City of Louisville
COLORADO • SINCE 1878

City Council

Agenda

Tuesday, October 6, 2015
City Hall, Council Chambers
749 Main Street
7:00 PM

Note: The time frames assigned to agenda items are estimates for guidance only. Agenda items may be heard earlier or later than the listed time slot.

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: September 15, 2015; September 21, 2015
C. Approve Rescheduling November 3, 2015 Council meeting to November 2, 2015
D. Approve Resolution No. 67, Series 2015 – a Resolution Naming the City of Louisville Officials to Act as Managing Officers for the Coal Creek Golf Course Liquor License
E. Award Miner's Field Restroom Facility Remodel Project
F. Award Bid for the Louisville and Superior Water Interconnect Construction

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.

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

7:15 – 7:25 pm

A. RESOLUTION NO. 68, SERIES 2015 – A RESOLUTION AMENDING THE MEMBERSHIP OF THE RECREATION/SENIOR CENTER AND AQUATICS CENTER EXPANSION TASKFORCE

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

7:25 – 7:35 pm

B. APPOINTMENTS TO THE RECREATION/SENIOR CENTER AND AQUATICS FACILITY TASK FORCE

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

7:35 – 7:55 pm

C. RESOLUTION NO. 69, SERIES 2015 – A RESOLUTION APPROVING A LEASE AGREEMENT BY AND BETWEEN THE CITY OF LOUISVILLE AND HUMAN MOVEMENT INC.

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

7:55 – 8:15 pm

D. ORDINANCE NO. 1702, SERIES 2015 – AN ORDINANCE AMENDING SECTION 17.08.205 OF THE LOUISVILLE MUNICIPAL CODE TO CLARIFY THE DEFINITION OF GRADE – 2ND Reading – Public Hearing – Advertised Daily Camera 09/06/2015

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

8:15 – 8:45 pm

E. RESOLUTION NO. 70, SERIES 2015 – A RESOLUTION APPROVING A SPECIAL REVIEW USE (SRU) TO ALLOW FOR AN AGRICULTURAL LAND USE IN THE RESIDENTIAL LOW DENSITY (RL) ZONE DISTRICT IN ORDER TO DEVELOP A COMMUNITY GARDEN WITH 45 PLOTS AND TWO 80 SF TOOL SHEDS ON THE NORTHEAST AND NORTHWEST CORNERS OF GRIFFITH STREET AND LINCOLN AVENUE, WITHIN LAWRENCE ENRIETTO PARK

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

8:45 – 9:15 pm

F. RESOLUTION NO. 71, SERIES 2015 – A RESOLUTION APPROVING THE CITYWIDE PRESERVATION MASTER PLAN

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

9:15 – 9:45 pm

G. 2000 TAYLOR AVENUE

1. ORDINANCE NO. 1703, SERIES 2015 – AN ORDINANCE APPROVING AN AMENDMENT TO THE BUSINESS CENTER AT CTC GENERAL DEVELOPMENT PLAN (GDP) TO REZONE THE PROPERTY FROM PCZD-C TO PCZD-I – 2ND Reading – Public Hearing – Advertised *Daily Camera* 09/20/2015

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

2. RESOLUTION NO. 66, SERIES 2015 – A RESOLUTION APPROVING A FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN TO CONSTRUCT A 120,581 SF SINGLE STORY INDUSTRIAL/FLEX BUILDING WITH ASSOCIATED SITE IMPROVEMENTS FOR LOT 1, BLOCK 4, THE BUSINESS CENTER AT CTC

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

9:45 – 10:15 pm

H. ORDINANCE NO. 1697, SERIES 2015 – AN ORDINANCE AMENDING SECTIONS 3.08.030, 13.12.020 AND 13.12.040 OF THE LOUISVILLE MUNICIPAL CODE TO ADDRESS WATER SERVICE CONNECTIONS AND WATER TAP FEES FOR LIVE-WORK LAND USES – 2nd Reading – Public Hearing (Advertised Daily Camera 07/19/2015) – CONTINUED FROM JULY 28, 2015 AND SEPTEMBER 15, 2015 – Staff Requests Continuance to November 2, 2015

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

10:15 – 11:15 pm

I. EXECUTIVE SESSION

1. PERSONNEL MATTERS
(Louisville Code of Ethics, Section 5-2(b), CRS 24-6-402(4)(f) – Authorized topics)

Mayor is Requesting the City Council Convene An Executive Session for the Purpose of Personnel Matters

REGULAR BUSINESS ITEMS SUSPENDED

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

REGULAR BUSINESS ITEMS CONTINUED

J. REPORT – DISCUSSION/DIRECTION/ACTION – PERSONNEL MATTERS

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: 91719 Period: 09/10/15

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	
2296-1	AMANDA PERERA					
	090815	TRAVEL ADVANCE 9/15-9/18/15	09/08/15	10/08/15	248.00	248.00
8266-1	JULIE SEYDEL					
	090815	TRAVEL ADVANCE 9/15-9/18/15	09/08/15	10/08/15	248.00	248.00
1926-1	KATHRYN BEASLEY					
	090815	TRAVEL ADVANCE 9/15-9/18/15	09/08/15	10/08/15	248.00	248.00
10	FMH MATERIAL HANDLING SOLUTIONS					
	M56516	ELECTRIC PALLET JACK WWTP	08/31/15	09/30/15	2,495.00	2,495.00
5178-1	PETTY CASH LRC - KATHY MARTIN					
	090815	PETTY CASH LRC	09/08/15	10/08/15	256.70	256.70
55	HENDRIK MEERMAN					
	U!00000996	17325/452082751: UTILITY REFUN	09/03/15	09/03/15	56.47	56.47
55	SCHWARTZ FAMILY TRUST					
	U!00000997	9451/263028051: UTILITY REFUND	09/10/15	09/10/15	31.69	
	U!00000997	9451/263028051: UTILITY REFUND	09/10/15	09/10/15	54.01	85.70
55	JOSHUA KARP					
	U!00000998	13053/443037302: UTILITY REFUN	09/10/15	09/10/15	61.20	61.20
3875-1	XCEL ENERGY					
	469531576	AUG 15 CS ENERGY	08/26/15	09/25/15	353.64	353.64
	BANK TOTAL PAYMENTS				4,052.71	4,052.71
	GRAND TOTAL PAYMENTS				4,052.71	4,052.71

City of Louisville
Cash Disbursement Edit List

Batch: 91787 Period: 09/17/15

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	
13948-1	CLEAN ENERGY COLLECTIVE DEPOSIT TRUST					
	091615	CEC COMMUNITY SOLAR DEPOSIT	09/16/15	10/16/15	67,502.70	67,502.70
1115-1	COLONIAL INSURANCE					
	0901570	#9711888 SEP 15 EMPLOYEE PREM	09/02/15	10/02/15	536.15	536.15
8158-1	COLORADO DEPT OF REVENUE					
	090915	LIQUOR RETAIL LICENSE CCGC	09/09/15	10/09/15	1,200.00	1,200.00
5255-1	FAMILY SUPPORT REGISTRY					
	091115	EMPLOYEE GARNISHMENT 02042224	09/11/15	10/11/15	211.50	
	091115A	EMPLOYEE GARNISHMENT 06445779	09/11/15	10/11/15	135.00	346.50
14002-1	KANSAS PAYMENT CENTER					
	091115	EMPLOYEE GARNISHMENT PP#19	09/11/15	10/11/15	270.46	270.46
11334-1	LANA FAUVER					
	090115	HUMAN RELATIONS CLASS FAUVER	09/01/15	10/01/15	704.80	704.80
14102-1	WELLS FARGO FINANCIAL LEASING INC					
	5002461162	OCT 15 GOLF EQUIPMENT LEASE	09/04/15	10/04/15	9,138.96	9,138.96
3875-1	XCEL ENERGY					
	470818029	AUG 15 GROUP ENERGY	09/08/15	10/08/15	26,930.69	
	470818029	AUG 15 GROUP ENERGY	09/08/15	10/08/15	1,932.52	
	470818029	AUG 15 GROUP ENERGY	09/08/15	10/08/15	13,065.88	
	470818029	AUG 15 GROUP ENERGY	09/08/15	10/08/15	39,537.62	
	470818029	AUG 15 GROUP ENERGY	09/08/15	10/08/15	6,010.44	87,477.15
11324-1	XCEL ENERGY					
	470098782	AUG 15 SPRINKLERS	09/01/15	10/01/15	102.70	102.70
11371-1	XCEL ENERGY					
	470097702	AUG 15 STREET LIGHTS	09/01/15	10/01/15	34,432.94	
	470097827	AUG 15 FLASHERS	09/01/15	10/01/15	5.80	
	470642407	AUG 15 TRAFFIC LIGHTS	09/04/15	10/04/15	1,229.84	35,668.58
11081-1	XEROX FINANCIAL SERVICES LLC					
	373137	SEP 15 COPIER LEASE	09/04/15	10/04/15	990.00	990.00
13507-1	YATES LAW FIRM LLC					
	080415	JUL 15 WATER LEGAL FEES	08/04/15	09/03/15	6,879.95	
	090115	AUG 15 WATER LEGAL FEES	09/01/15	10/01/15	5,681.50	12,561.45
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	BANK TOTAL PAYMENTS				216,499.45	216,499.45
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	GRAND TOTAL PAYMENTS				216,499.45	216,499.45

City of Louisville
Cash Disbursement Edit List

Batch: 91864 Period: 09/24/15

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	
11298-1	DELTA DENTAL OF COLORADO					
	DELTA1015	#007562-0000 OCT 15 EMPL PREM	09/16/15	10/16/15	13,204.57	13,204.57
6455-1	KAISER PERMANENTE					
	0017735240	05920-01-16 OCT 15 EMPL PREM	09/08/15	10/08/15	137,132.48	137,132.48
7735-1	LINCOLN FINANCIAL GROUP					
	LIFE1015	000010008469 OCT 15 LIFE/AD&D	10/01/15	10/31/15	5,755.28	
	LTD1015	000010008470 OCT 15 LTD PREM	10/01/15	10/31/15	3,005.66	8,760.94
10253-1	LOUISVILLE AUTO SUPPLY					
	164347	50XAF1 COATS TIRE MOUNTER	08/25/15	09/24/15	5,919.00	
	164822	11502-DA COATS WHEEL BALANCER	08/27/15	09/26/15	4,075.00	9,994.00
10	HEATHER HOUGHTON					
	090915	SEWER REPLACEMENT FENCE REPAIR	09/09/15	10/09/15	500.00	500.00
4	INTERIOR SOLUTIONS OF DENVER					
	092315	REFUND OVERPAYMENT 12/2013 STX	09/23/15	10/23/15	228.00	228.00
14161-1	NATHAN LANPHERE					
	092315	COMPUTER LOAN	09/23/15	10/23/15	649.83	649.83
55	ALASTAIR HENDERSON					
	U!00000999	17149/443062722: UTILITY REFUN	09/17/15	09/17/15	11.72	
	U!00000999	17149/443062722: UTILITY REFUN	09/17/15	09/17/15	39.03	
	U!00000999	17149/443062722: UTILITY REFUN	09/17/15	09/17/15	3.90	
	U!00000999	17149/443062722: UTILITY REFUN	09/17/15	09/17/15	13.66	68.31
8442-1	VISION SERVICE PLAN					
	VSP1015	12 059727 0001 OCT 15 EMP PREM	09/21/15	10/21/15	2,694.47	2,694.47
11094-1	WESTERN DISPOSAL SERVICES					
	090115RES	AUG 15 RESIDENTIAL TRASH SERV	09/01/15	10/01/15	118,055.77	118,055.77
	BANK TOTAL PAYMENTS				291,288.37	291,288.37
	GRAND TOTAL PAYMENTS				291,288.37	291,288.37

Batch: 91951 Period: 10/06/15

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					
	OF65841	SERVICE AGREEMENT	09/01/15	10/01/15	1,473.00	1,473.00
13547-1	A G WASSENAAR INC					
	253929	GEOTECH TESTING SERVICES	08/13/15	09/12/15	737.50	
	254365	GEOTECH SERVICES CS	08/27/15	09/26/15	147.18	
	254365	GEOTECH SERVICES CS	08/27/15	09/26/15	147.19	
	254365	GEOTECH SERVICES CS	08/27/15	09/26/15	147.19	
	254365	GEOTECH SERVICES CS	08/27/15	09/26/15	147.19	
	254372	GEOTECH TESTING SERVICES	08/27/15	09/26/15	1,608.75	
	254402	GEOTECH TESTING SERVICES	08/28/15	09/27/15	1,176.00	
	255875	GEOTECH SERVICES CS	09/29/15	10/29/15	94.39	
	255875	GEOTECH SERVICES CS	09/29/15	10/29/15	94.37	
	255875	GEOTECH SERVICES CS	09/29/15	10/29/15	94.37	
	255875	GEOTECH SERVICES CS	09/29/15	10/29/15	94.37	
	255876	GEOTECH SERVICES CS	09/29/15	10/29/15	180.00	
	255876	GEOTECH SERVICES CS	09/29/15	10/29/15	180.00	
	255876	GEOTECH SERVICES CS	09/29/15	10/29/15	180.00	
	255876	GEOTECH SERVICES CS	09/29/15	10/29/15	180.00	5,208.50
14121-1	ACUSHNET COMPANY					
	900849205	RESALE MERCHANDISE GC	05/30/15	06/29/15	3,001.18	
	901051107	RANGE BALLS	07/08/15	08/07/15	2,772.00	5,773.18
10832-1	AGFINITY INC					
	H23329	BULK FALL FERTILIZER	09/15/15	10/15/15	4,492.54	4,492.54
14073-1	ALLRED & ASSOCIATES					
	799	ADA RESTROOM DESIGN HERITAGE	09/12/15	10/12/15	6,056.64	
	800	ADA RESTROOM DESIGN RSC	09/12/15	10/12/15	7,360.24	13,416.88
9891-1	AMBIANCE					
	10181	SEP 15 PLANT MAINT	09/10/15	10/10/15	195.00	195.00
13479-1	AMERICAN MECHANICAL SERVICES					
	J604393	REPLACE HVAC UNITS CCGC	08/31/15	09/30/15	1,667.00	1,667.00
13556-1	AQUATIC CHEMICAL SOLUTIONS INC					
	1244	POOL GUTTERS RSC	09/02/15	10/02/15	7,000.00	
	6264	POOL CHEMICALS MSP	08/09/15	09/08/15	380.00	7,380.00
1192-1	ARBOR OCCUPATIONAL MEDICINE PLLC					
	7460	PHYSICALS/DRUG SCREENS	09/23/15	10/23/15	4,590.00	4,590.00
13786-15	AVANT DATACOMM SOLUTIONS INC					
	15-3067-02	SURVEILLANCE CAMERA REPAIR CH	09/15/15	10/15/15	278.92	278.92
14054-1	AVI SYSTEMS INC					
	88381753	SWITCHER LIB BROADCAST EQUIP	09/15/15	10/15/15	6,339.85	

Batch: 91951 Period: 10/06/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
	88382099	AV SYSTEM LIBRARY	09/18/15	10/18/15	12,124.00	18,463.85
5001-1	BACKFLOW TECH					
	81044	BACKFLOW CERTIFICATION PC	08/24/15	09/23/15	70.00	
	81101	BACKFLOW CERTIFICATIONS	08/26/15	09/25/15	655.00	725.00
500-1	BAKER AND TAYLOR					
	4011334310	CHILDRENS BOOKS AND MEDIA	09/01/15	10/01/15	21.99	21.99
13855-1	BIG AIR JUMPERS INC					
	O17650	NITE AT REC INFLATABLES	09/18/15	10/18/15	535.00	
	O17651	NITE AT REC INFLATABLES	09/25/15	10/25/15	535.00	1,070.00
8588-1	BOULDER COUNTY					
	10544	ANNUAL HMM CONSTRUCTION FEE	03/04/15	04/03/15	2,196.00	
	11328C	2ND QTR 2015 HMM PROGRAM	08/24/15	09/23/15	10,309.00	
	11373C	WASTE DISPOSAL FEE WWTP	08/12/15	09/11/15	87.78	12,592.78
12742-1	BOULDER COUNTY EXTENSION					
	092315	SR FLORAL ARRANGING CLASS	09/23/15	10/23/15	150.00	150.00
7706-1	BRANNAN SAND & GRAVEL CO LLC					
	137376	ASPHALT	04/10/15	05/10/15	46.60	
	148340	ASPHALT	08/27/15	09/26/15	140.14	
	148690	ASPHALT	08/31/15	09/30/15	141.95	
	148731	ASPHALT	09/01/15	10/01/15	182.76	
	148836	ASPHALT	09/02/15	10/02/15	95.24	
	148978	ASPHALT	09/03/15	10/03/15	102.04	
	149435	ASPHALT	09/10/15	10/10/15	139.68	
	149655	ASPHALT	09/14/15	10/14/15	146.93	
	149775	ASPHALT	09/15/15	10/15/15	193.19	
	149901	ASPHALT	09/16/15	10/16/15	169.15	
	150032	ASPHALT	09/17/15	10/17/15	169.16	1,526.84
13994-1	BRYAN CONSTRUCTION INC					
	PP11083115	CITY SERVICES FACILITY	08/31/15	09/30/15	315,372.63	
	PP11083115	CITY SERVICES FACILITY	08/31/15	09/30/15	315,372.63	
	PP11083115	CITY SERVICES FACILITY	08/31/15	09/30/15	315,372.63	
	PP11083115	CITY SERVICES FACILITY	08/31/15	09/30/15	315,372.63	1,261,490.52
248-1	CDW GOVERNMENT					
	XS19233	PHONE NETWORK CABLES	08/31/15	09/30/15	23.40	
	XS41308	UPS SERVER ROOM	08/31/15	09/30/15	1,714.40	
	XT05296	CABLING CS	09/01/15	10/01/15	118.88	
	XV29592	SURGE PROTECTORS/KEYBOARDS CS	09/03/15	10/03/15	949.22	2,805.90
935-1	CENTENNIAL PRINTING CO					
	57951	LETTERHEAD COURT	08/31/15	09/30/15	174.59	
	57984	BUSINESS CARDS CLARK/BLACKNEY	09/08/15	10/08/15	80.70	255.29

Batch: 91951 Period: 10/06/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
980-1	CENTURY CHEVROLET INC					
	45017255	PARTS UNIT 5331	09/29/15	10/29/15	31.58	
	45018081	PARTS UNIT 3407	09/16/15	10/16/15	11.66	43.24
13352-1	CGRS INC					
	2-10242-51727	CP SITE INSPECTION/CERT	09/04/15	10/04/15	350.00	350.00
13964-1	CHANDLER ASSET MANAGEMENT					
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	311.28	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	29.46	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	2.63	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	181.67	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	36.72	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	26.22	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	7.10	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	54.51	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	413.26	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	64.17	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	458.10	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	309.96	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	104.00	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	7.56	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	36.16	
	18293	AUG 15 INVESTMENT FEES	09/02/15	10/02/15	70.20	2,113.00
7959-1	CHASE					
	2015BOX75	SAFE DEP BOX 11/18/15-11/17/16	09/22/15	10/22/15	76.00	76.00
1005-1	CHEMATOX LABORATORY INC					
	18098	BLOOD COLLECTION KITS	08/31/15	09/30/15	80.00	80.00
4025-1	CINTAS FIRST AID AND SAFETY					
	5003613304	FIRST AID SUPPLIES	09/03/15	10/03/15	75.81	
	5003613304	FIRST AID SUPPLIES	09/03/15	10/03/15	28.53	
	5003613304	FIRST AID SUPPLIES	09/03/15	10/03/15	111.66	
	5003613304	FIRST AID SUPPLIES	09/03/15	10/03/15	49.58	265.58
11508-1	CITRON WORK SPACES					
	13555	SHELVING PW	09/03/15	10/03/15	254.14	254.14
1075-1	CITY OF LAFAYETTE					
	99-15-047	LUCITY SOFTWARE	07/30/15	08/29/15	643.34	
	99-15-047	LUCITY SOFTWARE	07/30/15	08/29/15	643.34	
	99-15-047	LUCITY SOFTWARE	07/30/15	08/29/15	643.34	
	99-15-047	LUCITY SOFTWARE	07/30/15	08/29/15	643.33	2,573.35
13260-1	CLIFTON LARSON ALLEN LLP					
	1111688	UTILITY BILLING SERVICES	09/17/15	10/17/15	4,060.07	

Batch: 91951 Period: 10/06/15

Vendor/ Remit#	Invoice Number	Description	Invoice Date	Due Date	Invoice Amount	Check Amount
	1111688	UTILITY BILLING SERVICES	09/17/15	10/17/15	2,605.07	
	1111688	UTILITY BILLING SERVICES	09/17/15	10/17/15	582.00	
	1111688	UTILITY BILLING SERVICES	09/17/15	10/17/15	873.00	8,120.14
13296-1	COLOGRAPHIC					
	32263	VEHICLE DECALS	09/09/15	10/09/15	544.57	
	32263	VEHICLE DECALS	09/09/15	10/09/15	122.75	
	32263	VEHICLE DECALS	09/09/15	10/09/15	110.78	
	32263	VEHICLE DECALS	09/09/15	10/09/15	41.90	
	32263CM	CREDIT SETUP FEE	09/10/15	10/10/15	66.41-	
	32263CM	CREDIT SETUP FEE	09/10/15	10/10/15	14.97-	
	32263CM	CREDIT SETUP FEE	09/10/15	10/10/15	13.51-	
	32263CM	CREDIT SETUP FEE	09/10/15	10/10/15	5.11-	720.00
13865-1	COLORADO ADVERTISING PRODUCTS INC					
	4037	LASER CHECK STOCK	09/15/15	10/15/15	187.62	187.62
13820-1	COLORADO BARRICADE CO					
	477134-001	LABOR DAY PARADE BARRICADES	09/09/15	10/09/15	727.50	727.50
14009-1	COMPLETE MAILING SOLUTIONS					
	84871	POSTAGE MACHINE ANNUAL MAINT	09/01/15	10/01/15	365.00	365.00
14159-1	COMPUTER TROUBLESHOOTERS					
	10663	ASSESS MS EXCHANGE ENVIRONMENT	09/16/15	10/16/15	375.00	375.00
10842-1	COZY CORNER TOWING					
	68923	RELOCATE VEHICLE	06/14/15	07/14/15	120.00	
	69953	RELOCATE VEHICLE	08/14/15	09/13/15	80.00	200.00
13370-1	CRIBARI LAW FIRM, PC					
	092415	PROSECUTING ATTORNEY	09/24/15	10/24/15	2,472.75	2,472.75
14008-1	CUNINGHAM GROUP ARCHITECTURE INC					
	43707	SOUTH BOULDER SMALL AREA PLAN	09/14/15	10/14/15	10,300.00	10,300.00
375-1	JOHN DEERE COMPANY					
	114762679	JOHN DEERE UTILITY TRACTOR	07/27/15	08/26/15	50,944.52	50,944.52
13392-1	DESIGN MECHANICAL INC					
	4062403	HVAC SERVICE CS	08/31/15	09/30/15	342.00	
	4062537	REPLACE AC COMPRESSOR CS	09/11/15	10/11/15	4,745.00	5,087.00
13685-1	DEWBERRY ENGINEERS INC					
	1212524	WASTEWATER INTEGRATION STUDY	07/16/15	08/15/15	5,890.00	
	1221775	WASTEWATER INTEGRATION STUDY	08/11/15	09/10/15	1,440.00	
	1230809	WWTP CONSTRUCTION MANAGEMENT	09/11/15	10/11/15	42,167.45	
	1230810	WASTEWATER INTEGRATION STUDY	09/11/15	10/11/15	634.20	50,131.65
13929-1	DHE COMPUTER SYSTEMS LLC					
	92750	LENOVO THINKCENTRE/MONITOR	09/24/15	10/24/15	1,153.60	1,153.60
12392-1	DOOR TO DOOR PROMOTIONS					

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	1469	OPEN SPACE APPAREL	09/20/15	10/20/15	455.84	455.84
12392-2	DOOR TO DOOR PROMOTIONS					
	1470	NITE AT REC STAFF SHIRTS	09/18/15	10/18/15	389.70	389.70
1505-1	DPC INDUSTRIES INC					
	737004060-15	CHLORINE WWTP	09/09/15	10/09/15	225.00	225.00
10906-1	ESCO ASSOCIATES INC					
	2738	BREEDING BIRD SURVEYS OS	09/15/15	10/15/15	2,499.00	2,499.00
13916-1	FERGUSON WATERWORKS					
	837840	METER PIT PARTS	09/15/15	10/15/15	1,620.00	
	838002	METER SETTERS	09/15/15	10/15/15	2,962.75	4,582.75
10623-1	FRONT RANGE LANDFILL INC					
	39268	LANDFILL FEES	08/31/15	09/30/15	4,840.19	
	39417	LANDFILL FEES	09/15/15	10/15/15	1,000.55	5,840.74
13239-1	FRONTIER PRECISION INC					
	141772	TRIMBLE SOFTWARE MAINT	09/16/15	10/16/15	795.00	795.00
13098-1	G4S SECURE SOLUTIONS INC					
	7501266	BAILIFF SERVICES 9/14/15	09/20/15	10/20/15	110.00	110.00
14137-1	GEAR FOR SPORTS INC					
	41005067	RESALE MERCHANDISE GC	07/22/15	08/21/15	377.15	
	41009296	RESALE MERCHANDISE GC	07/29/15	08/28/15	277.10	
	41021577	RESALE MERCHANDISE GC	08/14/15	09/13/15	1,242.00	
	41023843	RESALE MERCHANDISE GC	08/19/15	09/18/15	1,086.28	2,982.53
6847-1	GENERAL AIR SERVICE & SUPPLY					
	91606006-1	CYLINDER RENTAL SHOPS	08/31/15	09/30/15	73.80	
	91606008-1	CYLINDER RENTAL WWTP	08/31/15	09/30/15	53.29	127.09
14125-1	GREEN VALLEY TURF CO					
	3-3582-01	BENTGRASS SOD GC	07/14/15	08/13/15	1,229.20	1,229.20
13565-1	HATCH MOTT MACDONALD LLC					
	IV218857	SLUDGE TREATMENT DESIGN	09/14/15	10/14/15	13,852.39	13,852.39
14157-1	HAWKSLEY CONSULTING					
	1690258	WASTEWATER INTEGRATION STUDY	08/07/15	09/06/15	4,027.00	
	1692572	WASTEWATER INTEGRATION STUDY	09/04/15	10/04/15	3,426.56	7,453.56
2475-1	HILL PETROLEUM					
	510203R-IN	UNLEADED/BIODIESEL FUEL	09/01/15	10/01/15	637.23	
	511574R-IN	UNLEADED/BIODIESEL FUEL	09/01/15	10/01/15	297.28	
	512793R-IN	UNLEADED/BIODIESEL FUEL	09/03/15	10/03/15	514.57	
	512895-IN	UNLEADED/BIODIESEL FUEL	09/02/15	10/02/15	16,179.37	
	513423-IN	UNLEADED/BIODIESEL FUEL	09/04/15	10/04/15	1,849.21	
	514110R-IN	UNLEADED/BIODIESEL FUEL	09/10/15	10/10/15	357.23	
	514815-IN	PUMP/MOVE OIL TO NEW CS	09/25/15	10/25/15	100.00	

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	515768-IN	UNLEADED/BIODIESEL FUEL	09/18/15	10/18/15	1,644.21	21,579.10
14019-1	HISTORY MATTERS LLC					
	083115	PRESERVATION MASTER PLAN	08/31/15	09/30/15	3,441.42	3,441.42
14089-1	INDIGO WATER GROUP LLC					
	1601	CONSULTING SERVICES WWTP	09/06/15	10/06/15	4,029.20	4,029.20
14048-1	INTERFACE COMMUNICATIONS CO					
	PP1083015	PASCHAL SIGNAL	08/30/15	09/29/15	112,695.63	
	PP4082715	DILLON/ST ANDREW SIGNAL	08/27/15	09/26/15	955.00	113,650.63
13817-1	ISRAEL ALVARADO					
	2015-21	NITE AT REC DJ SERVICES	09/18/15	10/18/15	275.00	275.00
13346-1	ISS FACILITY SERVICES DENVER					
	925870	AUG 15 JANITORIAL SERVICES	08/15/15	09/14/15	17,943.20	
	925870	AUG 15 JANITORIAL SERVICES	08/15/15	09/14/15	606.06	
	925870	AUG 15 JANITORIAL SERVICES	08/15/15	09/14/15	143.43	
	925870	AUG 15 JANITORIAL SERVICES	08/15/15	09/14/15	519.38	
	941619	SEP 15 JANITORIAL SERVICES	09/21/15	10/21/15	17,521.80	
	941619	SEP 15 JANITORIAL SERVICES	09/21/15	10/21/15	606.06	
	941619	SEP 15 JANITORIAL SERVICES	09/21/15	10/21/15	143.43	
	941619	SEP 15 JANITORIAL SERVICES	09/21/15	10/21/15	519.38	38,002.74
12944-1	JOHN AUGUSTINE					
	091815	FALL FESTIVAL PIE CONTEST	09/18/15	10/18/15	485.37	485.37
13625-1	JOHN ELWAY CHEVROLET					
	261537	2015 CHEVY SILVERADO UNIT 5377	09/07/15	10/07/15	27,379.00	
	261538	2015 CHEVY SILVERADO UNIT 5378	09/08/15	10/08/15	25,104.00	52,483.00
2780-1	KAISER LOCK & KEY SERVICE INC					
	102513	DOOR LOCK GCC	08/19/15	09/18/15	868.00	
	102838	DUPLICATE KEYS CS	09/14/15	10/14/15	11.25	
	102839	REKEY LOCKS CS	09/14/15	10/14/15	88.00	967.25
8002-1	KINSCO LLC					
	26475	UNIFORMS/EQUIP MOGAN	06/30/15	07/30/15	546.84	
	26476	UNIFORMS/EQUIP DELLAVECCHIA	06/30/15	07/30/15	545.85	
	27189	BALLISTIC VEST MOGAN	08/20/15	09/19/15	634.00	1,726.69
11075-1	LEFT HAND TREE & LANDSCAPE LLC					
	090215	PRUNING MEDIAN TREES	09/02/15	10/02/15	1,260.00	1,260.00
3005-1	LEWAN & ASSOCIATES INC					
	783213	CS COPIER/PRINTER/SCANNER/FAX	09/21/15	10/21/15	6,750.00	
	784341	WWTP COPIER/PRINTER/SCANNER	09/23/15	10/23/15	4,750.00	11,500.00
14003-1	LIGHTWORKS FIBER & CONSULTING LLC					
	1957	FIBER WORK CS	09/14/15	10/14/15	4,245.00	4,245.00
3070-1	LL JOHNSON DISTRIBUTING CO					

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	1086334-00	SHERE-BIODEGRADE	07/31/15	08/30/15	720.76	720.76
14162-1	MARK J SCHICKER					
	081815	RESALE SUNSCREEN	08/18/15	09/17/15	87.50	87.50
11072-18	MERRICK AND COMPANY					
	142768	CHLORINE TANK DESIGN NWTP	08/28/15	09/27/15	1,741.30	1,741.30
3260-1	METRO DENVER BUSINESS FORMS					
	357	PARKING TICKETS	09/09/15	10/09/15	1,320.02	1,320.02
5259-1	MIRACLE RECREATION EQUIPMENT CO					
	761839	PLAYGROUND PARTS	05/07/15	06/06/15	1,520.71	1,520.71
8	LOUISVILLE UNITED METHODIST CHURCH					
	092315	FALL FESTIVAL VOLUNTEER MEALS	09/23/15	10/23/15	126.00	126.00
15	GENESIS MASTER BUILDERS INC					
	091515	REFUND SCOPE CHANGE 15R-0171	09/15/15	10/15/15	558.42	
	091515	REFUND SCOPE CHANGE 15R-0171	09/15/15	10/15/15	54.37	
	091515	REFUND SCOPE CHANGE 15R-0171	09/15/15	10/15/15	18.12	
	091515	REFUND SCOPE CHANGE 15R-0171	09/15/15	10/15/15	435.00	
	091515	REFUND SCOPE CHANGE 15R-0171	09/15/15	10/15/15	1,715.00	2,780.91
15	BOULDER CREEK BUILDERS					
	092315	REFUND PLAN REVIEW FEES	09/23/15	10/23/15	4,508.10	4,508.10
10	IAN HARPER					
	090115	SAFETY BOOTS HARPER	09/01/15	10/01/15	150.00	150.00
14067-1	MOLTZ CONSTRUCTION INC					
	PP4082515	SLUDGE DRYING BEDS HBWTP	08/25/15	09/24/15	403,273.87	
	PP5092515	SLUDGE DRYING BEDS HBWTP	09/25/15	10/25/15	313,102.36	716,376.23
9668-1	MUNICIPAL CODE CORPORATION					
	259878	MUNICIPAL CODE #59 UPDATE 2	08/31/15	09/30/15	788.00	788.00
13942-1	MURRAY DAHL KUECHENMEISTER & RENAUD LLP					
	12532	URBAN RENEWAL LEGAL FEES	08/31/15	09/30/15	1,718.55	1,718.55
11351-1	NEOPOST USA INC					
	53224075	POSTAGE METER AGREEMENT Q4 15	09/01/15	10/01/15	135.00	135.00
7113-1	NEVE'S UNIFORMS INC					
	LN-316717	UNIFORMS/EQUIP MOGAN	06/30/15	07/30/15	603.15	
	LN-316721	UNIFORMS/EQUIP MOGAN	06/30/15	07/30/15	411.54	
	LN-316722	UNIFORMS/EQUIP MOGAN	06/30/15	07/30/15	349.89	
	LN-316726	UNIFORMS/EQUIP DELLAVECCHIA	06/30/15	07/30/15	642.50	
	LN316719	UNIFORMS/EQUIP DELLAVECCHIA	06/30/15	07/30/15	618.15	2,625.23
11304-1	NORAA CONCRETE CONSTRUCTION					
	PP1081415	CONCRETE REPLACEMENT	08/20/15	09/19/15	239,950.53	239,950.53
13597-1	NORTH LINE GIS LLC					
	1192	ESRI ARCGIS SUPPORT	09/08/15	10/08/15	2,200.00	2,200.00

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14090-1	OCX NETWORK CONSULTANTS LLC					
	7320	CITY WIDE TELEPHONE SYSTEM	08/31/15	09/30/15	1,404.73	
	7342	CITY WIDE TELEPHONE SYSTEM	09/17/15	10/17/15	84.43	
	7344	CITY WIDE TELEPHONE SYSTEM	09/18/15	10/18/15	131.36	1,620.52
700-1	PRAIRIE MOUNTAIN PUBLISHING LLP					
	103934	PUBLIC NOTICE PD	08/31/15	09/30/15	102.90	
	451270	FALL REC CENTER CATALOG	08/31/15	09/30/15	6,415.00	6,517.90
6423-1	PRECISION PLUMBING & HEATING INC					
	090415	REFUND USE TAX 15M-0137	09/04/15	10/04/15	9.19	
	090415	REFUND USE TAX 15M-0137	09/04/15	10/04/15	3.06	
	090415	REFUND USE TAX 15M-0137	09/04/15	10/04/15	73.50	
	090415A	REFUND USE TAX 15M-0136	09/04/15	10/04/15	12.12	
	090415A	REFUND USE TAX 15M-0136	09/04/15	10/04/15	4.04	
	090415A	REFUND USE TAX 15M-0136	09/04/15	10/04/15	96.97	198.88
3840-1	PREMIER TIRE TERMINAL					
	1712700	TIRES UNIT 3211	09/14/15	10/14/15	188.34	188.34
14156-1	PROJECT X RESTORATION LLC					
	829	BIOHAZARD DECONTAMINATION PD	09/06/15	10/06/15	400.00	400.00
12840-1	QUALITY WATER BIOSYSTEMS INC					
	150165	POND WATER QUALITY MGMT SERV	08/31/15	09/30/15	210.68	210.68
14078-1	RANGE SERVANT AMERICA INC					
	71978	RANGE EQUIPMENT CCGC	06/24/15	07/24/15	16,233.10	16,233.10
8024-1	RC SPECIAL EVENTS					
	AR-2538	EQUIPMENT RENTAL FALL FESTIVAL	09/14/15	10/14/15	1,899.75	1,899.75
99	DUSTIN TRACY					
	908849	ACTIVITY REFUND	09/23/15	10/23/15	58.50	58.50
99	MARTHA TOWNSEND					
	909262	ACTIVITY REFUND	09/28/15	10/28/15	38.00	38.00
6500-1	RECORDED BOOKS LLC					
	75199211	ADULT BOOKS AND MEDIA	08/28/15	09/27/15	148.40	
	75200113	ADULT BOOKS AND MEDIA	09/03/15	10/03/15	9.95	
	75201647	ADULT BOOKS AND MEDIA	09/02/15	10/02/15	99.00	257.35
13668-1	RESOURCE BASED INTERNATIONAL					
	2015-08	AUG 15 WATER RIGHTS ADMIN	09/21/15	10/21/15	13,512.50	13,512.50
7784-1	SAVE HOME HEAT CO INC					
	091615	REFUND PERMIT FEES 15M-0148	09/16/15	10/16/15	119.55	
	091615	REFUND PERMIT FEES 15M-0148	09/16/15	10/16/15	14.30	
	091615	REFUND PERMIT FEES 15M-0148	09/16/15	10/16/15	4.77	
	091615	REFUND PERMIT FEES 15M-0148	09/16/15	10/16/15	114.36	252.98
13644-1	SCHULTZ INDUSTRIES INC					

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	82964	AUG 15 LANDSCAPE MAINT SERV	08/31/15	09/30/15	14,628.18	
	83368	FIBER REPLACEMENT CS	09/17/15	10/17/15	1,011.70	15,639.88
12843-1	SCL HEALTH SYSTEM					
	24485-01	SCREENING	06/30/15	07/30/15	275.40	275.40
13813-1	SOUTH PLATTE COALITION FOR URBAN RIVER EVALUATION					
	622	COLO MONITORING FRAMEWORK DUES	04/10/15	05/10/15	2,210.00	2,210.00
11026-1	STANLEY ACCESS TECH LLC					
	904164012	FRONT DOOR GEAR BOX RSC	08/28/15	09/27/15	1,477.18	1,477.18
13673-1	STERLING INFOSYSTEMS INC					
	443606	BACKGROUND CHECKS	08/31/15	09/30/15	1,407.97	1,407.97
13930-1	SUSANNAH M VANDYKE					
	1538070-1	CONTRACTOR FEES PAINTING	09/15/15	10/15/15	518.00	518.00
13957-1	TADDIKEN TREE COMPANY INC					
	7354	TREE REMOVAL	09/10/15	10/10/15	920.00	920.00
13952-1	TELESUPPORT SERVICES INC					
	15490	VOICE/DATA RUNS RSC	09/12/15	10/12/15	610.02	610.02
7917-1	THE AQUEOUS SOLUTION INC					
	66652	POOL CHEMICALS	07/16/15	08/15/15	448.30	
	67235	POOL CHEMICALS	07/31/15	08/30/15	968.05	
	67513	POOL DRAINS	08/26/15	09/25/15	1,414.00	
	67645	POOL CHEMICALS	08/28/15	09/27/15	987.09	
	67843	POOL CHEMICALS	09/17/15	10/17/15	412.02	4,229.46
14119-1	TOM CALABRESE TRUCKING INC					
	083115	CONTRACT HAULING	08/31/15	09/30/15	5,529.00	5,529.00
11624-1	TOWN OF SUPERIOR					
	310	POTABLE WATER INTERCONNECTION	09/18/15	10/18/15	1,117.50	1,117.50
11442-1	TRAVIS PAINT & RESTORATION INC					
	1740	PAINTING PC	09/03/15	10/03/15	865.05	865.05
14065-1	TYLER TECHNOLOGIES INC					
	045-142771	TYLER SOFTWARE	09/02/15	10/02/15	446.26	
	045-142771	TYLER SOFTWARE	09/02/15	10/02/15	95.62	
	045-142771	TYLER SOFTWARE	09/02/15	10/02/15	95.62	
	045-143158	TYLER SOFTWARE	09/03/15	10/03/15	469.05	
	045-143158	TYLER SOFTWARE	09/03/15	10/03/15	100.50	
	045-143158	TYLER SOFTWARE	09/03/15	10/03/15	100.50	
	045-143835	TYLER SOFTWARE	09/16/15	10/16/15	2,868.96	
	045-143835	TYLER SOFTWARE	09/16/15	10/16/15	614.77	
	045-143835	TYLER SOFTWARE	09/16/15	10/16/15	614.77	5,406.05
13426-1	UNIQUE MANAGEMENT SERVICES INC					
	313088	COLLECTION SERVICES	09/01/15	10/01/15	116.35	116.35

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11087-1	UNITED SITE SERVICES					
	114-3252344	TOILET RENTAL MINERS FIELD	08/28/15	09/27/15	193.60	
	114-3252345	TOILET RENTAL CENTENNIAL PARK	08/28/15	09/27/15	193.60	
	114-3252346	TOILET RENTAL CLEO MUDROCK	08/28/15	09/27/15	193.60	
	114-3252347	TOILET RENTAL HERITAGE PARK	08/28/15	09/27/15	193.60	
	114-3252348	TOILET RENTAL LES FIELD	08/28/15	09/27/15	166.02	
	114-3252349	TOILET RENTAL COTTONWOOD PARK	09/21/15	10/21/15	166.02	
	114-3252350	TOILET RENTAL ENRIETTO FIELD	08/28/15	09/27/15	166.02	
	114-3286419	TOILET RENTAL SKATE PARK	09/10/15	10/10/15	188.65	
	114-3290861	TOILET RENTAL MEMORY SQUARE	09/10/15	10/10/15	193.60	
	114-3290862	TOILET RENTAL STEINBAUGH	09/10/15	10/10/15	193.60	
	114-3290863	TOILET RENTAL PIRATES PARK	09/10/15	10/10/15	193.60	
	114-3290864	TOILET RENTAL ANNETTE BRAND	09/10/15	10/10/15	193.60	2,235.51
13864-1	VISION INTERNET PROVIDERS INC					
	31147	MODIFY LIB WEBSITE HOMEPAGE	09/23/15	10/23/15	650.00	650.00
4870-1	VWR INTERNATIONAL					
	8042480249	BUFFER WWTP	09/04/15	10/04/15	22.22	
	8042485016	AMMONIA WWTP	09/04/15	10/04/15	20.50	42.72
6210-1	W BRUCE JOSS					
	092815	SEP 15 MUNICIPAL JUDGE SALARY	09/28/15	10/28/15	2,000.00	2,000.00
5115-1	WL CONTRACTORS INC					
	26181	AUG 15 FIBER MAINTENANCE	09/11/15	10/11/15	370.00	
	26182	AUG 15 TRAFFIC SIGNAL MAINT	09/11/15	10/11/15	1,733.35	
	26183	TRAFFIC SIGNAL UPGRADES SBR	09/11/15	10/11/15	7,625.00	9,728.35
10884-1	WORD OF MOUTH CATERING INC					
	2015-20	SR MEAL PROGRAM 8/27-9/25/15	09/25/15	10/25/15	4,519.75	4,519.75
13558-1	ZIONS CREDIT CORP					
	606382	SEP 15 SOLAR POWER EQUIP LEASE	09/21/15	10/21/15	1,767.62	
	606382	SEP 15 SOLAR POWER EQUIP LEASE	09/21/15	10/21/15	883.81	2,651.43
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	BANK TOTAL PAYMENTS				2,854,592.44	2,854,592.44
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	GRAND TOTAL PAYMENTS				2,854,592.44	2,854,592.44

City of Louisville
COLORADO • SINCE 1878

City Council

Meeting Minutes

Tuesday, September 15, 2015
City Hall, Council Chambers
749 Main Street
7:00 PM

Call to Order – Mayor Muckle called the meeting to order at 7:02 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: Jeff Lipton, Sue Loo,
Ashley Stolzmann, Chris Leh and Jay Keany

Staff Present: ***Malcolm Fleming, City Manager***
Heather Balser, Deputy City Manager
Kevin Watson, Finance Director
Aaron DeJong, Economic Development Director
Troy Russ, Planning & Building Safety Director
Kurt Kowar, Public Works Director
Dave Hayes, Police Chief
Beth Barrett, Library & Museum Director
Kathleen Hix, Human Resources Director
Meredyth Muth, Public Relations Manager
Kathy Martin, Recreation Superintendent
Nancy Varra, City Clerk

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

PLEDGE OF ALLEGIANCE

All rose for the pledge of allegiance.

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.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Tom Rafferty, 945 Rex Street, Louisville, CO addressed the major events throughout old town, which have negatively impacted the residential area with traffic, noise, and other annoying activities. He asked when Council meets to discuss events, they try to strike a balance with the number of events, the size and the location of the events and suggested rotating events around the City. He asked Council to elaborate and document the benefits to the citizens these events bring or do not bring. He asked Council to explain what public benefit comes from the event money. He asked Council to allow citizen participation and to outline the public benefit of the events.

APPROVAL OF THE CONSENT AGENDA

Council member Leh disclosed he provided law services for Eide Bailly and recused himself from the vote on Consent Agenda Item E – Engagement Letter with Eide Bailly, LLC. Mayor Muckle removed Consent Agenda Item E from the Consent Agenda.

Council member Stolzmann commented on Consent Agenda Item D – Approval of a One-Year Independent Contractor for CAD/GIS Technician. She voiced her support and stated it would be good for the community and will help the Public Works projects.

Council member Leh requested Consent Agenda Item D be continued to the next meeting. He explained there may be a legal issue of whether the contractor would be considered an employee of the City. City Attorney Light referred to a contract placed on the dais, which is the underlying agreement approved by Council in 2014. This contract setup the framework of the relationship with the staffing services agency, which stipulates contract individuals will not be employees of the City. Enscison, the staffing service, would be responsible for payroll and benefits for the assigned employees.

Council member Leh stated he preferred this item be removed from the Consent Agenda. Mayor Muckle removed Consent Agenda Item D from the Consent Agenda.

MOTION: Mayor Muckle moved to approve the amended consent agenda, seconded by Mayor Pro Tem Dalton. The motion carried by a vote of 7-0**.**

A. Approval of Bills
B. Approval of Minutes –September 1, 2015
C. Approval October 13, 2015 as a Special Meeting
D. Approval of Resolution No. 63, Series 2015 – A Resolution Extending the Suspension of Ordinance No. 1634, Series 2008, Subsection 3.20.412 Electronic Database, Retailer Held Harmless

Authorize Execution of Engagement Letter with Eide Bailly, LLC for Internal Control and Revenue Collection Process Review Services

Council member Leh recused himself and left the room.

Council member Stolzmann reported the Finance Committee reviewed this matter and recommend approval.

MOTION: Mayor Muckle moved to approve the Engagement Letter with Eide Bailly, LLC, seconded by Council member Loo. The motion carried by a vote of 6-0**.** Council member Leh recused.

Approval of a One-Year Independent Contractor Placement with Enscison Corporation for a CAD/GIS Technician

Council member Leh returned to the meeting.

Mayor Muckle asked if Council should wait two weeks to finalize the contract. Council member Stolzmann felt there may be a continuity issue with getting the work done. She supported the position and did not want a gap in the work product because of this delay.

Council member Leh voiced his concern over the issue with the staffing agency. Public Works Director Kowar explained they have interviewed a candidate for this position and are waiting for the contract to be approved before bringing this person on board. The risk of not going forward may be losing the opportunity to have this particular candidate.

City Attorney Light recommended approving the contract subject to a final legal review. In that respect the form issue would be reviewed and the vendor would be asked to make any changes to the contract needed to address the City's concerns.

MOTION: Mayor Muckle moved to approve a one-year contractor placement with Enscison subject to a final legal review, seconded by Loo. All were in favor.

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

No items report.

CITY MANAGER'S REPORT

No items to report.

REGULAR BUSINESS

ORDINANCE No. 1697, SERIES 2015 – AN ORDINANCE AMENDING SECTIONS 3.08.030, 13.12.020 AND 13.12.040 OF THE LOUISVILLE MUNICIPAL CODE TO ADDRESS WATER SERVICE CONNECTIONS AND WATER TAP FEES FOR LIVE-WORK LAND USES – 2nd Reading – Public Hearing

Mayor Muckle requested a City Attorney introduction.

City Attorney Light introduced Ordinance No. 1697, Series 2015. This matter was continued from July 28, 2015 meeting. The public hearing should be reopened.

Mayor Muckle requested a report from the Water Committee. Council member Lipton reported on the Water Committee meeting where this ordinance was discussed. The Committee asked staff to make revisions to the proposal and provide some presentation materials for the next Council meeting. It will not go back to the Water Committee as there was a consensus on the direction given to staff.

MOTION: Mayor Muckle moved to continue Ordinance No. 1697, Series 2015, to October 6, 2015 seconded by Council member Keany. All were in favor.

RESOLUTION No. 65, SERIES 2015 - A RESOLUTION CHANGING THE NAME OF THE HORTICULTURE AND FORESTRY ADVISORY BOARD TO THE PARKS ADVISORY BOARD AND SETTING FORTH THE PURPOSES, TERMS RESPONSIBILITIES, POWERS, DUTIES AND OTHER MATTERS CONCERNING THE PARKS ADVISORY BOARD

Mayor Muckle requested a staff presentation.

Public Relations Manager Muth explained at the September 1 City Council meeting the Council directed staff to bring back for consideration a way to expand the Horticulture and Forestry Advisory Board (HFAB) into a Parks Advisory Board. Resolution No. 65, Series 2015 would change the Horticulture and Forestry Advisory Board (HFAB) to a Parks Advisory board and establish the duties of the board. The resolution lists the duties of the new board as follows: The Board shall serve in an advisory capacity to City staff and Council on matters of interest related to parks and landscaping within the City of Louisville and shall address other specific duties as assigned by City Council. The Board's responsibilities include, but are not limited:

A. Advise City staff and Council in determining the community's needs and desires for parks, park programs, and park facilities in relationship to the Parks, Recreation, Open Space, and Trails Master Plan;
B. Advise the City staff and Council on park and landscape maintenance, development, and redevelopment;
C. Advise the City staff and Council on the capital and operating budget as it relates to parks;
D. Advise the City staff and Council on best management practices related to parks and landscaping;
E. Promote horticultural best management practices in public landscaping;
F. Educate the public regarding horticultural best management practices appropriate for Louisville's climate and soils.

The new board would take effect January 1, 2016. Staff recommended the three members of HFAB whose terms do not expire in 2015 be appointed to the new Parks Board for the one year remaining in their HFAB terms. If Council approves the resolution, staff would bring back to the City Council an ordinance to remove the Horticulture and Forestry Advisory Board from the Louisville Municipal Code as of December 31. 2015. Advertising for members of a new Parks Advisory Board would begin in late September during the annual recruitment for board and commission members. Applicants would be interviewed in December and those appointed would take office in January 2016.

PUBLIC COMMENTS

Mark Newland, 719 Pine Needle Lane, Louisville, CO, Horticulture and Forestry Advisory Board (HFAB) Board Member, stated he realizes the importance of a Parks Board, but questioned the new definitions and expanded responsibilities. He stated the resolution changes the name of the board, the duties and appears to be very park centered. It eliminates some valuable parts of the duties and responsibilities of HFAB. He addressed the board name and felt there are other more appropriate names. He felt public landscape should be part of the duties and contained within the name. He referred to the resolution and stated the purpose was very broad in scope and undefined. He reviewed the HFAB Bylaws on the responsibilities of the Board. He was concerned the resolution did not include public landscape as one of the responsibilities of the new board. Public Relations Manager Muth explained the intent of the Parks staff was to include all public landscaping.

COUNCIL DISCUSSION

Council member Loo disclosed she is the Council liaison to the HFAB Board. She stated it was not Council's intent to limit HFAB current functions, but rather to expand their responsibilities. She did not believe the resolution accomplishes Council's intent. She agreed the name Parks Advisory Board does not capture the responsibilities of the HFAB or a Parks board. She suggested a Parks, Horticulture and Forestry Board would define all aspect of the boards' responsibilities. She also felt including public landscape in the board name would be more appropriate. She reviewed the responsibilities outlined in the resolution and shared Mr. Newland's concern the resolution does not include public land maintenance. She referred to the HFAB's forestry function, which provides homeowners right to appear. She commented many of the other boards have alternate members and the Parks Board resolution does not establish an alternate member. Public Relations Manager Muth explained alternate members are appointed to quasi-judicial boards, to provide a quorum and the ability to vote on issues. Advisory boards generally do not have alternates.

Council member Loo suggested changes be made to the resolution this evening to expedite the process for advertising and interviewing prospective board members.

Council member Stolzmann suggested HFAB work on the criteria and make a recommendation to Council on what would be good goals. She researched what Denver, Boulder, Golden and Lafayette have for their board missions. Golden has a lot of good information relative to grouping projects in common areas and then prioritizing projects to provide recommendations to the City Council. She felt Council could move forward to appoint a board this year and modify the mission to improve their function and responsibilities. She felt the board name should be Parks and Public Landscape Advisory Board.

Council member Lipton did not want to disconnect HFAB from their function, which they are performing well. He was looking for a strong advocacy for the City's parks and to attract candidates interested in parks. He was interested in knowing how the parks are used and maintained. He was satisfied with modifications, as long as the Parks premise is not lost. His goal was to get the parks advocacy going forward.

Mayor Muckle suggested HFAB review the modifications to the resolution at their October meeting and make recommendation for the City Council's October 6th meeting.

Mayor Pro Tem Dalton saw an urgency to get the resolution approved before the recruitment process. He agreed modification to the board description could be made this evening. Public Relations Manager Muth noted it is not uncommon for the roles and mission of board members to be modified.

Mayor Muckle stated the HFAB Board has expressed concern wanted some assurance about the responsibilities of the new board. He felt the Parks Board could be advertised for applicants, while the responsibilities of the new board are being defined. Mayor Pro Tem Dalton agreed.

Council member Lipton voiced his concern over the number of modifications mentioned and whether the resolution could be redrafted this evening, but was willing to spend some time to recraft the language.

Mayor Muckle wanted to see advocacy included in the goals and suggested carrying over all the HFAB goals to the new resolution. Council member Stolzmann agreed, but did not believe it would address Council member Lipton's concern for emphasis on the parks. She felt the missing goals were streetscapes and facilities, which did not address playgrounds, their upkeep and whether they are age appropriate.

City Council discussed revisions to the resolution in Section 2, items A through F and incorporated the current HFAB goals and duties.

Mayor Muckle requested clarification of HFAB being a referral agency for development. Public Relations Manager Muth explained the intent was to advise City Council and staff on the public landscape development and redevelopment, which include referrals.

Council member Loo stated there has been ongoing discussion on whether HFAB should be looking at development projects. HFAB does not have authority to approve private development plans, but have concerns they are asked to comment on a landscape plan for a private development. She noted there has not been any question about HFAB's review of public landscape projects.

Council member Keany felt any case where there is a public dedication as part of a development review process; the advisory board should review the plans.

Council member Lipton did not disagree, but did not want to hold up a project to review a small piece of land dedication property. He suggested a different plan review, which would not interfere with the quasi-judicial process.

Mayor Muckle agreed and felt there should be administrative decision making. Mayor Pro Tem Dalton agreed and noted many times the meeting schedule for HFAB does not meet the schedule of a development. He suggested not requiring HFAB to review or approve a landscaping packing for a development. In public landscape projects the HFAB should review.

City Attorney Light addressed the referral role and asked if it was Council's intent for an advisory board to have decision making authority. A referral board can advise and make comments to the Planning Commission and the City Council on the landscape plan for either the public area or the private areas. Mayor Pro Tem Dalton voiced his preference for a HFAB review of public areas only.

Council member Loo referred to the Kestral property, which included an orchard intended as a public land dedication. The orchard is no longer proposed for public land dedication, but suggested adding public landscape maintenance review to the duties.

Council member Stolzmann felt the HFAB could review and clarify the language by inserting explanations. She noted there are different facilities at different parks. She suggested the board look at these parks and advise Council.

Council member Loo requested the two bylaws be added to the ordinance: forestry and the appeal process. Mayor Muckle requested the board maintain a list of trees.

Council member Stolzmann requested the board also look at ballfields and soccer fields in addition to parks. Parks Superintendent Martin explained the recreation staff operates the leagues, but staff proposes to encompass all athletic complexes.

COUNCIL DIRECTION

There was Council consensus on the following modifications to Resolution No. 65, Series 2015: 1) Changing the name of the Horticulture and Forestry Advisory Board to

the Parks and Public Landscaping Advisory Board and 2) Setting the Purposes, Terms, Responsibilities, Powers, Duties and Other Matters Concerning the Parks and Public Landscaping Advisory Board.

Section 2 of the resolution was modified to read as follows: The Board shall serve in an advisory capacity to City Council on matters of interest related to parks and public landscaping within the City of Louisville. The Board shall have such other advisory responsibilities or duties as assigned by City Council, such responsibilities include, but are not limited to:

A. To assist the City Council and staff in determining the community's needs and desires for parks, programs, and facilities in relationship to parks related issues in the Parks, Recreation, Open Space, and Trails Master Plan;

B. To advise the City Council and staff on park and public landscape maintenance, development, and redevelopment, and review referrals for proposed landscape plans for public areas;

C. To advise the City Council and staff on the capital and operating budget as it relates to parks and public landscape maintenance;

D. To advise the City Council and staff on best practices related to parks and landscaping;

E. To promote healthy horticultural and forestry practices in public and private landscapes;

F. To educate the public regarding horticultural and forestry practices appropriate to Louisville's climate and soils;

G. To review and give comments on city landscape master plans, landscape ordinances and other appropriate landscape documents;

H. To hear appeals of decisions of the city forester concerning licensing of arborists and removal of trees as provided in Chapter 8.12 of the Louisville Municipal Code;

I. To maintain a list of small, medium, and large trees, bushes and shrubs to be planted as street trees or park trees and advise the City on the adoption of regulations for the care and planting of trees.

MOTION: Mayor Muckle moved to approve Resolution No. 65, Series 2015, as amended, seconded by Mayor Pro Tem Dalton. All were in favor.

PRESENTATION – CITY MANAGER'S PROPOSED 2016 BUDGET AND 2016-2020 CAPITAL IMPROVEMENTS PLAN (CIP) –SET PUBLIC HEARING OCTOBER 20, 2015

Mayor Muckle requested a staff presentation.

City Manager Fleming presented an overview of the Proposed 2016 Budget and 2016-2020 Capital Improvements Plan (CIP). 2016 Budget Key Sections: Summary of Recommended Significant Changes (Budget increases exceeding $10,000); 2016 Programs, Goals, Sub-Programs and Contributing Projects and Department Summaries and Performance Measures.

Financial Overview:

- Revenue Assumptions and Expenditure Targets
- Recurring Revenue vs Recurring Expenditures
- Primary Fund Forecasts (General Fund, Open Space and Parks Fund, Capital Projects Fund, Water, Wastewater, and Storm Water Funds (Combined Utility Fund) and Golf Course Fund

2016 Major Capital Projects:

- Major upgrades at the Wastewater Treatment Plant to satisfy more stringent federal and state water quality standards
- Numerous water system equipment replacements and system improvements
- Complete Phase 2 of the Louisville/Lafayette boundary stormwater improvements
- Street resurfacing in priority locations throughout the City
- Pedestrian safety, intersection and streetscape improvements along the Highway 42 Corridor
- Finalize implementation of City's centralized data system (ERP)
- Open Space and Trails wayfinding projects

2016 Increased Service Levels

- 3 FTE's and $30,000 in contract funding in Parks and Open Space/weed control, landscape maintenance and controlled burn
- 1 FTE and $45,000 in CIP funds to implement body cameras in PD
- .6 FTE and $20,152 to fund Historic Preservation Intern and implement elements of Historic Preservation Master Plan
- .5 FTE Sustainability Coordinator

2016 Building Adequate Reserves

- Maintain General Fund reserves above a 20% target reserve through 2020
- Proposed 2016-2020 5-Year CIP result in a 2016 year-end reserve exceeding $1.7 Million and 2020 exceeding $3.0 Million

- The proposed Open Space and Parks budget provides reserves in Open Space and Parks Fund to cover the City's share of acquiring the 3 highest priority open space purchases if they become available

Revenue Forecast Assumptions

- Sales Tax Revenue: +4.9% in 2015, +3.5% in 2016, annual average of +3.5% for 2017 through 2020, excluding effects of Historic Preservation Tax.
- Property Tax Revenue: +1.4% in 2015, +17.6% in 2016, annual average of +2.2% for 2017 through 2020, excluding effects of Historic Preservation Tax.
- Consumer Use Tax Revenue: =5.0% in 2015, +2.0% in 2016, annual average of +1.0% for 2017 through 2020, excluding effects of Historic Preservation Tax.
- Building Use Tax: +54.9% in 2015, - 19.8% in 2015, annual average of -31.7% for 2017 through 2020.

Key Council Decisions:

- Are revenue and expenditure estimates reasonable?
- Does proposed budget reflect prudence (not overly cautious nor overly optimistic) given the current economic conditions?
- Do Significant Changes reflect Council priorities?
- Do capital projects preserve assets and focus on areas of greatest need?
- Can we maintain service levels over the long run?

Budget Calendar – Key Dates:

September 15:	City Council Meeting: Presentation of the City Manager's Proposed Budget – Set Public Hearing for October 20
September 21 (Monday)	Special City Council Meeting: Discussion/Q & A and identify revisions Council wants to see on Proposed Budget.
October 13	Special City Council Meeting: Discussion/Q & A and identify Revisions Council wants to see on Proposed Budget
October 20	City Council Meeting: Conduct Public Hearing and identify any further revisions
November 2 Monday)	City Council Meeting: Resolution adopting the budget; Resolution appropriating funds; Resolution levying taxes

COUNCIL COMMENTS

Council member Lipton stated during the budget retreat there were several policy assumptions discussed. He asked City Manager Fleming to address those financial policies. Finance Director Watson stated the policies have been brought before the Finance Committee for review, but would be presented at the September 21st meeting.

Council member Lipton was interested in seeing the fee for services for City facilities.

Council member Keany addressed the summary of revenue assumptions and noted it did not reflect revenue from the Open Space Tax. He wanted to see all sources of revenue at the next budget meeting. Finance Director Watson explained the schedule Council member Keany referred to includes all sales tax. The intent was to show general trends by revenue source. He explained Council member Keany referred to revenue by program, but he would provide the revenue by fund at the next meeting. He explained the program based budget has not been implemented. City Manager Fleming would prepare a table for the next meeting.

Council member Keany requested sources of revenue and a breakdown of how programs are being funded. City Manager Fleming referred to the departmental summaries for this information.

Council member Loo wanted to see a budget where the citizens can see how the money comes in and how and where it is spent. She requested a pie chart to simplify the budget for the public. City Manager Fleming agreed pie charts can be very informative and he would add those to the budget.

Mayor Muckle expressed his thanks to staff for all their work on the budget. He felt all the new information will be helpful during this budget process. He agreed the pie chart concept would be helpful to the public.

PUBLIC COMMENTS

Michael Menaker, 1827 W. Choke Cherry Drive, Louisville, CO stated the DDI will be completed this year and the City invested millions to rebuild the golf course. The City is dependent on the revenue from big box stores in Centennial Valley and has undertaken an urban renewal plan to revitalize the retail at the vacant Sam's Club. Through the McCaslin Small Area Plan, it is becoming more apparent there will not be significant residential housing in Centennial Valley, but Superior will be building 1400 new residential units. He recommended the City invest in capital improvements along the McCaslin corridor, especially along the Interchange and Dillon Road, to create a sense of place and provide information on what might be found in Louisville and leverage the investments in the City's businesses. He suggested budgeting for an RFP design study to evaluate the City's options and identify the costs, which could be implemented into a 5-year CIP program. He felt this would be a strategic investment and very important to the City and the residents.

COUNCIL COMMENTS

Council member Lipton commented on the document goals, subprograms, and contributing projects, which were incorporated into the document, but did not link to the

budget. He asked if some comments or presentation could be provided at the next budget meeting. City Manager Fleming stated he would provide a table showing how the dollars from the traditional budget flow into the programs and subprograms area. However the two cannot be linked until the Central data system is fully implemented, which has a revised chart of accounts. Then the challenge will be on how to present the information in the traditional format to compare previous years' information.

Council member Lipton noted the budget still contains the adoption of the 2015 International Building Codes, which Council agreed to postpone. He asked if the document was updated based on Council's discussion at the last budget retreat. City Manager Fleming stated the document has been revised and the International Building Codes will be removed.

Council member Lipton stated there is citizen interest in street paving and the conditions of the City's streets. He requested more of a descriptive presentation on the budget requirements for upgrading the streets above and beyond what is proposed.

MOTION: Mayor Muckle moved to set a public hearing on the 2016 Budget and 2016-2020 Capital Improvements Plan (CIP) for October 20, 2015, seconded by Council member Keany. All were in favor.

RESOLUTION No. 64, SERIES 2015 – A RESOLUTION APPROVING A SEVENTH AMENDMENT TO THE PURCHASE AND SALE AGREEMENT BY AND BETWEEN LOUISVILLE MILL SITE, LLC AND THE CITY OF LOUISVILLE

Mayor Muckle requested a staff presentation.

Economic Development Director DeJong provided the background information for the Seventh Amendment to the Purchase and Sales Agreement by and between Louisville Mill Site, LLC and the City. The original Agreement executed September 27, 2013, was for the sale of the Grain Elevator to LMS LLC for $200,000. The City provided $500,000 for stabilization of the grain elevator. There were several amendments to the Agreement. The Scope of Work to be complete by October 31, 2015. With respect to the stabilization, $234,664.20 was requested, with a remaining balance of $265,338.80.

Architect Erik Hartronft provided an update on the Louisville Historic Grain Elevator Stabilization Project. The project entailed five months of exploratory work. The south section of the structure was stabilized. The applicant filed for a State Historic Preservation Grant in October of 2014. After a seven month process the grant was denied. The applicant is currently working on a new State Preservation Grant. They are currently aggressively working to complete the stabilization project. By end of the first Phase, $400,000 was spent in stabilization, out of the $500,000 grant. With the remaining $100,000 they propose to reconstruct the wagon mounts and hope to upgrade the structures' lighting and electrical system. The unfunded portions of the

project include a fire sprinkling system, siding and windows. He presented slides of the project, which included historic photos of the grain elevator, the mitigation work on the warehouse, the excavations and foundation work and the grain bins rehabilitation. He reviewed the future scope of work. He thanked the Mayor, Council and staff for their support of the project.

PUBLIC COMMENT

Michael Menaker, 1827 W. Choke Cherry Drive, Louisville, CO felt the project should be completed in an exemplary fashion. He stated there is $900,000 in the Historic Preservation Fund and suggested the Council fund all or most of the restoration of the grain elevator out of this fund.

COUNCIL COMMENT

Mayor Muckle inquired about the project timing for the rest of the site. Mr. Hartronft explained they have an active excavation project, but have applied for a permit for the east side of the grain elevator. After the closing they begin the addition to the grain elevator. They are looking for the signature tenant, which they believe will a restaurant on the west end of the new building. Once there is a commitment, they will begin construction on Lot 3. They have revised structural engineering plans, which have been submitted to the building division, which will require a one-month review. They may have to request an extension on the October 21st deadline.

Mayor Muckle asked for the deadline for applying for a History Colorado grant. Economic Development Director DeJong stated it is in the fall, around October 1st.

Council member Loo inquired if the City would continue to apply for grants. Economic Development Director DeJong stated staff had not intended to. Mayor Muckle felt the City should continue to apply for grants.

Council member Loo asked if there were reasons stated for the rejections. Mayor Muckle explained History Colorado assists applicant's package their application, however it is reviewed by an independent agency. He stated it was probably too complicated for the reviewers to understand the public/private partnership. He felt more information and clarification might be necessary.

Council member Loo inquired whether a specific target should be identified. Mayor Muckle stated they were less concerned with the additions. They look at projects, which provide educational opportunities.

Council member Stolzmann felt Council should facilitate the closing as soon as possible so the applicants can market the property. She also felt the grants should be pursued.

Economic Development Director DeJong reviewed the Seventh Amendment to Sales Agreement: 1) Delays the $200,000 purchase price to be paid at the second closing for transferring Lot 3 (former Napa building and currently TILT Pinball) after the stabilization scope of work is complete. 2) Increases the earnest money deposit to $20,000 at the first closing to transfer the Grain Elevator parcel and Outlot A.

PUBLIC COMMENTS

Erik Hartronft stated they always assumed they would have to pay the full purchase price when they received title to the property. The city attorney advised them they must pay the full purchase price before taking possession of the property. It was their understanding the earnest money served as their investment until the stabilization was done. They supported the resolution approving the seventh amendment to the contract.

Mayor Muckle asked for clarification on the closing and transfer of the property. Economic Development Director DeJong explained the intent was for the applicant to do the work on the stabilization before the closing of the property.

City Attorney Light explained two years ago there were different scenarios reviewed relative to the closing. The contract does have imbedded the scenario there could be one closing, but it also provided closing on the grain elevator with title for the Lot 3 being held until the stabilization was complete. The grain elevator could take a tenant and be put to use while the stabilization work was completed. He was not concerned with revising the contract to allow a joint single closing. If the applicant cannot complete the work by the end of October, it would move the closing to November. Under the present scenario, the applicant could record the Plat, PUD and landmark the property. The second closing requires the City Manager to confirm the stabilization is done and accepted before the delivery of the deeds and payment of the purchase price.

Erik Hartronft explained the goal is to have the stabilization done in order to close on the property. One reason they accept the split closing is to close on the property and move forward with the renovations on the east side of the grain elevator.

City Attorney Light stated the contract contemplates the approvals will be in place, but they won't be recorded until the initial closing. He stated language could be added to the Seventh Amendment to have a mutual agreement upon the trigger point for the recording of the Plat and PUD in advance the closing of any conveyance and the landmarking resolution has to be put into the record at the time the lot is created.

Erik Hartronft stated they are fine with the proposed amendments to the agreement. He stated they do not expect any special treatment.

MOTION: Mayor Muckle moved to approve Resolution No. 64, Series 2015, seconded by Council member Loo. Roll call vote was taken. The motion carried by a vote of 7-0.

PURCHASING POLICY UPDATE

1. **RESOLUTION No. 62, SERIES 2015 – A RESOLUTION AMENDING CITY OF LOUISVILLE PURCHASING POLICIES – continued from 9/1/15**
2. **ORDINANCE No. 1701, SERIES 2015 – AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 3.08 OF THE LOUISVILLE MUNICIPAL CODE PERTAINING TO THE PROCUREMENT OF GOODS, SERVICES AND CONTRACTS FOR PUBLIC WORKS – 2nd Reading –Public Hearing**

Mayor Muckle requested a City Attorney introduction.

City Attorney Light introduced Ordinance No. 1701, Series 2015 and reviewed Resolution No. 62, Series 2015.

Mayor Muckle explained this was discussed at the September 1, 2015 City Council meeting and was continued to this evening. Public Relations Manager Muth requested the ordinance and resolution be continued to November 2, 2015, to enable staff to make the Finance Committee's requested changes and allow a second Finance Committee review before the documents are brought back to Council.

RESOLUTION No. 62, SERIES 2015

MOTION: Council member Stolzmann moved to continue Resolution No. 62, Series 2015, to November 2, 2015, seconded by Council member Loo. All were in favor.

ORDINANCE No. 1701, SERIES 2015

MOTION: Council member Stolzmann moved to continue Ordinance No. 1701, Series 2015 to November 2, 2015, seconded by Mayor Pro Tem Dalton. Roll call vote was taken. The motion carried by a vote of 7-0.

DISCUSSION/DIRECTION/ACTION – PURCHASE OF 198,575 WATTS OF COMMUNITY SOLAR WITH CLEAN ENERGY COLLECTIVE

Mayor Muckle requested a staff presentation.

Public Works Director Kowar explained the staff received a proposal from Clean Energy Collective regarding a lease purchase agreement for community solar capacity in the amount of 198,555 watts. Staff asked for Council discussion and direction regarding whether Council wants to make additional renewable energy investments. This proposal requires a $67,502.70 fully refundable deposit to secure capacity within this second Community Solar Garden. The proposal targets electricity meters at the Sid Copeland Water Treatment Facility, the Howard Berry Water Treatment Facility, and the Harper

Lake Pump Station, which experience peaking factors that escalate average monthly bill costs. These credits could also be transferred to meters at the Golf Course and new Wastewater Treatment Plant sometime in the future if these locations prove to have higher peaking factors. Staff performed preliminary validation of the data and calculations presented by Clean Energy Collective.

New Clean Energy Collective Solar Lease Purchase for Consideration: The proposed lease considers a slightly different lease purchase with Alpine Bank for solar panels again supplied by Clean Energy Collective. This new lease purchase of 198,555 watts of solar capacity would be at an interest rate of 5.25% for years 1-5 and then 3.75% for years 4-15. The total estimated lease payments are $964,499. The total estimated positive cash flow for this lease, based on $1,116,786 in bill credits and $349,276 in Renewable Energy Credits, is $1,466,062. Thus, over a 20-year life cycle this lease purchase agreement would reduce the City's projected cost for electricity by an additional $501,563.

Other Considerations: Clean Energy Collective (CEC) states this is the last opportunity to invest in Community Solar Gardens through Xcel programs that will provide positive net cash flow fairly quickly through Renewable Energy Credits and on-bill credits. Because CEC expects Xcel to change the credit structure, future Community Solar Gardens may not provide net positive cash flows. This proposal would provide for 9,578,546 lbs of avoided CO2 emissions over the 20 year financial analysis. This equates to roughly 10,861,097 miles driven or 14,773 trees planted.

Fiscal Impact: Over a 20-year life, this lease purchase agreement would result in total lease payments of $964,499, fully offset by $1,116,786 in bill credits and $349,276 in Renewable Energy Credits, and thus reduce the City's projected net cost for electricity by a total of $501,563. The higher interest rate in the early years of the agreement, the current proposal, assuming all estimates and factors hold true, would increase the City's net cost of electricity for years 1-5 by $11,374 to $5,420 dollars each year. The proposed lease payments equal $4.85 per watt for a total of 198,555 watts. It requires $67,502.70 refundable deposit, 15 year lease to own financing.

Amy Thompson, Clean Energy Collective, explained there will be two dramatic changes in community solar especially with Xcel Energy. Future arrays will not have any renewal energy certificate payment (REC) and the investment tax credit (ITC) provided by the Federal Government will stop at the end of 2016 (the current ITC is a 30% discount). They were awarded 12 mega-watts with a negative REC kilowatt, which means there is an opportunity to have the golf course on board. The tax rate structure from Boulder I to Boulder II is different so there is not a collateralization of the actual panels for Alpine Bank on the second financing, there for the interest rate increased. She expressed her hope the City Council would take advantage of this opportunity for this array.

COUNCIL COMMENTS

Council member Lipton asked if staff is recommending moving forward with this purchase. Public Works Director Kowar outlined the pros and cons. Pros: This is a very good opportunity. Cons: Staff has not had time to see the results of the first purchase to confirm all the variables and estimates are as accurate as possible.

Council member Lipton asked for the risks of making this investment. Public Works Kowar explained Facility Manager Szabados has reviewed all the numbers. The risks are perhaps the solar garden is not as efficient as they envisioned or perhaps the electrical costs don't escalate as much. Other risks include better new technology that could outpace the saving this opportunity presents.

City Manager Fleming explained based on the current assumptions on escalation of the cost of electricity and the efficiency of the panel, it could save the City half a million dollars over a 20-year period. There may be new technologies, which may be better and save more money.

Council member Lipton asked if staff is recommending the Council move forward. City Manager Fleming explained it took more time to finalize a contract, which makes staff hesitant. From his perspective as City Manager, saving $500,000 over a 20-year period is good and recommended the City Council go forward.

Council member Lipton asked if this is a type of market that could be put out for competitive bids, or would this be the only opportunity. Public Works Director Kowar explained Clean Energy is one of the leaders for a community solar garden and they are local. He stated Alpine Bank is the only one to bid for this financing and noted this is a very niche market. City Manager Fleming noted Clean Energy is a fast growing Louisville Company and expanding in other states.

Ms. Thompson confirmed they are a Louisville Company located on Centennial Drive and have over 100 employees. She explained it was an arduous task to finalize the lease, but at this point, there is a full package of closing documents prepared by CEC. The only thing remaining is to review is the lease from Alpine Bank and close quickly. She noted with respect to an RFP process and the Xcel program, it would require ownership of a solar array and the land to put it on. Also there would not be a REC payment or on-demand charges.

Council member Lipton addressed the CEC information suggesting a 20-year investment of 117% and a 50-year return of 863% and asked if the life of the assets would be 50 years. Ms. Thompson explained today's solar panels have a warranty of 25 years, but they are seeing a 35-year life. The panels will be replaced as needed. The transformer will probably have to be replaced in 20-years. The REC payments help pay for the operations and maintenance. There is full insurance coverage on the array. There are safety features built in and they are going to try to run the operation for 50 years. They will be able to integrate with new and better technology.

Council member Stolzmann stated Council is just looking at whether a deposit should be made, which is fully refundable and asked if the deposit goes toward the loan. Ms. Thompson explained last time there was a lease to own so the deposit was returned. A zero percent down payment creates the negative cash flow. An opinion is needed on the interest rate, which will not be non-taxable after 5-years.

Council member Stolzmann stated the City would still get a renewable energy credit, which would go from 9 cents to 6 cents. There is an opportunity to put the City Facility Building, the Golf Course and Water Plant on line to evaluate where the credit should be. The first five years could be better than projected particularly with the golf course. She supported the down payment to reserve the space. She said CEC will be taking care of the maintenance and the City gets all the benefits without going into the utility business. She felt this should be a budget discussion next week and the City should be looking for ways to reduce its energy intake.

Mayor Muckle inquired about the percentage of electricity now provided through solar. Public Works Director Kowar stated it is still a low percentage. Mayor Muckle supported putting down the refundable deposit and reserving a space in the array

MOTION: Mayor Muckle moved to authorize the City Manager, Public Works Director and City Attorney to negotiate the purchase of 198,575 Watts of Community Solar with Clean Energy Collective, seconded by Council member Stolzmann.

City Attorney Light offered a friendly amended to include the deposit is fully refundable. Mayor Mucke and Council member Stolzmann accepted the friendly amendment.

VOTE: Roll call vote was taken. The motion carried by a vote of 7-0.

2000 TAYLOR AVENUE

1. **ORDINANCE No. 1703, SERIES 2015 – AN ORDINANCE APPROVING AN AMENDMENT TO THE BUSINESS CENTER AT CTC GENERAL DEVELOPMENT PLAN (GDP) TO REZONE THE PROPERTY FROM PCZD-C TO PCZD-I – 1st Reading – Set Public Hearing 10/06/2016**
2. **RESOLUTION No. 66, SERIES 2015 – A RESOLUTION APPROVING A FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN TO CONSTRUCT A 120,581 SF SINGLE STORY INDUSTRIAL/FLEX BUILDING WITH ASSOCIATED SITE IMPROVEMENTS FOR LOT 1, BLOCK 4, THE BUSINESS CENTER AT CTC**

Mayor Muckle requested a City Attorney introduction.

City Attorney Light introduced Ordinance No. 1703, Series 2015 and reviewed Resolution No. 66, Series 2015.

ORDINANCE No. 1703, SERIES 2015

MOTION: Mayor Muckle moved to approve Ordinance No. 1703, Series 2015 on first reading, ordered it published and set a public hearing for October 6, 2015, seconded by Mayor Pro Tem Dalton. All were in favor.

City Attorney Light explained Resolution No. 66, Series 2015 will come forward with the second reading of the ordinance.

CITY ATTORNEY'S REPORT

No items to report.

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

Mayor Muckle reported the MCC testified on the RTD Board meeting regarding Eco passes. CU is the largest single holder of Eco passes. Deputy City Manager Balser stated her understanding RTD Chair Sisk requested it be consistent with the 13.3% fare increase. The RTD staff and attorney recommended 18.8%. The majority of the RTD Board supported staff's recommendation, but final action has not been taken. There was support for bringing back the group that looked at Eco passes a few years ago to review the rate structure. Council member Stolzmann stated Council should discuss Eco passes before taking a position on the rate structure.

City Manager Fleming reported the ribbon cutting ceremony for the City Services Facility is October 6th at 5:30 p.m. The dedication ceremony for the Law Enforcement Memorial at Helburg Park is tentatively scheduled for October 15th, but depending on the amount of work complete, it might be rescheduled to October 28th.

ADJOURN

MOTION: Mayor Muckle moved for adjournment, seconded by Mayor Pro Tem Dalton. All were in favor. The meeting adjourned at 9:55 p.m.

_____
Robert P. Muckle, Mayor

_____
Nancy Varra, City Clerk

City of Louisville
COLORADO • SINCE 1878

City Council

Special Meeting Minutes

Monday, September 21, 2015
City Hall, Council Chambers
749 Main Street
7:00 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. Council members: Ashley Stolzmann, Susan Loo, Jay Keany, Chris Leh and Jeff Lipton***

Staff Present:
Malcolm Fleming, City Manager
Heather Balser, Deputy City Manager
Kurt Kowar, Public Works Director
Kevin Watson, Finance Director
Dave Hayes, Police Chief
Chris Neves, IT Director
Aaron DeJong, Economic Development Director
Troy Russ, Planning and Building Safety Director
Beth Barrett, Library & Museum Director
Joe Stevens, Parks & Recreation Director
Kathleen Hix, Human Resources Director
Meredyth Muth, Public Relations Manager
Carol Hanson, Deputy City Clerk

PLEDGE OF ALLEGIANCE

All rose for the pledge of allegiance.

ITEMS NOT ON THE AGENDA

Mayor Muckle had sign up cards from residents concerning trains and quiet zones.

Tom Pathe, 901 Rex St., Louisville, CO had questions on the quiet zones. He asked what they are, the cost, why they are needed and what is the obstruction for having quite zones. As a 20 years resident he noted the trains have always been here, but now he finds the noise intolerable.

Mary Clough, 508 Lincoln Avenue, Louisville, CO noted she had been in touch with Council member Stolzmann and understood the money could be pushed off to 2018. She also found the noise from the trains very loud. She asked for the budget dollars to be allocated in 2016.

Jeff Meier, 470 County Road, Louisville, CO supported quiet zones. He asked what had happened to the 2014 report and what the City has done with it. He recommended the City decide what action should be taken and put out requests for proposals to see what could be done soon. He suggested at least doing the Pine Street crossing.

Mayor Muckle noted the trains are louder by federal requirement. Quiet zones are physically designed so a car cannot cross the track if a train is present. This allows the trains to be able to pass without using their horn. He noted the north area study looked at the intersections and costs from Westminster to Longmont. There is not an RFP that can be issued; it is a matter of getting on BNSF's schedule. There are parts the City can control and he as Mayor supports getting those done. All the north area municipalities have to reach consensus to get it done.

Mayor Pro Tem Dalton thanked Deputy City Manager Balser for the clear email concerning how the timing laid out and noted residents could see that email.

Council member Stolzmann noted the cost wouldn't be known until there is an agreement with the railroad. The study was done in 2014 and it reports the cost as $1.1 to $1.6 million and seeing what some communities have paid, costs are going up. She was concerned if this kept getting pushed out because of the flood and other infrastructure issues, it might never get done. She supported doing it as soon as possible and having the funding in place.

Deputy City Manager Balser shared Stolzmann's concern over the flood causing distraction from the quiet zone project. She noted the communities along the corridor are now looking at when the DRCOG money is available and are continuing to work to finalize how dollars get distributed.

Tom Pathe, 901 Rex St., Louisville, CO asked if this would take five years. Mayor Muckle noted the Council is discussing moving this to 2016.

Mary Clough, 508 Lincoln Ave., Louisville, CO asked if the budget could move to 2016 and if the DRCOG money didn't come in, modifications could be made at that time.

Jeff Meier, 470 County Road, Louisville, CO asked how Westminster got money if the other communities had to approve it. Deputy City Manager Balser explained the funds are for the Northwest Rail and Westminster was the first stop on the rail line and Adams County used a portion as well. There is $6.8 million left to be allocated to the rest of the communities along the corridor.

Mayor Pro Tem Dalton asked what those who would like to see quiet zones in 2016 would suggest moving out of the budget.

Council member Keany noted there were other things needing to be done and he was hesitant to move other projects out of the budget for something he saw as an amenity not a need.

Council member Lipton cautioned Council to move deliberately and noted real construction could likely not happen until 2017. He did not suggest the City go this alone, there should be collaboration.

Council member Leh noted on social media this had been a lively discussion. He spoke to the road conditions and the priority in getting those out of disrepair. He encouraged residents to keep the conversation going.

Council member Loo asked why staff scheduled quiet zones for 2018. Deputy City Manager Balser stated they were trying to be realistic about actual construction and ability to cluster them with surrounding entities to be most efficient.

Council member Loo asked if the money was received in 2017 would $1.2 million dollars be available in the City budget.

City Manager Fleming looked at different scenarios and there could be money available. If no money was available from DRCOG there was money to fund quiet zones in 2016 without shifting funds as long as Council was comfortable with the low reserve that would leave in the Capital Projects Fund.

Council member Loo noted government moves slowly for a reason. She was in favor of getting as much money from elsewhere as possible. She was comfortable with leaving this scheduled for 2018 with the understanding to move it up if monies are received.

Michael Menaker, 1827 W. Choke Cherry, Louisville, CO noted this is not a matter of money, but of waiting for BNSF. He pointed to the wait for BNSF approval for the South Street underpass and suggested a letter writing campaign to BNSF asking them to move this along.

Mayor Muckle agreed but wanted to get the items the City can control in line to be ready.

Council member Stolzmann noted the money is in the budget to design this project for next year. The Capital Improvement Plan sheet should state our plan to move forward on this project with the railroad as soon as possible and the City will do a budget amendment. This would provide the expectation of executing it as soon as possible.

Mayor Muckle and Mayor Pro Tem Dalton agreed this was a good plan.

DISCUSSION/DIRECTION 2016 PROPOSED BUDGET

City Manager Fleming stated staff listed the topics Council members raised at the last meeting. The issues could be discussed in any order Council wished.

Mayor Muckle was satisfied with the draft policies, but asked if Council members had questions they would like to address.

Council member Lipton noted only a couple of the policies affect the ability to put together a budget for this year. He asked for a conversation on the reserve policies and how the numbers were determined and how those would be met. He wanted to look at resident and non-resident fees at the Recreation Center.

City Manager Fleming noted two sets of policies in the packet; current and proposed. He asked Finance Director Watson to go over the reserve policies.

Reserve Policies

Finance Director Watson stated some changes have been made based on what staff heard at the Budget Retreat. The General Fund Reserve was set with a minimum fund balance of 15% with an added target of 20% of current operating expenditures. Open Space & Parks Fund reserves are set at a minimum of 15% of current operating expenditures within the fund; additionally a targeted higher fund balance including the amount sufficient to cover the City share of the three highest priority properties. The Cemetery Fund minimum reserve was defined because this fund receives an ongoing subsidy transfer from the General Fund and administratively, it makes sense to have a minimum amount in the fund. The Combined Utility Fund has the biggest jump to 25% of current operating expenditures; current policy is 15%. Taken out were the provisions for the City Manager to lower the fund balance down to 20% and a Council action requirement to go below 15%.

City Manager Fleming noted a change in the Open Space and Parks Fund reserves; as the highest priority properties are purchased, the amount necessary to reserve will be adjusted.

Mayor Muckle asked if language needs to be added to the utility reserve for bond repayment. Finance Director Watson felt it was covered in some of the debt policies where it talks about full compliance with all covenant on bond issues.

Council member Lipton had suggested on the General Fund Forecast a percentage scale and he would like to see that information. He would like a higher reserve target, 22-23%, as prior to the flood.

Council member Stolzmann asked if GFOA (Government Finance Officers Association) had a recommended target for sales tax dependent cities. Finance Director Watson

noted there was a minimum recommendation; then the City has to look at their revenue structure and determine their comfort and risk profile in the reserves.

Mayor Muckle was comfortable with the 20% target as was Mayor Pro Tem Dalton. Council member Lipton was okay with 20% for 2016 but wanted to see it increased in years to come. Mayor Muckle agreed the reserves needed to at least stabilize if not grow in 2019 and 2020.

Council member Stolzmann felt, as a target, 20% was appropriate but each year the budget should be reviewed to try to increase that percentage.

Council member Lipton felt this was a very subjective way of determining the Open Space & Parks Fund reserves. The top three properties for purchase are grouped, but a property further down the list could become available. As the valuation of the top three properties has not been discussed and the value undetermined, he was unsure what the reserves should be. He questioned since there was no math behind it, whether money from the General Fund should be transferred to the Open Space & Parks Fund reserve as opposed to keeping the dollars in the general fund reserve where there is flexibility to allocate where needed.

Mayor Pro Tem Dalton agreed and stated if the top three properties are not available, another property may rise to the top of the list. He agreed once funds are in the Open Space & Parks Fund they are restricted, but if the funds are earmarked in the General Fund, open space purchases can be made from the General Fund.

Council member Stolzmann took exception to the financial policy relative to the Open Space & Parks Fund with respect to the General Fund “subsidizing” everything. She noted the General Fund can pay for anything. The definition of the targeted fund balance didn’t mean anything. With the current operating expenditures discussion, there is a large General Fund transfer into the Open Space & Parks Fund to pay for all the services offered. With respect to parks maintenance she felt the transfers should be described as to what they were paying for. She noted the introduction refers to the Open Space & Parks Fund transfer paying for 50% of the Parks operations, but there is not a matching financial policy. She recommended a policy be written and the expenditures identified according to a set of principles.

City Manager Fleming noted there is some analysis on what the minimum fund balance should be. It is approximately 350 acres of property valued at just over $35,000 per acre to roughly coincide with other Boulder County properties and any participation from other communities that might partner. That is how the $3.5 million dollar proposed minimum balance comes from. The key issue is whether Council wants to keep the dollars in the General Fund and only transfer when properties become available.

Mayor Muckle felt citizens want an acquisition reserve. Mayor Pro Tem Dalton did not believe it mattered if there aren’t any properties available. The money in the General

Fund is still available.

Council member Stolzmann noted operating costs have drawn down the fund balance. There is a need to address the entire issue, not just the reserves.

Council member Lipton felt there needed to be a focused discussion and analysis and didn't want to draft policy on the fly to get the budget done. He asked to spend more time on policy issues in the future.

Mayor Muckle supported Council member Stolzmann's position. He felt staff did a good job of sorting out where the money in the Open Space & Parks Fund was spent. He stated the Council must decide if they would maintain an acquisition reserve for 2016 or not.

Council member Lipton stated his understanding of the question as follows: Should General Fund reserves be transferred to the Open Space & Parks Fund or should General Fund reserves remain in the General Fund or should there not be any transfers at all until next year because there is not any pressure to purchase property.

Council member Loo noted she was initially okay with having the open space acquisition dollars in the General Fund. She thought the policy was drafted to address residents' concern. She supported open space acquisition funds in the General Fund, but felt a policy should be in place concerning having available funds when open space properties become available.

Mayor Muckle noted this was a recently crafted policy. Will we spend below minimum reserves if there are not enough dollars for an acquisition in the General Fund or would it create a policy to maintain acquisition money in the General Fund, in which case it might as well remain in the Open Space & Parks Fund?

Council member Leh commented the Open Space & Parks Fund is there because we have taxed ourselves to have those funds and are we doing what is required by the ballot issue.

Council member Loo felt citizens perceived there was too much money from the Open Space & Parks Fund being spent on maintenance of park land and not on acquisition of open space.

Mayor Muckle noted there were three top properties listed for future acquisition, but that didn't mean the City should be not be pursuing other properties on the list. He supported the idea of having money in the Open Space & Parks Fund for one acquisition.

Council member Stolzmann felt the discussion should start on the operating expenditures and how those should be funded. Is it appropriate to fund 100% of the

parks operating expenditures out of the Open Space & Parks Fund, or 50% from the General Fund and 50% from the Open Space & Parks Fund? It is the biggest expense and if the percentages for operating are determined, the reserve balance would shake out.

Council member Loo felt 50% was appropriate. Mayor Pro Tem Dalton stated the Council could determine the right amount of money from Open Space & Parks Fund for parks maintenance and operations after this budget cycle. He suggested 50% for this year and then having the discussion of what is appropriate in years to come.

Mayor Muckle asked for the fiscal policy on what Council wanted as the targeted fund balance of a required reserve.

Council member Lipton inquired whether the number of acres and dollars per acre for the top three properties was the correct target. City Manager Fleming noted the acre number is based on the top three properties.

Council member Loo was in favor of the Mayor's suggestion of having funds for one property.

Mayor Muckle suggested a reserve for purchase of 200 acres. He supported 50% this year and staff coming back with a suggested reduced reserve.

Council member Stolzmann suggested leaving the reserve policy in place if there was going to be discussion of changes soon. Mayor Muckle agreed there should not be extensive work on the subject.

DAILY FEES AND PROPOSED RESIDENT DISCOUNTS

Council member Lipton inquired if Section 4.7 of the Financial Policies, assumed the 75% subsidized fees for operation services of direct/indirect costs was just for children's programs.

Council member Stolzmann noted Section 4.6 stated costs will be recovered with fees on numerous things. Children's services are called out because the City is not recovering 100% cost.

Council member Lipton suggested a new title for Section 4.7 to show it is for children's programs. Council member Stolzmann noted the reason it was titled "Fees for Recreational Services" was it also contained the phrase concerning non-residents paying regular fees plus an additional 25% or $5.00, whichever was higher.

Council member Lipton noted if $5.00 is the fee for daily membership for residents, non-residents would have to pay an additional $5.00.

Council member Stolzmann confirmed that is what this financial policy would result in. She noted the analysis from the recreation center does not bridge back to the financial policy. She wanted analysis to show what it would like if the financial policy was followed.

Council member Lipton asked how the additional $5.00 was determined. Mayor Muckle noted it was likely a carry-over from previous policies. He suggested taking out the exact numbers.

Finance Director Watson noted this was current policy but Finance Committee wanted it left in for discussion.

Mayor Muckle wanted the amount for non-residents removed, but not the children's program recovery number.

Council member Lipton suggested the guiding principle should be non-residents should pay more because residents already pay through taxes. Mayor Pro Tem Dalton suggested 25% be the guide to determine additional non-resident cost.

Mayor Muckle noted the reason for not having a specific number between resident and non-resident was the declining usage because of surrounding opportunities. The fundamental principle of residents paying less because they already support the recreation center makes sense, but a specific number for non-residents should not be in the policy.

Council member Leh supported not having the policy contain specific numbers.

Council member Stolzmann wanted a future update showing subsidizing children's activities and non-residents paying more. She had no strong feelings about language.

Parks and Recreation Director Stevens addressed the proposed fee schedule. The resident/non-resident fee structure did not look at 25% as it pertains to daily admissions. The focus was daily admissions to the recreation center, which reflects an approximate 33% discount for residents to acknowledge the other ways they support the recreation center. Further analysis reveals 76% of the 20 visit passes are purchased by Louisville residents. The 10 visit pass was less. The annual monthly pass was where residents really take advantage at 91%. Combined, 77% are Louisville residents and the balance is non-residents. If the resident discount is adopted as presented, Director Stevens didn't see a big impact on non-resident usage.

Mayor Muckle asked whether these fees assumed in the financials Council is looking at for fund balances and the affect to cost recovery. Parks and Recreation Director Stevens noted it would have an impact, but not a dramatic one because of the increase for a non-resident. City Manager Fleming didn't think it would create much impact on overall revenue.

Parks and Recreation Director Stevens addressed fees and cost recovery for Youth versus Adults. The recovery for adults is cost plus, Senior programs are subsidized similar to Youth.

Council member Lipton asked if the proposal is to increase the discount for residents in 2016. Parks and Recreation Director Stevens responded yes, by 33%

Council member Leh suggested additional language in Section 3.4, which is a debt policy. In a previous section, financial advisors are subject to a competitive process. In this section concerning bond counsel, there is no competitive process mentioned and there should be similar language.

PAVEMENT MANAGEMENT SYSTEM AND 5 YEAR RESURFACING PLAN

Public Works Director Kowar explained this was the best estimate for paving statistics for the next five years. The lighter the winter the further the money will go toward streets. The colder and longer winters with lots of freeze/thaw cycles will result in less money for streets. The Plan is based on averages, but may change dependent on the weather. The statistics will provide what is necessary for pavement after this paving season. This represents 64 arterial lane miles, 67 collector lane miles and 132 local lane miles.

Overall Condition Index (OCI): An (OCI) is calculated for each street segment based on the following criteria: Distress Information: Quantity and severity of cracks, patches, etc. Pavement Age: Composition and Age of pavement section, traffic loading, etc. Work History: Patching, sealing, resurfacing, reconstruction, etc. The program is working as streets in the City are moving up in the OCI index. Average System OCI = 72 (2013) 74 (2014) 75.7 (2015).

He demonstrated the conditions by showing slides of the different levels of the OCI index. There was a map to demonstrate the OCI index throughout town. The downtown area has had a program to replace water and sewer lines, which delayed paving repair. Historically the City has not been able to keep up with the maintenance which puts the target OCI behind. He explained the performance of pavement and the proposed 5 year resurfacing plan.

Council member Stolzmann noted there is Council support to continue work to keep the roads in good shape.

Council member Lipton felt the condition of streets was the biggest complaint he receives from residents. He felt averaging the OCI didn’t reflect the reality of the conditions. He thought road repair should take priority. Major roads are important, but so are neighborhood streets.

Council member Leh noted the average OCI of the system was reported at 75. He stated the vast majority of failed streets appear to be in Old Town. This is a quality of life issue and some streets near schools look just as bad. He addressed the 5 year booster plan and noted the downtown areas were not in the plan.

Council member Stolzmann looked at the 2015 goals which proposed a 75 OCI by 2019 with a minimum of 35 on all streets. South Street was intentionally delayed due to the underpass. Main Street is the booster street for 2015 and a couple of streets scheduled for 2016. She suggested directing staff to add as many streets as can be budgeted in 2016.

Mayor Pro Tem Dalton supported Council member Stolzmann's suggestion to give specific direction to the Public Works Director. Over a three year period a grid should be done to raise the OCI and make a more substantial gain. Council would need to know what this would cost.

Mayor Muckle noted Council wanted to gain ground on this issue and realized there was no way to do it all immediately.

Council member Lipton thought staff had been told before that Council would accept OCI in the poor category. He wanted to set the bar higher.

Mayor Pro Tem Dalton noted it could not all be done in a year. He suggested reaching for what is possible and if the policy goal is incorrect, it could be changed later.

Public Works Director Kowar noted in this system there has to be a slow and steady approach financially or it will all denigrate at approximately the same time later and you end up having to face the cost all at the same time repeatedly. If you bring it up too fast there will be a deficit later on.

Council member Lipton felt we have been behind the curve and there needs to be a reasonable path to higher standards. He suggested maintenance be sped up in the spring.

Council member Loo agreed with other Councilors' comments. She recognized the cost of construction is escalating. She asked for the worst case scenario on what the cost would be.

Council member Leh expected a refinement on a concentrated effort for the low OCI streets in the downtown area and not being torn up for other projects. He also felt the schedule should be moved up.

Public Works Director Kowar noted he will look at all the lowest OCI streets.

Council member Keany stressed streets are high priority for residents. He did not want to see any black (failed) or red (serious) on the maps.

Mayor Muckle noted some decisions had been made for other things in years past. He asked to be cognizant of a slow and steady approach.

Council member Stolzmann asked for some reconsideration of pushing out some of the neighborhoods and stated some jargon reflects streets are okay, but this is in conflict with how residents view it. She asked the life cycle of chip seal.

Public Works Director Kowar responded chip seal lasts10 years. Council member Stolzmann asked if there could be a program for getting to each street every 10 years.

Public Works Director Kowar noted the system in place is not perfect but is best practice in the industry; the department is willing to evolve.

PRELIMINARY 2015 ASSESSED VALUATION

Mayor Muckle stated the net assessed valuation has increased in Louisville and there will be more revenue as a result, especially for the Urban Renewal Authority. There is no known number because of the expectation of appeals on the assessments. He suggested leaving this discussion for later.

Council member Stolzmann stated when Council adopts the budget, they set the tax level. She felt an obligation to taxpayers to note the assessed value went up by 18%, but asked the question as to whether the cost of providing service went up a similar amount. Should the tax level be the same, or should some be returned to taxpayers? All the taxing districts have the opportunity to re-look at their mill levy.

Council member Keany recalled a conversation in Finance Committee noting part of the increased valuation is new construction, which should come out of the calculation. Then question then becomes how much of the increased valuation is existing property and what has been the cost of living increase.

Council member Loo inquired if the mill levy was bumped down it would be okay with residents.

Council member Stolzmann noted the City was only one piece of the puzzle.

Council member Loo noted the cost of the City doing business is going up and citizen demand is increasing and was in favor of leaving the mill levy where it is.

Mayor Muckle echoed the cost of significant parts of doing business is going up.

Council member Keany said 14% was new construction.

Council member Stolzmann asked Finance Director Watson if the 14% was applied to the 18%. The answer was yes.

Council member Lipton noted the Fire District gets more than the entire City does. The City was not overtaxing and there was the expectation to handle the money wisely. Council member Stolzmann noted she had heard from several residents feeling their taxes had gone up when the valuation went up. This was the opportunity to take a look at whether the mill levy should be lowered.

Council member Loo noted the Fire District, Schools and the County are likely where the most impact could be made.

Mayor Dalton noted John Leary had made the statement many times regarding the amount of tax revenue collected by the City and that residences cost more in City services than the revenue they provide. The effects of property tax are very small and he was not in favor of changing it.

Mayor Muckle stated it is good to have diversification of revenue and with the changing nature of what the City collects, a constant is good.

BUDGET QUESTIONS/CHANGES

Council member Loo suggested looking at the summary of recommended significant changes - Operating and Budget increases exceeding $10,000. She asked for a description of the Weed Coordinator position. Council member Stolzmann asked for a future presentation of the Weed Plan. Parks and Recreation Director Stevens said with all the rain this season weeds became prolific. There are different ways to manage weed infestation.

Mayor Muckle asked how many FTE's are proposed in Parks and Open Space. City Manager Fleming noted 3 FTE's and $30,000 in contract funding for parks and open space programs focused on weed control.

Council member Keany saw Weed Coordinator and Park Technician III as only two positions.

Council member Stolzmann noted two seasonal positions to help maintain Parks and Horticulture/Forestry.

City Manager Fleming said the focus was not just weeds but also landscape maintenance. Parks and Recreation Director Stevens noted some of the unspecified land has been a problem for weeds.

Council member Lipton said Council had received a letter from the Open Space Advisory Board (OSAB) concerning the summer Open Space Ranger. Parks and Recreation Director Stevens noted this was a pilot program this last year and OSAB supported but it is budgeted for seasonal work.

Mayor Muckle wanted this to be a year round position. Parks and Recreations Director Stevens said they had changed the title and duties to Ranger/Naturalist because of the education piece and cooperation with the Police Department. Finance Director Watson noted this is a .5 FTE, the part-time non-benefitted personnel budget works on number of hours.

Council member Lipton noted the OSAB had had good discussion on a number of things this position could do and this position as full time is not expensive to add.

Council member Stolzmann felt the Ranger Position had changed from the original approval. She felt the education piece was good, but not what was funded. She saw scope creep on some of the programming and hikes. She asked if the Arborist Tech III added last year for this year's budget is in the base and if Horticulturist is additional. The answer was yes.

Mayor Pro Tem Dalton was bothered by the feeling of scope creep in the Ranger position. Mayor Muckle noted a kinder/gentler approach was asked for after hearing from the public about some aggressiveness.

Council member Lipton noted the Ranger did a lot and there were a lot of compliments. Parks and Recreation Director Stevens noted it was a pilot project and there was a lot of flex and push to get voluntary compliance.

Mayor Muckle inquired if there was Council support for this Ranger position being full-time. Council member Keany wanted to first see how adding hours to the Ranger position would impact other positions.

Mayor Pro Tem Dalton supported eliminating the Sustainability Coordinator, the CMO Intern, and the Historic Preservation Intern to accommodate a full time Ranger.

Council member Lipton cautioned there could be hidden costs with program development and funding programs, not just adding a full time position.

Mayor Muckle was unsure there would be hidden costs in the Ranger position. He asked about the City Manager's Office (CMO) intern. City Manager Fleming noted there was a request for a social media person and a management analyst and he could not recommend funding those, but thought it appropriate to request a summer intern particularly for social media.

Council member Keany felt the Sustainability Coordinator could support their position with grants. Mayor Pro Tem Dalton wanted some projected return shown and didn't favor funding this position.

Council member Stolzmann felt sustainability should be everyone's job. Council member Loo was not in favor of funding the Sustainability Coordinator position, the CMO Intern or the Historic Preservation Intern. She felt the Historic Preservation Master Plan needed to reduce the number of goals.

Mayor Pro Tem Dalton wanted have HPC vote for the things important to the Historic Master Plan and was not in favor of hiring an intern.

Council member Keany asked about not funding 5 police officers and if adding one or two would help. Chief Hayes noted adding 5 officers would allow one extra officer per shift. Adding one or two officers could help with the night shift. Currently there are five open positions, with 3 in line to go active and 2 going to academy. There is currently a regional shortage and difficulty getting candidates.

City Manager Fleming noted there has been difficulty keeping and recruiting staff in the Police Department. He will meet with the police department soon and share the salary increases available in 2016.

Council member Lipton asked about the PD strategic plan and wanted to see how it would affect positions. He wondered if turn-back could be invested in additional positions.

City Manager Fleming noted the call volume has not necessarily gone up, but the complexity has gone up. Chief Hayes agreed the complexity is up, there is cooperation with surrounding agencies and no lack of personnel for emergency calls.

Mayor Muckle felt the Sustainability Coordinator could be a good addition but agreed it should be everyone's responsibility. He felt the Ranger position was proven and would rather add hours there. He had no strong opinion on the CMO intern. He inquired about the Preservation Planner and what percentage of her time was to be spent on preservation. Planning and Building Safety Director Russ explained responded a third of the Preservation Planner's time is allocated to preservation, but she is in far excess of that time as the Master Plan has been created. It is challenging the Planning Department's ability to implement the Master Plan.

Council member Stolzmann felt the historic documents on funding for a historic planner should be reviewed. She thought the Historic Preservation planner was to be funded 30% from the Historic Preservation Fund, but it was not the amount of staff time allocated to be spent on historic preservation. Building and Safety Director Russ agreed the entire department is supporting historic preservation.

