



BOARD OF TRUSTEES
REGULAR MEETING AGENDA

January 22, 2020
7:00 PM
151 Grant Avenue
Firestone, CO 80520

- 1. Call to Order & Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of Agenda**
- 4. Public Comment** *(maximum time permitted for all Public Comment is 30 minutes)
- 5. Consent Agenda**
 - 5.a.** Approval of January 8, 2020 BOT Regular Meeting Minutes
 - 5.b.** Approval of October 2, 2019 BOT Special Meeting Minutes
 - 5.c.** **Ordinance 966:** AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AMENDING TITLES 1 AND 2 AND ENACTING CHAPTER 2.05 OF THE FIRESTONE MUNICIPAL CODE REGARDING TOWN ADMINISTRATION, BOARD OF TRUSTEES RULES OF PROCEDURE AND ENACTING A CODE OF CONDUCT
 - 5.d.** **Resolution 20-13:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AMENDING THE BOARD OF TRUSTEES HANDBOOK & ORIENTATION
- 6. Proclamation**
- 7. Presentation**
 - 7.a.** FBLA Frederick Update on Sponsorship for National Competition
- 8. Local Licensing Authority - Public Hearing**
- 9. Land Development**

* Individuals that desire to address the Board of Trustees are requested to sign up at the table at the entrance to the meeting room. Each individual will be provided an opportunity to speak (limited to three minutes) during Public Comment. Maximum time permitted for all Public Comment is 30 minutes.

If you need special assistance in order to participate in a Board of Trustees meeting, please contact the Town Clerk's Office at 303-833-3291 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

- 9.a. **PUBLIC HEARING: Ordinance 963:** AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ZONING CERTAIN LAND, FULLY DESCRIBED HEREIN AND LOCATED WITHIN A PORTION OF CROSSROADS PUD, FROM PUD EMPLOYMENT CENTER TO PUD RESIDENTIAL-C AND PUD REGIONAL COMMERCIAL; AND APPROVING AN APPLICATION TO AMEND THE CROSSROADS PUD OFFICIAL DEVELOPMENT PLAN TO ALLOW FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT
- 9.b. **PUBLIC HEARING: Ordinance 964:** AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ANNEXING TO THE TOWN CERTAIN REAL PROPERTY LOCATED IN UNINCORPORATED WELD COUNTY AND OWNED BY THE TOWN OF FIRESTONE
- 9.c. **PUBLIC HEARING: Ordinance 965:** AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ZONING CERTAIN REAL PROPERTY FULLY DESCRIBED HEREIN, KNOWN AS THE CARBON VALLEY PIT ANNEXATION, TO PUD-EC (PLANNED UNIT DEVELOPMENT-EMPLOYMENT CENTER), AND APPROVING THE CARBON VALLEY PIT OUTLINE DEVELOPMENT PLAN

10. Discussion/Action

- 10.a. **Resolution 20-14** - A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, DESIGNATING THE APRIL 7, 2020, REGULAR ELECTION A MAIL BALLOT ELECTION AND AUTHORIZING THE TOWN CLERK TO APPOINT ELECTION JUDGES
- 10.b. **Resolution 20-15**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ADOPTING THE TOWN OF FIRESTONE INVESTMENT POLICY
- 10.c. **Resolution 20-16**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN ENGAGEMENT LETTER WITH HILLTOP SECURITIES, INC., TO SERVE AS MUNICIPAL ADVISOR TO THE TOWN OF FIRESTONE REGARDING THE ACQUISITION OF DEBT INSTRUMENTS

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10.d. Resolution 20-17: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING EQUIPMENT PURCHASES FOR THE TOWN'S PUBLIC WORKS DEPARTMENT

10.e. Resolution 20-18: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE FIRST AMENDMENT TO WATER CREDIT PURCHASE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND MORTGAGE CONSULTANTS, LLC

10.f. Ballot Language Discussion

11. Public Comment *(maximum time permitted for all Public Comment is 30 minutes)

12. Reports

12.a. Staff

12.b. Mayor

12.c. Trustees

13. Executive Session

13.a. An Executive Session pursuant to C.R.S. 24-6-402(4)(e)(I), for purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators regarding the acquisition of certain water rights.

13.b. An Executive Session pursuant to C.R.S. 24-6-402(4)(e)(I), for purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators regarding an oil and gas agreement.

14. Adjournment

* Individuals that desire to address the Board of Trustees are requested to sign up at the table at the entrance to the meeting room. Each individual will be provided an opportunity to speak (limited to three minutes) during Public Comment. Maximum time permitted for all Public Comment is 30 minutes.

If you need special assistance in order to participate in a Board of Trustees meeting, please contact the Town Clerk's Office at 303-833-3291 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 5.a.

Consent Agenda

Meeting Date: January 22, 2020

Initiated By:

Dept: Town Clerk

AGENDA TITLE

Approval of January 8, 2020 BOT Regular Meeting Minutes

SUMMARY

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

ALTERNATIVES

ATTACHMENTS

1. 010820 Reg BoT Mtg Minutes

FINANCIAL CONSIDERATIONS

TOWN OF FIRESTONE, COLORADO
Board of Trustees Regular Meeting
MINUTES
January 8, 2020

1. Call to Order & Roll Call

The Board of Trustees of the Town of Firestone met for a Regular Meeting on January 8, 2020, at the Town Hall, 151 Grant Avenue, Firestone, Colorado. Mayor Sindelar called the meeting to order at 7:00 PM

The following were present upon the call of the roll:

Mayor: Bobbi Sindelar

Mayor Pro-tem: Drew Peterson

Trustees: Don Conyac
George Heath - absent - excused
Samantha Meiring
Frank A. Jimenez
Doug Sharp

Staff: **Present:** Jan Sloat, Director of Human Resources; Dave Lindsay, Engineer; Paula Mehle, Director of FURA & Economic Development; Raelynn Ferrera, Special Projects & Facilities Division Manager; Katie Hansen, Director of Communications; Jessica Clanton, Director of Finance; Julie Pasillas, Director of Community Resources; Todd Bjerkaas, Director of Planning; Marty Ostholhoff, Planning Manager; David Montgomery, Chief of Police; Jessica Koenig, Town Clerk; AJ Krieger, Town Manager; & William Hayashi, Town Attorney

2. Pledge of Allegiance

Pledge was led by Mayor Sindelar

3. Approval of Agenda

Motion by Trustee Meiring, **second** by Trustee Jimenez, Approval of Agenda All in Favor,
Motion carried.

4. Public Comment *(maximum time permitted for all Public Comment is 30 minutes)

Rick Hand of 4836 Falcon Drive, Frederick, Colorado, gave public comment on the Night to Shine event.

5. Consent Agenda

Motion by Mayor Pro-tem Peterson, **second** by Trustee Sharp, to approve the Consent Agenda

Roll Call Vote:

Yes: Trustee Conyac, Trustee Meiring, Trustee Jimenez, Mayor Pro-tem Peterson, Trustee Sharp

No: None

Abstain: None

Motion carried.

5.a. Approval of December 11, 2019 BOT Regular Meeting Minutes

5.b. **Resolution 20-01:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, DESIGNATING THE POSTING LOCATION FOR NOTICE OF MEETINGS OF THE BOARD OF TRUSTEES AND ALL OTHER LOCAL PUBLIC BODIES OF THE TOWN

5.c. **Resolution 20-02:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ADOPTING THE THREE MILE PLAN FOR THE TOWN OF FIRESTONE, COLORADO

5.d. **Resolution 20-06:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE PAYMENT OF THE TOWN'S 2020 INSURANCE PREMIUMS

5.e. **Resolution 20-07:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE SIXTEENTH INTERIM AGREEMENT BETWEEN THE NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE AND THE TOWN OF FIRESTONE FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT

5.f. **Resolution 20-10:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE APPLICATION TO THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT FOR CANCELLATION OF TEMPORARY USE PERMITS

5.g. **Resolution 20-11:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN APPLICATION TO THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT FOR AN ANNUALLY RENEWABLE PERPETUAL WATER CONTRACT FOR THE RIGHT TO USE COLORADO-BIG THOMPSON PROJECT WATER UNDER C.R.S. § 37-45-131

6. Presentation

7. Public Hearing

8. Discussion/Action

- 8.a. **Resolution 20-03:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT WITH THE NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT

Motion by Trustee Conyac, **second** by Trustee Meiring, to approve **Resolution 20-03:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT WITH THE NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT

Roll Call Vote:

Yes: Mayor Pro-tem Peterson, Trustee Jimenez, Trustee Conyac, Trustee Sharp, Trustee Meiring

No: None

Abstain: None

Motion carried.

- 8.b. **Resolution 20-04:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A FUNDING AGREEMENT BETWEEN THE TOWN OF FIRESTONE, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, AND THE ST. VRAIN WATER AUTHORITY

Motion by Trustee Jimenez, **second** by Trustee Conyac, to approve **Resolution 20-04:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A FUNDING AGREEMENT BETWEEN THE TOWN OF FIRESTONE, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, AND THE ST. VRAIN WATER AUTHORITY

Roll Call Vote:

Yes: Mayor Pro-tem Peterson, Trustee Jimenez, Trustee Conyac, Trustee Meiring, Trustee Sharp

No: None

Abstain: None

Motion carried.

8.c. Resolution 20-05: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND McGRANE WATER ENGINEERING, LLC, FOR FINAL DESIGN AND CONSTRUCTION ENGINEERING SERVICES

Motion by Mayor Pro Tem Peterson, **second** by Trustee Conyac, to approve **Resolution 20-05:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND McGRANE WATER ENGINEERING, LLC, FOR FINAL DESIGN AND CONSTRUCTION ENGINEERING SERVICES

Roll Call Vote:

Yes: Mayor Pro-tem Peterson, Trustee Jimenez, Trustee Conyac, Trustee Meiring, Trustee Sharp

No: None

Abstain: None

Motion carried.

8.d. 2020 Ballot Question

The Board of Trustees reached a consensus to discuss proposed ballot language for the Town Hall construction and Public Works expansion in addition to the lodging tax at the January 15, 2020 Board of Trustees Work Session.

8.e. Resolution 20-08: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A DESIGN SERVICES AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HALCYON DESIGN, LLC, FOR THE TOWN HALL PROJECT

Motion by Trustee Meiring, **second** by Trustee Sharp, to approve **Resolution 20-08:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A DESIGN SERVICES AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HALCYON DESIGN, LLC, FOR THE TOWN HALL PROJECT

Roll Call Vote:

Yes: Mayor Pro-tem Peterson, Trustee Jimenez, Trustee Conyac, Trustee Meiring, Trustee Sharp

No: None

Abstain: None

Motion carried.

- 8.f. **Resolution 20-09:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A DESIGN SERVICES AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HALCYON DESIGN, LLC, FOR THE PUBLIC WORKS FACILITY EXPANSION AND REMODEL PROJECT

Motion by Trustee Sharp, **second** by Trustee Conyac, to approve **Resolution 20-09:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A DESIGN SERVICES AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HALCYON DESIGN, LLC, FOR THE PUBLIC WORKS FACILITY EXPANSION AND REMODEL PROJECT

Roll Call Vote:

Yes: Mayor Pro-tem Peterson, Trustee Jimenez, Trustee Conyac, Trustee Meiring, Trustee Sharp

No: None

Abstain: None

Motion carried.

9. **Public Comment** *(maximum time permitted for all Public Comment is 30 minutes)

No one was present that wished to give public comment.

10. Reports

10.a. Staff

Paula Mehle, Director of Economic Development and FURA, reported on the Coffee with Trustees with Trustee Sharp and Mayor Pro Tem Peterson scheduled for the morning of January 9, 2020. Ms. Mehle also reported on the North Metro Chamber 2020 Launch Party on January 9, 2020.

AJ Krieger, Town Manager, reported on the new quasi-judicial list that will be posted to the Town website. Mr. Krieger reported on an upcoming January 22, 2020 agenda item approving an engagement letter with Hilltop Financial.

10.b. Mayor

10.c. Trustees

Trustee Meiring reported on the North Metro Chamber breakfast with the Economic Development Director. Trustee Meiring also reported on the upcoming February 14, 2020 Colorado Municipal League Policy Session Committee meeting, and the February 13, 2020 Colorado Municipal League Legislative Session.

Trustee Jimenez inquired on when the quasi-judicial spreadsheet would be posted on the Town website.

Mayor Pro Tem Peterson thanked the Finance Director for the impact fees and capital improvement fund balance. Mayor Pro Tem Peterson reported that he would attend the Carbon Valley Parks & Recreation Advisory Board meeting with Trustee Jimenez at 5:30 pm on January 9, 2020. Additionally, Mayor Pro Tem Peterson reported that he had a conversation with a Frederick Trustee regarding broadband options.

Trustee Sharp reported that RFP responses for broadband are due on January 15, 2020.

11. Executive Session

12. Adjournment

Motion by Trustee Jimenez, **second** by Trustee Meiring, to Adjournment All in Favor, **Motion carried.**

Introduced and Approved the DAY of MONTH YEAR

TOWN OF FIRESTONE, COLORADO

ATTEST

Bobbi Sindelar, Mayor

Jessica Koenig, Town Clerk

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 5.b.

Consent Agenda

Meeting Date: January 22, 2020

Initiated By:

Dept: Town Clerk

AGENDA TITLE

Approval of October 2, 2019 BOT Special Meeting Minutes

SUMMARY

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

ALTERNATIVES

ATTACHMENTS

1. 100219 Special Meeting Minutes

FINANCIAL CONSIDERATIONS

TOWN OF FIRESTONE, COLORADO
Board of Trustees Special Meeting
October 2, 2019

1. CALL TO ORDER & ROLL CALL

The Board of Trustees of the Town of Firestone met for a Special Meeting on October 2, 2019, at the Town Hall, 151 Grant Avenue, Firestone, Colorado. Mayor Sindelar called the meeting to order at 8:07p.m.

The following were present upon the call of the roll:

Mayor: Bobbi Sindelar
Mayor Pro-tem: Drew Peterson
Trustees: Don Conyac
George Heath - Absent
Samantha Meiring
Frank A. Jimenez
Doug Sharp

Staff: **Present:** William Hayashi, Town Attorney & AJ Krieger, Town Manager; Jan Sloat, Director of Human Resources

2. PLEDGE OF ALLEGIANCE

Pledge was conducted by Mayor Bobbi Sindelar

3. EXECUTIVE SESSION

Open: 8:10pm

Closed: 8:44pm

a. An **Executive Session** pursuant to C.R.S. 24-6-402(4)(f)(I), for a personnel matter regarding recruitment of a Town Clerk

Motion by Trustee Jimenez, **second** by Mayor Pro-tem Peterson, to adjourn into An **Executive Session** pursuant to C.R.S. 24-6-402(4)(f)(I), for a personnel matter regarding recruitment of a Town Clerk

Staff asked to participate: AJ Krieger, Town Manager; William Hayashi, Town Attorney; Jan Sloat, Director of Human Resources

12. Report from Executive Session

None

13. ADJOURNMENT

Motion by Trustee Sharp, **second** by Trustee Conyac, to adjourn the meeting at 8:55.

Motion passed, all in favor.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST

Rusti Roberto, Deputy Town Clerk

Unapproved

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 5.c.

Consent Agenda

Meeting Date: January 22, 2020

Initiated By: Jessica Koenig

Dept: Legal

AGENDA TITLE

Ordinance 966: AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AMENDING TITLES 1 AND 2 AND ENACTING CHAPTER 2.05 OF THE FIRESTONE MUNICIPAL CODE REGARDING TOWN ADMINISTRATION, BOARD OF TRUSTEES RULES OF PROCEDURE AND ENACTING A CODE OF CONDUCT

SUMMARY

Ordinance 966 amends the Town of Firestone Municipal Code to create a Code of Conduct within Chapter 2.05. The purpose of the Code of Conduct is to promote public confidence in the integrity of Town government, and provide guidance in the event of conflicts between members of the boards and commissions. Additionally, the Code of Conduct establishes guidance for standards of conduct by identifying actions that are incompatible with the best interests of the Town.

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

Approval of Ordinance 966.

ALTERNATIVES

ATTACHMENTS

1. Final Admin and Code of Conduct Ord

FINANCIAL CONSIDERATIONS

NA

ORDINANCE NO. 966

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
FIRESTONE, COLORADO, AMENDING TITLES 1 AND 2 AND
ENACTING CHAPTER 2.05 OF THE FIRESTONE MUNICIPAL CODE
REGARDING TOWN ADMINISTRATION, BOARD OF TRUSTEES
RULES OF PROCEDURE AND ENACTING A CODE OF CONDUCT**

WHEREAS, the Town desires to update its Municipal Code in accordance with current standards of municipal governance and the requirements of state law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. Section 1.04.010, Definitions, of the Firestone Municipal Code is amended by deletion of Section 1.04.010 (F) and (N) in their entirety.

Section 2. Section 2.04.060, Quorum – fines for absence or disorderly behavior, of the Firestone Municipal Code is amended to read as follows:

At all the meetings of the board of trustees, four of the trustees shall constitute a quorum for the transaction of business. The mayor shall not be counted for purposes of determining a quorum.

Section 3. Section 2.04.100, Motions to reconsider, of the Firestone Municipal Code is amended to read as follows:

A motion to reconsider a vote shall only be made at the same meeting by a trustee who voted on the prevailing side of the vote though it may be seconded by any trustee.

Section 4. Section 2.04.110, Requests for written versions of motions or resolutions, of the Firestone Municipal Code is amended to read as follows:

All motions shall be reduced to writing if required by any trustee, and when seconded and stated by the chair or read by the clerk shall be open for consideration.

Section 5. Section 2.04.130, Voting requirements – committee appointments, of the Firestone Municipal Code is amended to read as follows:

Every trustee present shall be required to vote on all questions, unless a trustee has a personal or financial interest other than the common public interest. A request for recusal must be made prior to the call for a vote. The Mayor shall not be counted for purposes of determining the requisite majority on any matter to be voted on by the Board. All committees shall be appointed by the presiding officer unless otherwise ordered by a majority vote of the Board, and in that case they shall be appointed by ballot.

Section 6. Section 2.04.165, Application of Certain Administrative Policies and

Procedures to Elected and Appointed Officials, of the Firestone Municipal Code is repealed in its entirety.

Section 7. Section 2.04.210, Executive Session, of the Firestone Municipal Code is repealed in its entirety and reenacted to read as follows:

Executive session of the Board may be held in accordance with C.R.S. Section 24-6-402 (4), as same may be amended from time to time.

Section 8. Section 2.04.220, Enforcement of rules of procedure - fine, of the Firestone Municipal Code is repealed in its entirety.

Section 9. Chapter 2.05, Code of Conduct, of the Firestone Municipal Code is enacted to read as follows:

Sec. 2.05.010 - Title

This chapter, referenced as the “Code of Conduct,” is intended to supplement the state constitution and state law and serves as the code of ethics governing the conduct of elected and appointed officials of the Town with respect to conflicts of interest and the performance of their official activities on behalf of the Town and its citizens.

Sec. 2.05.020 - Purpose.

A. The Board of Trustees recognizes that the holding of public office is a public trust and that public officials have a fiduciary duty to carry out the responsibilities of their office for the benefit of the Town. The Board of Trustees finds that ethical standards among its members and the members of the various boards, commissions, committees and authorities of the Town are essential to the public affairs of the Town. In pursuit of such goals the Board of Trustees adopts the following rules, regulations, standards and procedures as set forth in this Code of Conduct.

B. The purpose of this Code of Conduct is to promote public confidence in the integrity of the Town government and to provide guidance in the event of conflicts of interest to members of the Town Board of Trustees and to the boards, commissions, committees, and other authorities operating on behalf of the Town. This chapter is further intended to foster public trust by defining the parameters of honest government; by ensuring that government decisions and policy be made in proper channels of the government structure; and by prohibiting the use of public office for private gain.

C. This Code of Conduct establishes guidelines for standards of conduct by setting forth those acts or actions that are incompatible with the best interests of the Town; by directing disclosure of private, financial, or other substantial interests in matters affecting the Town; and by imposing appropriate sanctions upon elected or appointed officials who violate the provisions of this Code of Conduct.

Sec. 2.05.030 - Scope of coverage.

The provisions of this Code of Conduct shall be applicable to all members of the Board of Trustees and all appointed members of the Town's commissions.

Sec. 2.05.040 - Definitions.

As used in this chapter, the following terms shall have the following meanings, except where the context clearly requires a different meaning:

“Appear on behalf of” means to act as a witness, advocate, or expert, or otherwise to support the position of another person.

“Board” means the board of trustees of the Town of Firestone.

“Board member” means a member of the board of trustees of the Town of Firestone.

“Board or commission member” means a “board member” and a “commission member” as those terms are defined in this section.

“Business” means any corporation, limited liability company, governmental entity, trust, partnership, association, sole proprietorship, firm, venture, or other legal entity carrying on a business, whether or not operated for profit.

“Commission” means an appointive advisory board or commission or other appointive body or authority of the Town, including, but not limited to, advisory boards, commissions, committees, and authorities created by the Board and or set forth in the Town Code.

“Commission member” means a regular or alternate member of a commission.

“Confidential information” means information that is not available to the general public under applicable laws, ordinances, and regulations, and which is obtained by reason of the board or commission member’s position with the Town or under circumstances by which a reasonable person could anticipate that such information not be disclosed. Confidential information shall also include matters discussed in executive sessions; however, information otherwise available to the general public does not become “confidential” merely because it was discussed in executive session.

“Conflict of interest” means a financial interest or personal interest of the board or commission member or of any relative of such member that interferes with or influences or may interfere with or influence the conduct of the duties or the exercise of the powers of the board or commission member on behalf of the Town. The term "conflict of interest" includes the restrictions set forth in section 2.05.060 of this chapter.

“Contract” means an arrangement or agreement, including the bidding or negotiation process therefor, pursuant to which any material, service, or other thing of value is to be furnished to the town for a valuable consideration to be paid by the Town or is to be sold or transferred by the Town, provided the amount involved is more than one hundred dollars (\$100.00). The term

“contract” shall include any subcontract thereof.

"Day" means working days.

“Financial interest” means a pecuniary, property, or commercial interest or any other interest, the primary significance of which is economic gain or the avoidance of economic loss. A "financial interest" exists with regard to real property which is owned, leased, or used by a board or commission member if it is reasonably foreseeable that an action of the board or commission member will have a special economic effect on the value or use of the real property, distinguishable from its effect on the public. A board or commission member shall be deemed to have a financial interest in a contract if the board or commission member or any relative of the board or commission member is an employee, partner, officer, director, or sales representative of the person with whom such contract is made. However, the term "financial interest" shall not include any matter involving the common public good or necessity. Nor shall the term include any matter in which a similar benefit is conferred to all persons or property similarly situated. Provided further, ownership individually or in a fiduciary capacity of any securities or of any beneficial interest in securities of a business shall not be deemed to create an "financial interest" in the business unless the aggregate amount of such securities, or interest in such securities, amounts to five percent (5%) or more of any class of the securities of the business entity then outstanding or constitutes controlling interest in the business entity.

“Official act or action” means any legislative, administrative, appointive, or quasi-judicial act, including inaction, of any board or commission member or of the Town board or of any commission of the Town.

“Pending” means those matters before the Town for an official act or action. Such matters shall not be considered “before the Town” if no application or request for such official act or action has been filed with or received by the Town.

“Person” means any individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, limited liability company, partnership, association, or other legal entity.

“Personal interest” shall mean a direct or indirect interest, not shared by the general public, having value peculiar to a particular board or commission member, whether or not the value is related to monetary, financial, commercial, or property matters, which value may accrue to such board or commission member or result in such board or commission member’s deriving or potentially deriving a personal benefit as a result of the approval or denial of any ordinance, resolution, order, or other official action, or the performance or nonperformance thereof, by the town. Personal interest does not include any matter in which a similar benefit is conferred to all persons or property similarly situated to that of the board or commission member.

“Relative” means a board or commission member’s spouse, domestic partner, child, parent, brother, sister, any dependent, or any person assuming a relationship being the substantial equivalent of those listed herein. “Domestic partner” shall mean an unmarried adult, unrelated by blood, with whom an unmarried board or commission member has an exclusive, committed relationship, maintains a mutual residence, and shares basic living expenses.

“Town” means the town of Firestone, Colorado, a Colorado municipal corporation.

“Transaction” means any contract, any sale or lease of an interest in land, material, supplies or services, or any granting of a development right, license, permit or application.

Sec. 2.05.050 - General requirements.

A. Duty. All board and commission members have a duty to use their public positions to contribute to the public good. This chapter shall not preclude such persons from acting in any manner consistent with their official duties or from providing assistance or public services to anyone who is entitled to them. All board and commission members, however, also have a fiduciary duty to refrain from using their positions in any manner for personal or private gain or which is detrimental to the public good. Board and commission members must be mindful that the appearance of impropriety can be as corrosive of public confidence as an actual impropriety and must strive to avoid situations that may create an appearance of impropriety.

B. State requirements. All board and commission members shall comply with all applicable provisions of Article XXIX of the Colorado Constitution (Ethics in Government) and the Colorado Revised Statutes regarding ethical conduct, including but not limited to Sections 24-18-101 et seq., C.R.S. (Standards of Conduct), Sections 24-18.5-101 et seq., C.R.S. (Independent Ethics Commission), and Section 31-4-404, C.R.S. (Disclosure of Conflict), notwithstanding the requirements of this chapter.

Sec. 2.05.060 - Rules of conduct for board and commission members.

A. Confidential information.

1. No board or commission member may disclose to third parties any confidential information unless authorized to do so by a two-thirds vote of the applicable board or commission members in office, except as required by law.
2. No board or commission member may waive any confidence or privilege of the board or of any commission unless authorized to do so by a two-thirds vote of the applicable board or commission members in office, except as required by law.
3. Whether or not it shall involve disclosure, no board or commission member shall use or permit the use of any confidential information to advance the personal or financial interest of himself or herself or any other person, unless such information is available to the public at large.

B. Gifts of substantial value. No board or commission member may solicit or receive any compensation, gift, payment of expense, reward, gratuity, loan, reduced interest rate, or any item of value of sixty-five dollars (\$65.00) or more tendered by a person who has an interest in any matter pending before the Town which, in the judgment of a reasonably prudent person, would tend to impair the board or commission member's independence or impartiality of judgment in the performance of the board or commission member's official duties with regard to any such pending matter. This restriction also applies to any such items of value given after the pending matter is concluded if it reasonably appears that the giving of the item of value is related to the

recipient's participation in the pending matter. Matters pending before the Town include, but are not limited to, inspections, the processing of permits or licenses, and other administrative approvals. The following shall not be prohibited under this subsection:

1. Campaign contributions to a candidate, candidate committee, political committee, and/or issue committee if reported as required by law.
2. An occasional nonpecuniary gift, having fair market value of or aggregate actual cost of sixty-five dollars (\$65.00) or less in value in any calendar year;
3. A nonpecuniary award publicly presented in recognition of public service.
4. Payment of or reimbursement for actual and necessary expenditures for travel, subsistence, and admission for attendance at conventions, conferences, seminars, training sessions, luncheon and dinner meetings, or other meetings in connection with Town business.
5. Acceptance of food and refreshment at conventions, conferences, seminars, training sessions, luncheon and dinner meetings, special occasions, and other meetings in connection with Town business.
6. Payment for speeches, debates or other public events, reported as honorariums.
7. Reimbursement for or acceptance of an opportunity to participate in a social function or meeting which is offered to a board or commission member, which is not extraordinary when viewed in light of the position held by such board or commission member.
8. Payment of salary from employment, including other government employment, in addition to any that may be earned from being a board or commission member.
9. Items available for free to the general public at trade conventions, conferences, or other public exhibitions, and items offered at a discount, generally, to board or commission members or employees of governments.

C. Conflict of interest. No board or commission member may participate in any discussion of, take any official action on, or vote to render any final decision or determination on any matter in relation to which the board or commission member has a conflict of interest, except as provided in section 2.05.070 of this chapter.

D. Appearances before boards and commissions. No board or commission member may appear on behalf of a private party before a Town board or commission, unless otherwise permitted by the Town Code, except that any board or commission member may appear before a Town board or any commission to address that board or commission member's own personal interest. Nothing in this subsection shall preclude a board or commission member in the same manner and under the same circumstances as any other person from appearing before the a board or commission on an application of the board or commission member for a permit, license or other approval of the board or commission required by law.

E. Civil litigation. No board or commission member may appear on behalf of or represent any private interests, other than the board or commission member's own interest, against the interests of the Town in any civil litigation to which the Town is or may become a party, unless the consent of the board is first obtained, except that any board or commission member may testify under oath if subpoenaed.

F. Service on other governmental entities or associations. Except as explicitly disclosed through a conflict-of-interest disclosure as to type of position, compensation, and role, no board or commission member may serve on any board or commission of a governmental entity that is located in the Town or receives funds from or provides funds to the Town.

G. Personal benefit. No board or commission member may use any Town property, equipment, or employee services for personal or private purposes, gain, or advantage except in the same manner and under the same circumstances as any other person who is not a board or commission member of the Town.

H. Special consideration. No board or commission member may request or grant to any person any special consideration, treatment, or advantage beyond that which is available to every other person in similar circumstances or need.

I. Voting on matters involving own conduct. No board member or commission member may take any official action on or vote on any question concerning the member's own conduct.

J. Other conduct. It shall be a violation of this Code of Conduct for any board or commission member to engage in other conduct which threatens the public confidence in the integrity of government, including but not limited to illegal conduct, conduct which puts self-interest before public interest, willful or persistent failure to perform his or her duties, engaging in any form of harassment or unlawful discrimination, or any other conduct involving dereliction of duties.

