

TOWN OF ERIE
BOARD OF TRUSTEES REGULAR MEETING ¹
Tuesday, September 23, 2014
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook Street, Erie, CO 80516

STUDY SESSION 5:45 P.M. COMMUNITY ROOM

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

III. APPROVAL OF THE AGENDA

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

- a. Approval of the September 9, 2014 Special Meeting Minutes
- b. Approval of the September 9, 2014 Meeting Minutes
- c. Ordinance 31-2014; An Ordinance Authorizing the Town Of Erie, Colorado, to Sell Tract D, Orchard Glen Filing No. 2 at Meadow Sweet Farm to the Orchard Glen Homeowners Association, Inc. as Authorized by the Voters of the Town Of Erie; And, Setting Forth Details in Relation Thereto (**SECOND READING**)
- d. Resolution 14-109; A Resolution Approving the Change Order to Fiore & Sons For Repair Work to the North Water Reclamation Facility Reuse Reservoir

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

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

- a. Boulder Valley School District/Support for Ballot Measure 3A

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

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

- a. Resolution 14-101; A Resolution Awarding a Construction Contract for Coal Creek Trail-Bonnell Connection
- b. Resolution 14-106; A Resolution Approving the Purchase of a 2015 International Dump Truck With Sander and Plow
- c. Resolution 14-107; A Resolution Approving a CDOT Grant Agreement Amendment
- d. Resolution 14-108; A Resolution Approving Revision One to Amendment No.4 to the Contract with Jviation, Inc.
- e. Resolution 14-110; A Resolution Approving Supplemental Agreement No. One with Airfield Western LLC
- f. Resolution 14-111; A Resolution in Support of Boulder Valley School District Ballot Measure 3A on the November 4, 2014 General Election Ballot

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

- a. Ordinance 33-2014; An Ordinance of the Town Of Erie, Colorado Rezoning the Sierra Vista Property Pursuant to the Petition of the Owner Thereof, from HR – High Density Residential and CC – Community Commercial to LR – Low Density Residential and CC – Community Commercial; and Providing for the Effective Date of this Ordinance; and Setting Forth Details in Relation Thereto (FIRST READING)

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

- a. Vista Ridge Sketch Plan Review
- b. Letter of Support for Boulder County's TIP Application/Isabelle Road Shoulders

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

Staff Reports Included in Agenda Packet

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

- a. BOT Reports

XII. EXECUTIVE SESSION

EXECUTIVE SESSION for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); specifically to discuss negotiations regarding potential and ongoing economic development within the Town; and, for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specifically, to receive legal advice concerning an offer of litigation settlement.

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

ADJOURN TO BUDGET STUDY SESSION

TOWN OF ERIE
BOARD OF TRUSTEES REGULAR MEETING 1
Tuesday, September 9, 2014
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Harris called the September 9, 2014 Regular Meeting of the Board of Trustees to order at 6:35 p.m.

II. PLEDGE OF ALLEGIANCE AND ROLL CALL

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

III. APPROVAL OF THE AGENDA

Action: Mayor Pro Tem Gruber moved to amend the Agenda by adding an Executive Session and moving Item b. Resolution 14-102 from the Consent Agenda to Resolutions; the motion was seconded by Trustee Schutt. The motion carried with all voting in favor thereof.

IV. CONSENT AGENDA

Action: Mayor Pro Tem Gruber moved to approve the September 9, 2014 Consent Agenda; the motion was seconded by Trustee Charles. The motion carried with the following Roll Call vote:

Trustee Carroll - Yes
Mayor Pro Tem Gruber – Yes
Trustee Charles – Yes
Trustee Moore – Yes
Trustee Woog – Yes
Trustee Schutt - Yes
Mayor Harris – Yes

V. PUBLIC COMMENT

Gloria Dayhuff, 2148 Pinon Drive, spoke in regards to a mentoring program (reading) for 2nd graders.
Alan Overton, 916 Lehigh Circle, spoke in regards to flooding of his property in the Grandview Subdivision.

VI. PROCLAMATIONS AND PRESENTATIONS

- a. **Open Space and Trails Advisory Board Recommendations for Boulder County Open Space Preservation and Trail Projects.**

Ken Martin, Chairman of the Open Space and Trails Advisory Board, presented a power point on the annual request sent out from Boulder County to all communities asking for recommendations for open space preservation and trails which impacts their capital improvement plan.

Action: It is the consensus of the Board to reduce the size of "O" (listed on the Open Space and Trails Project map) to accommodate for future potential commercial. All Board members are in favor of this change.

- b. **Proclamation – Constitution Week**

Hallie Sawyer, member of the Longs Peak Chapter, National Society Daughters of the American Revolution (D.A.R), presented the history of celebrating Constitution Week. In 1955, the D.A.R petitioned Congress to set aside September 17 – 23 annually to be dedicated to the observance of Constitution Week. The Resolution was later adopted by the U.S. Congress and signed into public law number 915 on August 2, 1956 by President Dwight D. Eisenhower. Constitution Week is commemorated September 17 – 23.

Action: Mayor Harris read a Proclamation to declare the week of September 17 – 23, 2014 as Constitution Week.

- c. **Presentation – 2014 Savvy Award "Keep Erie Safe" Animated Video – Best Promotional Video**

Fred Diehl, Assistant to the Town Administrator, presented the Savvy Award, which is the top award, honoring creative marketing, communications, TV and video - a promotional video for the "Keep Erie Safe" animated video. Also recognized, were the extraordinary efforts of town staff in creating the animated promotional video which won the award at the 3CMA Conference. This is the second year in a row that the town has been recognized for their efforts at the 3CMA Conference.

VII. RESOLUTIONS

- a. **Resolution 14-102; A Resolution for the Purchase of a Mag Tank from KBK Industries, LLC**

Gary Behlen, Director of Public Works, presented staff recommendations for the approval of Resolution 14-102 for the purchase of a Magnesium Chloride Storage Tank in the amount of \$67,000. The new 12 x 24 tank will replace an existing 6,000 gallon storage tank with a 21,000 gallon storage tank.

Action: Mayor Pro Tem Gruber moved to approve Resolution 14-102 with corrected line item accounting; the motion was seconded by Trustee Moore. The motion carried with the following Roll Call vote:

Trustee Carroll - yes
Mayor Pro Tem Gruber – yes
Trustee Charles – yes
Trustee Moore – yes
Trustee Woog – yes
Trustee Schutt - yes
Mayor Harris – yes

b. Resolution 14-104; A Resolution Awarding a Construction for Grandview Tract T Drainage Repair.

Gary Behlen, Director of Public Works, presented staff recommendations for the approval of Resolution 14-104. After the 2013 storm in the Grandview Subdivision, staff worked with a drainage consultant to design drainage improvements to help reduce future flooding hazards. Per the Erie Highlands Development Agreement, Oakwood Homes has provided a preliminary bid for the Tract T (Town maintained) improvements of \$50,000. Due to the greater detail and understanding of the scope of work, that bid has since increased. Staff recommends approval of Resolution 14-104 to authorize Oakwood Homes to complete the Tract T drainage improvements in an amount not to exceed \$57,500 that includes a 15% contingency.

Action: Prior to the start of the presentation, due to a conflict of interest, Trustee Moore recused herself from this portion of the meeting.

Action: Mayor Pro Tem Gruber moved to approve Resolution 14-104; the motion was seconded by Trustee Schutt. The motion carried with all voting in favor thereof.

Action: Mayor Harris called for a Roll Call Vote on Resolution 14-104 which carried with the following vote:

Trustee Carroll - yes
Mayor Pro Tem Gruber – yes
Trustee Charles – yes
Trustee Woog – yes
Trustee Schutt - yes
Mayor Harris – yes

c. Resolution 14-105; A Resolution Accepting Federal Aviation Administration Grant for Drainage Improvements Along the Eastside of Runway 15-33.

Gary Behlen, Director of Public Works, presented staff recommendations on Resolution 14-105. The resolution allows the Town to accept a Federal Aviation Administration Grant for AIP Project No. 3-08-0090-10 Drainage Improvements along the Eastside of Runway 15-33 at the East Connector in the amount of \$30,000.

Action: Mayor Pro Tem Gruber moved to approve Resolution 14-105; the motion was seconded by Trustee Moore. The motion carried with all voting in favor thereof.

VIII. ORDINANCES

- a. **Ordinance 31-2014; An Ordinance Authorizing the Town of Erie, Colorado to Sell Tract D, Orchard Glen Filing No 2 at Meadow Sweet Farm to the Orchard Glen Homeowners Association, Inc. as Authorized by the Voters of the Town of Erie; and Setting Forth Details in Relation Thereto.**

A.J. Krieger, Town Administrator, presented the first reading of Ordinance 31-2014. An Ordinance Authorizing the Town of Erie, Colorado to Sell Tract D, Orchard Glen Filing No 2 at Meadow Sweet Farm to the Orchard Glen Homeowners Association, Inc. as Authorized by the Voters of the Town of Erie; and Setting Forth Details in Relation Thereto.

Action: No action required as this is a first reading.

- b. **Ordinance 32-2014; An Ordinance of the Town of Erie, Colorado, Amending Title 3, "Boards and Commissions," Chapter 3, "Historic Preservation Advisory Board," Section 5, "Meetings; Organization and Rules," of the Erie Municipal Code in Order to Change The Regular Start Time of Historic Preservation Advisory Board Meetings; Setting Forth Details In Relation Thereto: And Declaring An Emergency Therefore.**

Trustee Charles, presented to the Board that the Historic Preservation Advisory Board would like to change their current meeting time from 7:00 p.m. to 6:30 p.m.

Action: Trustee Schutt moved to suspend Resolution 02-44 and adopt Ordinance 32-2014 on the First Reading; the motion was seconded by Mayor Pro Tem Gruber. The motion carried with all voting in favor thereof.

Action: Mayor Pro Tem Gruber moved to approve Ordinance 32-2014; the motion was seconded by Trustee Moore. The motion carried with all voting in favor thereof.

IX. STAFF REPORTS

A.J. Krieger, Town Administrator – This afternoon the Town attended the second round of the low income housing tax credits meeting at CHFA. This is for the Vic Smith site. The Town's application is pending and we'll hopefully find out within the next 4 – 6 weeks if it's successful.

X. BOARD OF TRUSTEES REPORTS & APPOINTMENTS

Trustee Carroll – announced that she was recently married, hence the name change and wanted to remind everyone to participate in the Fall Clean Up this Saturday.

Trustee Woog – Along the lines of Trustee Carroll, does anyone know about the hazardous waste clean-up, on Highway 52 in Dacono, does anyone have a date on it? Trustee Carroll commented that it's available anytime.

Trustee Schutt – Nothing to report but has one warning for the residents around Kenosha Farms/Kenosha Estates – this week there were multiple reports of coyotes interacting with people walking their dogs. There's a

pack of about 3 coyotes, no dog injuries, but between the bears and the coyotes, it reminds us that we are still a rural area so be careful and be on the lookout. It's also a good reminder to obey the Erie leash laws.

Trustee Moore – Looking forward to the Police Station Municipal Building Groundbreaking.

Trustee Charles – Nothing to report.

Mayor Pro Tem Gruber – Attended a meeting with CDOT and the North I-25 Coalition yesterday and the end game of the meeting was the latest plan for the I-25 managed lane that will come up to E-470 and they will control traffic leaving the lane through Highway 7. They're going to paint lines on the Highway so that merging traffic cannot move out of the managed lane until they pass Highway 7. There's been a lot of difficulty with traffic weaving in and out between E-470 and the high speed lanes on the left. This plan is slated to cost \$1 million.

Mayor Harris – Two upcoming events – One is the groundbreaking of our new Police and Municipal Court building which is this Friday, the 12th 4 p.m. at the corner of Telleen and County Line Road. She hopes as many people as possible will come out and help celebrate this momentous occasion in Erie. On the 20th, is Erie Biscuit Day which is a historic event and hopes to see a lot of people at that event, as well.

Mayor Harris asked the question of staff, when do we expect the Velodrome to open?
A.J. Krieger, Town Administrator answered that we are working through a request from the Velodrome right now and trying to establish some milestones but we're trying to get them open as soon as we can.

XI. EXECUTIVE SESSION

Executive Session - For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specifically, to receive legal advice concerning litigation recently filed against the Town.

Action: Mayor Pro Tem Gruber moved to go into Executive Session For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specifically, to receive legal advice concerning litigation recently filed against the Town. The motion, seconded by Trustee Schutt, carried with all voting in favor thereof.

Mayor Harris announced its Tuesday, September 9, 2014, and the time is 8:15 p.m. For the record, I am the presiding officer, Mayor Tina Harris. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session are the following persons:

Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Dan Woog, Scott Charles, Jennifer Carroll, and Waylon Schutt; Town Administrator A.J. Krieger; and, Town Attorney Mark Shapiro.

This is an executive session for the following purpose:

For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specifically, to receive legal advice concerning litigation recently filed against the Town.

Upon completion of the Executive Session, Mayor Harris announced that the time is now 9:19 p.m. and the executive session has been concluded. The participants were:

Mayor Tina Harris, Mayor Pro Tem Mark Gruber; Trustees Janice Moore, Dan Woog, Scott Charles, Jennifer Carroll, and Waylon Schutt; Town Administrator A.J. Krieger; and, Town Attorney Mark Shapiro.

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Seeing none, the next agenda item is adjournment.

XII. ADJOURNMENT

Action: Mayor Pro Tem Gruber moved to adjourn the September 9, 2014 Regular Meeting of the Board of Trustees; the motion was seconded by Trustee Woog. The motion carried with all voting in favor thereof.

Action: Mayor Harris adjourned the September 9, 2014 Regular Meeting of the Town of Erie Board of Trustees at 9:20 p.m.

Respectfully Submitted,

Melinda Helmer, CMC, Deputy Town Clerk

Tina Harris, Mayor

TOWN OF ERIE
BOARD OF TRUSTEES SPECIAL MEETING
Tuesday, September 9, 2014
5:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, CO 80516

I. CALL MEETING TO ORDER

Mayor Harris called the September 9, 2014 Special Meeting of the Board of Trustees to order at 5:31 p.m.

II. APPROVAL OF THE AGENDA

- a. Action: Mayor Pro Tem Gruber moved to approve the September 9, 2014 agenda. The motion, seconded by Trustee Charles, carried with all voting in favor thereof.

III. EXECUTIVE SESSION

- a. Executive Session - For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); and, specifically to discuss negotiations regarding potential and ongoing economic development within the Town.

Action: Trustee Schutt moved to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); and, specifically to discuss negotiations regarding potential and ongoing economic development within the Town. The motion, seconded by Mayor Pro Tem Gruber, carried with all voting in favor thereof.

IV. ROLL CALL

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

Trustee Moore arrived at 5:32 p.m.

V. EXECUTIVE SESSION

Mayor Harris announced its Tuesday, September 9, 2014, and the time is 5:35 p.m. For the record, I am the presiding officer, Mayor Tina Harris. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session are the following persons:

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

Upon completion of the Executive Session, Mayor Harris asked for a motion to adjourn the Special Meeting.

VI. ADJOURNMENT

Action: Mayor Pro Tem Gruber moved to adjourn the September 9, 2014 Town of Erie Board of Trustees Special Meeting; the motion was seconded by Trustee Schutt. The motion carried with all voting unanimous in favor.

Action: Mayor Harris adjourned the September 9, 2014 Town of Erie Board of Trustee Special Meeting at 6:28 p.m.

Respectfully Submitted,

Melinda Helmer, CMC, Deputy Town Clerk

Tina Harris, Mayor

TOWN OF ERIE
BOARD OF TRUSTEES AGENDA ITEM
Board Meeting Date: September 23, 2014

SUBJECT: **ORDINANCES**
Ordinance 31-2014; An Ordinance Authorizing the Town of Erie, Colorado to Sell Tract D, Orchard Glen Filing No. 2 at Meadow Sweet Farm to the Orchard Glen Homeowners Association, Inc. as Authorized by the Voters of the Town of Erie; and Setting Forth Details in Relation Thereto (SECOND READING)

DEPARTMENT: Administration

PRESENTER: A.J. Krieger, Town Administrator

FISCAL INFORMATION: Cost as Recommended: 0
Balance Available:
Budget Line Item Number:
New Appropriation Required: Yes No

STAFF RECOMMENDATION: Staff recommends approval Ordinance 31-2014

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

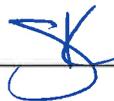
On November 3, 2009 the voters of Erie passed ballot question 2D which authorized the sale of Orchard Glen Filing No. 2 Tract D to the Orchard Glen Homeowners Association.

Orchard Glen HOA has agreed to the terms of the sale, Ordinance 31-2014 approve the issuance of a quitclaim deed to transfer the property to the Homeowners Association.

Staff Review:

- _____ Town Attorney
- _____ Town Clerk
- _____ Community Development Director
- _____ Finance Director
- _____ Police Chief
- _____ Public Works Director
- _____ Assistant to the Town Administrator

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS: Ordinance 31-2014
Quit Claim Deed
Ballot Question 2B
Letter from HOA
Site Map

ORDINANCE NO. 31-2014
Series of 2014

AN ORDINANCE AUTHORIZING THE TOWN OF ERIE, COLORADO, TO SELL TRACT D, ORCHARD GLEN FILING NO. 2 AT MEADOW SWEET FARM TO THE ORCHARD GLEN HOMEOWNERS ASSOCIATION, INC. AS AUTHORIZED BY THE VOTERS OF THE TOWN OF ERIE; AND, SETTING FORTH DETAILS IN RELATION THERETO

WHEREAS, the Town owns Tract D, Orchard Glen Filing No. 2 At Meadow Sweet Farm, which parcel is excess property and no longer needed for any governmental purpose by the Town of Erie (the "Property"); and,

WHEREAS, the Town of Erie, Colorado desires to sell the Property to the Orchard Glen Homeowners Association, Inc. on the terms as contained in the ballot presented to and approved by the voters of the Town of Erie, Colorado at an election held on November 3, 2009; and,

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to sell the Property to the Orchard Glen Homeowners Association, Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. That the Town is hereby authorized to sell the Property to the Orchard Glen Homeowners Association, Inc. on the terms as contained in the ballot presented to and approved by the voters of the Town of Erie, Colorado at an election held on November 3, 2009.

Section 2. That the appropriate Town officers are hereby authorized and directed to sign and bind the Town of Erie to the quitclaim deed and all necessary sales and transfer documents, a copy of which quitclaim deed is marked as Exhibit "A," and attached hereto and incorporated herein by this reference.

Section 3. Severance Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Erie, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 4. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect Thirty (30) days after publication following final passage.

**INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED IN FULL
BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS 23RD DAY OF
SEPTEMBER, 2014.**

PUBLISHED IN FULL ON THE ____ DAY OF _____, 2014.

TOWN OF ERIE, a Colorado municipal
corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

QUITCLAIM DEED

THIS QUITCLAIM DEED, Made this _____ day of _____, 2014, between the TOWN OF ERIE, COLORADO, a Colorado municipal corporation of the Counties of Weld and Boulder, and State of Colorado, Grantor, and ORCHARD GLEN HOMEOWNERS ASSOCIATION, INC., a Colorado nonprofit corporation, whose legal address is 1499 W 121st Ave 100, Westminster, CO 80234 of the County of Weld, and State of Colorado, Grantee,

WITNESSETH, that the Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00), the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and Quitclaimed, and by these presents does remise, release, sell and Quitclaim, unto the Grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with improvements, if any, situate, lying and being in the County of Boulder, and State of Colorado, described as follows (hereinafter referred to as the "Property"):

Tract D, Orchard Glen Filing No. 2 At Meadow Sweet Farm, a part of the south half of Section 23, Township 1 North, Range 69 West of the 6th Principle Meridian, Town of Erie, County Of Boulder, State of Colorado,

Excepting therefrom, reserving and subject to: easements, restrictions, responsibilities, rights of reverter, and rights-of-way as set forth Exhibit A, attached hereto and incorporated herein by this reference,

also known by street and number as: unimproved land
assessor's schedule or parcel number: 146523409034

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest, and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee its heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor and the Grantee have executed this deed on the date set forth above.

GRANTOR:
TOWN OF ERIE, COLORADO,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this ___ day _____, 2014,
by Tina Harris, Mayor, and Nancy Parker, Town Clerk, of the Town of Erie, Colorado.

My commission expires:
WITNESS my hand and official seal.

Notary Public

GRANTEE:
ORCHARD GLEN HOMEOWNERS ASSOCIATION, INC.,
a Colorado nonprofit corporation

By: _____
Chris Kelly, President

ATTEST:

By: _____
_____, Secretary

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day _____, 2014,
by Chris Kelly, President, and _____, Secretary, of the Orchard Glen
Homeowners Association, Inc.

My commission expires:
WITNESS my hand and official seal.

Notary Public

8/19/14

EXHIBIT A

PERPETUAL MAINTENANCE RESPONSIBILITIES OF GRANTEE

Grantee shall have perpetual maintenance responsibilities within the Orchard Glen Filing No. 2 At Meadow Sweet Farm Subdivision as per direction of the Grantor.

DEED RESTRICTION AND RIGHT OF REVERTER

The Property, as described herein, is restricted to use solely for use as a Town of Erie Pocket Park/Tot Lot, in perpetuity, in accordance with the Town of Erie, Colorado rules, regulations, requirements and Erie Municipal Code and is prohibited from use for any other purpose. Use of the Property for any purpose other than as a Town of Erie Pocket Park/TotLot shall cause the ownership of the Property to revert to the Grantor. The Grantor reserves the right to enter and terminate the estate hereby conveyed if this deed restriction is breached.

RESERVATION TO GRANTOR OF EASEMENT AND RIGHT-OF-WAY

The Grantor excepts and reserves to itself, its agents and assigns an easement and right-of-way on, over, across, under and through the entirety of the Property, as described herein, to service, access, maintain, protect, locate, place, repair, and replace all existing and future services and utilities, including but not limited to, water, sewer, electric, gas, telephone, telephone cable, cable television line, fiber optic cable, and telecommunications lines. Grantor further reserves to itself, its agents and assigns all utility, road and right-of-way easements currently existing on the Property.

QUESTION 2B.

SHALL THE TOWN OF ERIE BE AUTHORIZED TO SELL THE FOLLOWING REAL PROPERTY USED FOR NEIGHBORHOOD POCKET PARKS AND TENNIS COURTS:

Arapahoe Ridge, Filing 4, Tract E (Pocket Park/Tot Lot)	Arapahoe Ridge Homeowners Association Inc
Arapahoe Ridge, Tennis Courts (Tennis Court)	Arapahoe Ridge Homeowners Association Inc
Canyon Creek, Filing 1, Tract D (Pocket Park/Tot Lot)	Country Fields Homeowners Association Inc
Canyon Creek, Filing 2, Tract D (Pocket Park/Tot Lot)	Canyon Creek South Homeowners Association Inc
Canyon Creek, Filing 2, Tract C (Pocket Park/Tot Lot)	Canyon Creek South Homeowners Association Inc
Canyon Creek, Filing 3, Tract C (Pocket Park/Tot Lot)	Canyon Creek South Homeowners Association Inc
Canyon Creek, Filing 4, Tract C (Pocket Park/Tot Lot)	Canyon Creek South II Homeowners Association Inc
Canyon Creek, Filing 5, Tract F (Pocket Park/Tot Lot)	Canyon Creek South II Homeowners Association Inc
Canyon Creek, Filing 6, Tract C (Pocket Park/Tot Lot)	Canyon Creek South II Homeowners Association Inc
Canyon Creek, Filing 9, Tract C (Pocket Park/Tot Lot)	Cottonwood Vista Homeowners Association
Creekside, Filing 1, Tracts G & K (Pocket Park/Tot Lot)	Creekside Homeowners Association Inc
Erie Village, Filing 1, Outlots A and K (Pocket Park/Tot Lot)	Erie Village Homeowners Association Inc.
Erie Village, Filing 2, Outlot I (Pocket Park/Tot Lot)	Erie Village Homeowners Association Inc.
Erie Village, Filing 3, Outlot M (Pocket Park/Tot Lot)	Erie Village Homeowners Association Inc.
Grandview Subdivision, Tracts J, L, P, R (Pocket Park/Tot Lot)	Grandview Homeowners Association Inc
Northridge, Filing 3, Tract C (Pocket Park/Tot Lot)	Northridge Homeowners Association Inc

Orchard Glen, Filing 2, Tract D
(Pocket Park/Tot Lot)

Orchard Glen Homeowners Association Inc

Vista Pointe, Tracts J and H
(Pocket Park/Tot Lot)

Vista Pointe Homeowners Association Inc

Vista Ridge, Filing 1C, Tract B
(Pocket Park/Tot Lot)

Vista Ridge Homeowners Association Inc

Vista Ridge, Filing 1F, Tract A
(Pocket Park/Tot Lot)

Vista Ridge Homeowners Association Inc

Vista Ridge, Filing 1H, Tract B
(Pocket Park/Tot Lot)

Vista Ridge Homeowners Association Inc

Vista Ridge, Filing 1J, Tract E
(Pocket Park/Tot Lot)

Vista Ridge Homeowners Association Inc

Vista Ridge, Filing 1N, Tract A
(Pocket Park/Tot Lot)

Vista Ridge Homeowners Association Inc

Vista Ridge, Filing 1O, Tract B
(Pocket Park/Tot Lot)

Vista Ridge Homeowners Association Inc

Vista Ridge, Filing 1T, Tract E
(Pocket Park/Tot Lot)

Vista Ridge Homeowners Association Inc

Vista Ridge, Filing 3, Tract A
(Pocket Park/Tot Lot)

Vista Ridge Homeowners Association Inc

Vista Ridge, Filing 5, Tract B
(Pocket Park/Tot Lot)

Vista Ridge Homeowners Association Inc

on the following terms and consideration: 1) Such sale only to the designated homeowners association listed; 2) \$1 cash payment; 3) real property to be used only as a public pocket park or tennis courts, as applicable, per the current use; 4) real property to revert back to Town ownership in the event of use for other than a public pocket park or tennis courts; 5) perpetual maintenance responsibilities within the designated subdivision as per the direction of the Town; 6) Town to retain a public access easement on the real property; and, 7) Town to retain utility, road and right-of-way easements?

YES _____ NO _____

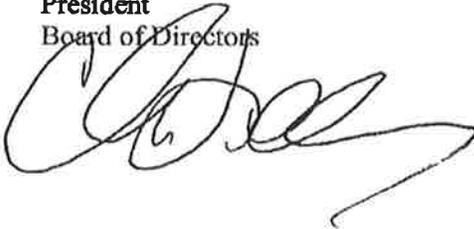
ORCHARD GLEN HOMEOWNERS ASSOCIATION
1499 W. 121st Ave., #100
Westminster, Co 80234

August 19, 2014

To: The Town of Erie

The Board of Directors requests that the property listed in Filing 2, Tract D, be transferred to the Orchard Glen Homeowners Association.

Chris Kelly
President
Board of Directors

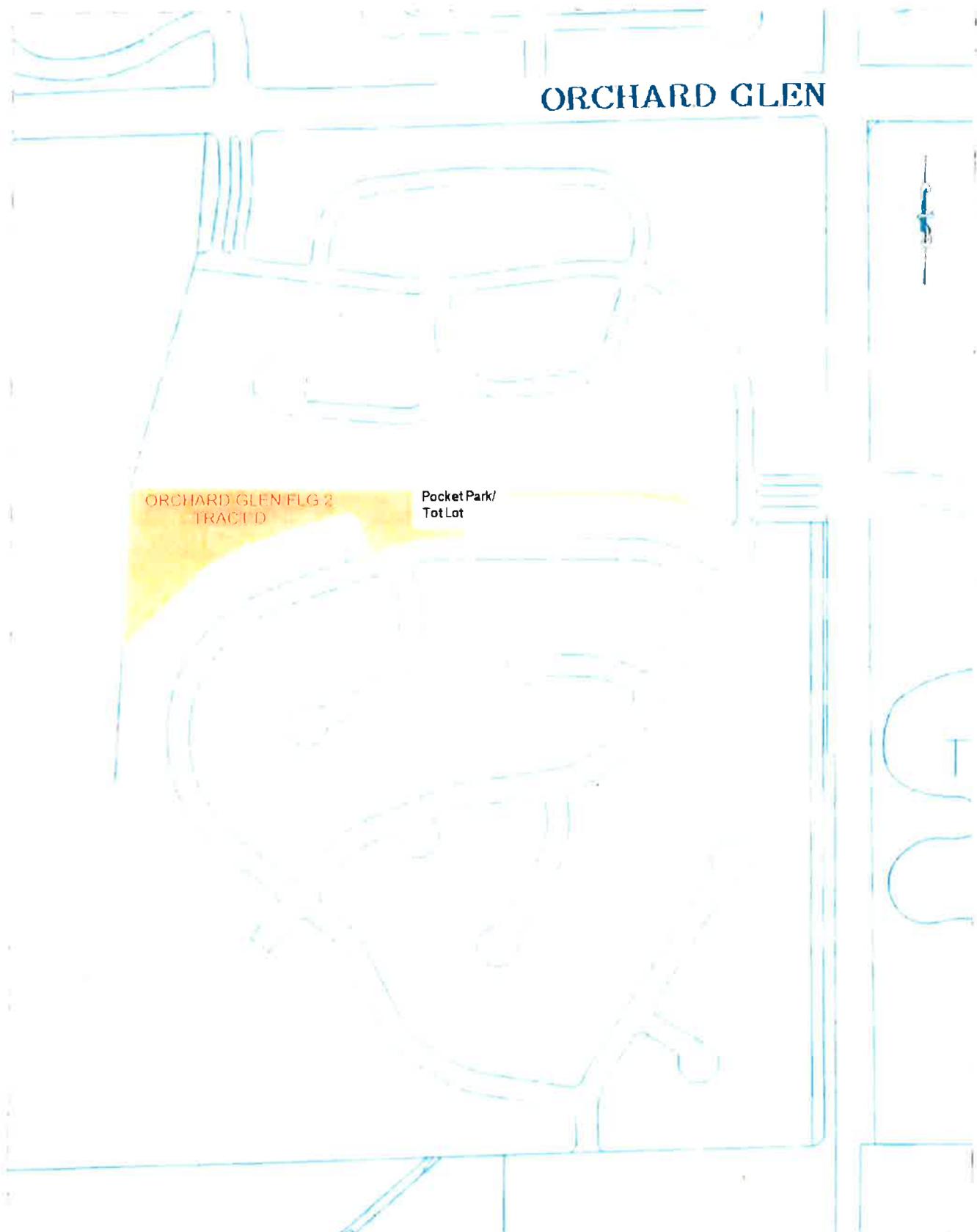
A handwritten signature in black ink, appearing to read "Chris Kelly", written over the typed name and title.

ORCHARD GLEN

ORCHARD GLEN FLG 2
TRACT D

Pocket Park/
Tot Lot

ING



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

Board Meeting Date: September 23, 2014

SUBJECT: **CONSENT AGENDA**
Consideration of Resolution 14-109: A Resolution Authorizing A Change Order To Fiore & Sons, Inc. In The Amount Of \$100,000.00; And Setting Forth Details In Relation Thereto.