Mayor Muckle wanted to hear more about the needs for a Historic Preservation Planner and whether another part-time planner is needed or whether an Intern would suffice.

Mayor Pro Tem Dalton noted it said the position would implement the items on the preservation master plan and he stated before that he believes this would be a growth of government services he found unnecessary.

Council member Stolzmann did not support funding the CMO intern, HPC intern or the Sustainability Coordinator.

Council member Lipton wondered if the CMO intern was called temporary clerical help would Council even be seeing it. Council member Stolzmann noted there is currently no social media policy and she did not support what this position stands for.

City Manager Fleming noted staff is currently trying to cover all the bases and there just aren't enough hours in the day and this position, for relatively low cost, could help with those things. He stated he included this item for the healthy debate.

Council member Keany supported the Sustainability Coordinator position since he is liaison to that Board.

Mayor Muckle wanted to continue discussion for HPC intern. He found no support for the HPC intern from Council. He inquired if Council was interested in funding the Ranger position.

Council member Leh wanted to see more metrics for the Ranger position; what was funded and how it evolved as well as what the metrics could be over the winter months. Council member Lipton felt it helpful to know what the Ranger would do during winter.

Council member Loo wanted more information on the Weed Coordinator position.

Mayor Muckle supported the CMO intern with four other Council members agreeing; he asked it be brought back.

Council member Lipton noted the Council was considering only these positions when 7.6 were listed. Finance Director Watson said the three listed were new categories of part time non-benefitted positions.

Council member Loo asked staff to bring back the following items: Utility rate update: Wasn't this just updated? Fireside neighborhood plan consulting services and the Front Street Alley Study: She suggested Council stop studying things and just do them. She stated the City knows the problems with the Fireside Neighborhood Plans. She suggested digesting the small area plans first. CIP: If there are changes in numbers from June could staff point out why there is a difference.

Mayor Muckle said the neighborhood plan picked the Fireside neighborhood because of known issues but wanted to solicit information as part of a plan. Planning and Building Safety Director Russ noted because of the legal issues with PUD's, funds have been set aside for legal consultation in dealing with obsolete PUD's.

Mayor Muckle noted the alleys have parking implications and other implications. Planning and Building Safety Director Russ noted it is Front Street and two other downtown alleys. The dollars would be put into the underpass at Front Street north of Walnut and determine how to tie in that design effort as well as look at design around the pavilion. The alleys are tied to the arts district and their vision for tying it together with wayfinding and parking. There have been a number of requests to underground utilities.

Council member Lipton noted he has a number of CIP items. Mayor Muckle asked to address CIP next time.

Council member Stolzmann agreed with Council member Loo's comments on the recommended significant changes. She wanted to address Council work items at a future meeting. With respect to the budget document she requested more concise documents on the summary and CIP match, one page per CIP project and program specific revenue showing specific fees.

Council member Lipton wanted next year to be more program based. City Manager Fleming noted a lot of the program based budget will come with the new ERP and chart of accounts.

Council member Loo asked why the big percentage change in the City Council/legislative budget. She asked about the parking improvement fund fee. City Manager Fleming noted this is funds collected in lieu of businesses providing dedicated physical parking places.

Finance Director Watson stated the City Council budget increased for the citizen opinion survey.

Council member Stolzmann requested more information of the significant changes to the budget: Why City Services Building maintenance including utilities is so much more; downtown flowers and lights matching fund discussion; non-profit grant giving; agenda management software with web streaming and email outreach and grant for Austin-Niehoff, not assuming it will be received and what to do if not granted.

Mayor Pro Tem Dalton wanted consideration of the costs associated with potential for urban renewal at Sam's club.

Council member Stolzmann had questions on programs started last year and how they are going and should funding be continued including: Economic Development –

business development funding, advertising and marketing, printing; Cultural Arts – Events, Cultural Arts, CIP and building increase and DBA request.

Mayor Muckle requested at the next meeting each department be highlighted and reviewed on how programs are going. Council member Lipton asked the City Manager to make the presentation and hit the highlights.

City Manager Fleming said staff will compare notes and get back at the next budget meeting.

CITY MANAGER'S REPORT
ADVANCED AGENDA

City Manager Fleming asked Council members to respond to the email to help pin down the date for the Helburg Memorial, either October 27 or 28, 2015.

Concrete work will begin on Main Street this week with re-surfacing scheduled for October.

BUDGET ITEMS FOR SPECIAL MEETING ON OCTOBER 13, 2015 AND POTENTIAL FUTURE AGENDA ITEMS

Mayor Muckle requested departmental report and answers to Questions from tonight's discussion at the next budget meeting.

Council member Stolzmann requested a future agenda items on Policy on Open Space reserve level and Parks operating expenditures.

ADJOURNMENT

MOTION: Mayor Muckle moved to adjourn, seconded by Council member Leh. All were in favor. The meeting was adjourned at 10:31 p.m.

_____
Robert P. Muckle, Mayor

_____
Carol Hanson, Deputy City Clerk

SUBJECT: **APPROVAL TO RESCHEDULE NOVEMBER 3, 2015 COUNCIL MEETING TO NOVEMBER 2, 2015**

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **MALCOLM FLEMING, CITY MANAGER**

SUMMARY:
Due to the November 3, 2015 Council meeting falling on Election Day, staff requests approval to reschedule the meeting to Monday, November 2, 2015.

FISCAL IMPACT:
None

RECOMMENDATION:
Approve rescheduling of the November 3, 2015 Council meeting.

ATTACHMENT(S):
None

SUBJECT: **RESOLUTION NO. 67, SERIES 2015 - A RESOLUTION NAMING THE CITY OF LOUISVILLE OFFICIALS TO ACT AS MANAGING OFFICERS FOR THE COAL CREEK GOLF COURSE LIQUOR LICENSE**

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **CAROL HANSON, CITY CLERK'S OFFICE**

SUMMARY:
The City is taking over the food and beverage service at the Coal Creek Golf Course, which requires transferring the liquor license. The immediate decision to assume control of the food & beverage operations at Coal Creek Golf Course is necessary as the contracted concessionaire decided to cease operations as of September 27, 2016. A longer discussion about the future of the food & beverage operation will be conducted in upcoming months.

The State Liquor Enforcement Division requires named officials for the purpose of holding the liquor license. Staff decided the City Manager and the Director of Parks and Recreation will be named as those officials, with the Head Golf Professional serving as the on-site manager. This resolution will accompany the liquor license application to name those managing officers. The Local Licensing Authority approved the transfer of the golf course liquor license at its regular meeting on September 28, 2015.

FISCAL IMPACT: None

RECOMMENDATION: Council approve Resolution No. 67, Series 2015 to name the managing officers for the purpose of obtaining a liquor license for Coal Creek Golf Course.

ATTACHMENT(S):
1. Resolution

RESOLUTION NO. 67
SERIES 2015

A RESOLUTION NAMING THE CITY OF LOUISVILLE OFFICIALS TO ACT AS MANAGING OFFICERS FOR THE COAL CREEK GOLF COURSE LIQUOR LICENSE

WHEREAS, the City of Louisville desires to take over the operation of the food and beverage sales at the Coal Creek Golf Course

WHEREAS, transferring the liquor license requires named officers and Council wishes to name certain City Officials to act as such;

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

The City Manager and the Director of Parks and Recreation shall be named as Officers for the purpose of holding a liquor license and the Head Golf Professional shall be named as the on-site manager.

PASSED AND ADOPTED this _____ day of _____ 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

SUBJECT: **AWARD MINER'S FIELD RESTROOM FACILITY REMODEL PROJECT**

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **JOE STEVENS, PARKS AND RECREATION DIRECTOR**

SUMMARY:
Previously, the City of Louisville completed a Federally Mandated American's with Disability Act Transition Plan for the City of Louisville's Parks and Recreation Department. In 2014, the defunct and ADA-deficient Miner's Field Restroom Facility was included with the City Adopted Capital Improvements Plan (CIP). Based on the complexity of the project, the City contracted with Lodestone Design Group and a structural engineer to further evaluate design and provide construction documents. This necessitated a rollover of funds to 2015. Design and construction documents included the following:

- Remodel the existing restrooms for commercial grade fixtures and current ADA standards.
- Remove second story structure and redesign roof.

This restroom facility has been closed for approximately eight years; the scorer's booth is not accessible to the public and has not been used, as intended, for decades.

After construction documents were completed and rollover funds approved, an Invitation to Bid was posted on the City website and published in the Daily Camera on June 5th and June 12th, and was advertised on Rocky Mountain Bid System. The bid opening occurred on July 1st with the following bids accepted:

Company	Address	Base Bid Amount
Orion Environmental	4875 Newport St. Commerce City, CO	$96,000
Growling Bear Co.	2330 4th Ave., Greeley, CO	$189,538
Travis/Russell Construction LLC	588 U.S. Hwy. 287, #202 Lafayette, CO	$96,369
Whitestone Construction	1930 Central Ave., Boulder, CO	$48,993

Whitestone Construction has completed similar projects for the City and was considered a qualified contractor for this scope of work.

Based on qualifications and in combination with the low bid, staff recommended awarding the Miner's Field Restroom Facility Remodel Project to Whitestone Construction along with the two bid alternates for a project amount of $52,306.

Whitestone Construction was informed of staffs' determination to recommend City Council award the project to Whitestone, however; staff was notified by Whitestone Construction that they could not honor their bid and sign a contract for the bid amount as submitted.

A bid bond of 5% of the bid price was secured from Whitestone Construction and was collected by the City.

At the July 28th council meeting, Council approved staffs' recommendation to reject the remaining bids with the understanding that the project would be rebid.

An Invitation to Bid was then posted on the City website and published in the Daily Camera on August 10th and August 17th, and was advertised on Rocky Mountain Bid System. The bid opening occurred on September 2nd with the following bids received:

Company	**Address**	**Base Bid Amount**	**Base Bid Plus Alts. 1, 2 & 3**
Kc Restoration	4731 S. Santa Fe Circle, Unit 2, Englewood, CO 80110	$139,332	$148,132
Whitestone Construction	1930 Central Ave., Boulder, CO	$91,854	$104,915

Details on the bid alternates include:

- Alternate #1: Saw cut concrete and trench for new conduit for existing power line running from concession area to pitching machine.
- Alternate #2: Install a cold water pressure tank to increase water pressure and volume to toilet flush valves. Provide 10 gallon pressure tank and all required associated controls, fittings, and connections.
- Alternate #3: Asbestos abatement. Testing for asbestos in the drywall has not been performed. Contractors should include this as part of the cost in the lump sum price on the bid sheet. If the drywall contains asbestos above the action level contractor will be responsible for abatement as bid alternate #3. As part of bid alternate #3, contractor will include asbestos abatement of all asbestos containing drywall as per state and local regulations. All removed drywall will be replaced as part of the project.

FISCAL IMPACT:

Budget outlined below is based on the low bid from Whitestone Construction:

Description	Account No.	Account Description	Expense
Base Bid	029-799-55220-15	Restroom Improvement Program	$91,854
Alternate #1	029-799-55220-15	Restroom Improvement Program	$3,602
Alternate #2	029-799-55220-15	Restroom Improvement Program	$963
Alternate #3	029-799-55220-15	Restroom Improvement Program	$8,496
10% Contingency*	029-799-55220-15	Restroom Improvement Program	$10,492
Total			$115,407

*Staff recommends authorizing up to an additional 10% for contingencies. This would allow staff to approve change orders up to $10,492.

The Heritage Restroom project, which will be going out to bid later this fall, was also intended to be funded from the Restroom Improvement Program account. Due to our current economic climate, it is probable that it will be financially difficult to complete both projects in 2015. There are additional funds available from remaining CIP accounts that could be utilized to supplement the budget if necessary (if needed, a budget amendment could be presented in the future). If funding is only available for one of the projects then staff recommends proceeding with Miners Restroom Repairs in 2015 and delaying the Heritage Restroom Rebuild project until additional funds become available.

RECOMMENDATION:

Below are Alternatives for this project:

1. Award the Miner's Field Restroom Project to Whitestone Construction including bid alternates #1, #2 and #3 for the project in the amount of $104,915 and authorize an additional 10% for change orders not to exceed 10% of the contract or $10,492.00.

2. Reject all bids and continue to keep the Miner's Field Restrooms closed. The restrooms have been closed for eight (8) years.
3. Award the Miner's Field Restroom Project to KC Restoration including bid alternates #1, #2 and #3 for the project in the amount of $148,132, and authorize an additional 10% for change orders not to exceed 10% of the contract or $14,813.

Staff recommends City Council adopt Alternative #1 and award the Miner's Field Restroom Facility Remodel Project to Whitestone Construction along with bid alternates 1, 2 and 3, for $104,915, and authorize a 10% contingency, of $10,492, for project change orders, for a total project cost of $115,407.

ATTACHMENT(S):

1. Agreement

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

_____
(hereinafter called CONTRACTOR)

OWNER 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: Miner's Field Restroom Facility Remodel Project
PROJECT NUMBER: 029-799-55220-15

ARTICLE 2. CONTRACT TIMES

2.1 The CONTRACTOR shall substantially complete all work by **December 15, 2015** and within ___ **Consecutive 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 ___ **Consecutive 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 **TWO HUNDRED FIFTY DOLLARS ($250)** 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 _____**Dollars** ($) as set forth in the Bid Form of the CONTRACTOR dated September 2, 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 OWNER'S REPRESENTATIVE 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 OWNER'S REPRESENTATIVE, 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 Substantial Completion, progress payments will be made in the amount equal to 90 percent of the completed Work, and/or 90 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 OWNER'S REPRESENTATIVE shall determine, or OWNER may withhold, in accordance with paragraph 14.7 of the General Conditions.

If Work has been 50 percent completed as determined by OWNER'S REPRESENTATIVE, and if the character and progress of the Work have been satisfactory to OWNER, OWNER may determine that as long as the character and progress of the Work remain satisfactory to them and no claims have been made by Subcontractors or material suppliers for unpaid work or materials, there will be no additional retainage on account of Work completed in which case the remaining progress payments prior to Substantial Completion may be in an amount equal to 100 percent of the Work completed.

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 OWNER'S REPRESENTATIVE 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 OWNER'S REPRESENTATIVE written notice of all conflicts, errors, ambiguities or discrepancies that CONTRACTOR has discovered in the Contract Documents and the written resolution thereof by OWNER'S REPRESENTATIVE 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

6.10 Change Orders, Addenda and other documents which may be required or specified including:

6.10.1 Addenda No. __ to __ 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: Dean Johnson

CONTRACTOR: _____

By: _____

(CORPORATE SEAL)

Attest: _____

Address for giving notices:

_____

_____

SUBJECT: **AWARD BID FOR THE LOUISVILLE AND SUPERIOR WATER INTERCONNECT CONSTRUCTION**

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **KURT KOWAR, PUBLIC WORKS**

SUMMARY:
Staff is recommending award of a construction contract with Redpoint in the amount of $536,435 and a staff controlled contingency of $63,565 for construction of a potable water interconnect with the Town of Superior.

Staff is also working on continued discussions with the Town of Superior to finalize an Intergovernmental Agreement (IGA) that will specify operating protocols for the interconnect and potable water rates each community would pay to the other when the interconnect is activated. Currently, the only outstanding item in the IGA is the billing amount that will be agreed upon in dollars per thousand gallons when the interconnect is in use. Staff is recommending award of the interconnect in advance of the IGA to preserve bid pricing and enable construction starting during the fall weather season. Currently the communities have been working in good faith under a letter of commitment signed by the City and Town Managers.

On August 19, 2015 staff received bids from 8 contractors for the construction of a water system interconnect between the City of Louisville and the Town of Superior. A summary of bid results are listed below:

Contractor	Total
Nelson Pipeline	$757,757
Sun Construction	$546,900
Conroy Excavating	$657,618
Defalco Construction	$760,556
Concrete Works of Colorado	$685,000
Iron Woman Construction	$745,754
Redpoint	$536,435
ESCO Construction	$765,500

In 2013, The City of Louisville and the Town of Superior conducted a joint study to evaluate the potential benefits of a potable water interconnect between the water distribution systems. The results of this analysis concluded that the proposed interconnect would be beneficial to each entity. A RFP for design services was initiated

in 2014 with JVA Consulting Engineering being the successful recipient. In July 2015, JVA completed the design phase of the project and presented final drawings to both Louisville and Superior.

The interconnect project includes the installation of approximately 3,200 linear feet of 12" PVC pipe along Marshall Road between the Louisville and Superior potable water systems, a concrete vault, valving, and necessary controls located at the Howard Berry Water Treatment Plant. The new interconnect will provide redundancy and emergency water supply for both municipalities, with all project costs split evenly between the two participants.

FISCAL IMPACT:
The breakdown of the estimated project cost is outlined below:

Construction (Redpoint)	$536,435
Construction Contingency (12%)	$63,565
Total Construction	$600,000
Town of Superior contribution	$300,000
Louisville's portion	$300,000

The 2015 approved Capital Improvement Plan provided for funding from account 051-499-55810-15, Water System Tie-In with Superior, in the amount of $450,000.

RECOMMENDATION:
Staff recommends City Council award the 2015 Water System Tie–in with Superior to Redpoint per their Bid in the amount of $536,435, authorize staff to execute change orders for additional work up to a 12% project contingency of $63,565.00, and authorize the Mayor, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

ATTACHMENT(S):
1. Agreement
2. JVA Recommendation

AGREEMENT

THIS AGREEMENT is made and entered into this _____day of October in the year 2015 by and between:

CITY OF LOUISVILLE, COLORADO
(hereinafter called OWNER)

and

_____Redpoint Contracting_____
(hereinafter called CONTRACTOR)

OWNER 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 SUPERIOR-LOUISVILLE POTABLE WATER INTERCONNECT
PROJECT NUMBER: 051-499-55810-15

ARTICLE 2. CONTRACT TIMES

2.1 The CONTRACTOR shall substantially complete all work by January 15, 2015 and within **90 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 **50 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 **FIVE HUNDRED DOLLARS ($500)** 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 five hundred and thirty-six thousand four hundred and thirty five dollars ($536,435) as set forth in the Bid Form of the CONTRACTOR dated _____, 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 SUPERIOR-LOUISVILLE POTABLE WATER INTERCONNECT**

6.10 Change Orders, Addenda and other documents which may be required or specified including:

6.10.1 Addenda No. ___ to __ 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: Redpoint Contracting

By: _____

(CORPORATE SEAL)

Attest: _____

Address for giving notices:

_____

_____

_____

JVA, Incorporated
1319 Spruce Street
Boulder, CO 80302
Ph: 303.444.1951
Fax: 303.444.1957

Web site:
www.jvajva.com

E-mail:
info@jvajva.com

August 19, 2015

Mr. Cory Peterson, P.E.
City of Louisville – Engineering Division
749 Main Street
Louisville, Colorado 80027

Reference: Superior/Louisville Potable Water Interconnect
Louisville Project Number 051-499-55810-15
Recommendation for Award of Construction Contract
JVA Job No. 2317c

Dear Cory:

On Wednesday, August 19, 2015, sealed bids were opened for the Superior/Louisville Potable Water Interconnect Project (051-499-55810-15). Eight companies submitted bids for the project.

Bids received by the City were as follows, with comparison to the Opinion of Probable Cost, as prepared by JVA, Inc.:

Bidder's Name	Mandatory Pre-Bid Meeting	Acknowledge Addenda's and Forms Provided	Total Not to Exceed Bid Price
Engineer's Estimate Subtotal (with OH&P and Contingency)	-	-	$748,600.00 ($946,980.00)
Nelson Pipeline	Yes	Yes	$757,757.00
Sun Corporation	Yes	Yes	$546,899.78
Conroy Excavating	Yes	Yes	$657,618.00
Defalco Construction	Yes	Yes	$760,656.00
Concrete Works	Yes	Yes	$685,000.00
Iron Woman	Yes	Yes	$745,754.00
Redpoint Contracting	Yes	Yes	$536,435.00
Esco Construction	Yes	Yes	$765,500.00

Having reviewed these bids, JVA, Inc. recommends the project be awarded to the low bidder, Redpoint Contracting for the lump sum price of $536,435.00.

Please process the City's letter of intent and notice of award as soon as possible to allow the Contractor sufficient time to process bonds and put equipment on order prior to the start of work. If you have any questions, please give me a call.

Sincerely,
JVA, Incorporated

By: Joel Price
Joel Price, P.E., LEED AP
Infrastructure Director

City of Louisville
COLORADO • SINCE 1878

CITY COUNCIL COMMUNICATION
AGENDA ITEM 8A

SUBJECT: **RESOLUTION NO. 68, SERIES 2015 – A RESOLUTION AMENDING THE MEMBERSHIP OF THE RECREATION/SENIOR CENTER AND AQUATICS CENTER EXPANSION TASK FORCE**

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **MEREDYTH MUTH, CITY MANAGER'S OFFICE**

SUMMARY:
City staff, the Mayor and Councilmember Lipton reviewed the applicants for the Recreation/Senior Center and Aquatics Center Expansion Task Force and found there to be a great number of worthy applicants. Mayor, Councilmember Lipton and staff now recommend increasing the size of the Task Force to eleven regular members, two City Council members, and two ex officio members, one each from the Youth Advisory Board and the Senior Advisory Board.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve Resolution No. 68, Series 2015.

ATTACHMENT(S):
1. Resolution No. 68, Series 2015

RESOLUTION NO. 68
SERIES 2015

A RESOLUTION AMENDING THE MEMBERSHIP OF THE RECREATION/SENIOR CENTER AND AQUATICS CENTER EXPANSION TASK FORCE

WHEREAS, the City Council created the Recreation/Senior Center and Aquatics Expansion Task Force on September 1; and

WHEREAS, the City Council originally determined the Task Force would have 9-11 members, two of which were member of the City Council; and

WHEREAS, the Mayor received a large number of highly qualified applicants for the Task Force; and

WHEREAS, the City Council has determined it is in the best interest of the City to increase the size of the Task Force.

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

Section 1
The Recreation/Senior Center and Aquatics Expansion Task Force will hereby consist of thirteen members; two of whom shall be members of the City Council.

Section 2
The Task Force will also include two ex officio members, one from the Youth Advisory Board and one from the Senior Advisory Board.

PASSED AND ADOPTED this 1st day of September, 2015.

By: _____
Robert P. Muckle, Mayor

Attest:_____
Nancy Varra, City Clerk

SUBJECT: **APPOINTMENTS TO THE RECREATION/SENIOR CENTER AND AQUATICS FACILITY TASK FORCE**

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **MAYOR ROBERT MUCKLE**
COUNCILMEMBER LIPTON
JOE STEVENS, DIRECTOR OF PARKS AND RECREATION

SUMMARY:
At the September 1st, 2015 City Council meeting, City Council approved the creation of a Task Force to advise and assist City Council and staff in evaluating a possible Recreation and Senior Center expansion and possible improvements to indoor and outdoor aquatic facilities. The City advertised for citizens interested in serving on this committee to submit a letter of interest and had an outstanding response with 40 well-qualified citizens responding to the request.

The Mayor and Councilmember Lipton reviewed the letters along with staff and used the following guidelines to select a diverse and knowledgeable group to recommend for the Recreation | Senior Center Task Force. Knowledge, interest and passion for the following areas were also incorporated into the review process:

- Aquatics
- Seniors
- Engineering and/or architectural experience
- General population or recreational user of fitness facilities
- A citizen with a young family and/or youth programming needs
- A citizen with finance and or public sector experience
- A citizen with marketing and communications expenses

While the City could not include all 40 citizens on the Task Force, the City looks forward to significant outreach efforts and does want to hear from those not selected as well as every Louisville resident regarding Recreation and Senior Center needs, Memory Square Swimming Pool and other aquatic interests.

FISCAL IMPACT:
None

RECOMMENDATION:
Mayor Muckle, Councilmember Lipton and staff recommend that the following citizens be appointed to the Task Force:

Gina Barton	Alex Gorsevski	Linda Hodge
Michele VanPelt	Rich Bradfield	Lisa Norgard
Louise McClure	Laura Denton	Brett Commander
Tom Tennessen	Michael Menaker	

Kaylix McClure (representing the Youth Advisory Board) and Deborah Fahey (representing the Senior Advisory Board) – ex officio

In addition, the Mayor will appoint two Councilmembers to serve on the Task Force.

ATTACHMENT(S):

1. Letters of Interest

Kathy Martin

om: Ted Hine <tedhine@sprynet.com>
ent: Tuesday, September 15, 2015 5:26 PM
To: Robert Muckle; Kathy Martin
Subject: Recreation/Senior Center Task Force - Letter of Interest

To: Bob Muckle, Mayor, City of Louisville

This is to express my possible interest in serving on the upcoming Recreation/Senior Center Task Force. I say "possible" because the promotional material I have isn't terribly specific regarding the time commitment. The advertised 2 to 3 meetings per month shouldn't be a problem but several "work-week" equivalents of "home-work" during the period of Oct-April could be an issue.

About me (I don't have a recently updated formal resume):

-- I'm a 70 year-old "Senior" (though I try hard to not feel or act like one).
-- Have lived in the same home in Louisville for 40 years (1975).
-- Have actively used the Louisville Recreation Center for 25 years, perhaps averaging 2 visits per week since it opened in 1990.
-- I'm a seasonally very active skier and tennis player.
-- Am a founding member (1994) of Louisville's Centennial Valley Tennis Association. Served on the CVTA board for 10 years (1994-2004) and as President in 2004. 2005-2014 was Captain of multiple CVTA league tennis teams each year.
BS Degree in Business Administration (Emphasis in Finance, CU 1969)
-- Spent my career starting, owning, and building as CEO businesses (including in the 1970's and 80's one in Boulder that manufactured recreational pack products and distributed then nationally to over 3,000 specialty retailers). Have hands on experience in virtually every area of running a business employing up to 150.
-- Have served on multiple non-profit boards and in 2012 earned a Certificate in Nonprofit Management (FRCC) to compliment my decades of business management experience.
-- Am currently working on researching and writing an extensive business plan for a hybrid business/non-profit tech based start-up which will involve raising a significant amount of money. This is effectively a full time job for me (albeit currently unpaid), hence my worry about committing to much time elsewhere.
-- I'm very analytical by nature and capable of identifying and sifting through relevant information and making a logical, informed decision based on it.

Perhaps my decades as a Louisville resident & taxpayer combined with many years using local recreation facilities and my business experience might prove useful to the Task Force.

If you have any questions or need more information, feel free to contact me.

Ted Hine
318 South Pl.
Louisville, CO 80027 (Ward 1)
03-666-9220

Kathy Martin

From: Kaylix McClure <kaylixelisemcclure@gmail.com>
Sent: Tuesday, September 15, 2015 4:49 PM
To: Kathy Martin
Subject: Recreation & Senior Center/ Aquatics Task Force Letter of Interest

September 13, 2015

City of Louisville: Kathy

I am interested in being part of the Recreation & Senior Center/Aquatics task force. I would love to be a part of the community as well as contribute in decision making and the process that goes along with it. I am a dedicated and passionate worker, an involved member of the community, and very excited about this opportunity.

I am a freshman at Monarch High School, a new member of the Left Hand Outdoor Challenge, and have been on the Youth Advisory Board for three years. As a member of YAB, I participated in our aquatics project last year. We made flyers as well as lobbied for more support in our cause. With that experience, I have collected opinions about it from other youth in the community and would be able to voice those. I have also lived in Louisville for about 8 years which has allowed me to watch Louisville grow which would provide another perspective on this project.

I can be reached via cell phone, 720-491-2246 or by email at kaylixelisemcclure@gmail.com. If any references are needed, I will be able to provide them with request.

Thank you so much for your time and consideration.

Best Regards,

Kaylix McClure

105 Cherrywood Ln

Louisville, CO 80027

Kathy Martin

From: Michael <michael@hostworks.net>
Sent: Tuesday, September 15, 2015 6:50 PM
To: Kathy Martin
Subject: Fwd: Rec/Aquatic Center Task Force

From our iPad.
M&M

Begin forwarded message:

> **From:** "Michael B. Menaker" <michael@hostworks.net>
> **Date:** September 8, 2015 at 7:57:52 AM MDT
> **To:** Robert Muckle <bobm@Louisvilleco.gov>
> **Subject: Re: Rec/Aquatic Center Task Force**
>
> Thanks. You should have a deep pool to select from. (pun intended)
> M
>
> —
> Michael B. Menaker
> 1827 W. Choke Cherry Dr.
> Louisville, CO 80027
> 303.665.9811
> Cell: 303.588.8781

> On Sep 7, 2015, at 9:42 PM, Robert Muckle <bobm@Louisvilleco.gov> wrote:
>
> Michael:
>
> Thanks for your email. For now I'll just say duly noted but certainly your experience makes you a very strong candidate.
>
> Bob
>
> Sent from my iPhone

> On Sep 7, 2015, at 2:21 PM, "Michael B. Menaker" <michael@hostworks.net> wrote:
>
> Mayor,

I am applying for appointment to the Recreation/Senior Center and Aquatic Facilities Task Force.

As you know, I have served in many volunteer positions in the past including campaigning for the Historic Preservation Tax and Use Tax; the Senior Foundation Heat Relief Dinner and "Savor the Favor" events; The Helburg Memorial Committee; numerous Fall Festival events, and many a Street Faire. I currently am a member of the Louisville Revitalization Commission and represent the LRC on the Business Retention and Development Committee of City Council.

I am a 19-year regular at the Rec Center usually 5X a week and familiar with the facility.

My professional background is in Marketing Communications and I am well-versed in market research, developing user/focus groups, competitive analysis, and developing multiple strategic alternatives for management evaluation.

I have the interest and the time to serve the City as a member of this Task Force. I appreciate your consideration for appointment. As a senior and a regular Rec Center user I have a vital interest in the future of this facility and any possible expansion…including a community pool or aquatics center.

Thanks for your consideration.
Michael

PS:
In the interest of full disclosure, I should note that my wife, Mary Mulcahey, leads the Bloomin' Seniors Garden Club for the Senior Center.

—

Michael B. Menaker
1827 W. Choke Cherry Dr.
Louisville, CO 80027
303.665.9811
Cell: 303.588.8781

September 15, 2015

Kathy Martin
Superintendent of Recreation and Senior Services
900 W. Via Appia
Louisville, CO 80027.

Dear MS. Martin,

I am writing to express my interest in seeking a place on the Louisville Recreation Center Task Force.

As an avid outdoor enthusiast, indoor recreationist, and near 20 year habitual user of publicly and privately owned recreation facilities in and around our community including the Louisville Recreation Center and Memory Square pool, Boulder's North, East and South Recreation Centers, and Scott Carpenter pool, Flatirons Athletic Club, Colorado Athletic Club, Lakeshore Athletic Club, and the Broomfield Bay, I have extensive direct experience with the recreation and aquatic offerings in our area.

I also have nearly 30 years experience in the private sector as a business and market development professional. I have worked with a range of organizations from early stage start-ups to Fortune 1000s providing organizational assessments, completing opportunity analyses and feasibility studies, developing strategic and tactical business development plans, and analyzing and managing financial and operational planning.

During my career, I have worked collaboratively as a team member, team leader, and outside consultant to analyze client and customer needs, to develop and deploy surveys and focus groups to gather constituent input, to develop and design products and services, and to solicit and evaluate supplier contract proposals.

I currently own and operate Acuity Market Intelligence, a strategic consultancy that provides market development expertise to emerging hi tech companies. Acuity's business model revolves around data-driven, customer centric market development strategies that produce quantifiable results.

I have been a Louisville homeowner since November 2006 sharing a Hillsborough North home with my daughter who currently attends 5th grade at Coal Creek elementary school. I believe our recreation facilities contribute substantially to the quality of life in our wonderful town and I would like to participate in making sure they continue to serve our entire community.

In addition to my enthusiasm for recreation, as a 54 year old, single mom with a 10-year-old daughter attending local schools, I feel I can provide perspectives from a range of constituencies within our community.

Thanks you for your consideration

Maxine Most
640 W. Linden St
Louisville, CO 80027
720 530 5836
Resume (1)

CAROLYN MAXINE MOST - "max"
Principal, Acuity Market Intelligence
640 W. Linden St, Louisville, CO 80027
cmaxmost@acuity-mi.com
(o) 303.499.1897 (m) 720.530.5836

ACUITY
MARKET INTELLIGENCE
Quantifiable Analysis. Proven Results

Professional Summary

- Established electronic identity industry strategic market development expert. Author of numerous electronic identity market briefs and research reports on Mobile Biometrics, Automated Border Control, Biometrics, ePassports and eVisas, and National eIDs. Frequent speaker at industry events. Interviewed by and published in on and off line trade, business, and consumer magazines.
- Strategic advisor engaged to identify and develop key industry partner and investor relationships and make ongoing industry developments and emerging market opportunity recommendations.
- Business concept and strategy development in a range of emerging-tech markets including biometrics, IDs, electronic identity, B2B and B2C services, and visualization.
- Created proprietary, emerging-technology market development, and interactive market-sizing methodologies to facilitate targeted market research and analysis, and support capital acquisition, due diligence, strategic planning, and business operations. Introduced and blueprinted processes to identify and document market requirements, define and integrate functional specifications, and manage and evaluate product development and launch plans.

Experience

Feb '90 - present

Acuity Market Intelligence, *Louisville, CO*

Principal - Founder and Principal of industry leading emerging technology market consultancy focused on biometrics and electronic identity within the context of the broader identification solutions and authentication markets with additional market expertise in e and m-commerce, interactive services, and visualization and image processing. Acuity provides market segmentation, opportunity analysis, strategic planning, and business development services with an emphasis on quantifiable, highly leveragable implementation plans. Customized relationships support targeted, actionable deliverables that enable rapid client assessment, decision-making and project development and deployment.

Client Projects Include

Strategic Analysis and Market Development Planning
Partnership/Alliance Strategy and Relationship Development
Market Research, Analysis & Opportunity Assessment
Marketing and Sales Program Design
Executive Management Facilitation
Market Development/Penetration Plans
Solution Requirements and Specifications
Business and Capital Acquisition

Feb '93 - June '94

MagiNet, *Sunnyvale, California*

Chief Marketing Officer - Drove marketing efforts for international company introducing interactive entertainment and information systems into the worldwide hospitality industry. Responsible for marketing and business development including identifying and targeting markets, developing and implementing market penetration and sales plans, budgeting, forecasting and financial analysis, creating and managing strategic relationships and key accounts, new product requirements, designing and creating electronically distributed marketing and sales tools and managing promotional events and press relations.

Key accomplishments: Infused market-driven rather than technology-driven approach to business development, championed development of corporate mission and implemented process to identify critical path issues, managed design and development of retail shopping application, created highly focused international direct mail campaign yielding 15% response rate and created financial models for qualifying prospects and presenting customer revenue projections. Established international operations in Pacific Rim from Sydney headquarters. Trained and staffed field offices in Australia, New Zealand, Thailand, Hong Kong and Singapore and identified and closed strategic accounts.

Experience (continued)

Feb '90 - Feb '93

Senshu Corporation, *Palo Alto, California*

President/CFO & Founder - Created and managed upscale retail business from inception. Completed feasibility study and market research, wrote business plan including financial analysis, forecasts and ROI, managed incorporation and raised venture capital. Developed operations procedures and tools for sales, returns, special orders and VIP customers, created inventory plan, bought and merchandised goods and hired, trained and managed sales staff. Worked with contractor to design and build-out store interior, created award winning window and in-store displays and handled all marketing and promotion.

Key accomplishments: Managed operations to 10% over planned expense the first 12 months of operations, grew revenue 50% the second year, implemented computer-based point-of-sale and inventory management system, designed computer-based tools to track and plan inventory and monitor financial progress.

Mar '87 - Feb '90

Silicon Graphics Computer Systems, *Mountain View, California*

CAMD Marketing Manager - Managed $40 million Computer Aided Molecular Design market. Responsibilities included strategic planning, VAR relationships, new product definition, trade shows, sales tools, sales training, and key account management.

Key accomplishments: Created the *Molecular Modeling Laboratory* - a unique, interactive traveling lab installed at leading universities, corporations, and government installations. Designed, developed, and produced SGI's first market specific sales tools. Conceived of and managed show stopping booth presentation at SIGGRAPH '89 based on *Virtual Reality* simulation technology by VPL.

Sales Training Program Developer - Created exceptional corporate sales training program.

Education Market Specialist - Developed and implemented promotional strategies for technical education program that doubled customer share in one year.

Graphics Instructor - Instructed and evaluated SGI technical staff and 500+ customers in the US and abroad.

Oct '85 - Mar '87

G.E. Calma, *San Diego, California*

Software Design Engineer - Designed 2D and 3D projection functionality for CAD software. Project management for introduction of 2D region functionality and conversion of software form Fortran on VAX systems to C on Unix systems.

June '84 – Jun '85

Megatek, *San Diego, California*

Programmer/Analyst - Developed 3D graphics library functionality test software. Supported Senior Programmer in development and implementation of software test plan.

Education

Jun '85 University of California, San Diego, CA	BA: Mathematics/Computer Science Minors in Economics and Visual Arts
'93 - '96 Stanford University, Palo Alto, CA **'97 - '05 University of Colorado, Boulder, CO**	Marketing & Business Administration

Activities & Interests

World travel, writing, poetry, theatre, reading, tennis, skiing, biking, hiking, camping.

September 15, 2015

RE: Recreation Task Force for Possible Expansion of the Recreation/Senior Center and Aquatic Facilities

Kathy Martin
Superintendent of Louisville Rec Center and Senior Services
Louisville, Colorado 80027

Dear Kathy & Louisville City Council-

I would like to be considered for being part of the Recreation Task Force. About 2 years ago, I asked Kathy Martin if and when the Louisville Rec Center was planning to expand, as there was an expansion plan hanging on a wall, near the main desk. Conditions were getting too crowded for the Yoga classes I enjoy attending. The second floor Yoga Room, which shares it's space with many other activities has a squeaky wooden floor and is crowded during classes with both people and the storage of stationary bicycles. Crowded classes seem to be getting more crowded, so my question to Kathy was posed in hopes that an expansion would be coming soon. Kathy said the Voters would make that decision and I should call my City Council representative, Hank Dalton, expressing an interest in participating in this matter. Hank returned my call last year and then again last Friday, saying the time has come and he sent an email with instructions on how to apply.

I would be pleased to participate and am available, except for October 4-24, 2015, when my husband, John W. Young, a former Land Use Attorney, is happy to attend in my stead. John and I have owned property in Louisville since 1993. Together, we have worked on 12 successful residential construction projects in Boulder County, and in Canada and Florida. From 2010-2013, we lived in The Villages, Florida, the world's largest retirement community, 1/2 of each year. There, we had the opportunity to attend more than 50 Rec Centers and over 2,000 activities available each week. I will be there in October and plan to take many photos of the most successful facilities, which I could share with this Task Force.

Formerly, I was the Broker/Owner of Cornerstone R. E. and Management Co, Ltd. I have lived in Boulder County since 1971 and use the Louisville Rec Center on average, 3 times per week. Usually, I attend Gentle Yoga classes, but also use the pool, walking track and Senior classes. I also take classes at Erie Rec Center and have used Lafayette, plus East, West and North Boulder Rec Centers.

I hope you will consider me as one of the citizens to serve on the Task Force. Louisville Rec Center is a very important part of my life.

Sincerely,

Pat Young

Pat Young
821 Pinehurst Court
Louisville, CO 80027
303-545-5955
patyoungslanding@gmail.com

To: Kathy Martin

Re: Task Force for Possible Expansion of Senior and Rec Center

Dear Kathy,

I would like to submit my name as a member of the task force looking into the possible expansion of the Senior and Recreation Center and aquatics facilities. I am a 36 year resident of Louisville and have been a regular user of the Rec Center since the first week that it opened. I use the swimming facilities (both at the rec center and at Memory Square, the exercise classes, the indoor track, the spinning classes, the treadmills and elliptical equipment, and more. My wife is as active at the rec center as I am, and our kids grew up participating in rec center activities like gymnastics, tennis, t-ball, and swimming. I was a long time POD member of the Louisville Dolphins and worked with the city when the team moved from being a city sponsored activity to an independent team using city facilities.

I am a retired engineer and am confident that I have the time and energy to participate fully in the task force duties. Before retiring, I was often in a position of interacting with customers about their various desires for the future direction of product development, and I believe that the skills that I learned from those interactions would serve me well in the task force.

Please feel free to contact me with any questions regarding this letter, and I look forward to being able to serve on the task force.

Mark Bailey

Chad M Lankford
164 S Madison Ave
Louisville CO 80027

Education:

- **B.A. Indiana University – Bloomington, Indiana**
- **University of Hawaii – Honolulu, Hawaii. Associate Degree Nursing –LPN**
  Elected Student President of Nursing School
- **Middlesex Community College – Lowell Massachusetts – Ass. Degree Nursing - RN**

Jan 2013 - Present: Stay at home Dad
Twin 2 year old boys Jack & Lance.

April 2012 – Jan 2013 : HCR Manor Care – Boulder, CO
Position – RN Sub Acute Rehab – Station: Complex Care I
Job Duties: Wound Care, Wound Vac, IV Therapy, Infusion pumps, Medication administration, glucose monitoring, vaccinations, injections, colostomy care, remove sutures or staples, tube feeding, NG tube placement, catheter placement, foley care, assessments of patients, communicate with the MD, take orders from MD, do admissions, computer charting, patient education.

Se[illegible]mber 2012 to January 2013
Al[illegible] Living Center – Rehab/Long-Term Care Facility
Thornton CO – Position: RN Staff Nurse

Additional Health Care Experience:

- **2010-2012 School Nurse**
  Fowler Middle School, Green Meadow Elementary, Maynard H.S. – Maynard, Massachusetts

- **2009 Flu Season - Maxim Health Care – Worcester, Massachusetts**
  Vaccination Clinics – Seasonal Flu, D tap, Pneumonia, H1N1

Relevant Work Experiences:

- **2003-2006 Charles Schwab & Co. – Honolulu, Hawaii**
  Financial Adviser – Portfolio Management, Investment Advice

- **1997-2002 Charles Schwab & Co. – Indianapolis, Indiana**
  Customer Service Representative - Employee of Quarter – Excellent customer service
  Investment Representative – Place mutual fund and stock trades, give investment advice.
  Options & Commodities Broker – Elite trader group dedicated to frequent traders, high net worth clients.
  Licensure: Series 7 & 63 General Securities Representative Exam

Ex[illegible] (Interesting info: Trained Chef, Ran 4 Marathons, 6 half marathons, Bicycle Mechanic for Race Across American Team and [illegible]omen's Olympic Triathlon Honolulu 04, Enjoy fixing cars and building computers.

9/14/2015

Chad Lankford
164 S Madison Ave
Louisville CO 80027
808-722-5032

Topic: **Louisville Recreational/Senior Center Aquatics Task Force**

I think I would make a valuable member to your task force for several reasons. First and foremost, I am a father of twin 2 year old boys that will be involved with and utilize the Louisville Recreational center for many years to come. Currently I take the boys to the Louisville Recreational center 4 times a week. The boys use the day care services at the center while both my wife and myself use the workout facilities. We commonly play on the outdoor playground and use the outdoor pool during the summer. As resident of Louisville we currently live 3/4 of a mile from the center. We commonly walk to and from the center on the bike path several times a week. I am certain my family will be involved extensively with the Louisville Recreational Center facilities and services going forward. As a result, I am passionate and personally invested in the continued success and innovation of the Louisville Recreational Center.

I have an extensive background in athletics . I was a three sport varsity athlete in high school. I was a state champion wrestler. As an adult, I have run multiple marathons and half marathons. I ride my road bike actively and lift weights at least 3 times a week.

I understand financial matters having worked in the financial industry for 8 years as a trader and Financial Advisor for Charles Schwab & Co. A successful innovative Louisville Recreational Center makes the town more attractive to current and potential residents. Currently, I believe the Louisville Recreational Center is already one of the best facilities I have ever visited however, we as a growing community must always consider further improvements and expansion while keeping a close eye on fiscal responsibly and cost benefit analysis.

Lastly, I work in the health care industry as a Registered Nurse. I understand human anatomy, health maintenance, and proper diet and exercise, as well as understanding of and intimate knowledge of human illnesses such as diabetes, obesity, high blood pressure, heart disease, and respiratory issues to mention a few.

Thanks for your consideration.

Sincerely, Chad Lankford BA RN

To: City of Louisville/Kathy Martin

From: Greg McSwain

Date: September 14, 2015

Re: Letter of Interest for Recreation Task Force

Please consider this memo as my "letter of interest" for serving on the upcoming Recreation Task Force. I feel I am qualified to serve on this task force due to the 23 years I worked in various professional capacities in the parks and recreation field for the City of Westminster and the Town of Breckenridge. Duties and responsibilities held during this time include:

- Youth Sports Programmer
- Recreation Center Supervisor
- Recreation Programs Manager
- Assistant Director of Recreation
- Directing Member of CPRA's Facility Design and Management School
- Served on design/build teams for recreation facilities and sports fields.

In addition to these professional responsibilities, I have coached many sports (but mostly basketball) for Arvada High School, Monarch High School, Centaurus High School, Louisville Middle School and youth sport teams for the City of Louisville. Currently I am teaching and coaching at Louisville Middle School.

Please feel free to contact me if more information or clarifications are needed. I look forward to the opportunity to serve on this citizen task force for the town I have lived in for the past 22 years.

Contact info:
Email- mcswain245@comcast.net
Cell phone – 303-921-7652

Bruce A Bennett
494 Muirfield Circle
Louisville, CO 80027

Kathy Martin
City of Louisville Parks and Recreation
900 W. Via Appia
Louisville, CO 80027

Dear Ms. Martin

I am interested in being a member of the task force for the possible expansion of the Recreation Center and aquatics facility.

I have lived in Louisville for 16 years. My family and I use the Rec center for swimming lessons, children's sports, adult tennis, and family outings. However, we are not overly active with usage of the center. Because of this, I think it makes me a good candidate, as I believe I fall into the category of an "average user" of the Recreation center.

Unlike many other applicants letters, you will find I have no direct experience in the recreation, and sports field. I don't have an educational background in sports or recreation, and I do not run a business that is related to any recreational field. This allows me to be an impartial judge when learning about options for the development of the Recreation and Senior Center. It is important to gather facts unencumbered by biases that people may have when they are passionate about their specific activity, or have an agenda that they wish to thrust upon the community.

You will find in me, a level headed, reasonable thinker, that will be able to weigh the pros and cons of people's ideas and desires. I am also a fiscally responsible advisor, that believes we must live within our budgetary means.

If these are the qualities you look for in your task force, please contact me by phone or e-mail. Thank you for your consideration.

Sincerely,

Bruce A Bennett

Bruce Bennett
bruceb@q.com
720-252-7359

Kathy Martin

From: Carrie <clsakai@yahoo.com>
Sent: Monday, September 14, 2015 10:59 AM
To: Kathy Martin
Subject: Rec Center Taskforce
Attachments: Task Force Info Letter.pdf; ATT00001.txt

Dear Kathy:

I'm writing to express my interest in joining the Recreation Center Task Force. As a Louisville resident for 7 years, my family has enjoyed the Recreation Center offerings and understand the Center's shortcomings as well. We have used the recreation facilities in all the surrounding towns including Lafayette, Longmont, Broomfield, Boulder and Arvada and have good knowledge on contrasting offerings.

We've been very happy with the children's classes and program offerings, enjoyed Twoodles, the pool and playground. For the past 4 years, I've made a deliberate choice to be a member of the YMCA in Lafayette because I found my workouts at the Recreation center to be frustrating. I often couldn't find an available treadmill and with only one group exercise room, the classes are extremely limited. So I drive to Lafayette every morning to exercise at the YMCA while I wish Louisville's Recreation Center had more to offer.

My 10 and 6 year old son's also voice their frustration with the Louisville Recreation Center's indoor pool. When they compare our pool to other Center's like Paul Derda Recreation Center's indoor pool, they also want to use others facilities outside of Louisville first.

I would love to be a part of this process and I would love to keep my workouts in Louisville. I have some constructive ideas to share and would love to make our Recreation Center the go to center for exercise. We have an extremely active community. Within our limits, let's help foster and maintain our healthy lifestyles.

Sincerely,
Carrie Sakai
303-718-6865

Kathy Martin

From: Laura Denton <laura_ontheweb@yahoo.com>
Sent: Friday, September 11, 2015 2:59 PM
To: Kathy Martin
Subject: Letter of Application for Rec/Sen Center Task Force--Laura Denton

September 11, 2015

Dear Mayor Muckle,

I am writing to express my interest in serving on the Recreation/Senior Center & Aquatics Task Force. I currently serve on the Open Space Advisory Board and worked on their wayfinding initiative task force last year. I am hoping to serve my community by being on this task force primarily because I think this is an interesting topic and I'd like to see Louisville invest prudently in good designs. I do not have any specific, preconceived agenda in mind for this project, but I do think the Recreation/Senior Center is a vitally important part of the community. I also see the need for an updated outdoor aquatic facility. I like the Memory Square pool and its location, but I am aware of its substantial limitations and I am open to the idea of building a new facility elsewhere in town.

My qualifications are as follows:

1) My children and I are regular users of the Recreation Center and have taken numerous classes there over the years. I am a member of the Strength In Numbers group that meets at the Recreation Center and I talk to many the Center's regular users.

2) My children and I are swimmers. They currently swim with the Louisville Dolphins, and I am a former swim team member and lifeguard. I am particularly interested in pool safety issues.

3) I have lived in Louisville since 2001 and I am dedicated to the long-term health and success of this city.

4) I have previously worked in a voluntary advisory capacity with a city-hired contractor as a member of the Open Space Advisory Board.

5) I work well with committees: I am reliable, punctual, and respectful. I am a compromiser and a good listener. I would be a productive and pleasant member of the team.

6) I have a flexible schedule and could meet during business hours or in the evening.

Thanks for the consideration. Even if I am not selected to serve on the Task Force, I look forward to following its progress!

Sincerely,

Laura Scott Denton
687 Tamarisk Ct. Louisville, CO 80027
laura_ontheweb@yahoo.com
303-926-1937

Linda Hodge

138 S Buchanan Ave, Louisville, CO 80027
Cell: 303-521-1024. Email: lghodge73@msn.com

September 11, 2015

ATTN: Kathy Martin
Superintendent of Recreation and Senior Services
900 W Via Appia Way
Louisville, CO 80027

RE: Recreation/Senior Center and Aquatics facilities expansion task force.

Dear Mayor Muckle,

I read with interest the posting for citizens to serve on a task force for the possible expansion of the Recreation/Senior Center and Aquatics facilities. I feel strongly that such an expansion is necessary. I believe I possess some of the necessary skills and experience you are seeking. I am a proven professional and Louisville resident who can add immediate expertise and/or support to your task force.

I possess 35 years of progressive experience as a Women's Health Care Nurse Practitioner in providing direct patient care in clinics ranging from neighborhood to city to a large HMO.
I have statistical training from both a Master of Science in Nursing, as well as a Master of Arts in Cultural Anthropology. I have a background in field and clinical research, data collection, data analysis, and data interpretation. I have published an article on the findings of one of my field investigations in a peer-reviewed journal.
I have recommended and/or participated in pilot projects for improving the provision of health care services, administration, data collection, and project implementation.
I helped with an initial assessment of providers' skills and assisted in the successful implementation of the Scope of Practice Skills Committee for Women's Health Care Nurse Practitioners, Physician Assistants, and Certified Nurse Midwives. Our model won recognition and a large monetary reward. It was subsequently utilized in other medical departments.

I have lived in Louisville, Colorado, since October 1994, and began to use the Louisville Recreation Center facilities almost immediately. My children were also members until they went away to college. They were in LRC day care, swimming lessons, summer camps, Friday Nite at the Rec, and now, my daughter works at the LRC, where she is a front counter greeter/cashier and was also a summer camp counselor. I recently retired from full time work, and, as a senior citizen, I now participate in the Senior Lunch Program, as well as the Senior Monthly Recreation discounted rate for utilizing the gyms and pool. I am at the LRC almost daily and from my experiences, understand the need for expansion of the Recreation/Senior Center and Aquatics facilities.

I am bilingual/fluent in Spanish.

I am confident that my skills are well-aligned with the role, and that I would be an excellent fit for the task force.

My résumé can be made available upon request to you for your review.

Please feel free to contact me via phone or email at a time of your convenience to discuss my background as well as the requirements for the task force.

Best Regards,
Linda Hodge
303-521-1024
Lghodge73@msn.com

9/11/2015

Mayor Bob Muckle
City of Louisville
749 Main St.
Louisville, CO 80027

Dear Mayor Muckle,

I am thrilled to learn that the City is considering an expansion of the Louisville Recreation Center (LRC)! I have enjoyed an annual membership to the LRC for nearly 20 years and visit the center 4-5 times every week. Needless to say, I have a strong and vested interest in the LRC and how it can evolve to meet the ever-changing needs of our city. I see first-hand how the LRC is not only a place where people go to "work out" but is also a social hub of our active community.

Although I am an active member in the local triathlon community (8x Ironman finisher), and do much of my formal training at the LRC, I have no affiliation with community or recreation-based groups. What I offer is the perspective of an average, everyday athlete who uses the local facilities to their fullest. In fact, even during my 5-year membership at Lakeshore Athletic Club, I maintained (and used more frequently) my membership at the rec center. I swim at the pool, lift weights in the gym, and participate in group classes such as yoga, boot camp, and cycling. In fact, my social network is largely derived from time spent at the LRC. As such, I could bring this perspective to the work of the task force.

I was a member of the task force that explored options for an expansion of the center, aquatics facilities, and library back in the early 2000's. Unfortunately, that project ultimately did not receive support from the voters and was never implemented (the library component, however, did receive support in a subsequent election). While we did not achieve the desired outcome back then, I believe many of the lessons learned from this first go-around are valuable and relevant today.

Additionally, I believe my professional experience, with over twenty-five years in various financial management roles, first as a certified public accountant and currently as the director of finance and operations for CU-Boulder's student health center, provides me with a perspective and skill set that would be of value to the task force. I am analytical by nature and could contribute my financial and data analyst skills to the work of the group. I also oversee a staff of nearly 50 people and understand the importance of open communication, teamwork, and working toward a larger, common goal.

In summary, I would be honored to serve the City and the recreation community as a member of the Recreation Task Force. I am extremely excited about the opportunities that we, as a community, have to enhance the recreational offerings in our community and would work diligently in this capacity.

Sincerely,
Michele VanPelt
842 Trail Ridge Dr.
Louisville, CO 80027
michele.vanpelt@colorado.edu
303-525-9235

September 10th, 2015

To: Mayor Bob Muckle

From: Brett Commander

Re: Louisville Recreation / Senior Center expansion Task Force

Dear Mr. Mayor,

I am writing to express my interest in serving on the Recreation/Senior Center expansion Task Force. As a 23 year Louisville resident, I have considerable interest in the future of the recreation center, the aquatic facilities and the community as a whole.

I am particularly qualified to define the needs for improved aquatic facilities as I have been extensively involved with competitive and recreational swimming locally and beyond. I am a 12 year Louisville Dolphins Swim Team Parent and one of the original board members when the organization became a 501c3 non-profit in 2008. I am also an avid supporter of the Monarch High School Swim Teams for which I served on various coach selection committees. Swimming vicariously through my kids, I have visited numerous swimming pools around the state and along the west coast, thus experiencing a wide range of facility designs.

With regards to the Task Force goals, my interests go well beyond swimming pools and I can provide valuable input towards the entire expansion plan. I am a long time user of the recreation center and consequently approaching that coveted senior status. As for my occupation, I am a Professional Engineer in Colorado and several other states. My input will be firsthand with a realistic mindset towards the feasibility and costs associated with expansion.

While I have a strong personal concern for the future of the recreation center, my interests are not entirely self-serving. My wife and I are nearly empty nesters so any future changes will likely not be experienced by our kids and my run with the Louisville Dolphins is approaching the finish line. I am grateful for the facilities that were available to me and my family but there is always room for improvement. My goal with the Task Force is to have an opportunity to provide input and help make improvements for the generations to come. I believe Louisville really is one of the "Best Places to Live" and I think recreation opportunities are fundamental to keeping us on top of the list.

Thank you for your consideration.

Sincerely,

Brett Commander, P.E.
911 West Chestnut Circle,
Louisville, CO 80027

Phone: 303-665-0806, email: commander@bridgetest.com

September 8, 2015

To whom it may concern:

I was asked if I would be interested in serving on a task force regarding the possible expansion of the Recreation/Senior Center and aquatics facilities. As a 25-year member to the Rec Center, I would be most interested in participating on this project. I believe, that my active participation at the rec center, in various classes and also, using both the indoor pool and the pool at Memory Square, has given me an excellent perspective as to ways to improve the existing facilities.

I believe an overall expansion is necessary for the Louisville Rec Center, allowing for larger classes (to accommodate the increase number of participants), and a designated spin bike room (so patrons do not have to move bikes back and forth to allow for the exercise classes). I have seen the growth in attendance at the rec center, first hand, and would like to be a part of the process to make this wonderful facility even better!

As a swimmer, and one who enjoys the outdoor pool, I truly encourage the task force to look into a whole new swim facility. Memory Square is just outdated and needs many improvements. I would like to see an outdoor pool, added to the existing rec center facility if at all possible. I would love to be able to be a part of making this a reality!

I am currently retired and have the time, energy and enthusiasm to be a part of this task force. I am a loyal person to the rec center and have been a supportive member for the past 25 years. Please consider me to join this team.

Thank you for your consideration.

Louise U. McClure
720-394-8311
loumikemc@gmail.com

Robert Burnham
1201 Kennedy Ave
Louisville, CO 80027
720-339-6012 Cell

September 9, 2015

Kathy,
900 W. Via Appia
Louisville, CO 80027

Subject: Recreation Task Force

Dear Kathy,

I am interested in serving on the recreation task force for the possible expansion of the Recreation and Senior Center.

I have lived in Louisville since 2012 when my wife and I moved here to be near grandkids. We had visited often for lengthy stays before that. I am currently retired after working for over 35 years as a project manager and software developer. As a project manager I often managed groups of software developers on large and small projects. My responsibilities as a project manager included managing project tasks and timelines for these projects and assigning and monitoring tasks for fellow developers. I retired when I turned 65 just before moving to Louisville.

I have been an active member of the Recreation and Senior Center even prior to moving to Louisville, working out whenever we visited our daughter and family, who also live in Louisville. I have played racquetball, used the weight room, and attended Fit Zone classes on a regular basis for the past 3 years. I have also brought my grandkids (age 14, 10, and 6) to the center for swimming and other activities such as skate boarding. Although I have not used the Senior Center, a number of my racquetball partners are regular attendees so I have heard a great deal about it.

My wife and I are quite active in retirement. I help out with the grandkids, including coaching my grandson's soccer team last year and this. I am also a youth soccer referee for club soccer, a hiker, and a regular bicycle rider. My wife and I are currently hosting a Norwegian exchange student for the school year. She is attending Monarch High School.

With my project management skills and my in depth knowledge of how the recreation center is used by seniors, families, and kids, I believe I would be a strong contributor to this task force. Even though I am quite active I know I would be able to dedicate the time needed to serve on this task force.

If you would like, I would be quite happy to provide a list of references, including neighbors or other members of the community that know me well.

Thank you for your time. I look forward to hearing from you.

Sincerely,

Robert S. Burnham

Robert Burnham

Kathy Martin

From: Robert Burnham <cyclereb@gmail.com>
Sent: Wednesday, September 09, 2015 11:08 AM
To: Kathy Martin
Subject: Task Force for Possible Expansion of Recreation and Senior Center
Attachments: 2015-09-09 Louisville Rec Center Task Force Volunteer Letter.pdf

Kathy,
I am interested in serving on the task force for the possible expansion of the Recreation and Senior Center. I have attached my letter of interest in this task force.

Please let me know if you need any additional information.

Thank you,
Bob

--
Bob Burnham
1201 Kennedy Ave
Louisville, CO 80027
303-666-8205 Home
720-339-6012 Cell

Kathy Martin

From: peter b <peterb303@yahoo.com>
Sent: Tuesday, September 08, 2015 3:27 PM
To: Kathy Martin
Subject: Recreation and Senior Center
Attachments: PAB - Professional Bio.doc

September 8, 2015

Mr. Bob Muckle, Mayor
City of Louisville
749 Main Street
Louisville, Colorado 80027

Dear Mr. Muckle:

Due to my interest in assisting the City of Louisville in its quest for increasing efficiency and success, the attached professional biography is forwarded for your serious consideration for serving on the task force for the possible expansion of the Recreation and Senior Center.

Throughout my career, success in creating and directing proactive, participatory human resource and labor relations functions in strategic partnership with executive and operational leadership is well documented. Also, please note my background has emphasized a commitment to successful outcomes, ever increasing cost efficiency and operating improvements, and as a collaborative team player, even assuming leadership and entrepreneurial roles on occasion. A reputation for being a truly valuable asset to any organization is well recognized.

As a highly responsible and accountable individual, one who thrives on conscientious effort and application while fostering and promoting positive relationships, my flexibility and adaptability enable me to assist organizations through the competitive challenges which arise in our fluctuating economy. As a long-term participant at the Recreation and Senior Center, I am quite familiar with the facilities and am cognizant of improvements that will contribute to not only maintaining but increasing its acceptance, recognition and utilization in the future. Accordingly, I will welcome my voluntary offering being given serious consideration.

Most sincerely,

Peter A. Briggs
303-598-1797
peterb303@yahoo.com

PETER A. BRIGGS
PROFESSIONAL BIOGRAPHY

Highly accomplished and recognized businessman, leader, executive and consultant. Successful experience within the transportation, manufacturing and service sectors for thirty-five plus years including direct associations with Ford Motor Company, Packaging Corporation of America, Mail-Well Envelope Company, Solar Energy Research Institute and Wackenhut Services, Inc. For the past 15 years, has served the Transit Industry as the Director of Labor Relations and National Manager of Human Resources for Laidlaw Transportation Services, Inc. being responsible for negotiating all of its labor contracts and with the merger with First Group America, Inc., as Director of Labor Relations-West attached to the corporate offices but based in Denver, Colorado. These associations have involved multi-locations and extensive travel.

My career in corporate finance provided hands-on involvement with financial and cost analysis, budgeting, planning and forecasting. As a member of operating committees, I've been actively involved with all aspects of business, including strategic planning, objectives development and the creation and implementation of results oriented solutions. My success in creating and directing pro-active, participatory human resource and labor relations functions in strategic partnership with major divisions of Fortune 200 corporations and Denver based multi-location companies with sales of up to $800 million is well documented. Extensive experience has been strongly supplemented by conducting mediations (private and with the City of Boulder), functioning as Treasurer and chairing the Strategic Issues Group of the Colorado Human Resource Association, membership on the Chrysler Customer Arbitration Board, serving on the Boulder County Board of Adjustment, and an adjunct faculty association with Metropolitan State College. These additional experiences have contributed to successfully understanding and addressing the needs of multiple constituencies while facilitating the development of positive results.

As a businessman with a specialty in human resources and labor relations, I believe an organization's primary asset is its people. Accordingly, I believe it is incumbent upon the organization to optimize the return on its investment in its primary asset, people, for the profits to be reaped are ultimately dependent upon the human's abilities to obtain success. Organizational analysis, infra-structure assessments and developmental implementations are most important to achieving such success.

Significant Human Resources and Labor/Employee Relations Experience

- Human Resource Development including executive, corporate, leadership, business planning, team building and career development coaching.

- Successfully interacted with major international unions such as the UAW, Teamsters, Longshoremen, UPIU, IP&GCU, IBEW, ATU, CWA and OPEIU and other industry related unions. Having worked for a labor attorney in a corporate environment for seven years, I am deeply familiar with all employment law, NLRB, grievance, mediation and arbitration processes.

- As Chief Negotiator, successfully concluded, over 400 labor contracts, many with economic terms less than industry averages. Staffing and scheduling restrictions and COLA clauses have been eliminated, modified wage scales and reduced benefit costs produced cost savings ranging from 8-20%. Other significant accomplishments have included:

-Originated innovative wage adjustments based on productivity gains while creating positive union and employee relations.

-Defeated union organizing attempts resulting in improved employee relations and more open two-way communications.

-Decertified unions and replaced union shop clauses which increased operational flexibility.

- Independently handled grievances at all steps and have prepared and presented arbitrations.

- Strategically planned, analyzed, costed and negotiated all subjects and provisions of labor contracts on all subject areas including economic analysis, costing and subsequent supervisory/ managerial training.

-Represented companies before NLRB in RC's UL's and RD's.

-Developed positive Company-Union relations based upon integrity, pro-active orientation, understanding and effective communications rather than maintaining an adversarial posture.

-Developed and delivered quality labor/employee relations, and union avoidance programs.

• Developed and presented managerial and supervisory training programs dealing with Labor Relations for Supervisors, Grievances, Weingarten, Building positive employee and union relations.

• Represented employers in 20 affirmative action compliance reviews without agreeing to quotas or compromising operational efficiencies.

• Successfully defended against many EEOC charges of alleged discrimination concerning race, sex, age, and equal pay.

• Planned and implemented ADA and other similar statutory compliance programs.

Education and Significant Attributes

• Undergraduate and graduate business degrees were earned at the University of Michigan and was accepted to its Ph.D. program although did not pursue this or subsequent acceptance at the University of Denver School of Law due to personal considerations and extensive business travel at those respective times. Received hands on mentoring from a highly successful labor attorney for seven years and am well versed in Labor and Employment Law. Formal mediation training has been provided by the University of Michigan, the City of Boulder, Colorado and CDR Associates.

• Self-motivated, proactive, hands-on executive capable of working as a member of a team and independently; Persuasive advocate for positive change; Exceptional written and verbal communication skills; Highly responsive to challenges, problems, assignments, and changing conditions, priorities and situations; Strong project management and people skills; Well-developed analytical skills.

Peter A. Briggs, SPHR
309 Pheasant Run
Louisville, Colorado 80027
Cell: 303-598-1797
E-Mail: peterb303@yahoo.com

Kathy Martin

From: Clair Beckmann <clairann2000@yahoo.com>
Sent: Monday, September 07, 2015 8:24 AM
To: Kathy Martin
Subject: Re: Recreation|Senior Center and Aquatics Task Force

Kathy,
While I would love to do this as a serious water aerobics attendee for a zillion years and teacher of water aerobics for a very short time (Urban renewal commissioners or anyone appointed may not be paid by the city we found out after I began to teach)...and a long long time resident...BUT, we are snowbirds and live in Florida for six months of the year so I would have to call in to meetings which is less than ideal...that said, I am happy to do so if folks felt I would be the best person to serve.
My resume is super outdated as a retiree...but in a nutshell...
Moved to Louisville in 1984, President of First National of Louisville on Main for 7 years-Pres of Louisville Chamber, past Louisville Housing Authority Member, Urban Renewal Commissioner, served on the Board and helped raise funds to build Avista Hospital....etc etc.
Current Member of Rotary in Louisville and past Pres....and lots of stuff in Boulder where I served as Regional President for JPMorgan Chase for a number of years before my retirement 10 years ago after which I also was the Planned Giving Officer for Community Hospital.
I do water aerobics at the rec center in Sanibel, Florida when I am there for 6 months of the year and it has been interesting
to compare and contrast.
Anyway, I could provide more, but not sure that my being out of the area in winter would make me a viable candidate.
All the best,
Clair

- Leaves in Oct. for Florida.

Clair Beckmann
303-319-2435 cell
clairann2000@yahoo.com

From: Kathy Martin <kathym@louisvilleco.gov>
To:
Sent: Friday, September 4, 2015 9:41 AM
Subject: Recreation|Senior Center and Aquatics Task Force

Kathy Martin

From: Kelli Gambee <kelli@latitudesoftware.com>
Sent: Friday, September 04, 2015 2:34 PM
To: Kathy Martin
Subject: Rec/Senior Center Task Force

Hi Kathy,

I'm Kelli Gambee and I am interested in being part of the Recreation/Senior Center Task Force. I have volunteered nearly every day since this past February/March at Brook's Cafe'. My job there is to serve as ambassador to the seniors (some of the seniors call me the "happy hostess"). I think that I would be a good fit for this team because I see daily both the successes and needs of the senior center around one of the busiest times of the day. I also volunteer in the community as the President of the Monarch HS parent/teacher association (PTSO) so I am connected with various ages of people in our community including seniors, teens and families. I have volunteered for other events in our city, such as the Taste of Louisville. My son had a booth at the street faire in the summer of 2013 and I have come to love this city!

My family and I have lived in Louisville for 2 years and I believe that being newer to the area could benefit the team by my ability to give input based on how the city is today and what I see as its needs without viewing it through the lens of the past, just as a person who has lived here for many years would have valuable input as they have seen how the city has changed. I'm an organized and outgoing personalty (having been a teacher for 10 years prior to moving here) and as a stay at home mom, I have the time to commit to such a task.

You could talk to Katie Beasley and Trish Morgan as references for me.

Thanks for considering me for this opportunity,

Kelli Gambee
1851 Gallagher Lane
Louisville, CO 80027
248-787-2641

Kathy Martin

From: Mike Crowe <rmikecrowe61@gmail.com>
Sent: Friday, September 04, 2015 10:07 AM
To: Kathy Martin
Subject: Recreation Task Force

I would be very interested in taking part in this task force. I have been a member of the Rec Center since 2010, when we moved from Boulder to Louisville. I have no affiliations with any community or recreations based groups at his time.

Mike Crowe

296 Harper St

Louisville, CO 80027

303-444-9148 Home

303-359-4581 Cell

Rmikecrowe61@gmail.com

Letter of Interest

Louisville Recreation Task Force

I'm writing to express my interest in the Recreation Task Force that is being formed within the city of Louisville. It's with great enthusiasm that I submit my credentials and express my interest in this task force.

My family and I have lived in Louisville since 1997 and have watched this community grow into a vibrant residence based community. Louisville's Recreation & Senior Center have been a big part of our family since 1997, especially after our daughter was born.

My husband and I soon recognized the uniquely warm community feel of Louisville and I have volunteered much of the time that we have lived here. For me, each volunteer commitment represented an opportunity to make a contribution, be part of a team and provide the type of service that citizens deserve. My volunteer activities have focused primarily around athletics within the city. My passion for golf has lead me to serve as President for the Women's golf league at the Coal Creek Golf Course for the past three years. During my Presidency on the Women's Golf League, I felt that our community golf course was a great asset to the City and I wanted to help more. I was appointed to the City's Golf Course Advisory Board in 2010 and became Vice- Chairman to the board two years ago.

Since our daughter was born we have been involved in swimming and soccer for the past 10 years. We found that the Rec Center's soccer program was a perfect fit for our daughter and has taught her many valuable skills over the years. Swimming is a passion of ours also, and we immersed our daughter in the Rec Center's swim program early in her life. The great instructional staff at the Recreation Center formed our daughter into a great swimmer early on in her life. Our daughter enjoyed swimming so much that she wanted to join the Louisville Dolphin swim team. Once she joined the swim team our family became deeply involved in the program. I became a board member of the swim team two years ago and have been very instrumental in the partnership with the city to make the swim team a great community program.

The Louisville Recreation & Senior Center has done a great job of delivering quality services to our community and I believe the Rec Center will continue to be a great community hub in the future. As a future supporter of the expansion of the Rec and Senior Center, I'm anxious and looking forward to possibly working with the City on the Recreation Task Force. As a member of the Golf Course Advisory Board and going through a rebuild process of the Coal Creek Golf Course I understand the challenges of building community support for such a large project. From my experience in the construction industry, I also understand the complexity of obtaining building specifications and project goals. It's the mindset and experience that I would bring to the Louisville Recreation Task Force if appointed.

Thank you for the time and consideration. I look forward to meeting with City Council to further discuss the opportunities and challenges for the Task Force.

Respectfully submitted,

Lisa Norgard

Lisa Norgard
lnorgard12@gmail.com
303-912-8665

Kathy Martin

From: Robert Muckle
Sent: Thursday, September 17, 2015 2:03 PM
To: Sam Winslow
Cc: Kathy Martin
Subject: Re: Rec Center Task Force Volunteer + Ideas

Sam:

Thanks for your interest in serving on the task force and for passing along your ideas. We will be reviewing applications next week and then making appointments at our Oct 6 meeting. I really appreciate your willingness to serve.

Bob.

Sent from my iPhone

On Sep 17, 2015, at 1:51 PM, "Sam Winslow" <swinslow@vmware.com> wrote:

> Bob-
>
> I'd love to join the task force for the redesign of the rec center.
>
> I was a high school teacher and coach for 6 years and have spent the past 15 doing organizational change management and communications for consulting firms and global F500 companies. I expect some of my communications and marketing background could help sell whatever proposal we come up with. Also I have a few ideas that I think could be relatively 'quick wins' that could impact the project favorably. If I don't make it onto the task force, I hope that you can pass along the ideas below to the lead for consideration.
>
> Thanks for your consideration.
>
> Sam
>
> **Few Ideas (above and beyond obvious locker & weight room expansion, etc.)**

1. **Swimming Pool 'Garage Doors' -** Install garage doors in the pool area to create an indoor/outdoor space and expand outdoor seating options.

2. **Flatirons Facing Cardio room** – Build an extension on the roof on the 2nd floor with all windows facing the flatirons so that people on cardio equipment can take in a million $$ view while they work out; looks like there's already a door in place

3. **Outdoor Fountain Area** – Borrow the outdoor sprinkler concept from the YMCA on 28th street so that young kids and parents can have another outdoor play option

4. **Rock Climbing Wall** – The gym in Broomfield has an amazing rock climbing wall that is a huge draw. Would be nice to match. Dick's sporting goods has a big wall in their store that has been shut down for a couple of years. It's about 50 feet tall with multiple routes. Would be interesting to investigate if we could get that as a donation to jump start the project, as this could make the thing a lot more economically feasible.

Sam Winslow | Senior Manager, BTA ACT - Adoption, Change Management, Training Team in the Business Transformation and Automation Organization | VMware | 380 Interlocken Blvd,Suite 500 Broomfield, Colorado, 80021 | Office 303.942.4594 | Cell 303.656.0367

JAMES A. BARLOW
567 Manorwood Lane
Louisville, Colorado 80027
Cell: (720) 289-0958
jimbarlow20@comcast.net

September 16, 2015

Via email only

Re: Recreation Task Force

Dear Ms. Martin:

I would like to volunteer for the Recreation Task Force to assist the City of Louisville in reviewing the Recreation/Senior Center and aquatics facilities.

I have been a resident of Louisville for 16 years and a member of the Louisville Rec Center during that time. The community has matured over that time and the recreation needs of the community have changed as well. I think it is a great time to look at the recreational facility needs of the community for the next 25 years.

About 12 years ago I worked with the Louisville Library and the Louisville Library Foundation in helping identify the library needs of the community for the next generation of residents. From this work, I am very proud to say that the residents of the City of Louisville approved the construction of a new library.

I have attached a resume for your review and look forward to hearing from you.

Very truly yours,

Jim Barlow

Jim Barlow

JAMES A. BARLOW, C.P.A.
567 Manorwood Lane
Louisville, Colorado 80027
Cell: (720) 289-0958
jimbarlow20@comcast.net

Vice President of Finance, Secretary Garmin Sharp Professional Cycling Team (Slipstream Sports, LLC), October 2010 to present

- Responsible for all financial management, including accountability to owner, sports federations, leagues, regulatory bodies, auditors
- Work closely with ownership to research and analyze the financial implications of business opportunities, sponsorships to maximize revenues
- Responsible for developing a financial reporting system, budgeting process and long term forecast, monthly consolidated financial statements and department financial statements
- Prepare projection models for key financial indicators to help identify opportunities to improve financial performance
- Ensure compliance with all international, federal and state tax laws
- Responsible for risk management (insurance) of the organization

Vice President of Finance, Denver Broncos Football Club (PDB Sports Ltd. and Stadium Management Company, LLC), 2003 to 2010

- Responsible for all financial aspects of sports team and related stadium, including accounting, financial analysis, forecasting, cash flow, budgeting, investment, audit, tax and treasury
- Involved with senior leaders in premium seating, ticketing and sponsorship decisions
- Represented the organization at the NFL on all financial decisions
- Oversaw all risk management areas of the organizations and worked with the insurance carriers to maintain appropriate coverage
- Developed organizational budget process that empowered team and front office managers to formulate and track their actual financial performance against the budget
- Worked directly with all departments to ensure compliance with the organization's financial goals, League requirements and NFLPA requirements
- Oversaw the retail operations, including e-commerce
- Maintained relationships with banking and lending institutions as well as external auditors
- Responsible for oversight of ownership investment activities, including real estate, partnership interests, equity investments, foreign currency management/cash hedging

***Consultant/Contract Chief Financial Officer**, June 2002 to March 2003*

- Developed, reviewed financial reporting systems and lead the strategic planning processes
- Aligned corporate practices with appropriate governance responsibilities
- Oversaw all legal and contractual aspects of several organizations

Senior Vice President/Chief Financial Officer/Treasurer, University of Colorado Foundation, Inc., August 1999 to November 2001

- Directed all financial, administrative, planning, budget, investment and treasury functions
- Oversaw $420 million in investments
- Responsible for board audit and finance committee and overall board communications and presentations on all financial and treasury matters

- Coordinated all real estate activities, including acquisition, leasing and liquidation
- Increased annual support to University from $43 to $65 million in two years

Chief Financial Officer/Treasurer, Denver Museum of Natural History, 1988 to 1999

- Responsible for all financial and treasury functions for the Museum and the DMNH Foundation
- Presented all financial information to the Board of Trustees
- Responsible for information technology, food service, retail operations, admissions, facility and special programs
- Developed and implemented a long-range strategic plan
- Responsible for the largest fundraising and building construction project in the 100-year history of the museum
- Responsible for leading new programs and capital projects (the space science initiative, joint ventures for large exhibits and IMAX films)
- Negotiated complex contracts, large transactions and arrangements with multinational corporations and foreign governments
- Developed information systems, financial systems, financial reporting, tax, budgeting and capital planning

Audit Manager, Fortner, Bayens, Levkulich & Co. Denver Colorado, 1981 to 1988
Public accounting firm specializing in commercial banking

- Planned and coordinated various services for audit and tax clients
- Responsibilities included audits, director examinations, management and loan file reviews, tax planning, bank and holding company projections, preparing regulatory reports, implementing internal audit programs and evaluating internal accounting controls

EDUCATION:

Bachelor of Science, Business Administration, June 1981, University of Colorado, Boulder. Accounting Major; CPA, May 1982. Member, Evans Scholars

OTHER:

- Member American Institute of Certified Public Accountants and Colorado Society of Certified Public Accountants since 1982 (not currently active)
- Treasurer, Denver Broncos Charities, 2003 to 2010
- Board Member, Arthritis Foundation Rocky Mountain Chapter, 2004 to 2008
- Chair, Citizens for a Greater Louisville (committee to expand the Senior/Recreation Center and build new library and aquatic center) 2002
- Louisville Library Commission (VP 2003) and Foundation (President 2003), Board Member 2001 - 2004, 2011 - 2014
- University of Colorado Alumni Association, Board member 1999-2001
- Citizens for Arts to Zoo, Treasurer 1988-1999
- Finisher Ironman Wisconsin (2005), Canada (2006 and 2010) and Coeur d'Alene (2007)

Priscilla Slocum Lacy
1150 Grove Court
Louisville, CO 80027
(303)-956-3626
priscilla.s.lacy@gmail.com

September 17, 2015

Bob Muckle, Mayor
Kathy Martin, Recreation Superintendent
City of Louisville
Louisville, CO 80027

Dear Mr. Muckle and Ms. Martin:

Please accept this letter and the enclosed résumé as an expression of my interest in serving on the City of Louisville Task Force that will be advising on recreation center expansion starting this fall and lasting into the spring of 2016. Several people passed along this opportunity to me because they know I have been a long time active community member with experience at the recreation center in the areas of fitness, wellness and most importantly, Aquatics.

I am very pleased to see the city moving forward on steps towards expanding the 25-year old much-used and appreciated Recreation/Senior Center facility. My husband and I attended the City Council Study Session back in the spring where initial discussion of this issue was shared by staff and discussion developed from various citizen constituencies present. We came to the meeting to express our lengthy challenges with pool space/availability for the youth recreational swimmers in our community, particularly those at Monarch High School who have practiced at early morning (4:45 a.m.) hours during the school year for the last 17 years. They are the only high school swimmers in the Boulder Valley 5chool District that do this as the others have recreation center access in the afternoons or early evenings. There is also the recent issue of pool depth in the diving well where it has been identified not regulation for HS competition. It is commendable how strong these programs still are despite these challenges. Additional facility overcrowding and keeping the center up-to-date are also difficulties I have observed during my tenure of use.

I have been a resident of Louisville for 22 years and have used the Recreation/Senior Center as well as the Memory Square pool for that entire time period. I have been an annual pass holder and now a current punch card holder. My whole family (5 of us) are punch card holders. I have taken classes but attend most regularly to work out for an hour a few times a week. I was a LRC employee as an aquatics instructor for three years in the early 2000's and a volunteer coach in the Pee Wee Soccer program years ago. My son is a senior on the Monarch Boys Swim & Dive Team (also had a girl swimmer for one HS year) and I have been the lead Parent Volunteer of that program for two years. My children have participated in the Boulder Valley Summer Swim League over a length of 22 years - both for the Louisville Dolphins and now The Meadows Swim & Tennis Club in Boulder. I have also been involved as a volunteer or participant in several past Louisville Triathlons and Coal Creek Crossings. In addition, my husband was a LRC soccer coach and LL Baseball coach for years and my children participated in too many LRC offerings to list here. Professionally, I am a communications professional with 20+ years of experience in arts, nonprofits, education, and recreation. *Also on the FasTRACKS Artwork Selection Panel representing Louisville.

I would welcome the chance to meet you in person and further discuss my interest and qualifications as a match for a position on the task force. Please reach me at the following contact phone and email, or leave a message, to arrange a meeting. Thank you for your consideration.

Sincerely,

Priscilla S. Lacy
Priscilla Slocum Lacy

PSL
Enclosure

Priscilla Slocum Lacy

Louisville, CO (303)-956-3626
priscilla.s.lacy@gmail.com
www.linkedin.com/in/priscillaslocumlacy

Diversified Communications
Strong skills and successful results in project management, leadership, creativity,
Problem solving, as well as oral and written communications

CORE COMPETENCIES

Writing and Editing	Development	Marketing	Social Media
Media Relations	Public Speaking	Event Planning	Publishing
Teaching	Community Outreach	Advertising	Photography and Video

EXPERIENCE

Independent, Communications Consultant Louisville, CO (2010-present)

- Directing social media efforts for expanding non-profit **The Art Underground**. Advising and implementing marketing strategies as needed for the organization. Capital Campaign.
- Directing social media growth while managing active platform for young, non-profit **Parent Engagement Network (PEN)** focused on fundraising; developed marketing strategies implemented progressively over the last few years.
- **Boulder Country Day School**: Built, directed, and completed grant profile for ColoradoGives.org (2014)
- Achieved $230K in funds raised through small and large fundraising events over three year period with **Rocky Mountain Chapter of Nurturing Minds in Africa;** directed marketing efforts of annual African Evening contributing to increased attendance of 25% over same time period. (2012-2015)
- Supported communications and development departments by providing value-added information to **Alexander Dawson School** community. Appointed Executive Editor of 110-page school history book; took over project mid-stream and delivered it to publication within strict budget and deadline specifications. Built Dawson grant profile for inclusion on ColoradoGives.org, raising awareness for the school and providing donors with an easy way to support online. (2010-2012)
- Managed account executive duties for Boulder/Denver PR firm **Metzger Associates** specializing in digital marketing and the art + science of communication. (2012)

Imagine! Foundation, Board Member/Marketing Chair Lafayette, CO (2014-present)

- Actively support the Imagine! organization through fundraising and education.
- Surpassed recent fundraising goal by 28%.
- Network to recruit new board members each year.
- Initiating efforts with social media engagement and board development through role on marketing committee.

Meadows Club, Board Member Boulder, CO (2012-present)

- As Social Chair (2012-2014) developed, coordinated and executed four social events and four tennis socials during key seasons for membership of 400 families and individuals. Led social committee.
- Manage the keeping of minutes for all board and general membership meetings as current Secretary.
- Strengthening club communications through marketing and social media. Waitlist continues to be a two year cycle.

CenterStage Theater Co., Board Member/Marketing & Publicity Director Louisville, CO (200S-2011)

- Initiated direction of social media presence; assisted with its management and advised on growth
- Delivered media coverage for each production – 9 for 9 (2006-2009)

- Generated coverage of one cover story, six news features and one letter to the editor (2006-2009)
- Contributed results helped lead to 25% growth in program enrollment, attendance and doubled fundraising
- Helped develop young, not-for-profit into solid, thriving player in local theater market

Boulder Valley School District, Substitute Teacher Boulder, CO (2004-2010)

- Placed on "top ten" list at one school for five consecutive years based on faculty evaluations from a teaching pool of 1,200
- Selected as Para-Educator to fulfill a one year literacy grant at Coal Creek Elementary

Coal Creek Elementary School Louisville, CO (2001-2009)

Media Communications Chair (2008-2009)

- Generated 10 for 10 on school event/activities media coverage
- Landed 25th Anniversary cover story aiding in $4,000 fundraising effort

Community Giving Tree Chair (2003-2009)

- Increased participation of classroom service projects by 50%
- Received recognition of program in local news feature

Louisville Recreation Center, Aquatics Instructor Louisville, CO (2001-2004)

- Generated 25% increase in program enrollment
- Requested for further private instruction by 10% of students. One fifth of this group went on to compete in recreational summer swim league

Dawson School, Publications/Public Relations Dir. & Admissions Assistant Dir., Lafayette, CO (1992-1996)

- Produced 2x as many newsletter issues a year – doubled in size and circulation
- Developed Annual Fund and Athletic Guide publications which continue in use
- Increased enrollment by 17% while elevating admission standards
- Created momentum for transition from boarding and day secondary school to college prep day school expanding into elementary

KGWC-TV, Reporter & Weather Anchor Casper, WY (1992)

- Field produced, reported and edited 100 general news assignments
- Covered "Red Adair – Oil Gas Fire" story picked up for broadcast network release
- Earned permanent weather anchor spot without any meteorology background

RELATED EXPERIENCE Community Volunteer Boulder, CO (1997-present)

FasTRACKS Artwork Selection Panel
Monarch HS Post Grad Center
Monarch HS Boys Swim & Dive
Boy Scouts of America & Girl Scouts of US
Via (Marketing & Community Relations Comm.)
Monarch HS Communication Ambassadors
Impact on Education
Parent Teacher Association (PTSO)

EDUCATION

University of Colorado at Boulder
B.A., Political Science; B.S., Broadcast News/Journalism

Bucknell University
Transferred to pursue degree in Journalism

ADDITIONAL PROFESSIONAL TRAINING in Communications, Education, Recreation, and Nonprofits

TECHNOLOGY SKILLS Proficient in MS Windows and MS Office Suite, working knowledge of Macintosh, Adobe InDesign, Adobe Photoshop and QuarkXPress

September 18, 2015

Bob Muckle, Mayor
Kathy Martin, Recreation Superintendent
City of Louisville
Louisville, CO 80027

Dear Mr. Muckle and Ms. Martin:

Please accept this letter as an expression of my interest in serving on the City of Louisville Task Force that will be advising on recreation center expansion starting this fall.

I have been a resident of Louisville for 22 years. I have coached Louisville Recreation Center soccer, Trebol Soccer, Louisville Little League, and YMCA basketball. I have just concluded a 33 year corporate career as listed briefly below. I have significant leadership experience, a strong finance and financial analysis background, and have time to devote to this project.

As a long-time resident, I have seen Louisville evolve significantly and I am pleased that this Task Force is being created. I would plan to take a balanced approach weighing all sides and aspects of the issue. I have evaluated many projects, companies, and products over my career and would bring a very careful and analytical approach.

Regards,

Andy Lacy

303-621-4987

Andrew Lacy

EXPERIENCE

Dun and Bradstreet Corporation, Denver, CO (*2009-2015*)

President - MDR Professional Services

Scholastic Inc., Denver, CO *(2001-2009)*

President - Quality Education Data, Inc. /QED

Cerner Corporation, Denver, CO *(1998-2001)*

Vice President and Managing Director - Multum Information Services In.

Information Handling Services Group Inc., Englewood, CO (*1989-1998*)

Vice President and General Manager- IHS Health Information Inc.(*1993-1998)*

General Manager- IHS Financial Information Inc. *(1990-1993)*

Senior Manager - Financial Analysis and Development (*1989-1990*)

Eastman Kodak Company, Rochester, New York (*1986- 1989*)

Financial Planning Analyst

Philadelphia National Bank, Philadelphia, Pennsylvania (*1984-1986*)

Commercial Officer

First National Bank of Atlanta, Atlanta, Georgia (*1982-1984*)

Cash Management Officer

EDUCATION

Emory University, Atlanta, Georgia (*1982*)
M.B.A. with a concentration in Finance and Marketing.

Bucknell University, Lewisburg, Pennsylvania (*1980*)

B.A., International Relations

Kathy Martin

From:	Robert Muckle
Sent:	Thursday, September 17, 2015 4:03 PM
To:	Todd Harris
Cc:	Kathy Martin
Subject:	Re: I am interested in being a part of the Louisville City Council "task force" on the Recreation Center Expansion.

Todd:

Thanks for your interest in serving on the task force. We will be reviewing applications next week and then making appointments at our Oct 6 meeting. I really appreciate your willingness to serve.

Bob.

Sent from my iPhone

On Sep 17, 2015, at 3:08 PM, "Todd Harris" <Todd.Harris@lasp.colorado.edu> wrote:

> I've also been member of the recreation center since 2001 and use it an hour daily so I have plenty of input. ;)
>
> Todd Harris
>
> (Louisville resident)
>
> Toddharris44@gmail.com
>
> 7208900952

Gina Barton

303.518.1405
ginajbarton@gmail.com

September 18, 2015

Mayor Bob Muckle

Re: Louisville Recreation Task Force

Dear Mayor Muckle,

I am writing to express my interest in serving on the Louisville Recreation Task Force. I welcome the opportunity to share my time, skills and expertise to serve our community. I have lived here for over six years and continue to be increasingly impressed with the encouragement for citizen community involvement. I am proud to call Louisville home.

Professionally, I have been in the field of Parks and Recreation for over 20 years. I have included my resume' to highlight my past experience and leadership in designing, opening, and operating community recreation facilities and programs.

I am purely interested in helping to find the best way to serve the diverse needs of Louisville citizens by participating on a team to help determine the best way to utilize limited City resources. I am not affiliated with any sport recreation groups, and I am most curious about how public input will shape the future of Louisville recreation. In 2015 I was appointed by the Louisville City Council to serve on the Louisville Cultural Council. I have assisted on the Cultural Arts Master Plan by helping to facilitate public input meetings, and gather and analyze survey data. I have also assisted with several cultural arts programs and regularly participate in meetings.

Serving on the Louisville Recreation Task Force would provide me with the opportunity to be a part of two things that are most important to me; recreation and serving my home town. I chose the field of Recreation because of the impact that wellness and social programs have on the lives of those we serve. Healthy and happy people equate to healthy and happy communities. I have been lucky to witness this firsthand. It would be an honor if I were selected to serve on the task force team.

In reviewing your goals for this task force, I am confident that my experience would add value to the Recreation Task Force team. I am well-connected with resources and have a solid understanding of various recreation philosophies and best practices. Upon request, I could provide several professional and personal references in regards to my skills, knowledge and character. I am respectfully requesting an appointment to serve on the Louisville Recreation Task Force.

Sincerely,

Gina Barton

303.518.1405
ginajbarton@gmail.com

Gina Barton

Objective: To obtain a position with a progressive organization whose mission and vision are in alignment with my values, and where I can utilize my skills, expertise and knowledge to serve and continuously enhance community.

Highlights of Qualifications

- **Experienced - 20+ years of Parks and Recreation professional experience –** extensive experience overseeing operations of 100,000 square foot adult wellness and multifunction recreation facilities. Budgetary duties include capital projects, research, and policy review. Developed a solid outlook for revising the 2014 fee structure.

- **Construction and renovation** – design team member for a **6 million dollar aquatics renovation**. Responsibilities included gathering, analyzing and reviewing facility user data, out-of-state travel for preliminary aquatics research, creating and implementing a transition plan for facility construction closure, design detail and review of plans, construction coordination, grand opening, and follow-up on warranty items.

- **Fiscal responsibility** – Currently serves on the Westminster Participation and Revenue committee, where our primary objective is to evaluate the effectiveness and efficiencies of parks, recreation and library services. Current projects include developing a committee work plan, assigned policy and procedure research related to operations, and integrating our mission with the developing service delivery model.

- **Managed partnerships and agreements** – Main contact and managed the **Colorado Rapids** agreement for facility space and use from 1998 - 2007, then **Fit Physical Therapy** 2008 - 2013. Oversaw the contract and lease agreements for **Kids' Nite Out** and **SilverSneakers®** which brought in $30,000 and $130,000 in revenue respectively. Created a group/business pass program to serve area businesses.

- **Special Projects** – served on the Westminster Energy Performance and Performance Measure teams. Co-wrote and **awarded a grant** for a **public art piece**.

Professional Experience and Achievements

City of Westminster, Westminster, Colorado 1998 – Jan., 2014
City Park Recreation and Fitness Centers, Recreation Supervisor

- **Recreation facility operations and programs** – oversaw entire operations of City Park Recreation and Fitness Centers, **Expenditure and revenue budgets of 2.3 million and 2 million respectively.**
  - Centers recognized participation levels on average of 1200 per day.
  - Programs offered for all age groups and included a comprehensive learn-to-swim program, mind/body and fitness, and arts and crafts. Facility included a large community room which served large weddings, department special events, and business trainings.
  - Researched and reported recommendations on capital improvement projects totally over $100,000 per year on average

Gina Barton - Professional Experience and Achievements (continued)

- **Budget management** – consistently has maintained parameters of budget and withstood budget reductions without sacrificing service standards.
  - **Systems of accountability** for line managers to analyze usage patterns and create clear expectations of staffing levels.
  - **Capital Improvement purchases** – purchasing over $100,000 in capital replacement items to include free weight equipment, public announcement system, furniture, etc. Managed weight room and facilities equipment replacement schedules.
  - **Review of trends and research** included guest surveys, recorded observations, data reports through RecTrac and ESRI.
  - **Report data** – assist with writing council agenda memos and staff reports.

- **Teamwork and Guest Service– over 150 employees** consisted of professional, line, hourly and instructional staff. Duties included employee recruitment, hiring, training and development, and performance review.
  - Clear understanding and ability to navigate through **personnel laws and best practices.**
  - Maintained **high employee retention** rates and a favorable work environment. Encouraged healthy two-way communication.
  - Encouraged staff to learn and grow and offered a clear and compassionate approach to coaching, as shown by creating a work plan set for professional employees to achieve overall success.
  - Maintained high citizen survey ratings for guest service and facilities.

City of Golden, Golden Colorado 1994 -1998
Golden Community Center, Facility Manager

- Opened and oversaw entire operations of the 54,000 square foot Golden Community Center.
- Developed policies and procedures from the ground up and opened with 90% new staff members.
- Maintained a true 100% cost recovery the first year of operation
- Facility recipient of the Athletic Business Facilities of Merit Award

Skills, Education and Certifications

Member of National Recreation and Parks Association and
Colorado Parks and Recreation Association (CPRA)

Aquatics Facility Operator (past certification)

Served on the CPRA Facility Design and Management School committee for over 10 years.
Served as chair and co-chair.

Currently pursuing a bachelor's degree in Finance- (15 more credits to meet requirements)
Regis University

Computer skills: excel, word, outlook, power point, ESRI Community Analyst, and Rec Trac

Public Speaking: Completed Toastmasters International Program – experience speaking at the national Athletic Business conference

September 18, 2015

Dear Mayor Muckle,

I am a longtime (22 years) Louisville citizen, and am interested in serving on the task force for the possible expansion of the Recreation|Senior Center and aquatics facilities.

The Recreation|Senior Center and aquatics facilities are very important to me. My family and I have used, and enjoyed, the Louisville facilities and programs for many years. My personal primary uses of Louisville facilities are the Rec Center for personal fitness: the weight training rooms and equipment, the indoor cycling room and equipment, and the steam room. My family uses many of these same facilities, as well as the Memory Square Pool.

While I recognize the need for additional facilities, renovation, and some replacement, I don't have a particular vision, other than a need to spend our town's money wisely, and to do our best to build with an eye to preserving options for future uses and the flexibility to adapt to changing needs and circumstances. Let's keep in mind that the current rec center has been in use, largely in the same form, for 25 years, and Memory Square for far longer than that.

My personal experience includes: time spent as a financial analyst for both a Fortune 500 company and a leading Silicon Valley startup, over 20 years of entrepreneurship, and three years as a board member for Peak to Peak Charter School. As a volunteer, I continue to volunteer at Peak to Peak Charter School, and with the Boulder Mountain Bike Patrol (an affiliate of Boulder Open Space and Mountain Parks, Boulder County Parks and Open Space, and the Boulder Mountain Bike Alliance), and have taken on various other volunteer roles in the past.

I foresee no problems meeting the time commitments as described for the task force members. My resume is attached to provide additional information.

Thank you for your consideration.

Sincerely,

Rich Bradfield
1937 Quail Circle
Louisville, CO 80027

RICH BRADFIELD

1937 Quail Circle
Louisville, Colorado 80027
(303) 667-9095 mobile
rich.bradfield@gmail.com

SUMMARY – Mature, capable team player who makes superior contributions as a leader or team member. Strong communicator who can talk effectively with C-level execs, peers, and extended team members, including technical professionals. Insightful, analytical and intuitive. Able coach and mentor.

EXPERIENCE

NOVA MONDA CACAO & CHOCOLATE 2011 – 2014
Managing Member and Owner

- One of three founders, and principal backer, of direct trade, organic chocolate maker.
- Recruited and led team of up to 10 individuals, including chocolate makers, sales team, marketing team, and operations. Successfully sold business to another chocolate maker.
- Architected and developed consumer package goods brand.
- Led distribution with regional beachhead strategy, combined with B2C via web.
- Developed unique sustainable and ecologically regenerative supply chain.
- Developed well-received website. Collaborated with site platform builder to improve web platform.
- Implemented lean management strategies wherever possible.
- Traveled to Nicaragua and Belize to purchase cacao directly from growers.

ENTREPRENEUR 2009 - 2011

- Developed with three separate teams, three business concepts: personal development seminars for a targeted demographic, local online presence tools for small to mid-sized businesses, and a fair trade organic chocolate company.

MANAGEMENT RECRUITERS OF BOULDER 2003 - 2009
President and Owner 2004 - 2009
Management Recruiters of Boulder is a 30+ year-old executive recruiting firm. In 2004, when the previous owner decided to retire, I purchased this firm in a partnership with my mother, who was also a recruiter at the firm.

- Replaced and upgraded database, telecom and computer systems.
- Hired and trained employees.
- Performed all general management functions, including finance (AP, AR, reporting and planning), human resources, marketing, vendor relations, etc.
- Also worked as a producer placing engineers and managers.
- Exited through sale of business.

Executive Recruiter 2003 - 2004

- Placed engineers and technicians in the RF/Microwave and Wireless industry.

INDEPENDENT CONSULTANT 2002 - 2003

- Consulted to new owner of Gung Ho, a company I sold (see below).
- Consulted with venture seeking to build out municipal WiFi systems.

GUNG HO INC. 1998 - 2002
President and Owner
Gung Ho Inc. did business as The Cellular Store, a four-store chain of cellular phone stores in the greater Denver area. The company focused on value, quality and service. The company had

contracts to sell AT&T Wireless, Qwest Wireless, Verizon Wireless, VoiceStream Wireless, Arch Paging, Metrocall Paging, and Verizon Paging.

- Built chain from single location to four locations in less than three years with internally-generated funds. Negotiated acquisition of three locations from other wireless dealers. Exited through sale of business.

MANAGEMENT RECRUITERS OF BOULDER 1996 - 1997
Executive Recruiter

- Placed engineers and technicians in the RF/Microwave and Wireless industry.

WORLD WIDE WEB ENTREPRENEUR/DEVELOPER 1995 - 1996

- Designed, built and sold web sites.

AMERICAN HEALTHSEARCH 1993 - 1995
Executive Recruiter

- Placed sales personnel as well as technical specialists in health care systems industry.

ROUND-THE-WORLD CYCLIST 1990 - 1992

- Toured 20 countries in Europe plus Australia and New Zealand. Bicycled over 11,000 miles.

NeXT COMPUTER 1990
Financial Analyst

AMERICAN AIRLINES 1986 - 1990
Senior Financial Analyst - Airline Profitability Analysis, Finance and Planning
Senior Systems Analyst / Systems Analyst - Crew Systems Development, Operations

UNITED STATES MARINE CORPS 1981 - 1984
Commissioned Officer

- Aircraft Carrier qualified pilot.
- Personnel Officer for 3,000 Marine regiment.

OTHER

PEAK TO PEAK CHARTER SCHOOL 2007 - 2012
Board of Directors

- Elected to three-year term in 2008.

Hiring and Organizational Development Committee

- Led or participated in the hiring of teachers at elementary, middle school and high school levels in a variety of disciplines.

GENERAL
Committed father, husband and community member. Hobbies include road and mountain biking, skiing, fitness, reading and watching kids sports.

EDUCATION

M.B.A. UNIVERSITY OF TEXAS AT AUSTIN, Austin, Texas

- Emphasis on Strategy and Marketing.
- Honors: Charles Harritt, Jr. Endowed Presidential Merit Scholarship, Moot Corp. Venture Competition.

B.S. METROPOLITAN STATE COLLEGE, Denver, Colorado

- Major in Aerospace Science; Minor in Production and Operations Management.
- Honors: Summa Cum Laude, President's List, Three Colorado Scholars Merit Scholarships.

September 18, 2015

Mayor Bob Muckle
City of Louisville
749 Main Street
Louisville CO 80027

Re: Task Force - Recreation/Senior Ctr

Dear Bob;

I am submitting my name for consideration as a potential task force member to consider the possible improvement and expansion of the recreation/senior center.

I have, for the last 20 montbs, been a member of the Local Licensing Authority. Additionally, I have for the last 10 years been a volunteer track coach at Louisville Middle School mentoring middle school youth in there athletic endeavors, assisting them in gaining athletic skills and building confidence in there athletic capabilities. I have assisted with the facilitation of the annual Monarch Cross Country Coyote Chase 5k race. I utilize the recreation center to cross train and have an intimate understanding of the current facilities.

My professional occupation is that of a Chief Financial Officer, a background that provides analysis of many complicated financing and budgeting options. This may be useful in reviewing the implication of any proposed expansion of the facility.

I believe I would add value to the task force, with my association to the athletics in Louisville and my financial background. I believe I can be of assistance in developing proposals, for any potential changes, the task force may recommend to the recreation/senior center.

Please accept this letter for consideration as to my interest in participating with this task force.

Regards,

Tom Tennessen

Mary Ann Weideman
804 W. Mulberry Street
Louisville, CO 80027

City of Louisville
Mayor Bob Muckle
c/o Kathy Martin
Parks and Recreation Department
900 W. Via Appia
Louisville, CO 80027

September 17, 2015

Re: Recreation|Senior Center Expansion Task Force

Dear Mayor Muckle and Members of City Council,

Thank you for the opportunity to submit my letter of interest to serve on the Recreation|Senior Center Expansion Task Force (Task Force). I have been a resident of the City of Louisville for 22 years and value all of the amenities that contribute to Louisville's unique quality of life. It would be a privilege to serve on this Task Force and support the future of such a vital community asset.

My background includes over 23 years of experience in local government. This experience has enabled me to obtain a unique combination of skills and expertise that would significantly contribute to the goals outlined for the Task Force. More specifically, I have project management, analytical, collaboration and community engagement skills that would assist in supporting a successful community outcome.

Enclosed is my resume that further describes my experience and skills, including a recent appointment to the Boulder Valley School District Citizens' Bond Oversight Committee. I look forward to the next steps in this process.

Sincerely,

Mary Ann Weideman

Mary Ann Weideman

Enclosure

Mary Ann Weideman

804 W. Mulberry Street, Louisville, CO 80027 • (303) 579-9018 • mweideman16@gmail.com

Work Experience

Assistant City Manager, City of Boulder 2014-Present

Provides oversight of six city departments including Community Vitality, Parks and Recreation, Library and Arts, Information Technology, Human Services and the Municipal Court. Serves as the project manager or liaison on complex, high profile projects. Expedites resolution of community issues.

Interim Human Resources Director, City of Boulder 2013-2014

Managed the Human Resources Department, including direction, general administration and management for the following functions: compensation, benefits, employment, diversity, employee relations, labor relations, training and development, payroll, and administrative support.

Assistant City Manager for Organizational Development, City of Boulder 2012-2013

Developed and implemented a framework to further support the organization's success and efforts toward service excellence for an inspired future through strategies that enhanced the organization's culture, values, design and effectiveness.

Deputy Director of Community Planning & Sustainability, City of Boulder 2010-2012

Provided vision and leadership to enhance integration and coordination between the department's work groups; supported managers and employees in service of the department's mission; facilitated organizational development initiatives; and ensured the success of sustainability efforts throughout the city organization and community. Provided leadership in complex and high profile projects including the SmartRegs and Energy Future initiatives, as well as the direct responsibility for a ~$2M budget.

Administrative Services Manager, Planning & Development Services, City of Boulder 1992-2010

Provided leadership and contributed to the development, implementation, monitoring, and reporting of Planning & Development Services strategic plan; a comprehensive customer service program; the annual work program; fiscal management of a ~$6M budget; and continuous service improvements. Served as Project Manager for a Fund Management Project, including a cost of services and fee study with a robust public process.

Volunteer Experience

Boulder Valley School District Citizens' Bond Oversight Committee 2015-2017

Appointed to an advisory committee to the Board of Education and provides independent review of the projects that comprise the Bond Program supported by the voters on November 4, 2014.

Girl Scouts of America 2000-2009

Volunteered as a Girl Scout Leader for Troop 1549 through the Cadette level, earning the Silver Award in 2009 and Troop 850 through the Junior level, earning the Bronze Award in 2009.

Raili Filion
991 Estes Way
Louisville, CO 80027
303-926-1091
railifilion@comcast.net

September 18, 2015

Mayor Muckle
City of Louisville
c/o Kathy Martin kathym@louisville.gov
900 W. Via Appia
Louisville, CO 80027

Dear Mayor Muckle:

With this letter I wish to express my desire to serve on the task force being formed by City Council to evaluate the possible expansion of our local aquatics facilities. I was born and raised a swimmer in Boulder, Colorado in 1971 and have since been an integral part of the local swimming community. My dad, Dale Mood, helped start the Meadows Swim and Tennis Club in 1972, and during his 35 year management tenure, our family grew to be avid advocates of swimming. I was a member of the swim team for 12 years, and later employed as a life guard, swim teacher, pool manager and swim team coach. I am now currently a parent of the Meadows Swim team, supporting our three kids in their love for swimming.

