 Century Drive, Lot 1, Block 3, Centennial Valley Business Park 1, with the two conditions.

1. The trash and generator enclosures shall be constructed of durable materials such as stone, brick, or metal with dark finishes in compliance with section 6.1(F) of the CDDSG.

2. Ghost windows or extra stickwork shall be added to the front facade end walls of the side wings to create additional visual interest.

Closed Public Hearing and discussion by Commission:
Tengler in support. The questions raised in the letters appear to be the result of misinformation; that the project was a drug and alcohol rehab center. Regarding traffic, the staff number will be a minimal amount. Regarding alternative locations, the PC does not decide where businesses want to locate.
Brauneis in support. He appreciates the traffic concern in the area. He does not think this proposed use will be grossly out of character with what is expected.
Moline asks Staff what can be built on this location as a use by right?
Robinson says office or research and development. It would be an office building similar to surrounding buildings.
Russ adds from a traffic perspective, the allowed office use per square foot would generate more traffic than an institutional use or a research facility.
O'Connell in support. She discusses the three shifts mentioned by the applicant of 74 full-time employees. She thinks this project is a benefit to the area. She states that people visiting patients will then visit restaurants and do some shopping.
Rice in support. He states the question is not whether the property should be developed but what should be allowed to develop on the property. Currently, Parcel G has allowed uses of research, office, and retail. He thinks retail would generate more traffic than the use being proposed.
Russell not in support. The aspiration for this corridor is clear: to activate it and make it interesting; create some sense of place. This parcel is not zoned open space so it will be developed. He does not support the architecture of the project, which he thinks is a blight on the community.
Pritchard in support. He recognizes that there was misconception about the nature of this facility. In the future, if a facility of this nature is proposed, the City has an opportunity to address it through the SRU. He agrees that the architecture is not the best design. All land in Centennial Valley can be developed. He thinks this is a product the community needs.
Tengler says that he agrees the building has little architectural distinction.

DRAFT

O'Connell says it is outside the purview of the PC to ask the applicant to improve the exterior of the building.
Russell states the PC critiques and drives design frequently. The use of the project is compatible with the area. The applicant is asking for a change to the zoning and the PC should then scrutinize it closely.

Motion made by Tengler to approve Resolution No. 10, Series 2015. Seconded by Rice with the two conditions. Roll call vote.

Name	Vote
Chris Pritchard	Yes
Jeff Moline	Yes
Ann O'Connell	Yes
Cary Tengler	Yes
Steve Brauneis	Yes
Scott Russell	No
Tom Rice	Yes
Motion passed/failed:	Pass

Motion passes 6-1.

DRAFT

March 2nd, 2015

TO: City of Louisville Planning Commission

RE: Case Number 14-050-FP/ZN
Application of Flatirons Rehab (Physicians Development Group)
Hearing March 12th, 2015

FROM: Centennial Pavilion Lofts Condominium Assoc., Inc
1053/7 W Century Drive, Louisville, CO 80027

We request that you give serious consideration on the impact of the above Application to our community of 66 residents, located east, contiguous to the planned development.

1. It is our understanding that the planned 44,000 square foot building will be located on the north- west corner of the lot, which would be preferable for us, so as not to impinge on our community.
2. It is essential that there be significant drainage directly east of the planned development, since we have had water problems emanating from the west-side lots.
3. During construction there must be an adequate barrier on the east side of the development to protect us from excessive soil "pollution".
4. The area between our property and the planned development (comprising building and parking) should have appropriate landscaping and open-space so as not to crowd our development esthetically and not to interfere significantly with the open view especially of our west-side units.

Your consideration of our needs would be much appreciated. We expect a number of our Board members and owners to be present at the March 12th, 2015 hearing.

Respectfully,

Cyril Sadowsky, President, CPL HOA Board of Directors
1057 W Century Drive, Unit 121
Louisville, CO 80027

Cell: 847-846-1813

Scott Robinson

From: Mark C. Carson <markc@bouldercpas.com>
Sent: Thursday, March 12, 2015 1:35 PM
To: Scott Robinson
Subject: Proposed Rehab Center

Dear Mr. Robinson,

My name is Mark Carson and my wife Jessica and our two young children live at 1133 Hillside Lane across the field from the proposed site of the alcohol and drug rehabilitation center. I am unable to attend the hearing tonight so I am writing you to let you know that my wife and I are vigorously opposed to allowing a rezoning variance to this proposal. I know many in our neighborhood also feel the same way and I am hopeful they will voice their concerns tonight.

The proposed location is less than 100 yards from 2 daycare centers for young children and a 3rd center is currently being built nearby next to Lowe's. I can appreciate the intentions of this proposal to help people recovering from addiction but I have witnessed firsthand how these people can also pose a great risk to the surrounding community. This includes our neighborhood, the neighborhood across McCaslin and the condominium complex right next to the proposed site. This development will also cause increased noise, pollution and traffic in the area and degrade the quality of the surrounding neighborhoods and potentially hurt property values. I want Louisville to continue to have a strong economy but the quality of life and safety of its existing, taxpaying residents should take precedence over developers with no ties to the community.

I appreciate your time in addressing this matter and hope you will deny the change in zoning.

Regards,

Mark C. Carson

Boulder CPA Group

1790 30th Street, Suite 418
Boulder, Colorado 80301
www.bouldercpagroup.com
markc@bouldercpas.com
(303) 951-6024 or (303) 449-3060 ext. 127
FAX (303) 449-2747

BOULDER CPA Group

Formerly Mark H. Carson & Associates, P.C.

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DISCLAIMER: Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, or a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, we would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

Scott Robinson

From: Robbinslou@aol.com
Sent: Thursday, March 12, 2015 2:58 PM
To: Scott Robinson
Subject: Rehab facility

Hi, wanted to comment on the possible future Rehab facility off Centennial Parkway.

I am a resident of the hillside lane neighborhood (Centennial Heights West) and I think a rehab facility would be much better in a business district, like Colorado Tech Center on Dillon Road.

There is already a rehab facility nearby, Centennial Peaks. Plus there is a grade school and 3 commercial daycare centers near Centennial Parkway. I also have a small 4 child home daycare that could be impacted by the traffic of a rehab facility and it could negatively affect my business.

Also there would be additional traffic for the neighborhood and residents. And additional traffic for the Cherrywood neighborhood also. A 24 hour rehab facility is just too much to be located near residential areas.

Please do not approve a rehab facility near Centennial Parkway.

Thank you.

Cindy

Scott Robinson

From: Thomas Ward <tjjward@gmail.com>
Sent: Thursday, March 12, 2015 11:04 AM
To: Scott Robinson
Subject: Rehab Rezoning

Dear Scott:

I and my wife are totally opposed to re-zoning to allow the rehab center as an institution:

1. a 24 hour medical facility NOT compatible with residential use next door and the neighborhood

2. There is risk bringing drug and al users and their type of friends into our neighborhood which we do not want

3. This use is not compatible with any future re-thinking of what to do with this area in relationship to the small area plan--you are going the wrong direction here

4. Frankly, I do not care about the owner of the land as the original intended use here by the owner and the city does not make sense and has failed. More of their land should be added to Davidson Mesa open space and re-developed as part of a viable small area. I would not oppose more residential BUT ONLY IF the BCSD built more schools (space) which they seem to not want to do.

Thank you,

Tom Ward and Aria Martin-Ward
1145 Hillside Court
Louisville, CO 80027
303-665-2243

RECEIVED
APR 17 2015
CITY OF LOUISVILLE
CITY MANAGER

April 15th, 2015

TO: City of Louisville City Council

RE: Case Number 14-050-FP/ZN
Application of Flatirons Rehab (Physicians Development Group)
Previous Hearing March 12th, 2015
Agenda item at Council meeting April 21st, 2015

FROM: Centennial Pavilion Lofts Condominium Assoc., Inc
1053/7 W Century Drive, Louisville, CO 80027

For action at the City Council meeting April 21st, 2015 and as a follow-up to my previous letter to the Planning Commission dated March 2nd, 2015, on behalf of our HOA Board of Directors, I request that the following be done as part of the construction plan related to the above-mentioned project. As a reminder, we are a community of 66 residents located in two buildings immediately east and contiguous to the planned project.

1. It is essential that there be a drainage ditch throughout the east side of the proposed project to funnel underground water south of the planned development. Over the years, we have had water problems emanating from the west-side lots, which required extensive repairs around our buildings a couple of years ago. The Geo-Technical company, Terracon, was consulted when our west-side driveway was repaired and water was found which required deeper excavation before the concrete was poured; Terracon is aware of this drainage problem.

2. During construction there must be an adequate barrier on the east side of the development to protect us from excessive soil "pollution".

Thank you for your attention to this matter. We look forward to a successful project.

Respectfully,

Cyril Sadowsky

Cyril Sadowsky, President, CPL HOA Board of Directors
1057 W Century Drive, Unit 121
Louisville, CO 80027

Cell: 847-846-1813

Planning Commission– Public Hearing

Flatirons Rehab

Ordinance No. 1688, Series 2015; Resolution No. 23, Series 2015; Resolution No. 24, Series 2015

A request for a Final Planned Unit Development and General Development Plan and subdivision agreement amendments for a new 44,000 square foot, 48 bed skilled rehabilitation facility at 1107 Century Drive in Centennial Valley.

Prepared by:
Dept. of Planning & Building Safety

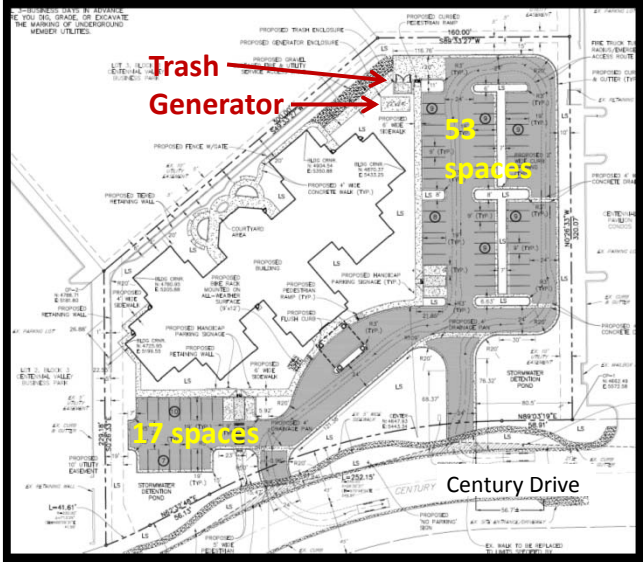
Flatirons Rehab

- Located in Centennial Valley
- Property zoned Planned Community Zone District – Commercial (PCZD-C)
- Governed by Centennial Valley General Development Plan

Flatirons Rehab

- Request to amend GDP to allow Institutional use
- Allowed if compatible with Comprehensive Plan
- Designated "Urban Special District"
- Include a mix of uses, including institutional
- Considered a compatible, complimentary use

Flatirons Rehab

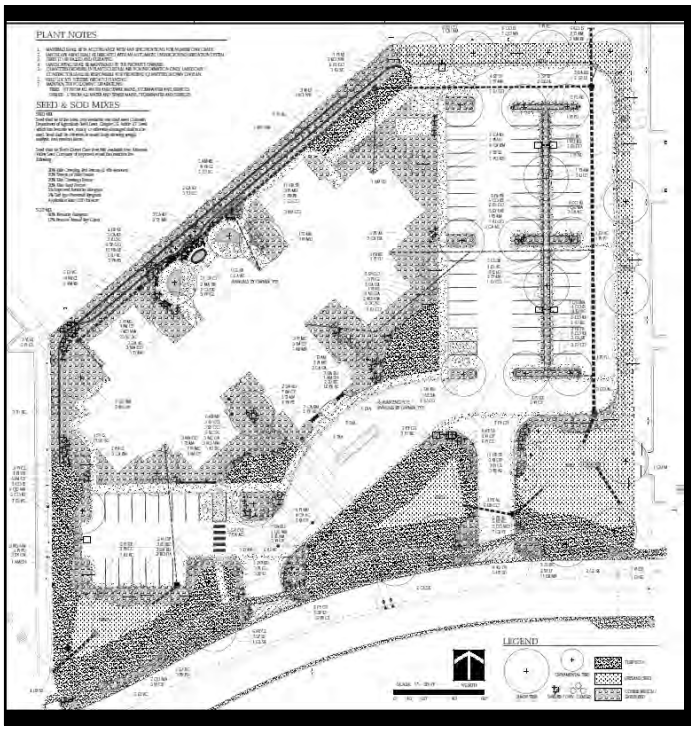


- 44,000 square feet
- 48 beds
- 70 parking spaces
- Complies with setback and coverage requirements
- Trash and generator enclosures

Flatirons Rehab

- 26.5 feet tall
- Articulation and variation in colors/materials
- Additional detailing on wing ends

Flatirons Rehab



- Landscape buffer from adjacent residential

Flatirons Rehab

Staff recommends approval of final PUD and GDP and subdivision agreement amendments for Flatirons Rehab with one condition:

1. The trash and generator enclosures shall be constructed of durable materials such as stone, brick, or metal with dark finishes in compliance with section 6.1(F) of the CDDSG.