2.05.070 - Conflict of interest—Disclosure.

A. In the event that board or commission member has a conflict of interest in any matter proposed or pending before the board or commission of which he or she is a member, the member shall declare such conflict of interest in a public meeting to the board or commission. In the event that any board or commission member is aware that he or she could reasonably be perceived as having such a conflict of interest but is unsure of, or does not believe in, the existence of such a conflict, the member shall nevertheless disclose the possibility of such conflict of interest to the board or commission.

B. When it appears to the board or commission that a member thereof may have a conflict of interest which has not been disclosed, a majority of the remaining members of the board or commission may determine whether the member has a conflict of interest, and the decision of the remaining members shall be final. The member may participate in the discussion regarding whether the member has a conflict of interest, but the member shall not vote on such matter. In deciding whether or not a board or commission member has a conflict of interest, consideration should be given to the following:

1. Whether the potential conflict of interest would impede independence of judgment;
2. The effect of the member's participation on public confidence in the integrity of the governing body and Town government;
3. Whether the member's participation is likely to have any significant effect on the ultimate disposition of the matter;
4. The member's fiduciary obligations to the Town; and
5. The purposes of this Code of Conduct.

C. A board or commission member with a conflict of interest shall not take any official action on or vote on or be present during or try to influence the vote or participate in consideration of the matter in relation to which a conflict of interest is disclosed or established. No vote shall be recorded for a board or commission member who refrains from voting due to a conflict of interest.

D. A board or commission member who has a conflict of interest may vote notwithstanding the requirements and restrictions of this section if his or her participation is necessary to obtain a quorum or otherwise enable the board or commission to act and if he or she complies with the disclosure procedures under subsection A or B of this section.

Sec. 2.05.080 – Quasi -judicial decisions.

A. Each board and commission member shall be and remain impartial when making any quasi-judicial decision. Any board or commission member who cannot be impartial in making a quasi-judicial decision shall follow the procedure described in subsection 2.05.070(C) of this chapter.

B. No board or commission member shall receive nor shall any employee or member of the public provide to any board or commission member any substantive oral or written information, except for legal advice, regarding a matter which is pending before the board or commission on which the member sits, and which is the subject of a quasi-judicial hearing before the board or commission, outside of the quasi-judicial hearing process. The term "quasi-judicial hearing process" includes, but is not limited to, preparations necessary for such hearing such as written staff reports, scheduling, agendas, proposed resolutions and ordinances, posting or publishing notice, and legal advice. The Town attorney shall provide affected board or commission members advice on what constitutes a quasi-judicial decision.

C. In the event a board or commission member shall inadvertently or unintentionally receive any substantive oral or written information outside of the quasi-judicial hearing process, as prohibited in this section, the board or commission member shall fully and completely disclose such substantive oral or written information received at the start of the quasi-judicial public hearing process. By making such full and complete disclosure, the board or commission member shall be deemed to be in compliance with the requirements of this section. Failure to make such full and complete disclosure shall be a violation of this section.

Sec. 2.05.100 - Voting required.

Except as provided in the Town Code, state law, or this chapter, each board and commission member who is present at a meeting shall vote on all issues presented for a vote. Any board or commission member who refuses to vote, except when required to refrain from voting, shall be deemed in violation of this chapter, and an affirmative vote shall be cast and recorded in the board or commission member's name.

Sec. 2.05.110 - Advisory opinions.

- A. Any board or commission member may request from the Town attorney an advisory opinion whenever a question arises as to the applicability of this chapter to a particular situation.
- B. Should the Town attorney at any time determine that he or she has a conflict of interest in carrying out the duties of this section; the Town attorney shall request that the Town board appoint special counsel to undertake such duties. Special counsel must be engaged by a majority vote of the board and his or her reasonable fees and expenses shall be paid by the Town.

Sec. 2.05.120 - Enforcement.

- A. Board to enforce. The board shall have the responsibility for the enforcement of this chapter as to board and commission members. It shall have the power to investigate any complaint, to initiate any civil action on behalf of the Town where it believes such action is appropriate. If the accused is a board member, the procedures in subsection 2.05.070(C) shall apply, except that the accused board member may participate as a party in a hearing on a complaint under this section.
- B. Verified complaint. Any person who believes that a board or commission member has violated any of the provisions of this chapter and wishes to initiate proceedings on such alleged violation shall file a written complaint with the Town clerk, who shall forthwith forward the complaint to the board. The Town clerk shall within ten (10) days of a receipt of a complaint cause to be personally served a copy of the complaint to the board or commission member who is the subject of the complaint. The complaint must state in detail the facts of the alleged violation, must specify the provisions of this chapter alleged to have been violated, and must contain a sworn or verified statement signed by the complainant and stating under penalty of perjury that the information in the complaint is true and accurate, and that the complaint is filed in good faith and not out of malice or any other improper motive or purpose. Any complaint that does not contain such a signed statement shall be returned forthwith to the complainant without action.
- C. If the board determines that the verified complaint does not allege facts sufficient to constitute a violation of this chapter, it shall dismiss the complaint and notify the complainant and the accused.
- D. Investigation. Following the receipt of a complaint or upon the receipt of other information, whether or not under oath, that provides a reasonable basis to believe that a

violation of this chapter has been committed or that an investigation of a possible violation is warranted, the board may cause an investigation to be made of the circumstances concerning the possible violation. . An ethics investigation shall be conducted by a special investigator, who shall be a qualified disinterested party recommended by the Town attorney, and who shall be engaged by a majority vote of the board. The reasonable fees and expenses of the special investigator shall be paid by the Town. Before invoking its investigatory powers, the board shall approve a motion which shall state the nature and purpose of the investigation, the actions or activities to be investigated and the persons who are the subject of the investigation. The board shall, within five (5) days, serve a copy of the motion on the accused together with a notice informing the person that he or she is the subject of the investigation and a general statement of the applicable provisions whose violation are being investigated.

E. Special investigator. The special investigator may interview witnesses and request documents that may be relevant to the investigation. Before completing the investigation, the special investigator shall provide the board or commission member against whom the complaint is made an opportunity to provide information concerning the complaint. Such information must be provided in writing. Upon completion of the investigation, the special investigator shall provide a written investigation report to the board stating whether there is probable cause to believe the violation(s) alleged in the complaint occurred, whether the investigation revealed that there is probable cause to believe that different or additional violations of this chapter occurred, or recommending dismissal of the complaint, and the basis for the special investigator's conclusions. A copy of the investigation report shall be provided to the board and served on the accused.

F. Dismissal or hearing. Upon completion of the investigation, the board shall review the investigation report and dismiss the complaint if it determines there was no violation of this chapter. If the board determines, based on the investigation report, that there is probable cause that a violation occurred, it shall by motion set a hearing date, time and place ... The investigative report and notice of the hearing shall be served on the accused not less than thirty (30) days prior to the hearing.

G. Hearing. The mayor or mayor pro tem shall preside over the hearing on the complaint and shall determine all procedural issues with the assistance of the Town attorney. The special investigator shall present the case against the accused. The accused may be represented pro se or by any person of the accused's choice. The hearing shall be conducted so as to provide fundamental fairness, although strict rules of procedure and evidence need not be followed. All witnesses shall be subject to cross-examination. Documentary evidence that can be reasonably authenticated shall be admitted for consideration. A violation of this chapter shall be proven by a preponderance of the evidence as determined by two-thirds of all the voting members of the board. Upon finding that the accused violated this chapter, the board may continue the hearing to discuss and, in its discretion, to receive additional evidence regarding the appropriate penalty.

H. Findings. At the conclusion of the hearing regarding the alleged violation, the board shall dismiss the charges or find that the accused violated this chapter. The board shall serve on the accused a written findings and order within thirty (30) days after conclusion of the hearing.

I. Sanctions. Upon finding that a board or commission member has violated this chapter, the board may impose an oral or written reprimand, a public censure, non-financial restorative

justice measures, or other sanctions as the board deems just and appropriate depending on the seriousness of the violation and any mitigating circumstances. The board may also remove any person other than a board member from such person's appointed position, and may remove a board member from any committees, boards, or other special or ex officio appointments.

J. Service. Service of any notice or other document pursuant to this section or this chapter is complete upon mailing certified mail to the person's last known address, or upon personal service.

K. Reimbursement of attorney fees. If the final outcome of any complaint filed pursuant to this section is dismissal or in the event the board or commission member against whom a complaint is filed is found by the board not to be in violation of the provisions of this chapter, then, in that event, the board or commission member may request and the Town may reimburse the board or commission member for any attorney fees actually expended by the board or commission member in his or her defense of the complaint, up to the amount of two thousand dollars (\$2,000.00). The board or commission member seeking such reimbursement of attorney fees as provided for herein shall file a complete and detailed request for reimbursement with the board showing amounts expended and specific legal services received and the board shall then review the request and determine its appropriateness hereunder. In the event the board has determined by resolution to reimburse such fees, the town shall reimburse such fees within sixty (60) days of receipt of the request for reimbursement.

Sec. 2.05.130 - Compliance with other laws.

The requirements of this chapter shall be in addition to the applicable requirements of the Town Code, the Colorado Constitution, and the laws of the state. To the extent any conflict exists between the requirements of this chapter and the requirements of the Town Code or the Colorado Constitution or the laws of the state, the more restrictive provision shall apply.

Section 10. Section 2.08.010 (A), Officers, appointment, term, of the Firestone Municipal Code is amended to provide as follows:

A. The Board of Trustees, shall appoint a Town Attorney, a Town Treasurer, a Town Clerk and a Town Marshall, and such other officers as from time-to-time shall be necessary for the proper government and control of the Town, and the appointees shall hold their respective offices until their successors are appointed and qualified unless sooner removed according to laws as hereinafter provided.

Section 11. Section 2.08.050, Removal of officers – causes – notice, of the Firestone Municipal Code is repealed in its entirety.

Section 12. Section 2.08.060, Misconduct or malfeasance, of the Firestone Municipal Code is amended to read as follows:

If any of the officers named in this chapter shall be charged with misconduct or malfeasance in office, the Mayor shall, upon the written request of not less than four members of the Board of Trustees, suspend such officer until final disposition of the matter.

Section 13. Section 2.14.020, Fair housing information officer, of the Firestone Municipal Code is repealed in its entirety.

Section 14. Section 2.14.010, Duties and responsibilities, of the Firestone Municipal Code is amended to read as follows:

2.14.010 - Duties and responsibilities.

The Town Clerk shall:

- A. Cause the ordinances of the Town to be published following adoption, which publication shall be by title only rather than by publishing in full, and which publication shall include a statement that the complete text of the ordinance is available at Town Hall and on the Town's official website; provided, however, that the inadvertent failure to include such statement as well as any unavailability of the ordinance on the Town's official website shall not be deemed to invalidate the ordinance;
- B. Superintend their publication, recording and placement in the permanent records of the Town, along with resolutions;
- C. Receive and file papers to be filed among the Town records;
- D. Handle local elections and exercise the powers vested in the Town Clerk by state law respecting the conduct of elections;
- E. Administer oaths of office and make out and deliver to each person elected or appointed to any office in the Town a certificate of such election or appointment;
- F. Furnish to the Town Attorney any record of documents in the Town Clerk's office that the Town Attorney may request to be used in any court and take receipts therefor. The Town Clerk shall also furnish any necessary, duly certified transcripts of the Town;
- G. Serve as custodian of public records and perform the functions thereof as provided by state law and Town laws and policies;
- H. Attend all meetings of the Board of Trustees and make a fair and accurate record of all the proceedings, rules and ordinances made and passed by the Board of Trustees;
- I. Keep the Town seal and affix it to all instruments and papers which, by ordinance or other applicable law, are required to be attested to by the Town seal;
- J. Have the custody of and safely keep, per applicable retention schedules, records; documents; ordinances; resolutions and orders of the Board of Trustees; and such other papers, documents, books and other property as may be delivered into the Town Clerk's custody;
- K. Sign those permits and licenses that are required to be issued or attested by the Town Clerk, in accordance with the provisions of the ordinances concerning the same;
- L. Serve as and exercise the powers of secretary to the Local Licensing Authority, in accordance with the provisions of the ordinances and laws concerning the same;
- M. Report at the regular meeting of the Board of Trustees the transactions of the Town Clerk's office; and

- N. Perform such other duties as may be required of the Town Clerk by state or federal laws; Town ordinances, resolutions, and policies; and the job description applicable to this office.

Section 15. Section 2.14.030, Pro tem, of the Firestone Municipal Code is repealed in its entirety.

Section 16. Section 2.16.010, Duties – Payment process, of the Firestone Municipal Code is amended to read as follows:

2.16.010 - Duties—Payment process.

The Town Treasurer, prior to service, shall take an oath of office and is expressly prohibited from using, directly or indirectly, the Town money in the Town Treasurer's custody or keeping the same for personal use or benefit or that of any other person or persons. Any violation of this provision shall be grounds for immediate removal from office by the Board of Trustees, which is authorized to declare the office vacant; in which case, a successor shall be appointed who shall hold office for the remainder of the time unexpired of such officer so removed.

Section 17. Section 2.20.010, Duties, of the Firestone Municipal Code is amended to read in its entirety as follows:

2.20.010 - Duties.

- A. The Town Marshal shall be the principal ministerial officer of the Town and shall have the same power that constables, sheriffs, police officers or other law enforcement officials have by law, co-extensive within the County in the cases of violation of the Town ordinances, and for offenses committed within the corporate limits of the Town.

Section 18. Section 2.20.020, Pound master, of the Firestone Municipal Code is repealed in its entirety.

Section 19. Section 2.28, Health Commissioner, of the Firestone Municipal Code is repealed in its entirety.

Section 20. Section 2.32, Town Engineer, of the Firestone Municipal Code is repealed in its entirety.

Section 21. Section 2.36, Commissioner of Streets, of the Firestone Municipal Code is repealed in its entirety.

Section 22. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declare it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 23. Violations of this ordinance shall be punishable in accordance with Section 1.16.010 of the Municipal Code of the Town of Firestone, Colorado.

Section 24. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this ____th day of _____, 2020.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST:

Jessica Koenig, Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 5.d.

Consent Agenda

Meeting Date: January 22, 2020

Initiated By: Jessica Koenig

Dept: Legal

AGENDA TITLE

Resolution 20-13: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AMENDING THE BOARD OF TRUSTEES HANDBOOK & ORIENTATION

SUMMARY

Resolution 20-13 will amend the Board of Trustees Handbook and Orientation to reflect the adoption of the Code of Conduct and amendment to the Firestone Municipal Code. Additionally, Resolution 20-13 removes the reference to Disclosure and Non-Action in the Board of Trustees Handbook and Orientation as those topics are covered in the Code of Conduct.

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

Approval of Resolution 20-13.

ALTERNATIVES

ATTACHMENTS

1. Trustees Handbook Res

FINANCIAL CONSIDERATIONS

NA

RESOLUTION NO. 20-13

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE,
COLORADO, AMENDING THE BOARD OF TRUSTEES HANDBOOK &
ORIENTATION**

WHEREAS, the Board of Trustees (“Board”), in its quest for good governance, has reviewed and updated its Code of Conduct, which is now set forth in Chapter 2.05 of the Firestone Municipal Code; and

WHEREAS, the Board, therefore, desires to amend the Board of Trustees Handbook & Orientation to reflect the adoption of the Code of Conduct.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
TOWN OF FIRESTONE, COLORADO:**

Section 1. Conflicts of Interest, Ethics and Code of Conduct of the Board of Trustee Handbook & Orientation is repealed in its entirety and reenacted to provide:

Code of Conduct

The Board is governed as to Standards of Conduct, Ethics and Conflicts of Interest, as set forth in Code of Conduct, Chapter 2.05 of the Firestone Municipal Code, a copy of which is attached to this Handbook.

Section 2. Disclosure and Non-Action: Matters Involving Conflicts of Interest is repealed in its entirety as all such matters are addressed in the Board’s codified Code of Conduct.

INTRODUCED, READ AND ADOPTED this __ day of _____, 2020.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST:

Jessica Koenig, Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 7.a.

Presentation

Meeting Date: January 22, 2020

Initiated By:

Dept: Town Clerk

AGENDA TITLE

FBLA Frederick Update on Sponsorship for National Competition

SUMMARY

FBLA Frederick requested to present to the Board of Trustees ahead of their January 31, 2020 district competition. FBLA Frederick plans to update the Board of Trustees on last summer and how the sponsorship funds were used for the national competition.

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

ALTERNATIVES

ATTACHMENTS

None

FINANCIAL CONSIDERATIONS

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 9.a.

Land Development

Meeting Date: January 22, 2020

Initiated By: Marty Ostholthoff

Dept: Planning & Development

AGENDA TITLE

PUBLIC HEARING: Ordinance 963: AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ZONING CERTAIN LAND, FULLY DESCRIBED HEREIN AND LOCATED WITHIN A PORTION OF CROSSROADS PUD, FROM PUD EMPLOYMENT CENTER TO PUD RESIDENTIAL-C AND PUD REGIONAL COMMERCIAL; AND APPROVING AN APPLICATION TO AMEND THE CROSSROADS PUD OFFICIAL DEVELOPMENT PLAN TO ALLOW FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT

SUMMARY

See attached Staff Report.

HISTORY AND PREVIOUS BOARD ACTION

The first amended Outline Development Plan (ODP) revises the previously approved Crossroads Planned Unit Development Outline Development Plan dated 7/15/1999 at reception no. 2707036, which was approved by the Board of Trustees on December 10, 1998.

RECOMMENDATION

Town staff recommends the Board of Trustees approve the First Amendment to the Crossroads PUD Outline Development Plan by approving Ordinance 963.

ALTERNATIVES

N/A

ATTACHMENTS

1. 9.a - First Amendment to the Crossroads PUD Outline Development Plan BOT Staff Report
2. 9.a - Ord 963 Crossroads 1st Amended ODP (1)
3. 9.a - Crossroads First Amended ODP 2020-01-02

FINANCIAL CONSIDERATIONS

N/A



Staff Report

**First Amendment to the
Crossroads Planned Unit
Development, Outline Development
Plan, An Amendment of a portion
of Crossroads PUD ODP, Lot 4 of
the First Replat of the American
Furniture Warehouse Subdivision,
Tract H Firestone City Centre Filing
3, and Tract E Firestone City Centre
Filing 3**

**Prepared by the
Town of Firestone for the
Board of Trustees**

January 22, 2020

Applications

This staff report is for First Amendment to the Crossroads Planned Unit Development (PUD), Outline Development Plan (ODP), an amendment to a portion of the Crossroads PUD ODP, Lot 4 of the First Replat of the American Furniture Warehouse Subdivision, Tract H Firestone City Centre Filing 3, and Tract E Firestone City Centre Filing 3. The applicants for the ODP are A-Quire, LLC, and THF Firestone Development, LLC.

Notice

Pursuant to the Town Code and Development Regulations, proper notification of the public hearings was published. Proof of notification to owners of interest and surrounding property owners and a property posting log will be provided by the applicants prior to the hearings.

Location and Process

The location of the ODP is south of Firestone Blvd., accessed from Jake Jabs Blvd. Tract E is both south of City Centre Road and west of Jake Jabs Blvd. Lot 4 and Tract H are both southeast of Jake Jabs Blvd. The ODP is a step in the Firestone Development Review process prior to subdivision and site planning.

Site Analysis

The ODP amendment is proposed on Lot 4 (12.622 acres) of the First Replat of the American Furniture Warehouse, Tract H (6.669 acres) Firestone City Centre Filing 3, and Tract E (21.197 acres) Firestone City Centre Filing 3, which is approximately 40.488 total acres in size. The site is generally flat and developable, gently sloping from west towards the east. There are five existing curb cuts for access points into Tract E, three off of City Centre Road and two off of Jake Jabs Blvd. Site access to Lot 4 and Tract H will be from Jake Jabs Blvd. On Tract E the only significant encumbrance are easements on the southern portion of the property. The property to the south of Tract E has an abandoned oil and gas well, which has a small portion of the oil and gas operations area on Tract E. The only encumbrance on Lot 4 is a 30' non-exclusive utility easement along the southeastern property line. Tract H has quite a few encumbrances on it, including: a 60' wide drainage easement, memorandum of agreement for a possible drill site pad, 8" sanitary easement, and a 20' pipeline easement.

ODP Analysis

The first amended Outline Development Plan (ODP) revises the previously approved Crossroads Planned Unit Development Outline Development Plan dated 7/15/1999 at reception no. 2707036. The amendment revises the present zoning for Lot 4 and Tract H from EC (Employment Center) to R-C (Residential – High Density). Tract E zoning will remain RC (Regional Commercial) with uses in R-C also allowed on Tract E.

The original goals of the PUD concept for Planning Area 1 (Lot 4 and Tract H) focused on creating an attractive living and working environment using innovative site and design techniques to respond to the site's natural features. The original goals focused on:

- Compactness – walkability to commercial areas, employment centers and open spaces from the residents.
- Opportunities for local employment in shops and businesses close to residents.
- Protecting the enhanced Godding Hollow.

Building upon the original goals, crossroads first amended ODP will feature:

- Convenient access to the I-25 corridor and close proximity to existing and future retail uses.

- A multi-family neighborhood with a variety of unit types and a neighborhood amenity building with a swimming pool and a common gathering location.
- A high quality architectural design solution to complement the Firestone rural character.
- A neighborhood texture that emphasizes interconnecting streets and pedestrian connections.
- An intent to create a natural area for trail connections and small gathering spaces.

Within Planning Area 2 PUD (Tract E) the intent is a mixed use zone with allowed uses outlined within the RC (Regional Commercial) and R-C (Residential High-Density). Residential and commercial land uses would be permitted in the same buildings. The following criteria shall be met for Planning Area 2:

- Provide opportunity for a mix of uses including retail, office, entertainment, and residential.
- Provide an intentional formal gathering place to include multi-use public spaces.
- Prioritize interconnecting streets and pedestrian circulation between the planning areas.
- Create a walkable environment, connecting all proposed uses and existing surrounding uses that celebrates the Firestone Trail connection.
- Density of residential uses with PUD shall not exceed 20 DU/AC.
- Provide higher concentrations of mixed-use residential uses in the southern portion of Planning Area 1 and transition to lower concentrations closer to Firestone Blvd.

Consistency

The application is consistent with the Firestone Master Plan, Development Regulations and Municipal Code.

Fiscal Impacts

Having a mixture of residential products/office/commercial land uses as shown on the ODP potentially provides for an economic development benefit for the Town. Additional fiscal impact analysis will be provided when subsequent development review applications are submitted.

Utility and Services

Public infrastructure and utilities are available to the site. No infrastructure improvements are proposed with the ODP application. Additional utility and service details/studies will be provided when subsequent development review applications are submitted.

Planning and Zoning Commission and Board of Trustees Conditions and Standards for Approval

For your general reference, attached are the conditions and standards of approval for a PUD district that are stated in the Firestone Development Regulations.

Conditions and Standards for Approval

The Planning Commission and the Town Board of Trustees may approve a PUD application if it meets the intent of these Regulations and complies with the Town Code and other controlling regulations and documents, including the development standards specified herein. The Planning Commission and Town Board shall consider the following in making their decision for approval, approval with conditions, or denial of a PUD:

- A. The proposed PUD district is compatible with present development in the surrounding area, and will not have a significant, adverse effect on the surrounding area;
- B. The proposed PUD district is consistent with the public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
- C. The proposed PUD district is consistent with the overall direction, intent of Titles 16 and 17 of the Town Code, and the intent and policies of the Town's comprehensive plan and other policy documents of the Town;
- D. The proposed PUD district provides for a creative and innovative design which could not otherwise be achieved through other standard zoning districts;
- E. The exceptions from the zoning regulations requested in the proposed PUD are warranted by virtue of innovative design and amenities incorporated in the PUD district;
- F. The PUD provides adequate circulation in terms of internal street circulation system, designed for the type of traffic generated, for separate living areas, convenience, safety, access, and noise and exhaust control. Proper circulation in parking areas shall be provided in terms of safety, convenience, separation and screening. The PUD should provide for buffering from collector and arterial streets through earthen berms, landscaping, and other methods;
- G. The PUD provides functional open space in terms of practical usability and accessibility, and optimum preservation of natural features, including trees and drainage areas, recreation, views, natural stream courses, bodies of water and wetlands;
- H. To the extent practicable, the PUD provides variety in terms of housing types, housing size, densities, facilities and open space;
- I. The PUD provides for pedestrian and bicycle traffic in terms of safety, separation, convenience, access, destination and attractiveness. If possible, there shall be an internal pedestrian circulation system separate from the vehicular system such that allows access to adjacent parcels, parks, open space, or recreational facilities within the PUD as well as links to trail systems of the Town;
- J. Building types in terms of appropriateness to density, site relationship and bulk;
- K. Building design in terms of orientation, spacing, materials, color, texture, storage, signs and lighting;
- L. Landscaping of the site in terms of purpose, such as screening, types and materials used, maintenance suitability, water demands and effect on the area;
- M. Services including utilities, fire, police protection and other such services are available or can be made available to adequately serve the development;
- N. No structures in the PUD shall encroach on a floodplain except as permitted by the Town's floodplain ordinance;
- O. No occupied structure shall be located on ground showing severe subsidence potential without adequate design and study approved by the Town;
- P. Visual relief and variety of visual sitings shall be located within the PUD through building placement, shortened or interrupted street vistas, visual access to open space and other design methods;
- Q. The fiscal impacts on the Town, relative to expected service provision costs and

- anticipated revenue to the Town;
- R. Compliance with the provisions of any applicable intergovernmental agreements;
 - S. The PUD incorporates a lighting plan and facilities to minimize of light drift outside the PUD in an effort to help preserve the night sky;
 - T. To the extent reasonably practicable, the PUD shall strive to incorporate “green” building standards and design guidelines for all residential and commercial development in an effort increase energy efficiency and reduce energy consumption;
 - U. To the extent reasonably practicable, the PUD shall strive to incorporate renewable energy technologies;
 - V. To the extent reasonably practicable, the PUD shall strive to incorporate best management practices in recycling, water conservation, soils preservation and sustainable development practices;
 - W. To the extent reasonably practicable, the PUD shall strive to incorporate Infrastructure design that emphasizes technology that will encourage the development of “knowledge workers” and will facilitate telecommuting.
-

Planning Commission or Board of Trustees Action

The Planning Commission Board or Board of Trustees has the following options relative to the action on applications in general. As necessary additional information relative to continuances, etc. can be provided by the Town Attorney.

- A. Make a decision and vote on the application, using the draft resolution previously prepared, as may be amended during the hearing; or
 - B. Make a decision and vote on the application, but request the Town Attorney to prepare findings of fact and conclusions for approval and adoption at the next regular meeting; or
 - C. Defer a decision and direct the Town Attorney to prepare findings of fact and conclusions to be submitted to the Board of Trustees at its next regular meeting, with final deliberation, decision and adoption of the findings of fact and conclusion at that meeting; or
 - D. Defer a decision until a date certain, as is mutually agreed upon by the Applicant and the Board of Trustees, by which time the record and all evidence can be reviewed. At that time the Board of Trustees can either adopt findings of fact and conclusions or direct the Town Attorney to prepare findings of fact and conclusions for adoption at the next regular meeting after the meeting to which the matter has been deferred.
-

RECOMMENDATION

Town staff recommends the Board of Trustees approve Ordinance 963, with conditions.

ORDINANCE NO. 963

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ZONING CERTAIN LAND, FULLY DESCRIBED HEREIN AND LOCATED WITHIN A PORTION OF CROSSROADS PUD, FROM PUD EMPLOYMENT CENTER TO PUD RESIDENTIAL-C AND PUD REGIONAL COMMERCIAL; AND APPROVING AN APPLICATION TO AMEND THE CROSSROADS PUD OFFICIAL DEVELOPMENT PLAN TO ALLOW FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT

WHEREAS, THF Firestone Development, LLC (the “Applicant”) has submitted an application for zoning certain land fully described and depicted on Exhibit A and to amend the existing Crossroads PUD Outline Development Plan (the “ODP Amendment”), to allow for residential and commercial development (collectively, the “Application”); and

WHEREAS, the Firestone Planning and Zoning Commission, after conducting a public hearing on the Application held on January 9, 2020, rendered a decision recommending approval of the Application to the Board of Trustees, subject to two conditions of approval as more fully set forth in the resolution PC-20-01, dated January 9, 2020; and

WHEREAS, on January 22, 2020, the Board of Trustees conducted a public hearing on the Application; and

WHEREAS, after reviewing the record of the Planning and Zoning Commission public hearing, and after considering the testimony, evidence and argument presented at the Board of Trustees public hearing, the Board of Trustees finds and determines that the Application is complete, that the Applicant has met the requirements and standards set forth in Sections 17.22.030 and 17.44.060 of the Firestone Municipal Code, and Section 6.6 of the Firestone Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. The land described and depicted on Exhibit A shall be zoned Town of Firestone PUD-R-C (Planned Unit Development/Residential-C) and PUD-RC (Planned Unit Development/Regional Commercial) Zoning District.

Section 2. The Crossroads PUD Official Development Plan Amendment No. 1, attached hereto as Exhibit B, is hereby approved, conditioned upon satisfaction of the following conditions:

a. Provide an updated title commitment showing THF Firestone Development, LLC as owner when the mylars are provided for recording, dated no later than thirty (30) days prior to submission of mylars.

b. Technical corrections to the Outline Development Plan Amendment No. 1

shall be made to the Town's satisfaction

Section 3. Upon timely compliance with all conditions set forth in Section 2 above, the Board of Trustees certifies a change in the Zoning Map zoning the property described herein to Town of Firestone PUD-R-C (Planned Unit Development/Residential-C) and PUD-RC (Planned Unit Development/Regional Commercial) Zoning District.

