**BOARD OF TRUSTEES**

**REGULAR MEETING AGENDA**

April 28, 2021
7:00 PM
9900 Park Avenue
Firestone, CO 80504

PRE-MEETING WORK SESSION 6:30 PM IN THE TRAINING ROOM

AGENDA FOR THE WORK SESSION IS A DISCUSSION OF THE REGULAR MEETING AGENDA BELOW

REGULAR MEETING 7:00 PM IN THE COURT ROOM

## 1. Access Information

**a.** Town of Firestone is inviting you to a scheduled Zoom meeting.

Topic: 04-28-2021 Board of Trustees Meeting
Time: Apr 28, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/84200492613?pwd=c3VNWHVEVm9JMzBXM3RiS1p2ejZKZz09

Meeting ID: 842 0049 2613
Passcode: 903692
One tap mobile
+12532158782,,84200492613#,,,,*903692# US (Tacoma)
+13462487799,,84200492613#,,,,*903692# US (Houston)

Dial by your location
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 669 900 9128 US (San Jose)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)
Meeting ID: 842 0049 2613
Passcode: 903692
Find your local number: https://us02web.zoom.us/u/kdBCdzWYuP

## 2. Call to Order & Roll Call

## 3. Pledge of Allegiance

* Individuals that desire to address the Board of Trustees are requested to sign up at the table at the entrance to the meeting room. Individuals are allotted 3 minutes of Public Comment during the entirety of the meeting. Maximum time permitted for all Public Comment during a meeting 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 303-531-6264 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

**4. Approval of Agenda**

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

**6. Consent Agenda**

**6.a.** Approval of April 14, 2021 Meeting Minutes

**b.** **Resolution 21-52**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND GROUND ENGINEERING CONSULTANTS INC. FOR TESTING AND SPECIAL INSPECTION SERVICES FOR THE TOWNS PUBLIC WORKS FACILITY EXPANSION AND REMODEL PROJECT

**c.** **Resolution 21-57:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, REPEALING IN ITS ENTIRETY THE TOWN OF FIRESTONE, COLORADO, BOARD OF TRUSTEES HANDBOOK & ORIENTATION

**d.** **Resolution 21-59**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE PURCHASE OF TWO MATERIAL STORAGE TANKS FOR THE TOWNS PUBLIC WORKS DEPARTMENT

**e.** **Resolution 21-58:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE BOARD OF TRUSTEES RULES OF PROCEDURE

**f.** **Resolution: 21- 60:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A CHANGE ORDER TO THE TOWNS CONSTRUCTION SERVICES AGREEMENT WITH FRANSEN PITTMAN CONSTRUCTION CO., REGARDING THE TOWN HALL PROJECT

**g.** **Ordinance 994:** AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, REPEALING IN ITS ENTIRETY AND REENACTING AND RETITLING CHAPTER 2.04 BOARD OF TRUSTEES AND MAYOR

**7. Presentation**

**a.** STAR Award

**b.** Lobbyist Presentation

**8. Discussion/Action**

**a.** **PUBLIC HEARING: Resolution 21-53:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A SUPPLEMENTAL BUDGET APPROPRIATION TO THE TOWN OF FIRESTONE'S 2020 BUDGET

**b.** **Resolution 21-54**: A RESOLUTION APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF COTTONWOOD HOLLOW COMMERCIAL METROPOLITAN DISTRICT

**c.** **Resolution 21-55**: A RESOLUTION APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF COTTONWOOD HOLLOW RESIDENTIAL METROPOLITAN DISTRICT

**d.** Consideration and appointment of an independent third party to audit the findings and policies recommended by the Safety Services Director and consultants regarding the Police Department's policies, procedures, and practices and to audit all of the Department's other policies, procedures and practices

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

**10. Reports**

**10.a.** Staff

**10.a.i.** 2021 1st Quarter Financial Review

**10.b.** Mayor

**10.c.** Trustees

**11. Executive Session**

**a.** An executive session pursuant to C.R.S. 24-6-402(4)(f)(I) for a personnel matter regarding the annual evaluation of the Town Manager

**12. 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. Individuals are allotted 3 minutes of Public Comment during the entirety of the meeting. Maximum time permitted for all Public Comment during a meeting 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 303-531-6264 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

* Individuals that desire to address the Board of Trustees are requested to sign up at the table at the entrance to the meeting room. Individuals are allotted 3 minutes of Public Comment during the entirety of the meeting. Maximum time permitted for all Public Comment during a meeting 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 303-531-6264 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

| | |
|---|---|
| **AGENDA INFORMATION MEMORANDUM**<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 6.a<br><br>**Consent Agenda**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Jessica Koenig<br><br>**Dept:** Town Clerk |

**AGENDA TITLE**
Approval of April 14, 2021 Meeting Minutes

**SUMMARY**

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**
Approval of April 14, 2021 Meeting Minutes