City of Louisville
COLORADO • SINCE 1878

CITY COUNCIL COMMUNICATION
AGENDA ITEM 8E

SUBJECT: **DOWNTOWN / OLD TOWN PARKING STATUS UPDATE**

DATE: **APRIL 21, 2015**

PRESENTED BY: **MALCOLM FLEMING, CITY MANAGER**
AARON DEJONG, ECONOMIC DEVELOPMENT DIRECTOR
TROY RUSS, PLANNING & BUILDING SAFETY DIRECTOR
DAVE HAYES, POLICE CHIEF
KURT KOWAR, PUBLIC WORKS DIRECTOR
MEREDYTH MUTH, PUBLIC RELATIONS COORDINATOR
SUZANNE JANSSEN, ARTS/SPECIAL EVENTS COORDINATOR

SUMMARY:
Staff wants to provide Council and the public with a status update on actions we are taking and plan to take to address parking issues in Downtown and Old Town. To date, or by June 5th (the date for the Taste of Louisville), the following actions will be complete:

- Stepped-up enforcement of designated 2-hour limits and issuing citations for other parking violations (blocking driveways, alleys, too close to intersections).
- Designated Police Department staff who will serve as "Parking Ambassadors" during major special events to provide directions to allowed parking, and enforcement of hazardous parking violations.
- Implemented Special Event parking requirements that include designated parking for event vendors and employees/volunteers.
- Worked with the DBA to incorporate shuttle service into the Street Faire transportation and parking plan.
- Negotiated an agreement with owners of KoKo Plaza to make 56 spaces available for public parking after 6:00 PM in exchange for the City assuming responsibility for snow removal on those spaces.
- Received bids to construct a surface parking project with 28 spaces at 611 Front (City owned property at the SE corner of Front and Elm). Since the bids are roughly $300,000 when the 2015 budget includes only $100,000 for this project, staff wants Council to address this item specifically after considering this update.
- Negotiated terms of acquisition and waiting to close on Tebo property that will provide 70 parking spaces along future Cannon Street.
- Installing 100 additional bicycle parking loops in Downtown.
- Installing traditional "Parking ➔" signs to assist people in finding public parking lots.

The following actions are planned and/or should be addressed in the future:

- Negotiating additional leases of private spaces for public parking.
- Finalizing a lease agreement with BNSF for parking in the railroad right of way.
- Installation of additional downtown way-finding signage
- Council decision on whether to (1) install No-Parking Signs in Old Town, (2) extend white paint-designated parking spaces beyond those within a block of Main Street, (3) install No-Parking signs *and* paint curbs in Old Town, or (4) some combination of these alternatives.
- Designating motorcycle/moped parking areas.
- More discussion and public involvement on how a neighborhood parking permit program could work in conjunction with creating additional public parking so vehicles displaced from neighborhoods have some place to go (instead of just moving the problem further west)
- Evaluating options for a parking structure(s) to address long-term parking concerns. This would involve consultant evaluation of specific sites, including adequacy of existing data on parking utilization; pedestrian activity areas, walking distances, vehicle traffic patterns and likely parking facility utilization; preliminary facility design and property acquisition, construction and operational cost estimates and potential revenue streams and financing options to support those costs.
- Prepare the following potential Louisville Municipal Code changes for consideration by the Planning Commission and City Council (fourth quarter of 2015):
    - Revise parking standards for Downtown to reflect parking demands without premium transit;
    - Update the payment in-lieu of parking fee to more accurately reflect actual costs to provide public parking spaces in Downtown; and
    - Restrict or prohibit parking lots as a primary use by-right in the Residential Medium (RM) Zone Districts portion of Old Town
- Working with Boulder County and the Regional Transit District to expand Ecopass options.

Background

On August 19, 2014 City Council voted to support the Downtown/Old Town Parking Plan with further study on the implementation, constructing surface parking on the City's property at 611 Front Street, parking enforcement, and deferring a decision on striping parking spaces at a later time. The key elements of the Parking Plan are summarized in the tables on the following pages. During the Council's October 21, 2014 budget discussions, the Council directed staff to delete funding for parking studies in 2015 and

instead defer that work to subsequent years and/or have staff conduct the studies where there is staff capacity and capability.

PARKING ACTION PLAN

The recommendations from the Joint Downtown / Old Town Parking Action Committee are presented in three phases. Each phase shown below illustrates items in three general categories: Planning and Policy; Land and Capital, Operating and Maintenance.

Phase 1: 2014 - 2015		Cost
	ACTIONS	
Planning & Policy	Secure parking agreement with BNSF (North and South of Pine Street)	$10,000
	Require and develop a parking management plan for large events (implement summer of 2015)	$20,000
	Evaluate if changes to the required downtown parking ratios and pay in-lieu fees are needed to reflect parking demand and actual costs to provide public parking spaces	Staff Time
	Develop specific incentive program to assist in meeting Downtown Parking Challenges	Staff Time
	Design a residential parking permit program similar to Aspen, CO (Implement in 2016)	$50,000
	Update Downtown Louisville Handbook design standards for parking facilities to ensure they pedestrian oriented and match the character of Downtown	Staff Time
	Modify LMC Sec. 17.12.030 - Ban parking lots as a primary use by right in the RM and RH Zone Districts	TBD
	Develop a long-term parking supply and joint-development strategy for Downtown	$60,000
Land & Capital	Acquire parking in the redevelopment district for 70 surface parked spaces.	Subject to negotiation (Budgeted)
	Acquire an underutilized (evening) private parking facility (41 spaces) through a lease agreement (night-time only public use in exchange for City services).	Subject to negotiation
	Restriping South Street (Jefferson Street and Main Street: 5 to 12 spaces)	$500 (reoccurring)
	Restripe Jefferson Street at Memory Square (2 to 5 spaces)	$500 (reoccurring)
	Paint Cross Walks at: Front / Elm; Main / Elm; Pine / LaFarge	$500 (reoccurring)
	Formalize parking spaces on north side of Elm Street (between Main and Front 10-spaces) and Spruce Street (on South Side at alley (2 spaces)	$500 (reoccurring)
	Finalize and install Master Plan MUTCD parking signs	$60,000 (Budgeted)
Operations & Maintenance	Change policy and modify the 2015 budget for public works to maintain alleys between Front / Main; Main LaFarge; LaFarge Jefferson (paving and snow removal)	Staff Time
	Modify the 2015 operational / capital budget to allow the police to actively manage downtown parking	Staff Time

Phase 2: 2015 - 2016		Cost
	ACTIONS	
Planning & Policy	Implement City sponsored valet parking with private downtown parking facility	TBD
	Implement management plan and requirement for large events	cost to the vendor
	Change Downtown parking ratios and payment in-lieu fees (fees should reflect cost of surface parking identified in this plan)	TBD
Land & Capital	Construct parking area along BNSF (north and south of Pine Street (68 spaces)	Subject to negotiation
	Construct South Street Gateway (access to 80 on-street parking spaces)	$2,600,000 Budgeted ($200k design)
	Install 100 Bicycle Parking Spaces	$10,000
	Acquire underused Downtown properties suitable to provide a total of at least 50 parking spaces	Subject to negotiation
	Install pedestrian warning signs and mirrors on alleys	$2,000
Operations & Maintenance	Police to proactively manage downtown parking	$100,000 ($70,000 reoccurring)
	Maintain alleys between Front / Main; Main / LaFarge; LaFarge / Jefferson (paving and snow removal)	$4,000 (Reoccurring)
	Design for the repaving of alleys between Front / Main; Main / LaFarge; LaFarge / Jefferson; (offer home owners the opportunity to pay for own parking spaces at City costs)	TBD

Phase 3: 2016 - 2018		Cost
	ACTIONS	
Planning & Policy	Implement neighborhood parking management plan and residential permit program for Old Town, (similar to Aspen's) once additional parking facilities are built, or leased	TBD
	Develop and implement appropriate Transportation Demand Management (TDM) measures identified in the NAMS recommendations once Downtown has achieved an appropriate level of transit service to justify their use	TBD
	Revisit the Downtown Parking and Pedestrian Action Plan along with downtown parking ratios and payment in-lieu option (2018)	Staff Time
Land & Capital	Support development of the new RTD route along Hwy 42 connecting Lafayette to Downtown Louisville, the CTC, US 36 and Broomfield. (NAMS Recommendation)	TBD - Negotiations with RTD
	Support improved service from the RTD Dash Route with 15 minute frequencies throughout the day. (NAMS Recommendation)	TBD - Negotiations with RTD
	Traffic Calm Pine Street (Bulb out intersections between Lafarge and McKinley)	$60,000 ($10,000 design)
	Implement repaving of alleys between Front / Main; Main / LaFarge; and LaFarge / Jefferson (Offer home owners opportunity to pay for own parking spaces at City costs)	TBD
	Redesign Main Street driveway and parking lot at chase bank (4 spaces)	$15,000 ($2,500 Design)
	Redesign Main Street driveway at City Hall (4 spaces)	$15,000 ($2,500 Design)
	Implement Downtown Plaza and Newspaper vending machines	$12,000

The following summarizes the staff's conclusions from the 2013 Parking Study for both Old Town and Downtown.

1. A special event parking management plan is needed to properly manage parking challenges associated with large events downtown;

2. Improved parking enforcement is needed to manage illegal parking in both Downtown and Old Town;

3. Old Town has an off-street parking shortage (300+ spaces). The parking challenge is exacerbated because many Old Town residents are parking on-street rather than on their off-street spaces because it is more convenient;

4. Downtown's parking shortage in the evenings (130 to 325 spaces) is negatively impacting the neighborhood;

5. If downtown's lunch time business continues to increase, it may create additional parking shortages during the day and could further impact Old Town;

6. A phased neighborhood parking permit program, with associated improved parking enforcement, would help reduce parking conflicts in Old Town during the day and not negatively impact Downtown.

7. New parking supply is needed in the near-term (130 to 325 Spaces) to serve existing night-time demand. New parking spaces can come in the form of public evening leases of current private parking spaces in downtown, converting underperforming private parking areas to permanent public parking, and creating new publically owned parking spaces.

8. Additional parking capacity (130 to 325 spaces) is needed downtown before a neighborhood permit program in Old Town can be successful in the evenings;

9. 160 to 400+ additional public parking spaces are needed to serve the allowed future "build-out" of downtown (161,000 sf) as defined in Sec. 17.12.060 of the Louisville Municipal Code;

10. Key investments in transit, bicycle parking, and pedestrian safety improvements will contribute to lowering the parking demand downtown;

11. The City should develop a long-term parking supply implementation strategy for downtown. This study should examine if potential changes to current downtown parking ratios and payment in lieu fee option are needed (assuming no RTD FasTracks). The study should specifically examine existing public resources appropriate for parking structures, as well as possible joint development opportunities to finance a variety of long-term public parking solutions necessary for the "build-out" of downtown. Solutions identified should fit within the small town character of Downtown Louisville, meet vehicular access requirements, be financially sustainable, and if necessary, ensure appropriate architectural transitions for portions of downtown adjacent to the Old Town neighborhood.

FISCAL IMPACT:
Except as noted for the 611 Front surface parking improvements, the actions to be complete by June 5th are included in the 2015 budget. Some of the additional planned or to be completed actions will require additional funding.