I am keenly aware of the scarcity of pool space throughout Boulder County. Even as a Fairview High School swim team member in the late eighties, our 5:30 a.m. practice time was dictated by the South Boulder Recreation center schedule, and even today - some 28 years later - our son's Monarch High School practice is scheduled to take place at pre-dawn hours in the spring due to scheduling conflicts at the Louisville Recreation Center.

Beyond High School swim team needs, it is evident that additional pool space is desired by myriad constituents including seniors within our community, the general public, club year-round swim teams, summer swim teams, water polo teams, and competitive amateur and professional athletes. I have been a competitive triathlete for over 20 years and I am intimately tied into the professional coaching community throughout Boulder County. Teams, coaches and athletes are always vying for pool time and space and I have no doubt that expanding our aquatics facilities would be beneficial for our municipality as a whole.

This is my personal experience and I would like the opportunity to evaluate the situation with interested, motivated committee members serving on the task force. My involvement serving on committees is vast, as I have been an ardent volunteer in the Boulder Valley School District for over 11 years and I have headed several initiatives through our children's extra-curricular activities including sports, music, and theater. I appreciate your time in considering my request.

Sincerely,

Raili Filion

Kathy Martin

From: Susan Honstein <shonstein@gmail.com>
Sent: Friday, September 18, 2015 3:24 PM
To: Robert Muckle
Cc: Kathy Martin
Subject: Recreation Center Task Force

Hi, Bob.

I am interested in serving on the Recreation Task Force. Thanks for your consideration.

Susan Honstein
727 Pine St.

MATTHEW MACHADO

170 WEST PINE STREET
LOUISVILLE, COLORADO 80027

HOME TELEPHONE (720) 290-0755
mattmachad@gmail.com

September 18, 2015

Mayor Bob Muckle
City of Louisville, Colorado
BobM@LouisvilleCO.gov

RE: Task force for possible expansion of the Recreation/Senior Center and aquatics facilities

Dear Mayor Muckle:

I am writing to express my interest on being appointed to the Task Force. I have been in Louisville for just shy of 20 years, I watched my sons grow up here and go to college, and currently I am raising my 5 year old twin daughters. Over the years I resided in several different neighborhoods, and have a deep understanding of the City. I care about our City, and have always been impressed at the quality of life and the smart decisions that the City has made. My civic involvement includes service on the Louisville Public Library Foundation Board from approximately 2002-2008. In 2010 I was appointed to the Local Licensing Authority, and am currently the chair. Since my law firm opened an office in Louisville last year, I have become involved with the Chamber.

My family regularly uses and will use for years to come the recreation center and its programs, as well as the Memory Square pool. I would approach work on the Task Force like I do most things—with attention to detail, reason and practicality.

I appreciate your consideration.

Sincerely,

Matt Machado

Matthew Machado

Letter of Interest to Mayor Bob Muckle
RE: Task Force to Expand Louisville Recreation/ Senior Center Aquatics Facility
From: Donna Hauswald

Dear Mayor Muckle,

I would like to submit my interest to serve on the task force to expand the Louisville Recreation/Senior Center Aquatics Facility. I have been a resident of this community for 30 years, moving here in 1985 from Michigan. The first time I drove into Louisville it felt like home, I can't imagine living anywhere else. My husband and I have lived on South Polk Avenue for 26 years and have witnessed all the growth in Louisville. My son attended Fireside Elementary School and is now attending Monarch K-8 this year.

I would like to continue to give back to the Louisville community. For nine years, I both served as a board member and /or chairperson of the Louisville Historical Commission. I led the fundraising programs including the Fall Festival Silent Auction and Holiday Home Tour for many years. If you would like a reference about my work and organizational skills serving on the commission, please feel free to contact Meredyth Muth at the City of Louisville.

My work background is business and operations management. I spent 16 years managing a large workforce (400 employees) at Neodata Services here in Louisville and in Iowa. I left that position to join a startup internet organization, Message Media, as their Operations Director. In this capacity, I developed their operations team in the US and in Europe. I left that position to be a full-time stay at home parent. I have spent time away from the workforce raising my son and also doing volunteer/fundraising programs for the community and the Boulder Valley School District.

Although I don't have specific experience with aquatic facilities, I can offer you my business experience, leadership, organization, goal setting and planning skills. I have worked in many capacities (corporate and non-profit) to develop and oversee operational budgets, strategic plans and project management.

I earned a Bachelor's of Business Management and Marketing from Northwood University in Midland, Michigan.

I have no affiliations with any community or recreation groups.

It would be an honor to serve on this task force. Please let me know if you would like more information about my background and experience.

Sincerely,
Donna Hauswald
193 S. Polk Ave
303-665-0183

Louisville Recreation/Senior Center Task Force

I am writing to express my interest in participating on the Recreation Task Force. Thank you for the opportunity to introduce myself.

My husband, Andrew, and I have two daughters, Riley and Michaela. Riley is a 6th grader at Louisville Middle and Michaela is in 4th grade at Louisville Elementary. My paying job is in financial compliance with Transamerica Capital, although I spend almost as much time in my non-paying volunteer roles.

One of my passions is coaching soccer, which I have been doing for about a decade. I coached Rec Center teams for 5 years before moving over to Trebol where I have been for the past 4 years. Both of our girls got their start in soccer with the Rec Center pee-wee program which was such a wonderful way to introduce them to the sport. Riley and Michaela also learned how to swim at the Rec Center and enjoyed it so much that they joined the Louisville Dolphins. We have been members of the Dolphins for 7 years now and I am currently the volunteer coordinator for the team.

I am also actively involved in our schools and the community. I served as the PTA Treasurer for LES for the last 5 years and have chaired too many events to list. I volunteer in the front office at LES and I also work as a BVSD sub when my schedule allows. Last year I joined the Louisville Public Library Foundation Board and I am actively recruiting sponsors for our Makerspace project.

Over the years we have spent countless hours at the Rec Center. The kids' activities and our family interests have provided me the opportunity to volunteer and meet a variety of people within the community.

As a member of this task force, I would be dedicated to the research, goals, and eventual proposal of a center that could attract, and retain, a variety of age groups to our great town. We are so fortunate to live in a community with such diverse demographics and I am optimistic we can build a community hub that appeals to all ages.

Thank you for your consideration.

Respectfully,
Jennifer MacQueen
720.217.2532
jenmacqueen@comcast.net

Kathy Martin

From: Vicki Greff <vicki.greff@gmail.com>
Sent: Friday, September 18, 2015 2:47 PM
To: Robert Muckle
Cc: Kathy Martin
Subject: Recreation Task Force

Hello Mayor Muckle,

I am writing to state my interest in serving on the Recreation Task Force. I have been a Louisville resident for the past 22 years. For nearly 20 years, I have been involved with the Louisville Dolphins Swim Team, serving for seven years, and currently, as President of the Board. The Louisville Dolphins Swim Team is a non-profit organization and with 270 swimmers, it is the largest swim team in its league. This is a testament to the large demand in the community for youth competitive swimming. My two daughters were on the Dolphins for over ten years. Through them and hundreds of other young swimmers, I have seen how a swim team experience can benefit children in many ways – being part of a team, a sense of accomplishment, general fitness, summer fun, etc. Summer swim teams also bring the community together. If you stop by Memory Square Pool on a Saturday morning in the summer, you will see the fun and comradery of summer swim meets. Many lifelong family friendships are formed with the hours spent together at the pool in the summer.

I have been a business person all of my career and bring with me a financial perspective. I have an MBA in Finance and most of my work has been in financial and business planning – from Director of Financial Planning at StorageTek to consulting as chief financial officer for a variety of startup businesses. My primary interest is in working with non-profits and over the past 15 years, I have volunteered in leadership roles with several organizations – Louisville Dolphins, Community After Prom, BVSD Impact on Education, Boulder Valley Summer Swim League, and the Monarch High School Girls Swim Team.

I am proud of our community. My husband, John, and I feel fortunate to have raised our family here. It is exciting that the City is considering an expansion of the recreation facilities and I would like to help with the continued efforts to improve our city.

I look forward to hearing from you,

Vicki Greff

Boulder Valley CPAS, PC
Certified Public Accountants
917 Front Street, Suite 210
Louisville, CO 80027

September 9, 2015

Mayor Bob Muckle
City of Louisville
749 Main Street
Louisville, CO 80027

Re: Recreation Task Force

Dear Mayor Muckle,

I would like to submit my letter of interest in serving on the rec center task force. I feel that I have the right background, experience and spirit for serving the City of Louisville in this capacity. In addition to having served on the Utility Rate Task Force and the Louisville Housing Authority I have extensive knowledge of the development and operation of community recreation centers.

In 2007 I took a break from public accounting and served as the Chief Financial Officer of the Raritan Bay Area YMCA in Perth Amboy, NJ. At the time, the RBA YMCA was an 86 year old mission based organization that was approached by the City of Perth Amboy to occupy and operate the city's newly approved 75,000 square foot aquatics, recreation and community center. In that role I helped author one of the first public/private operating and revenue sharing agreements of its kind. It is now the template for all future agreements of its kind. I played a pivotal role in managing relationships between our board, the city council, the developers, contractors and members of our community. I was personally responsible for spearheading the growth of the organization in the areas of capital projects, equipment purchasing and leasing, fund raising, board development, IT implementation and the hiring of over 150 new employees. I played a key leadership role in making sure our new member software and staff could roll out the registration of over 1,000 members in a little over a week.

As the leader of one of Louisville's fastest growing CPA firms I am a team oriented and community focused resident of Louisville. I would love to be a part of such an exciting possibility for our town.

Thank you for your time and consideration.

Regards,

Ernest J. Villany, CPA

Tel: 732.663.8750 Fax: 603.590.1392 info@bouldervalleycpa.com

September 15, 2015

Mayor Bob Muckle,

A recreation facility should promote a sense of community, provide wellness opportunities, and improve the quality of life for the citizens of the community.

My name is Stacy Moore and I am interested in serving on your task force to evaluate the needs of our community regarding the Recreation/Senior Center and aquatic facilities. While this task force will address the improvement, expansion, and programing of the entire facility my area of "expertise" is definitely in aquatics.

My family has lived in Louisville for 22 years. We raised our 2 children in this community, its schools, and its recreation programs. I have coached swimming privately at the Louisville Recreation Center and was a coach for the Monarch High School Swim Team (both men and women) for 6 years. My professional experience in swimming has extended over 20 years at a variety of USA Swimming clubs, summer programs, and high school teams in several states, all using community pools for their practices. I have coached swimmers ranging in age from 4 to 21 and have developed swimmers at all skill levels from beginners to State Champions, All-Americans, and National High School Record Holders. I was also asked to provide input regarding aquatic needs to the committee that previously worked on a bond issue to expand the recreation facilities many years ago.

I believe it is time for Louisville to upgrade the aquatic facilities and it must be done with thoughtfulness. My experience at a variety of community facilities including the Louisville Recreation Center while coaching Monarch High School is that ***pools must be planned so fewer groups are placed in conflict with each other.*** When a facility is overly stretched to meet the needs of its entire community it puts each interest group in competition with each other. Instead of creating an environment of support and mutual respect there is one of animosity that is unhealthy for the community and its citizens of all ages. Flexibility for concurrent activities is of paramount importance.

The development of a well thought out aquatic facility should first focus on the core needs that best serve its community. One of those paramount needs is water safety education. Every day the CDC states, "~10 people die from unintentional drowning of which two are children aged 14 or younger. Drowning ranks fifth among the leading causes of unintentional injury death in the United States. Taking part in in formal swimming programs reduces the risk of drowning among children aged 1 to 4 years. However, many people don't have basic swimming skills." A well-designed aquatic facility should be conducive to the development and acquisition of life long water skills that can then transition to the promotion of the fitness (recreational and competitive) and leisure of all of its citizenry.

Any new/redesigned recreation facility must provide for the health and fitness, leisure, water safety education, competitive, and recreational needs of a community through the entire age spectrum. Importantly, these facilities should be designed to promote a sense of community by providing a place for positive social interaction. This can only be achieved by minimizing conflicts so we create an environment where we can take pride in the success, achievement, and popularity of each and every program. There are bodies of literature and design best practices that can be drawn upon to achieve all of these goals, and I would be honored to participate on this task force about such an important community asset.

Thank you,

Stacy Moore
1013 Arapahoe Circle
Louisville, CO 80027
303-661-0191

Alex Gorsevski, P.E.

711 Pine-Needle Ln., Louisville, CO 80027 303-953-1111(H) churuk@yahoo.com

September 16, 2015

RE: Recreation Center Task Force

Dear Mayor Muckle,

This letter is to express my interest in serving on the City's Task Force for the possible expansion of the Recreation/Senior Center and aquatics facilities.

Since moving to the City in 2008, my family and I have made extensive use of the facilities at the Rec Center, usually starting with my 5:45AM weekday workouts, followed by our three boys going to either Twoodles, Building Blocks or Stepping Stones pre-school classes, and closing with my wife's running classes. On weekends we meet with swim instructor and staff member Pam Lemon as she teaches our children how to swim at the indoor pool, and we play basketball in the gym or tennis on the outdoor courts, depending on the weather. Our family has even signed up our au-pair as a member, where she enjoys evening Pilates and yoga classes. In short, the Rec Center is like a second home which our family knows very well.

Having visited and used similar facilities in Erie, Lafayette, Boulder, Aurora, CU and Denver, among others, I am well aware that our Rec Center, though serviceable, is showing its age. I can also confirm that my sleep deprived morning workout companions share with each other our thoughts on the facility, as we often talk about what is missing or needed from our Rec Center. It is with some irony that recently, just before the announcement of the Task Force, I spent some time trying to come up with creative and economical ways to improve the Center. I believe I have some good ideas based on my familiarity with the facilities and users, but I would most certainly bring an open mind to the Task Force because experience has taught me collaboration is what produces the best results, and that others often have better ideas.

What I can offer to the Task Force is someone with over 20 years of experience as a consulting engineer, spanning a wide range of disciplines, including several architectural projects that are similar in building type to the Rec Center. Engineers and Architects speak the same language I do, so I would be very comfortable working with the design professionals selected for this project. Currently I am the Town of Superior's Civil Engineer which, along with my position on Louisville's Revitalization Commission, has helped me understand the perspective of local government. Also, having had all three children attend (and still attending) pre-school and day care programs at the Center, I have the insights of many parents who send their children to these classes. Our children also participate in recreational leagues, which are a valuable part of the Rec Center's services.

There have been discussions about building an aquatic park near the Rec Center. Some version of an aquatic park is something that could offer a potential opportunity to integrate with the expansion project. Doing something like this could transform the dated kids play pool and slide, and do so without overtaking the core function of the Rec Center, e.g. leaving Water World in Hyland Hills. A stand-alone sister building for Seniors and children's programs, rooftop tennis, a large workout area for the many people who now use the hallway for core exercises, an indoor—outdoor pool, four seasons café for seniors, expanded and combined weight rooms, an improved "natural" type playground, use of renewable on-site facilities, updated computer and entry scanning systems, a dedicated right turn lane for eastbound traffic on Via Appia; there are many needs, potential solutions and great ideas waiting to be discovered, and it all makes for a very exciting project.

Thank you for considering my application to be a part of this important Task Force.

Respectfully,

Alex Gorsevski

encl. Resume

Alex Gorsevski, P.E.

711 Pine-Needle Ln., Louisville, CO 80027 303-953-1111(H) churuk@yahoo.com

EDUCATION and QUALIFICATIONS

- B.A. Environmental Design
  Urban Planning
  University of Colorado 1990
- B.S. Civil Engineering
  Water and Wastewater Design
  University of Colorado, 1995
- Registered P.E., Colorado #35183
- Professional Societies: AWWA, ASCE

Summary

Mr. Gorsevski has designed and managed the construction of projects ranging from $5k to $12M, including water and wastewater treatment plants, industrial buildings, water storage tanks, pump stations, storage ponds and water/sewer pipelines. His other design related experience includes architectural designs, interior renovations, process layouts, pipe network modeling and preparation of design specifications & construction documents.

He has authored several reports including engineering studies, MOUs, utility implementation plans, pre-design reports, cost estimates and site applications, and has represented his clients in public forums, such as planning commisions and city councils. Mr. Gorsevski has a strong interest in green building practices and integrates energy conservation where practical.

Objective

Use experience as a Consulting Engineer, City Engineer and architectural background to maintain and improve Louisville's Recreation Center, focusing on long-term quality, economic sustainability and environmental stewardship.

Work Experience

2015--Present:
Civil Engineer, Town of Superior, Colorado

Responsible for maintenance and improvements to the Town of Superior's infrastructure, including streets, utilities, structures, drainage systems and similar features. Work with consultants, citizens, developers, Town staff, the Town Board, other government entities—including the surrounding municipalities and Boulder County to ensure Town resources are allocated wisely. Problem solving and the ability to quickly find solutions are the keys to making sure that the infrastructure the Town's residents use and enjoy will be safe and serviceable.

2005--2015:
Principal (2006—2015) & Project Engineer (2005), McLaughlin Water Engineers, Ltd., Denver, Colorado

Engineering Highlights:

Storage Tanks and Metering Station, City of Gering ,Gering, NE
Project Manager/Engineer: Designed two above grade 1MG steel water storage tanks for the City of Gering, NE, including adjacent control vaults. A second contract included construction of four new raw water supply wells for the City, and a Metering Station where the pumped water was blended into a single 24-inch transmission main. The cost of the entire project was $9M.

Wild Turkey Methane Reclamation Project, Petro-Canada Resources, Gillette, WY
Project Manager/Engineer: Responsible for a design-build venture that included the design and construction of several miles of HDPE pipelines, 6 MGD pump station, water treatment plant superstructure, ballast pond, evaporation ponds for brine water created by the reverse osmosis treatment process, and mixing tank. The treatment facility is the first and only successful one in Wyoming used for coal bed methane reclamation.

Interceptor Sewer, Leadville Sanitation District, Leadville, CO
Project Manager/Engineer: Designed a $1.3M Interceptor Sewer for the Town of Leadville, which serves to increase capacity and remove the majority of the Town's poor and overloaded sewer mains. Full depth asphalt replacement was used to restore the existing asphalt.

Goose Haven Transfer Pump Station, City of Lafayette, Lafayette, CO
Project Manager/Engineer: Designed a new pump station to replace a poorly designed one that was failing after less than 30 years. The new pump station included two 4,500 gpm pumps with provisions for two additional 11,200 gpm pumps. The City uses the pump station to transfer water from a lower raw water reservoir to a higher reservoir. The total project cost was approximately $1.0M.

Architecture:

Sedimentation Basins Cover, Lafayette, CO
Project Manager/Engineer/Inspector: Designed a 14,000 sq. ft. superstructure to cover the City of Lafayette's Sedimentation Basins at the Baseline WTP. The concrete block facility included energy conserving measures, a ridge skylight that ran the length of the building and a bridge crane, and was designed to seamlessly match the surrounding buildings.

Garage and Chemical Storage Building, Lafayette, CO
Project Manager/Engineer: Designed a 12,000 sq. ft. facility for the City of Lafayette's Baseline WTP, for the dual purpose of storing chemicals used for water treatment and to provide a garage for the facility's vehicles. A 100 foot tunnel (from the new building to the WTP) was also included to facilitate the transfer of chemicals to the WTP.

Management:

Principal and Treasurer of the firm, as well as a shareholder. Responsible for personnel decisions, finances and developing policy for the firm.

2002--2005:
Consultant for Louis Berger, USAID Community Self-Help Initiative Program (CSHI), Macedonia

Engineering Highlights:

Provided technical analysis for several engineering reports submitted to CSHI. Conducted field inspections for projects under construction and furnished design services for water infrastructure projects. Arranged and hosted meetings with a diverse group of community leaders, residents, contractors and engineers to find the most agreeable and cost effective solutions for specific needs.

Management:

Helped organize and host a nationwide Recycling Seminar, which brought together people from all professions, ethnic groups and locales, to discuss the problems with and possible solutions for recycling in Macedonia.

1996--2002:
Project Engineer for McLaughlin Water Engineers, Ltd., in Denver, Colorado

Engineering Highlights:

Raw Water Transmission Pipeline, Lafayette, CO
Project Manager/Engineer: Designed a five mile diversion pipeline along Boulder Creek to convey water upstream of the City of Boulder's WWTP to Lafayette's raw water storage facilities. The $7M project included a stream diversion, intake, grit removal chamber, metering vault, outfall and a substantial length of micro-tunneling for the 36-inch diameter pipeline through sensitive areas of Boulder County Open Space.

Ranch at Roaring Fork WWTP, Garfield County, CO
Project Manager/Engineer: Engineer responsible for the design of a 100,000 gallon per day extended aeration wastewater treatment plant, with provisions for future expansion. The existing WWTP was converted into a digester, which enabled the client to reduce the cost of construction.

Dual Transmission Pipelines, Town of Morrison, Morrison, CO
Project Manager/Engineer: Designed dual transmission pipelines to convey raw and potable water to and from the Town of Morrison's distribution system, new reservoir and tank. Total length of each pipe was over one mile. Pipelines had working pressures in excess of 200 psi.

Water System Improvements, Green Mountain Water & Sanitation District, Lakewood, CO
Project Manager/Engineer: Designed upgrades to the District's water system, including over one mile of pipelines and three pressure reducing vaults. The pipelines located in Addenbrooke Park, which is managed by the City of Lakewood Parks Department, required special environmental protection. A significant amount of surface restoration was required in busy asphalted roadways.

Architecture:

Snowmass Water and Sanitation District WWTP Renovation, Snowmass, CO
Project Manager/Engineer: Designed a new laboratory, locker room and mechanic's shop inside the existing WWTP to replace aging and potentially hazardous areas within the facility.

Technical Writing and Presentations:

Authored several reports including job proposals, engineering studies, MOUs, utility implementation plans, pre-design reports, cost estimates, site applications and permits. Presented projects and/or proposals to city councils, district board members and potential clients.

International Work:

As part of USAID's EcoLinks program, managed the American half of the USA—Macedonia team which successfully reduced, and eventually eliminated cyanide usage at the Prolux metal plating facility in Prilep, Macedonia. Also prepared how-to guides for a Macedonian non-governmental organizations concerning water quality, rural water and sewer systems.

Other Experience:

1995-1996, Volunteer, Regional Environmental Center, Republic of Macedonia
1994-1995, Engineering Intern, McLaughlin Water Engineers, Ltd., Denver, CO
1989, Architect Intern, DAK Architects, Ltd., Denver, CO,

Awards/Recognition

- Project Engineer for the Town of Morrison's raw water delivery system, which earned an Excellence Award from the American Council of Engineering Companies (ACEC).
- Project Engineer and Project Manager for a raw water transmission line, also for the Town of Morrison, which earned an honorable mention in 1998 by the Colorado Contractors Association.

References

- **Brad Dallam, P.E., City of Lafayette**
  Engineer III
  303-661-1274
  bradd@cityoflafayette.com

- **Robert Anderson, P.E., Hatch Mott MacDonald**
  Senior Project Manager
  303-831-4700
  randerson@arber.com

- **Scott Lehman, P.E., Purecycle**
  Secretary and V.P. of Engineering
  303-292-3456
  slehman@purecyclewater.com

Additional Project Experience

Water Tank and Pump Station, Pitkin County, CO
Project Manager/Engineer: Designed an indoor 60,000 gallon potable water storage tank and pump station for the Lazy Glen Homeowners Association. Included in the design were two hydro-pneumatic tanks and substantial insulation to prevent freezing and minimize energy costs.

Trunk Sewer, Berthoud, CO
Project Manager/Engineer: Designed 1.5-mile trunk sewer to transport sewage from Berthoud's old wastewater treatment plant to the new plant site. Design included a river crossing at the Little Thompson River. The pipe was initially used to convey sludge to the digester, and later for raw sewage when the plant was completed.

Grit Chamber and Upper Raw Water Transmission Pipeline, Morrison, CO
Project Manager/Engineer: Assisted in the design and project management of Morrison's grit chamber and upper raw water transmission pipeline. These facilities replaced Morrison's old intake system, which was in very poor condition. This project completed the first phase of the Town's new raw water supply system.

Wastewater Treatment Plant, Ridgway Colorado
Project Manager/Engineer: Designed a small wastewater treatment plant for a development in Western Colorado. Initial plant size was 30,000 gpd with a planned ultimate capacity of 120,000 gpd, to be added in 30,000 gallon increments. Process includes individual septic tanks for pretreatment, one sequencing batch reactor with turbine mixer and aeration, sand filtration, chlorine contact and digester for sludge.

Potable Water Storage Tank, Olde Stage Water District, Boulder, CO
Project Manager/Engineer: Designed 70,000 gallon bolted steel water tank on top of difficult to access ridge above the District. Tank uses concrete base anchored in solid rock.

County Line Road Water Line Replacement, Erie, CO
Project Manager/Engineer: An aging asbestos cement pipe was replaced with a C900 and C905 PVC potable water line along the Town's main thoroughfare.

SUBJECT: **RESOLUTION NO. 69, SERIES 2015 - A RESOLUTION APPROVING A LEASE AGREEMENT BY AND BETWEEN THE CITY OF LOUISVILLE AND HUMAN MOVEMENT INC.**

DATE: **OCTOBER 6, 2015**

FROM: **AARON DEJONG, ECONOMIC DEVELOPMENT**

SUMMARY:
City Staff prepared a 10-year lease with three 5-year renewals with Human Movement Inc. for 1501 Empire Road, the former City Shops facility. The 3.63 acre property has 20,104 leasable building square feet. The main terms of the lease are;

- $160,832 annual rent for 20,104 sf ($8 per square foot) in Year 1
  - $248,900 per year in Year 10 ($12.38 per square foot)
  - Renewal term rates are to reflect market rents in the Colorado Technology Center.
- $160,832 maximum tenant improvement allowance reimbursed at a $10 to $1 ratio.
- Tenant will be responsible for all maintenance on the building.
- City has a right to terminate the lease to use the Property for providing City services.
- Human Movement may sublease portions of the property with the City's written consent.
- Human Movement has a right of first refusal to purchase the property.

BACKGROUND:
After vacating and cleaning the facility, the current City Services (Shops) Building will be vacant in October 2015. The property has 3 leasable structures; a 17,272 square foot operations building; 1,920 sf maintenance building, and 912 sf storage building upon 3.63 acres.

With City Council interested in potentially leasing the facility for non-City use, staff released an RFP on May 28, 2015 to garner interest from potential tenants. The RFP was posted on the City's website as well as the Xceligent commercial property database, a service used by most industrial and commercial real estate brokers in the region. Proposals were due June 25, 2015.

City Council directed staff to negotiate a lease agreement with Human Movement Inc. at their July 28, 2015 council meeting.

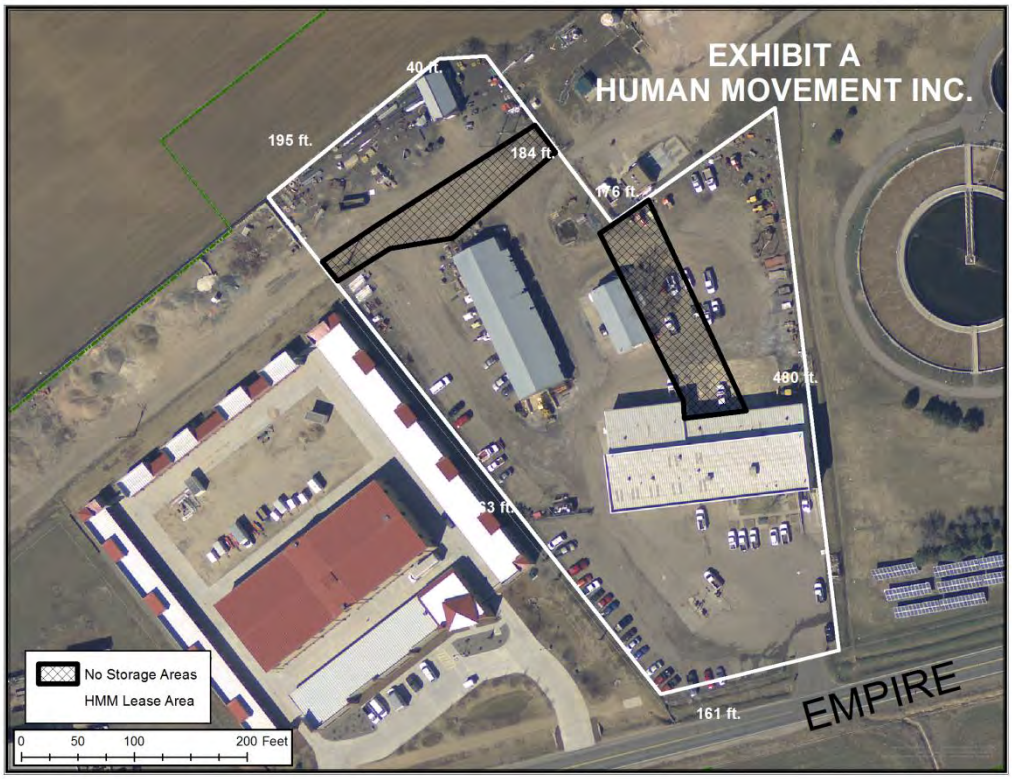
Human Movement is a Louisville-based event company, now majority owned by Powdr Corporation, a major North American ski company. Their current location at 1111 South

Street is being redeveloped by the owner into a retail parcel along Highway 42. The company has grown to 75 employees and is in a position to have a long-term view for the operation and is looking for a bigger location.

Human Movement would like a long term lease for the former City Shops building and property to solidify their presence in the community and improve the building for their use.

DISCUSSION:
Attached is the proposed lease with Human Movement Inc. Below is a summary of the main terms within the lease.

Property
The leased area is 3.63 acres with 3 leasable structures; a 17,272 square foot operations building; 1,920 sf maintenance building, and 912 sf storage building.



Term, Rent, and Renewal Options
The initial term of the Lease starting October 15, 2015 is 10 years with the following rent schedule:

Year	Rate PSF	Monthly Rent	Annual Rent
1	$8.00	$13,402.67	$160,832.00

2	$8.00	$13,402.67	$160,832.00
3	$8.00	$13,402.67	$160,832.00
4	$8.00	$13,402.67	$160,832.00
5	$8.00	$13,402.67	$160,832.00
6	$11.00	$18,428.67	$221,144.00
7	$11.33	$18,981.53	$227,778.32
8	$11.67	$19,550.97	$234,611.67
9	$12.02	$20,137.50	$241,650.02
10	$12.38	$20,741.63	$248,899.52

The Lease has three 5-year renewal terms and prior to the beginning of each Renewal Term, the lease rate will be set at the then-current market rate for industrial/flex space within the Colorado Technology Center and a 3% annual increase in rent from the prior year.

Human Movement will be responsible for property taxes, utilities, and providing a $13,400 security deposit.

Use and Maintenance

Human Movement may use the Property for office, industrial, and storage purposes. Any community events, special events, retail services or temporary uses shall comply with all City permitting requirements. Should they want to expand the use of the Property to include uses not currently allowed by zoning, they must seek all appropriate approvals for that use.

Tenant will maintain the Property at their sole expense.

Improvements and Termination for City Use

Human Movement is allowed to make tenant improvements to the Property with approval from the City. The City will provide a maximum tenant improvement allowance of $160,832 (the amount of the first year's rent) for improvements. City will reimburse 10% of the costs for those improvements after Human Movement provides receipts for labor and material costs for the tenant improvements. In other words, the City will provide a $10 to $1 match for tenant improvements up to a maximum of $160,832. Eligible improvements must be made prior to December 31, 2016.

The City may terminate this lease with 150 day notice if the property is needed to provide necessary services to its residents. The City will reimburse Human Movement a percentage of their relocation costs in relation to the amount of time left on the initial term of the lease. Maximum relocation costs paid by the City are $50,000. Also, the City will reimburse Human Movement for a percentage of their portion of tenant improvement costs in relation to the number of months remaining on the initial term of

the lease. If termination for City use is made during a renewal term, no payments for relocation or for tenant improvements are owed.

Assignment and Subletting
Human Movement cannot assign or transfer the lease without written consent from the City. Human Movement may sublease portions of the Property, but must first obtain approval from the City.

Purchase Right of First Refusal
Should the City desire to sell the Property and receives a bona fide offer from a third party, Human Movement has the option to purchase the Property subject to identical terms.

FISCAL IMPACT:
The annual lease revenue will begin at $160,832 and grow to $248,900 in Year 10 of the lease (2024-2025). Should renewal terms be executed, the lease rate will be similar to market rate leases in the Colorado Technology Center. The City will provide a maximum tenant improvement allowance of $160,832.

No ongoing City costs are anticipated for the property as Human Movement is responsible for care and maintenance.

Staff recommends dividing lease revenue equally into each of the funds paying for the new City Services Facility. Those funds include the Capital Projects Fund, Water Utility Fund, Wastewater Utility Fund, and Conservation Trust Fund.

RECOMMENDATION:
Staff recommends approval of the attached lease with Human Movement Inc. for 1501 Empire Road.

ATTACHMENTS:
1. Staff Presentation
2. Resolution Approving Lease
3. Lease with Human Movement Inc. for 1501 Empire Road

1501 Empire Road Lease with Human Movement Inc.

Aaron DeJong
Economic Development
October 6, 2015

Background

- City Operations out of the building October 2015
- Council interested in leasing the property
- RFP in June 2015
- Direction July 28, 2015 to negotiate a lease with Human Movement Inc.
  - Louisville-based event company
  - Current location is being redeveloped
  - Currently 75 employees

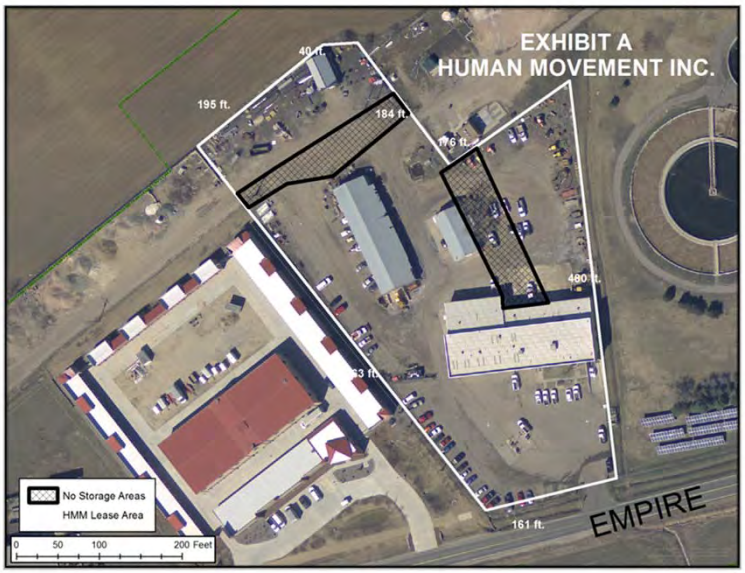
Leased Property

City of Louisville
COLORADO • SINCE 1878

- 3 leasable structures;
  - Main operations building;
  - Maintenance building,
  - Brown storage building
  - 20,104 total leasable square feet
- Total property is 3.63 acres

Map of Area

City of Louisville
COLORADO • SINCE 1878



Lease Terms

City of Louisville
COLORADO • SINCE 1878

- 10-year initial term with three 5-year renewal terms
- $160,832 annual rent ($8 per square foot) in Year 1
  - $248,900 per year in Year 10 ($12.38 per square foot)
  - Renewal term rates are to reflect market rents in the Colorado Technology Center.
- $160,832 maximum tenant improvement allowance reimbursed at a $10 to $1 ratio.
- Tenant will be responsible for all maintenance on the building.

Lease Terms

City of Louisville
COLORADO • SINCE 1878

- City has a right to terminate the lease to use the Property for providing City services.
  - Relocation costs within Initial Term
  - Reimbursement of a portion of Tenant Improvements within Initial Term
- Human Movement may sublease portions of the property with the City's written consent.
- Human Movement has a right of first refusal to purchase the property.

Fiscal Impact

City of Louisville
COLORADO • SINCE 1878

- $160,832 in annual rental revenue growing to $248,900 in 2025
- $160,832 maximum tenant improvement allowance. Costs must be incurred prior to 12/31/2016
- No City ongoing costs for the property as Human Movement responsible for maintenance.

Recommendation

City of Louisville
COLORADO • SINCE 1878

ACTION

Approve the Lease with Human Movement Inc. for 1501 Empire Road

RESOLUTION NO. 69
SERIES 2015

A RESOLUTION APPROVING A LEASE AGREEMENT BY AND BETWEEN THE CITY OF LOUISVILLE AND HUMAN MOVEMENT INC.

WHEREAS, the City of Louisville, Colorado (the "City") is a home rule municipal corporation and is owner of property formerly used as the City Shops Facility, such property consisting of three enclosed buildings, totaling 20,104 square feet, associated sheds, parking and other improvements situated upon approximately 3.63 acres, located at 1501 Empire Road in Louisville and further described and depicted on Exhibit A to the Lease, attached hereto and incorporated herein by reference (the "Premises"); and

WHEREAS, the City desires to enter into a lease agreement for leasing of the Premises and the City Council of the City (the "Council") has sought proposals from interested parties to lease all or a portion of the Premises; and

WHEREAS, a lease agreement has been proposed between the City and Human Movement Inc., (the "Lessee") setting forth the terms upon which the Lessee will lease the Premises from the City for office, industrial purposes, event and other purposes; and

WHEREAS, the City is authorized to enter into such lease agreement pursuant to its home rule charter and other city ordinances, and desires by this resolution to approve same and authorize its execution; and

WHEREAS, the Council hereby finds and determines that the execution of the proposed lease agreement is appropriate and necessary to the functions and operations of the City; and

WHEREAS, the Council desires to approve the lease agreement and authorize its execution.

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

1. The proposed Lease Agreement (the "Lease Agreement") between the City of Louisville and Human Movement Inc., for the lease of the approximately 3.63 acre Premises located at 1501 Empire Road in Louisville is hereby approved in essentially the same form as the copy of such Lease Agreement accompanying this Resolution.

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

3. The Mayor, City Manager and City Staff are further authorized to execute and deliver all documents necessary in connection with the leasing of the Premises and to do all things necessary on behalf of the City to perform the obligations of the City under such Lease Agreement.

PASSED AND ADOPTED this _____ day of _____, 2015.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

LEASE AGREEMENT

THIS LEASE AGREEMENT ("Lease") is entered into by and between the **CITY OF LOUISVILLE**, a Colorado home rule municipal corporation ("LANDLORD" or "City") and **HUMAN MOVEMENT INC.**, a Delaware corporation ("TENANT").

ARTICLE 1 – GRANT, TERM AND RENT

1.1 DEMISED PREMISES. In consideration of the rents, covenants, and agreements herein set forth, LANDLORD hereby leases to TENANT and TENANT hereby rents from LANDLORD certain premises located at and having a street address of 1501 Empire Road, Louisville, Colorado, 80027, containing three (3) enclosed buildings:

Main Building	17,272 sf
Secondary Building	1,920 sf
Brown Storage Building	912 sf

totaling 20,104 leasable square feet, upon approximately 3.63 acres of property, together with all appurtenances thereto, including but not limited to any storage sheds or parking spaces on the property, all of which inclusive of the buildings is hereinafter collectively "the Premises" or "Leased Premises,", and are further depicted on Exhibit A attached hereto and incorporated herein by reference.

1.2 TERM. Unless sooner terminated as provided herein, this Lease shall be for a term commencing on October 15, 2015 and ending on October 14, 2025 ("Initial Term").

1.3 RENT. In consideration of said demise, TENANT agrees to pay to LANDLORD for the Premises rent in equal monthly installments for the Initial Term as set forth in the following table:

Year	Rate PSF	Monthly Rent	Annual Rent
1	$8.00	$13,402.67	$160,832.00
2	$8.00	$13,402.67	$160,832.00
3	$8.00	$13,402.67	$160,832.00
4	$8.00	$13,402.67	$160,832.00
5	$8.00	$13,402.67	$160,832.00
6	$11.00	$18,428.67	$221,144.00
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8	$11.67	$19,550.97	$234,611.67
9	$12.02	$20,137.50	$241,650.02
10	$12.38	$20,741.63	$248,899.52

Such rent shall be due and payable commencing October 15, 2015 and prorated rent for October 2015 shall be paid on or before October 15, 2015. Commencing with November 2015 rent and thereafter, rent shall be due and payable in advance on the first day of each calendar month at the office of LANDLORD specified herein. LANDLORD may assess a late charge of ten percent (10%) of any monthly rent installment or any other payment called for in this Lease that is

delinquent ten (10) days or more if Tenant fails to pay any amount due to the LANDLORD within ten (10) days after such amount is due on more than one (1) occasion in any 12-month period. In addition, all rent in arrears and all amounts collectible as provided for in this Lease shall accrue interest at the rate of one and one-half percent (1-1/2%) per month from the date due until paid. If the Initial Term commences or terminates on a day other than the first or last day of a calendar month respectively, then the rent for such month or months shall be prorated and the prorated amount shall be paid in advance.

1.4 RENEWAL OPTION. LANDLORD hereby grants to TENANT an option to renew this Lease for three (3) successive five (5) year periods, each a "Renewal Term" subject to the parties' rights of termination herein. The Renewal Term shall be upon the same terms, covenants and conditions as set forth in this Lease as they exist at the time of such renewal, except that the rent for the initial year of each Renewal Term shall be set at the then-current market rate for industrial/flex space within the Colorado Technology Center and each successive year of the Renewal Term shall be increased by three percent (3%) over the rent for the prior year. The Initial Term and Renewal Term are collectively referred to herein as the "term" and are subject to parties' rights of termination as set forth herein. If TENANT wishes to exercise its option to renew this Lease for any Renewal Term, it shall give written notice with its intent to LANDLORD no less than one hundred and eighty (180) days prior to the expiration date of the Lease. Should LANDLORD exercise its rights to terminate this Lease as provided in Section 6.3, any future renewal options afforded under this Section will not be allowed.

1.5 TAXES & OTHER CHARGES. TENANT shall be responsible for the payment of all taxes attributable to the Premises, including but not limited to all ad valorem property taxes and special assessments imposed upon the Premises; all sales, excise, rental, and use taxes imposed by law on the rent due hereunder; and all sales, use or excise taxes due as a result of any work or operations performed by TENANT in or upon the Premises.

1.6 SECURITY DEPOSIT. TENANT shall place and maintain on deposit with LANDLORD at all times during the terms of this Lease, the sum of thirteen thousand four hundred four dollars ($13,400) for the purposes hereinafter set forth. If at any time TENANT shall be in default in the performance of any of the terms, provisions, covenants and conditions of this Lease on the part of TENANT to be done and performed, LANDLORD shall have the right to apply the said deposit, or so much thereof as may be necessary, toward the reimbursement of LANDLORD for any expense incurred by it by reason such default in performance, and toward the payment of any damage suffered by LANDLORD by reason of such default including collection and reasonable attorney's fees; and in the event such deposit shall be diminished or depleted by any such payment from or application of the same, TENANT shall and will forthwith pay to LANDLORD such sum as shall be necessary to restore said deposit to the original amount thereof above mentioned. If the amount of said discharge shall exceed such expenses and damages, TENANT shall be and remain liable for the balance thereof remaining unpaid and forthwith shall pay the amount of such balance and deficiency to LANDLORD. The said deposit shall not bear any interest to TENANT, and LANDLORD shall return to TENANT such part or portion of said deposit as shall not be required to pay, discharge and reimburse the said expenses and damages.

ARTICLE 2 - UTILITIES

2.1. <u>TENANT TO OBTAIN.</u> TENANT shall contract in its own name and shall promptly pay when due all charges for all electric, telephone, gas, sewer, water, trash hauling, and all other utilities furnished to or used in connection with the Premises.

2.2 <u>NON-LIABILITY.</u> LANDLORD shall have no liability for damage or loss suffered by the business or occupation of TENANT arising from the lack, insufficiency, or failure of any utilities servicing the Premises, unless such failure of utilities is caused by LANDLORD.

ARTICLE 3 - CONDUCT OF BUSINESS BY TENANT

3.1 <u>USE OF LEASE PREMISES.</u> The Premises shall be used by TENANT solely for office/industrial/storage purposes (the "Permitted Use"). TENANT shall operate its business in an efficient and reputable manner, and shall employ adequate and competent personnel in attendance during TENANT's standard hours of operation. TENANT shall keep the Premises neat, clean, sanitary and reasonably free from dirt, rubbish, insects and pests at all times. TENANT shall not operate an incinerator or burn trash or garbage within the Premises. Any use of the Premises for or involving sale, cultivation, consumption, storage, manufacture or other activities involving recreational or medical marijuana is prohibited. TENANT shall not permit any objectionable or unpleasant odors to emanate from the Premises, nor, except as approved in writing by the LANDLORD, place or permit any antenna, radio, or other projections on the roof or outside the Premises; nor take any other action that in the reasonable judgment of LANDLORD would constitute a nuisance. TENANT additionally covenants not to perform any act on or about the Premises prohibited by law nor omit to perform any act required by law in connection with the use or operation of the Premises; nor to use or maintain the Premises in such a manner as to constitute an actionable nuisance to LANDLORD or any third party; and not to commit or permit waste of the Premises. TENANT shall comply with and observe all easements and all restrictive covenants and conditions that may affect or apply to the Premises, or any portion thereof, from time to time. Except as may be otherwise provided herein, TENANT shall procure, at its sole cost and expense, all approval, permits, and licenses required for the operation of the Permitted Use in the Premises and the placement of any improvements in the Premises and in the event TENANT is unable to obtain said permits on terms acceptable to TENANT, TENANT may terminate this Lease. TENANT shall otherwise comply with all applicable laws, ordinances and governmental regulations. Any community events, special events, retail service or consumption of alcoholic beverages, outdoor recreational activities or temporary uses held on the Premises shall comply with all applicable laws, ordinances and governmental regulations, including without limitation requirements to obtain any necessary special events permits, temporary use permits and state and local liquor permits and to comply with the requirements of such permits, including but not limited to time restrictions, required off-street parking, and permit provisions to control noise and nuisance effects. Should TENANT desire to expand the use of the Premises to include uses not currently allowed by zoning, TENANT must follow all applicable laws, ordinances and governmental regulations to request and seek approval for such use on the Premises.

3.2 GOVERNMENTAL REGULATION. TENANT shall, at its expense, comply with all Federal, State and local laws, ordinances, orders, rules and regulations pertaining to the use and operation of the Premises pursuant to this Lease, as now or hereafter in force. In the event that TENANT's use of the Premises constitutes a violation of any of the foregoing, then such violation, if continued uncured, shall constitute a default hereunder.

3.3 QUIET ENJOYMENT. TENANT shall have the right of quiet enjoyment of the Premises subject to the terms, conditions, and covenants of this Lease.

ARTICLE 4 - LIENS

4.1 PAYMENT FOR WORK. TENANT shall be solely responsible for and shall promptly pay for all services, labor, or materials furnished to the Premises at the instance of TENANT.

4.2 LIENS. TENANT shall have no power to subject LANDLORD's interest in the Premises to mechanic's or materialmen's liens of any kind. TENANT further acknowledges that under state law public property is not subject the existence of any such lien, which lien is not discharged by TENANT or bonded off within thirty (30) days, shall be a material breach of this Lease. All persons performing work, labor or supplying materials at the Premises on behalf of TENANT shall look solely to the interest of the TENANT and not to that of the LANDLORD for any payment or any claim, expenses, legal fees, or court costs. LANDLORD shall have the right, but not the obligation to discharge or transfer to bond any lien filed against the Premises by the TENANT's contractor that has not been discharged or transferred to bond within thirty (30) days from the filing thereof, and any discharge by LANDLORD may be with funds from the deposit received under Section 1.6. Any cost or expense, including reasonable attorney's fees, incurred by LANDLORD as a result thereof shall immediately be due and payable and if not paid by TENANT within fifteen (15) days shall constitute a default under this Lease. LANDLORD in its discretion shall have the right to post the property and provide notice to any contractors of LANDLORD's non-liability for work, labor or materials supplied on behalf of TENANT, and, further, to advise contractors that mechanic's or materialmen's liens may not be asserted against public property.

ARTICLE 5 - MAINTENANCE OF PREMISES

5.1 MAINTENANCE BY TENANT. TENANT shall at all times keep and maintain, at its sole cost and expense, the Premises, and all improvements (including buildings) located thereon, including exterior entrances, roofing, and all glass and windows, all floors, and all partitions, doors, fixtures, equipment and appurtenances thereof, including lighting, electrical equipment, plumbing fixtures and equipment, heating, ventilating and air conditioning equipment, in good order and repair, reasonable wear and tear excepted, and in a clean and sanitary condition, and shall at its sole cost and expense make all necessary repairs, including all necessary replacements, alterations and additions, using material and equipment of similar kind and quality to the original improvements, unless changes in material and quality are approved in writing by LANDLORD in advance, which approval may not be unreasonably withheld.

5.2 FAILURE TO MAINTAIN. If TENANT fails to maintain the Premises as required hereunder to the reasonable satisfaction of LANDLORD, then thirty (30) days after TENANT's receipt of written request from LANDLORD (except in the event of an emergency, in which event no more than twenty-four (24) hours notice shall be required), LANDLORD shall have the right to enter the Premises and to make such repairs at TENANT's expense, and upon completion thereof TENANT shall pay as additional rent LANDLORD's reasonable costs for making such repairs upon presentation of the bill therefor. Such payment shall be due within thirty (30) days after TENANT's receipt of an invoice therefor.

ARTICLE 6 - OWNERSHIP OF IMPROVEMENTS, EXTERIOR APPEARANCE

6.1 OWNERSHIP OF IMPROVEMENTS. Any or all installations, alterations, additions, partitions and fixtures other than TENANT'S trade fixtures in or upon the Premises, whether placed there by TENANT or LANDLORD, shall, immediately upon such placement, become the property of LANDLORD without compensation therefor to TENANT. Notwithstanding anything herein contained, LANDLORD shall be under no obligation to repair, maintain or insure such installations, alterations, additions, partitions and fixtures or anything in the nature of a leasehold improvement made or installed by or on behalf of TENANT.

6.2 TERMINATION. This Lease shall terminate upon expiration of the term set forth in Section 1.2 or Section 1.4 or at such earlier time as this Lease may be terminated by LANDLORD or TENANT as provided herein. Within thirty (30) days after expiration or termination of this Lease, TENANT shall at its sole expense perform all obligations of TENANT set forth in Section 12.1 and shall surrender and deliver up the Premises to LANDLORD clear of TENANT's personal property. In the event TENANT fails to remove such items from the Premises or fails to perform any other obligations of TENANT set forth in Section 12.1, TENANT shall be in breach and, in addition to all remedies in Section 9.3, the LANDLORD shall have the right but not the obligation to remove such items at TENANT's expense. At LANDLORD's election, any such items which TENANT has failed to remove from the Premises within thirty (30) days of said expiration or termination hereof shall become the property of LANDLORD. , All remedies for breach of this Section 6.2 and Section 12.1 shall be cumulative, and all rights and all provisions of this Section 6.2 and Section 12.1 shall survive any termination or expiration of this Agreement.

6.3 TERMINATION FOR LANDLORD USE. LANDLORD is a municipality and has an obligation to provide necessary services to its residents. Should the Premises be needed by LANDLORD for its purposes and no other land owned by LANDLORD can satisfy the need, as determined by the LANDLORD in its sole discretion, LANDLORD may terminate this Lease by giving TENANT one hundred fifty (150) days written notice of the day TENANT must vacate the Premises. In the event of such a termination, LANDLORD shall reimburse TENANT for TENANT'S actual relocation costs, defined as those actual and reasonable expenses associated with transportation, such as moving trucks, reasonable labor and temporary storage of TENANT'S trade fixtures, equipment and inventory, and, if within a fifteen mile radius of the Premises, transport of such items to new premises designated by TENANT, subject to the cap provided for herein. TENANT's reasonable and necessary expenses for moving such trade fixtures, equipment and inventory shall be preapproved by LANDLORD prior to the relocation,

and shall by paid by LANDLORD within thirty (30) days of LANDLORD'S receipt of invoices for such relocation expenses up to a maximum amount of fifty thousand dollars ($50,000). The maximum amount of relocation expenses paid by LANDLORD shall be reduced 10% for each year this Lease in effect. (Therefore, for example, if LANDLORD terminates the Lease pursuant to this Section 6.3 in year five of the Lease, the maximum amount of relocation expenses paid by LANDLORD shall be $25,000.) If a termination occurs pursuant to this Section 6.3 in year ten or later, LANDLORD shall have no obligation to reimburse relocation expenses. LANDLORD's obligation to pay any amount of relocation expenses is limited solely to a LANDLORD termination pursuant to Section 6.3.

6.4 TENANT IMPROVEMENT ALLOWANCE. LANDLORD will provide a TENANT improvement allowance for labor and material costs for TENANT improvements approved by LANDLORD to improve the main building on the Premises. The tenant improvement allowance will be paid to TENANT after TENANT provides to LANDLORD receipts to LANDLORD for work and materials paid for improvements at a rate of ten percent (10%) of TENANT's costs incurred up to a total TENANT allowance amount of one hundred sixty thousand eight hundred thirty-two dollars ($160,832.00). The TENANT allowance shall be paid only for TENANT improvements completed prior to December 31, 2016. At the time of final payment of TENANT allowance, and in no event later than March 1, 2017, the LANDLORD and TENANT shall execute a certificate confirming the total amount of TENANT labor and materials costs incurred for TENANT improvements eligible for TENANT allowance (the "Total TI Cost"), the total amount of the TENANT allowance (the "Total Allowance"), and the amount of the Total TI Cost less the Total Allowance (the "Net TI Cost").

ARTICLE 7 - INSURANCE AND INDEMNITY

7.1 INSURANCE. TENANT shall at its own expense procure and maintain a policy or policies of insurance providing for the minimum insurance coverages listed below. Such coverages shall be procured and maintained with forms and insurers acceptable to the LANDLORD. All coverages shall be continuously maintained from the date of commencement of the Lease to cover all liability, claims, demand, and other obligations arising from or assumed by the TENANT under this Lease. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. The TENANT shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Lease by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types.

7.2 REQUIRED COVERAGES. The minimum insurance coverages required of TENANT shall be as follows:

(a) Comprehensive General Liability insurance with minimum combined single limits of TWO MILLION DOLLARS ($2,000,000) each occurrence and TWO MILLION DOLLARS ($2,000,000) aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage

for contractual and employee acts), blanket contractual, independent TENANT's, products, and completed operations. The policy shall include coverage for explosion, collapse, and underground hazards. The policy shall contain a severability of interests provision.

(b) Property casualty insurance sufficient and reasonably acceptable to LANDLORD to insure all buildings on the Premises against loss or damage by fire and such other hazards as are currently embraced in the standard coverage endorsements, on a replacement cost basis in an amount equal to one hundred percent (100%) of the full replacement value of the aggregate of the foregoing.

(c) Worker's compensation or employer's liability insurance as may be required by law.

7.3 GENERAL. The policies required above shall be endorsed to include the LANDLORD and its elected and appointed officers and employees, as additional insureds. Every policy required above shall be primary insurance, and any insurance carried by the LANDLORD, its officers, or its employees, shall be excess and not contributory insurance to that provided by TENANT. The additional insured endorsement for the Comprehensive General Liability insurance required above shall not contain any exclusion for bodily injury or property damage arising from completed operations. The TENANT shall be solely responsible for any deductible losses under each of the policies required above. Certificates of insurance shall be completed by the TENANT's insurance agent 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 LANDLORD. Each certificate shall provide that the coverages afforded under the policies shall not be cancelled, terminated or materially changed until at least 30 days prior written notice has been given to the LANDLORD. If the words "endeavor to" appear in the portion of the certificate addressing cancellation, those words shall be stricken from the certificate by the agent(s) completing the certificate. The LANDLORD reserves the right to request and receive a certified copy of any policy and any endorsement thereto. Failure on the part of the TENANT to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of contract upon which the LANDLORD may terminate this Lease, or at its discretion may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the LANDLORD shall be repaid by TENANT to the LANDLORD upon demand. Self-insurance shall not constitute compliance with the minimum insurance coverages required by this Section.

7.4 TENANT'S GENERAL INDEMNIFICATION. TENANT shall be solely responsible for any damages suffered by the LANDLORD or others as a result of TENANT's use and occupancy of the Premises. TENANT agrees to indemnify and hold the LANDLORD, its elected and appointed officers, agents, and employees harmless from and against all liability, claims, damages, losses, and expenses, including but not limited to reasonable attorneys' fees, arising out of, resulting from, or in any way connected with (a) TENANT's use and occupancy of the Premises; (b) any liens or other claims made, asserted or recorded against the Premises as

a result of TENANT's use or occupancy thereof; or (c) the rights and obligations of the TENANT under this Lease.

ARTICLE 8 - ASSIGNMENT AND SUBLETTING

8.1 CONSENT REQUIRED. TENANT may not sell, assign or transfer this Lease, or any right or privilege granted hereunder, or sublet all or any portion of the Premises, or permit any business to be operated in or from the Premises by any licensee or concessionaire, without the prior written consent of LANDLORD, which consent shall not be unreasonably withheld or denied. Any transfer which is not in compliance with the provisions of this Article shall, at the option of LANDLORD, be void and of no force or effect. Any transfer of TENANT's interest in this Lease or the Premises by operation of law, regardless of whether the same is characterized as voluntary or involuntary, shall be construed as an "assignment" prohibited by this Article. Upon such permitted assignment or subletting, assignee or sublessee shall assume all obligations of TENANT under this Lease provided that any assignee has first executed an assumption agreement as provided in Section 8.2. Further, LANDLORD's written consent to any one assignment or subletting shall not act as a waiver of the requirements of consent with respect to any subsequent assignment or subletting. Notwithstanding the foregoing, TENANT may make a collateral assignment of its interest in this Lease for security purposes to the holders of deeds of trust or mortgages on TENANT's improvements or as security in connection with corporate refinancing without requiring LANDLORD consent; provided, however, that no such collateral assignment shall encumber or purport to encumber any real property constituting the Premises.

8.2 ASSUMPTION AGREEMENT. Any assignee including a collateral assignee of TENANT shall execute and deliver to LANDLORD an assignment agreement in a form satisfactory to LANDLORD prior to the effective date of the proposed assignment. Any sublease or assignment made in violation of this Article 8 shall be considered void and of no force or effect.

8.3 INFORMATION TO LANDLORD. TENANT shall provide for any proposed assignment, sublease or transfer all information reasonably requested by LANDLORD, including (i) the name and address of the proposed subtenant, assignee, pledgee, mortgagee or transferee, (ii) a reasonably detailed description of such person or entity's business, (iii) reasonably detailed financial references for such person or entity, (iv) a true and complete copy of the proposed sublease, assignment, pledge, mortgage or other conveyance and all related documentation, and (v) such other information as LANDLORD may reasonably require.

ARTICLE 9 - DEFAULT OF TENANT OR LANDLORD

9.1 DEFAULT OF TENANT. TENANT shall be deemed in default of its obligations under this Lease upon the occurrence of any of the following:

(a) TENANT's failure to pay rent within ten (10) days after written notice from LANDLORD that such sums are due and owing;

(b) TENANT's continued failure to perform any other covenant, promise, or obligation of this Lease for a period of more than thirty (30) days after written notice thereof by LANDLORD to TENANT, unless such failure can not reasonably be cured within thirty (30) days and in that event TENANT shall commence to cure said failure within the thirty (30) day period and thereafter diligently continue to cure the failure;

(c) The bankruptcy of, or appointment of a receiver or trustee for, TENANT;

(d) TENANT voluntarily petitions for relief under, or otherwise seeks the benefit of, any bankruptcy, reorganization, or insolvency law;

(e) TENANT's making of any general assignment of this Lease for the benefit of creditors;

(f) Any sale, transfer, assignment, sublease, or other disposition prohibited herein; or

(g) TENANT doing or permitting to be done anything that creates a lien upon the Premises if TENANT fails to obtain the release of any such lien or bond off any such lien within a commercially reasonable time period.

9.2 LANDLORD'S REMEDIES. If TENANT fails to cure any default described in 9.1 within twenty (20) days, LANDLORD may exercise any one or all of the following options, provided that such is not in conflict with the Default and Remedy laws of the State of Colorado:

(a) Terminate TENANT's right to possession under this Lease and reenter and take possession of the Premises and relet or attempt to relet the Premises on behalf of TENANT, at such rental and upon such terms and conditions as LANDLORD may, in the exercise of LANDLORD's reasonable discretion, deem best under the circumstances for the purpose of reducing TENANT's liability. LANDLORD shall not be deemed to have thereby accepted a surrender of the Premises and TENANT shall remain liable for all rental and other charges due under this Lease and for all damages suffered by LANDLORD because of TENANT's breach of any of the covenants of this Lease. At any time during such repossession or reletting, LANDLORD may, by delivering written notice to TENANT, elect to exercise its option under the following subparagraph to accept a surrender of the Premises, terminate and cancel this Lease and retake possession and occupancy of the Premises on behalf of LANDLORD. Notwithstanding the foregoing, LANDLORD will seek to mitigate its damages caused by TENANT as required under Colorado law.

(b) Provide written notice that the Lease is terminated and LANDLORD has the right to reenter upon and take possession of the Premises within twenty (20) days of such notice, whereupon the term hereby granted and all right, title, and interest of TENANT in the Premises shall terminate. Such termination shall be without prejudice to LANDLORD's right to collect from TENANT any rent or other charges or sums that

have accrued prior to such termination, together with all damages suffered by LANDLORD because of TENANT's breach of any covenant contained in this Lease.

(c) Exercise any and all rights, remedies, and privileges that LANDLORD may have under applicable law or in equity, or under this Lease.

9.3 DEFAULT OF LANDLORD. Except as otherwise provided in this Lease, LANDLORD shall be in default under this Lease if LANDLORD fails to perform any of its obligations hereunder and said failure continues for a period of thirty (30) days after written notice from TENANT to LANDLORD (unless such failure cannot reasonably be cured within thirty (30) days and in that event LANDLORD shall commence to cure said failure within the thirty (30) day period and thereafter diligently continue to cure the failure). TENANT shall have no right of setoff against rent. TENANT'S may pursue as a remedy damages, recoupment, or counterclaims for any damages that TENANT may have sustained by reason of LANDLORD's failure to perform any of the terms, covenants or conditions contained in this Lease.

ARTICLE 10 - ACCESS BY LANDLORD

LANDLORD or LANDLORD'S agents shall have the right to enter the Premises upon reasonable notice to examine and inspect the same, to show the Premises to prospective purchasers, to determine compliance with the terms of this Lease, to make alterations, repairs, improvements or additions as LANDLORD may deem necessary or desirable, or to conduct such other inspections and activities of LANDLORD, provided the same do not unreasonably interfere with TENANT's use and enjoyment of the Premises. Nothing herein contained shall be deemed or construed to impose upon LANDLORD any obligation, responsibility or liability whatsoever for the care, maintenance or repair of the Premises, nor any part thereof or any improvements, fixtures or property located thereon, except as otherwise specifically provided herein.

ARTICLE 11 - TENANT'S PROPERTY

11.1 TAXES ON TENANTS PROPERTY. TENANT shall be responsible for and shall pay before delinquency all municipal, county, state and federal taxes assessed during the term of this Lease against personal property of any kind owned by or placed in, upon or about the Premises by the TENANT.

11.2 LOSS OR DAMAGE. Except as provided herein, LANDLORD shall not be liable for any loss or damage to property of TENANT or of others located on the Premises, by theft or otherwise. LANDLORD shall not be liable for any claims arising from damage to property located in or on the Premises resulting from fire, explosion, gas or electrical malfunction, water damage or leakage; nor shall LANDLORD be liable for any damages caused by other persons in the Premises, or by public or quasi-public work on adjacent property, excepting only liability to the extent resulting from gross negligence or willful and wanton acts or omissions of LANDLORD. It is acknowledged and understood by TENANT that the safety and security of any property of TENANT is the sole responsibility and risk of TENANT.

ARTICLE 12 - SURRENDER OF PREMISES, HOLDING OVER

12.1 SURRENDER OF PREMISES. Within thirty (30) days after the expiration or termination of this Lease as provided herein, TENANT shall at its sole expense remove from the Premises any and all personal property. Any items of personal property not removed shall, at LANDLORD's option, become the property of the LANDLORD, and TENANT shall execute and deliver to the LANDLORD a Bill of Sale for such items of personal property. Any fixtures, structures, or improvements installed by TENANT or located on the leased Premises at the time of termination shall be deemed the property of the LANDLORD

12.2 HOLDING OVER. This Lease and the tenancy created shall cease and terminate at the end of the original term hereof, unless extended as provided herein, without the necessity of notice, and TENANT hereby waives notice and agrees that LANDLORD shall be entitled to summary recovery of the Premises. Any holding over after the expiration of the term hereof, with or without the consent of LANDLORD, shall be construed to be a tenancy at sufferance, and LANDLORD shall be entitled to collect rental as provided by law for such tenancy, but not less than one hundred fifty percent (150%) of the monthly rental rate set forth in Article 1, together with all other rent and charges due hereunder.

ARTICLE 13 – CONDEMNATION

If during the term of this Lease or any renewal hereof, the whole of the Premises are condemned or taken in any manner for public use, or if a portion of the Premises is condemned or taken in any manner for public use to an extent that constitutes an unreasonable interference with TENANT's business operations, then in either event TENANT may elect to terminate this Lease as of the date of the vesting of title in such public authority. LANDLORD shall be entitled to that portion of condemnation award attributable to LANDLORD's interest in the Premises. TENANT shall be entitled to that portion of the condemnation award attributable to TENANT's leasehold interest in the Premises, the loss of all improvements, trade fixtures and other personal property on the Premises, all business losses and relocation costs.

ARTICLE 14 - DESTRUCTION OF PREMISES

14.1 TOTAL DESTRUCTION. If the Premises are totally destroyed by fire or other casualty or if the Premises are partially destroyed to an extent that constitutes an unreasonable interference in TENANT's business operations, then TENANT shall have the option of terminating this Lease upon written notice to LANDLORD within thirty (30) days after such casualty loss, in which event rent and all other payment obligations herein shall cease as of the date of such casualty, and neither LANDLORD nor TENANT shall have any further obligations or rights hereunder except with respect to those provisions which expressly survive termination of this Agreement.

14.2 PARTIAL DESTRUCTION. In the event of fire or other casualty and TENANT elects to continue under this Lease as provided in Section 14.1, then TENANT shall restore the Premises to the same or better condition as existed prior to such fire or other casualty. TENANT shall commence restoration of the Premises as soon as reasonably possible and

thereafter proceed with diligence to complete such restoration as soon thereafter as is practical. During any restoration hereunder, TENANT shall receive a proportionate reduction in the rent until all facilities are restored, unless TENANT is unable, in its reasonable discretion, to continue operating the Premises, in which event all rent shall abate until TENANT re-opens for business.

14.3 NON-LIABILITY. LANDLORD shall not be liable for any inconvenience or interruption of business of TENANT occasioned by fire or other casualty, except to the extent of abatement by TENANT of all rent obligations hereunder.

14.4 NOTICE BY TENANT. TENANT shall give immediate notice to LANDLORD in case of fire or other casualty or accident on the Premises.

ARTICLE 15 – SIGNS

TENANT shall have the right to affix such signs as customarily are used in its business upon the windows, doors, interior and exterior walls of the Premises, and such free-standing signs as may seem appropriate to TENANT and are authorized by any governmental authority having jurisdiction over the Premises. Nothing herein shall be construed to obligate the City of Louisville, acting in its administrative or quasi-judicial capacity, to approve any application of TENANT submitted under the City's land use, sign, or building codes for the placement of any signage.

ARTICLE 16 – ACCEPTANCE & TENANT IMPROVEMENTS

16.1 GENERAL ACCEPTANCE. LANDLORD shall deliver the Premises to TENANT upon commencement of the term of this Lease. The taking of possession of the Premises shall be deemed an acceptance of the same by TENANT in its "AS IS" and present condition whether patent or latent, without representation or warranty or representation of any kind as to the condition thereof, and without any obligation of LANDLORD to modify, repair, replace, improve or maintain the Premises for TENANT. Landlord agrees the existing HVAC, electrical, lighting and plumbing systems shall be placed in good working order at the time of delivery. Subject to the TENANT allowance provisions of Section 6.4 hereof, TENANT shall be responsible at its expense for any upgrades to such existing systems.

16.2 TENANT'S IMPROVEMENTS. TENANT shall be responsible for construction, alterations, replacements, additions, repairs, fixtures, and improvements to the Premises required for TENANT's Permitted Use, all of which shall be at TENANT's sole cost and expense except as expressly provided in the TENANT allowance provisions of Section 6.4. hereof. TENANT's work shall not be commenced unless and until final written plans and specifications have been submitted to and approved by LANDLORD, which approval may not be unreasonably withheld. Any such plans and specifications shall include a site plan, elevations, and all other information required for issuance of a building permit, and shall be prepared and submitted to LANDLORD at least sixty (60) days prior to the date of commencement of the work. LANDLORD shall have thirty (30) days from receipt thereof to disapprove of such plans and specifications. If LANDLORD does not respond within thirty (30) days of receipt, LANDLORD shall be deemed to have approved the work. All work shall be completed in

compliance with all codes, ordinances, rules and regulations of any authority, in a good and workmanlike manner by licensed contractors with appropriate building permits. TENANT agrees that all contractors performing work on the Premises shall maintain commercial liability insurance of at least Two Million and No/100 Dollars ($2,000,000.00). All entries on the Premises and all work done by or on behalf of the TENANT shall be at TENANT's sole risk. Nothing herein shall be construed to obligate the City of Louisville, acting in its administrative or quasi-judicial capacity, to approve any application of TENANT submitted under the City's land use or building codes for approval of any work upon the Premises.

All materials and equipment furnished by TENANT in its improvement of the Premises shall be new unless otherwise specified in the approved plans and specifications. All of TENANT's work to be performed on the Premises shall be of good and workmanlike quality, free from faults and defects, and in accordance with the approved plans and specifications and legal requirements. Any of TENANT's work not conforming to the above standards shall be considered defective.

In the event LANDLORD exercise its rights to terminate this Lease as provided in Section 6.3, then if such termination is prior to the tenth anniversary of this Lease, TENANT shall be reimbursed a portion of TENANT's Net TI Cost (as defined in Section 6.4), equal to the 1/120th of the Net TI Cost for each month remaining between the effective date of such termination and the tenth anniversary of this Lease. (Therefore, for example, if LANDLORD terminates the Lease pursuant to Section 6.3 effective October 15, 2020, TENANT shall be reimbursed for one-half of the Net TI Costs based on the 60 months remaining in the initial ten-year term. If LANDLORD terminates the Lease pursuant to Section 6.3 effective October 15, 2022, TENANT shall be reimbursed for thirty percent (30%) of the Net TI Costs based on the 36 months remaining in the initial ten-year term.) If a termination pursuant to Section 6.3 occurs in year ten or later, LANDLORD shall have no obligation to reimburse any TENANT improvement expenses. LANDLORD's obligation to pay any amount of Net TI Costs is limited solely to a LANDLORD termination pursuant to Section 6.3.

ARTICLE 17 - REPRESENTATIONS AND WARRANTIES

17.1 <u>TENANT.</u> TENANT hereby represents and warrants to LANDLORD that: (a) TENANT is a duly authorized and existing Delaware corporation; (b) TENANT has the full right and authority to enter into this Lease; (c) each of the persons executing this Lease on behalf of TENANT is authorized to do so; and (d) this Lease constitutes a valid and legally binding obligation of TENANT, enforceable in accordance with its terms.

17.2 <u>LANDLORD.</u> LANDLORD represents and warrants to TENANT that: (a) LANDLORD has the full right and authority to enter into this Lease; (b) each of the persons executing this Lease on behalf of LANDLORD is authorized to do so; and (c) this Lease constitutes a valid and legally binding obligation on LANDLORD, enforceable in accordance with its terms.

ARTICLE 18 - NOTICES

Any notice, demand, request or other instrument which may be or is required to be given under this Lease shall be deemed to be delivered (a) whether or not actually received, three (3) days after deposited in the United States mail, postage prepaid, certified or registered mail, return receipt requested, or (b) when received (or when receipt is refused) if delivered personally, sent by facsimile transmission, or sent by a nationally recognized overnight courier, all charges prepaid, at the addresses of LANDLORD and TENANT as set forth in this Section. Such address may be changed by written notice to the other party in accordance with this Section.

If to LANDLORD:

City of Louisville
Attn: Economic Development
749 Main Street
Louisville, CO 80027

If to TENANT:

Human Movement, Inc.
Attn: Jeff Suffolk
1501 Empire Road
Louisville, CO 80027

With a copy to:
1794 Olympic Pkwy, Suite 210
PO Box 980430
Park City, UT 84098
ATTN: LEGAL

ARTICLE 19 - ESTOPPEL CERTIFICATE

At any time and from time to time either party, upon request of the other party, will execute, acknowledge and deliver an instrument, stating, if the same be true, that this Lease is a true and exact copy of this Lease between the parties hereto, and, if true at the time requested, there are no amendments hereof (or stating what amendments there may be), that the same is then in full force and effect and that, to the best of its knowledge, there are no offsets, defenses or counterclaims with respect to the payment of Rent reserved hereunder or in the performance of the other terms, covenants and conditions hereof on the part of TENANT or LANDLORD, as the case may be, to be performed, and that as of such date no default has been declared hereunder by either party or if not, specifying the same.

ARTICLE 20 - HAZARDOUS SUBSTANCES

20.1 HAZARDOUS SUBSTANCES INDEMNITY. TENANT shall not cause or permit any Hazardous Substance to be used, stored, generated, or disposed of on, in or about the Premises without obtaining LANDLORD's prior written consent. If any Hazardous Substance is used, stored, generated, or disposed of on, in, or about the Premises except as permitted above, or if the Premises become contaminated in any manner as a result of any breach of the foregoing covenant or any act or omission of TENANT or any of its employees or contractors, TENANT shall indemnify, defend and hold harmless LANDLORD from any and all claims, demands, actions, damages, fines, judgments, penalties, costs (including attorneys', consultants', and experts' fees), liabilities, losses (, and expenses arising during or after the term of this Lease and arising as a result of such contamination. This indemnification includes, without limitation, any and all costs incurred due to any investigation of the site or any cleanup, removal, or restoration

mandated by a federal, state, or local agency or political subdivision. Without limitation of the foregoing, if TENANT causes or permits the presence of any Hazardous Substance on, in, or about the Premises that results in contamination, TENANT, at its sole expense, shall promptly take any and all necessary actions to return the Premises to the same condition that existed prior to the presence of any such Hazardous Substance on, in, or about the Premises. TENANT shall first obtain LANDLORD's approval for any such remedial action, which approval shall not be unreasonably withheld. Notwithstanding the foregoing, this indemnification shall only apply to contamination by Hazardous Substances resulting from TENANT'S use and operation of the Premises. Nothing herein contained shall be held to indemnify LANDLORD from liability for Hazardous Substances contamination resulting from LANDLORD'S ownership, use or operation, or the use or operation by any third party in, on or under the Premises or arising out of conditions existing on the Premises prior to the commencement of TENANT's first possession of the Premises.

20.2 DEFINITION. As used herein, the term "Hazardous Substance" means any substance that is toxic, ignitable, reactive, or corrosive and which is regulated by any local government, the State in which the Premises are located, or the United States government. "Hazardous Substance" includes any and all materials or substances that are defined as "hazardous waste", "extremely hazardous waste" or a "hazardous substance" pursuant to state, federal or local governmental law. "Hazardous Substance" includes, but is not limited to, asbestos, polychlorobiphenyls and petroleum. The provisions under this entire Article shall survive the expiration or earlier termination of this Lease.

ARTICLE 21 - FORCE MAJEURE

In the event that either party hereto shall be delayed or hindered in or prevented from the performance required hereunder by reason of strikes, lockouts, labor troubles, failure of power, riots, insurrection, war, acts of God, or other reason of like nature not the fault of the party delayed in performing work or doing acts (hereinafter "Permitted Delay"), such party shall be excused for the period of time equivalent to the delay caused by such Permitted Delay. Notwithstanding the foregoing, any extension of time for a Permitted Delay shall be conditioned upon the party seeking an extension of time delivering written notice of such Permitted Delay to the other party within ten (10) days of the event causing the Permitted Delay, and the maximum period of time which a party may delay any act or performance of work due to a Permitted Delay shall be sixty (60) days.

ARTICLE 22 - ADDITIONAL TERMS

22.1 PLUMBING. Plumbing facilities shall not be used for any other purpose than that for which they were constructed, and no foreign substance other than those generally used during the operation of office uses shall be deposited therein. The cost and expense of any breakage, stoppage or damage resulting from a violation of this provision shall borne by TENANT.

22.2 SECURITY. TENANT shall have full responsibility for protecting the Premises and the property located therein from theft and robbery and shall keep all doors and windows securely fastened when not in use.

22.3 GARBAGE. TENANT shall pay all costs associated with disposal of its garbage, including but not limited to, costs of pick up, containers and deposits.

22.4 VIOLATIONS. Governmental penalties, fines or damages imposed on any portion of the Premises as a result of the acts of TENANT, its employees or agents, shall be paid by TENANT within thirty (30) days after receipt of said notice by TENANT, unless reasonably contested by TENANT.

22.5 APPROVALS. Nothing in this Lease is intended or shall be construed to obligate the City of Louisville, acting in its administrative or quasi-judicial capacity, to approve any application of TENANT submitted under the City's land use, sign or building codes for approval of any development, work, signs, or improvements upon the Premises.

22.6 NO WAIVER OF IMMUNITY. LANDLORD is relying on and does not waive or intend to waive by any provision of this Lease 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 LANDLORD and its officers and employees.

22.7 SUBJECT TO ANNUAL APPROPRIATIONS. Consistent with Article X, § 20 of the Colorado Constitution, any financial obligations of LANDLORD not performed during the current fiscal year are subject to annual appropriation, and thus any obligations of LANDLORD hereunder shall extend only to monies currently appropriated and shall not constitute a mandatory charge, requirement or liability beyond the current fiscal year. TENANT understands and agrees that any decision of the City Council to not appropriate funds shall be without recourse, penalty or liability to the City.

22.8 SUBORDINATION. This Lease and the rights of TENANT hereunder shall be and are hereby made subject and subordinate to the lien of any bond, loan, indenture, borrowing or other instrument of any kind now or hereafter existing against the property encompassing the Premises and to all renewals, modifications, consolidations, replacements and extensions thereof and to all advances made, or hereafter to be made, upon the security thereof. Although such subordination shall be self operating, TENANT, or its successors in interest, shall upon LANDLORD's request, execute and deliver upon the demand of LANDLORD any and all instruments desired by LANDLORD, subordinating, in the manner reasonably requested by LANDLORD, this Lease to any such bond, loan, indenture, borrowing or other instrument.

22.9 NO STORAGE AREAS. TENANT acknowledges that the areas depicted as No Storage Areas on Exhibit A are areas with underground utilities. TENANT agrees that is shall not construct or install within the No Storage Areas any buildings, structures, or hardscape improvements, or place or store within the No Storage Areas any immobile shipping or storage containers or any other items that cannot be moved from the No Storage Area immediately upon

demand. In the event access to or work upon the utilities within the No Storage Areas requires disturbance of any items placed by TENANT within the No Storage Areas, LANDLORD shall not be required to repair or replace any such disturbance.

22.10 RESERVED STORAGE SPACE OF LANDLORD. LANDLORD and TENANT agree that LANDLORD shall have the reserved right throughout the term to install and utilize cabinet space within what is currently Office 113 of the Main Building for installation and operation of City of Louisville IT equipment. TENANT agrees to pay for the electricity supplied for the IT equipment (i.e., such use will not be separately metered or billed to the LANDLORD). TENANT shall allow LANDLORD access to the IT cabinet during business hours and after hours via a key or other entry system mutually agreed by the parties, and LANDLORD shall use reasonable efforts to provide advance notice to and coordinate access to the cabinet with TENANT. LANDLORD is responsible for all costs associated with the IT cabinet except electricity charges.

ARTICLE 23 - MISCELLANEOUS

23.1 WAIVER. The waiver by LANDLORD or TENANT of any breach or default of any term, covenant or condition shall not be deemed to be a waiver of any subsequent breach or default of the same or any other term, covenant or condition, nor shall the acceptance of Rent be deemed to be a waiver of any such breach or default of such Rent. No term, covenant or condition of this Lease shall be deemed to have been waived by LANDLORD or TENANT, unless such waiver is in writing.

23.2 ACCORD AND SATISFACTION. No payment by TENANT or acceptance by LANDLORD of a lesser amount than sums herein stipulated shall be deemed to be other than on account of the due sums, nor shall any endorsement or statement on any check or in any letter accompanying any check or payment prejudice LANDLORD's right to recover the balance or such rent or pursue any other remedy provided in this Lease, unless otherwise agreed to by LANDLORD.

23.3 CAPTIONS AND SECTION NUMBERS. The captions and section numbers appearing in this Lease are inserted only as a matter of convenience and in no way define, limit, construe or describe the scope or intent of, such sections.

23.4 ENTIRE AGREEMENT. This Lease and any attachments hereto and forming a part hereof set forth all the covenants, promises, agreements, conditions, and understandings between LANDLORD and TENANT concerning the Premises and there are no covenants, promises, agreements, conditions or understandings, either oral or written, other than as herein set forth. No subsequent alteration, amendment, change or addition to this Lease shall be binding upon LANDLORD or TENANT until reduced to writing and signed by LANDLORD and TENANT.

23.5 PARTIAL INVALIDITY. If any term, covenant or condition of this Lease, or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Lease or the application of such term, covenant, or

condition to persons or circumstances other than those as to which it was held invalid or unenforceable, shall not be affected thereby and each term, covenant, or condition of this Lease shall be valid and be enforced to the fullest extent permitted by law.

23.6 SURVIVAL. All of the terms and conditions of Sections 6.2 and 12.1 of this Lease, and all other terms and conditions of this Lease concerning release, indemnification, termination, remedies, and enforcement, shall survive termination of this Lease.

23.7 APPLICABLE LAW & VENUE. The parties hereto shall be bound by and this Lease shall be construed according to the laws of the State of Colorado. Venue for any litigation concerning this Lease shall be in the District Courts of Boulder County, Colorado.

23.8 RECORDING. A memorandum of this Lease may be recorded by LANDLORD or TENANT in the public records at the recording party's expense.

23.9 COSTS OF ENFORCEMENT. In the event that LANDLORD shall bring an action to recover any sum due hereunder or for any breach hereunder and shall obtain a judgment in its favor, or in the event that LANDLORD shall retain an attorney for the purpose of collecting any sum due hereunder or enforcing any of the terms or conditions hereof or protecting its interest in any bankruptcy, receivership, or insolvency proceeding or otherwise against the TENANT, the LANDLORD shall be entitled to recover all reasonable costs and expenses incurred, including reasonable attorneys' and legal assistants' fees, and costs and expenses, including expert witness fees and expenses.

23.10 CONSENT. Wherever in this Lease LANDLORD or TENANT is required to give its consent or approval, such consent or approval shall not be unreasonably withheld, conditioned or delayed.

23.11 TRANSFER OF LANDLORDS INTEREST. The term "LANDLORD" shall mean only the owner, for the time being, of the Premises, and in the event of the transfer by such owner of its interest in the Premises, then notwithstanding anything to the contrary contained herein, such owner shall thereupon automatically be released and discharged from all covenants and obligations of the LANDLORD thereafter accruing, but such covenants and obligations shall be binding during the term of this Lease upon each new owner for the duration of such owner's ownership. Notwithstanding the foregoing, any such owner shall remain obligated to TENANT for any and all deposits paid by TENANT hereunder until such time as said deposits are transferred to and accepted by any new owner and notice given to TENANT.

23.12 RIGHT OF FIRST REFUSAL TO PURCHASE PREMISES. In the event LANDLORD desires to sell the Premises and LANDLORD receives from a third party a bona fide offer to purchase the Premises, and that offer is acceptable to LANDLORD, LANDLORD agrees to disclose the terms of such offer to TENANT, in writing, within fifteen (15) business days following receipt of the offer. Upon receiving written notice of the terms of the offer and upon receipt of a copy of that offer, TENANT shall have ten (10) business days in which to elect to purchase the Premises subject to that offer on terms identical to those offered by the third party. Such an election shall be made by written notice to the LANDLORD. Within thirty (30)

days thereafter, the parties shall enter into a written contract of sale in a form approved by the Colorado Real Estate Commission expressly including and incorporating all of the terms of the third party offer made to the LANDLORD, except as the parties may mutually agree. Within three (3) days after the full execution of the Colorado Real Estate Commission contract, the TENANT shall deposit an earnest money check with a mutually agreed upon title company in the amount contained in the third party offer, to be applied to the purchase price. If the TENANT, after receiving notice of the third party offer, fails to exercise its right of first refusal to purchase the Premises subject to that offer, within the allotted ten (10) business day period, TENANT's right of first refusal to purchase the Premises subject to that offer shall terminate and TENANT shall thereafter have no further right to purchase the Premises subject to that offer, it being the parties' express intent that TENANT's right of first purchase shall be a one-time right only, irrespective of whether the Premises are sold to the third party pursuant to the offer submitted by the third party and accepted by the LANDLORD.

23.13 SUCCESSORS. All rights and liabilities herein given to or imposed upon the parties hereto shall inure to the benefit of and be binding upon their respective heirs, executors, administrators, successors and assigns and, except as may be otherwise set forth herein, if there shall be more than one TENANT, they shall all be bound jointly and severally by the terms, covenants and agreements herein. No rights, however, shall inure to the benefit of any assignee of TENANT unless such assignment has been approved by LANDLORD in writing as provided elsewhere in this Lease.

23.14 BROKERAGE. Each party represents that no brokers, finders or similar fee or commission is due in connection with this Lease and each party hereby agrees to indemnify and hold the other harmless from any claim, cost or expense (including reasonable attorneys fees whether suit be brought or not) resulting from any claims made by or through such party for a fee or commission.

23.15 COUNTERPARTS. This Lease may be executed in counterparts; each counterpart constitutes a complete and binding agreement but all of such counterparts, taken together, form one and the same agreement.

IN WITNESS WHEREOF, LANDLORD AND TENANT have executed this Lease effective as the day and year first above and written.

LANDLORD:
CITY OF LOUISVILLE,
a Colorado home rule municipal corporation

By: _____
Robert P. Muckle, Mayor

ATTEST:

By:_____
Nancy Varra, Clerk

TENANT:
HUMAN MOVEMENT INC.
a Delaware corporation

By: _____
Jeff Suffolk, President

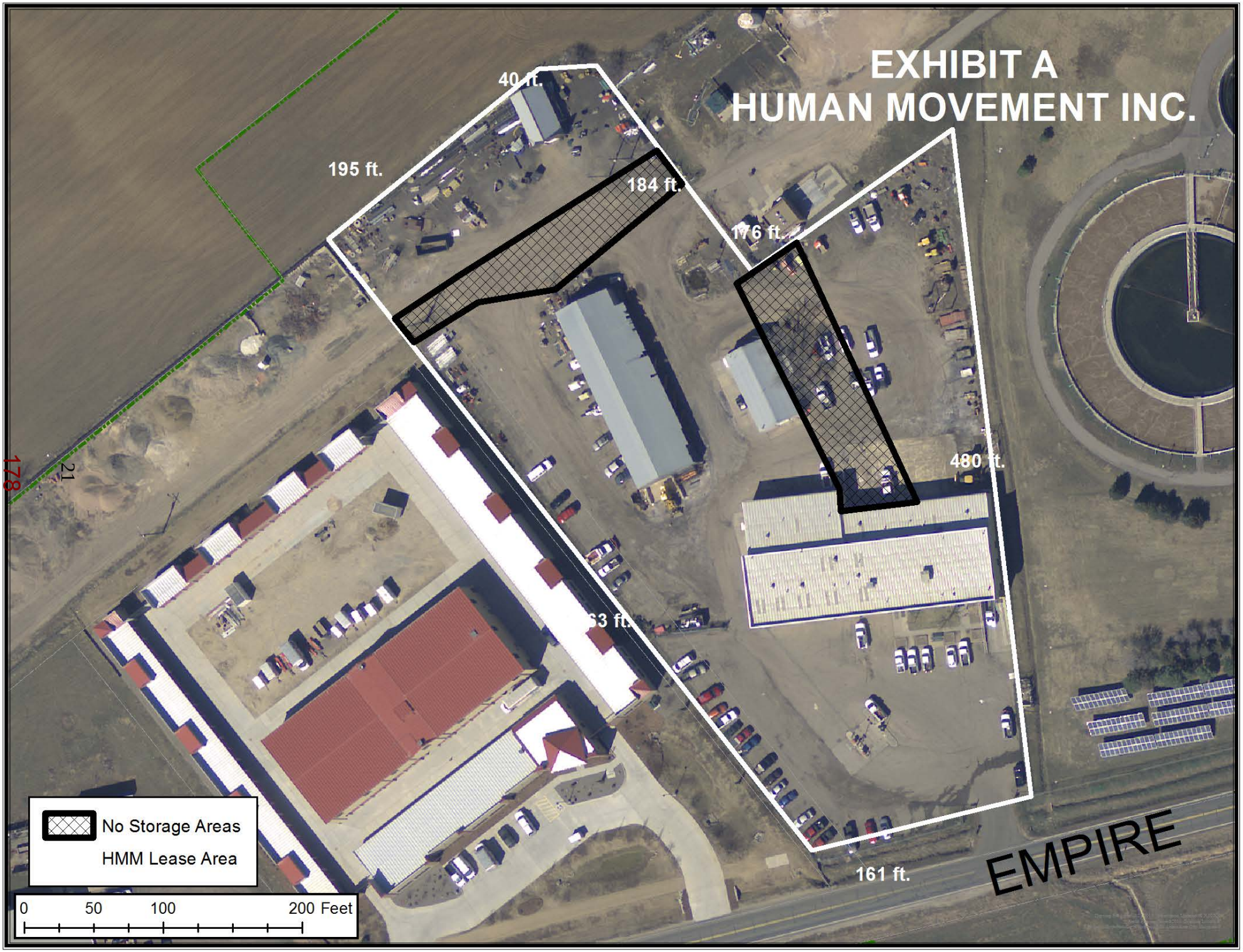


EXHIBIT A
HUMAN MOVEMENT INC.
40 ft.
195 ft.
184 ft.
176 ft.
480 ft.
63 ft.
161 ft.
EMPIRE
No Storage Areas
HMM Lease Area
0
50
100
200 Feet

SUBJECT: **ORDINANCE NO. 1702, SERIES 2015 – AN ORDINANCE AMENDING SECTION 17.08.205 OF THE LOUISVILLE MUNICIPAL CODE TO CLARIFY THE DEFINITION OF GRADE – 2ND Reading – Public Hearing – Advertised *Daily Camera* 09/06/2015**

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **SCOTT ROBINSON, AICP, PLANNING AND BUILDING SAFETY**

SUMMARY:

The Louisville Municipal Code (LMC) prescribes a maximum building height in all zone districts in the City. Section 17.08.045 of the LMC defines height as "the vertical distance measured from grade to the highest point on the roof surface." Grade is defined in Section 17.08.205 of the LMC as "the average of the finished grade surface elevation measured at the highest and lowest exterior corners of a structure."

Simply put, building height is measured as the distance between the average grade at foundation to the highest point on the roof. Generally this definition has worked well, but there have been instances where fill has been added around the foundation to raise the grade and meet the height restriction. This defeats the purpose of the height regulations as the building in question ends up higher above the street than the surrounding structures and out of context for the surrounding neighborhood.

To reduce the likelihood of this happening, staff proposes amending the definition of grade. Staff looked at how neighboring jurisdictions define grade, and there are basically two schemes (see attachment). Some jurisdictions, including the City of Boulder and Boulder County, use "natural grade," meaning the grade before work began on the site. This ensures that even if fill is added to a site, the top of the building is no higher than it would have been without the fill. However, this requires the natural grade be determined by a surveyor before work begins, and can be difficult to implement if the natural grade has already been disturbed.

The other common scheme, used by Superior among others, is to measure grade some distance away from the foundation if fill has been added. This way, raising the grade around the foundation will not allow a higher structure. This only requires surveyor verification of height after framing is complete, as is required now. However, there could be problems if it is not clear if fill has been added, or if fill has been added further out from the structure, raising the entire site level.

Staff believes there are advantages and disadvantages to each scheme, but recommends the second. Staff believes the second method will eliminate the problems with the situation described above in most cases, while being easier to implement and less burdensome on property owners.

The grade has been raised on the property on the right to meet the height restriction

REQUESTED AMENDMENTS TO TITLE 17

Staff is recommending modifications to section 17.08.205 of the LMC to redefine grade as follows (text added is <u>underlined</u>):

Grade (ground level) means the average of the finished grade surface elevation measured at the highest and lowest exterior corners of a structure. <u>If fill is added to raise the surface elevation at the structure by more than one foot, then grade is determined from the finished site grade level a distance of ten feet from the structure wall, or from the property line if the property line is closer than ten feet to the structure wall.</u>

FISCAL IMPACT

Staff does not expect any fiscal impact from the proposed change.

PLANNING COMMISSION ACTION

The Planning Commission held a public hearing August 13, 2015. There was no public comment at the hearing and Commission members made recommendations to clarify the language of the proposed ordinance. The Planning Commission voted unanimously (6-0) to recommend the amendment to Title 17 be forwarded to City Council for consideration.

RECOMMENDATIONS
Staff recommends City Council approve Ordinance 1702, Series 2015, an ordinance amending section 17.08.205 of the Louisville Municipal Code to clarify the definition of grade.

ATTACHMENTS:
1. Ordinance No. 1702, Series 2015
2. Planning Commission minutes (August 13, 2015)
3. Neighboring jurisdictions analysis
4. PowerPoint

ORDINANCE NO. 1702,
SERIES 2015

AN ORDINANCE AMENDING SECTION 17.08.205 OF THE LOUISVILLE MUNICIPAL CODE TO CLARIFY THE DEFINITION OF GRADE

WHEREAS, the City of Louisville is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter; and

WHEREAS, the City Council is authorized by the City Charter and state law, including without limitation C.R.S. § 31-23-301 et. seq. to adopt and enforce regulations which may be necessary for the promotion of health, safety, morals, or the general welfare and to restrict the maximum allowed height of buildings as measured from grade; and

WHEREAS, the City Council desires to amend the City's current definition of grade to better address the City's intent that building height measurements consider the effects of grading and fill activities; and

WHEREAS, a core value of the City in the 2013 Comprehensive Plan promotes: "*Unique commercial areas and distinctive neighborhoods… where the City is committed to recognizing the diversity of Louisville's commercial areas and neighborhoods by establishing customized policies and tools to ensure that each maintains its individual character"*, and;

WHEREAS, the City Council finds that it is necessary and appropriate to further amend and clarify the definition of "grade" so as to lend certainty in order to ensure each commercial area and neighborhood maintains its individual character; and

WHEREAS, after a duly noticed public hearing held August 13, 2015, where evidence and testimony were entered into the record, including the Louisville Planning Commission Staff Report dated August 13, 2015, the Louisville Planning Commission has recommended the City Council adopt the amendments to the Louisville Municipal Code set forth in this ordinance; and

WHEREAS, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice;

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

Section 1. Section 17.08.205 of the Louisville Municipal Code is hereby amended to read as follows (words to be added are underlined):

Sec. 17.08.205. Grade (ground level).

Grade (ground level) means the average of the finished grade surface elevation measured at the highest and lowest exterior corners of a structure. If fill is added to raise the surface elevation at the structure by more than one foot, then grade is

determined from the finished site grade level a distance of ten feet from the structure wall, or from the property line if the property line is closer than ten feet to the structure wall.

Section 2. If any portion of this ordinance is held to be invalid for any reason such decisions 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 3. 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.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions 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

Planning Commission

Meeting Minutes

August 13, 2015
City Hall, Council Chambers
749 Main Street
6:30 PM

Call to Order: 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
	Jeff Moline
	Tom Rice, arrived at 6:32 pm
	Scott Russell
Commission Members Absent:	Steve Brauneis
Staff Members Present:	Troy Russ, Director of Planning and Building Safety
	Sean McCartney, Principal Planner

- **Building Height Measurement–Code Amendment, Resolution No. 25, Series 2015,** recommending to City Council approval of the Draft Ordinance, amending Title 17 of the Louisville Municipal Code to amend the definition of grade.
  - Applicant, Owner and Representative: City of Louisville
  - Case Manager: Scott Robinson, Planner II

Conflict of Interest and Disclosure:
None.

Public Notice Certification:
Posted in City Hall, Public Library, Recreation Center, the Courts and Police Building, and City Web-Site on August 6, 2015.

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

- Height is measured from average grade at foundation to the highest point on the roof
- This allows fill to be added to raise the foundation if a building is too tall
- Option 1 - Measure height from "natural grade"
  - Requires surveyor to establish grade before work begins
  - Still has to measure height at framing
  - Ensures height cannot be increased by adding fill
  - Difficulties if grade has been previously altered

- Option 2 - Measure grade level away from foundation
    - Only requires measuring height at framing
    - No concern about previous changes in grade
    - Could be questions about whether fill has been added
    - Could be gained by raising grade of entire site

AMENDMENTS TO TITLE 17
Staff is proposing amending Section 17.08.205 in the LMC to read as follows (words added are underlined):

- *Grade (ground level)* means the average of the finished grade surface elevation measured at the highest and lowest exterior corners of a structure. If fill is added to raise the surface elevation at the structure by more than one foot, then grade is determined from the finished site grade level a minimum distance of ten feet from the structure wall, or from the property line if the property line is closer than ten feet.

This is the same height ordinance that the Town of Superior uses and the City of Broomfield. Boulder County uses the natural grade as well as the City of Boulder, which would require an additional submittal. Staff feels this could be an unusual expense to the development community to try to gain this and gain additional height. Staff believes it would address the questions or concerns I showed in the photo.

Staff Recommendations:
Staff recommends Planning Commission move to approve Resolution No. 25, Series 2015, recommending to City Council approval of the Draft Ordinance, amending Title 17 of the Louisville Municipal Code to amend the definition of grade.

Commission Questions of Staff:
Rice says by occupational hazard, I run into problems with statutory and ordinance construction all the time in terms of how they are interpreted, and then the ways the gremlins creep into these things. When I read through this, the thing that troubled me was the use of the word "minimum". The concept here is that if somebody is going to use the finished grade that they have accomplished by virtue of adding fill as their means of meeting the height standard, then we will look at grade level a minimum distance of 10' from a structure wall. I do not understand the use of the word "minimum" there because who decides what distance you are going to measure it from?
Russ says the reason we do that is because that would require a significant amount of fill which we think is cost prohibitive.
Rice says can the City come in and say, well actually, we're going to measure at 15'. I understand it is a silly construction but I deal with silly construction of laws all the time. I am concerned that there is an ambiguity that is created by that use, and so my thought was that we should make it 10' but then there also is this condition about the property line. If you don't have 10', then you can't measure 10'. You don't have control over what your neighbor is doing with his grade. I would get rid of the "minimum".
Russ says we do have control over it. In every building CO, before the CO is issued, they have to do a grading certificate for scrapes. They have to demonstrate that the run-off from a site would follow established drainage easements, typically running between the parcels. The philosophy of them raising the site to the property edge is defeated through a drainage certificate requirement. That would not be possible from a drainage certificate for them to build the wall up. We believe this is necessary. I agree with your observation, so if we just say 10' is how we'll measure it, I think that is an excellent improvement to this ordinance.

Russell asks which wall? Is it all four walls? Is that clear.
Russ says all four walls.
Rice says you are taking the average of the highest and lowest corner, correct?

Russell asks why not take the simpler version that says, we are going to go out and establish grade before you do anything, and then that's the starting point of measuring.
Russ says we think that would be burdensome to the homeowners and building. That is yet another survey requirement and probably an additional $1500 to $3000. Just as part of the survey.

Pritchard says he has a hard time with this. I was directly impacted. I look from my house and someone brought in several hundred yards of dirt and increased their elevation by a good 12'. That should have been caught from this standpoint. To me, if it costs the homeowner $3000, I have no problem with that. That is the price you pay to build a house.

Russell asks what is the sense of magnitude of this issue? This is primarily an old town issue, probably? Ten new projects get pulled. How often does this happen?
Russ says the ordinance applies city-wide but we are seeing most impactful in Old Downtown. I think 50% of the projects are impacted.

Moline asks about a subdivision that has over-lot grading. That becomes the nature grade, correct? For example, in the last item that we just discussed, they bring in this material from the US 36 project, they spread it over the property at CTC. At this point, what is the natural grade?
Russ says yes. In the survey they provide and we agree to. You are describing a site that is exactly our concern with using the term "natural grade" because then, it is really hard to determine it when you go from natural grade. There are manipulations that are afforded to it, and you can look at the property's edge. You could measure height from property edge. On sites that are that large, it is really hard to manipulate that, especially if there is a slope to those large sites. That is why we prefer the second option.

Summary and request by Staff and Applicant:
Staff recommends approval.

Closed Public Hearing and discussion by Commission:
Russell says in my view, someone could bring in a bunch of dirt before they start, but I think that is an unlikely scenario in a residential lot. That to me is a bit of left field possibility. In my view, simpler is better. My question is, does this shift a greater burden onto the City to make a determination about what is the appropriate basis for measuring grade? On the other hand, frankly, I am not going to have to enforce this. We are going to have to deal with this if we have a plan submitted with some real variance to its established grade. I think the better path is to go with the natural grade route.
Russ says this grade involves both residential and commercial structures. On the larger sites, we measure height the same way. I would say of all the lots that are being developed, 60-70% require some sort of fill because of the slopes or the hills that you see, both residential and commercial. There is fill and grading going on in the site. What this is saying, we know there is 1' more than was established, we will measure it 10' away. That can easily be determined. I think if we go with the natural grade, we might have to start divorce residential development. I think natural grade works really well on the smaller lots. It doesn't work well on the larger lots or sloping lots.

Rice says we are taking the approach we already have and further clarifying it. To do the other would be to invent the new approach.

Motion made by Tengler to Staff recommends that the Planning Commission approve Resolution No. 25, Series 2015, recommending to City Council approval of the Draft Ordinance,

amending Title 17 of the Louisville Municipal Code to amend the definition of grade, with the following condition:

1. Delete the word “minimum” from the draft.

seconded by Rice. Roll call vote.

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

Height and Grade Regulations from Neighboring Jurisdictions

Boulder County

18-120 Building Height (Structure Height) The vertical distance from any part of the structure, excluding appurtenances, to the existing or natural grade below. In a platted subdivision for which overlot grading was permitted prior to October 18, 1994, the overlot grading shall be the existing grade.

Boulder

Height means the vertical distance from the lowest point within twenty-five feet of the tallest side of the structure to the uppermost point of the roof. The lowest point shall be calculated using the natural grade. The tallest side shall be that side whose lowest exposed exterior point is lower in elevation than the lowest exposed exterior point of any other side of the building.

Modifications to Natural Grade: The height of a building is determined as described in the definition of "height" in chapter 9-16, "Definitions," B.R.C. 1981. (See Figure 7-3 of this section.) If there is evidence that a modification to the natural grade has occurred since the adoption of Charter section 84, "Height limit." B.R.C. 1981, on November 2, 1971, the city manager can consider the best available information to determine the natural grade. This may include, without limitation, interpolating what the existing grade may have been using the grade along property lines, topographic information on file with the City, or other information that may be presented to the city manager.

Lafayette

Height determination. The height of buildings or other structures shall not exceed the maximum permitted height shown in Table 26-B as measured from any point at the top of a flat or mansard roof or from the midpoint between the highest eave line and highest ridge line of a gable, gambrel, hip, shed or similar pitched roof to the over-lot grade elevation, which shall be based on an approved grading plan, directly below such point. It is the intent of this regulation that a building plane be established that runs parallel to the over-lot grading elevation of the lot and no higher than the maximum permitted height shown in Table 26-B. Such plane shall act as a ceiling beyond which a flat or mansard roof does not protrude and beyond which the midpoint between the eave line and ridge line of a gable, gambrel, hip, shed or similar pitched roof does not protrude.

Superior

Height means a standard of measurement defining the vertical elevation of a structure from grade to the top or highest point of the structure or accessory appurtenance. Excepted appurtenances are chimneys, spires, utility ventilation pipes and lightning rods. For sign purposes, height means the vertical distance measured from the site's grade at the middle of the sign, which is the horizontal distance between the two (2) side edges of the sign, to the uppermost point on the sign or the sign structure.

Grade means the average of the ground levels at the center of all exterior walls of a building. If earth is to be bermed against the foundation of the structure to a height greater than one (1) foot from the

finished grade, then grade is determined from the finished site grade level a minimum distance of ten (10) feet from the foundation wall or from the property line if the property line is closer than ten (10) feet.

Erie

Building Height Building height shall be measured as the vertical distance above a reference datum to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following; whichever yields a greater height of building: a. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade. b. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described above is more than 10 feet above lowest grade.

Longmont

Building height is measured from the average of finished grade at the center of all walls of the building to the top of the parapet or highest roof beam (whichever is higher) on a flat or shed roof, to the top of the parapet or deck level (whichever is higher) of a mansard roof, or the average distance between the highest ridge and its eave of a gable, hip, or gambrel roof.

ii.

Structure height (not including buildings) is measured from the average of finished grade of each support of the structure to the highest point of the structure.

iii.

Finished grade shall be consistent with an approved grading and drainage plan, as applicable, and best management practices and shall be consistent and compatible with surrounding properties.

Broomfield

Building height means the vertical distance from the average of the finished ground level at the center of all walls of a building to the highest point of the roof surface, exclusive of chimneys, ventilators, pipes, and similar apparatus.

City Council – Public Hearing

Ordinance No. 1702, Series 2015 - Amendment to section 17.08.205 of the Louisville Municipal Code to clarify the definition of grade.