**ALTERNATIVES**

**ATTACHMENTS**
1. April 14, 2021 Draft Minutes

**FINANCIAL CONSIDERATIONS**

TOWN OF FIRESTONE, COLORADO
Board of Trustees Regular Meeting
MINUTES
April 14, 2021

## 1. Access Information

**a.** Town of Firestone is inviting you to a scheduled Zoom meeting.

Topic: 04-14-2021 Board of Trustees Meeting
Time: Apr 14, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/88554902408?pwd=Rzl2cmhqMWJCWjZJM2VtdnNqNnJEZz09

Meeting ID: 885 5490 2408
Passcode: 681994
One tap mobile
+13462487799,,88554902408#,,,,*681994# US (Houston)
+16699009128,,88554902408#,,,,*681994# US (San Jose)

Dial by your location
+1 346 248 7799 US (Houston)
+1 669 900 9128 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)
+1 301 715 8592 US (Washington DC)
Meeting ID: 885 5490 2408
Passcode: 681994
Find your local number: https://us02web.zoom.us/u/ktrnTLuuW

## 2. Call to Order & Roll Call

The Board of Trustees of the Town of Firestone met for a Regular Meeting on April 14, 2021, at the Police & Municipal Court Building, 9900 Park Avenue, Firestone, Colorado. Mayor Sindelar called the meeting to order at 7:03 PM.

The following were present upon the call of the roll:

| | |
|---|---|
| **Mayor:** | Bobbi Sindelar |
| **Mayor Pro-tem:** | Frank A. Jimenez |
| **Trustees:** | Don Conyac |
| | David Whelan |
| | Samantha Meiring |
| | Sean Doherty |

Doug Sharp

**Staff:** **Present:** Jan Sloat, Director of Human Resources; Dave Lindsay, Engineer; Paula Mehle, Director of FURA & Economic Development; Raelynn Ferrera, Assistant to the Town Manager; Katie Hansen, Director of Communications; Jessica Clanton, Director of Finance; Julie Pasillas, Director of Public Works; Todd Bjerkaas, Director of Planning; Marty Ostholhoff, Planning Manager; Jessica Koenig, Town Clerk; AJ Krieger, Town Manager; & William Hayashi, Town Attorney

**3. Pledge of Allegiance**

Mayor Sindelar led the pledge of allegiance.

**4. Approval of Agenda**

**Motion** by Trustee Doherty, **second** by Trustee Sharp, to Approve the Agenda, All in Favor, **Motion carried**.

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

Trent John gave public comment regarding the personnel investigation.

Chris Woody gave public comment regarding the personnel investigation.

Drew Peterson gave public comment regarding the personnel investigation.

Steve Christie gave public comment regarding the personnel investigation.

Bob Reece gave public comment regarding the personnel investigation.

**6. Consent Agenda**

**Motion** by Mayor Pro Tem Jimenez, **second** by Trustee Conyac, to Approve the Consent Agenda, All in Favor, **Motion carried**.

**6.a.** Approval of March 24, 2021 Meeting Minutes

**7. Presentation**

**a.** STAR Award

The Star Award has been postponed to the April 28, 2021 Board of Trustees meeting.

**8. Executive Session**

**a.** An executive session pursuant to C.R.S. 24-6-402(4(e)(I) for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators regarding water rights acquisition

**Motion** by Trustee Doherty, **second** by Trustee Sharp, to go into Executive Session pursuant to C.R.S. 24-6-402(4(e)(I) for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators regarding water rights acquisition

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

**open:** 7:20 PM

**close:** 8:35 PM

## 9. Land Development

**a.** **PUBLIC HEARING: <u>Resolution 21-43:</u>** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FORT LUPTON AND THE TOWN OF FIRESTONE REGARDING GROWTH AND PLANNING AREAS

Mayor Sindelar opened the public hearing at 8:37 PM.

AJ Krieger, Town Manager, presented to the Board of Trustees.

There was no one present that wished to give public comment.

Mayor Sindelar closed the public comment portion of the public hearing at 8:47 PM.

**Motion** by Trustee Conyac, **second** by Trustee Whelan, to Approve **<u>Resolution 21-43:</u>** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FORT LUPTON AND THE TOWN OF FIRESTONE REGARDING GROWTH AND PLANNING AREAS

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

**b.** **PUBLIC HEARING**: **Resolution 21-44:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A FINAL SUBDIVISION PLAT AND ACCEPTING THE PROPERTY INTERESTS DEDICATED BY THE FINAL PLAT FOR TURNER COMMONS FILING NO. 1; AUTHORIZING A SUBDIVISION DEVELOPMENT AGREEMENT PERTAINING TO THE TURNER COMMONS FILING NO. 1 SUBDIVISION; AND APPROVING AND ACCEPTING AN EASEMENT AND AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND QUIKTRIP CORPORATION

Mayor Sindelar opened the public hearing for Resolution 21-44 and 21-45 at 8:52 PM

Millissa Berry, Senior Planner, presented to the Board of Trustees.