ATTACHMENTS:
1. PowerPoint Presentation

Downtown/Oldtown Parking Status Update

April 21, 2015

Actions Complete by June 5th

- Stepped-up enforcement on violations (blocking driveways, alleys, too close to intersections)
- "Parking Ambassadors" during major special events
- Special Event parking requirements: designated parking for event vendors/employees/volunteers
- Shuttle service for Street Faire
- Agreement making 56 spaces at KoKo Plaza available for public parking after 6:00 PM

Actions Complete by June 5th (continued)

- Bids on 28-space surface parking at 611 Front (to be discussed next in this meeting)
- Waiting to close on Tebo property providing 70 spaces on future Cannon Street
- Installing 100 additional bicycle parking loops in Downtown
- Installing traditional "Parking ➔" signs

Planned and/or Future Actions

- More leases on private spaces for public parking
- Finalize agreement with BNSF for ROW parking
- Install additional downtown way-finding signage
- Council decision on (1) No-Parking Signs in Old Town, (2) extend white paint-designated parking spaces , (3) install No-Parking signs *and* paint curbs in Old Town, or (4) some combination of alternatives
- Designating motorcycle/moped parking areas.
- More discussion and public involvement on a neighborhood parking permit program

Planned and/or Future Actions (continued)

- Evaluate parking structure(s): specific sites, utilization data, pedestrian activity areas, walking distances, vehicle traffic patterns, parking facility utilization, design, cost estimates, potential revenue streams and financing
- Potential Louisville Municipal Code changes:
  - Revise parking standards for Downtown
  - Update the payment in-lieu of parking fee
  - Restrict or prohibit parking lots as use by-right in Old Town RM Zone
- Ecopass options

SUBJECT: **AWARD BID FOR THE 2015 PARKING LOT EXTENSION – 611 FRONT ST.**

DATE: **APRIL 21, 2015**

PRESENTED BY: **KURT KOWAR, PUBLIC WORKS DEPARTMENT**

SUMMARY

On August 19, 2014, and as part of Council's actions the Downtown/Old Town Parking Plan, Council supported extending the surface parking on the City's property at 611 Front Street to add 28 additional parking spaces. Council subsequently included $100,000 in the 2015 budget for this purpose. The $100,000 budget was based on staff's cost estimate, which in turn was based on the approximately $50,000 cost of all the work to prepare and pave the surface parking lot on the City's property south of the Lucky Pie/Sweet Cow building (and just north of the site under discussion). The low bid for the work is $238,995. This cost, plus the cost for lighting the facility, soft costs for engineering and material testing, and a 5% contingency bring total project costs to $290,995; almost 3 times the project budget. Based on Council's direction and comments on other, similar "basic services" issues, staff recommends Council award the bid so the work can proceed, with the understanding that a budget amendment will be necessary to cover the $190,995 shortfall. However, there are other options outlined below Council may wish to consider.

Bid Details:

On March 19, 2015, staff solicited bids for the 2015 Parking Lot Extension – 611 Front St. project. This project includes demolition of the existing structure, landscaping, lighting, and pavement construction. Construction plans indicating the detailed information about the project are available upon request.

On April 9, 2015 the following two bids were submitted:

Contractor	Bid
KECI Colorado Inc.	$238,995
Diaz Construction Group	$276,414

Construction activities on the project are scheduled to commence on May 4, 2015 and be substantially complete by June 1, 2015. Staff will coordinate public notifications through the City website and contractor delivered notices.

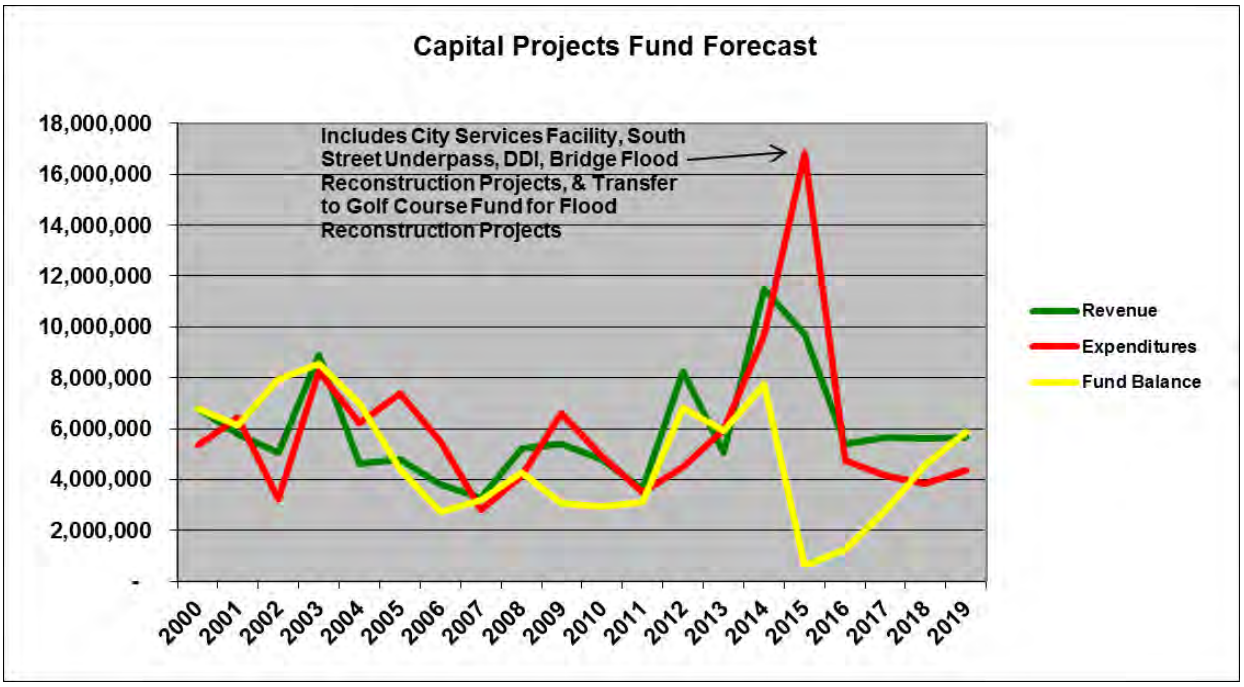
FISCAL IMPACT:

As noted in the table below, the total projected project expenses exceed by $190,995 the funds in the 2015 budget appropriated for this project.

CIP Fund	
042-499-55310-75	$ 100,000
Expenses	
Construction Contract	$ 238,995
Estimated Parking Lot Lighting (by Xcel)	$ 30,000
* Soft Costs	$ 10,000
Contingency (5%)	$ 12,000
Total	$ 290,995
Total Remaining Funds	**$ (190,995)**

*Soft Costs include engineering and materials testing.

The project shortfall can be covered through a budget amendment appropriating funds from the undesignated unrestricted Capital Projects Fund (CPF) reserves or potentially covered by funds saved from other projects. The current CPF forecast (shown below) projects that all projects in the 2015 Capital Improvement Program will be completed this year, within budget and the CPF will have reserves of $622,417 at the end of 2015.

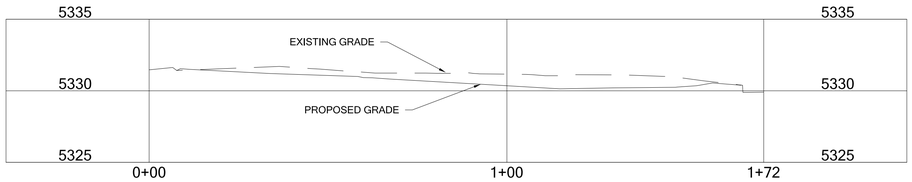


Other options include:

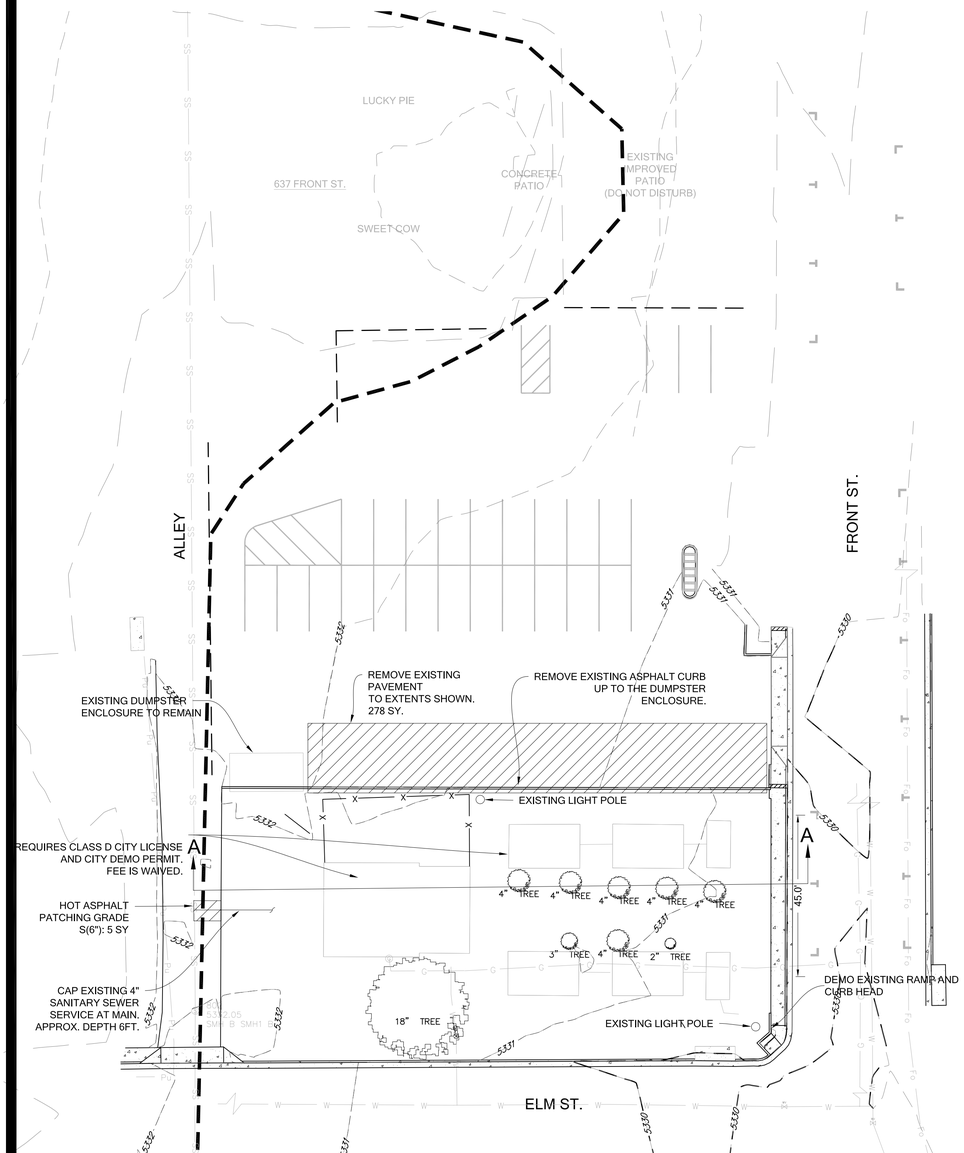
- Request proposals to partner with adjacent land owners to design and develop a parking structure on the site wrapped with retail and/or office space. This option would require significant time (and resources) to fully explore and may not be viable.
- Deferring the project to provide time to evaluate whether the other actions taken to address parking in downtown have reduced the need for this project.

RECOMMENDATION:
Staff recommends City Council award the 2015 Parking Lot Extension – 611 Front St. Project to KECI Colorado Inc. per their bid of $238,995.00, authorize staff to execute change orders up to $12,000.00 as a project contingency, and authorize the Mayor, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

ATTACHMENTS:
1. Agreement
2. Parking Lot Exhibit



SECTION A-A

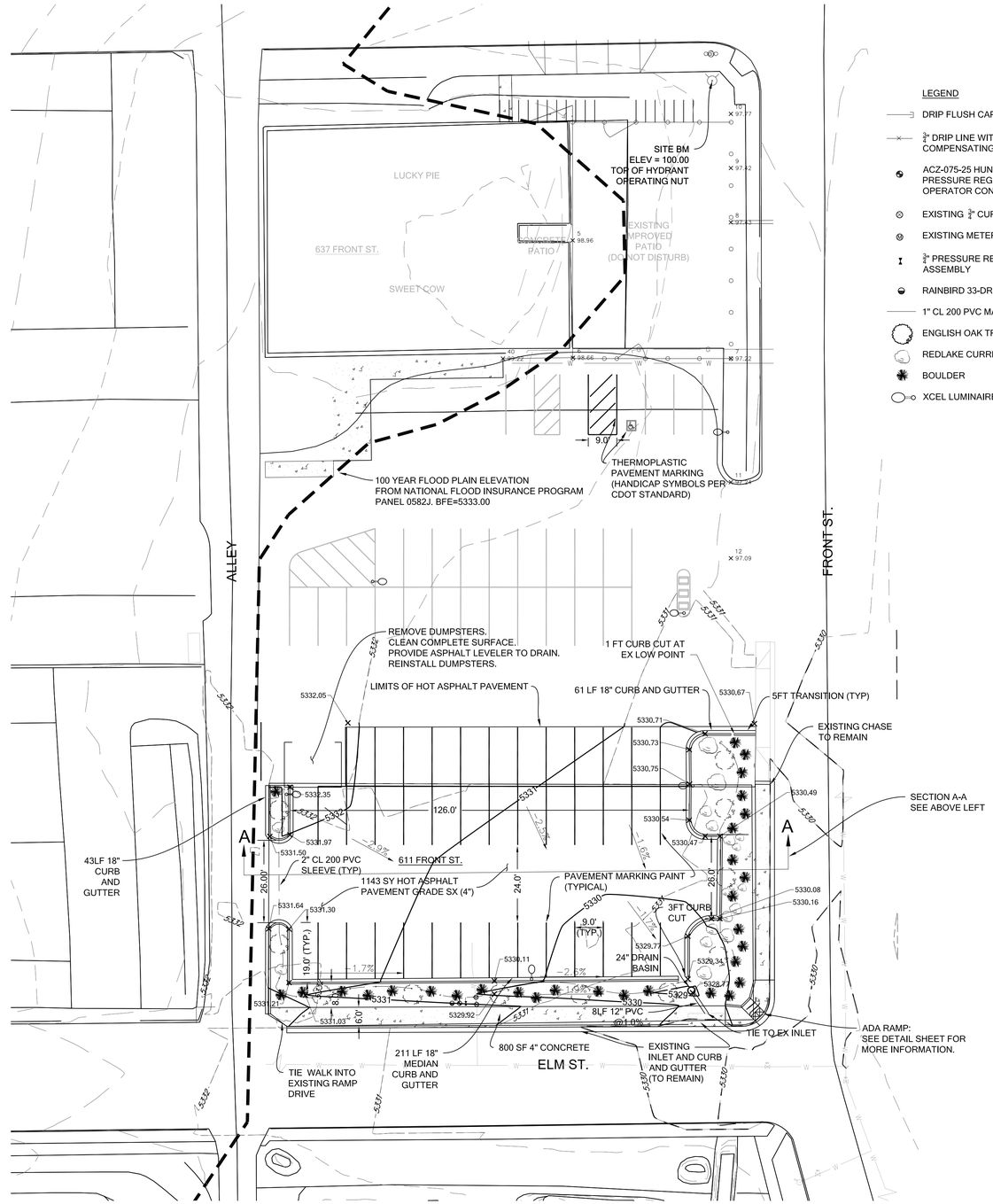


DEMOLITION NOTES:

1. DEMOLISH AND REMOVE EXISTING GARAGE, WOODEN BUILDING AND FOUNDATION, HUTS, CONCRETE SLABS, LIGHT POLES, TREES, ABANDONED PIPES AND OTHER ONSITE MATERIAL.
2. CLEAR AND GRUB.