Section 4. The Board of Trustees directs that a certified copy of this Ordinance be filed with the Town Clerk and further, that the Town Clerk index, file and make the Ordinance available to the public.

Section 5. If the conditions set forth in Section 2 above are not timely fulfilled within 120 days of the approval date, this ordinance shall be void and of no further effect.

Section 6. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 7. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this ____ day of January, 2020.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST:

Jessica Koenig, Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

EXHIBIT A
Legal Description

LOT 4, THE FIRST REPLAT OF THE AMERICAN FURNITURE WAREHOUSE SUBDIVISION AS PER THE PLAT RECORDED AUGUST 2, 2006 AT RECEPTION NO. 3408227, TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO, CONTAINING 12.622 ACRES, MORE OR LESS

TOGETHER WITH;

TRACT E, FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 3 AS PER THE PLAT RECORDED OCTOBER 1, 2010 AT RECEPTION NO. 3722597, TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO, CONTAINING 21.197 ACRES, MORE OR LESS

TOGETHER WITH;

TRACT H, FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 3 AS PER THE PLAT RECORDED OCTOBER 1, 2010 AT RECEPTION NO. 3722597, TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO, CONTAINING 6.669 ACRES, MORE OR LESS

TOTAL AREA CONTAINS 40.488 ACRES, MORE OR LESS.

EXHIBIT B
Crossroads PUD Outline Development Plan Amendment No. 1

AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
COVER SHEET

OWNER

DEVELOPER

CIVIL ENGINEER

Surveyor

APPROVAL BLOCK:

APPROVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO THIS _____ DAY OF _____, 20____ BY ORDINANCE NO. _____.

MAYOR

ATTEST: TOWN CLERK

ACCEPTANCE BLOCK AND NOTARY

BY SIGNING THIS ODP, THE OWNER ACKNOWLEDGES AND ACCEPTS ALL OF THE REQUIREMENTS AND INTENT SET FORTH HEREIN.

THF FIRESTONE DEVELOPMENT, L.L.C., A MISSOURI LIMITED LIABILITY COMPANY
BY: THF FIRESTONE INVESTORS, L.L.C., A MISSOURI LIMITED LIABILITY COMPANY, ITS MANAGER

BY: _____
MICHAEL H. STAENBERG, MANAGER

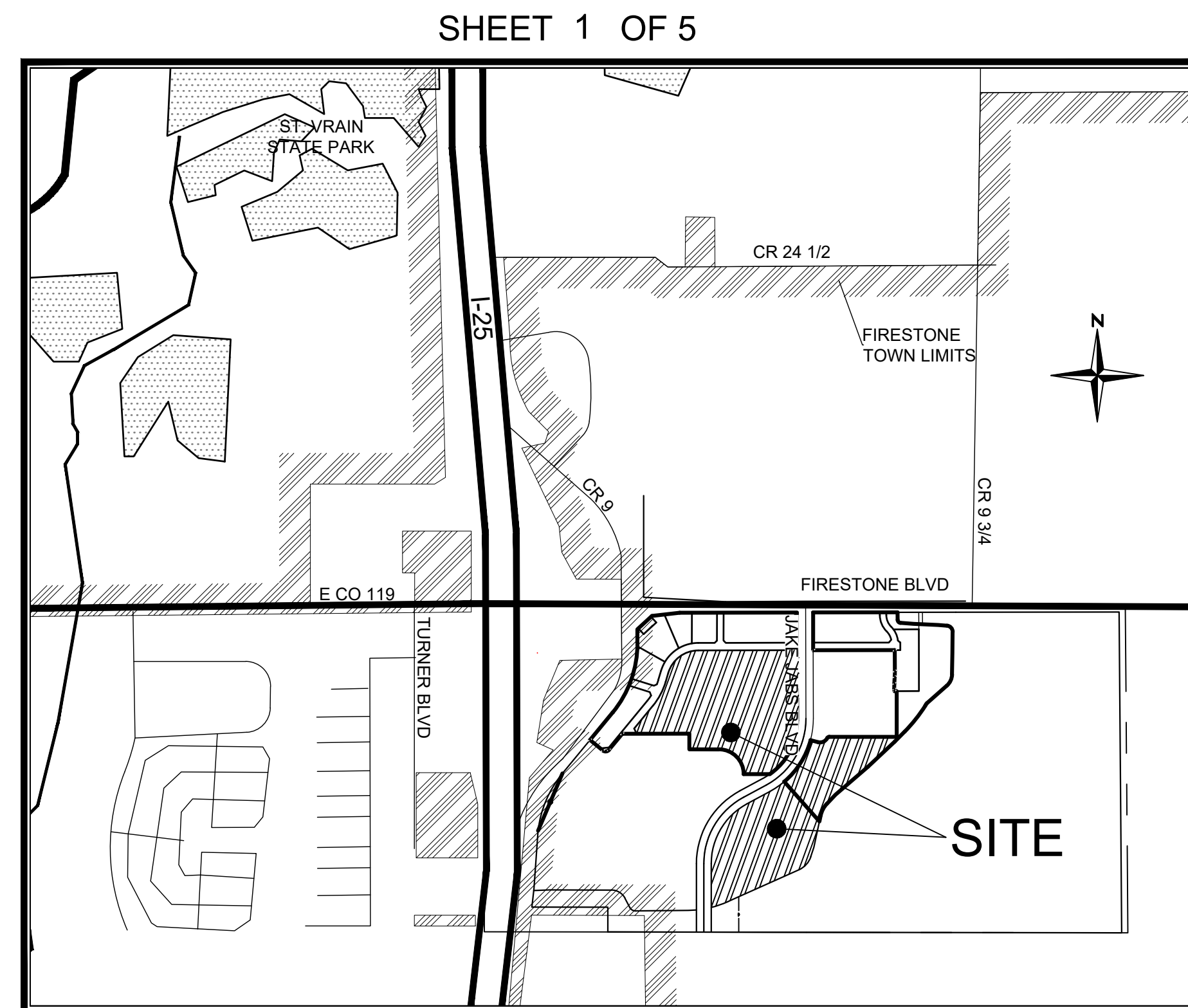
STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____,
BY MICHAEL H. STAENBERG, THE MANAGER OF THF FIRESTONE INVESTORS, L.L.C, THE MANAGER OF THF FIRESTONE DEVELOPMENT, LLC

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES



VICINITY MAP

1" = 1000'

LEGAL DESCRIPTION

LOT 4 OF THE FIRST REPLAT OF THE AMERICAN FURNITURE
WAREHOUSE SUBDIVISION AS PER THE PLAT RECORDED
SEPTEMBER 2, 2006 AT RECEPTION NO. 3408227, COUNTY OF WELD,
STATE OF COLORADO.

CONTAINING 12.622 ACRES MORE OR LESS

TRACT H FIRESTONE CITY CENTRE FILING 3 AS PER THE PLAT
RECORDED OCTOBER 1, 2010 AT RECEPTION NO. 3722597, COUNTY
OF WELD, STATE OF COLORADO.

CONTAINING 6.669 ACRES MORE OR LESS.

TRACT E FIRESTONE CITY CENTRE FILING 3 AS PER THE PLAT
RECORDED OCTOBER 1, 2010 AT RECEPTION NO. 3722597, COUNTY
OF WELD, STATE OF COLORADO.

CONTAINING 21.197 ACRES MORE OR LESS.

TOTAL AREA OF APPRECIATION CONTAINING 40.488 ACRES MORE OR LESS.

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM RTK FAST STATIC GPS OBSERVATIONS AND ARE BASED UPON THE COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE (NAD 83, 1996), ALONG THE EASTERLY LINE OF LOT 2, FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 3, WHICH BEARS SOUTH 23°14'40" EAST, BETWEEN THE MONUMENTS SHOWN HEREIN.

BENCHMARK

TOWN OF FIRESTONE BENCHMARK NO. 6. CHISELED SQUARE ON
SOUTH END HEAD WALL OF DITCH CROSSING UNDER INTERSTATE 25
ELEVATION = 4856.97 (TOWN OF FIRESTONE 1929 DATUM).



Know what's **below**.
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CROSSROADS PUD	
COVER SHEET	
NAME OF APPLICATION:	CROSSROAD PUD
TYPE OF SUBMITTAL	OUTLINE DEVELOPMENT PLAN - 1ST AMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	09.10.2018
REVISION DATE:	10.16.2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET <u>1</u> OF 5	

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Littleton, Colorado 80120
REDLAND.COM



CHECKED	TJF
APPROVED	TJF
PROJECT NO.	17022
HORIZ. SCALE	
VERT. SCALE	

OUTLINE DEVELOPMENT PLAN

COACHING

ET

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PROJECT CONCEPT

THE FIRST AMENDED OUTLINE DEVELOPMENT PLAN (ODP) REVISES THE PREVIOUSLY APPROVED CROSSROADS PLANNED UNIT DEVELOPMENT OUTLINE DEVELOPMENT PLAN (ODP) DATED 7/15/1999 AT RECEPTION NO. 2707036. THIS AMENDMENT REVISES THE PRESENT ZONING FOR THE SUBJECT PARCEL, COMPRISING 40.488 AC, FROM PLANNED UNIT DEVELOPMENT WITH EMPLOYMENT CENTER (EC) LAND DESIGNATION TO PLANNED UNIT DEVELOPMENT WITH HIGH-DENSITY RESIDENTIAL (R-C) OR REGIONAL COMMERCE (RC) LAND USE DESIGNATION .

THE ORIGINAL PROJECT CONCEPT FOCUSED ON CREATING AN ATTRACTIVE LIVING AND WORKING ENVIRONMENT USING INNOVATIVE SITE AND DESIGN TECHNIQUES TO RESPOND TO THE SITE’S NATURAL FEATURES.

BUILDING UPON THE ORIGINAL GOALS, CROSSROADS FIRST AMENDED ODP WILL FEATURE:

- COMPACTNESS - WALKABILITY TO COMMERCIAL AREAS, EMPLOYMENT CENTERS AND OPEN SPACES FROM THE RESIDENTS.
- OPPORTUNITIES FOR LOCAL EMPLOYMENT IN SHOPS AND BUSINESSES CLOSE TO RESIDENTS.
- PROTECTING THE ENHANCED GODDING HOLLOW.
- CONVENIENT ACCESS TO THE I-25 CORRIDOR AND CLOSE PROXIMITY TO EXISTING AND FUTURE RETAIL USES.
- A MULTI-FAMILY NEIGHBORHOOD WITH A VARIETY OF UNIT TYPES AND A NEIGHBORHOOD AMENITY BUILDING WITH A SWIMMING POOL AND A COMMON GATHERING LOCATION.
- A HIGH QUALITY ARCHITECTURAL DESIGN SOLUTION TO COMPLEMENT THE TOWN'S RURAL CHARACTER.
- A NEIGHBORHOOD TEXTURE THAT EMPHASIZES INTERCONNECTING STREETS AND PEDESTRIAN CONNECTIONS.
- AN INTENT TO CREATE A NATURAL AREA FOR TRAIL CONNECTIONS AND SMALL GATHERING SPACES.

THE FIRST AMENDED ODP WOULD PERMIT DEVELOPMENT OF MULTI-FAMILY RESIDENTIAL UNITS. THE SITE PROXIMITY OFFERS DIRECT ACCESS TO I-25 CORRIDOR AND EXITING RETAIL USES SUCH AS AFW, HOME DEPOT AND SURROUNDING PAD SITES. IT IS ANTICIPATED THAT THE UNITS WOULD RANGE FROM 1, 2 AND 3-BEDROOM UNITS WITH AN ESTIMATED RANGE OF 620 SF TO 1,363 SQUARE FEET. A PRIVATE NEIGHBORHOOD AMENITY BUILDING AND SWIMMING POOL WILL PROVIDE A COMMON GATHERING LOCATION FOR ALL RESIDENTS.

THE FIRST AMENDED ODP IS COMPATIBLE WITH THE SURROUNDING LAND USES AND WILL PROVIDE AN EFFECTIVE TRANSITION BETWEEN THE NEIGHBORHOOD COMMERCIAL TO THE NORTHWEST AND THE EXISTING RESIDENTIAL USES TO THE SOUTHEAST.

THE EXISTING ZONING OF THE PARCELS SURROUNDING THE FIRST AMENDED ODP IS NOT IMPACTED BY THIS AMENDMENT. THE ABUTTING PARCELS TO THE WEST AND EAST, WHICH FOR THE MOST PART HAVE BEEN BUILT OUT, ARE PART OF THE ORIGINAL ODP. TO THE SOUTH AND WEST IS AMERICAN FURNITURE WAREHOUSE AND TO THE EAST THE EAGLE CREST RESIDENTIAL NEIGHBORHOOD. DIRECTLY ADJACENT TO THE SOUTHEAST IS THE GODDING HOLLOW AND A STORM DRAINAGE EASEMENT WITH AN EXISTING PARALLEL TRAIL CONNECTION. THE AREA SOUTH OF THE PROPERTY IS ZONED EC, RC PUD, AND OS PUD WITHIN THE TOWN OF FIRESTONE.

FIRST AMENDED OUTLINE DEVELOPMENT PLAN
CROSSROADS PUD

AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
NARRATIVE SHEET

SHEET 2 OF 5

REGIONAL IMPACTS

THE FIRST AMENDED ODP IS COMPATIBLE WITH THE TOWN OF FIRESTONE MASTER PLAN, BUILDING UPON THE “COMMUNITY IN MOTION” MOTTO. THE ADDITION OF RESIDENTIAL HOUSING WITHIN THE HIGH INTENSITY ZONE ALONG I-25 CORRIDOR SUPPORTS THE VISION TO PRESERVE THE AGRICULTURAL COMMUNITY ALONG THE PERIMETER AND PROVIDES RESIDENTS WITHIN CLOSE PROXIMITY TO THE EXISTING RETAIL CENTERS ALONG FIRESTONE BLVD. PAYING HOMAGE TO THE GODDING HOLLOW CORRIDOR REINFORCES THE HISTORIC WATERWAYS OF THE AREA AND OFFERS PEDESTRIAN CONNECTIONS. THE DEVELOPMENT CONTEMPLATED FOR THE PROPERTY REFLECTS CONSIDERATION OF VEHICULAR ACCESSIBILITY, ESTABLISHED STREETS AND CONVENIENT CIRCULATION FOR RESIDENTS, AS WELL AS EMERGENCY VEHICLES, TO MINIMIZE ANY IMPACT ON THE FUNCTIONALITY OF THE NEARBY STREETS AND INTERSECTIONS.

ENVIRONMENTAL INFORMATION

THERE IS NO EVIDENCE OF RECOGNIZED ENVIRONMENTAL CONDITIONS IN CONNECTION WITH THIS SITE.

REFER TO THE "PHASE 1 ENVIRONMENTAL SITE ASSESSMENT UPDATE, 80-ACRE UNDEVELOPED PARCEL, SOUTHEAST CORNER OF THE STATE HIGHWAY 119 AND INTERSTATE 25, FIRESTONE, COLORADO", PREPARED BY KUMAR AND ASSOCIATES FOR QUADRANT CENTENNIAL PARTNERS, LLC, DATED JANUARY 16, 2006.

UTILITIES

THE DEVELOPMENT SHALL BE SERVICED BY THE FOLLOWING UTILITY COMPANIES:

- GAS - BLACK HILLS ENERGY
- ELECTRIC - UNITED POWER
- TELEPHONE - CENTURY LINK
- WATER - TOWN OF FIRESTONE
- SANITARY SEWER - ST. VRAIN SANITATION DISTRICT

ALL UTILITIES REQUIRED FOR DEVELOPMENT EXIST ON-SITE OR DIRECTLY ADJACENT TO THE PROPERTY. AS A RESULT, NO OFFSITE MAIN EXTENSION ARE ANTICIPATED.

THERE ARE SEVERAL GAS LINES AND WELLS ADJACENT TO THE SITE. ALL SITE DEVELOPMENT WORK WILL BE IN ACCORDANCE WITH RELEVANT STATE AND LOCAL ORDINANCES.

GRADING CONCEPT

THE SITE HAS BEEN OVERLOT GRADED. THE SITE SLOPES TO THE NORTHEAST BETWEEN 1% AND 3%. AN EXISITING STORM DRAINAGE SWALE LIES ALONG THE EASTERN PROPERTY LINE AND CONVEYS STORM FLOWS FROM THE PROPERTY TO A REGIONAL DETENTION AND WATER QUALITY FACILITY.

SERVICE REQUIREMENTS

POLICE PROTECTION: TOWN OF FIRESTONE
FIRE PROTECTION: FREDRICK-FIRESTONE PROTECTION DISTRICT
STREET MAINTENANCE: TOWN OF FIRESTONE (PUBLIC STREETS)
RECREATION: CARBON VALLEY RECREATION DISTRICT
SCHOOLS: ST VRAIN VALLEY SCHOOL DISTRICT

CIRCULATION SYSTEMS

THERE IS DIRECT ACCESS TO LOT 4 AND TRACT H FROM JAKE JABS BOULEVARD, WHICH WAS CONSTRUCTED AS PART OF THE OVERALL FIRESTONE CITY CENTRE INFRASTRUCTURE IMPROVEMENTS. AN EXISTING ACCESS TO TRACT H WAS CONSTRUCTED WITH THE HOME DEPOT. TWO ADDITIONAL ACCESS POINTS ONTO JAKE JABS BOULEVARD ARE ANTICIPATED WITH FUTURE DEVELOPMENT AND DESIGNATED ON THE PLAN.

TRACT E HAS DIRECT ACCESS TO CITY CENTRE ROAD. THERE ARE 5 EXISTING CURB CUTS FOR TRACT E THAT WILL BE UTILIZED FOR FUTURE ACCESS

NO ADDITIONAL RIGHTS OF WAY ARE REQUIRED FOR THE DEVELOPMENT.

CROSSROADS PUD

NARRATIVE SHEET

NAME OF APPLICATION:	CROSSROAD PUD
TYPE OF SUBMITTAL	OUTLINE DEVELOPMENT PLAN - 1ST AMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	09.10.2018
REVISION DATE:	10.16.2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET 2 OF 5	

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1ST AMENDMENT CROSSROADS PUD
OUTLINE DEVELOPMENT PLAN

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LAND USE AND ZONING

- THE EXISTING PROPERTY IS ZONED PLANNED UNIT DEVELOPMENT WITH EMPLOYMENT CENTER (EC) LAND DESIGNATION. THE EXISTING AREAS TO THE SOUTH AND EAST OF THE PROPERTY ARE ZONED R-B PUD.

LAND USE & ZONING TABLE

Planning Area	LEGAL	ZONE DISTRICT	GROSS AREA
Planning Area 1	LOT 4 THE FIRST REPLAT OF THE AMERICAN FURNITURE WAREHOUSE SUBDIVISION TRACT H FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 3	PUD R-C	19.29 AC
Planning Area 2	TRACT E FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 3	PUD-RC	21.197 AC

DEVELOPMENT SCHEDULE

IT IS ANTICIPATED THE PHASE I DEVELOPMENT WILL BEGIN IN SUMMER OF 2020 AFTER APPROVAL OF FINAL DEVELOPMENT PLAN. IT IS PROJECTED TO TAKE 2 TO 3 YEARS FOR FULL BUILD OUT. THIS SCHEDULE IS BASED ON CURRENT MARKET CONDITIONS AND MAY CHANGE SUBJECT TO MARKET DEMANDS.

PARK DEVELOPMENT

DEDICATION OF ANY PUBLIC OPEN SPACE AND RESPONSIBILITY FOR MAINTENANCE FOR OPEN SPACE WITHIN SCOPE OF THE FIRST AMENDED ODP WILL BE SET FORTH IN THE FINAL DEVELOPMENT PLAN APPROVAL PROCESS AND REQUIRED DEDICATIONS WILL BE MADE AT THE TIME OF FINAL PLATTING.

STRONG PEDESTRIAN AND BICYCLE CONNECTIONS WILL BE MADE ALONG JAKE JABS BLVD., GODDING HOLLOW AND THROUGH THE NEIGHBORHOOD TO THE SURROUNDING NEIGHBORHOODS AND RETAIL SERVICES.

PRIVATE MAINTENANCE AND ENFORCEMENT

A PROPERTY OWNERS ASSOCIATION WILL BE ESTABLISHED TO ADMINISTER AND ENFORCE APPROPRIATE COVENANTS AND CONDITIONS WITHIN THE DEVELOPMENT. DETAILS OF APPLICABLE COVENANTS AND SITE MAINTENANCE PROVISIONS WILL BE ADDRESSED DURING THE COURSE OF PRELIMINARY /FINAL DEVELOPMENT PLAN PROCESS.

DENSITY

THE PLANNING AREA 1 PUD R-C DEVELOPMENT STANDARDS ARE OUTLINED IN THE SUMMARY CHART BELOW.

USE	USE	MAXIMUM DENSITY (GROSS)	MAXIMUM BUILDING HEIGHT (See Note 1)	SITE PERIMETER BUILDING SETBACK (See Note 3)	BUILDING SEPERATION	DETACHED ACCESSORY BUILDING SETBACKS	MAXIMUM DETACHED ACCESSORY BUILDING HEIGHT	PARKING REQUIREMENT	OPEN SPACE (GROSS AREA)
PUD - R-C									
Planning Area 1	Multi-Family	18 du/ac	3 Story 45 FT	20 FT	25 FT	15 FT (See Note 2)	25 FT	1.5 sp/ 1 bedroom	20%
	Carriage Units		4 Story 50 FT					2.25 sp/ 2 bedroom	
	Detached Garage		35 FT					2.5 sp/ 3 bedroom	
			25 FT	20 FT	0 FT		25 FT		

NOTES:

1. "BUILDING HEIGHT" MEANS THE VERTICAL DISTANCE FROM THE GRADE TO THE HIGHEST POINT OF COPING OF A FLAT ROOF, OR THE DECKLINE OF A MANSARD ROOF, OR TO THE AVERAGE HEIGHT OF THE HIGHEST GABLE OF A PITCHED, HIP OR GAMBREL ROOF, AS DIAGRAMED IN THE FIRESTONE DEVELOPMENT REGULATIONS. (ORD. 331 §1, 1996; PRIOR CODE §10-32(F))
2. MEASURED FROM BUILDING TO PAVEMENT OR WALK
3. MEASURED FROM BUILDING TO PROPERTY LINE OR ROW

FIRST AMENDED OUTLINE DEVELOPMENT PLAN
CROSSROADS PUD

AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
NARRATIVE SHEET

SHEET 3 OF 5

PLANNING AREA 2 PUD- RC INTENT STATEMENTS

WITHIN THE MIXED USE (RC) ZONE DISTRICT ALLOWED USES SHALL BE ALL USES OUTLINED WITHIN THE REGIONAL COMMERCIAL (RC) AND HIGH-DENSITY RESIDENTIAL (R-C). RESIDENTIAL AND COMMERCIAL LAND USES PERMITTED IN THE RC AREA SHALL BE PERMITTED IN THE SAME BUILDINGS.

THE FOLLOWING CRITERIA SHALL BE MET FOR THE MIXED USED REGIONAL COMMERCIAL (RC) ZONE DISTRICT:

1. PROVIDE OPPORTUNITY FOR A MIX OF USES INCLUDING RETAIL, OFFICE, ENTERTAINMENT, AND RESIDENTIAL.
2. PROVIDE AN INTENTIONAL FORMAL GATHERING PLACE TO INCLUDE MULTI-USE PUBLIC SPACES.
3. PRIORITIZE INTERCONNECTING STREETS AND PEDESTRIAN CIRCULATION BETWEEN THE PLANNING AREAS.
4. CREATE A WALKABLE ENVIRONMENT, CONNECTING ALL PROPOSED USES AND EXISTING SURROUNDING USES THAT CELEBRATES THE FIRESTONE TRAIL CONNECTION.
5. DENSITY OF RESIDENTIAL USES WITHIN PUD-RC SHALL NOT EXCEED 20 DU/AC.
6. PROVIDE HIGHER CONCENTRATIONS OF MIXED-USE RESIDENTIAL USES IN THE SOUTHERN PORTION OF THE PLANNING AREA 1 AND TRANSITION TO LOWER CONCENTRATIONS CLOSER TO FIRESTONE BLVD.



CROSSROADS PUD	
NARRATIVE SHEET	
NAME OF APPLICATION:	CROSSROAD PUD
TYPE OF SUBMITTAL	OUTLINE DEVELOPMENT PLAN - 1ST AMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	09.10.2018
REVISION DATE:	10.16.2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET 3 OF 5	

WHERE GREAT PLACES BEGIN

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1ST AMENDMENT CROSSROADS PUD
OUTLINE DEVELOPMENT PLAN

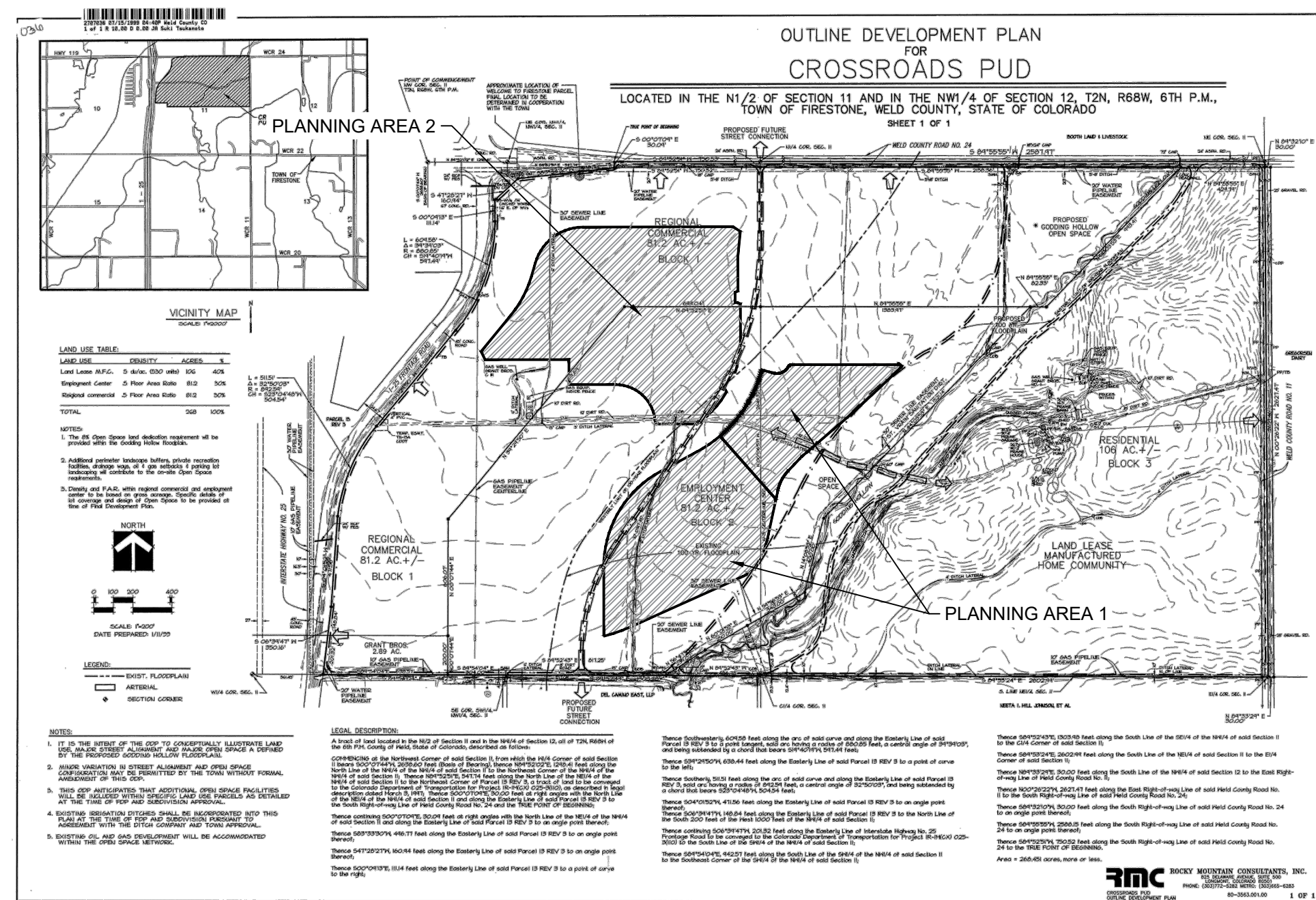
NARRATIVE SHEET

3

FIRST AMENDED OUTLINE DEVELOPMENT PLAN
CROSSROADS PUD

AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
ODP MAP SHEET

SHEET 4 OF 5



CONTEXT MAP
NOT TO SCALE

JAKE JABS BOULEVARD
120' R.O.W.
DEDICATED PER REC. 3373270

LOT 1
THE FIRST REPLAT OF THE
AMERICAN
FURNITURE WAREHOUSE
SUBDIVISION
REC. NO. 3408227
OWNER: AMERICAN FURNITURE
WAREHOUSE CO.
(NOT A PART)
ZONING: PUD-EC

FOUND 1-1/4" YELLOW
PLASTIC CAP STAMPING
ILLEGIBLE, N80°34'08"E 0.45'
FROM PROPERTY CORNER

SE CORNER SW 1/4 NW 1/4
SECTION 11
T2N, R68W, 6TH P.M.
FOUND 2-1/2" ALUMINUM CAP
STAMPED "12374 1995"

TRACT C
THE FIRST REPLAT OF THE
AMERICAN
FURNITURE WAREHOUSE
SUBDIVISION
OWNER: AMERICAN FURNITURE
WAREHOUSE CO.
(NOT A PART)
ZONING: PUD-EC