Prepared by:
Dept. of Planning & Building Safety

Building Height

Height is measured from average grade at foundation to the highest point on the roof

This allows fill to be added to raise the foundation if a building is too tall

Building Height

Height is measured from average grade at foundation to the highest point on the roof

This allows fill to be added to raise the foundation if a building is too tall

Building Height

Option 1

Measure height from “natural grade”

Option 2

Measure grade level away from foundation

Building Height

Option 1

Measure height from “natural grade”

- Require surveyor to establish grade before work begins
- Still have to measure height at framing
- Ensures height can’t be increased by adding fill
- Difficulties if grade has been previously altered

Building Height

Option 2

Measure grade level away from foundation

- Only requires measuring height at framing
- No concern about previous changes in grade
- Could be questions about whether fill has been added
- Could be gamed by raising grade of entire site

Building Height

AMENDMENTS TO TITLE 17

Staff is proposing amending Section 17.08.205 in the LMC to read as follows (words added are underlined):

Grade (ground level) means the average of the finished grade surface elevation measured at the highest and lowest exterior corners of a structure. If fill is added to raise the surface elevation at the structure by more than one foot, then grade is determined from the finished site grade level a minimum distance of ten feet from the structure wall, or from the property line if the property line is closer than ten feet to the structure wall.

Building Height

Under the proposed regulations, grade would be determined 10 feet away from the foundation wall

Recommendation

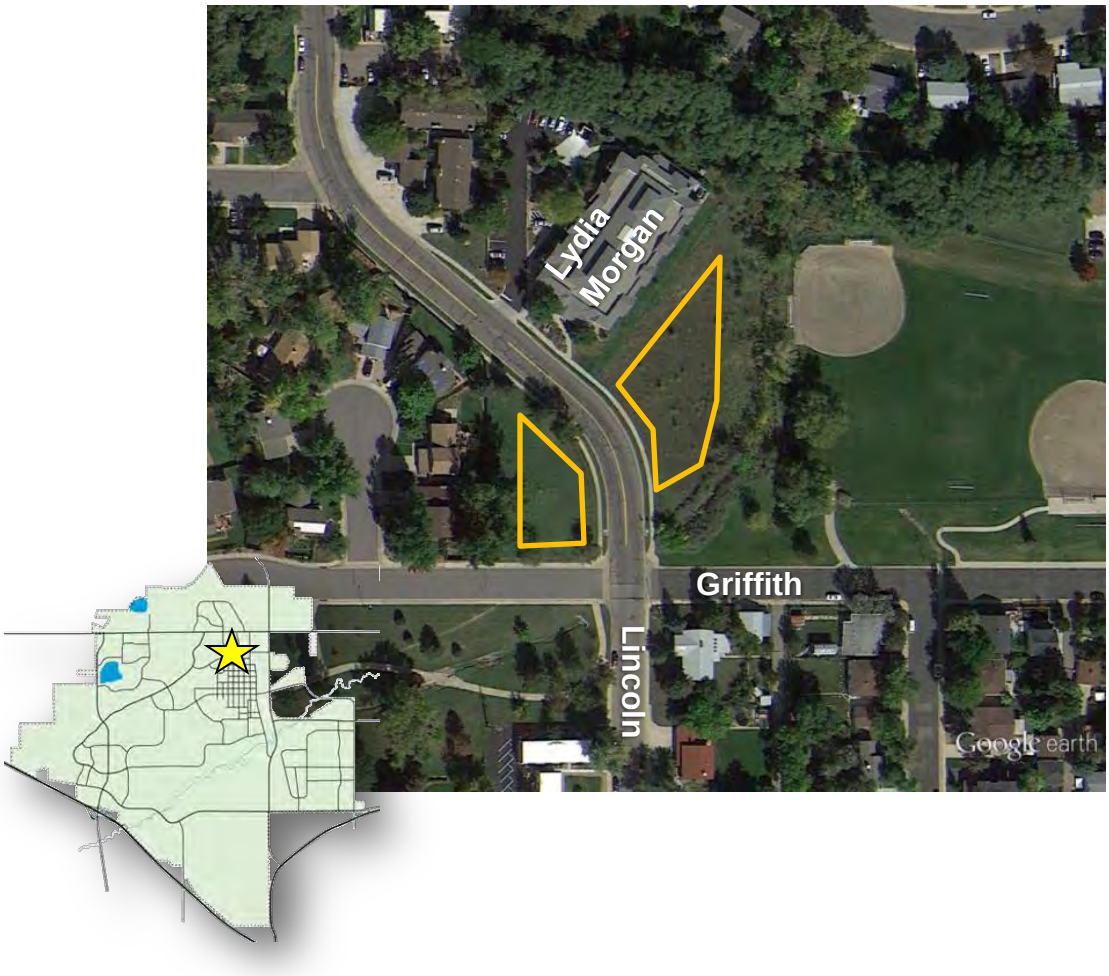
Staff recommends City Council approve Ordinance No 1702, Series 2015, amending section 17.08.205 of the Louisville Municipal Code to clarify the definition of grade.

CITY COUNCIL COMMUNICATION
AGENDA ITEM 8E

SUBJECT: RESOLUTION NO. 70, SERIES 2015 - A RESOLUTION APPROVING A SPECIAL REVIEW USE (SRU) TO ALLOW FOR AN AGRICULTURAL LAND USE IN THE RESIDENTIAL LOW DENSITY (RL) ZONE DISTRICT IN ORDER TO DEVELOP A COMMUNITY GARDEN WITH 45 PLOTS AND TWO 80SF TOOL SHEDS ON THE NORTHEAST AND NORTHWEST CORNERS OF GRIFFITH STREET AND LINCOLN AVENUE, WITHIN LAWRENCE ENRIETTO PARK.

DATE: OCTOBER 6, 2015

PRESENTED BY: TROY RUSS, PLANNING AND BUILDING SAFETY



SUMMARY:
The Louisville Sustainability Advisory Board (LSAB) and the City of Louisville are proposing a multi-phased neighborhood based community garden for up to 45 plots be developed for Louisville resident use. The project is proposed for the NW and NE corners of the intersection of Garfield Street and Lincoln Avenue, within Lawrence Enrietto Park.

The property is located in the City's Residential Low Density (RL) Zone District. A community garden is considered an agricultural land use. Section 17.12.030 allows for agricultural as a principle land use in the RL Zone District as a Special Review Use (SRU). All SRU requests within any residential zone district require public hearings before the Louisville Planning Commission and City Council.

The Planning Commission conducted a public hearing on August 13, 2015 and recommended approval of the community garden with four conditions:

1. The community garden shall be available to Louisville residents only.
2. The City shall increase the visibility of the Lincoln and Griffith intersection to raise awareness to the presence of cross traffic and pedestrians.
3. No electronic amplified sound will be permitted.
4. A floodplain development permit is granted by the City's Board of Adjustment.

Portions of the proposed garden are located within the City's 100-year floodplain. The applicant applied for and received a floodplain development permit from the Board of Adjustment on August 19, 2015.

REQUEST:
The proposed community garden would consist of in-ground garden plots with a small number of raised planting beds for the physically challenged. Each plot would be served by shared community irrigation lines. Minimal pathway / surface treatments are proposed to ensure ADA accessibility. Two small (8'X10') tool sheds are proposed for the garden, one for each side of the road. A conceptual site plan is attached.

If approved, gardeners would access the site by foot, bicycle, or automobile. The proposed plan accommodates parking for three bicycles and 27 cars. Cars would park on-street.

The garden is proposed to be managed by a third party, the Louisville CO Community Garden, a nonprofit 501(C)(3) organization. Prospective gardeners would have specific requirements to participate. The garden plots would be available through annual contracts, which outline fees, water use, maintenance, rules, etc. A copy of the proposed Contract Rules, Terms, and Conditions for Participation is attached for City Council reference.

The intent of the community garden is to:

- 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 Louisville residents.

The following outlines the community garden SRU's proposed development standards:

1. The Community Garden shall be available to Louisville residents only.
2. The Community Garden would be allowed up to 45 garden plots. The design of the community garden may vary from shown.
3. Garden types and sizes shall be permitted in any form or dimension within the designated plotting areas.
4. Raised garden plots can be designed with 12" to 24" raised walls.
5. Garden plots shall remain at least 10-feet from all property lines.
6. The community garden will be operated by a Garden Association.
7. Compost and trash will be handled by the Garden Association.
8. Gardeners will be responsible for maintenance and upkeep.
9. Each garden plot will be accessed by 5' natural walkways, while each garden bed will be accessed by 4' natural trails.
10. Vehicles will park along Garfield Avenue and Griffith Street.
11. The City shall increase the visibility of the Lincoln and Griffith intersection to raise awareness to the presence of cross traffic and pedestrians.
12. Tools and supplies will be stored in up to two 8'X10' storage sheds.
13. Three bike racks are to be located near garden entrance at NW intersection of Griffith Street and Lincoln Avenue.
14. Pets are not permitted in the community garden area.
15. The Community Garden will be open from dawn to dusk 7 days a week.
16. No artificial lighting will be permitted.
17. No electronic amplified sound will be permitted.
18. Up to 3 special events will be permitted each year. Specific special events shall be permitted through the City's special event procedures, which may change from time to time.

ANALYSIS:
Louisville Municipal Code § 17.40.100.A lists five criteria to be considered by the City Council in reviewing a Special Review Use application. The City Council is authorized to place conditions on their recommendation of approval, if they believe those are necessary to comply with all of the criteria.

1. *That the proposed use/development is consistent in all respects with the spirit and intent of the comprehensive plan and of this chapter, and that it would not be contrary to the general welfare and economic prosperity of the city or the immediate neighborhood;*

The 2013 Comprehensive Plan's Vision Statement and Core Community Values state there shall be a sense of community, sustainable practices for the economy, community and environment, and ecological diversity within the City. A community garden contributes to realizing the Core Community Values of the Comprehensive Plan. **Staff finds this criterion is met.**

2. *That such use/development will lend economic stability, compatible with the character of any surrounding established areas;*

The proposed community garden is considered compatible for a residential neighborhood as they allow for the gathering of neighbors for the purpose of gardening. **Staff finds this criterion is met.**

3. *That the use/development is adequate for the internal efficiency of the proposal, considering the functions of residents, recreation, public access, safety and such factors including storm drainage facilities, sewage and water facilities, grades, dust control and such other factors directly related to public health and convenience;*

The community garden will be designed to work with existing grades, except for the proposed raised beds as shown on the plan. Because natural grade will be used, the site drainage should not be detrimentally impacted. **Staff finds this criterion is met.**

4. *That external effects of the proposal are controlled, considering compatibility of land use; movement or congestion of traffic; services, including arrangement of signs and lighting devices as to prevent the occurrence of nuisances; landscaping and other similar features to prevent the littering or accumulation of trash, together with other factors deemed to affect public health, welfare, safety and convenience;*

The community garden is proposed to have a maximum of 45 garden plots. The surrounding streets provide up to 27 on-street parking spaces. Three bike racks are proposed for those who choose that mode of travel. Trash will be handled by the Garden Association. **Staff finds this criterion is met.**

5. *That an adequate amount and proper location of pedestrian walks, malls and landscaped spaces to prevent pedestrian use of vehicular ways and parking spaces and to separate pedestrian walks, malls and public transportation loading places from general vehicular circulation facilities.*

The proposed garden's site plan, if approved, is designed to be served by existing with 5' all weather sidewalk and 3' natural walkways for internal efficiency. ADA improvements are proposed for the intersection of Griffith Street and Lincoln Avenue. **Staff finds this criterion is met.**

FISCAL IMPACT:
There are no anticipated fiscal impacts associated with the SRU request. However, the applicant is requesting City assistance in developing the garden. Specifically, the applicant is requesting the City assist in advancing the installation of two new ADA compliant curb ramps and painted crosswalk at the intersection, the provision of water service and extension of irrigation lines, and any grading (consistent with the Floodplain Development Permit requirements) necessary to install the garden.

The City received a $15,000 Sustainability Matching Grant from Boulder County for the installation of the community garden (attached). The terms of the grant commit the City to provide $26,900 matching dollars in the form of a *"water tap, asphalt, copper pipe, fixtures and a meter for the garden"*. County funds are available until April 30, 2016.

Final cost estimates for the garden are not complete. However, staff expects this project will be phased. The first phase of the project is expected to be developed west of Lincoln Avenue. The grant application to the County suggested the $15,000 would be utilized for the first phase. Staff intends to pursue future funding cycles for the Boulder County Sustainability Matching Grants to complete the second phase.

Additionally, staff will be requesting a budget amendment to the 2015 concrete work program to install two new ADA compliant curb ramps and painted crosswalk needed to meet accessibility requirements for the proposed garden. The Public Works Department estimates the new facilities would cost $10,757 (NW curb ramp) and $8,475 (NE curb ramp) and $3,000 for the painted crosswalk and necessary signs.

Proposed intersection improvements are not unique to the garden. These items have been identified for improvement in the future capital improvement program. The community garden accelerates the intersection's needed improvements.

PLANNING COMMISSION:
Planning Commission heard and unanimously approved the SRU request August 13th with four conditions.

1. The Community Garden shall be available to Louisville residents only.

2. The City shall increase the visibility of the Lincoln and Griffith intersection to raise awareness to the presence of cross traffic and pedestrians.
3. No electronic amplified sound will be permitted.
4. A floodplain development permit is granted by the City's Board of Adjustment.

Four members of the public spoke, two in favor, one against.

Planning Commission discussion focused on traffic; parking; public access; Louisville resident priority; term-limiting of plots to allow turn-over; garden management in terms of noise, trash, water use, and fencing.

The four conditions of recommended approval by the Planning Commission have been incorporated into the proposed SRU.

BOARD OF ADJUSTMENT:
All development in the 100-year floodplain requires a floodplain development permit from the Board of Adjustment. The applicant's floodplain development permit request was heard by the Board Adjustment on August 19, 2015.

The proposal included two 8'x10' sheds, one in the floodplain, and two areas of raised garden beds for ADA access, both in the floodplain. The proposal was reviewed by a licensed Professional Engineer, who has determined the proposed work would not have a negative impact of the floodplain.

The garden is governed by subsection 17.56.150(A)(1) which allows agricultural uses in the flood regulatory district as long as they satisfy subsection 17.56.160(A). Subsection 17.56.160(A) states:

> *"The cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one-half foot at any point. Certification by a registered professional engineer stating that any encroachment shall not result in such an increase in flood levels during the occurrence of a 100-year flood shall be required."*

Greg Hausen, P.E., of the J3 Engineering wrote a letter stating *"the proposed improvements will not adversely impact the floodplain."* The Board of Adjustment unanimously found subsection 17.56.160(A) satisfied, and thus the agricultural use as proposed in the SRU to be allowed under subsection 17.56.150(A)(4).

RECOMMENDATION:
Staff recommends City Council approved Resolution No. 70, Series 2015, a resolution approving a Special Review Use (SRU) for an agricultural land use in Residential Low (RL) Density Zone District in order to develop a community garden with up to 45 garden plots and two 80sf tool sheds on City property near the NW and NE corners of the

intersection of Garfield Street and Lincoln Avenue, within Lawrence Enrietto Park, with no conditions.

ATTACHMENT(S):

1. Resolution No. 70, Series 2015;
2. Special Review Use - Site Plan;
3. Draft City of Louisville and Louisville CO Community Garden License Agreement
4. Louisville Community Garden Draft Contract Rules, Terms, and Conditions for Participation;
5. Boulder County Sustainability Matching Grant Intergovernmental Agreement
6. Planning Commission Minutes – August 13, 2015
7. PC Resolution No. 24, Series 2015;
8. Public Comments
    a. Joy Brook, 8-15-2015
    b. Mary Ann Heaney, 8-17-2015
    c. Christina Stanton, 8-28-2015
    d. Joy Brook, 8-30-2015
    e. Milton Ospina, 9-08-2015
    f. Christina Stanton, 9-15-2015
    g. Lisa Ogle, 9-15-2015
    h. Steve Rose, 9-15-2015
    i. Jill Cohen, 9-16-2015
    j. Rose Jarmos-Holder, 9-16-2015
    k. Anna Kay, 9-20-2015
    l. Jo Sherril, 9-23-2015
9. PowerPoint

RESOLUTION NO. 70
SERIES 2015

A RESOLUTION APPROVING A SPECIAL REVIEW USE (SRU) TO ALLOW FOR AN AGRICULTURAL LAND USE IN THE RESIDENTIAL LOW DENSITY (RL) ZONE DISTRICT IN ORDER TO DEVELOP A COMMUNITY GARDEN WITH 45 PLOTS AND TWO 80SF TOOL SHEDS ON THE NORTHEAST AND NORTHWEST CORNERS OF GRIFFITH STREET AND LINCOLN AVENUE, WITHIN LAWRENCE ENRIETTO PARK.

WHEREAS, there has been submitted to the Louisville City Council an application for approval of a Special Review use (SRU) to allow for an agricultural land use in the Residential Low Density (RL) Zone District in order to develop a community garden with 45 plots and two 80SF tool sheds, on the northeast and northwest corners of Griffith Street and Lincoln Avenue; and

WHEREAS, the City Staff has reviewed the information submitted and found it to comply with Louisville Municipal Code Sections 17.12.030 and 17.40; and

WHEREAS, after a duly noticed public hearing on August 13, 2015, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated August 13, 2015, the Planning Commission recommended approval of said Community Gardens SRU, located on the northeast and northwest corners of Griffith Street and Lincoln Avenue, should be approved, to the City Council, with the following conditions:

1. The Community Garden shall be available to Louisville residents only.
2. The City shall increase the visibility of the Lincoln Avenue and Griffith Street intersection to raise awareness to the presence of vehicular cross traffic and pedestrians.
3. No electronic amplified sound will be permitted.

WHEREAS, City Council has reviewed the recommendation of the Planning Commission and updated application incorporating the three Planning Commission recommended conditions of approval, and finds that it complies with Title 17 of the Louisville Municipal Code, specifically Sections 17.12.030 and 17.40.100, and other applicable requirements.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Louisville, Colorado does hereby approve a Special Review Use (SRU) to allow for an agricultural land use in the Residential Low Density (RL) Zone District in order to develop a community garden with 45 plots and two 80SF tool sheds, on the northeast and northwest corners of Griffith Street and Lincoln Avenue, within Lawrence Enrietto Park without condition.

PASSED AND ADOPTED this 6th day of October, 2015.

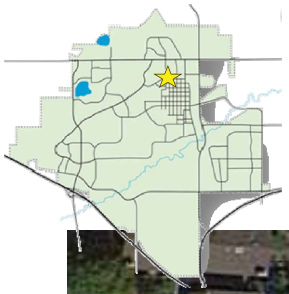
By: _____
Robert P. Muckle, Mayor
City of Louisville, Colorado

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

LOUISVILLE COMMUNITY GARDENS

SPECIAL REVIEW USE

PT LOTS 1 & 2 & ALL LOT 3 BLK 2 & PT BLK 4 & BLK 5 LESS NWLY CORNER & BLK 6 FISCHER



Notes:

- **The Community Garden shall be available to Louisville residents only.**
- The Community Garden would be allowed up to 45 garden plots. The design of the community garden may vary from shown.
- Garden types and sizes shall be permitted in any form or dimension within the designated plotting areas.
- Raised garden plots can be designed with 12" to 24" raised walls.
- Garden plots shall remain at least 10-feet from all property lines.
- The community garden will be operated by a Garden Association.
- Compost and trash will be handled by the Garden Association.
- Gardeners will be responsible for maintenance and upkeep.
- Each garden plot will be accessed by 5' natural walkways, while each garden bed will be accessed by 4' natural trails.
- Vehicles will park along Garfield Avenue and Griffith Street.
- **The City Shall increase the visibility of the Lincoln and Griffith intersection to raise awareness to the presence of cross traffic and pedestrians.**
- Tools and supplies will be stored in up to two 8'X10' storage sheds.
- Three bike racks are to be located near garden entrance at NW intersection of Griffith Street and Lincoln Avenue.
- Pets are not permitted in the community garden area.
- The community Garden will be open from dawn to dusk 7 days a week.
- No artificial lighting will be permitted.
- **No electronic amplified sound will be permitted.**
- Up to 3 special events will be permitted each year. Specific special events shall be permitted through the City's special event procedures, which change from time to time.

Parking	Provided
Garfield	22
Griffith	5
Total	27

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 _____

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

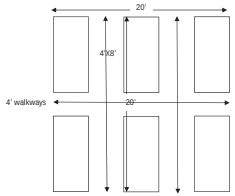
Clerk and Recorder Certificate (County of Boulder, State of Colorado)

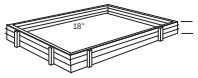
I hereby certify that this instrument was filed in my office at _____ o'clock, ____. M., this _____ day of _____, 20___, and is recorded in Plan File _____. Fee _____ paid. _____ Film No. _____ Reception.

_____
Clerk & Recorder

_____
Deputy

Typical Plot Dimensions
20'X20'
10'X20'
10'X8'
4'X8'





Typical 4' X 8' raised bed

REVOCABLE LICENSE AND MANAGEMENT AGREEMENT BETWEEN LOUISVILLE COMMUNITY GARDENS AND THE CITY OF LOUISVILLE

This Revocable License and Management Agreement ("Agreement") is entered into this _____day of _____, 2015, by and between the City of Louisville, Colorado, a home rule municipal corporation (hereinafter "City") and Friends of the Arboretum, a Colorado nonprofit corporation, (hereinafter "Licensee" or "FOTA").

RECITALS

WHEREAS the City has an interest in that certain real property known as, Lawrence Enrietto Park, Louisville, Colorado; and

WHEREAS, the City is charged with the overall management of the Lawrence Enrietto Park; and

WHEREAS, the City Council has approved Resolution __, Series 2015, approving a Special Review Use (SRU) to allow for an Agricultural Land Use in the Residential Low Density (RL) Zone District in order to develop a community garden with 45 plots and two 80sf tool sheds on the northeast and northwest corners of Griffith Street and Lincoln Avenue, within Lawrence Enrietto Park.

WHEREAS, FOTA has been identified as a nonprofit organization with experience administering community gardening programs in which individuals are permitted to garden on small parcels of publicly-owned property; and

WHEREAS, the City is willing to grant FOTA a revocable license for the purpose of operating the community gardens at Lawrence Enrietto Park, subject to FOTA's obligations to manage the City property according to such terms and conditions of this Agreement; and

WHEREAS, the City and FOTA desire to enter into this Agreement to set forth the terms under which FOTA may administer a community garden participation program on Lawrence Enrietto Park.

NOW THEREFORE, in consideration of the above recitals, and the promises, covenants and obligations set forth herein, the City and FOTA agree as follows:

1. Licensed Premises. The City hereby grants to FOTA a revocable and non-exclusive license to occupy and use, subject to all of the terms and conditions of this Agreement, the following described premises (the "Premises"): that portion of Lawrence Enrietto Park that is adjacent to right-of-way along Garfield Avenue and

Griffith Street, at the northwest corner of the intersection and also adjacent to Garfield Avenue north of the intersection with Griffith Street, described and depicted in Exhibit "A", attached hereto and incorporated herein by reference.

2. Term. The term of this Agreement shall be 3 years from its effective date. The parties shall be able to renew the term of this Agreement for additional terms of 3 years each upon the written agreement of both parties. This Agreement shall terminate at the end of the term, unless an extension or new Agreement for a new term is executed by both of the parties. FOTA shall pay for the license granted herein a non-refundable license fee of $100.00, which fee shall be paid by FOTA within 15 days of receipt of a City invoice for same.

3. Purpose and Conduct of Use. The Premises may be used by FOTA during the term of this Agreement for the sole purpose of developing and operating a community garden with up to 45 garden plots and two 80 sf tool sheds on the Premises.

4. Management. During the term of this Agreement, FOTA shall occupy and use the Premises according to the following management provisions:

A. By April 1, 2016, weather permitting, the City will at its expense complete installation of site improvements to Lawrence Enrietto Park, including grading and drainage improvements, water tap and irrigation system, signage, bike racks, and required intersection improvements. FOTA will at its expense complete the installation of in-ground and raised planting beds, pathways and tool storage.

General infrastructure and site maintenance and repairs are important for the success of the program and will be the responsibility of FOTA. These items include basic irrigation system repair, perimeter mowing, structures upkeep and trash removal outside the gardens, which FOTA will complete at its expense.

B. FOTA will provide the following services in support of the community garden program:

a. FOTA agrees to take such actions as are necessary to maintain the Premises in good and safe condition at all times. FOTA further agrees to comply at all times with the approved Special Review Use, Resolution ___, Series 2015 and other municipal ordinances, resolutions, rules and regulations of the City in FOTA's use of the Premises. FOTA shall not make any improvements to the Premises contrary to the approved Special Review Use of the property, or as otherwise set forth in this Agreement without the expressed written authorization of the Director of Parks and Recreation and no permanent improvements other than the

community garden and other approved landscape amenities shall be authorized.

b. FOTA shall use its best efforts to see that the community garden program is a success, and the management of FOTA responds to questions or requests for advice with reasonable promptness.

c. FOTA shall coordinate, supervise and manage all gardening volunteers who perform services benefiting the program.

d. FOTA shall manage and coordinate use and occupation of the community garden at Lawrence Enrietto Park to include:

(1) Restrict garden plots to Louisville residents only.
(2) Develop garden plot rental application and registration material to include volunteer materials, rules and policies.
(3) Manage the registration of garden plots.
(4) Perform computer data entry for plot rentals.
(5) Limit registration of garden plots to no longer than 3 years per individual to ensure garden plots are available to the whole Louisville population.
(6) Establish and maintain waiting list for garden plots.
(7) Develop and annually conduct orientation sessions for gardeners.
(8) Procure compost for plots, arrange and pay for delivery, and administer distribution of compost.
(9) Establish volunteer committees to assist FOTA in operating and enforcing rules and policies of the gardens.
(10) Develop and distribute an annual directory of all gardeners participating in the program and provide a copy to the City.
(11) Review garden plot upkeep and maintenance on a regular basis. Follow up either by telephone or written correspondence with those gardeners who are not in compliance with the program and bring them into compliance.
(12) Develop and conduct workdays for gardeners to perform communal service within the gardens as required in the plot rental agreements. Communal service shall include, but will not be limited to, maintenance of vacant and non-compliant plots, light maintenance of the crusher fine paths within the gardens, removal of trash within the leased area, and some general care of the Community Garden.

(13) Coordinate the closing of the gardens at the end of the season including removal and disposal of all crop residue.
(14) Coordinate with the City, or assigns, for the start-up and winterization of the irrigation system. Notify the City, or assigns, of any damage or need for repair/maintenance.
(15) By June 15th of each year, beginning in 2016, FOTA shall provide the City with budget projections and requests for site improvements for the following fiscal year.
(16) By December 15th of each year during the term of the Agreement, FOTA shall also provide the City with an annual report of the progress of its program located on the Premises, accounting of operations for the current year, any damages or repairs encountered and recommendations for improvements to the program.
(17) Develop marketing materials relating to the community garden program and serve as the City's ambassador for the program at FOTA.
(18) In coordination with the City, develop a media program that will inform the public about the community garden program.

5. Permits and Licenses. FOTA is responsible for procuring any applicable permits and/or licenses and paying any associated fees and taxes which may be required by local, state or federal laws and regulation for conducting the activities contemplated by the Agreement.

6. Consideration. There shall be no fees charged by the City in association with the City's grant of use and possession of the Premises for the community gardens, other than the FOTA fee set forth in Section 2. FOTA shall be entitled to retain all revenue collected in association with the community garden program participation fees, but shall be solely responsible for all costs associated with its responsibilities under Section 4 of this Agreement, and including full costs of water used in the gardens.

7. No Estate in Premises. FOTA 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 Premises, or any other interest in real property included in the Premises, by virtue of this Agreement or by virtue of FOTA's occupancy or use of the Premises

8. Compliance. If FOTA 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 Premises into compliance with the terms hereof, and the cost of any such measures shall be paid by FOTA.

9. Acknowledgment of General Condition. FOTA acknowledges that its use and occupancy hereunder is of the Premises in its present, as-is condition with all faults, whether patent or latent, and without warranties or covenants, express or implied. FOTA acknowledges the City shall have no obligation to repair, replace or improve any portion of the Premises in order to make such Premises suitable for FOTA's intended uses, other than those improvements set forth in Section 4(A).

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

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

12. City's Property. The City shall have no responsibility, liability, or obligation with respect to the safety or security of any personal property of FOTA placed or located on, at, or in the Premises, it being acknowledged and understood by FOTA that the safety and security of any such property is the sole responsibility and risk of FOTA.

13. 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 Premises to inspect, improve, maintain, alter or utilize the Premises in any manner authorized to the City. If such entry requires disturbance of any items placed upon the Premises under this Agreement, the City shall not be required to repair or replace any such disturbance. In the exercise of its rights pursuant to this Agreement, FOTA shall avoid any damage or interference with any City installations, structures, utilities, or improvements on, under, or adjacent to the Premises.

14. Indemnity and Release. FOTA shall be solely responsible for any damages suffered by the City or others as a result of FOTA's use and occupancy of the Premises. FOTA agrees to indemnify and hold harmless the City, its elected and appointed officers, agents, employees and insurers 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) FOTA's use and occupancy of the Premises; (b) the conduct of FOTA's operations or activities on the Premises; (c) any liens or other claims made, asserted or recorded against the Premises as a result of FOTA's use or occupancy thereof; or (d) the rights and obligations of FOTA under this Agreement. FOTA hereby further expressly releases and discharges the City, its elected and appointed officers, agents, employees and insurers, from any and all liabilities for any loss, injury, death or damages or any person or property that may be sustained by reason of the use or occupancy of the Premises under this

Agreement, excepting only those arising solely from willful and wanton conduct of the City's officer's or employees.

15. Insurance. FOTA shall carry the following minimum amounts of insurance at its expense and without cost to the City the following types and amounts of insurance. The policy limits required are to be considered minimum amounts and may increase due to the scope of the risk involved.

A. A Comprehensive General liability Insurance with minimum limits of ONE MILLION DOLLARS ($1,000,000) combined single limit for each occurrence. This policy shall include the Broad Form Endorsement. The Certificate of Insurance for this coverage must identify if this coverage is on a claims-made form. A letter from FOTA's Insurance Broker must accompany the Certificate of Insurance that outlines the current policy aggregate limits.

B. If applicable, Comprehensive Automobile Liability Insurance which includes coverage for all owned, non-owned, and hired vehicles with minimum combined single limits for bodily injury and property damage of not less than THREE HUNDRED AND FIFTY THOUSAND DOLLARS ($350,000) per person in any one occurrence and ONE MILLION DOLLARS ($1,000,000) for two or more persons in any one occurrence, and auto property damage insurance of at least FIFTY THOUSAND DOLLARS ($50,000) per occurrence.

C. If applicable, Workers' Compensation and Employers' Liability Insurance shall cover the obligations of FOTA in accordance with the provisions of the Workers Compensation Act, as amended of the State of Colorado.

Prior to occupation of the Premises, FOTA shall provide Certificates of Insurance to the City demonstrating that the aforementioned insurance requirements have been met. The Comprehensive General Liability and Automobile Liability Certificates of Insurance shall indicate the City of Louisville, State of Colorado, as an ADDITIONAL NAMED INSURED. These Certificates of Insurance shall also contain a valid provision or endorsement that these policies may not be cancelled, terminated, changed or modified without thirty (30) days written notice to the City.

Certificates of Insurance shall be forwarded to the following designated City representative:

City of Louisville Risk Manager
749 Main Street
Louisville, CO 80027

With a copy to:

City of Louisville Parks & Recreation Department
749 Main Street
Louisville, CO 80503

16. 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.

17. Independent Contractor. **THE RELATIONSHIP OF FOTA TO THE CITY IS THAT OF AN INDEPENDENT CONTRACTOR. FOTA SHALL SUPPLY ALL PERSONNEL, EQUIPMENT, MATERIALS AND SUPPLIES AT ITS OWN EXPENSE, EXCEPT AS SPECIFICALLY SET FORTH HEREIN. FOTA SHALL NOT BE DEEMED TO BE, NOR SHALL IT OR ITS EMPLOYEES, VOLUNTEERS, CONTRACTORS, BE DEEMED TO BE EMPLOYEES, PARTNERS, OR JOINT VENTURERS OF THE CITY. NO EMPLOYEE OR OFFICER OF THE CITY SHALL SUPERVISE FOTA. NO OFFICER, DIRECTOR, EMPLOYEE, VOLUNTEER, AGENT OR OTHER PERSON ASSOCIATED WITH OR ACTING UNDER FOTA IS ENTITLED TO WORKER'S COMPENSATION BENEFITS OR ANY OTHER BENEFITS OF EMPLOYMENT FROM THE CITY AS A RESULT OF THIS AGREEMENT. FOTA IS OBLIGATED TO WITHHOLD AND PAY DIRECTLY FEDERAL AND STATE INCOME TAX ON MONEY EARNED BY ITS EMPLOYEES WHO DO THE WORK CONTEMPLATED BY THIS AGREEMENT IN ACCORDANCE WITH APPLICABLE LAWS. FOTA AGREES TO HOLD THE CITY HARMLESS AND INDEMNIFY THE CITY FOR ANY LIABILITY, DAMAGES, ASSESSMENTS, PENALTIES, JUDGMENTS, ATTORNEY FEES, AND LEGAL COSTS, THAT MAY BE INCURRED BY, OR ASSESSED AGAINST, THE CITY WITH RESPECT TO ANY LEGAL OR EQUITABLE CLAIMS ASSERTED IN ANY FORUM, BY ANY DIRECTOR, OFFICER, EMPLOYEE, VOLUNTEER, AGENT OR OTHER REPRESENTATIVE OF FOTA CLAIMING ANY WORKERS COMPENSATION, COMPENSATION, OR BENEFITS OF ANY KIND WHATSOEVER IN RELATION TO OR ARISING FROM THEIR ACTS, OMISSIONS OR ACTIVITIES AT OR CONCERNING USE OF THE PREMISES.**

18. Termination for Breach. At the City's option, it shall be deemed a breach of this Agreement if FOTA 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 FOTA 15 days written notice requiring compliance with the terms and conditions of this Agreement, or delivery and cessation of further use of the Premises. In the event any default remains uncorrected after 15 days written notice, the City, at City's option, may declare the license granted herein terminated and revoke permission for any further FOTA use

of the Premises without prejudice to any other remedies to which the City may be entitled. Additionally, the City in the event of default may, but shall not be obligated to, correct or remedy FOTA's default at FOTA's expense.

19. 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 45 days in advance of the termination date.

20. Restoration of Premises. At the termination of this Agreement by lapse of time or otherwise, FOTA shall deliver up the Premises in as good a condition as when FOTA took possession, excepting only ordinary wear and tear.

21. 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:	FOTA:
_____	_____
City of Louisville Attn: Director, Parks & Recreation Department 749 Main Street Louisville, CO 80027	Louisville CO Community Gardens

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.

22. Existing Rights. FOTA 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 Premises. FOTA 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.

23. 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.

24. Severability. If any part of this Agreement is found, decreed or held to be void or unenforceable, such a finding, decree or holding shall not affect the other remaining provisions of this Agreement which shall remain in full force and effect.

25. Agreement Personal. This Agreement is personal to the parties hereto. FOTA shall not transfer or assign any rights hereunder without the prior written approval of the City, which approval shall be at the City's sole option and discretion.

26. Entire Agreement; Authority. This Agreement is the entire agreement between the City and FOTA and may be amended only by written instrument subsequently executed by the City and FOTA. The undersigned signatory of FOTA represents that he or she has been duly authorized to execute this Agreement on behalf of FOTA and has full power and authority to bind FOTA to the terms and conditions hereof.

27. No Third Party Beneficiaries. The Parties expressly agree that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Parties. The Parties expressly intend that any person other than the Parties who receives services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

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

29. Governing Law. The validity and effect of this Agreement shall be determined in accordance with the laws of the State of Colorado.

30. Counterparts. The Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement. Facsimile signatures shall be acceptable to and binding upon all parties.

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

CITY OF LOUISVILLE

By:_____
Malcolm Fleming, City Manager

ATTEST:

_____
Nancy Varra, City Clerk

LICENSEE:

By:_____
Title:_____

ACKNOWLEDGEMENT

STATE OF COLORADO)
) ss
COUNTY OF BOULDER)

The above and foregoing signature of _____, as _____ of _____, was subscribed and sworn to before me this ____ day of _____, 20__.

Witness my hand and official seal.

My commission expires on: _____

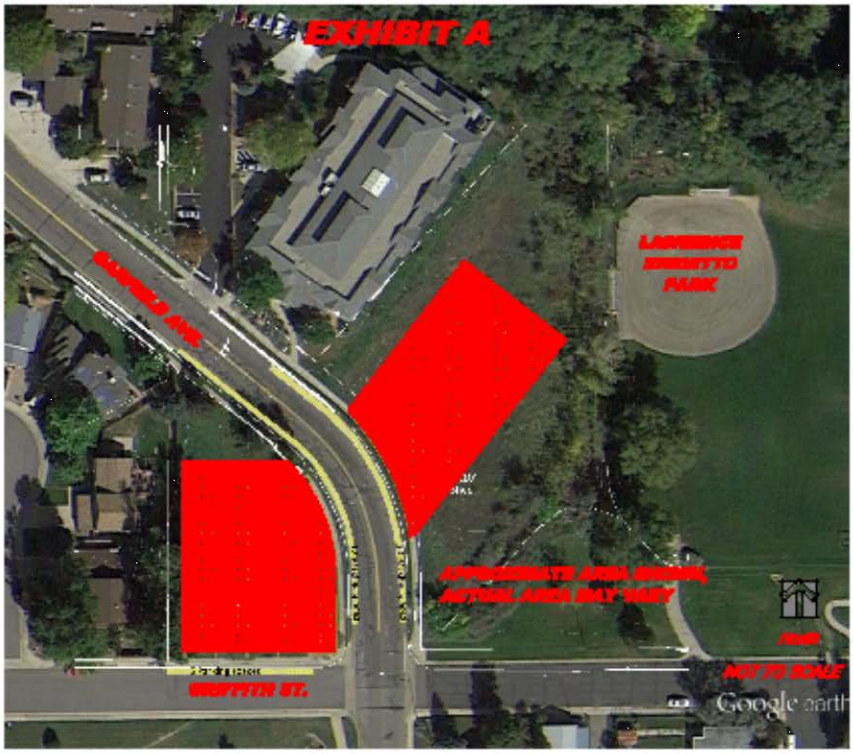
_____
(SEAL) Notary Public

Exhibit A
Description and Depiction of Licensed Premises

DRAFT

LOUISVILLE COMMUNITY GARDENS

PT LOTS 1 & 2 ALL LOT 3 BLK 2 & BLK 5
LESS NWLY CORNER & BLK 6 FISCHER



COMMUNITY GARDEN CONTRACT

Louisville CO Community Gardens
City of Louisville, Colorado

CONTRACT RULES, TERMS, AND CONDITIONS FOR PARTICIPATION

The Garden Association, as represented by the Garden Coordinator, is the governing authority at the Louisville CO Community Gardens. Breaking any rules, terms, and conditions is cause for exclusion from the garden and loss of your plot.

Upon Breaking a Rule:

1. You will receive one verbal warning from a representative of the Garden Association.
2. If no response or correction has been made within two weeks, you will receive written or email warning notice.
3. In another two weeks, if no response or correction has been made, you will receive written or email Final Notification that you have forfeited your gardening privileges and plot.
4. You will be allowed to reapply for another garden plot after at least one year, and only at the discretion of the Garden Association.

RULES, TERMS, AND CONDITIONS FOR PARTICIPATION

If accepted as a gardener, I will abide by the following rules, terms, and conditions:

1. I swear that I am a Louisville resident. If I move out of Louisville during the gardening season, I may finish the season, but not apply for a plot next year.
2. I use this garden at the sole discretion of Louisville Community Gardens. I agree to abide by its policies and practices.
3. The fee for the lease of a garden plot is $125. per plot, per season (March 1-Nov.1), due on or before February 28. This includes a refundable deposit of $25, which will be returned to me by November 30, providing I clean up my plot and remove all debris by November 1.
4. Once I have been assigned a plot, I will cultivate and plant it by or before June 1. My plot cannot be left fallow or unused for any period of three weeks or longer. (If I cannot take care of it for any reason, I will arrange to have it maintained.)
5. I will not expand my plot beyond this measurement or into paths or other plots. I will keep all my plants within the limits of my garden. I must keep my plot reasonably free of weeds, pests and diseases. I may build a temporary raised bed with 12-24” walls within my plot.
6. I will keep my plot, paths, and surrounding areas clean and neat. I will remove all trash and weeds from the garden.
7. I will not grow any illegal plants. I will not smoke, drink alcoholic beverages, use illegal drugs, or gamble in the garden. I will not come to the garden while under the influence of alcohol or illegal drugs. I will not bring weapons or pets or other animals to the garden.

8. Guests and visitors, including children, may enter the garden only if I accompany them. They must follow all rules, terms, and conditions stated here. I will supervise my children at all times when they are in the garden. I am solely responsible for the behavior of my guests.
9. I pledge to contribute two hours a month to the functioning of the garden as a whole. This may include jobs such as Treasurer, Neighborhood Liaison, or weeding detail.
10. I will water my plot according to water-wise guidelines. TBD
11. I will attend the mandatory Spring Garden Meeting (Location and time TBD). I will try to attend at least 3 of the monthly meetings of the gardeners April-September.
12. I will not apply any pesticides or herbicides in the garden without the approval of the Garden Committee.
13. If I use tools from the community garden shed, I will return them clean and in good condition. I will strive to keep the shed an orderly place.
14. I will not duplicate keys of garden locks or give my key or lock combination to another person.
15. I will not take food or plants from other gardeners' plots. I will not take anything from the garden that is not rightfully mine.
16. I will respect other gardeners, and I will not use abusive or profane language or discriminate against others.
17. I will respect the residents of the nearby dwellings by performing my tasks with a minimum amount of noise and disruption, and during daylight hours only (dawn to dusk) I will not use any artificial lighting, or electronic amplified audio.
18. I will respect neighbors by driving cautiously and parking courteously. I will attempt to walk, skip or ride my bike to the garden to minimize vehicle traffic.
19. I will endeavor to keep the garden a happy, secure, and enjoyable place where all participants can garden and socialize peacefully in a neighborly manner.
20. I forfeit my right to sue the owner of the property. Note: Each gardener must complete a Release of all Claims form before any work in the garden can begin.

COMMITMENT

I have read and understand the application and accept these rules, terms, and conditions stated above for the participation in the Louisville CO Community Gardens.

Signed: _____ Date: _____

Gardener Approved by Coordinator: _____ Date: _____

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]

CITY OF LOUISVILLE
SEAL
COLORADO

ATTEST:

APPROVED AS TO FORM:

RECIPIENT

Mayor

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

Planning Commission

Meeting Minutes

August 13, 2015
City Hall, Council Chambers
749 Main Street
6:30 PM

Regular Business: Public Hearing Items

- **Community Garden: Resolution 24, Series 2015.** A request to approve for a special review use (SRU) for an agricultural use in residential low (RL) density zone district in order to develop a community garden with up to 45 garden plots and two 80 sf tool sheds on city property near the NW and NE corners of the intersection of Garfield Street and Lincoln Avenue.
    - Applicant, Owner and Representative: City of Louisville/Louisville Sustainability Advisory Board (LSAB)
    - Case Manager: Sean McCartney, Principal Planner

Conflict of Interest and Disclosure:
None.

Public Notice Certification:
There was an issue with posting. Staff posted the sign on July 24, 2015 with the wrong date. The sign said Thursday, August 15, 2015. It was brought to Staff's attention on Wednesday, August 5, 2015 and Staff changed the signs on August 5. It was published in the newspaper with the correct date and sent to surrounding property owners with the correct date. Staff asks Planning Commission (PC) if they feel there has been appropriate posting notification. Moline asks from Staff's prospective, does Staff have a recommendation. Staff spoke with the City Attorney regarding this and he feels it has been appropriately posted and notified. The City Attorney says it is up to the PC. Russell says he is fine to proceed. The PC feels there has been adequate notice.

Published in the Boulder Daily Camera on July 26, 2015. Posted in City Hall, Public Library, Recreation Center, and the Courts and Police Building on July 24, 2015. Mailed to surrounding property owners on July 24, 2015.

Staff Report of Facts and Issues:
McCartney presented from Power Point. Staff is working with Louisville Sustainability Advisory Board (LSAB).

The intent of the community garden is to:

- Provide an additional community garden for Louisville citizens.
- Provide citizens at Lydia Morgan senior housing an opportunity to garden.
- Address a recreational/sustainability trend strongly desired by Louisville residents.

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The goals of the project are to:

- Adhere to the goals of the City's Comprehensive Plan.
- Conform to the intent of the Parks, Recreation, Open Space, and Trails (PROST).
- Foster a sense of belonging.
- Provide a strong social network.
- Promote healthy food and a healthy lifestyle.
- Reduce the cost of food transportation by locally sourcing food.
- Enhance sustainable practices.

The development standards are:

- Up to 45 plots, types and sizes to vary.
- Raised garden plots for handicap access.
- Located 10' from property line.
- Operated by a Garden Association.
- Gardeners responsible for maintenance and upkeep.
- Parking along streets. Bike racks on NW corner,
- 8'x10' storage sheds on both sides to store tools and some basic materials.
- No pets allowed
- Open dawn to dusk 7 days a week
- No artificial lighting
- Up to 3 special events per year

Special Review Use Criteria

- Five Criteria:
  1. Consistent with Comp Plan
  2. Lend Economic Stability, compatible with character of surrounding areas
  3. Use is adequate for internal efficiency
  4. External effects are controlled.
  5. Adequate amount of proper pedestrian and vehicular circulation.
- *Staff feels all Five Criteria are met. It is located next to two improved roads with parking. There is appropriate room for pedestrians to walk as well as bike to site. Within the site, there are established walkways for people to access their garden plots. It is located next to residential neighborhoods which is a positive so people can access without vehicles. It is located next to senior housing should those residents wish to use garden plots. The design does promote internal efficiency and will have a minimal impact on surrounding neighbors.*

Floodplain Development Permit is Required

On Wednesday, August 19, 2015, the Board of Adjustments will look at this project as a floodplain development permit.

Staff Recommendations:

Staff recommends approval of Resolution 24, Series 2015, with the following condition:

1. A floodplain development permit is granted by the City's Board of Adjustment.

Commission Questions of Staff:

Moline asks at what point is the trigger met for a garden becoming a SRU in a residential district?

McCartney says it is the use itself. This garden is considered an agricultural use. An agricultural use in a residential area requires a SRU. Development standards can be applied such as hours and time. They can have three special events such as sale of items.

Rice asks what the neighbors think about this garden? We have received a number of email submittals and will hear from the public tonight. Are there residential properties contiguous to the garden? Have these properties weighed in?

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McCartney says there are properties contiguous on the west and south. We did not map where we received comments, but Staff did receive some in opposition and some in favor.

Rice asks in reviewing citizen comments, was there concern about traffic being drawn into this area? What does a community garden engender in terms of the number of cars?
McCartney says there is a member from LSAB who might be able to give some insight. Staff did not do a traffic study.

Moline says because of his job with Boulder County Parks and Open Space, I have spent some time over at Harney Lastoka, the jointly owned property between Louisville and Lafayette. There is a community garden there with a parking lot of about 20 parking spaces. I have not seen more than five cars at one time.
Rice asks how many garden plots are at Harney Lastoka?
Moline says there are 43 garden plots. During certain times of the year such as planting season, there is more activity. In the last couple of weeks, there has been less activity.

Rice asks about pedestrians crossing in this area which, according to an email, is considered a problem. The email writer is concerned this community garden will compound the problem. Has Staff looked into this?
McCartney says Staff just received that comment and has not formally discussed it with Public Works. Staff will look into it.
Russ says I am familiar with this corner as I lived there for five years. Coyote Run comes down from Harper Lake and interacts at Griffith Street in an odd design. There are no clear cross-walks to alert motorists to a potential crossing. There are children attending Louisville Middle School walking down Coyote Run and down Griffith. I think some improved striping on the road would raise motorist awareness. The solution could be to put an actual painted crosswalk in the intersection to raise awareness that there are pedestrians present. I would like to hear what the community has to say.

Rice asks about the development standards. How do we enforce these? These are supposedly the conditions by which this will be operated. Can the SRU be withdrawn? If the PC approves the community garden, do the conditions become part of the approval?
McCartney says they will be enforced specifically by the garden association. The City's Code Enforcement is complaint-driven so once a complaint is received, we can ascertain if the complaint is from the development standards. The SRU can be brought back to the PC should some of the standards not be met. The SRU Plan contains the conditions.
Russ says the City has received a $15,000 sustainability grant from Boulder County to help implement it. The City will seek more funds if needed. There is a partnership between LSAB, the garden association to be created, and the City of Louisville. The City will be installing the irrigation system. There is a requirement for third party management.

Russell asks how the City came to own this land? Was it part of an open space acquisition?
McCartney says he does not know but he thinks it was part of an overall development plan since this is typically how we acquire these. Staff did not do that research.
Russell asks if Parks and Open Space have an interest in this and have weighed in?
Russ says this was not presented to them. This is part of the same lot as Lawrence Enrietto Park. It is not part of the Open Space network nor is it included in the Open Space Master Plan.
Russell talks about Sheet 1 of the submittal that includes an aerial with a site plan. Are notations on the Submittal considered binding, specifically the notes of existing trees to remain? Does this need to be included as an additional condition?
McCartney says it is part of the document and is a referral request from the City Manager's office.
Russell talks about the sheds. Will they obstruct sight lines or create visibility problems?

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McCartney says Staff will make sure that will not happen.

Tengler asks that since this is City property, if the PC approves this, is this effectively a right in perpetuity? Will this become a permanent use or is there a time period?
McCartney says there is no time period associated with it. A SRU can be revoked. It will be based on the development standards. Staff feels the community garden will be successful.
Tengler says from a timing standpoint, Staff noted it initially will be 25 plots on the east side of Lincoln. What is the expectation for the other 20 plots on the west side?
Russ says based on floodplain impacts, Staff anticipates the west will be the first phase.
Tengler says that the Staff report on page 27 says "east".
McCartney says it was misrepresented.
Tengler asks in terms of the floodplain development that the Board of Adjustments (BOA) will look at, what will they consider and what will they review?
McCartney said they will look at placement of the sheds since they will displace water. They want to make sure they are placed appropriately should there be a flood event. There will be anchoring of some type that will be required at time of construction. They will consider the "fill" if soil is brought in. The infill could actually raise or impact the overall floodplain. Will there be an adverse effect to affect anyone not in the floodplain or will it increase the floodplain?

Pritchard asks, in Staff's opinion, do you think the floodplain is the reason why there was no other type of development such as additional senior housing?
McCartney says it could be and it probably played a big part. I do not know the development history of this area. I suspect it played a strong part.

Applicant Presentation:
Mary Ann Heaney, 1117 Lafarge Avenue, Louisville, CO
Louisville Sustainability Advisory Committee (LSAB) member. Before this meeting, I went back through my notes and dug out old emails. We started this process in March 2012. We spent a tremendous amount of time doing research, trying to gauge citizen interest, and working with groups like Denver Urban Gardens that helps citizens manage 150 different gardens. We worked with Growing Gardens in Boulder that manages a lot of the Boulder gardens. We went to farmer markets. We went to the Labor Day Festivals. We went to the Taste of Louisville. We had people sign petitions. Rather rapidly, we got close to 200 to 250 names from people interested in a community garden and there were a couple of reasons why. If you are familiar with Harney Lastoka, it is owned by the County and Lafayette and Louisville participate in it. Every year, there was a waiting list for Louisville gardeners and sometimes the list had as many as 35-40 people. There were issues with the location of the garden. It is not really a community garden in the true sense of the word because it is isolated on the east side of Highway 42. It is a very nice garden with a lot of amenities. We had a different vision to start a community garden that hopefully is successful. We can use it as a sounding board or spring board for other small gardens in other neighborhoods in Louisville. People can walk or ride their bike down to the garden, foster a sense of community, work with their neighbors, and grow organic vegetables. We worked closely with Parks and Recreation initially who located this plot of land for us. We looked at a few others but this one looked like the best. We worked really closely with the Planning Department and Public Works to make sure we went through the right avenues to get it up and going. We met with the Horticulture and Forestry Advisory Board (HFAB) a couple of times and the Open Space Board a couple of times. We visited every single house that backed to the garden and asked them if they had any problems. We did quite a bit of work before we actually started the submittal with the City which was about two years ago.

The way this garden is organized is that LSAB helps the citizens submit the paperwork to the City. It will be managed and organized by the gardeners through a license agreement with the

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City in the 501c3 entity that will hold the legally binging agreement. Any conditions will probably end up in the document. At this point, we have worked most of them out.

The biggest issue seems to be traffic. In working closely with Denver Urban Gardens, they strongly suggest we have at least 20-25 plots because otherwise, gardeners will not see each other. The gardeners will want to socialize while gardening. They estimate for every 20-25 plots, there may be three people in the garden at one time. Commissioner Moline's comments bear that out. There are 43 plots at Harney Lastoka and when I drive by, I seldom see more than one or two cars. Harney Lastoka is a location you have to drive to. At this garden location, you could send your 8 year-old down to get zucchini for dinner and they can walk safely there. We talked to some citizens in the area. I currently live about four blocks from that section. Traffic is a concern and it has increased in the last couple of years and the speeds appear to have increased. I think a lot of the concern has to do with this, and not that there may be a couple more cars parked there occasionally. We are very sensitive to the traffic concern and this is one of the reasons for garden sheds. People can leave their tools there and not need to drive their car back and forth with tools and equipment. Besides the initial set-up time in the spring, we do not expect too many cars in that area.

We envision this as a community project. We worked closely with the Boy Scouts in Louisville. They helped us design, as part of their Eagle Scout project (one Boy Scout is here tonight), the garden shed and the raised beds. They both worked with the engineer on the floodplain permit to make sure their design was consistent with what is needed in the floodplain. I think it was a real learning experience for them. I think they will be involved in the BOA meeting next week.

Commission Questions of Applicant:
Tengler asks about the timing of the east side since the west side will be open first. Is there a reason for not going forward with both at the same time?
Heaney says there is a definite reason. We want to make sure that this system works smoothly before we expand too large and have glitches. For economic reasons, we want to make sure we have enough resources before expanding to the second side. We got the grant from Boulder County so there may be some monies in there to start prepping the east side, but we have no plans to put plots in there next spring.
Tengler says that since there is residential impact on the west and south side, why not start on the east?
Heaney says the east side would take a lot more clearing and more preparation work. Initially, we were on the west side because there is a water tap there. Public Works also said the best location was on the west side. We were several months into that planning before we found a water tap on the east side in the weeds. At that point, we had already set up the west side design.

O'Connell asks how do people access this garden? Can anyone can walk through or do you need a key?
Heaney says they do not plan to have a fence. People will be able to access it. The tool shed will be secure.
O'Connell asks is required that people grow food or can you grow flowers and plants?
Heaney said we have talked about that including having a flower bed in front because it would look great for the community to see when they drive, walk, or bike by. I do not think there are any restrictions at this point. The leader of the citizens group can answer that.

Moline asks about who the plots will be available to? Only Louisville City residents?
Heaney says Louisville City residents.

Russell says I assume you will be over-subscribed, so how do you pick your 25?

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Heaney says we have had several discussions about that and we think a lottery system is probably the fairest way.
Russell asks if gardeners are responsible for watering their own plots? You mentioned organic vegetables. Is there a requirement that this is organic? Can people bring in chemicals?
Heaney says it is strictly organic gardening. We want to promote sustainable practices.

Pritchard asks how you will be dealing with compostable items? Will you be making your own compost?
Heaney says gardeners can bring their own compost, but we will not furnish it. Perhaps initially when we are putting the beds in, we may supply compost, but afterward, gardeners will be responsible for their own. This is the model other gardens use.
Pritchard asks how waste is dealt with? There will be no cans on any of these parcels. Will we expect gardeners to clean up after themselves and take their cans away?
Heaney says there will be strict contracts put in place with the gardeners. They are responsible to clean up at the end of the year; responsible to not let the water run all night; responsible for their general behavior in the garden such as no pets, no lights, dawn to dusk; and encouraged to ride their bike or walk. They are held to this with an agreement. There will be a committee than can discipline them up, kick them out of the garden, and withhold their deposit.
Pritchard asks how do you catch somebody? There may not be more than 4 or 5 individuals in the garden at any given time. I am concerned for the neighborhood since we are not providing any garbage receptacles, and they are not mulching. I have a concern about them policing themselves because there is no one watching.
McCartney says it is a performance standard. If we start receiving complaints about trash, we will contact the garden association to see if they will deal with it. It could be something that might be modified. If we need to find space for trash receptacles, we will figure it out.
Pritchard asks if there are trash receptacles at the adjacent ballfields?
Russ says there is an outhouse but no receptacles.

Tengler asks that given this is in a more trafficked area than Harney Lastoka, is there any notion of providing security or monitoring or oversight? What is to stop somebody from picking a basket of vegetables?
Heaney says nothing. Hopefully, we will be able to work that out. If there appears to be a need, we will put some sort of fencing up, but you will not keep out people who want to get in. Perhaps we can have a plot up front where they can take vegetables if they wish.

Moline asks if the community garden association members will be responsible for maintaining the land outside of the plots?
Heaney says Parks and Recreation has indicated yes, that we will be responsible for mowing. Parks and Recreation mows a 3' strip around both sides of that property.

Public Comment:
Robin Rathweg, 605 W Hawthorn Street, Louisville, CO
I have been working with Mary Ann for about one year on this. I am an avid gardener and the garden coordinator at Sister Carmen Community Center. I work with the cooperative garden in Downtown Louisville. I come on board as someone who is interested in gardening and has been working with the general public in gardening. I am in support of this because when I look at what community gardens are available in Louisville, there are only a few garden plots available. They are a far distance for people who are walking. One of the things about this site that I think is great is it is fairly close to a lot of multifamily dwellings and some lower income housing in Louisville. I hope we will get some of the people from that area to participate in this. One of the questions brought up is what is going to happen about the trash or the mowing. Part of the idea about making this a community garden is that everyone who signs up for a garden plot will have another job. It may be one or two hours a month mowing, or hauling the trash, or maintaining

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the irrigation, or being the communication (emails) of what is going on. In that way, everybody is going to be involved and taking care of the upkeep. It will not be one person. We will be supervising each other and get everyone on board with that. One of the reasons that I am in support of this is due to my work at the Sister Carmen Community Center where we have a small garden. It does not touch the amount of food that they need for the people they are serving through their foodbank. The food we raise mostly goes to the foodbank, but it offers an opportunity for a lot of people to volunteer in the garden. They get to know each other, they share community, and they build friendships. It gives an opportunity for large groups to work together. We have camps of kids visiting and building things. They get to know each other through real work. If you have ever seen a crowd of 12 year-olds who have never picked carrots, they pick this "thing" having no idea how big it's going to be. It is magic and they get so thrilled. They compare how big the carrots are and then eat them. It connects them with the earth in a way that our society sometimes doesn't allow. I know one of the questions about the garden is will it attract pests? I think there is a possibility there will be rabbits but anyone living in Louisville already knows there are rabbits here. Somebody thought that in taking down a lot of these weeds, it might disturb some of the wildlife there. This might occur but I think this plot is so small, I do not think there is a lot of wildlife that will be displaced. Mary Ann said something about having a flower garden. Part of our idea with the flower garden is it would be beautiful in front to take one plot and grow flowers. It would attract pollinators such as bees, butterflies, and hummingbirds. It will create something beautiful. It might also be a barrier to people who are interested in taking tomatoes without permission.

Betty Solek, 725 Lincoln Avenue, Louisville, CO
I live three or four blocks from this location. I know some people submitted email comments. Have you received them and are they in your packets? I have been a part of two community gardens here in Louisville. The first was the Art Center Garden at Memory Square which was started by a garden club active in the 1990s. That garden was planted around 1997. It has been through its ups and downs of maintenance and I am happy to see that City Staff has it looking nice again. I know Robin from that garden club and I see a number of other people in the community who were part of that network in the community. I was also a member of the South Street Cooperative Garden and know Robin from that as well. I have experienced the social network that you build from community gardens. I have travelled through Denver and have been struck by how beautiful the community gardens there. I don't know if any of you have had that experience but I can see the benefits from the community garden. I think the garden itself can act, in some respects, as a sign and visual impact to drivers coming that hill. Currently, there is grass on either side and it opens up, so motorists think they can go fast. Whereas, you can have a garden with people and activities there, and I think people are going to slow down to notice and will think twice. I think there is potential to help the traffic at that intersection. I have another question. I see fences around the community gardens in Denver. I wonder if there is a way to add fences and think about the design if it becomes warranted in the future.

Russ says emails received after Staff report were distributed to the PC and also posted on the wall in City Chambers.

Christina Stanton, 1411 Garfield Court, Louisville, CO
Thank you for giving me the opportunity to state my position. I live in the cul-de-sac on the west side behind this proposed site. I have been a 25 year resident of the City of Louisville and I have lived in this area for that many years. I object to the use of the proposed community gardens at this particular site for these following reasons. I also suggest alternatives.
PROPERTY SITE: It is a floodplain. In the City website, it says "keeping floodplains natural minimizes flood damage by allowing water to spread over a wide area". Construction on a flood-plain should be avoided. This site is not on flat land; it is on a curve. There is an elevation and it includes a drainage ditch on the east side. There is a long history of water runoff in this area.

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Every spring, I have seen flooding all the way down to the LMS. I had a neighbor who said they used to open the doors at the fire department to let the water run through. I have seen it. We've been in years of drought where it wasn't as obvious.
TRAFFIC CIRCULATION: The proposed 45 plots will increase traffic in this neighborhood. There is no provision for the safe and efficient circulation of traffic. Cars will use the Garfield Court cul-de-sac where children play, up to 15 of them, as a turnaround. This happened when the leaf drop-off program was at this location for years.
VISUAL OBSTRUCTION FOR DRIVERS: Drivers entering Lincoln from Griffith Street face a difficult time seeing over parked cars and structures due to the blind curve. What will the undesirable visual obstructions look like? How tall will the plants be? How big will the fence be? Will there be a fence? Where will the sheds be? Will there be bike racks? Will there be bikes? Will there be people? If not very many people, then why not have it at another location? Can we risk more accidents at this site? Children from LMS turn left on their bikes going to school. We have events at the park for baseball games. There is parade parking. Street parking is already heavy from South Boulder Road to Lafayette Street. Presently, the Housing Authority residential apartments at 1450 Lincoln Avenue, where up to 45 elderly people reside, use Lincoln Street to park, especially on the weekends. There is overflowing parking on the street. The City of Louisville's trucks, flatbeds, and mowers park on Griffith, two in a row, during the mowing season. They are there almost every week. More parked cars, on or near this blind curve, present hazards for drivers, children, and elderly pedestrians.
IMPACT: Residents back up to this site. 45 plots will bring many people from dawn to sundown with increasing traffic congestion and noise. Security issues are plausible. Will there be vandalism if there is no fence? Will they be considered trespassers? Will there be theft?
PRESERVATION: Neighbors will lose natural space presently enjoyed and accessed by everyone, to be replaced and used exclusively for gardening by a few who can afford plot fees. Some may commute lengthy distances to the neighborhood. Green space has been here for 40 years and has provided a refreshing contrast to surrounding buildings with an element of peace and quiet.
EYESORE: Gardens grow a few months out of the year and then plants begin to die off. I say we preserve a natural area that creates a much coveted visual barrier in an already over-crowded city core. Fences, sheds, compost piles, irrigation hoses, and railroad ties will be visible for most of the year. Presently, Garfield and Lincoln Street near South Boulder Road present numerous eyesores. There are dumpsters facing the street, abandoned couches, broken glass on sidewalks, weeds, and abandoned grocery carts. It has been that way for nearly 30 years. I suggest we preserve the natural landscape, not contribute to the eyesore and carry it down to Lafayette Street.

The Kerr Community Garden (Harney Lastoka) is less than a mile from this proposed site and these gardens have 43 plots, less than the ones being considered for this site. The Kerr Community Garden should be expanded. It accommodates in ways the proposed site will not. The Kerr Gardens has fewer sites than the proposed site but includes numerous parking spots, appropriate traffic circulation, no residents, handicap parking, and outhouses. It has space for gardeners to congregate, share, plan events, educate, and expand. In contrast, there are fruit trees planted at that garden that buffer the hardscape. It is also surrounded by corn fields. I suggest that the Kerr Community Garden should be expanded.
ALTERNATIVES: We need to explore alternatives. Community gardening is a trend. I think we need a garden registry and I suggest (such as one in Santa Monica, CA) that there be a garden share registry. This program connects Santa Monica homeowners who have space to grow with Santa Monica gardeners who love to garden. The parties work together to create a perfect match. There are sample forms on websites available. As we see in Louisville, this site was picked for a reason, because it is the only site. I have driven around and I don't see any other sites. I don't know if other sites were recommended. There is no land left. I say that there are places that should be kept in their natural grasses for everybody to enjoy. Finally, I would like to quote a well-known philosopher, Thoreau. "A man is rich in proportion to the number of things

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which he can afford to left alone." I say we leave this space alone. I say that it has been like this for 40 years and everybody has enjoyed it. Thank you.

Pritchard says there are emails to be submitted that he does not have. Only two Commissioners have the emails. Staff will print the emails and give them to the PC. Russell makes motion to enter seven emails into the record, seconded by O'Connell. Passes by voice vote.

Judy Feland, 1450 Lincoln Avenue, #213, Louisville, CO
I live at Lydia Morgan because I was flooded in Boulder. I have a couple of comments. Nobody at Lydia Morgan was consulted and we were listed as one of the main constituents. The majority of people there are in their 80s and 90s so they were very concerned as Mary Ann said. The traffic and visibility coming out of Lydia Morgan onto Lincoln is already very compromised. However, I don't see that related to the garden. It seems to me that if there is some lottery, the people who live closest should be chosen first so they can walk or bike. My little tiny balcony looks right over on the east flood plain. I have a comment about maintenance. Christina was talking about grasses. What's there right now is millions of seeds from thistles that are flying all over on both sides of this unit. I would request if you have any input, that there is some maintenance. It is wild and I like that, but there some maintenance that should happen with or without a garden. Regarding the irrigation ditch which comes around the north side of Lydia Morgan and comes out to the end of Lincoln and Griffith, the ditch system has a lot of debris in there. If there were to be flooding, and I experienced it, I think you should be speaking to the appropriate persons to clean it out. I have a question for Sean about the raised garden plots. I talked to a City Council member, who introduced me to Mary Ann, who came for a meeting at Lydia Morgan and did answer our questions on Saturday. It was really helpful. I recommended to her that because most of our residents would not be able to garden by themselves, they look at some kind of buddy system where some of us would be paired with a younger gardener. I gardened in Boulder's community plot for 5 to 7 years, but I always did it with someone else. It says raised garden plots. Is it flat ground and then 18" raised for handicapped? Is the rest flat?

McCartney says yes, it will be 18" to 24" and raised beds for their access. As far as I know, the rest of the plots are flat.

One final comment regarding Harney Lastoka. I bicycle by there and I visited one gardener in the early spring. She said there were seven empty plots. I think someone is not advertising that empty plots exist. I think that is important since there used to be 30+ on a waiting list. Just for clarification, there are 31 residents at Lydia Morgan, 30 units but 31 residents. I think there is some kind of a facility for trash, and mulching is pretty essential. Thank you.

Summary and request by Staff:
McCartney says we have heard from opposition, but when I was out posting and re-posting the site, each time I was out there, I had three to four people come by and say "Great, there's going to be a garden here." For the most part, it sounded like a good deal of positive comments but there has been some opposition. Staff still supports the use. We have heard from LSAB and from surrounding individuals and think this would be a good use for this site.

Staff recommends Planning Commission move to approve **Community Garden: Resolution 24, Series 2015.** A request to approve for a special review use (SRU) for an agricultural use in residential low (RL) density zone district in order to develop a community garden with up to 45 garden plots and two 80 sf tool sheds on city property near the NW and NE corners of the intersection of Garfield Street and Lincoln Avenue.

Questions from Commission for Staff:
O'Connell asks about Lydia Morgan residents not being notified. Is that the case?

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McCartney says our Staff did the 500' notification. I have to think they were contacted.
O'Connell asks about the concern of alteration of the floodplain. It will be addressed by separate Board next week. If it comes back that they find there will be an impact, then that would halt the process, especially on the east side where the floodplain is located. Is it possible (if this does move forward) to make a note that there may be debris needing to be cleaned up? How does the PC go about addressing that voiced concern?
McCartney says yes, it is a condition of this approval that a flood development plan be approved. This could not go forward without a flood development plan. Staff can bring debris in the ditch forward to Parks and to Public Works as an item we heard from tonight. We will stop at the riparian growth so it wouldn't further impact any of the drainage area. Because we have heard this concern, we can bring it to the departments responsible for that drainage area.

Moline asks how does the vegetation growth need to comply with site distance, triangles, and setbacks?
McCartney says the site distance triangles on this location are 30' by 30' at intersection. Nothing can grow over 30" in height in that site triangle as it is the requirement throughout the City. This is how we would address any vegetation in the site triangle.

Russell asks about fencing. If it is determined at some point that they need fencing, would that be a material alteration or would they come in, pull a permit for a fence, and build it?
McCartney says it would be a building permit because it is permitted in this area. It would have to follow the standards in the Louisville Municipal Code (LMC).
Russell says experience is indicating that we will not have 30 people out there unless there is some sort of event. Are we clearly articulating performance standards around appearance? What happens if a big pile of compostable material starts to build up? I think the community in this community garden will hold one another accountable, I have no doubt about that. How do we manage these performance standards?
McCartney says we have public nuisance standards in the LMC that we use for any property. We are on a complaint-driven basis because of limited Staff to go out property by property. If it was brought to us as a complaint, we would go out and enforce the Code.
Russell says there is a mechanism for a neighbor or community member to come out and say "this is a problem". Could we include a condition that is related to noise?
McCartney says we have a noise ordinance that we apply to a building contractor. There are hours. We can use the same type of standard. The PC can add a condition.
Russell asks about the appendix and the applicant's submittal of a sign on the property that says No Dumping. Is that an issue on this site currently?
McCartney says I am not aware of it. We have received no information.

Summary from Applicant:
Mary Ann Heaney says our bylaws and guidelines will prohibit any kind of electronic equipment in the garden, so no boom boxes. If they want ear pods, they can bring them. We think this is a real asset to the community. In discussions with Boulder County and Growing Gardens who manage the Kerr Garden, they have absolutely no plans to expand that garden. If there are empty plots this summer, it is the first time in years. Every year, I call and ask "how backed up are you?" and "I'm just making sure that we are still on track." I think this is a real asset to the City of Louisville and that is the way most cities look at it. You are taking a piece of land and bringing citizens together in an activity that takes very little management and time by the City. We are bringing a new type of recreational activity for which citizens are almost completely responsible. I think this is something really good for the City of Louisville.

Questions from Commission for Applicant:
Tengler asks if someone signs up for a plot Year 1, do they get that in perpetuity until they decide to not use it anymore? Is there a lottery every year?

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Heaney says most gardens work that way. Again, once the first group of gardeners is selected, they can refine the bylaws to determine that.
Tengler asks in the selection process, will you make any allowances for low income families or any other charitable organizations so they get prioritized, or is there an allocation for groups like that?
Heaney says we have discussed the entire process. We have talked about having scholarship gardens of people of lower income who need it. We discussed a certain percentage of plots, but we will see how it shakes out with the first people who apply.

Closed Public Hearing and discussion by Commission:
Tengler says it is obvious from the letters that there are some strong feelings on both sides of this issue. The comments from the neighbors deal with the things we hear about on a regular basis in PC … noise, traffic, potential for trespassing. They are legitimate concerns. By the same token, I think there is a lot of public benefit to something like this. The communal aspect of it, the general benefit especially if we are looking to provide plots allocated to low income families, and to charitable organizations. I think in general, I am in favor of this. I would like to consider as a condition, some sort of traffic controls. It could be a four-way STOP or four official crosswalks so we can allay some of the concerns about the traffic. In a couple of the notes and a couple of the public comments, there is a notion of this being green space. I object to that. This is an empty corner lot with thistle and weeds. It is not open space and while it may have been a benefit to the residents in that area, it is not designated as such. It is not a park and it is not open space. I think this is one where we look at the greater public good rather than a personal convenience for 20 or 40 houses in that area.

Moline says I think this is going to change this corner a little bit. I think it is a change that takes public land and does something with it that enriches the community beyond what is there now. I really think this is going to be a benefit to the neighborhood and the City as a whole. I am impressed by the way LSAB led this project over the course of a number of years and was able to find a spot in the City that will work for this. It is an important thing to keep in mind. The City is going to be thoughtful about how it chooses places to take public land and not privatize it, but do something a little different with it than just leaving it open to all kinds of public use. I am impressed by the fact that this went through a number of different processes to help select this site. I am in support.

O'Connell says based on the comments and feedback from people who have concerns on this, I would be in favor but I would like to consider some sort of condition about traffic and controlling. I think the painted crosswalks would be a really good thing at the very least. I would also like to hear other Commissioner comments about the possibility of a condition regarding trash or having a compost pile available so the concerns about litter can be allayed.

Russell says I like the idea of community gardens. I travel all over the country. When I take the train into downtown Seattle from the airport, I pass multiple community gardens. It is a great means of food production but generally, I view it as a great expression of community value. I am supportive of it. I think if we create a central collection point for compost and trash, we are in fact creating the problem we are trying to avoid. I think the behavioral pressure within this community will address this problem, and if it doesn't, I have no doubt there will be people watching and will respond to it. I am conscious of the fact that even though it is meaningless land, we are converting public land to private use. We are essentially privatizing public realm, putting it in the hands of people who are producing food for their pleasure and their benefit. My only call to the community gardens and the community it forms there is to be good neighbors, reach out to those neighborhoods, to take care of that land, and be conscientious. I have never heard a story, in all of my time around planning events, of complaints coming out of community gardens. This group needs to work really hard to prove the community benefit beyond the

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personal pleasure that we all take in growing vegetables. We are imposing a traffic control condition on someone who can't really do it. But since this is the City, we can place that expectation. A crosswalk is the most feasible to execute. I don't know about a four-way stop. I would be willing to include a condition that says no electronic devices and noise on the plot.

Rice says whenever there is development, it is always one of my concerns that there be some ownership and accountability for whatever that development is. In the typical case where we have a private property owner who comes in and makes a proposal for development, we know who is accountable. When we come to something like this where we have a community use with many users, up to 45 different plots being used, it becomes a concern of mine that although we create development standards, those won't be met. Something like this can, no doubt, be beautiful but it can also become unruly if the community doesn't control itself. I am pleased with the idea that we have a garden association that ultimately becomes the accountable agency. I am comfortable with that. I think the development standards they have created are good. There have been a few suggestions tonight that we might add a few others. I am wondering about this business of adding trash receptacles if these are something we are trying to avoid. I think part of the unsightliness would be to have a bunch of trash cans lying around. I like the idea of "you take out what you bring in or whatever you create there". We wouldn't have to worry about accumulation. The other thing with trash barrels is that someone has to pick them up. I am sure there has not been any arrangement made for that. I would like to hear other PC thoughts on that, but I am concerned that trash barrels might create a problem we are trying to avoid. The second thought I have is that whenever we do something different and new like this, there will invariably be concerns about what is going to happen. As an attorney, we use the phrase "parade of horribles" and that is the way it becomes. I am used to it but am sensitive to it because this is a neighborhood where these folks live and they have a right to be concerned a potential "parade of horribles." On the other hand, because we are doing this as a SRU, my understanding is that it can always be taken back. My thought on this is if these "parade of horribles" truly develop, there are two ways we can deal with it.

1. We create additional development standards that need to be adhered to.
2. If it really is a problem, then we can pull the use and don't have to approve it in perpetuity.

My thought is the best way is to let these folks, who have obviously put a lot of thought into this, give it a try, see how it works out (and my expectation is it's going to work out great), and if it doesn't, this is what the PC is here for, to hear those issues. I am in support of it for those reasons.

Tengler says one of the things I asked the question about is, are these lots effectively granted in perpetuity? I think one of the things Russell brought up is this notion of privatizing for the benefit of a relatively small number of folks, 45 people/organizations. I would like to consider a term limit on these so there is some turnover, and it gives other people an opportunity to take a stake in this. You stagger it the first year where we give 3, 2, 1 year terms and those things roll over into a 3 year term. There is some sense of permanence that when you get it, you're not granted that for life. That would seem to make it a little more available, much like our term limits on Planning Commission. I would like the gardening board to consider this. I don't know if it should be made a condition, but it should be considered.

Pritchard says I look at this from the use of the park. I have coached baseball for over 10 years and that park is used quite extensively during the spring and summer months (which happens to be planting season). I have concerns about parking. In one of the emails submitted and put into the record, parking was brought up as an issue. There have been a number of issues with parking in Old Town. This area is part of, or close enough to, Old Town. I live near open space and I have a number of concerns. Any given night I can look out my window and see raccoons,

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deer, coyotes, chipmunks, and you name it. We have a home garden and they eat from it. We may be bringing forth a silent animal population that, right now, is skirting under long grass. Public land for private use has been mentioned, and I have a hard time with it. I can overlook parking and a lot of things, but this is still public land. It may have been purchased with public funds. If this garden is for Louisville residents, I am in favor. I hear Sister Carmen but that is not a Louisville organization, but located in Lafayette. Are we growing food in Louisville for a Louisville foodbank or the Sister Carmen foodbank? Is this Louisville private or public property? I have concerns about where that food is going. I believe it should start at home. We say we can bring it up under SRU but it is easier said than done. We can do it but you have to go through the whole process. Enforcement becomes a concern.

Tengler says relative to Pritchard's last comment, I think it is totally legitimate. We may want to consider is a condition saying this is Louisville property and it should be used for Louisville residents and/or Louisville-based organizations. There are other organizations that benefit the citizens of Louisville, but this is a unique case. This is not shared property like Harney-Lastoka. This is Louisville property. I am okay with putting a restriction for Louisville organizations or residents only.

O'Connell says she thinks it has been mentioned that it would be only for Louisville residents. The whole idea of the privatization of the public land also goes to my question about access. It would irk me if there were a fence put up and this was only accessible to those who had keys, not a fence for the sake of someone going in and stealing tomatoes. I like plants and like looking around gardens, and as a resident of Louisville, I would make a point of walking through the garden to see what is going on. I think I would like to see it remain an "open space" accessible to all, not those who have plots and paid for them. I can get past the privatization issue if it is a curated garden that residents and visitors can visit. If you put up a fence that blocks access to people during daylight hours, I have an issue to the point I might vote against it.

Russell says if this was a developer or private sector developer, we could extract benefit public benefit. We can't do that here. I want to communicate forcefully that this garden association needs to work very hard to prove public benefit. There are, at best, going to be 40-45 people with families who will get to garden. This is a community of 20,000. You have to work and have a plan and then be ready to talk about the community benefit. It has to be there for the community and more specifically for the neighborhood. You have some neighbors who are not going to be happy seeing you showing up. The same kind of pressure that creates good behavior within the garden ought to drive that kind of behavior outside of the garden.

Moline remembers over a decade ago when I worked for the City of Louisville and we were within a hair's breadth of letting people with backyard gardens and allow them on open space. That was a problem for me. It felt like here was an opportunity for someone, who by virtue of having access to public land because of their back yard, would have the benefit not available to other people. An opportunity like this does it differently, and allows/spreads the opportunity among other people in the community. Tengler's suggestion about term limits is a helpful suggestion as well. I am sensitive to the privatization of public land. I think these two pieces of land will look better than they do now as extra public land that is neglected.

Tengler asks the PC if they see a differentiation between trash and compost. Compost seems like it should be there as opposed to trash. I am in agreement that it could be an eyesore to have trash cans and dumpsters. My sense is a compost bin is part and parcel of a garden. It seems to make more sense to try and accommodate that with an attractive container for a compost bin.

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Moline asks if the community garden people might speak with the Lydia Morgan managers and find a way for some of the waste generated on this site to be disposed of at Lydia Morgan.

Russell says I think we are putting a layer a complexity onto this. It is one thing to say, you got to have a compost bin. If they have to start negotiating agreements around waste disposal with neighbors, there may not be an urgency for it.

Russ says the SRU will set up the conditions of how the use will be operated. The City will be entering into a license agreement for the use of the property. I think these conditions are great because it gives Staff clarity on how to negotiate the license agreement. We can hold the applicant to the uses described as conditions and further clarify if you so choose to add additional conditions through the license agreement. I agree with what Russell just mentioned. There will be a subsequent license agreement. If you want conditions added to the SRU, it helps Staff be aware of the license agreement negotiation. The purpose of this public hearing is to give Staff guidance on the SRU which will ultimately influence the license agreement.

Russell says we need to be focused on the outcome we are trying to achieve. The condition needs to be about outcome and not about how they get there. We are no better at managing a community garden than we are being developers. We should focus on the issues we are trying to avoid and conditions that get us there. It is perfectly reasonable to talk about some facility for composting on site. I'd like to know if other Commissioners think it is adequate that there will not be music on Saturdays in the evenings.

O'Connell says, along these lines, we should leave it to the garden association. They have done their research on community gardens all around the area and across the country. Discussing conditions, I think we should consider the crosswalk requirements because that speaks to an even larger problem and issue that residents have been dealing with here. It affects the entire City no matter what.

Rice says do we add to the development standards?

Russ says the PC makes a condition to the resolution. Staff will add it to the SRU for City Council.

Rice says what if we add conditions that "the garden plots be for use by Louisville residents and organizations only", "that no electronic devices be allowed in the gardens", and "the addition of a crosswalk".

Russ says on the crosswalk, he has language he requests the PC consider because there is engineering behind a potential crosswalk. "The City shall increase the visibility of the intersection to motorists traveling along Garfield Street and Lincoln Avenue raising awareness to pedestrians".

Russell says I am looking at the aerial that says Garfield Avenue and Griffith. You said Lincoln? Russ says Garfield turns into Lincoln at this location.

Moline says I am not a fan of the condition about electronic devices. I think it is hard to enforce. I think this is better left to the gardeners. We have noise ordinances. It will not, however, be something that will clearly prevent me from voting for this.

Russell says there are a limited number of ways for this garden to really intrude on neighbors, one of them very clearly is noise. I don't know what is involved in calling out the police on a

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noise complaint. I am willing to take this group at their word that part of their bylaws would be there are no electronic noise machines on site.

Tengler says it sounds like Rice would like conditions on the traffic and Louisville residents. There doesn't sound like there is support for putting noise as a condition. Are you okay with two?

Rice says it is an olive branch to the neighbors that the City will not allow noise. Why not make noise abatement a condition?

Pritchard asks the Applicant if they are okay with the conditions to raise awareness of the intersection, restriction on electronics and noise, and specifying this is for Louisville residents and organizations. Also, as you are putting the lottery together, the notion of turnover so that a plot is not held in perpetuity should be considered.

Mary Ann Heaney says they are comfortable with all three conditions. They also feel the lottery and term limits for a plot are an excellent idea.

Tengler, Moline, O'Connell, and Russell are all in agreement.

Motion made by Rice to approve **Community Garden: Resolution 24, Series 2015.** A request for a special review use (SRU) to allow for a community garden at the northeast and northwest corners of Griffith and Lincoln, with four conditions, seconded by Tengler. Roll call vote.

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

Motion passes 6-0.

DRAFT

RESOLUTION NO. 24
SERIES 2015

A RESOLUTION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE (SRU) TO ALLOW FOR AN AGRICULTURAL USE IN THE RESIDENTIAL LOW DENSITY (RL) ZONE DISTRICT IN ORDER TO DEVELOP A COMMUNITY GARDEN WITH 45 PLOTS AND TWO 80SF TOOL SHEDS, ON THE NORTHEAST AND NORTHWEST CORNERS OF GRIFFITH AND LINCOLN.

WHEREAS, there has been submitted to the Louisville Planning Commission an application for approval of a special review use (SRU) to allow for an agricultural use in the Residential Low Density (RL) Zone District in order to develop a community garden with 45 plots and two 80SF tool sheds, on the northeast and northwest corners of Griffith and Lincoln; and

WHEREAS, the City Staff has reviewed the information submitted and found it to comply with Louisville Municipal Code Chapter 17.40; and

WHEREAS, after a duly noticed public hearing on August 13, 2015, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated August 13, 2015, the Planning Commission finds the Community Gardens SRU, located on the northeast and northwest corners of Griffith and Lincoln, should be approved;

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval of a special review use (SRU) to allow for an agricultural use in the Residential Low Density (RL) Zone District in order to develop a community garden with 45 plots and two 80SF tool sheds, on the northeast and northwest corners of Griffith and Lincoln.

PASSED AND ADOPTED this 13th day of August, 2015.

By: _____
Chris Pritchard, Chairman
Planning Commission

Attest: _____
Ann O'Connell, Secretary
Planning Commission

Troy Russ

From: Malcolm Fleming
Sent: Monday, 17 August, 2015 11:33 AM
To: Kurt Kowar; David Szabados
Cc: Troy Russ
Subject: FW: Flood Plain Danger!

FYI...

Malcolm

From: Jay Keany
Sent: Monday, August 17, 2015 10:12 AM
To: joy brook
Cc: Malcolm Fleming; Christopher Leh; Mary Ann Heaney
Subject: RE: Flood Plain Danger! FW: Delivery Status Notification (Failure)

Hello Joy,

Thank you for your email.

The group spearheading the gardens is the Louisville Sustainability Advisory Board (LSAB). The contact is Mary Ann Heaney. Mary Ann has met with the residents of Lydia Morgan. I believe that they are satisfied with the gardens and the plan.

As far as the flood plain, that will be addressed at the Board of Adjustment meeting on Aug. 19th. Here is the link for the information on that meeting.

http://www.louisvilleco.gov/home/showdocument?id=4705

I suggest you attend that meeting and express your concerns.

Jay Keany
Councilman - Ward 1
City of Louisville
720-280-4805

Sign up for the City's email lists and be informed. Use this link to see how:
http://www.louisvilleco.gov/residents/enotification

From: joy brook [joyalbrook@hotmail.com]
Sent: Saturday, August 15, 2015 10:10 AM
To: Jay Keany; Christopher Leh; Jeff Lipton; Susan Loo; Ashley Stolzmann; Malcolm Fleming
Subject: Flood Plain Danger! FW: Delivery Status Notification (Failure)

I tried sending this twice and got the same result. This morning I was walking by there and got a chance to talk to my neighbor. He said no one talked to **Lydia Morgan and they do not want it. I**t would create a dangerous situation for flooding, disturb the peace with noise and dirt, and there is not enough parking. People in the neighborhood have yards and gardens. Forty-five plots is way too many for that inappropriate space. The increased traffic on Garfield makes crossing the street more dangerous and is noisy. The residents at Lydia Morgan report they are too old to be into gardening and are slow to cross the street. Please locate this great

project in an appropriate safe location - NOT in the flood plain. The site of the old Baptist church at Cottonwood park seems ideal.

From: postmaster@louisvilleco.gov
To: joyalbrook@hotmail.com
Date: Fri, 14 Aug 2015 20:36:12 -0600
Subject: Delivery Status Notification (Failure)

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This is an automatically generated Delivery Status Notification.

Delivery to the following recipients failed.

        feedback@louisvilleco.gov
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--Forwarded Message Attachment--
From: joyalbrook@hotmail.com
To: feedback@louisvilleco.gov
Date: Fri, 14 Aug 2015 19:36:10 -0700
Subject: Feedback for City of Louisville, CO

You have received this feedback from joy brook < joyalbrook@hotmail.com > for the following page:

http://www.louisvilleco.gov/residents/planning-building-safety/current-development-projects/variances-floodplain-development-permits/lsab-community-garden

This is a great idea and NOT the right location. Please locate the garden at the Cottonwood park where the old Baptist Church was. This site on Garfield is right next to the creek and in the flood zone!! This clogs the flood zone and puts our neighborhood in danger. The traffic on Garfield keeps increasing and we do not need more activity in our neighborhood! Cottonwood park is nearby and there is parking. Please do not destroy our peaceful open space. **The development in the city continues to decrease our quality of life**. Great idea but WRONG location!

joy brook

Troy Russ

From: Malcolm Fleming
Sent: Monday, 17 August, 2015 11:35 AM
To: Kurt Kowar; David Szabados
Cc: Troy Russ
Subject: FW: Flood Plain Danger! Response

FYI...

Malcolm

From: ma heaney [mailto:ohsm@earthlink.net]
Sent: Monday, August 17, 2015 10:29 AM
To: Jay Keany
Cc: joy brook; Malcolm Fleming; Christopher Leh
Subject: Re: Flood Plain Danger! FW: Delivery Status Notification (Failure)

Joy,

Good morning! I am the representative from the Sustainability Board leading this project. I will address your concerns.

I met with many of the residents at Lydia Morgen a week ago. After a good discussion, they are actually supportive of the gardens. We have taken their suggest of having "Garden Buddies" to heart and hope that some of the residents will sign up to garden with able bodied gardeners. They have also generously offered their community room as the garden's meeting room.

The traffic issue was discussed at length at the Planning Commission last week. The traffic issues on that road already exist. The garden's minimal added traffic will not exacerbate it (gardeners will walk or ride bikes, statistically there will be only 1-3 gardeners in the gardens working at any one time.) Also, we purposefully included a tool shed so that gardeners would not require cars to ferry tools back and forth. Troy Russ in the Planning Department suggested sever traffic fixes. He can provide the details.

The flood plain issues, as Jay said, were evaluated by an engineer (PE). He found no issues with the installation of minimal structures in the gardens (small tool shed, 2 raised beds). The church property was requested as a garden site. Apparently that property needs a master parks plan developed - which takes ~5 years. Hopefully we can install another garden there when that process is complete.

Last, there are multiple multi-family units in the neighborhood (including some low income ones). We hope to draw gardeners from those homes - which do not have yards.

Please let me know if you have additional concerns.
mary ann

Mary Ann Heaney CIH, CSP

occupational health and safety management, llc.

1117 La Farge Ave.

Louisville CO 80027

303.665.8528 (desk)

On Aug 17, 2015, at 10:11 AM, Jay Keany <jayk@louisvilleco.gov> wrote:

Hello Joy,

Thank you for your email.

The group spearheading the gardens is the Louisville Sustainability Advisory Board (LSAB). The contact is Mary Ann Heaney. Mary Ann has met with the residents of Lydia Morgan. I believe that they are satisfied with the gardens and the plan.

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Councilman - Ward 1
City of Louisville
720-280-4805

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Sent: Saturday, August 15, 2015 10:10 AM
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joy brook

Troy Russ

From: Heather Balser
Sent: Friday, 28 August, 2015 3:37 PM
To: Troy Russ; Lauren Trice; Allan Gill; Joe Stevens; Sean McCartney
Subject: FW: SRU for Placement of Community Gardens Comments and Concerns

Fyi.

Heather Balser
Deputy City Manager
City of Louisville
749 Main Street
Louisville, CO 80027
303-335-4530
303-335-4550 (fax)
heatherb@louisvilleco.gov (New Email)

From: Christina Stanton [mailto:clmstanton@gmail.com]
Sent: Friday, August 28, 2015 1:07 PM
To: City Council
Subject: SRU for Placement of Community Gardens Comments and Concerns

Dear City Council,

Thank you in advance for the opportunity to state my position. I am Christina Stanton a 25 year resident of the City of Louisville. I live in the cul-de-sac on Garfield court directly behind the proposed site. I object to the use of the proposed Community Gardens at this particular site for the following reasons.: I also suggest alternatives.

FLOOD PLAIN: Property site is a flood plain: "Keeping flood plains natural minimizes flood damage by allowing water to spread over a wide area." Construction of fences, sheds, out house, and raised beds, should be avoided. Site is not on flat land, on a curve, includes a drainage ditch. Irrigation impact. To protect populations and real estate in the area, construction should be avoided. History of flooding in area all the way to main street.

TRAFFIC CIRCULATION IS POOR: Proposed 45 plots will increase traffic in this neighborhood. There is no provision for the safe and efficient circulation of traffic. Cars will use the Garfield Court cul-de-sac where up to 15 children play as a **turn around** as happened when the leaf drop off was at this location for years.

VISUAL OBSTRUCTIONS FOR DRIVERS: Traffic entering Lincoln from Garfield street face a difficult time seeing over parked cars and structures due to the blind curve.

PARKING: CARS/BIKES Street parking is already heavy from SBR to Lafayette street. Presently the Housing Authority Residential apartments at 1450 Lincoln Ave. where up to 45 elderly reside, use Lincoln St. to park. City of Louisville trucks and flat beds with mowers routinely park to mow in area. More parked cars on the **blind curve** presents hazards for drivers, children biking to school, elderly pedestrians. **Will a bike rack be necessary?**

IMPACT: Residential yards back up to the site. 45 plots will bring that many people, sun up to sun down, increasing traffic congestion, noise, security issues are plausible, vandalism, theft and events. Parking at baseball games, parades, school traffic, events at elderly housing, have increased over the years near the site.

PRESERVATION: For 40 years the proposed site is the front yard so- to- speak of the Parkwood sub division . Residents will be losing natural green space enjoyed and accessed by everyone to be replaced and used **exclusively** for gardening by a few who can afford plot fees and possess a key who may commute lengthy distances to the neighborhood.

Eyesore: Gardens thrive a few months a year. Preserve the present natural visual area that creates a much coveted visual buffer in an already overcrowded city core. Fences, sheds, compost piles, irrigation hoses, railroad ties will be the visual for most the year. Presently Garfield/Lincoln street near SBR presents with numerous dumpsters that face this street abandoned couches, broken glass on sidewalks, weeds, abandoned grocery carts, and has been the visual for nearly 30 years. Preserve nature.

KERR COMMUNITY GARDENS: Less than a mile from the proposed site is the Kerr Community Garden with 43 plots. This garden could be expanded. It accommodates in ways the proposed site will not. **Kerr** gardens has fewer sites than the proposed site but includes numerous parking spots, appropriate traffic circulation, no residents, handicap parking, and bathrooms. Space for gardeners to congregate, share, plan events, educate and expand. In contrast fruit trees and corn crops buffer the Kerr community gardens. **KERR COMMUNITY GARDENS SHOUL D BE EXPANDED.**

EXPLORE ALTERNATIVES: GARDEN REGISTRY: Santa Monica, CA has a **GARDEN SHARE REGISTRY.** This program connects Santa Monica homeowners who have yard space to grow with Santa Monica gardeners who love to garden. The parties work together to create a perfect match. Sample forms are readily available.

"A man is rich in proportion to the number of things which he can afford to let alone." - *Walden*

Respectfully submitted,

Christina Stanton

Louisville resident

Troy Russ

Subject: FW: Flood Plain Danger! FW: Delivery Status Notification (Failure)

From: joy brook [mailto:joyalbrook@hotmail.com]
Sent: Sunday, August 30, 2015 7:33 PM
To: ma heaney; Jay Keany
Cc: Malcolm Fleming; Christopher Leh; Jeff Lipton; Susan Loo; Ashley Stolzmann
Subject: RE: Flood Plain Danger! FW: Delivery Status Notification (Failure)

Thank you for your response. I am all in favor of gardening, but not in favor of creating more flooding and traffic *problems.* It did not seem like our concerns were addressed, but dismissed. Was there a problem with the website that my input was rejected twice? I wonder how many others are challenged to provide input.

Many of us feel the location for this project is not appropriate. Yesterday I ran into a couple of neighbors. What I was told is that one person from Lydia Morgan is for it and others are not. It seems strange that the meeting was held after the proposal, as if it were a justification after the fact. The sentiment expressed to me is that "they have already decided what they are doing and you not going to be listened to, so don't bother" and that seems to be playing out. Are any of the people in the low income units able to afford the cost of a garden and are they interested? Who exactly is driving this project?

Another disturbing thing that was said, is that the city is giving authority to a private company to use this land. Our quality of life is being degraded by the "development" in this city and county. Traffic and building are out of control. The "small area plans" look like an excuse to do more "development" (destruction of habitat). We are in favor of more open space, not development of open space into parks or more density. We like to **see the mountains** and enjoy trees and ***nature***. After spending many years working to to pay off our houses, it would be great if Louisville was still a positive, peaceful place to live.

Subject: Re: Flood Plain Danger! FW: Delivery Status Notification (Failure)
From: ohsm@earthlink.net
Date: Mon, 17 Aug 2015 10:29:23 -0600
CC: joyalbrook@hotmail.com; malcolmf@louisvilleco.gov; leh@louisvilleco.gov
To: jayk@louisvilleco.gov

Joy,

Good morning! I am the representative from the Sustainability Board leading this project. I will address your concerns.

I met with many of the residents at Lydia Morgen a week ago. After a good discussion, they are actually supportive of the gardens. We have taken their suggest of having "Garden Buddies" to heart and hope that some of the residents will sign up to garden with able bodied gardeners. They have also generously offered their community room as the garden's meeting room.

The traffic issue was discussed at length at the Planning Commission last week. The traffic issues on that road already exist. The garden's minimal added traffic will not exacerbate it (gardeners will walk or ride bikes, statistically there will be only 1-3 gardeners in the gardens working at any one time.) Also, we purposefully

included a tool shed so that gardeners would not require cars to ferry tools back and forth. Troy Russ in the Planning Department suggested sever traffic fixes. He can provide the details.

The flood plain issues, as Jay said, were evaluated by an engineer (PE). He found no issues with the installation of minimal structures in the gardens (small tool shed, 2 raised beds). The church property was requested as a garden site. Apparently that property needs a master parks plan developed - which takes ~5 years. Hopefully we can install another garden there when that process is complete.

Last, there are multiple multi-family units in the neighborhood (including some low income ones). We hope to draw gardeners from those homes - which do not have yards.

Please let me know if you have additional concerns.
mary ann

Mary Ann Heaney CIH, CSP

occupational health and safety management, llc.

1117 La Farge Ave.

Louisville CO 80027

303.665.8528 (desk)

On Aug 17, 2015, at 10:11 AM, Jay Keany <jayk@louisvilleco.gov> wrote:

Hello Joy,

Thank you for your email.

The group spearheading the gardens is the Louisville Sustainability Advisory Board (LSAB). The contact is Mary Ann Heaney. Mary Ann has met with the residents of Lydia Morgan. I believe that they are satisfied with the gardens and the plan.

As far as the flood plain, that will be addressed at the Board of Adjustment meeting on Aug. 19th. Here is the link for the information on that meeting.

http://www.louisvilleco.gov/home/showdocument?id=4705

I suggest you attend that meeting and express your concerns.

Jay Keany
Councilman - Ward 1
City of Louisville
720-280-4805

Sign up for the City's email lists and be informed. Use this link to see how: http://www.louisvilleco.gov/residents/enotification

From: joy brook [joyalbrook@hotmail.com]
Sent: Saturday, August 15, 2015 10:10 AM
To:
Subject: Flood Plain Danger! FW: Delivery Status Notification (Failure)

I tried sending this twice and got the same result. This morning I was walking by there and got a chance to talk to my neighbor. He said no one talked to **Lydia Morgan and they do not want it. I**t would create a dangerous situation for flooding, disturb the peace with noise and dirt, and there is not enough parking. People in the neighborhood have yards and gardens. Forty-five plots is way too many for that inappropriate space. The increased traffic on Garfield makes crossing the street more dangerous and is noisy. The residents at Lydia Morgan report they are too old to be into gardening and are slow to cross the street. Please locate this great project in an appropriate safe location - NOT in the flood plain. The site of the old Baptist church at Cottonwood park seems ideal.

From: postmaster@louisvilleco.gov
To: joyalbrook@hotmail.com
Date: Fri, 14 Aug 2015 20:36:12 -0600
Subject: Delivery Status Notification (Failure)

```
This is an automatically generated Delivery Status Notification.

Delivery to the following recipients failed.

        feedback@louisvilleco.gov
```

--Forwarded Message Attachment--
From: joyalbrook@hotmail.com
To: feedback@louisvilleco.gov
Date: Fri, 14 Aug 2015 19:36:10 -0700
Subject: Feedback for City of Louisville, CO

You have received this feedback from joy brook < joyalbrook@hotmail.com > for the following page:

http://www.louisvilleco.gov/residents/planning-building-safety/current-development-projects/variances-floodplain-development-permits/lsab-community-garden

This is a great idea and NOT the right location. Please locate the garden at the Cottonwood park where the old Baptist Church was. This site on Garfield is right next to the creek and in the flood zone!! This clogs the flood zone and puts our neighborhood in danger. The traffic on Garfield keeps increasing and we do not need more activity in our neighborhood! Cottonwood park is nearby and there is parking. Please do not destroy our peaceful open space. **The development in the city continues to decrease our quality of life**. Great idea but WRONG location!

joy brook

Troy Russ

From: Meredyth Muth on behalf of Open Records
Sent: Monday, 14 September, 2015 2:36 PM
To: Troy Russ
Subject: FW: Community Garden
Attachments: PoudreRiverTrail_CommunityGarden1.jpg; PoudreRiverTrail_CommunityGarden2.jpg

MEREDYTH MUTH
PUBLIC RELATIONS MANAGER
303.335.4536
303.335.4550 FAX
www.LouisvilleCO.gov
MeredythM@LouisvilleCO.gov

City of Louisville

From: MILTON OSPINA [mailto:milton_ospina@msn.com]
Sent: Tuesday, September 8, 2015 9:58 AM
To: City Council
Subject: Community Garden

Dear City Council,
I support the idea of Community Gardens. Just saw a beautiful one of both vegetables and flowers along the Poudre River Trail in Greeley. See attached.
Thanks.
Milton Ospina

VEGGIES
& HERBS

All vegetables grown at
this garden are donated to
The Windsor Food
Pantry.
Please respect our efforts
by
allowing only
our volunteers to harvest
the
vegetables.

Troy Russ

From: Meredyth Muth on behalf of Open Records
Sent: Tuesday, 15 September, 2015 3:25 PM
To: Troy Russ
Subject: FW: Comment regarding the proposed Community Garden at Griffith and Lincoln

MEREDYTH MUTH
PUBLIC RELATIONS MANAGER
303.335.4536
303.335.4550 FAX
www.LouisvilleCO.gov
MeredythM@LouisvilleCO.gov

City of Louisville

From: Christina Stanton [mailto:clmstanton@gmail.com]
Sent: Tuesday, September 15, 2015 3:23 PM
To: City Council
Subject: Comment regarding the proposed Community Garden at Griffith and Lincoln

To members of the Council.

I have additional concerns regarding the proposed Community Gardens that were brought up at the Planning Commission meeting and about an article in the Hometown Weekly Newspaper dated August 4, 2015.

In the paper the article states: For 2 years the Louisville Sustainability Advisory Board have been lobbying for a Community Garden and they're finally getting their wish. …After an agreement with the City to use the untamed land, ….the garden will be up and running by March 2015.

It was my understanding this was still in deliberation. Who knew.

"The Vision is to SET UP Community Gardens all over the City", board member Mary Ann Heaney said.

As a citizen my concern is *build it and they will come* -with cars, to park, to onlookers and of course there are public events planned. The Harney Laskota Kerr Garden is not running at capacity now and is less than a mile

away. This was mentioned at the planning meeting. Why are we adding another garden in the interior of a neighborhood, bringing the obvious problems, in a lottery system where we don't know how far the selected participants will be commuting. The Lydia Morgan elderly home residents are considered beneficiaries of this garden yet they had no notice and realistically it was mentioned that they are in their 80's and 90's.

Flood Plain Information (off the City of Louisville Website)

'The September 2013 floods remind all of us portions of the City of Louisville are prone to flooding. Flooding does not only occur along Coal Creek. They can occur near drainage facilities, irrigation ditches, and some City streets.'

'The City has **worked hard** to **reduce the threat** and damage from flooding by recognizing that floodplains have natural and **beneficial functions** if they are preserved and maintained properly. Keeping floodplains **open and natural** minimizes flood damage by allowing water to spread over a larger area.'

Sheds, bike racks, possible fences, compost piles, garden beds, irrigation hoses (no garbage service,)will be constructed on the flood plain.

The City of Louisville Flood Plain Information on website is honest and direct; however this proposed Community Garden site is duplicitous in conduct, the plan contradicts its own stated policies.

Privatization of Public Land. Privatization of Public Land and Flood Plain in perpetuity. The City is giving over stewardship of flood plain to a 501c3. Has the public really been notified of the risk and consequences of this transfer? What is the legal language of this perpetuity agreement that residents I talk with- are not aware of?

Grant Money: Is the grant money of which may be $15,000 distorting judgment of policy makers to contradict their own published recommendations? Is the City acting in accordance with their own policies? What is in the best interests of all the residents? Is it to contradict policy?

Drainage Ditch Neglected on the East Side of Lincoln. Has the City of Louisville done due diligence in clearing out the drainage ditch – this issue was brought up at the Planning Commission Meeting on August 13, 2015 by a resident at the Lydia Morgan Elderly Home at 1450 Lincoln street. City may be transferring the maintenance of a possible neglected drainage area to another private entity and a nonprofit in perpetuity.

Neighbors in the area share from their gardens now and for the 25 years I have been a resident. We take produce to friends, neighbors and work places without notice, sustainability boards or ecochic fan fare. What are we sustaining? We continue to layer more traffic, street parking, soccer, baseball, parades, events and moving them into the interior of neighborhoods. I sense that since the practice of the city has to let land go to seed and stopped mowing- that practice has targeted the neighborhood.

Respectfully submitted

Christina Stanton

Troy Russ

From: Meredyth Muth on behalf of Open Records
Sent: Tuesday, 15 September, 2015 3:42 PM
To: Troy Russ
Subject: FW: Please support community gardens

MEREDYTH MUTH
PUBLIC RELATIONS MANAGER
303.335.4536
303.335.4550 FAX
www.LouisvilleCO.gov
MeredythM@LouisvilleCO.gov

City of Louisville

From: Lisa Ogle [mailto:lisa.ogle@hotmail.com]
Sent: Tuesday, September 15, 2015 3:34 PM
To: City Council
Subject: Please support community gardens

Dear Members of the Louisville City Council -

I write in hopes that you'll give the full support and energy of your respective offices toward creating more community gardens here in Louisville, particularly the one proposed at Griffith and Garfield.

Before moving to Louisville to join our family out here, I lived in Washington, DC for 23 years and was a founding board member of the Capitol Hill Community Garden Land Trust. By the time I left DC to move here, the Trust owned 5 lots of donated land for community gardening in the city and provided extraordinary opportunities for education, community gatherings, natural beauty and sustainable food production. Beyond those lots owned by the Trust, we had additional properties owned by the City that we used for gardening on a year-to-year basis. Some of those gardens are 15+ years old and thriving.

Though we, here in Louisville, certainly don't have the crime that DC has, the gardens provided a deterrent to ne'er-do-wells as there were always people coming and going at the various garden sites. Additionally, the gardens allowed for a disparate set of people with a disparate set of gardening experiences to meet and work on their own garden plots separate, but together. Nothing brings a diverse set of gardeners together like discussing harvests, insect problems or the weather!