EXISTING SITE AND DEMOLITION PLAN

CONCRETE ASPHALT



NOTES:

1. CONSTRUCTION SURVEYING (GRADE STAKES) TO BE PROVIDED BY AND COORDINATED BY CITY.

PROPOSED SITE PLAN

CONCRETE

LEGEND

- DRIP FLUSH CAP ASSEMBLY
- ¾" DRIP LINE WITH RAINBIRD XP-10PC PRESSURE COMPENSATING EMITTER
- ACZ-075-25 HUNTER DRIP ZONE ASSEMBLY WITH PRESSURE REGULATOR. AND NODE 100 BATTERY OPERATOR CONTROLLER WITH LATCHING SOLENOID.
- EXISTING ¾" CURB STOP
- EXISTING METER PIT
- ¾" PRESSURE REDUCING BACKFLOW PREVENTION ASSEMBLY
- RAINBIRD 33-DRC QUICK COUPLER VALVE
- 1" CL 200 PVC MAIN LINE
- ENGLISH OAK TREE
- REDLAKE CURRENT SHRUB
- BOULDER
- XCEL LUMINAIRE (BY OTHERS)

N

1" = 20' (HORIZ.)

20' 0 10' 20' 40' 80'

GRAPHIC SCALE IN FEET

City of Louisville
COLORADO - SINCE 1878

DESIGN BY: PWED	
DRAWN BY: EAJ	
CHECKED BY: DWS	
APPROVED BY: DFT	
ISSUE DATE: 4/2012	
REVISIONS:	

611 FRONT STREET PARKING LOT PROJECT
SITE PLAN

SHEET 1 OF 2

G:\CIPS\CIPS_2015\2015 PARKING LOT EXPANSION\DRAWINGS\611 FRONT ST PARKING LOT EX.DWG

AGREEMENT

THIS AGREEMENT is made and entered into this _____day of _____ in the year 2015 by and between:

CITY OF LOUISVILLE, COLORADO
(hereinafter called OWNER)

and

KECI Colorado, Inc.
(hereinafter called CONTRACTOR)

OWNES and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows.

ARTICLE 1. WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

PROJECT: 2015 PARKING LOT EXPANSION PROJECT
PROJECT NUMBER: 042-499-55310-75

ARTICLE 2. CONTRACT TIMES

2.1 The CONTRACTOR shall substantially complete all work by June 1, 2015 and within **20 Contract Days** after the date when the Contract Time commences to run. The Work shall be completed and ready for final payment in accordance with paragraph 14.13 of the General Conditions within **40 Contract Days** after the date when the Contract Times commence to run. The Contract Times shall commence to run on the day indicated in the Notice to Proceed.

2.2 LIQUIDATED DAMAGES. The OWNER and the CONTRACTOR agree and recognize that time is of the essence in this contract and that the OWNER will suffer financial loss if the Work is not substantially complete by the date specified in paragraph 2.1 above, plus any extensions thereof allowed in accordance with the Article 12 of the General Conditions. OWNER and CONTRACTOR also agree that such damages are uncertain in amount and difficult to measure accurately. Accordingly, the OWNER and CONTRACTOR agree that as liquidated damages, and not as a penalty, for delay in performance the CONTRACTOR shall pay the OWNER **ONE THOUSAND DOLLARS ($1,000)** for each and every **Contract Day** and portion thereof that expires after the time specified above for substantial completion of the Work until the same is finally complete and ready for final payment. The liquidated damages herein specified shall only apply to the CONTRACTOR's delay in performance, and shall not include litigation or attorneys' fees incurred by the OWNER, or other incidental or consequential damages suffered by the OWNER due to the CONTRACTOR's performance. If the OWNER charges liquidated damages to the CONTRACTOR, this shall not preclude the OWNER from commencing an action against the CONTRACTOR for other actual harm resulting from the CONTRACTOR's performance, which is not due to the CONTRACTOR's delay in performance.

ARTICLE 3. CONTRACT PRICE

3.1 The OWNER shall pay in current funds, and the CONTRACTOR agrees to accept in full payment for performance of the Work, subject to additions and deductions from extra and/or omitted work and determinations of actual quantities as provided in the Contract Documents, the Contract Price of two hundred thirty eight thousand nine hundred ninety five dollars ($238,995.00) as set forth in the Bid Form of the CONTRACTOR dated April 9, 2015.

As provided in paragraph 11.9 of the General Conditions estimated quantities are not guaranteed, and determinations of actual quantities and classification are to be made by ENGINEER as provided in paragraph 9.10 of the General Conditions. Unit prices have been computed as provided in paragraph 11.9 of the General Conditions.

ARTICLE 4. PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by OWNER as provided in the General Conditions.

4.1 PROGRESS PAYMENTS. OWNER shall make progress payments on the basis of CONTRACTOR's Applications for Payment as recommended by ENGINEER, on or about the third Wednesday of each month during construction as provided below. All progress payments will be on the basis of the progress of the Unit Price Work based on the number of units completed as provided in the General Conditions.

4.1.1.1 Prior to final completion and acceptance, progress payments will be made in the amount equal to 95 percent of the calculated value of completed Work, and/or 95 percent of materials and equipment not incorporated in the Work (but delivered, suitably stored and accompanied by documentation satisfactory to OWNER as provided in 14.2 of the General Conditions), but in each case, less the aggregate of payments previously made and such less amounts as ENGINEER shall determine, or OWNER may withhold, in accordance with paragraph 14.7 of the General Conditions.

If OWNER finds that satisfactory progress is being made in any phase of the Work, it may, in its discretion and upon written request by the CONTRACTOR, authorize final payment from the withheld percentage to the CONTRACTOR or subcontractors who have completed their work in a manner finally acceptable to the OWNER. Before any such payment may be made, the OWNER must, in an exercise of its discretion, determine that satisfactory and substantial reasons exist for the payment and there must be provided to the OWNER written approval from any surety furnishing bonds for the Work.

Nothing contained in this provision shall preclude the OWNER and CONTRACTOR from making other arrangements consistent with C.R.S. 24-91-105 prior to contract award.

4.2 FINAL PAYMENT. Upon final completion and acceptance of the Work in accordance with paragraph 14.13 of the General Conditions, OWNER shall pay the remainder of the Contract Price as provided in said paragraph 14.13 of the General Conditions.

ARTICLE 5. CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

5.1 CONTRACTOR has examined and carefully studied the Contract Documents, (including the Addenda listed in paragraph 6.10) and the other related data identified in the Bidding Documents including "technical".

5.2 CONTRACTOR has inspected the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the Work.

5.3 CONTRACTOR is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and furnishing of the Work.

5.4 CONTRACTOR has carefully studied all reports of exploration and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions relating to surface or subsurface structures at or contiguous to the site (Except Underground facilities) which have been identified in the General Conditions as provided in paragraph 4.2.1 of the General Conditions. CONTRACTOR accepts the determination set forth in paragraph 4.2 of the General Conditions. CONTRACTOR acknowledges that such reports and drawings are not Contract Documents and may not be complete for CONTRACTOR's purposes. CONTRACTOR acknowledges that OWNER and ENGINEER do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Contract Documents with respect to such reports, drawings or to Underground Facilities at or contiguous to the site. CONTRACTOR has conducted, obtained and carefully studied (or assume responsibility for having done so) all necessary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the site or otherwise which may affect cost, progress, performance or furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by CONTRACTOR and safety precautions and programs incident thereto. CONTRACTOR does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the performance and furnishing of the Work at the Contract Price, within the Contract Times and in accordance with the other terms and conditions of the Contract Documents.

5.5 CONTRACTOR has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports, studies or similar information or data in respect of said Underground Facilities are or will be required by CONTRACTOR in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of paragraph 4.3 of the General Conditions.

5.6 CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the site that relates to the Work as indicated in the Contract Documents.

5.7 CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and all additional examinations, investigations, explorations, tests studies and data with the Contract Documents.

5.8 CONTRACTOR has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that CONTRACTOR has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing the Work.

ARTICLE 6. CONTRACT DOCUMENTS

The Contract Documents, which constitute the entire agreement between OWNER and CONTRACTOR concerning the Work, are all written documents, which define the Work and the obligations of the Contractor in performing the Work and the OWNER in providing compensation for the Work. The Contract Documents include the following:

6.1 Invitation to Bid.

6.2 Instruction to Bidders.

6.3 Bid Form.

6.4 This Agreement.

6.5 General Conditions.

6.6 Supplementary Conditions.

6.7 General Requirements.

6.8 Technical Specifications.

6.9 Drawings with each sheet bearing the title: **2015 PARKING LOT EXPANSION PROJECT**

6.10 Change Orders, Addenda and other documents which may be required or specified including:

6.10.1 Addenda No. _0_ to _0_ exclusive
6.10.2 Documentation submitted by CONTRACTOR prior to Notice of Award.
6.10.3 Schedule of Subcontractors
6.10.4 Anti-Collusion Affidavit
6.10.5 Certification of EEO Compliance
6.10.6 Notice of Award
6.10.7 Performance Bond
6.10.8 Labor and Material Payment Bond
6.10.9 Certificates of Insurance
6.10.10 Notice to Proceed
6.10.11 Contractor's Proposal Request
6.10.12 Contractor's Overtime Request
6.10.13 Field Order
6.10.14 Work Change Directive
6.10.15 Change Order
6.10.16 Application for Payment
6.10.17 Certificate of Substantial Completion
6.10.18 Claim Release
6.10.19 Final Inspection Report
6.10.20 Certificate of Final Completion

6.10.21 Guarantee Period Inspection Report

6.11 The following which may be delivered or issued after the Effective Date of the Agreement and are attached hereto: All Written Amendments and other documents amending, modifying, or supplementing the Contract Documents pursuant to paragraphs 3.5 and 3.6 of the General Conditions.

6.12 In the event of conflict between the above documents, the prevailing document shall be as follows:

1. Permits from other agencies as may be required.

2. Special Provisions and Detail Drawings.

3. Technical Specifications and Drawings. Drawings and Technical Specifications are intended to be complementary. Anything shown or called for in one and omitted in another is binding as if called for or shown by both.

4. Supplementary Conditions.

5. General Conditions.

6. City of Louisville Design and Construction Standards.

7. Reference Specifications.

In case of conflict between prevailing references above, the one having the more stringent requirements shall govern.

There are no Contract Documents other than those listed above in this Article 6. The Contract Documents may only be amended, modified or supplemented as provided in paragraphs 3.5 and 3.6 of the General Conditions.

ARTICLE 7. MISCELLANEOUS

7.1 Terms used in this Agreement, which are defined in Article 1 of the General Conditions, shall have the meanings indicated in the General Conditions.

7.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge that assignor from any duty or responsibility under the Contract Documents.

7.3 OWNER and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

ARTICLE 8. OTHER PROVISIONS

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed, initialed or identified by OWNER and CONTRACTOR.

This Agreement will be effective on _____, 2015.