LOT 4
THE FIRST REPLAT OF THE AMERICAN
FURNITURE WAREHOUSE SUBDIVISION
REC. NO. 3408227
12.622 AC±
ZONING: PUD- R-C

FOUND #5 REBAR
RED PLASTIC CAP
"AZTEC LS 38265"

30" NON-EXCLUSIVE UTIL ESMT
REC. NO. 3519642 & 3519643

20" WATER LINE ESMT
REC. 3373270

DRAINAGE ESMT
REC. 3559306

TRACT B
EAGLE CREST SUBDIVISION
REC. NO. 3168741
OWNER: TOWN OF FIRESTONE
(NOT A PART)
ZONING: PUD-EC

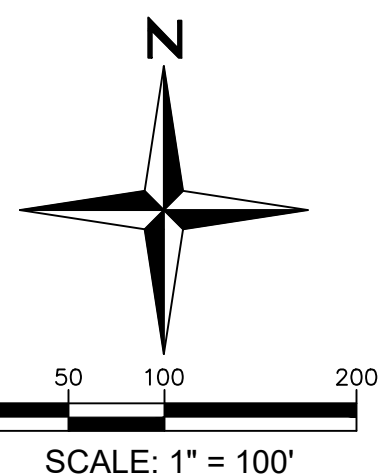
S LINE NW 1/4 SEC 11, T2N, R68W, 6TH P.M. S89°53'37"W 7304.73'

S LINE NW 1/4 SEC 11, T2N, R68W, 6TH P.M. N89°54'11"W 2602.93'

E LINE NW 1/4 SEC 11, T2N, R68W, 6TH P.M. 2649.32'
S00°07'55"E

LEGEND

- EXISTING PROPERTY LINE
- EXISTING ADJACENT PROPERTY LINE
- EXISTING R.O.W.
- EXISTING EASEMENT
- EXISTING GAS LINE
- EXISTING WATERLINE
- EXISTING SANITARY SEWER
- EXISTING ELECTRIC LINE
- EXISTING STORM SEWER
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- ACCESS LOCATION



CROSSROADS PUD

ODP MAP SHEET

NAME OF APPLICATION:	CROSSROAD PUD
TYPE OF SUBMITTAL	OUTLINE DEVELOPMENT PLAN - 1ST AMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	09.10.2018
REVISION DATE:	10.16.2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	

SHEET 4 OF 5

1ST AMENDMENT CROSSROADS PUD
OUTLINE DEVELOPMENT PLAN

ODP MAP SHEET

SHEET

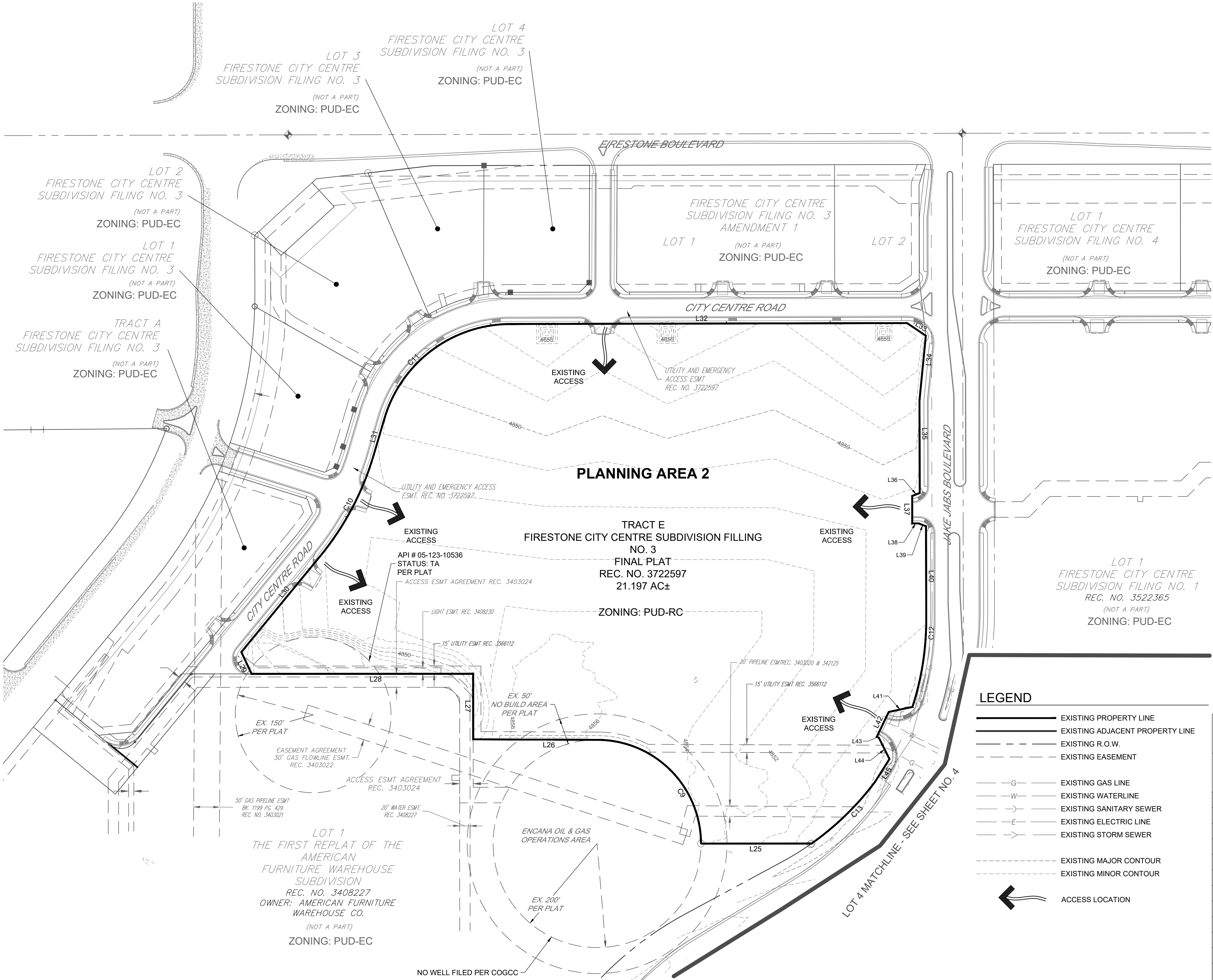
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FIRST AMENDED OUTLINE DEVELOPMENT PLAN
CROSSROADS PUD

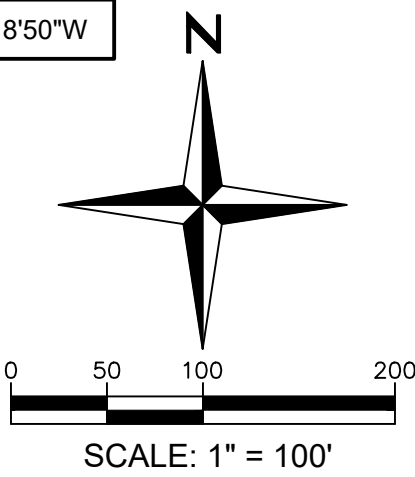
AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
ODP MAP SHEET

SHEET 4 OF 5



LINE TABLE			CURVE TABLE			
LINE NO.	LENGTH	DIRECTION	CURVE NO.	LENGTH	RADIUS	DELTA
L25	212.93'	S89°59'06"W	C9	313.34'	200.00'	89°45'53"
L26	239.57'	N89°46'47"W	C10	220.76'	550.50'	22°58'36"
L27	126.29'	N0°00'54"W	C11	324.92'	253.50'	73°26'14"
L28	426.68'	S89°59'06"W	C12	171.82'	543.13'	18°07'31"
L29	46.42'	N25°15'24"W	C13	171.06'	550.00'	17°49'11"
L30	239.36'	N39°24'00"E				
L31	74.68'	N16°25'24"E				
L32	764.00'	N89°51'38"E				
L33	43.60'	S55°58'56"E				
L34	125.04'	S5°34'43"W				
L35	178.71'	S0°07'55"E				
L36	15.53'	S68°53'08"W				
L37	53.00'	S0°07'38"E				
L38	12.01'	N89°52'22"E				
L39	15.53'	S69°08'41"E				
L40	179.04'	S0°07'55"E				
L41	46.76'	S77°58'48"W				
L42	53.00'	S25°36'10"W				
L43	4.38'	S64°15'20"E				
L44	45.81'	S26°26'26"E				
L45	52.21'	S32°18'50"W				

BEARING AND DISTANCES SHOWN ARE PER FINAL PLAT "THE FIRST REPLAT OF THE AMERICAN FURNITURE WAREHOUSE SUBDIVISION" PREPARED BY VIGIL LAND CONSULTANTS AND "FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 3" PREPARED BY V3 CO.



LEGEND	
	EXISTING PROPERTY LINE
	EXISTING ADJACENT PROPERTY LINE
	EXISTING R.O.W.
	EXISTING EASEMENT
	EXISTING GAS LINE
	EXISTING WATERLINE
	EXISTING SANITARY SEWER
	EXISTING ELECTRIC LINE
	EXISTING STORM SEWER
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	ACCESS LOCATION

CROSSROADS PUD	
ODP MAP SHEET	
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REVISION DATE:	
REVISION DATE:	
SHEET 5 OF 5	

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1ST AMENDMENT CROSSROADS PUD
OUTLINE DEVELOPMENT PLAN

ODP MAP SHEET

5

FIRST AMENDED OUTLINE DEVELOPMENT PLAN
CROSSROADS PUD

AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
COVER SHEET

PROJECT TEAM

OWNER

THF Firestone Development, L.L.C.
2127 Innerbelt Business Drive, Suite 200
St. Louis, Missouri 63114
314.513.1500 voice
Contact: Max Gansline
Email: mgansline@tgsproperties.com

DEVELOPER

12295 Olive Boulevard
St. Louis Missouri 63141
314.567-1221 voice
Contact: Kent Evans
Email: kevans@walpertproperties.com

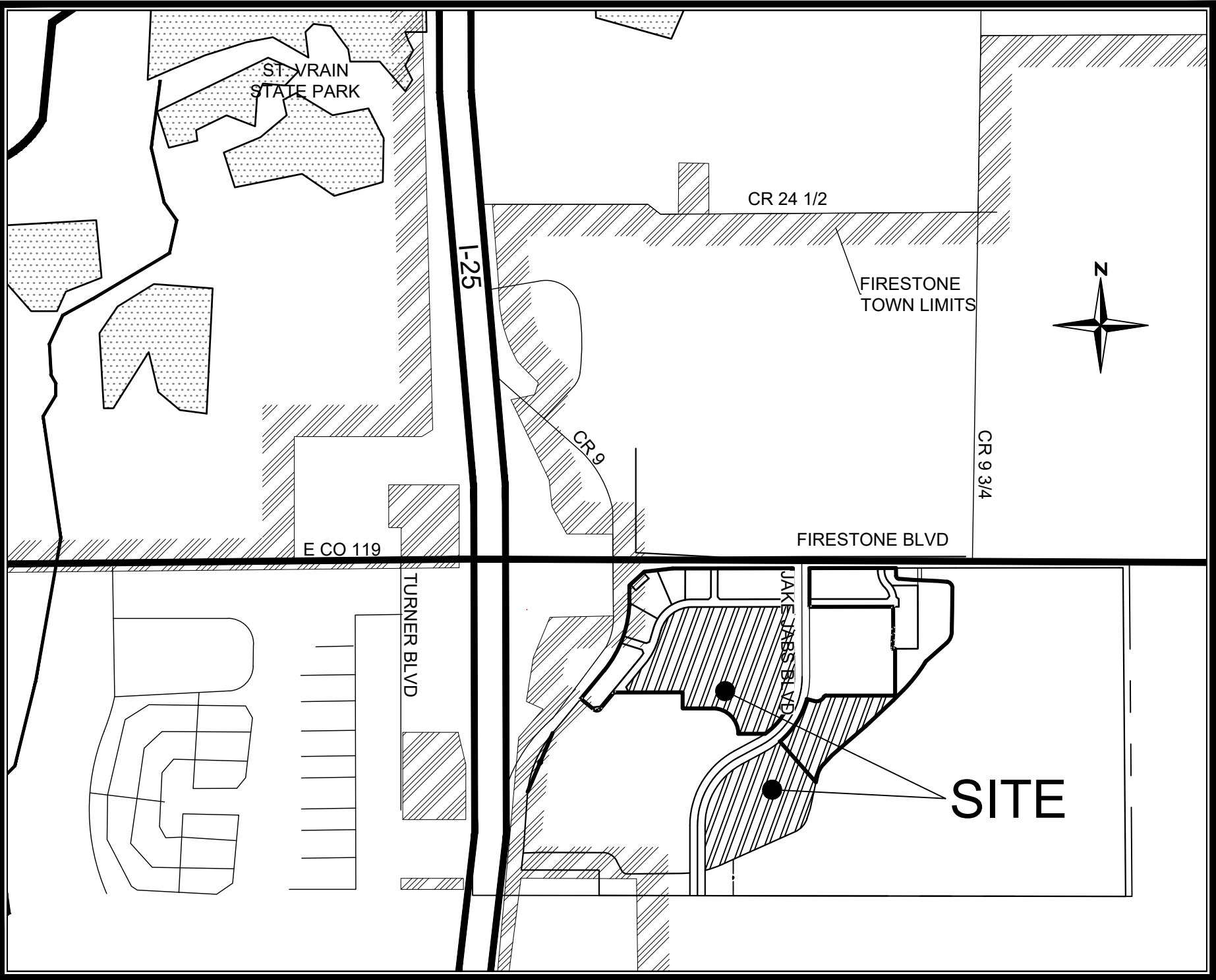
CIVIL ENGINEER

Redland
1500 W. Canal Court
Littleton, Colorado 80120
720.283.6783 voice
Contact: Travis Frazier , P.E.
Email: tfrazier@redland.com

Surveyor

Aztec Consultants, Inc
300 E Mineral Ave, Suite 1
Littleton, Colorado 80122
303.713.1898 voice
Contact: Shaun Lee, PLS
Email: slee@aztecconsultants.com

SHEET 1 OF 5



VICINITY MAP
1" = 1000'

APPROVAL BLOCK:

APPROVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO THIS _____ DAY OF _____, 20____ BY ORDINANCE NO. _____.

MAYOR

ATTEST: TOWN CLERK

ACCEPTANCE BLOCK AND NOTARY

BY SIGNING THIS ODP, THE OWNER ACKNOWLEDGES AND ACCEPTS ALL OF THE REQUIREMENTS AND INTENT SET FORTH HEREIN.

THF FIRESTONE DEVELOPMENT, L.L.C., A MISSOURI LIMITED LIABILITY COMPANY
BY: THF FIRESTONE INVESTORS, L.L.C., A MISSOURI LIMITED LIABILITY COMPANY, ITS MANAGER

BY: _____
MICHAEL H. STAENBERG, MANAGER

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____,
BY MICHAEL H. STAENBERG, THE MANAGER OF THF FIRESTONE INVESTORS, L.L.C, THE MANAGER OF THF FIRESTONE DEVELOPMENT, LLC

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

LEGAL DESCRIPTION

LOT 4 OF THE FIRST REPLAT OF THE AMERICAN FURNITURE
WAREHOUSE SUBDIVISION AS PER THE PLAT RECORDED
SEPTEMBER 2, 2006 AT RECEPTION NO. 3408227, COUNTY OF WELD,
STATE OF COLORADO.

CONTAINING 12.622 ACRES MORE OR LESS

TRACT H FIRESTONE CITY CENTRE FILING 3 AS PER THE PLAT
RECORDED OCTOBER 1, 2010 AT RECEPTION NO. 3722597, COUNTY
OF WELD, STATE OF COLORADO.

CONTAINING 6.669 ACRES MORE OR LESS.

TRACT E FIRESTONE CITY CENTRE FILING 3 AS PER THE PLAT
RECORDED OCTOBER 1, 2010 AT RECEPTION NO. 3722597, COUNTY
OF WELD, STATE OF COLORADO.

CONTAINING 21.197 ACRES MORE OR LESS.

TOTAL AREA OF APPRECIATION CONTAINING 40.488 ACRES MORE OR
LESS.

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM RTK
FAST STATIC GPS OBSERVATIONS AND ARE BASED UPON THE
COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE (NAD 83, 1996),
ALONG THE EASTERLY LINE OF LOT 2, FIRESTONE CITY CENTRE
SUBDIVISION FILING NO. 3, WHICH BEARS SOUTH 23°14'40" EAST,
BETWEEN THE MONUMENTS SHOWN HEREIN.

BENCHMARK

TOWN OF FIRESTONE BENCHMARK NO. 6. CHISELED SQUARE ON
SOUTH END HEAD WALL OF DITCH CROSSING UNDER INTERSTATE 25
ELEVATION = 4856.97 (TOWN OF FIRESTONE 1929 DATUM).



CROSSROADS PUD	
COVER SHEET	
NAME OF APPLICATION:	CROSSROAD PUD
TYPE OF SUBMITTAL	OUTLINE DEVELOPMENT PLAN - 1ST AMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	09.10.2018
REVISION DATE:	10.16.2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET 1 OF 5	

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Littleton, Colorado 80120
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DRAWN	I/E
CHECKED	I/E
APPROVED	I/E
PROJECT NO.	17022
HORIZ. SCALE	
VERT. SCALE	

DATE	NO.	NOTES

1ST AMENDMENT CROSSROADS PUD
OUTLINE DEVELOPMENT PLAN

COVER SHEET

I:\2017\17022 - Lot 4 Firestone Apartments\CADD\Sheet Set\1ODP\17022 Crossroads ODP And Cover.dwg tab:2 NARRATIVE SHEET Jan 02, 2020 - 4:20pm jlgither

PROJECT CONCEPT

THE FIRST AMENDED OUTLINE DEVELOPMENT PLAN (ODP) REVISES THE PREVIOUSLY APPROVED CROSSROADS PLANNED UNIT DEVELOPMENT OUTLINE DEVELOPMENT PLAN (ODP) DATED 7/15/1999 AT RECEPTION NO. 2707036. THIS AMENDMENT REVISES THE PRESENT ZONING FOR THE SUBJECT PARCEL, COMPRISING 40.488 AC, FROM PLANNED UNIT DEVELOPMENT WITH EMPLOYMENT CENTER (EC) LAND DESIGNATION TO PLANNED UNIT DEVELOPMENT WITH HIGH-DENSITY RESIDENTIAL (R-C) OR REGIONAL COMMERCE (RC) LAND USE DESIGNATION .

THE ORIGINAL PROJECT CONCEPT FOCUSED ON CREATING AN ATTRACTIVE LIVING AND WORKING ENVIRONMENT USING INNOVATIVE SITE AND DESIGN TECHNIQUES TO RESPOND TO THE SITE'S NATURAL FEATURES.

BUILDING UPON THE ORIGINAL GOALS, CROSSROADS FIRST AMENDED ODP WILL FEATURE:

- COMPACTNESS - WALKABILITY TO COMMERCIAL AREAS, EMPLOYMENT CENTERS AND OPEN SPACES FROM THE RESIDENTS.
- OPPORTUNITIES FOR LOCAL EMPLOYMENT IN SHOPS AND BUSINESSES CLOSE TO RESIDENTS.
- PROTECTING THE ENHANCED GODDING HOLLOW.
- CONVENIENT ACCESS TO THE I-25 CORRIDOR AND CLOSE PROXIMITY TO EXISTING AND FUTURE RETAIL USES.
- A MULTI-FAMILY NEIGHBORHOOD WITH A VARIETY OF UNIT TYPES AND A NEIGHBORHOOD AMENITY BUILDING WITH A SWIMMING POOL AND A COMMON GATHERING LOCATION.
- A HIGH QUALITY ARCHITECTURAL DESIGN SOLUTION TO COMPLEMENT THE TOWN'S RURAL CHARACTER.
- A NEIGHBORHOOD TEXTURE THAT EMPHASIZES INTERCONNECTING STREETS AND PEDESTRIAN CONNECTIONS.
- AN INTENT TO CREATE A NATURAL AREA FOR TRAIL CONNECTIONS AND SMALL GATHERING SPACES.

THE FIRST AMENDED ODP WOULD PERMIT DEVELOPMENT OF MULTI-FAMILY RESIDENTIAL UNITS. THE SITE PROXIMITY OFFERS DIRECT ACCESS TO I-25 CORRIDOR AND EXITING RETAIL USES SUCH AS AFW, HOME DEPOT AND SURROUNDING PAD SITES. IT IS ANTICIPATED THAT THE UNITS WOULD RANGE FROM 1, 2 AND 3-BEDROOM UNITS WITH AN ESTIMATED RANGE OF 620 SF TO 1,363 SQUARE FEET. A PRIVATE NEIGHBORHOOD AMENITY BUILDING AND SWIMMING POOL WILL PROVIDE A COMMON GATHERING LOCATION FOR ALL RESIDENTS.

THE FIRST AMENDED ODP IS COMPATIBLE WITH THE SURROUNDING LAND USES AND WILL PROVIDE AN EFFECTIVE TRANSITION BETWEEN THE NEIGHBORHOOD COMMERCIAL TO THE NORTHWEST AND THE EXISTING RESIDENTIAL USES TO THE SOUTHEAST.

THE EXISTING ZONING OF THE PARCELS SURROUNDING THE FIRST AMENDED ODP IS NOT IMPACTED BY THIS AMENDMENT. THE ABUTTING PARCELS TO THE WEST AND EAST, WHICH FOR THE MOST PART HAVE BEEN BUILT OUT, ARE PART OF THE ORIGINAL ODP. TO THE SOUTH AND WEST IS AMERICAN FURNITURE WAREHOUSE AND TO THE EAST THE EAGLE CREST RESIDENTIAL NEIGHBORHOOD. DIRECTLY ADJACENT TO THE SOUTHEAST IS THE GODDING HOLLOW AND A STORM DRAINAGE EASEMENT WITH AN EXISTING PARALLEL TRAIL CONNECTION. THE AREA SOUTH OF THE PROPERTY IS ZONED EC, RC PUD, AND OS PUD WITHIN THE TOWN OF FIRESTONE.

FIRST AMENDED OUTLINE DEVELOPMENT PLAN
CROSSROADS PUD

AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
NARRATIVE SHEET

SHEET 2 OF 5

REGIONAL IMPACTS

THE FIRST AMENDED ODP IS COMPATIBLE WITH THE TOWN OF FIRESTONE MASTER PLAN, BUILDING UPON THE “COMMUNITY IN MOTION” MOTTO. THE ADDITION OF RESIDENTIAL HOUSING WITHIN THE HIGH INTENSITY ZONE ALONG I-25 CORRIDOR SUPPORTS THE VISION TO PRESERVE THE AGRICULTURAL COMMUNITY ALONG THE PERIMETER AND PROVIDES RESIDENTS WITHIN CLOSE PROXIMITY TO THE EXISTING RETAIL CENTERS ALONG FIRESTONE BLVD. PAYING HOMAGE TO THE GODDING HOLLOW CORRIDOR REINFORCES THE HISTORIC WATERWAYS OF THE AREA AND OFFERS PEDESTRIAN CONNECTIONS. THE DEVELOPMENT CONTEMPLATED FOR THE PROPERTY REFLECTS CONSIDERATION OF VEHICULAR ACCESSIBILITY, ESTABLISHED STREETS AND CONVENIENT CIRCULATION FOR RESIDENTS, AS WELL AS EMERGENCY VEHICLES, TO MINIMIZE ANY IMPACT ON THE FUNCTIONALITY OF THE NEARBY STREETS AND INTERSECTIONS.

ENVIRONMENTAL INFORMATION

THERE IS NO EVIDENCE OF RECOGNIZED ENVIRONMENTAL CONDITIONS IN CONNECTION WITH THIS SITE.

REFER TO THE "PHASE 1 ENVIRONMENTAL SITE ASSESSMENT UPDATE, 80-ACRE UNDEVELOPED PARCEL, SOUTHEAST CORNER OF THE STATE HIGHWAY 119 AND INTERSTATE 25, FIRESTONE, COLORADO", PREPARED BY KUMAR AND ASSOCIATES FOR QUADRANT CENTENNIAL PARTNERS, LLC, DATED JANUARY 16, 2006.

UTILITIES

THE DEVELOPMENT SHALL BE SERVICED BY THE FOLLOWING UTILITY COMPANIES:

- GAS - BLACK HILLS ENERGY
- ELECTRIC - UNITED POWER
- TELEPHONE - CENTURY LINK
- WATER - TOWN OF FIRESTONE
- SANITARY SEWER - ST. VRAIN SANITATION DISTRICT

ALL UTILITIES REQUIRED FOR DEVELOPMENT EXIST ON-SITE OR DIRECTLY ADJACENT TO THE PROPERTY. AS A RESULT, NO OFFSITE MAIN EXTENSION ARE ANTICIPATED.

THERE ARE SEVERAL GAS LINES AND WELLS ADJACENT TO THE SITE. ALL SITE DEVELOPMENT WORK WILL BE IN ACCORDANCE WITH RELEVANT STATE AND LOCAL ORDINANCES.

GRADING CONCEPT

THE SITE HAS BEEN OVERLOT GRADED. THE SITE SLOPES TO THE NORTHEAST BETWEEN 1% AND 3%. AN EXISITING STORM DRAINAGE SWALE LIES ALONG THE EASTERN PROPERTY LINE AND CONVEYS STORM FLOWS FROM THE PROPERTY TO A REGIONAL DETENTION AND WATER QUALITY FACILITY.

SERVICE REQUIREMENTS

POLICE PROTECTION: TOWN OF FIRESTONE
FIRE PROTECTION: FREDRICK-FIRESTONE PROTECTION DISTRICT
STREET MAINTENANCE: TOWN OF FIRESTONE (PUBLIC STREETS)
RECREATION: CARBON VALLEY RECREATION DISTRICT
SCHOOLS: ST VRAIN VALLEY SCHOOL DISTRICT

CIRCULATION SYSTEMS

THERE IS DIRECT ACCESS TO LOT 4 AND TRACT H FROM JAKE JABS BOULEVARD, WHICH WAS CONSTRUCTED AS PART OF THE OVERALL FIRESTONE CITY CENTRE INFRASTRUCTURE IMPROVEMENTS. AN EXISTING ACCESS TO TRACT H WAS CONSTRUCTED WITH THE HOME DEPOT. TWO ADDITIONAL ACCESS POINTS ONTO JAKE JABS BOULEVARD ARE ANTICIPATED WITH FUTURE DEVELOPMENT AND DESIGNATED ON THE PLAN.

TRACT E HAS DIRECT ACCESS TO CITY CENTRE ROAD. THERE ARE 5 EXISTING CURB CUTS FOR TRACT E THAT WILL BE UTILIZED FOR FUTURE ACCESS

NO ADDITIONAL RIGHTS OF WAY ARE REQUIRED FOR THE DEVELOPMENT.

CROSSROADS PUD

NARRATIVE SHEET

NAME OF APPLICATION:	CROSSROAD PUD
TYPE OF SUBMITTAL	OUTLINE DEVELOPMENT PLAN - 1ST AMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	09.10.2018
REVISION DATE:	10.16.2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET 2 OF 5	

811

Know what's below.
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1ST AMENDMENT CROSSROADS PUD
OUTLINE DEVELOPMENT PLAN

NARRATIVE SHEET

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LAND USE AND ZONING

- THE EXISTING PROPERTY IS ZONED PLANNED UNIT DEVELOPMENT WITH EMPLOYMENT CENTER (EC) LAND DESIGNATION. THE EXISTING AREAS TO THE SOUTH AND EAST OF THE PROPERTY ARE ZONED R-B PUD.

LAND USE & ZONING TABLE

Planning Area	LEGAL	ZONE DISTRICT	GROSS AREA
Planning Area 1	LOT 4 THE FIRST REPLAT OF THE AMERICAN FURNITURE WAREHOUSE SUBDIVISION TRACT H FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 3	PUD R-C	19.29 AC
Planning Area 2	TRACT E FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 3	PUD-RC	21.197 AC

DEVELOPMENT SCHEDULE

IT IS ANTICIPATED THE PHASE I DEVELOPMENT WILL BEGIN IN SUMMER OF 2020 AFTER APPROVAL OF FINAL DEVELOPMENT PLAN. IT IS PROJECTED TO TAKE 2 TO 3 YEARS FOR FULL BUILD OUT. THIS SCHEDULE IS BASED ON CURRENT MARKET CONDITIONS AND MAY CHANGE SUBJECT TO MARKET DEMANDS.

PARK DEVELOPMENT

DEDICATION OF ANY PUBLIC OPEN SPACE AND RESPONSIBILITY FOR MAINTENANCE FOR OPEN SPACE WITHIN SCOPE OF THE FIRST AMENDED ODP WILL BE SET FORTH IN THE FINAL DEVELOPMENT PLAN APPROVAL PROCESS AND REQUIRED DEDICATIONS WILL BE MADE AT THE TIME OF FINAL PLATTING.

STRONG PEDESTRIAN AND BICYCLE CONNECTIONS WILL BE MADE ALONG JAKE JABS BLVD., GODDING HOLLOW AND THROUGH THE NEIGHBORHOOD TO THE SURROUNDING NEIGHBORHOODS AND RETAIL SERVICES.

PRIVATE MAINTENANCE AND ENFORCEMENT

A PROPERTY OWNERS ASSOCIATION WILL BE ESTABLISHED TO ADMINISTER AND ENFORCE APPROPRIATE COVENANTS AND CONDITIONS WITHIN THE DEVELOPMENT. DETAILS OF APPLICABLE COVENANTS AND SITE MAINTENANCE PROVISIONS WILL BE ADDRESSED DURING THE COURSE OF PRELIMINARY /FINAL DEVELOPMENT PLAN PROCESS.