I hope that you will not only support the Griffith and Garfield garden, but others too as the possibilities arise here in Louisville. The culture of community gardening adds so much to the culture of a town.

Thank you for all you do for this lovely city!

All the best,
Lisa Ogle
322 E. Raintree Ct., Louisville

303-664-5472

Sent from Windows Mail

Troy Russ

From: Meredyth Muth on behalf of Open Records
Sent: Wednesday, 16 September, 2015 8:08 AM
To: Troy Russ
Subject: FW: Community Garden

MEREDYTH MUTH
PUBLIC RELATIONS MANAGER
303.335.4536
303.335.4550 FAX
www.LouisvilleCO.gov
MeredythM@LouisvilleCO.gov

City of Louisville

From: Steve Rose [mailto:beav18@hotmail.com]
Sent: Tuesday, September 15, 2015 9:18 PM
To: City Council
Subject: Community Garden

Hello Louisville City Council,

I am a Louisville resident at 582 W Ash St.

I support the creation of Community Gardens at Griffith and Garfield in Louisville.

I have participated in community gardening in Denver and in Bloomington, IN where my family has lived in the past and these community gardens really foster a wonderful sense of community. This would be a great addition to our community and would be a good fit with our local identity.

Sincerely,

Steven Rose

9/15/2015

beav18@hotmail.com

Troy Russ

From: Meredyth Muth on behalf of Open Records
Sent: Thursday, 17 September, 2015 9:55 AM
To: Troy Russ
Subject: FW: Community garden on Garfield/Lincoln

MEREDYTH MUTH
PUBLIC RELATIONS MANAGER
303.335.4536
303.335.4550 FAX
www.LouisvilleCO.gov
MeredythM@LouisvilleCO.gov

-----Original Message-----
From: Jillian [mailto:jc428@hotmail.com]
Sent: Wednesday, September 16, 2015 9:53 PM
To: City Council
Subject: Community garden on Garfield/Lincoln

Greetings,
I live at 1202 Garfield Ave and would love the chance to have a community garden close to home. I know my family would like to participate and keep it looking good. I hope that this passes. Thanks for reading.

Sincerely,

Jill Cohen

Sent from my iPhone

Troy Russ

From: Jay Keany
Sent: Wednesday, 16 September, 2015 1:16 PM
To: Rose Harmos-Holder
Cc: Troy Russ
Subject: Re: In support of Louisville Community Gardens

Rose,

Thank you for your email.

Jay Keany
Councilman - Ward 1
City of Louisville
720-280-4805

Sign up for the City's email lists and stay up to date. Use this link to see how: http://www.louisvilleco.gov/residents/enotification

On Sep 16, 2015, at 12:43 PM, Rose Harmos-Holder <rosegarden100@gmail.com> wrote:

Hello!
I am a Louisville resident at 903 W. Willow Street.

I support the creation of Community Gardens at Griffith and Garfield in Louisville because of the way I have seen community gardens build connections between citizens in a town, because I find great beauty and a sense of security in gardens, and because I think it is so very important for our children to grow up around this kind of civic priority.

Thank you for your service in our community!

Sincerely,
Rose Harmos-Holder

Troy Russ

From: Meredyth Muth on behalf of Open Records
Sent: Monday, 21 September, 2015 1:04 PM
To: Troy Russ
Subject: FW: support of community garden

MEREDYTH MUTH
PUBLIC RELATIONS MANAGER
303.335.4536
303.335.4550 FAX
www.LouisvilleCO.gov
MeredythM@LouisvilleCO.gov

City of Louisville

From: Anna Kay [mailto:annakay@comcast.net]
Sent: Sunday, September 20, 2015 8:11 AM
To: City Council
Cc: Jay Keany; Christopher Leh
Subject: support of community garden

I fully support a community garden at the NW corner of Garfield and Griffith. It would be a great improvement to the area.

Anna Kay Johnson, MA,Vision Coach

Having trouble staying true to your personal goals? Not clear about where you want to go? Not sure how to get there? Need someone to vision with? Let's talk.

Visionary Change Agent
Purpose Consultant
EFT Guide
Recreational Real Estate Investor

cell: 303-204-7373

Opening to the presence of miracles all around us.

City Council – Public Hearing

Community Garden

Resolution No. 70, Series 2015

A RESOLUTION APPROVING A SPECIAL REVIEW USE (SRU) TO ALLOW FOR AN AGRICULTURAL LAND USE IN THE RESIDENTIAL LOW DENSITY (RL) ZONE DISTRICT IN ORDER TO DEVELOP A COMMUNITY GARDEN WITH 45 PLOTS AND TWO 80sf TOOL SHEDS ON THE NORTHEAST AND NORTHWEST CORNERS OF GRIFFITH STREET AND LINCOLN AVENUE, WITHIN LAWRENCE ENRIETTO PARK.

Prepared by:
Dept. of Planning & Building Safety

Community Garden

Intent :

- Provide an additional community garden for Louisville citizens
- Provide citizens at Lydia Morgan senior housing an opportunity to garden.
- Address a recreational / sustainability trend strongly desired by Louisville Residents.

Community Garden

Goals :

- Adhere to the goals of the City's Comprehensive Plan
- Conform to the intent of the PROST
- Foster a sense of belonging
- Provide a strong social network.
- Promote healthy food and a healthy lifestyle.
- Reduce the cost of food transportation by locally sourcing food.
- Enhance sustainable practices

Community Garden

Development Standards :

- Louisville residents only.
- Up to 45 garden plots.
- Raised garden plots can be designed with 12" to 24" raised walls.
- Garden plots shall remain at least 10-feet from all property lines.
- The community garden will be operated by a Garden Association.
- Compost and trash will be handled by the Garden Association.
- Gardeners will be responsible for maintenance and upkeep.

Community Garden

- Garden plot will be accessed by 5' natural walkways, while each garden bed will be accessed by 4' trails.
- Vehicles will park along Garfield Avenue and Griffith Street.
- The City Shall increase the visibility of the Lincoln and Griffith intersection to raise awareness to the presence of cross traffic and pedestrians.

Community Garden

- Tools and supplies will be stored in up to two 8'X10' storage sheds.
- 3 bike racks are to be provided.
- Pets are not permitted in the community garden area.
- The Community Garden will be open from dawn to dusk 7 days a week.
- No artificial lighting will be permitted.
- No electronic amplified sound will be permitted.
- Up to 3 special events will be permitted each year.

Community Garden

Special Review Use Criteria

5 Criteria:

1. Consistent with Comp Plan
2. Lend Economic Stability, compatible with character of surrounding areas
3. Use is adequate for internal efficiency
4. External effects are controlled
5. Adequate amount of proper pedestrian and vehicular circulation

Planning Commission Action:

- The Community Garden shall be available to Louisville residents only.
- The City shall increase the visibility of the Lincoln and Griffith intersection to raise awareness to the presence of cross traffic and pedestrians.
- No electronic amplified sound will be permitted.
- A floodplain development permit is granted by the City's Board of Adjustment.

Board of Adjustment Action

Approved the Floodplain Development Permit

August 19, 2015

Community Garden

Staff recommends approval of Resolution No. 70, Series 2015, with the following condition:

SUBJECT: **RESOLUTION NO. 71, SERIES 2015 – A RESOLUTION APPROVING THE CITYWIDE MASTER PRESERVATION PLAN**

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **LAUREN TRICE, PLANNING AND BUILDING SAFETY, AND HISTORIC PRESERVATION COMMISSION**

SUMMARY:

The 2013 Comprehensive Plan includes Policy CH-1.1 states, *"The City should create a Preservation Master Plan to define a period of significance and identify resources and guide the City's Historic Preservation Program and the use of Historic Preservation Funds."* To implement this policy, staff worked with the Historic Preservation Commission, HistoryMatters,LLC, and many others to complete the attached final draft of the City-wide Preservation Master Plan for City Council review and adoption (attachment #1). The planning process used to develop the Plan sought wide community input/involvement so as to reflect the values of Louisville citizens. The completed draft Plan is the result of collaborative efforts from a variety of community stakeholders who participated in this process.

The Historic Preservation Commission, Sustainability Advisory Board, Business Retention and Development Committee, Historical Commission, Open Space Advisory Board, Planning Commission, Revitalization Commission, and Downtown Business Association, along with City Council, reviewed the Draft Preservation Master Plan and offered comments (attachment #2). These comments were incorporated into the final draft of the Plan (attachment #1). Of specific note, the action items in the final draft of the Plan are now organized based on Immediate, Near Term, and Long Term rather than by specific year. Additionally 67 actions items were consolidated and/or removed into 39 final action items, each discussed and approved by the HPC on September 23rd. The complete updated draft of the Preservation Master Plan was endorsed by the Historic Preservation Commission on September 23rd.

DEMOLITION PERMIT PROCESS:

The community discussed defining a specific period of significance rather than maintaining the current rolling process throughout the Preservation Master Plan effort, culminating in a presentation on this issue to City Council on July 28, 2015. The Historic Preservation Commission discussed this issue further and recommends improving the existing demolition permit process while keeping the current rolling process rather than defining a specific period of significance. This is not specifically referenced in the Plan as the recommendation is to continue the current rolling policy. However, the highest priority action item in the recommended Preservation Master Plan is to "evaluate and improve the demolition permit process."

Staff is in the process of finalizing modifications to the Louisville Municipal Code (LMC) to streamline and improve the customer-friendliness of the City's demolition review process. The framework of the recommended changes to the LMC is presented below for Council review and comment.

Framework of the Amendment
Currently the City's municipal code requires staff to review building permit applications to determine if a demolition of a potential historic structure is being requested. The code provides the definition of demolition from which staff evaluates an application.

Currently, the LMC defines "demolition" in three ways. This definition is broad and encompasses many possible changes to a building, regardless of scope, scale, or likely impact to a structure. As written, the current definition does not allow staff to discern:

1) the scope of an effort, such as routine maintenance vs. changes in architectural character;
2) the scale of the effort, such as replacement-in-kind vs. introduction of new materials; or,
3) the likely impact on the architectural integrity of the structure, such as removal of a non-historic element vs. removal of a contributing element; or
4) the significance of the structure.

If a building permit application qualifies as the LMC's definition of demolition, staff is required to forward the application to the HPC for review and release of the permit. This requirement, in many cases, adds unnecessary delay to a project, and worse, creates negative feelings toward the Preservation Program and the City as unnecessary bureaucracy. The framework of the proposed amendment to Chapter 15.36 is divided into the two following components:

1) *Section 15.36.020 – Definitions*
   Expanded definitions of demolition are needed to more accurately reflect the differences in scope, scale, and likely impact from a building permit. One possible solution is to create a definition for "minor-demolition". Staff intends, unless otherwise directed, to pursue creating a definition for "minor-demolition".

2) Section 15.36.200 - Criteria for demolition or relocation of non-landmarked buildings.
   Staff is suggesting modifications to Section 15.36.200 are needed to create an administrative review process for the proposed new definition of "minor-demolition". As stated above, staff is not currently permitted to review the scope, scale, or impact of a building permit on a potentially historic structure. Creating an administrative review process for "minor-demolition" would reduce the number of permit applications being processed by the HPC, speed up the permitting process, lessen the burden on the Historic Preservation Commission, and improve the perceptions of the program.

Schedule
Staff anticipates completing the research, due diligence with the City Attorney, and finalizing the draft ordinance the week of October 12th. Staff will then forward a completed draft of the ordinance to the Historic Preservation Commission on October 19th. The final draft of the ordinance is tentatively scheduled before City Council for 1st reading on November 2nd, with 2nd reading scheduled for November 17th. Should approval occur in this time frame the ordinance would become law in December of this year.

FISCAL IMPACT:
The Preservation Master Plan includes several actions items which may impact staff time and workload if prioritized annually. Funding of the action items outlined in the Preservation Master Plan will rely upon a variety of sources. Until its sunset in 2018 the HPF could be employed to fund initiatives. If the sales tax is renewed, the HPF will continue to fund action items. Additionally, as a Certified Local Government (CLG), Louisville is eligible to apply annually for CLG grants through the State preservation office. Eligible CLG grant projects include historic context research, surveys, outreach, training, and innovative projects. In addition, the State Historical Fund has two rounds of competitive grants each year. These grants can be used for education and survey components of the Plan. As a Forum member of the National Trust for Historic Preservation, Louisville also is eligible to apply for grants from this national organization. These grants fund projects related to sustainability, diversity and interpretation. Grants for specific types of preservation projects are also available through the National Park Service Historic Preservation Fund. Finally, staff may seek additional funding, as needed, by way of capital and operating budget requests during the City's annual budgeting process.

HISTORIC PRESERVATION COMMISSION ACTION:
At the Historic Preservation Commission meeting on September 23rd, the HPC reviewed the comments from City Council, Boards, Commissions and community organizations and the revised Draft Preservation Master Plan (attachment #2). The HPC discussed, made edits, and voted to endorse the Preservation Master Plan as presented. The following Implementation Chart shows the edits conducted during the September 23rd meeting (attachment #3). These edits were incorporated in the Implementation Chart shown on pages 28-29 of the Preservation Master Plan. The HPC also endorsed the Preservation Master Plan in a letter (attachment #4).

RECOMMENDATION:
Staff and the Historic Preservation Commission recommend that City Council approve the Preservation Master Plan by approving Resolution No. 71, Series 2015.

ATTACHMENT(S):

1. DRAFT Preservation Master Plan
2. Boards & Commissions Comments
3. Implementation Chart with HPC Comments
4. HPC Endorsement Letter
5. Resolution No. 71, Series 2015
6. Presentation

city of louisville

preservation

master plan

SPRUCE
Empire
restaurant
12
ART WALK
P
ARKING

acknowledgements

City Council

Robert P. Muckle, Mayor
Hank Dalton, Mayor Pro Tem, Ward 3
Jay Keany, Ward 1
Chris Leh, Ward 1
Jeff Lipton, Ward 2
Susan Loo, Ward 2
Ashley Stolzmann, Ward 3

Historic Preservation Commission

Kirk Watson,Chair
Lynda Haley, Vice Chair
Dana Echohawk
Jessica Fasick
Deb Fahey
Mike Koertje
Peter Stewart

City Boards and Commissions

Business Retention & Development Committee
Historical Commission
Open Space Advisory Board
Revitalization Commission
Sustainability Advisory Board
Planning Commission

Planning & Building Safety Department

Lauren Trice, Preservation Planner
Troy Russ, Planning and Building Safety Director
Ken Swanson, Chief Building Offical
Sean McCartney, Principal Planner
Scott Robinson, Planner II
Monica Garland, Senior Administrative Assistant

City Staff

Malcolm Fleming, City Manager
Heather Balser, Deputy City Manager
Meredyth Muth, Public Relations Manager
Kevin Watson, Finance Director
Beth Barrett, Library Director
Aaron DeJong, Economic Development Director
Suzanne Janssen, Cultural Arts/Special Events
Bridget Bacon, Museum Coordinator

Consultant

Mary Therese Anstey, HistoryMatters, LLC

Interviewed Stakeholders

Randy Caranci, Louisville Mill Site, LLC
Andy Johnson, DAJ Design
Mark Zaremba, Zaremba Graphic and Web Solutions
Elizabeth Ryterski, RE/MAX Alliance Louisville

Special Thanks To

Karen Fohrman, Louisville Elementary School
Patrick Eidman, History Colorado
Downtown Business Association

All citizens of Louisville who participated in public meetings throughout the Preservation Master Plan process.

All historic photos courtesy of the Louisville Historical Museum.

executive summary

Louisville's Preservation Master Plan provides a framework for the City's voluntary Historic Preservation Program and serves as a guide for proactive decision-making over the next twenty years. The Plan combines the City's existing preservation efforts with desires expressed by the community during the Plan's public outreach effort. The Plan recommends actions for integrating preservation practices into the City's policies, its regulations, and its staff's day-to-day activities. The scope of the document is City-wide and influences areas beyond Downtown and Old Town.

Over the years, Louisville's historic resources have been acknowledged in various ways: through landmarking, historic resource inventories, City purchases of significant properties, advocacy by interest groups, and inclusion in various regulatory documents. These preservation efforts have accomplished a number of important community goals over the past 10 years, but there is a sense that more can and needs to be achieved to allow the program to be embraced by the larger Louisville community.

Landmarking Ceremony at 740 Front Street, May 2015

The preservation of historic resources is vital for maintaining Louisville's small town character. Louisville's historic resources will continue to contribute to, and strengthen the City's economic and fiscal health, identity, and sense of community. The vision of this Historic Preservation Program is:

> *The citizens of Louisville retain connections to our past by fostering its stewardship and preserving significant historic places. Preservation will reflect the authenticity of Louisville's small town character, its history, and its sense of place, all of which make our community a desirable place to call home and conduct business.*

Celebrating Louisville's voluntary and locally funded approach to historic preservation, City Council supported the preparation of the Plan to provide a comprehensive and coordinated guide for the Preservation Program. The creation of the Plan was led by the Historic Preservation Commission, executed by City staff through an open public process, and approved by City Council.

Louisville residents participated in the development of the Plan through three community-wide meetings and online forums, customer surveys, and social media. Input received in the effort helped frame the goals, objectives and actions that are the essential components of this Plan. The goals serve as the guiding principles for the City's preservation work program; the objectives provide direction on how to accomplish the goals; and the actions state specific tasks to be implemented in order to achieve the objectives.

The five goals of this Plan are:

- Pursue increasingly effective, efficient, user-friendly, and voluntary based preservation practices
- Promote public awareness of preservation and understanding of Louisville's cultural, social and architectural history
- Encourage voluntary preservation of significant archaeological, historical, and architectural resources
- Foster preservation partnerships
- Continue leadership in preservation incentives and enhance customer service

The Plan comes at an opportune time. Development continues to change the built environment. Citizens are realizing important resources could be lost. This Preservation Master Plan provides a community-wide framework, raises awareness, guides preservation efforts, and outlines strategies which strengthen the City's voluntary program. This will ensure important resources are acknowledged and not forgotten.

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"Heartbombing" Louisville during Preservation Month, May 2015

Louisville began as a modest mining town in 1878, and has evolved to become one of the most livable small towns in the United States. Looking forward Louisville continues to evolve. Historic preservation offers an opportunity for the City to celebrate its past and ensure its heritage continues to be an important component of what makes this community special. Louisville's unique voluntary Preservation Program, with its dedicated sales tax, recognizes the historical and architectural significance of nearly 30 local landmarks. The Preservation Program honors links to the community's mining, agricultural, railroad, residential, and employment history.

Reasons for Creating the Plan

The City's 2013 Comprehensive Plan update recommended adoption of a master plan to define the goals of the Preservation Program and offer strategies for achieving defined objectives. This Plan upholds the fourteen core community values expressed in the Comprehensive Plan, namely Louisville's commitment to:

> *"A Connection to the City's Heritage...where the City recognizes, values, and encourages the promotion and preservation of our history and cultural heritage, particularly our mining and agricultural past."*
> *- 2013 Comprehensive Plan*

The intention of this Plan is to guide the practice of preservation, reinforce its voluntary nature, expand public awareness, preserve resources, develop partnerships, and increase preservation incentives. The Plan looks 20 years into the future. The study area for the project extends beyond Old Town and Downtown Louisville, encompassing preservation practices citywide.

The City of Louisville's Preservation Program is part of a larger organization, contributing to an integrated federal-state-local preservation system. This participation within the national preservation structure benefits the city, offering access to grants, training, and networking opportunities. In exchange, the local preservation program agrees to develop strategies for how to survey and preserve historic resources. These responsibilities within the preservation system feature prominently throughout the Plan. The Plan addresses several goals and objectives from the Colorado State Historic Preservation Office's Plan, *The Power of Heritage and Place*, specifically the recommendation that Colorado's cities "Advocate for comprehensive municipal historic preservation."

Preservation Master Plan Open House, March 2015

How to Use the Plan

The Plan is a guide to review and take action on improving and strengthening Louisville's voluntary historic preservation initiatives. The Plan is not a regulatory document, but is instead an advisory document. Since the Plan does not have the force of law, the City must rely on other regulatory measures to implement the recommendations of the Plan. The Louisville Municipal Code (LMC) is the primary regulatory tool available to the City. The Historic Preservation Ordinance, Title 15 Chapter 36 of the LMC, is the most relevant text for this Plan.

The Plan is divided into the following sections:

- The Introduction describes the reasons for developing the Plan and the public process used to create the Plan.
- Preservation in Louisville begins with overviews of both Louisville's history and building stock, two topics directly related to historic preservation. A brief review of key dates in Louisville's preservation history traces the development and evolution of the city.
- The Plan section is the "heart" of the document. It presents the goals and objectives developed during the public input process. These principles reflect the work of everyone involved in the Plan and received endorsement from both the Historic Preservation Commission and the City Council. The implementation table features a prioritized list of projects to be accomplished in the immediate, near-term, and long-term.
- The Appendices represent useful tools for accomplishing the Plan's goals and objectives. Appendix A details specific projects to achieve Louisville's preservation vision over the next 20 years and provides specific guidance for individuals working directly on these efforts. Appendix B summarizes various historic preservation strategies worthy of discussion and possible implementation.

introduction

Creation of the Plan

The Preservation Master Plan process sought **community input to develop a plan that reflects Louisville's values. The completed Plan reflects the** collaborative efforts of a wide variety of stakeholders: residents, business owners, the Historic Preservation Commission, City Council, and the City's Boards and Commissions.

To develop this document Planning staff and HistoryMatters, LLC followed a four-phase process: vision, evaluation, goals, and implementation. The public had several opportunities for participation during the planning process: Kick-Off Meeting, EnvisionLouisvilleCO.com website, Customer Satisfaction Survey, Open House, Community Workshop, Boards and Commission meetings, and public hearings before the Historic Preservation Commission and City Council. The City encouraged **participation in the Plan through mailings, flyers,** large public hearing signs, Facebook, Twitter, the City newsletter, and the City website. In addition, Planning staff conducted stakeholder interviews with the business, development, and real estate communities.

Flyer for Community Workshop

Sign advertising Community Workshop

Phase 1: Vision

This phase focused on creating purpose and vision statements for the Plan and the next 20 years of Louisville's Preservation Program.

On December 3, 2014, the City held a public Kick-Off Meeting for the Plan. Over 40 adults and children attended this initial session. The adult meeting included a general overview of the Plan purpose and process, as well as four activity stations to stimulate discussion:

- **The first station featured several jars labeled** with historic preservation subject areas. Participants were asked to put a ball in each of the jars labeled with a subject that inspired their attendance at the meeting. Below is the result of this excersise:

History	20
Design	18
Architecture	17
Community Pride	16
Current Preservation Program	16
Property Values	15
Sustainability	15
Outreach/ Education	14
Economic Development	10
Other	4

- The second station showed photos of places in Louisville. Participants determined which places were most important and least important to Louisville. This station helped to focus the Plan on those places Louisville residents value most.

- The third station featured three chalkboards for participants to respond to the open-ended prompts: "Louisville preservation is...,""The goal for preservation should be...,"and "In 20 years, preservation will be..." The responses from this station contributed to the vision statement and goals for the Plan.

- The fourth station asked participants to categorize items from a list of current Preservation Program activities, placing the stickers under the headings “This works,” “This needs improvement,” or “I don’t know what this is.” These responses guided the program evaluation, customer survey questions, andaction items.

The children participated in a “Junior Preservationist” workshop. They brainstormed and illustrated new uses for old buildings, added ideas and events to a Louisville architecture timeline, wrote about what makes their home special, and played with an interactive map of Downtown.

Immediately after the Kick-Off Meeting, City staff launched the EnvisionLouisvilleCO, an interactive website. The City partnered with MindMixer to operate www.EnvisionLouisvilleCO.com, which allowed the public to share and discuss ideas related to historic preservation in Louisville throughout the planning process. The comments about historic preservation in Louisville were largely positive and **showed interest in finding ways to use preservation** to maintain Louisville’s small-town character. In response to an online question about community engagement, the majority of respondents supported the Preservation Program sharing information at existing community events. In response to these suggestions, the Historic Preservation Commission initiated and staffed a monthly informational booth at the Farmer’s Market.

Input from both the Kick-Off Meeting and EnvisionLouisvilleCO led directly to the vision and purpose for the Plan. Both of these statements **define the overarching intent of the Preservation** Master Plan. The vision and purpose statements also **benefitted from language in Louisville’s adopted** Comprehensive Plan.

Historic Preservation Commission Booth at Louisville Farmer’s Market, July 2015

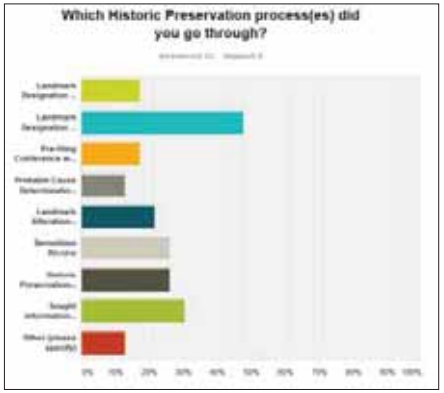
Vision: The citizens of Louisville retain connections to our past by fostering its stewardship and preserving significant historic places. Preservation will reflect the authenticity of Louisville's small town character, its history, and its sense of place, all of which make our community a desirable place to call home and conduct business.

Purpose: The purpose of the Plan is to outline Louisville's city-wide voluntary historic preservation program for the next 20 years.

Louisville Elementary School 4th Grade Field Trip at Louisville Historical Museum, Fall 2014

Phase 2: Evaluation

The second phase studied the existing Preservation Program and the issues impacting the future of the Program. A customer satisfaction survey allowed members fo the community to provide feeback on the existing Preservation Program. The 12-question, one-page, confidential questionnaire was designed to gather opinions from individuals with direct experience with Louisville's Preservation Program. The questionnaire, distributed to 127 previous customers, received 23 responses. Respondents agreed historic preservation adds value to the character of Louisville. Many respondents expressed concern about rapid changes to the historic built environment and suggested improvements to the education and outreach component of the Preservation Program. These responses influenced the draft goals and objectives and indicated possible action items to enhance and improve the existing program over the next 20 years.

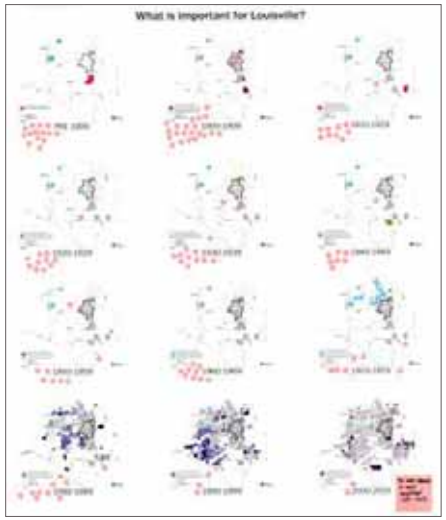


Customer Survey Results, Question 1

Phase 3: Goals

The third phase gathered the community to create goals and objectives for the next 20 years of the Preservation Program.

On March 11, 2015, the City hosted a Preservation Master Plan Open House. The 50 community members in attendance explored Louisville's development since 1880 through maps and timelines, decade by decade. Participants were asked, "What is important for Louisville?" Attendees placed dots on the decades they thought were important. Every decade, including the "next decade" (a response the public added), received at least one dot.



At the April 8, 2015 Community Workshop over 30 citizens responded draft goals and preservation strategies for the Plan. Working in small groups, each table discussed five draft goals and prioritized the objectives with a dot exercise. The attendees expressed the greatest support for increasing preservation awareness, developing relationships with other organizations, and promoting the Historic Preservation Fund.

Community Workshop participants responded to challenges presented in four hypothetical scenarios by employing preservation strategies (see Appendix B). The participants expressed interest in creative ways to document historic places, voluntary plan books, design guidelines, and changes to existing regulations.

Phase 4: Implementation

The final phase of the planning process outlined specific action items and created a timeline for implementation.

The Historic Preservation Commission and City Council proved crucial throughout all phases of the Preservation Master Plan process. The Historic Preservation Commission discussed the Plan at both regular monthly meetings and publicized subcommittee meetings. Each phase had a designated Commission subcommittee which met at least once to work on their phase of the Plan. In addition, Historic Preservation Commission members participated in all of the public meetings for the Plan, soliciting feedback from citizens and helping to lead small-group discussions.

The Historic Preservation Commission's active involvement and opinion sharing was invaluable to the Plan, especially in developing and prioritizing the visionary yet achievable action items. The City Council endorsed each phase of the Plan at a regular meeting. In addition to these endorsements, City Council initiated a discussion about the period of significance for the Preservation Program, specifically the date of construction for buildings to qualify for landmark eligibility and demolition review. On September 8, 2015, the City Council held a joint study session with the Historic Preservation Commission to discuss the draft Preservation Master Plan and any requested revisions to the document prior to formal adoption.

City staff and the Historic Preservation Commission members presented the draft Plan to, and received feedback from, the following Boards and Commissions: Louisville Sustainability Advisory Board, Louisville Revitalization Commission, Business Retention and Development Committee, Historical Commission, and Planning Commission. The Plan was also presented to the Downtown Business Association and local realtors. The feedback from these Boards, Commissions, and community organizations was incorporated into the final draft Plan presented to the Historic Preservation Commission and City Council.

City Council approved the Preservation Master Plan on XXX XX, 2015 by Resolution XX, Series 2015.

Louisville women preparing chicken, c. 1940

City History

The preservation of Louisville's past has been and will continue to be a key element in sustaining the City's small town character and sense of place now and into the future. Louisville's history is not static; it will continue to change. It is the vision of the Plan to retain connections to the past and foster its stewardship into the future.

Before the 1860s arrival of European settlers, both the Cheyenne and the Arapahoe hunted area grasslands around what today is Louisville. The historic Davidson and Goodhue ditches providing beneficial irrigation to early homesteaders in the 1870s. By the time the Colorado Central Railroad arrived in 1873, the area boasted a few hay farms amid prairie grasses.

Louisville's agricultural and mining history overlapped when Charles C. Welch, vice president of the Colorado Central Railroad, acquired the right to mine for coal deposits on settler David Kerr's farm. Louis Nawatny, a manager for Welch's mining operations, laid out a town site near the newly opened coal field on October 24, 1878. He modestly named the new community-- an eight-block town plat that encompassed Walnut, Spruce, Pine, 1st (now Front), and 2nd (now Main) streets-- after himself.

The success and increasing industrialization of nearby coal mines prompted Louisville's earliest growth. Mining attracted new settlers, especially immigrants from the United Kingdom, Austria, Germany, Italy, and across Eastern Europe. Louisville had several small ethnic enclaves. The English settled along LaFarge Avenue in the shadow of the Acme Mine's belching smokestacks and massive boiler. A small "Frenchtown" developed to the south of Old Town within the Murphy Place subdivision. The "Little Italy" neighborhood encompassed the approximately twenty-five homes north of Griffith Street between Main Street and Highway 42. Italians eventually became the largest single ethnic group in Louisville, with bocce courts, numerous popular restaurants and other local businesses, and the continuing prevalence of Italian surnames marking their influence on the community .

In 1880, Welch, railroad executive and mining investor, platted Jefferson Place, the town's first residential subdivision, just to the west of the original Louisville. When incorporated two years later, Louisville boasted a population of about 550. A bustling commercial district developed along 2nd Street (now Main Street), a lively thoroughfare featuring sidewalks, shade trees, and significant businesses. A town ordinance segregated Louisville's numerous billiard halls and drinking establishments, catering to a rough-and-tumble mining crowd, to 1st Street (now Front Street).

The smell of coal smoke clogged the air and much of the local economy relied upon nearby mining, but Louisville differed from a typical coal camp. Louisville attracted families, not just bachelor miners. Women encouraged more cultured development that included newly-established church congregations, schools, and the community's first newspaper. In addition, social clubs and lodges fulfilled important community functions, not only platting and administering the Louisville Cemetery but also opening their halls for local plays, concerts, and school graduations. Infrastructure improvements also arrived: electricity in 1898, telephone service in 1903, and interurban trolley service between Denver and Boulder in 1908.

Mining promoted transience--when one coal field fizzled, another beckoned and miners moved away--and faced both seasonal and labor-related stoppages. But a diversified economy and sense of community offered Louisville stability. The town was an agricultural service center for nearby farmers and generated capital through railroad exports, chiefly coal and grain. Circa 1905, entrepreneur John K. Mullen strengthened Louisville's status as an agricultural and railroad hub when he commissioned a grain elevator adjacent to the railroad tracks.

"Growing up in Louisville in the 30s and 40s was an experience in itself. Jobs were hard to come by. Mining was the thing to do. Most of the miners were laid off in the summer months, and worked hard during the winter to pay off the debts created during the summer months. We were all poor growing up, but we didn't know any different because almost everyone else was in the same boat."

-David W. Ferguson (born 1928), *Louisville Historian*

Workers at Monarch Mine

Louisville Grain Elevator,

preservation in louisville

Many miners remained in Louisville due to its quality of life. In this ethnically diverse, economically homogenous community most citizens lived modestly. When the mines closed each summer, miners worked on nearby farms or in construction. Mining families grew gardens at the back of spacious residential lots, made pasta and wine, or raised canaries.

By 1911, Louisville included twelve residential subdivisions and a population of roughly 2,000. Louisville was not a "company town." Instead, housing developed organically creating a diverse, yet modest, architecture based upon popular styles and a well-established pattern of moving buildings onto new lots. Mining subsidence influenced construction materials and most buildings were wood rather than brick.

The late-1910s through the 1940s were a tumultuous period for Louisville. The local economy had suffered through mining strikes before, but the "Long Strike" of 1910 to 1914 dramatically reduced coal production and, ultimately, needed federal troops to restore order. Prohibition, declared in 1916, devastated Louisville's lucrative saloon economy. In the post-World War I period, rising competition from other types of fuel closed coal mines in Louisville and elsewhere across the country. Both coal and railroad revenues declined further in 1928 when a new natural gas pipeline extended from Texas to Denver.

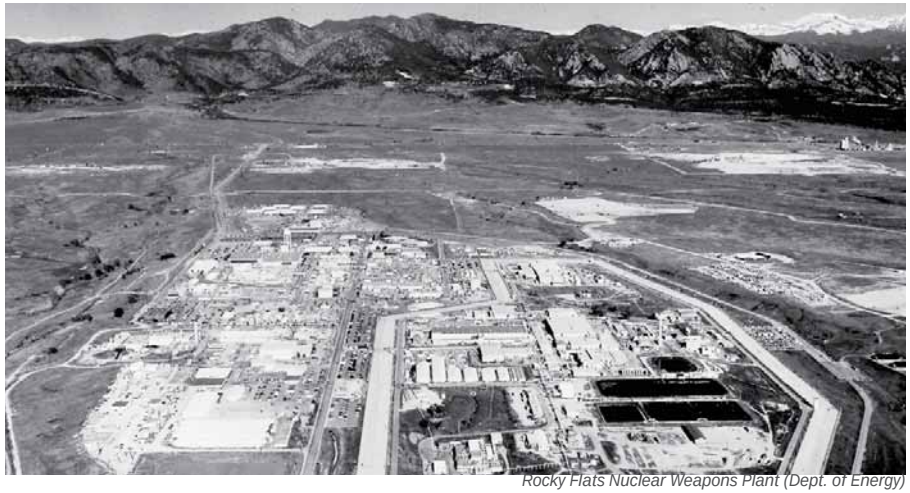
The Great Depression affected Louisville's economy, but the community survived this economic downturn in a stronger position than many other places due to the strength of its agricultural and saloon industries, a growing reputation for its Italian restaurants, and several Louisville mines remaining open. Bootlegging during Prohibition was widespread, though illegal. When Prohibition was repealed in 1933, Louisville reclaimed its role as Boulder County's most popular "wet" community. During these difficult decades Louisville grew slowly, adding only one new subdivision toward the end of the Great Depression.

By the end of World War II, coal towns all across the United States died. Coal use had declined and supplied only 34 percent of the nation's energy needs. In addition, the coal industry faced the negative effects of the nation's railroads converting to diesel fuel. Throughout the 1940s and 1950s many national and Colorado coal mines closed. The last coal mine in Louisville, the New Crown, closed in 1955. Despite the end of mining, the Town of Louisville survived due to its economic diversity and social stability.

As the last mines closed, Louisville experienced a critical transition. The end of mining was economically and culturally difficult for many of its citizens, but the end of the coal era prompted Louisville to evolve into a modern city. In 1951, voters approved a bond issue to fund a sewage system, bringing an end to the use of outhouses, and the town paved its streets. The 1952 opening of the Boulder Turnpike (US 36), connecting Denver and Boulder, represented another modern improvement for Louisville. At the same time, the Department of Energy opened Rocky Flats Nuclear Weapons Plant to the southwest .

Ease of commute and new employment opportunities with Rocky Flats led to the first significant population increases in Louisville since the 1910s. The Bella Vista and Scenic Heights neighborhoods, with ranch style homes and curvilinear streets, were constructed in the 1960s to meet the need for more housing. This explansion allowed children who had grown up in Louisville to purchase their own homes. Rather than well-known developers, World War II veterans and Louisville natives were responsible for these two subdivisions. In Bella Vista partners Herbert and Glenn Steinbaugh, Joe Madonna, and James McDaniel named the development's four streets after their wives. Locals Carmen Scarpella and Joe Colacci platted Scenic Heights and Charles Hindman and Scarpella built most of the homes.

Moving a house in Louisville



Rocky Flats Nuclear Weapons Plant (Dept. of Energy)

116 Aline Street, Bella Vista, Assessor Card, 1958

In 1962, Louisville reached the 2,500 population threshold to become a City of Second Class. Since reaching this number, Louisville's population and geographic limits have continued to increase. Construction of McCaslin Boulevard encouraged further residential and commercial development to the west. StorageTek, a data storage company, became a major employer when it opened in 1969. This operation, and other technological **businesses, attracted well-educated, affluent** residents to Louisville and further increased the demand for housing. As a result, the City added a total of 38 subdivisions during the 1970s. In 1976, the City of Boulder adopted a series of growth management policies, known as the "Danish Plan." These measures, and the reputation of Louisville as a livable community with small-town character, triggered continuing residential growth. New job centers, like the Colorado Technology Center and Centennial Valley, also attracted new citizens to Louisville. During the 1980s, the City added another 26 residential subdivisions, expanding the municipal limits even further from its original core.

The opening of Sam's Club and Home Depot in the mid-1990s made Louisville a regional retail center, mirroring its early development as an agricultural and railroad hub for surrounding smaller communities. In the face of continued growth, Louisville addressed issues associated with historic preservation and environmental conservation. Emphasis on commercial growth along McCaslin Boulevard and South Boulder Road not only boosted Louisville's economy but also contributed to the preservation of historic buildings within the commercial core of Old Town. In 1993, partially in response to high levels of residential development, Louisville voters endorsed an open space tax. These funds helped retain some original farms, tangible links to the community's agricultural past, and provided vital recreational spaces. In 2008, local voters approved a special sales tax for historic preservation, making Louisville the **first (and one of the only American municipalities) to** honor its history and architecture monetarily.

StorageTek (Glenn Asakawa, The Denver Post)

In the 2000s, Louisville achieved national recognition for being one of the best places to live. Bert Sperling's 2006 book, Best Places to Raise Your Family: Experts Choose 100 Top Communities That You Can Afford, listed Louisville as the "best of the best" at #1. In 2012, Family Circle magazine placed Louisville among the top ten "Best Towns for Families." Money Magazine, in its biennial listing of the best smaller towns and cities, ranked Louisville as #5 in 2005, #3 in 2007, #1 in both 2009 and 2011, #2 in 2013, and #4 in 2015. Louisville is a community that appreciates its history and, like early miners, people attracted to the high quality of life.

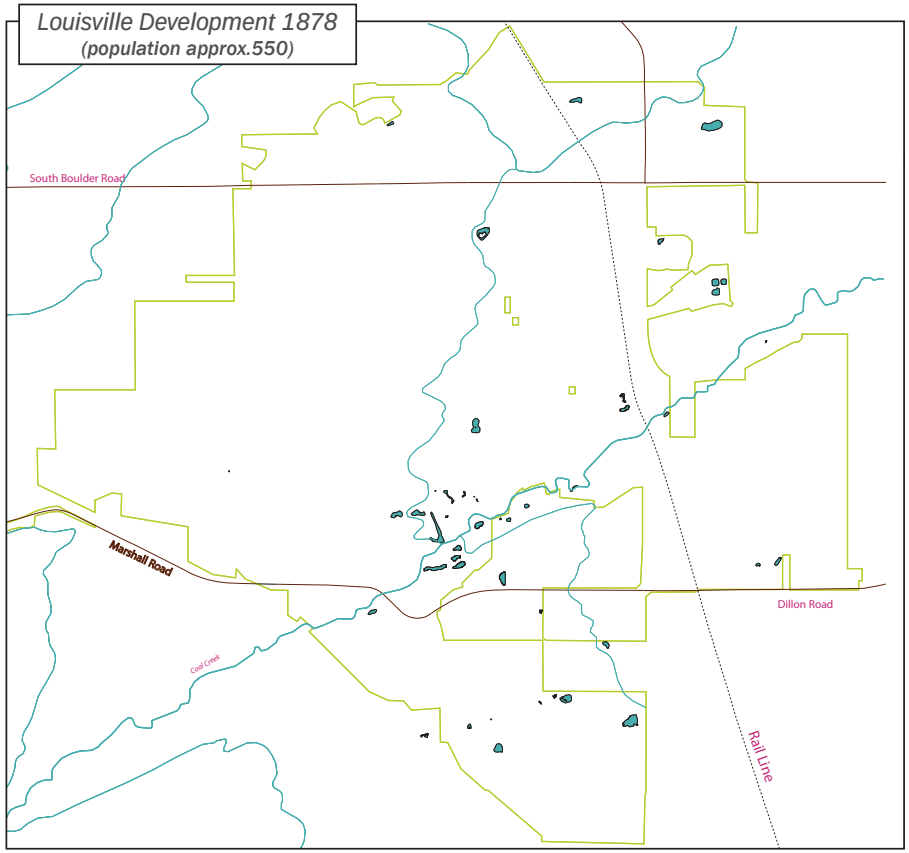
Louisville Labor Day Parade

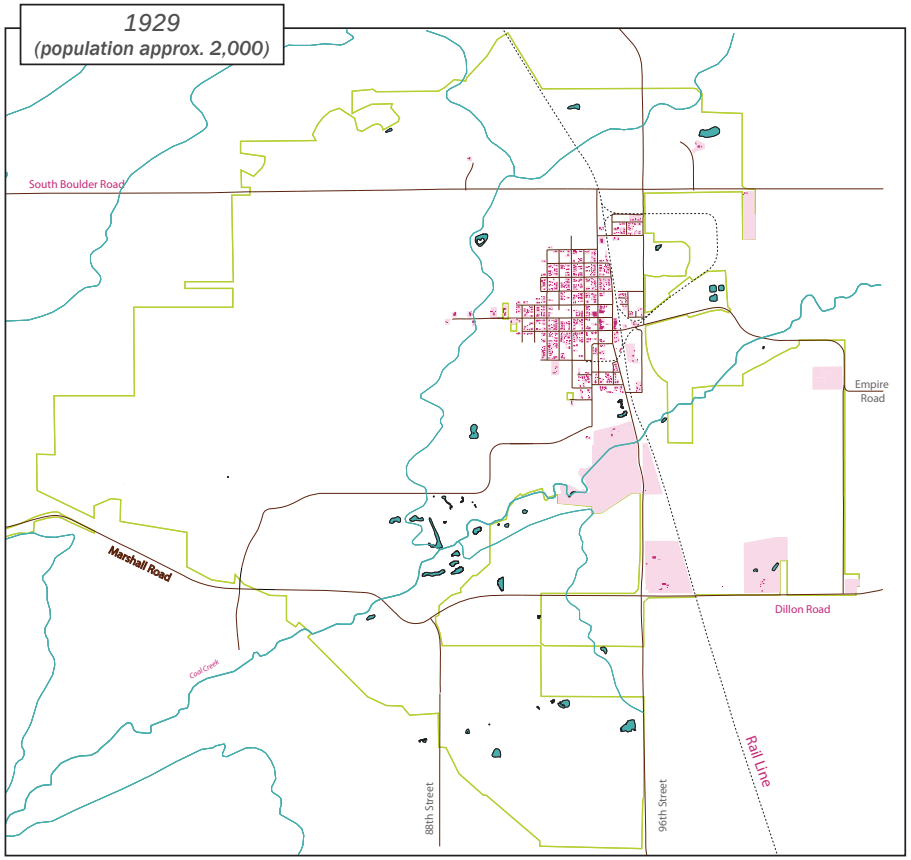
Money Magazine, August 2009

"I think that to view the historic downtown as a strength is to value several things: our downtown businesses; treasured public institutions located downtown such the Louisville Public Library, Louisville Center for the Arts, and Louisville Historical Museum; and of course the historic residential neighborhoods that give the town such a unique sense of place. Historic Main Street alone is a city asset that I think that many communities envy about Louisville and that we shouldn't take for granted. "

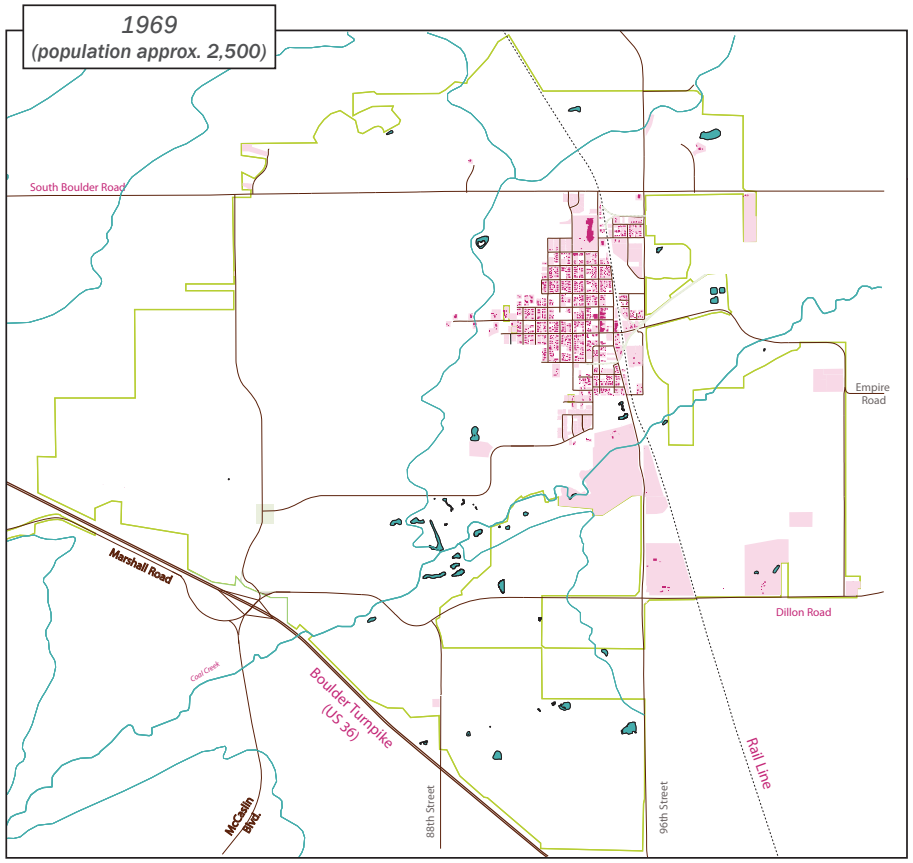
-Anne S. from *EnvisionLouisvilleCO*

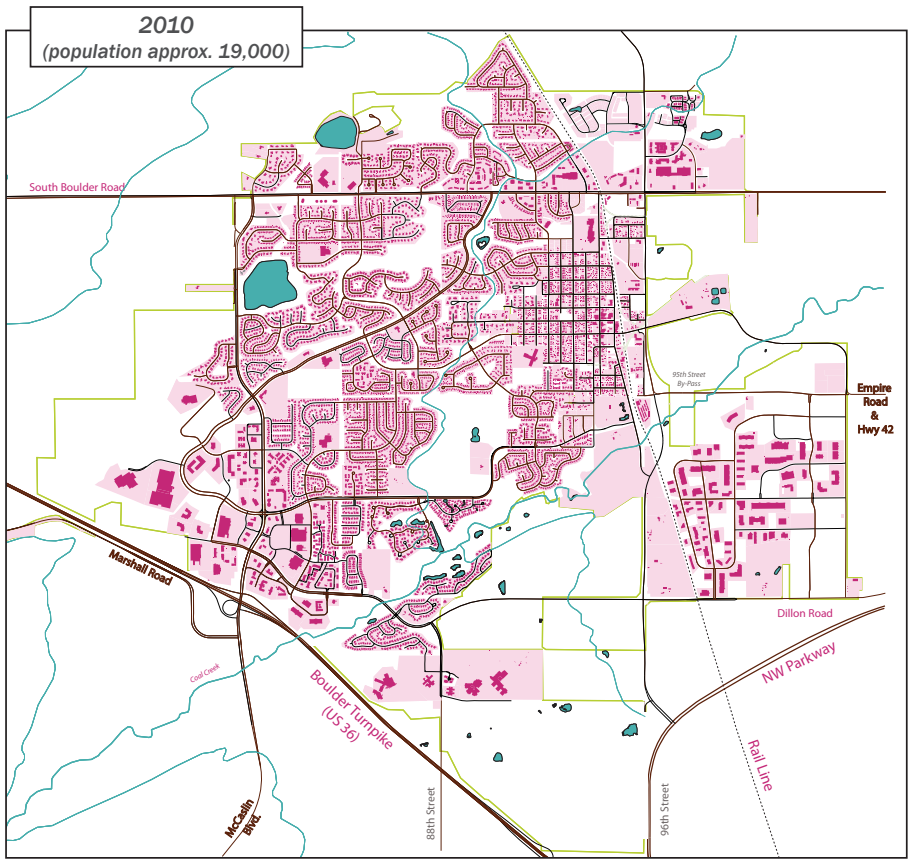
preservation in louisville





Current City of Louisville limits


1969
(population approx. 2,500)
South Boulder Road
Empire Road
Dillon Road
Marshall Road
Coal Creek
Boulder Turnpike (US 36)
McCaslin Blvd.
88th Street
96th Street
Rail Line


2010
(population approx. 19,000)
South Boulder Road
95th Street By-Pass
Empire Road & Hwy 42
Dillon Road
NW Parkway
Marshall Road
Coal Creek
Boulder Turnpike (US 36)
McCaslin Blvd.
88th Street
96th Street
Rail Line

preservation in louisville

Historic Building Stock

Louisville's architecture parallels its history.

Agriculture, railroads, and mining attracted the earliest residents to the emerging community. Tangible reminders of Louisville's hay and crop growing past include former farmsteads encircling the City and preserved as popular open spaces. Thanks to the vision and tenacity of a coalition of citizens, business owners, preservationists, and architects, Louisville's rare and iconic 110-year-old stacked plank grain elevator towers over the still-active railroad track and is poised to reinvent itself as a vital new community hub.

Industrial history resources rarely remain after their productive lives, and Louisville possesses few physical landmarks of the prosperous, smoke-belching mining operations that once dominated the community. Instead, this history remains alive not only in the stories, mementos, and ethnic traditions the descendants of miners cherish and share but also the entrepreneurial spirit of contemporary Louisville.

The City possesses a wealth of commercial buildings in its historic Downtown. These individual places represent a mix of different styles and time periods. That architectural variety contributes to the unique sense of place in Louisville's downtown, making this area attractive to business owners, citizens, and visitors alike. Downtown is not a stage set of Victorian architecture, but a vital, lively place that continues to evolve. A glimpse at the businesses along Main and Front Streets, walkable and with crowded sidewalk **patios, defines and embodies Louisville's small-town** character.

No one style dominates Louisville's residential architecture. Old Town features a pleasing mix of Victorians with characteristic scrollwork and spindled

Louisville Grain Elevator

Barn at Murphy Farm

Sweet Cow and Lucky Pie

porches, modest former miner cottages adapted to house contemporary families, low-slung brick bungalows with wide and welcoming porches, a wealth of moved buildings indicating a practical and economical make-do spirit, and other homes representing the community's development during its mining heyday.

Louisville's homes from the recent past illustrate the city's modernization and continued vitality in the post-mining era. The 1960s subdivisions of Bella Vista and Scenic Heights feature rectilinear, streamlined ranch homes with carports or small garages and tell the story of Louisville citizens pursuing the American dream during the prosperous post-World War II period. In response to new tech jobs in Louisville, local and regional developers platted and built large subdivisions full of mostly split-levels, spacious and livable homes designed to **accommodate growing families on multiple floors** with two-car garages. The majority of Louisville's housing stock is located within large scale developments featuring not only houses but also new schools, parks, churches, and other amenities.

925 Jefferson Avenue

"In the hot dry summers in Louisville, the roads became almost impassable. The dry weather made the streets as dry as the desert, and the traffic on the roads resulted in a continuous cloud of dust on the main streets of the town. In addition, the traffic caused the dry streets to become ridged like a washboard, and a trip on them in a Model T was a tooth jarring experience. The city fathers, in a defensive maneuver, developed a water sprinkling scheme to wet down the streets (especially Main Street and the streets where the mine owners and bosses lived) and to keep the dust down on the hot dry days of summer. It was an inadequate solution, but it was used for many years."

- Harry Mayor (1918-2014), *Louisville Historian*

1140 Lincoln Avenue

1145 Main Street

503 Sunset Drive

preservation in louisville

Preservation Benefits

Historic preservation is a powerful tool that benefits not only the owners of landmark properties but also the community as a whole.

Bella Vista subdivision

Protects Louisville's architecture, history, and small-town character

Preservation is about retaining links to the past and preserving them for the future. Historic buildings help make Louisville more livable and attractive with a mix of architectural styles lending variety to streetscapes. These places help **communities remember events, both significant and** commonplace. Preservation is not just about pristine architecture but, more importantly, the sites that **define the City's history and evolution.**

Louisville emerged as a modest coal town. While the smoke has cleared and the mines have closed, the community's designated landmarks continue to strengthen small town life. Louisville's older houses, ranging from miner cottages in Old Town to ranches in Bella Vista, recall the importance of living in close knit, friendly neighborhoods.

A visit to Front or Main Streets evokes an era when shopping locally was the only option. Louisville's sidewalk cafes, walkable streets, and independent **shops have evolved, yet continue to define the** essence of small-town character in today's Louisville.

Atkin House, 1101 Grant Avenue

Creates a sense of place, differentiating Louisville from other nearby communities

Unlike new planned developments, most historic residential neighborhoods and downtown commercial areas possess a pleasing mix of architectural variety that has evolved over time. That variety and evolution also distinguishes one historic area from another. Louisville's sense of place owes a major debt to the generations of home and business owners who have cherished and maintained their buildings, such as the Atkin House at 1101 Grant Avenue. Protections associated with Louisville's voluntary preservation program—landmarking, overlay zoning, design review, and Historic Preservation Fund grants—continue to safeguard this sense of place and ensure it will be a part of the City's future.

Fosters community identity, inspiring pride in the places most closely linked to Louisville's history

Preservation provides opportunities to define a community. Landmarks, like the Louisville Grain Elevator, speak volumes about the City. It is a proud reminder of the community's agricultural origins. More recent collaborative efforts to save the building represent what it means to be part of something larger than any one individual. Working for the common good, preserving places for future generations is at the heart of Louisville's Preservation Program. Thanks to the efforts of many **elected officials, citizens, architects, preservationists,** and entrepreneurs, the Louisville Grain Elevator represents a positive story for the entire community.

Cultivates tourism, encouraging visitors to experience Louisville's unique environment, businesses, and historic places

Louisville employers, residents and visitors crave authenticity. Louisville's Preservation Program and quality building stock provide a powerful tool that can encourage tourism, helping the City provide for real yet unique experiences. Louisville's diverse architecture offers visitors a glimpse at over 137 years of history, allowing residents and visitors to better understand what it means to be a part of the Louisville community, both old and new. Preservation and promotion of Louisville's past, provided and will continue to provide, an economic multiplier effect. Visitors eat at local restaurants, shop at local stores, and become excellent word of mouth advertisements for Louisville's high quality of life that preserves the past and ensures its place in the future.

Louisville Center for the Arts

Contributes to environmental sustainability

The "greenest" building is one that already exists. Adaptive reuse breathes new life into old buildings. Choosing to retain, maintain, restore, or rehabilitate a historic building represents recycling on a large scale. Such a commitment to preservation is more environmentally responsible than constructing a new building. Older buildings, constructed with the local climate in mind, can save energy, greenhouse gas emissions, and scarce natural resources. In Louisville, the circa 1894 landmarked schoolhouse illustrates **the influence of adaptive reuse, serving as a library and recreational hall before fulfilling its current** use as the Louisville Center for the Arts. This much-cherished resource continues to play an important role in the life of the community.

Pearson Store, 927 Main Street

Leverages public dollars for private investment through Louisville's Historic Preservation Fund

Preservation is good for the economy. According to the National Trust for Historic Preservation, restoration and rehabilitation projects retain more money in the local economy, both in terms of purchases and job growth, than new construction. In 2008, Louisville voters recognized the economic potential of preservation and created a local Historic Preservation Fund. Through 2014, this City has invested over $750,000 in landmark properties, including the Pearson Store at 927 Main, through Historic Preservation Fund grants. The investment has resulted in over $1.6 million in projects.

"Louisville has the status of a respectable, admirable, and enviable Historic Preservation Program throughout the state and perhaps the country. Our Historic Preservation Fund is unique and you'd be amazed at how many times I hear people from other communities respond with astonishment and envy when our fund is mentioned at conferences or trainings. Our historic preservation zoning benefits are looked at with respect. Louisville's Historic Preservation Program was just featured in a National Park Service publication. And our pursuit of a preservation master plan shows our commitment and dedication to preserving our heritage while placing Louisville in the company of other historic preservation big leaguers."

- Jessica Fasick, Historic Preservation Commission

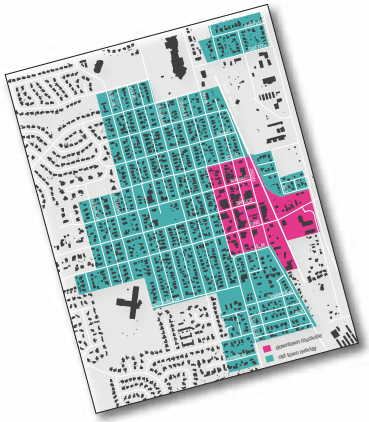
preservation in louisville

Preservation Program History

Austin -Niehoff House, 717 Main Street

Louisville residents have recognized the importance of preserving their history, with relatives passing down heirlooms and families maintaining inherited properties for generations. The City formalized this community value starting in the 1970s by initiating the efforts that led to the opening of the Louisville Historical Museum and the development of the Historic Preservation Commission. Recognizing the economic and social importance of Louisville's historic center, the City assembled a coalition to develop strategies to encourage voluntary preservation and enhancement of Old Town and Downtown through the Old Town Overlay and Downtown Framework Plan. Louisville demonstrated its commitment to historic preservation by designating City-owned buildings, like the Austin-Niehoff House and the Center for the Arts, as some of **the community's first landmarks.**

In 2008, Louisville voters approved the Historic Preservation Fund, a special sales tax used to fund historic preservation projects. By the end of 2014, this local funding source awarded over $750,000 to projects to preserve, protect, and enhance Louisville's heritage.



1978
Louisville centennial activities inspired interest in local history

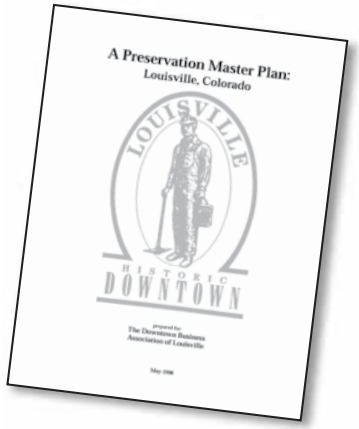
1979
Louisville Historical Commission established

1982
First historical and architectural survey of Louisville completed

1986
Louisville Historical Museum opens and Historical Commission assists with nomination of twelve historic sites to the National Register of Historic Places

Early 1990s
Downtown Improvement Task Force established **to address issues of infill** development in historic commercial core and effect of commercial enterprises along McCaslin Boulevard upon the Downtown economic vitality

1995
Old Town Overlay created to protect against insensitive new construction in oldest residential areas of Louisville



1996
Downtown Business Association, Louisville Economic Development Committee, and Historic Boulder write "The Next Decade Plan" for Downtown

1998
Based upon recommendations in Downtown plan, Preservation Master Plan prepared by the same parties; City Council never adopted this plan but many of the recommendations have since been accomplished

2000
Historical and architectural survey of Old Town completed

2002
Louisville Historic Preservation Commission established

2005
City adopted historic preservation ordinance that created Louisville's Preservation Program and introduced process for designation of local landmarks; Louisville **also became a Certified** Local Government

2007
Demolition of the majority of iconic Art Deco Louisville Middle School inspired community support for historic preservation

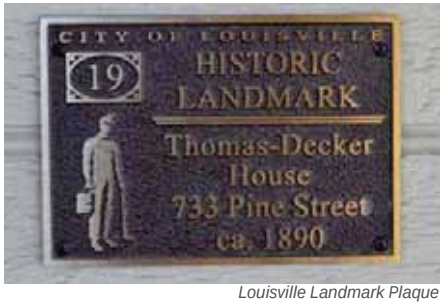
2008
Louisville voters approved dedicated municipal sales tax for historic preservation

2013
Reconnaissance survey of Old Town and Jefferson Place historical and architectural survey completed; City of Louisville's Comprehensive Plan calls for preparation and adoption of a Preservation Master Plan

preservation in louisville

Current Preservation Program

Louisville's Preservation Program is robust with an emphasis on public awareness and incentive-based preservation, but can be improved further. The Preservation Program has encouraged the voluntary landmarking of 29 properties. The City of Louisville also has 12 properties listed on the National Register of Historic Places.



Louisville Landmark Plaque

Louisville's Preservation Program performs four broad functions:

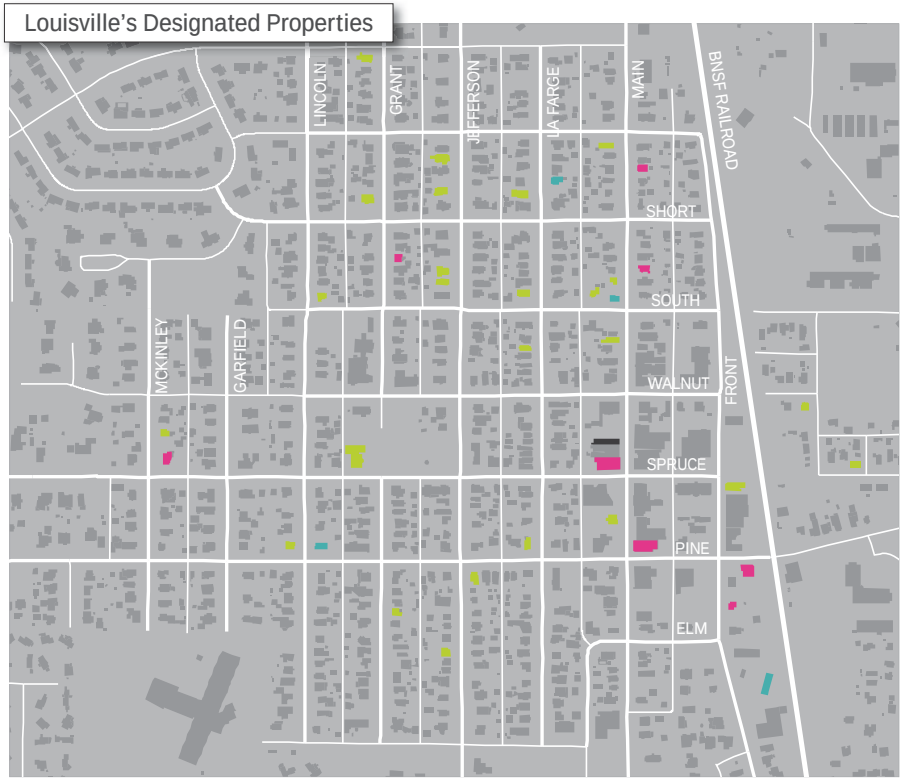
1) Administer the Municipal Code:
The majority of the regulations governing the Preservation Program are documented in Chapter 15.36 of the Louisville Municipal Code, with further clarification in various City Council-approved resolutions. Chapter 15.36 allows for the voluntary landmarking of significant buildings and places in Louisville to preserve and enhance the historic character of the City. Landmark designation requires owner consent, evaluation at a Historic Preservation Commission public hearing, and City Council authorization. Landmarks cannot be demolished or their exteriors materially changed without an Historic Preservation Commission-approved alteration certificate. Historic districts, composed of multiple buildings that share history or architecture, also may be designated with similar procedures and limits on future changes. Currently, the City does not have any historic districts.

The City's Old Town Overlay Zone District, Section 17.12.050 of the LMC, regulates development in Old Town. One of the benefits of landmarking Old Town buildings is a bonus in allowed lot coverage and floor area ratio for approved additions and accessory structures. Even if an Old Town building more than 50 years old is not landmarked, it still is eligible for lot coverage and floor area ratio bonuses if a portion of the building is retained. Also, any new construction within the Old Town Overlay must comply with the Overlay's yard and bulk standards.

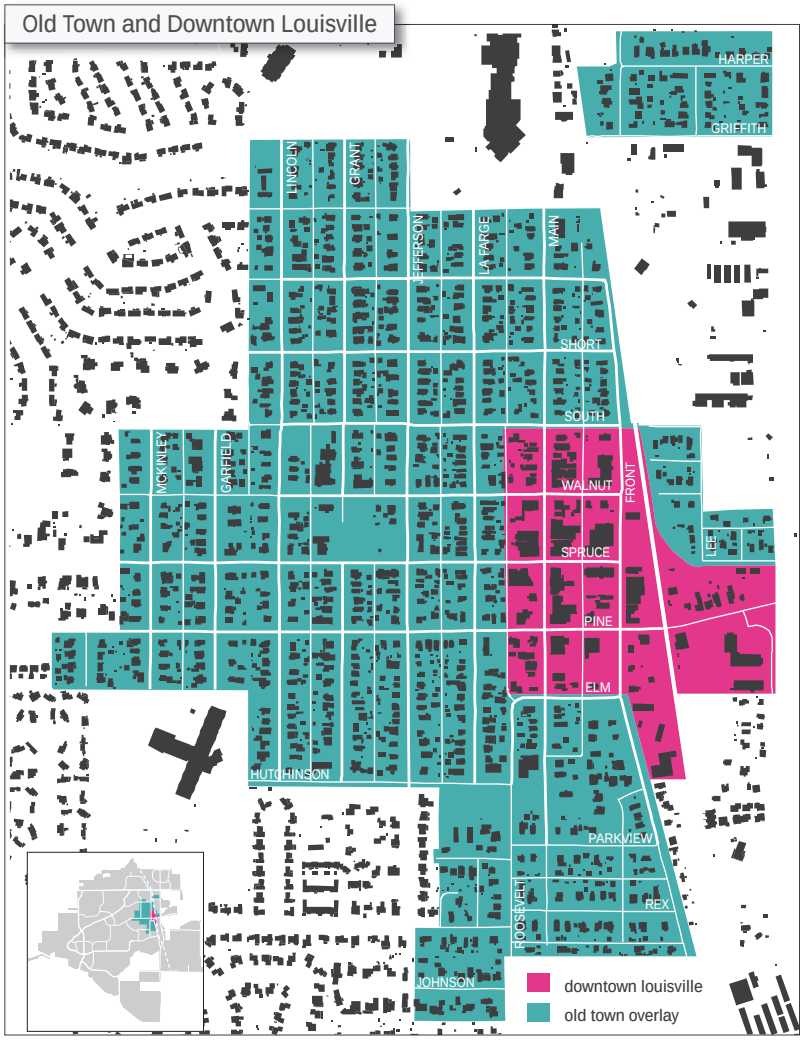
All Louisville buildings 50 years or older require demolition review, a process that applies to most exterior changes up to and including full demolition. The Historic Preservation Commission conducts demolition reviews and may place a stay of up to 180 days on applications for buildings determined to be potentially significant. During the stay, the Historic Preservation Commission works with the applicant to find a mutually beneficial alternative to preserve the historic character of the building while meeting the applicant's development needs. If no alternative is reached, the applicant may proceed with the demolition when the stay expires.

2) Manage the Historic Preservation Fund:
In 2008, Louisville citizens voted to establish the Historic Preservation Fund (HPF), supported by a 1/8% sales tax in effect from 2009 through 2018. The proceeds are intended to further preservation in the Downtown and Old Town areas of Louisville. The majority of HPF money provides preservation and restoration grants for landmarked residential and commercial buildings. To assure appropriate use of HPF grants, the Preservation Planner accompanies City building inspectors to assist with final reviews of restoration and rehabilitation projects. Property owners also may use HPF grants for Historic Structure Assessments to assess the overall health of their eligible buildings prior to landmarking. The City

Louisville's Designated Properties



- local landmark
- national register of historic places
- local landmark and national register
- conservation easement



uses HPF money to purchase and maintain valuable buildings. If a building is not eligible for landmarking, HPF grants may be offered in exchange for conservation easements. Approved new construction projects on commercial landmaked properties also are eligible for grants. Finally, the HPF also partially funds City staff's preservation work, including education and outreach activities. The City authorized a loan program as part of the HPF, but has yet to implement it.

3) Certified Local Government:
The Certified Local Government (CLG) program encourages local preservation. In 2005, the National Park Service and History Colorado granted Louisville CLG status. As a CLG, the City must possess both a Historic Preservation Ordinance and Commission. CLGs also review and comment on applications for designation of local properties to either the State or National Registers. Upon becoming a CLG, Louisville accepted the responsibility for surveying the historic resources of the entire City and has, to date, completed several historical and architectural survey projects, including Jefferson Place. In return for **fulfilling these preservation duties, local landmarks** may be eligible for state and federal tax credits for qualifying improvements. In addition, the Louisville Preservation Program is eligible for annual awards from the CLG competitive grants program and may participate in specialized training and preservation networking opportunities for Planning staff, the Historic Preservation Commission, and City Council members.

4) Deliver Outreach and Education:
Encouraging property owners to landmark historic properties represents the most important aspect of the Louisville's Preservation Program outreach activities. In 2015, the National Park Service acknowledged the Louisville Historic Preservation **Program for its work developing a fourth grade field** trip focused on development, adaptive reuse, and downtown revitalization. The Historic Preservation Commission shares information at community events and in community newsletters. The Historic Preservation Commission and City also publish best practices and hold workshops on preservation topics, such as adding on to historic houses or refurbishing windows. Key partners, including the Louisville Historical Museum, Historical Commission, and History Colorado, help Louisville's Preservation Program to achieve its outreach goals and important initiatives.

Numerous individuals and groups perform vital roles in Louisville's Preservation Program. Within the City government, responsibility for the Preservation Program resides mostly with the Department of Planning and Building Safety, particularly the Preservation Planner. This professional interacts with the public to answer questions about historic preservation and landmarking. In addition, the Preservation Planner reviews building permits to ensure they comply with preservation processes. The Preservation Planner works with the Museum Coordinator to develop staff reports for the Historic Preservation Commission and City Council, documents that assist with decision making for landmark designation, HPF grant awards, and **alteration certificates.**

The Louisville Historical Museum also provides many other resources, both to other City departments and the public. These include digital copies of Boulder County Assessor's cards for many properties in Old Town, historic maps, and oral histories. In addition, the Museum publishes and distributes over 4,400 copies of a quarterly newsletter, the *Louisville Historian, annually.*

The Preservation Program extends beyond just the City, particularly as it relates to Open Space parcels jointly owned by Louisville, the City of Lafayette, and Boulder County. The City has contributed to the preservation and restoration of historic resources on these joint properties, most notably the historic farm house and structures on the Harney Lastoka property.

preservation in louisville

The Historic Preservation Commission is a seven-member, City Council-appointed quasi-judicial/ advisory board. Key Historic Preservation Commission tasks include:

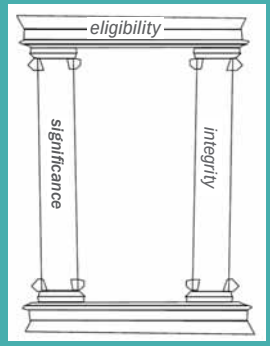
- Making recommendations to Council on landmark requests and grant applications
- requests for demolition permits and alteration **certificates**
- Advising on City design guidelines which include historic elements, such as the Downtown Sign Manual and Mixed Use Development Design Standards and Guidelines
- Reviewing and commenting on land use applications within or near Downtown, Old Town Louisville, or elsewhere that impact historic properties and
- Evaluating and making recommendations to City Council about resolutions and ordinances which may impact the Preservation Program

The Historic Preservation Commission membership includes three preservation or design professionals, and these members often provide design assistance to interested property owners, including those undergoing demolition review.

The City Council is responsible for budgeting, setting **priorities, and making final decisions on many issues,** including landmark designations and distribution of preservation grants.

Historic structure at Harney Lastoka Open Space

Landmarking Ceremony at 1245 Grant Avenue, May 2015



What to Preserve: Significance & Integrity

The beam of eligibility for preservation rests on two columns. This eligibility might refer to the National Register of Historic Places, the Colorado State Register of Historic Properties, and the City of Louisville local landmark program.

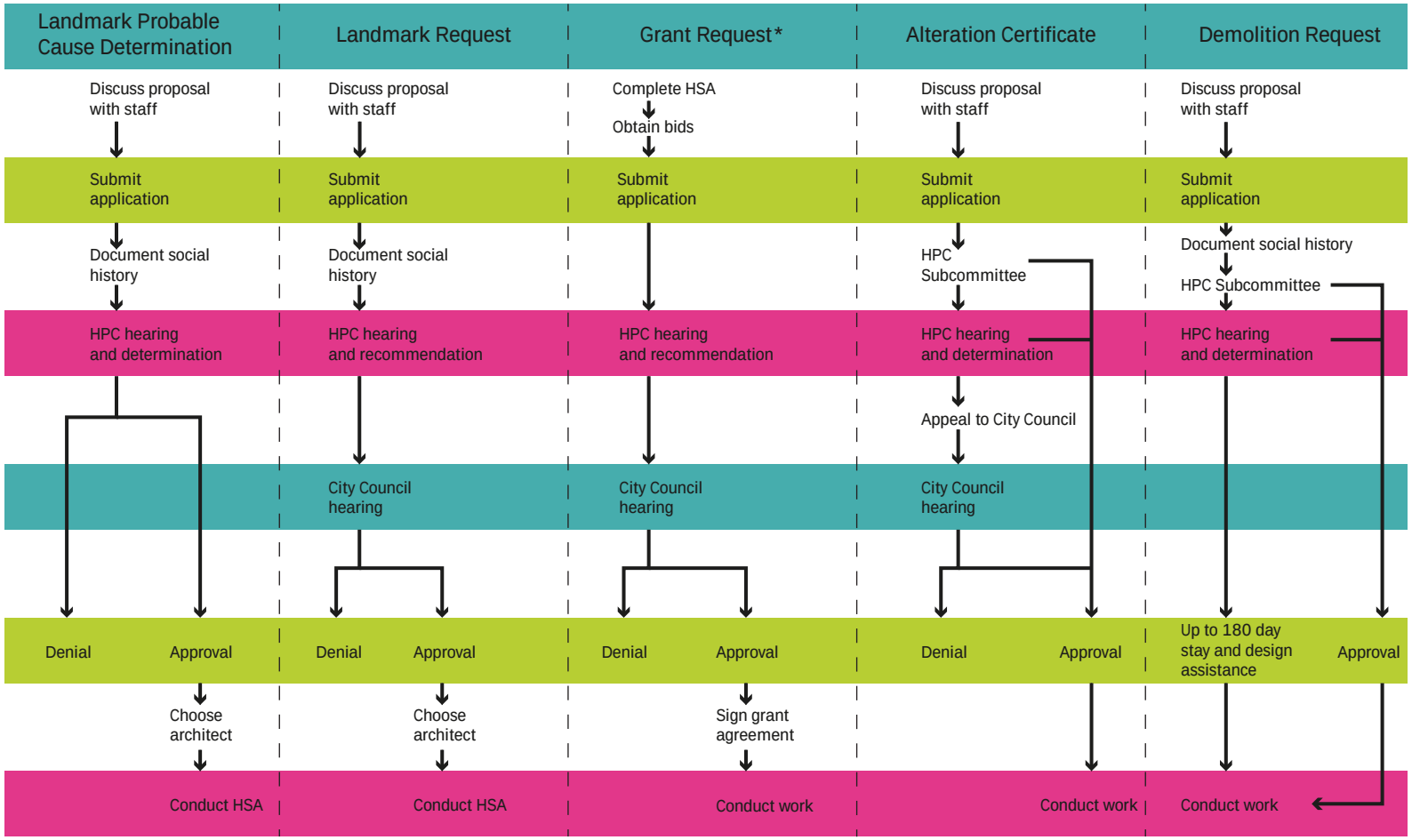
The two supporting columns represent **significance and integrity.**

Significance is the importance of a historic building. In Louisville, designated Landmarks must be at least 50 years old and meet one or more of the criteria for architectural, social or **geographic/environmental significance.**

Integrity refers to the physical intactness of the historic building. In Louisville, all properties being considered for designation as landmarks are evaluated for physical integrity.

Both the significance and integrity columns do not need to be absolutely perfect, but they must be strong enough to hold up their end of eligibility.

Current Preservation Processes



*Subsequent to or concurrent with landmark designation

preservation in louisville

Program Analysis

Development of this Preservation Master Plan occurs approximately ten years after the City Council adopted the municipality's original Historic Preservation Ordinance. A decade allows for all preservation participants – residents, the Historic Preservation Commission, Planning staff, and the City Council — to understand the intricacies of this legislation, the practices it allows, the strengths and weaknesses of the existing Historic Preservation Ordinance and the Preservation Program it enables.

Input from the Plan-related public meetings and other outreach, results of the customer satisfaction survey, discussions with local preservation constituents, and comparison to recognized best practices identified numerous strengths and weaknesses of the City of Louisville's historic preservation program.

Strengths

Voluntary landmark designation matches the public interest. This approach represents the appropriate balance between honoring historical and architectural significance and respecting personal property rights. The community appreciates all of the municipal, corporate, and private property owners who have chosen to landmark their properties and provide responsible stewardship to assure these sites are preserved for future generations. Continued success of the City's voluntary program relies upon pursuing creative ways to encourage landmarking.

The **voter-approved Historic Preservation Fund (HPF)** represents an impressive community asset to support historic commercial and residential buildings within Downtown and the Old Town Overlay. Citizens and leaders are justifiably proud of passing the only documented example of a municipal sales tax to fund historic preservation and of the tremendous financial impact of this grant program on the appearance and legacy of Louisville. This funding source has become an established preservation benefit in Louisville and its 2018 sunset will have tremendous implications for the Preservation Program and the city as a whole.

Louisville's Preservation Program relies upon the **contributions of many professionals and volunteers.** Collaboration among Planning staff, the Museum Coordinator, Historic Preservation Commission members, and other Boards and Commissions represents a particularly effective aspect of Louisville's Preservation Program. Louisville hired a Preservation Planner in 2014, and productive cooperation among the Planning staff continues to enhance both the capacity and reputation of the City's Program. The Museum Coordinator prepares detailed historical background narratives for properties applying for landmark designation or facing a public hearing for demolition, offering a wealth of information for well-informed decision making. In addition, she has assisted professional consultants with surveys and other preservation projects. Open communication and appreciation for the Museum Coordinator's workload are crucial for the Program's continued success. The seven volunteer members of Louisville's Historic Preservation Commission are active participants in landmarking, demolition and alteration certificate reviews, HPF grant awards, and outreach. The Program will benefit from continued recruitment of knowledgeable, dedicated Commission members. Similarly, opportunities exist to strengthen existing relationships with the Historical Commission, History Foundation, and other groups seeking to improve the city.

Louisville received national publicity for its new **Junior Preservationist program**, one of only five initiatives across the country highlighted in the National Park Service's 2014 annual report. The short article recognized Louisville's field-based learning experience for fourth grade students as one of the "amazing models to share with the rest of the country" and an excellent way to introduce preservation to the next generation. There are exciting opportunities to expand the content and scope of this innovative outreach effort.

NPS Historic Preservation Fund 2014 Annual Report

Weaknesses

The Plan preparation process also pinpointed areas in need of improvement as Louisville's Preservation Program moves forward. These items fall into one of three categories: policy, practice, and perception.

Policy issues deal with the Historic Preservation Ordinance, Section 15.36, within the Louisville Municipal Code, and the standards for the City's preservation program. Examples of policy-related topics needing to be addressed in the Plan include:

- Clarifying administrative rule-making and public notice
- Introducing an administrative review process to streamline the review and release of minor demolition permits and minor alteration certificates
- Employing preservation strategies such as design guidelines, pattern books, conservation areas, and other approaches to further streamline review procedures and possibly provide incentives outside the Old Town Overlay

Practice issues relate to how preservation is accomplished in Louisville. Examples of practice-related items recommended in the Plan include:

- Reformatting and revising existing forms and applications to improve ease of use
- Offering the Planning staff and Commission more educational materials and training opportunities
- Engaging in projects to prepare well-written historic context documents and current survey data to support responsible decision-making and facilitate interpretation
- Standardizing preservation processes to parallel those used elsewhere in the City

Perception issues encompass the public image of preservation in Louisville and the potential to improve such views through more efficient services, increased public outreach, and education. Examples of perception-related items appearing in the Plan include:

- Inefficiencies in the review of minor changes,
- Inadequate written materials on the preservation program's key activities and processes
- A general lack of awareness about available preservation and zoning incentives for historic properties
- Poor communication between the City and contractors and realtors
- Insufficient publicity for existing landmarks and their associated stories

The Plan offers guidance and recommends action items that improve policies to match the voluntary nature of the program, make the City's practice of preservation more efficient, and enhance public perceptions of the Program.

Di Francia Saloon: Locally Funded Preservation

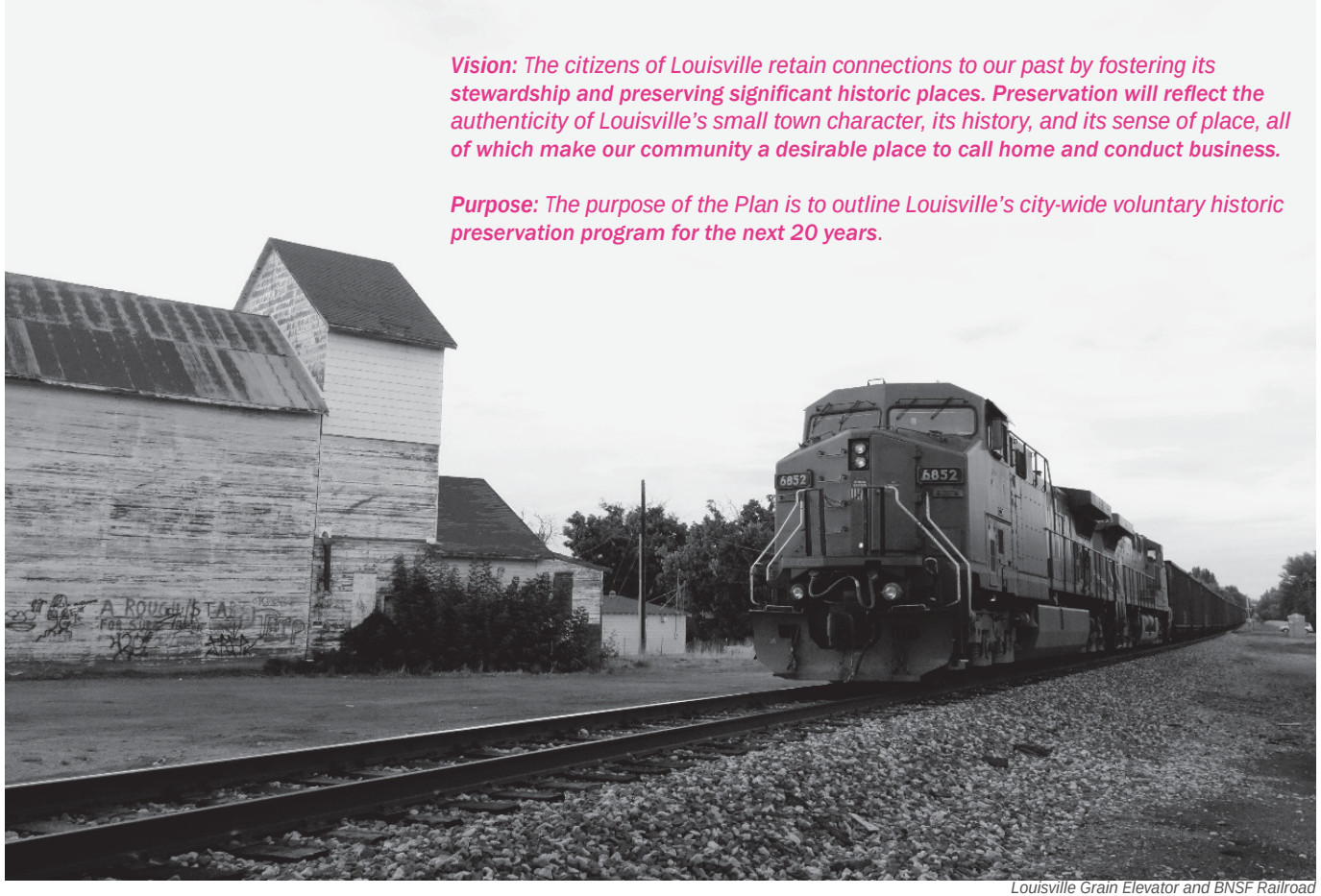
The Di Francia Saloon was built in 1904 at the corner of Front and Spruce Streets. Operating under several different names over the years, this photo from the 1948 Boulder County Assessor's card shows it as the Colorado Café.

Of the 13 saloons and taverns along Front Street in the early 1900s, the building at 740 Front Street was one of only two that continued to operate through the years. From the late 1960s until 2014, it was the Old Louisville Inn.

In 2014, the owners of the building applied for landmarking, and the City awarded over $250,000 in grants to contribute to the restoration and expansion of the structure. In total, approximately $500,000 was invested in the property.

The building reopened in 2015 and continues its 111 year history of serving food and drinks to residents and visitors of Louisville.

Steinbaugh Pavillion during Street Faire



Vision: *The citizens of Louisville retain connections to our past by fostering its* ***stewardship and preserving significant historic places. Preservation will reflect the*** *authenticity of Louisville's small town character, its history, and its sense of place, all* ***of which make our community a desirable place to call home and conduct business.***

Purpose: *The purpose of the Plan is to outline Louisville's city-wide voluntary historic* ***preservation program for the next 20 years.***

Louisville Grain Elevator and BNSF Railroad

The vision and purpose statements of the Preservation Master Plan have been translated into the following goals, objectives, and action Items, forming the heart of the City's Preservation Program. These aspirational yet achievable goals and objectives represent the end result of the collaborative process which generated the vision and purpose statements. These goals, objectives and action items will guide historic preservation in Louisville over the next 20 years.

The 2013 Comprehensive Plan update not only recommended preparation of this Plan but also **influenced the chosen goals and Oobjectives.** Louisville's "connection to its heritage" is one of the City's 14 core community values. The desire to recognize, value, and encourage both preservation and promotion of the community's history inspired the guiding principles for this Plan.

GOAL #1

Pursue increasingly effective, efficient, *user-friendly, and voluntary based preservation practices*

Objective 1.1 *- Improve existing preservation operations and customer service*
Objective 1.2 *- Clarify roles and responsibilities within preservation processes*
Objective 1.3 *- Enhance knowledge and professionalism of Historic Preservation Commission and Staff*

Goal #1 is intended to streamline processes while balancing resource protection, customer service, and the voluntary nature of Louisville's Preservation Program. Its objectives encourage generation of **administrative rule-making procedures, clarification of existing criteria, and simplification of current** processes. Planning staff and members of the Historic Preservation Commission are committed to improve the transparency of procedures and applicant experiences with the program's landmarking, review, and Historic Preservation Fund (HPF) decision making processes. Achieving these objectives will enhance the image of preservation in Louisville, helping to strengthen local support for this vital community value.

GOAL #2

Promote public awareness of preservation and understanding of Louisville's cultural, social, and architectural history

Objective 2.1 *- Engage in expanded public outreach to all citizens*
Objective 2.2 *- **Promote the benefits of historic** preservation and Louisville's unique incentive-based voluntary program*
Objective 2.3 *- Collaborate with Louisville Historical Museum, Library, and other community organizations on programs and initiatives to celebrate Louisville's history and architecture*
Objective 2.4 *- Share Louisville's history with residents and visitors*

Goal #2 aims to make preservation more visible in Louisville. To do so, the Program must not only increase public knowledge of preservation, the HPF, and other available incentives but also encourage greater voluntary participation. Over the next 20 years, the program intends to promote its existing landmarks as one of many ways to increase public understanding of, and interest in, Louisville's unique history and architecture. The City's landmarks, cultural landscapes, and tangible links to its agricultural, railroad, mining, residential, and commercial history represent tremendous assets for further building tourism, welcoming visitors to experience Louisville's sense of place and small-town character now and into the future.

GOAL #3

Encourage voluntary preservation of ***significant archaeological, historical, and*** *architectural resources*

Objective 3.1 *- Research historic periods and themes important to Louisville's past*
Objective 3.2 *- Identify and evaluate historic and archaeological sites*
Objective 3.3 *- Encourage voluntary designation of eligible resources*
Objective 3.4 *- Promote alternatives to demolition of historic buildings*
Objective 3.5 *- Support appropriate treatment for historic buildings*

Goal #3 deals with best practices to preserve the City's most cherished historic places. Historic contexts explore important themes to share stories of the past and promote understanding of Louisville's built environment. Historical and architectural surveys record Louisville's past, document its historic **places, and assess significance and integrity for** landmark eligibility. Local designation represents one of the best ways to protect historic buildings. Public input during the Preservation Master Plan process indicated high levels of concern about demolition of historic buildings in Louisville; action items in this plan propose streamlining of current processes to **focus on significant changes, studying demolition** trends, and engaging in community conversations regarding alternatives to demolition and necessary incentives to increase participation. The Plan seeks to promote stewardship for historic buildings, pledging to offer owners guidance, advice, and hands-on opportunities to learn more about how best to care for their properties.

GOAL #4

Foster preservation partnerships

Objective 4.1 *- Encourage greater collaboration between the Historic Preservation Commission and other City Boards and Commissions*
Objective 4.2 *- Maintain and enhance cooperation between Planning staff and other City departments, including Louisville Historical Museum*
Objective 4.3 *- Expand partnerships with community organizations*
Objective 4.4 *- Make better use of preservation expertise and existing professional networks in Boulder County and other nearby communities*
Objective 4.5 *- Strengthen relationships with relevant State, Federal, and global preservation organizations*

Goal #4 recognizes the potential of preservation partnerships. The more interested and engaged individuals involved, the more likely Louisville is to reach the goals and objectives set for its Preservation Program over the next 20 years. Historic Preservation Commission members are positioned to collaborate with other City Boards and Commissions while the Planning staff has opportunities to further integrate preservation more into the full range of municipal activities. These key preservation players also should take further advantage to cooperate with organizations within the larger preservation system, participating in city, county, state, national, and global preservation initiatives.

GOAL #5

Continue leadership in preservation incentives and enhance customer service

Objective 5.1 *- Promote availability of Historic Preservation Fund grants and other incentives*
Objective 5.2 - Evaluate benefits of Historic *Preservation Fund*
Objective 5.3 *- Raise awareness for and support State and Federal tax credit projects*
Objective 5.4 *- Consider additional zoning incentives*

Goal #5 focuses on one of Louisville's greatest preservation assets, the available incentives to encourage and reward voluntary participation in the local program. The wider preservation community marvels at the existence and impact of Louisville's voter-approved HPF, yet some citizens remain unaware of how HPF grants can defray the costs of historic structure assessments, restoration, rehabilitation, and other worthy preservation efforts. Through targeted promotion and applicant support the City plans to facilitate state or national tax credit projects, of which few Louisville property owners have taken advantage. This established and proven incentive is particularly suited to expensive and **complicated preservation projects and can benefit** historic resources and the local economy. Finally, the City wishes to explore additional zoning incentives **for historic buildings that increase flexibility of use** while balancing property maximization with resource protection.

931 Main Street, 1948

931 Main Street, 1952

931 Main Street, 1978

"My favorite part was when I got to learn what Louisville was like hundreds of years ago."

"I liked the pictures of the old house and it turning into many different things."

"I'm so thankful for all lthe people in our community for keeping this town alive!."

- 4th Graders, Louisville Elementary School, Fall 2014

4th Graders discuss adaptive reuse at 931 Main Street, Fall 2014

the plan

Implementation and Funding

The table below provides a framework for accomplishing the action items in the Preservation Master Plan. The table's second column lists the action items. The next series of columns indicates the applicable goal for each action item; most **action items fulfill multiple goals. The final column in this table identifies the individuals or groups** to consult or involve when implementing each item. Implementation of the Plan will require strong partnerships among the City, the Historic Preservation Commission, community members, and other individuals and groups. The Plan is intended to be a living document in which the Planning and Building Safety staff are responsible, with input from the Historic Preservation Commission, for both **monitoring progress and revising this plan every five** years.

Funding of the action items outlined in the Plan will rely upon a variety of sources. Until its sunset in 2018, the Historic Preservation Fund (HPF) will be employed to fund initiatives. If the sales and use tax is renewed, the HPF will continue to fund **action items. As a Certified Local Government (CLG),** Louisville is eligible to apply annually for CLG grants **through the State preservation office. Eligible CLG** grant projects include historic context research, surveys, outreach, training, and innovative projects. In addition, the State Historical Fund has two rounds of competitive grants each year. These grants can be used for education and survey components of the Plan. As a Forum member of the National Trust for Historic Preservation, Louisville also is eligible to apply for grants from this national organization. These grants fund projects related to sustainability, **diversity and interpretation. Grants for specific types** of preservation projects also are available through the National Park Service Historic Preservation Fund.

Finally, Planning staff will seek additional funding, as needed, with capital and operating budget requests during the City's annual budgeting process.

Time Frame	Action Item	Practice	Awareness	Resources	Partnerships	Incentives	Consulting Parties
Immediate	Evaluate and improve demolition permit process	●	●	●		●	Staff, HPC, Residents
	Improve and increase written and digital materials*	●	●	●	●	●	Staff, HPC
	Implement revolving loan program*	●		●		●	Staff, HPC, Loan administrator
	Engage in community conversations regarding the 2018 sunset of the HPF tax		●		●	●	Staff, HPC, City Council, Residents
	Evaluate expanding Planned Unit Development (PUD) waiver allowances to include preservation	●		●			Staff, HPC, City Council, Residents
	Modify ordinance to generate administrative rule-making procedures and notification processes	●		●			Staff, HPC, City Council
	Align public hearing notices with Planning Commission/City Council	●	●				Staff, HPC
	Provide orientation and training materials for HPC*	●	●	●	●	●	Staff, SHPO, Consultant
	Create self-guided landmark walking tour	●	●		●		Staff, HPC, Museum
	Create interpretive plan and signs for key historic sites		●		●		Staff, HPC, Museum, Historical Commission, OSAB
	Research and document Louisville's history*	●	●	●			Consultant
	Analyze factors leading to demolitions	●		●			Staff, HPC, Development Professionals, Residents, LSAB
	Evaluate and revise Historic Structure Assessment requirements/process	●		●		●	Staff, HPC, Local architects, Previous HSA applicants
	Assess and improve landmark alteration certificate criteria	●	●	●	●		Staff

Time Frame	Action Item	Practice	Awareness	Resources	Partnerships	Incentives	Consulting Parties
Near-Term	Conduct Architectural Survey (paired with research and document history of Louisville)*	●	●	●			Consultant
	Establish guidelines for relocating historic structures	●		●			Staff, HPC, Residents, City Council
	Evaluate use of HPC Subcommittee for initial review of complex projects	●		●		●	Staff, HPC
	Conduct customer satisfaction surveys and prioritize needed improvements*	●				●	Staff
	Develop preservation forum for local building professionals*	●	●	●	●	●	Staff, HPC
	Prepare Neighborhood Plans with preservation strategies		●	●		●	Staff
	Create preservation resource center	●	●	●	●		Staff, HPC, Library, Historical Commission
	Enhance City inter-department communication*	●			●		Staff
	Explore expansion of "Junior Preservationist" program*		●		●		Staff, HPC, LSAB, BVSD, History Colorado
	Network with preservation partners (including City Boards and Commissions)*		●		●		Staff, HPC
	Share information on tax credits and publicize success stories*		●	●	●	●	Staff
	Develop creative public outreach*		●		●		Staff, HPC, Cultural Council, Louisville Arts District
	Explore modification of ordinance to ensure designation of historic districts is voluntary	●		●			Staff, HPC, City Council
Long-Term	Review Structures of Merit authorization	●	●	●			Staff, HPC
	Draft and promote maintenance best practices for older buildings*	●	●	●			Staff, HPC, Residents
	Host periodic Open Houses for property owners*	●	●	●		●	Staff, HPC
	Create a reference file of Preservation Program accomplishments*	●	●		●		Staff, HPC, Museum
	Create and deliver standard presentation on preservation to community organizations*	●	●	●	●		Staff, HPC
	Improve availability of Louisville Historical Museum Oral History Program records*		●	●	●		Museum, Historical Commission
	Explore resident-generated history collection formats*	●	●				Staff, HPC, Museum, Residents
	Promote historic preservation through regional tourism organizations*		●		●		Economic Development, Louisville Chamber, DBA
	Study issues related to sustainability and historic buildings	●		●	●	●	Staff, HPC, LSAB
	Document historic landscapes			●			Consultant
	Re-evaluate participation in Main Street program including grant eligibility	●	●	●	●	●	Staff, HPC,City Council, Residents, DBA
	Explore strategies for establishing an emergency preservation fund			●		●	Staff, HPC

*(*ongoing)*

1915 Main Street meets 2015 Main Street

Appendix A: Action Items Description

The Preservation Master Plan features recommended **action items for Louisville to meet the five community** goals established for the preservation program. This appendix provides more detail and guidance for the action items listed on page 28 of the Plan.

Appendix B: Preservation Strategies

Citizens attending the Community Workshop on April 8, 2015, received a copy of this document to assist with the activity where they brainstormed solutions for theoretical preservation scenarios. Many of these preservation strategies are a part of Louisville's existing Preservation Program. The list of preservation strategies appears in the Plan's appendix as a reference.

Immediate Action Items

Evaluate and improve demolition permit process
Make demolition review more streamlined and customer-friendly while balancing the program's responsibility to protect historic buildings. Possible enhancements may include modifications to how the ordinance defines demolition, timing of demolition permits, and/or introduction of administrative review for minor projects (e.g. reroofing, maintenance and replacement in kind).

Improve and increase written and digital materials
Engaging informational materials are necessary to make Louisville's preservation program more efficient and customer-friendly. Possible handout topics include: 1) preservation benefits, 2) designation how-tos, and 3) landmark incentives. All handouts available at the Planning Counter also can be posted to the website. Other website additions include a connection to GIS mapping, updated applications and directions, and more social history information. It is crucial to keep all written materials up to date.

Implement revolving loan program
The City has approved the creation of a loan program to supplement the Historic Preservation Fund (HPF) grant program, but has yet to implement it.

Engage in community conversations regarding the 2018 sunset of the Historic Preservation Fund (HPF) tax
A ballot issue would be required to extend the tax beyond 2018 and a community conversation is required to determine if that is worth pursuing. Other topics worthy of discussion include: 1) possible additional uses for tax revenues, such as Museum operations, 2) possible broadening of HPF eligibility, and 3) likely consequences if the HPF is discontinued.

Evaluate expanding Planned Unit Development (PUD) waiver allowances to include preservation
Amend the municipal code to allow waivers from design standards in exchange for preservation of historic resources through the PUD process.

Modify ordinance to generate administrative rulemaking procedures and notifications processes
Chapter 15.36 does not outline specific administrative rule-making procedures. This potential amendment to the LMC would outline a specific procedure and notification process for how administrative rules within Chapter 15.36 are interpreted through a public hearing process with the HPC.

Align HPC public hearing notice requirements with Planning Commission/City Council
Amend the municipal code so all public hearing processes have the same public notice requirements.

Provide orientation and training materials for the Historic Preservation Commission (HPC)
Louisville's preservation program relies on the active role members of the Commission play in landmarking, demolition and alteration certificate reviews, HPF grant awards, and outreach. Instruction and written materials will provide crucial support. Possible topics include: 1) introduction to Louisville government and boards and commissions, 2) preservation program summary, 3) parliamentary procedure tips, and 4) preservation briefs.

Create self-guided landmark walking tour
Louisville is a livable, walkable city with nearly 30 landmarks. This interpretive brochure will allow both residents and visitors to combine these two community assets.

Create interpretive plan for signs at key historic sites
Interpretive signs are one way to share details about the history and architecture of Louisville landmarks and other important locations, particularly the sites of resources that no longer exist. There are opportunities to collaborate with the City's current wayfinding program to develop signs.

Research and document Louisville's History
The themes and stories presented in different historic periods give readers a framework to better understand the built environment as tangible links to stories from the past. Recommended historic framework: 1) Louisville's Residential Development, 2) Louisville's Commercial Development, 3) Louisville's Agricultural, Railroad, and Mining Origins. Approximate cost estimate: $20,000-$28,000 per document depending upon availability of research materials

Analyze factors leading to demolitions Building demolition is a complex issue, with a variety of factors, such as the health and overall condition, aesthetic considerations, space requirements, cost implications, and use plans all influencing property owner decisions. A thorough evaluation needs to study this topic more comprehensively and engage the entire community--especially owners of older buildings, realtors, developers, and design professionals--in an open and ongoing discussion about all issues associated with historic building demolition. Based upon the study, Louisville can develop appropriate policies and practices that balance the importance of historic buildings to the city's small-town character, image, and heritage with both private property rights and the realities of the community's development climate.

Evaluate and revise Historic Structure Assessment (HSA) requirements/process
Before a landmarked property can receive a grant from the HPF, the City requires a Historic Structure Assessment (HSA) be completed to identify priorities for the preservation and restoration of the structure. The process and requirements should be evaluated and modified as required to ensure the HSAs meet the needs of property owners and the City, also possibly including energy audits.

Assess and improve landmark alteration certificate criteria
Revising the existing alteration certificate criteria is intended to ensure the process balances the needs of property owners with the preservation of historic resources and decreases ambiguity for applicants, staff, and Historic Preservation Commission. Possible enhancements may include an introduction of administrative review for minor projects (e.g. reroofing, maintenance and replacement in kind). This items will also resolves conflict between new construction grant criteria and alteration certificate criteria.

Near-Term Action Items

Conduct Architectural Surveys (paired with research and document history of Louisville)
Architectural surveys collect essential information about buildings, including locational data, architectural style, construction history, historical background, current photographs, and an assessment of eligibility for designation. Relying upon completed historic contexts to make informed choices, the City should prioritize survey of its most significant and physically intact places. Surveys should be phased, with each project recording approximately 50 properties. Recommended surveys: Louisville Historic Residential Subdivisions and Louisville's Commercial and Government Buildings. Approximate cost estimate: $15,000-$20,000 per project depending upon architectural complexity, number of buildings on each property, and availability of research materials

Establish guidelines for relocating historic structures
Relocating buildings represents an alternative to demolition. Possible topics for consideration include: 1) preservation best practice regarding relocated buildings, 2) choosing appropriate sites for relocation, 3) practical considerations to avoid damage to historic fabric, and 4) interpretation of relocated buildings.

Evaluate use of HPC Subcommittee for initial review of complex projects
Some development review projects involve multiple processes, such as a planned unit development, landmarking, and grant, running simultaneously or in phases. This approach is intended to improve preservation operations and customer service, with thorough discussions of design choices and alternatives taking place prior to the public hearing.

Conduct customer satisfaction surveys and prioritize needed improvements
Questionnaires will monitor program performance, with results highlighting possible operational refinements to enhance customer service and efficiency. These surveys will be integrated into the overall Planning & Building Safety Customer Satisfaction Survey.

Develop preservation forum for local building professionals
Offer opportunities for local contractors, carpenters, masons, and other building professionals to receive how-to tips from individuals experienced in working with historic building components and materials. These quarterly meetings also might be geared more towards realtors and architects, educating them about new and existing incentive programs.

Prepare Neighborhood Plans with preservation strategies
The 2013 Comprehensive Plan update recommended preparation of Neighborhood Plans for nine defined areas within the city to guide reinvestment in established neighborhoods. Preservation-related topics to address in these documents may include: 1) modified parking requirements for landmark structures, 2) changes to setbacks, lot coverage, and floor area ratio, 3) opportunity to create accessory dwelling units, 4) introduction of design guidelines and/or pattern books, 5) creation of conservation areas, and 6) promotion of the Live-Work ordinance. Resident participation during the neighborhood planning process will determine the suitability of these possible approaches and what impact they might have on Louisville's preservation program.

Create preservation resource center
Provide specialized books and other resources (videos, DVDs, web-based tutorials) to property owners for guidance on how to complete common repair projects and preservation best practices.

Enhance City inter-department communications
Improve communication between City departments to facilitate achievement of the goals and policies of this plan and the preservation of historic resources.

Explore modification of ordinance to ensure designation of historic districts is voluntary
Currently, Louisville's Historic Preservation Ordinance only requires 40% of an area to approve historic district designation. This element of the ordinance is in conflict with the purpose of the Plan to ensure Louisville's Preservation Program is voluntary.

Network with preservation partners (including City Boards and Commissions)
Historic preservation is based upon established local, state, and federal systems. Possible opportunities to interact include: 1) participation in established preservation campaigns like the National Trust's "This Place Matters" initiative, the Trust and Colorado Preservation Inc.'s "Endangered Places" lists, History Colorado's "Heart Bomb" photography contest, and Preservation Month activities, 2) co-hosting meetings, events, lectures, and celebrations with City boards and community organizations, and 3) appointing HPC members as liaisons to other Boards and Commissions.

Share information on tax credits and publicize success stories
Few Louisville property owners have taken advantage of either State or Federal preservation tax credits. Louisville's Program should provide more details about the benefits and responsibilities of this incentive.