DEPARTMENT: Public Works

PRESENTER: **Gary Behlen, Director of Public Works**
Jon Mays, Water and Wastewater Divisions Manager

FISCAL	Cost as Recommended:	\$ 100,000.00
INFORMATION:	Balance Available:	\$ 0
	Budget Line Item Number:	100 . 80 . 110 . 605000 . 100078
	New Appropriation Required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

STAFF RECOMMENDATION: Approving Resolution 14-109 awarding said contract, authorizing the Town Administrator to execute said contract, authorizing Staff to expend contracted funds and contingency funds.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The North Water Reclamation Facility Reuse Reservoir repair project was one of the projects originally identified as part of the FEMA recovery effort, 75% funded by FEMA 12.5% funded by the State of Colorado and the Town will be responsible for 12.5% to make necessary repairs endured from the September 2013 flooding.

The original contract work in the amount of \$329,100, consisted of repairs that included removal of material, repair of breach, and repair of damage to bank and liner in multiple areas and was awarded to Fiore and Sons at the January 14, 2014 board meeting.

After the original repair work was completed, the hydrologic conditions, adjacent to the reservoir are such that the reservoir could not be completely sealed. Town Staff hired Deere and Ault Consultants to review the current hydrologic conditions. Deere and Ault recommended additional work to seal the reservoir to meet the State Dam Engineer's specifications. This change order is to pay for the additional work.

Change Order Estimate	\$86,250.00
<u>Contingency</u>	<u>\$13,750.00</u>
Change Order Total	\$100,000.00

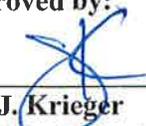
Board Goal

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

Staff Review:

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

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS:

- a. Resolution 14-109

RESOLUTION NO. 14-109

A RESOLUTION AUTHORIZING THE AWARD OF A CHANGE ORDER FOR THE NORTH WATER RECLAMATION FACILITY REUSE RESERVOIR REPAIR PROJECT TO FIORE & SONS, INC. IN THE AMOUNT OF \$100,000.00; AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Town of Erie, Colorado wishes to award a Change Order to Fiore & Sons, Inc. for the North Water Reclamation Facility Reuse Reservoir Repair Project in the amount of \$100,000.00; and

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to authorize this change order.

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

Section 1. That the Change Order between the Town of Erie and Fiore & Sons, Inc. is found to be a reasonable and acceptable change order for the North Water Reclamation Facility Reuse Reservoir Repair Project.

Section 2. That the Town of Erie be and is hereby authorized and directed to authorize the Change Order with Fiore & Sons, Inc. and the Town Officers are hereby authorized and directed to sign and bind the Town of Erie to said Change Order in the amount of \$100,000.00

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

ADOPTED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2014, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

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

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: September 23, 2014

SUBJECT: **RESOLUTION**
 Consideration of Resolution 14-101: A Resolution Authorizing Award Of A Construction Contract To 53 Corporation, LLC, In The Amount Of \$191,793.00; And Setting Forth Details In Relation Thereto.

DEPARTMENT: Public Works/Parks

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

FISCAL INFORMATION: Cost as Recommended: **\$230,150**
 Balance Available: **\$305,840**
 Budget Line Item
 Number: 210 . 50 . 110 . 605000 . 100105
 New Appropriation Required: Yes No

STAFF RECOMMENDATION: Approving Resolution 14-101 awarding said contract, authorizing the Town Administrator to execute said contract, authorizing Staff to expend contracted funds and contingency funds.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The 2014 Capital Budget includes funds for the design and construction of the Coal Creek Trail Access Connection at Bonnell Avenue. The design contract was awarded to Loris and Associates at the June 10, 2014 Board Meeting. An open house was held at our Leon A. Wurl Service Center on July 9, 2014 to seek input from residents.

This trail connection includes a pedestrian bridge crossing of Coal Creek and will connect the trail system on the east side of Coal Creek to the trail system in Erie Commons and the sidewalks on Bonnell Avenue. The construction of the new parking lot at the Leon A. Wurl Service Center is complete, and provides parking and can also be used as a trail head for this important trail connection.

An Invitation to bid was posted on the Town’s website on August 13, 2014 to ensure that local contractors were notified about this project. No Erie contractors submitted bids.

A pre-bid meeting was held on August 21, 2014 and the following bids were received on September 12, 2014:

Bid Information:

<u>Contractor</u>	<u>Bid Amount</u>
53 Corporation, LLC	\$191,793.00
Designscapes Colorado.	\$195,510.00
Hudspeth & Assoc.	\$227,276.19
Defalco Construction	\$228,418.88
DGP Civil	\$243,284.50
L&M Enterprises	\$266,500.79
<u>Engineer's Estimate</u>	<u>\$289,423.50</u>

The low bidder is 53 Corporation, LLC. They are located in Castle Rock, Colorado, and were incorporated in the State of Colorado in 1998. 53 Corporation, LLC has worked successfully with the Town on the Drop Structure and Pedestrian Bridge Repair project that was needed due to the 2013 September flood. Town staff has developed a good working relationship with 53 Corporation, LLC. In addition to working for the Town, 53 Corporation, LLC, has successfully completed projects for Urban Drainage and Flood Control District, Arapahoe County Water And Wastewater Authority, and the Town of Castle Rock. Staff has reviewed 53 Corporation, LLC's qualifications and found them to be acceptable.

Staff is recommending awarding the construction contract for the Coal Creek Trail Access Connection at Bonnell Avenue to 53 Corporation, LLC.

Project Budget Summary

Contract	\$191,793.00
Contingency (20%)	\$ 38,357.00
Total	\$230,150.00

Project Schedule

Notice of Award	September 24, 2014
Notice to Proceed	October 7, 2014
Construction Complete	February 2015

Board Goal

This serves the Board's goal to maintain a safe community in which to live, work, learn, and play by enhancing trail connections locally and regionally

Staff Review:

Approved by:

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

A.J. Krieger
Town Administrator

ATTACHMENTS:

- a. Resolution 14-101
- b. Overall Site Plan

RESOLUTION NO. 14-101

A RESOLUTION AUTHORIZING THE AWARD OF A CONSTRUCTION CONTRACT TO 53 CORPORATION, LLC, FOR THE COAL CREEK TRAIL ACCESS CONNECTION AT BONNELL AVENUE IN THE AMOUNT OF \$191,793.00; AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the 2014 Capital Budget includes funds for the construction of the Coal Creek Trail Access Connection at Bonnell Avenue in the amount of \$191,793.00; and

WHEREAS, the Town of Erie, Colorado wishes to enter into a construction contract for design and construction of the Coal Creek Trail Access Connection with 53 Corporation LLC; and

WHEREAS, the Board of Trustees of the Town of Erie believes it is in the best interest of the Town to approve this contract.

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

Section 1. That the Contract between the Town of Erie and 53 Corporation, LLC is found to be a reasonable and acceptable contract for the construction of the Coal Creek Trail Access Connection at Bonnell Avenue.

Section 2. That the Town of Erie be and is hereby authorized and directed to authorize the contract with 53 Corporation, LLC and the Town Officers are hereby authorized and directed to sign and bind the Town of Erie to said contract in the amount of \$191,793.00 with a contingency of \$38,357.00.

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

ADOPTED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2014, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

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

VICINITY MAP FOR COAL CREEK TRAIL - BONNELL CONNECTION

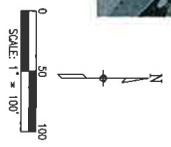


LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO



BENCHMARK INFORMATION (U.S. SURVEY FEET)

PT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
BM 200	1533291.100	3127201.460	5085.54	#1 BENCHMARK
BM 201	1533272.820	3128374.315	5097.40	#1 BENCHMARK



Print Date: Aug 13, 2014
 File Name: 14111 (02) Overall Site Plan.dwg
 Horiz. Scale: Vert. Scale: As Noted
 Unit Information: Unit Leader initials

Sheet Revisions

Date:	Comments	Init.



As Constructed

No Revisions: _____
 Revised: _____
 Void: _____

DESIGNER: _____
 DETAILER: _____
 SHEET SUBSET: _____

PROJECT NO./CODE: _____
 SHEET NUMBER: 2

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM

Board Meeting Date: September 23, 2014

SUBJECT: **RESOLUTION**
Consideration Of Resolution 14-106; A Resolution Authorizing The Purchase Of A Replacement Dump Truck From McCandless Truck Center In The Amount Of \$89,314 And Equipment From OJ Watson In The Amount Of \$97,306, And Setting Forth Details In Relation Thereto.

DEPARTMENT: Public Works

PRESENTER/PREPARER **Gary Behlen, Director of Public Works**
Jody Lambert, O&M Division Manager

FISCAL INFORMATION: Cost as Recommended: **\$205,300**
Balance Available: **\$210,000**
Budget Line Item Number: 100 . 07 . 710 . 601200 . 000000
New Appropriation Required: Yes No

STAFF RECOMMENDATION: **Approve Resolution 14-106 authorizing said purchases, authorizing the Town Administrator to execute purchase, and authorizing Staff to expend funds for purchase.**

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The 2014 Operating Budget includes the purchase of a new dump truck to replace Unit #110 which was approved in the supplemental budget. Currently Unit 110 has been out of service since April 2014 due to broken parts, cracked frame, hydraulic ram and rust causing unsafe vehicle operations.

Public Works Department – \$210,000 is budgeted for the purchase of a 2015 International Dump Truck. The Town received the State Bid to McCandless International with a Base Bid Price is \$89,314 for the cab and frame only. This unit will be replacing one of our snowplow units; therefore it is necessary to equip the new unit with, hydraulics, snow plow, dump box, sander with saddle tanks. The Town received the State Bid to OJ Watson for \$97,306 for this equipment. The total cost for this unit is \$186,620.

Cost Summary

Vendor	Item	State Bid Award Number	Price
McCandless Truck Center	Cab and Frame	311000483	\$89,314
OJ Watson	Equipment	311000480	\$97,306
Contingency			\$18,680
Total			\$205,300

Staff recommends purchase of this unit. Unit 110 will go to surplus.

Board Goal

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

Staff Review:

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

Approved by:


A.J. Krieger
Town Administrator

ATTACHMENTS:

- a. Resolution 14-106

RESOLUTION NO. 14-106

A RESOLUTION AUTHORIZING THE PURCHASE OF A REPLACEMENT DUMP TRUCK FROM MCCANDLESS TRUCK CENTER IN THE AMOUNT OF \$89,314.00 AND THE PURCHASE OF EQUIPMENT FOR THE TRUCK FROM OJ WATSON IN THE AMOUNT OF \$97,306.00; AND SETTING FORTH DETAILS IN RELATION THERETO

WHEREAS, the Town of Erie, Colorado wishes enter a purchase agreement for a replacement dump truck and snow removal equipment in the amount of \$186,620.00 and

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

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

Section 1. That the agreement between the Town of Erie and McCandless Truck Center and OJ Watson, are found to be a reasonable and acceptable agreements for the purpose of purchasing a replacement dump truck and equipment.

Section 2. That the Town of Erie be and is hereby authorized and directed to enter into the agreement with McCandless Truck and OJ Watson, and the Town Administrator is hereby authorized and directed to sign and bind the Town of Erie to said agreements for purchasing a replacement dump truck and equipment.

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

**ADOPTED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2014,
BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.**

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy J. Parker, C.M.C., Town Clerk

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: September 23, 2014

SUBJECT: **RESOLUTION**
Consideration Of Resolution 14-107: A Resolution Of The Town Of Erie, Colorado Approving An Aeronautics Contract Amendment with the Colorado Department of Transportation – Aeronautics Division; And Setting Forth Details In Relation Thereto

DEPARTMENT: Public Works

Gary Behlen, Director of Public Works

PRESENTER: **Russell Pennington, Deputy Director of Public Works**
Jason Hurd, Vector Air Management

FISCAL INFORMATION: Cost as Recommended: **\$ 0**
Balance Available: **\$ 0**
Budget Line Item Number: 000 . 00 . 000 . 000000 . 000000
New Appropriation Required: Yes No

STAFF RECOMMENDATION: **Approve Resolution 14-107, approving said Contract Amendment, authorizing the Director of Public Works to sign the said amendment and authorize Staff to expend grant money**

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

As part of the A3 Connector and the East Connector construction projects at the Erie Municipal Airport in 2009, drainage improvements were constructed as part of the overall project. One of the drainage improvements was constructed off of airport property on Lot 9, Block 4. In discussion with the property owner, the improvements have made mowing and maintaining this portion of his property difficult.

As part of the 2013 Taxiway Lighting Project, the contractor has been asked to make modifications to this property to enable the property owner to maintain his property as well as to still meet the drainage requirements.

The project will re-grade a small portion of ground on the southeast side of the east connector, remove a portion of storm pipe, and install an inlet. This project is intended to improve the drainage in this area, locate all storm facilities on the airport property and reduce and potentially eliminate erosion on the adjacent property.

In addition, the Town's FAA approved airport consultant for the Taxiway Lighting Project, along with Jason Hurd and Town Staff has coordinated the work with the contractor, the FAA, and the Colorado Department of Transportation-Aeronautics Division (CDOA). The FAA and CDOA has approved the project and will provide the Town grants to perform the work. The work will be funded using a combination of a grant from the FAA (90%), Colorado Division of Aeronautics (CDOA) (5%), and the Town of Erie (5%). The grant amounts are listed below.

Staff has obtained a Temporary Construction Easement from the adjacent property owner in order to be able to work on his property. This easement was approved by the BOT in December of 2013.

The \$30,000 FAA Grant was approved by the Board of Trustees at the September 9, 2014 Board Meeting.

The attached Aeronautics Contract Amendment does the following:

- A. Amends the actual CDOA dollar amount spend on the 2013 Taxiway Lighting Project
- B. Allocates \$1,666.00 for the 5% match for the FAA Grant for the Drainage Project at EIK

Staff is recommending acceptance of the Aeronautics Contract Amendment and authorizing the Director of Public Works to execute said agreement.

The funding for the drainage project will be as follows:

<i>Project</i>	<i>FAA</i>	<i>CDOA</i>	<i>Town</i>	<i>Total</i>
Drainage Improvement Along East Side of Runway 15-33	\$ 30,000.00	\$ 1,666.67	\$ 1,666.67	\$ 33,333.34
Total	\$ 30,000.00	\$ 1,666.67	\$ 1,666.67	\$ 33,333.34

Construction is anticipated to begin at the end of September and be complete by the end of October.

Board Goal

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

Staff Review:

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

Approved by:



AJ Krieger
Town Administrator

ATTACHMENTS:

- a. Resolution 14-107
- b. Vicinity Map
- c. Aeronautics Contract Amendment

RESOLUTION NO. 14-107

**A RESOLUTION OF THE TOWN OF ERIE, COLORADO, APPROVING
AND AN AERONAUTICS CONTRACT AMENDMENT WITH THE
COLORADO DEPARTMENT OF TRANSPORTATION –
AERONAUTICS DIVISION; AND SETTING FOR THE DETAILS IN
RELATION THERETO.**

WHEREAS, as part of the A3 Connector and the East Connector projects at the Erie Municipal Airport, drainage improvements were construction as part of the overall project; and

WHEREAS, one of the improvements off airport have made mowing and maintaining this property difficult; and

WHEREAS, this amendment project will repair this issue and improve drainage in this area; and

WHEREAS, the Town of Erie Board of Trustees believes that it is in the best interest of the Town to accept this Amendment;

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

Section 1. That the Grant Amendment Agreement between the Town of Erie and the Colorado Division of Aeronautics (CDOA) is found to be a reasonable and acceptable amendment.

Section 2. That the Town of Erie be and is hereby authorized and directed to enter into the Grant Amendment Agreement with the CDOA, and the appropriate Town officers are hereby authorized and directed to sign and bind the Town of Erie to said Agreement.

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

ADOPTED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2012, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy J. Parker, C.M.C., Town Clerk

AERONAUTICS CONTRACT AMENDMENT

Amendment # 1	Original Contract CMS # 13 HAV 51878 CDAG # 13-EIK-01	Amendment CMS # 15 HAV 71202 Legacy PO # 291001429 SRM PO # 491000239
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1) PARTIES

This Amendment to the above-referenced Original Contract (hereinafter called the Contract) is entered into by and between **Town of Erie** (hereinafter called "Contractor"), and the STATE OF COLORADO (hereinafter called the "State") acting by and through the Department of Transportation, (hereinafter called "CDOT").

2) EFFECTIVE DATE AND ENFORCEABILITY

This Amendment shall not be effective or enforceable until it is approved and signed by the Colorado State Controller or designee (hereinafter called the "Effective Date"). The State shall not be liable to pay or reimburse Contractor for any performance hereunder including, but not limited to, costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.

3) FACTUAL RECITALS

a. The Parties entered into the Contract to Construct a new taxiway light system and new lighted taxiway guidance signs for the existing taxiway system at the airport.

b. The Parties now desire to do the following:
Reduce Grant dollar amount by \$6,667.00;

4) LIMITS OF EFFECT

This Amendment is incorporated by reference into the Contract, and the Contract and all prior amendments thereto, if any, remain in full force and effect except as specifically modified herein.

5) MODIFICATIONS.

The Amendment and all prior amendments thereto, if any, are modified as follows:

1. Section 6A is hereby deleted in its entirety and replaced with the following language:

6. STATEMENT OF WORK / CONTRACT OBJECTIVE PLAN
A. Brief Project Description:
Element A: Lighting System and Signage Upgrade
Element B: Participate in Federally Funded Drainage Improvement

2. Section 7A is hereby deleted in its entirety and replaced with the following language:

7. PAYMENTS TO GRANTEE
The State shall, in accordance with the provisions of this §7, pay Grantee in the following amounts and using the methods set forth below:
A. Maximum Amount
The maximum amount payable under this Grant to Grantee by the State is \$393,333 as determined by the State based on available funds.

The maximum amount payable under this Grant to Grantee by the State is 90% of the project cost not to exceed \$391,667.00 for Element A and 5% of the project cost not to exceed \$1,666.00 for Element B, as determined by the State from available funds in Fund 160, G/L account # 4511000010, & Vendor # 0002000001 & Partner # N/A (if applicable), and Org. # VDG13-033. Grantee agrees to provide any additional funds required for the successful completion of the Work. Payments to Grantee are limited to the unpaid obligated balance of

the Grant as set forth in Exhibit A. The State and Grantee shall participate in providing the Grant amount as follows:

State:	\$	393,333.00
Local Funds:	\$	45,186.00
Federal:	\$	30,000.00

6) START DATE

This Amendment shall take effect upon the date of the State Controller's Signature.

7) ORDER OF PRECEDENCE

Except for the Special Provisions, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Contract, the provisions of this Amendment shall in all respects supersede, govern, and control. The most recent version of the Special Provisions incorporated into the Contract or any amendment shall always control other provisions in the Contract or any amendments.

8) AVAILABLE FUNDS

Financial obligations of the state payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, or otherwise made available.

THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT

*** Persons signing for The Local Agency hereby swear and affirm that they are authorized to act on The Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.**

<p align="center">THE GRANTEE Town of Erie</p> <p>By: Gary H. Behlen Title: Director of Public Works</p> <p>_____</p> <p align="center">*Signature</p> <p>Date: _____</p>	<p align="center">STATE OF COLORADO John W. Hickenlooper, GOVERNOR Colorado Department of Transportation Donald E. Hunt, Executive Director</p> <p>_____</p> <p>By: David C. Gordon, Aeronautics Division Director</p> <p>Date: _____</p>
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ALL AGREEMENTS REQUIRE APPROVAL BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Agreements. This Agreement is not valid until signed and dated below by the State Controller or delegate. The Local Agency is not authorized to begin performance until such time. If The Local Agency begins performing prior thereto, the State of Colorado is not obligated to pay The Local Agency for such performance or for any goods and/or services provided hereunder.

<p align="center">STATE CONTROLLER Robert Jaros, CPA, MBA, JD</p> <p>By: _____</p> <p align="center">Colorado Department of Transportation</p> <p>Date: _____</p>

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: September 23, 2014

SUBJECT: **RESOLUTION**
Consideration Of Resolution 14-108: A Resolution Of The Town Of Erie, Colorado Approving Revision One (1) to Amendment No. Four (4) to Contract with Jviation, Inc. in the Amount of \$9,000; And Setting Forth Details In Relation Thereto

DEPARTMENT: Public Works

Gary Behlen, Director of Public Works

PRESENTER: **Russell Pennington, Deputy Director of Public Works**
Jason Hurd, Vector Air Management

FISCAL	Cost as Recommended:	\$ 9,000
INFORMATION:	Balance Available:	\$ 1,484.08
	Budget Line Item Number:	530 . 70 . 110 . 605000 . 100056
	New Appropriation Required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

STAFF RECOMMENDATION: **Approve Resolution 14-108, approving said Amendment, authorizing the Director of Public Works to sign the said agreement and authorize Staff to expend money**

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

As part of the A3 Connector and the East Connector construction projects at the Erie Municipal Airport in 2009, drainage improvements were constructed as part of the overall project. One of the drainage improvements was constructed off of airport property on Lot 9, Block 4. In discussion with the property owner, the improvements have made mowing and maintaining this portion of his property difficult.

As part of the 2013 Taxiway Lighting Project, the contractor has been asked to make modifications to this property to enable the property owner to maintain his property as well as to still meet the drainage requirements.

The project will re-grade a small portion of ground on the southeast side of the east connector, remove a portion of storm pipe, and install an inlet. This project is intended to improve the drainage in this area, locate all storm facilities on the airport property and reduce and potentially eliminate erosion on the adjacent property.

Jviation, the Town's FAA approved airport consultant for the Taxiway Lighting Project, along with Jason Hurd and Town Staff has coordinated the work with the contractor, the FAA, and the Colorado Department of Transportation-Aeronautics Division (CDOA). The FAA and CDOA has approved the project and will provide the Town grants to perform the work. The work will be funded using a combination of a grant from the FAA (90%), Colorado Division of Aeronautics (CDOA) (5%), and the Town of Erie (5%). The grant amounts are listed below.

Staff has obtained a Temporary Construction Easement from the adjacent property owner in order to be able to work on his property. This easement was approved by the BOT in December of 2013.

The \$30,000 FAA Grant was approved by the Board of Trustees at the September 9, 2014 Board Meeting. The Aeronautics Contract Amendment which allocates CDOA funds to the project in the amount of \$1,666 is in front of you tonight for approval.

Jviation has researched ownership in this area, prepared construction drawings, negotiated and coordinated with the contractor, FAA, and CDOA, attended meetings with the homeowner, and will provide construction management for the project. Jviation has agreed to perform this work for \$9,000. Staff is recommending awarding the Amendment to Jviation, Inc. and authorize the Director of Public Works to execute said agreement.

The need for new appropriation for this project is due to an accidental omission of funds during the supplemental roll-over of 2013 funds into the 2014 budget.

The funding for the drainage project will be as follows:

<i>Project</i>	<i>FAA</i>	<i>CDOA</i>	<i>Town</i>	<i>Total</i>
Drainage Improvement Along East Side of Runway 15-33	\$ 30,000.00	\$ 1,666.67	\$ 1,666.67	\$ 33,333.34
Total	\$ 30,000.00	\$ 1,666.67	\$ 1,666.67	\$ 33,333.34

Construction is anticipated to begin at the end of September and be complete by the end of October.

Board Goal

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

Staff Review:

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

Approved by:



AJ Krieger
Town Administrator

ATTACHMENTS:

- a. Resolution 14-108
- b. Vicinity Map
- c. Revision One (1) to Amendment No. Four (4)

RESOLUTION NO. 14-108

A RESOLUTION OF THE TOWN OF ERIE, COLORADO, APPROVING REVISION ONE (1) TO AMENDMENT NO. FOUR (4) TO THE AIRPORT CONSULTING CONTRACT WITH JVIATION, INC., IN THE AMOUNT OF \$9,000.00; AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Town of Erie, Colorado wishes to approve Revision No. 1 to Amendment No. 4 to the Airport Consulting Contract with Jviation, Inc. in the amount of \$9,000.00; and

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

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

Section 1. That the approve Revision No. 1 to Amendment No. 4 to the Airport Consulting Contract between the Town of Erie and Jviation, Inc. is found to be a reasonable and acceptable amendment to the Airport Consulting Contract.

Section 2. That the Town of Erie be and is hereby authorized and directed to authorize the Revision No. 1 to Amendment No. 4 to the Airport Consulting Contract with Jviation, Inc. and the Town Officers are hereby authorized and directed to sign and bind the Town of Erie to the Revision No. 1 to Amendment No. 4 in an amount not to exceed \$9,000.00.

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

ADOPTED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2014, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

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

**REVISION ONE (1) TO
AMENDMENT NO. FOUR (4) TO CONTRACT
DATED JULY 9, 2008
BETWEEN
JVIVATION, INC.
AND
THE TOWN OF ERIE
ERIE, COLORADO**

The Sponsor and the Engineer agree to amend their contract for improvements to the Erie Municipal Airport, Erie, Colorado to include fees for engineering services. The improvement Item No. 7 is included in the Scope of Work of the original contract. The items covered by this amendment are described as follows:

Item No. 7 Runway and taxiway lighting and signage evaluation, recommendation, rehabilitation

The Sponsor agrees to pay the Engineer for the services listed under Article II of the original contract in the following manner:

PART A - BASIC SERVICES

DESIGN

Preliminary Design Lump sum of \$14,818.00
Design Lump sum of \$49,834.00

BIDDING

Bidding..... Lump sum of \$4,884.00

TOTAL BASIC SERVICES..... Lump sum of \$69,536.00

Method of payment shall be as follows:

Interim payments based on work performed by the Engineer and detailed in a report submitted to the Sponsor with the request for payment. A retainer of ten percent of the total contract amount to be paid upon Notice to Proceed for construction, or, in the event the Sponsor does not elect to proceed with construction, the remaining ten percent to be paid upon receipt of request for payment from the Engineer.

PART B - SPECIAL SERVICES (SOILS AND PAVEMENT INVESTIGATIONS/TOPOGRAPHIC SURVEYS/HYDROLOGIC STUDIES/CONSTRUCTION ADMINISTRATION AND FIELD ENGINEERING)

CONSTRUCTION ADMINISTRATION AND FIELD ENGINEERING

The estimated maximum for CONSTRUCTION ADMINISTRATION and FIELD ENGINEERING is:

Additional Services Performed for Supplemental Agreement No. 1 (Drainage Improvements Design and Construction Administration).....Lump sum of \$9,000.00

Construction Administration..... Lump sum of \$9,981.00

Pre-Construction Coordination..... Lump sum of \$2,312.00

Construction Coordination..... Lump sum of \$65,949.25

Post Construction..... Lump sum of \$5,703.00

TOTAL SPECIAL SERVICES.....Lump sum of \$92,945.25

TOTAL.....Lump sum of \$162,481.25

Method of payment shall be as follows:

For services rendered under PART B - SPECIAL SERVICES, the Sponsor agrees to make monthly payments based upon the work performed by the Engineer, up to 90 percent of the total contract. The final ten percent of the fee shall be due and payable when the project final inspection and the construction report have been completed, and when reproducible "Record Drawings" have been submitted to the Sponsor and when the revised Airport Layout Plan has been approved by the FAA or when the construction work has terminated. The "Record Drawings" and Construction Report shall be submitted within a period of 90 days from end of construction period. This Amendment shall be considered concurrent with completion of audit.

PART C – ASSURANCES

**I.
CIVIL RIGHTS ACT OF 1964, TITLE VI – CONTRACTOR CONTRACTUAL
REQUIREMENTS**

Reference: 49 CFR PART 21

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Engineer") agrees as follows:

- **Compliance with Regulations.** The Engineer shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended

from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

- **Nondiscrimination.** The Engineer, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Engineer shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- **Solicitations for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations either by competitive bidding or negotiation made by the Engineer for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Engineer of the Engineer's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- **Information and Reports.** The Engineer shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the Sponsor or the Federal Aviation Administration (FAA) to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of an Engineer is in the exclusive possession of another who fails or refuses to furnish this information, the Engineer shall so certify to the sponsor or the FAA, as appropriate, and shall set forth what efforts it has made to obtain the information.
- **Sanctions for Noncompliance.** In the event of the Engineer's noncompliance with the nondiscrimination provisions of this contract, the sponsor shall impose such contract sanctions as it or the FAA may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the Engineer under the contract until the Engineer complies, and/or
 - b. Cancellation, termination, or suspension of the contract, in whole or in part.
- **Incorporation of Provisions.** The Engineer shall include the provisions of paragraphs one through five (*Compliance with Regulations, Nondiscrimination, Solicitations for Subcontracts, Information and Reports, and Sanctions for Noncompliance*) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The Engineer shall take such action with respect to any subcontract or procurement as the sponsor or the FAA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a Engineer becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Engineer may request the Sponsor to enter into such litigation to protect the interests of the sponsor and, in addition, the Engineer may request the United States to enter into such litigation to protect the interests of the United States.

II.
**AIRPORT AND AIRWAY IMPROVEMENT ACT OF 1982, SECTION 520 - GENERAL
CIVIL RIGHTS PROVISIONS**

*Reference: Airport and Airway Improvement Act of 1982, Section 520; Title 49 47123; AC
150/5100-15, Para. 10.c.*

The Engineer assures that it will comply with pertinent statutes, Executive orders and such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap be excluded from participating in any activity conducted with or benefiting from Federal assistance. This provision obligates the tenant/concessionaire/lessee or its transferee for the period during which Federal assistance is extended to the airport a program, except where Federal assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon. In these cases the provision obligates the party or any transferee for the longer of the following periods: (a) the period during which the property is used by the airport sponsor or any transferee for a purpose for which Federal assistance is extended, or for another purpose involving the provision of similar services or benefits or (b) the period during which the airport sponsor or any transferee retains ownership or possession of the property. In the case of Engineers, this provision binds the Engineers from the bid solicitation period through the completion of the contract. This provision is in addition to that required of Title VI of the Civil Rights Act of 1964.

III.
DISADVANTAGED BUSINESS ENTERPRISES

Reference: 49 CFR Part 26

- **Contract Assurance (§26.13)** - The Engineer or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Engineer shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. Failure by the Engineer to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the recipient deems appropriate.
- **Prompt Payment (§26.29)** - The prime Engineer agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than *Fifteen (15)* days from the receipt of each payment the prime Engineer receives from Sponsor. The prime Engineer agrees further to return retainage payments to each subcontractor within Fifteen (15) days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Board. This clause applies to both DBE and non-DBE subcontractors.

IV.
LOBBYING AND INFLUENCING FEDERAL EMPLOYEES

Reference: 49 CFR Part 20, Appendix A

- No Federal appropriated funds shall be paid, by or on behalf of the Engineer, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of

Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant and the amendment or modification of any Federal grant.

- If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal grant, the Engineer shall complete and submit Standard Form-LLL, "Disclosure of Lobby Activities," in accordance with its instructions.

V.

ACCESS TO RECORDS AND REPORTS

Reference: 49 CFR Part 18.36(i); FAA Order 5100.38

The Engineer shall maintain an acceptable cost accounting system. The Engineer agrees to provide the Sponsor, the Federal Aviation Administration and the Comptroller General of the United States or any of their duly authorized representative's access to any books, documents, papers, and records of the Engineer which are directly pertinent to the specific contract for the purpose of making audit, examination, excerpts and transcriptions. The Engineer agrees to maintain all books, records and reports required under this contract for a period of not less than three years after final payment is made and all pending matters are closed.

VI.

BREACH OF CONTRACT TERMS

Reference: 49 CFR Part 18.36

Any violation or breach of terms of this contract on the part of the Engineer or their subcontractors may result in the suspension or termination of this contract or such other action that may be necessary to enforce the rights of the parties of this agreement. The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law.