OWNER: CITY OF LOUISVILLE, COLORADO

By: _____
Robert P. Muckle, Mayor

(CORPORATE SEAL)

Attest: _____
Nancy Varra, City Clerk

Address for giving notices:

749 Main Street
Louisville, Colorado
80027

Attention: City Engineer

CONTRACTOR: _____

By: _____

(CORPORATE SEAL)

Attest: _____

Address for giving notices:

_____

_____

_____

SUBJECT: **2016 GOALS**

DATE: **APRIL 21, 2015**

PRESENTED BY: **MALCOLM FLEMING, CITY MANAGER**

SUMMARY:
During the February 10, 2015 City Council goal setting meeting, Council reviewed and suggested edits to staff's draft Program Summary (which includes Programs, Goals, Sub-Programs, Key Indicators and 2016 Potential Contributing Projects). Attachment 1 reflects (in redline font) the changes Council suggested be made to that draft document. Staff asks Council to confirm the attached final draft reflects the programs, goals, sub-programs and key indicators around which staff should organize the 2016 budget.

The list of 2016 Potential Contributing Projects included in the February 10 draft was incomplete and tentative, and included only to provide examples of projects and/or activities that might fit within each Sub-Program. Staff is not asking Council to approve any of these projects at this time; staff will present a list of Proposed Contributing Projects as part of the 2016 Proposed Budget (with capital projects presented during the June 9th Budget Retreat, and all other projects/activities presented in the Proposed Budget on September 15th). Accordingly, Attachments 2 is intended as a summary of the City's Programs, Goals, Sub-Programs and Key Indicators.

Background
Council Members, the public and staff have expressed interest in displaying the City's Budget in a different way—categorized into Programs—in an effort to make it easier to understand the services the City provides and to more effectively communicate the resources (people and funds) used to provide those services. On the other hand, many people (staff, Council Members and the public) are also used to and rely on the way the City's Budget is currently organized—around Funds, Departments, Cost Centers and activities. To address the interest in a Program format, without compromising the familiarity some have with the existing format, we intend to add this Program Summary, along with additional information on program revenues, expenditures, FTEs and performance indicators, as a new section of the budget document. This approach is intended to help serve as an "Executive Summary" that will make it easier to understand—or to understand in a different way—the City's budget.

Budget Calendar
The following are key dates for Council and formal public comments in the budget process:

- **May 5, 2015** – Council Considers 2015 Budget Amendment for Rollovers, New Expenditure Items, and Revenue Adjustments

- **June 9, 2015** – Council Budget Retreat to Refine & Reprioritize 2016 Goals, Discuss Recommended C-I-P, and Revenue Update
- **September 15, 2015** – City Manager's Recommended Budget Presented to City Council at a Regular Meeting (Public Hearing Set)
- **September 22, 2015** – City Council Reviews and Discusses 2015 Goals and Recommended Budget at Study Session (Special Meeting)
- **October 13, 2015** – City Council Reviews and Discusses 2015 Goals and Recommended Budget at Study Session (Special Meeting)
- **October 20, 2015** – City Council Conducts Public Hearing on Revised Recommended Budget
- **November 2, 2015** (Monday) – City Council Considers Resolutions to Adopt the Budget, Appropriate Funds, and Levy Taxes

FISCAL IMPACT:
Depends on direction from Council.

RECOMMENDATION:
Staff asks Council to (1) confirm the marked up draft reflects the programs, goals, sub-programs and key indicators around which staff should organize the 2016 budget, and (2) identify and advise staff of any unavoidable conflicts Council Members may have with the budget calendar and then reserve the key dates to minimize future schedule conflicts.

ATTACHMENTS:
1. Redline Program Summary, Goals, Sub-Programs, Key Indicators and 2016 Potential Contributing Projects showing edits from February 10 Council meeting.
2. Program and Goals Summary

City of Louisville Program Summary, Goals, Sub-Programs, Key Indicators and 2016 Potential Contributing Projects

Programs	Goals	Sub-Programs	Key Indicators	2016 Potential Contributing Projects (Note: Move these to a different worksheet)
Transportation	A safe, well-maintained, effective and efficient multi-modal transportation system at a reasonable cost.	Planning and Engineering	A~~cceptable a~~ccessbility and mobility index, Mode split, % of trip types: regional/local A~~cceptable a~~ccident rates; compliance with OCI and per capita cost policy objectives; measured satisfaction levels; streets, trails plowed and public buildings shoveled within XX hours.	1. Complete South Street Underpass 2. Highway 42 PEL Implementation 3. DDI Complete
		Transportation Infrastructure Maintenance		1. Via Appia Resurfaced 2. 2016 Downtown Booster complete 3. Lucity Asset Management Software, ERP and Cartegraph Permit module fully operational
		Streetscapes		
		Snow & Ice Removal		Improved snow removal with computer controls, storage and ice slicer
Utilities	Ensure s~~S~~afe, reliable, ~~good~~great tasting water; properly treated wastewater; effective stormwater control; successfully managed solid waste; and competitive prices for all services.	Water	Compliance with all regulations; Minimal complaints; Competitive prices; Effective conservation of resources; Measured satisfaction levels.	1. Finish Major Renovations (Pump Station, Chlorine System, Chlorine Contact Tank) to SCWTP 2. Evalaute Water Financial Plan
		Wastewater		Substantial Completion of WWTP
		Stormwater		Complete Citywide Drainage Asset Management Plan
		Solid Waste, Recycling and Composting		
Public Safety & Justice	Police and other City staff working with the community to help ensure safety; ~~and to~~ satisfy residents' expectations that individuals observe the City's Municipal Code and State Law; and t~~T~~he justice system is fair, effective and efficient.	Patrol and Investigation	Everyone knows their neighbors; Low crime and Code violation rates; Measured satisfaction levels.	1. Evaluate shared services options for law enforcement and communications 2. Consider Body Cams for Police Officers
		Code Enforcement		
		Municipal Court		
Parks	Provide ~~Beautiful,~~well-maintained parks and landscaped areas that are easy to walk to and enjoyable to visit or see; sports facilities that are fully used and properly maintained; and a suitable final resting place that ~~is not a financial burden on the City~~meets community needs.	Parks	Maintained to established criteria; Maintain tree inventory; Moving to desired level of tree diversity; Stable or declining cost per acre; Measured satisfaction levels.	1. Implement Wayfinding 2. Implement ADA playground replacements
		Forestry		
		Horticulture		
		Cemetery		
Open Space & Trails	Acquire candidate properties as they become available and preserve, enhance and maintain ~~N~~native plants, wildlife, wildlife and plant habitat, cultural resources, agriculture and scenic vistas and appropriate passive recreation.	~~Open Space~~Acqusition	Maintained to established criteria; Cost per acre and per mile; Measured satisfaction levels; Productive relationships with owners of candidate properties.	
		Maintenanace and Management		Eradicate List A Noxious Weeds
		Education and Outreach		Train with PD on Comprehensive Coyote Mgt Plan
		Trail Maintenance		
		New Trails		Implement Wayfinding
Recreation	Promote the physical, mental and social well-being of residents and visitors through a~~A~~ broad range of high-quality, reasonably priced recreation and leisure activities for people all ages, interests and ability levels.	Youth Activities	~~Good p~~Participation rates; Fees reflect adopted cost recovery; Facilities maintained to established criteria; Measured satisfaction levels.	Submit proposed Tax Measure to voters for Recreation/Senior Center expansion and/or new aquatics center
		Adult Activities		
		Senior Activities and Services		
		Aquatics		
		Golf Course		1. Revenue positive 2. Restroom on back 9 in CIP

Programs	Goals	Sub-Programs	Key Indicators	2016 Potential Contributing Projects (Note: Move these to a different worksheet)
Cultural Services	Provide s~~S~~ervices, facilities and activities that inform, involve, engage and inspire the community and preserve the community heritage.	Library Services	Good participation; Relevant, accessible materials; Measured satisfaction levels.	1. Increase collaborations with schools 2. Migrate to the new platform for the library's Integrated Library Sustem 3. Implement newly expanded Flatiorns Library Consortium 501 c(3)
		Museum Services		1. Augment online access to historic Louisville photos and documents 2. Complete Historic Structure Assessments on Tomeo House and the Jacoe Store
		Cultural Arts & Special Events		
Community Design	Sustain a~~A~~n inclusive, family-friendly~~, walkable~~ community with a small-town atmosphere; effective and efficient building services; and effective preservation of the City's histor~~y~~ic structures through a~~n incentive based~~ voluntary system.	Community Design	Measured satisfaction levels; Wakability index; Code compliance; Fees reflect costs; Achievement of preservation goals.	1. Small area plan implementation (public infrastructure, rezoning, and design guidelines) 2. Initiate and implement 1st neighborhood plan 3. Update CMRS administrative policy for public buidlings 4. Develop affordable housing policy
		Development Review		Adopt 2015 International Building Codes
		Historic Preservation		Implement specific historic preservation surveys idenitified in Historic Preservation Master Plan
Economic Prosperity	Promote a~~A~~ thriving business climate that provides ~~good~~ jobs ~~for residents~~ opportunities, facilitates investment and ~~establishes~~ produces reliable revenue to support city services	Business ~~Facilitation~~Retention and Development	Vacancy rate; jobs per capita; Resident filled jobs; Sales, construction, and consumer use tax revenue; Building Investment; Economic indicators and trends.	1. Downtown improvements to help faciliate connections in and around downtown 2. Design additional connection to CTC 3. Sam's Club redevelopment
		Urban Renewal		Infrastructure improvements to support additional investment
Administration & Support Services	Ensure i~~I~~nclusive, responsive, transparent, friendly, fiscally responsible, effective and efficient governance, administration and support.	Governance & Administration	Measured external and internal satisfaction levels; Participation rates; Comparison to established benchmark performance indicators and accomplishment of contributing projects/goals.	1. Assess Facilities/Maintenance Level of Service 2. Pursue shared services oportunites/capital
		Public Information & Involvement		Citizen Survey
		City Clerk/Public Records		
		Legal Support		
		Human Resources & Organizational Development		1. Train supervisors on ERP system 2. Adopt organizational succession plans for each Department
		Finance, Accounting & Tax Administration		1. In 2016 plan 2 year budget overview for 2017/18 with annual approval
		Information Technology		Complete ERP Implementation
		Sustainability		
		Facilities Maintenance		
		Fleet Maintenance		

City of Louisville Programs, Goals, Sub-Programs, and Key Indicators

Programs	Goals	Sub-Programs	Key Indicators
Transportation	A safe, well-maintained, effective and efficient multi-modal transportation system at a reasonable cost.	Planning and Engineering	Accessbility and mobility index, Mode split, % of trip types: regional/local Accident rates; compliance with OCI and per capita cost policy objectives; measured satisfaction levels; streets, trails plowed and public buildings shoveled within XX hours.
		Transportation Infrastructure Maintenance	
		Streetscapes	
		Snow & Ice Removal	
Utilities	Ensure safe, reliable, great tasting water; properly treated wastewater; effective stormwater control; successfully managed solid waste; and competitive prices for all services.	Water	Compliance with all regulations; Minimal complaints; Competitive prices; Effective conservation of resources; Measured satisfaction levels.
		Wastewater	
		Stormwater	
		Solid Waste, Recycling and Composting	
Public Safety & Justice	Police and other City staff working with the community to help ensure safety; satisfy residents' expectations that individuals observe the City's Municipal Code and State Law; and the justice system is fair, effective and efficient.	Patrol and Investigation	Everyone knows their neighbors; Low crime and Code violation rates; Measured satisfaction levels.
		Code Enforcement	
		Municipal Court	
Parks	Provide well-maintained parks and landscaped areas that are easy to walk to and enjoyable to visit or see; sports facilities that are fully used and properly maintained; and a suitable final resting place that meets community needs.	Parks	Maintained to established criteria; Maintain tree inventory; Moving to desired level of tree diversity; Stable or declining cost per acre; Measured satisfaction levels.
		Forestry	
		Horticulture	
		Cemetery	
Open Space & Trails	Acquire candidate properties as they become available and preserve, enhance and maintain native plants, wildlife, wildlife and plant habitat, cultural resources, agriculture and scenic vistas and appropriate passive recreation.	Acqusition	Maintained to established criteria; Cost per acre and per mile; Measured satisfaction levels; Productive relationships with owners of candidate properties.
		Maintenanace and Management	
		Education and Outreach	
		Trail Maintenance	
		New Trails	