Develop creative public outrach
Traditional and non-traditional approaches have the potential to awaken preservation interest among residents who may not consider themselves preservation advocates. Input for the Plan indicated residents would like to see more about Louisville preservation in local news organizations. Louisville's voluntary Preservation Program may include: 1) targeted efforts to inform property owners of the benefits and responsibilities associated with landmarking, and 2) outreach to neighborhoods eligible to become historic districts.

Explore expansion of "Junior Preservationist" program
This innovative program has tremendous potential to increase Louisville's preservation constituency, growing the next generation of preservation advocates, while also fulfilling social studies curriculum requirements for students

Long-Term Action Items

Review Structures of Merit authorization
Louisville's Historic Preservation Ordinance authorizes a Structures of Merit program, but the City has not used this honorary designation. This alternative to landmarking offers the Historic Preservation Commission and City Council a means to acknowledge the history of a place while maintaining high standards of physical integrity within the landmarks program. Properties recognized as Structures of Merit are not subject to landmark regulations and do not qualify for any preservation incentives. However, such a program represents an excellent public outreach tool.

Draft and promote maintenance best practices for older buildings
Caring for historic buildings often requires specialized materials, techniques, and contractors. Providing advice to property-owners represents an excellent way to not only assist residents but also encourage appropriate treatment for the places that matter most to Louisville. The best practices will be available to owners of older buildings whether or not they are landmarked.

Host annual Open Houses for property owners
Sponsor a specialized workshop for property owners considering landmarking their buildings to facilitate networking among owners of historic buildings, construction and design professionals, and representatives from the Louisville Preservation Program.

Create a reference file of Preservation Program accomplishments
Gathering articles, relevant annual reports, and explanations of major practical and policy challenges facing the program represents part of developing an institutional memory for preservation in Louisville.

Create and deliver standard presentation on preservation to community organizations
This item recommends preparing illustrated speeches or presentations that Staff and Historic Preservation Commission members can deliver to service groups and others wanting to know more about topics such as the benefits of preservation, preservation basics, an introduction to Louisville's Preservation Program, or a sampling of local landmarks.

Improve availability of Louisville Historical Museum Oral History Program records
Museum staff and volunteers have recorded dozens of oral history interviews with Louisville residents that would benefit from transcription and promotion. Ahe Louisville Historical Museum Oral History Program records will provide an additional method to research historic homes and businesses.

Explore resident-generated history collection formats
This approach offers residents an opportunity to take advantage of available technology to contribute their stories, photographs, etc. to a more informal collection of community memories, a complement to the Museum's successful program.

Promote historic preservation through regional tourism organizations
Louisville represents an excellent destination for day trips and stay-cations. Opportunities for collaboration exist, with the potential for the preservation program, Museum, various Boards and Commissions, and the business community to cultivate tourism.

Study issues related to sustainability and historic buildings
Look at ways to improve the energy efficiency of older buildings throughout their life-cycles. This could include: 1)reusing of building materials, 2) creating energy efficiency standards fo historic structures, 3) developing adaptive reuse case studies, and 4)partnering with a variety of organizations interested in sustainability.

Document historic landscapes
Cultural landscapes encompass both buildings and their natural and human-made surroundings. For example, a farmstead is a cultural landscape that may include elements like the barn, the farmhouse, corrals, fields, viewsheds, and tree breaks, all of which are evocative of the past. The historic context about Louisville's agricultural, railroad, and mining history will be crucial for identifying places to survey. These sites are likely located in the undeveloped outskirts of Louisville or within Open Space areas. Approximate cost estimate: $5,000-$8,000

Re-evaluate participation in Main Street program including grant eligibility
The program offers resources, training, and technical support for member communities, providing assistance with economic restructuring, design, organization, and promotion. The Colorado Department of Local Affairs administers the Main Street program, providing various training and networking opportunities for City staff and members of Boards and Commissions. The National Main Street Program also offers grant opportunities.

Explore strategies for establishing an emergency preservation fund
Consider creating a fund for historic structures damaged by events such as fire or natural disasters.

Research & Architectural Survey

Responsible, well-informed preservation decisions are based upon both thematic historical research (historic contexts) and documentation of a community's historic buildings and places (surveys). Historic contexts tell the stories of specific people and places at a certain time, linking those themes back to actual historic buildings and sites. Survey projects record examples of historic places, helping contemporary audiences appreciate historic design, materials, and workmanship. Louisville possesses no historic context documents and relatively few surveys. Completing historic contexts and surveys represents a proactive approach to historic preservation. Contexts and surveys facilitate landmarking, design review, public outreach, and interpretation. As part of the demolition review process survey records offer property owners a more thorough assessment of the significance of their historic building, details that may influence the final decision on how to utilize their property.

Preservation Strategies

Category	Strategy	What is it?	Advantages and Details
Research and Documentation	**Historic context**	Based upon extensive research, tells the story of community's key historical themes, areas, or time periods	- A great foundation project; explains what is most important to community identity - Emphasis on story and human experiences
	Oral histories	Recorded interviews with key individuals who have personal memories relevant to community's history	- Gathered transcripts useful for historic context, historical and architectural survey, interpretation - Preserves memories of older generations - Reflects more personal, engaging history than found in traditional sources
	Historical & architectural survey	Information-gathering activity to identify and evaluate historic buildings; two types: reconnaissance and intensive	- Tells a community what types of resources they have - A great foundation project or a follow-up to historic context - Intensive: detailed information about history, architecture, and eligibility for designation - Reconnaisance: quick documentation of building stock including photographs
	Documenting cultural landscapes	Information-gathering activity to identify and evaluate areas with special social and historical significance	- Records places with both built and natural components, like farmsteads and ethnic enclaves
Historic Designation	**Landmarks**	Official recognition for historic buildings that are both important (based upon established eligibility criteria) and physically intact; three types: Louisville local landmark, National Register of Historic Places, Colorado State Register of Historic Properties	- Follow-up activity to either historic context or historical and architectural survey - Preserving community's tangible history for future generations, interpretation opportunities - Louisville local landmark: protection for character-defining features (alteration certificates), possible eligibility for HPF money - National and State registers are honorary/ less protection for resources, possible eligibility for tax credits
	Historic districts	Official recognition for groups of historic buildings that share significance (based upon established eligibility criteria) and are within a justifiable boundary; two types of resources within historic districts: contributing and non-contributing	- Follow-up activity to either historic context or historical and architectural survey - Evidence of increased property values for properties within historic districts - Louisville (local) historic districts: allows for protection of larger areas than single site designation - Again, National and State register historic districts are honorary only - Louisville historic districts require 40% owner consent; State Register historic districts require 100% owner consent; National Register historic districts require no more than 49% of owners object
Zoning Options	**Code modifications**	Accessory Dwelling Units: Allows for residential use of historic garages and outbuildings	- Potential to maximize development of historic site without significant change to massing, scale, and number of buildings
		Live-Work Ordinance: Re-establishes historic pattern of business owners living adjacent to their business	- Economic incentive to preserve historic storefronts
	Conservation areas	Overlay zone intended to protect scale, house size, and setback	- Sometimes referred to as "preservation lite" because there are fewer regulations associated with these overlay zones than more traditional historic districts - Often applied to large postwar neighborhoods where design review might become too time-consuming if these areas were designated as historic districts
	Old Town Overlay Yard and Bulk Standards	Lot coverage and floor area ratio bonuses for preserving the street-facing façade or for obtaining a landmark designation.	-Allows for up to 10% additional buildable area on a lot -Encourages preservation of existing buildings with sensitive additions

appendix

Category	Strategy	What is it?	Advantages and Details
Design-based Options	**Design guidelines**	Specific guidance on how to make appropriate changes to historic buildings or within historic districts; include both narrative text and illustrations (photos/line drawings) to advise property owners undertaking maintenance, alterations, and new construction	- Common follow-on activity from local historic district designation - Establish community standards for appropriate size, scale, building materials, and design approaches for historic buildings and within historic districts - Useful for property owners, staff, and HPC in alteration certificate process/discussions - Beneficial for design professionals: propose solutions/changes that are most likely to be approved
	Pattern books	Standard solutions for making alterations to common, modest house forms (such as Bungalows, Ranches, or Split Levels) in areas experiencing development pressure	- Requires preliminary work: reconnaissance survey where all resources are photographed and categorized by model and/or design characteristics - Beneficial for property owners to initiate discussions with design professionals about feasible changes to homes
	Adaptive reuse	Accepted preservation practice of repurposing a historic site while making minimal physical changes to the original building	- An excellent alternative to demolition—new use for historic building—that often revitalizes an area - Changes should respect character-defining architectural features of historic building
Planning	**Neighborhood Plans**	Recommended in the 2013 Comprehensive Plan, these documents address strategies for preserving the unique and special qualities of each residential area	- Plans address housing rehabilitation, traffic, safe routes to school, aging infrastructure, and monitoring/maintenance of community services -Intended to ensure plan areas remain livable, stable, and successful in face of growth and changes
Financial Incentives	**Historic Preservation Fund (HPF) grants**	Monies from 2008 voter-approved, dedicated sales tax to finance historic preservation projects related to or within the Downtown and Old Town Overlay	- Louisville is only municipality in the United States with this type of voter-approved funding mechanism for historic preservation - Tax approved until 2018
	Tax credits	Financial bonus for investment in the rehabilitation and reuse of historic buildings	- State and Federal programs, each with their own regulations, exist - Tax credit programs create jobs, revitalize communities, leverage private investments to preserve historic properties
	Revolving loans	2014 City Council-approved use of a portion of the HPF to fund building rehabilitation	- Landmarks and properties with conservation easements eligible for loans - Intended to extend utility andreach of HPF

1930s Aerial of Downtown Louisville

completed in cooperation with
the following:

City of Louisville
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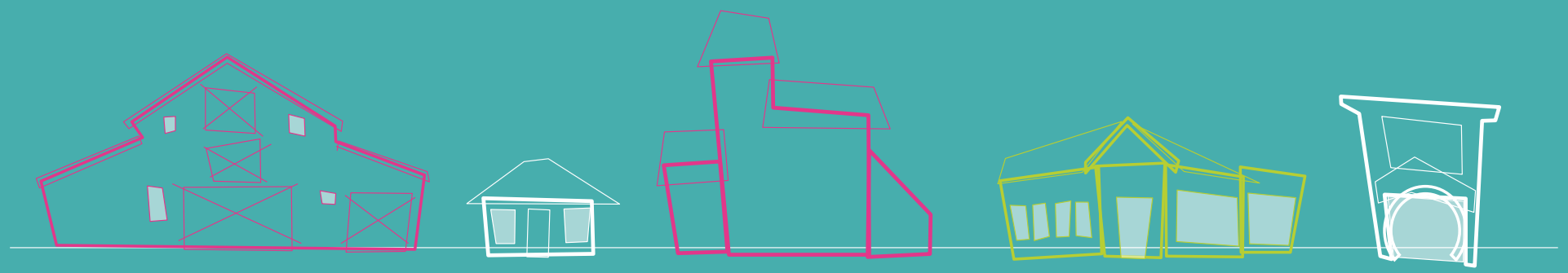
City of Louisville
Historic Preservation Commission

HM
HistoryMatters LLC



City of Louisville
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Department of Planning and Building Safety
749 Main Street • Louisville CO 80027 • 303.335.4592 • www.louisvilleco.gov

MEMORANDUM

To: City Council

From: Department of Planning and Building Safety

Subject: Draft Preservation Master Plan Comments

Date: **October 6, 2015**

Since the August 17th Historic Preservation Commission meeting, Planning staff and members of the Historic Preservation Commission received comments on the Draft Preservation Master Plan from the following Boards, Commissions and community organizations:

- City Council Study Session:
  - Concern that document contains too much jargon and is difficult to digest
  - Concern about intern program
  - Move up interpretive signs in timeline
  - Disconnect between discussion of historic districts in two action items
  - Re-evaluate implementation timeline to be more realistic (change years to high priority, mid priority, low priority)
  - Include description of money/effort for each action item
  - Use less declaratory language in action items
  - Draft ordinance for demolition process to be included at October 6th meeting
  - Add more language about this being a visionary document
  - Interest in confirming the Historic Preservation Commission's support of the plan

- Louisville Sustainability Advisory Board:
  - Impressed with the public process
  - Interest in potential partnerships with Junior Preservationist program, reuse of building materials, and demolition study
  - Explore adding energy audits to Historic Structure Assessment process
  - Support establishing energy efficiency standards for landmark structures

- Business Retention and Development Committee:
  - Reconsider 180 day stay on demolitions

- Historical Commission:
    - Move interpretive signs up in the timeline
    - Add Historical Commission, History Foundation, Louisville Historian, and Assessor Cards
    - Table discussion of Holiday Home Tour
    - Interest in future partnerships and discussion of HPF

- Downtown Business Association:
    - Interest in learning more about interpretive signs, self-guided landmark walking tour, and Main Street grant program

- Open Space Advisory Board:
    - Interest in collaboration on interpretive signs
    - Desire to learn more about cultural landscape survey

- Planning Commission:
    - Include description of Open Space/Harney Lastoka in program description

- Louisville Revitalization Commission:
    - Interest in making opt-in Historic Districts
    - Concern about Structures of Merit program being too broad

- Louisville RE\MAX Alliance:
    - Interest in learning more about historic preservation
    - Support for updated information to hand out to clients, especially on HPF and landmark process

These comments, along with the comments from HPC and City staff, were incorporated in the attached updated Draft Preservation Master Plan.

Time Frame	Action Item	Staff Time**	Cost	Practice	Awareness	Resources	Partnerships	Incentives	Consulting Parties	HPC Comments
Immediate	Evaluate and improve demolition permit process	80		●	●	●		●	Staff, HPC, Residents	
	Improve and increase written and digital materials for preservation program *	120		●	●	●	●	●	Staff, HPC	
	Implement revolving loan program*	40		●		●		●	Staff, HPC, Loan administrator	
	~~Create historic preservation intern program~~		~~$20,152 (year)~~	~~●~~	~~●~~	~~●~~	~~●~~		~~Staff~~	
	Engage in community conversations regarding the 2018 sunset of the HPF	120			●		●	●	Staff, HPC, City Council, Residents	more hours
	Evaluate expanding Planned Unit Developments (PUDs) waiver allowances to include preservation	40		●		●			Staff, HPC, City Council, Residents	
	Modify ordinance to generate administrative rule-making procedures and notification processes	80		●		●			Staff, HPC, City Council	
	Align public hearing notices with Planning Commission/City Council	24		●	●				Staff, HPC	
	Provide orientation and training materials for HPC*	40		●	●	●	●	●	Staff, SHPO, Consultant, ~~Intern~~	less hours
	~~Recruit HPC members~~	~~8~~		~~●~~	~~●~~	~~–~~		~~–~~	~~Staff, HPC~~	
	Create self-guided landmark walking tour	120		●	●		●		Staff, HPC, Museum, ~~Intern~~	
	Create interpretive signs for key historic sites	40	$2500/per		●		●		Staff, HPC, Museum, Historical Commission, OSAB	
	Research and document Louisville's history*	80	$24,000/per	●	●	●			Consultant	
	Study and analyze factors leading to demolitions	120		●		●			Staff, HPC, Development Professionals, Residents, LSAB	
	Evaluate and revise Historic Structure Assessment requirements/process	80		●		●		●	Staff, HPC, Local architects, Previous HSA applicants	more hours
	Explore expansion of "Junior Preservationist" program*	64			●		●		Staff, HPC, LSAB, BVSD, History Colorado	move to near
	Explore modification of ordinance to ensure designation of historic districts is voluntary	32		●		●			Staff, HPC, City Council	move to near
Near-Term	Conduct Architectural Survey (paired with research and document history of Louisville)*	40	$20,000/per	●	●	●			Consultant	
	Establish guidelines for requests to move historic structures	64		●		●			Staff, HPC, Residents, City Council	
	Evaluate use of HPC Subcommittee for initial review of complex projects	32		●		●		●	Staff, HPC	
	Assess and improve landmark alteration certificate criteria	80		●	●	●	●		Staff	move to immediate
	Conduct customer satisfaction surveys ~~every two years and~~ prioritize needed improvements*	16		●				●	Staff, ~~Intern~~	
	Review ~~implementation of~~ Structures of Merit program	40		●	●	●			Staff, HPC	move to long
	~~Cultivate relationship with press to increase reporting on preservation related stories~~	~~8~~			~~●~~		~~●~~		~~Staff, HPC~~	add to public outreach item
	Develop ~~quarterly~~ preservation forum for local building professionals*	80		●	●	●	●	●	Staff, HPC, ~~Intern~~	
	Prepare Neighborhood Plans with preservation strategies	120			●	●		●	Staff, ~~Intern~~	
	~~Hold annual team building and planning retreat for HPC~~	~~24~~		~~●~~		~~●~~			~~Staff, HPC~~	
	Create preservation resource center ~~at library~~	24		●	●	●	●		Staff, HPC, Library, ~~Intern,~~ Historical Commission	
	Enhance City inter-department communication*	24		●			●		Staff	
	Network with preservation partners (including City Boards and Commissions)*	64			●		●		Staff, HPC	

Long-Term	Draft and promote maintenance best practices for older buildings*	80		●	●	●			Staff, HPC, Residents, ~~Intern~~	
	Host periodic Open Houses for property owners*	24		●	●	●		●	Staff, HPC, ~~Intern~~	
	Create a reference file of Preservation Program accomplishments*	8		●	●		●		Staff, HPC, Museum, ~~Intern~~	
	Create and deliver standard presentation on preservation to community organizations*	40		●	●	●	●		Staff, HPC	
	~~Solicit assistance from technical preservation professionals with how-to/training opportunities~~	~~40~~		~~●~~		~~●~~	~~●~~		~~Staff~~	
	Improve availability of Louisville Historical Museum Oral History Program records*	80			●	●	●		Museum, Historical Commission	
	~~Research and implement best practices on reuse of building materials~~	~~120~~				~~●~~	~~●~~		~~HPC, LSAB~~	
	Share information on tax credits and publicize success stories	32			●	●	●	●	Staff	move to near
	~~Sponsor annual photography, art, video contests~~ Develop creative public outreach	16			●		●		Staff, HPC, Cultural Council, Louisville Arts District	move to near
	Explore resident generated history collection formats*	24		●	●				Staff, HPC, Museum, Residents	
	Promore historic preservation through regional tourism organizations *	16	~~$5,000~~		●		●		Economic Development, Louisville Chamber, DBA	
	Document historic landscapes	40	$8,000			●			Consultant	
	Study issues related to ~~energy efficiency~~ sustainability and historic buildings (reuse building materials)	120		●		●	●	●	Staff, HPC, LSAB, ~~Intern~~	
	Re-evaluate participation in Main Street program including grant eligibility	16		●	●	●	●	●	Staff, HPC,City Council, Residents, DBA	
	~~Pursue creative strategies to encourage voluntary preservation~~	~~40~~		~~●~~		~~●~~		~~●~~	~~Staff, HPC~~	
	Explore strategies for establishing an emergency preservation fund	40				●		●	Staff, HPC	

** Ongoing*

*** Includes the estimated start-up time for each action item. The role of the Preservation Master Plan is advisory and does not commit the City to the action items or estimated staff time.*

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Historic Preservation Commission

749 Main Street • Louisville CO 80027 • 303.335.4594 • www.louisvilleco.gov

September 23, 2015

City Council
City of Louisville
749 Main Street
Louisville, CO 80027

RE: Preservation Master Plan

Dear Council Members,

The Historic Preservation Commission (HPC), experiences recurring questions, concerns and issues that deserve attention, but which, we do not have the resources to address and resolve them. Thus, the HPC and the planning staff recognize the need for a Preservation Master Plan (the Plan) that compiles and prioritizes these matters logically and in an attainable manner. The Plan gives the HPC direction to address issues at hand proactively instead of delaying discussion and resolution due to a lack of time or priority. The Preservation Master Plan provides the HPC clear direction for the next 20 years, resulting in a more efficient and effective use of staff and commissioner time.

The HPC believes the proposed the Plan unifies the HPC and staff in their endeavors as we work together toward common goals and objectives. It also creates unity among the current and future commissions and conveys clear guidance to further preservation in Louisville.

Our goal is to make the preservation program accessible and accommodating to Louisville residents, thus encouraging more participation and enhancing the program's viability. The Plan outlines clear direction in addressing current systems and processes that might currently be considered hindrances.

The HPC endorses the proposed Preservation Master Plan as presented for your review and consideration. We recognize the support Council has given the HPC and are excited to begin implementation of the Plan with Council's approval.

Sincerely,

Historic Preservation Commission
City of Louisville

RESOLUTION NO. 71,
SERIES 2015

A RESOLUTION APPROVING THE CITYWIDE PRESERVATION MASTER PLAN

WHEREAS, the City of Louisville is a home rule municipal corporation organized under and pursuant to Article XX of the Colorado Constitution and the Louisville Home Rule Charter; and

WHEREAS, by virtue of such authority, City Council adopted the 2013 Comprehensive Plan on May 7, 2013 by Resolution 18, Series 2013; and

WHEREAS, the 2013 Comprehensive Plan includes Policy CH-1.1 that states, "The City should create a Preservation Master Plan to… identify resources and guide the City's Historic Preservation Program and the use of Historic Preservation Funds"; and

WHEREAS, historic preservation efforts benefit the City of Louisville by protecting small-town character, creating a sense of place, inspiring community pride, leveraging public dollars for private investment, contributing to environmental sustainability, and cultivating tourism; and

WHEREAS, the City Council and the Historic Preservation Commission formally initiated a process to review and update the City's Preservation Master Plan, which process consists of several phases and includes various workshops, meetings and hearings regarding the drafting and adoption of the Preservation Master Plan; and

WHEREAS, after a duly noticed public hearing on September 23, 2015, where evidence and testimony was entered into the record, the Historic Preservation Commission finds the Preservation Master Plan should be approved as it meets national standards for preservation planning and the requirements of the 2013 Comprehensive Plan; and

WHEREAS, City Council has reviewed the Preservation Master Plan, including the recommendation of the Historic Preservation Commission and finds that the Preservation Master Plan should be approved, without condition.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Louisville, Colorado does hereby approve the Preservation Master Plan.

PASSES AND ADOPTED this 6th day of October, 2013.

BY: _____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

comp plan core values

- A Sense of Community
- Our Livable Small-Town Feel
- A Healthy, Vibrant, and Sustainable Economy
- A Connection to the City's Heritage
- Sustainable Practices for the Economy, Community, and the Environment
- Unique Commercial Areas and Distinctive Neighborhoods
- A Balanced Transportation System
- Families and Individuals
- Integrated Open Space and Trail Networks
- Safe Neighborhoods
- Ecological Diversity
- Excellence in Education and Lifelong Learning
- Civic Participation and Volunteerism
- Open, Efficient and Fiscally Responsible Government

preservation benefits

- Protects small-town character
- Creates sense of place
- Inspires community pride
- Leverages public dollars for private investment
- Contributes to environmental sustainability
- Cultivates tourism

740 Front, 1904, Landmark Ceremony, May 2015

LOUISVILLE
WHERE HISTORY IS INGRAINED

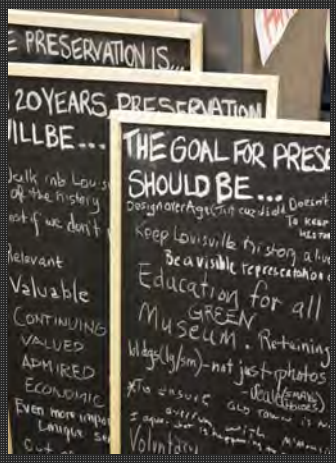
process

vision
↓
evaluation
↓
goals
↓
implementation

- HPC Subcommittees
- Over 120 at 3 community meetings
- Customer Surveys
- EnvisionLouisvilleCO
- Stakeholder interviews
- Boards, Commissions, Community organizations
- Outreach: social media, flyers, large signs, Farmer's Market

vision and purpose

Vision:
The citizens of Louisville retain **connections to our past** by fostering its stewardship and preserving significant historic places. Preservation will reflect the authenticity of Louisville's **small-town character**, its history, and its sense of place, all of which make our community **a desirable place to call home and conduct business**.



Purpose:
The purpose of the Plan is to outline Louisville's city-wide **voluntary** historic preservation program for the next **twenty years**.

evaluation

927 Main Street, Pearson Store

Strengths:
- Voluntary landmark designation
- Voter-approved Historic Preservation Fund
- Contributions of many professionals and volunteers
- Junior Preservationist Program

Weaknesses:
- Policy: administrative review, employ preservation strategies
- Practice: update forms, training, research and survey, standardizing processes
- Perception: review of minor changes, written materials, awareness, communication, publicity

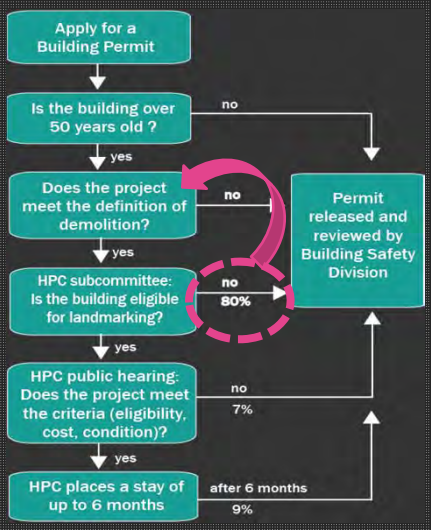
goals

1. Preservation practice
2. Public awareness
3. Resource preservation
4. Partnerships
5. Preservation incentives

HPC at Farmer's Market, 2015

action items

- 67 action items to 39
- Organized by: immediate, near-term, long-term
- Outlined in Implementation Chart and described in Appendix A
- Endorsed by HPC
- *Highest priority:* Evaluate and improve demolition process



immediate

- Evaluate and improve demolition permit process
- Improve and increase written and digital materials*
- Implement revolving loan program*
- Engage in community conversations regarding the 2018 sunset of the HPF tax
- Evaluate expanding Planned Unit Development (PUD) waiver allowances to include preservation
- Modify ordinance to generate administrative rule-making procedures and notification processes
- Align public hearing notices with Planning Commission/City Council
- Provide orientation and training materials for HPC*
- Create self-guided landmark walking tour
- Create interpretive plan and signs for key historic sites
- Research and document Louisville's history*
- Analyze factors leading to demolitions
- Evaluate and revise Historic Structure Assessment requirements/process
- Assess and improve landmark alteration certificate criteria

near-term

- Conduct Architectural Survey (paired with research and document history of Louisville)*
- Establish guidelines for relocating historic structures
- Evaluate use of HPC Subcommittee for initial review of complex projects
- Conduct customer satisfaction surveys and prioritize needed improvements*
- Develop preservation forum for local building professionals*
- Prepare Neighborhood Plans with preservation strategies
- Create preservation resource center
- Enhance City inter-department communication*
- Explore expansion of "Junior Preservationist" program*
- Network with preservation partners (including City Boards and Commissions)*
- Share information on tax credits and publicize success stories*
- Develop creative public outreach*
- Explore modification of ordinance to ensure designation of historic districts is voluntary

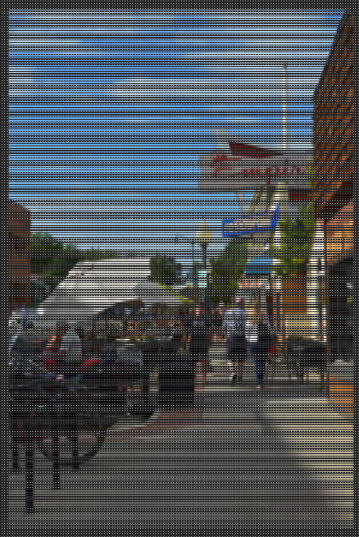
long-term

Review Structures of Merit authorization
Draft and promote maintenance best practices for older buildings*
Host periodic Open Houses for property owners*
Create a reference file of Preservation Program accomplishments*
Create and deliver standard presentation on preservation to community organizations*
Improve availability of Louisville Historical Museum Oral History Program records*
Explore resident-generated history collection formats*
Promote historic preservation through regional tourism organizations*
Study issues related to sustainability and historic buildings
Document historic landscapes
Re-evaluate participation in Main Street program including grant eligibility
Explore strategies for establishing an emergency preservation fund

fiscal impact

Funding sources :

- Louisville's Historic Preservation Fund
- Certified Local Government Grants
- State Historic Fund
- National Trust for Historic Preservation
- National Park Service Historic Preservation Fund
- Louisville Capital and Operation Budget



hpc endorsement

- September 23rd, the HPC reviewed the comments from City Council, Boards, Commissions and community organizations
- Revised Draft Preservation Master Plan
- Voted to endorse the Preservation Master Plan

"The HPC believes the proposed Plan unifies the HPC and staff in their endeavors as we work together toward common goals and objectives. It also creates unity among the current and future commissions and conveys clear guidance to further preservation in Louisville."

- HPC Endorsement Letter

recommendation

Staff recommends that City Council adopt the Preservation Master Plan by approving Resolution No. 71, Series 2015.

City of Louisville
COLORADO • SINCE 1878

CITY COUNCIL COMMUNICATION
AGENDA ITEM 8G

SUBJECT: **2000 TAYLOR AVENUE**

ORDINANCE NO. 1703, SERIES 2015 – AN ORDINANCE APPROVING AN AMENDMENT TO THE BUSINESS CENTER AT CTC GENERAL DEVELOPMENT PLAN (GDP) TO REZONE THE PROPERTY FROM PCZD-C TO PCZD-I - 2nd Reading - Pubic Hearing – Advertised *Daily Camera* 09/20//2015

RESOLUTION NO. 66, SERIES 2015 – A RESOLUTION TO APPROVE A FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN TO CONSTRUCT A 120,581 SF SINGLE STORY INDUSTRIAL/FLEX BUILDING WITH ASSOCIATED SITE IMPROVEMENTS FOR LOT 1, BLOCK 4, THE BUSINESS CENTER AT CTC

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **SEAN MCCARTNEY, PRINCIPAL PLANNER**
PLANNING AND BUILDING SAFETY DEPARTMENT

SUMMARY:
The Etkin Johnson Group is requesting approval of an amendment to the Business Center at CTC General Development Plan (GDP) and a final Planned Unit Development (PUD) to allow for the construction of a 120,581 square foot industrial flex building.

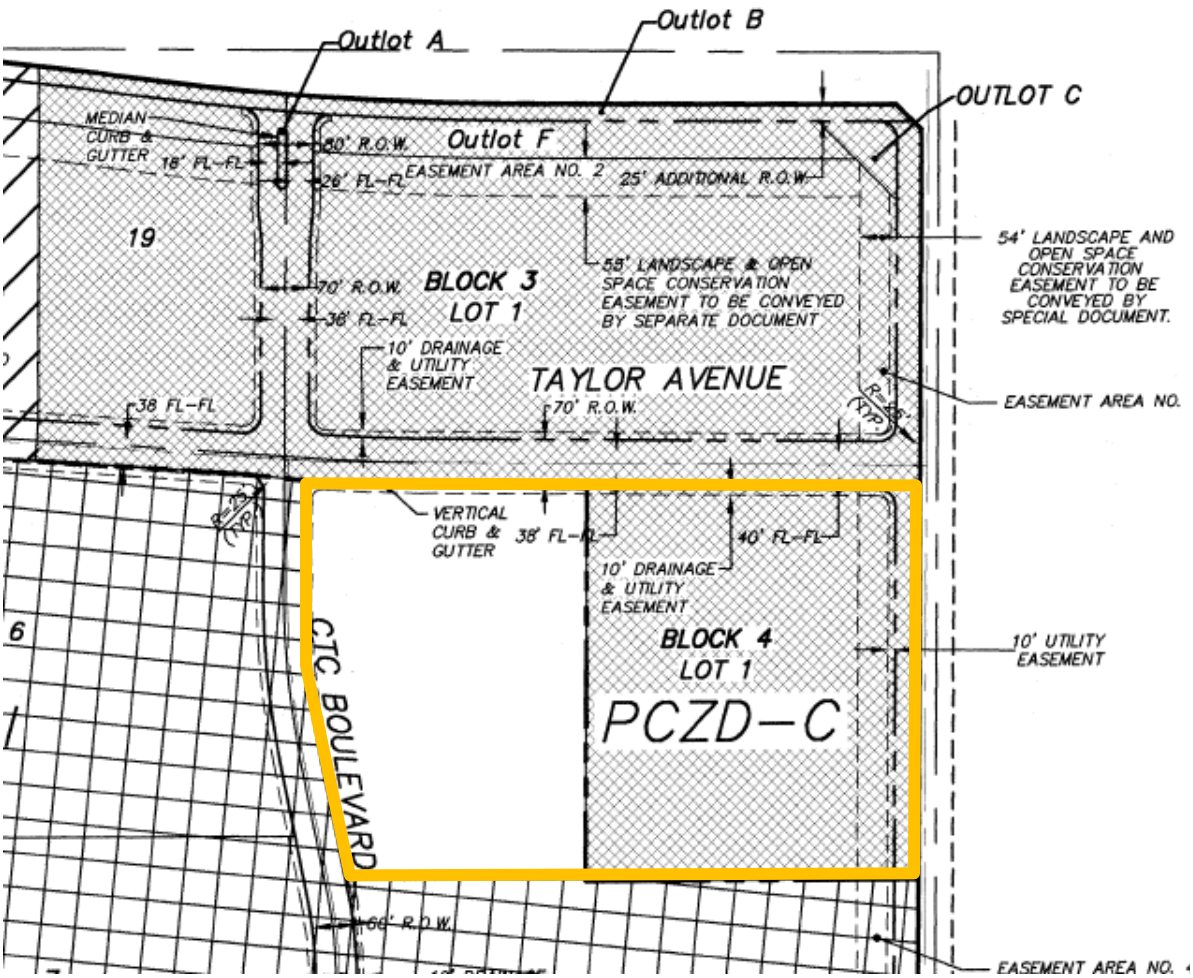
The site is located in the Colorado Technology Center (CTC) at the southeast corner of CTC Boulevard and Taylor Avenue (Lot 1, Block 4 of the Business Center at CTC Subdivision). The property is currently zoned Planned Community Zone District-Commercial (PCZD-C). The applicant is requesting the property be rezoned to Planned Community Zone District - Industrial (PCZD-I) and subject to the Industrial Development Design Standards and Guidelines (IDDSG).

REQUEST
The applicant is requesting to rezone the property from commercial to industrial because they have not been successful in marketing the property for a commercial land use and they wish to develop an industrial land use to the standards outlined in the Industrial Development Design Standards and Guidelines (IDDSG).

The applicant sites the lack of adequate housing, no traffic signal, low traffic volumes on Hwy 42, and the absence of other commercial users as factors inhibiting commercial opportunities at this location. Conversely, the applicant believes there is high demand for industrial flex office space in the CTC and wishes to take advantage of the market and rezone the property to industrial so the costs of development match the expected return from industrial development.

History
Initial Zoning - this property was originally shown as being zoned “PUD-C” on a preliminary Plat and PUD on June 8, 1976.

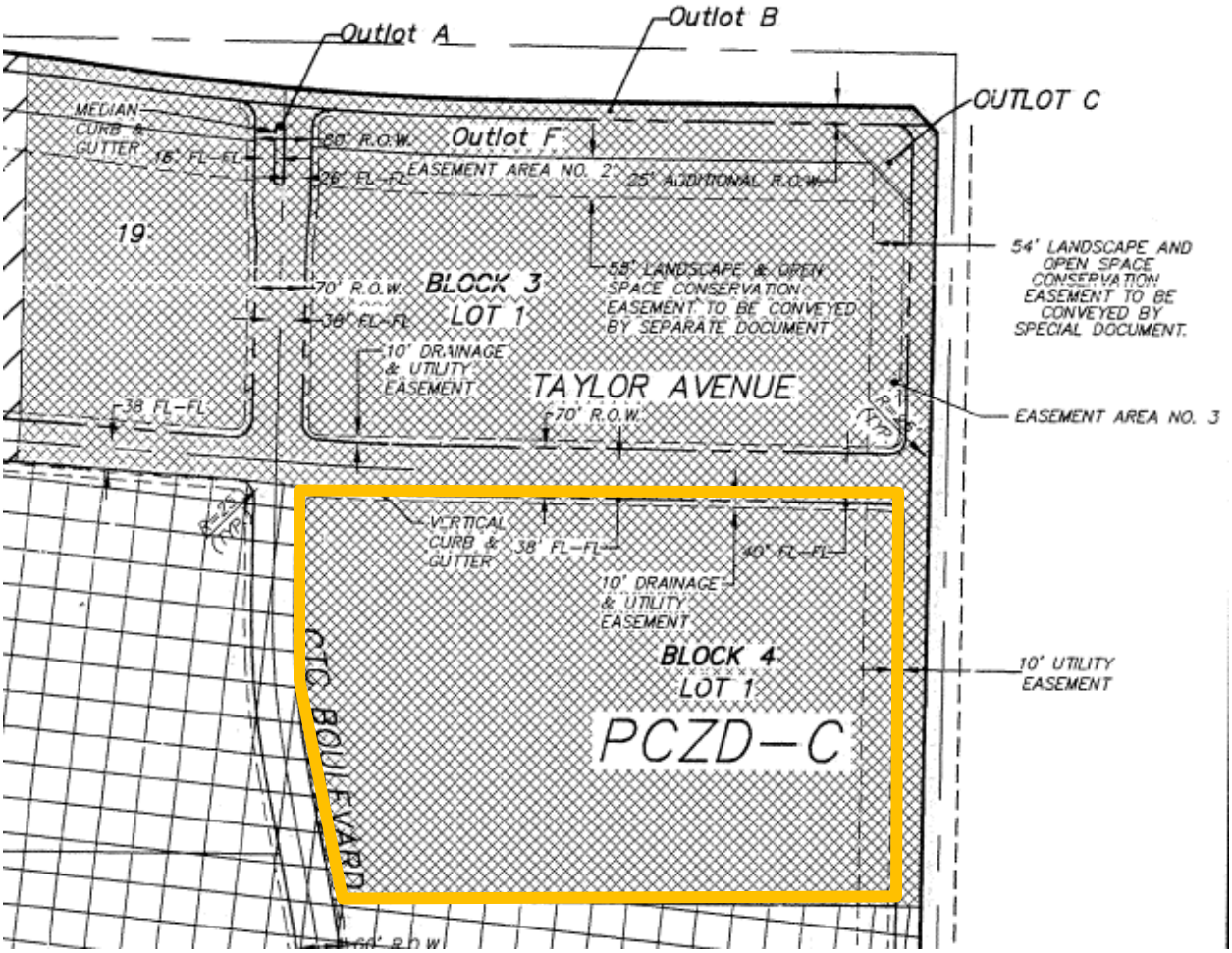
The Business Center at CTC General Development Plan (GDP) - The Business Center at CTC GDP was approved by City Council on February 17, 1998 by Ordinance No. 1277, Series 1998.



The GDP zoned the eastern half of the property PCZD-C. The western half was zoned PCZD-I. The PCZD-C portion of the site was permitted to develop any land use permitted in the Commercial-Business (CB) zone district. The design of the development is required to comply with the Commercial Development Design Standards and Guidelines (CDDSG).

City Council approved *Amendment A to the Business Center at CTC GDP* through Ordinance 1295, Series 1999 on April 16, 1999. The amendment rezoned the entire

property to PCZD-C with the CDDSG governing the specific design requirements.



City Council approved *Amendment B to the Business Center at CTC GDP* through Ordinance No. 1533, Series 2008 on May 6, 2008. The amendment expanded the land uses allowed beyond those allowed in the CB zone district and permitted more traditional industrial land uses found throughout CTC. The design of development continued to be governed by the CDDSG.

> *"In addition, research/office and corporate uses, processing, or assembly of scientific or technical products, or other product, if such facilities shall be completely enclosed and any noise, smoke, dust, odor, or other environmental contamination produced by such facilities confined to the lot upon which such facilities are located and controlled in accordance with all applicable city, state, or federal regulations."*

STAFF ANALYSIS

Section 17.72.060 guides the City evaluation of GDP amendment requests.

A. Any adopted planned community general development plan and supplementary development standards may be amended, revised or territory added thereto, pursuant to the same procedure and subject to the same limitations and requirements by which such plan was originally approved.

B. The director of planning may permit amendments to the planned development community general plan, when such amendments will not affect an increase in the permitted gross density of dwelling units or result in a change in character of the overall development plan. Any such amendment by the director of planning shall have approval by the city council prior to the amendment becoming effective or the city council may direct such change be made as through subsection A of this section.

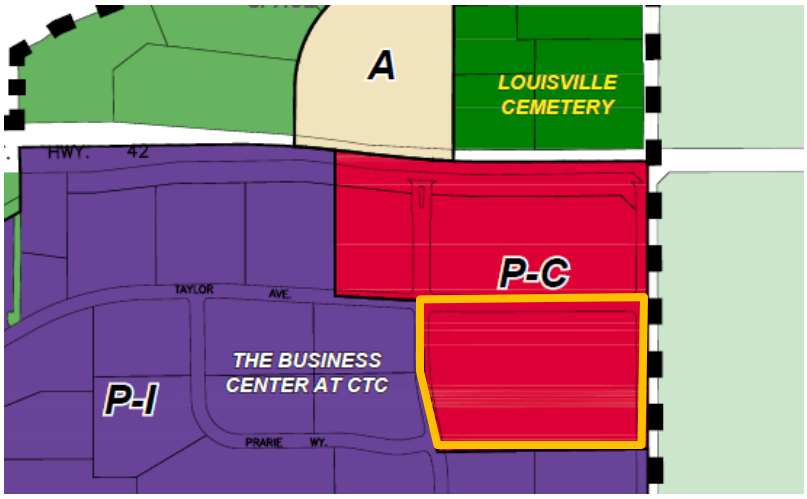
Staff believes the request to amend the GDP to allow for PCZD-I zoning and IDDSG design on this parcel is appropriate because such amendment will not *"affect an increase in the permitted gross density of dwelling units or result in a change in character of the overall development plan".*

2013 Comprehensive Plan
The City of Louisville Comprehensive Plan is reviewed to ensure rezoning requests are consistent with the long-range vision of the City.

The 2013 Comprehensive Plan identifies the Colorado Technology Center (CTC) as a Special District which includes *"a mix of industrial, office, and research and development facilities".* Amending the GDP to allow for this property to be zoned PCZD-I would allow the property to provide "industrial, office, and research and development facilities." Staff believes the request complies with the framework of the 2013 Comprehensive Plan.

City of Louisville Zoning Map
The City of Louisville Zoning Map is reviewed to ensure rezoning requests are compatible with surrounding properties.

The City's adopted Zoning Map shows this property has properties zoned PCZD-I (shown as P-I) to the south and west, PCZD-C (shown as P-C) to the north and Boulder County open space to the east. Rezoning this property to PCZD-I will be consistent with the properties to the south and west and would allow land uses compatible within the existing neighborhood.



PLANNED UNIT DEVELOPMENT

Site Plan

The proposed site plan meets the standards outlined in the IDDSG. The project's requested lot coverage (impervious surfaces - building footprint and parking/circulation areas) would cover 72% of the site, where a maximum of 75% is permitted.

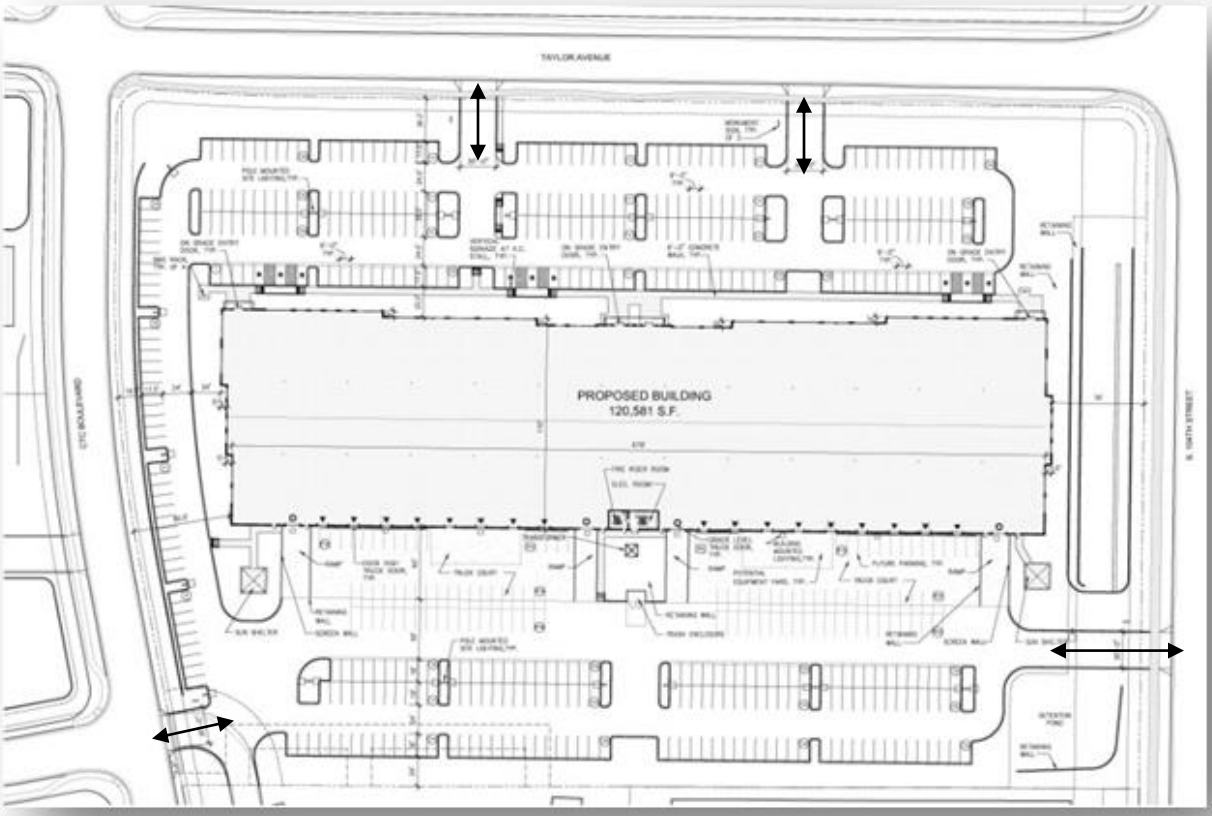
Surface parking and loading area (with loading docks and trash enclosures) are proposed on the south side of the building. The trash enclosure would be screened with a concrete wall and a painted steel gate. The loading docks would be set back 215 feet from the property line to the south and would be screened with landscaping and trees.

Parking

The applicant is proposing 419 parking spaces, in excess of the IDDSG requirements, for warehouse/industrial uses. The IDDSG requires a minimum parking ratio of 2.0 parking space per 1,000 square feet of floor area for flex office/warehouse uses and 4.0 spaces per 1,000 square feet of floor area for strictly office uses. The site provides capacity for an additional 109 spaces should a future tenant change the use from warehouse to office within the building.

Parking Plan	Required	Proposed	Total
Warehousing	2 spaces per 1,000 SF (242 spaces)	3.47 spaces per 1,000 SF	419 spaces
Office	4 spaces per 1,000 SF (483 spaces)	4.38 spaces per 1,000 SF	528 spaces*

** Would require the construction of the available 109 additional parking spaces.*



Vehicular and Pedestrian Circulation

Four vehicular access/egress points to the site are proposed. Two driveways are requested along Taylor Avenue, providing access/egress to the front of the building and northern parking area. A western driveway is proposed for CTC Blvd, while the forth driveway is proposed for South 104th Street.

There are existing sidewalks surrounding the property consistent with the CTC Sidewalk Plan. No additional sidewalks are proposed, or required along the perimeter of the property. The site plan does include internal sidewalks, connecting parking areas to the front door of the building.

Architecture

The majority of the proposed building would be constructed with concrete tilt up panels incorporating reveals and recesses in the façade. The color of the requested façade varies between off white, beige and burnt umber. The trash enclosures are proposed be screened with matching concrete panels and a painted steel gate.

The main entrance to the facility is located on the north side of the building, along Taylor Avenue. The proposed entrance includes a concentration of windows and a canopy above the door. Elements of the proposed entrance canopy are also found on the

corners of the building. The requested window pattern is consistent along the entire façade of the building. Windows on the corners would be 20 feet in height, stepping down to 9 feet in height as they transition towards the center of the building. Windows at the center of the building's façade are proposed to be 10 and 16 feet in height.

A varied roof line between 31 and 36 feet is proposed for the building. The proposed building height of 36 feet is below the maximum permitted height of 40 feet found in the IDDSG. All roof mounted mechanical equipment would be setback a minimum of 20 feet from the building parapet, and would be painted to match the dominant color of the building.

The proposed 694 feet long building façade is allowed within the IDDSG. Staff believes the proposed articulated roofline, varied color, step backs in the facade, and vertical landscaping would contribute to reducing the perceived scale and length of the building.

Landscape Plan, Drainage and Retaining Walls

Landscaping is proposed to be used to screen the parking lot and the loading areas. The site is proposed to be served by detention ponds on the northeastern and southeastern corners of the property. The perimeter of the detention pond would be landscaped with trees. The proposed parking area would include landscaped islands separating parking bays consistent with IDDSG requirements.

Retaining walls are proposed on the northwest corner of the site as the topography of the site drops from north to south. The proposed retaining walls would face the property and would not be visible to Taylor Avenue or CTC Blvd. The applicant is proposing shrubbery at the top of all retaining walls, consistent with IDDSG requirements.

Signs

Monument Sign

The applicant shows a total of 4 monument signs on the proposed plan. The IDDSG states *"one freestanding, ground-mounted, double faced sign is permitted for each freestanding building."* The IDDSG continues to state *"where a freestanding office building contains multiple tenants or multiple access of a public right of way, an increase in number of ground mounted signs may be permitted through the planned unit development plan process."* Staff believes the applicant's request is justified because the property has 4 separate driveways.

Surface Mounted Sign

The applicant is also requesting a waiver to the building mounted sign standard. The IDDSG states *"surface-mounted signs shall not exceed 15 square feet of surface area each, nor exceed 80 square feet total per building."* The applicant is proposing 40 square foot surface-mounted signs, not exceeding 120 square feet in total. Staff acknowledges a building with approximately 24,500 square feet of façade area creates an imposing wall surface for a 15 square foot sign. Staff is not opposed to the applicant's request.

Lighting

The applicant has submitted a lighting plan which includes wall lights on the building and pole lighting in the parking lot. The parking lot light poles cannot exceed 24 feet in height per the requirements of the IDDSG. The proposed lighting standards meet the specifications of the IDDSG.

Water Use

According to Section 17.28.060(D) of the LMC, *"water usage of industrial establishments shall be estimated and noted on the final development plan"*. The purpose of this section is to allow staff to confirm the City has the appropriate water supply to serve the proposed use. The applicant has stated it is difficult for them to estimate the water usage since this is a spec building. The applicant stated they would be installing a 2" water meter and a 1" irrigation meter for the future use of this building.

The Public Works Department believes there is enough water capacity to serve this project. Specific water use demand can be documented at the time of tenant finish.

FISCAL IMPACT:

The proposed development for 2000 Taylor Ave. includes 120,581 square feet of flex warehouse/industrial/office space. This space, if approved would introduce new jobs and employees into the local economy. Staff does not anticipate a negative fiscal impact associated with this request.

PLANNING COMMISSION ACTION:

The Planning Commission reviewed this submittal at their August 13, 2015 public hearing. Following a brief discussion regarding the request, the Planning Commission voted to forward the request to City Council by a 6 to 0 vote.

RECOMMENDATION:
Staff recommends City Council approve Ordinance No. 1703, Series 2015, and Resolution No. 66, Series 2015, a request for an amendment to the Business Center at CTC General Development Plan (GDP) and a rezoning from PCZD-C to PCZD-I, and a final Planned Unit Development (PUD) Plan to construct a 120,877 SF single story industrial/flex building with associated site improvements for Lot 1, Block 4, the Business Center at CTC, without conditions

ATTACHMENT(S):

1. Ordinance No. 1703, Series 2015
2. Exhibit B
3. Resolution No. 66, Series 2013
4. Application Documents
5. Final PUD plan set
6. 08 13 2015 Planning Commission Minutes
7. Presentation

ORDINANCE NO. 1703
SERIES 2015

AN ORDINANCE APPROVING AN AMENDMENT TO A PLANNED COMMUNITY ZONE DISTRICT (PCZD) GENERAL DEVELOPMENT PLAN FOR APPROXIMATELY 11.05 ACRES OF LAND DESIGNATED PLANNED COMMUNITY ZONED DISTRICT INDUSTRIAL KNOWN AS THE BUSINESS CENTER AT CTC.

WHEREAS, the EJ Louisville Land, LLC is the owner of certain real property totaling approximately 11.05 acres, which property is designated as a portion of the Business Center at CTC property and the legal description of which is attached hereto as Exhibit A (the "Property"); and

WHEREAS, the Property is currently zoned Planned Community Zone District – Commercial (PCZD – C) and, permitted uses are set forth on the existing PCZD general development plan; and

WHEREAS, the owner has submitted to the City a request for approval of an amended PCZD General Development Plan for the Property, which amended Plan is entitled the Business Center at CTC General Development Plan, Amendment C and a copy of which is attached hereto as Exhibit C (the "Business Center at CTC GDP Amendment C"); and

WHEREAS, the Business Center at CTC GDP shall serve to identify the zoning, permitted uses and development for the Property and shall serve as the PCZD General Development Plan for the Property, in accordance with Title 17 of the Louisville Municipal Code; and

WHEREAS, the Louisville Planning Commission has held a public hearing on the proposed Business Center at CTC GDP Amendment C for the Property and has forwarded a recommendation to the City Council to approve the Business Center at CTC GDP Amendment C; and

WHEREAS, the City Council has duly considered the Commission's recommendation; and

WHEREAS, the City Council has held a public hearing on the proposed Business Center at CTC, Amendment C GDP and has provided notice of the public hearing as provided by law; and

WHEREAS, no protests were received by the City pursuant to C.R.S. §31-23-305; and

WHEREAS, the PCZD-I zoning classification for the Property as further set forth on the Business Center at CTC GDP is consistent with the City of Louisville 2013 Citywide Comprehensive Plan;

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

Section 1. Subject to Section 2 hereof, the City Council of the City of Louisville hereby

approves the Business Center at CTC General Development Plan, Amendment C (the "Business Center at CTC, Amendment C") for the property legally described in Exhibit A attached hereto (the "Property") and, pursuant to the zoning ordinances of the City, such Property is zoned Planned Community Zone District Industrial (PCZD-I) for the uses permitted in the Business Center GDP for the Property, a copy of which Business Center at CTC, GDP Amendment C is attached hereto as Exhibit B.

Section 2. The Business Center at CTC General Development Plan, Amendment C shall be recorded in the Offices 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, Kelley & Dawes, P.C.
City Attorney

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

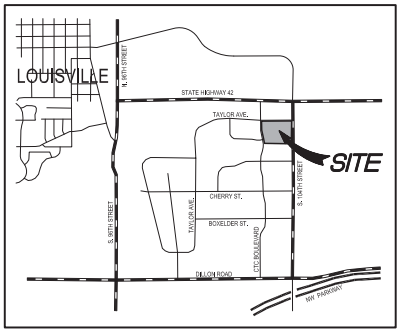
_____
Robert P. Muckle, Mayor

ATTEST:

_____
Nancy Varra, City Clerk

THE BUSINESS CENTER AT C.T.C.
PCZD GENERAL DEVELOPMENT PLAN
AMENDMENT C

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16,
TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO



VICINITY MAP (NTS)

LAND USE SUMMARY:

TOTAL AREA: 11.05 ACRES

PRESENT ZONING: PCZD–C

PROPOSED ZONING: PCZD–I

PLANNING COMMISSION CERTIFICATE:

APPROVED THIS _____ DAY OF _____, 20____, BY THE PLANNING COMMISSION OF THE CITY OF LOUISVILLE, COLORADO.

RESOLUTION NO. _____, SERIES _____

_____ CHAIRMAN

_____ SECRETARY

CITY COUNCIL CERTIFICATE:

APPROVED THIS _____ DAY OF _____, 20____, BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO.

RESOLUTION NO. _____, SERIES _____

_____ MAYOR'S SIGNATURE

_____ CITY CLERK'S SIGNATURE

CITY SEAL:

OWNERSHIP CERTIFICATE:

EJ LOUISVILLE LAND, LLC., A COLORADO LIMIITED LIABILITY COMPANY

_____

BY:
AS:

ACKNOWLEDGMENT:

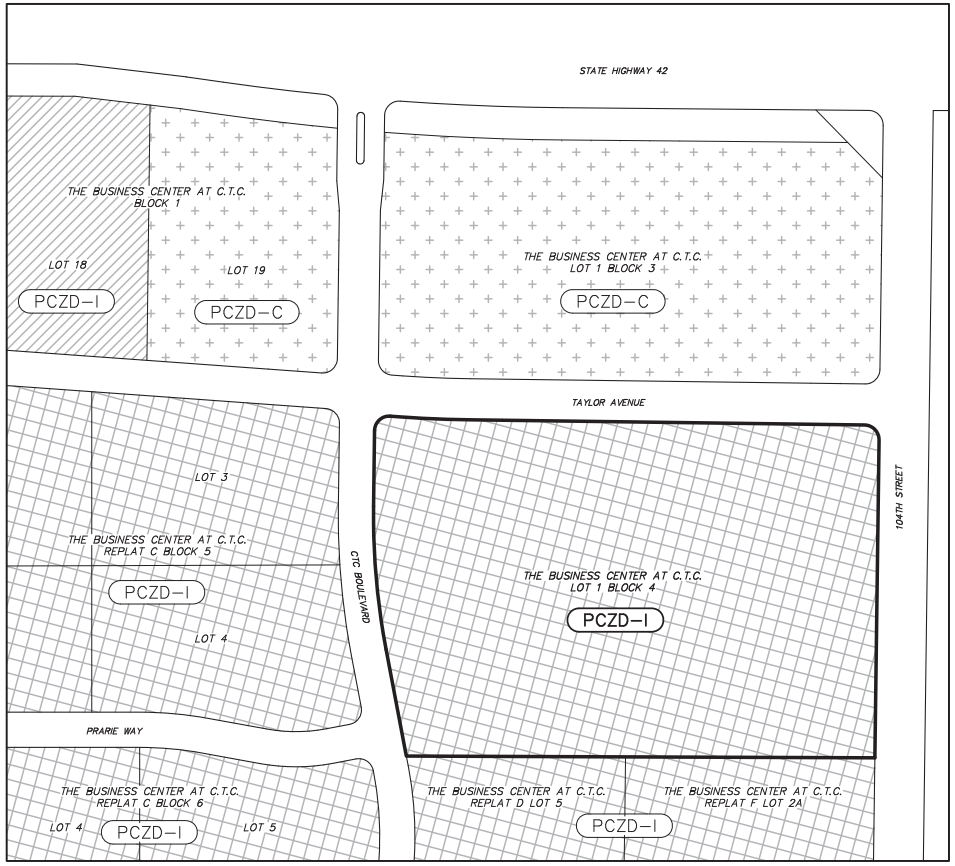
STATE OF COLORADO)
) SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____ AS _____ OF EJ LOUISVILLE LAND LLC, A COLORADO LIMITED LIABILITY LAND COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES _____

_____
NOTARY PUBLIC



0 50 100 200
1 inch = 100 ft.

PROPERTY TO BE ZONED PCZD–I LEGAL DESCRIPTION:

LOT 1, BLOCK 4, THE BUSINESS CENTER AT C.T.C., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 27, 1998 UNDER RECEPTION NO. 1827896.

LEGEND

PCZD–I

AREA TO BE USED ONLY FOR OFFICE, INDUSTRIAL, OR RESEARCH/OFFICE AND CORPORATE USES. ALL DEVELOPMENT IRRESPECTIVE OF USE SHALL BE SUBJECT TO THE LOUISVILLE COMMERCIAL DEVELOPMENT DESIGN STANDARDS AND GUIDELINES, AS IN EFFECT FROM TIME TO TIME.

AREA TO BE INDUSTRIAL – CTC, CITY OR OTHER APPLICABLE INDUSTRIAL GUIDELINES SHALL APPLY, AS IN EFFECT FROM TIME TO TIME. SPECIAL REVIEW USE APPROVAL IS REQUIRED FOR ANY USE IDENTIFIED IN THE LOUISVILLE MUNICIPAL CODE AS A USE BY SPECIAL REVIEW IN THE CITY'S INDUSTRIAL (I) ZONE DISTRICT REGULATIONS, AS IN EFFECT FROM TIME TO TIME.

NOTE: AUTOMOBILE SERVICE STATIONS ARE PROHIBITED IN THE ABOVE THREE AREAS.

PCZD–C

THE AREA TO BE PCZD–C COMMERCIAL AND OFFICE. PERMITTED USES LIMITED TO THOSE USES IDENTIFIED IN THE LOUISVILLE MUNICIPAL CODE AS PERMITTED USES IN THE CITY'S COMMERCIAL BUSINESS (CB) ZONE DISTRICT REGULATIONS AS AMENDED FROM TIME TO TIME. SPECIAL REVIEW USE APPROVAL IS REQUIRED FOR ANY USE IDENTIFIED IN THE LOUISVILLE MUNICIPAL CODE AS A USE BY SPECIAL REVIEW IN THE CITY'S COMMERCIAL BUSINESS (CB) ZONE DISTRICT REGULATIONS AS AMENDED FROM TIME TO TIME. IN ADDITION, RESEARCH/OFFICE AND CORPORATE USES, AND FACILITIES FOR THE MANUFACTURING, FABRICATION, PROCESSING, OR ASSEMBLY OF SCIENTIFIC OR TECHNICAL PRODUCTS, OR OTHER PRODUCT, IF SUCH USES ARE COMPATIBLE WITH SURROUNDING AREAS. SUCH FACILITIES SHALL BE COMPLETELY ENCLOSED AND ANY NOISE, SMOKE, DUST, ODOR OR OTHER ENVIRONMENTAL CONTAMINATION PRODUCED BY SUCH FACILITIES, CONFINED TO THE LOT UPON WHICH SUCH FACILITIES ARE LOCATED AND CONTROLLED IN ACCORDANCE WITH ALL APPLICABLE CITY, STATE, OR FEDERAL REGULATIONS.

CLERK AND RECORDER'S CERTIFICATE:

STATE OF COLORADO)
) SS
COUNTY OF BOULDER)

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

FEES: _____ PAID

_____ CLERK & RECORDER

_____ DEPUTY

SCALE VERIFICATION
BAR IS ONE INCH ON ORIGINAL DRAWING
0 1 2 3 4 5
IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY

NO.	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			

REVISIONS

HURST
CIVIL ENGINEERING
PLANNING
SURVEYING
HURST & ASSOCIATES, INC.
2500 Broadway, Suite 8
Boulder, CO 80304
303-449-9105

THE BUSINESS CENTER AT C.T.C.
PCZD GENERAL DEVELOPMENT
PLAN AMENDMENT C
LOUISVILLE, COLORADO

DRAWN BY: BD	DESIGNED BY:
APPROVED BY:	
JOB NUMBER: 2242-13	
DATE: 07/30/15	
SCALE: 1"=100'	
SHEET NO. 1 OF 1	
FILE LOCATION: G:\2242\13\SURVEY\BUS CTR GDP AMEND C	

RESOLUTION NO. 66
SERIES 2015

A RESOLUTION APPROVING AN AMENDMENT TO THE EXISTING BUSINESS CENTER AT CTC GDP FOR A REZONING FROM PCZD-C TO PCZD-I, AND A FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR A 120,877 SF SINGLE STORY INDUSTRIAL/FLEX BUILDING WITH ASSOCIATED SITE IMPROVEMENTS FOR LOT 1, BLOCK 4, THE BUSINESS CENTER AT CTC

WHEREAS, there has been submitted to the Louisville City Council an application for approval of an amendment to the existing Business Center at CTC GDP for a rezoning from PCZD-C to PCZD-I, and a final planned unit development (PUD) plan for a 120,877 SF single story Industrial/Flex building with associated site improvements for Lot 1, Block 4, the Business Center at CTC; 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 September 15, 2015, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated August 13, 2015, the Planning Commission recommended approval of said PUD extension to the City Council without 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 approve an amendment to the existing Business Center at CTC GDP for a rezoning from PCZD-C to PCZD-I, and a final planned unit development (PUD) plan for a 120,877 SF single story Industrial/Flex building with associated site improvements for Lot 1, Block 4, the Business Center at CTC, without condition:.

PASSED AND ADOPTED this 6th day of October, 2015.

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

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

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: Etkin Johnson Real Estate Partners
Contact: Jim Vasbinder
Address: 1512 Larimer Street Suite 100
Denver, Colorado 80202
Mailing Address: Same
Telephone: o 303-223-2185 m 303-898-3907
Fax: –
Email: jvasbinder@etkinjohnson.com

OWNER INFORMATION

Firm: EJ Louisville Land LLC
Contact: Jim Vasbinder
Address: 1512 Larimer Street Suite 100
Denver, Colorado 80202
Mailing Address: Same
Telephone: o 303-223-2185 m 303-898-3907
Fax: –
Email: jvasbinder@etkinjohnson.com

REPRESENTATIVE INFORMATION

Firm: Etkin Johnson Real Estate Partners
Contact: Jim Vasbinder
Address: 1512 Larimer Street Suite 100
Denver, Colorado 80202
Mailing Address: Same
Telephone: o 303-223-2185 m 303-898-3907
Fax:
Email: jvasbinder@etkinjohnson.com

PROPERTY INFORMATION

Common Address: 2000 Taylor Avenue
Legal Description: Lot 1 Blk 4
Subdivision The Business Center at CTC
Area: 481,301 Sq. Ft. (11.05 Ac)

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: Proposed 120,877 SF single story industrial building with associated site improvements.

Current zoning: I Proposed zoning: I

SIGNATURES & DATE

Applicant: James D. Vasbinder
Print: James D. Vasbinder
Owner: James D. Vasbinder
Print: James D. Vasbinder
Representative: James D. Vasbinder
Print: James D. Vasbinder

CITY STAFF USE ONLY

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

LETTER OF INTENT

2000 Taylor Avenue
Colorado Tech Center
Louisville, Colorado
May 13, 2015

Property: Lot 1, Block 4 The Business Center at CTC.
11.05 Acres (481,301 SF)

Property Owner: EJ Louisville Land LLC, an affiliate of applicant.

Zoning: Property is currently zoned PCZD-C (Planned Community Zone District – Commercial and Office). Concurrent with this PUD submittal it is requested that the zoning be amended to PCZD-I (Planned Community Zone District – Industrial) and the proposed project and improvements will comply with the City of Louisville Industrial Development Design Standards & Guidelines (IDDSG).

Building: 2000 Taylor will be developed as a speculative real estate investment in that there are currently no tenants to define the proposed users or specific requirements for the building or project.

ETKIN JOHNSON GROUP

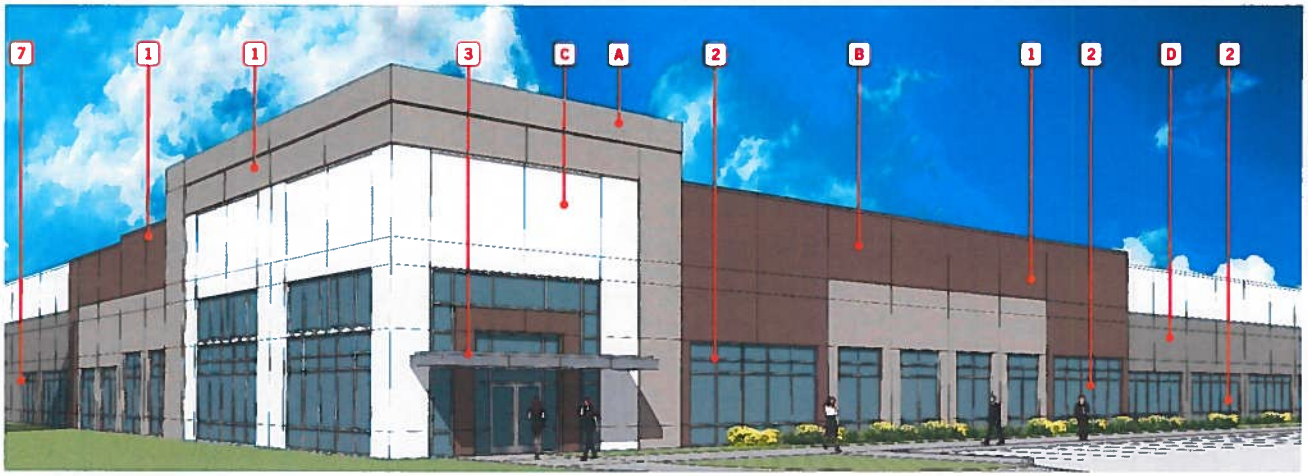
2000 Taylor Avenue

LOUISVILLE, COLORADO

DEN14-0068-00
CONCEPTUAL DESIGN
03.25.2015

WARE MALCOMB

Architecture | planning | interiors
graphics | civil engineering



Corner Entrance Perspective

PAINT COLORS

- A BONAPARTE – CL2864M
- B DOTCOM – CL2666A
- C STONEY PLAIN – CLW1037W
- D SEAWEED - CL2935D

KEY NOTES

1. TEXTURED AND PAINTED TILT UP CONCRETE PANEL WITH REVEALS AS SHOWN
2. STOREFRONT GLAZING SYSTEM WITH HIGH PERFORMANCE GLASS AND CELAR ANODIZED ALUMINUM MULLIONS
3. METAL PANEL WRAPPED CANOPY AT MAIN ENTRANCE
4. CLERESTORY OPENINGS WITH HIGH PERFORMANCE GLASS WITH CLEAR ANODIZED ALUMINUM MULLIONS
5. 9' X10' DOCK DOOR TYP.
6. 12' X 14' DRIVE UP DOOR TYP.
7. KNOCK-OUT PANEL FOR FUTURE STOREFRONT
8. KNOCK-OUT PANEL FOR FUTURE DOCK DOOR TYP.

East Elevation

West Elevation

Secondary Corner Entry Perspecive

Center Entry Perspective

South Elevation

North Elevation

This conceptual design is based upon a preliminary review of available site information and possible development scenarios and is intended only to assist in exploring how the project might be developed

ETKIN JOHNSON

SCHEME 2B

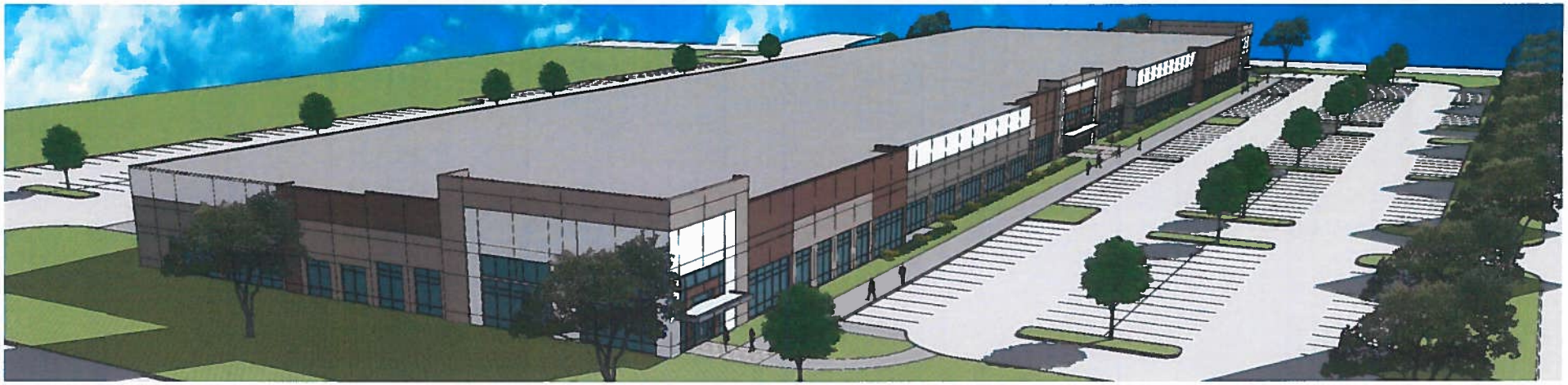
Conceptual Design

2000 TAYLOR AVENUE
LOUISVILLE, COLORADO

WARE MALCOMB

DCN14-0068-00
03.25.2015

SHEET
1



353

SCHEME 2B

Supplemental Model Perspectives

2000 TAYLOR AVENUE
LOUISVILLE, COLORADO

ETKIN JOHNSON

WARE MALCOMB

DEN14-0058-00
03.25.2015

SHEET
2

ETKIN JOHNSON REAL ESTATE PARTNERS

MEMORANDUM

TO: Sean McCartney
CC:
FR: Jim Vasbinder
DA: July 28, 2015
RE: 2000 Taylor PUD & Rezoning Application (Case 15-013-FP/ZN)

In support of our application to rezone The Business Center at CTC Block 4, Lot 1 from PCZD-C to PCZD-I as an integral part of our PUD application for the proposed 120,581 square foot 2000 Taylor building the following information is provided for review and consideration by the City of Louisville:

1. The Annexation and Zoning Agreement for the Colorado Technological Center, dated June 1, 1976 (recorded at Reception No. 377414 on January 3, 1980) references zoning classifications I (industrial) and C-B (Commercial-Business). Unfortunately, the recorded version of this document does not include any of the referenced exhibits so it is not possible for me to determine which areas or lots were zoned I or C-B; however, it is apparent that specific areas of the Colorado Technological Center were zoned C-B.

2. The Business Center at CTC PCZD General Development Plan recorded July 27, 1998 which includes Block 4, Lot 1 zoned the east portion of this lot as PCZD-C and the west portion of this lot as I.

3. The Business Center at CTC PCZD General Development Plan Amendment A recorded July 14, 1999 zoned the entire Block 4, Lot 1 as PCZD-C.

4. The Business Center at CTC PCZD General Development Plan Amendment B recorded May 27, 2008 maintained the PCZD-C zoning for Block 4, Lot 1 and added "research/office and corporate uses, and facilities for the manufacturing, fabrication, processing or assembly of scientific or technical products or other product if such uses are compatible with surrounding areas".

5. The attached Etkin Johnson Industrial Development Summary for Colorado Tech Center, dated July 15, 2015 indicates that we have developed 855,926 square feet of industrial space since 1998. This equates to over $110,000,000 investment to date by Etkin Johnson at the Colorado Tech Center. As noted, with approval of the 2000 Taylor PUD and re-zoning request and the 633 CTC project we are proposing an additional 273,573 square feet of industrial development at Colorado Tech Center in 2015 and 2016 with corresponding additional $35,000,000 investment by Etkin Johnson.

6. Tenants which occupy the Etkin Johnson industrial buildings include; Zeon, Bard Medical, Wish Garden Herbs, Medtronic, Kiosk, Fresca Foods, Inventiv Health, Graphic Packaging, Intertek, World Triathlon, Lifetime Fitness, Babolat, Trelleborg, Fenix Outdoor and White Wave.

7. As noted above the 1976 Annexation and Zoning proposed C-B zoning areas and for the thirty-nine years since 1976 there has not been a viable long term commercial or retail use at Colorado Tech Center. Etkin Johnson involvement at the Colorado Tech Center started in late 1996 and to date we have not had a formal request from a commercial or retail user or tenant for a build-to-suit proposal, request to purchase vacant land for development or a request for a proposal to lease space at any of our buildings which has evolved into an actual transaction.

8. While the City of Louisville has always expressed the desire to have commercial and retail development and uses at the Colorado Tech Center we have not had success with achieving that goal. That can be attributed to any number of factors such as lack of adequate housing in close proximity, only day time employee base, no existing core of retail or commercial users already in place creating support demand and traffic generation, etc. In addition, even the major retail centers in the market trade area such as the Interlocken and Flatirons have experienced soft demand and loss of tenants.

9. We have discussed the possibility of retail development at this location with major real estate brokerage firms such as CBRE with similar responses that they do not represent any clients that would locate here in the foreseeable future.

10. We are respectively requesting the City of Louisville to grant this zoning request for The Business Center at CTC Block 4, Lot 1 from PCZD-C to PCZD-I to allow Etkin Johnson to continue our development of industrial projects at the Colorado Tech Center. This creates a viable and dynamic project in the City of Louisville.

Thank you for your consideration of this request.

Jim Vasbinder

7.28.2015

Colorado Tech Center
Louisville, Colorado
Etkin Johnson Industrial Development Summary

7/15/2015

Year	Project	Building Area, SF	Site Area, Ac.
1998	Building One (321 South Taylor)	77,872	5.861
2000	Building A (1480 Arthur)	92,576	7.71
	Building C (346 South Arthur)	64,672	5.222
2006	1795 Dogwood	109,068	7.599
2007	1775 Cherry	130,182	8.91
2008	195 CTC	64,368	4.95
2012	Etkin Johnson land sale to Pearl Izumi	55,000	8.024
2014	1900 Cherry	66,350	4.84
	1900 Taylor	136,701	11.14
2015	1960 Cherry	59,137	4.026
	Totals to Date	855,926	68.282
2015	Proposed 2000 Taylor	120,581	11.05
2016	Proposed 633 CTC	152,992	12.20
	Proposed Totals	1,129,499	91.53

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

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interiors
graphics
civil engineering
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PROJECT SUMMARY

TOTAL LAND AREA: 481,301 SQUARE FEET (11.05 ACRES)
BUILDING AREA: 120,581 SQUARE FEET
FAR: 0.25

BUILDING HEIGHT:
ALLOWABLE: 40.0 FEET
PROPOSED: 36.3 FEET

SITE COVERAGE REQUIREMENT:
BUILDING, PARKING AND DRIVEWAY COVERAGE:
ALLOWABLE: 75%
PROVIDED: 72.29%
LANDSCAPE COVERAGE:
ALLOWABLE: 25%
PROVIDED: 27.71%

BUILDING SETBACKS:
FRONT YARD AT A LOCAL PUBLIC STREET
ALLOWABLE: 30 FEET
PROVIDED: 177.20 FEET
SIDE YARD FROM A LOCAL PUBLIC STREET
ALLOWABLE: 30 FEET
PROVIDED: 81.0 FEET (EAST), 85.0 FEET (WEST)
REAR YARD ABUTTING A SIMILAR ZONE DISTRICT
ALLOWABLE: 15 FEET
PROVIDED: 215.0 FEET

PARKING SETBACKS:
FRONT OR SIDE YARDS YARD AT A LOCAL PUBLIC STREET
ALLOWABLE: 20 FEET
PROVIDED: 79.08 FEET

PARKING:
REQUIRED: 242 SPACES @ 2 SPACES PER 1000 SQUARE FEET
PROVIDED:
STANDARD: 410 SPACES
HANDICAP: 9 SPACES
TOTAL WITHOUT TRUCK COURT: 419 SPACES (3.47 SPACES PER 1,000 SQUARE FEET)
TOTAL WITH TRUCK COURT: 528 SPACES (4.38 SPACES PER 1,000 SQUARE FEET)

GENERAL NOTES

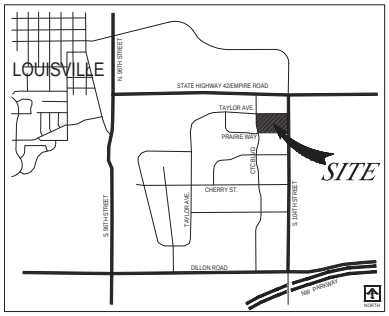
1. THE PROPERTY IS ZONED I-INDUSTRIAL.
2. ALL SETBACKS AND LAND USE REQUIREMENTS SHALL CONFIRM TO THE CITY OF LOUISVILLE, COLORADO ZONING AND LAND USE REGULATIONS IN EFFECT AS OF THE DATE OF APPROVAL OF THIS PLANNED UNIT DEVELOPMENT BY THE CITY OF LOUISVILLE, COLORADO.
3. EXCEPT AS AMENDED BY THIS FINAL PLANNED UNIT DEVELOPMENT, ALL SIGNS SHALL CONFORM TO THE INDUSTRIAL DEVELOPMENT DESIGN STANDARDS AND GUIDELINES. THESE AMENDMENTS ARE:
   A. FOUR FREESTANDING, GROUND MOUNTED DOUBLE FACED SIGNS LOCATED PER THE SITE PLAN BE PERMITTED. THE DESIGNS FOR THESE SIGNS SHALL BE PER THE DETAIL ON SHEET 8.
   B. SURFACE MOUNTED BUILDING SIGNS SHALL NOT EXCEED 2 FEET IN HEIGHT BY 20 FEET IN LENGTH EACH WITH A MAXIMUM OF THREE SURFACE MOUNTED SIGNS. THREE OF THE BUILDING SIGNS SHALL BE PERMITTED ON THE NORTH BUILDING ELEVATION (FACING TAYLOR AVENUE). MAXIMUM SURFACE MOUNTED BUILDING SIGNAGE AREA OF 120 SQUARE FEET IN THE AGGREGATE.
   C. FOR BOTH MULTI TENANT AND SINGLE TENANT OCCUPANCY, THE SURFACE MOUNTED BUILDING SIGN SIGN SHALL NOT EXCEED 24 INCHES IN HEIGHT.
4. THE CITY OF LOUISVILLE IS NOT RESPONSIBLE FOR DAMAGE TO OR REPAIR OF MONUMENT SIGNS DUE TO UTILITY MAINTENANCE.
5. THE CITY OF LOUISVILLE IS NOT RESPONSIBLE FOR DAMAGE TO PAVEMENT SURFACES OR LANDSCAPING CAUSED DURING REPAIR OR MAINTENANCE ACTIVITIES OF UTILITIES LOCATED WITHIN PUBLIC UTILITY EASEMENTS.
6. ON-STREET PARKING WILL NOT BE UTILIZED TO MEET THE PARKING REQUIREMENTS OF THE PROJECT.
7. ALL ROOF-MOUNTED MECHANICAL, ELECTRICAL, OPTICAL AND ELECTRONIC EQUIPMENT SHALL BE SET A MINIMUM OF 20' FROM THE BUILDING PARAPET, AND IF VISIBLE FROM THE PUBLIC STREET ADJACENT TO THE PROPERTY, SHALL BE PAINTED TO MATCH THE DOMINANT COLOR OF THE BUILDING.
8. OWNER WILL ADD ADDITIONAL HANDICAP PARKING SPACES TO THE PARKING IF THE BUILDING IS LEASED PRIMARILY AS OFFICE SPACE.

SHEET INDEX

1 OF 16	COVER SHEET
2 OF 16	UTILITY PLAN
3 OF 16	GRADING PLAN
4 OF 16	DEVELOPMENT PLAN
5 OF 16	FLOOR PLAN
6 OF 16	NORTH ELEVATION
7 OF 16	EAST AND WEST ELEVATIONS
8 OF 16	SOUTH ELEVATION
9 OF 16	ARCHITECTURAL SITE DETAILS
10 OF 16	LANDSCAPE PLAN
11 OF 16	LANDSCAPE PLAN
12 OF 16	LANDSCAPE PLAN
13 OF 16	LANDSCAPE PLAN
14 OF 16	LANDSCAPE DETAILS
15 OF 16	SITE PHOTOMETRIC PLAN
16 OF 16	PHOTOMETRIC DETAILS

LEGAL DESCRIPTION:

LOT 1, BLOCK 4 OF THE BUSINESS CENTER AT CTC



VICINITY MAP (NTS)

OWNERSHIP SIGNATURE BLOCK:

BY SIGNING THIS FINAL PUD, THE OWNER ACKNOWLEDGES AND ACCEPTS ALL THE REQUIREMENTS AND INTENT SET FORTH IN THIS FINAL PUD. WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 20___,

OWNER:

EJ LOUISVILLE LAND LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: _____
BRUCE H. ETKIN, MANAGER

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 _____

BY: _____
ROBERT P. MUCKLE, MAYOR

BY: _____
NANCY VARRA, CLERK

CITY SEAL:

CLERK AND RECORDER'S CERTIFICATE:

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

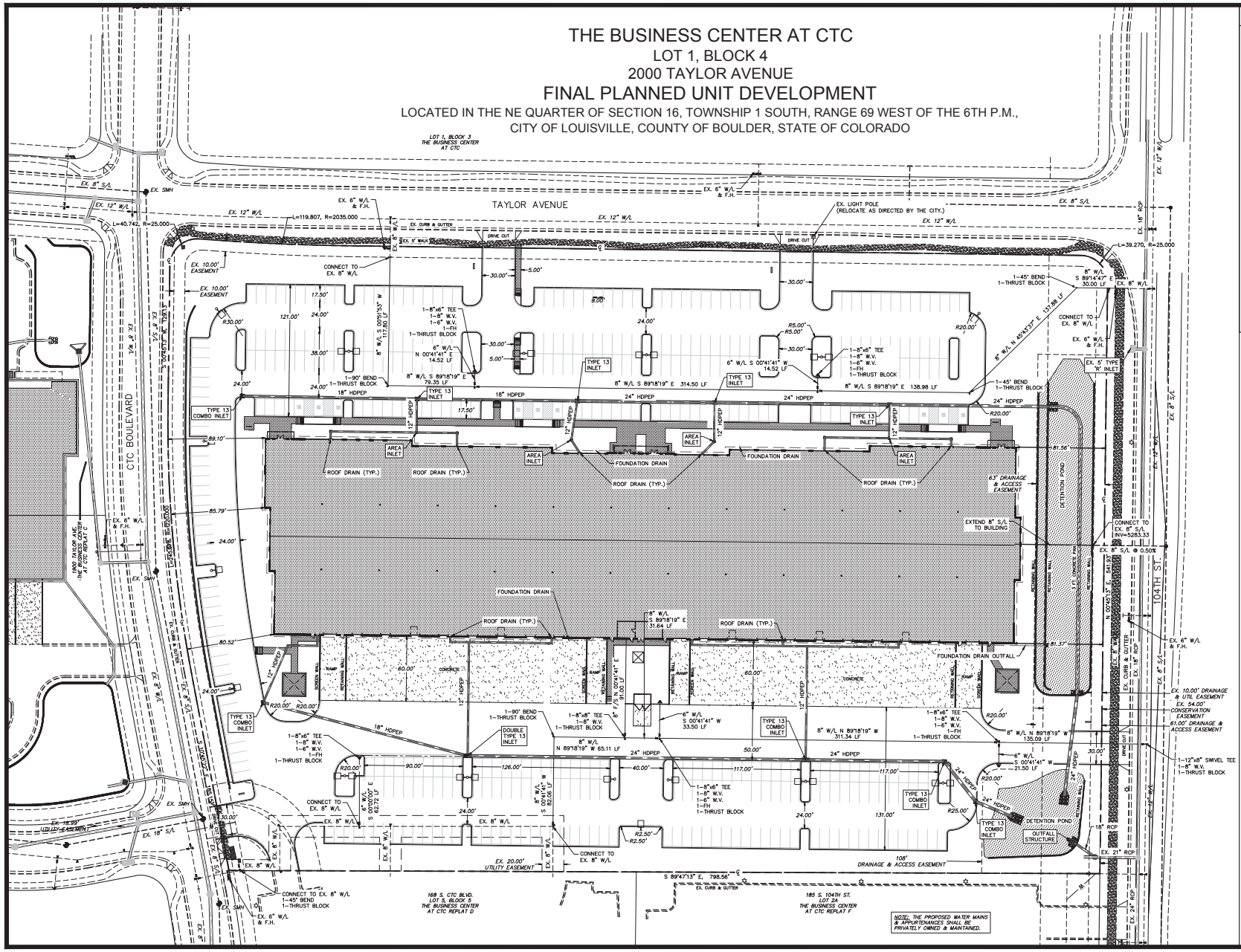
THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NE QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO



LEGEND

- Proposed Waterline
- Existing Waterline
- Proposed Sewerline
- Existing Sewerline
- Stormline
- W — Water Service
- S — Sewer Service
- FS — Fire Service
- G — Existing Gas Line
- E — Ex. Underground Electric
- OHE — Ex. Overhead Electric
- FO — Existing Fiber Optic
- T — Existing Telephone Line
- TV — Existing Cable TV Line
- Thrust Block
- Water Valve
- Fire Hydrant
- Plug
- Manhole
- Type 'R' Inlet
- Existing Contours
- Proposed Contours
- Street Light
- Install Handicap Ramp

SCALE VERIFICATION
BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY

72 HOURS BEFORE YOU DIG CALL THE UTILITY NOTIFICATION CENTER OF COLORADO 811
NON-MEMBERS: TELEPHONICALLY AND PARADE CONSTRUCTION COMPANIES

NO.	DESCRIPTION	DATE	BY

REVISIONS

COLORADO LICENSED JOHN W. HUSTER 22730 PROFESSIONAL ENGINEER

HURST
CIVIL ENGINEERING
PLANNING
SURVEYING

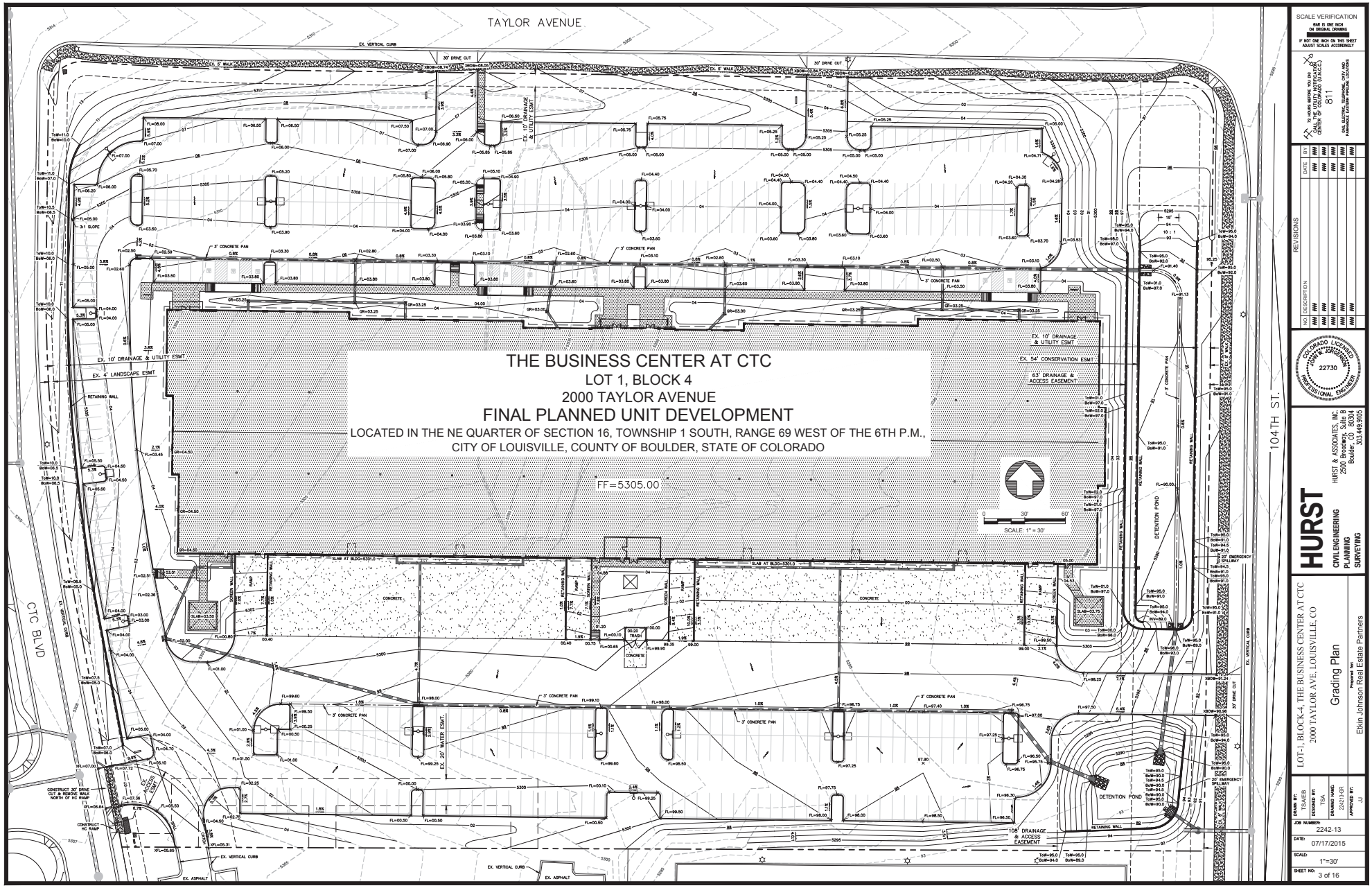
HURST & ASSOCIATES, INC.
2500 Broadway, Suite B
Boulder, CO 80304
303.449.9092

LOT-1, BLOCK-4, THE BUSINESS CENTER AT CTC
2000 TAYLOR AVE, LOUISVILLE, CO

UTILITY PLAN

Prepared for:
Elkin Johnson Real Estate Partners

DRAWN BY:	TS/AE/B
DESIGNED BY:	TSA
DRAWING NAME:	2242-3-MU
APPROVED BY:	JJ
JOB NUMBER:	2242-13
DATE:	07/17/15
SCALE:	1"=40'
SHEET NO:	2 of 16


TAYLOR AVENUE
THE BUSINESS CENTER AT CTC
LOT 1, BLOCK 4
2000 TAYLOR AVENUE
FINAL PLANNED UNIT DEVELOPMENT
LOCATED IN THE NE QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO
FF=5305.00
SCALE: 1" = 30'
CTC BLVD
104TH ST.
DETENTION POND
EX. 10' DRAINAGE & UTILITY ESMT
EX. 4' LANDSCAPE ESMT
EX. 54' CONSERVATION ESMT
63' DRAINAGE & ACCESS EASEMENT
108' DRAINAGE & ACCESS EASEMENT
EX. 20' WATER ESMT.
30' DRIVE CUT
EX. VERTICAL CURB
EX. 5' WALK
EX. ASPHALT
3' CONCRETE PAN
RETAINING WALL
SCREEN WALL
RAMP
CONCRETE
SLAB AT BLDG=5301.0
TRASH
CONSTRUCT 30' DRIVE OUT & REMOVE WALK NORTH OF HC RAMP
CONSTRUCT HC RAMP
3:1 SLOPE
10 : 1
27' EMERGENCY SPILLWAY
SCALE VERIFICATION
BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY
72 HOURS BEFORE YOU DIG CALL THE UTILITY NOTIFICATION CENTER OF COLORADO 811
REVISIONS
NO. DESCRIPTION DATE BY
COLORADO LICENSED JOHN R. JOHNSON 22730 PROFESSIONAL ENGINEER
HURST
CIVIL ENGINEERING
PLANNING
SURVEYING
HURST & ASSOCIATES, INC.
2500 Broadway, Suite B
Boulder, CO 80304
303.449.5105
LOT-1, BLOCK-4, THE BUSINESS CENTER AT CTC
2000 TAYLOR AVE, LOUISVILLE, CO
Grading Plan
Prepared for:
Elkin Johnson Real Estate Partners
DRAWN BY: TSA/EB
DESIGNED BY: TSA
DRAWING NAME: 2242-GSR
APPROVED BY: JJ
JOB NUMBER: 2242-13
DATE: 07/17/2015
SCALE: 1"=30'
SHEET NO: 3 of 16

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

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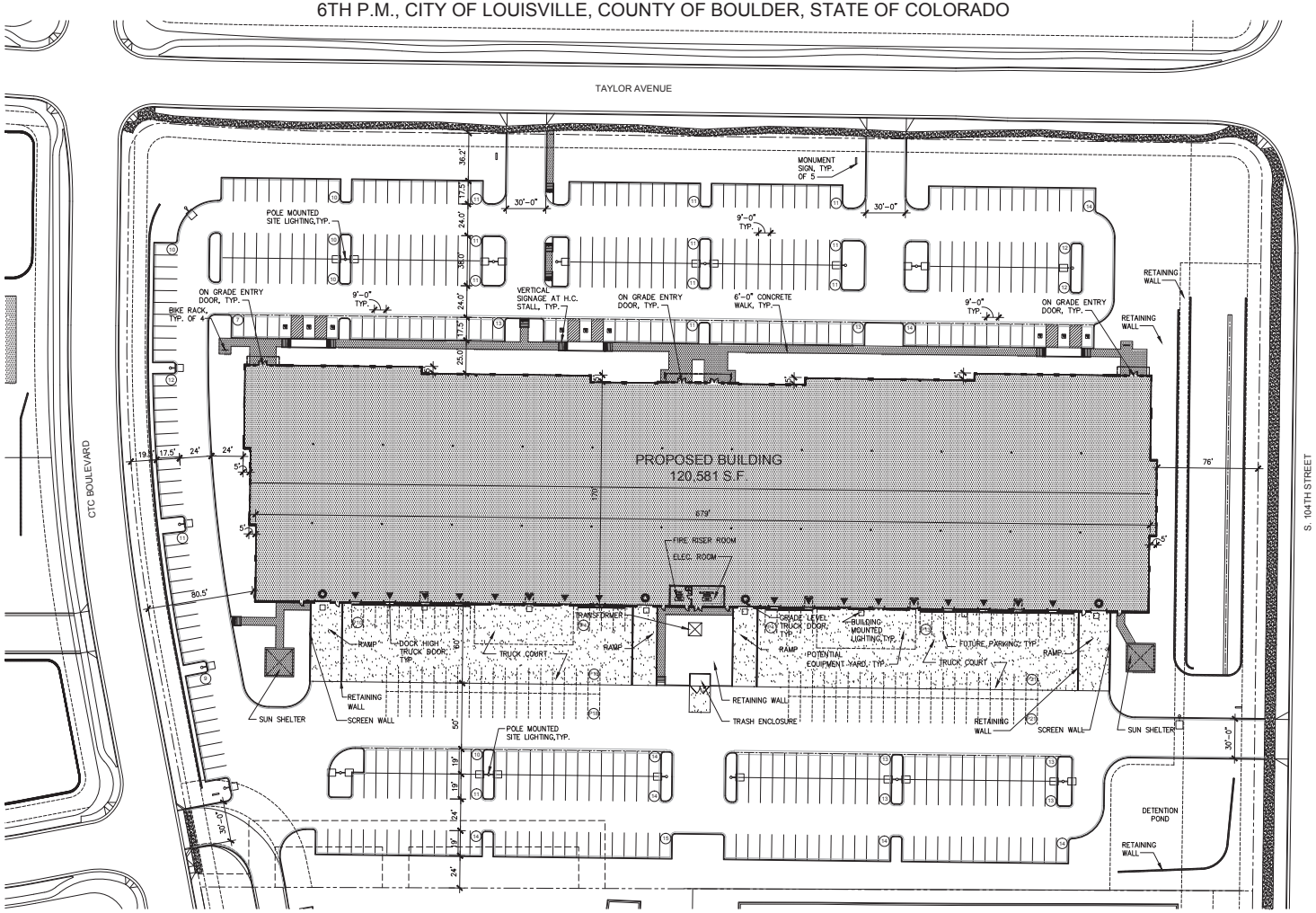

DEVELOPMENT PLAN

SCALE: 1" = 40'-0"

DEVELOPMENT PLAN
SHEET 4 OF 16

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

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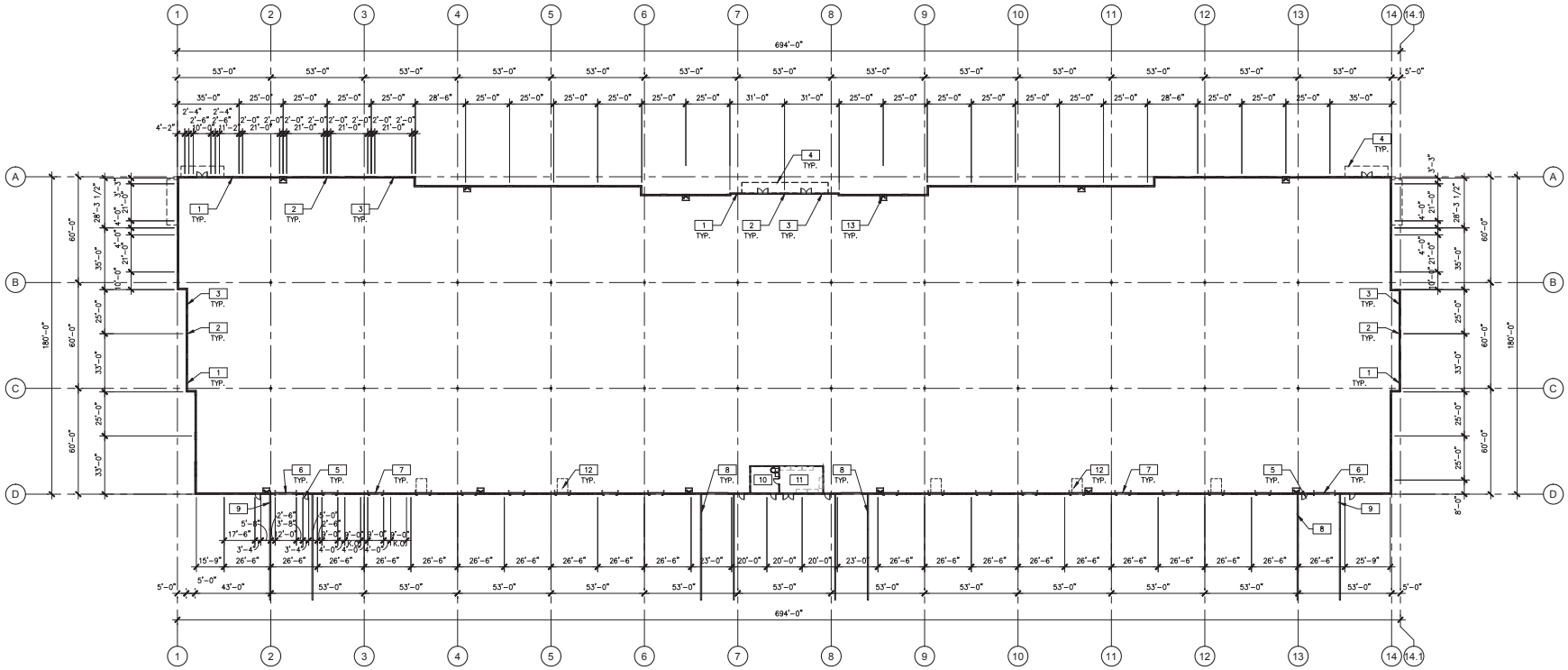

FLOOR PLAN
SCALE: 1" = 30'-0"

PLAN NOTES

1. CONCRETE TILT-UP PANEL, PAINTED
2. CONCRETE TILT-UP PANEL JOINT
3. ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED GLAZING
4. STEEL CANOPY ABOVE
5. 3' WIDE x 7' HIGH MAN DOOR
6. 12' WIDE x 14' HIGH DRIVE UP DOOR
7. 9' WIDE x 10' HIGH DOCK DOOR
8. RETAINING WALL, 42" HIGH ABOVE GRADE
9. SCREEN WALL, MAXIMUM 10' HIGH ABOVE ADJACENT GRADE
10. FIRE RISER ROOM
11. ELECTRICAL ROOM
12. DOCK LEVELER
13. ROOF AND OVERFLOW DRAINS. ROOF DRAINS TIED DIRECTLY TO STORM SEWER. OVERFLOW DRAINS WITH DOWNSPOUT NOZZLE.