VII.

RIGHTS TO INVENTIONS

Reference: 49 CFR Part 18.36(i)(8); FAA Order 5100.38

All rights to inventions and materials generated under this contract are subject to regulations issued by the FAA and the Sponsor of the Federal grant under which this contract is executed.

VIII.

TRADE RESTRICTION CLAUSE

Reference: 49 CFR Part 30.13; FAA Order 5100.38

The Engineer or subcontractor, by submission of an offer and/or execution of a contract, certifies that it:

- a. is not owned or controlled by one or more citizens of a foreign country included in the list of

countries that discriminate against U.S. firms published by the Office of the United States Trade Representative (USTR);

b. has not knowingly entered into any contract or subcontract for this project with a person that is a citizen or national of a foreign country on said list, or is owned or controlled directly or indirectly by one or more citizens or nationals of a foreign country on said list;

c. has not procured any product nor subcontracted for the supply of any product for use on the project that is produced in a foreign country on said list.

Unless the restrictions of this clause are waived by the Secretary of Transportation in accordance with 49 CFR 30.17, no contract shall be awarded to a Engineer or subcontractor who is unable to certify to the above. If the Engineer knowingly procures or subcontracts for the supply of any product or service of a foreign country on said list for use on the project, the Federal Aviation Administration may direct through the Sponsor cancellation of the contract at no cost to the Government.

Further, the Engineer agrees that, if awarded a contract resulting from this solicitation, it will incorporate this provision for certification without modification in each contract and in all lower tier subcontracts. The Engineer may rely on the certification of a prospective subcontractor unless it has knowledge that the certification is erroneous.

The Engineer shall provide immediate written notice to the sponsor if the Engineer learns that its certification or that of a subcontractor was erroneous when submitted or has become erroneous by reason of changed circumstances. The subcontractor agrees to provide written notice to the Engineer if at any time it learns that its certification was erroneous by reason of changed circumstances.

This certification is a material representation of fact upon which reliance was placed when making the award. If it is later determined that the Engineer or subcontractor knowingly rendered an erroneous certification, the Federal Aviation Administration may direct through the Sponsor cancellation of the contract or subcontract for default at no cost to the Government.

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by this provision. The knowledge and information of an Engineer is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

This certification concerns a matter within the jurisdiction of an agency of the United States of America and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under Title 18, United States Code, Section 1001.

IX.

TERMINATION OF CONTRACT

Reference: 49 CFR Part 18.36(i)(2); FAA Order 5100.38

- The Sponsor may, by written notice, terminate this contract in whole or in part at any time, either for the Sponsor's convenience or because of failure to fulfill the contract obligations. Upon receipt of such notice services shall be immediately discontinued (unless the notice directs otherwise) and all materials as may have been accumulated in performing this contract, whether completed or in progress, delivered to the Sponsor.
- If the termination is for the convenience of the Sponsor, an equitable adjustment in the contract price shall be made, but no amount shall be allowed for anticipated profit on unperformed services.
- If the termination is due to failure to fulfill the Engineer's obligations, the Sponsor may take over the work and prosecute the same to completion by contract or otherwise. In such case, the Engineer shall be liable to the Sponsor for any additional cost occasioned to the Sponsor thereby.
- If, after notice of termination for failure to fulfill contract obligations, it is determined that the Engineer had not so failed, the termination shall be deemed to have been effected for the convenience of the Sponsor. In such event, adjustment in the contract price shall be made as provided in paragraph 2 of this clause.
- The rights and remedies of the sponsor provided in this clause are in addition to any other rights and remedies provided by law or under this contract.

X.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

Reference: 49 CFR Part 29; FAA Order 5100.38

The bidder/offeror certifies, by submission of this proposal or acceptance of this contract, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. It further agrees by submitting this proposal that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts. Where the bidder/offeror/Engineer or any lower tier participant is unable to certify to this statement, it shall attach an explanation to this solicitation/proposal.

All other terms and conditions of the original contract shall remain in effect.

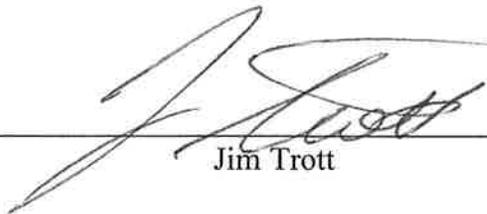
IN WITNESS WHEREOF, the parties hereto have affixed their signatures this 9th day of September 2014.

SPONSOR:
TOWN OF ERIE
ERIE, COLORADO

By _____

Attest _____

ENGINEER:
JVIATION, INC.

By  _____
Jim Trott

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: September 23, 2014

SUBJECT: **RESOLUTION**
Consideration Of Resolution 14-110: A Resolution Of The Town Of Erie, Colorado Approving Supplemental Agreement No. 1 to Airfield Western, LLC for the Erie Municipal Airport Taxiway Edge Lighting System Project in the Amount of \$19,204.87; And Setting Forth Details In Relation Thereto

DEPARTMENT: Public Works

Gary Behlen, Director of Public Works

PRESENTER: **Russell Pennington, Deputy Director of Public Works**
Jason Hurd, Vector Air Management

FISCAL INFORMATION: Cost as Recommended: **\$ 23,000**
Balance Available: \$ 1,484.08
Budget Line Item Number: 530 . 70 . 110 . 605000 . 100056
New Appropriation Required: Yes No

STAFF RECOMMENDATION: **Approve Resolution 14-110, approving said Supplemental Agreement, authorizing the Director of Public Works to sign the said agreement and authorize Staff to expend money**

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

As part of the A3 Connector and the East Connector construction projects at the Erie Municipal Airport in 2009, drainage improvements were constructed as part of the overall project. One of the drainage improvements was constructed off of airport property on Lot 9, Block 4. In discussion with the property owner, the improvements have made mowing and maintaining this portion of his property difficult.

As part of the 2013 Taxiway Lighting Project, the contractor has been asked to make modifications to this property to enable the property owner to maintain his property as well as to still meet the drainage requirements.

The project will re-grade a small portion of ground on the southeast side of the east connector, remove a portion of storm pipe, and install an inlet. This project is intended to improve the drainage in this area, locate all storm facilities on the airport property and reduce and potentially eliminate erosion on the adjacent property.

Jviation, the Town's FAA approved airport consultant for the Taxiway Lighting Project, along with Jason Hurd and Town Staff has coordinated the work with the contractor, the FAA, and the Colorado Department of Transportation-Aeronautics Division (CDOA). The FAA and CDOA has approved the project and will provide the Town grants to perform the work. The work will be funded using a combination of a grant from the FAA (90%), Colorado Division of Aeronautics (CDOA) (5%), and the Town of Erie (5%). The grant amounts are listed below.

Staff has obtained a Temporary Construction Easement from the adjacent property owner in order to be able to work on his property. This easement was approved by the BOT in December of 2013.

The \$30,000 FAA Grant was approved by the Board of Trustees at the September 9, 2014 Board Meeting. The Aeronautics Contract Amendment which allocates CDOA funds to the project in the amount of \$1,666 is in front of you tonight for approval.

Airfield Western has given the Town a price of \$19,204.87 to perform the drainage work. Jviation along with Staff has reviewed this price. Staff is recommending awarding the Supplemental Agreement No. 1 to Airfield Western and authorizing the Director of Public Works to execute said agreement.

The need for new appropriation for this project is due to an accidental omission of funds during the supplemental roll-over of 2013 funds into the 2014 budget.

The funding for the drainage project will be as follows:

<i>Project</i>	<i>FAA</i>	<i>CDOA</i>	<i>Town</i>	<i>Total</i>
Drainage Improvement Along East Side of Runway 15-33	\$ 30,000.00	\$ 1,666.67	\$ 1,666.67	\$ 33,333.34
Total	\$ 30,000.00	\$ 1,666.67	\$ 1,666.67	\$ 33,333.34

Construction is anticipated to begin at the end of September and be complete by the end of October.

Board Goal

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

Staff Review:

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

Approved by:



 AJ Krieger
 Town Administrator

ATTACHMENTS:

- a. Resolution 14-110
- b. Vicinity Map
- c. Supplemental Agreement No. 1

RESOLUTION NO. 14-110

A RESOLUTION OF THE TOWN OF ERIE, COLORADO, APPROVING SUPPLEMENTAL AGREEMENT NO. 1 TO THE AIRFIELD WESTERN LLC FOR THE ERIE MUNICIPAL AIRPORT TAXIWAY EDGE LIGHTING SYSTEM PROJECT IN THE AMOUNT OF \$19,204.87; AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Town of Erie, Colorado wishes to approve a supplemental agreement to Airfield Western LLC for the Erie Municipal Airport Taxiway Edge Lighting System Project in the amount of \$19,204.87; and

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

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

Section 1. That the Supplemental Agreement No. 1, between the Town of Erie and Airfield Western LLC is found to be a reasonable and acceptable agreement for the Erie Municipal Airport Taxiway Edge Lighting System Project.

Section 2. That the Town of Erie be and is hereby authorized and directed to authorize the Supplemental Agreement No. 1 with Airfield Western LLC and the Town Officers are hereby authorized and directed to sign and bind the Town of Erie to said Supplemental Agreement No. 1 in an amount not to exceed \$19,204.87.

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

ADOPTED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2014, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

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



900 S. Broadway, Suite 350, Denver, CO 80209
 Main 303.524.3030 Fax 303.524.3031
 JVIATION.COM

TRANSMITTAL LETTER

ATTENTION: Russell Pennington, P.E.
TO: Town of Erie - Public Works Dept.
 645 Holbrook Street
 Erie, CO 80516

DATE: January 7, 2017
PROJECT NO: EIK AIP 14
RE: Supplemental Agreement No. 1

We are sending you these items via: **FedEx**

COPIES	DATE	DESCRIPTION
5	1/07/14	EIK AIP 14 – Supplemental Agreement No. 1

For approval
 For your use
 For review & comment

REMARKS:

Russell,

Enclosed are the 5 copies of the Supplemental Agreement No. 1 form for your signature. Please sign all 5 copies and keep one copy for the Town of Erie records. Please send the remaining 4 copies back to us. We will distribute the signed Supplemental Agreement No. 1 forms to the Contractor, FAA and CDOT Aeronautics. We will also keep one copy for our records.

Please let me know if you have any questions or comments.

Thank you,
 Matt

SENDER: Matt Gilbreath, P.E. **TELEPHONE:** 720.544.6522

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

AIRPORT IMPROVEMENT PROGRAM

CONTRACT CHANGE ORDER NO. N/A or SUPPLEMENTAL AGREEMENT NO. 1

AIRPORT Erie Municipal Airport DATE 12/04/2013

LOCATION Erie, Colorado AIP PROJECT NO. 3-08-0090-14

CONTRACTOR Airfield Western, LLC

You are requested to perform the following described work upon receipt of an approved copy of this document or as directed by the engineer:

Item No.	Description	Unit	Unit Price	Quantity	Amount
202a	Remove 30-Inch RCP Storm Pipe	L.F.	\$93.62	18	\$1,685.16
202b	Remove 30-Inch Flared End Section (F.E.S.)	EA.	\$725.10	1	\$725.10
203a	Embankment	CY	\$114.35	65	\$7,432.75
604a	Install Cast-In-Place Storm Inlet With Type C Close Mesh Gate	EA.	\$6,512.55	1	\$6,512.55
T-901a	Seeding	AC.	\$10,171.29	0.20	\$2,034.26
T-901b	Inlet Protection	EA.	\$459.01	1	\$459.01
T-901c	Erosion Control Log	EA.	\$178.02	2	\$356.04
TOTAL					\$19,204.87
		Federal	Non-Federal (CDOT)	Non-Federal (Town of Erie)	TOTAL
This Supplemental Agreement Total		\$ 17,284.39	\$ 960.24	\$ 960.24	\$ 19,204.87
Previous Supplement Agreement Total		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Original Contract Total		\$ 0.00	\$ 255,329.60	\$ 28,369.96	\$ 283,699.55
Revised Contract Total		\$ 17,284.39	\$ 256,289.84	\$ 29,330.20	\$ 302,904.43

Initial Contract Amount	\$283,699.55
This Supplemental Agreement Total	\$19,204.87
Previous Change Order(s)/Supplemental Agreement(s) (Non-Federal)	\$0.00
Total Revised Contract	\$302,904.43

The time provided for completion in the contract is (unchanged) (decreased) increased by 10 working days. This document shall become an amendment to the contract and all provisions of the contract will apply.

Recommended by:  Engineer Date 11/21/14

Approved by: _____

Accepted by:  Contractor Date 12/23/13

Approved by: _____ Federal Aviation Administration Date _____

NOTE: Change Orders and Supplemental Agreements require FAA approval prior to construction, otherwise no Federal participation can be granted. State Aeronautics concurrence is required when state participation is anticipated.

AIP PROJECT NO. 3-08-0090-14SUPP. AGREEMENT NO. 1AIRPORT Erie Municipal AirportLOCATION Erie, Colorado**JUSTIFICATION FOR CHANGE****1. Brief description of the proposed contract change(s) and location(s).**

Supplemental Agreement No. 1 will consist of the removal of one flared end section and a small portion of RCP pipe as indicated on the attached drawings. A CDOT cast-in-place storm inlet will be installed with re-grading of the area to promote proper drainage. Once complete, seeding and erosion control measures will be installed in the construction area.

2. Reason(s) for the change(s) (Continue on reverse if necessary).

A small area adjacent to the taxiway intersection (see attached drawings) is experiencing continual erosion. A drainage inlet and a re-grading of the area is proposed to mitigate this issue.

3. Justifications for unit prices or total cost.

This change will not impact current unit prices but will impact the total project cost. Unit costs for new bid items were negotiated with the Contractor.

4. The sponsor's share of this cost is available from:

Town's project fund

5. If this is a supplemental agreement involving more than \$2,000, is the cost estimate based on the latest wage rate decision: Yes No Not Applicable **6. Has consent of surety been obtained?** Yes Not Necessary .**7. Will this change affect the insurance coverage?** Yes No .**8. If yes, will the policies be extended?** Yes No .**9. Has this (Change Order) (Supplemental Agreement) been discussed with FAA officials?**

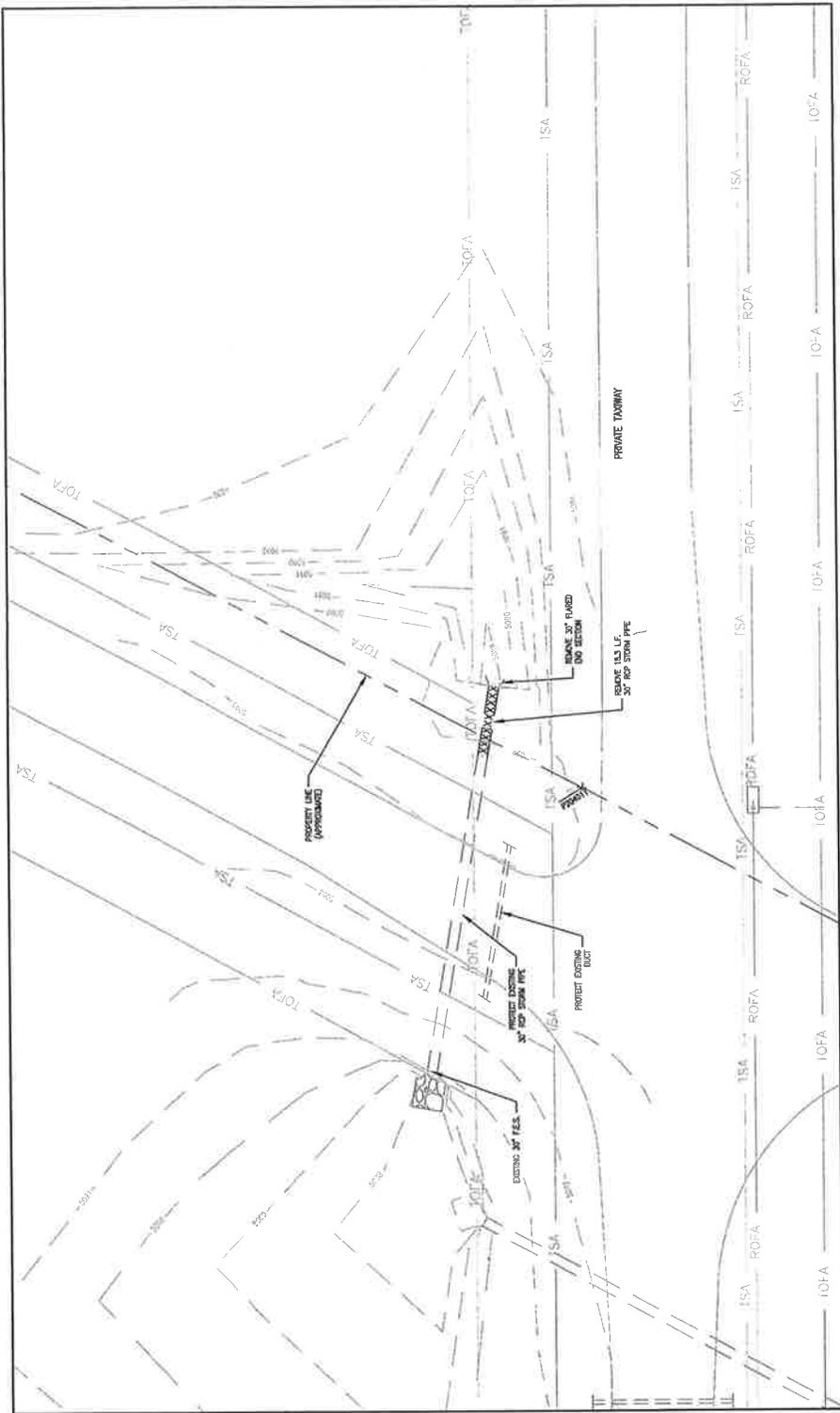
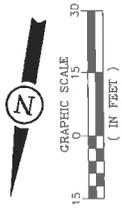
Yes No When 11/04/2013 With Whom Marc Miller, Denver FAA ADO

Comment _____

Submit 4 copies to the FAA

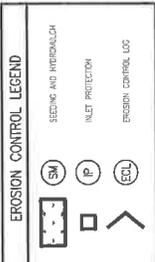
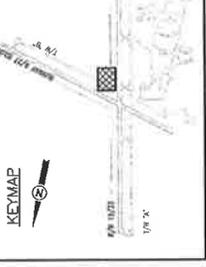


- NOTES:**
1. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION ACTIVITIES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.
 2. ANY PAVEMENT DAMAGED DURING CONTRACTOR OPERATIONS SHALL BE REPAIRED OFF-PROJECT PRIOR TO THE END OF THE RECONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR THE RECONSTRUCTION AND AT NO ADDITIONAL COST TO THE SPONSOR.



ISSUED FOR CONSTRUCTION

	ERIE MUNICIPAL AIRPORT ERIE, COLORADO			ISSUE RECORD	DEMOLITION PLAN		SHEET NAME C-100
	PROJECT NO. 5-08-0090-14				JAVIATION PROJ. NO. 2013.ERIE.01		SHEET NO. 33 of 35
DR: B.L.R. CH: C.L.G. APP: J.A.W.				NO. 1 BY: J.A.W. DATE: 11/02/13	NO. 2 BY: M.C.C. DATE: 11/02/13	PROJECT NO. 5-08-0090-14	
TOWN OF ERIE				DESCRIPTION ISSUED FOR CONSTRUCTION SUPPLEMENTAL AGREEMENT NO. 1	DATE 08/09/13		DATE 08/09/13



- EROSION CONTROL NOTES:**
1. OPERATOR TO REMOVE EXISTING VEGETATION BEFORE COMMENCING OPERATIONS. COMMENCE THE EROSION CONTROL MATS BE PLACED ON TOP OF THE FILL MATERIAL IN PREPARATION OF THE SEEDING ACTIVITIES.
 2. INLET PROTECTION SHALL BE INSTALLED IMMEDIATELY AFTER STORM SEWER CONSTRUCTION IS COMPLETED. EROSION CONTROL MATS SHALL BE INSTALLED IMMEDIATELY AFTER GRADING OPERATIONS ARE COMPLETE.
 3. SEEDING AND HYDROSEEDING WILL BE PROVIDED AT ALL LOCATIONS SHOWN ON THE PLANS AS WELL AS ANY DISTURBED AREAS WITH SLOPES GREATER THAN 3:1. EROSION CONTROL MATS SHALL BE SEEDED AND SHELLED WITH EROSION CONTROL MATS.
 4. SEEDING AND HYDROSEEDING SHALL BE INSTALLED PER 1-301 SEEDING SPECIFICATION.
 5. EROSION CONTROL LOGS SHALL BE INSTALLED PER DODD STANDARD PLAN NO. M-208-1, SHEET 2 OF 12.
 6. ALL TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMP) SHALL BE MAINTAINED AND OPERATED BY THE CONTRACTOR THROUGHOUT THE CONSTRUCTION PERIOD TO ENSURE CONTINUED PERFORMANCE OF THEIR INTENDED FUNCTION.
 7. ANY SEDIMENT TRACKED ONTO PAVED SURFACES, REGARDLESS OF LOCATION OR QUANTITY SHALL BE CLEANED IMMEDIATELY AT NO ADDITIONAL COST TO THE SPONSOR.
 8. ALL DISTURBED GROUND SHALL BE SURFACE ENDOGRADED WITHIN 48 HOURS AFTER COMPLETION OF FINISH GRADING.

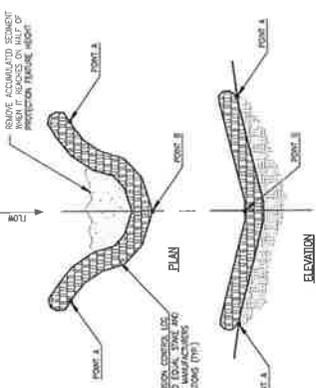
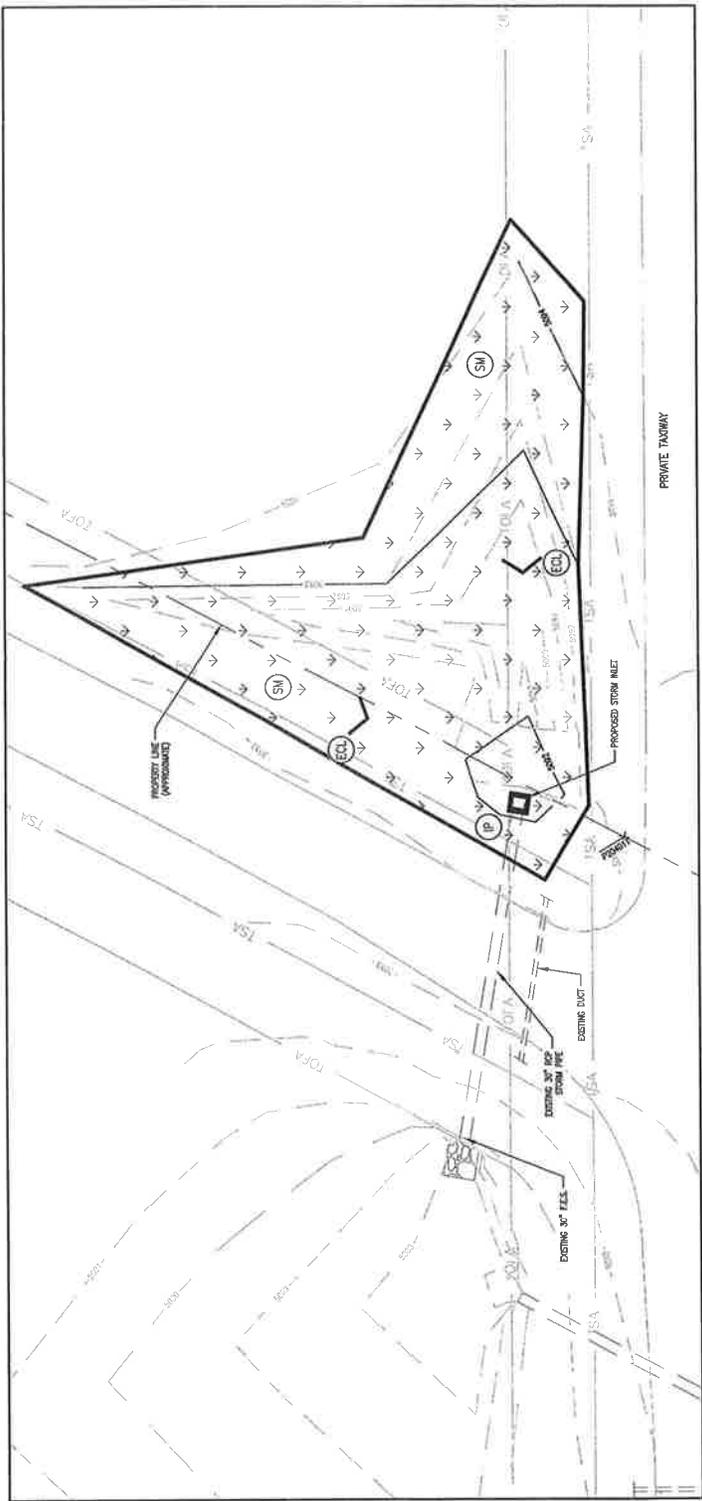


ISSUED FOR CONSTRUCTION

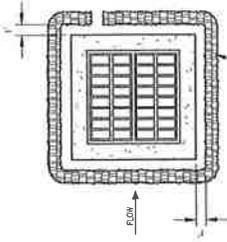
SHEET NAME
C-300
SHEET NO.
35 of 35

EROSION CONTROL PLAN
PROJECT NO.
3-08-0090-14
AVIATION PROJ. NO.
2019.ER1.01
DATE
09/09/13

INSTALL NEW TAXIWAY EDGE LIGHTING SYSTEM



2 EROSION CONTROL LOG
N.T.S.



1 INLET PROTECTION
C-300
N.T.S.

ISSUE RECORD

NO.	BY	DATE	DESCRIPTION
1	JAW	06/07/13	ISSUED FOR CONSTRUCTION
2	MCS	10/09/13	REPLACEMENT ASSESSMENT NO. 1



ERIE MUNICIPAL AIRPORT
ERIE, COLORADO



TOWN OF ERIE
BOARD OF TRUSTEES AGENDA ITEM
Board Meeting Date: September 23, 2014

SUBJECT: RESOLUTIONS

Resolution 14-111; a Resolution of the Town of Erie, Colorado in Support of Boulder Valley School District Ballot Measure 3A on the November 4, 2014 General Election Ballot; and Setting Forth Details in Relation Thereto.

DEPARTMENT: Legislation

PRESENTER: Board of Trustees

FISCAL Cost as 0
INFORMATION: Recommended:
Balance Available:
Budget Line Item
Number:
New Appropriation Yes No
Required:

STAFF None

RECOMMENDATION:

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Staff Review:

- _____ Town Attorney
- _____ Town Clerk
- _____ Community Development Director
- _____ Finance Director
- _____ Police Chief
- _____ Public Works Director
- _____ Assistant to the Town Administrator

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS: Resolution 14-111

RESOLUTION 14-111

A RESOLUTION OF THE TOWN OF ERIE, COLORADO IN SUPPORT OF BOULDER VALLEY SCHOOL DISTRICT BALLOT MEASURE 3A ON THE NOVEMBER 4, 2014 GENERAL ELECTION BALLOT; AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, The Boulder Valley School District is recognized throughout Colorado for its high rate of student academic achievement and its innovation in classroom teaching; and

WHEREAS, For more than a decade, the State of Colorado has been unable to provide adequate funding for the capital maintenance Colorado's public education infrastructure placing this responsibility almost entirely upon local school district taxpayers; and

WHEREAS, Greater than 70 percent of the Boulder Valley School District's buildings are more than 30 years old and in need of structural repair, renovation, sustainability upgrades, in four cases, a new building or building replacement; and

WHEREAS, A Capitol Improvement Planning Committee, made up mostly of private citizens, assessed the district's capital needs for more than a year and recommended a new BVSD Facilities Master Plan to the school board made up of proposed capital improvements in the areas of critical repairs, preventative maintenance, asbestos removal, enhanced building security, increased energy efficiency to support green building principles, renovation of learning spaces, building replacement as needed and other improvements touching every district building; and

WHEREAS, On August 12, 2014, the Boulder Valley School District Board of Education unanimously approved the recommended BVSD Facilities Master Plan and, separately, approved a capital improvement bond measure in the amount of \$576 million to be considered by district voters at the November 4, 2014 general election;

NOW THEREFORE BE IT RESOLVED: The Town of Erie Board of Trustees hereby endorses Boulder Valley School District Ballot Measure 3A in the November 4, 2014 general election and recommends approval of Ballot Measure 3A to its citizens.

ADOPTED AND APPROVED THIS 9th DAY OF SEPTEMBER, 2014, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

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

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: September 23, 2014

SUBJECT: **ORDINANCES**
Consideration Of Ordinance 33-2014 (First Reading): An Ordinance Of The Town Of Erie, Colorado, Rezoning The Sierra Vista Property Pursuant To The Petition Of The Owner Thereof, From HR – High Density Residential And CC – Community Commercial To LR - Low Density Residential And CC – Community Commercial; And, Providing For The Effective Date Of This Ordinance; And, Setting Forth Details In Relation Thereto.

PURPOSE: Public Hearing to consider Rezoning of the Sierra Vista property from HR – High Density Residential and CC – Community Commercial to LR – Low Density Residential and CC – Community Commercial.