Programs	Goals	Sub-Programs	Key Indicators
Recreation	Promote the physical, mental and social well-being of residents and visitors through a broad range of high-quality, reasonably priced recreation and leisure activities for people all ages, interests and ability levels.	Youth Activities	Participation rates; Fees reflect adopted cost recovery; Facilities maintained to established criteria; Measured satisfaction levels.
		Adult Activities	
		Senior Activities and Services	
		Aquatics	
		Golf Course	
Cultural Services	Provide services, facilities and activities that inform, involve, engage and inspire the community and preserve the community heritage.	Library Services	Good participation; Relevant, accessible materials; Measured satisfaction levels.
		Museum Services	
		Cultural Arts & Special Events	
Community Design	Sustain an inclusive, family-friendly community with a small-town atmosphere; effective and efficient building services; and effective preservation of the City's historic structures through a voluntary system.	Community Design	Measured satisfaction levels; Wakability index; Code compliance; Fees reflect costs; Achievement of preservation goals.
		Development Review	
		Historic Preservation	
Economic Prosperity	Promote a thriving business climate that provides job opportunities, facilitates investment and produces reliable revenue to support city services.	Business Retention and Development	Vacancy rate; jobs per capita; Resident filled jobs; Sales, construction, and consumer use tax revenue; Building Investment; Economic indicators and trends.
		Urban Renewal	
Administration & Support Services	Ensure inclusive, responsive, transparent, friendly, fiscally responsible, effective and efficient governance, administration and support.	Governance & Administration	Measured external and internal satisfaction levels; Participation rates; Comparison to established benchmark performance indicators and accomplishment of contributing projects/goals.
		Public Information & Involvement	
		City Clerk/Public Records	
		Legal Support	
		Human Resources & Organizational Development	
		Finance, Accounting & Tax Administration	
		Information Technology	
		Sustainability	
		Facilities Maintenance	
		Fleet Maintenance	

City of Louisville
COLORADO • SINCE 1878

CITY COUNCIL COMMUNICATION
AGENDA ITEM 8H

SUBJECT: **ORDINANCE NO. 1689, SERIES 2015 – AN ORDINANCE REPEALING AND REENACTING CHAPTER 14.16 OF THE LOUISVILLE MUNICIPAL CODE REGARDING SPECIAL EVENT PERMITS - 1st READING – Set Public Hearing 05/05/2015**

DATE: **APRIL 21, 2015**

PRESENTED BY: **MEREDYTH MUTH, PUBLIC RELATIONS MANAGER**

SUMMARY:
In 2014, City staff updated the special event permitting process to address the increase in event requests in the City and concerns from residents. Adopting the attached ordinance would amend the Louisville Municipal Code (LMC) to clarify and codify the *existing* permitting requirements applicable to special events. Among other things, it clarifies the criteria for denying or revoking a special event permit, as well as the process for appealing those actions. The ordinance includes the following highlights:

- *Criteria for denial:* The ordinance includes specific criteria that would constitute grounds for denying a permit, including interference with scheduled construction or maintenance work, failure to provide complete information after being notified that additional information is required, conflicts with other already permitted special events, diversion of so many police officers that it would prevent normal protection to the rest of the City, and other factors.
- *Revocation*: The ordinance establishes criteria under which a permit may be revoked or an event terminated. Those criteria include "immediate danger to the health, safety or welfare of the participants or public" or noncompliance with the conditions of the permit.
- *Appeal Process:* The ordinance sets up an appeal process to the City Manager in the case of a denied permit. As the City Manager will hear appeals, the Deputy City Manager or her designee will be the signatory of the permits.

FISCAL IMPACT:
None. Enacting this ordinance would codify the City's current practices.

RECOMMENDATION:
Approve Ordinance No. 1689, Series 2015 on 1st reading and set the 2nd reading and public hearing for May 5, 2015.

ATTACHMENT(S):
1. Ordinance No. 1689, Series 2015
2. Link to Special Event Permit Application

ORDINANCE NO. 1689
SERIES 2015

AN ORDINANCE REPEALING AND REENACTING CHAPTER 14.16 OF THE LOUISVILLE MUNICIPAL CODE REGARDING SPECIAL EVENT PERMITS

WHEREAS, the City has seen an increase in requests for various types of special events to be held in City; and

WHEREAS, the City Council desires to amend the Louisville Municipal Code to adopt policies and procedures for the issuance of permits for special events conducted in the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Chapter 14.16 of the Louisville Municipal Code is hereby repealed and reenacted to read as follows:

Chapter 14.16

Special Event Permits

Sec. 14.16.010 Purpose.
Sec. 14.16.020 Definitions.
Sec. 14.16.030 Permit required.
Sec. 14.16.040 Permit application.
Sec. 14.16.050 Criteria for denial.
Sec. 14.16.060 Issuance.
Sec. 14.16.070 Conditions.
Sec. 14.16.080 Insurance.
Sec. 14.16.090 Duties of permittee.
Sec. 14.16.100 Revocation.
Sec. 14.16.110 Appeal.
Sec. 14.16.120 No rights conferred.

Sec. 14.16.010 Purpose.

This Chapter establishes standards for the issuance of permits for special events in the City.

Sec. 14.16.020 Definitions.

The following words and phrases, whenever used in this Chapter, shall have the following meanings:

"Deputy City Manager" means the Deputy City Manager or his or her designee.

"Public right-of-way" means any street, road, sidewalk, alleyway, bike or pedestrian trail or path, or any other right-of-way owned by the City.

"Special event" means an organized procession or assembly of twenty-five (25) or more people: (1) requiring the exclusive use of all or a portion of a public right-of-way, public park, open space, trail, recreation area or other City facility; (2) involving the temporary closure of public rights-of-way; (3) requiring traffic control; or (4) creating a public safety hazard. Examples of special events include but are not limited to, festivals, celebrations, carnivals, concerts, races, parades, fundraisers, fairs, camps and other similar activities.

Sec. 14.16.030 Permit required.

Any person or organization desiring to conduct a special event in the City shall first obtain a permit from the Deputy City Manager.

Sec. 14.16.040 Permit application.

A. Any person or organization desiring to conduct a special event in the City shall apply for a permit by filing an application with the City Manager's Office on a form supplied by the City.

B. At a minimum, the application shall include the following information:

1. The applicant's name, address and phone number;

2. The date and time of the special event, including the estimated set-up period, start time, end time and estimated break-down and clean up period;

3. A site plan, showing the proposed location of the special event, including a detailed map of the route, if applicable;

4. The nature of the event;

5. The estimated number of participants and animals, if any;

6. The estimated number of vehicles;

7. A clean-up plan;

8. A description of amplified noise, if any;

9. A statement as to whether the event will involve hazardous, combustible or flammable materials and, if so, the safeguards planned; and

10. Any other information requested by the Deputy City Manager relevant to either the criteria set forth in Section 14.16.050 or the possible conditions that may be imposed pursuant to Section 14.16.070 that will aid the Deputy City Manager in deciding whether to issue the special event permit and under what conditions.

C. Applications for special event permits shall be accompanied by applicable fees for the special event, which fees shall be set from time to time by resolution of the City Council.

D. Unless such time period is waived by the Deputy City Manager, applications shall be submitted not less than sixty (60) days nor more than one (1) year before the special event. The Deputy City Manager shall, upon a showing of good cause, consider an application that is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain necessary police services for the event. Good cause may be demonstrated by a showing that the circumstance that gave rise to the application did not reasonably allow the applicant to file within the time prescribed. If the Deputy City Manager refuses to consider a late application, the applicant may appeal such decision.

Sec. 14.16.050 Criteria for denial.

A. The Deputy City Manager shall approve an application and issue a special event permit unless the Deputy City Manager determines, upon consideration of the application and other pertinent information that:

1. Information contained in the application or supplemental information obtained from the applicant is found to be false in any material detail;

2. The applicant has failed to complete the application after having been notified of any additional information or documents required;

3. Another special event permit has already been issued, or an application has been received prior in time, to hold another event on the same date and time or so close in time and place as to cause undue traffic congestion, or as to burden the City's ability to meet the needs of police, fire or other emergency services to the remainder of the City;

4. The time, route, size, nature or location of the special event will substantially interrupt the safe and orderly movement of traffic on or

contiguous to the event site or route or will disrupt the use of a public right-of-way at a time when it is usually subject to traffic congestion;

5. The size or nature of the special event will require diversion of so great a number of police officers to ensure that participants stay within the boundaries or route of the event or to protect participants in the event, as to prevent normal protection to the rest of the City; provided that nothing herein authorizes denial of a permit because of the need to protect participants from the conduct of others, if reasonable permit conditions can be imposed to allow for protection of participants with the number of police officers available to police the event;

6. The location of the event will substantially interfere with any construction or maintenance work scheduled to take place on or near a public right-of-way;

7. The special event will occur at a time when a school is in session on a route or at a location adjacent to the school or class thereof, and the noise created by the activities of the event would substantially disrupt the educational activities of the school or class;

8. The special event involves the use of hazardous, combustible or flammable materials which could create a fire hazard;

9. The event, as described in the application, would violate any applicable law;

10. The applicant has failed to pay costs, fees or deposits for any previous special event permit; or

11. The applicant has failed to abide by terms or conditions of any previous special event permit.

B. When grounds for denial of an application can be corrected by altering the date, time, duration, route or location of the special event, the Deputy City Manager shall, instead of denying the application, conditionally approve the application upon the applicant's acceptance of appropriate corrective conditions or by making other reasonable modifications to the special event.

C. In the event that more than one application is received for one park, building, street, right-of-way, or recreation facility for use on the same day, the Deputy City Manager shall first act upon the application first received; provided, however, that in considering two or more special event applications for the same location on the same date, the following priorities shall be followed:

1. Uses sponsored or cosponsored by the City;

2. Uses sponsored by the school district of the City, Chamber of Commerce, or Downtown Business Association;

3. Groups composed primarily of City residents;

4. Groups composed primarily of nonresidents.

Sec. 14.16.060 Issuance.

Upon submission of a complete application for the special event permit, the Deputy City Manager shall consider the applicable criteria and approve, approve with conditions or deny the application. If the application is denied, the Deputy City Manager shall inform the applicant in writing of the grounds for denial. If the application is approved, the Deputy City Manager shall issue the special event permit, including any conditions.

Sec. 14.16.070 Conditions.

The Deputy City Manager may impose reasonable conditions on any special event permit necessary to protect the safety of persons and property and the control of traffic, including but not limited to:

1. Alteration of the date, time, duration, frequency, route or location of the special event;

2. Conditions concerning the area of assembly and disbanding of parades or other events occurring along the route;

3. Conditions concerning accommodation of available parking or pedestrian or vehicular traffic, including restricting the event to only a portion of a public right-of-way;

4. Requirements for the use of traffic cones, barricades or other traffic control devices to be provided, placed and removed by the permittee at its expense;

5. Requirements for arrangement of fire protection or law enforcement personnel to be present at the event at the permittee's expense;

6. Requirements for provision of emergency access and first aid;

7. Requirements for use of event monitors and providing notice of permit conditions to event participants;

8. Requirements for provision of sanitary facilities;

9. Restrictions on the number and type of vehicles, animals or structures at the event and inspection and prior approval of floats, structures and decorated vehicles for fire safety;

10. Requirements for use of trash receptacles, cleanup and restoration of property;

11. Restrictions on use of amplified sound;

12. A requirement that notice be provided to the property owners of property adjacent to any affected public property;

13. Compliance with any applicable law and obtaining any other legally required permits or licenses;

14. Designation of a contact person with decision-making authority who will be continuously available to law enforcement personnel and present at the event;

15. Approval of the special event permit by the City's Parks and Recreation Department, Public Works Department and Planning Department; and

16. Approval of the special event permit by the Louisville Police Department and the Louisville Fire Protection District.

Sec. 14.16.080 Insurance.

In addition to any other conditions allowed by Section 14.16.070, the Deputy City Manager may require the applicant to possess liability insurance to protect against loss from liability imposed by law for damages for bodily injury or property damage arising from the special event. The Deputy City Manager shall determine whether to require such insurance and the amount of insurance that shall be required, based upon the considerations routinely taken into account by the City in evaluating loss exposures, including without limitation, whether the event poses a substantial risk of damage or injury to the attendees, the anticipated number of participants, the nature of the event and activities involved and the physical characteristics of the proposed site or route. Such insurance shall name the City, its officers, employees and agents as additional insureds.

Sec. 14.16.090 Duties of permittee.

A. The permittee shall comply with all terms and conditions of the special event permit.

B. The permittee shall ensure that the person leading or in charge of the event is familiar with every provision of the special event permit and carries the special event permit on his or her person for the duration of the special event.

C. Immediately following the completion of the special event, the permittee shall ensure that the area used for the special event is cleaned and restored to the same condition as existed prior to the event. If the property used for the event has not been properly cleaned or restored, the permittee shall be required to reimburse the City for any costs incurred by the City to restore the area.

Sec. 14.16.100 Revocation.

A. The Deputy City Manager may, at any time prior to a special event, revoke or terminate a permit that has been issued for the event if conditions change so that the permit application could have been denied in the first instance.

B. The Deputy City Manager, Director of Parks and Recreation, Chief of Police, Director of Public Works or their designee may revoke the permit and terminate the special event during the course of the event if continuation of the event presents an immediate danger to the health, safety or welfare of the participants or public.