DENSITY

THE PLANNING AREA 1 PUD R-C DEVELOPMENT STANDARDS ARE OUTLINED IN THE SUMMARY CHART BELOW.

USE	USE	MAXIMUM DENSITY (GROSS)	MAXIMUM BUILDING HEIGHT (See Note 1)	SITE PERIMETER BUILDING SETBACK (See Note 3)	BUILDING SEPERATION	DETACHED ACCESSORY BUILDING SETBACKS	MAXIMUM DETACHED ACCESSORY BUILDING HEIGHT	PARKING REQUIREMENT	OPEN SPACE (GROSS AREA)
PUD - R-C									
Planning Area 1	Multi-Family	18 du/ac	3 Story 45 FT	20 FT	25 FT	15 FT (See Note 2)	25 FT	1.5 sp/ 1 bedroom	20%
	Carriage Units		4 Story 50 FT					2.25 sp/ 2 bedroom	
	Detached Garage		35 FT					2.5 sp/ 3 bedroom	
			25 FT	20 FT	0 FT		25 FT		

NOTES:

1. "BUILDING HEIGHT" MEANS THE VERTICAL DISTANCE FROM THE GRADE TO THE HIGHEST POINT OF COPING OF A FLAT ROOF, OR THE DECKLINE OF A MANSARD ROOF, OR TO THE AVERAGE HEIGHT OF THE HIGHEST GABLE OF A PITCHED, HIP OR GAMBREL ROOF, AS DIAGRAMED IN THE FIRESTONE DEVELOPMENT REGULATIONS. (ORD. 331 §1, 1996; PRIOR CODE §10-32(F))
2. MEASURED FROM BUILDING TO PAVEMENT OR WALK
3. MEASURED FROM BUILDING TO PROPERTY LINE OR ROW

FIRST AMENDED OUTLINE DEVELOPMENT PLAN
CROSSROADS PUD

AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
NARRATIVE SHEET

SHEET 3 OF 5

PLANNING AREA 2 PUD- RC INTENT STATEMENTS

WITHIN THE MIXED USE (RC) ZONE DISTRICT ALLOWED USES SHALL BE ALL USES OUTLINED WITHIN THE REGIONAL COMMERCIAL (RC) AND HIGH-DENSITY RESIDENTIAL (R-C). RESIDENTIAL AND COMMERCIAL LAND USES PERMITTED IN THE RC AREA SHALL BE PERMITTED IN THE SAME BUILDINGS.

THE FOLLOWING CRITERIA SHALL BE MET FOR THE MIXED USED REGIONAL COMMERCIAL (RC) ZONE DISTRICT:

1. PROVIDE OPPORTUNITY FOR A MIX OF USES INCLUDING RETAIL, OFFICE, ENTERTAINMENT, AND RESIDENTIAL.
2. PROVIDE AN INTENTIONAL FORMAL GATHERING PLACE TO INCLUDE MULTI-USE PUBLIC SPACES.
3. PRIORITIZE INTERCONNECTING STREETS AND PEDESTRIAN CIRCULATION BETWEEN THE PLANNING AREAS.
4. CREATE A WALKABLE ENVIRONMENT, CONNECTING ALL PROPOSED USES AND EXISTING SURROUNDING USES THAT CELEBRATES THE FIRESTONE TRAIL CONNECTION.
5. DENSITY OF RESIDENTIAL USES WITHIN PUD-RC SHALL NOT EXCEED 20 DU/AC.
6. PROVIDE HIGHER CONCENTRATIONS OF MIXED-USE RESIDENTIAL USES IN THE SOUTHERN PORTION OF THE PLANNING AREA 1 AND TRANSITION TO LOWER CONCENTRATIONS CLOSER TO FIRESTONE BLVD.



CROSSROADS PUD	
NARRATIVE SHEET	
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REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
SHEET 3 OF 5	

WHERE GREAT PLACES BEGIN

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1ST AMENDMENT CROSSROADS PUD
OUTLINE DEVELOPMENT PLAN

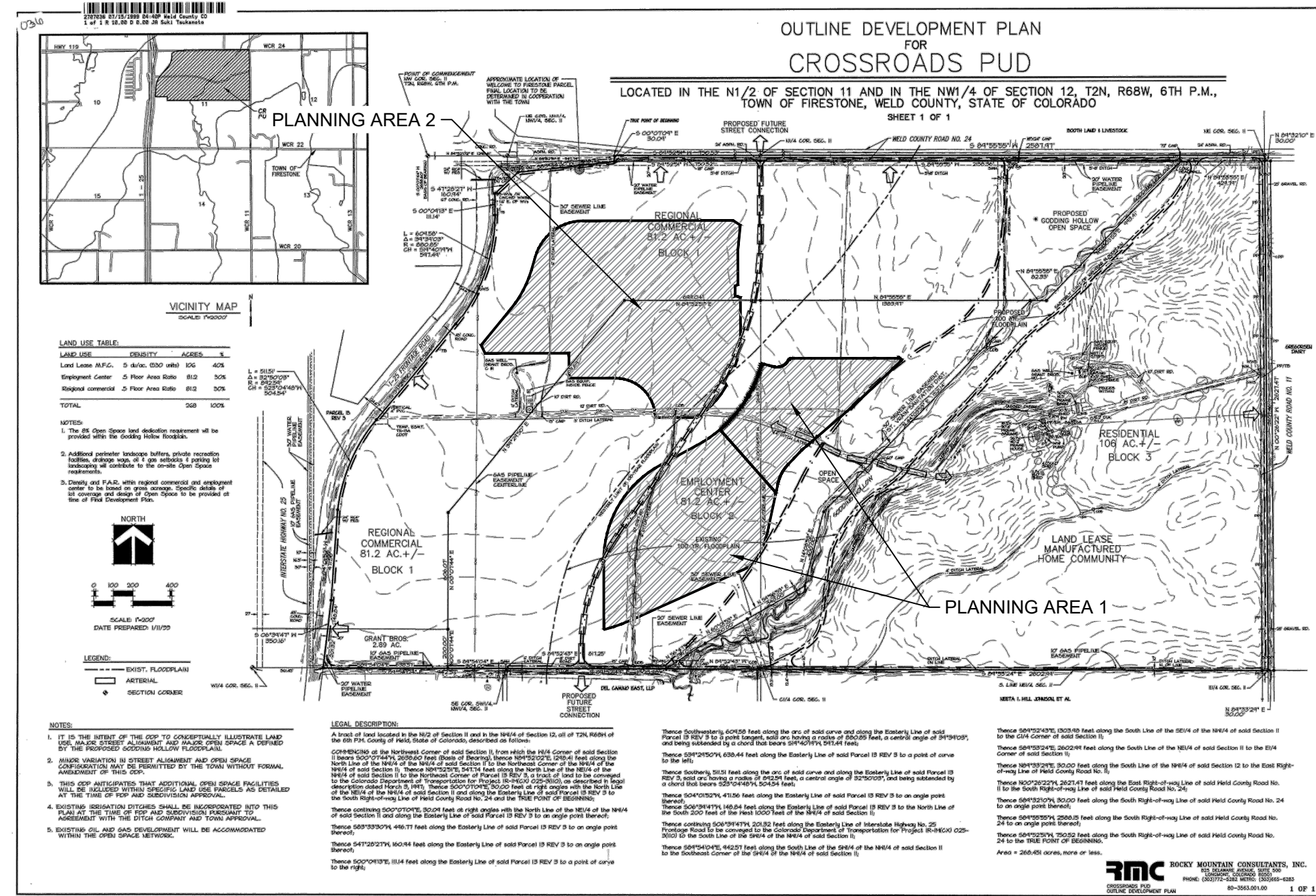
NARRATIVE SHEET

3

FIRST AMENDED OUTLINE DEVELOPMENT PLAN
CROSSROADS PUD

AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
ODP MAP SHEET

SHEET 4 OF 5



CONTEXT MAP
NOT TO SCALE

JAKE JABS BOULEVARD
120' R.O.W.
DEDICATED PER REC. 3373270

LOT 1
THE FIRST REPLAT OF THE
AMERICAN
FURNITURE WAREHOUSE
SUBDIVISION
REC. NO. 3408227
OWNER: AMERICAN FURNITURE
WAREHOUSE CO.
(NOT A PART)
ZONING: PUD-EC

FOUND 1-1/4" YELLOW
PLASTIC CAP STAMPING
ILLEGIBLE, N80°34'08"E 0.45'
FROM PROPERTY CORNER

SE CORNER SW 1/4 NW 1/4
SECTION 11
T2N, R68W, 6TH P.M.
FOUND 2-1/2" ALUMINUM CAP
STAMPED "12374 1995"

TRACT C
THE FIRST REPLAT OF THE
AMERICAN
FURNITURE WAREHOUSE
SUBDIVISION
OWNER: AMERICAN FURNITURE
WAREHOUSE CO.
(NOT A PART)
ZONING: PUD-EC

LOT 4
THE FIRST REPLAT OF THE AMERICAN
FURNITURE WAREHOUSE SUBDIVISION
REC. NO. 3408227
12.622 AC±
ZONING: PUD- R-C

FOUND #5 REBAR
RED PLASTIC CAP
"AZTEC LS 38265"

30" NON-EXCLUSIVE UTIL ESMT
REC. NO. 3519642 & 3519643

20" WATER LINE ESMT
REC. 3373270

DRAINAGE ESMT
REC. 3559306

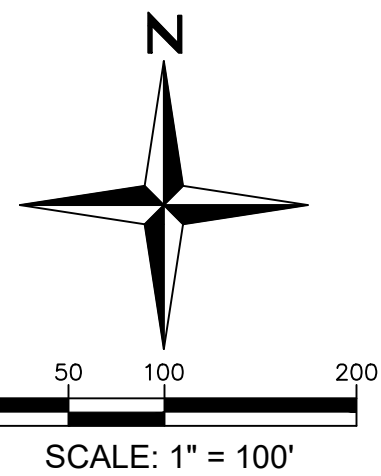
TRACT B
EAGLE CREST SUBDIVISION
REC. NO. 3168741
OWNER: TOWN OF FIRESTONE
(NOT A PART)
ZONING: PUD-EC

S LINE NW 1/4 SEC 11, T2N, R68W, 6TH P.M. S89°53'37"W 7304.73'

S LINE NW 1/4 SEC 11, T2N, R68W, 6TH P.M. N89°54'11"W 2602.93'

LEGEND

- EXISTING PROPERTY LINE
- EXISTING ADJACENT PROPERTY LINE
- EXISTING R.O.W.
- EXISTING EASEMENT
- EXISTING GAS LINE
- EXISTING WATERLINE
- EXISTING SANITARY SEWER
- EXISTING ELECTRIC LINE
- EXISTING STORM SEWER
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- ACCESS LOCATION



CROSSROADS PUD

ODP MAP SHEET

NAME OF APPLICATION:	CROSSROAD PUD
TYPE OF SUBMITTAL	OUTLINE DEVELOPMENT PLAN - 1ST AMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	09.10.2018
REVISION DATE:	10.16.2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	

SHEET 4 OF 5

1ST AMENDMENT CROSSROADS PUD
OUTLINE DEVELOPMENT PLAN

ODP MAP SHEET

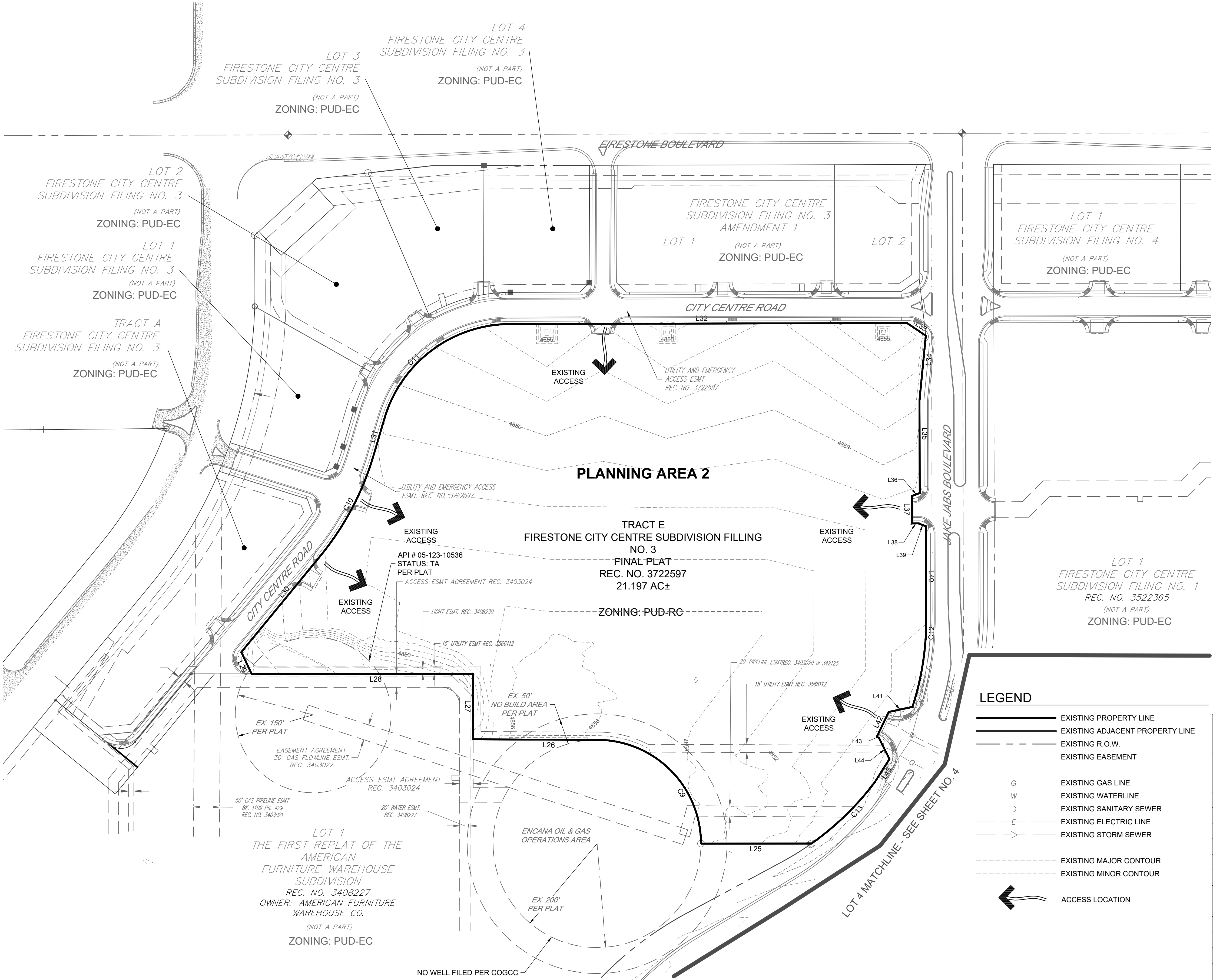
4



FIRST AMENDED OUTLINE DEVELOPMENT PLAN
CROSSROADS PUD

AN AMENDMENT OF A PORTION OF CROSSROADS PUD ODP
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
ODP MAP SHEET

SHEET 4 OF 5

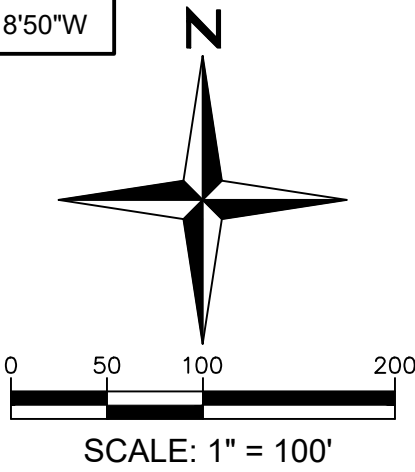


TRACT E

LINE TABLE		
LINE NO.	LENGTH	DIRECTION
L25	212.93'	S89°59'06"W
L26	239.57'	N89°46'47"W
L27	126.29'	N0°00'54"W
L28	426.68'	S89°59'06"W
L29	46.42'	N25°15'24"W
L30	239.36'	N39°24'00"E
L31	74.68'	N16°25'24"E
L32	764.00'	N89°51'38"E
L33	43.60'	S55°58'56"E
L34	125.04'	S5°34'43"W
L35	178.71'	S0°07'55"E
L36	15.53'	S68°53'08"W
L37	53.00'	S0°07'38"E
L38	12.01'	N89°52'22"E
L39	15.53'	S69°08'41"E
L40	179.04'	S0°07'55"E
L41	46.76'	S77°58'48"W
L42	53.00'	S25°36'10"W
L43	4.38'	S64°15'20"E
L44	45.81'	S26°26'26"E
L45	52.21'	S32°18'50"W

CURVE TABLE			
CURVE NO.	LENGTH	RADIUS	DELTA
C9	313.34'	200.00'	89°45'53"
C10	220.76'	550.50'	22°58'36"
C11	324.92'	253.50'	73°26'14"
C12	171.82'	543.13'	18°07'31"
C13	171.06'	550.00'	17°49'11"

BEARING AND DISTANCES SHOWN ARE PER FINAL PLAT "THE FIRST REPLAT OF THE AMERICAN FURNITURE WAREHOUSE SUBDIVISION" PREPARED BY VIGIL LAND CONSULTANTS AND "FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 3" PREPARED BY V3 CO.



LEGEND

- EXISTING PROPERTY LINE
- EXISTING ADJACENT PROPERTY LINE
- EXISTING R.O.W.
- EXISTING EASEMENT
- EXISTING GAS LINE
- EXISTING WATERLINE
- EXISTING SANITARY SEWER
- EXISTING ELECTRIC LINE
- EXISTING STORM SEWER
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- ACCESS LOCATION

CROSSROADS PUD

ODP MAP SHEET

NAME OF APPLICATION:	CROSSROAD PUD
TYPE OF SUBMITTAL	OUTLINE DEVELOPMENT PLAN - 1ST AMENDMENT
FILING NUMBER:	N/A
PHASE NUMBER:	N/A
PREPARATION DATE:	09.10.2018
REVISION DATE:	10.16.2019
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	
REVISION DATE:	

SHEET 5 OF 5

1ST AMENDMENT CROSSROADS PUD
OUTLINE DEVELOPMENT PLAN

ODP MAP SHEET

SHEET

5



700 983 4789 Office
1500 West Canal Court
Littleton, Colorado 80120
REDLAND.COM

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 9.b.

Land Development

Meeting Date: January 22, 2020

Initiated By: Marty Ostholthoff

Dept: Planning & Development

AGENDA TITLE

PUBLIC HEARING: Ordinance 964: AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ANNEXING TO THE TOWN CERTAIN REAL PROPERTY LOCATED IN UNINCORPORATED WELD COUNTY AND OWNED BY THE TOWN OF FIRESTONE

SUMMARY

See attached Staff Report.

HISTORY AND PREVIOUS BOARD ACTION

The Town purchased the subject property in 2018.

RECOMMENDATION

Town staff recommends the Board of Trustees approve the Annexation of the Carbon Valley Pit property by approving Ordinance 964.

ALTERNATIVES

n/a

ATTACHMENTS

1. 9.b - CVP Annexation BOT Staff Report
2. 9.b - CVP Annex Ord 964
3. 9.b - CVP Annexation Map

FINANCIAL CONSIDERATIONS

n/a



Staff Report

Carbon Valley Pit Annexation

Annexation

**Prepared by the
Town of Firestone for the
Board of Trustees**

January 22, 2020

Applications

This staff report is for the property known as the Carbon Valley Pit Annexation, Zoning and Outline Development Plan (“ODP”). The applicant for this submittal is the Town of Firestone.

Notice

Pursuant to the Town Code and Development Regulations, proper notification of the public hearings was published. Proof of notification to owners of interest and surrounding property owners and a property posting log will be provided by the applicant prior to the hearings.

Location and Process

The approximate location of the Carbon Valley Pit Annexation property is south of Zinnia Avenue and one-quarter mile east of Colorado Boulevard as noted below. This property is currently zoned Weld County A-Agricultural. The zoning requested by the applicant is Planned Unit Development with Employment Center (EC) land uses. The applicant is also requesting approval of an Outline Development Plan for the property.



Site Analysis

The area to be annexed is approximately 60.028 acres and is comprised of vacant land with two vacant commercial buildings. The property is generally flat and would be appropriate for the proposed zoning requested.

Plan Analysis

The applicant acquired the property in 2018, and has planned to date, to include on the property a public utility facility. The property was previously used for gravel mining. The land uses proposed are generally consistent with the Firestone Development Regulations.

Board of Trustees Conditions and Standards for Approval

The Board of Trustees may approve an annexation application if it meets the intent of these Regulations, complies with Town Code and C.R.S. 31-12-101, et seq.

Board of Trustees Action

The Board of Trustees has the following options relative to the action on applications in general. As necessary additional information relative to continuances, etc. can be provided by the Town Attorney.

- A. Make a decision and vote on the application, using the draft resolution previously prepared, as may be amended during the hearing; or
 - B. Make a decision and vote on the application, but request the Town Attorney to prepare findings of fact and conclusions for approval and adoption at the next regular meeting; or
 - C. Defer a decision and direct the Town Attorney to prepare findings of fact and conclusions to be submitted to the Board of Trustees at its next regular meeting, with final deliberation, decision and adoption of the findings of fact and conclusion at that meeting; or
 - D. Defer a decision until a date certain, as is mutually agreed upon by the Applicant and the Board of Trustees, by which time the record and all evidence can be reviewed. At that time the Board of Trustees can either adopt findings of fact and conclusions or direct the Town Attorney to prepare findings of fact and conclusions for adoption at the next regular meeting after the meeting to which the matter has been deferred.
-

RECOMMENDATION

Town staff recommends the Board of Trustees approve the Annexation of the Carbon Valley Pit property by approving Ordinance 964.

ORDINANCE NO. 964

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ANNEXING TO THE TOWN CERTAIN REAL PROPERTY LOCATED IN UNINCORPORATED WELD COUNTY AND OWNED BY THE TOWN OF FIRESTONE

WHEREAS, the Town is the sole owner in fee of the real property described below, which is contiguous unincorporated property situated in Weld County (the "Property"); and

WHEREAS, C.R.S. § 31-12-106(3) provides that a municipality may annex by ordinance municipally-owned real property without notice and hearing upon a determination that the property is eligible for annexation under Section 30(1)(c) of Article II of the Colorado Constitution and applicable provisions of the Municipal Annexation Act of 1965, Part 1 of Article 12 of Title 31, C.R.S. (the "Act"); and

WHEREAS, the Board of Trustees has satisfied itself concerning the eligibility for annexation of the Property, and concerning the conformance of the proposed annexation to the applicable law, and desires to annex the hereinafter described Town-owned property to the Town of Firestone.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. The Board of Trustees finds that the Town of Firestone is the sole owner in fee of the real property described in Section 4 of this Ordinance, and that such property is not solely a public street or right-of-way.

Section 2. The Board of Trustees finds and determines that the Town-owned real property described in Section 4 of this Ordinance is eligible for annexation to the Town of Firestone under section 30(1)(c) of Article II of the Colorado Constitution and C.R.S. §§ 31-12-104(1)(a) and 31-12-105, specifically in that:

- a. Not less than one-sixth of the perimeter of the Property is contiguous with the current boundaries of the Town of Firestone;
- b. The annexation of the Property will not result in the division of the Property into separate parts or parcels;
- c. No annexation proceedings have been commenced for the Property or any portion of the Property by another municipality;
- d. The annexation of the Property will not result in the detachment of area from a school district;
- e. The annexation of the Property will not result in an extension of the boundaries of

the Town of Firestone more than three miles in any direction; and

f. The Town of Firestone has a plan in place for the area to be annexed.

Section 3. The Board of Trustees further finds and determines that the applicable parts of the Act have been met, that an election is not required under the Act, and that there are no other terms or conditions to be imposed upon said annexation.

Section 4. The Property, more particularly described as:

Part of Lot B of Recorded Exemption No. 1311-6-2 RECX13-0023, a recorded exemption located in the NW1/4 of Section 6, T2N, R67W of the 6th P.M., County of Weld, State of Colorado, according to the plat recorded June 19, 2013, as Reception No. 3941557 of the records of Weld County, Colorado, described as follows:

COMMENCING at the N1/4 Corner of said Section 6, from which the Northwest Corner of said Section 6 bears N89°30'04"W, 2503.05 feet (Basis of Bearing), thence N89°30'04"W, 45.28 feet along the North Line of the NW1/4 of said Section 6 to the Northeast Corner of said Lot B; Thence S00°57'11"W, 36.80 feet along the Easterly Line of said Lot B to the Southerly Line of Weld County Road 26 Annexation No. 4, an annexation to the Town of Firestone recorded May 28, 2010, as Reception No. 3696276 of the records of Weld County, Colorado, and the POINT OF BEGINNING;

The following courses and distances are along the Easterly, Southerly, and Westerly Lines of said Lot B:

Thence continuing S00°57'11"W, 301.12 feet;

Thence S15°13'26"W, 130.94 feet;

Thence S02°09'26"E, 523.68 feet;

Thence S01°12'22"W, 254.00 feet;

Thence S06°48'02"W, 96.36 feet;

Thence S00°44'11"W, 421.85 feet;

Thence S37°25'26"W, 25.30 feet;

Thence S41°47'35"W, 46.72 feet to a point of curve to the left;

Thence Southwesterly, 78.07 feet along the arc of said curve to a point tangent, said arc having a radius of 180.00 feet, a central angle of 24°51'05", and being subtended by a chord that bears S29°22'03"W, 77.46 feet;

Thence S16°56'30"W, 20.61 feet to a point of curve to the right;

Thence Southwesterly, 64.08 feet along the arc of said curve to a point of reverse curve to the left, said arc having a radius of 140.00 feet, a central angle of 26°13'33", and being subtended by a chord that bears S30°03'17"W, 63.52 feet;

Thence Southwesterly, 132.94 feet along the arc of said curve to a point tangent, said arc having a radius of 450.00 feet, a central angle of 16°55'35", and being subtended by a chord that bears S34°42'17"W, 132.46 feet;

Thence S26°14'29"W, 104.30 feet;

Thence S31°08'54"W, 54.44 feet;

Thence S35°51'35"W, 90.54 feet to a point of curve to the right;

Thence Southwesterly, 139.50 feet along the arc of said curve to a point tangent, said arc having a radius of 150.00 feet, a central angle of 53°17'06", and being subtended by a chord that bears S62°30'08"W, 134.53 feet;

Thence S89°08'41"W, 143.86 feet;

Thence S82°57'23"W, 116.61 feet;

Thence S79°42'23"W, 35.80 feet to a point of curve to the right;

Thence Westerly, 61.55 feet along the arc of said curve to a point tangent, said arc having a radius of 175.00 feet, a central angle of 20°09'02", and being subtended by a chord that bears S89°46'54"W, 61.23 feet;

Thence N80°08'35"W, 60.13 feet to a point of curve to the left;

Thence Westerly, 223.88 feet along the arc of said curve to a point of reverse curve to the right, said arc having a radius of 1180.00 feet, a central angle of 10°52'14", and being subtended by a chord that bears N85°34'42"W, 223.54 feet;

Thence Westerly, 71.96 feet along the arc of said curve to a point tangent, said arc having a radius of 250.00 feet, a central angle of 16°29'31", and being subtended by a chord that bears N82°46'03"W, 71.71 feet;

Thence N74°31'17"W, 30.86 feet to the Westerly Line of said Lot B, also being the Easterly Line of Brooks Farm First and Second Additions, an annexation to the Town of Firestone recorded June 15, 2001, as Reception No. 2857771 of the records of Weld County, Colorado;

Thence N00°56'45"E, 2296.06 feet along the Westerly Line of said Lot B and along the Easterly Line of said Brooks Farm First and Second Additions to the Southerly Line of said Weld County

Road 26 Annexation No. 4;

Thence leaving the Westerly Line of said Lot B, S89°20'33"E, 1187.43 feet along the Southerly Line of said Weld County Road 26 Annexation No. 4 to the POINT OF BEGINNING.

Area = 60.028 acres, more or less, is hereby annexed to and made a part of the Town of Firestone, Colorado, to be known as the Carbon Valley Pit Annexation.

Section 5. The Town Clerk is authorized and directed to file for recording three (3) certified copies of this Ordinance and the Annexation Map with the Weld County Clerk and Recorder, and to file one (1) copy of the Annexation Map and the original of this Ordinance in the Town Clerk's office. The Town Clerk shall also request that the Weld County Clerk and Recorder file one (1) certified copy of this Ordinance and the Annexation Map with the Division of Local Government of the Department of Local Affairs and the same with the Colorado Department of Revenue.

Section 6. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 7. This Ordinance shall be published and become effective 30 days after publication following adoption.

INTRODUCED, READ, ADOPTED, APPROVED AND ORDERED PUBLISHED IN FULL this ____ day of January, 2020.