CODE REVIEW: Erie Municipal Code, Title 10

DEPARTMENT: Community Development

PRESENTER: Todd Bjerkaas, Senior Planner

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

STAFF RECOMMENDATION: Staff finds the application in compliance with the Rezoning approval criteria and recommends the Board of Trustees approve the Sierra Vista Rezoning application by approving Ordinance 33-2014 at the Second Reading on Tuesday, October 14, 2014.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission held a public hearing for the Rezoning request on September 3, 2014. The Planning Commission recommended approval of the Rezoning by approving Resolution P14-17, with the following conditions:

1. Technical corrections to the Sierra Vista Zoning Map shall be made to the Town’s satisfaction.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Owner: **Karen K. Kramer and Pratt Properties, LP**
Karen K. Kramer and Susan Pratt
105 S. Sunset, Suite H
Longmont, CO 80501

BC Land, LLC
Blake Carlson
10261 Arapahoe Road
Lafayette, CO 80026

Applicant: **Highway 7 and Bonanza, LLC**
Jeff Handlin
9033 E. Easter Place, Suite 110
Centennial, CO 80112

Property Location: Northwest Corner of State Highway 7 and Bonanza Drive



Existing Conditions:

- Site Condition: Vacant land
- Property Size: 60.48 acres

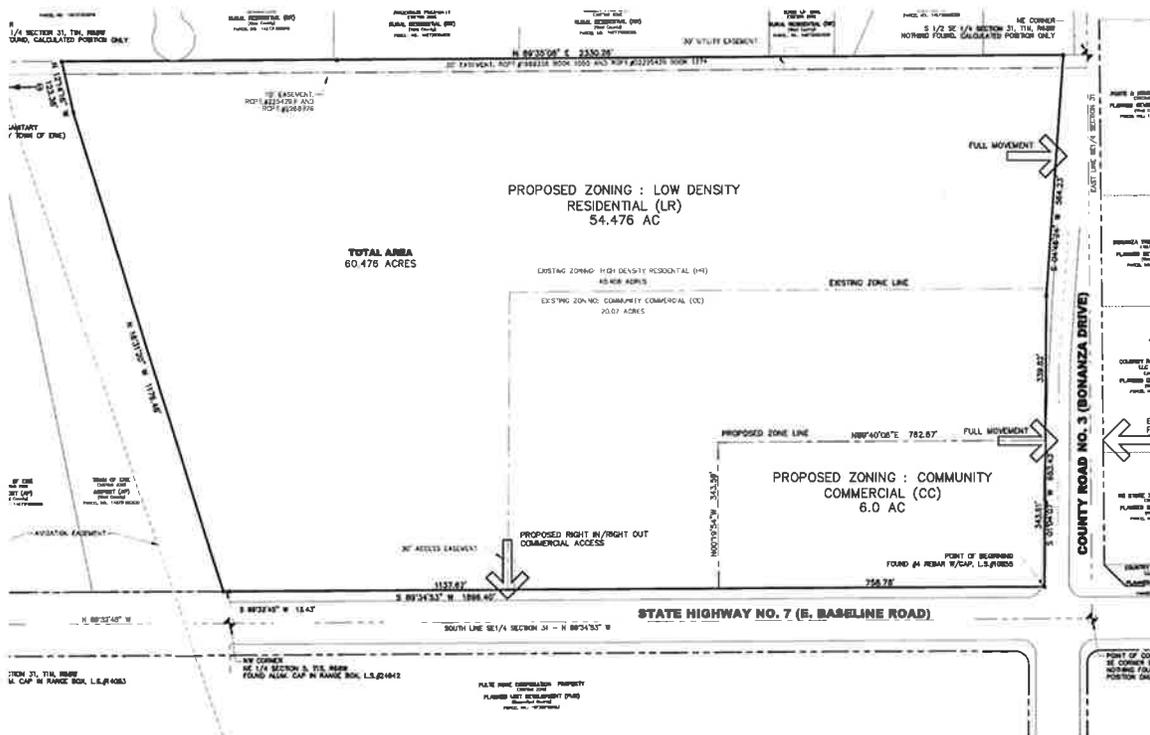
Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	RR – Rural Residential	Erie Air Park Subdivision
SOUTH	PUD (Broomfield) – Residential	Anthem Subdivision
EAST	PD – Commerical	Kum & Go Gas Station
WEST	AP – Airport	Erie Airport

Rezoning Request:

The applicant is requesting to rezone 40.406 acres of HR – High Density Residential and 20.07 acres of CC – Community Commercial to 54.476 acres of LR – Low Density Residential and 6.0 acres of CC – Community Commercial.

Proposed Zoning Map:

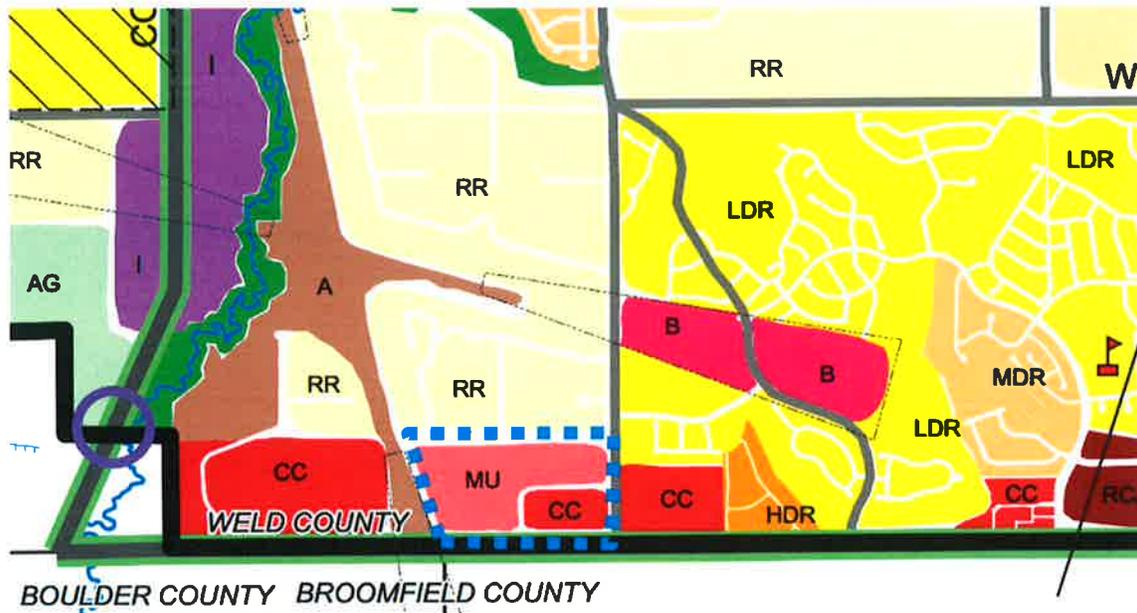


The Rezoning is comprised of the following zone districts:

- 54.476 acres of LR – Low Density Residential
- 6.0 acres of CC – Community Commercial

Compliance with Town of Erie Comprehensive Plan:

The Rezoning application is in general Compliance with the Land Use designations on the 2005 Comprehensive Plan, Land Use Plan Map; as illustrated below.



Staff Review and Analysis

Compliance with Town Standards:

Staff finds the application is consistent with the Approval Criteria of Title 10, Section 7.5 Rezoning:

- a. The Rezoning will promote the public health, safety, and general welfare;

Staff Comment: The applicant's proposed density can reasonably be accomplished in a manner that will promote the general health, safety and welfare of the general public.

- b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;

Staff Comment: The proposed zoning districts are in compliance with the Town of Erie Comprehensive Plan recommended land uses.

- c. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

Staff Comment: All of the above referenced services are available to the subject property. Impacts on existing development and assuring that adequate levels of service are maintained will be mitigated through subsequent subdivision approval procedures.

- d. The Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

Staff Comment: No significant adverse impacts to the above referenced qualities/conditions are anticipated. The subsequent subdivision approval process will require the mitigation of impacts to these qualities/conditions if and when they are encountered based on required studies/reports.

- e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

Staff Comment: No significant adverse impacts are anticipated to properties in the vicinity of the subject property.

- f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property; and

Staff Comment: The Comprehensive Plan designates preferred land uses for all lands within the Towns' Planning Area Boundary. Compatibility between adjacent land uses are considered in determining the preferred land uses. In addition, more detailed goals and polices of the Comprehensive Plan will be addressed through subsequent subdivision approval procedures.

- g. The Zoning is generally consistent with the Towns' economic development goals and objectives in bring positive growth and sustainable revenues to the Town.

Staff Comment: The rezoning of CC and LR supports the property's future uses in providing commercial properties along the SH 7 corridor along with new residential areas in close proximity.

Public notice

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	September 3, 2014
Property Posted:	September 4, 2014
Letters to adjacent property owners within 300':	September 5, 2014

Neighborhood Meeting

The applicant held a meeting with the neighbors on August 26th, 2014. Minutes of the meeting are attached.

Staff Recommendation

Staff recommends that the Board of Trustees approve the Rezoning of Sierra Vista from HR – High Density Residential and CC – Community Commercial to LR – Low Density Residential and Community Commercial by approving Ordinance 33-2014 on Second Reading at the October 14, 2014 Board of Trustees meeting, with the following conditions:

1. Technical corrections to the Sierra Vista Zoning Map shall be made to the Town’s satisfaction.

Staff Review:

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

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS:

- A. Draft Ordinance 33-2014
- B. Planning Commission minutes
- C. Planning Commission Resolution P14-17
- D. Applicants submittal materials

ATTACHMENT A

ORDINANCE NO. 33-2014

AN ORDINANCE OF THE TOWN OF ERIE, COLORADO, REZONING THE SIERRA VISTA PROPERTY PURSUANT TO THE PETITION OF THE OWNER THEREOF, FROM HR – HIGH DENSITY RESIDENTIAL AND CC – COMMUNITY COMMERCIAL TO LR - LOW DENSITY RESIDENTIAL AND CC – COMMUNITY COMMERCIAL; AND, PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, a request for rezoning has been filed by Highway 7 and Bonanza, LLC, 9033 E. Easter Place, Suite 110, Centennial, CO 80112, for the following real property; to wit:

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

WHEREAS, the Planning Commission of the Town of Erie, Colorado, conducted a public hearing on September 3, 2014, pursuant to the published notice for consideration of the Sierra Vista Rezoning, and;

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, considered the Sierra Vista Rezoning at a public hearing held on September 23, 2014 for which meeting public notice was legally given, and;

WHEREAS, the Rezoning application and supporting documents are in substantial compliance with the “*Town of Erie, 2005 Comprehensive Plan*” and the “*Town of Erie Municipal Code, Title 10*”; and,

WHEREAS, the Rezoning as proposed will preserve the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado; and,

WHEREAS, the notice has been given and the public hearings have been held, all as required by the Municipal Code of the Town of Erie.

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

Section 1. That following a legally noticed and duly conducted public hearing, the Board of Trustees of the Town of Erie has determined that the proposed Rezoning meets the approval criteria in Municipal Code Title 10, Section 7.5.B.9, and specifically makes the following findings:

- a. The Rezoning will promote the public health, safety, and general welfare;

- b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
- c. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
- d. The Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
- f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property; and
- g. The Zoning is generally consistent with the Towns' economic development goals and objectives in bring positive growth and sustainable revenues to the Town.

Section 2. The property is hereby rezoned from HR – High Density Residential and CC – Community Commercial to LR - Low Density Residential and CC – Community Commercial as more specifically set forth on the rezoning map attached hereto, as “Exhibit B,” and incorporated herein by this reference.

Section 3. The official zone district map of the Town of Erie, dated June 12, 2014, shall be amended by the designation of the above referenced property as LR - Low Density Residential and CC – Community Commercial in accordance with the compliance of the requirements of Section 1, above, and the zoning map attached hereto.

Section 4. Severance Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Erie, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 5. Repeal. All other ordinances or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed.

Section 6. Effective Date. This Ordinance shall take effect thirty (30) days after publication following final passage or upon the full execution of the Rezoning Map and the Rezoning Ordinance and the recording of the same with the Weld County Clerk and Recorder, whichever occurs later.

INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS 14th DAY OF OCTOBER 2014.

PUBLISHED IN FULL ON THE _____ DAY OF _____, 2014.

TOWN OF ERIE, a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk

Exhibit A

ZONING LEGAL DESCRIPTION - LOW DENSITY RESIDENTIAL:

A PART OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF THE PARCEL;

THENCE N 16° 31' 20" W, A DISTANCE OF 1176.48 FEET;
THENCE N 12° 14' 16" W, A DISTANCE OF 123.38 FEET;
THENCE N 89° 35' 08" E, A DISTANCE OF 2330.26 FEET;
THENCE S 04° 46' 24" W, A DISTANCE OF 564.23 FEET;
THENCE S 01° 04' 07" W, A DISTANCE OF 339.82 FEET;
THENCE S 89° 40' 06" W, A DISTANCE OF 762.67 FEET;
THENCE S 00° 19' 54" E, A DISTANCE OF 343.59 FEET;
THENCE S 89° 34' 53" W, A DISTANCE OF 1137.62 FEET;
THENCE S 89° 32' 45" W, A DISTANCE OF 13.43 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 54.476 ACRES, MORE OR LESS.

ZONING LEGAL DESCRIPTION - COMMUNITY COMMERCIAL:

A PART OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF THE PARCEL;

THENCE N 00° 19' 54" W, A DISTANCE OF 343.59 FEET;
THENCE N 89° 40' 06" E, A DISTANCE OF 762.67 FEET;
THENCE S 01° 04' 07" W, A DISTANCE OF 343.61 FEET;
THENCE S 89° 40' 06" W, A DISTANCE OF 758.78 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 6.0 ACRES, MORE OR LESS.

Exhibit B
Sierra Vista Zoning Map

SIERRA VISTA ZONING MAP

A PORTION OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPLE MERIDIAN TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO
60.476 ACRES
RZ-14-00021

LEGAL DESCRIPTION:

A PART OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SAID SE 1/4 OF SECTION 31;

THENCE N 00° 15' 14" E ALONG THE EAST LINE OF SAID SE 1/4, A DISTANCE OF 74.31 FEET;

THENCE N 89° 44' 45" W, A DISTANCE OF 103.21 FEET TO THE WESTERN RIGHT OF WAY OF COUNTY ROAD NO. 2 AS RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 1031 AT RECEPTION NO. 2572854; SAID POINT ALSO BEING THE NORTHERLY RIGHT OF WAY RECORDER IN BOOK 1224 AT RECEPTION NO. 2170911 AND THE POINT OF BEGINNING;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY OF STATE HIGHWAY NO. 7, ALONG A LINE 25.00 FEET NORTHERLY DISTANT AND PARALLEL, WHEN MEASURED AT RIGHT ANGLES, WITH THE SOUTH LINE OF SAID SE 1/4 THE FOLLOWING 2 COURSES:

1) THENCE N 89° 34' 53" W, A DISTANCE OF 1884.40 FEET;

2) THENCE S 01° 04' 10" W, A DISTANCE OF 1176.48 FEET TO THE EASTERN LINE OF THAT PARCEL OF LAND AS RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 1214 AT RECEPTION NO. 2225423;

THENCE ALONG SAID EASTERLY LINE THE FOLLOWING 2 COURSES:

1) THENCE N 16° 31' 20" W, A DISTANCE OF 1176.48 FEET;

2) THENCE N 16° 31' 20" W, A DISTANCE OF 123.38 FEET TO THE NORTH LINE OF SAID S 1/2 OF THE SE 1/4 OF SECTION 31;

THENCE S 89° 45' 09" W, A DISTANCE OF 2300.26 FEET TO SAID WESTERN RIGHT OF WAY OF COUNTY ROAD NO. 2 AS DESCRIBED IN BOOK 1031 AT RECEPTION NO. 2572938; THENCE ALONG SAID WESTERN RIGHT OF WAY THE FOLLOWING 2 COURSES:

1) THENCE S 01° 04' 10" W, A DISTANCE OF 883.40 FEET;

2) THENCE S 01° 04' 07" W, A DISTANCE OF 883.40 FEET TO THE POINT OF BEGINNING.

ZONING LEGAL DESCRIPTION - LOW DENSITY RESIDENTIAL:

A PART OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF THE PARCEL;

THENCE N 16° 31' 20" W, A DISTANCE OF 1176.48 FEET;

THENCE N 12° 14' 16" W, A DISTANCE OF 123.38 FEET;

THENCE N 04° 42' 59" W, A DISTANCE OF 544.23 FEET;

THENCE S 01° 04' 07" W, A DISTANCE OF 339.82 FEET;

THENCE S 89° 45' 09" W, A DISTANCE OF 752.67 FEET;

THENCE S 89° 34' 53" W, A DISTANCE OF 1372.62 FEET;

THENCE S 89° 32' 45" W, A DISTANCE OF 13.43 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 54.476 ACRES, MORE OR LESS.

ZONING LEGAL DESCRIPTION - COMMUNITY COMMERCIAL:

A PART OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF THE PARCEL;

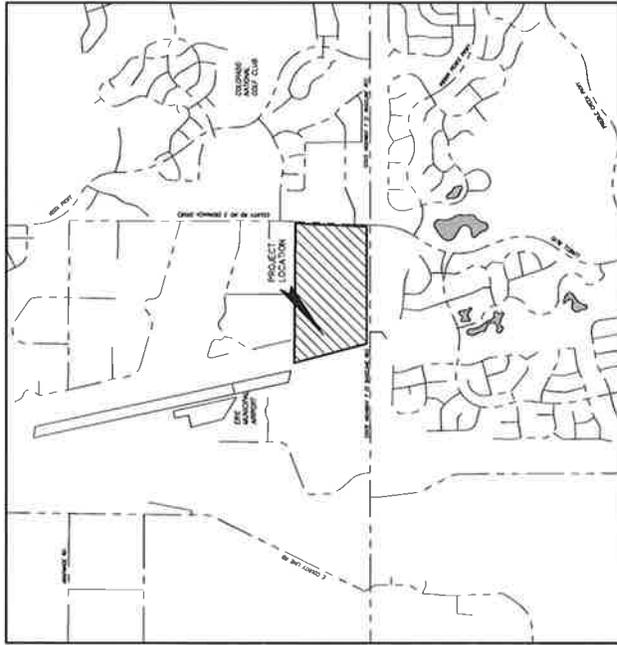
THENCE N 00° 15' 14" E, A DISTANCE OF 443.59 FEET;

THENCE N 89° 40' 05" E, A DISTANCE OF 82.67 FEET;

THENCE S 01° 04' 07" W, A DISTANCE OF 343.61 FEET;

THENCE S 89° 40' 05" W, A DISTANCE OF 150.79 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 6.0 ACRES, MORE OR LESS.



VICINITY MAP
SCALE: 1" = 100'

- NOTES:**
1. BEARINGS ARE BASED ON THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 7. SAID LINE IS ASSUMED TO BEAR N 89° 34' 53" W, BETWEEN THE MONUMENTS SHOWN HEREON.
 2. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON THIS SURVEY WITHIN ONE YEAR OF THE DATE OF THE CERTIFICATION. IF NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

SURVEYOR'S CERTIFICATION

I, ROGER A. VERMAAS, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, HAVE PERSONALLY AND CAREFULLY EXAMINED THE ABOVE DESCRIBED LEGAL DESCRIPTIONS FOR EACH ZONE DISTRICT. I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 2014.

ROGER A. VERMAAS
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR # 24969
FOR AND ON BEHALF OF CALIBRE ENGINEERING, INC.

PLANNING COMMISSION CERTIFICATE

THIS ZONING MAP WAS REVIEWED BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2014.

COMMISSIONER _____ DATE _____

BOARD OF TRUSTEES APPROVAL CERTIFICATE

THIS ZONING MAP IS TO BE KNOWN AS THE "SIERRA VISTA ZONING MAP" AND IS APPROVED AND ACCEPTED BY ORDINANCE NO. _____ PASSED AND ADOPTED AT THE REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON _____, 2014.

Mayor _____
Attest _____
Town Clerk _____

CLERK & RECORDER CERTIFICATE

STATE OF COLORADO }
COUNTY OF _____ }
I HEREBY CERTIFY THAT THIS ZONING MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 2014, A.D. AND WAS RECORDED AT RECEPTION NUMBER _____.

_____ COUNTY CLERK AND RECORDER

SIERRA VISTA ZONING MAP

Calibre
Calibre Engineering Inc.
1000 North Lincoln Street, Suite 100
Ft. Collins, CO 80521
Phone: 970-225-5555
Fax: 970-225-5556
www.calibre-engineering.com

PROJECT NUMBER	11T-040
PROJECT NAME	SIERRA VISTA
CLIENT	OPERA SIERRA VISTA
DATE	8/6/14
PROJECT LOCATION	STATE HIGHWAY 7 & BOHANCA, LLC
SCALE	1" = 100'
DATE	8/6/14
DRAWN BY	TAJ
CHECKED BY	TAJ

NO.	REVISION DESCRIPTION

ATTACHMENT B

Town of Erie
Planning Commission Regular Meeting
Wednesday, September 3, 2014
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, Co 80516

I. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Bottenhorn called the Regular Meeting of the Erie Planning Commission to order at 6:30 p.m.

II. ROLL CALL

Commissioner Bottenhorn - Present	Commissioner Fraser - Present
Commissioner Burgard – Present	Commissioner Gippe -Present
Commissioner Campbell - Present	Commissioner Harrison - Present
Commissioner Kemp - Present	

Staff Present: R. Martin Ostholthoff, Community Development Director;
Todd Bjerkaas, Senior Planner; and
Hallie Sawyer, Secretary to the Commission

III. APPROVAL OF THE AGENDA

Commissioner Campbell moved to approve the September 3, 2014, Regular Meeting Agenda as submitted. The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

IV. APPROVAL OF MINUTES

a. Minutes from the July 16, 2014, Regular Meeting.

Commissioner Burgard moved to approve the July 16, 2014, Minutes as submitted. The motion, seconded by Commissioner Fraser, carried with all voting in favor thereof.

V. PUBLIC COMMENTS (This agenda item provides the public an opportunity to discuss items other than items that are on the agenda. The Planning Commission is not prepared to decide on matters brought up at this time, but it warranted, will place them on a future agenda.)

Sandelphon, 325 Conrad Drive, spoke against the Ranchwood Minor Subdivision Rezoning.

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

1. Public Hearing – Sierra Vista Rezoning

Purpose: Consideration of Rezoning

Project File #: RZ-14-00021

Request: Consideration of Resolution P14-17, A Resolution Regarding The Sierra Vista Zoning Map, Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Rezoning.

Location: NW Corner of Highway 7 & Bonanza Drive

Zoning: HR – High Density Residential & CC – Community Commercial

Applicants: Karen K. Kramer, Pratt Properties, LP, & BC Land LLC

(Staff Planner: Todd Bjerkaas)

Chairman Bottenhorn opened the public hearing at 6:35. Mr. Bjerkaas presented the application for Rezoning of Sierra Vista, outlining the background of the application, entering the documents into the record and presenting the staff recommendation of approval for Resolution P14-17 to the Commission. Carl Nelson, Matt Dieble, & Jeff Handlin, Highway 7 and Bonanza, LLC, and Todd Johnson, Calibre Engineering, applicants presented their request and were available for questions.

Chairman Bottenhorn first took questions from the Commission. Those covered possible commercial end development; how the size of the commercial piece was determined; the reduction in size of the residential (from 480 du to 270); access to Highway 7; how energy & power would be provided to the homes; plans to "adjust" landscaping for building; would Bonanza be extended to the north (to Vista Parkway); a synopsis of the meeting that was held with the neighbors; Highway 7 frontage; acreage around Kum and Go; and a description of mixed uses.

Public Comment was taken from Aaron Miller, 3040 Cherokee Court; Diane Yamamoto, 270 Skylane Drive; Ann Gienger, 130 Stearman Court; and Bryon Bednar, 280 Skylane Drive. Comments included aviation safety; Bonanza Drive; would it be necessary to increase insurance liability; and approval of the lower density.

Additional Commissioner questions and concerns addressed FAA requirements for setbacks; CDOT standards for highway improvements; horizontal height distance design; aviation safety; access to and from development; Bonanza Drive; separation between new development and the existing Air Park; 7:1 ratio; how was the neighborhood meeting notified and attendance; possibility of traffic circles on Bonanza; how does new plan affect drainage; appreciation for meeting early with the neighbors; proposed development schedule; and encouragement to bring a sketch plan to the Planning Commission.

Commissioner comments included: critical aviation reviews and traffic studies; outreach & communication with neighbors important; Highway 7 expansion will impact the community; lower density is a win/win; this proposal is the right direction for development of the property.

Chairman Bottenhorn closed the public hearing at 7:41 p.m.

Commissioner Campbell moved approval of Resolution P14-17, A Resolution Regarding The Sierra Vista Zoning Map, Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Rezoning. The motion, seconded by Commissioner Burgard, carried with all voting in favor thereof.

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

Mr. Ostholthoff reminded the Commissioners to hold October 18th for a joint meeting with the Board of Trustees – details will follow when available.

VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS (This agenda item is for all Planning Commission reports and items of information as well as Commission discussion items, not listed on the agenda)

None.

IX. ADJOURNMENT

There being no further business to come before the Commission, Chairman Bottenhorn adjourned the September 3, 2014, Regular Meeting of the Planning Commission at 7:47 p.m.

Respectfully Submitted,

By: 
Hallie S. Sawyer, Secretary

Town of Erie Planning Commission

By: 
J. Eric Bottenhorn, Chair

ATTACHMENT C

RESOLUTION NO. P14-17

A RESOLUTION REGARDING THE SIERRA VISTA ZONING MAP, REZONING, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE REZONING.

WHEREAS, the Planning Commission of the Town of Erie Colorado has received and considered the Sierra Vista Zoning Map, Rezoning on September 3, 2014 on the application of Highway 7 and Bonanza, LLC, 9033 E. Easter Place, Suite 110, Centennial, CO 80112, for rezoning of the following described real property:

See Exhibit "A," attached hereto and incorporated herein, and

WHEREAS, the application for rezoning is detailed on the zoning map titled Sierra Vista Zoning Map, attached hereto and incorporated herein as Exhibit "B," and

WHEREAS, said Zoning Map is incorporated herein and made a part hereof by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF ERIE, COLORADO, as follows:

Section 1. Findings of Fact

1. The application for rezoning and supporting documents were submitted in accordance with Municipal Code, Title 10, Section 7.5.
2. Following a duly noticed and conducted public hearing, the Planning Commission determined that the application meets the approval criteria as specified in Title 10, Section 7.5 B.9 of the Town of Erie Municipal Code. Specifically that,
 - a. The Rezoning will promote the public health, safety, and general welfare;
 - b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
 - c. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
 - d. The Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
 - e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

- f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property; and
- g. The Zoning is generally consistent with the Towns' economic development goals and objectives in bring positive growth and sustainable revenues to the Town.

Section 2. Conclusion and Order

Based on the above Findings of Fact, the Planning Commission hereby forwards the Sierra Vista Zoning Map Rezoning application to the Board of Trustees with the Planning Commission's recommendation for approval, with the following conditions:

- 1. Technical corrections to the Sierra Vista Zoning Map shall be made to the Town's satisfaction.

INTRODUCED, READ, SIGNED AND APPROVED this 3rd day of September 2014.

TOWN OF ERIE, PLANNING COMMISSION



J. Eric Bottenhorn, Chair

ATTEST:



Hallie S. Sawyer, Secretary

Exhibit A
Legal Description

A PART OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SAID SE 1/4 OF SECTION 31;

THENCE N 00° 15' 14" E ALONG THE EAST LINE OF SAID SE 1/4, A DISTANCE OF 75.31 FEET;

THENCE N 89° 44' 46" W, A DISTANCE OF 109.21 FEET TO THE WESTERLY RIGHT OF WAY OF COUNTY ROAD NO 3 AS RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 1631 AT RECEPTION NO. 2572958, SAID POINT ALSO BEING THE NORTHERLY RIGHT OF WAY OF STATE HIGHWAY NO 7 AS DESCRIBED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 1224 AT RECEPTION NO. 2170911 AND THE POINT OF BEGINNING;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY OF STATE HIGHWAY NO 7, ALONG A LINE 75.00 FEET NORTHERLY DISTANT AND PARALLEL, WHEN MEASURED AT RIGHT ANGLES, WITH THE SOUTH LINE OF SAID SE 1/4 THE FOLLOWING 2 COURSES;

- 1) THENCE N 89° 34' 53" W, A DISTANCE OF 1896.40 FEET;
- 2) THENCE N 89° 32' 45" W, A DISTANCE OF 13.43 FEET TO THE EASTERLY LINE OF THAT PARCEL OF LAND AS RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 1274 AT RECEPTION NO. 2225423;

THENCE ALONG SAID EASTERLY LINE THE FOLLOWING 2 COURSES:

- 1) THENCE N 16° 31' 20" W, A DISTANCE OF 1176.48 FEET;
- 2) THENCE N 12° 14' 16" W, A DISTANCE OF 123.38 FEET TO THE NORTH LINE OF SAID S 1/2 OF THE SE 1/4 OF SECTION 31;

THENCE S 89° 35' 08" E ALONG SAID NORTH LINE, A DISTANCE OF 2330.26 FEET TO SAID WESTERLY RIGHT OF WAY OF COUNTY ROAD NO 3 AS DESCRIBED IN BOOK 1631 AT RECEPTION NO. 2572958; THENCE ALONG SAID WESTERLY RIGHT OF WAY THE FOLLOWING 2 COURSES:

- 1) THENCE S 04° 46' 24" W, A DISTANCE OF 564.23 FEET;
- 2) THENCE S 01° 04' 07" W, A DISTANCE OF 683.43 FEET TO THE POINT OF BEGINNING.

Exhibit B
Sierra Vista Zoning Map

ATTACHMENT D

**SIERRA VISTA
ZONING SUBMITTAL
TOWN OF ERIE, COLORADO**

APPLICANT/CLIENT:

HIGHWAY 7 AND BONANZA, LLC.
9033 E. EASTER PLACE, SUITE 110
CENTENNIAL, CO 80112
CONTACT: JEFF HANDLIN

CONSULTANTS:

LAND PLANNER/CIVIL ENGINEER
CALIBRE ENGINEERING, INC.
9090 SOUTH RIDGELINE BLVD., SUITE 105
HIGHLANDS RANCH, CO 80129
PHONE: 303.730.0434
CONTACT: TODD A. JOHNSON



TOWN OF ERIE

Community Development Department – Planning Division

645 Holbrook Street – PO Box 750 – Erie, CO 80516

Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

PROJECT/BUSINESS NAME: Sierra Vista

PROJECT ADDRESS: Northwest corner of State Highway 7 and Bonanza Drive

PROJECT DESCRIPTION: Commercial and single family residential development.

LEGAL DESCRIPTION *(attach legal description if Metes & Bounds)*

Subdivision Name: Sierra Vista

Filing #: _____ Lot #: _____ Block #: _____ Section: 31 Township: 1 North Range: 68 West

OWNER *(attach separate sheets if multiple)*

Name/Company: Highway 7 and Bonanza, LLC

Contact Person: Jeff Handlin

Address: 9033 E. Easter Place, Suite 110

City/State/Zip: Centennial, CO 80112

Phone: 303.604.5448 Fax: _____

E-mail: jeff.handlin@oreadcapital.com

AUTHORIZED REPRESENTATIVE

Company/Firm: Calibre Engineering, Inc

Contact Person: Todd A. Johnson

Address: 9090 S. Ridgeline Blvd., Suite 105

City/State/Zip: Highlands Ranch, CO 80129

Phone: 303-339-5409 Fax: 303-730-1139

E-mail: taj@calibre.us.com

MINERAL RIGHTS OWNER *(attach separate sheets if multiple)*

Name/Company: None

Address: _____

City/State/Zip: _____

MINERAL LEASE HOLDER *(attach separate sheets if multiple)*

Name/Company: _____

Address: _____

City/State/Zip: _____

LAND-USE & SUMMARY INFORMATION

Present Zoning: HR & CC

Proposed Zoning: MR & CC

Gross Acreage: 60.476

Gross Site Density (du/ac): TBD

Lots/Units Proposed: Maximum 10 DU/AC

Gross Floor Area: _____

SERVICE PROVIDERS

Electric: Xcel Energy

Metro District: TBD

Water *(if other than Town)*: Town of Erie

Gas: Xcel Energy

Fire District: Mountain View Fire Protection District

Sewer *(if other than Town)*: Town of Erie

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES

ANNEXATION		SUBDIVISION	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
<input type="checkbox"/> Deannexation	\$ 1000.00	<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Road Vacation (constructed)	\$ 1000.00
ZONING/REZONING		<input type="checkbox"/> Road Vacation (paper)	\$ 100.00
<input checked="" type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2200.00
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
SPECIAL REVIEW USE		<input type="checkbox"/> Amendment (major)	\$ 1100.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (minor)	\$ 350.00
<input type="checkbox"/> Minor	\$ 400.00	VARIANCE	
<input type="checkbox"/> Oil & Gas	\$ 1200.00		\$ 600.00
		SERVICE PLAN	
			\$ 10,000.00

\$2310

All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: [Signature]
 Owner: [Signature]
 Applicant: [Signature]

Date: 5-20-14
 Date: _____
 Date: 5-28-14

STATE OF COLORADO)
 County of ADAMS) ss.

The foregoing instrument was acknowledged before me this 20 day of MAY, 2014, by [Signature].