C. The Deputy City Manager, Director of Parks and Recreation, Chief of Police, Director of Public Works or their designee may revoke the permit and terminate the special event during the course of the event for noncompliance with any term or condition of the permit.

Sec. 14.16.110 Appeal.

A. Any decision of the Deputy City Manager under this Chapter may be appealed to the City Manager by filing a written notice of appeal, setting forth the grounds for appeal, within five (5) days after the decision.

B. The City Manager shall hold a hearing following the filing of such appeal at the office of the City Manager. The hearing must be held within two weeks of the date of the filing of such appeal, at which time the applicant may present any and all evidence, testimony and information relevant to the application. The City Manager, shall, within 24 hours of the appeal hearing, issue his decision either affirming the denial of the application or directing the Deputy City Manager to issue a permit as applied for, subject to the reasonable terms and conditions as outlined in this chapter.

Sec. 14.16.120 No rights conferred.

This Chapter grants no rights to and creates no property or other legal interest in any person or organization. The City retains full control over City-owned property and may at its sole and exclusive discretion issue, issue with conditions or deny a special event permit.

Section 2. If any 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED IN FULL this 21st day of April, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

APPROVED AS TO FORM:

_____
Light Kelly, P.C.

City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this 5th day of May, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

SUBJECT: **ORDINANCE NO. 1690, SERIES 2015 - AN ORDINANCE AMENDING SECTION 2.32.060 OF THE LOUISVILLE MUNICIPAL CODE REGARDING THE COLLECTION OF MUNICIPAL COURT ASSESSMENTS – 1st Reading – Set Public Hearing 05/05/2015**

DATE: **DATE: APRIL 21, 2015**

PRESENTED BY: **NANCY VARRA, CITY CLERK**

SUMMARY:
This ordinance is at the request of Municipal Court Judge Joss, who has expressed the need for a collection agency to collect unpaid parking tickets.

Pursuant to the Louisville Municipal Code, parking tickets are non-criminal and are defined as parking infractions, which are civil matters. As such, the court may only impose fines and no imprisonment or arrest warrants are allowed.

Section 10.04.070(A): When a defendant fails to pay a fine for a parking ticket, the Court may take the following actions as allowed by Section 10.04.070(C):

1) Where 3 more unpaid tickets are outstanding for a vehicle, issue a contempt citation requiring the defendant to appear in court;
2) If 3 or more unpaid tickets are outstanding, the vehicle may be towed or booted;
3) An unpaid fine may be reduced to a civil judgment by Order of the Court and collected as a civil judgment; and
4) The municipal court is authorized to establish additional procedures for collection of fines.

Because there are not any adequate or effective procedures for collection of unpaid parking fines, the Court has adopted the attached Policy For Unpaid Parking Tickets pursuant to Sections 10.04.070(B) and (C)(4). Recent statistics on unpaid parking tickets reflect the following: In calendar year 2014, 344 parking tickets were issued, an increase of 89% over 2013. In 2014 there was $990.00 in unpaid parking tickets. Year to date, in 2015, 104 parking tickets have been issued and $380.00 of unpaid parking fines are past due.

The proposed collection process is as follows: If a defendant fails to pay a parking ticket by the court date on the ticket, a letter is sent to the defendant by the court clerk adding a $15 late fee to the fine amount, requesting payment of the total amount within 30 days, and notifying the defendant that if the total amount due is not paid within that time period, the matter will be referred to a collection agency and an additional 25% fee added to the total amount due. If the defendant fails to pay, the account is sent to collection. The collection agency adds 25% of the total due as its fee and is then solely

responsible for collection of the amount due. Collected funds are sent to the court on a monthly basis.

FISCAL IMPACT:
The Court will have the ability to collect unpaid parking fines without spending any additional resources or staff time.

RECOMMENDATION:
Staff recommends the City Council approve Ordinance No. 1690, Series 2015 on first reading and set a public hearing for May 5, 2015.

ATTACHMENT(S):
1) Ordinance No. 1690, Series 2015
2) Louisville Municipal Court Policy for Unpaid Parking Tickets.
3) Collection Services Agreement

ORDINANCE NO. 1690
SERIES 2015

AN ORDINANCE AMENDING SECTION 2.32.060 OF THE LOUISVILLE MUNICIPAL CODE REGARDING THE COLLECTION OF MUNICIPAL COURT ASSESSMENTS

WHEREAS, the City has situations where defendants fail to pay fines, costs, fees and judgments assessed against them by the Louisville Municipal Court, and there is a loss of revenue from such defendants' failure to comply with Municipal Court orders; and

WHEREAS, these unpaid assessments constitute debts to the City, which the City is authorized to collect by any lawful means; and

WHEREAS, the City Council desires to amend the Louisville Municipal Code to expressly authorize the Municipal Judge, City Manager or a designee to utilize lawful means to collect unpaid Municipal Court assessments and to assess reasonable costs of collection.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Section 2.32.060 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are shown in ~~strikeout~~; words to be added are underlined):

2.32.060 Fines and penalties and court costs.

The municipal judge in his discretion may assess costs against any defendant who pleads guilty or nolo contendere or who enters into a plea agreement or who, after trial, is found guilty of an ordinance violation, such costs not to exceed $100.00 for trial to the court and $200.00 for trial by jury. The municipal judge, city manager, or a designee, is authorized to use any lawful method of collecting fines, fees, default judgments, personal recognizance bond forfeitures, civil penalties, or any other unpaid amounts due from any person assessed such sums by the Municipal Court, including court costs, surcharges and the reasonable costs of collection. Reasonable costs of collection shall include, without limitation, the fees and costs of a collection agency or counsel, but such fees and costs shall not exceed twenty-five percent of the unpaid amount.

Section 2. If any 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this _____ day of _____, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

APPROVED AS TO FORM:

_____
Light | Kelly, P.C.
City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this _____ day of _____, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

Louisville Municipal Court
Policy for Unpaid Parking Tickets

The policy/procedures for unpaid parking tickets shall be as follows:

1. Should Defendant not pay or not appear by the date set on the parking ticket a letter will be sent to Defendant with an added $15.00 late fee.

2. The Defendant will be given an additional 30 days (from original Court date) to pay the new fine, including the late fee.

3. This letter will also indicate if payment is not received the matter will be sent to a collection agency for final action.

4. If the Defendant fails to pay the total due by the extension date, the amount due will be assigned to a collection agency.

5. Once the collection agency has been given the delinquent account the Louisville Municipal Court shall no longer be able to accept payment from the Defendant.

6. The collection agency will be solely responsible for collection of monies owed to the Louisville Municipal Court and will remit collected fines to the Court on a monthly basis.

Dated 3-16-15

By: _____
Municipal Court Judge

Unpaid Parking ticket Policy 3-06-15

COLLECTION SERVICES AGREEMENT

THIS COLLECTION SERVICES AGREEMENT ("Agreement") is entered into this _____the day of _____, 2015 ("Effective Date"), by the City of Louisville on behalf of the Municipal Court of the City of Louisville ("Municipal Court"), and Integral Recoveries, Inc., a corporation organized under the laws of the State of Colorado ("Agency").

The parties agree as follows:

1. Scope of Services. Agency will provide Municipal Court with collection services consisting of Agency's normal collection activities, including, without limitation, correspondence and communications between Agency and the debtor and credit reporting, as deemed appropriate by Agency and agreed to by Municipal Court. Agency will provide services as an independent contractor and not as an employee of Municipal Court. As an independent contractor, neither Agency, its employees nor its agents are entitled to workers' compensation benefits except as may be provided by the Agency nor to unemployment insurance benefits unless unemployment compensation coverage is provided by Agency or some other entity. Agency is obligated to pay all federal and state income tax on any moneys earned or paid pursuant to this contract. Services will commence immediately upon Municipal Court's assignment of a debtor's account ("Account") to Agency.

2. Recovery and Agency Fee. The Account will specify the Judgment Amount (the amount due the court for fines, fees, costs, surcharges and restitution). Agency may seek to recover and may recover from the debtor an amount not greater than one hundred twenty-five percent (125%) of the Judgment Amount. Agency will provide a monthly remittance to the City on or about the 15th of each month for eighty percent of all monies recovered in the previous calendar month, retaining twenty percent for its fee. The monthly remittance will list each specific account, the total amount collected from each account, and the amount remitted for each account.

3. Term. This Agreement will commence on the Effective Date and will continue for 3 years. The parties may agree, in writing to extend the term. However, either party may terminate this Agreement by giving thirty days' written notice. Upon expiration of the Term or termination by notice, the parties may agree that Agency may continue collecting on those Accounts previously assigned to Agency under the same terms as set forth in this Agreement until those Accounts are closed or are cancelled. The parties hereto do not intend this Agreement to be a multiple fiscal year financial obligation within the meaning of Article X, Section 20 of the Colorado Constitution, and this Agreement shall be interpreted so as to avoid any such meaning. The parties therefore agree that all obligations of the City to make payment under this Agreement are subject to annual appropriation by the City Council.

4. Manner of Assignment. Assignment of an Account will be effective as the date Municipal Court submits the Account to Agency. Within fifteen working days of Agency's receipt of an assignment, Agency must submit a written acknowledgment of assignment to Municipal Court. If Municipal Court does not receive the acknowledgment within that fifteen day period, Municipal Court may withdraw that Account from Agency. After an assignment of an Account

to Agency, Municipal Court will refrain from contacting the debtor for collection purposes and will refer all matters concerning collection to Agency for the duration of the period of assignment, unless Municipal Court cancels the Account as provided below.

5. Cancellation of Accounts. Accounts previously assigned to Agency for collection will be cancelled prior to the expiration of the period of collection if: (a) Municipal Court withdraws an Account, by notice to Agency in writing; (b) Agency ceases collection efforts on an Account it considers not collectable; or (c) the debtor files for bankruptcy and Municipal Court directs Agency to take no further action after Agency informs Municipal Court and the Office of the City Attorney, in writing, of the filing for bankruptcy.

6. Standards of Agency Performance. Agency agrees to maintain the following minimum standards of operation and performance during the term of this Agreement and to provide proof of compliance upon request by Municipal Court:

a. Maintain proper licensing and bonding as required by law
b. Adhere to the provisions of all applicable laws, ordinances and regulations, including the Federal Fair Debt Collection Practices Act, the Colorado Fair Debt Collection Practices Act and the Fair Credit Reporting Act.
c. Agency's professional services shall be in accordance with the prevailing standard of practice normally exercised in the performance of services of a similar nature in the Denver metropolitan area.

7. Audits. Municipal Court has the right to audit the accounts assigned to Agency at any time upon advance written notice.

8. Litigation. No court action will be instituted for collection of Accounts by Agency without prior written authorization from Municipal Court.

9. Progress Reports. Agency will provide Municipal Court with written reports relating to collection activities, collection totals, dates of collection, and specific accounts when requested by Municipal Court.

10. Payment Remittance. By the 15th day of each month, Agency will provide Municipal Court with a billing of amounts collected during the previous month.

11. Governing Law: Venue. This Agreement will be construed in accordance with the laws of the State of Colorado, the Louisville Municipal Code, and City ordinances, resolutions and policies.

12. Indemnification. Agency releases the City of Louisville and agrees to fully protect, defend, indemnify, and hold harmless the City of Louisville, its elected and appointed officers, employees, agents and representatives from and against any and all losses, claims of personal injury, loss, death or property damage, and any other causes of action, costs and expenses,

including attorney's fees, or liability of any nature arising out of or related to Agency's performance under this agreement.

Section 13. Insurance.

1. Agency shall at its own expense be required to keep in full force and effect during the term of this Agreement:

    a. Workers' Compensation insurance as required by the Labor Code of the State of Colorado and Employers Liability Insurance. Evidence of qualified self-insured status may be substituted.

    b. General Liability insurance with minimum combined single limits of ONE MILLION DOLLARS ($1,000,000) each occurrence and ONE MILLION DOLLARS ($1,000,000) aggregate.

2. Agency's general liability insurance shall be endorsed to include the City, and its elected and appointed officers and employees, as additional insureds, unless the City in its sole discretion waives such requirement. Every policy required above shall be primary insurance, and any insurance carried by the City, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Agency. Such policies shall contain a severability of interests provision. Agency shall be solely responsible for any deductible losses under the required policies.

3. Certificates of insurance shall be provided by Agency as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject to review and approval by the City. No required coverage shall be cancelled, terminated or materially changed until at least 30 days prior written notice has been given to the City. The City reserves the right to request and receive a certified copy of any policy and any endorsement thereto.

4. Agency shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to secure liability insurance or by reason of its failure to secure insurance in sufficient amounts of sufficient durations, or sufficient types to cover such liability.

14. No Third Party Beneficiaries; No Assignment. This Agreement is intended to be solely for the benefit of the parties and their respective successors and permitted assigns, and this Agreement will not otherwise be deemed to confer upon or give to any other person or entity any remedy, claim, cause of action or other right. Agency shall not assign or delegate this Agreement or any portion thereof, or any monies due to or become due hereunder without the City's prior written consent.