Mike Talcott, the applicant, presented to the Board of Trustees.

Marie Vaciney gave public comment regarding Resolution 21-44 and 21-45.

Staff answered Board questions regarding the traffic exit and entrance to QuikTrip and if the signage was per code.

**Motion** by Trustee Doherty, **second** by Trustee Whelan, to Approve **Resolution 21-44:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A FINAL SUBDIVISION PLAT AND ACCEPTING THE PROPERTY INTERESTS DEDICATED BY THE FINAL PLAT FOR TURNER COMMONS FILING NO. 1; AUTHORIZING A SUBDIVISION DEVELOPMENT AGREEMENT PERTAINING TO THE TURNER COMMONS FILING NO. 1 SUBDIVISION; AND APPROVING AND ACCEPTING AN EASEMENT AND AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND QUIKTRIP CORPORATION

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

**c.** **PUBLIC HEARING: Resolution 21-45**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A FINAL DEVELOPMENT PLAN FOR CERTAIN REAL PROPERTY LOCATED WITHIN TURNER COMMONS FILING NO. 1

**Motion** by Mayor Pro Tem Jimenez, **second** by Trustee Conyac, to Approve **Resolution 21-45**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A FINAL DEVELOPMENT PLAN FOR CERTAIN REAL PROPERTY LOCATED WITHIN TURNER COMMONS FILING NO. 1

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

## 10. Discussion/Action

10.a. **<u>Resolution 21-41</u>:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, PRESCRIBING THE TOWN OF FIRESTONE'S WATER RATES, FEES, TOLLS AND CHARGES AND STORAGE AND INFRASTRUCTURE INVESTMENT FEES

**Motion** by Trustee Conyac, **second** by Trustee Sharp, to Approve **<u>Resolution 21-41</u>:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, PRESCRIBING THE TOWN OF FIRESTONE'S WATER RATES, FEES, TOLLS AND CHARGES AND STORAGE AND INFRASTRUCTURE INVESTMENT FEES
**Roll Call Vote:**
**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp
**No:** None
**Abstain:** None
**Motion carried.**

b. **<u>Resolution 21-51</u>:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AMENDING THE FIRESTONE NATIVE WATER DEDICATION POLICY

**Motion** by Trustee Whelan, **second** by Mayor Pro Tem Jimenez, to Approve **<u>Resolution 21-51</u>:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AMENDING THE FIRESTONE NATIVE WATER DEDICATION POLICY
**Roll Call Vote:**
**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp
**No:** None
**Abstain:** None
**Motion carried.**

c. **<u>Resolution 21-42:</u>** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A COOPERATIVE DEVELOPMENT PLAN AGREEMENT

**Motion** by Mayor Pro Tem Jimenez, **second** by Trustee Sharp, to Approve **<u>Resolution 21-42:</u>** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A COOPERATIVE DEVELOPMENT PLAN AGREEMENT
**Roll Call Vote:**
**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp
**No:** None
**Abstain:** None
**Motion carried.**

d. **<u>Resolution 21-46</u>**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND FORTRESS DEVELOPMENT SOLUTIONS, LLC, FOR GRADING SERVICES FOR THE ST VRAIN WATER TREATMENT PLANT'S SALT WATER DISPOSAL INJECTION WELL

**Motion** by Trustee Sharp, **second** by Trustee Doherty, to Approve **<u>Resolution 21-46</u>**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND FORTRESS DEVELOPMENT SOLUTIONS, LLC, FOR GRADING SERVICES FOR THE ST VRAIN WATER TREATMENT PLANT'S SALT WATER DISPOSAL INJECTION WELL
**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

e. **<u>Resolution 21-47:</u>** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HYDRO RESOURCES – ROCKY MOUNTAIN, INC. FOR DRILLING AND WASTEWATER INJECTION WELL SYSTEM SERVICES FOR THE ST VRAIN WATER TREATMENT PLANT'S SALT WATER INJECTION WELL FACILITY

**Motion** by Trustee Conyac, **second** by Trustee Whelan, to Approve **<u>Resolution 21-47:</u>** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HYDRO RESOURCES – ROCKY MOUNTAIN, INC. FOR DRILLING AND WASTEWATER INJECTION WELL SYSTEM SERVICES FOR THE ST VRAIN WATER TREATMENT PLANT'S SALT WATER INJECTION WELL FACILITY
**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

f. **<u>Resolution 21-48:</u>** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND POWER SERVICE, INC., FOR PUMP STATION DESIGN BUILD SERVICES FOR THE ST VRAIN WATER TREATMENT PLANT'S SALT WATER DISPOSAL INJECTION WELL