My commission expires: 12-8-16
 Witness my hand and official seal.



[Signature]
 Notary Public

BC Land, LLC
10261 Arapahoe Road
Lafayette, CO 80026

Martin Ostholthoff
Town of Erie
Director of Community Development
645 Holbrook Street
Erie, CO 80516

Highway 7 & Bonanza, LLC
9033 E. Easter Place
Suite 110
Centennial, CO 80112
Attn: Jeff Handlin

May 29, 2014

RE: Letter of Authorization

Gentlemen:

BC Land, LLC ("Seller") is the owner of a portion of Sierra Vista, more particularly described in Exhibit A attached hereto (the "Property").

Seller is currently under contract to sell the Property to Highway 7 & Bonanza, LLC ("H7B"). By way of this correspondence, Seller hereby fully authorizes H7B to act on Seller's behalf to submit applications to the Town of Erie ("Town") to obtain entitlement approvals pertaining to the Property, including, but not limited to, amendments of the comprehensive plan, site development plans, approval of a final plat map, annexation agreements (or amendments thereto), development agreements, approvals of any zoning designations, and any and all entitlements and approvals required by the Town for design and construction of development infrastructure, residential building lots, and commercial parcels.

Very truly yours,



Blake Carlson for BC Land, LLC

STATE OF COLORADO)
) ss:
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 16th day of June, 2014, by Blake Carlson, as Manager of **BC Land, LLC**, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 12/20/2015

Stephanie M. Reed
Notary Public



My Commission Expires 12/20/2015

EXHIBIT A

THE PROPERTY

A part of the South half of the Southeast Quarter of Section 31, Township 1 North, Range 68 West of the Sixth Principal Meridian, County of Weld, State of Colorado, more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter of Section 31, and considering the West line of the South half of said Southeast Quarter of Section 31 to bear North 00°45'47" East, with all bearings hereon relative thereto;

Thence North 83°36'10" East a distance of 628.67 feet to a point on the Northerly Right-of-Way of State Highway No. 7 as described in the office of the Weld County Clerk and Recorder in Book 1224 at Reception No. 02170911 and the Point of Beginning;

Thence North 16°31'20" West a distance of 540.23 feet; Thence South 89°34'53" East a distance of 837.42 feet;

Thence South 00°25'07" West a distance of 516.80 feet to a point on said Northerly Right-of-Way;

Thence North 89°34'53" West along said Northerly Right-of-Way a distance of 666.57 feet;

Thence North 89°32'45" West a distance of 13.43 feet to the Point of Beginning;

Said parcel contains an area of 392,100 square feet, or 9.001 acres, more or less.

Karen K. Kramer & Pratt Properties, LP
105 S. Sunset, Suite H
Longmont, CO 80501

Martin Ostholthoff
Town of Erie
Director of Community Development
645 Holbrook Street
Erie, CO 80516

Highway 7 & Bonanza, LLC
9033 E. Easter Place
Suite 110
Centennial, CO 80112
Attn: Jeff Handlin

May 29, 2014

RE: Letter of Authorization

Gentlemen:

Karen K. Kramer and Pratt Properties, LP (collectively, "Seller") are the owner of a portion of Sierra Vista, more particularly described in Exhibit A attached hereto (the "Property").

Seller is currently under contract to sell the Property to Highway 7 & Bonanza, LLC ("H7B"). By way of this correspondence, Seller hereby fully authorizes H7B to act on Seller's behalf to submit applications to the Town of Erie ("Town") to obtain entitlement approvals pertaining to the Property, including, but not limited to, amendments of the comprehensive plan, site development plans, approval of a final plat map, annexation agreements (or amendments thereto), development agreements, approvals of any zoning designations, and any and all entitlements and approvals required by the Town for design and construction of development infrastructure, residential building lots, and commercial parcels.

Very truly yours,



Karen K. Kramer



Susan Pratt, for Pratt Properties, LP

EXHIBIT A

THE PROPERTY

A part of the South Half of the Southeast Quarter of Section 31, Township 1 North, Range 68 West of the Sixth Principal Meridian, County of Weld, State of Colorado, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter of Section 31;

Thence North 00°15'14" East along the East line of said Southeast Quarter, a distance of 75.31 feet;

Thence North 89°44'46" West, a distance of 109.21 feet to the Westerly Right-of-Way of County Road No. 3 as recorded in the office of the Weld County Clerk and Recorder in Book 1631 at Reception No. 2572958, said point also being on the Northerly Right-of-Way of State Highway No. 7 as described in the office of the Weld County Clerk and Recorder in Book 1224 at Reception No. 02170911 and the Point of Beginning:

Thence along said Northerly Right-of-Way of State Highway No. 7, along a line seventy-five (75.00) feet Northerly distant and parallel, when measured at right angles, with the South line of said Southeast Quarter the following two (2) courses;

1. Thence North 89°34'53" West, a distance of 1896.40 feet;
2. Thence North 89°32'45" West, a distance of 13.43 feet to the Easterly line of that parcel of land as recorded in the office of the Weld County Clerk and Recorder in Book 1274 at Reception No. 02225423;

Thence along said Easterly line the following two (2) courses:

1. Thence North 16°31'20" West, a distance of 1176.48 feet;
2. Thence North 12°14'16" West, a distance of 123.38 feet to the North line of said South half of the Southeast Quarter of Section 31;

Thence South 89°35'08" East along said North line, a distance of 2330.26 feet to said Westerly Right-of-Way of County Road No. 3 as described in Book 1631 at Reception No. 2572958;

Thence along said Westerly Right-of-Way the following two (2) courses:

1. Thence South 04°46'24" West, a distance of 564.23 feet;
2. Thence South 01°04'07" West, a distance of 683.43 feet to the Point of Beginning,

County of Weld, State of Colorado,

Except:

A part of the South half of the Southeast Quarter of Section 31, Township 1 North, Range 68 West of the Sixth Principal Meridian, County of Weld, State of Colorado, more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter of Section 31, and considering the West line of the South half of said Southeast Quarter of Section 31 to bear North $00^{\circ}45'47''$ East, with all bearings hereon relative thereto;

Thence North $83^{\circ}36'10''$ East a distance of 628.67 feet to a point on the Northerly Right-of-Way of State Highway No. 7 as described in the office of the Weld County Clerk and Recorder in Book 1224 at Reception No. 02170911 and the Point of Beginning;

Thence North $16^{\circ}31'20''$ West a distance of 540.23 feet; Thence South $89^{\circ}34'53''$ East a distance of 837.42 feet;

Thence South $00^{\circ}25'07''$ West a distance of 516.80 feet to a point on said Northerly Right-of-Way;

Thence North $89^{\circ}34'53''$ West along said Northerly Right-of-Way a distance of 666.57 feet;

Thence North $89^{\circ}32'45''$ West a distance of 13.43 feet to the Point of Beginning;

Said parcel contains an area of 392,100 square feet, or 9.001 acres, more or less.

June 5, 2014

Martin Ostholthoff
Town of Erie
Community Development Department
645 Holbrook Street
P.O. Box 750
Erie, Colorado 80516

Re: Sierra Vista Minerals

To Martin Ostholthoff:

As you are aware Highway 7 and Bonanza, LLC (H7B) has become the contract purchaser for the Sierra Vista project from Pratt Properties, LP. We have been in contact with the immediate preceding owner in title (Ryan Carlson) to discuss the existing Memorandum of Agreement regarding surface rights recorded under reception number 34627821 in Weld County. We also have discussed the proposed changes which were negotiated previously with mineral owners. We additionally contacted Travis Book with Anadarko E&P Company, LP (Anadarko) to discuss and verify our understanding of the basis for the agreement regarding the minerals and surface use. We understand the basis of the agreement is to terminate surface use at this site and to relinquish or provide lease rights for the remaining mineral interests which are associated at the property.

Essentially, Anadarko has rights to approximately 40 acres of minerals at this site, while H7B are under contract to purchase the remaining minerals. H7B will assign lease rights or convey mineral interests for their prospective interests to control surface rights at the project. We have just begun this process, but will memorialize this agreement contractually as we continue through the entitlement process in Erie.

If you have any further questions, please give me a call at (303) 947-0744.

Thank You,



Carl Nelson
Highway 7 and Bonanza, LLC

June 17, 2014

Todd Bjerkaas
Community Development Department
645 Holbrook Street
Erie, CO 80516

Re: Sierra Vista – Rezoning – Written Narrative

Dear Todd,

Project Concept and Summary of Request

The rezone application seeks to rezone the property from the current split zoning High Density Residential (HR) and Community Commercial (CC) to Low Density Residential (LR) and CC (Community Commercial). The 60.48 acre site at the northwest corner of State Highway 7 and Bonanza Drive. The HR land is comprised of 40.41 acres and is located along the northern and western half of the property. The CC land is comprised of 20.07 acres and is located at the southeast corner along State Highway 7. Access to the residential lots will be from Bonanza Drive. Access to the commercial site will be from Bonanza Drive and State Highway 7.

The land is currently vacant with native grasses and insignificant tree species. The Applicant respectively seeks a staff report in support of the rezone application with a decision by the Town Board mid-summer 2014.

Existing Land Use in Surrounding Area

The site is bounded on the east by Bonanza Drive, on the north by Rural Residential (RR), on the west by Airport (AP), on the south by State Highway 7 and the Anthem residential development, and on the east side by Bonanza Drive.

The proposed rezone specifies two uses and sites the LR land toward the north and west property lines creating a logical transition from the existing RR to higher residential density commercial use (RR to LR to CC), which is consistent with typical planning practices.

Comprehensive Plan and Rezone Approval Criteria

The proposed rezone will promote the public health, safety and general welfare by creating a distinct buffer area between the RR and the CC and business zones fronting State Highway 7. Town of Erie standards will be met for all development planning and construction, further ensuring the public health, safety and general welfare of existing and future residents of Erie.

This proposed rezoning is consistent with the Town's Comprehensive Master Plan concepts, standards and general codes. The current Comprehensive Land Use Plan Map designates the property as Community Commercial and High Density Residential.

The CC zoning is proposed along a portion of the frontage along State Highway 7 and includes an appropriate planning area for future commercial development. The residential portion of the property

in the northern and western portions of the site will create a buffer between the existing Rural Residential properties and the future commercial uses.

The proposed rezone does not negatively impact infrastructure and/or emergency services. As further detailed in the Impact Assessment, existing facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) are or will be available to serve the property while maintaining adequate service levels to existing development.

The proposed rezone will not result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated in accordance with the Town of Erie standards, specifications and regulations.

The proposed rezone will not result in significant adverse impacts upon other property in the vicinity of the property. As detailed above, the rezone application and concept site plan create a buffer or transitional area between the existing single-family neighborhood and the future commercial development along State Highway 7.

The proposed conceptual rezone plan and proposed uses are compatible in scale with uses on similar sized and located properties in the immediate area. As noted above, the proposed rezone should assist in alleviating the dramatic transition from low to high density residential by reducing the number of units and potential impacts to the surrounding neighborhood. Site planning efforts (including setbacks, building layouts, parking and drive aisles, garage placement, etc.) will be further defined to help ensure building massing and scale that is compatible and creates a reasonable transition between the uses.

Lot Summary

The maximum density is 5 units per acre.

Open Space

Public and private open space will be provided per the Towns criteria and is projected between 3 to 4.5 acres.

Phasing

Anticipated phasing is projected with an initial concept of providing three residential phases and two commercial phases. Each phase will provide appropriate emergency access, utility redundancy and facilitate public safety. Specific phasing will be determined during the platting process.

Existing Infrastructure

The site will have water supplied from an existing 12-inch waterline within Bonanza Drive and an existing 12-inch from the residential property to the north. The existing 14-inch asbestos concrete pipe along the north property line will be replaced with a new line per the Town's master plan and sites requirements. Appropriate water looping will be provided through the site.

The sanitary sewer from this filing will connect into an 8-inch line proposed in the South Coal Creek Sanitary Sewer capital improvement project, currently designed by the Town. At this time there are no other considerations for sanitary sewer. The proposed extension has been designed to accept flows from this development. There will not be any improvements made to the existing sanitary sewer infrastructure. The Owner will contribute per the annexation agreement or as defined within the project development agreement. Dry utility companies such as Comcast, Century Link and Public Service Company have agreed to provide service to this development. The major transmission lines along Highway 7 will remain.

The access points for the residential and commercial portions of the development will be from Bonanza Drive. The commercial development may also have an access point from State Highway 7. We will work with the Town of Erie and Colorado Department of Transportation (CDOT) when locating the access points.

Transportation

A full movement will be provided at approximately midpoint from Bonanza Drive along with a right in/out into the commercial located near Highway 7. An additional right in/out or three quarter access point will be located at the southeastern portion of the site from Highway 7 within the commercial site. Local streets will provide internal access from the referenced access points and interconnect the residential and commercial. Locations from Highway 7 will be coordinated with CDOT and the Town at the time of the site development plan for the commercial development.

Ownership/Maintenance of Open Space

The open space tracts within the development will be owned and maintained by a separate association. There are no public parks projected within this project.

Covenants

This development will adopt the covenants as described in the Development Agreement.

Enclosed with this letter are copies of the Concept Plan and development reports as required.

Please accept this request on behalf of Highway 7 and Bonanza, LLC and we look forward to working with the Town of Erie's staff on this project.

Sincerely,

CALIBRE ENGINEERING, INC.



Todd A. Johnson, P.E.
Vice President
Director of Professional Services

SIERRA VISTA ZONING MAP

A PORTION OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPLE MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO
60.476 ACRES
RZ-14-00021

LEGAL DESCRIPTION:

A PART OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE SE CORNER OF SAID SE 1/4 OF SECTION 31;
- THENCE N 00°15'14" E ALONG THE EAST LINE OF SAID SE 1/4, A DISTANCE OF 75.31 FEET;
- THENCE N 89°45'45" W, A DISTANCE OF 180.01 FEET TO THE WESTERN BOUNDARY OF COUNTY ROAD NO. 3 AS RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 1631 AT RECEPTION NO. 2572858; SAID POINT ALSO BEING THE NORTHERLY RIGHT OF WAY BOUNDARY OF SAID COUNTY ROAD NO. 3 AS RECORDED IN BOOK 1224 AT RECEPTION NO. 2710511 AND THE POINT OF BEGINNING;
- THENCE ALONG SAID NORTHERLY RIGHT OF WAY OF STATE HIGHWAY NO. 7, ALONG A LINE 75.00 FEET NORTHERLY DISTANT AND PARALLEL, WHEN MEASURED AT RIGHT ANGLES, WITH THE SOUTH LINE OF SAID SE 1/4 THE FOLLOWING 2 COURSES;
- 1) THENCE N 89°34'53" W, A DISTANCE OF 1836.40 FEET;
 - 2) THENCE N 89°32'45" W, A DISTANCE OF 13.43 FEET TO THE EASTERLY LINE OF THAT PARCEL IDENTIFIED AS PARCEL 1716-48 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 1274 AT RECEPTION NO. 2223423;
- THENCE ALONG SAID EASTERLY LINE THE FOLLOWING 2 COURSES:
- 1) THENCE N 16°31'20" W, A DISTANCE OF 1176.48 FEET;
 - 2) THENCE N 12°14'16" W, A DISTANCE OF 123.36 FEET TO THE NORTH LINE OF SAID S 1/2 OF THE SE 1/4 OF SECTION 31;
- THENCE S 89°35'08" E ALONG SAID NORTH LINE, A DISTANCE OF 2300.28 FEET TO SAID POINT IDENTIFIED AS PARCEL 1716-48 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 1274 AT RECEPTION NO. 2223423;
- 1) THENCE S 04°46'24" W, A DISTANCE OF 564.23 FEET;
 - 2) THENCE S 01°04'07" W, A DISTANCE OF 664.43 FEET TO THE POINT OF BEGINNING

ZONING LEGAL DESCRIPTION - LOW DENSITY RESIDENTIAL:

A PART OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE SW CORNER OF THE PARCEL;
- THENCE N 10°31'30" W, A DISTANCE OF 1176.48 FEET;
- THENCE N 12°14'16" W, A DISTANCE OF 123.36 FEET;
- THENCE N 89°35'08" E, A DISTANCE OF 2300.28 FEET;
- THENCE S 04°46'24" W, A DISTANCE OF 564.23 FEET;
- THENCE S 01°04'07" W, A DISTANCE OF 664.43 FEET;
- THENCE S 89°40'05" W, A DISTANCE OF 792.67 FEET;
- THENCE S 89°34'53" W, A DISTANCE OF 1836.40 FEET;
- THENCE S 89°32'45" W, A DISTANCE OF 13.43 FEET TO THE POINT OF BEGINNING.
- CONTAINING AN AREA OF 54.476 ACRES, MORE OR LESS.

ZONING LEGAL DESCRIPTION - COMMUNITY COMMERCIAL:

A PART OF THE S 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE SW CORNER OF THE PARCEL;
- THENCE N 00°10'04" W, A DISTANCE OF 343.61 FEET;
- THENCE N 89°40'05" E, A DISTANCE OF 792.67 FEET;
- THENCE S 01°04'07" W, A DISTANCE OF 343.61 FEET;
- THENCE S 89°40'05" W, A DISTANCE OF 792.67 FEET TO THE POINT OF BEGINNING.
- CONTAINING AN AREA OF 8.0 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATION

I, ROGER A. VERMAAS, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, HEREBY CERTIFY THAT THE FOREGOING ZONING MAP HAS BEEN CORRECTLY PREPARED AND ACCURATELY DESCRIBED LEGAL DESCRIPTIONS FOR EACH ZONE DISTRICT.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 2014.

ROGER A. VERMAAS
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR # 24988
FOR AND ON BEHALF OF CALIBRE ENGINEERING, INC.

PLANNING COMMISSION CERTIFICATE

THIS ZONING MAP WAS REVIEWED BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2014.

COMMISSIONER _____ DATE _____

BOARD OF TRUSTEES APPROVAL CERTIFICATE

THIS ZONING MAP IS TO BE KNOWN AS THE "SIERRA VISTA ZONING MAP" AND IS APPROVED AND ACCEPTED BY ORDINANCE NO. _____ PASSED AND ADOPTED AT THE REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON _____, 2014.

Mayor _____

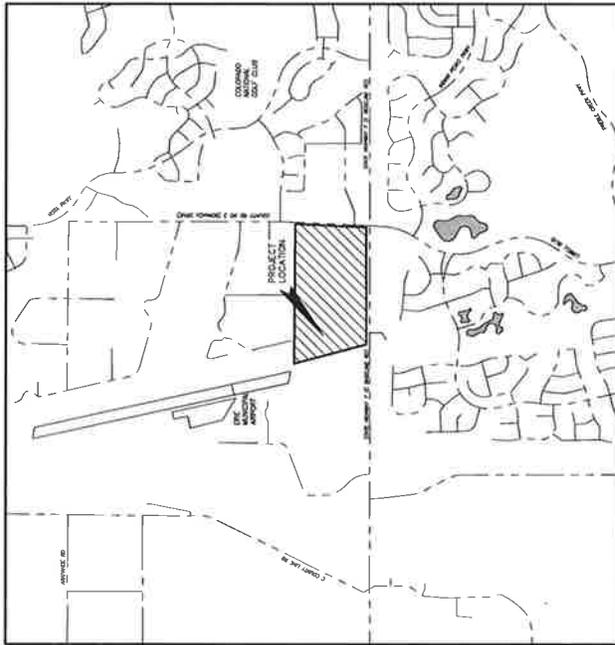
Attest _____

CLERK & RECORDER CERTIFICATE

STATE OF COLORADO } #
COUNTY OF _____

I HEREBY CERTIFY THAT THE FOREGOING ZONING MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 2014, A.M., AND WAS RECORDED AT RECEPTION NUMBER _____.

_____ COUNTY CLERK AND RECORDER



VICINITY MAP
SCALE: 1" = 1000'

NOTES:

1. BEARINGS ARE BASED ON THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 7 SAID LINE IS ASSUMED TO BEAR N 89° 34' 53" W, BETWEEN THE MONUMENTS SHOWN HEREON.
2. NOTICE, ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON THIS ZONING MAP WITHIN ONE YEAR AFTER YOU SIGN OR RECORD SUCH. BEFORE IN ANY EVENT MAY ANY SUDEN CHANGE IN ANY ZONING MAP BE COMPLETED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Sheet 1
of 2
Z01
DATE AUGUST 6, 2014

SIERRA VISTA
ZONING MAP

Calibre
Calibre Engineering, Inc.
10000 South Redwood
Denver, Colorado 80231
Tel: 303.751.9224
www.calibre-engineering.com

Client Name	1116-09
Project Name	GREYD SIERRA VISTA
Project Location	HIGHWAY 7 & BOWMAN, LLC
Scale	1 inch = 1000 feet
Author	RL
Checker	RL
Reviewer	RL
Approver	RL
Date	7/24

DATE	
REVISION DESCRIPTION	



**SIERRA VISTA
PHASE I DRAINAGE REPORT**

AUGUST 2014

**For:
Highway 7 and Bonanza, LLC
9033 East Easter Place, Suite 110
Englewood, CO 80112**

SIERRA VISTA

PHASE I DRAINAGE REPORT

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SIERRA VISTA
PHASE I DRAINAGE REPORT
Page 1 of 4

SCOPE

The purpose of this report is to review at a conceptual level the feasibility and design characteristics of the proposed development and drainage system.

I. INTRODUCTION

A. Location

1. The Sierra Vista site is north of State Highway No. 7 (E. Baseline Road) and west of County Road No. 3 (Bonanza Drive).
2. The site is located in the Southeast quarter of Section 31, Township 1 North, Range 68 West of the 6th Principal Meridian, Town of Erie, County of Weld, State of Colorado.
3. The Tri-County Airport Drainage Ditch runs west of the site into an existing storm drainage conveyance that eventually enters into Coal Creek. Coal Creek is approximately 3,500 feet west of the site.
4. The site is bound on the west and northwest by the Erie Municipal Airport, the south by State Highway No. 7, the east by County Road No. 3, and the north by rural residential homes.

B. Description of Property

1. Sierra Vista is approximately 60.5 acres in size.
2. The site is currently undeveloped land with native grasses. According to the *Natural Resources Conservation Service Web Soil Survey* for Weld County, the site is primarily Hydrologic Soil Group D as Midway-Shingle complex, and some Group C soils as Ulm clay loam.
3. The site is split by a ridge running east to west with slopes ranging from approximately 7-12%.
4. The development will consist of single family and commercial uses.
5. There are no known delineated wetlands onsite.

II. DRAINAGE BASINS

A. Major Basin Description

1. A FEMA Flood Insurance Rate Map (FIRM) is in Appendix A, shown on Community Panel No 080181 0018E. No mapped 100 year flood plains are shown for the site.
2. The site is within the Coal Creek watershed and drains northwest to Coal Creek via the Tri-County Airport Drainage Ditch.
3. There are currently no detention facilities on the site.
4. There are no lakes or ponds which either influence or may be influenced by the local drainage. There are no dams under the State Engineer's Office jurisdiction on site.

B. Sub-Basin Description

1. Detention facilities will need to be constructed on the site to attenuate outflow from the site during the 100 year flood event.
2. Currently, the entire site drains to the Tri-County Airport Drainage Ditch.

3. The increase in storm runoff due to the proposed development will be detained in detention pond(s), and released per Town of Erie criteria. The proposed development will not increase historic runoff and therefore downstream properties should not be adversely affected by the development of the proposed site.

III. DRAINAGE FACILITY DESIGN

A. General Concept

1. The onsite drainage will be, in general, captured by proposed curb and gutter and storm sewer. The minor storm event will be conveyed by inlets and storm pipes. The major storm event will be conveyed by streets and result in a pressurized storm sewer system.
2. The proposed drainage patterns will follow existing drainage patterns as closely as possible. Runoff will generally flow from east to west, by the streets or the proposed storm sewer system.
3. All storm runoff will flow to the onsite detention and water quality facilities.

B. Drainage Design Criteria

1. Criteria used in the development of this Phase I Drainage Report include:
 - The *Town of Erie Standards and Specifications Storm Criteria*.
 - The Urban Drainage and Flood Control District's Urban Storm Drainage Criteria Manual was also used as a reference and guide for criteria.
2. Hydrologic criteria to be used in the development calculations include:
 - The Rational Method will be used for all hydrologic calculations.
 - The minor event is the 2-year storm with a one hour design rainfall depth of 1.01 inches per hour.
 - The major event is the 100-year storm with a one hour design rainfall depth of 2.70 inches per hour.
 - Runoff coefficients, C, were derived from Tables RO-3 and RO-5 of the USDCM and based on the density from a conceptual site plan.
3. Hydraulic Criteria to be used in the development calculations include:
 - Per *Town of Erie Standards and Specifications Storm Criteria*, Tables 800-7 and 800-8, allowable flow depths within the streets are:
 - To the top of curb flow may spread to crown of street for the minor event.
 - Residential dwellings should be no less than 12 inches above the 100-year flood at the ground line or lowest water entry of the building. The depth of water over the gutter flow line will not exceed 18 inches for the major storm.
 - Urban Drainage Spreadsheets for inlet and detention pond design will be used to size inlets, calculate street capacity and design the detention facilities.

C. Specific Details

1. The proposed development will be comprised of drainage basins that are divided by the existing ridge that runs east to west across the site.

SIERRA VISTA
PHASE I DRAINAGE REPORT
Page 3 of 4

- Proposed detention basin(s) will be provided on the western portion of the site. The detention pond will provide detention for the site and will outlet directly into the Tri-County Airport Drainage Ditch at historic rates.
 - 2. The proposed site improvements include constructed roadways that will become a part of the Town of Erie network. The storm drainage from this site will be detained in proposed detention pond(s) and be released per Town of Erie criteria
- D. Adaptions of Criteria
1. No deviation from criteria is requested for this drainage design at this time.

IV. SUMMARY

A. Compliance with Standards

1. This drainage report is in general compliance with the Town of Erie, *Standards and Specifications for Design and Construction of Public Improvements*.
2. The Urban Drainage and Flood Control District's *Urban Storm Drainage Criteria Manual* was also used as a reference and guide for criteria.

B. Summary of Concept

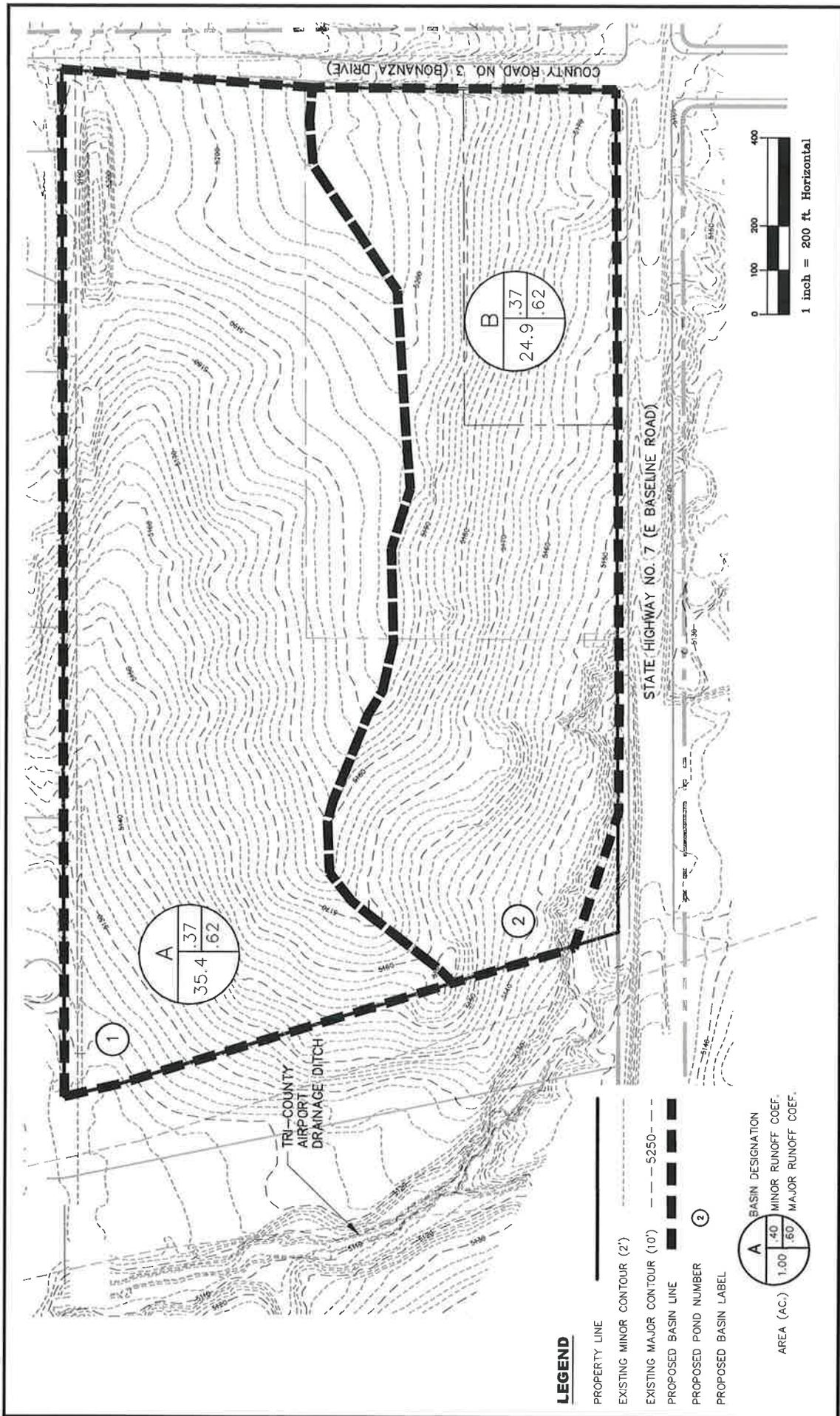
1. Onsite flow will be conveyed per Town criteria in storm systems designed for the minor storm event.
2. Onsite detention facilities will provide adequate on-site drainage, attenuation and control for stormwater.
3. The proposed development will not increase historic runoff and therefore downstream properties should not be adversely affected by the development of the proposed site.

V. LIST OF REFERENCES

All criteria and technical information used

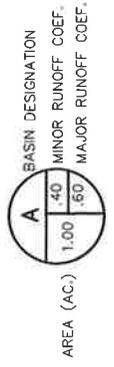
1. The Town of Erie, *Standards and Specifications for Design and Construction of Public Improvements, Section 800, Storm Drainage Facilities*, 2012 Edition.
2. *Urban Storm Drainage Criteria Manuals*, Urban Drainage Flood Control District, Jan 2007.
3. *Flood Insurance Rate Map*, Map Number 0801810018E, Effective Date December 2, 2004, Federal Emergency Management Agency.
4. Hydrologic Group Rating for Weld County, CO, USDA Natural Resources Conservation Service.

APPENDIX A
MAPS AND EXHIBITS



LEGEND

- PROPERTY LINE
- EXISTING MINOR CONTOUR (2')
- EXISTING MAJOR CONTOUR (10')
- PROPOSED BASIN LINE
- PROPOSED POND NUMBER
- PROPOSED BASIN LABEL



		SIERRA VISTA DRAINAGE BASINS MAP	Sheet D1 of 1
Calibre Engineering, Inc. 8000 S. W. 10th Street, Suite 105 Highlands Ranch, CO 80128 (303) 730-0434 www.calibre-engineering.com			Date AUGUST 6, 2014
Drawing Name X-Drainage Map Ph 1.dwg			
Job Number OREAD SIERRA VISTA			
Prepared For OREAD CAPITAL & DEVELOPMENT, LLC	Designer R/JL	Checker R/JL	TAJ

PART: E:\OREAD\SIERRA VISTA\ADD\EXHIBITS\X-Drainage Map Ph 1.dwg
 PLOTTED BY: R/obus
 PLOT DATE: Aug 06, 2014 1:11pm
 XREFS: 10.PMA, 10.EPN, 10.ECN, 10.BASE.