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

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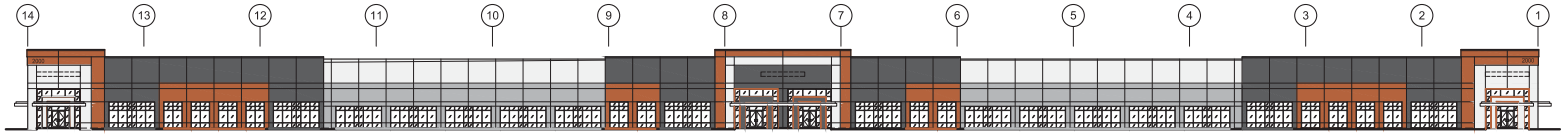
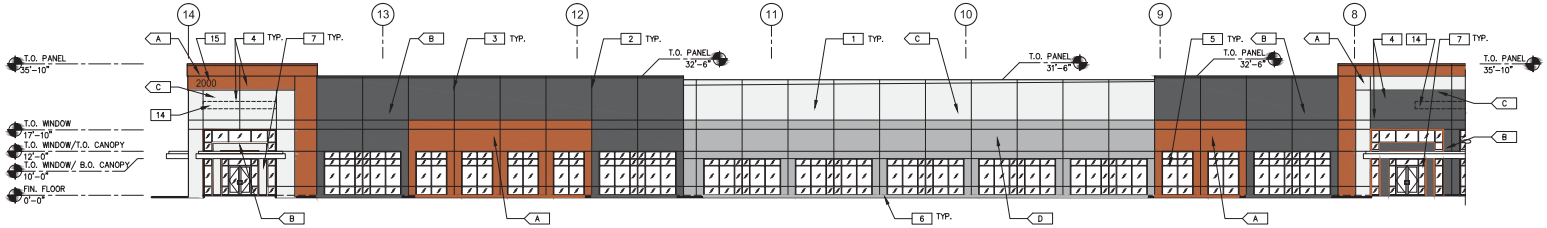


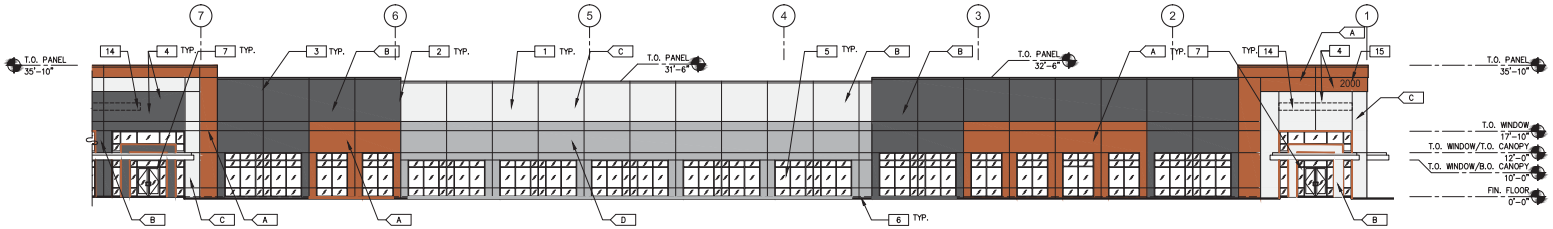
OVERALL NORTH ELEVATION (A)

SCALE: 1/16" = 1'-0"



PARTIAL ENLARGED NORTH ELEVATION (A)

SCALE: 1/16" = 1'-0"



PARTIAL ENLARGED NORTH ELEVATION (A)

SCALE: 1/16" = 1'-0"

COLOR LEGEND

- A — ACCENT COLOR
- B — ACCENT COLOR
- C — FIELD COLOR
- D — ACCENT COLOR

NOTE: DOCK AND MAN DOOR COLORS TO MATCH ADJACENT WALL

ELEVATION NOTES

1. CONCRETE TILT-UP PANEL WITH TEXTURED PAINT
2. CONCRETE TILT-UP PANEL JOINT
3. 3/4" V-REVEAL
4. 3/4" DEEP RECESS
5. ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED LOW E GLAZING
6. FINISH GRADE, SEE CIVIL DRAWINGS.
7. STEEL CANOPY, PAINTED
8. 12' WIDE x 14' HIGH DRIVE UP DOOR
9. 9' WIDE x 10' HIGH DOCK DOOR
10. 3' WIDE x 7' HIGH MAN DOOR
11. STEPPED RETAINING WALL, MAX. 3'-6" HIGH ABOVE ADJACENT GRADE
12. STEPPED SCREEN WALL, MAX. 10' HIGH ABOVE ADJACENT GRADE
13. WALL MOUNTED LIGHT, SEE ELECTRICAL DRAWINGS.
14. TENANT SIGNAGE, 2' W x 20' LONG (TOTAL OF THREE LOCATIONS)
15. BUILDING ADDRESS NUMBERS

NORTH ELEVATION
SHEET 6 OF 16

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

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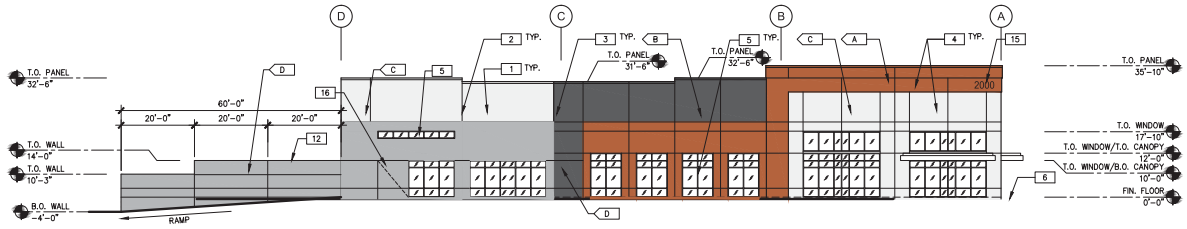
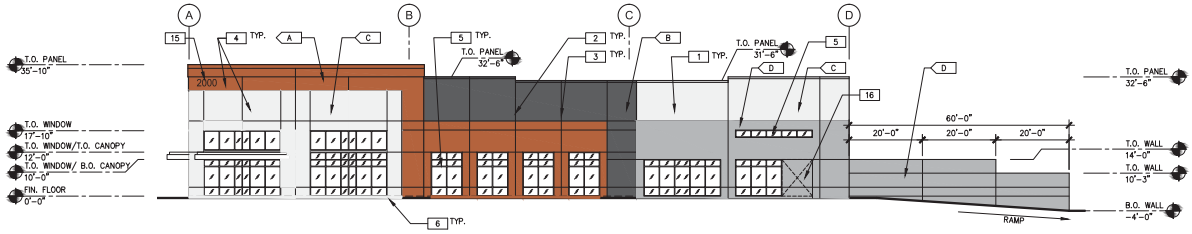


EAST ELEVATION (B)

SCALE: 1/16" = 1'-0"



WEST ELEVATION (C)

SCALE: 1/16" = 1'-0"

COLOR LEGEND

- A — ACCENT COLOR
- B — ACCENT COLOR
- C — FIELD COLOR
- D — ACCENT COLOR

NOTE: DOCK AND MAN DOOR COLORS TO MATCH ADJACENT WALL

ELEVATION NOTES

1. CONCRETE TILT-UP PANEL WITH TEXTURED PAINT
2. CONCRETE TILT-UP PANEL JOINT
3. 3/4" V-REVEAL
4. 3/4" DEEP RECESS
5. ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED LOW E GLAZING
6. FINISH GRADE, SEE CIVIL DRAWINGS.
7. STEEL CANOPY, PAINTED
8. 12' WIDE x 14' HIGH DRIVE UP DOOR
9. 9' WIDE x 10' HIGH DOCK DOOR
10. 3' WIDE x 7' HIGH MAN DOOR
11. STEPPED RETAINING WALL, MAX. 3'-9" HIGH ABOVE ADJACENT GRADE
12. STEPPED SCREEN WALL, MAX. 10'-3" HIGH ABOVE ADJACENT GRADE
13. WALL MOUNTED LIGHT, SEE ELECTRICAL DRAWINGS.
14. TENANT SIGNAGE, 2' W x 20' LONG (TOTAL OF THREE LOCATIONS)
15. BUILDING ADDRESS NUMBERS
16. **KNOCK-OUT PANEL FOR FUTURE WINDOW OR OVERHEAD DOOR**

EAST AND WEST ELEVATIONS
SHEET 7 OF 16

COLOR LEGEND

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

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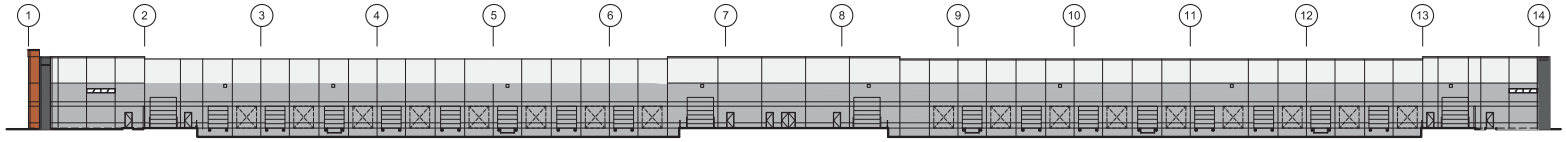
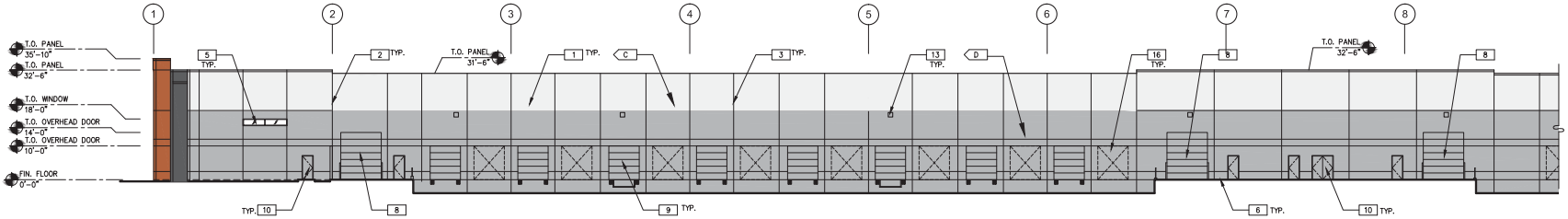


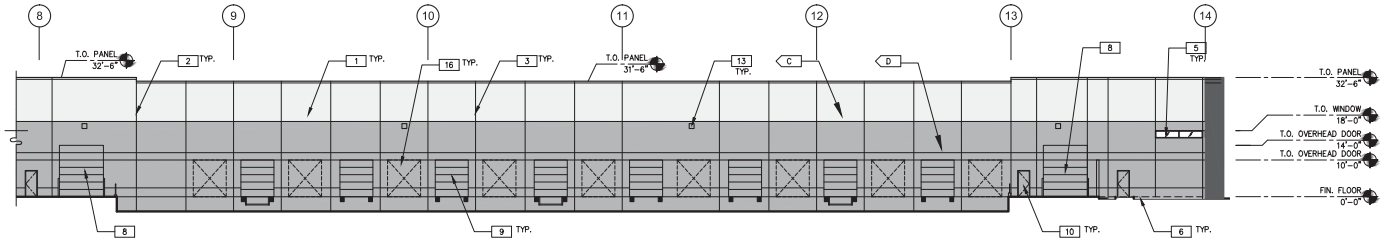
OVERALL SOUTH ELEVATION (D)

SCALE: 1/16" = 1'-0"



PARTIAL ENLARGED SOUTH ELEVATION (D)

SCALE: 1/16" = 1'-0"



PARTIAL ENLARGED SOUTH ELEVATION (D)

SCALE: 1/16" = 1'-0"

COLOR LEGEND

- A — ACCENT COLOR
- B — ACCENT COLOR
- C — FIELD COLOR
- D — ACCENT COLOR

NOTE: DOCK AND MAN DOOR COLORS TO MATCH ADJACENT WALL

ELEVATION NOTES

1. CONCRETE TILT-UP PANEL WITH TEXTURED PAINT
2. CONCRETE TILT-UP PANEL JOINT
3. 3/4" V-REVEAL
4. 3/4" DEEP RECESS
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15. BUILDING ADDRESS NUMBERS
16. KNOCK-OUT PANEL FOR FUTURE WINDOW OR OVERHEAD DOOR

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

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FINAL PLANNED UNIT DEVELOPMENT

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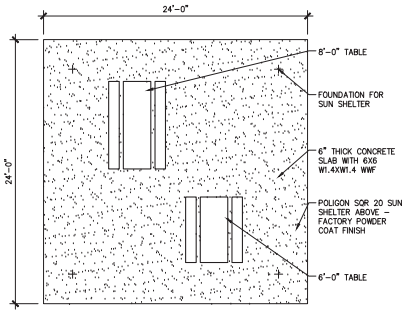
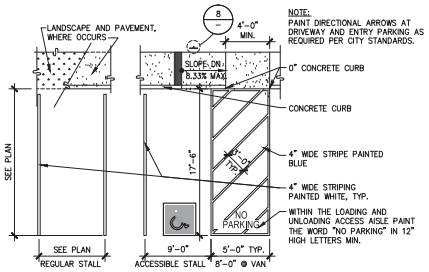
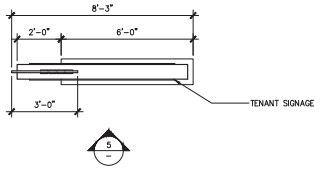


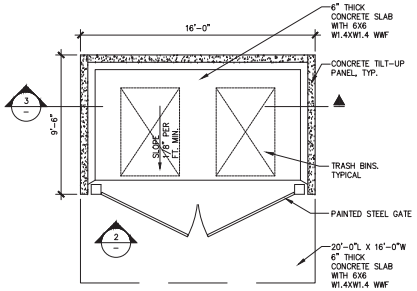
EMPLOYEE BREAK AREA (10)
SCALE: 3/16" = 1'-0"



TYPICAL PARKING STALLS (7)
SCALE: 1/8" = 1'-0"
ESIHC-Parking_stalls-01

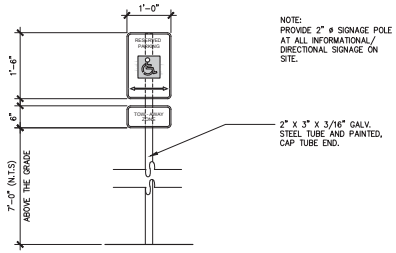


MONUMENT SIGN PLAN (4)
SCALE: N.T.S.

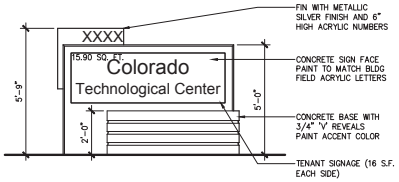


TRASH ENCLOSURE PLAN (1)
SCALE: 1/4" = 1'-0"
ESITE-Trash_enclosure_plan-01

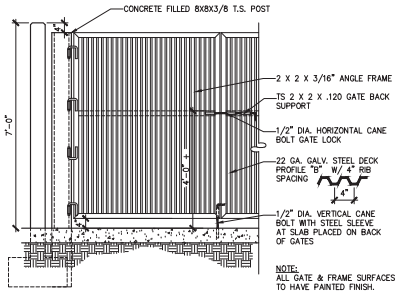
EMPLOYEE SUN SHELTER (11)
SCALE: N.T.S.



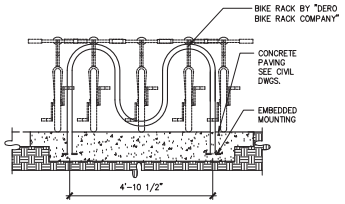
ACCESSIBLE PARKING SIGNAGE (8)
SCALE: 1 1/2"=1'-0"
ESIHC-Sign_access_park-01



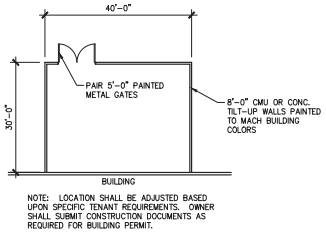
MONUMENT SIGN ELEVATION (5)
SCALE: N.T.S.



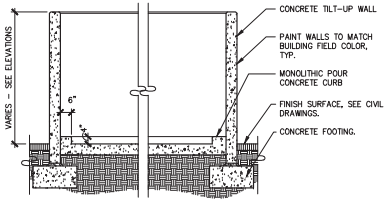
TRASH ENCLOSURE GATE (2)
SCALE: 1/2" = 1'-0"
ESITE-Trash_enclosure_gate-02



BIKE RACK (9)
SCALE: 1/2" = 1'-0"
ESIMI-Bike_rack-01



ALT. EQUIP. STORAGE YARD PLAN (6)
SCALE: 1/16" = 1'-0"



TRASH ENCLOSURE SECTION (3)
SCALE: 3/8" = 1'-0"
ESITE-Trash_enclosure_sect-01

ARCHITECTURAL SITE DETAILS
SHEET 9 OF 16

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4 - 2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

COLORADO TECHNOLOGICAL CENTER
2000 TAYLOR AVENUE
LANDSCAPE PLAN

SCALE HOR. 1"=20' VERT. N/A
DESIGN/APPR. RD
DRAWN BY RD
DATE 07/15/15
FILE G:\224213\224213-LP.DWG

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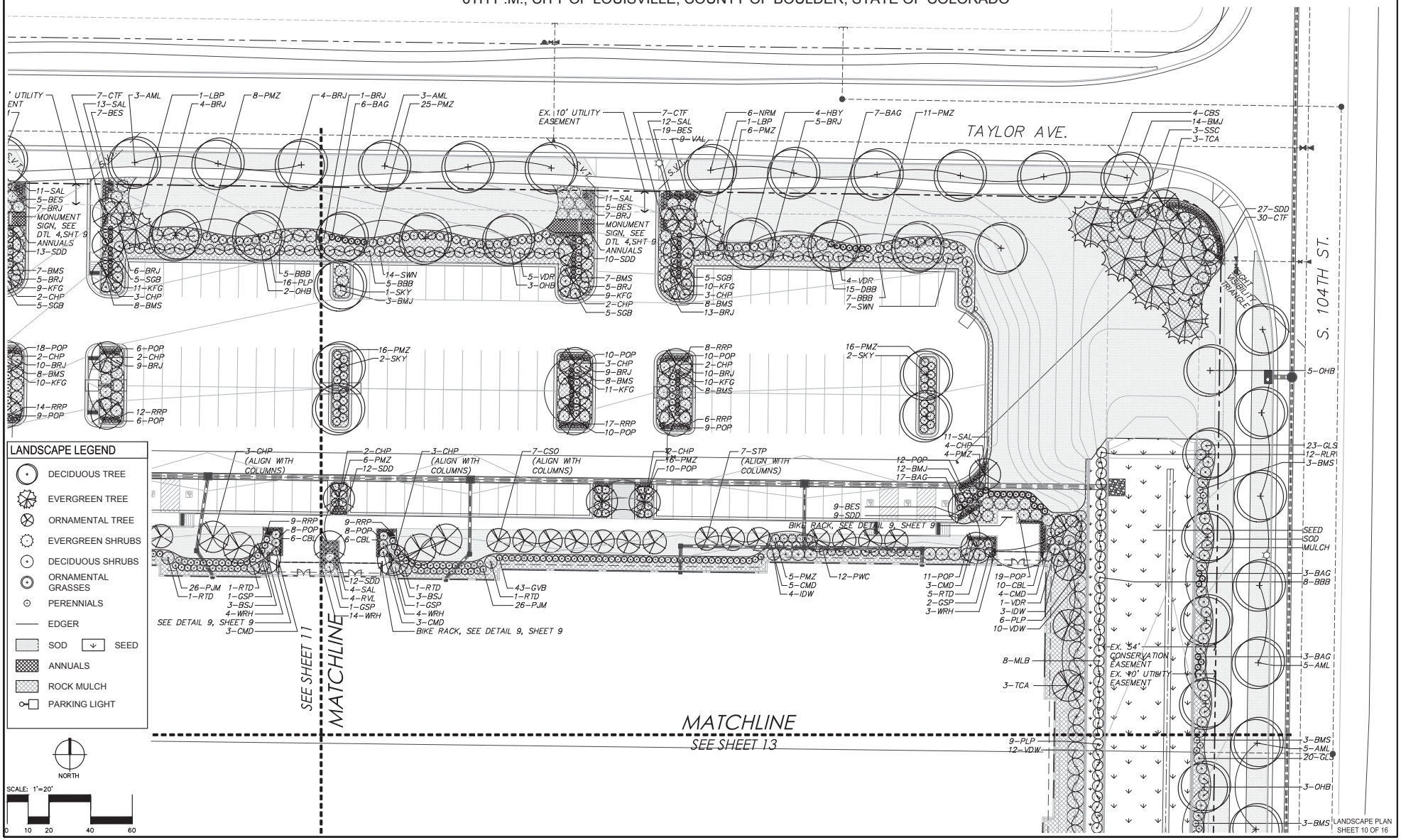
SHEET 10 OF 16



LANDSCAPE PLAN
SHEET 10 OF 16

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4 - 2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

COLORADO TECHNOLOGICAL CENTER
2000 TAYLOR AVENUE
LANDSCAPE PLAN

SCALE HOR. 1"=20' VERT. NA
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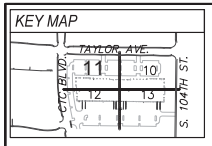
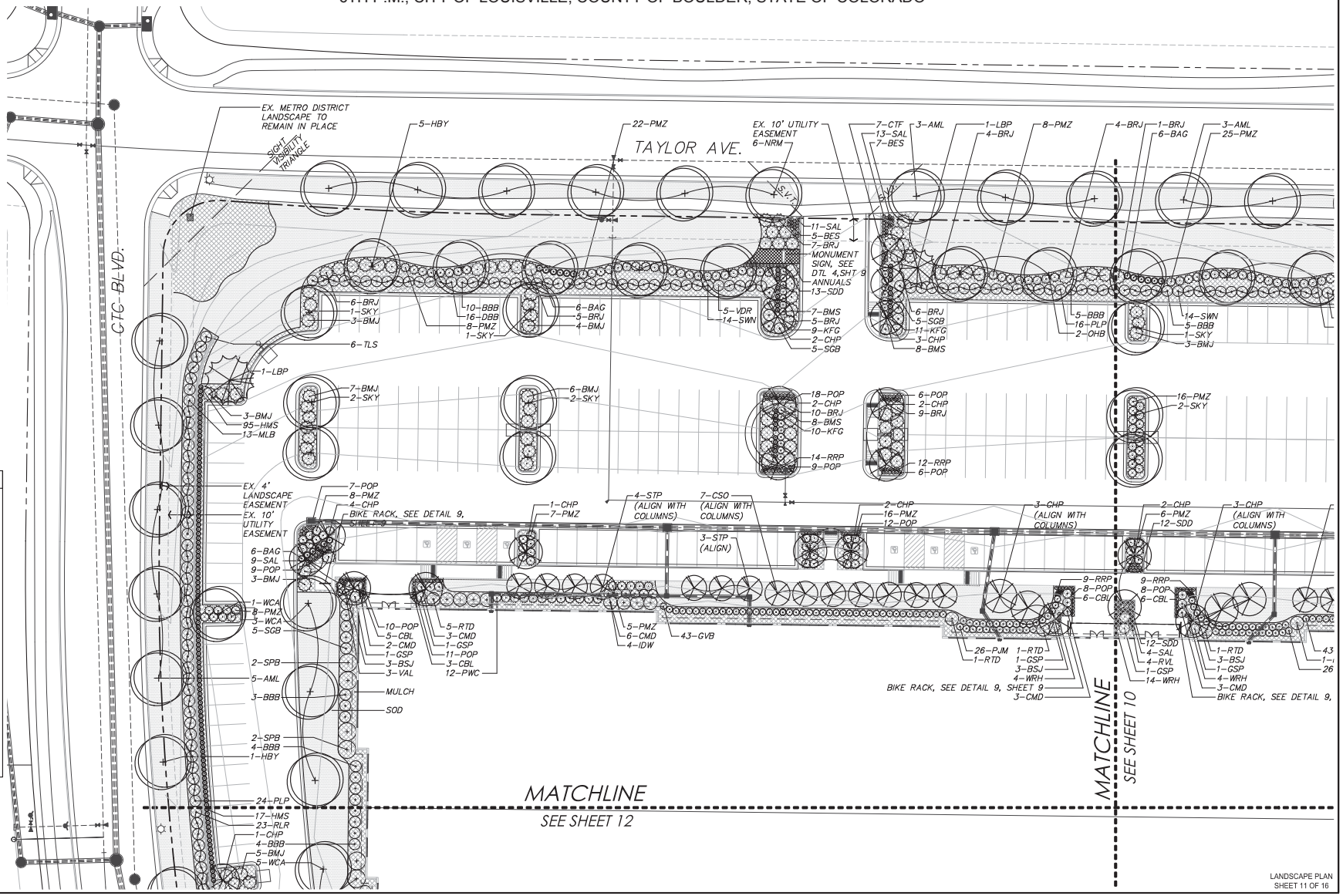
SHEET 11 OF 16

KEY MAP





LANDSCAPE LEGEND

- DECIDUOUS TREE
- EVERGREEN TREE
- ORNAMENTAL TREE
- EVERGREEN SHRUBS
- DECIDUOUS SHRUBS
- ORNAMENTAL GRASSES
- PERENNIALS
- EDGER
- SOD / SEED
- ANNUALS
- ROCK MULCH
- PARKING LIGHT

NORTH

SCALE: 1"=20'

0 10 20 40 60

LANDSCAPE PLAN
SHEET 11 OF 16

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4 - 2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

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COLORADO TECHNOLOGICAL CENTER
2000 TAYLOR AVENUE
LANDSCAPE PLAN

SCALE	HOR. 1"=20' VERT. N/A
DESIGN/APPR.	RD
DRAWN BY	RD
DATE	07/15/15
FILE	G:\224213\224213-LP.DWG

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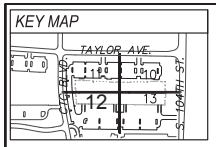
SHEET 12 OF 16

KEY MAP



SEE SHEET 11

MATCHLINE

MATCHLINE

SEE SHEET 13

SOD
2-SPB
4-BBB
1-HBY
24-PLP
17-HMS
23-RLR
1-CHP
4-BBB
5-BMJ
5-WCA
98-HMS
2-SPB
6-BBB
6-HBY
6-SPB
11-RLR
SOD
MULCH
24-SWN
7-PMZ
1-WCA
16-PWC
6-ING
EMPLOYEE BREAK AREA, SEE DETAIL 10, SHEET 9
MULCH
TRASH ENCLOSURE, SEE DETAIL 1, SHEET 9
17-CCJ
2-WCA
5-PMG
6-CCJ
2-SKY
6-CCJ
2-SKY
6-CCJ
2-SKY
1-TCA
19-BAG
8-VAL
31-POP
3-CCJ
MONUMENT SIGN, SEE DETAIL 4, SHEET 9
7-SOD
EX. 4' LANDSCAPE EASEMENT
EX. 10' UTILITY EASEMENT
CTC BLVD.
15-CCJ
6-PMG
2-LBP
4-BOA
8-RLR
4-WRS
SEED
10-TLS
7-PLP
2-CCJ
1-HBY
11-ACR
10-CCJ
1-HBY
5-SPB
5-MLB
13-CCJ
1-HBY
6-MLB
19-TLS
2-BOA
1-NRM
2-SSCJ
6-CCJ
4-WRS
6-SPB

LANDSCAPE LEGEND

- DECIDUOUS TREE
- EVERGREEN TREE
- ORNAMENTAL TREE
- EVERGREEN SHRUBS
- DECIDUOUS SHRUBS
- ORNAMENTAL GRASSES
- PERENNIALS
- EDGER
- SOD / SEED
- ANNUALS
- ROCK MULCH
- PARKING LIGHT

NORTH

SCALE: 1"=20'

0 10 20 40 60

LANDSCAPE PLAN
SHEET 12 OF 16

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4 - 2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

COLORADO TECHNOLOGICAL CENTER
2000 TAYLOR AVENUE
LANDSCAPE PLAN

SCALE HOR. 1"=20' VERT. NA
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DATE 07/15/15
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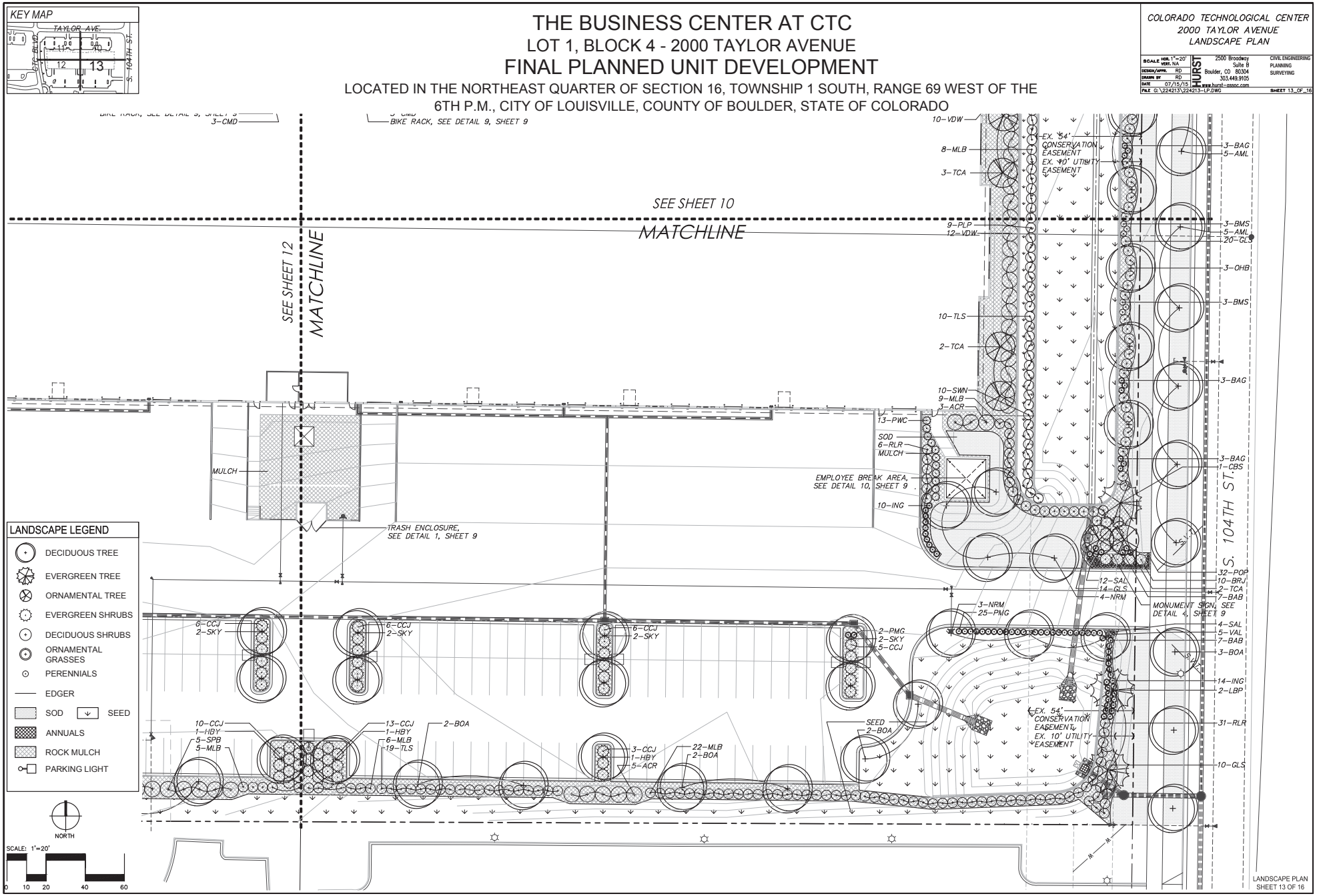


LANDSCAPE PLAN
SHEET 13 OF 16

THE BUSINESS CENTER AT CTC

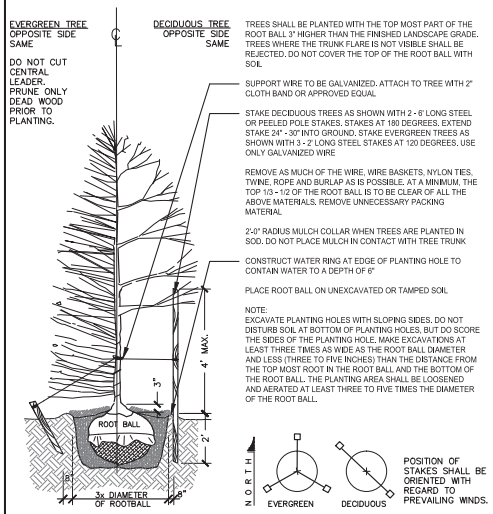
LOT 1, BLOCK 4 - 2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

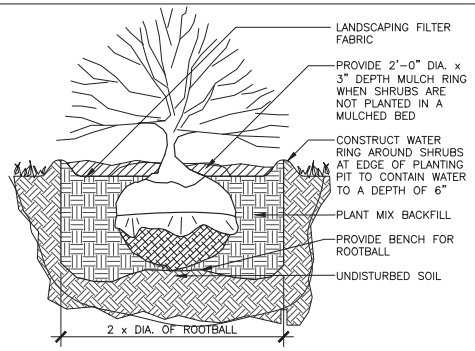
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

COLORADO TECHNOLOGICAL CENTER
2000 TAYLOR AVENUE
LANDSCAPE DETAILS

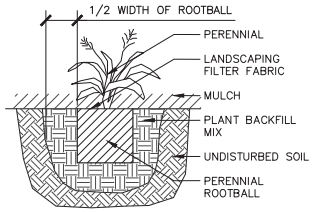
SCALE	HOR. 1"=20' VERT. NA	HURST 2500 Broadway Suite B Boulder, CO 80304 303.449.9105 www.hurst-assoc.com	CIVIL ENGINEERING PLANNING SURVEYING
DESIGN/APPR.	RD		
DRAWN BY	RD		
DATE	08/03/2015		
FILE	G:\224213\224213-LP.DWG		SHEET 14_OF_16



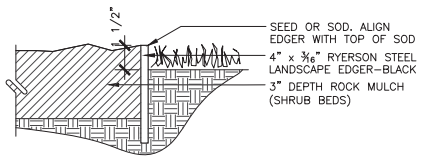
1 TREE PLANTING DETAIL



2 SHRUB PLANTING DETAIL



3 PERENNIAL PLANTING



4 EDGER DETAIL

1. ALL PLANT MATERIALS SHALL BE IN ACCORDANCE WITH AAN (American Association of Nurserymen) SPECIFICATIONS FOR NUMBER ONE GRADE.

2. ALL TURF AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC POP-UP IRRIGATION SYSTEM. ALL SHRUB BEDS AND TREES TO BE IRRIGATED WITH AN AUTOMATIC DRIP (TRICKLE) IRRIGATION SYSTEM, OR ACCEPTABLE ALTERNATIVE. THE IRRIGATION SYSTEM IS TO BE ADJUSTED TO MEET THE WATER REQUIREMENTS OF THE INDIVIDUAL PLANT MATERIAL. IN PARKWAY AREAS, IRRIGATION SPRAY HEADS SHALL BE SPACED AND ADJUSTED TO PREVENT IRRIGATION WATER FROM SPRAYING ON PUBLIC WALKS OR CURBS. IRRIGATION DESIGN WILL BE DESIGN/BUILD BY OTHERS.

3. ALL TREES TO BE BALLED & BURLAPPED, CONTAINERIZED, OR ROOT CONTROL BAGS.

4. ALL SHRUB BEDS TO BE MULCHED WITH ROCK MULCH (3" AVERAGE DEPTH) ON LANDSCAPING FILTER FABRIC. INDIVIDUAL TREES IN SOD OR DRYLAND SEED TO RECEIVE WOOD MULCH (2" AVERAGE DEPTH). ALL BEDS ADJACENT TO SOD OR DRYLAND SEED TO BE BORDERED WITH LANDSCAPE EDGER. EDGER TO BE SET LEVEL WITH TOP OF SOD. EDGER TO ALSO BE INSTALLED TO SEPARATE WOOD MULCH AND ROCK MULCH.

5. OWNER SHALL ENSURE THAT THE LANDSCAPE PLAN IS COORDINATED WITH THE PLANS DONE BY OTHER CONSULTANTS SO THE PROPOSED GRADING, STORM DRAINAGE, OR OTHER CONSTRUCTION DOES NOT CONFLICT NOR PRECLUDE INSTALLATION AND MAINTENANCE OF LANDSCAPE ELEMENTS ON THIS PLAN.

6. ANY CHANGES IN SPECIES AND PLANT LOCATIONS DURING CONSTRUCTION AS REQUIRED BY SITE CONDITIONS OR AVAILABILITY NEED APPROVAL BY THE OWNER OR LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. OVERALL QUALITY AND DESIGN CONCEPT TO BE CONSISTENT WITH APPROVED LANDSCAPE PLANS. ANY CHANGES WILL BE PROVIDED TO OWNER AND THE CITY OF LOUISVILLE FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.

7. PRIOR TO INSTALLATION OF SEED, PLANT MATERIAL & SOD, CONTRACTOR TO THOROUGHLY LOOSEN ALL AREAS THAT HAVE BEEN COMPACTED OR DISTURBED BY CONSTRUCTION. CONTRACTOR TO THOROUGHLY INCORPORATE SIX (6) CUBIC YARDS OF COMPOST OR COMPOSTED WEED FREE MANURE PER 1,000 SQUARE FEET TO BED AND SOD AREAS. AREAS TO BE SEEDED TO RECEIVE FOUR (4) CUBIC YARDS OF AMENDMENT. ORGANIC MATERIAL TO HAVE FOLLOWING CHARACTERISTICS:

ORGANIC MATTER:	25% OR GREATER
SALT CONTENT:	3.0 mmhos/cm MAX.
pH:	8.5 MAXIMUM
CARBON TO NITROGEN RATIO:	10:1 TO 25:1

CONTRACTOR TO PROVIDE A NUTRIENT TEST FROM THE LAST 3 MONTHS PRIOR TO SPREADING. MOUNTAIN PEAT, ASPEN HUMUS, GYPSUM AND SAND WILL NOT BE ACCEPTED.

8. TURF GRASS WILL BE SODDED WITH TURF-TYPE TALL FESCUE.

9. ALL SEEDED AREAS TO BE SEEDED WITH SEED MIX SPECIFIED. NO SUPPLEMENTAL IRRIGATION IS SPECIFIED. ANNUAL MOWING TO APPROXIMATELY 6" IN THE SPRING IS RECOMMENDED.

10. TO THE MAXIMUM EXTENT FEASIBLE, TOPSOIL THAT IS REMOVED DURING CONSTRUCTION ACTIVITY SHALL BE CONSERVED FOR LATER USE ON AREAS REQUIRING REVEGETATION AND LANDSCAPING.

11. THE LANDSCAPE DESIGN COMPLIES WITH THE STANDARDS WITHIN THE CITY OF LOUISVILLE INDUSTRIAL DEVELOPMENT DESIGN STANDARDS AND GUIDELINES, DATED JANUARY 18, 2000.

12. IN PARKWAY AREAS LESS THAN 10 (TEN) FEET WIDE, ROOT BARRIERS SHALL BE LOCATED AT BACK OF WALK OR CURB WHERE TREES ARE PLANTED LESS THAN 5 (FIVE) FEET FROM CURB OR WALK.

5 LANDSCAPE NOTES

DECIDUOUS TREES

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE
AML	21	LINDEN, AMERICAN	*Tilia americana*	2.5" cal. B&B
BOA	13	OAK, BUR	*Quercus macrocarpa*	2.5" cal. B&B
CSO	14	OAK, CRIMSON SPIRE	*Quercus 'Crimson Spire'*	2.5" cal. B&B
CHP	41	PEAR, CHANTICLEER	*Pyrus calleryana 'Chanticleer'*	2" cal. B&B
HBY	20	HACKBERRY	*Celtis occidentalis*	2.5" cal. B&B
NRM	20	MAPLE, NORTHWOOD RED	*Acer rubrum 'Northwood'*	2.5" cal. B&B
OHB	13	BUCKEYE, OHIO	*Aesculus glabra*	2.5" cal. B&B
SKY	21	HONEYLOCUST, SKYLINE	*Gleditsia triacanthos inermis 'Skycole'*	2.5" cal. B&B
SSC	5	CRABAPPLE, SPRING SNOW	*Malus 'Spring Snow'*	2" cal. B&B
STP	19	PEAR, STONEHILL	*Pyrus calleryana 'Stonehill'*	2" cal. B&B
TCA	12	CRABAPPLE, THUNDERCHILD	*Malus 'Thunderchild'*	2" cal. B&B
WCA	12	CATALPA, WESTERN	*Catalpa speciosa*	2.5" cal. B&B

EVERGREEN TREES

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE
CBS	5	SPRUCE, COLORADO BLUE	*Picea pungens 'Glauca'*	6' min. ht., B&B
LBP	7	PINE, LACE BARK	*Pinus bungeana*	6' min. ht., B&B

EVERGREEN SHRUBS

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE
BMJ	60	JUNIPER, BROADMOOR	*Juniperus sabina 'Broadmoor'*	5 gallon
BRJ	117	JUNIPER, BLUE RUG	*Juniperus horizontalis 'Wiltonii'*	5 gallon
BSJ	9	JUNIPER, BLUE STAR	*Juniperus squamata 'Blue Star'*	5 gallon
CCJ	97	JUNIPER, CALGARY CARPET	*Juniperus sabina 'Calgary Carpet'*	5 gallon
GSP	7	SPRUCE, GLOBE	*Picea pungens*	5 gallon
GVB	86	BOXWOOD, GREEN VELVET	*Buxus 'Green Velvet'*	5 gallon
PMZ	195	MANZANITA, PANCHITO	*Arctostaphylos x coloradoensis 'Panchito'*	5 gallon
PWC	51	WINTER CREEPER, PURPLE LEAF	*Euonymus fortunei 'Coloratus'*	5 gallon

DECIDUOUS SHRUBS

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE
ACR	19	ROSE, AUSTRIAN COPPER	*Rosa foetida 'Bicolor'*	5 gallon
BBB	52	BUTTERFLY BUSH, BLACK KNIGHT	*Budleia davidii 'Black Knight'*	5 gallon
BMS	57	SPIREA, BLUE MIST	*Caryopteris x cladonensis 'Blue Mist'*	5 gallon
CMD	29	DAPHNE, CAROL MACKIE	*Daphne x burkwoodii 'Carol Mackie'*	5 gallon
DBB	31	BURNING BUSH, DWARF	*Euonymus alatus 'Compacta'*	5 gallon
GLS	67	SUMAC, GROW LOW	*Rhus aromatica 'Grow Low'*	5 gallon
IDW	11	DOGWOOD, ISANTI	*Cornus sericea 'Isanti'*	5 gallon
MLB	63	BROOM, MOONLIGHT	*Cystisus scoparius 'Moonlight'*	5 gallon
PJM	52	RHODODENDRON, PJM	*Rhododendron 'PJM'*	5 gallon
PLP	62	PLUM, PURPLE LEAF	*Prunus cistena*	5 gallon
RLR	91	ROSE, RED LEAFED	*Rosa glauca*	5 gallon
RTD	14	DOGWOOD, RED TWIG	*Cornus sericea 'Baileyi'*	5 gallon
SGB	27	BROOM, SPANISH GOLD	*Cytisus pungans 'Spanish Gold'*	5 gallon
SPB	23	BUTTERFLY BUSH, SPRING BLOOMING	*Budleia alternifolia*	5 gallon
SWN	66	NINEBARK, SUMMER WINE	*Physocarpus opulifolius 'Summer Wine'*	5 gallon
TLS	45	SUMAC, THREE LEAF	*Rhus trilobata*	5 gallon
VDR	15	ROSE, VOO DOO	*Rosa Voo Doo*	5 gallon
VDW	22	DOGWOOD, VARIEGATED	*Cornus alba 'Argenteo-marginata'*	5 gallon
WRS	8	ROSE, WOOD'S	*Rosa woodsii*	5 gallon

ORNMENTAL GRASSES

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE
BAB	14	BRASS BLUE GRAMA, BLONDE AMBITION	*Bouteloua gracilis 'Blonde Ambition'*	1 gallon
BAG	67	GRASS, BLUE AVENA	*Helichtotrichon sempervirens*	1 gallon
HMS	210	SWITCH GRASS, HEAVY METAL BLUE	*Panicum virgatum 'Heavy Metal'*	1 gallon
ING	30	INDIAN GRASS	*Sorghastrum nutans*	1 gallon
KFG	79	FEATHER REED GRASS, KARL FOERSTER	*Calamagrostis x acutiflora 'Karl Foerster'*	1 gallon
PMG	38	MAIDEN GRASS, PURPLE	*Miscanthus sinensis 'Purpurescens'*	1 gallon

PERENNIALS

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE
BES	35	BLACK EYED SUSAN	*Rudbeckia fulgida 'Goldsturm'*	2-1/4" pot
CBL	30	CORAL BELLS	*Heuchera sanguinea*	2-1/4" pot
CTF	44	CANDYTUFT	*Iberis sempervirens*	2-1/4" pot
POP	258	MALLOW, POPPY	*Callirhoe involucrata*	2-1/4" pot
RRP	75	PENSTEMON, RED ROCKS	*Penstemon x mexicali 'Red Rocks'*	2-1/4" pot
SAL	87	SALVIA, MAY NIGHT	*Salvia nemorosa 'May Night'*	2-1/4" pot
SDD	90	DAYLILY, STELLA D'ORO	*Hemerocallis x 'Stella d'Oro'*	2-1/4" pot
VAL	23	VALERIAN, RED	*Centranthus ruber*	2-1/4" pot
WRH	25	HOSTA, WHITE RIMMED	*Hosta x undulata 'Albomarginita'*	2-1/4" pot

6 LANDSCAPE LEGEND

SPECIES AND VARIETY	% BY WEIGHT	LBS/AC
WESTERN WHEATGRASS 'ARRIBA' OR 'NATIVE'	30	9.6
SLENDER WHEATGRASS 'PRIMAR' OR 'NATIVE'	10	2.2
THICKSPIKE WHEATGRASS 'CRITANA' OR 'NATIVE'	10	2.2
GREEN NEEDLEGRASS 'LORDORM' OR 'NATIVE'	10	2.0
SIDEOATS GRAMA 'VAUGHN' OR 'NATIVE'	15	2.7
LITTLE BLUESTEM 'PASTURA' OR 'NATIVE'	5	0.7
BLUE GRAMA 'LOVINGTON' OR 'NATIVE'	10	0.6
BUFFALOGRASS 'NATIVE'	10	3.3

NOTES:
1. DRILL SEED AT 23.3 POUNDS PURE LIVE SEED PER ACRE USING A RANGELAND DRILL.

2. AT THIS SEEDING RATE, THERE WILL BE ABOUT 125 SEEDS PER SQUARE FOOT.

7 SEED MIX

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

2000 TAYLOR AVENUE

FINAL PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

1900 Wazee Street, Suite #350
Denver, Colorado 80202
303.296.3034 VOICE
303.296.3035 FAX
aedesign@aedesign-inc.com
www.aedesign-inc.com

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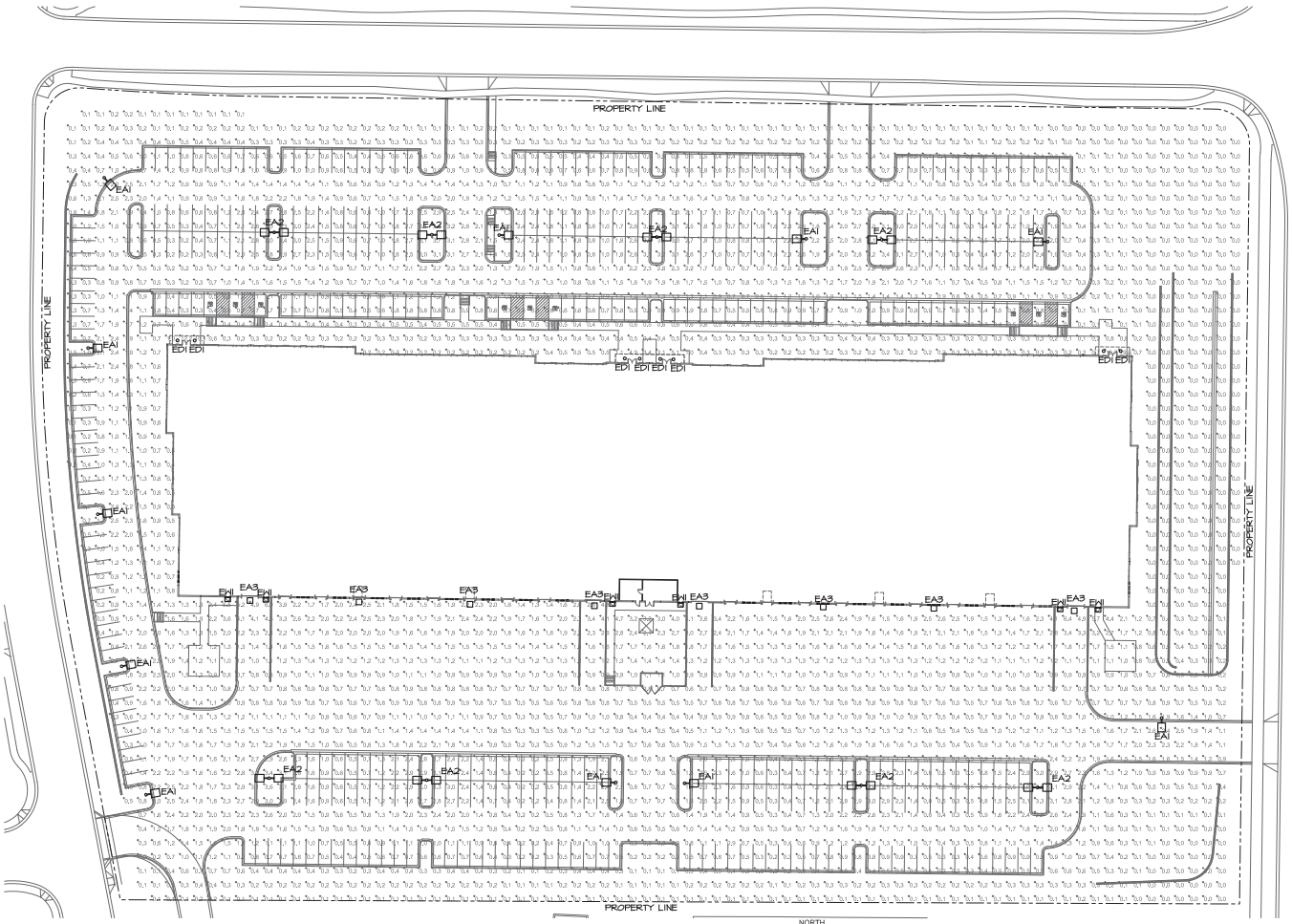

1 | PHOTOMETRIC SITE PLAN
SCALE: 1" = 40' - 0"

NORTH

SITE PHOTOMETRIC PLAN
SHEET 18 OF 19

THE BUSINESS CENTER AT CTC

LOT 1, BLOCK 4

2000 TAYLOR AVENUE

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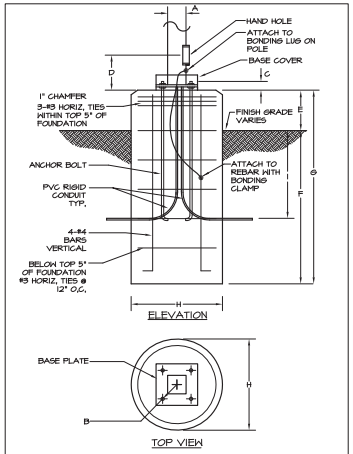


POLE KEY	OVERALL HEIGHT	A	ANCHOR BOLT DATA B	SIZE	C	D	E	F	G	H	I
EA1	24'0"	6"	PER MANUFACTURER			2'6"	6'0"	8'6"	24"	36"
EA2	24'0"	6"	PER MANUFACTURER			2'6"	6'0"	8'6"	24"	36"

1 POLE BASE DETAIL
SCALE: NONE

GENERAL NOTES

1. FIXTURE POLE HEIGHTS DO NOT EXCEED 24 FEET ON THE PROPERTY.
2. ALL LIGHT FIXTURES TO BE CONTROLLED VIA ASTRONOMICAL TIMECLOCK WITH PHOTOCELL TO ALLOW LIGHTS TO BE TURNED "ON" ONLY DURING NON-DAYLIGHT HOURS.
3. ALL LIGHT FIXTURES THAT ARE VISIBLE FROM ANY STREET RIGHT-OF-WAY OR ADJACENT PROPERTIES ARE FULL-CUTOFF AND SHIELDED TO REDUCE GLARE BEYOND THE PROPERTY LINE. ALL LAMPS DO NOT EXTEND BELOW THE HOUSING OF THE FIXTURE.

LIGHTING FIXTURE SCHEDULE

TYPE	DESCRIPTION	MANUFACTURER	CATALOG NUMBER	VOLTAGE	LAMP QTY	LAMP WATT	LAMP TYPE	MAX WATTS	MOUNTING LOCATION	INFORMATION BOF/RFD/OFH	NOTES
EA1	POLE MOUNTED AREA FIXTURE, LED FORWARD THROW MEDIUM 21'-6" POLE HEIGHT	LITHONIA KH	DSX1 LED-40C-700-50K-TFTM-MVOLT-SPA-HS-DDBXD SSP2L5-4.0-II-BRZ-DM10-BG	277	1	84	LED	84	POLE GROUND	21'-6" POLE HEIGHT	
EA2	POLE MOUNTED AREA FIXTURE LED SQUARE DISTRIBUTION 21'-6" POLE HEIGHT	LITHONIA KH	DSX1 LED-40C-700-50K-TSM-MVOLT-SPA-DDBXD SSP2L5-4.0-II-BRZ-DM10-BG	277	1	84	LED	84	POLE GROUND	21'-6" POLE HEIGHT	
EA3	WALL MOUNTED AREA FIXTURE LED, TYPE 3 MEDIUM	LITHONIA	DSXW2-30C-1000-50K-T3M-MVOLT-HS-DDBXD	277	1	104	LED	104	SURFACE WALL	24' BOF	
EH	BUILDING MOUNTED EXTERIOR WALL SCONCE, EM, LED	LITHONIA	WST LED-1-10A700/40K-SRS-MVOLT-ELCM-DDBXD	277	1	47	LED	47	SURFACE WALL	8' BOF	
EDI	RECESSED DOWNLIGHT LENSED, LED	LITHONIA	REALED P6-A2-ESL-1500L-35K-.85SC-277-LPWLN-PPMH	277	1	18.8	LED	18.8	RECESSED CEILING		
EDIEM	RECESSED DOWNLIGHT LENSED, LED, EM BATTERY	LITHONIA	REALED P6-A2-ESL-1500L-35K-.85SC-277-LPWLN-PPMH-ELR	277	1	18.8	LED	18.8	RECESSED CEILING		

ABBREVIATIONS: BOF - BOTTOM OF FIXTURE, RFD - RECESSED FIXTURE DEPTH, OFH - OVERALL FIXTURE HEIGHT

GENERAL NOTES:
A. ALL FLUORESCENT LAMPS TO BE 3500K COLOR TEMPERATURE AND A MINIMUM OF 82CRI, UNLESS NOTED OTHERWISE.
B. ALL REFLECTOR LAMPS TO BE PROVIDED AS WIDE FLOOD DISTRIBUTION, UNLESS NOTED OTHERWISE.
C. ALL FLUORESCENT LUMINAIRES THAT UTILIZE DOUBLE-ENDED LAMPS AND CONTAIN BALLASTS THAT CAN BE SERVICED IN PLACE SHALL HAVE A DISCONNECTING MEANS AS DESCRIBED IN NEC 410.130(G).

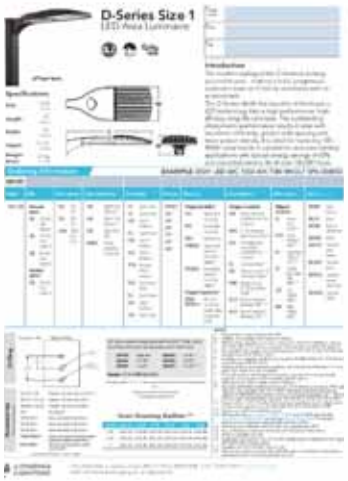
STATISTICS

DESCRIPTION	SYMBOL	AVG	MAX	MIN	AVG:MIN
PROPERTY LINE	+	0.1 FC	0.4 FC	0.0 FC	N/A
WHOLE SITE	+	1.0 FC	14.8 FC	0.0 FC	N/A

TYPE EDI

TYPE EWI

TYPE EA1,EA2



TYPE EA3

PHOTOMETRIC DETAILS
SHEET 19 OF 19

- **2000 Taylor – GDP Amend and Final PUD: Resolution 23, Series 2015.** A request for an amendment to the existing Business Center at CTC General Development Plan (GDP) and a rezoning from PCZD-C, to PCZD-I, and a final planned unit development (PUD) plan to construct a 120,581 SF single story Industrial/Flex building with associated site improvements at Lot 1, Block 4, the Business Center at CTC.
    - Applicant, Owner and Representative: Etkin Johnson
    - Case Manager: Sean McCartney, Principal Planner

Conflict of Interest and Disclosure:
None.

Public Notice Certification:
Published in the Boulder Daily Camera on July 26, 2015. Posted in City Hall, Public Library, Recreation Center, and the Courts and Police Building and mailed to surrounding property owners on July 24, 2015.

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

- Located in CTC near the NE corner of CTC Blvd. It is surrounded by CTC Blvd on the west, Taylor Avenue on the north, and South 104th Street on the west.
- Currently zoned Planned Community Zone District-Commercial (PCZD-C).
- Requesting to rezone to Planned Community Zone District-Industrial (PCZD-I).
- According to the Applicant, they have not been able to market this property with a commercial zone district.
- If zoned PCZD-I, they can use the Industrial Development Design Standards and Guidelines (IDDSG) to govern the development.
- Historically, Ordinance No. 1277, Series 1998, it zoned the eastern half of the property PCZD-C. It left the west half PCZD-I.
- PCZD-C allows commercial business uses. It required the property be designed under the Commercial Development Design Standards and Guidelines (CDDSG).
- Ordinance No. 1295, Series 1999, approved 4/16/1999, the entire property was zoned the entire property PCZD-C. It allowed the PCZD-C allowed CB uses and required CDDSG.
- Ordinance No. 1533, Series 2008, approved 5/6/2008, primary change was to allow for industrial uses on this property. Still required CDDSG.
- If approved, the property will be zoned PCZD-I which will be consistent with properties to the south and west. It will be permitted all PCZD-I uses and as well as industrial uses.
- IDDSG is being requested for governing design standards.
- Regarding compatibility, if approved, the property will be consistent with properties to the south and west in terms of design standard requirements. Along Highway 42, where some properties are zoned PCZD-I, they are required to have to CDDSG design standards. The difference is commercial design standards

require four-sided architecture where the industrial uses the public zones which is anything seen from the street.

- 120,581 SF general flex space (flex means office/warehouse use). If used exclusively for office, the loading dock areas become parking.
- 72% hardscape and 28% soft scape which exceeds IDDSG requirement
- 4 access points: Two off Taylor, one off CTC Blvd, one on S. 104th.

• Parking Plan	Required	Proposed	Total
Warehousing With Loading	2 spaces per 1,000 SF (242 spaces)	3.47 spaces per 1,000 SF	419 spaces
Office Without Loading	4 spaces per 1,000 SF (483 spaces)	4.38 spaces per 1,000 SF	528 spaces

- The building is almost 700' in length, façade articulates which means it steps back, creating areas to break up the façade.
- Monument Signs: IDDSG allows one freestanding sign for each access. Applicant is requesting 4 monument signs.
- Wall Signs-waiver: IDDSG allows 15 sf wall signs, not to total more than 80 sf. Applicant is proposing 40 sf signs not to total more than 120 sf.

Materials board entered in record by Tengler, seconded by Russell. Passes by voice vote.

Staff Recommendations:
Staff recommends Planning Commission move to approve **2000 Taylor–GDP Amend and Final PUD: Resolution 23, Series 2015.** A request for an amendment to the existing Business Center at CTC General Development Plan (GDP) and a rezoning from PCZD-C, to PCZD-I, and a final planned unit development (PUD) plan to construct a 120,581 SF single story Industrial/ Flex building with associated site improvements at Lot 1, Block 4, the Business Center at CTC with no conditions.

Commission Questions of Staff:
Tengler says the rezoning makes sense. I wonder if the original zoning wasn't done to maintain some sort of a balance between different uses? Does this rezoning impact cause any concerns?
McCartney says regarding the PZCD-I specifically states that all industrial standards are allowed. The only difference at CTC in Industrial is permit by right such as restaurant which is allowed as a SRU. This property would allow for a restaurant use. The applicant has been the owner throughout this history, so perhaps the applicant can answer your question.

Applicant Presentation:

Jim Vasbinder, Etkin Johnson Real Estate Group, 1512 Larimer Street, Suite 325, Denver, CO

Vasbinder pulls up an overhead aerial. We have two items on this particular property that we are asking you to review and approve. One is the rezoning. Vasbinder says the rezoning goes back to 1976 when a portion of CTC when it was annexed into the City was designated as commercial. Etkin Johnson has been actively involved with a partner or ourselves since 1997. We have never seen one commercial use was a viable use that we actually got to the point where "let's do a deal." We have been very successful with our industrial projects in CTC. We are approaching 900,000 sf, and with this building, we will be over 1,000,000 sf. We have been blessed over the last 2 to 2.5 years that before it is finished, the building is leased. A lot of this is market conditions but we really attribute it to two things: the climate that the City of Louisville and the County of Boulder has created; and our product because our buildings are well received and very flexible. We can put lots of different users in these boxes. We have hi-tech companies, food processing companies, and graphic packaging. All of these companies bring a great amount of vitality and income to us as well as the City and the region. The 2000 Taylor building is similar to the building across the street. The recently completed building to the west is 133,000 sf and Fenix, a European company, has leased it 100%. The building running north-south built 11-12 years ago is Fresca Foods who now occupies two buildings. We have submitted to the City for another $2.5 million in tenant improvements for Fresca Foods for additional manufacturing facilities on 1775 Cherry. The 2000 Taylor building mimics the Fenix building. Our first rendering has been revised after comments from Public Works and Planning and is included in your packet. One issue, because these buildings are very long, is grading issues. The first grading plan submitted to the City came back with comments to reduce it. There used to be another entrance at CTC Blvd. We eliminated that entrance, and were able to drop the entire site elevation by 3'. This had a positive impact at 104th in that the building came down. Based on the drawings we have submitted, we have been approached by a very large user to potentially lease the majority of this building. It is another food manufacturing company that is currently in the Boulder market but wants to expand substantially. Our impact here is that we try to minimize our off-site improvements and impacts along streets. As we built CTC with our partner in the Metro District, we tried to take into account as many of the variables we could and today, all of us are seeing the benefits of it. If you drive south on 104th, the City's new service center is being constructed. We see this as a very positive situation. Coincidentally, this building with permits and use tax and tap fees, just for the core and cell, will be about $1 million of fees. Depending on what tenant occupies the building, the fees have an increased value in permits. We are asking for your consideration of our request in both the rezoning and the PUD. If, in fact, you are of a mind to grant us with the approval, we are prepared to go forth with the building and get into the City for building permits to start construction this year. There are some remarks about what we are doing with the property today. Currently, there is a large stockpile of dirt. We are approaching 25' in height. We were able to enter into a transaction with Ames, the general contractor building the majority of the 36 Corridor. We are providing them with a site for excess material bringing off

Highway 36 to store. We need it to build this facility. We did make an application to the City, paid permits, and have erosion control measures in hand.

Commission Questions of Applicant:
Tengler asks compared to the Fenix building, what is the size of this building? Is it similar?
Vasbinder says this is about 120,000 sf and the other building is 133,000 sf. They are very close. Depth of the building and length are very similar.

Public Comment:
None.

Summary and request by Staff and Applicant:
Staff recommends Planning Commission approve. Applicant none.

Closed Public Hearing and discussion by Commission:
Tengler in support. Tengler suggests that the "signage requirements issue" be considered and put on the agenda. Moline in support. O'Connell in support. Russell in support. Rice in support.

Motion made by Russell to approve **2000 Taylor – GDP Amend and Final PUD: Resolution 23, Series 2015.** A request for an amendment to the existing Business Center at CTC GDP for a rezoning from PCZD-C, to PCZD-I, and a final planned unit development (PUD) plan for a 120,877 SF single story Industrial/Flex building with associated site improvements at Lot 1, Block 4, the Business Center at CTC, seconded by O'Connell. Roll call vote.

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

Motion passes 6-0.

City Council

2000 Taylor

ORDINANCE NO. 1703, SERIES 2015 – AN ORDINANCE APPROVING AN AMENDMENT TO THE BUSINESS CENTER AT CTC GENERAL DEVELOPMENT PLAN (GDP) TO REZONE THE PROPERTY FROM PCZD-C TO PCZD-I

RESOLUTION NO. 66, SERIES 2015 – A RESOLUTION TO APPROVE A FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN TO CONSTRUCT A 120,581 SF SINGLE STORY INDUSTRIAL/FLEX BUILDING WITH ASSOCIATED SITE IMPROVEMENTS FOR LOT 1, BLOCK 4, THE BUSINESS CENTER AT CTC

Prepared by:
Dept. of Planning & Building Safety

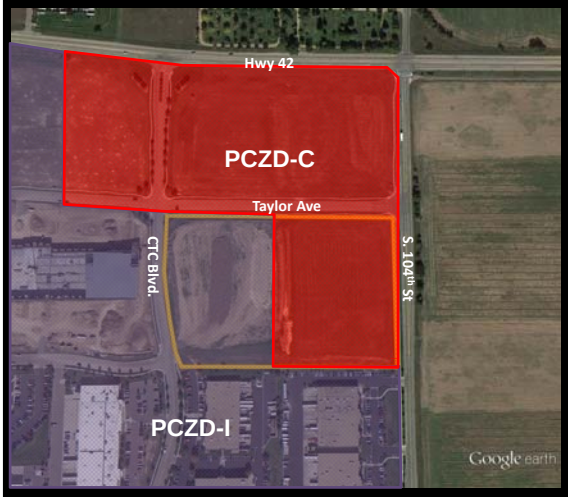
Public Notice Certification –

- Published in the Boulder Daily Camera – July 26, 2015
- Posted in City Hall, Public Library, Recreation Center, and the Courts and Police Building
  Mailed to surrounding property owners – July 24, 2015

2000 Taylor PUD

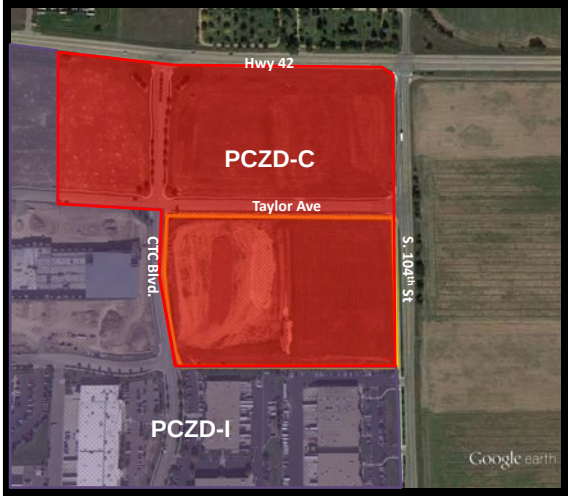
- Located in CTC
- Property zoned PCZD-C
- Requesting to rezone to PCZD-I
- Applicant states not able to market this property with a commercial zone district
- If zoned PCZD-I, the IDDSG govern the development

2000 Taylor PUD



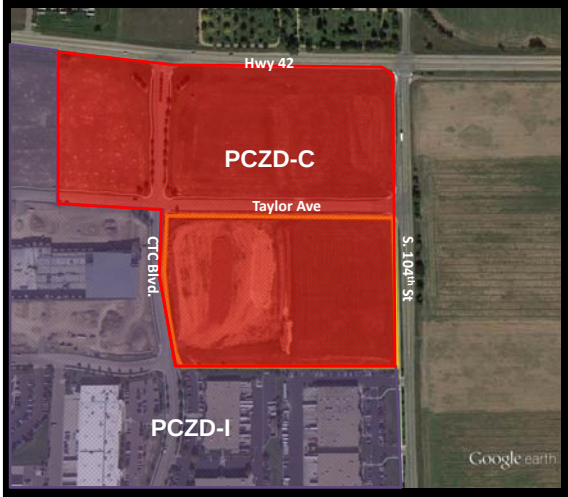
- Ordinance No. 1277, Series 1998
- Zoned the eastern half of the property PCZD-C
- Western half was PCZD-I
- PCZD-C allowed CB uses
- Required CDDSG

2000 Taylor PUD



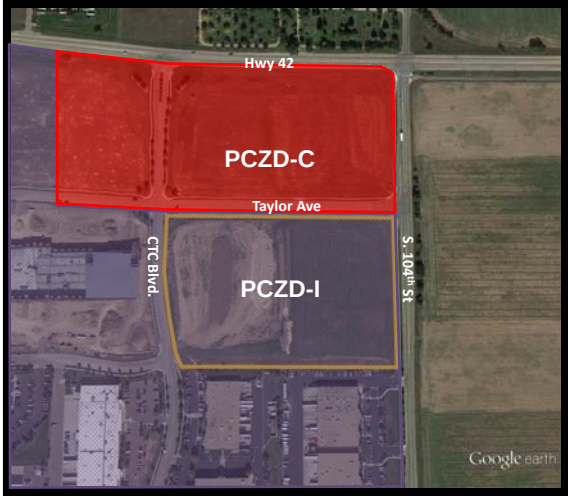
- Ordinance No. 1295, Series 1999 – approved 4/16/1999
- Zoned the entire property PCZD-C
- PCZD-C allowed CB uses
- Required CDDSG

2000 Taylor PUD



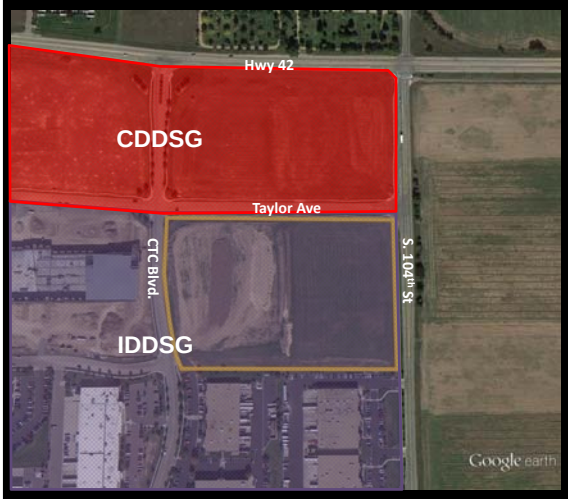
- Ordinance No. 1533, Series 2008 – approved 5/6/2008
- Primary change was to allow for industrial uses on this property
- Still required CDDSG

2000 Taylor PUD



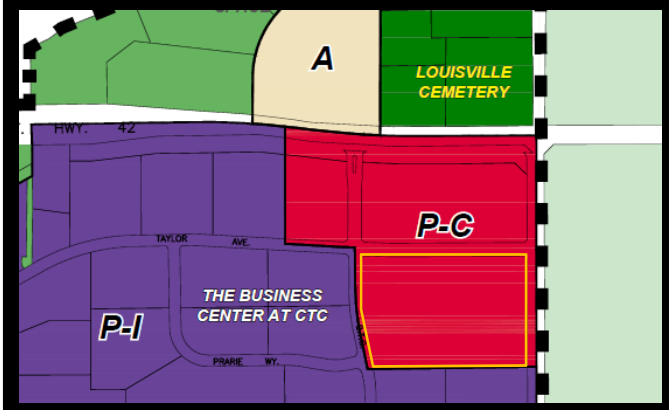
- If approved the property will be zoned PCZD-I
- It will be permitted all PCZD-I uses and I uses
- IDDSG is being requested for governing design standards

2000 Taylor PUD



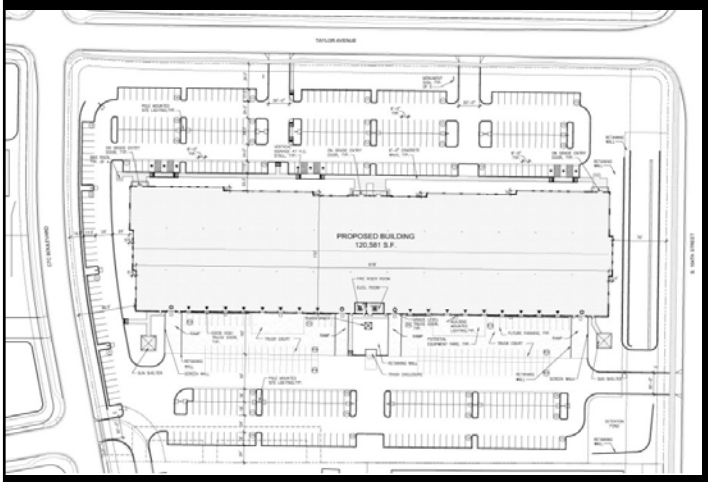
- If approved the property will be consistent with properties to the south and west in terms of design standard requirements.

2000 Taylor PUD



- If rezoned, zoning would be consistent with properties to the south and west.

2000 Taylor PUD



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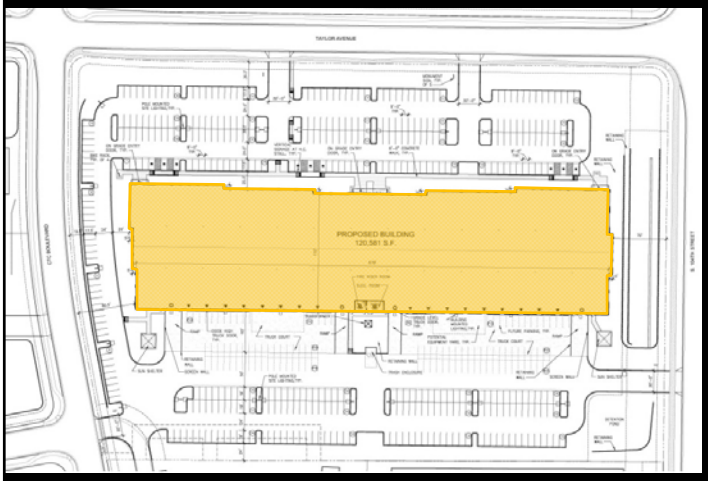
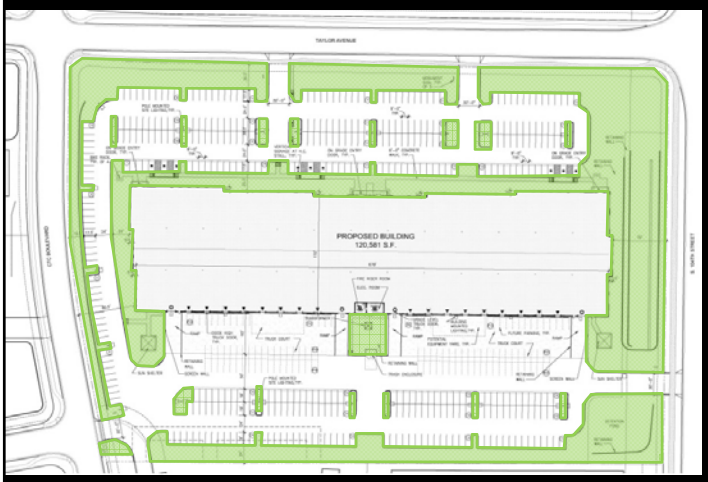


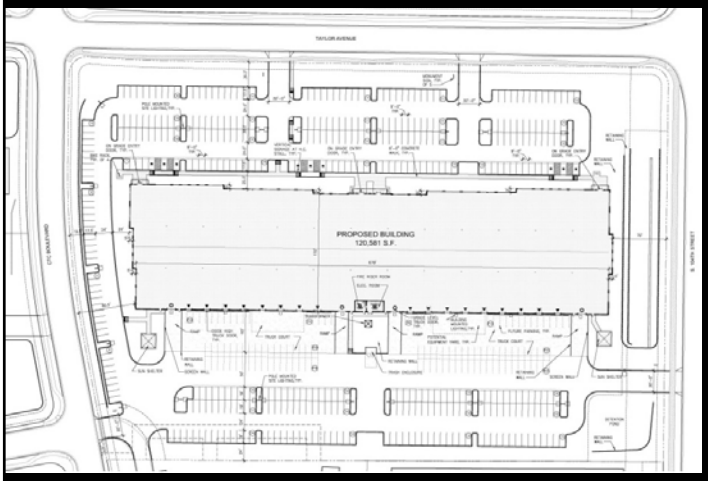
- 120,581 SF general flex space

2000 Taylor PUD



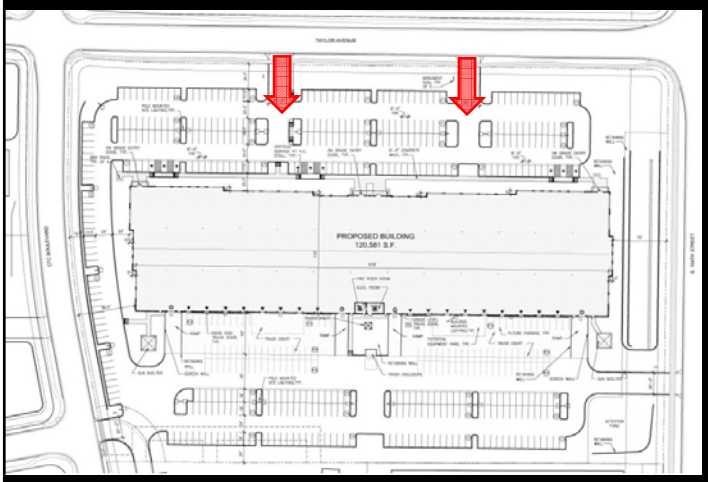
- 120,581 SF general flex space
- 72% hardscape; 28% soft scape – exceeds IDDSG requirement

2000 Taylor PUD



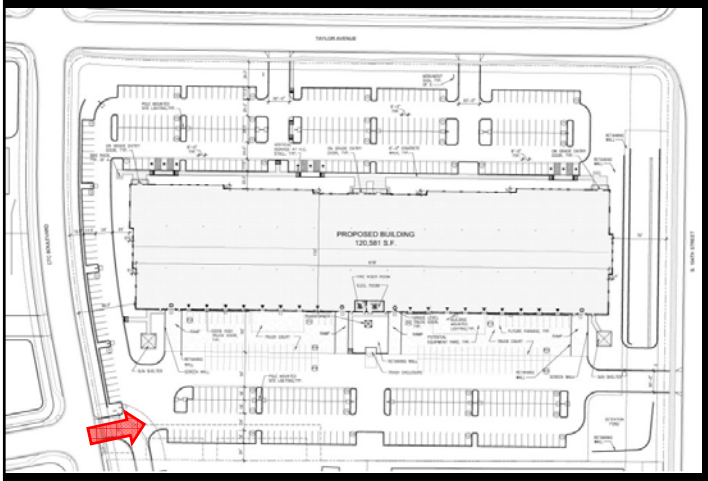
- 120,581 SF general flex space
- 72% hardscape; 28% soft scape – exceeds IDDSG requirement
- 4 access points:

2000 Taylor PUD



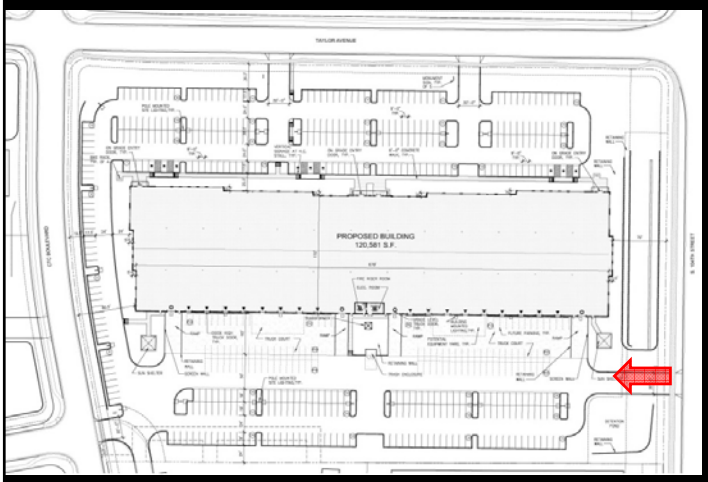
- 120,581 SF general flex space
- 72% hardscape; 28% soft scape – exceeds IDDSG requirement
- 4 access points:
  - Two on Taylor

2000 Taylor PUD



- 120,581 SF general flex space
- 72% hardscape; 28% soft scape – exceeds IDDSG requirement
- 4 access points:
  - Two on Taylor
  - One on CTC

2000 Taylor PUD



- 120,581 SF general flex space
- 72% hardscape; 28% soft scape – exceeds IDDSG requirement
- 4 access points:
  - Two on Taylor
  - One on CTC
  - One on S. 104th

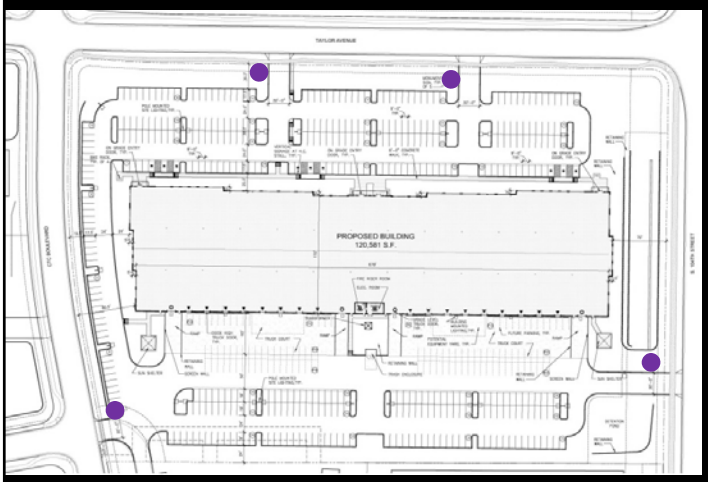
2000 Taylor PUD

Parking Plan	Required	Proposed	Total
Warehousing With Loading	2 spaces per 1,000 SF (242 spaces)	3.47 spaces per 1,000 SF	419 spaces
Office Without Loading	4 spaces per 1,000 SF (483 spaces)	4.38 spaces per 1,000 SF	528 spaces

2000 Taylor PUD

2000 Taylor PUD

2000 Taylor PUD

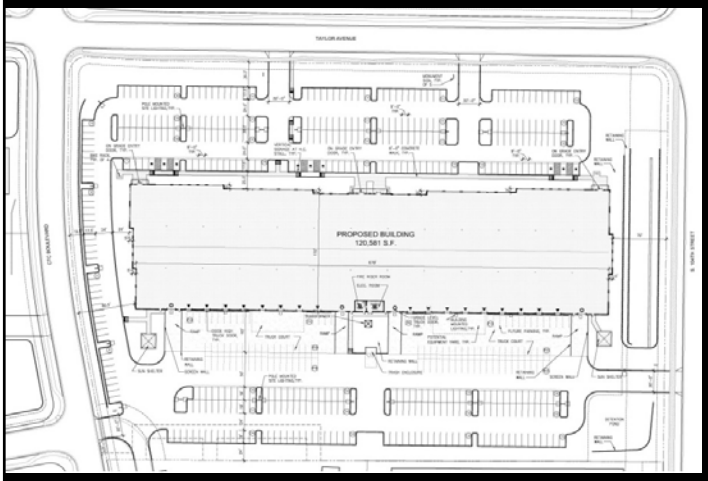


Signs

Monument Signs:

- IDDSG allows one freestanding sign for each access
- Applicant is requesting 4 monument signs

2000 Taylor PUD



Signs

Monument Signs:

- IDDSG allows one freestanding sign for each access
- Applicant is requesting 4 monument signs

Wall Signs - waiver:

- IDDSG allows 15 SF wall signs, not to total more than 80 SF
- Applicant is proposing 40 SF signs not to total more than 120 SF

Staff recommends approval of Ordinance No. 1703, Series 2015 and Resolution No. 66, Series 2015.

SUBJECT: **ORDINANCE NO. 1697 SERIES 2015 – AN ORDINANCE AMENDING SECTIONS 13.08.030, 13.12.020 AND 13.12.040 OF THE LOUISVILLE MUNICIPAL CODE TO ADDRESS WATER SERVICE CONNECTIONS AND WATER TAP FEES FOR LIVE-WORK LAND USES – 2nd Reading – Public Hearing – Advertised *Daily Camera* 07/19/2015**
CONTINUED from July 28, 2015 and SEPTEMBER 15, 2015 – Staff Requests Continuance to November 2, 2015

DATE: **OCTOBER 6, 2015**

PRESENTED BY: **KURT KOWAR, PUBLIC WORKS**

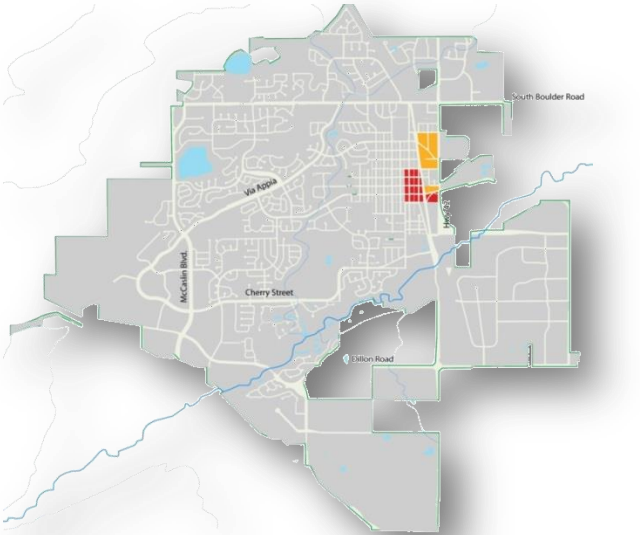
NEW Since September 15
Based on direction from the Water Committee, on September 15 the City Council continued this item to October 6th so staff could draft a new ordinance that focuses on service line design standards instead of tap fee accommodations. Staff recommends continuing the item to November 2, 2015 meeting to allow staff additional time to complete the draft ordinance.

NEW Since July 28th
City Council continued this item to September 15th. It was City Council's intent to have this item return to the Water Committee for further discussion prior to the September 15th City Council hearing.

Scheduling conflicts prevented a Water Committee recommendation being printed in this Council Communication as the meeting was schedule to go before the Water Committee on the 15th, in a special session, at 5:30 pm prior to the regular City Council hearing at 7:00 pm.

As a result, no additional information is provided in this Council Communication. Staff defers to Water Committee members' recommendations whether this item is ready for a public hearing during the regular session, or if the item should be continued to a future date.

SUMMARY:
On June 2, 2015, City Council approved Ordinance 1691, Series 2015, an Ordinance amending Title 17 of the Louisville Municipal Code (LMC) to define Live-Work land uses and allow their development in the City's Mixed Use Zone District and Downtown.



Locations in Louisville Live-Work is allowed

Live-Work properties are not allowed to sub-divide and shall remain under a single ownership. The LMC does not prohibit the renting of either the residential or commercial portions of Live-Work units. Commercial land uses will be limited to those allowed in the MUR and CC Zone Districts.

Live-Work developments are small in scale and fit into walkable commercial environments like downtown. Staff anticipates between 10 and 20 Live-Work units in the next 5-years and no more than 50-properties City-wide with the adopted ordinance. The Live-Work ordinance benefits Louisville with the following:

1) Supports a small-town feel by allowing business owners to live on premise;
2) Provides an economic incentive to preserve historic structures;
3) Provides an economically viable small scale development pattern consistent with the expectations of the Downtown Framework Plan;
4) Provides additional an economic incentive for commercial development; and,
5) Provides new category new development with lower parking and transportation impacts.

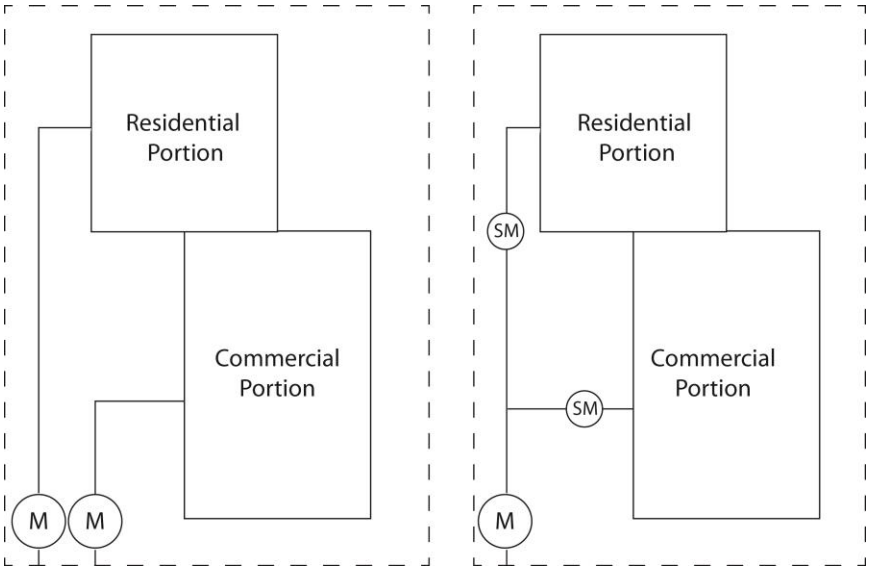
Staff has identified needed LMC amendments to ensure the City's water ordinance (Title 13) reflects the operating characteristics of the Live-Work land use category and present an water tap fee structure ensuring applicants are charged fairly for services.

Currently, Title 13 does not allow two or more *"premises"* to be supplied water from *"one and the same connection".* As a result, staff requires each premise to pay for individual

water taps. In this case, the owner of the property is required to pay a separate water tap fee for both the residential and commercial portions of the Live-Work unit.

The proposed changes to Title 13 recognize Live-Work land uses are defined as a single property with one or more structures that combine a commercial activity allowed by-right in the underlying zone district with a single residential living unit. The proposed changes to Title 13, if approved, would allow the property owner to purchase a single water tap based on the actual projected water demand.

No new customer class would be created and billing tiers based on demand would remain the same with the proposed ordinance. With this amendment, public works would provide one water meter at the curb stop and two sub-meters. One sub-meter would monitor water provided to the residential portion and the other sub-meter would monitor water to the commercial portion. The residential portion of the property would be charged residential water rates, while the commercial portion would be charged commercial rates.



Current administration of ordinance *Proposed administration of ordinance*

REQUESTED AMENDMENTS TO TITLE 13

Staff is proposing the following modifications to Sections 13.08.030, 13.12.020 and 13.12.040 of the LMC to address water service connections and water tap fees for live-work uses (words to be deleted are shown in strikeout; words to be added are underlined).

Sec. 13.08.030. Separate connection required.

Two or more premises may not be supplied from one and the same connection unless the property is being used for an approved live-work as defined in section 17.08.262 that adheres to the requirements in section 17.16.320, or structures on the premises were ~~are~~ served in such a manner on the effective date of Ordinance No. 914, Series 1986 ~~the ordinance codified in this chapter~~. In the addition of a building or structure which adds a complete living unit in the case of a live-work use or multifamily residence, or which adds a pad or pads to a mobile home court, or which adds rooms or apartments to an apartment house in the event such rooms are served by plumbing fixtures, or any addition not listed in this section which adds more than five fixture units ~~points~~ as computed by reference to the Plumbing Code adopted by the city and set forth in title 15, as then in effect ~~Table A under section 13.12.030~~, such addition shall require the payment of an extension charge to be computed according to the method of computing tap fees as outlined in chapter 13.12. This section shall apply to extensions to all existing water services as well as to future services. In the event an approved live-work is divided in ownership contrary to the requirements in section 17.16.320, a separate connection and separate tap fee shall be required and paid prior to the issuance of certificates of occupancy.

Sec. 13.12.020. - Tap fee generally.

B. For each unattached dwelling unit, duplex unit and attached townhouse, a separate water tap must be purchased from the city and all required tap fees paid to the city. Apartment units shall not be treated as an unattached dwelling. The foregoing shall not apply to a single residential living unit that is being used for an approved live-work as defined in section 17.08.262 that adheres to the requirements in section 17.16.320.

D. The tap fee for nonresidential units and any live-work use shall be determined by the city, ~~and shall be~~ based upon ~~the size of the tap, as calculated pursuant to the~~ estimated annual water demand (gallons/year) and applicable provisions of the Plumbing Code adopted by the city and set forth in Title 15, as then in effect, and ~~by the estimated annual water demand (gallons/year), and by~~ reference to the table of fees established by the city manager in accordance with section 13.12.040.

Sec. 13.12.040. - Tap fee.

A. The tap fee shall be computed by reference to the provisions of this chapter using tap fee calculation forms maintained by the city. Tap fees shall be established and set forth in a table of fees established by the city manager. The city manager shall by order enacted and effective on the effective date of Ordinance No. 1633, Series 2013, and thereafter on January 1 of each year, establish a table of city water tap fees.

FISCAL IMPACT

Amending Sections 13.08.030, 13.12.020 and 13.12.040 of the LMC should not have a fiscal impact on the City of Louisville, as the proposed changes to the LMC and the subsequent Live-Work water and sewer tap fees would reflect the anticipated City costs.

These proposed changes to the LMC and subsequent water and sewer tap fees should reduce the overall infrastructure costs of a live-work land use, making the land use more economically viable.

The following table illustrates the existing water and sewer tap fees and related infrastructure costs for a Live-Work land use being developed in Louisville in comparison to what the proposed Ordnance and fee structure would allow. Note, Public Works cost analysis is an attachment to this communication.

Fee & Infrastructure Requirements	Existing Ord.	Proposed Ord.	Diff.
Residential Water Tap Fee	$25,900 (3/4" line)	$46,200 (1" line)	- $5,600
Commercial Water Tap Fee	$25,900 (3/4" line)		
Residential Sewer Tap Fee	$4,500	$7,900	- $1,100
Commercial Sewer Tap Fee	$4,500		
Com / Res Sewer Infrastructure (Piping)	$12,000*	$10,000*	- $2,000
Com / Res Water Infrastructure (Piping)	$9,000*	$8,000*	- $1,000
TOTAL COSTS	**$81,800**	**$72,100**	**-$9,700**

** Sample Infrastructure Costs provided by DAJ Design.*

RECOMMENDATIONS

Staff recommends City Council approve Ordinance No. 1697, Series 2015

ATTACHMENTS:

1. Ordinance No. 1697, Series 2015
2. Cost Assumption email from Public Works – May 21, 2015
3. City Council Water Committee July 10 Draft Minutes
4. City Council Water Committee Meeting Information for September 15, 2015

ORDINANCE NO. 1697
SERIES 2015

AN ORDINANCE AMENDING SECTIONS 13.08.030, 13.12.020, AND 13.12.040 OF THE LOUISVILLE MUNICIPAL CODE TO ADDRESS WATER SERVICE CONNECTIONS AND WATER TAP FEES FOR LIVE-WORK LAND USES

WHEREAS, the City of Louisville is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter; and

WHEREAS, the City Council is authorized by the City Charter and state law, including but limited to Charter Section 13-2 and C.R.S. §§ 31-15-708 and 31-35-101 et seq. to regulate the use of the City water system and to from time to time fix, establish, maintain, and provide for the collection of rates, fees, and charges for water services furnished by the City; and

WHEREAS, by Ordinance No. 1691, Series 2015, the City Council amended title 17 of the Louisville Municipal Code (LMC) to define and establish a live-work use category and allow development of live-work uses in those areas within the Commercial Community (C-C) and Commercial Business (C-B) zone districts that are within Downtown Louisville, and in the mixed use zone districts, as defined in the LMC; and

WHEREAS, live-work uses are defined as a single property with one or more structures that combine a commercial activity allowed by-right in the underlying zone district with a single residential living unit; and

WHEREAS, in connection with the allowance and regulation of live-work uses, the City Council finds it necessary and appropriate to amend certain sections of title 13 of the LMC to address water service connections and water tap fees for live-work uses;

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

Section 1. Section 13.08.030 of the Louisville Municipal Code is hereby revised to read as follows (words to be deleted are shown in ~~strikeout~~; words to be added are underlined):

Sec. 13.08.030. Separate connection required.

Two or more premises may not be supplied from one and the same connection unless the property is being used for an approved live-work as defined in section 17.08.262 that adheres to the requirements in section 17.16.320, or structures on the premises were ~~are~~ served in such a manner on the effective date of Ordinance No. 914, Series 1986 ~~the ordinance codified in this chapter~~. In the addition of a building or structure which adds a complete living unit in the case of a live-work use or multifamily residence, or which adds a pad or pads to a mobile home

court, or which adds rooms or apartments to an apartment house in the event such rooms are served by plumbing fixtures, or any addition not listed in this section which adds more than five fixture units ~~points~~ as computed by reference to the Plumbing Code adopted by the city and set forth in title 15, as then in effect ~~Table A under section 13.12.030~~, such addition shall require the payment of an extension charge to be computed according to the method of computing tap fees as outlined in chapter 13.12. This section shall apply to extensions to all existing water services as well as to future services. In the event an approved live-work is divided in ownership contrary to the requirements in section 17.16.320, a separate connection and separate tap fee shall required and paid prior to the issuance of certificates of occupancy.

Section 2. Subsections B and D of Section 13.12.020 of the Louisville Municipal Code is hereby revised to read as follows (words to be deleted are shown in ~~strikeout~~; words to be added are underlined):

Sec. 13.12.020. - Tap fee generally.

B. For each unattached dwelling unit, duplex unit and attached townhouse, a separate water tap must be purchased from the city and all required tap fees paid to the city. Apartment units shall not be treated as an unattached dwelling. The foregoing shall not apply to a single residential living unit that is being used for an approved live-work as defined in section 17.08.262 that adheres to the requirements in section 17.16.320.

. . .

D. The tap fee for nonresidential units and any live-work use shall be determined by the city, ~~and shall be~~ based upon ~~the size of the tap, as calculated pursuant to the~~ estimated annual water demand (gallons/year) and applicable provisions of the Plumbing Code adopted by the city and set forth in Title 15, as then in effect, and ~~by the estimated annual water demand (gallons/year), and by~~ reference to the table of fees established by the city manager in accordance with section 13.12.040.

Section 3. Subsection A of Section 13.12.040 of the Louisville Municipal Code is hereby revised to read as follows (words to be deleted are shown in ~~strikeout~~; words to be added are underlined):

Sec. 13.12.040. - Tap fee.

A. The tap fee shall be computed by reference to the provisions of this chapter using tap fee calculation forms maintained by the city. Tap fees shall be established and set forth in a table of fees established by the city manager. The city manager shall by order enacted and effective on the

effective date of Ordinance No. 1633, Series 2013, and thereafter on January 1 of each year, establish a table of city water tap fees.

Section 4. If any portion of this ordinance is held to be invalid for any reason such decisions 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. 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.

Section 6. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions 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

Meredyth Muth

Subject: FW: Live/Work Tap Fees

From: Dmitry Tepo
Sent: Thursday, May 21, 2015 4:02 PM
To: Troy Russ
Cc: Tony DeSantis; Kurt Kowar; Cory Peterson
Subject: Live/Work Tap Fees

Troy,

I reviewed the 5 potential live/work locations you provided and compared their lot sizes and residential footprint to an average single family (SF) residence in the City. An average SF lot is 8,444 sf and interpolating data from the Comp Plan, an average house size is 1,587 sf. From the table below, we can see that the live/work lots are typically smaller than average, with larger than average houses. On the annual basis, we estimate that 57% of the water used by a SF residence is for indoor purposes. We know that the live/work units could have a smaller yard than a typical residence if the residential and commercial uses are standalone buildings, but because the residential component is larger, the overall demand reduction won't be that significant. If the commercial and residential are in one, multi-story building, there will be added outdoor demand that would result in overall demand in line with a typical SF residence. With our tap fees being charged to represent an average usage, we do not feel that on average, the residential component would demonstrate enough use reduction to justify a fee decrease.

Address	Lot Size (sf)	% of Average Residential Lot Size	Commercial (sf)	Residential (sf)	% of Average Res House in Louisville
Property #1	3,775	44.7%	2000	1000	63.0%
Property #2	?	?	1800	2200	138.6%
Property #3	7,796	92.3%	996	1,800	113.4%
Property #4	8,190	97.0%	1,196	2200	138.6%
Property #5	6,951	82.3%	1,411	2800	176.4%

Additionally, I found 3 offices that are of similar size as the proposed live/work units. You can see below, that all three have a significantly larger annual demand than the 117,000 gal/yr, which we see from a typical house. So an argument that a live/work tap fee should be the same as an SF tap fee does not hold up. You can also see the demand variability, which reinforces the need to charge the commercial use based on an estimated annual demand.

Address	Bldg (sf)	Lot (sf)	Annual Demand (gal)	Single Family Equivalents
Property #6	856	2,361	414,360	3.54
Property #7	1411	6,951	273,578	2.34
Property #8	1480	3,548	175,365	1.50

One last issue I wanted to touch on is applicants being able to petition for lower tap fees based on the lower estimated water usage. Utility tap fees are charged based on averages because we have no control over what the owner does after we charge the fees. Xeriscape could be converted to sod, rooms can be added to the structure, poorly maintained sprinkler systems can leak, which all results in the use of a larger portion of the infrastructure than the owner purchased. Eventually, the owner will make up the deficit in monthly charges, but with this arrangement, the utility is not collecting the money it needs when it needs it. This constraint is widely recognized in the industry and most

municipalizes charge based on averages, except some larger ones which have staff to deal with exceptions. Another problem we run into is water demand estimates provided by applicants are always low because they are quantifying what a building "should" use, not what it will use. For those reasons, we believe the structure we previously proposed below is equitable.

Proposed Live/Work Tap Fee (office + residential unit)
Residential & Commercial Water Tap Fee – $46,200 (minimum amount, that could increase based on demand)
Residential & Commercial Sewer Tap Fee – $7,900 (fixed amount)
TOTAL: $54,100 (minimum fee)

Thanks,

Dmitry Tepo, P.E.
Water Resources Engineer
City of Louisville
749 Main Street
Louisville, CO 80027
(303) 335-4607

City of Louisville
COLORADO • SINCE 1878

City Council
Water Committee

-Draft - Meeting Minutes

Friday, July 10, 2015
***COUNCIL CHAMBERS*, CITY HALL, 2ND FLOOR**
7:30-9:30am

I. Call to Order – Jeff Lipton called the meeting to order at 7:30.

II. Roll Call was taken and the following members were present:

City Council: Jeff Lipton, Robert Muckle

Absent: Chris Leh

Staff Present: *Malcolm Fleming, Kurt Kowar, Cory Peterson, Terrell Phillips, Graham Clark, Kevin Watson, Alan Hill (Yates Law Firm), Paul Flack (RBI)*

Public: Tom Phare

III. *Approval of Agenda:* Agenda approved.

IV. Approval of the Minutes: The April 3, 2015, meeting minute approval was deferred to the next meeting.

V. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA:

None

VI. Update – Water Resources (Cory Peterson/Paul Flack)

- Water Supply Update
  i. The unusual rainfall in early summer has provided for higher than average water supply. South Boulder Creek has had a long period without a water rights administrative call. The City is currently meeting demand with direct deliveries form the Community Ditch and/or the Louisville Pipeline. All storage facilities are full and will be maintained at these levels as long as conditions allow.
- Windy Gap Firming Project Update

Staff attended a Windy Gap Participants' Committee Meeting on July 7th. A revised budget estimate was presented with a more formal estimate anticipated in the next couple of weeks. NCWCD is planning on soliciting for a design consultant later in the year with work expected to start in 2016.

- Gross Reservoir Update

  Mr. Flack reiterated Denver Water's plans to expand the capacity of Gross Reservoir. As part of the environmental approval process, Denver Water was required to create an environmental pool, which is an amount of water that is stored in Gross and is released to South Boulder Creek to promote aquatic life. Denver Water has an existing agreement with Lafayette for the filling and use of this environmental pool. We have been engaged in discussions with Lafayette on a possible spilt of this space to expand the reliability of our water supply. Recent conversations have moved away from this concept of splitting space and now center around a trade of supplies. Staff will continue to evaluate the options available and provide an update as progress is made. As mentioned before, Gross Reservoir could become a realistic opportunity to increase Louisville's local basin water storage under the correct terms and conditions.

VII. Update – CIP Projects (Cory Peterson/Kurt Kowar)

- Wastewater Treatment Plant Upgrades
  i. Status: Under construction (contractor: MHW)
  ii. Contract Cost: $31.2 million.
  iii. Estimated completion: July 2017

  Mr. Peterson mentioned that MHW has started the excavation portion of project which will consist of the majority of activity onsite for the next several weeks. Mr. Kowar discussed the recent incident of above average inflows to the plant theorized as a result of the high groundwater attributable to heavy precipitation over the last couple of months. Staff is assessing the situation to determine if this a short term issue that will be alleviated as groundwater levels return to normal or if further measures such as improvements to the collection system or modification to the plant rating are required.

- Louisville/Lafayette Drainageway Improvements
  i. Status: final design, construction bid advertisement dependent on permitting.
  ii. Engineer's estimate: $9 million total cost before UDFCD & City of Lafayette contributions.

  Mr. Fleming spoke to a Right-of-Way(ROW) issue on Spruce that was included as part of the unsuccessful Lee Street Connection deal. The property owner is awaiting council action on the Highway 42 Plan prior to providing the ROW to the City. Mr.

Kowar mentioned that the project has been spilt into two phases (phase 1-east of 42 and phase 2-west of 42). Phase 1 is currently under review by Boulder County with Phase 2 scheduled to be reviewed by Boulder County once the ROW issue is resolved.

- Louisville/Superior Interconnect
  - i. Status: final design, project will be bid the fall
  - ii. Engineer's estimate: $1 million

    Mr. Muckle requested a location of the planed interconnect. Mr. Peterson stated that a drawing/map showing the location will be provided.
- Howard Berry Water Treatment Plant Sludge Handling
  - i. Status: under construction (Moltz Construction)
  - ii. Engineer's estimate: $2.2 million

    Mr. Peterson provided a brief overview that construction was progressing satisfactorily with no major upsets.
- Eldorado Intake Reconstruction
  - i. Status: Notice of Award pending final approval from FEMA.
  - ii. Contract cost: $1.5 million

    Mr. Peterson explained that project was still on hold pending approval from FEMA. If the City were to proceed with contract award without environmental approval the City would be ineligible for the grant funds from CDBG. The next meeting with FEMA is scheduled for July 20th. Mr. Kowar spoke to the possible increase in undercutting to the diversion dam from the sustained runoff and the potential for a cost increase. More information will be known once a visual inspection can be performed.
  - iv. Community Ditch Reconstruction Project

    Mr. Peterson outlined FRICO's plan to start construction on the Upper Community Ditch the week of July 13th. Mr. Hill discussed the borrowing agreement between Louisville and FRICO that would allow Louisville to barrow Marshall Lake water earlier in the 2016 season and replace it later should it be needed for next year.
- Sid Copeland WTP Contact Tank
  - i. Status: An evaluation of the tank has been completed. A preliminary design contract has been executed to analyze options.
  - ii. Engineer's estimated for design: $20,000

    Mr. Peterson and Mr. Kowar provided a brief overview of project and the issue with the amount of contact time within the treatment process.

- Sid Copeland WTP Pump Station
    i. Status: Project scheduled for 2016
    ii. Engineer's estimate: $2.4 million

    Mr. Peterson and Mr. Kowar provided a brief overview of project as a look ahead to 2016.

- Lucity Asset Management

    Mr. Kowar stated that the system is up and running and staff training is occurring. Future goals of the system will allow for improved mapping and a uniform work orders.

- Water Resources Master Plan Update
    i. Status: Proposal received May 27th. Council Approval July 14th.
    ii. Contract Cost: $85,000

    Mr. Flack explained the approach of the Water Resources Master Plan. The intent of the revised plan is to be more of a working document that can be used and updated by staff on an ongoing basis. In addition, the revised plan will incorporate anticipated impacts from climate change. We'll be looking to seek input from the Water Committee throughout the plan drafting process.

VIII. Utility Rates

- 2016 Utility Rates Update

    Mr. Kowar outlined the approach for developing utility rates for 2016. Staff will seek proposals from outside consultants to assist with the 2016 rate analysis. The water committee will be provided updates on the 2016 rates as needed. Current water revenues are down as a result of the recent rain. Tap fees are also down and can be attributable to timing issues as new development come online. Sewer revenues are within projected ranges. If revenues continue to stay outside the projections, further follow up with the water committee has been requested.

- Customer Usage vs Revenue Reports

    Mr. Kowar spoke to the included customer usage and revenue graph. The committee requested some changes to the presented graph to illustrate the new customer classes which will be offered at the next meeting.

IX. Live / Work Ordinance

Mr. Peterson and Mr. Kowar explained the rationale behind the development of the taps fees incorporated in the Live / Work Ordinance. In addition, an overview of how this type of tap fee will be calculated was discussed.

XII. Update – Legal (Alan Hill)

Mr. Hill's update was moved up earlier to accommodate another commitment.

- SB 183 Update

  Mr. Hill explained that this bill was sign on May 4th and modified the standards for water court changes cases and establishes some new guidelines and baseline principles on how the water court will interpret future changes cases. This bill is anticipated to be beneficial to Louisville.

- Eldora / Mesa Trail

  Mr. Hill mentioned there is one remaining case his staff and Resource Based International are working on. This case involves Mesa Trail Ranch, which is requesting to move water up to a location where it can be used by the Ranch. The remaining issue in the Mesa Trail case is similar to the Eldora that was settled in June. The same restrictions are sought in Mesa Trail and a stipulation is planned.