TOWN OF FIRESTONE, COLORADO

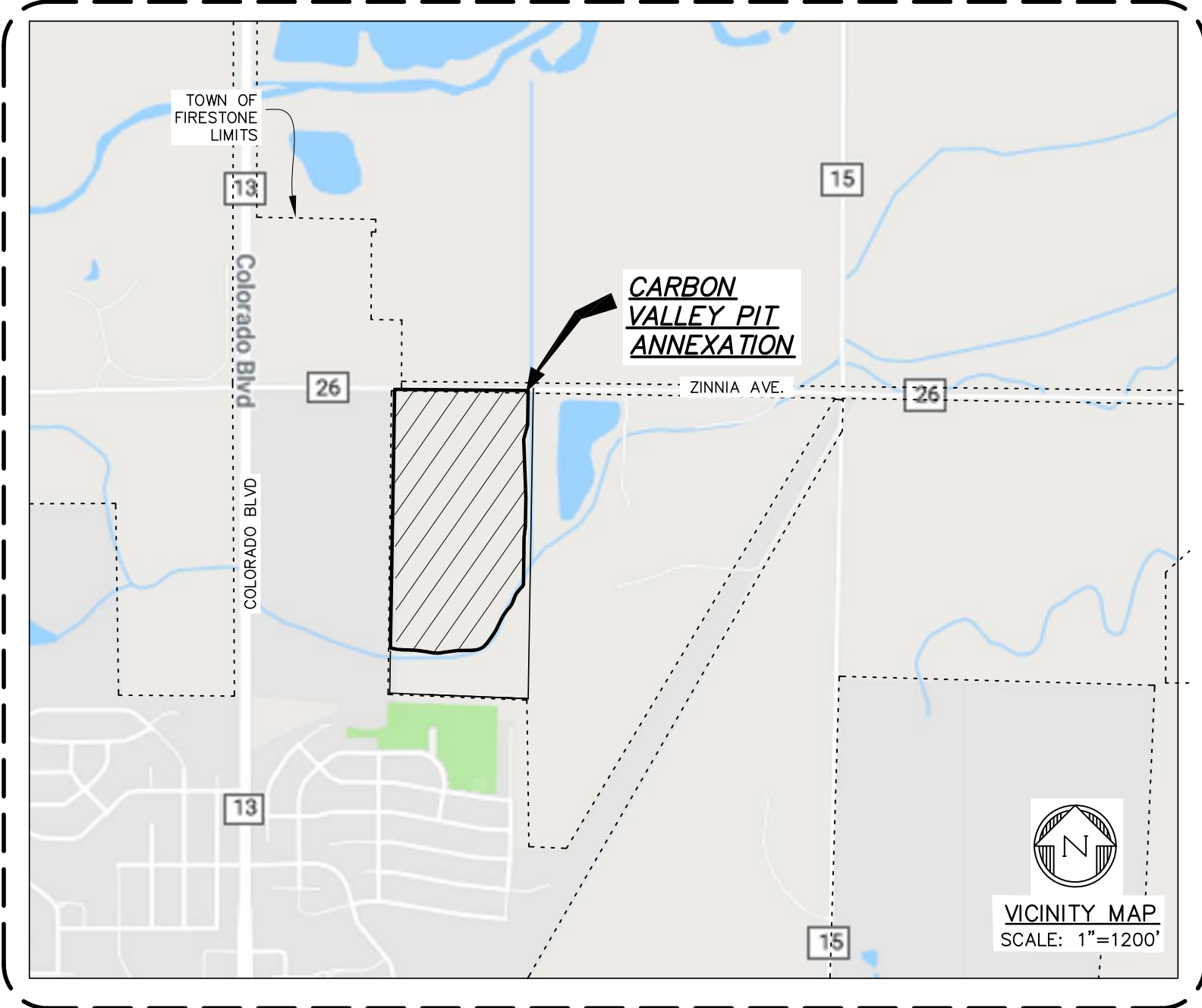
Bobbi Sindelar, Mayor

ATTEST:

Lisa Bartley, Acting Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney



OWNER'S APPROVAL BLOCK

KNOW ALL MEN BY THESE PRESENTS, THAT TOWN OF FIRESTONE, COLORADO, BEING THE SOLE OWNER AND PROPRIETOR OF THE FOLLOWING DESCRIBED LAND, TO WIT:

PART OF LOT B OF RECORDED EXEMPTION NO. 1311-6-2 REC13-0023, A RECORDED EXEMPTION LOCATED IN THE NW1/4 OF SECTION 6, T2N, R67W OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, ACCORDING TO THE PLAT RECORDED JUNE 19, 2013, AS RECEPTION NO. 3941557 OF THE RECORDS OF WELD COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE N1/4 COR. SEC. 6, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 6 BEARS N89°30'04"W, 2503.05 FEET (BASIS OF BEARING), THENCE N89°30'04"W, 45.28 FEET ALONG THE NORTH LINE OF THE NW1/4 OF SAID SECTION 6 TO THE NORTHEAST CORNER OF SAID LOT B; THENCE S00°57'11"W, 36.80 FEET ALONG THE EASTERLY LINE OF SAID LOT B TO THE SOUTHERLY LINE OF WELD COUNTY ROAD 26 ANNEXATION NO. 4, AN ANNEXATION TO THE TOWN OF FIRESTONE RECORDED MAY 28, 2010, AS RECEPTION NO. 3696276 OF THE RECORDS OF WELD COUNTY, COLORADO, AND THE POINT OF BEGINNING;

THE FOLLOWING COURSES AND DISTANCES ARE ALONG THE EASTERLY, SOUTHERLY, AND WESTERLY LINES OF SAID LOT B:

THENCE CONTINUING S00°57'11"W, 301.12 FEET;

THENCE S15°13'26"W, 130.94 FEET;

THENCE S02°09'26"E, 523.68 FEET;

THENCE S01°12'22"W, 254.00 FEET;

THENCE S06°48'02"W, 96.36 FEET;

THENCE S00°44'11"W, 421.85 FEET;

THENCE S37°25'26"W, 25.30 FEET;

THENCE S41°47'35"W, 46.72 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, 78.07 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 180.00 FEET, A CENTRAL ANGLE OF 24°51'05", AND BEING SUBTENDED BY A CHORD THAT BEARS S29°22'03"W, 77.46 FEET;

THENCE S16°56'30"W, 20.61 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHWESTERLY, 64.08 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVE TO THE LEFT, SAID ARC HAVING A RADIUS OF 140.00 FEET, A CENTRAL ANGLE OF 26°13'33", AND BEING SUBTENDED BY A CHORD THAT BEARS S30°03'17"W, 63.52 FEET;

THENCE SOUTHWESTERLY, 132.94 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 16°55'35", AND BEING SUBTENDED BY A CHORD THAT BEARS S34°42'17"W, 132.46 FEET;

THENCE S26°14'29"W, 104.30 FEET;

THENCE S31°08'54"W, 54.44 FEET;

THENCE S35°51'35"W, 90.54 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHWESTERLY, 139.50 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 53°17'06", AND BEING SUBTENDED BY A CHORD THAT BEARS S62°30'08"W, 134.53 FEET;

THENCE S89°08'41"W, 143.86 FEET;

THENCE S82°57'23"W, 116.61 FEET;

LEGEND	
AC	ACRES
ALUM	ALUMINUM
COR	CORNER
ESMT	EASEMENT
GW	OIL & GAS WELL HEAD
MKD	MARKED
±	MORE OR LESS
PG	PAGE
REC	RECEPTION NO.
ROW	RIGHT-OF-WAY
SF	SQUARE FEET
ZONE X	FIRM FLOOD ZONE X (OTHER AREAS)
FNL	FROM NORTH SECTION LINE
FWL	FROM WEST SECTION LINE
	ANNEXATION CORNER
	TOWN OF FIRESTONE CORPORATE BOUNDARY

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S15°13'26"W	130.94'
L2	S06°48'02"W	96.36'
L3	S37°25'26"W	25.30'
L4	S41°47'35"W	46.72'
L5	S16°56'30"W	20.61'
L6	S26°14'29"W	104.30'
L7	S31°08'54"W	54.44'
L8	S35°51'35"W	90.54'
L9	S89°08'41"W	143.86'
L10	S82°57'23"W	116.61'
L11	S79°42'23"W	35.80'
L12	N80°08'35"W	60.13'
L13	N74°31'17"W	30.86'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	78.07'	180.00'	24°51'05"	S29°22'03"W	77.46'
C2	64.08'	140.00'	26°13'33"	S30°03'17"W	63.52'
C3	132.94'	450.00'	16°55'35"	S34°42'17"W	132.46'
C4	139.50'	150.00'	53°17'06"	S62°30'08"W	134.53'
C5	61.55'	175.00'	20°09'02"	S89°46'54"W	61.23'
C6	223.88'	1180.00'	10°52'14"	N85°34'42"W	223.54'
C7	71.96'	250.00'	16°29'31"	N82°46'03"W	71.71'

OWNER'S APPROVAL BLOCK (CONTINUED)

THENCE S79°42'23"W, 35.80 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE WESTERLY, 61.55 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 175.00 FEET, A CENTRAL ANGLE OF 20°09'02", AND BEING SUBTENDED BY A CHORD THAT BEARS S89°46'54"W, 61.23 FEET;

THENCE N80°08'35"W, 60.13 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE WESTERLY, 223.88 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVE TO THE RIGHT, SAID ARC HAVING A RADIUS OF 1180.00 FEET, A CENTRAL ANGLE OF 10°52'14", AND BEING SUBTENDED BY A CHORD THAT BEARS N85°34'42"W, 223.54 FEET;

THENCE WESTERLY, 71.96 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 16°29'31", AND BEING SUBTENDED BY A CHORD THAT BEARS N82°46'03"W, 71.71 FEET;

THENCE N74°31'17"W, 30.86 FEET TO THE WESTERLY LINE OF SAID LOT B, ALSO BEING THE EASTERLY LINE OF BROOKS FARM FIRST AND SECOND ADDITIONS, AN ANNEXATION TO THE TOWN OF FIRESTONE RECORDED JUNE 15, 2001, AS RECEPTION NO. 2857771 OF THE RECORDS OF WELD COUNTY, COLORADO;

THENCE N00°56'45"E, 2296.06 FEET ALONG THE WESTERLY LINE OF SAID LOT B AND ALONG THE EASTERLY LINE OF SAID BROOKS FARM FIRST AND SECOND ADDITIONS TO THE SOUTHERLY LINE OF SAID WELD COUNTY ROAD 26 ANNEXATION NO. 4;

THENCE LEAVING THE WESTERLY LINE OF SAID LOT B, S89°20'33"E, 1187.43 FEET ALONG THE SOUTHERLY LINE OF SAID WELD COUNTY ROAD 26 ANNEXATION NO. 4 TO THE POINT OF BEGINNING.

AREA = 60.028 ACRES, MORE OR LESS.

HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE ANNEXED UNDER THE NAME "CARBON VALLEY PIT ANNEXATION".

TOWN OF FIRESTONE

BY: _____
MAYOR

STATE OF COLORADO

COUNTY OF WELD

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D., 20____, BY _____
AS _____ FOR TOWN OF FIRESTONE, COLORADO.

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES

ANNEXATION MAP

CARBON VALLEY PIT ANNEXATION

TOWN OF FIRESTONE
COUNTY OF WELD,
STATE OF COLORADO.

SHEET 1 OF 1

RECORDED
EXEMPTION
1209-31-3
RE-2340
REC. 2661939

LOT B
TOWN OF FIRESTONE
FIRESTONE ZONE:
EC PUD
EMPLOYMENT CENTER
PLANNED UNIT DEVELOPMENT

WELD COUNTY ZONE:
A-AGRICULTURE
UNPLATTED
VARRA COMPANIES, INC.

ZINNIA AVENUE
(WELD COUNTY
ROAD 26)
(60' RIGHT-OF-WAY)

WELD COUNTY
ROAD 26
ANNEXATION
NO. 4
REC. 3696276

WELD COUNTY ZONE:
A-AGRICULTURE
UNPLATTED
PASQUALE &
JACQUELINE N. VARRA

POINT OF COMMENCEMENT
N1/4 COR. SEC. 6
RECORD DESCRIPTION: #6 REBAR W/
3-1/4" ALUM. CAP MKD. "KING
SURVEYORS INC DILKA LS 38106 2013" IN
MONUMENT BOX.
RECORD DESCRIPTION: #6 REBAR W/ 2"
ALUM. CAP MKD. "LS 20676 2006" IN
MONUMENT BOX 564°56'20"E 16.75'.

NOTES

- BEARINGS SHOWN ON THIS MAP ARE BASED ON THE ASSUMPTION THAT THE NORTH LINE OF THE NW1/4 OF SECTION 6, T2N, R67W OF THE 6TH P.M. BEARS S89°30'04"W AS MONUMENTED AND SHOWN HEREON.
- THIS MAP WAS PREPARED EXCLUSIVELY FOR ANNEXATION PURPOSES AND IS NOT A LAND SURVEY PLAT IMPROVEMENT SURVEY PLAT, OR MONUMENTED LAND SURVEY ACCORDING TO COLORADO STATUTES.
- RECORDED EASEMENTS AND RIGHTS-OF-WAY, IF ANY, ARE SHOWN ON THIS PLAT AS INDICATED ON RECORDED EXEMPTION NO. 1311-6-2 REC13-0023 RECORDED JUNE 19, 2013, AS RECEPTION NO. 3941557 OF THE RECORDS OF WELD COUNTY, COLORADO. NO ADDITIONAL RESEARCH WAS COMPLETED.
- ACCORDING TO THE FIRM FLOOD INSURANCE RATE MAP, MAP NUMBER 08123C1895E, EFFECTIVE DATE JANUARY 20, 2016, PANEL 1895 OF 2250, WELD COUNTY, COLORADO AND INCORPORATED AREAS, THE SUBJECT PROPERTY LIES WITHIN ZONE X OF OTHER AREAS - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THE POSITION OF ANY AREA DESIGNATED ON THE FIRM MAP RELATIVE TO THE SUBJECT PROPERTY, AS MAY BE NOTED OR SHOWN ON THIS MAP, IS BASED ON GRAPHICALLY SPOTTING OR SCALING THE BOUNDARIES OF THE SUBJECT PROPERTY RELATIVE TO IDENTIFIABLE FEATURES, SUCH AS ROADS, DRAINAGES, OR REFERENCED SECTION LINES, AND MAY NOT BE ACCURATE. CLIENT IS RESPONSIBLE FOR VERIFYING ALL FLOOD WATERS.
- LINEAR UNITS SHOWN ON THIS MAP ARE U.S. SURVEY FEET.
- LEGAL DESCRIPTION PREPARED BY FRANK N. DREXEL, 1500 KANSAS AVE., SUITE 2-E, LONGMONT, COLORADO, 80501 (CRS 38-35-106.5).

CONTIGUITY

TOTAL PERIMETER OF AREA TO BE ANNEXED	6712.59 FEET
CONTIGUITY WITH EXISTING TOWN LIMITS	3483.49 FEET
MINIMUM ALLOWABLE CONTIGUITY (1/6 TOTAL PERIMETER)	1118.77 FEET
CONTIGUITY EXCEEDING 1/6 MINIMUM REQUIREMENT	2364.72 FEET
AREA OF ANNEXATION	60.028 ACRES

TOWN APPROVAL

THIS IS TO CERTIFY THAT "CARBON VALLEY PIT ANNEXATION" WAS APPROVED ON THE _____ DAY OF _____, 20____, BY ORDINANCE NO. _____, AND THAT THE MAYOR OF THE TOWN OF FIRESTONE ON BEHALF OF THE TOWN OF FIRESTONE, HEREBY ACKNOWLEDGES SAID ANNEXATION UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

MAYOR _____ ATTEST: TOWN CLERK _____

CERTIFICATION DEFINED

THE USE OF THE WORDS "CERTIFY" AND/OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION; WAS PERFORMED BY OR UNDER THE REGISTERED PROFESSIONAL LAND SURVEYOR IN RESPONSIBLE CHARGE; IS BASED ON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION, AND BELIEF; IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE; AND DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. (RULE 6.2.2 OF THE BYLAWS AND RULES OF THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS)

NOTICE

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN 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 CERTIFICATE

I, FRANK N. DREXEL, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT AT LEAST ONE-SIXTH (1/6) OF THE PERIPHERAL BOUNDARY OF THE PARCELS SHOWN HEREON IS CONTIGUOUS THE PRESENT BOUNDARY OF THE TOWN OF FIRESTONE, AND THAT THIS PLAT COMPLIES WITH SECTION 31-12-107(d), COLORADO REVISED STATUTES, CONCERNING ANNEXATION PLATS.

FRANK N. DREXEL
COLORADO REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 24305
DATE: _____

CARBON VALLEY PIT ANNEXATION
ANNEXATION MAP

NAME OF SUBMITTAL:	CARBON VALLEY PIT ANNEXATION
TYPE OF SUBMITTAL:	ANNEXATION
FILING NUMBER:	
PHASE NUMBER:	
SHEET TITLE:	CARBON VALLEY PIT ANNEXATION
PREPARATION DATE:	MARCH 29, 2019
REVISION DATE:	MAY 22, 2019
REVISION DATE:	
REVISION DATE:	

SHEET 1 OF 1

BROOKS FARM
FIRST & SECOND
ADDITIONS
REC. 2857771

RECORDED
EXEMPTION
1311-6-2
REC13-0023
REC. 3941557

MINOR PLAT OF
BROOKS FARM
FIRST SUBDIVISION
REC. 2993765

BLOCK 1
TRACT A
LG EVERIST INC

TOWN OF FIRESTONE
ZONE:
R-A PUD

WELD COUNTY
ZONE:
A-AGRICULTURE

150' OIL & GAS
WELL SETBACK
REC. 3941557

FLOOD ZONE X
(OTHER AREAS)
(NOTE 4)

20' STORM WATER EASEMENT
TOWN OF FIRESTONE
REC. 2688990
REC. 2744637

LOT A
DRAGONFLY 12 LLC

TRACT H
TOWN OF FIRESTONE
ZONE:
R-A PUD

TRACT I
TOWN OF FIRESTONE
ZONE:
R-A PUD

FIRESTONE DEVELOPMENT
ANNEXATION NO. 3
REC. 25814001

OAK MEADOWS
PUD FILING 1
REC. 2689867

UNPLATTED
DELORES L. FRENCH

WELD COUNTY
ZONE:
A-AGRICULTURE

UNPLATTED
HAROLD EDWARD NELSON,
HAROLD NELSON LIVING TRUST
JUNE NELSON LIVING TRUST

WELD COUNTY
ZONE:
A-AGRICULTURE

C1/4 COR. SEC. 6
RECORD DESCRIPTION: 2"
O.D. STEEL PIPE W/ 2-1/2"
ALUM. CAP MKD. "DB&CO
PLS 17664 1993".

LOT 13
KYLE BENNETT &
BRANDY BENNETT

OAK MEADOWS
PUD FILING 2
REC. 2881892
TOWN OF FIRESTONE
ZONE:
R-C PUD

CIVILARTS

ENGINEERING
PLANNING
SURVEYING

1500 Kansas Ave., Suite 2-E
Longmont, CO 80501
P 303.682.1131
F 303.682.1149

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 9.c.

Land Development

Meeting Date: January 22, 2020

Initiated By: Marty Ostholthoff

Dept: Planning & Development

AGENDA TITLE

PUBLIC HEARING: Ordinance 965: AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ZONING CERTAIN REAL PROPERTY FULLY DESCRIBED HEREIN, KNOWN AS THE CARBON VALLEY PIT ANNEXATION, TO PUD-EC (PLANNED UNIT DEVELOPMENT-EMPLOYMENT CENTER), AND APPROVING THE CARBON VALLEY PIT OUTLINE DEVELOPMENT PLAN

SUMMARY

See attached Staff Report.

HISTORY AND PREVIOUS BOARD ACTION

The Town purchased the subject property in 2018.

RECOMMENDATION

Town staff recommends the Board of Trustees approve the Initial Zoning and Outline Development Plan for the Carbon Valley Pit property by approving Ordinance 965.

ALTERNATIVES

n/a

ATTACHMENTS

1. 9.c - CVP Annexation Zoning-ODP BOT Staff Report
2. 9.c - CVP Zoning Ord 965
3. 9.c - CVP ODP Map

FINANCIAL CONSIDERATIONS

n/a



Staff Report

Carbon Valley Pit Annexation

Zoning and Outline Development Plan

**Prepared by the
Town of Firestone for the
Board of Trustees**

January 22, 2020

Applications

This staff report is for the property known as the Carbon Valley Pit Annexation, Zoning and Outline Development Plan (“ODP”). The applicant for this submittal is the Town of Firestone.

Notice

Pursuant to the Town Code and Development Regulations, proper notification of the public hearings was published. Proof of notification to owners of interest and surrounding property owners and a property posting log will be provided by the applicant prior to the hearings.

Location and Process

The approximate location of the Carbon Valley Pit Annexation property is south of Zinnia Avenue and one-quarter mile east of Colorado Boulevard as noted below. This property is currently zoned Weld County A-Agricultural. The zoning requested by the applicant is Planned Unit Development with Employment Center (EC) land uses. The applicant is also requesting approval of an Outline Development Plan for the property.



Site Analysis

The area to be annexed is approximately 60.028 acres and is comprised of vacant land with two vacant commercial buildings. The property is generally flat and would be appropriate for the proposed zoning requested.

Plan Analysis

The applicant acquired the property in 2018, and has planned to date, to include on the property a public utility facility. The property was previously used for gravel mining. The land uses proposed are generally consistent with the Firestone Development Regulations.

Planning and Zoning Commission and Board of Trustees Conditions and Standards for Approval

For your general reference, attached are the conditions and standards of approval for a PUD district that are stated in Section 17.22.080 of the Firestone Development Regulations.

Conditions and Standards for Approval

The Planning Commission and the Town Board of Trustees may approve a PUD application if it meets the intent of these Regulations and complies with the Town Code and other controlling regulations and documents, including the development standards specified herein. The Planning Commission and Town Board shall consider the following in making their decision for approval, approval with conditions, or denial of a PUD:

- A. The proposed PUD district is compatible with present development in the surrounding area, and will not have a significant, adverse effect on the surrounding area;
- B. The proposed PUD district is consistent with the public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
- C. The proposed PUD district is consistent with the overall direction, intent of Titles 16 and 17 of the Town Code, and the intent and policies of the Town's comprehensive plan and other policy documents of the Town;
- D. The proposed PUD district provides for a creative and innovative design which could not otherwise be achieved through other standard zoning districts;
- E. The exceptions from the zoning regulations requested in the proposed PUD are warranted by virtue of innovative design and amenities incorporated in the PUD district;
- F. The PUD provides adequate circulation in terms of internal street circulation system, designed for the type of traffic generated, for separate living areas, convenience, safety, access, and noise and exhaust control. Proper circulation in parking areas shall be provided in terms of safety, convenience, separation and screening. The PUD should provide for buffering from collector and arterial streets through earthen berms, landscaping, and other methods;
- G. The PUD provides functional open space in terms of practical usability and accessibility, and optimum preservation of natural features, including trees and drainage areas, recreation, views, natural stream courses, bodies of water and wetlands;
- H. To the extent practicable, the PUD provides variety in terms of housing types, housing size, densities, facilities and open space;

- I. The PUD provides for pedestrian and bicycle traffic in terms of safety, separation, convenience, access, destination and attractiveness. If possible, there shall be an internal pedestrian circulation system separate from the vehicular system such that allows access to adjacent parcels, parks, open space, or recreational facilities within the PUD as well as links to trail systems of the Town;
- J. Building types in terms of appropriateness to density, site relationship and bulk;
- K. Building design in terms of orientation, spacing, materials, color, texture, storage, signs and lighting;
- L. Landscaping of the site in terms of purpose, such as screening, types and materials used, maintenance suitability, water demands and effect on the area;
- M. Services including utilities, fire, police protection and other such services are available or can be made available to adequately serve the development;
- N. No structures in the PUD shall encroach on a floodplain except as permitted by the Town's floodplain ordinance;
- O. No occupied structure shall be located on ground showing severe subsidence potential without adequate design and study approved by the Town;
- P. Visual relief and variety of visual sitings shall be located within the PUD through building placement, shortened or interrupted street vistas, visual access to open space and other design methods;
- Q. The fiscal impacts on the Town, relative to expected service provision costs and anticipated revenue to the Town;
- R. Compliance with the provisions of any applicable intergovernmental agreements;
- S. The PUD incorporates a lighting plan and facilities to minimize of light drift outside the PUD in an effort to help preserve the night sky;
- T. To the extent reasonably practicable, the PUD shall strive to incorporate "green" building standards and design guidelines for all residential and commercial development in an effort increase energy efficiency and reduce energy consumption;
- U. To the extent reasonably practicable, the PUD shall strive to incorporate renewable energy technologies;
- V. To the extent reasonably practicable, the PUD shall strive to incorporate best management practices in recycling, water conservation, soils preservation and sustainable development practices;
- W. To the extent reasonably practicable, the PUD shall strive to incorporate Infrastructure design that emphasizes technology that will encourage the development of "knowledge workers" and will facilitate telecommuting.

Planning Commission or Board of Trustees Action

The Planning Commission Board or Board of Trustees has the following options relative to the action on applications in general. As necessary additional information relative to continuances, etc. can be provided by the Town Attorney.

- A. Make a decision and vote on the application, using the draft resolution previously prepared, as may be amended during the hearing; or
 - B. Make a decision and vote on the application, but request the Town Attorney to prepare findings of fact and conclusions for approval and adoption at the next regular meeting; or
 - C. Defer a decision and direct the Town Attorney to prepare findings of fact and conclusions to be submitted to the Board of Trustees at its next regular meeting, with final deliberation, decision and adoption of the findings of fact and conclusion at that meeting; or
 - D. Defer a decision until a date certain, as is mutually agreed upon by the Applicant and the Board of Trustees, by which time the record and all evidence can be reviewed. At that time the Board of Trustees can either adopt findings of fact and conclusions or direct the Town Attorney to prepare findings of fact and conclusions for adoption at the next regular meeting after the meeting to which the matter has been deferred.
-

RECOMMENDATION

Town staff recommends the Board of Trustees approve the Initial Zoning and Outline Development Plan for the Carbon Valley Pit property by approving Ordinance 965.

ORDINANCE NO. 965

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ZONING CERTAIN REAL PROPERTY FULLY DESCRIBED HEREIN, KNOWN AS THE CARBON VALLEY PIT ANNEXATION, TO PUD-EC (PLANNED UNIT DEVELOPMENT-EMPLOYMENT CENTER), AND APPROVING THE CARBON VALLEY PIT OUTLINE DEVELOPMENT PLAN

WHEREAS, the Board of Trustees of the Town of Firestone, Colorado finds that a proper application for zoning certain land fully described and depicted on Exhibit A has been submitted by the applicant to the Town; and

WHEREAS, the Subject Property was recently annexed to the Town by ordinance, and was previously zoned “A-Agriculture” under Weld County zoning regulations; and

WHEREAS, the Planning and Zoning Commission of the Town of Firestone, after a public hearing held on January 9, 2020 and careful consideration of all relevant facts, has recommended approval of the requested zoning and the proposed Carbon Valley Pit Outline Development Plan to the Board of Trustees, subject to the Board of Trustees approving the annexation and approval of; and

WHEREAS, the Board of Trustees, after providing notice as provided by law, has held a public hearing concerning the zoning request; and

WHEREAS, the proposed initial zoning of the property is Planned Unit Development zoning classification with Employment Center (EC) land uses, and there has been prepared an Outline Development Plan in connection with the proposed zoning; and

WHEREAS, the Planned Unit Development zoning classification is consistent with the Town’s plan for the area encompassed by the Annexation; and

WHEREAS, no protests were received by the Town pursuant to C.R.S. § 31-23-305; and

WHEREAS, after reviewing the record of the Firestone Planning and Zoning Commission public hearing and the recommendation of the Firestone Planning and Zoning Commission following such hearing, and after considering the testimony, evidence and argument presented at the Board of Trustees public hearing, the Board of Trustees finds and determines that the proposed zoning request and Outline Development Plan meets the applicable requirements and standards set forth in the Firestone Municipal Code and Firestone Development Regulations, and further finds that it is in the public interest and reasonably necessary to zone the subject property to Town of Firestone PUD-EC (Planned Unit Development-Employment Center).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. The land described and depicted on Exhibit A, and known as the Carbon Valley Pit Annexation, shall be zoned PUD-EC (Planned Unit Development-Employment Center) Zoning District.

Section 2. The Carbon Valley Pit Official Development Plan, attached hereto as Exhibit B, is hereby approved.

Section 3. The Board of Trustees certifies a change in the Zoning Map zoning the property described herein to Town of Firestone PUD-EC (Planned Unit Development-Employment Center).

Section 4. The Board of Trustees directs that a certified copy of this Ordinance be filed with the Town Clerk and further, that the Town Clerk index, file and make the Ordinance available to the public.