APPENDIX B

COPIES OF GRAPHS, TABLES AND REFERENCES

DETENTION VOLUME BY THE FULL SPECTRUM METHOD

Project: Sierra Vista

Basin ID: Pond 1

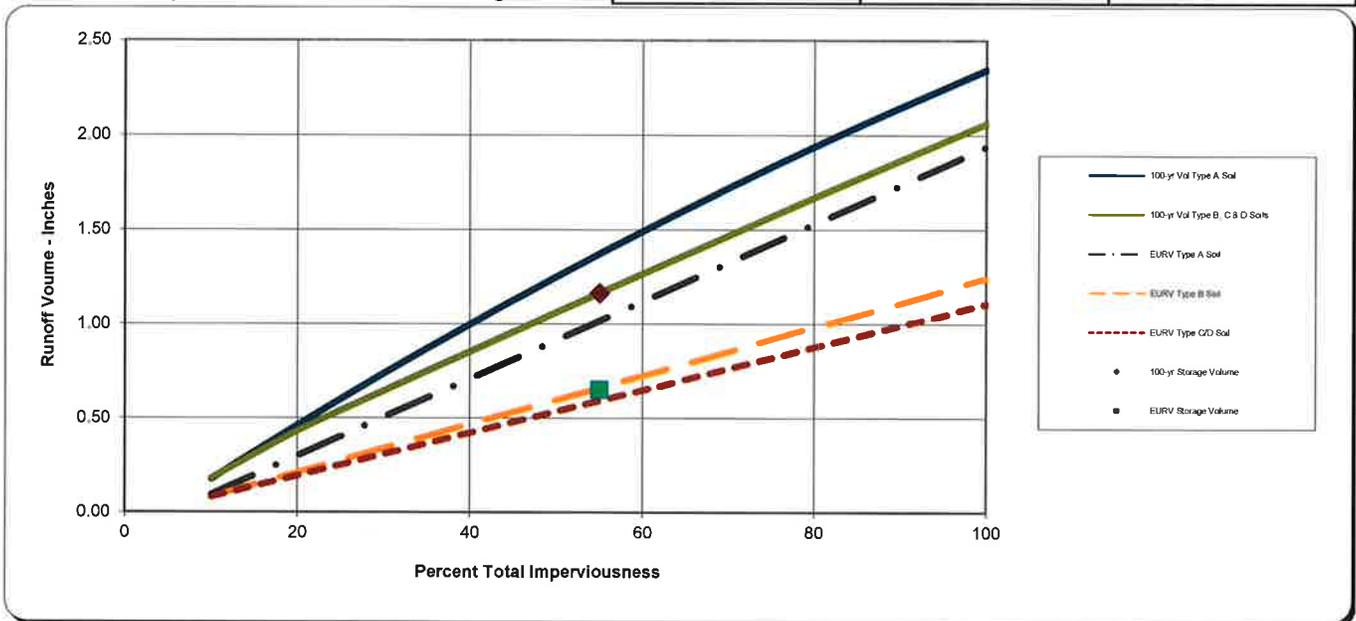
* User input data shown in blue.

Area of Watershed (acres)	35.40	
Subwatershed Imperviousness	55.0%	
Level of Minimizing Directly Connected Impervious Area (MDCIA)	0	<input type="text" value="0"/>
Effective Imperviousness ¹	55.0%	
Hydrologic Soil Type	Percentage of Area	Area (acres)
Type A		0.0
Type B		0.0
Type C or D	100.0%	35.4

Recommended Horton's Equation Parameters for CUHP		
Infiltration (inches per hour)		Decay Coefficient-- <i>a</i>
Initial-- <i>f_i</i>	Final-- <i>f_o</i>	
3	0.5	0.0018
Detention Volumes ^{2,5}		
(watershed inches)	(acre-feet)	Maximum Allowable Release Rate, cfs ³
0.65	1.92	Design Outlet to Empty EURV in 72 Hours
1.16	3.43	35.40

Excess Urban Runoff Volume⁴

100-year Detention Volume Including WQCV⁵



Notes:

- 1) Effective imperviousness is based on Figure ND-1 of the Urban Storm Drainage Criteria Manual (USDCM).
- 2) Results shown reflect runoff reduction from Level 1 or 2 MDCIA and are plotted at the watershed's total imperviousness value; the impact of MDCIA is reflected by the results being below the curves.
- 3) Maximum allowable release rates for 100-year event are based on Table SO-1. Outlet for the Excess Urban Runoff Volume (EURV) to be designed to empty out the EURV in 72 hours. Outlet design is similar to one for the WQCV outlet of an extended detention basin (i.e., perforated plate with a micro-pool) and extends to top of EURV water surface elevation.
- 4) EURV approximates the difference between developed and pre-developed runoff volume.
- 5) 100-yr detention volume includes EURV. No need to add more volume for WQCV or EURV

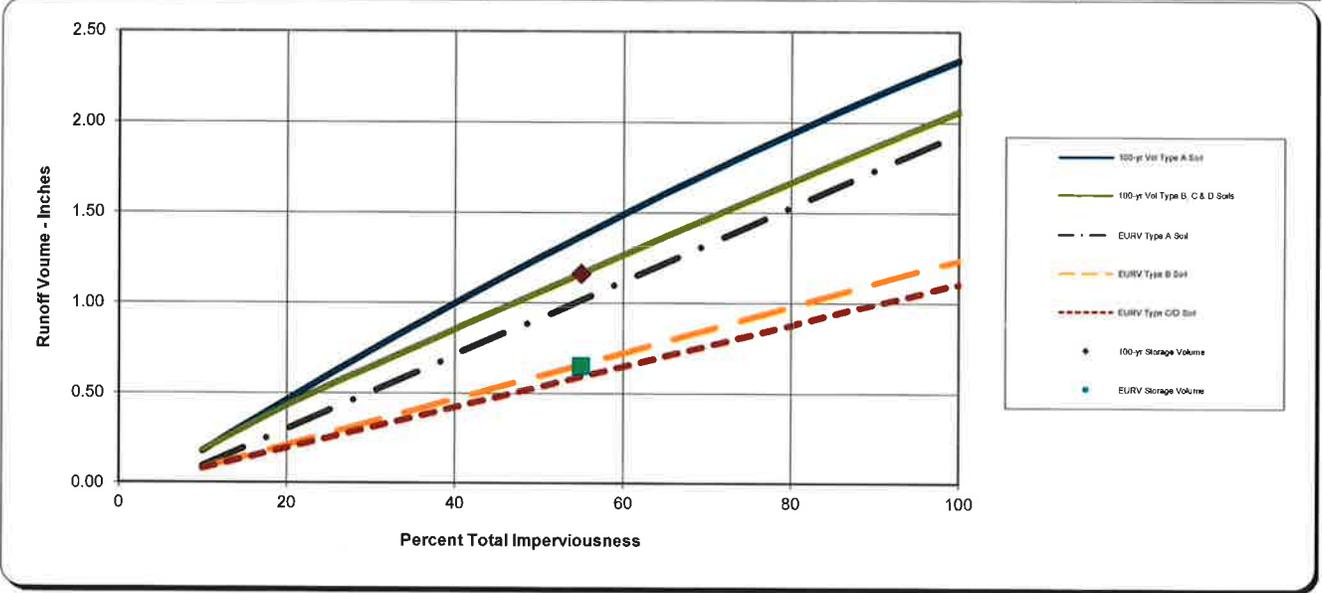
DETENTION VOLUME BY THE FULL SPECTRUM METHOD

Project: Sierra Vista
Basin ID: Pond 2

* User input data shown in blue.

Area of Watershed (acres)	24.90	
Subwatershed Imperviousness	55.0%	
Level of Minimizing Directly Connected Impervious Area (MDCIA)	0	0
Effective Imperviousness ¹	55.0%	
Hydrologic Soil Type	Percentage of Area	Area (acres)
Type A		0.0
Type B		0.0
Type C or D	100.0%	24.9

Recommended Horton's Equation Parameters for CUHP		
Infiltration (inches per hour)		Decay Coefficient-- <i>a</i>
Initial-- <i>f_i</i>	Final-- <i>f_o</i>	
3	0.5	0.0018
Detention Volumes ^{2,5}		Maximum Allowable Release Rate, cfs ³
(watershed inches)	(acre-feet)	
0.65	1.35	
Excess Urban Runoff Volume⁴		Design Outlet to Empty EURV in 72 Hours
100-year Detention Volume Including WQCV⁵		24.90



Notes:

- 1) Effective imperviousness is based on Figure ND-1 of the Urban Storm Drainage Criteria Manual (USDCM).
- 2) Results shown reflect runoff reduction from Level 1 or 2 MDCIA and are plotted at the watershed's total imperviousness value; the impact of MDCIA is reflected by the results being below the curves.
- 3) Maximum allowable release rates for 100-year event are based on Table SO-1. Outlet for the Excess Urban Runoff Volume (EURV) to be designed to empty out the EURV in 72 hours. Outlet design is similar to one for the WQCV outlet of an extended detention basin (i.e., perforated plate with a micro-pool) and extends to top of EURV water surface elevation.
- 4) EURV approximates the difference between developed and pre-developed runoff volume.
- 5) 100-yr detention volume includes EURV. No need to add more volume for WQCV or EURV



MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0018E

FIRM
FLOOD INSURANCE RATE MAP

TOWN OF
ERIE,
COLORADO
BOULDER AND WELD COUNTIES

PANEL 18 OF 50

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
COMMUNITY: 002101
NUMBER: 0310
PANEL: E
SUFFIX:

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
0801810018E

MAP REVISED:
DECEMBER 2, 2004



Federal Emergency Management Agency



496000 M

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.msc.fema.gov

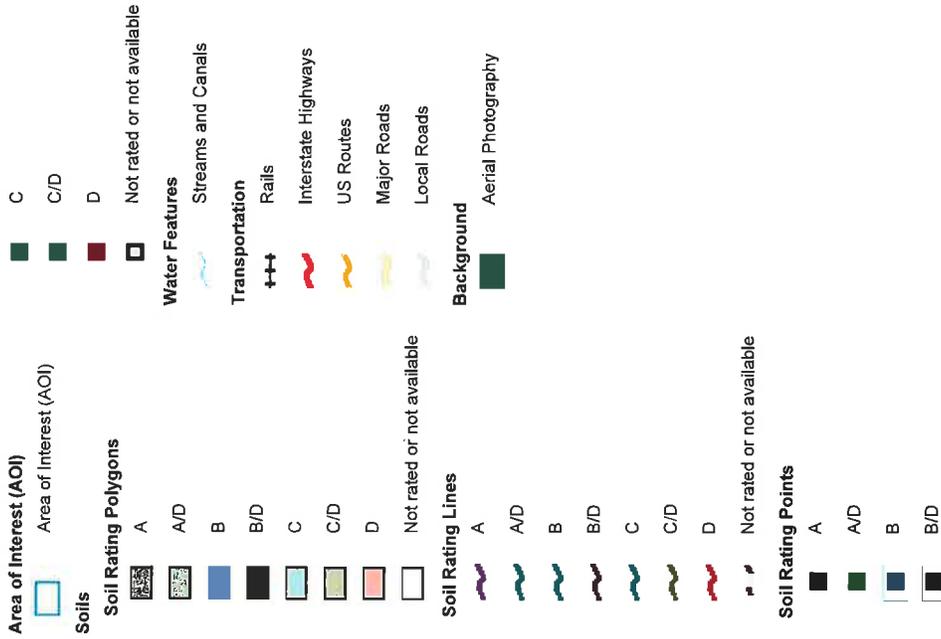
Hydrologic Soil Group—Adams County Area, Parts of Adams and Denver Counties, Colorado; and Weld County, Colorado, Southern Part



Map Scale: 1:4,630 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

MAP LEGEND



MAP INFORMATION

The soil surveys that comprise your AOI were mapped at scales ranging from 1:20,000 to 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Adams County Area, Parts of Adams and Denver Counties, Colorado
Survey Area Data: Version 10, Dec 24, 2013

Soil Survey Area: Weld County, Colorado, Southern Part
Survey Area Data: Version 12, Jan 3, 2014

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 22, 2011—Apr 13, 2012

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Adams County Area, Parts of Adams and Denver Counties, Colorado (CO001)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
ShF	Samsil-Shingle complex, 3 to 35 percent slopes	D	0.3	0.3%
Subtotals for Soil Survey Area			0.3	0.3%
Totals for Area of Interest			78.1	100.0%

Hydrologic Soil Group— Summary by Map Unit — Weld County, Colorado, Southern Part (CO618)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
27	Heldt silty clay, 1 to 3 percent slopes	C	3.8	4.9%
36	Midway-Shingle complex, 5 to 20 percent slopes	D	64.1	82.2%
57	Reno hill clay loam, 3 to 9 percent slopes	C	2.6	3.3%
66	Ulm clay loam, 0 to 3 percent slopes	C	0.2	0.2%
67	Ulm clay loam, 3 to 5 percent slopes	C	7.1	9.1%
Subtotals for Soil Survey Area			77.8	99.7%
Totals for Area of Interest			78.1	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

August 6, 2014

Mr. Todd Bjerkaas

Town of Erie
645 Holbrook Street
P.O. Box 750
Erie, CO 80516

Re: Sierra Vista Rezoning – Submittal #1 Comment Responses

Dear Mr. Bjerkaas,

We have reviewed the comments from the first submittal and met with AJ and Marty on July 31, 2014 to discuss these comments and the project and the following are our responses and the direction we received. Listed in *blue italics* below are the responses to the comments.

Please provide us with any additional questions or comments at your earliest convenience and let us know when we will be scheduled for the Planning Commission and posting requirements.

Feel free to contact me at 303-257-7653 or taj@calibre.us.com.

Sincerely,

CALIBRE ENGINEERING, INC.

A handwritten signature in blue ink, appearing to read "Todd A. Johnson".

Todd A. Johnson, P.E.
Vice President
Director of Professional Services

Community Development/Planning Comments:

1. General

- a. A housing type is not specified in the narrative. Please note that staff is concerned about the ability of the development to meet the MR zoning district density requirements if only single family housing is anticipated. The MR zoning district requires a minimum of 5 units/acre and a maximum of 10 units/acre. Given the acreage of the area proposed for MR zoning (54.476 acres), a minimum of 272 units and a maximum of 544 units will be required.

Per our discussions with the Town we will be proposing LR zoning which will accommodate the proposed concepts that we feel are feasible for the site. Maps have been updated to reflect this.

- b. Please note that staff anticipates that any single family lots will be set back at least 100 feet from the Highway 7/Baseline right-of-way.

Noted, this comment will be further defined at the time of Sketch Plan.

Public Works Comments:

Comments for Rezoning:

1. The proposed zoning map shows a right-in/right-out access onto Highway 7 at approximately 620 feet west of Bonanza Drive. The current Highway 7 Access Control Plan only allows for a $\frac{3}{4}$ access at 1,320 feet west of Bonanza Drive. An Access Control Plan amendment will need to be processed and approved through the Town of Erie, CDOT, and the City and County of Broomfield for this access change. An access permit for construction will also need to be approved by both CDOT and the City and County of Broomfield for any access onto Highway 7.

The right in/out shown on the commercial will be moved to the accepted three-quarter movement location for the zoning process. Further detailed analysis and definition will be performed at the Sketch Plan stage.

2. A preliminary utility study is needed to determine the impacts to utility sizing due to the zoning changes.

As discussed with the Town the proposed plan is LR which is substantially lower than the proposed density of 480 multi-family units and 20 acres of commercial, it was agreed detailed reports will be provided at the Preliminary Plat stage.

3. An updated traffic study is needed to determine the traffic impacts of this proposed zoning change.

As discussed with the Town the proposed plan is LR which is substantially lower than the proposed density of 480 multi-family units and 20 acres of commercial, it was agreed detailed reports will be provided at the Preliminary Plat stage.

4. The Sierra Vista annexation agreement assumed 480 multi-family units for the Airport Sewer Interceptor Extension reimbursement. With the increase in residential area and change to single family units, an amendment to the Annexation Agreement may be needed to determine how the reimbursement will now be handled.

As discussed with the Town this issue will be further defined after the rezoning.

Comments for Phase I Drainage Study:

1. How runoff coefficients and imperviousness were determined needs to be provided.
The coefficients and imperviousness were determined from UDFCD table RO-3 based on the density from a conceptual site plan. The runoff coefficients will be revised once a site plan has been accepted during the preliminary plat process. The numbers used at this level were conservative.
2. For future drainage reports, when the full spectrum detention method is used, a water quality volume does not need to be added to the 100 year volume.
The report has been revised and will be noted for future studies.



August 26, 2014

Re: Sierra Vista – Neighborhood Meeting Minutes

A neighborhood meeting was held with the adjacent neighbors on August 26, 2014. The project (“Sierra Vista”) was presented by Jeff Handlin and Matt Deibel (Developer/Applicant). The purpose of this meeting was to inform the adjacent residents of the proposed zoning changes to Sierra Vista. Approximately forty resident’s attended the meeting.

The following is a general synopsis of the major items presented and discussed at the meeting:

1. Jeff Handlin introduced himself and Matt Deibel as members of Highway 7 and Bonanza LLC development team.
2. Jeff provided a brief history of the partnership’s development experience in communities across the front range of Colorado.
3. An exhibit was shown with a conceptual site plan based on the existing zoning designation of the site showing 20 acres of commercial with apartment building totaling 480 units.
4. An exhibit was shown with a conceptual site plan based on the proposed zoning designation showing 6 acres of commercial and 210 single family residential lots. Two lot types were shown 47’X120’ and 52’X120’.
5. The following general items were discussed with no definitive commitments or direction provided since this was just a rezoning application and these items would be further refined as the project advances into detailed design:
 - a. Potential improvements to Bonanza Drive
 - b. Intersection of Bonanza Drive and Highway 7 potential improvements
 - c. Bonanza Drive be extended to the north to Vista Ridge Parkway
 - d. Fencing concept for Sierra Vista
 - e. Airport interrelation
 - i. FAA regulations for developing by an airport
 - ii. Setbacks from the runway
 - iii. Fencing requirements
 - f. Grading impacts to the site and how will they may impact Erie Air Park
 - g. Proposed lot sizes
 - h. Proposed residential density
 - i. Proposed plan was generally accepted to be more compatible with Erie Air Park compared to three story multi-family apartment buildings.

In summary the majority of the residents in attendance were supportive of the zoning change and felt that the proposed plan is better than the existing zoning. It was explained that most of the planning and engineering questions that were raised at the meeting will be addressed as we proceed with the Town of Erie through the entitlement process.

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: September 23, 2014

SUBJECT: GENERAL BUSINESS

Vista Ridge Filing No. 14 Sketch Plan Review - A Sketch Plan represents a generalized land use plan and layout for the area proposed to be included within a subdivision. Sketch Plan is required to allow early, informal evaluation of a proposed subdivision before detailed planning and engineering work has been undertaken and before substantial expenses have been incurred by the applicant.

CODE: Municipal Code, Title 10

PURPOSE: Board of Trustee review of a proposed Sketch Plan.

DEPARTMENT: Community Development

PRESENTER: R. Martin Ostholthoff, Director

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

STAFF
RECOMMENDATION: n/a

PLANNING
COMMISSION
RECOMMENDATION: n/a

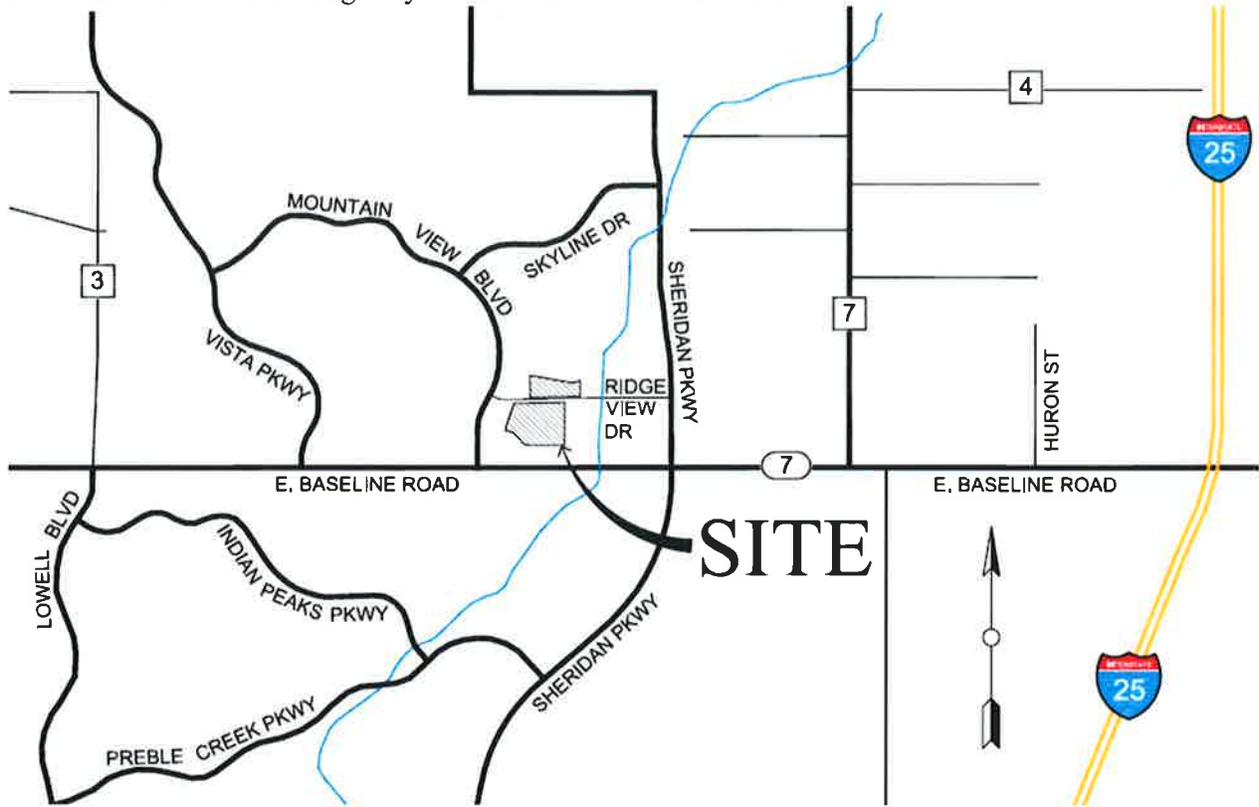
SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Applicant/Owner:
Montex (Vista Ridge) LLC
Andy Chaikovsky
4915 Gaylord Street
Englewood, CO 80113

Owner:
Chartered Development Corp.
Ward Ritter
3160 Village Vista Drive, Unit 104
Erie, CO 80516

Property Location:

Northeast corner of State Highway 7 and Mountain View Boulevard.



Current Land Use and Zoning:

Current Land Use: Agricultural/Vacant Land

Current Zoning: PD – Planned Development (Vista Ridge); allows medium and high density residential and regional commercial.

Adjacent Land Use and Zoning:

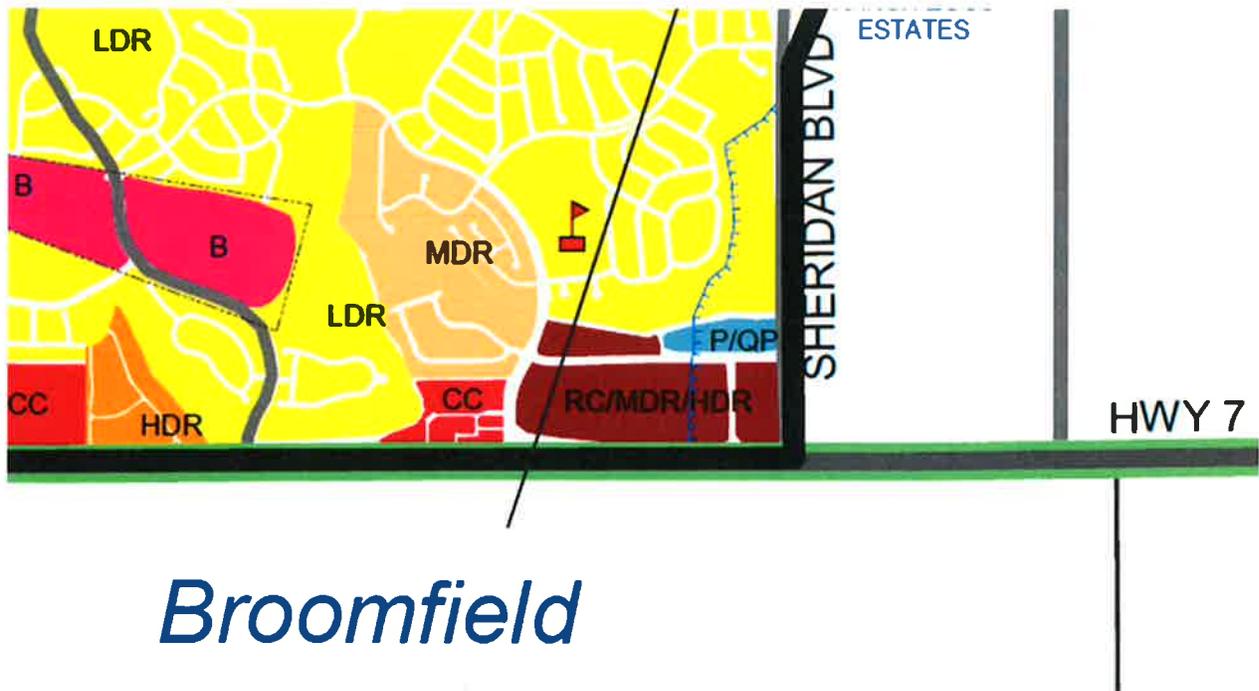
	ZONING	LAND USE
NORTH	PD – Planned Development (Vista Ridge)	Private school and golf course
SOUTH	PD – Planned Development (Vista Ridge)	Vacant Land (future commercial)
EAST	PD – Planned Development (Vista Ridge)	Vacant Land (future commercial)
WEST	PD – Planned Development(Vista Ridge)	Detention pond and vacant land (future commercial)

Vista Ridge Filing No. 14 Sketch Plan Summary Information:

- Area: 14.2 acres (North Parcel = 4 acres/South Parcel = 10.2 acres)
- Dwelling Units Allowed PD (Planning Area 7-3): 200 dwelling units
- Dwelling Units Proposed: 170 dwelling units (26 single-family units on the North Parcel and 144 multi-family units on the south parcel)

Compliance with Town of Erie Comprehensive Plan:

The application is in Compliance with the Land Use designations on the Comprehensive Plan, Land Use Plan Map. This particular property allows High Density Residential, Medium Density Residential and Regional Commercial land uses.



Compliance with the Vista Ridge PD Development Plan:

The residential uses/density proposed are in compliance with the Vista Ridge PD Development Plan.

Compliance with Municipal Code Title 10 (UDC)

Town staff has reviewed the proposed Sketch Plan for compliance with the UDC and has provided the applicant with comments. The applicant has modified the plan accordingly. The Town's comment and the applicant responses are attached hereto.

Natural Areas Inventory and Endangered Species:

The Town of Erie Natural Areas Inventory does not identify any natural areas within the proposed project area.

SKETCH PLAN PROCESS

Below is the process outlined in Title 10 (UDC) of the Municipal Code for Sketch Plan review.

2. Step 2A (Development Application Submittal – Sketch Plan)

Two types of application submittals are required – first, a Sketch Plan, followed by a Preliminary Plat. The Sketch Plan requirements are listed in this Subsection. The Preliminary Plat requirements are listed below as “Step 2B.” Applications for Subdivision shall only be accepted for property annexed into the municipality. A Subdivision application cannot be reviewed concurrently with an annexation application.

a. Purpose

A Sketch Plan represents a generalized land use plan and layout for the area proposed to be included within a subdivision. Sketch Plan is required to allow early, informal evaluation of a proposed subdivision before detailed planning and engineering work has been undertaken and before substantial expenses have been incurred by the applicant.

b. Sketch Plan Submittal Requirements

A Sketch Plan shall be prepared and submitted to the Community Development Director pursuant to the User’s Guide. An Alta Survey shall be prepared and submitted to illustrate the existing conditions on the property and, at a minimum, the Sketch Plan shall contain the following:

- i. Uses proposed;
- ii. Intensity or density of uses proposed;
- iii. Location of public and private open space;
- iv. Drainage Facilities;
- v. Road, street, and pedestrian networks proposed; and
- vi. Existing or proposed utilities and public services for the development.

c. Staff Review

The Community Development Department shall review the Sketch Plan, focusing on standards and criteria of this UDC that are applicable to the proposed development. The Community Development Department shall summarize the results of the review in writing and provide a copy to the applicant. The summary shall include any special information regarding the proposed project, plus an evaluation of the proposal with respect to the current policies of the Town, identifying areas of potential compatibility or conflict with these policies. All comments made by the Community Development Department shall not be binding on the Town’s consideration of any subsequent application, and are intended only to provide an informal evaluation of the proposed project.

d. Meeting to Discuss Sketch Plan

At the request of the Community Development Director or applicant, the parties shall meet to discuss the results of the review. The applicant shall be informed of the necessary provisions of this UDC relating to subdivision application, including submittal requirements, required public improvements, design standards, and Development Agreements. The Community Development Director shall inform the applicant whether or not a Planning Commission Review shall be required.

e. Planning Commission Review

In addition to the staff review the Community Development Director may require that the Sketch Plan be reviewed by the Planning Commission or the applicant may request this review. The staff review summary shall be submitted to the Planning Commission for consideration. All comments made by the Planning Commission shall not be binding on the

Town's consideration of any subsequent application, and are intended only to provide an informal evaluation of the proposed project.

f. Effect of Review

The Sketch Plan is not part of a formal application for approval of a subdivision and any comments made by the Town in reaction to a Sketch Plan shall not be binding on the Town's consideration of any subsequent Preliminary or Final Plat application, nor result in a vested property right under this UDC or State Statute. Since the Sketch Plan is conceptual only, there are no lapse provisions applicable.

Staff Review:

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

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS:

- A. Vista Ridge Filing No. 14 Narrative and Sketch Plan
- B. Town comments and applicants response letter

ATTACHMENT A



1437 Larimer St.
Denver, CO 80202
303 • 875 • 7131
bonner.gilmore@enertiag.com

Mr. Marty Ostholthoff, Director of Community Development
Town of Erie
645 Holbrook Street
Erie, CO 80516

September 18, 2014

RE: Montex Section 3 Written Narrative (North Parcel)

Dear Mr. Ostholthoff:

General project concept and purpose of the request:

The site is located within Vista Ridge's Planning Area 7-3, is just north of Hwy 7, west of Mountain View Boulevard and bounded on the north by the 12th hole of the Colorado National Golf Course and on the south by Ridge View Drive. The site is part of a mixed use planning area, though no commercial projects have been approved for this area yet, it is anticipated to be a mix of retail uses.