- Coal Ridge

  Mr. Hill discussed the restrictive terms that are applied to the City's Coal Ridge shares. For 2015, the City has negotiated a one year lease agreement that would allow other Coal Ridge shareholders to divert the City's unused portion.

- California Case

  Mr. Hill outlined the recent developments with proposition 218 in California that has impacts on how tiered water rates can be applied. After analyzing its impacts it appear that this is not likely to develop in Colorado and may be appealed in California.

- Legal Billing / Time at Water Committee Meetings

  A general discussion on the purposes and intent of Mr. Hill's involvement with the Water Committee meetings was held. Mr. Hill will continue to attend for the entire duration of future meetings. In addition, we will start to incorporate other associated to provide a diversification of the information communicated to and from our legal consultants.

X. Conservation Rebates

Mr. Kowar explained that the 2016 operations budget will include funds for the conservation rebate program and will consist of "smart" irrigation controls and low flow irrigation heads. The initial budget will be set at $10,000 and the rebates are planned to be 25% of the cost of the unit.

XI. Taste and Odor/Water Quality Update

The City experienced a minor taste/odor event that lasted about a week in June. This event was a result of the abrupt temperate change from cool to hot.

XIII. Committee Operations

XIV. Agenda Items and Date for Next Meeting

- A correction was made to the future Committee meeting schedule: 7:30-9:30 am November 13, 7:30-9:30 am February 19, 2016.

XV. City Council Upcoming Agenda Items

- A calendar will be added to the agenda and efforts will be made to have meeting minutes disturbed within a few weeks.

XIII. Adjourn

The meeting was adjourned at 9:35 am by Mr. Lipton and seconded by Mr. Muckle.

Live Work Tap Fee Discussion

Presented by Public Works & Utilities
Water Committee, September 15, 2015

City of Louisville
COLORADO • SINCE 1878

Recent years have been a Tap Fee Evolution

- 2012 Struggles with Expectations Surrounding Tap Fee Costs (Many confused customers)
- 2013 Review of Tap Fee Equivalents, Multifamily with and without Separate Irrigation, Internal Multifamily, Townhouse, and Senior Living Units. (Attached Memo)
- 2013 Restructuring of Tap Fee Form. (Attached)
- 2013 Development of Tap Fee Spreadsheets for Water and Sewer to better track Components. (Attached)
- 2013/2014 Bring Clarity to Tap Credits around reuse of existing taps in redevelopment.
- 2015 Live Work, Possible Increases for Water based upon CBT and Wastewater based upon actual new WWTP Construction Costs.

Tap Fee Handout (Up to 2013)

Water

NOTICE

TAP FEE TABLE ESTABLISHED BY THE CITY MANAGER IN ACCORDANCE WITH SECTION 13 OF THE LOUISVILLE MUNICIPAL CODE

Pursuant to Section 13.12.020 of the Louisville Municipal Code delegating to the City Manager the authority to establish City water tap fees on a quarterly basis, effective, July 1, 2010 the table of tap fees shall be as follows:

Fee Calculations

Deman (gpm)	Tap Size	Tap Fee
0-22	¾"	$24,140
23-45	1"	$42,910
46-80	1 ½ "	$96,540
81-140	2"	$171,630
141-280	3"	$386,160
281-500	4"	$693,400

For taps larger than 4 inches, the tap fee and other terms and conditions of the issuance of the tap shall be established by written agreement approved by the City Council.

A single-family sewer tap fee for residential properties is $3221.00.

The posted table of city water tap fees is to be paid for the 3rd calendar quarter of 2010.

Sewer

NOTICE

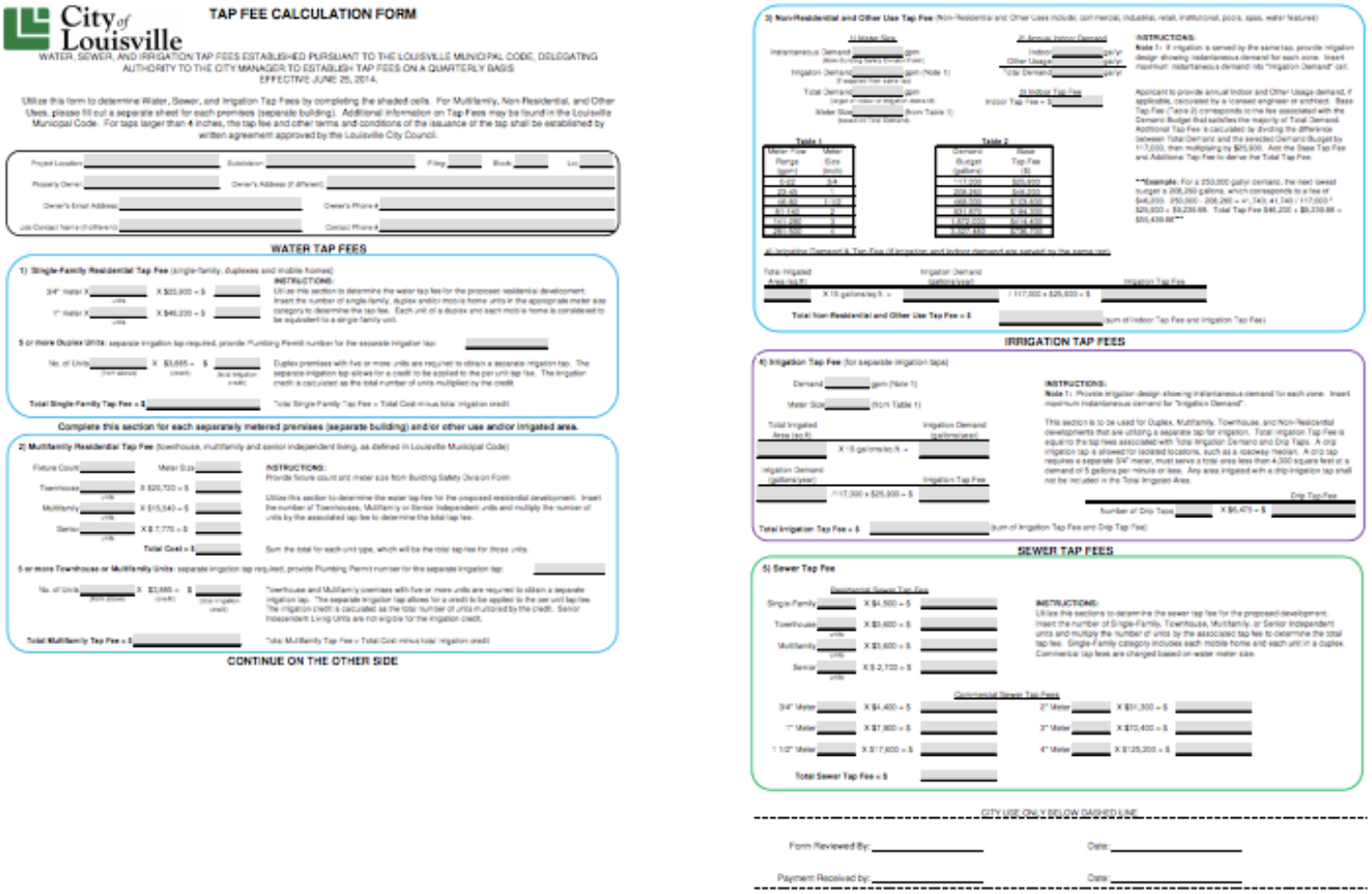
TAP FEE ESTABLISHED BY THE CITY MANAGER IN ACCORDANCE WITH SECTION 13 OF THE LOUISVILLE MUNICIPAL CODE

Pursuant to Section 13.24.030 of the Louisville Municipal Code delegating the City Manager the authority to establish tap fees on a quarterly basis, effective April 1, 2011 the tap fees shall be as follows:

A single-family sewer tap fee for residential properties is $3280.00.

The above tap fee for single-family dwelling, including mobile homes is to be paid for the _____calendar quarter of 2011.

Tap Fee Handout (2013 - Present)



City of Louisville

TAP FEE CALCULATION FORM

WATER, SEWER, AND IRRIGATION TAP FEES ESTABLISHED PURSUANT TO THE LOUISVILLE MUNICIPAL CODE, DELEGATING AUTHORITY TO THE CITY MANAGER TO ESTABLISH TAP FEES ON A QUARTERLY BASIS
EFFECTIVE JUNE 25, 2014.

Utilize this form to determine Water, Sewer, and Irrigation Tap Fees by completing the shaded cells. For Multifamily, Non-Residential, and Other Uses, please fill out a separate sheet for each premises (separate building). Additional information on Tap Fees may be found in the Louisville Municipal Code. For taps larger than 4 inches, the tap fee and other terms and conditions of the issuance of the tap shall be established by written agreement approved by the Louisville City Council.

Project Location: Subdivision: Filing: Block: Lot:
Property Owner: Owner's Address (if different):
Owner's Email Address: Owner's Phone #:
Job Contact Name (if different): Contact Phone #:

WATER TAP FEES

1) Single-Family Residential Tap Fee (single-family, duplexes and mobile homes)

3/4" meter X ____ units X $25,900 = $ ____
1" meter X ____ units X $46,200 = $ ____

INSTRUCTIONS: Utilize this section to determine the water tap fee for the proposed residential development. Insert the number of single-family, duplex and/or mobile home units in the appropriate meter size category to determine the tap fee. Each unit of a duplex and each mobile home is considered to be equivalent to a single-family unit.

5 or more Duplex Units: separate irrigation tap required, provide Plumbing Permit number for the separate irrigation tap: ____

No. of Units ____ (from above) X $3,885 = $ ____ (credit) (total irrigation credit)

Duplex premises with five or more units are required to obtain a separate irrigation tap. The separate irrigation tap allows for a credit to be applied to the per unit tap fee. The irrigation credit is calculated as the total number of units multiplied by the credit.

Total Single-Family Tap Fee = $ ____ "total Single-Family Tap Fee = Total Cost minus total irrigation credit

Complete this section for each separately metered premises (separate building) and/or other use and/or irrigated area.

2) Multifamily Residential Tap Fee (townhouse, multifamily and senior independent living, as defined in Louisville Municipal Code)

Fixture Count: ____ Meter Size: ____

Townhouse ____ units X $20,720 = $ ____
Multifamily ____ units X $15,540 = $ ____
Senior ____ units X $ 7,770 = $ ____
Total Cost = $ ____

INSTRUCTIONS: Provide fixture count and meter size from Building Safety Division Form

Utilize this section to determine the water tap fee for the proposed residential development. Insert the number of Townhouses, Multifamily or Senior Independent units and multiply the number of units by the associated tap fee to determine the total tap fee.

Sum the total for each unit type, which will be the total tap fee for those units.

5 or more Townhouse or Multifamily Units: separate irrigation tap required, provide Plumbing Permit number for the separate irrigation tap: ____

No. of Units ____ (from above) X $3,885 = $ ____ (credit) (total irrigation credit)

Townhouse and Multifamily premises with five or more units are required to obtain a separate irrigation tap. The separate irrigation tap allows for a credit to be applied to the per unit tap fee. The irrigation credit is calculated as the total number of units multiplied by the credit. Senior Independent Living Units are not eligible for the irrigation credit.

Total Multifamily Tap Fee = $ ____ "total Multifamily Tap Fee = Total Cost minus total irrigation credit

CONTINUE ON THE OTHER SIDE

3) Non-Residential and Other Use Tap Fee (Non-Residential and Other Uses include: commercial, industrial, retail, institutional, pools, spas, water features)

1) Meter Size

Instantaneous Demand ____ gpm (from Building Safety Design Form)
Irrigation Demand ____ gpm (Note 1) (if separate from same tap)
Total Demand ____ gpm (larger of indoor or irrigation demand)
Meter Size ____ (from Table 1) (based on Total Demand)

2) Annual Indoor Demand

Indoor ____ gal/yr
Other Usage ____ gal/yr
Site Demand ____ gal/yr

3) Indoor Tap Fee

Indoor Tap Fee = $ ____

INSTRUCTIONS:
Note 1: If irrigation is served by the same tap, provide irrigation design showing instantaneous demand for each zone. Insert maximum instantaneous demand into "Irrigation Demand" cell.

Applicant to provide annual Indoor and Other Usage demand, if applicable, calculated by a licensed engineer or architect. Base Tap Fee (Table 2) corresponds to the fee associated with the Demand Budget that satisfies the majority of Total Demand. Additional Tap Fee is calculated by dividing the difference between Total Demand and the selected Demand Budget by 117,000, then multiplying by $25,900. Add the Base Tap Fee and Additional Tap Fee to derive the Total Tap Fee.

Table 1

Meter Flow Range (gpm)	Meter Size (inch)
0-22	3/4
23-45	1
46-90	1 1/2
91-140	2
141-250	3
251-500	4
501-800	6

Table 2

Demand Budget (gallons)	Base Tap Fee ($)
117,000	$25,900
208,260	$46,200
299,520	$129,500
351,370	$194,300
1,404,680	$324,400
2,106,180	$648,700

****Example:** For a 250,000 gal/yr demand, the next lowest budget is 208,260 gallons, which corresponds to a fee of $46,200. 250,000 - 208,260 = 41,740; 41,740 / 117,000 * $25,900 = $9,230.88. Total Tap Fee $46,200 + $9,230.88 = $55,430.88***

4) Irrigation Demand & Tap Fee (if irrigation and indoor demand are served by the same tap)

Total Irrigated Area (sq ft): ____ X 15 gallons/sq ft = ____ Irrigation Demand (gallons/year) / 117,000 x $25,900 = $ ____ Irrigation Tap Fee

Total Non-Residential and Other Use Tap Fee = $ ____ (sum of Indoor Tap Fee and Irrigation Tap Fee)

IRRIGATION TAP FEES

4) Irrigation Tap Fee (for separate irrigation taps)

Demand ____ gpm (Note 1)
Meter Size ____ (from Table 1)

Total Irrigated Area (sq ft): ____ X 15 gallons/sq ft = ____ Irrigation Demand (gallons/year)
Irrigation Demand (gallons/year) ____ / 117,000 x $25,900 = $ ____ Irrigation Tap Fee

INSTRUCTIONS:
Note 1: Provide irrigation design showing instantaneous demand for each zone. Insert maximum instantaneous demand for "Irrigation Demand".

This section is to be used for Duplex, Multifamily, Townhouse, and Non-Residential developments that are utilizing a separate tap for irrigation. Total Irrigation Tap Fee is equal to the tap fees associated with Total Irrigation Demand and Drip Taps. A drip irrigation tap is allowed for isolated locations, such as a roadway median. A drip tap requires a separate 3/4" meter, must serve a total area less than 4,356 square feet at a demand of 5 gallons per minute or less. Any area irrigated with a drip irrigation tap shall not be included in the Total Irrigated Area.

Drip Tap Fee
Number of Drip Taps ____ X $6,475 = $ ____

Total Irrigation Tap Fee = $ ____ (sum of Irrigation Tap Fee and Drip Tap Fee)

SEWER TAP FEES

5) Sewer Tap Fee

Residential Sewer Tap Fee

Single Family ____ units X $4,500 = $ ____
Townhouse ____ units X $3,600 = $ ____
Multifamily ____ units X $3,600 = $ ____
Senior ____ units X $ 2,700 = $ ____

Commercial Sewer Tap Fees

3/4" Meter ____ X $4,400 = $ ____
1" Meter ____ X $7,900 = $ ____
1 1/2" Meter ____ X $17,600 = $ ____
2" Meter ____ X $31,300 = $ ____
3" Meter ____ X $70,400 = $ ____
4" Meter ____ X $125,200 = $ ____

Total Sewer Tap Fee = $ ____

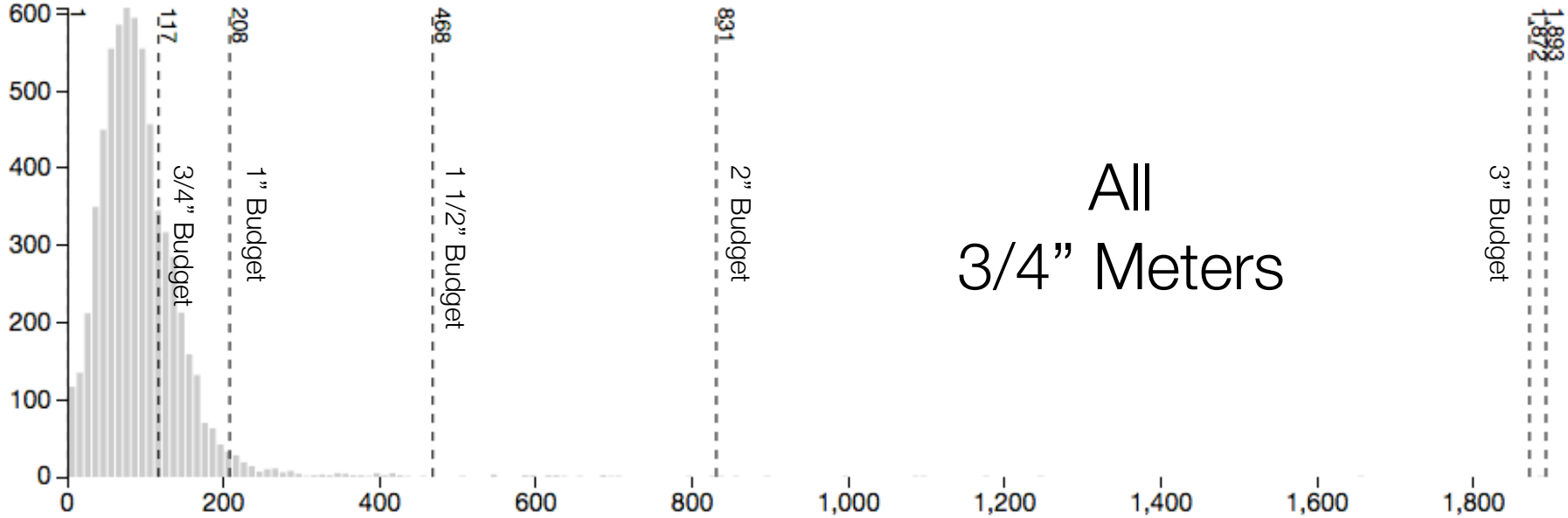
INSTRUCTIONS:
Utilize this sections to determine the sewer tap fee for the proposed development. Insert the number of Single-Family, Townhouse, Multifamily, or Senior Independent units and multiply the number of units by the associated tap fee to determine the total tap fee. Single-Family category includes each mobile home and each unit in a duplex. Commercial tap fees are charged based on water meter size.

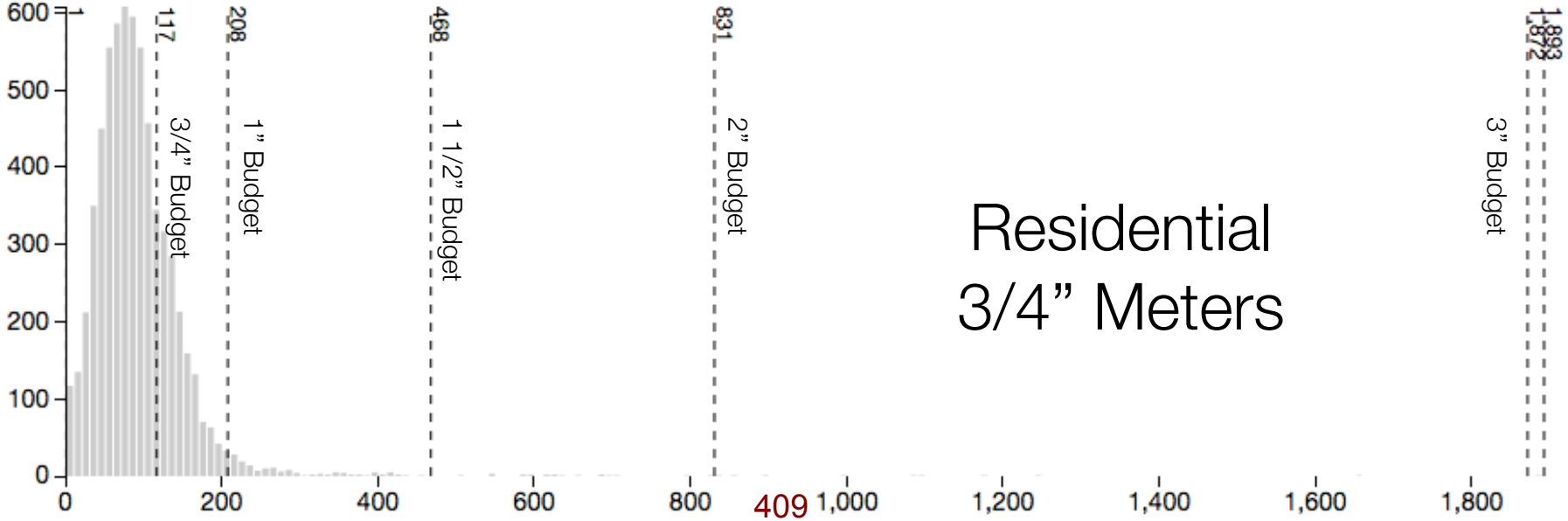
CITY USE ONLY BELOW DASHED LINE

Form Reviewed By: ____ Date: ____
Payment Received by: ____ Date: ____

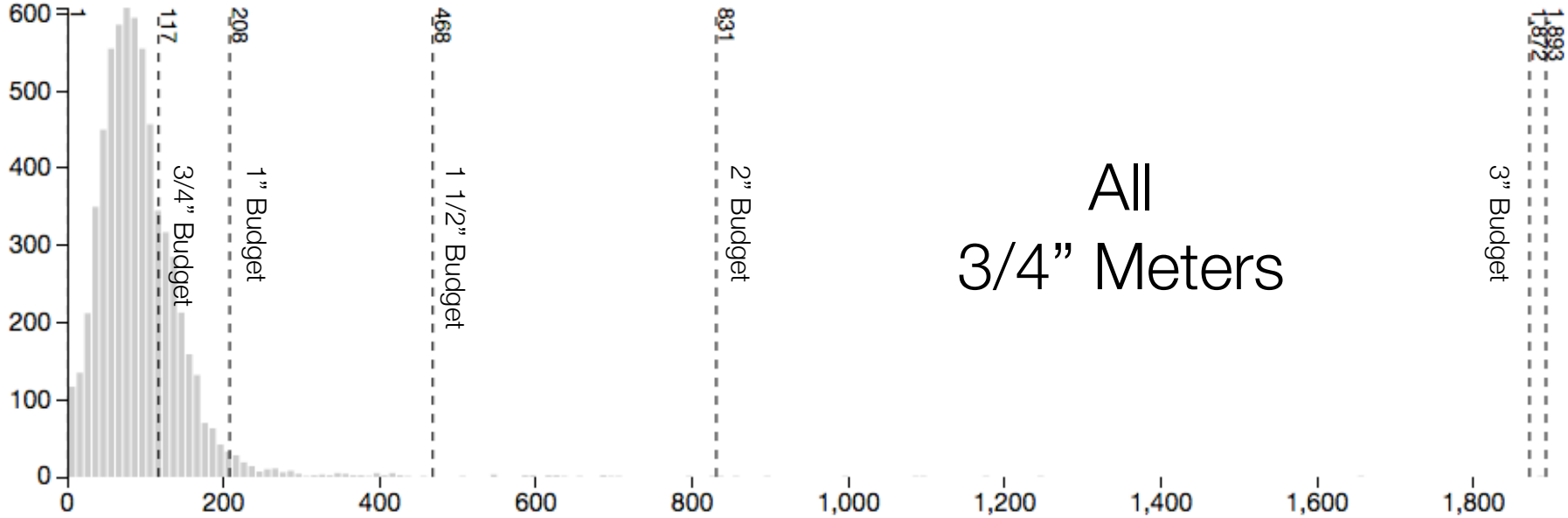
* Actual form to be handed out at meeting

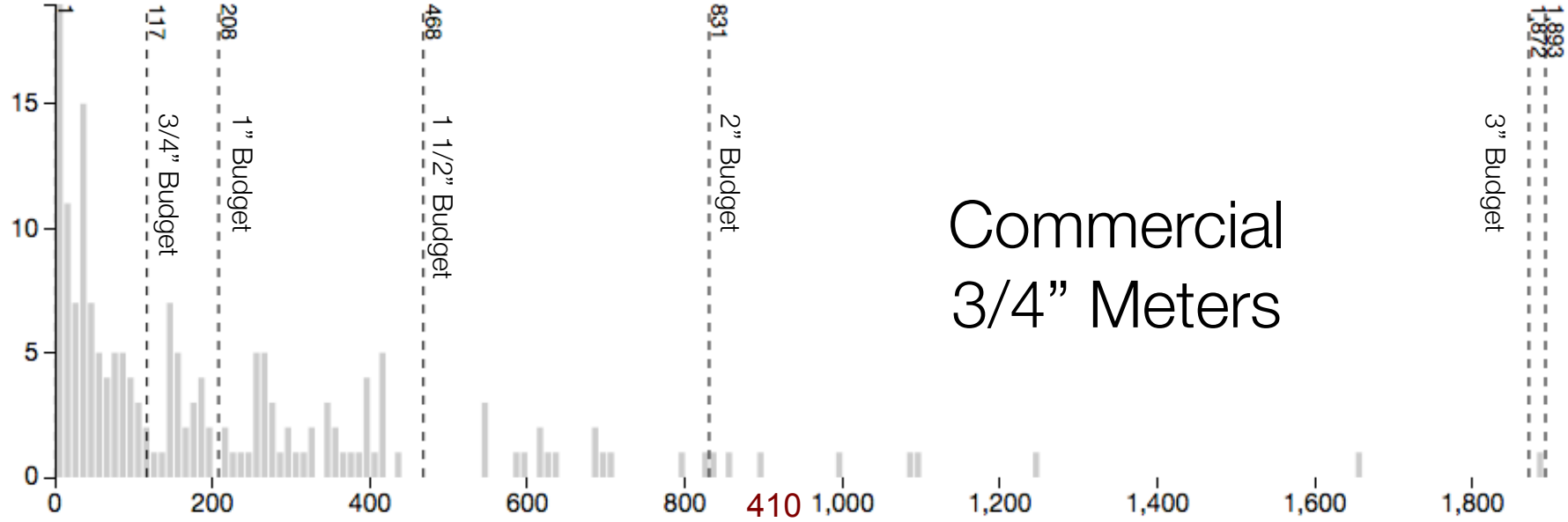
3/4” Meter Usage (All Meters vs Residential)



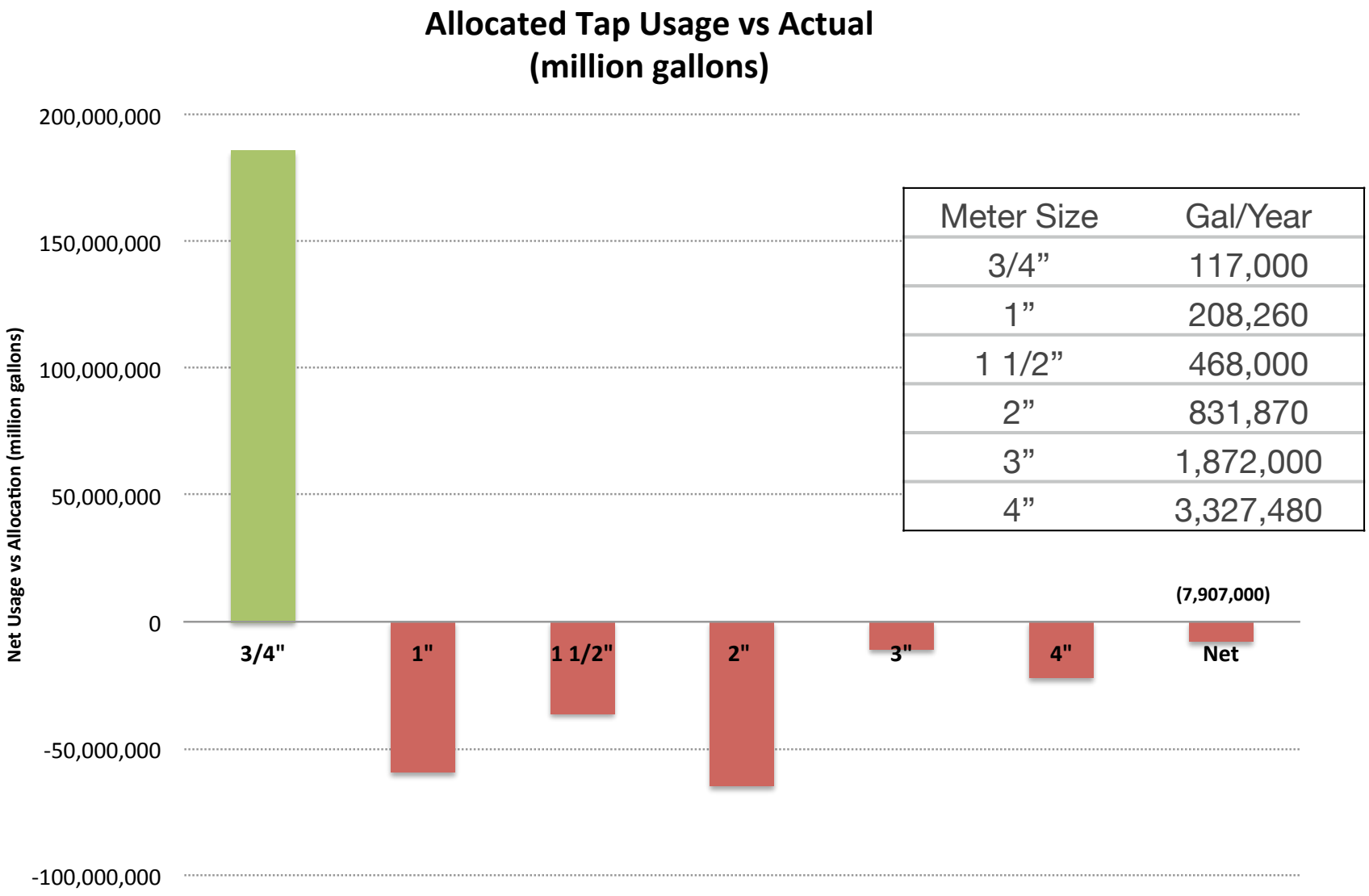


3/4” Meter Usage (All Meters vs Commercial)



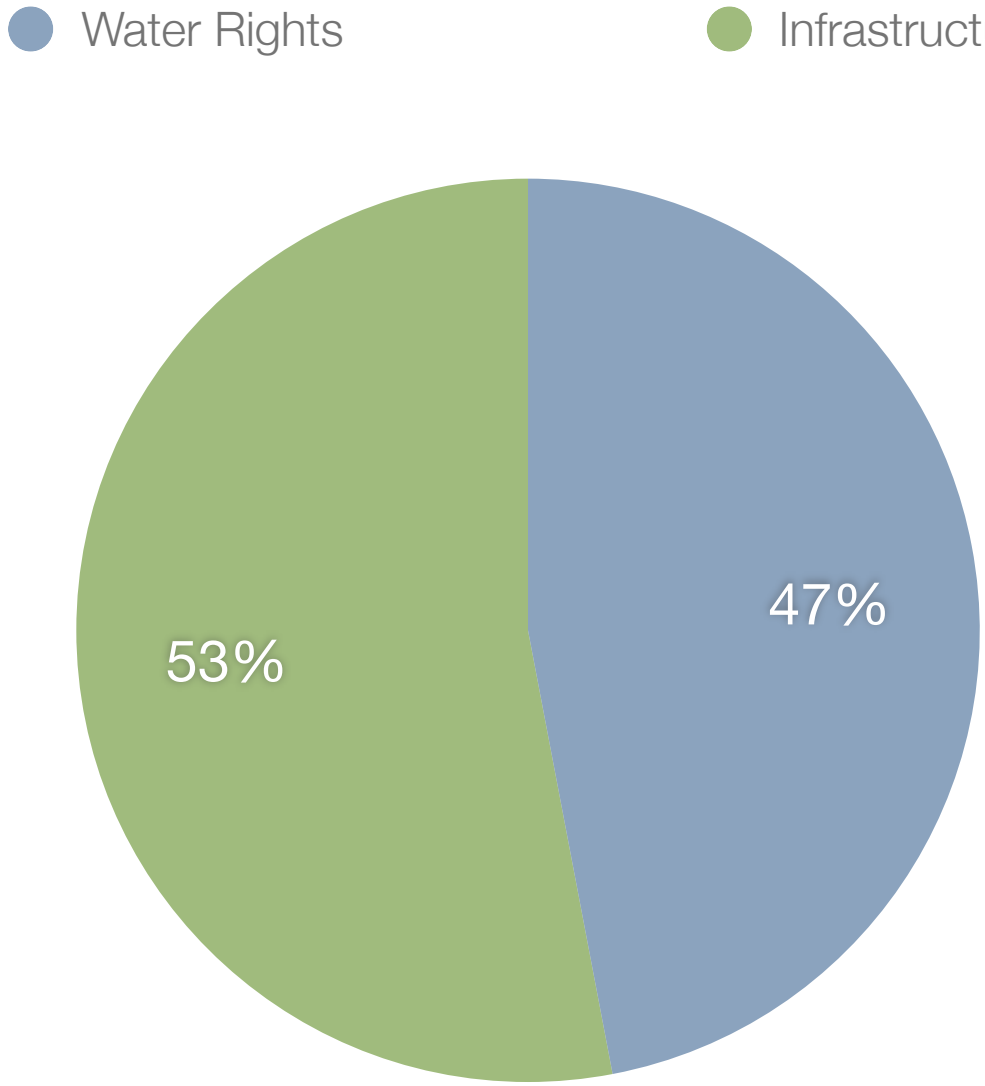


A Sample Year Actual Usage vs Tap Allocation



Meter Size	Gal/Year
3/4”	117,000
1”	208,260
1 1/2”	468,000
2”	831,870
3”	1,872,000
4”	3,327,480

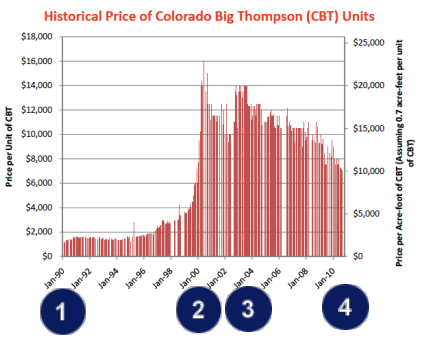
$25,900 Water Tap Fee Cost Breakout



Infrastructure estimated from replacement cost

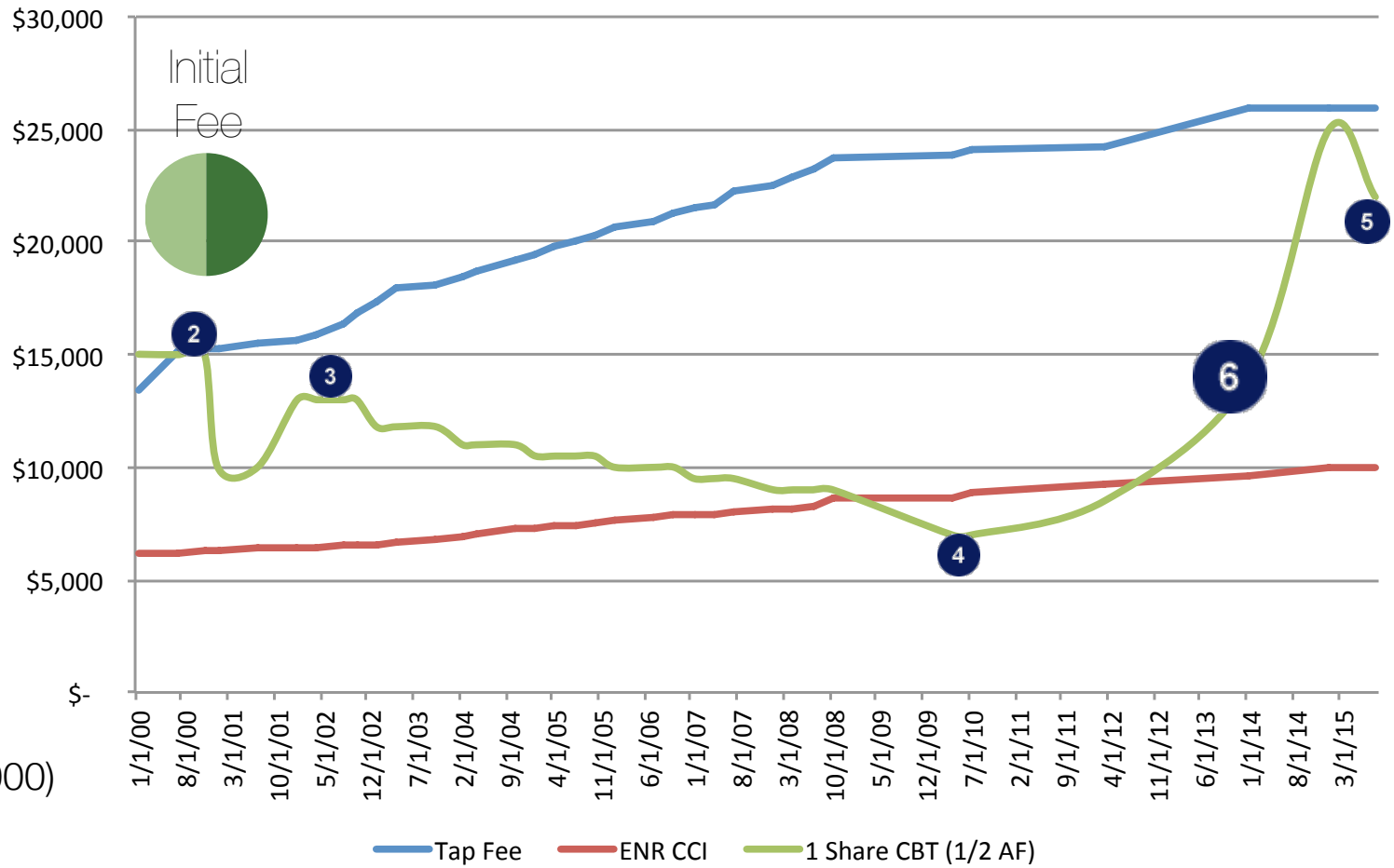
Water Rights calculated from cost of 1 share of CBT
$13,000 per share in 2013/2014

Historical Tap Fee Infrastructure Cost History

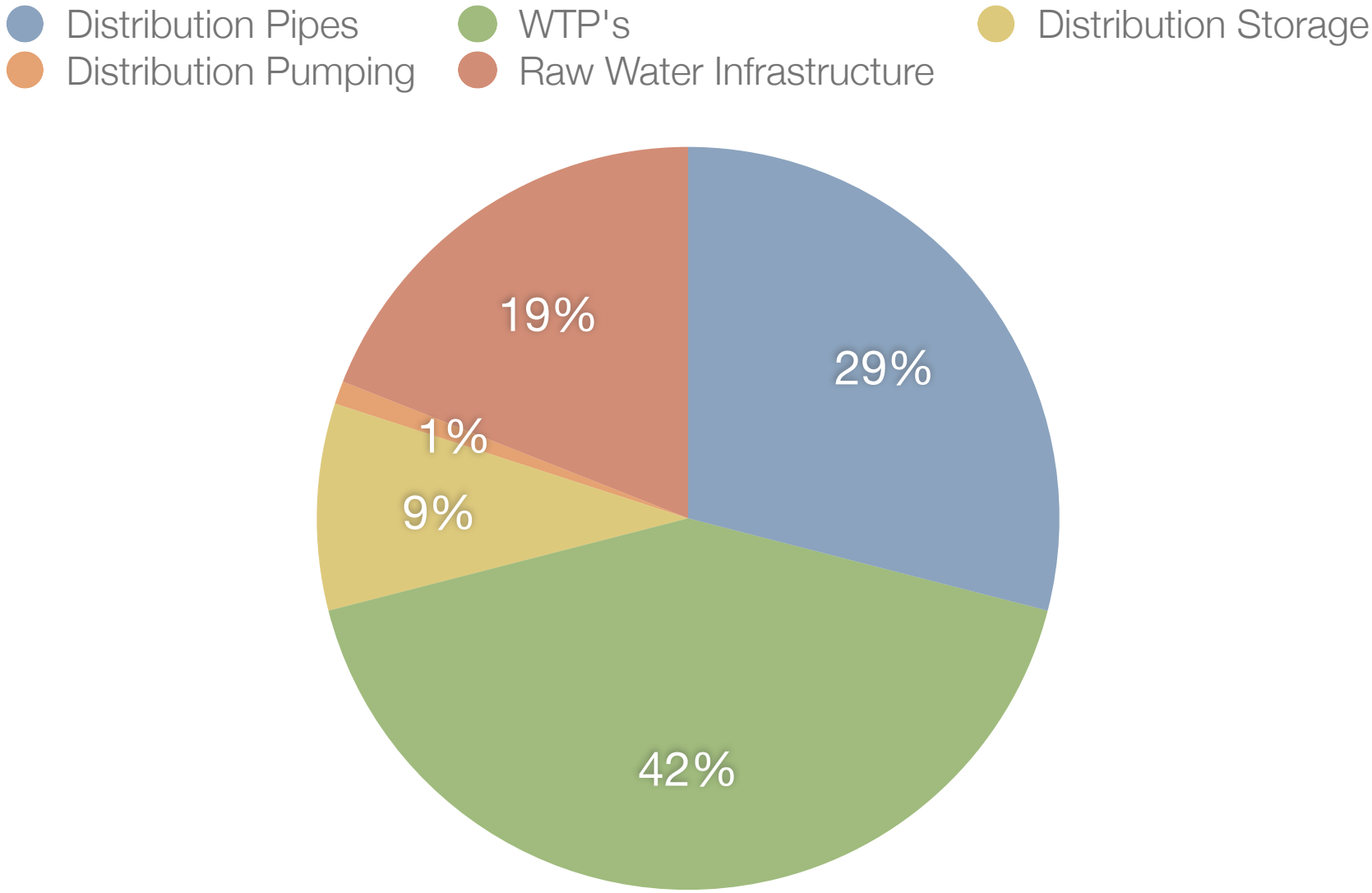


	Year	$/Share
1	1990	$1,600
2	2000	$16,000
3	2003	$14,000
4	2010	$7,000
5	2015	$22,000

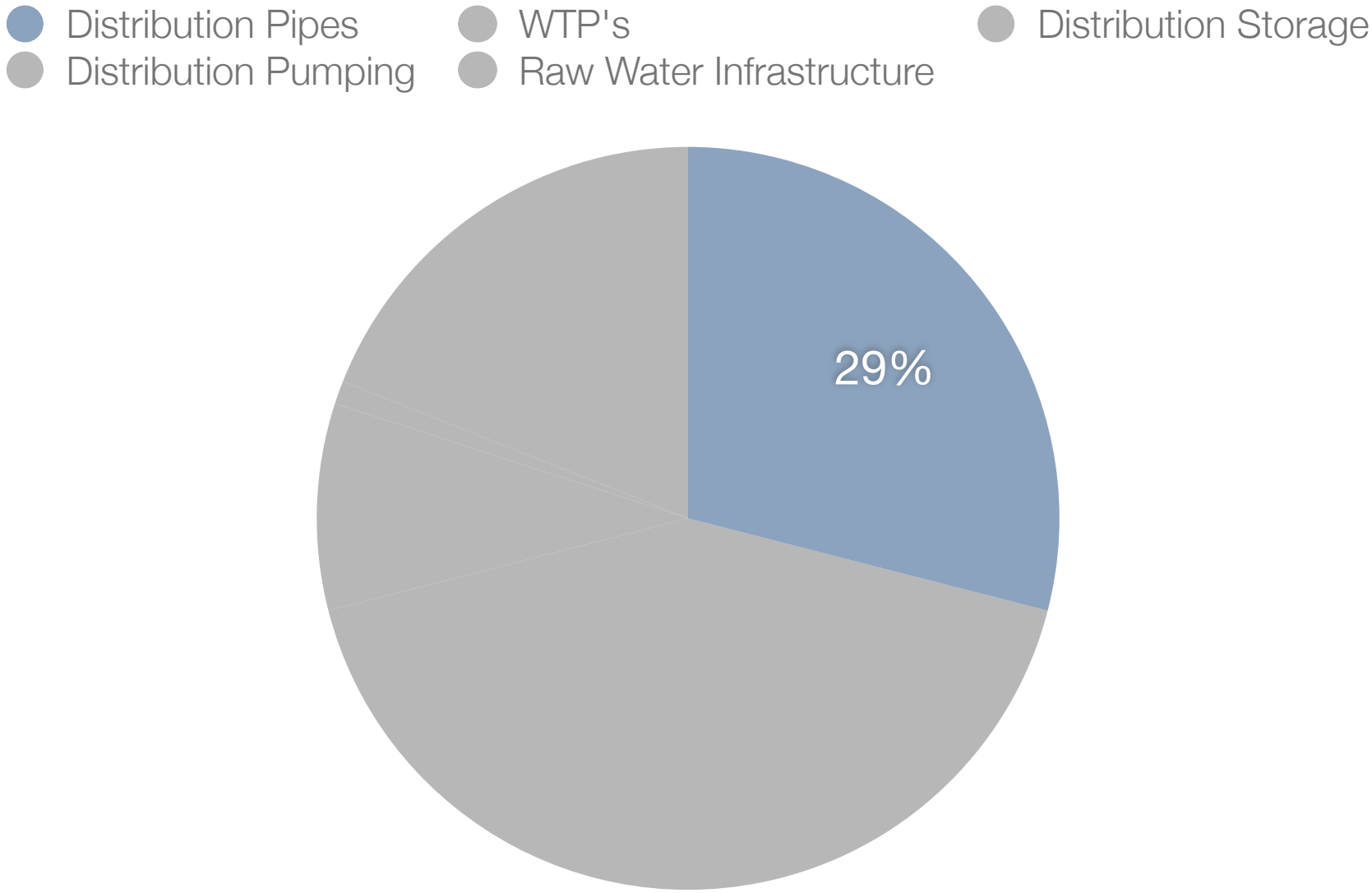
6 Tap Fee Basis (~$13,000)



Tap Fee Infrastructure Cost Breakout



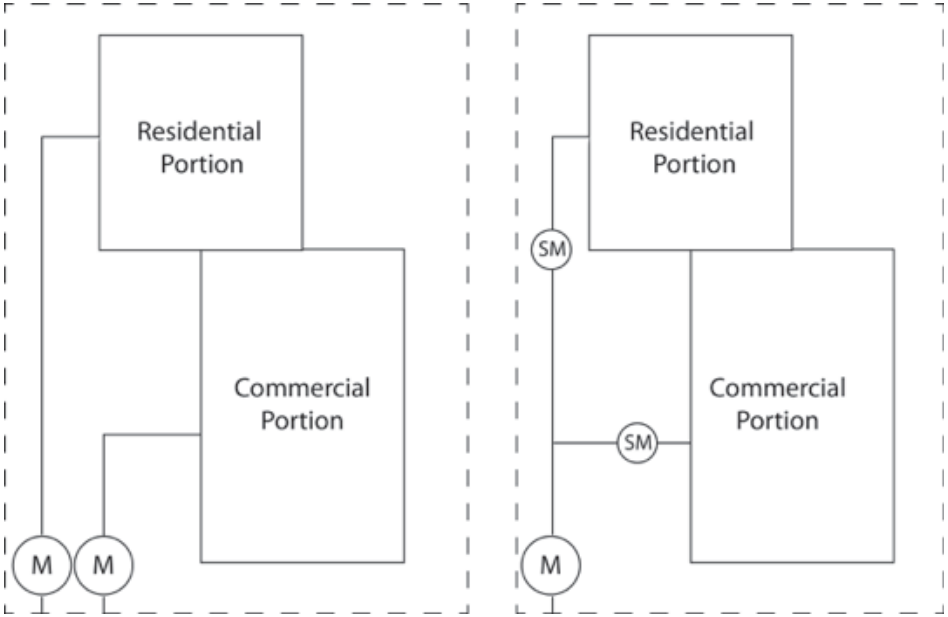
Geographical Tap Fee Infrastructure Differences



Scenario Discussion

Live Work Scenarios	New 3/4"	New 1"	New Sewer	Service Lines	Total	Difference
Existing Location 3/4" Tap w/o Live Work Tap	$ 25,900	$ -	$ 4,500	$ 21,000	**$ 51,400**	
Existing Location 3/4" Tap w/ Live Work Tap	$ 25,900	$ -	$ 4,500	$ 9,000	**$ 39,400**	**$ 12,000**
Existing Location 1" Tap w/o Live Work Tap	$ 25,900	$ -	$ 4,500	$ 21,000	**$ 51,400**	
Existing Location 1" Tap w/ Live Work Tap	$ -	$ -	$ -	$ -	**$ -**	**$ 51,400**
New Location w/o Live Work Tap	$ 51,800	$ -	$ 9,000	$ 42,000	**$102,800**	
New Location w/ Live Work Tap	$ -	$ 46,200	$ 7,900	$ 21,000	**$ 75,100**	**$ 27,700**

Note: By Ordinance existing locations receive a credit for existing taps in the amount of the original tap cash purchase.



Tap Size	Allocated Water Budget (gallons)	Cost of Distribution Pipes in Tap Fee
3/4”	117,000	$3,718
1”	208,260	$6,619
2 x 3/4”	234,000	$7,436

* This discussion is specific to one time tap fees. Monthly Billing is proposed to be Residential and Commercial not a new distinct customer class.

City of Louisville
COLORADO • SINCE 1878

Memorandum | Department of Public Works

To: Water Committee

CC: Malcolm Fleming, City Manager

From: Kurt Kowar, P.E., Director of Public Works

Date: 3/7/13

Re: Multifamily and Landscape Tap Fee Analysis

Background

The City of Louisville charges a Water Tap Fee under Municipal Code, Section 13.12.040.A.3, that is intended for the growth related capital expansion costs for water resources, water supply, water storage, transmission, treatment and distribution facilities, related costs and factors. The Water Tap Fee is established by and different customer classes are compared to the use of a single-family detached residential home or Single Family Equivalent (SFE). The current SFE or ¾" sized meter water tap fee is $24,140.

The water tap fee was last updated in 2010 and is by code to be reviewed quarterly. A utility rate study currently in the early initiation stages and scheduled for completion in the 4th quarter of 2013 will thoroughly review the tap fee cost components and update existing tap fees as necessary.

During the 2011 and 2012 calendar year, inquiries were received from various developers working within the City regarding multifamily tap fees and the cost associated with this type of development within the City. Multifamily tap fees are charged 100% percent ($24,140) for the first unit and then a minimum of 60% ($14,484) for each apartment unit thereafter.

In November of 2011 (RMCS) and February of 2012 (Confluence) letters were submitted to City Staff with cost comparisons for multifamily development between Louisville and various other Front Range municipalities. These letters were reviewed by Staff and it was determined that regardless of the cost differences, the letters were not all inclusive in their cost comparisons for various water fee components or had selected municipalities with significantly different cost structures and water resources than Louisville. Neither submission nor associate inquiry was deemed to provide enough due diligence or specific analysis to support a change in the City's tap fee methodology.

In April of 2012, RMCS submitted a letter and background information requesting consideration to reduce the equivalent of a multifamily unit (MFU) from 0.60 SFE to 0.30 SFE. The substantiation for this request was that Louisville did not have a residential housing component that catered to young professional dual income families and senior or empty nester families. In addition, it was also stated that multifamily units do not have outdoor uses such as turf areas, pressure washing, and typical maintenance that may be associated with a single family residential home. Given this additional specific data, City Staff performed additional research to validate or disprove the new information.

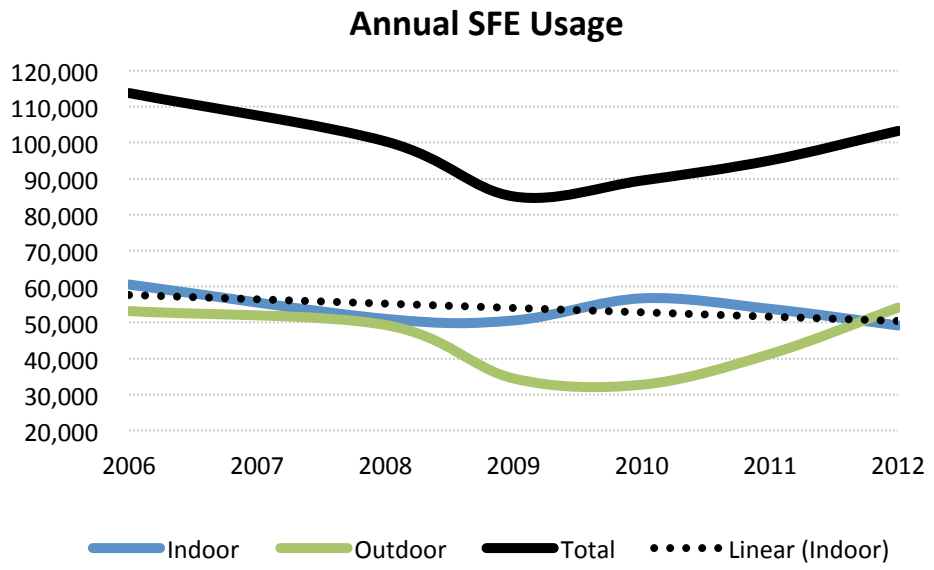
Analysis

In an effort to understand each class of customer (MFU and SFE) and the components of usage of that customer, Staff compared multifamily and single family residential indoor and outdoor water consumption. Analysis was based upon actual meter data from the City's utility billing system, US 2011 Census estimation of 2.43 people per household for Louisville, and the National Multi Housing Council estimation of 1.9 people per multifamily unit. Data from the utility billing system was for the years 2006 – 2012, excluding 2007 due to incomplete data.

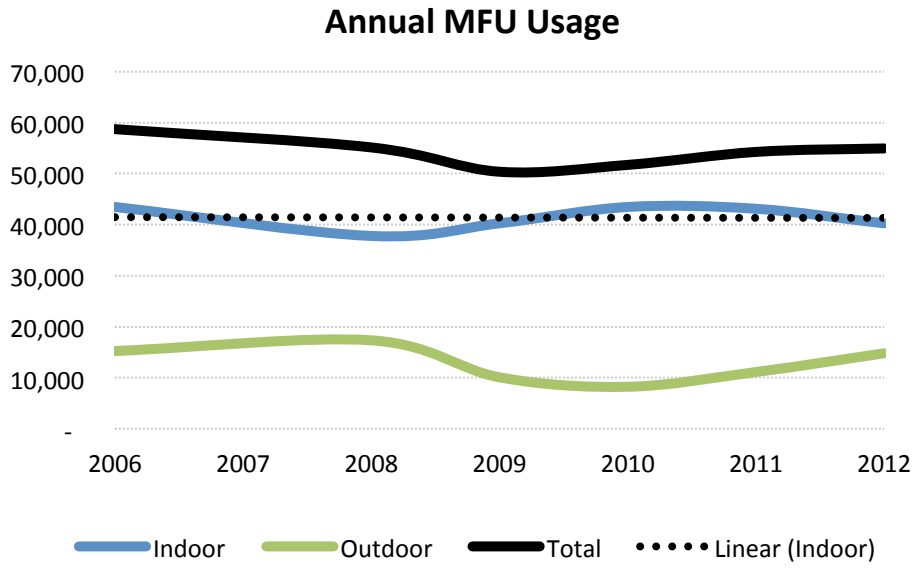
Overall Consumption Review

Indoor, outdoor, and total usage for the study period are shown for both SFE and MFU customer classes as a basis for comparison. Both sets of data show slight usage spikes in 2010 for indoor usage. The City undertook a meter replacement program during this time period and it is believed that the increase in usage is a reflection of the new meters reading with increased accuracy.

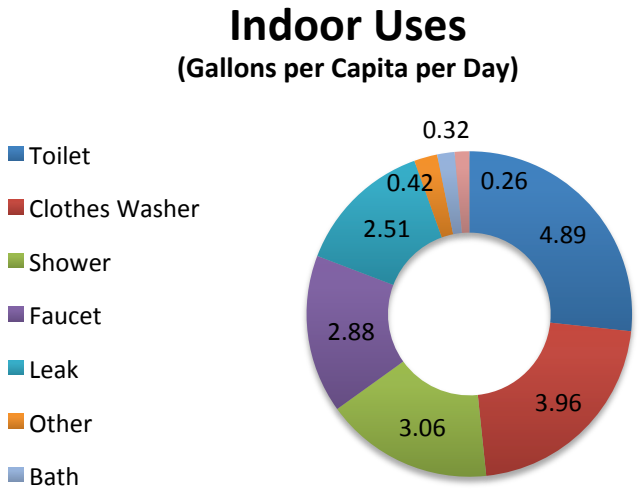
SFE Usage per Unit	2012	2011	2010	2009	2008	2006	6 yr Avg	Maximum
Indoor	49,198	53,800	56,735	50,584	51,024	60,576	53,653	60,576
Outdoor	54,093	41,249	32,730	34,460	49,321	53,200	44,175	54,093
Total	103,290	95,049	89,466	85,044	100,345	113,776	97,828	114,669



MFU Usage per Unit	2012	2011	2010	2009	2008	2006	6 yr Avg	Maximum
Indoor	40,218	43,130	43,484	40,290	37,801	43,475	41,400	43,484
Outdoor	14,778	11,142	8,248	10,095	17,347	15,255	12,811	17,347
Total	54,997	54,272	51,732	50,385	55,148	58,730	54,211	60,831



Indoor Consumption Comparison (GPCPD and Unit Comparison)



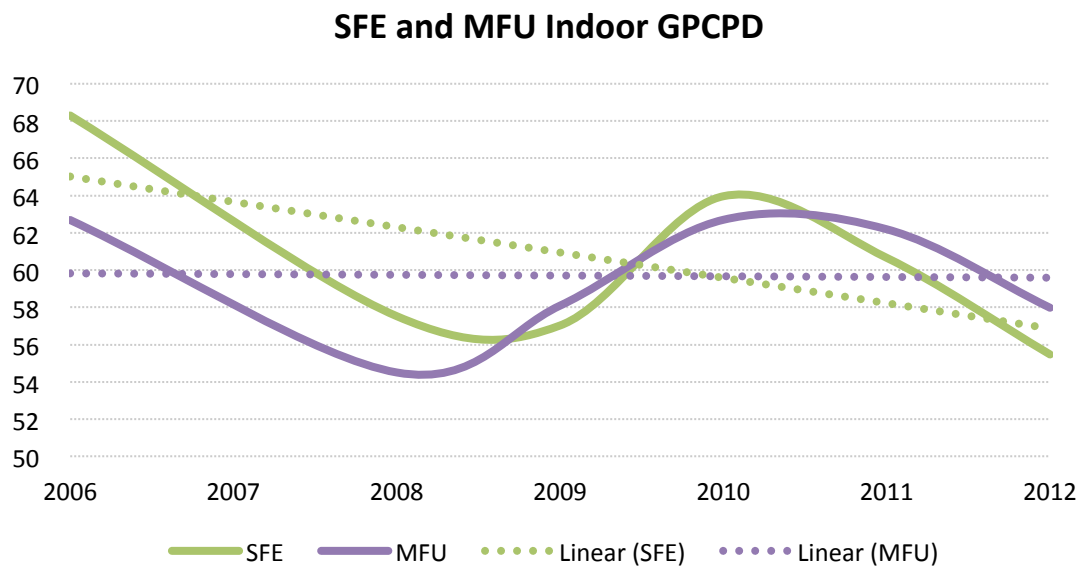
Indoor water consumption was reviewed to determine the base demands of multifamily and single family residential upon the water system. The base demand represents indoor usage only and does not include outdoor irrigation. Base demand is extrapolated for the whole year based upon meter readings from November through February for each year when irrigation is not a factor. Indoor usage can be characterized by day-to-day needs such as showering, flushing toilets, washing clothes, and using faucets.

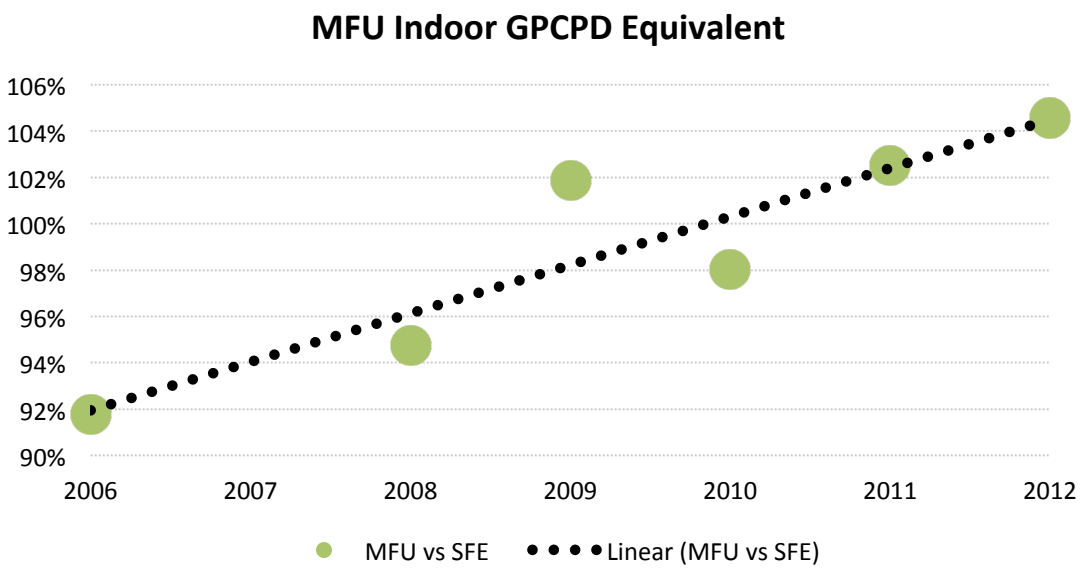
Specific to indoor water consumption, it was determined that regardless of multifamily or single family classification, demographics, or unit size that indoor usage in gallons per capita per day (GPCPD) was approximately the same with an overall indoor average for both customer classes of 60 gallons per capita per day. On a per unit basis, apartments tended to use on average 77% of the indoor use of an SFE indoor use and 42% of the total usage of an SFE. The comparison of

the indoor usages at 77% matches well with the population per unit comparison of 1.90 people per MFU to 2.43 people per SFE or 78% and provides a basis for validation of the methodology.

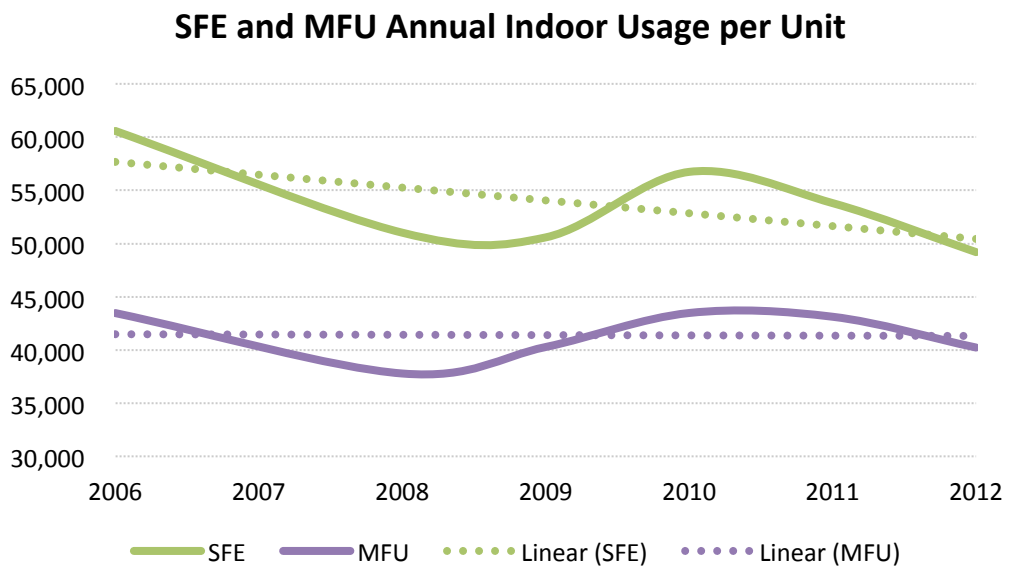
Overall, indoor use for an SFE appears to be trending down and is most likely a function of ongoing replacement of inefficient water appliances or fixtures with new high efficiency appliances and fixtures.

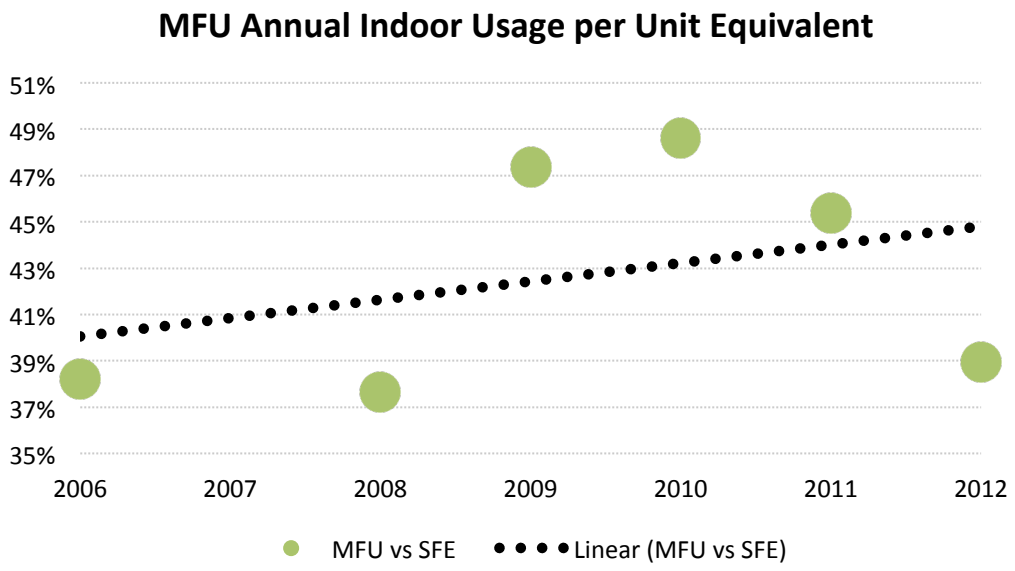
Indoor GPCPD	2012	2011	2010	2009	2008	2006	6 yr Avg	Maximum
SFE	55.47	60.66	63.97	57.03	57.53	68.30	60.49	68.30
MFU	57.99	62.19	62.70	58.10	54.51	62.69	59.70	62.70
MFU vs SFE	105%	103%	98%	102%	95%	92%	99%	92%





Annual Indoor Usage per Unit	2012	2011	2010	2009	2008	2006	6 yr Avg	Maximum
SFE	49,198	53,800	56,735	50,584	51,024	60,576	53,653	60,576
MFU	40,218	43,130	43,484	40,290	37,801	43,475	41,400	43,484
MFU vs SFE	82%	80%	77%	80%	74%	72%	77%	72%
MFU vs Total SFE	**39%**	**45%**	**49%**	**47%**	**38%**	**38%**	**42%**	**38%**





Based upon the data reviewed, indoors use between residential MFU and SFE customer classes is similar per capita and dependent upon the average residents per unit.

Comparison of indoor MFU against total SFE provides for a 6-year average of 0.42 equivalents.

It appears that the indoor component of the 0.60 SFE could be represented as 0.45 equivalents.

Outdoor Consumption Comparison (GPCPD and Unit Comparison)

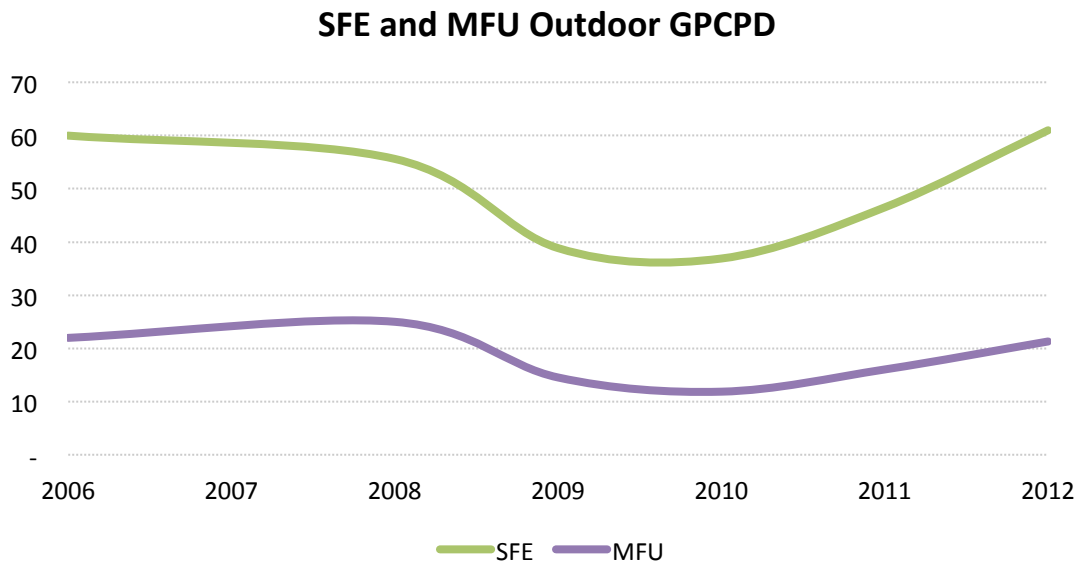
Outdoors water consumption can be mainly characterized by irrigation of landscaping and is variable from year to year dependent upon seasonal effects.

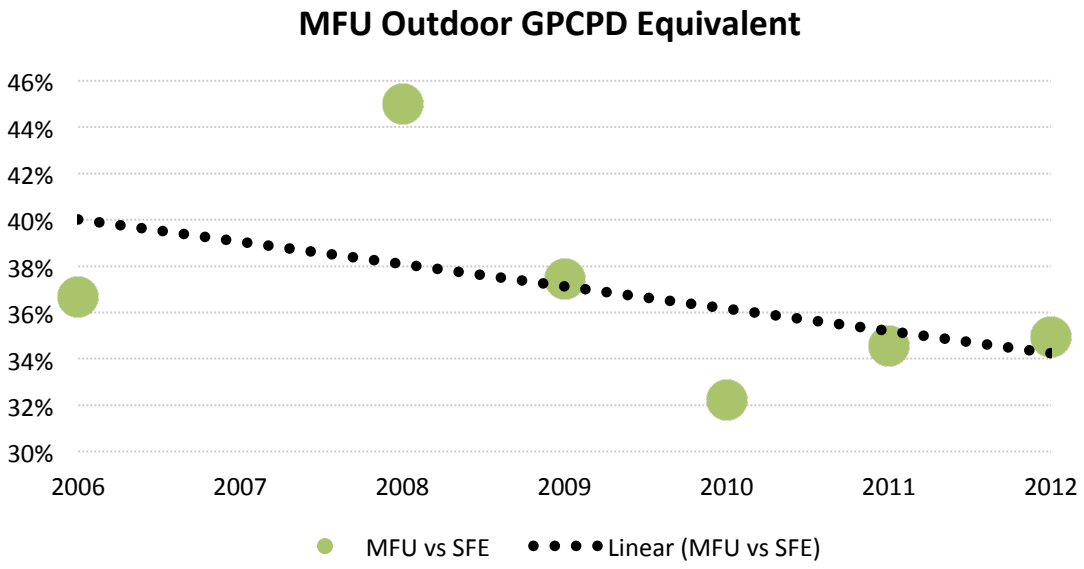
Both MFU and SFE residential customers have an irrigation component to their use. The difference however, is that an SFE manages it's irrigation practices while an MFU has common landscaping areas operated by a management company.

The common multifamily irrigation component places a demand on the water system and should be accounted back to an MFU in order to properly compare customers in an equitable manner.

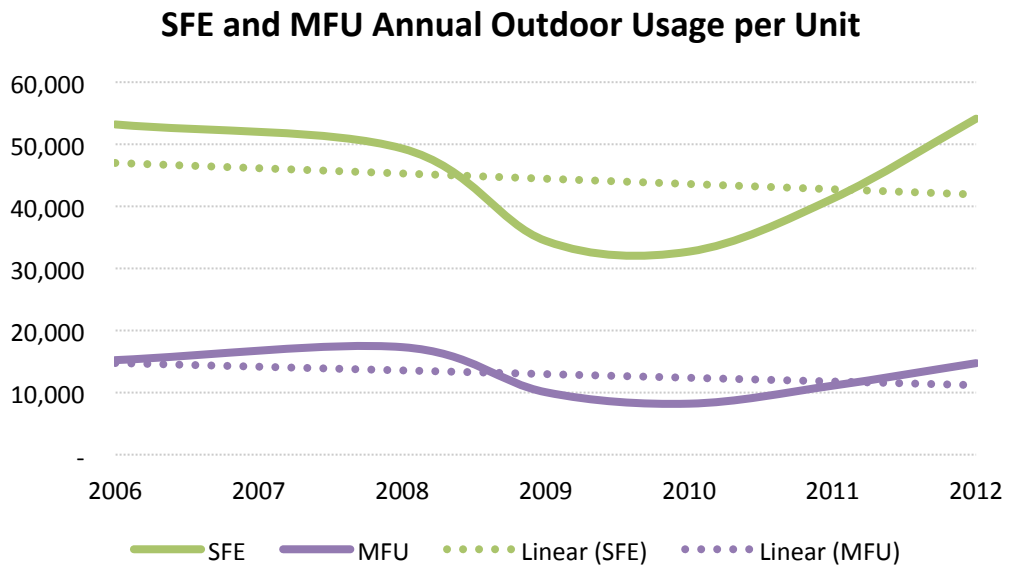
From a billing perspective, outdoor use by an SFE is more easily controlled through rate increases, as the cost is directly passed on to the customer. In the case of MFU outdoor watering, costs are typically distributed into the overhead of the management company or distributed amongst the MFU's within a complex. There is not as significant of a cost disincentive for the MFU population to save water. This was most relevant in review of 2002 post drought water conservation reductions by customer class. During the 2002 drought, single family residential was able to reduce system demands by 15% while multifamily only provided a 2% reduction.

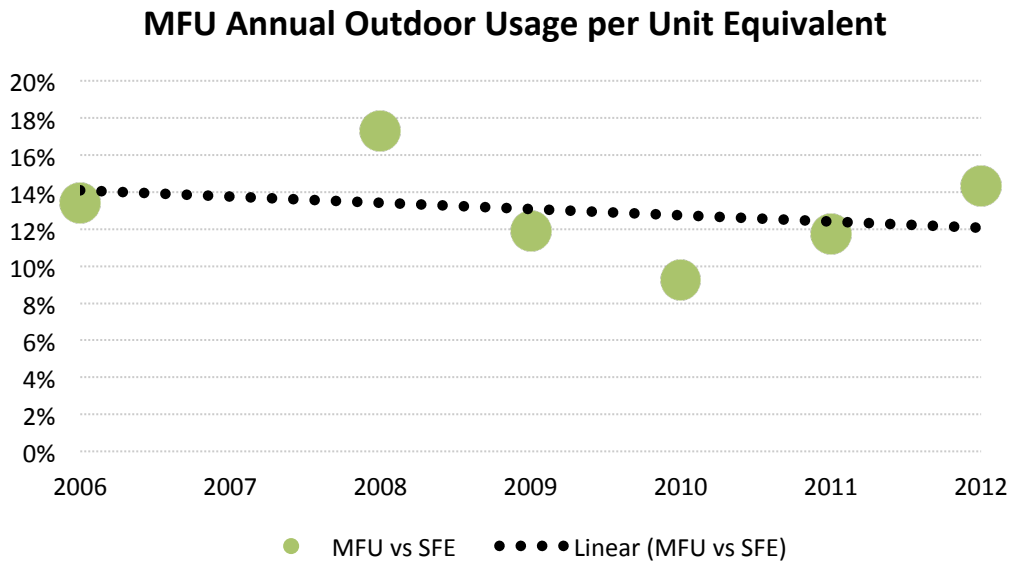
Outdoor GPCPD	2012	2011	2010	2009	2008	2006	6 yr Avg	Maximum
SFE	60.99	46.51	36.90	38.85	55.61	59.98	49.81	60.99
MFU	21.31	16.07	11.89	14.56	25.01	22.00	18.47	25.01
MFU vs SFE	35%	35%	32%	37%	45%	37%	37%	41%





Annual Outdoor Usage per Unit	2012	2011	2010	2009	2008	2006	6 yr Avg	Maximum
SFE	54,093	41,249	32,730	34,460	49,321	53,200	44,175	54,093
MFU	14,778	11,142	8,248	10,095	17,347	15,255	12,811	17,347
MFU vs SFE	27%	27%	25%	29%	35%	29%	29%	32%
MFU vs Total SFE	14%	12%	9%	12%	17%	13%	13%	15%





Based upon the data reviewed, outdoors use is fairly stable for MFU per capita, variable by season for SFE per capita, and dependent upon the average residents per unit.

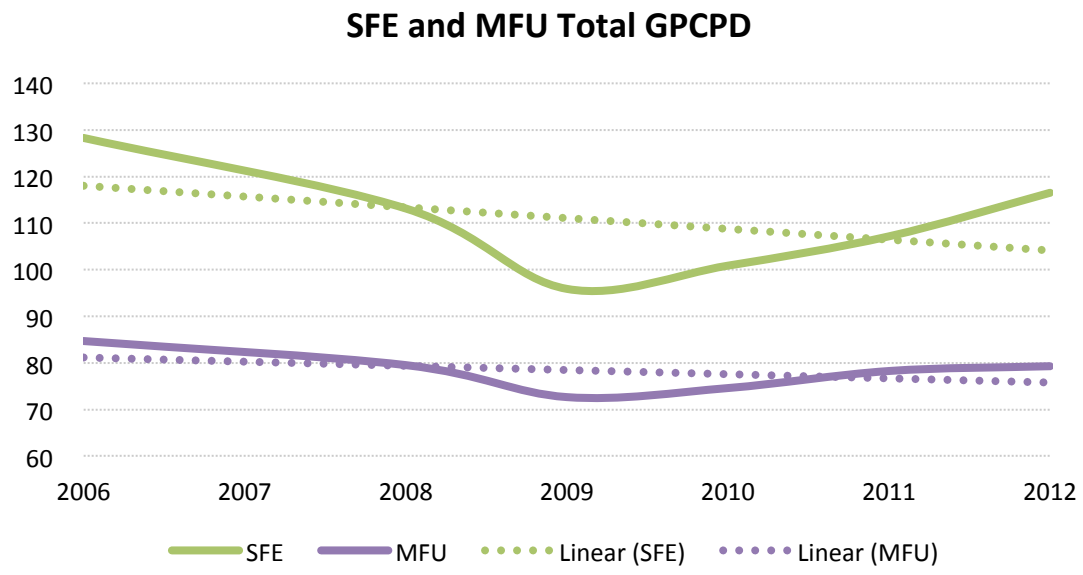
Comparison of outdoor MFU against total SFE provides for a 6-year average of 0.13 equivalents.

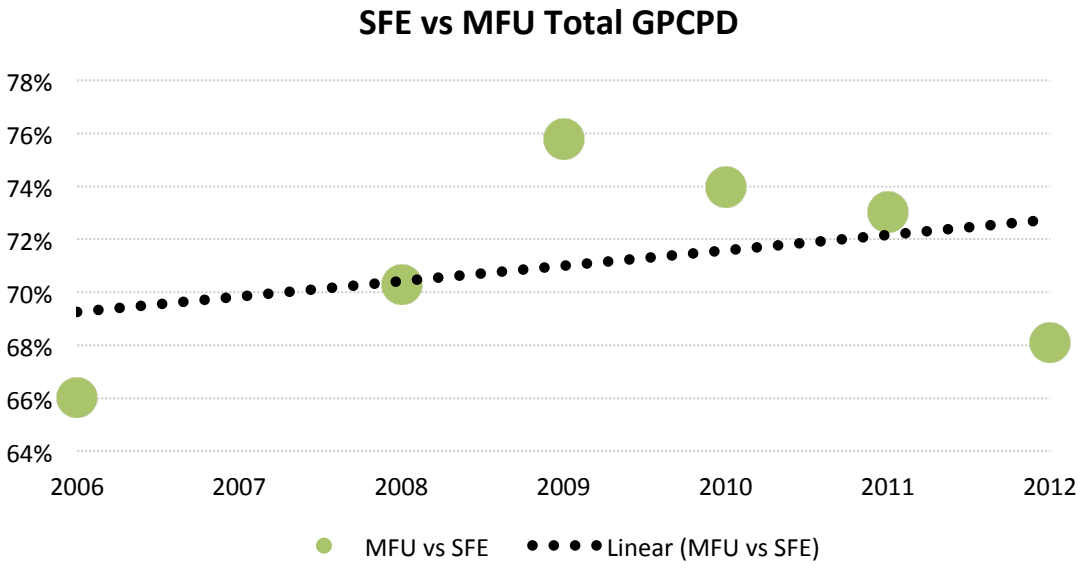
It appears that the outdoor component of the 0.60 SFE could be represented as 0.15 equivalents.

Total Consumption Comparison (GPCPD and Unit Comparison)

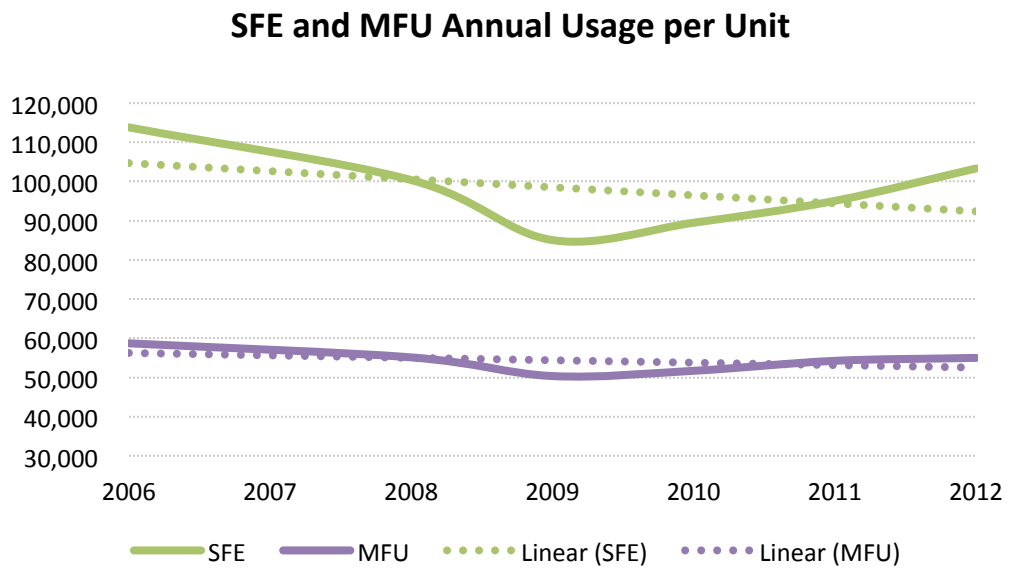
Review of each individual component is useful to determine how indoor and outdoor uses influence the overall demand on the water system and their breakdown within a utility fee cost structure. Overall, planning and administrative level functions revolve around a total impact to the water system. This total impact relative to a single-family home is the basis of the current cost structure for multifamily tap fees.

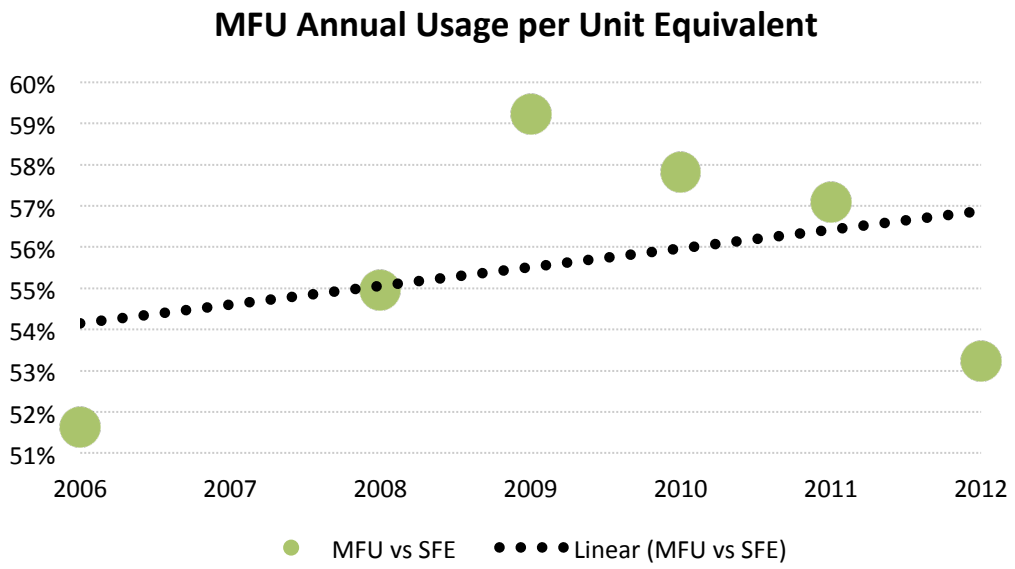
Total GPCPD	2012	2011	2010	2009	2008	2006	6 yr Avg	Maximum
SFE	116.46	107.16	100.87	95.88	113.13	128.28	110.30	128.28
MFU	79.30	78.26	74.60	72.65	79.52	84.69	78.17	84.69
MFU vs SFE	68%	73%	74%	76%	70%	66%	71%	66%





Annual Usage per Unit	2012	2011	2010	2009	2008	2006	6 yr Avg	Maximum
SFE	103,290	95,049	89,466	85,044	100,345	113,776	97,828	113,776
MFU	54,997	54,272	51,732	50,385	55,148	58,730	54,211	58,730
MFU vs SFE	53%	57%	58%	59%	55%	52%	55%	52%





Based upon the data reviewed, total use is fairly stable for MFU per capita, variable by season for SFE per capita, and dependent upon the average residents per unit.

Comparison of total MFU against total SFE provides for a 6-year average of 0.55 equivalents.

It appears that the total component of the 0.60 SFE is equitable if interpreted in a manner that provides for both indoor and outdoor use to be included.

Studio or 1 Bedroom MFU vs. 2+ Bedroom MFU

Developers have proposed in discussions that a studio or 1 bedroom MFU should be charged a different tap fee than a 2 or more bedroom MFU under the premise that one person uses less than two or more people. While on the surface this may appear true, to create a fee structure that is based upon the assumption that a 1 bedroom or studio MFU will always only be populated with one person would be false. The residential population for these units could fall anywhere between 1 to 3 persons per unit.

It has also been observed that developers will attempt to "game" the structure of the system. A bedroom is defined as a room that has a closet. Designs can be proposed that include a bedroom and an office (a room without a closet). Often then, the office becomes inhabited as a second bedroom.

For the reasons stated above and as previously discussed with members of the Water Committee, it is not recommended that a tap fee be considered in any specificity beyond the traditional multifamily unit that currently exists.

Irrigation Tap Fees

Historically, the City has charged multifamily developments for 0.60 SFE per apartment unit with the landscape water supply provided as a connection that is installed after the meter that serves a multifamily building. Review of data has shown that this approach using a 0.60 SFE equivalent per apartment appears equitable for both the City and the Developer.

With the evolution of irrigation systems, accounting software, and better management practices, modern multifamily developers have proposed installation of separate landscape irrigation meters from the building meters. This allows better management of irrigation costs and accurate billing of indoor use. Such a structure is also advantageous to the City in periods of water conservation given the ability to apply a separate rate structure to an irrigation meter.

The Municipal Code does not clearly indicate what components are included for a 0.60 SFE multifamily apartment unit and goes on to indicate that all irrigation taps will be charged a full tap fee. If interpreted and billed as the Municipal Code currently exists, Developers may be overcharged for water resources dependent upon the size and nature of the various building and irrigation meters.

A byproduct of the multifamily tap fee research was review of how irrigation tap fees are currently charged. Traditionally, the City has charged for an irrigation tap on the basis of meter size. The meter size is calculated based upon the maximum instantaneous flow of water through the meter. Meter sizes are charged in accordance with the ratio of their size to the ¾" SFE meter cost. In almost all customer classes, the meter size cost methodology provides equitable cost recovery for the Utility. However, in cases of specialized industrial processes or irrigation, the meter size will not always be reflective of the total amount of water used.

Therefore, in these cases it is important to use both instantaneous demand and total annual demand to determine accurate costs for recovery when charging tap fees.

Cursory review of historical irrigation meter usage and associated tap fees indicates that the City has undercharged for water resources related to irrigation meters using the meter size cost basis methodology.

An actual ¾" irrigation meter scenario analysis is provided for context and review:

Projected Usage (gallons)		301,923
2012 Actual Usage (gallons)		496,000
2012 SFE Avg		103,000
Projected SFE		2.93
Actual SFE		4.82
SFE 3/4" Tap Fee	$	24,140
Actual Tap Fee Paid (3/4" Irrig Meter)	$	24,190
Projected Cost	$	70,761
Actual Cost	$	116,247
Irrigated Area (acre)		0.79

Staff will be recommending revisions to the Municipal Code to clarify costs for how separate landscape meters will be charged.

In review of the multifamily data, it does appear there is a consistent irrigation component to MFU use in the amount of 0.15 SFE per unit. Given this, it is feasible to consider one of the following options:

- **Do nothing and maintain a 0.60 SFE per multifamily unit with irrigation supplied from the buildings.**
- **Update the Municipal Code to maintain a 0.60 SFE per multifamily unit with a separate irrigation meter included.**
- **Update the Municipal Code to require a separate irrigation meter charged in full and reduce the existing 0.60 SFE to 0.45 SFE per multifamily unit.**

Wastewater Tap Fees

A second byproduct of the multifamily tap fee research was review of how wastewater tap fees are currently charged. Traditionally, the City has charged multifamily wastewater tap fees 100% percent ($3,221) for the first unit and then 60% ($1,932.60) for each apartment unit thereafter.

The data reviewed for the indoor component of MFU and SFU use indicates the City may be currently undercharging based upon a 0.60 SFE per apartment unit tap fee. The 6-year average of indoor MFU usage to SFE usage is 77%.

It appears that the wastewater component of the 0.60 SFE is inequitable to the City and would be more adequately represented as 0.80 SFE per multifamily unit.

Summary

Through 2011 to present, the development community as voiced concerns over the expense or inequity of tap fees specific to multifamily residential developments.

City Staff performed an internal review of multifamily residential and single-family residential indoor, outdoor, and total water usage per dwelling unit.

This review found that the current practice of charging 0.60 single-family equivalents per multifamily apartment unit appears equitable for water when landscaping is included. However, there are contradictions and exclusions within the Municipal Code that preclude the ability to provide for separate building and irrigation tap fees in an equitable manner for both the City and a Developer. It appeared that 0.15 of the 0.60 single-family equivalents per multifamily unit were reflective of irrigation usage and could validate a reduction to 0.45 single-family equivalents per multifamily unit if a separate irrigation meter was provided and paid in full. This essentially recognizes that as unit density increases the cost of irrigation per unit decreases and therefore charges for indoor and outdoor components are respective to their actual equivalents as demonstrated from actual real world data.

Additionally, it was determined that the current practice of charging 0.60 single-family equivalents per multifamily apartment unit for wastewater is inequitable to the City. It appears that the equitable charge would be 0.80 single-family equivalents per multifamily apartment unit for wastewater.

Finally, it was also determined that the current practice of charging based upon meter size for irrigation meters does not provide full cost recovery of water resources to the City. A new cost structure based upon the total annual water required per year for irrigation based upon a single-family equivalent should be put into place.

In efforts to summarize the substantial changes, an example multifamily development is provided to illustrate the impacts upon each component.

	Current Fee Structure	Data Supported Fee Structure
Water Equivalent	60%	45%
Units	227	227
SFE Water Tap Fee	$ 24,140	$ 24,140
Calculated MF Water Tap Fee	$ 3,297,524	$ 2,479,178
Irrigation Tap Fee	$ 96,540	$ 201,167
Calculated Total Water Tap Fee	**$ 3,394,064**	**$ 2,680,345**
SFE Equivalents	136.60	102.70
Irrig Equivalents	8.33	8.33
Total Water Equivalents	144.93	111.03
Wastewater Equivalent	60%	80%
SFE Wastewater Tap Fee	3,221.00	3,221.00
Calculated MF Wastewater Tap Fee	**$ 439,989**	**$ 585,578**
Total Water and Wastewater	**$ 3,834,053**	**$ 3,265,922**

Data supported fee structures will require revisions to the Municipal Code in order to implement and administrate the new tap fees.

TAP FEE CALCULATION FORM

WATER, SEWER, AND IRRIGATION TAP FEES ESTABLISHED PURSUANT TO THE LOUISVILLE MUNICIPAL CODE, DELEGATING AUTHORITY TO THE CITY MANAGER TO ESTABLISH TAP FEES ON A QUARTERLY BASIS
EFFECTIVE JUNE 25, 2014.

Utilize this form to determine Water, Sewer, and Irrigation Tap Fees by completing the shaded cells. For Multifamily, Non-Residential, and Other Uses, please fill out a separate sheet for each premises (separate building). Additional information on Tap Fees may be found in the Louisville Municipal Code. For taps larger than 4 inches, the tap fee and other terms and conditions of the issuance of the tap shall be established by written agreement approved by the Louisville City Council.

Project Location: _____ Subdivision: _____ Filing: _____ Block: _____ Lot: _____

Property Owner: _____ Owner's Address (if different): _____

Owner's Email Address: _____ Owner's Phone # _____

Job Contact Name (if different): _____ Contact Phone # _____

WATER TAP FEES

1) Single-Family Residential Tap Fee (single-family, duplexes and mobile homes)

3/4" meter X _____ units X $25,900 = $ _____

1" meter X _____ units X $46,200 = $ _____

INSTRUCTIONS:
Utilize this section to determine the water tap fee for the proposed residential development. Insert the number of single-family, duplex and/or mobile home units in the appropriate meter size category to determine the tap fee. Each unit of a duplex and each mobile home is considered to be equivalent to a single-family unit.

5 or more Duplex Units: separate irrigation tap required, provide Plumbing Permit number for the separate irrigation tap: _____

No. of Units _____ (from above) X $3,885 = (credit) $ _____ (total irrigation credit)

Duplex premises with five or more units are required to obtain a separate irrigation tap. The separate irrigation tap allows for a credit to be applied to the per unit tap fee. The irrigation credit is calculated as the total number of units multiplied by the credit.

Total Single-Family Tap Fee = $ _____

Total Single-Family Tap Fee = Total Cost minus total irrigation credit

Complete this section for each separately metered premises (separate building) and/or other use and/or irrigated area.

2) Multifamily Residential Tap Fee (townhouse, multifamily and senior independent living, as defined in Louisville Municipal Code)

Fixture Count _____ Meter Size _____

Townhouse _____ units X $20,720 = $ _____

Multifamily _____ units X $15,540 = $ _____

Senior _____ units X $ 7,770 = $ _____

Total Cost = $ _____

INSTRUCTIONS:
Provide fixture count and meter size from Building Safety Division Form

Utilize this section to determine the water tap fee for the proposed residential development. Insert the number of Townhouses, Multifamily or Senior Independent units and multiply the number of units by the associated tap fee to determine the total tap fee.

Sum the total for each unit type, which will be the total tap fee for those units.

5 or more Townhouse or Multifamily Units: separate irrigation tap required, provide Plumbing Permit number for the separate irrigation tap: _____

No. of Units _____ (from above) X $3,885 = (credit) $ _____ (total irrigation credit)

Townhouse and Multifamily premises with five or more units are required to obtain a separate irrigation tap. The separate irrigation tap allows for a credit to be applied to the per unit tap fee. The irrigation credit is calculated as the total number of units multiplied by the credit. Senior Independent Living Units are not eligible for the irrigation credit.

Total Multifamily Tap Fee = $ _____

Total Mulitfamily Tap Fee = Total Cost minus total irrigation credit

CONTINUE ON THE OTHER SIDE

3) Non-Residential and Other Use Tap Fee (Non-Residential and Other Uses include; commercial, industrial, retail, institutional, pools, spas, water features)

1) Meter Size

Instantaneous Demand _____ gpm
(from Building Safety Division Form)

Irrigation Demand _____ gpm (Note 1)
(if supplied from same tap)

Total Demand _____ gpm
(larger of indoor or irrigation demand)

Meter Size _____ (from Table 1)
(based on Total Demand)

2) Annual Indoor Demand

Indoor _____ gal/yr
Other Usage _____ gal/yr
Total Demand _____ gal/yr

3) Indoor Tap Fee

Indoor Tap Fee = $ _____

INSTRUCTIONS:
Note 1: If irrigation is served by the same tap, provide irrigation design showing instantaneous demand for each zone. Insert maximum instantaneous demand into "Irrigation Demand" cell.

Applicant to provide annual Indoor and Other Usage demand, if applicable, calculated by a licensed engineer or architect. Base Tap Fee (Table 2) corresponds to the fee associated with the Demand Budget that satisfies the majority of Total Demand. Additional Tap Fee is calculated by dividing the difference between Total Demand and the selected Demand Budget by 117,000, then multiplying by $25,900. Add the Base Tap Fee and Additional Tap Fee to derive the Total Tap Fee.

Example:** For a 250,000 gal/yr demand, the next lowest budget is 208,260 gallons, which corresponds to a fee of $46,200. 250,000 - 208,260 = 41,740; 41,740 / 117,000 * $25,900 = $9,239.88. Total Tap Fee $46,200 + $9,239.88 = $55,439.88

Table 1

Meter Flow Range (gpm)	Meter Size (inch)
0-22	3/4
23-45	1
46-80	1-1/2
81-140	2
141-280	3
281-500	4

Table 2

Demand Budget (gallons)	Base Tap Fee ($)
117,000	$25,900
208,260	$46,200
468,000	$103,600
831,870	$184,300
1,872,000	$414,400
3,327,480	$736,700

4) Irrigation Demand & Tap Fee (if irrigation and indoor demand are served by the same tap)

Total Irrigated Area (sq.ft)		Irrigation Demand (gallons/year)		Irrigation Tap Fee
_____	X 15 gallons/sq.ft. =	_____	/ 117,000 x $25,900 = $	_____

Total Non-Residential and Other Use Tap Fee = $ _____ (sum of Indoor Tap Fee and Irrigation Tap Fee)

IRRIGATION TAP FEES

4) Irrigation Tap Fee (for separate irrigation taps)

Demand _____ gpm (Note 1)

Meter Size _____ (from Table 1)

Total Irrigated Area (sq.ft)		Irrigation Demand (gallons/year)
_____	X 15 gallons/sq.ft. =	_____

Irrigation Demand (gallons/year)		Irrigation Tap Fee
_____	/117,000 x $25,900 = $	_____

INSTRUCTIONS:
Note 1: Provide irrigation design showing instantaneous demand for each zone. Insert maximum instantaneous demand for "Irrigation Demand".

This section is to be used for Duplex, Multifamily, Townhouse, and Non-Residential developments that are utilizing a separate tap for irrigation. Total Irrigation Tap Fee is equal to the tap fees associated with Total Irrigation Demand and Drip Taps. A drip irrigation tap is allowed for isolated locations, such as a roadway median. A drip tap requires a separate 3/4" meter, must serve a total area less than 4,000 square feet at a demand of 5 gallons per minute or less. Any area irrigated with a drip irrigation tap shall not be included in the Total Irrigated Area.

		Drip Tap Fee
Number of Drip Taps _____	X $6,475 = $	_____

Total Irrigation Tap Fee = $ _____ (sum of Irrigation Tap Fee and Drip Tap Fee)

SEWER TAP FEES

5) Sewer Tap Fee

Residential Sewer Tap Fee

Single-Family _____ X $4,500 = $ _____

Townhouse _____ units X $3,600 = $ _____

Multifamily _____ units X $3,600 = $ _____

Senior _____ units X $ 2,700 = $ _____

INSTRUCTIONS:
Utilize this sections to determine the sewer tap fee for the proposed development. Insert the number of Single-Family, Townhouse, Multifamily, or Senior Independent units and multiply the number of units by the associated tap fee to determine the total tap fee. Single-Family category includes each mobile home and each unit in a duplex. Commerical tap fees are charged based on water meter size.

Commercial Sewer Tap Fees

3/4" Meter _____ X $4,400 = $ _____

1" Meter _____ X $7,900 = $ _____

1 1/2" Meter _____ X $17,600 = $ _____

2" Meter _____ X $31,300 = $ _____

3" Meter _____ X $70,400 = $ _____

4" Meter _____ X $125,200 = $ _____

Total Sewer Tap Fee = $ _____

CITY USE ONLY BELOW DASHED LINE

Form Reviewed By: _____ Date: _____

Payment Received by: _____ Date: _____

City of Louisville

COLORADO ▪ SINCE 1878

Appendix E

Water System Development Charge Tables

Report Prepared By:

RAFTELIS

FINANCIAL CONSULTANTS, INC.

Table WSDC - 1

Water Utility
Development of 2014 Facilities System Development Charge

Treated Water Mains

Diameter (in.)		Inventory of Mains	Current Construction Cost per Staff	Current Cost
		linear feet	*per linear foot*	
Non-Backbone				
4		29,523		
6		123,783		
8		308,847		
	Total	462,153	NA	NA
Backbone				
12		150,197	$171.00	$25,684,000
14		1,830	$174.00	318,000
16		17,212	$177.00	3,047,000
18		9,114	$180.00	1,641,000
24		21,733	$186.00	4,042,000
30		935	$189.00	177,000
36		5,770	$192.00	1,108,000
	Total	206,791		$36,017,000

Water Treatment Plant

	Max Day Capacity	Current Construction Cost per Staff	Current Cost
	gallons per day	*per gpd*	
Total Water Treatment Plant	13,000,000	$4.00	$52,000,000

Treated Water Storage

	Volume	Current Construction Cost per Staff	Current Cost
	gallons	*per gallon*	
Total Treated Water Storage	8,500,000	$1.25	$10,625,000

Treated Water Pumping

	Current Construction Cost per Staff
Pump Station	$900,000
Pump Station	450,000
Total Treated Water Pumping	$1,350,000

Raw Water Infrastructure

	Current Construction Cost per Staff
NCWCD Pipeline (Carter Lake to Broomfield)	$4,739,000
NCWCD Superior Louisville Pump Station	2,288,000
Louisville NWTP & NCWCD Connecting Line	5,900,000
Eldorado Intake Buildings & Dam	850,000
Harper Lake Pump Station	900,000
Louisville Pipeline Interconnect	929,000
Louisville Pipeline (16-in)	4,013,000
Louisville Lateral (open ditch)	143,000
Cherry Street Pipeline	594,000
Louisville Reservoir	697,000
Harper Lake	2,374,000
Total Raw Water Infrastructure	$23,427,000

Fee Calculation

Total Facilities Current Cost	$	123,419,000
Less Principal on Outstanding Debt	$	(8,005,000)
Water System Equity	$	115,414,000
No. of Equivalents (a)		9,058
Water SDC, per equivalent	**$**	**12,742**

(a) One equivalent represents the water service characteristics of a typical single family residential customer. One multifamily unit equals 0.8 equivalents. Nonresidential customer equivalents are based on 3/4-inch meter capacity ratios.

TABLE WSDC-2

Water Utility
Development of Proposed Water Resource System Development Charge

Line No.			
1	Average annual SFE usage, gallons	120,000	gallons
2	Estimated water losses in City system (a)	15%	
3	Average annual production needed to serve an SFE, gallons	141,180	gallons
4	Gallons per acre-foot	325,850	gallons
5	SFE per acre-foot	2.308	SFE
6	Estimated C-BT current cost per acre-foot	$26,000	per acre-foot
7	Current C-BT cost per SFE	$11,260	per SFE

(a) Includes 15% local distribution system water losses.

TABLE WSDC-3

Water Utility
Schedule of Water System Development Charges

Meter Size	Existing	Proposed SDC		
		Facilties	Water Resource	Total
3/4	$ 24,140	$ 12,800	$ 11,300	$ 24,100
1	$ 42,910	$ 22,800	$ 20,200	$ 43,000
1 1/2	$ 96,540	$ 51,200	$ 45,200	$ 96,400
2	$ 171,630	$ 91,100	$ 80,400	$ 171,500
3	$ 386,160	$ 204,800	$ 180,800	$ 385,600
4	$ 693,400	$ 364,100	$ 321,400	$ 685,500

City of Louisville

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Appendix F

Wastewater System Development Charge Tables

Report Prepared By:

RAFTELIS

FINANCIAL CONSULTANTS, INC.

Table SSDC - 1

Wastewater Utility
Development of 2014 System Development Charge

Wastewater Mains					
Diameter (in.)		Inventory of Mains	Current Construction Cost per Staff		Current Cost
		linear feet	*per linear foot*		
Non-Backbone					
4		9,616			
6		26,414			
8		350,433			
10		15,131			
	Total	401,594	NA		NA
Backbone					
12		24,218	$220	$	5,328,000
15		19,200	$244	$	4,685,000
18		6,743	$260	$	1,753,000
21		5,386	$276	$	1,487,000
24		941	$292	$	275,000
	Total	56,488		$	13,528,000

Treatment Plant				
	Capacity	Current Construction Cost per Staff		Current Cost
	gallons per day	*per gpd*		
Total Water Treatment Plant	2,530,000	$10.00	$	25,300,000

Fee Calculation		
Total Facilities Current Cost	$	38,828,000
Less Principal on Outstanding Debt	$	-
Wastewater System Equity	$	38,828,000
No. of Equivalents (a)		8,964
Wastewater SDC per equivalent	**$**	**4,332**

(a) One equivalent represents the water service characteristics of a typical single family residential custc One multifamily unit equals 0.8 equivalents. Nonresidential customer equivalents are based on 3/4-inch meter capacity ratios.

Table SSDC - 2

Wastewater Utility
Schedule of 2014 System Development Charges

Type of Customer	Existing SDC	Proposed SDC Equivalent Ratio	Proposed SDC Proposed
Single Family, per unit	$ 3,221		$ 4,400
Multifamily, per unit	$ 2,577		$ 3,600
Nonresidential			
Meter Size			
inch			
3/4	(a)	1.00	$ 4,400
1	(a)	1.78	$ 7,900
1-1/2	(a)	4.00	$ 17,600
2	(a)	7.11	$ 31,300
3	(a)	16.00	$ 70,400
4	(a)	28.44	$ 125,200

(a) Existing fee based on 50% of water tap fee.