Section 5. This zoning ordinance shall be effective on the sixtieth (60th) day following the date of final approval by the Board of Trustees of the Carbon Valley Pit Annexation, Ordinance No. 964,

Section 6. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declare it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 7. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this ____ day of January, 2020.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST:

Lisa Bartley, Acting Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

EXHIBIT A
LEGAL DESCRIPTION

Part of Lot B of Recorded Exemption No. 1311-6-2 RECX13-0023, a recorded exemption located in the NW1/4 of Section 6, T2N, R67W of the 6th P.M., County of Weld, State of Colorado, according to the plat recorded June 19, 2013, as Reception No. 3941557 of the records of Weld County, Colorado, described as follows:

COMMENCING at the N1/4 Corner of said Section 6, from which the Northwest Corner of said Section 6 bears N89°30'04"W, 2503.05 feet (Basis of Bearing), thence N89°30'04"W, 45.28 feet along the North Line of the NW1/4 of said Section 6 to the Northeast Corner of said Lot B; Thence S00°57'11"W, 36.80 feet along the Easterly Line of said Lot B to the Southerly Line of Weld County Road 26 Annexation No. 4, an annexation to the Town of Firestone recorded May 28, 2010, as Reception No. 3696276 of the records of Weld County, Colorado, and the POINT OF BEGINNING;

The following courses and distances are along the Easterly, Southerly, and Westerly Lines of said Lot B:

Thence continuing S00°57'11"W, 301.12 feet;

Thence S15°13'26"W, 130.94 feet;

Thence S02°09'26"E, 523.68 feet;

Thence S01°12'22"W, 254.00 feet;

Thence S06°48'02"W, 96.36 feet;

Thence S00°44'11"W, 421.85 feet;

Thence S37°25'26"W, 25.30 feet;

Thence S41°47'35"W, 46.72 feet to a point of curve to the left;

Thence Southwesterly, 78.07 feet along the arc of said curve to a point tangent, said arc having a radius of 180.00 feet, a central angle of 24°51'05", and being subtended by a chord that bears S29°22'03"W, 77.46 feet;

Thence S16°56'30"W, 20.61 feet to a point of curve to the right;

Thence Southwesterly, 64.08 feet along the arc of said curve to a

point of reverse curve to the left, said arc having a radius of 140.00 feet, a central angle of 26°13'33", and being subtended by a chord that bears S30°03'17"W, 63.52 feet;

Thence Southwesterly, 132.94 feet along the arc of said curve to a point tangent, said arc having a radius of 450.00 feet, a central angle of 16°55'35", and being subtended by a chord that bears S34°42'17"W, 132.46 feet;

Thence S26°14'29"W, 104.30 feet;

Thence S31°08'54"W, 54.44 feet;

Thence S35°51'35"W, 90.54 feet to a point of curve to the right;

Thence Southwesterly, 139.50 feet along the arc of said curve to a point tangent, said arc having a radius of 150.00 feet, a central angle of 53°17'06", and being subtended by a chord that bears S62°30'08"W, 134.53 feet;

Thence S89°08'41"W, 143.86 feet;

Thence S82°57'23"W, 116.61 feet;

Thence S79°42'23"W, 35.80 feet to a point of curve to the right;

Thence Westerly, 61.55 feet along the arc of said curve to a point tangent, said arc having a radius of 175.00 feet, a central angle of 20°09'02", and being subtended by a chord that bears S89°46'54"W, 61.23 feet;

Thence N80°08'35"W, 60.13 feet to a point of curve to the left;

Thence Westerly, 223.88 feet along the arc of said curve to a point of reverse curve to the right, said arc having a radius of 1180.00 feet, a central angle of 10°52'14", and being subtended by a chord that bears N85°34'42"W, 223.54 feet;

Thence Westerly, 71.96 feet along the arc of said curve to a point tangent, said arc having a radius of 250.00 feet, a central angle of 16°29'31", and being subtended by a chord that bears N82°46'03"W, 71.71 feet;

Thence N74°31'17"W, 30.86 feet to the Westerly Line of said Lot B, also being the Easterly Line of Brooks Farm First and Second Additions, an annexation to the Town of Firestone recorded June

15, 2001, as Reception No. 2857771 of the records of Weld County, Colorado;

Thence N00°56'45"E, 2296.06 feet along the Westerly Line of said Lot B and along the Easterly Line of said Brooks Farm First and Second Additions to the Southerly Line of said Weld County Road 26 Annexation No. 4;

Thence leaving the Westerly Line of said Lot B, S89°20'33"E, 1187.43 feet along the Southerly Line of said Weld County Road 26 Annexation No. 4 to the POINT OF BEGINNING.

Area = 60.028 acres, more or less.

OUTLINE DEVELOPMENT PLAN

CARBON VALLEY PIT

PROJECT CONCEPT

THE CARBON VALLEY PIT PROPERTY OUTLINE DEVELOPMENT PLAN PROPOSES TO ESTABLISH THE LAND USE OF THE CARBON VALLEY PIT PROPERTY, ACQUIRED BY THE TOWN OF FIRESTONE IN FALL OF 2016. THE OUTLINE DEVELOPMENT PLAN PROPOSES ONE PLANNING AREA WITHIN THE PLANNED UNIT DEVELOPMENT-PA-1 TO BE ZONED AS EMPLOYMENT CENTER (EC) FOR MUNICIPAL USES. THE MUNICIPAL USES SHALL INCLUDE RESERVOIR, PUMP STATIONS, UNDERGROUND UTILITIES AND OTHER ASSOCIATED USES. THE CARBON VALLEY PIT PROPERTY IS APPROXIMATELY 60.028 ACRES IN SIZE AND IS BOUND BY BROOKS FARM FIRST SUBDIVISION TO THE WEST AND ZINNIA AVENUE TO THE NORTH.

REGIONAL IMPACTS

THE CARBON VALLEY PIT PROPERTY IS PROPOSED TO PROVIDE AN IRRIGATION RESERVOIR WITH ASSOCIATED PUMP STATIONS AND PIPES FOR MUNICIPAL USE. IT IS ANTICIPATED THAT THE PROVISION OF THIS RESOURCE WILL HAVE POSITIVE ECONOMIC IMPACTS TO THE TOWN OF FIRESTONE. ITS SIZE AND LOCATION PROVIDES OPPORTUNITY TO OFFER SUCH PUBLIC USES BOTH FOR FIRESTONE AND THE REGION.

ENVIRONMENTAL INFORMATION

THERE ARE NO KNOWN ENVIRONMENTAL HAZARDS LOCATED ON SITE.

UTILITIES

THE TOWN WILL PROVIDE NECESSARY UTILITIES TO THE SITE INCLUDING WATER, SEWER, GAS AND ELECTRIC. INFRASTRUCTURE WILL BE FINANCED BY THE TOWN, UNLESS OTHERWISE DETERMINED BY THE TOWN.

GRADING CONCEPT

THE SITE IS GRADED FOR USE AS A WATER STORAGE RESERVOIR. ADDITIONAL GRADING IS EXPECTED RELATED TO THE CONSTRUCTION OF PUMPING STATIONS, ACCESS ROADS AND OTHER IMPROVEMENTS.

SERVICE REQUIREMENTS

THE TOWN WILL PROVIDE NECESSARY PUBLIC SERVICE TO THE SITE. THE POLICE SERVICE IS WITHIN THE TOWN OF FIRESTONE. FIRE PROTECTION AND AMBULANCE WILL BE PROVIDED BY THE FREDERICK-FIRESTONE FIRE PROTECTION DISTRICT. SCHOOLS ARE WITHIN THE ST. VRAIN VALLEY SCHOOL DISTRICT.

CIRCULATION SYSTEMS

THE PROPERTY IS ADJACENT TO ZINNIA AVENUE ON THE NORTH SIDE. ONLY ONE ACCESS (EXISTING) IS ANTICIPATED. AN INTERNAL ACCESS ROADWAY WILL BE DEVELOPED RELATED TO THE OPERATION AND MAINTENANCE OF THE RESERVOIR AND THE PUMP STATIONS.

LAND USE AND ZONING

THE CARBON VALLEY PIT PROPERTY PROPOSES TO ESTABLISH AN EMPLOYMENT CENTER (EC) ZONED PLANNED UNIT DEVELOPMENT WITH MUNICIPAL LAND USES TO INCLUDE RESERVOIR, PUMP STATIONS, UNDERGROUND UTILITIES AND OTHER ASSOCIATED USES. THE LAND USES AND DEVELOPMENT STANDARDS FOR THE MUNICIPAL LAND USE CATEGORY SHALL BE AS SPECIFIED IN THIS ODP AND IN THE FIRESTONE DEVELOPMENT REGULATIONS AS MAY BE AMENDED FROM TIME TO TIME.

DENSITY

THE ALLOWED DENSITY OF THE PROPERTY WILL BE CONSISTENT WITH THE TOWN OF FIRESTONE DEVELOPMENT REGULATIONS.

BUILDING HEIGHT

BUILDINGS AND WATER PUMPING STATIONS LOCATED WITHIN PA-1 OF THE CARBON VALLEY PIT PROPERTY ODP SHALL BE NO GREATER THAN 50' IN HEIGHT.

DEVELOPMENT SCHEDULE

INITIAL DEVELOPMENT OF THE SITE IS ANTICIPATED TO BEGIN IN 2020.

PARK DEVELOPMENT

PARK DEVELOPMENT WILL NOT BE A PART OF THE CARBON VALLEY PIT PROPERTY DEVELOPMENT.

PARK MAINTENANCE AND ENFORCEMENT

PARK MAINTENANCE WILL NOT BE REQUIRED.

LAND USE TABLE

PLANNING AREA	ZONING	LAND USE	AREA (AC)	% AREA
PA-1	EC	MUNICIPAL	60.028	100
			TOTAL AREA	60.028

LINE & CURVE TABLES

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S37°25'26"W	25.30
L2	S41°47'35"W	46.72
L3	S16°56'30"W	20.61
L4	S26°14'29"W	104.30
L5	S31°08'54"W	54.44
L6	S35°51'35"W	90.54
L7	S89°08'41"W	143.86
L8	S82°57'23"W	116.61
L9	S79°42'23"W	35.80
L10	N80°08'35"W	60.13
L11	N74°31'17"W	30.86

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	78.07	180.00	24°51'05"	S29°22'03"W	77.46
C2	64.08	140.00	26°13'33"	N30°03'17"E	63.52
C3	132.94	450.00	16°55'35"	S34°42'17"W	132.46
C4	139.50	150.00	53°17'06"	N62°30'08"E	134.53
C5	61.55	175.00	20°09'02"	N89°46'54"E	61.23
C6	223.88	1180.00	10°52'14"	N85°34'42"W	223.54
C7	71.96	250.00	16°29'31"	S82°54'03"E	71.71

CARBON VALLEY PIT	
NOTES	
NAME OF APPLICATION:	CARBON VALLEY PIT
TYPE OF SUBMITTAL:	OUTLINE DEVELOPMENT PLAN
FILING NUMBER:	
PHASE NUMBER:	
SHEET TITLE:	NOTES
PREPARATION DATE:	OCTOBER 1, 2019
REVISION DATE:	OCTOBER 25, 2019
REVISION DATE:	
REVISION DATE:	

SHEET 2 OF 3

[illegible]

TOWN OF FIRESTONE CARRON VALLEY PIT

OUTLINE DEVELOPMENT PLAN

NOTES

FILE NAME:	0668.0000.02_RESERVOIR #1_ODP
DESIGNED:	LJG
CHECKED:	DBL
JOB NO:	0668.0000.02
SCALE:	N/A
DATE:	OCTOBER 2019

SHEE

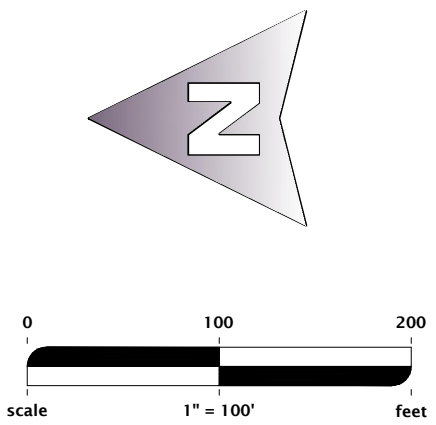
2

OF

OUTLINE DEVELOPMENT PLAN
CARBON VALLEY PIT
TOWN OF FIRESTONE
COUNTY OF WELD
STATE OF COLORADO
SHEET 3 OF 3



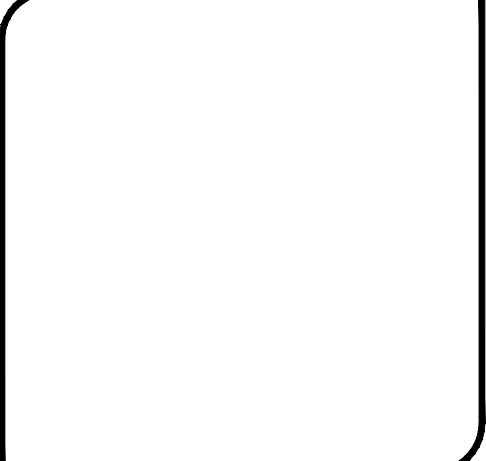
NW COR. SEC. 6
T2N, R67W, 6TH P.M.
RECORD DESCRIPTION: #6 REBAR W/ 2-1/2"
ALUM. CAP MKD. "GREENHORNE &
OM_____LS28656 1993" IN MONUMENT BOX.



CARBON VALLEY PIT MAP SHEET	
NAME OF APPLICATION:	CARBON VALLEY PIT
TYPE OF SUBMITTAL:	OUTLINE DEVELOPMENT PLAN
FILING NUMBER:	
PHASE NUMBER:	
SHEET TITLE:	MAP SHEET
PREPARATION DATE:	OCTOBER 1, 2019
REVISION DATE:	OCTOBER 25, 2019
REVISION DATE:	
REVISION DATE:	

SHEET 3 OF 3

REVISIONS	DESCRIPTION
DATE	



2204 HOFFMAN DRIVE
LOVELAND, COLORADO 80538
(970) 278-0029

TOWN OF FIRESTONE
CARBON VALLEY PIT
OUTLINE DEVELOPMENT PLAN
MAP SHEET

FILE NAME:	0668.0000.02_RESERVOIR #1_ODP
DESIGNED:	LJG
CHECKED:	DBL
JOB NO:	0668.0000.02
SCALE:	1"=100'
DATE:	OCTOBER 2019

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 10.a.

Discussion/Action

Meeting Date: January 22, 2020

Initiated By: Jessica Koenig

Dept: Town Clerk

AGENDA TITLE

Resolution 20-14 - A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, DESIGNATING THE APRIL 7, 2020, REGULAR ELECTION A MAIL BALLOT ELECTION AND AUTHORIZING THE TOWN CLERK TO APPOINT ELECTION JUDGES

SUMMARY

Resolution 20-14 allows the Town of Firestone to conduct a mail ballot election for the April 7, 2020 Regular Municipal Election. Additionally, Resolution 20-14 delegates the responsibility of the appointment of the election judges to the Town Clerk.

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

Approval of Resolution 20-14

ALTERNATIVES

ATTACHMENTS

1. Election Resolution

FINANCIAL CONSIDERATIONS

RESOLUTION NO. 20-14

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
FIRESTONE, COLORADO, DESIGNATING THE APRIL 7, 2020,
REGULAR ELECTION A MAIL BALLOT ELECTION AND
AUTHORIZING THE TOWN CLERK TO APPOINT ELECTION JUDGES**

WHEREAS, pursuant to C.R.S. § 31-10-908, the Board of Trustees of the Town of Firestone is authorized to determine that certain elections shall be conducted by mail ballot;

WHEREAS, in accordance with C.R.S. § 31-1-101(10), the Town's next regular election will take place on Tuesday, April 7, 2020; and

WHEREAS, pursuant to C.R.S. § 31-10-401 the Board of Trustees may delegate the authority and responsibility to appoint election judges to the Town Clerk.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
TOWN OF FIRESTONE, COLORADO:**

Section 1. The Board of Trustees has determined that the election to be held on April 7, 2020, shall be by mail ballot. The Board hereby authorizes and directs the Town Clerk, as the designated election official for the Town, to conduct the election by mail ballot, pursuant to the provisions of C.R.S. § 31-10-910.

Section 2. The Board of Trustees hereby delegates its responsibility and authority to appoint election judges to the Town Clerk.

INTRODUCED, READ AND ADOPTED this __ day of _____, 2020.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST:

Jessica Koenig, Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 10.b.

Discussion/Action

Meeting Date: January 22, 2020

Initiated By: Jessica Clanton

Dept: Finance

AGENDA TITLE

Resolution 20-15: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, ADOPTING THE TOWN OF FIRESTONE INVESTMENT POLICY

SUMMARY

The Finance Committee agreed to a 2-year review schedule of all Financial Policies. In 2020, the Investment Policy is scheduled to be reviewed and updated if necessary. Morgan Stanley, the Town's Investment Advisor, reviewed the existing Investment Policy and has recommended the proposed changes.

HISTORY AND PREVIOUS BOARD ACTION

The Board of Trustees adopted the Investment Policy on July 11, 2018.

RECOMMENDATION

Staff recommends approval of the updated Investment Policy

ALTERNATIVES

Board to provide staff with further direction

ATTACHMENTS

1. Investment Policy Resolution
2. INVESTMENTPOLICY_2020

FINANCIAL CONSIDERATIONS

RESOLUTION NO. 20-15

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
FIRESTONE, COLORADO, ADOPTING THE TOWN OF FIRESTONE
INVESTMENT POLICY**

WHEREAS, the Town of Firestone has previously adopted the Investment Policy for the Town; and

WHEREAS, the Board of Trustees finds that such policy should be updated and that the adoption of a current Investment policy will promote and support the efficient and effective use of Town resources and promote the best interests of the Town; and

WHEREAS, there has been presented to the Board of Trustees for adoption a proposed Investment policy, which has been developed through the collaborative efforts of the Town Manager, Director of Finance and consultants; and

WHEREAS, the Board of Trustees finds that the adoption of such policy is authorized by law; and

WHEREAS, the Board of Trustees finds that the proposed Investment Policy is solely in support of the Town's fiscal responsibilities; and

WHEREAS, the Board of Trustees by this Resolution desires to adopt said policy;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. The Board of Trustees hereby approves and adopts the Town of Firestone Investment Policy, which is attached to this Resolution.

Section 2. The Policy approved and adopted by this Resolution shall take effect January 23, 2020.

Section 3. All resolutions and policies or portions thereof previously adopted that are inconsistent or conflicting with the policy adopted by this Resolution are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, and ADOPTED this ____ day of _____, 2020.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST:

Jessica Koenig, Town Clerk

**BOARD OF TRUSTEES ADOPTED POLICY
TOWN OF FIRESTONE**

SUBJECT: Investment Policy

ISSUE DATE

January 23, 2020

EFFECTIVE DATE

January 23, 2020

INTENT

The Town of Firestone (Town) understands the need to adopt an investment policy to establish parameters and guidelines for the efficient management of the Town's funds and for the purchase and sale of investments. This policy applies to the investments of all funds of the Town. Except for funds held in trust or special funds that are otherwise specifically provided for, the Town will consolidate the balances from all funds to maximize investment earnings and meet the liquidity requirements of the Town subject to the primary objective of providing security of principal amounts. This policy supersedes any and all previous investment policies adopted by the Town.

POLICY

The Town has established the following fiscal policy related to investments.

Objectives

It is the policy of the Town to invest idle public funds in a manner to meet the daily cash flow demands of the Town with the primary objectives, in priority order, being:

- a) Liquidity sufficient to meet cash flow requirements as defined by allocation of assets
- b) Preservation of Principal
- c) Market rate of return commensurate with risk tolerance

A.) Liquidity

The investment portfolio shall retain sufficient liquidity to meet all of the Town's operating requirements that may be reasonably anticipated during the annual budget cycle. Investments shall be managed in order to avoid, although not prohibit, the need to sell securities in order to meet anticipated cash flow needs. Since all possible cash demands cannot be anticipated, the investment portfolio should contain a significant quantity of securities with active secondary markets. As such, at least ten percent (10%) of the investment portfolio will be invested in overnight instruments, money market funds, Colorado local government pools, or in marketable securities which can be sold to raise cash with one business day's notice.

B.) Preservation of Principal

Preservation of principal is the next objective for the Town's investment portfolio. The portfolio should be managed in a manner that seeks to ensure stability of the overall investment portfolio by mitigating the following risks:

1.) Credit Default Risk

The Town will minimize credit default risk, or loss due to the failure of the investment issuer or backer. By monitoring credit risk by restricting the minimum credit ratings on securities that may be purchased and through portfolio diversification, exposure to any one security type or issuer is minimized. As such, the Town shall place reliance upon Nationally Recognized Statistical Rating Organizations (NRSRO) in evaluating credit risk of obligations not issued by the U. S. government and Federal Instrumentality's (Agencies and Government Sponsored Enterprises).

2.) Interest Rate Risk

The Town will minimize its interest rate risk, by employing an asset allocation strategy for portfolio management based on the Town's liquidity needs, structuring the portfolio to: first meet the cash requirements of the Town's ongoing operations, thereby mitigating the need to liquidate securities at a loss prior to maturity. The investment portfolio will be divided into three categories, Cash (overnight liquidity), Core Operating, and Reserves.

Cash is available to meet daily and unforeseen liquidity needs.

Core Operating is invested to meet budgeted cash demands throughout the fiscal year.

Reserves are generally not scheduled to spend and may be invested longer term.

3.) Concentration Risk

The Town will minimize concentrated credit risk, by diversifying its investment portfolio so that the impact of potential losses from any one type of security or issuer will be minimized. Investments issued or explicitly guaranteed by the U.S. government and investments in mutual funds, external investment pools, and other pooled investments are excluded from this requirement.

Issuers not described in the preceding paragraph will be limited to 5% portfolio exposure per issuer, to include all security types, i.e. commercial paper, banker's acceptance and corporate debt.

C.) Return on Investment

The investment portfolio shall be designed and managed with the objective of attaining a market rate of return throughout interest rate cycles, taking into account the investment risk constraints and liquidity needs described in A. Return on investment is of secondary importance compared to liquidity and preservation of principal. Portfolio investments are limited to relatively low risk securities. Portfolio return objective is a fair, albeit lower, return relative to the risk being assumed. The portfolio return shall be measured vs. a benchmark with

characteristics commensurate with the investment policy and asset allocation of the portfolio based on the Town's cash flow requirements; examples include 2 year Constant Maturity Treasury Index, ICE BAML Government and Corporate Indexes and may be blended or modified as the portfolio grows and duration increases, as authorized by the Finance Director.

Delegation of Authority

Authority to oversee and manage the Town's investment program is granted to the Town's Finance Director. Responsibility for the operation of the investment portfolio may be delegated to Finance Department staff and/or investment advisor, acting in accordance with established written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy along with the procedures established by the Finance Director. The Finance Director will be responsible for all investment transactions undertaken and shall establish a system of controls to regulate the activities of any Finance Department staff or the investment advisor

Authorized Investments

The Town's authorized investments shall consist of the following:

- 1.) U.S. government obligations, U.S. government agency obligations and U.S. government instrumentality obligations that have an active, liquid market.
- 2.) Any U.S. dollar denominated corporate or bank debt issued by a corporation or bank which is organized and operated with the United States with net worth in excess of two hundred fifty million dollars; except that the notes evidencing the debt must mature within three years from the date of settlement. At the time of purchase, the debt must carry at least two credit ratings from any of the nationally recognized credit agencies and must be rated at least "AA- or Aa3" or the equivalent by any two NRSRO credit rating agencies. Concentration in this sector is limited to 30% of the book value of the Town's investments at the time of purchase, with no more than 5% of the book value concentrated in any single obligor regardless of investment type.
- 3) Commercial paper rated A-1, P-1, or their equivalent by any nationally recognized credit rating agencies. Total portfolio credit exposure shall not exceed 30% of the book value of the Town's investment portfolio with no greater than 5% total portfolio exposure to any single issuer at the time of purchase
- 4) Securitized Certificates of Deposit, including Yankee CDs, and bankers acceptances, the issuers of which are banks organized under U.S. laws or their parent companies, are rated A-1, P-1 or their equivalent by any NRSROs.. Total credit exposure including Authorized Investments 2, 3, 4 and shall not exceed 50% of the Town's total portfolio value.

5) Repurchase agreements and reverse repurchase agreements may be enacted with approved dealers with whom the Town has signed a master agreement governing such transactions, and must mature within 90 days. U.S. Treasury, agency, or instrumentality securities must collateralize any such transactions, the market value of which shall be at least 102%.. Securities collateralizing such transactions shall be held by a tri-party custodian.

6) Municipal bonds can include the general obligation or revenue bonds of any state of the United States, the District of Columbia, or any territorial possession of the United States or of any political subdivision, institution, department, agency, instrumentality, or authority of any such governmental entities. No security may be purchased pursuant to this paragraph unless, at the time of purchase, the security is rated in one of the three highest rating categories by any NRSRO(A3/A-or better Colorado issuers, AA3/Aa- or non-Colorado issuers)Municipal bonds shall not exceed 25% of the total par value of the Town's investment portfolio.

7) Guaranteed investment contracts of domestically-regulated insurance companies having a claims-paying ability rating AAA or its equivalent by any nationally recognized credit rating agencies.

8) Money market mutual funds and local government investment pools as permitted by Colorado statute, provided that such funds are either registered with the SEC or rated AAA by any NRSRO.

Interest Earnings

Investment income will be allocated to the various funds based on the respective participation of capital in the overall investment portfolio, unless otherwise decided upon by the Finance Director.

Investment Limitations

The Town will adhere to the following investment limitations:

A.) Diversification

The Town's investments shall be diversified by:

- 1.) Limit investments in securities from a specific issuer (excluding U.S. Treasury and Government Sponsored Entity (GSE) securities) to 5%.
- 2.) Limit investment in securities to those with minimum credit ratings as follows:
 - a. AA3/AA- or equivalent corporate and GSE issues
 - b. A3/A- Colorado state and local government issues.

- 3.) To the extent possible, match maturities with cash flow requirements; assure liquidity when needed.
- 4.) Limit portfolio sector concentration to:
 - a. Maximum 25% municipal securities, 5 year max maturity
 - b. Maximum 50% corporate issuers, 3 year max maturity
- 5.) Maintain a portion of the Town's investment portfolio in readily available asset classes including local government investment pools (LGIPs), money market funds, overnight repurchase agreements and marketable securities to ensure that appropriate liquidity is maintained to meet the Town's ongoing obligations.

B.) Maturity

To the extent possible, the Town shall match its investments with anticipated cash flow needs. Unless matched to a specific cash flow, the Town will not invest in securities with maturities of more than five (5) years from the date of settlement.

C.) Sale of investments prior to maturity

Investments may be sold prior to their maturity date if the investment official determines that it is in the best interest of the Town to do so. It is the Town's intent to purchase and hold securities until maturity; however, from time to time, it may become necessary to sell a security at a gain or loss in order to meet cash flow requirements or to take advantage of certain exchange advantages for the overall enhancement of the portfolio.

D.) Derivatives

Securities which derive their value from an underlying asset, group of assets, reference rate, or index value are not permitted as an authorized investment under this policy unless allowed under C.R.S. § 24-75-601, et seq.

Reporting of Investments

A report containing current investment activity and balances will be provided to the Town Board on a monthly basis unless another frequency (e.g., quarterly) is deemed satisfactory to the Town Board.

Policy Review

The Finance Director will review the Investment Policy annually in concert with the preparation of the Town's year-end financial statements to ensure that the Town is adhering to the framework outlined in this policy and to statutory requirements for permissible investments of public funds under C.R.S. § 24-75-601, et seq. Furthermore, the Finance Committee and Finance Director will be responsible for reviewing the Capitalization Threshold and Depreciation Policy every two years and will make recommendations for revisions to the policy as deemed appropriate. Adoption and modifications to this policy will require the approval of a simple majority vote by the entire Town Board.

Ethics and Conflicts of Interest

Town officials and employees involved in the investment process shall refrain from personal business activity that conflicts with proper execution of the Town's investment program or that impairs their ability to make impartial investment decisions. Town officials and employees shall disclose, in accordance with state law, any substantial financial interest they have in financial institutions that conduct business with the Town. Town employees shall notify the Town Manager in writing of any such interest. Board members shall disclose any such interest in accordance with state law.

Mayor

Attest: Town Clerk

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 10.c.

Discussion/Action

Meeting Date: January 22, 2020

Initiated By: Jessica Clanton

Dept: Finance

AGENDA TITLE

Resolution 20-16: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN ENGAGEMENT LETTER WITH HILLTOP SECURITIES, INC., TO SERVE AS MUNICIPAL ADVISOR TO THE TOWN OF FIRESTONE REGARDING THE ACQUISITION OF DEBT INSTRUMENTS

SUMMARY

Consideration of engaging Hilltop Securities for municipal advisory services for the possible issuance of debt for water project uses.

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

Staff recommends the approval of the contract authorizing Town staff to execute the agreement.

ALTERNATIVES

ATTACHMENTS

1. Hilltop Securities Engagement Res (00000002)
2. Municipal Advisory Agreement - Firestone.draft.01.06.2020

FINANCIAL CONSIDERATIONS

RESOLUTION NO. 20-16

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE,
COLORADO, APPROVING AN ENGAGEMENT LETTER WITH HILLTOP
SECURITIES, INC., TO SERVE AS MUNICIPAL ADVISOR TO THE TOWN OF
FIRESTONE REGARDING THE ACQUISITION OF DEBT INSTRUMENTS**

WHEREAS, the Town of Firestone ("Town") is in need of professional municipal advisor services for the acquisition of Debt Instruments, which includes financial planning, debt management and financial implementation services; and

WHEREAS, Hilltop Securities, Inc., has the expertise, experience and resources to provide the Town the required services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

The Engagement Letter with Hilltop Securities, Inc., including Appendix A, to provide municipal advisor services to the Town for the acquisition of Debt Instruments is approved in substantially the same form as the copy attached hereto and made a part of this resolution and the Mayor is authorized to execute the Engagement Letter on behalf of the Town.

INTRODUCED, READ AND ADOPTED this ___ day of _____, 2020.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST:

Jessica Koenig, Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

Jim Manire

Director
Public Finance

January 6, 2020

Ms. Jessica Clanton, Finance Director
Town of Firestone
151 Grant Avenue
P.O. Box 100
Firestone, CO 80520

Dear Ms. Clanton:

On behalf of Hilltop Securities Inc. ("Hilltop Securities"), we appreciate the opportunity to serve as Municipal Advisor to the Town of Firestone (the "Issuer" or the "Town"). This letter will confirm the basic terms of our engagement and is dated, and shall be effective as of, the date executed by the Issuer as set forth on the signature page hereof (the "Effective Date").