Vista Ridge Development Plan Amendment #6 permits up to 200 residential units within Planning Area 7-3. Article V, Section F (Medium/High Density Planning Area) Subsections 5.d, 5.e and 5.f of the Vista Ridge Development Plan have been amended to accommodate various encroachments into the setbacks.

The proposed residential project provides ranch style patio homes with optional finished basements, identical to Latitude at Vista Ridge.

Compliance with Vista Ridge Development Plan Amendment #6, Vista Ridge Development Guide and Uniform Development Code compliance:

- The land use, density, setbacks, building heights, encroachments, patio/terraces and additional provisions comply with Vista Ridge Development Plan Amendment #6 for a high density planning area.
- The local street complies with Vista Ridge Development Guide Article VII-G Private Street section. The street section with attached walks on both sides is used at Filings 5 & 9.
- A second access point is provided for emergency access to Ridge View Drive.
- Two residents are anticipated per unit = 52 residents. Required park area = 0.44 acres. The pocket park is proposed south of Ridge View Drive. Required open space = 0.88 acres. Open space obligation was met previously by Vista Ridge Development Corporation.
- Off-street and on-street parking spaces exceed the resident and guest parking requirement. Each single family detached unit has a two car garage and two parking spaces on the driveway in front of the garage satisfying the parking needs on each lot.

Site Data:

Total land area to be divided: 4.04 acres

*Total number of lots, and if residential, the proposed density: 26 single family detached lots.
Proposed density = 6.4 du/ac*

If non-residential, the total square footage of floor area proposed: N/A

Total land area to be preserved as open space: 0.00 acres (0%)

Brief description regarding the phasing of the proposed subdivision: The project will be constructed as a single phase.

Brief description regarding the availability and adequacy of existing infrastructure and other necessary services including schools, fire protection, water/sewer service and utility providers: Montex is part of the constructed masterplan of Vista Ridge and fits within the design criteria set by the approved PUD. Existing infrastructure includes water, sewer, storm sewer, power, gas and telephone all at the property boundary; The applicant has met with Mountain View Fire District and the District has preliminarily approved the site plan due to the AutoTURN analysis that was provided to them; The Vista Ridge PUD, including the addition of Montex will fall under the approved residential maximum that was also approved by the St. Vrain Valley School District. Although the school impact is anticipated to be minimal, as this age targeted product is directed toward empty nesters looking to downsize.

Brief description regarding the location, function and ownership/maintenance of public and private open space, parks, trails, common areas, common buildings: A passive pocket park is provided in the South Parcel of the project along Ridge View. The intent of this park is to meet the needs of the future residents. Amenities may include seating, barbeque grills, lawn and enhanced landscape areas. The pocket park will be privately owned and maintained as in Filing #5. No open space is provided. Detention will occur off-site west of the site utilizing existing infrastructure. No trails are proposed. Common areas are to be landscaped and privately owned and maintained. No common buildings are proposed.

Brief description regarding the substance of any existing or proposed covenants, special conditions, grants of easements, or other restrictions applying to the proposed subdivision: The proposed covenants will be consistent with PUD's in this marketplace and will govern private streets, architectural control, landscape maintenance, snow removal and common areas.

Sincerely,



Bonner Gilmore
Managing Partner



CONSULTING
GROUP LLC

1437 Larimer St.
Denver, CO 80202
303 • 875 • 7131
bonner.gilmore@enertiag.com

Mr. Marty Ostholthoff, Director of Community Development
Town of Erie
645 Holbrook Street
Erie, CO 80516

September 18, 2014

RE: Montex Section 3 Written Narrative (South Parcel)

Dear Mr. Ostholthoff:

General project concept and purpose of the request:

The site is located within Vista Ridge's Planning Area 7-3, adjacent to Hwy 7 and Mountain View Boulevard. The site is part of a mixed use planning area, though no commercial projects have been approved for this area yet, it is anticipated to be a mix of retail uses.

Vista Ridge Development Plan Amendment #6 permits up to 200 residential units within Planning Area 7-3. Article V, Section F (Medium/High Density Planning Area) Subsections 5.d, 5.e and 5.f of the Vista Ridge Development Plan have been amended to accommodate various encroachments into the setbacks.

The proposed residential project adds to the diversity of housing types within Vista Ridge and Erie with a unique multi-family product that is designed as a Manor Home (looking like a large single family home). Four units are provided within each Manor Home building, all with attached direct access garages. Floor plans in the Manor Home will include a three bedroom unit, two bedroom plus loft townhome unit, two bedroom flat unit and a one bedroom flat unit. Each building will be sited on its own lot to facilitate phasing and financing.

Compliance with Vista Ridge Development Plan Amendment #6, Vista Ridge Development Guide and Uniform Development Code compliance:

- The land use, density, setbacks, building heights, encroachments, patio/terraces and additional provisions comply with Vista Ridge Development Plan Amendment #6 for a high density planning area.
- The local street complies with the CODE (Erie UDC) providing the private street with 5-foot detached walks and an 8-foot tree lawn.
- There are no dead end alleys exceeding 150' in length, except in a single case between the cluster of buildings 50, 51, 52, 53, 54, 55, 56 & 57 where an emergency access across the Paseo that runs north/south between them can be transited – connecting thru to Ridge View Circle on both ends.
- Two residents are anticipated per unit = 288 residents. Required park area = 2.45 acres. 0.25 acres is proposed as a passive amenity. The pocket park proposed will serve this site as well as the proposed site north of Ridge View Drive. Required open space = 4.90 acres. Open space obligation was met previously by Vista Ridge Development Corporation.

- Off-street and on-private street parking spaces meet the resident and guest parking requirement. Each Manor Home includes six garage attached, direct access parking spaces. 7.5 resident parking spaces plus 1.33 guest parking spaces are required per building totaling 318 parking spaces. 216 attached direct access garage spaces are provided (36 buildings @ 6 spaces each). 102 parking spaces are provided on or off the private street/Ridge View Circle serving the Manor Homes, satisfying the total parking spaces required.
- Per the UDC, parking spaces required shall be located within 200 feet of the primary building entrance. This requirement is met through the provided parking.
- One housing type is required for sites less than 40 acres.
- Buildings are oriented towards the internal street, public street, open space or interior courtyards.
- Additional multi-family architectural standards are met.

Site Data:

Total land area to be divided: 10.20 acres

Total number of lots, and if residential, the proposed density: 36 Manor Home lots (each Manor Home lot includes 4 units) = 144 residential dwelling units. Proposed density = 14.1 du/ac.

If non-residential, the total square footage of floor area proposed: N/A

Total land area to be preserved as open space: 0.00 acres (0%)

Brief description regarding the phasing of the proposed subdivision: The single family portion of the project will be constructed as a single phase and homes will be constructed as sales allow. Each manor home will be constructed on its own lot and it is anticipated that approximately three buildings will be built at one time. The manor homes will be built as leasing lender requirements are met.

Brief description regarding the availability and adequacy of existing infrastructure and other necessary services including schools, fire protection, water/sewer service and utility providers: Montex is part of the constructed masterplan of Vista Ridge and fits within the design criteria set by the approved PUD. Existing infrastructure includes water, sewer, storm sewer power, gas and telephone all at the property boundary; The applicant has met with Mountain View Fire District and the District has preliminarily approved the site plan due to the AutoTURN analysis that was provided to them; The Vista Ridge PUD, including the addition of Montex will fall under the approved residential maximum that was also approved by the St. Vrain Valley School District.

Brief description regarding the location, function and ownership/maintenance of public and private open space, parks, trails, common areas, common buildings: A passive pocket park is provided near the approximate center of the development along Ridge View Circle. Amenities may include seating, barbeque grills, lawn and enhanced landscape areas. The pocket park will be privately owned and maintained. Open space is provided through a Paseo that will run north/south in the center of the development from Ridge View Drive. The open space will be privately owned and maintained. Detention will occur off-site in the existing facility adjacent to the northwest of the site. Sidewalks are provided throughout and to connect to the perimeter future walks, though trails are not proposed. Common areas are to be landscaped and privately owned and maintained. A leasing, management, maintenance building is being proposed and is

shown as lot 27 (it is anticipated that this building will be adapted from one of the ranch patio home designs used at filing 5 and shown on the north parcel).

Brief description regarding the substance of any existing or proposed covenants, special conditions, grants of easements, or other restrictions applying to the proposed subdivision: The proposed covenants will be consistent with PUD's in this marketplace and will govern private streets, architectural control, landscape maintenance, snow removal and common areas.

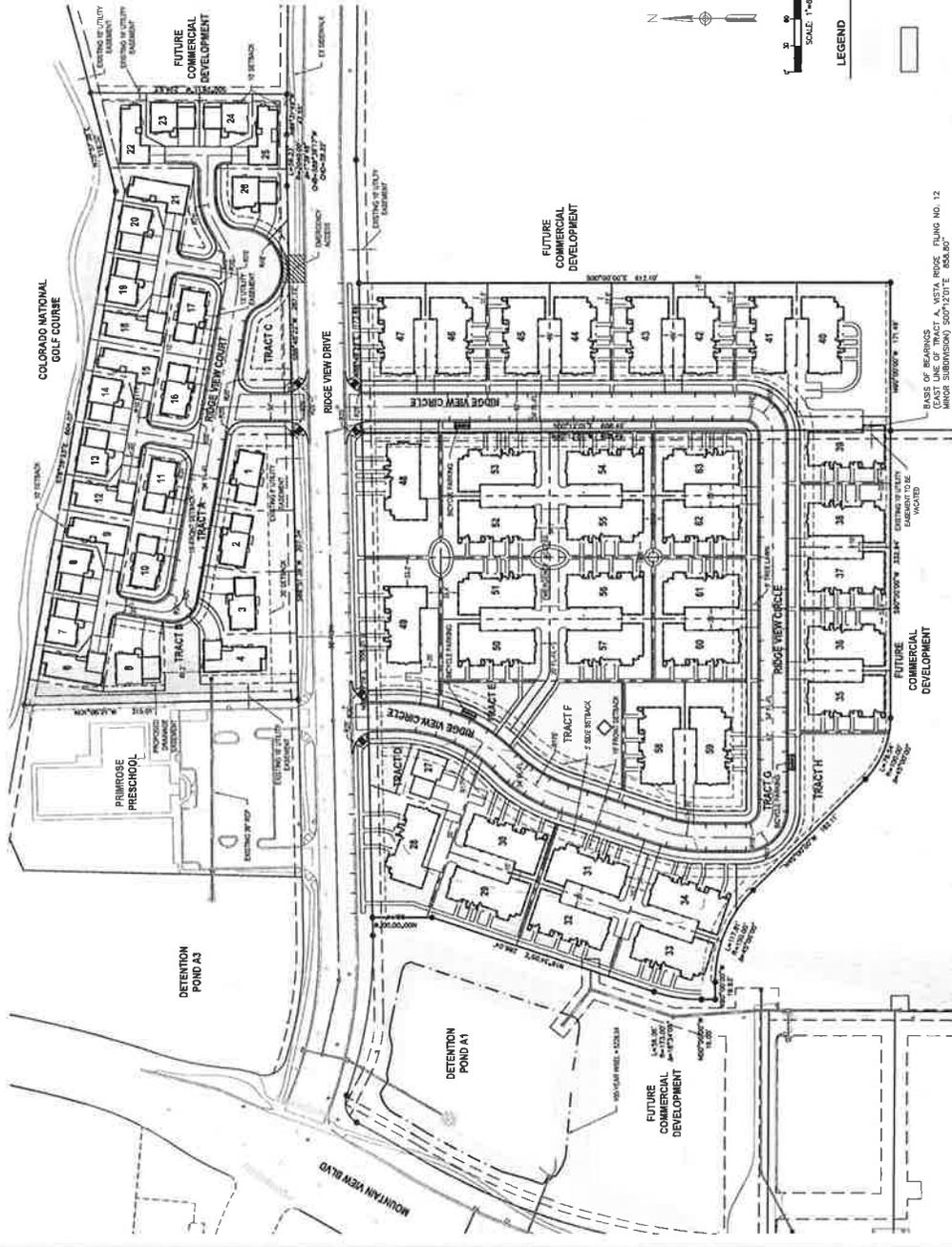
Sincerely,



Bonner Gilmore
Managing Partner

VISTA RIDGE FILING NO. 14

A RESUBDIVISION OF: LOT 2, VISTA RIDGE FILING NO. 2; A PORTION OF TRACT A, VISTA RIDGE FILING NO. 12; AND, A PORTION OF PARCEL 33, VISTA RIDGE MASTER FINAL PLAN, SITUATED IN A PORTION OF SECTION 32 AND A PORTION OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPLE MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO
 14.23 ACRES - 63 LOTS / 8 TRACTS
 SK-14-00020



VICINITY MAP
 SCALE 1"=2000'

TYPE	AREA	% OF TOTAL AREA
NORTH	2.282 AC	15.3%
TRACTS	1.153 AC	7.9%
TOTAL	4.038 AC	100%

TRACTS	AREA	% OF TOTAL AREA
TRACT A	8.111 AC	51.3%
TRACT B	7.208 AC	44.7%
TRACTS	2.088 AC	12.9%
TOTAL SITE	14.232 AC	100%

TRACT	AREA	USE	OWNERSHIP	MAINTENANCE
TRACT A	8.111 AC	ACCESS	HOA	HOA
TRACT B	0.200 AC	PRIVATE COMMON AREA	HOA	HOA
TRACT C	8.133 AC	PRIVATE COMMON AREA	HOA	HOA
TRACT D	0.044 AC	PRIVATE COMMON AREA	HOA	HOA
TRACT E	8.878 AC	PRIVATE COMMON AREA	HOA	HOA
TRACT F	8.878 AC	PRIVATE COMMON AREA	HOA	HOA
TRACT G	2.057 AC	ACCESS	HOA	HOA
TRACT H	0.220 AC	PRIVATE COMMON AREA	HOA	HOA

MONTEIX AT VISTA RIDGE SITE PLAN

DATE: 04/30/2014
 REVISED: 06/02/2014
 09/10/2014

DESIGNER:
 HANLEY & ASSOCIATES
 3005 E. COLONIAL BLVD.
 BOULDER, COLORADO 80504

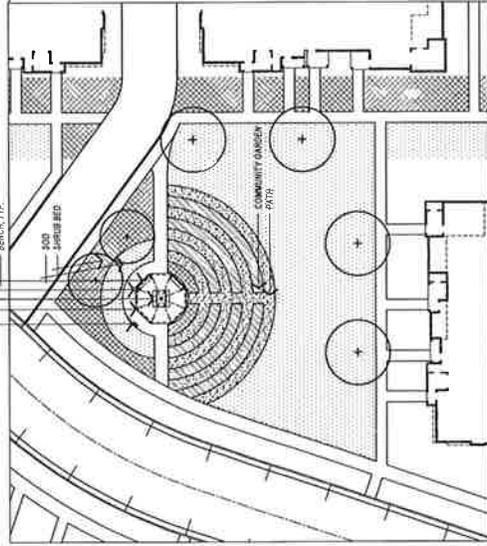


SCALE 1"=400'

BASES OF BEARINGS
 (EAST LINE OF TRACT A, VISTA RIDGE FILING NO. 12
 (MOUNTAIN VIEW BLVD) 350°12'01" E, 808.80'

VISTA RIDGE FILING NO. 14

A RESUBDIVISION OF: LOT 2, VISTA RIDGE FILING NO. 2; A PORTION OF TRACT A, VISTA RIDGE FILING NO. 12;
 AND A PORTION OF PARCEL 33, VISTA RIDGE MASTER FINAL PLAT, SITUATED IN A PORTION OF SECTION 32
 AND A PORTION OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPLE MERIDIAN,
 TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO
 14.23 ACRES - 85 LOTS/2 TRACTS
 SK-14-00020



POCKET PARK BLOW-UP PLAN

ATTACHMENT B



September 9, 2014

Mr. Marty Ostholthoff, Director of Community Development
Town of Erie
645 Holbrook Street
Erie, CO 80516

RE: SK-14-00020 Vista Ridge Filing No. 14 Sketch Plan Comments received July 7th, 2014
and email comments received August 13, 2014

Dear Mr. Ostholthoff

Enertia Consulting Group, LLC has reviewed comments provided by the Town of Erie via
comment letter and email and has prepared a response to each comment below.

01. TOWN OF ERIE PLANNING – WRITTEN COMMENTS July 7th, 2014 (R. Martin Ostholthoff)

Notebook Narrative (North) Section 7

1. The narrative indicates that there will be a request for attached sidewalks along the proposed private street. The Code requires detached walks with a tree lawn. The Town will require curb underdrains to mitigate expansive soils issues associated with irrigation of tree lawns.

Response: Per meeting with staff on 7/22/14, attached walks would be acceptable. Per VRPD Article 7.G Private Residential Streets, Figure #7 attached walks are permitted. This follows the precedent for Filings #5 and #9 that are of a nearly identical site and product plan.

2. The narrative indicates a secondary emergency access to Mountain View Road?

Response: Mountain View is incorrect; the secondary access will be to Ridge View Drive.

3. The total land area to be preserved as open space should be zero as none of the open space within the proposed development meets Code standards. Please modify to show that this is private common area.

Response: Proposed open space has been labeled as zero per request.

4. References to the Vista Ridge PUD should read Vista Ridge PD.

Response: References have been changed to read Vista Ridge PD.

3160 Village Vista Drive, Suite #104, Erie, Colorado 80516
Telephone: 303 545-2554

Notebook Narrative (South) Section 7

5. The narrative indicates that there will be a request for attached sidewalks along the proposed private street for both the single family and multi-family units. The Code requires detached walks with a tree lawn, and in the case of the sidewalks adjacent to the multi-family units requires a minimum 8-foot tree lawn. The Town will require curb underdrains to mitigate expansive soils issues associated with irrigation of tree lawns.

Response: All attached walks have been removed and are now identified as 5' detached sidewalks with an 8' tree lawn.

6. Note that the Code has a maximum length of 150-feet for dead end alleys.

Response: Alleys that exceeded 150' have been modified to meet the 150' maximum length, except in the single case where required, an emergency access connects two alleys.

7. The total land area to be preserved as open space should be zero as none of the open space within the proposed development meets Code standards. Please modify to show that this is private common area.

Response: Proposed open space has been labeled as private common area.

8. References to the Vista Ridge PUD should read Vista Ridge PD.

Response: References have been changed to read Vista Ridge PD.

Sketch Plan – Sheet 1

9. North Parcel

- a. The Street name for access to the northern parcel will be Ridge View Court. All lots will be addressed as Ridge View Court.

Response: The Sketch Plan has been modified to include Ridge View Court as the proposed street name. Addressing comment noted.

- b. Note that the Mountain View Boulevard is incorrectly labeled as Ridge View Drive.

Response: Comment noted, Ridge View Drive is now correctly labeled.

- c. The lots between Ridge View Court and Ridge View Drive are considered double frontage lots that will need to meet the additional lot depth and landscape buffer requirements of the Code (10.5.4.E.12).

Response: Due to the increased setback requirements of a double fronted lot, the pod with six homes has been removed west of the entry and four homes have been added back fronting Ridgeview Court. These four lots meet the additionally required setback and 30' landscape buffer requirements.

- d. Ridge View Court is considered to be a cul-de-sac and will need to meet the turnaround requirements of the VRDP (VII.H.A.3).

Response: An elbow with a 48' radius has been added to the east cul-de-sac in order to meet the VRPD turnaround requirement. A 35' view corridor is provided at the west end of Ridgeview Court.

- e. Cul-de-sacs are required to have a minimum of a 35-foot opening on the cul-de-sac head for open views and pedestrian access (10.6.5.D.2.e).

Response: An opening that is 35' at a minimum for views has been added to the east and west end of Ridgeview Court.

- f. Per the VRDP, no driveway may access Ridge View Court within 20-feet of the T intersection (VII.H.A.4).

Response: Comment noted, no driveways are shown within the 20' minimum of a T intersection.

- g. Note that the existing 10-foot Utility Easement along the golf course may reduce and/or prevent accessory structures (i.e. decks, patios, landscape beds, etc.) from being constructed on these lots.
 - i. Contact United Power and other utility providers to determine if this easement could be vacated to alleviate this concern.

Response: Comment noted, the applicant has been successful in the past working with United Power to reduce these easements

- h. Per the VRDP the minimum lot frontage for any lot is 30-feet (V.7.O.4.g.i).

Response: The 30' minimum lot frontage outlined in the VRPD has been met on the revised Sketch Plan.

- i. Note that all ground mounted utility equipment (i.e. transformers) must be set back a minimum of 100-feet from the intersection of two public streets (10.6.4.G.9.a).

Response: Comment noted.

- j. Detached sidewalks are required on both sides of a public street, including privately maintained streets (10.6.5.F.1.a & b).

Response: Per VRPD Article 7.G Private Residential Streets, Figure #7 attached walks are permitted. This follows the precedent for Filings #5 and #9 that are of a nearly identical site and product plan.

- k. Note that the Architectural and Variety Standards (10.6.7.E) will apply to the proposed single-family detached structures.

Response: Comment noted.

10. South Parcel

- a. The Street name for access to the southern parcel will be Ridge View Circle. All lots, including multi-family lots will be addressed as Ridge View

3160 Village Vista Drive, Suite #104, Erie, Colorado 80516
Telephone: 303 545-2554

Circle.

Response: The Sketch Plan has been modified to include Ridge View Circle as the proposed street name. Addressing comment noted.

- b. Several of the proposed multi-family structures along Ridge View Drive encroach into the existing 10-foot utility easement.

Response: The multi-family plan has been modified to remove all structures from the existing 10-foot utility easement.

- c. Property lines for the multi-family lots are not clearly distinguished on the submittal making it hard to determine if setback requirements outlined in the VRDP are being met.

Response: The property lines have been more clearly defined on the Sketch Plan sheet.

- d. Note that a separate Vacation application will need to be processed concurrent with any final plat to vacate the existing 10-foot utility easement created by the Vista Ridge Filing No. 12 plat.

Response: Comment noted.

- e. Code requires dead end alleys to not exceed 150-feet in length (10.5.4.H.3).

Response: Alleys that exceeded 150' have been modified to meet the 150' maximum length, except in a single case where required, an emergency access connects two alleys.

- f. Note that all ground mounted utility equipment (i.e. transformers) must be set back a minimum of 100-feet from the intersection of two public streets (10.6.4.G.9.a).

Response: Comment noted.

- g. Code requires detached walks on both sides of a public street with a tree lawn (10.6.5.F.1.a & b), and in the case of the sidewalks adjacent to the multi-family units, a minimum 8-foot tree lawn is required (10.6.5.F.1.c.i).

Response: All attached walks have been removed and are now identified as a 5' detached sidewalk with an 8' tree lawn.

- h. Code requires bicycle parking for the multi-family units (10.6.5.G.1).

Response: Bicycle parking will be provided with the submittal and is shown on sketch plan.

- i. Code requires that guest parking be within 200-feet of the building entrance for each building (10.6.6.D.1.c.i).

Response: Comment noted, the required guest parking is located within 200-feet of the entrance of each building.

- j. Note that the Architectural and Variety Standards (10.6.7.E) will apply to the proposed single-family detached structures.

Response: Comment noted.

- k. Note that the Architectural and Variety Standards (10.6.7.F) will apply to the proposed multi-family structures.
 - i. For the proposed nine multi-family buildings that are not oriented towards a street (10.6.7.F.1.c.ii.(A).(2)), the Code requires them to be oriented towards a common open space area or courtyard. Staff has determined that this common open space area or courtyard that the buildings are oriented too be a minimum 30-foot wide tract that is separate from the proposed lots.

Response: The plan has been modified to meet this standard.

- ii. For the proposed multi-family buildings that are oriented to the east and south, it is implied that these buildings will be oriented to a road/drive within the commercial area. The Town will require this road/drive to be constructed concurrent with these units.

Response: Plan has been modified and this condition no longer exists alleviating the requirement to build a road/drive on the adjacent commercial property concurrently with these units.

Sketch Plan – Sheet 2

- 11. Note that the proposed Pocket Park may be passive in nature as indicated; however, the Pocket Park will still need to meet the minimum Pocket Park Component Standards of the Town of Erie Parks, Recreation, Open Space and Trails Master Plan (PROST). Here is the link to the PROST: <http://www.erieco.gov/index.aspx?nid=825>

Response: Comment noted, the proposed pocket park will meet the criteria set forth in PROST.

- 12. Note that the minimum landscape requirements of the Code will need to be met for both the single-family and multi-family units (10.6.4.E).

Response: Comment noted.

- 13. Note that the proposed 5-foot in height solid privacy fence adjacent to the single-family lots and Ridge View Drive will need to meet the minimum Code standards (10.6.4.H.9).

Response: Comment noted.

- 14. The proposed fence along the southern edge of the south parcel does not indicate type or height of fencing. Is this fence necessary?

Response: Vista Ridge split rail fence is currently being proposed. We feel it necessary and will provide pedestrian access openings in strategic locations.

02. TOWN OF ERIE PUBLIC WORKS – WRITTEN COMMENTS (Matt Wiederspahn)

Comments for Sketch Plan:

1. The Town has serious concerns with the capacity of the existing water and sanitary sewer system as the systems were designed for these areas to be mainly commercial. It is strongly encouraged that the applicant complete a preliminary utility study to determine if the current systems have capacity or if improvements will need to be made.

Response: During the zoning process, the landowner prepared a utility study and report indicating sufficient capacity for the proposed project. During the Preliminary Platting process a Phase III utility study and report will be prepared confirming the existing capacity and the water & sanitary demands and generation from the proposed development. With this project, Vista Ridge will be under its approved residential allotment by nearly 10%

2. Sidewalks on all private streets must be detached walks.

Response: Sidewalks on the north parcel will remain attached per the VRPD and the south parcel will have detached walks with a tree lawn. Per VRPD Article 7.G Private Residential Streets, Figure #7 attached walks are permitted. This follows the precedent for Filings #5 and #9 that are of a nearly identical site and product plan.

3. The west access on Ridge View Drive needs to be aligned with one of the Primrose Preschool accesses.

Response: The west access of the south parcel now aligns with an access to the Primrose School.

4. The 22 foot driveway and building separations in the manor homes will not provide enough width for utilities. A minimum of 30 feet is needed if they are to be used for utilities. As a reminder, all public water, sewer, and storm mains need to be in 30 foot wide easements and not located on a platted lot.

Response: The building separation has been changed to accommodate the 30-foot utility easement where necessary.

5. The new sidewalk on the south side of Ridge View Drive will need to be extended west to Mountain View Road.

Response: Comment noted, this sidewalk will be extended in the construction documents.

Comments for Phase I Drainage Report:

1. A signed and stamped copy of the drainage report needs to be provided for Town acceptance.

Response: Comment noted.

03. TOWN OF ERIE PLANNING – EMAIL COMMENTS AUGUST 13th, 2014 (R. Martin Ostholthoff)

Notebook Narrative (North) Section

SOUTH PARCEL

1. Not all of the proposed multi-family units front onto streets, open space or courtyards (30-foot minimum width). The South Attachment shows which units do not meet the street or courtyard requirement.

Response: The site plan has been revised to incorporate the 30-foot separation (proposed tract) between face to face buildings.

2. Staff will not support the reduction of right-of-way for the loop road nor the reduction/elimination of the 8-foot tree lawn required in multi-family developments.

Response: The street section has been modified to allow for the 8-foot tree lawn and no reduction of right of way is being requested.

3. Please note that the 30-foot width requirement for alleys with Town utilities need to be 30-feet clear, not facade to facade, but rather eave to eave. The Town Code does not allow any encroachments into Town easements.

Response: The 30-foot separation has been updated to be eave to eave as requested.

4. No issue with the alley exceeding 150-feet provided emergency access is provided. Probably need to refine the location of the easement so that it is not through the center of the proposed Pocket Park.

Response: Site plan modified to reflect this comment.

5. Please verify that guest parking is no further than 200-feet from each front entry. The 200-feet is measured using the most direct pedestrian route, i.e. sidewalk.

Response: The requirement has been met.

6. Perhaps with all of the nooks and crannies some of the guest parking can be accommodated with head in parking?

Response: Additional guest parking has been added in some of the smaller green spaces.

NORTH PARCEL

7. Please review Section 10.5.4.E.12 of the UDC as it relates to the double frontage lots between Ridge View Drive and Ridge View Court. It appears that the Code is not being met.

Response: Additional setback and 30' landscape buffer has been provided due to the double fronted lot(s).

8. It appears that the detached walks along Ridge View Court (not including T Heads) have been removed from the previous submission?

Response: Detached walks were not included in the previous submittal. The road section is per the VRPD. Sidewalks on the north parcel will remain attached per the VRPD Article 7.G Private Residential Streets, Figure #7 attached walks are permitted. This follows the precedent for Filings #5 and #9 that are of a nearly identical site and product plan.

9. Unable to determine if the Ridge View Court access point onto Ridge View Drive aligns with the eastern access point into the south parcel?

Response: The two access points (north and south) are aligned.

10. The narrative indicates that there will be a request for attached sidewalks along the proposed private street. The Code requires detached walks with a tree lawn. The Town will require curb underdrains to mitigate expansive soils issues associated with irrigation of tree lawns.

Response: Per the VRPD and our discussion/meeting on 7/22/14, attached walks are being proposed on the north parcel.

We trust that our response to comments is acceptable and complete. Please contact me at 303.545.2554 should you have any questions regarding this submittal.

Sincerely,



Ward Ritter,
President

DRAFT

September ??, 2014

Cindy Domenico, Chair
Boulder County Board of County Commissioners
PO Box 471
Boulder, CO 80304

RE: *LETTER OF SUPPORT FOR ISABELLE RD SHOULDERS*

Dear Commissioner Domenico,

This letter is to confirm the Town of Erie's support for Boulder County's TIP application to fund bikeable shoulders on Isabelle Rd. The Valmont/Isabelle corridor is a key regional transportation corridor that connects the Town of Erie with the City of Boulder. Isabelle Rd is the last segment of this corridor that is lacking a separate space for bicyclists and the provision of shoulders would greatly improve the attractiveness of bicycling as a commuting alternative on this corridor. This project would also increase safety for motorists as shoulders would eliminate the need for motorists to cross the centerline in order to safely pass bicyclists. Providing separate and convenient bicycling facilities in this corridor is critical to providing alternatives to driving.

This project will provide 5' wide shoulders on both sides of Isabelle Rd in between N 95th St and N 109th St. Without shoulders on this road, cyclists will continue to be forced to choose between lengthy detours to Lookout Rd/ Baseline Rd or sharing the lane with motorists on a road with an AADT of 5,000 cars and a 50 mph speed limit and no designated bicycling infrastructure. Without this project Isabelle Rd makes bicycling less convenient and too intimidating for many potential users.

While the local match for this project is entirely funded by Boulder County's Countywide Transportation Sales tax, we consider this project as multi-jurisdictional in nature as it connects the Town of Erie with the City of Boulder. We are pleased that Boulder County is working to increase the safety of all roadway users along this corridor in the form of adding bikeable shoulders to Isabelle Rd and will support this application in any way possible.