15. Work by Illegal Aliens Prohibited. Exhibit A, the "City of Louisville Public Services Contract Addendum-Prohibition Against Employing Illegal Aliens", is attached hereto and incorporated herein by reference. There is also attached hereto a copy of Consultant's Pre-Contract Certification which Consultant has executed and delivered to the City prior to Consultant's execution of this Agreement.

16. Notices and other Communications. Any notice or other communication given or made under this Agreement must be in writing and sent by courier mail, with return receipt, or a copy may also be sent by facsimile or other electronic means. Any notice or other communication will be addressed as follows and, if so addressed, will be effective upon actual receipt.

If to Agency:

Integral Recoveries, Inc.
Jeffrey Slack, Director of Client Development
750 W. Hampden Avenue, Suite 501
Englewood, CO 80110

If to Municipal Court:

Louisville Municipal Court
c/o Municipal Court Clerk
992 West Via Appia
Louisville, CO 80027
Fax: 303-335-4690

17. Non-Waiver: The failure of either party to insist, in any one or more instances, upon strict performance of any of the provisions of this Agreement will continue and remain in full force and effect.

18. Entire Agreement: This written Agreement constitutes the entire agreement and understanding of the parties and supersedes all prior offers, negotiations, and other agreements of any kind. There are no representations or understandings not set forth in this Agreement.

CITY OF LOUISVILLE

BY:_____
Robert Muckle, Mayor

Date:_____

ATTEST

_____
Nancy Varra, City Clerk

INTEGRAL RECOVERIES, INC

BY:_____
Jeffrey Slack
Director of Client Development
Integral Recoveries, Inc.

Date:_____

Exhibit A

City of Louisville Public Services Contract Addendum
Prohibition Against Employing Illegal Aliens

Prohibition Against Employing Illegal Aliens. Contractor shall not knowingly employ or contract with an illegal alien to perform work under this contract. Contractor shall not enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract.

Contractor will participate in either the E-verify program or the Department program, as defined in C.R.S. § § 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the public contract for services. Contractor is prohibited from using the E-verify program or the Department program procedures to undertake pre-employment screening of job applicants while this contract is being performed.

If Contractor obtains actual knowledge that a subcontractor performing work under this contract for services knowingly employs or contracts with an illegal alien, Contractor shall:

a. Notify the subcontractor and the City within three days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and

b. Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to this paragraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Contractor shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Contractor shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. § 8-17.5-102(5).

If Contractor violates a provision of this Contract required pursuant to C.R.S. § 8-17.5-102, City may terminate the contract for breach of contract. If the contract is so terminated, the Contractor shall be liable for actual and consequential damages to the City.

Pre-Contract Certification in Compliance with C.R.S. Section 8-17.5-102(1)

The undersigned hereby certifies as follows:

That at the time of providing this certification, the undersigned does not knowingly employ or contract with an illegal alien; and that the undersigned will participate in the E-Verify program or the Department program, as defined in C.R.S. § § 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform under the public contract for services.

Proposer:
_____

By_____
Title:_____

_____
Date

City of Louisville
COLORADO • SINCE 1878

City Council
Meeting Packet
April 21, 2015

Addendum #1
Items presented at the meeting.

The President's Committee on the Arts and the Humanities, the Institute of Museum and Library Services, and the Alliance for Young Artists & Writers partner to present the National Student Poets Program, the country's highest honor for young poets (grades 9–11) presenting original work. We are thrilled to introduce the 2014 National Student Poets, who were appointed at the White House on September 18, 2014. First Lady Michelle Obama hosted a poetry reading in their honor.

NATIONAL STUDENT **POETS** PROGRAM

Julia Falkner, Age 17
Monarch High School, Louisville, CO
West Region

About the National Student Poets Program

Annually, five students are selected for one year of service as literary ambassadors, each representing a different geographic region of the country. By elevating and showcasing their work for a national audience, the program strives to inspire other young people to achieve excellence in their own creative endeavors and promote the essential role of writing and the arts in academic and personal success.

The National Student Poets Program reflects the national imprimatur of the President's Committee and its Honorary Chairman, First Lady Michelle Obama, as well as the Administration's commitment to arts and humanities education. It connects the National Student Poets with audiences and resources in their communities through the Institute of Museum and Library Services' community-based network of libraries and museums and builds upon the Alliance's long-standing work with educators and creative teens through the prestigious Scholastic Art & Writing Awards.

INSTITUTE of Museum and Library SERVICES

Scholastic Art & Writing Awards

Nancy Varra

From: Steve Jeffers <SPJ7777@live.com>
Sent: Saturday, April 18, 2015 11:38 AM
To: City Council
Subject: Comments on April 21, 2015 Meeting Agemda Items

Dear Council Members and Mayor,

Thank you were providing Louisville residents with your meeting agendas and materials via email links. That is an easy way to stay informed with city issues.

My wife Carol and I live at 926 Saint Andrews Lane. We have lived in Louisville for the past 29 years and we think the city just keeps getting better. Thank you for representing us on City Council. Also thank you for moving forward with the traffic light on Dillon Road and Saint Andrews. The changes to our entryways and exits has already been a nice improvement just by widening the road and creating more room, more lanes, and better line of sight. The new landscaping also looks nice.

I am writing to provide comments on agenda items 8 D, E and F.

Item 8.D. Centennial Valley GDP Amendment, etc. for 1107 Century Dr. My law firm has a Louisville office at 363 Centennial Parkway, where I have worked with three other people from our firm for the past year. Our office building is at the intersection of Dillon and Century just west of Lowes, on the South side of the area. This large area needs new businesses to provide a broader mix of uses and smaller buildings to provide contrast to some of the enormous ones within the development. I support the staff's recommendation on item 8.D. because the size of the lot and orientation and design of the building fit well within the existing development. The proposed business is consistent with the local residential uses and other businesses nearby, including other medical, dental and physical therapy businesses a few blocks away. It is also nice to see a business that will have people in the area after 5 PM when many other businesses totally shut down. Having these employees and visitors in the evening may help in a small way to support other businesses in the McCaslin area. I hope you will support the staff's recommendations on items 8. D. 1, 2 and 3.

Item 8.E. Downtown Parking Status Report. It was helpful to read about these various alternatives and options to address this parking problem. I don't mind walking 5 or 6 blocks away or more, because the whole area is nice and it is good to get a little exercise to burn off all of the calories we are guaranteed to consume when we are down there. I support the city's efforts to pave the lot at 611 Front Street at the new estimated cost, the efforts to negotiate the purchase of additional parking space from Tebo if you determine the price is appropriate, and the use of a shuttle service from other parts of the city to downtown for the Street Faire. I haven't tried that yet, but plan to soon. I also support your efforts to explore other small parking areas near downtown, especially for joint use with other business owners.

Item 8.F. Award Bid for Parking Lot. That sounds like a good investment by the city and I support that project.

Thank you for considering these comments.

Steve Jeffers
926 Saint Andrews Lane
Louisville, CO 80027

Nancy Varra

From: Alan Sobel <alansobel@earthnet.net>
Sent: Tuesday, April 21, 2015 11:19 AM
To: neighbors@lists.riseup.net; louisvillecolorado2@yahoogroups.com; cctv@lists.riseup.net; City Council; Planning
Subject: Cable Franchise Update: Privatizing Public Decision-Making

Friends & Neighbors,

[Since the City Council will not hold any public town hall style meetings for the franchise, will not appoint a Tech Advisory Committee, and will only allow Louisville residents 3 minutes to speak at the last minute before it votes on 200 pages of legal documents, I will take the opportunity of this forum to bring up some issues regarding the proposed franchise.]

Privatizing Public Decision-Making

A paragraph of the proposed Customer Service Standards reads as follows:

"Colorado Communications and Utilities Alliance" or "CCUA" shall mean an association comprised primarily of local governmental subdivisions of the State of Colorado, or any successor entity. The CCUA may, on behalf of its members, be delegated the authority to review, investigate or otherwise take some related role in the administration and/or enforcement of any functions under these Standards."

([Proposed] ORDINANCE NO. 1686 SERIES 2015, AN ORDINANCE ESTABLISHING CITY OF LOUISVILLE CABLE TELEVISION CUSTOMER SERVICE STANDARDS, Section 1. Chapter 5.22 of the Louisville Municipal Code is hereby repealed and reenacted to read as follows: Chapter 5.22 CABLE TELEVISION CUSTOMER SERVICE STANDARDS, Sec. 5.22.040. Definitions. http://www.louisvilleco.gov/home/showdocument?id=3606)

[Note: the City apparently does not have a link directly to the proposed Customer Service Standards document; the link above is to a 104-page document which contains several franchise-related documents; there are no links within the document to provide easy access among the documents; you must search around in the document to find what you are looking for; the Cable Customer Service Standards Ordinance actually begins on page 9 of the document; the above CCUA paragraph is on page 12]

A paragraph of the Cable Franchise Agreement makes a similar assertion:

"The City shall be vested with the power and right to reasonably regulate the exercise of the privileges permitted by this Franchise in the public interest, or to delegate that power and right, or any part thereof, to the extent permitted under Federal, State and local law, to any agent including, but not limited to, the CCUA, in its sole discretion." (CABLE FRANCHISE AGREEMENT, SECTION 4. ADMINISTRATION AND REGULATION, 4.1 Authority (A), http://www.louisvilleco.gov/home/showdocument?id=3606, p. 50)

These paragraphs are very troubling.

They are troubling because the CCUA (http://coloradocua.org/) is a private organization.

And it is a private organization with a long history of acting for the benefit of the cable company (see history below).

Some quick facts about the CCUA as a private organization:

- None of the delegates or officers of the organization are elected officials.

- The organization does not publish its charter or bylaws or operating procedures.

- The CCUA is not required to respond to Colorado Open Records Act requests.

- The CCUA is not accountable to the public in any way.

- There is no recourse to CCUA decisions or actions.

For the City Council to delegate authority to this private group to "review, investigate or otherwise take some related role in the administration and/or enforcement of any functions under these Standards" is for the City Council to abandon and abdicate its obligations to the residents of Louisville as a publicly elected entity.

A little history here:

The CCUA is the successor organization to the Greater Metro Telecommunications Consortium ("GMTC", no existing web site).

The GMTC was a public, governmental watchdog organization founded in 1992 and made up of about 30 cities and counties in the greater Denver area.

It's purpose was for the various cities and counties to act together as a unified public body to address anti-consumer practices of the dominant cable television company in the area (there has always been a dominant cable company in the area; for many years it was TCI).

The GMTC, however, was a textbook example of a phenomenon called 'regulatory capture.'

The idea of regulatory capture is that a body which is supposed to act as a regulator or watchdog over an industry actually acts to promote the interests of that industry, instead of somehow keeping it in check.

This phenomenon can occur for at least a couple reasons.

The people appointed to the entity may have political or ideological reasons for not wanting to keep the industry in check.

Another reason for regulatory capture could be the private ambitions of those appointed to the entity, for example wanting to get a well-paying job with industry after serving on the entity.

We see this kind of influence on the national level, so its not a surprise that we see it at the local level as well.

For example, the National Cable and Telecommunications Associations ("NCTA", http://www.ncta.com) is the prime lobbying group for the cable tv industry. The current head of the NCTA is a former head of the FCC. The current head of the FCC is a former head of the NCTA.

Also, a couple years ago the FCC voted to approve the purchase by Comcast of the NBC-Universal company. Four months after that approval, one of the FCC commissioners who voted to approve Comcast's purchase, was appointed a Vice President of Comcast.

The Louisville City Council, astonishingly, voted to privatize the GMTC a couple years ago and turn it into the CCUA.

It is not at all clear why one public entity would vote in favor of privatizing another public entity.

Privatizing the GMTC removed any public obligations the organization may have had.

For example, as mentioned above, the CCUA is no longer required to be transparent, can act in as secretive a manner as it chooses, and need not reveal any information about it's operations, activities or decisions, or the rationales for those actions. It is private.

Some additional background:

In April of 2005, a Louisville resident was concerned about some of the practices of Comcast in Louisville. The resident sent an email to a member of the Louisville City Council asking the City to look into the practices.

The council member refused to do this, and instead sent this response:

"These are reasonable business decisions and policies that I believe Comcast has every right to ask for. I will not ask the city attorney or consultant to review the [practices]."

This turns out to be a reasonable summary of the views of the City Council on Comcast for the last ten years.

To judge by the actions (and non-actions) of the Louisville City Council over the past ten years, they seem to believe that Comcast's actions are "reasonable business decisions," that Comcast should have a free hand to operate in Louisville ("Comcast has every right"), and that the interests, rights and concerns of Louisville residents take on a distinctly second fiddle status to Comcast's business decisions.

Alan Sobel