Hilltop Securities will serve as Municipal Advisor to the Issuer. In this capacity, based on our professional experience and the information made available to us by the Issuer, Hilltop Securities agrees to perform the following services:

Financial Planning. At the direction of Issuer, Hilltop Securities shall:

1. Survey and Analysis. Conduct a survey of the financial resources of the Issuer to determine the extent of its capacity to authorize, issue and service any evidences of indebtedness or debt obligation that may be authorized and issued or otherwise created or assumed by the Issuer (collectively the "Debt Instruments") contemplated. This survey will include an analysis of any existing Debt Instruments as compared with the existing and projected sources of revenues which may be pledged to secure payment of debt service.
2. Future Financings. Consider and analyze future financing needs as projected by the Issuer's staff and consultants, if any, employed by the Issuer.
3. Recommendations for Debt Instruments. On the basis of the information developed by the survey described above, and other information provided by the Issuer or publicly available, submit to the Issuer recommendations regarding the Debt Instruments under consideration, including such elements as the date of issue, interest payment dates, schedule of principal maturities, options of prior payment, security provisions, and such other provisions as may be appropriate in order to make the issue attractive to investors while achieving the objectives of the Issuer. All recommendations will be consistent with the goal of designing the Debt Instruments to be sold on terms which are advantageous to the Issuer, including the lowest interest cost consistent with all other considerations, including but not limited to the market conditions at the time of sale.

4. Market Information. Advise the Issuer of our interpretation of current bond market conditions, other related forthcoming bond issues and general information, including economic data, which might normally be expected to influence interest rates or bidding conditions so that the date of sale of the Debt Instruments may be set at a favorable time.

Debt Management and Financial Implementation. At the direction of Issuer, HilltopSecurities shall:

1. Method of Sale. Evaluate the particular financing being contemplated, giving consideration to the complexity, market acceptance, rating, size and structure in order to make a recommendation as to an appropriate method of sale, and:
 - a) If the Debt Instruments are to be sold by an advertised competitive sale, HilltopSecurities will:
 - 1) Supervise the sale of the Debt Instruments;
 - 2) Disseminate information to prospective bidders, organize such informational meetings as may be necessary, and facilitate prospective bidders' efforts in making timely submission of proper bids;
 - 3) Assist the staff of the Issuer in coordinating the receipt of bids, the safekeeping of good faith checks and the tabulation and comparison of submitted bids; and
 - 4) Advise the Issuer regarding the best bid and provide advice regarding acceptance or rejection of the bids.
2. If the Debt Instruments are to be sold by negotiated sale, HilltopSecurities will:
 - a) Assist the Issuer in selecting one or more investment banking firms to act as managers of an underwriting syndicate for the purpose of negotiating the purchase of the Debt Instruments.
 - 1) HilltopSecurities will coordinate the sale of the Debt Instruments to the selected managing underwriter, and will assist the Issuer in the review and preparation of a bond purchase contract, an underwriter's agreement, or other comparable documents.
 - 2) Provide a cost comparison for transaction costs and for the interest rates which are suggested by the underwriters, to the then current market.
 - 3) Advise the Issuer as to the fairness of the price offered by the underwriters.
3. Offering Documents. Coordinate with Bond and Disclosure Counsel to prepare any Official Statement or Offering Memorandum, the preparation of the notice of sale and bidding instructions, if necessary, and such other documents as may be required and submit all such documents to the Issuer for examination, approval and certification. After such examination, approval and certification, Hilltop Securities shall provide the Issuer with a supply of all such documents sufficient to its needs and distribute by mail or, where appropriate, by electronic delivery, sets of the same to all parties as needed per the method of sale.
4. Credit Ratings. Make recommendations to the Issuer as to the advisability of obtaining a credit rating, or ratings, for the Debt Instruments and, when directed by the Issuer, coordinate the preparation of such information as may be appropriate for submission to the rating agency, or

agencies. In those cases where the advisability of personal presentation of information to the rating agency, or agencies, may be indicated, Hilltop Securities will arrange for such personal presentations, utilizing such composition of representatives from the Issuer as may be finally approved or directed by the Issuer.

5. Trustee, Paying Agent, Registrar. Upon request, counsel with the Issuer in the selection of a Trustee and/or Paying Agent/Registrar for the Debt Instruments, and assist in the negotiation of agreements pertinent to these services and the fees incident thereto.
6. Financial Publications. When appropriate, advise financial publications of the forthcoming sale of the Debt Instruments and provide them with all pertinent information.
7. Consultants. After consulting with and receiving directions from the Issuer, arrange for such reports and opinions of recognized independent consultants as may be appropriate for the successful marketing of the Debt Instruments.
8. Issuer Meetings. Attend meetings of the governing body of the Issuer, its staff, representatives or committees as requested at all times when Hilltop Securities may be of assistance or service and the subject of financing is to be discussed.
9. Printing. To the extent authorized by the Issuer, coordinate all work incident to printing of the offering documents and the Debt Instruments.
10. Bond Counsel. Maintain liaison with Bond Counsel in the preparation of all legal documents pertaining to the authorization, sale and issuance of the Debt Instruments.
11. Changes in Laws. Provide to the Issuer copies of proposed or enacted changes in federal and state laws, rules and regulations having, or expected to have, a significant effect on the municipal bond market of which Hilltop Securities becomes aware in the ordinary course of its business, it being understood that Hilltop Securities does not and may not act as an attorney for, or provide legal advice or services to, the Issuer.
12. Delivery of Debt Instruments. As soon as a bid for the Debt Instruments is accepted by the Issuer, coordinate the efforts of all concerned to the end that the Debt Instruments may be delivered and paid for as expeditiously as possible and assist the Issuer in the preparation or verification of final closing figures incident to the delivery of the Debt Instruments.
13. Debt Service Schedule; Authorizing Resolution. After the closing of the sale and delivery of the Debt Instruments, deliver to the Issuer a schedule of annual debt service requirements for the Debt Instruments and, in coordination with Bond Counsel, assure that the paying agent/registrar and/or trustee has been provided with a copy of the authorizing ordinance, order or resolution.
14. Elections. In the event it is necessary to hold an election to authorize the contemplated issuance, assisting in coordinating the assembly of such data as may be required for the preparation of necessary petitions, orders, resolutions, ordinances, notices and certificates in connection with the election, including assistance in the transmission of such data to the Issuer's bond counsel.

Term of this Engagement. The term of this Agreement begins on the Effective Date and ends, unless terminated pursuant the language below, on the last day of the month in which the fifth anniversary date of the Effective Date shall occur (the "Termination Date"). Unless Hilltop Securities or the Issuer shall notify the other party in writing at least thirty (30) days in advance of the Termination Date that

this Agreement will not be renewed, this Agreement will be automatically renewed on the Termination Date for an additional one (1) year period and thereafter will be automatically renewed on each anniversary date of the Termination Date for successive one (1) year periods unless Hilltop Securities or the Issuer shall notify the other party in writing at least thirty (30) days in advance of such successive anniversary date.

This Agreement may be terminated with or without cause by the Issuer or Hilltop Securities upon the giving of at least thirty (30) days' prior written notice to the other party of its intention to terminate, specifying in such notice the effective date of such termination. In the event of such termination, it is understood and agreed that only the amounts due Hilltop Securities for services provided and expenses incurred to the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement.

In consideration of providing the requested services, Hilltop Securities shall receive fees as outline in Appendix A. In any event regardless of the cause of action, Hilltop Securities' total liability (including loss and expense) to the Issuer in the aggregate shall not exceed the gross amount of fees received by Hilltop Securities pursuant to this letter agreement. The limitations of liability set forth in this letter agreement are fundamental elements of the basis of the bargain between Hilltop Securities and the Issuer, and the pricing of the services set forth above reflect such limitations. This letter agreement shall be constrained and given effect on accord with the laws of the State of Colorado.

Hilltop Securities is providing its Municipal Advisor Disclosure Statement (the "Disclosure Statement"), current as of the date of this Agreement, setting forth disclosures by Hilltop Securities of material conflicts of interest, if any, and of any legal or disciplinary events required to be disclosed pursuant to Municipal Securities Rulemaking Board Rule G-42. The Disclosure Statement also describes how Hilltop Securities addresses or intends to manage or mitigate any disclosed conflicts of interest, as well as the specific type of information regarding, and the date of the last material change, if any, to the legal and disciplinary events required to be disclosed on Forms MA and MA-I filed by Hilltop Securities with the Securities and Exchange Commission.

We look forward to working with you during this engagement. Please acknowledge acceptance of these terms by signing in the space provided below and returning two copies to me.

Sincerely,

Jim Manire
Director

Town of Firestone, Colorado
Agreed and Accepted:

By: _____

Title: _____

Name: _____

Date: _____

APPENDIX A COMPENSATION

This Appendix A sets out the form and basis of compensation to Hilltop Securities for the Municipal Advisory Services provided under this Agreement; provided that the compensation arrangements set forth in this Appendix A shall also apply to any additional services hereafter added to the scope of the Municipal Advisory Services, unless otherwise provided in the amendment to the Agreement relating to such change in scope of Municipal Advisory Services.

Transaction Fee

All fees for transactions are payable on a contingent basis – the Issuer will only pay Hilltop Securities upon a successful issuance and closing of such financing and is payable out of proceeds from such issuance. The benchmark fee for a fixed-rate General Obligation or Enterprise Revenue issue is \$1.00 per \$1,000 of proceeds, with a minimum fee of \$29,500 and a maximum fee of \$59,500. A final Transaction Fee will be agreed to in writing or by e-mail during the period corresponding to the marketing of each transaction. Transaction Fees may be reduced by the amount of any Retainer Fees received by the Municipal Advisor, if any, during the six months prior to the closing of any transaction. For certain development-oriented transactions, variable rate transactions, leases (including certificates of participation) or any transaction which involves additional complexity or has required an extended or unexpected time commitment, the requested Transaction Fee may be higher. For certain transactions in which the Municipal Advisor provides less than the full Scope of Services (such as for loans available from an agency of the State of Colorado), the requested Transaction Fee may be less.

Other Compensation

In the event that we are asked to provide analytical, capital planning, or consulting services which are not directly related to an active transaction, if authorized by the Issuer, we would invoice on an hourly basis according to the schedule provided below. We understand that we are not entitled to any compensation whatsoever which has not been discussed and approved in advance by the Issuer.

	Hourly Rate:
Directors	\$350
Vice Presidents	\$250
Assistant Vice Presidents	\$150
Associate/Analyst	\$100

Expenses

If approved in advance by the Issuer, Hilltop Securities would request reimbursement of out of pocket travel expenses related to work with the Issuer. The payment of reimbursable expenses that Hilltop Securities has assumed on behalf of the Issuer shall NOT be contingent upon the delivery of a new issuance of municipal securities or the completion of any other transactions for which such expenses have been assumed and shall be due at the time that services are rendered and payable upon receipt of an invoice therefor submitted by Hilltop Securities, unless otherwise provided for in any amendment or addendum hereto in connection with the compensation arrangements for any services provided under the Agreement for which such amendment or addendum is required.

The Issuer shall be responsible for the following expenses in connection with the Municipal Advisory Services (including any additional services hereafter added to the scope of the Municipal Advisory Services), if and when applicable, whether they are charged to the Issuer directly as expenses or charged to the Issuer by Hilltop Securities as reimbursable expenses: bond counsel fees and expenses, bond

printing costs, bond ratings fees and expenses, computer structuring costs, credit enhancement fees and expenses, accountant fees for verifications and related activities in connection with refunding's, official statement preparation and printing, paying agent/registrar/trustee fees and expenses, travel expenses, underwriter and underwriter's counsel fees and expenses, and other miscellaneous expenses incurred by Hilltop Securities in the furtherance of any matter for which it serves as municipal advisor.

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 10.d.

Discussion/Action

Meeting Date: January 22, 2020

Initiated By: Julie Pasillas

Dept: Public Works

AGENDA TITLE

Resolution 20-17: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING EQUIPMENT PURCHASES FOR THE TOWN'S PUBLIC WORKS DEPARTMENT

SUMMARY

The Public Works Department recommends the purchase of a Caterpillar 289D3 Compact / Multi Terrain Loader and a Toro Sand Pro 5040. The equipment will be used for the maintenance of Town streets and park areas.

HISTORY AND PREVIOUS BOARD ACTION

At the Board of Trustees work session on October 2, 2019, staff presented a list of identified equipment proposed for the 2020 Budget.

RECOMMENDATION

Staff recommends that the Board approve Resolution 20-17, a resolution approving equipment purchases for the Public Works Department.

ALTERNATIVES

The Board may choose not to approve the resolution and provide Staff with additional direction.

ATTACHMENTS

1. Equipment Purchase for Public Works
2. Town of Firestone Caterpillar 289D3 Compact Multi Terrain Loader - 2020 Quote
3. Town of Firestone -Toro Sand Pro 2020 Quote

FINANCIAL CONSIDERATIONS

The resolution includes an amount not to exceed \$148,100.00 for the purchase of a Caterpillar 289D3 Compact / Multi Terrain Loader and a Toro Sand Pro 5040. Sufficient funds are available in the General Fund-Public Works Streets and Parks accounts.

RESOLUTION NO. 20-17

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
FIRESTONE, COLORADO, APPROVING EQUIPMENT PURCHASES
FOR THE TOWN'S PUBLIC WORKS DEPARTMENT**

WHEREAS, pursuant to § 31-15-302, C.R.S., the financial powers of the Town of Firestone ("Town") include the power to control the finances and property of the Town and appropriate money for municipal purposes; and

WHEREAS, the Board of Trustees desires to authorize staff's purchase of equipment that is necessary for the Public Works Department ("PWD") in the performance of its park and street duties; and

WHEREAS, PWD desires to expend an amount not to exceed \$148,000 for purchase of the following equipment:

Caterpillar 289D3 Compact / Multi Terrain Loader for \$116,500.00;
Toro Sand Pro 5040 for \$31,600.00; and

WHEREAS, the Board of Trustees finds that the purchase of such equipment is in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

The Board of Trustees hereby approves the purchase of the Public Works Department equipment as set forth in this Resolution.

INTRODUCED, READ AND ADOPTED this 22nd day of January, 2020.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST:

Jessica Koenig Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney



Quote 209284-9999

January 9, 2020

TOWN OF FIRESTONE
PO BOX 100
FIRESTONE, Colorado 80520-0100

Attention: FERNANDO

Dear Sir,

We would like to thank you for your interest in our company and our products, and are pleased to quote the following for your consideration.

CATERPILLAR Model: 289D3 Compact / Multi Terrain Loader

STOCK NUMBER: 473292

SERIAL NUMBER: 0JX902099

YEAR: 2020

HOURS: 1

We appreciate the opportunity to extend this quote. This quote is subject to availability and is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Regards,

Larry Vigil
Sales Representative
Wagner Equipment Co.

CATERPILLAR Model: 289D3 Compact / Multi Terrain Loader**STANDARD EQUIPMENT**

POWERTRAIN - Cat C3.3B diesel engine - -Gross horsepower per SAE J1349 - 74.3 hp (55.4 kW) @ 2400 RPM - -Electric fuel priming pump - -Glow plugs starting aid - -Liquid cooled, direct injection - Air cleaner, dual element, radial seal - S-O-S sampling valve, hydraulic oil - Filter, cartridge type, hydraulic - Filters, canister type, fuel - and water separator - Radiator / hydraulic oil - cooler (side-by-side) - Spring applied, hydraulically released, - parking brakes - Hydrostatic transmission

UNDERCARRIAGE - Dual flange front idler, single flange - Rear idler - Suspension - independent torsion axle(4) - Two speed motor

HYDRAULICS - ISO or H pattern controls: - Electro/hydraulic implement control - Electro/hydraulic hydrostatic - transmission control - Speed sensor guarding -

ELECTRICAL - 12 volt electrical system - 80 ampere alternator - Ignition key start / stop / aux switch - Lights: - -Gauge backlighting - -Two rear tail lights - -Dome light - Backup alarm - Electrical outlet, beacon -

OPERATOR ENVIRONMENT - Operator warning system indicators: - -Air filter restriction - -Alternator output - -Armrest raised / operator out of seat - -Engine coolant temperature - -Engine oil pressure - -Glow plug activation - -Hydraulic filter restriction - -Hydraulic oil temperature - -Park brake engages - -Engine emission system - Gauges: fuel level and hour meter - Storage compartment with netting - Ergonomic contoured armrest - Control interlock system, when operator - leaves seat or armrest raised: - -Hydraulic system disables - -Hydrostatic transmission disables - -Parking brake engages - ROPS cab, open, tilt up - Anti-theft security system w/6-button - keypad - FOPS, Level I - Top and rear windows - Floormat - Interior rear view mirror - 12V electric socket - Horn - Hand (dial) throttle, electronic -

FRAMES - Lift linkage, vertical path - Chassis, one piece welded - Machine tie down points (6) - Belly pan cleanout - Support, lift arm - Rear bumper, welded

OTHER STANDARD EQUIPMENT - Engine enclosure - lockable - Extended life antifreeze (-37C, -34F) - Work tool coupler - Hydraulic oil level sight gauge - Radiator coolant level sight gauge - Radiator expansion bottle - Cat ToughGuard TM hose - Heavy duty flat faced quick disconnects - with integrated pressure release - Split D-ring to route work tool hoses - Along side of left lift arm - Hydraulic demand cooling fan - Per SAE J818-2007 and EN 474-3:2006 and - ISO 14397-1:2007

MACHINE SPECIFICATIONS

289D3 COMPACT TRACK LOADER
 ENGINE
 CAB PACKAGE, ULTRA
 INCLUDES:
 HYDRAULICS, PERFORMANCE, (H3)
 INCLUDES: HIGH FLOW, DUAL
 SELF LEVEL, RETURN TO DIG
 CONTROL, ISO, PROP, WT
 LIGHTS, LED
 RUBBER BELT, 2 SPD, TF IDLERS
 ROPS, ENCLOSED WITH A/C (C3)
 DISPLAY, ADVANCED, LCD, CAMERA
 FAN, COOLING, DEMAND
 QUICK COUPLER, HYDRAULIC
 SEAT, SUSPENSION, CLOTH, HEAT
 RADIO, AM/FM, BLUETOOTH
 DOOR, CAB, POLYCARBONATE
 RIDE CONTROL
 TRACK, RUBBER, 450MM(17.7 IN) BAR
 BATTERY, EXTRA HD, DISC, 1000 CCA
 REAR LIGHTS
 SEAT BELT, 2"
 PRODUCT LINK, CELLULAR PL243
 CERTIFICATION ARR, P65
 SERIALIZED TECHNICAL MEDIA KIT
 HEATER, ENGINE COOLANT, 120V
 86" BUCKET - 474086
 BROOM, PICKUP, BP118C
 COLD PLANER, PC310B
 STUMP GRINDER, SG18B
 BUCKET-IND. GR, 80", BOCE
 External Counter Weights

SELL PRICE	\$116,500.00
TOTAL	\$116,500.00

WARRANTY & COVERAGE

Standard Warranty:	2 year / 2,000 Hour Parts & Labor Warranty (Travel Time Included For The First 6 Months)
Extended Coverage:	Governmental 4 year / 4000 Hour Powertrain Extended Coverage Plan

**This machine is currently in stock and set to deliver the first part of February.
Pricing is based on your discount utilizing OMNIA Partners(former National IPA) or
Sourcewell (Former NJPA) Cooperative Purchasing contract.**

**Caterpillar Contract # 032119-CAT
Effective 5/13/2019-5/13/2023**



4700 Holly Street
Denver, CO 80216
Mobile: 720-641-3864
Office: 303-394-6673



Town of Firestone

Attn: Chuck Bradt

1/15/2020

Qty	Model Number	Description	2020 MAPO price	
1	08705	Sand Pro 5040	\$ 17,367.44	\$ 17,367.44
1	08713	Flex Blade	\$ 847.69	\$ 847.69
1	08712	Front Lift Frame Assembly	\$ 1,492.06	\$ 1,492.06
1	08766	Sport Field Edger	\$ 3,107.67	\$ 3,107.67
1	08783	Remote Hydraulic Flow Switch Kit	\$ 2,232.61	\$ 2,232.61
1	L10014	QAS Lip Broom	\$ 2,595.00	\$ 2,595.00
1	L10017	Rahn Groomer	\$ 3,322.00	\$ 3,322.00
		SERVICE FEE		\$ 619.29
TOTAL			\$	31,583.75

I am sending our current pricing information on the Toro Commercial Turf products that you are interested in. These prices are from our current MAPO contract #2017025 available to all of our tax supported accounts. The Service Fee listed above covers freight, set-up and delivery charges.

* All Toro equipment comes with a two year or 1,500 hour warranty

Thank you for the opportunity to quote you on the equipment listed above. The prices are guaranteed through May 20th 2020. They include all set up and delivery but no applicable taxes.

Please feel free to call me with any questions.

Sincerely,
Brandon Bollerud
Northern Territory Manager

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 10.e.

Discussion/Action

Meeting Date: January 22, 2020

Initiated By: Julie Pasillas

Dept: Public Works

AGENDA TITLE

Resolution 20-18: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE FIRST AMENDMENT TO WATER CREDIT PURCHASE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND MORTGAGE CONSULTANTS, LLC

SUMMARY

The Board approved Resolution 18-08 on February 7, 2018, which approved a Water Credit Purchase Agreement between the Town of Firestone and Mortgage Consultants, LLC for 131 water credits to be used on the Cottonwood Hollow development. The agreement had a provision that water credits shall expire on February 7, 2020, if not dedicated to the Town prior to the expiration date. Town staff received a request from the owner of Mortgage Consultants, LLC for a 12 month extension for the original agreement.

HISTORY AND PREVIOUS BOARD ACTION

The Board approved a long-term lease of water from the City of Loveland at the regular meeting on December 14, 2016.

The Board authorized staff to proceed with a process to bid 300 water dedication credits to owners of undeveloped property in the Town corporate limits at the regular meeting on August 9, 2017.

The Board approved Resolutions 18-08, 18-09, and 18-10, which approved three Water Credit Purchase Agreements at the special meeting on February 7, 2018.

The Board approved Resolutions 18-12 and 18-13, approving Amendment No. 1 of the Water Credit Purchase Agreements at the regular meeting on February 28, 2018.

RECOMMENDATION

Staff recommends that the Board approve Resolution 20-18, a resolution approving Amendment No. 1 to the Water Credit Purchase Agreement with Mortgage Consultants, LLC.

ALTERNATIVES

The Board may choose not to approve the resolution and provide staff with additional direction.

ATTACHMENTS

1. Res No 20-18 Water Credit Purchase Agreement Amendment No 1-Mortgage Consultants
2. Water Credit Purchase Amendment No 1 Mortgage Consultants

FINANCIAL CONSIDERATIONS

None at this time.

RESOLUTION NO. 20-18

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE FIRST AMENDMENT TO WATER CREDIT PURCHASE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND MORTGAGE CONSULTANTS, LLC

WHEREAS, Mortgage Consultants, LLC, (“Buyer”) is a “subdivider,” as that term is defined in Section 16.04.020 of the Firestone Municipal Code (“Code”), who agreed to dedicate “water rights” and/or “shares” to the Town of Firestone (“Firestone”) pursuant to an Annexation Agreement dated January 16, 1999 (“Annexation Agreement”), and who must actually dedicate those “water rights” and/or “shares” prior to the first recording of a final plan, final subdivision, or final development plan or receiving a building permit; and

WHEREAS, Firestone obtained certain water supplies and has made these water supplies available to Bidders pursuant to the Firestone Municipal Water Credit Bidding Rules and Procedures (“Bidding Rules and Procedures”) as Water Credits; and

WHEREAS, Buyer placed a successful bid and was awarded the right to and purchase of 131 Water Credits from Firestone; and

WHEREAS, Firestone, in its sole discretion, agreed to accept the Water Credits to fulfill Buyers dedication of “water rights” and/or “shares” requirement as outlined in the Code and specified in the Water Credit Purchase Agreement (“Agreement”) entered into by Firestone and Buyer on February 8, 2018; and

WHEREAS, Section 8 of the Agreement provides:

Expiration. The Water Credits described herein shall expire on February 7, 2020 (“Expiration Date”) if not dedicated to Firestone prior to the Expiration Date. All of Buyer’s rights in and to the Water Credits, and/or to dedicate said Water Credits, shall extinguish if not dedicated prior to the Expiration Date. Buyer shall not be entitled to any proceeds or reimbursement from any sale subsequent to the Expiration Date; and

WHEREAS, Buyer has advised Firestone that, as a result of contractual difficulties in securing a builder, it will be unable to meet the Agreement’s February 7, 2020 Expiration Date, which would result in forfeiture of its Water Credits and any claim to proceeds or reimbursement from any subsequent sale of the forfeited Water Credits; and

WHEREAS, Buyer in the belief that it can now meet the Agreements obligation has requested that the Agreement’s Expiration Date be extended for one year; and

WHEREAS, Firestone as an accommodation to Buyer is willing to grant a one-time extension of the Expiration Date till February 7, 2021; and

WHEREAS, in consideration of such extension, Buyer agrees that it shall not request any

additional extension of the Agreement's Expiration Date.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

The First Amendment to Water Credit Purchase Agreement between the Town of Firestone and Mortgage Consultants LLC is approved in substantially the same form as the copy attached hereto and made a part of this resolution and the Mayor is authorized to execute the First Amendment on behalf of the Town.

INTRODUCED, READ AND ADOPTED this 22nd day of January, 2020.

TOWN OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

ATTEST:

Jessica Koenig, Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

**FIRST AMENDMENT TO WATER CREDIT PURCHASE AGREEMENT BETWEEN
THE TOWN OF FIRESTONE AND MORTGAGE CONSULTANTS, INC.**

WHEREAS, Mortgage Consultants, LLC, (“Buyer”) is a “subdivider,” as that term is defined in Section 16.04.020 of the Firestone Municipal Code (“Code”), who agreed to dedicate “water rights” and/or “shares” to the Town of Firestone (“Firestone”) pursuant to an Annexation Agreement dated January 16, 1999 (“Annexation Agreement”), and who must actually dedicate those “water rights” and/or “shares” prior to the first recording of a final plan, final subdivision, or final development plan or receiving a building permit; and

WHEREAS, Firestone obtained certain water supplies and made these water supplies available to Bidders pursuant to the Firestone Municipal Water Credit Bidding Rules and Procedures (“Bidding Rules and Procedures”) as Water Credits; and

WHEREAS, Buyer placed a successful bid and was awarded the right to and purchase of 131 Water Credits from Firestone; and

WHEREAS, Firestone, in its sole discretion, agreed to accept the Water Credits to fulfill Buyers dedication of “water rights” and/or “shares” requirement as outlined in the Code and specified in the Water Credit Purchase Agreement (“Agreement”) entered into by Firestone and Buyer on February 8, 2018; and

WHEREAS, Section 8 of the Agreement provides:

Expiration. The Water Credits described herein shall expire on February 7, 2020 (“Expiration Date”) if not dedicated to Firestone prior to the Expiration Date. All of Buyer’s rights in and to the Water Credits, and/or to dedicate said Water Credits, shall extinguish if not dedicated prior to the Expiration Date. Buyer shall not be entitled to any proceeds or reimbursement from any sale subsequent to the Expiration Date; and

WHEREAS, Buyer has advised Firestone that, as a result of contractual difficulties in securing a builder, it will be unable to meet the Agreement’s February 7, 2020 Expiration Date, which would result in forfeiture of its Water Credits and any claim to proceeds or reimbursement from any subsequent sale by Firestone of the forfeited Water Credits; and

WHEREAS, Buyer in the belief that it can now meet the Agreement’s obligations has requested that the Agreement’s Expiration Date be extended for one year; and

WHEREAS, Firestone as an accommodation to Buyer is willing to grant a one-time extension of the Expiration Date till February 7, 2021; and

WHEREAS, in consideration of such extension, Buyer agrees that it shall not request any additional extension of the Agreement’s Expiration Date; and

WHEREAS, Section 9 of the Agreement provides that it may be amended by a writing signed by both parties.

THEREFORE, in consideration of the terms and conditions set forth herein, including the above recitals which are included herein and made a part of this First Amendment, the parties agree as follows:

Section One: Section 8, "Expiration" of the Water Credit Purchase Agreement is amended to read as follows:

Expiration. The Water Credits described herein shall expire on February 7, 2021 ("Expiration Date") if not dedicated to Firestone prior to the Expiration Date. All of Buyer's rights in and to the Water Credits, and/or to dedicate said Water Credits, shall extinguish if not dedicated prior to the Expiration Date. Buyer shall not be entitled to any proceeds or reimbursement from any sale subsequent to the Expiration Date; and

Section Two: All other terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment with an effective date of February 6, 2020.

TOWN OF FIRESTONE, COLORADO

MORTGAGE CONSULTANTS, LLC.

Bobbi Sindelar, Mayor

By: _____

ATTEST:

Jessica Koenig, Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 10.f.

Discussion/Action

Meeting Date: January 22, 2020

Initiated By:

Dept: Town Clerk

AGENDA TITLE

Ballot Language Discussion

SUMMARY

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

ALTERNATIVES

ATTACHMENTS

None

FINANCIAL CONSIDERATIONS

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 13.a.

Executive Session

Meeting Date: January 22, 2020

Initiated By:

Dept: Town Clerk

AGENDA TITLE

An Executive Session pursuant to C.R.S. 24-6-402(4)(e)(I), for purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators regarding the acquisition of certain water rights.

SUMMARY

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

ALTERNATIVES

ATTACHMENTS

None

FINANCIAL CONSIDERATIONS

AGENDA INFORMATION MEMORANDUM

FIRESTONE TOWN BOARD OF TRUSTEES



AIM#: 13.b.

Executive Session

Meeting Date: January 22, 2020

Initiated By:

Dept: Town Clerk

AGENDA TITLE

An Executive Session pursuant to C.R.S. 24-6-402(4)(e)(I), for purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators regarding an oil and gas agreement.

SUMMARY

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

ALTERNATIVES

ATTACHMENTS

None

FINANCIAL CONSIDERATIONS