Sincerely,

Mayor Tina Harris
Town of Erie

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: September 16, 2014

SUBJECT: STAFF REPORT: Monthly Communications Report –2014

DEPARTMENT: Administration

PRESENTER: Fred Diehl, Assistant to the Town Administrator

FISCAL INFORMATION:	Cost as Recommended:	NA
	Balance Available:	NA
	Budget Line Item Number:	NA
	New Appropriation Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

STAFF RECOMMENDATION: NA

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

COMMUNICATIONS CALENDAR: Attached is the monthly Communications Calendar for August which provides statistical information on the release and reach of Town of Erie News & Announcements, including the following details:

- 25 Unique Announcements Released via “Notify Me”
- 4,467 “Notify Me” Subscribers

FACEBOOK INSIGHTS:

- 17 Unique posts
- Reach of Facebook posts ranged from 395 on the low end (Labor Day Hours) to over 20,000 on the high end (Bear Spotted in Historic Downtown Erie).

WEBSITE: The attached monthly Website Overview Report includes visitor statistics for www.erieco.gov including the following information:

- Total Page Visits: 23,896
- Total Unique Visits: 48,211
- Erie Government Television Streaming Video:
 - Total Visits: 222
 - Total Unique Visits: 180

Board of Trustees Goal: “Develop & Promote Proactive, Fluid Communication Between Government & the Citizens of Erie.”

Staff Review:

 _____ Assistant to the Town Administrator
_____ Town Clerk
_____ Community Development Director
_____ Finance Director
_____ Police Chief
_____ Public Works Director

Approved by:

_____ 
A.J. Krieger
Town Administrator

ATTACHMENTS:

- a. Communications Calendar
- b. Facebook Insights
- c. Website Overview Report

Communication Calendar - August 2014

NEWS & ANNOUNCEMENTS	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
	Reach via Subscribers & Visitors:		1,154	1,493
8/1: FREE Outdoor Irrigation Audits Available Through August	X	X	X	X
8/4: Mosquito Control Update – Issued August 4, 2014	X	X	X	X
8/11: Mosquito Control Update – Issued August 11, 2014	X	X	X	X
8/12: Erie Board of Trustees Action Items – August 11, 2014	X	X		X
8/15: Back to School Safety Reminders	X	X	X	X
8/15: Erie Community Center Facility Closure for Annual Maintenance	X	X	X	X
8/18: Mosquito Control Update – Issued August 18, 2014	X	X	X	X
8/22: Sound Survey Begins at Pratt and Waste Connection Sites	X	X		X
8/27: Erie Board of Trustees Action Items - August 26, 2014	X	X	X	X
8/27: Erie Ranked Safest Place in Colorado	X	X	X	X
8/28: Erie Police Investigating Suspicious Incidents Near Red Hawk Elementary School	X	X	X	X
8/28: Erie Police Complete Investigations of Suspicious Incidents	X	X	X	X
8/28: Town of Erie 4 Million Gallon Water Storage Tank Project Progress	X	X	X	X
8/29: Erie Proud!	X	X	X	X
8/29: Police Station & Municipal Court Building Groundbreaking Ceremony	X	X	X	X
8/30: Town of Erie Annual Fall Clean-Up - Saturday, September 13, 2014	X	X		X
8/30: Bear Spotted in Historic Downtown Erie			X	
8/31: Plane Crash Near Erie Municipal Airport	X	X	X	X
8/31: Memorial Day Hours			X	

ECONOMIC DEVELOPMENT ANNOUNCEMENT	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
	Reach via Subscribers & Visitors:		706	1,493
8/4: SBDC Offers Free Facebook Business Page 101 Workshop	X	X		X

PUBLIC WORKS ANNOUNCEMENT	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
	Reach via Subscribers & Visitors:		562	1,493

POLICE ANNOUNCEMENT	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
	Reach via Subscribers & Visitors:		891	1,493
8/15: Back to School Safety Reminders	X	X	X	X
8/21: Erie Police Seek Your Assistance	X	X	X	X
8/28: Erie Police Investigating Suspicious Incidents Near Red Hawk Elementary School	X	X	X	X
8/28: Erie Police Complete Investigations of Suspicious Incidents	X	X	X	X

PARKS & RECREATION ANNOUNCEMENT	Notify Me Message	Newsflash Posted on Website	Facebook Post	Twitter Post
	Reach via Subscribers & Visitors:		1,154	1,493
8/15: Erie Community Center Facility Closure for Annual Maintenance	X	X	X	X

TOWN OF ERIE CALENDAR NOTIFICATION	Notify Me Message	Notification Posted on Website	Twitter Post
	Reach via Subscribers & Visitors:		442
8/1: Open Space & Trails Advisory Board Meeting on (8/4/2014)	X	X	X
8/3: Planning Commission Meeting - CANCELLED (8/6/2014)	X	X	X
8/8: Open Space & Trails Advisory Board Meeting (8/11/2014)	X	X	X
8/9: Board of Trustees Regular Meeting (8/12/2014)	X	X	X
8/10: Tree Board Meeting (8/13/2014)	X	X	X
8/11: Board of Trustees - Judge Interviews (8/14/2014)	X	X	X
8/16: Open Space & Trails Advisory Board Special Meeting (8/19/2014)	X	X	X
8/17: Planning Commission Meeting (8/20/2014)	X	X	X
8/22: Historic Preservation Advisory Board Meeting (8/25/2014)	X	X	X
8/23: Board of Trustees Regular Meeting (8/26/2014)	X	X	X
8/23: Town of Erie Housing Authority Meeting - Following Board of Trustees Regular Meeting (8/26/2014)	X	X	X
8/23: Board of Trustees Study Session - Following Erie Housing Authority Meeting (8/26/2014)	X	X	X
8/26: Coal Miner Classic Golf Tournament (9/5/2014)	X	X	X
8/31: Planning Commission Meeting (9/3/2014)	X	X	X

<u>CONSTANT CONTACT EMAIL MESSAGE</u>		Total # of Message Sent	Total # of Messages Opened	Open Rate %	
<u>ENGAGE ERIE TOPICS</u>		Engage Erie Message	Newsflash Posted on Website	Facebook Post	Twitter Post
Reach via Participants & Visitors:		1,302		1,493	852
<u>YOUTUBE CHANNEL</u>		Views Via YouTube	Newsflash Posted on Website	Facebook Post	Twitter Post
Reach via Subscribers & Visitors:				1,493	852
<u>UTILITY BILL INSERTS</u>		Mailed Bills	Emailed Bills		
Total:		6,800	875		

Updated: 9/15/2014

August 2014 – Facebook Insights

Reach: Organic/Paid Post Clicks Likes, Comments & Shares

Published	Post	Type	Targeting	Reach	Engagement	Promote
08/31/2014 5:59 pm	On Sunday, August 31 at approximately 12:00 pm, Erie Police and Mountain View Fire Rescue -			3.9K	1.2K 59	Boost Post
08/31/2014 10:54 am	In observance of Labor Day, Erie Town Hall will be closed tomorrow. The Erie Community Center will			395	15 2	Boost Post
08/30/2014 9:49 am	Bear Spotted in Historic Old Town Erie Early This Morning Erie Police would like to advise the public			20.9K	3.5K 1.6K	Boost Post
08/29/2014 1:30 pm	The public is invited to join the Mayor and Board of Trustees as they break ground on the new Police			592	110 19	Boost Post
08/29/2014 9:33 am	ERIE PROUD! Limited Edition Erie, Colorado t-shirts are available for sale at the Erie Community			897	76 57	Boost Post
08/28/2014 3:50 pm	Town of Erie 4 Million Gallon Water Storage Tank Project Progress As of Tuesday, August 26, 2014			956	358 5	Boost Post
08/28/2014 11:53 pm	The Erie Police Department would like to thank the public for their immediate concern and response to			3K	683 60	Boost Post
08/28/2014 2:45 am	Yesterday Erie Police were notified of two concerning and suspicious incidents involving			7.4K	877 135	Boost Post
08/27/2014 3:55 pm	For the second month in a row the Town of Erie has been called one of the safest places to live in			977	29 47	Boost Post
08/27/2014 1:49 pm	Erie Board of Trustees Action Items – August 26, 2014 In This Issue: Contract for New Police			397	34 4	Boost Post
08/21/2014 8:59 am	Erie Police Seeks Your Assistance The Erie Police Department is seeking your assistance regarding a			2.9K	562 24	Boost Post
08/18/2014 3:34 pm	Mosquito Control Update – Issued August 18, 2014 In response to high mosquito activity in some			709	56 3	Boost Post
08/15/2014 3:44 pm	The Erie Community Center will be closed for annual maintenance beginning tomorrow.			495	40 4	Boost Post
08/15/2014 10:26 am	It is that time of year again when kids are headed back to school. The Erie Police Department wants			985	47 35	Boost Post
08/11/2014 4:43 pm	Mosquito Control Update – Issued August 11, 2014 In response to high mosquito activity in some			480	44 2	Boost Post
08/04/2014 3:11 pm	Mosquito Control Update – Issued August 4, 2014 In response to high mosquito activity in some			584	53 4	Boost Post
08/01/2014 2:04 pm	The Town of Erie, in partnership with Center for ReSource Conservation, is offering FREE outdoor			649	80 13	Boost Post

Website Overview Report for www.erieco.gov - August 2014

Total Unique Visits	For the Month: 48,211	Year to Date: 233,741
Total Page Visits	For the Month: 23,896	Year to Date: 823,773

Top 25 Web Pages Visited	# of Visits	Rank
Home Page	28,726	#1
Erie Community Center	4,278	#2
Utility Billing	1,897	#3
Special Events	1,453	#4
Parks & Recreation	1,129	#5
Recreation Activities	853	#6
Construction Projects	740	#7
Youth Sports	682	#8
Police Department	673	#9
Maps	631	#10
Erie Municipal Airport	619	#11
Aquatics	497	#12
Board of Trustees	492	#13
Building Division	486	#14
Departments	478	#15
Transparency	456	#16
Fees & Memberships	394	#17
Oil & Gas Operations	378	#18
Landfills	353	#19
Trial maps	339	#20
Fitness & Wellnes	334	#21
Mighty Kids' Triathlon	331	#22
Adult Sports	326	#23
Residential & Commercial Construction Map	316	#24
Government	300	#25

Erie Government Television Streaming Video via Website - OVERVIEW



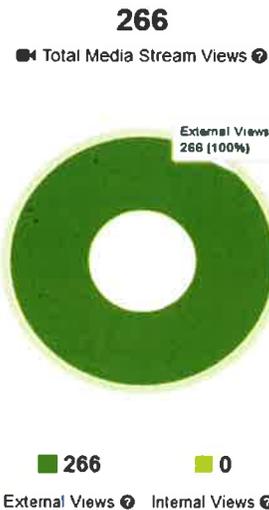
WHAT MEDIA YOUR CITIZENS ARE VIEWING

All Media Live Events Encoder Streams On Demand Media

ALL MEDIA

Filter by title

Media Title	Type	Total Views
Board of Trustees	Encoder	120
Board of Trustees - Aug 12th 2014	Archive	41
Board of Trustees - Aug 12th 2014	Live event	30
Board of Trustees - Aug 13th 2014	Live event	16
Board of Trustees - Aug 26th 2014	Archive	13
Planning Commission - Jul 16th, 2014	Archive	8
Board of Trustees Special Meeting - Aug 14th 2014	Archive	6
Board of Trustees - Jul 8th 2014	Archive	5
Board of Trustees - Jul 22nd 2014	Archive	5
Board of Trustees - Aug 27th 2014	Live event	5



TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: September 23, 2014

SUBJECT: STAFF REPORT
Water Treatment and Water Reclamation Report
DEPARTMENT: Public Works
PRESENTER: Gary Behlen, Director of Public Works

FISCAL INFORMATION: Cost as Recommended: \$ 0
Balance Available: \$ 0
Budget Line Item Number: 000 . 00 . 000 . 000000 . 000000
New Appropriation Yes No
Required:

STAFF RECOMMENDATION: N/A

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Water Treatment and Water Reclamation graphs depict the monthly production averages and the average per capita usage based on the population within the system at the Lynn R. Morgan Water Treatment Facility and North Water Reclamation Facility for 2010-2014.

Water Treatment Facility:

Annual Daily average flow:

•2010 2,529 million gallons •2011~ 2,638 million gallons •2012~ 2,914 million gallons
•2013~ 2,642 million gallons •2014~ 2,950 million gallons (YTD)

July 2013 had the highest flows, 5.896 million gallons, while February 2010 had the lowest flows, 1.025 million gallons.

Annual Daily average gallons per capita usage:

•2010~ 126 gallons per capita •2011~ 131 gallons per capita •2012~ 146 gallons per capita
•2013~ 132 gallons per capita •2014~ 147 gallons per capita (YTD)

July 2013 has the highest usage, 295 gallons per capita, while February 2012 had the lowest usage, 52 gallons per capita.

Water Reclamation Facility:

Annual Daily average flow:

•2010~ 1,007 million gallons •2011~ 1,073 million gallons •2012~ 1,090 million gallons
•2013~ 1,216 million gallons •2014~ 1,135 million gallons (YTD)

September 2013 had the highest average, *1.672 million gallons, while March 2011 had the lowest average, 0.918 million gallons.

Annual Daily average per capita usage:

•2010~ 50 gallons per capita •2011~ 54 gallons per capita •2012~ 54 gallons per capita
•2013~ 61 gallons per capita •2014~ 67 gallons per capita (YTD)

September 2013 had the highest usage, *81 gallons, while February and March 2011 had the lowest usage, 46 gallons.

**Note the increase at the Water Reclamation Facility was due to the storm events in August and September*

Staff Review:

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

Approved by:

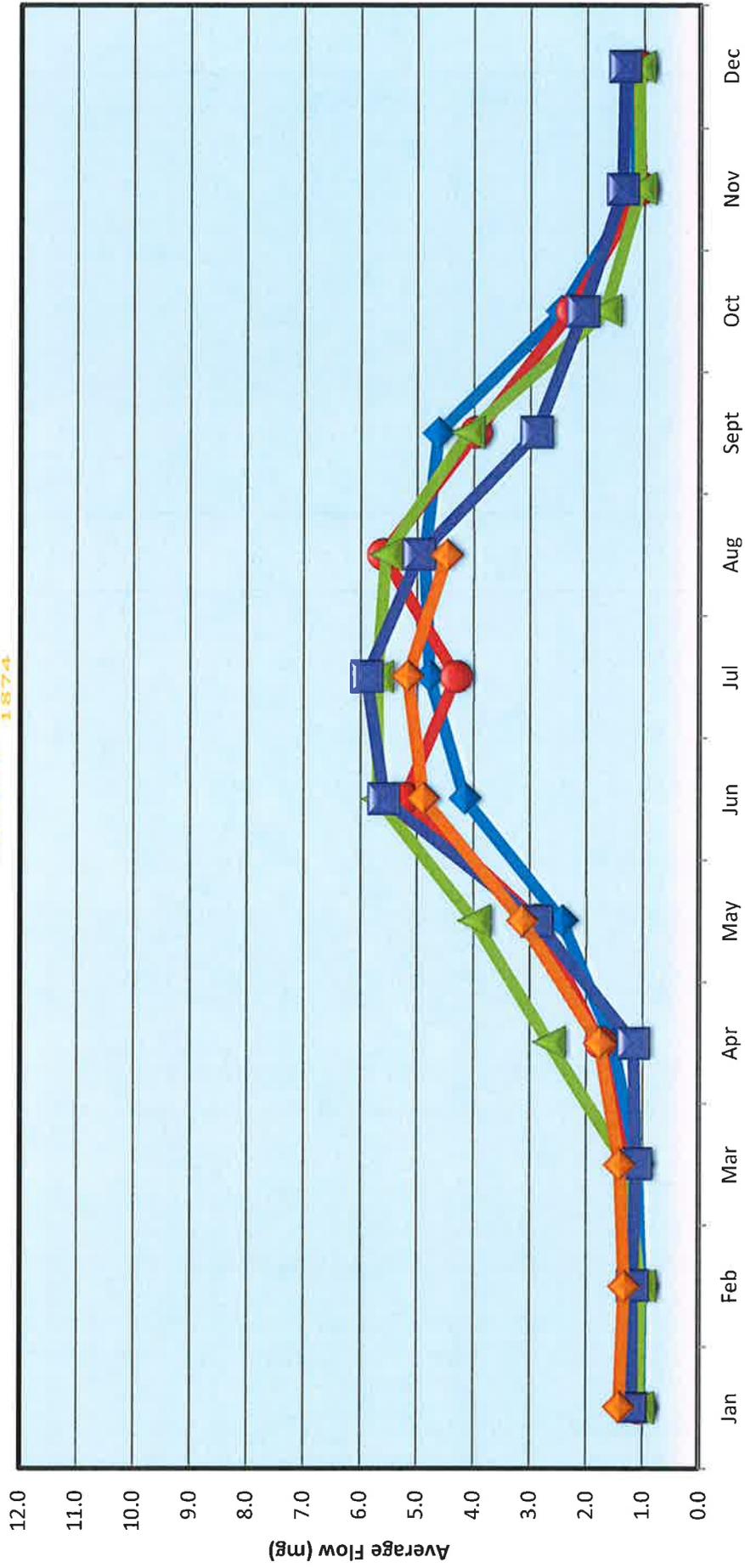


A.J. Krieger
Town Administrator

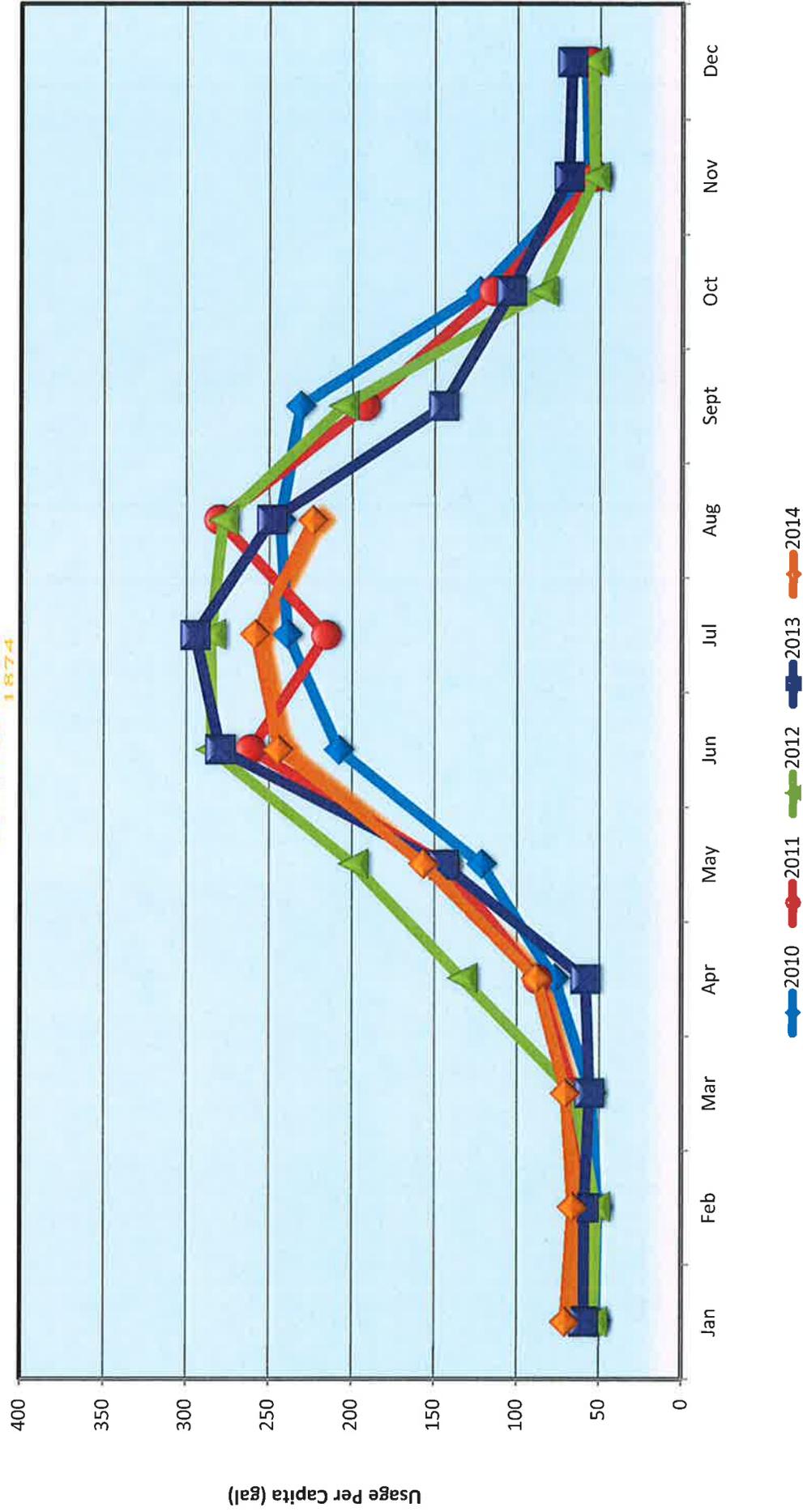
ATTACHMENTS:

- a. Water Treatment Facility Ave. Production graph
- b. Water Usage per Capita graph
- c. Water Reclamation Facility Ave. Production
- d. Water Reclamation Usage per Capita graph

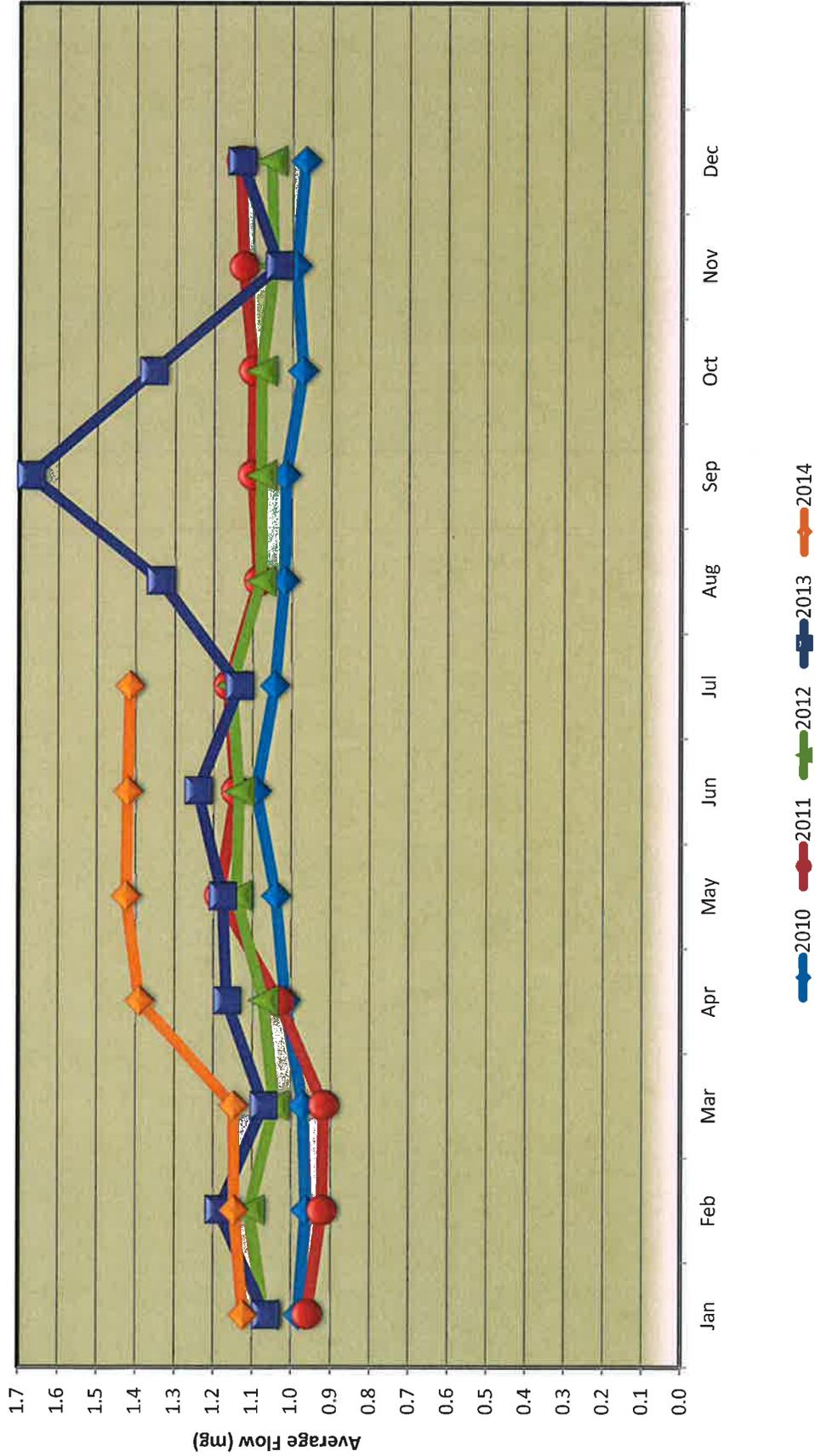
Water Treatment Facility Average Monthly Production



Water Treatment Facility Average Daily Usage Per Capita



Water Reclamation Facility Average Monthly Flows



TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM

Board Meeting Date: September 23, 2014

SUBJECT: STAFF REPORTS
Police Station and Municipal Court Building Construction Update

DEPARTMENT: Public Works

PRESENTER/PREPARER: Gary Behlen, Director of Public Works
Raelynn Ferrera, Public Works Coordinator
Joni Fournier, Consilium Partners
Scott McClelland, Consilium Partners

FISCAL INFORMATION: Cost as Recommended: \$ 0
Balance Available: \$ 0
Budget Line Item Number: 000 . 00 . 000 . 000000 . 000000
New Appropriation Required: Yes No

STAFF RECOMMENDATION: N/A

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

During the April 1, 2014 Town of Erie Regular Municipal Election, voters approved funding for the construction of a new police station and municipal court building to improve the safety of the growing community and to replace the outdated workspace for the police and courts currently located at Town Hall.

Project Progress : On August 26th the Site Work Guaranteed Maximum Price for approval by Board of Trustee with the intent to have the Final Guaranteed Maximum to the Board by mid-November. Consilium Partners is working with Office Scapes to develop a scope and initial budget for the Furniture, Fixtures & Equipment portion of the project. The Town has also entered into an agreement with Interface Communications for consulting services to revise the current audiovisual scope.

Construction Progress

Installation of grading stakes	August 17 th -19 th
Install stormwater best management practices (BMPs)	August 19 th -22 nd
Clear & grub and over lot grading of site	August 22 nd - 26 th

Project Schedule

Notice of Award & Notice to Proceed (Site Work)	August 27, 2014
Grading Permit Issued	September 11, 2014
Start of Construction	September 15, 2014
Estimate Project Completion	June 2015

Project Budget Summary To date

Site Work Guaranteed Maximum Price	\$1,525,000.00
------------------------------------	----------------

Project Photos: Photos will be provided and posted to the web throughout the construction of the Police Station and Municipal Court Building, documenting the progress.

Board Goal

This serves the Board's goal for Financial Responsibility -- Manage Erie's financial operation in an open, responsible and ethical manner.

Staff Review:

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

Approved by:



A.J. Krieger
Town Administrator

ATTACHMENTS:

a. None



oh 6CB

ERIE MUNICIPAL AIRPORT - BOARD OF TRUSTEES MONTHLY REPORT

AUGUST 2014

PROJECT UPDATES

- **Drainage project** – The FAA and State of Colorado Division of Aeronautics has indicated that a grant will be issued soon for a small project to correct a drainage issue on the east side of runway 15/33 near mid-field. The Board of Trustees has authorized Town Staff to accept the grant. Construction of this project is anticipated to be scheduled for the end of September/beginning of October. Project is scheduled to take 10 days and no interruption of airport operations is anticipated.
- **Wind Sock and Segmented Circle Project** – The State of Colorado Division of Aeronautics has issued and the Town of Erie has accepted a grant to install a new lighted wind sock and segmented circle, replacing the old wind sock and segmented circle that are in disrepair. A segmented circle is a visual aid for pilots indicating airport traffic patterns. The new windsock and segmented circle will provide improved visibility during day operations. The new windsock will offer improved lighting for night operations. Airport Management and town staff have solicited bids to produce design build documents for this project. Responses to the solicitations are under review and a recommendation will be presented to the board.
- **Purchase of airport equipment** – The State of Colorado Division of Aeronautics has issued and the Town of Erie has accepted a grant to purchase new snow plowing, grass mowing and ramp sweeping equipment. Purchase of this new equipment will improve operations and safety of the airport. Currently airport management is in the process of compiling specifications for the equipment to be purchased. Once these specifications are compiled, standard Town of Erie procedures for pricing and purchasing will be used to obtain the equipment
- **New Engineering Consultant Selection** – The 5 year contract with Aviation, the previous FAA approved engineering consultant used by the Airport for FAA and State funded construction projects, has expired. Airport management is in the process of drafting a request for proposal for firms interested in providing these services to the Erie Municipal Airport for a new five year term. The goal is to have a new firm in place by Jan 2015.

SAFETY ISSUES

- Daily/weekly inspections of the airport did not identify any safety issues that required action in the month of August.

NOISE COMPLAINTS

- In the month of August 2014 one noise complaint was logged from a resident of the Anthem Ranch Community. The complaint was from a resident that was concerned about an aircraft that repeatedly flew over the resident's house during approach to landing on several occasions. The complaint was transmitted to Vector Air Management through the Anthem Ranch Aviation Committee chairperson, Mr Stu Kurtz. Jason Hurd met with Mr Kurtz to discuss the complaint. Mr Kurtz was going to communicate the content of the meeting to the resident. It was offered/recommended that the concerned resident schedule a meeting with airport management as well as the pilot of the aircraft to assure them that the aircraft is operating safely and well within the Federal Aviation Regulations.

EVENTS

- The Erie Air Fair was held on August 9, 2014. This annual event, organized by Erie Air Fair, LLC was a great success and highlighted the airport. It also gave the citizens and young people of the Town of Erie and the surrounding communities a chance to see some of the types of aircraft and operators that use the airport for a variety of missions. This year the Erie Air Fair partnered with the Colorado Aviation Historical Society and the Colorado's Pilots Association.

An estimated 4000 people were in attendance at this year's event which was highlighted by:

- 15 static display aircraft including homebuilt, antique, military, recreational and corporate jet aircraft.
- A jet race car sponsored by Red Stone College, an aviation technical school located in Broomfield.
- A music stage that provided entertainment with several up and coming local bands
- 6 food vendors and 29 business vendors showcasing and advertising their local businesses
- A very popular designated "Kids Adventure Zone" with numerous activities for young aviation enthusiasts sponsored by Wings Over the Rockies Air Museum, EAA Chapter 43, Redstone College, Kitty Hawk Air Academy and AVAR Aviation Archeology.
- An FAA safety seminar was conducted by Brian Richardson from the local Flight Standards District Office.

Thanks to the generosity of numerous sponsors including the Town of Erie, the event was free to the public with no admission or parking fees.

Airport Management has received a substantial amount of positive feedback from attendees.

ACCIDENTS/INCIDENTS

- August 31, 2014 at approximately 11:50am MST. A Piper Meridian Aircraft, PA 46-350P, with 5 people and a dog on board crashed on an attempted aborted landing to runway 33. The aircraft impacted the ground west of the main runway and on the west side of coal creek on private property. Because of the accidents proximity to Med Trans med evac helicopter crew base at the Erie Airport, emergency personal were on scene within minutes of the accident. Two occupants were transported, one by helicopter and one by ambulance to emergency centers. Unfortunately there were no survivors. The pilot of the aircraft was an Erie Air Park resident. Airport management staff was on duty at the time of the accident and has been in contact with and are in full co-operation with the NTSB and FAA who are investigating the cause of the accident.