**Motion** by Trustee Whelan, **second** by Mayor Pro Tem Jimenez, to Approve **<u>Resolution 21-48:</u>** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND POWER SERVICE, INC., FOR PUMP STATION DESIGN BUILD SERVICES FOR THE ST VRAIN WATER TREATMENT PLANT'S SALT WATER DISPOSAL INJECTION WELL

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

g. **Resolution 21-49:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A CHANGE ORDER REGARDING THE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HUDICK EXCAVATING, INC., REGARDING THE FIRESTONE RESERVOIR NO. 1 SUPPLY AND DELIVERY PROJECT

**Motion** by Trustee Doherty, **second** by Trustee Whelan, to Approve **Resolution 21-49:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A CHANGE ORDER REGARDING THE AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND HUDICK EXCAVATING, INC., REGARDING THE FIRESTONE RESERVOIR NO. 1 SUPPLY AND DELIVERY PROJECT

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

h. **Resolution 21-50**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND BLUESCOPE CONSTRUCTION – GOVERNMENT SERVICES FOR THE PUBLIC WORKS FACILITY EXPANSION AND REMODEL PROJECT

**Motion** by Trustee Conyac, **second** by Trustee Whelan, to Approve **Resolution 21-50**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND BLUESCOPE CONSTRUCTION – GOVERNMENT SERVICES FOR THE PUBLIC WORKS FACILITY EXPANSION AND REMODEL PROJECT

**Roll Call Vote:**

**Yes:** Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp

**No:** None

**Abstain:** None

**Motion carried.**

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

There was no one present that wished to give public comment.

**12. Reports**

**12.a.** Staff

AJ Krieger, Town Manager, reminded the Board that Clean-Up Day starts on April 23rd. Mr. Krieger reminded the Board that he would attend a Weld County Commissioners meeting regarding the annexation petition for County Road 19.

Raelynn Ferrera, Assistant to Town Manager, reported that the proposed changes to the dais in the Court Room were approved for CARES Act funding.

**12.a.i.** Board Electronic Communication Policy Discussion

**12.b.** Mayor

Mayor Sindelar reported on an investigation to ensure Town of Firestone Police policies were aligned with state and federal law.

**Motion** by Trustee Sharp, **second** by Trustee Whelan, to Appoint Mayor Pro Tem Jimenez to lead the search for a firm to investigate Town of Firestone Police policies.
**Roll Call Vote:**

| | |
|---|---|
| **Yes:** | Trustee Conyac, Trustee Whelan, Trustee Meiring, Mayor Pro Tem Jimenez, Trustee Doherty, Trustee Sharp |
| **No:** | None |
| **Abstain:** | None |

**Motion carried.**

**12.c.** Trustees

Mayor Pro Tem Jimenez requested a progress report on the direction given to the Town Attorney on a search of the source of leaked information.

Trustee Meiring reported that on the Lobbyist Team and an upcoming Colorado Municipal League Policy Committee meeting.

Trustee Doherty reported that the lobbyists will be here on April 28, 2021.

Trustee Conyac reported on the progress of the Neighbors Point park.

Trustee Whelan asked questions regarding the scholarship.

Trustee Sharp reported on the Celebration of Life for Trustee Heath, planned for Saturday, April 24, 2021, at 6:00 PM.

## 13. Executive Session

**a.** An executive session pursuant to C.R.S. 24-6-402(4)(f)(I) for a personnel matter regarding the annual evaluation of the Town Manager

**Motion** by Trustee Whelan, **second** by Trustee Conyac, to go into Executive Session pursuant to C.R.S. 24-6-402(4)(f)(I) for a personnel matter regarding the annual evaluation of the Town Manager, All in Favor, **Motion carried**.

**open:** 10:48 PM
**close:** 11:53 PM

## 14. Adjournment

Introduced and Approved the 28th of April, 2021.

TOWN OF FIRESTONE, COLORADO

ATTEST

______________________________
Bobbi Sindelar, Mayor

______________________________
Jessica Koenig, Town Clerk

| AGENDA INFORMATION MEMORANDUM<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 6.b<br><br>**Consent Agenda**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Raelynn Ferrera<br><br>**Dept:** Administration |
|---|---|

**AGENDA TITLE**
**Resolution 21-52**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND GROUND ENGINEERING CONSULTANTS INC. FOR TESTING AND SPECIAL INSPECTION SERVICES FOR THE TOWNS PUBLIC WORKS FACILITY EXPANSION AND REMODEL PROJECT

**SUMMARY**
GROUND Engineering Consultants (GROUND) will provide the materials testing and special inspection services during the construction of the Public Works Facility Expansion and Remodel. The services will include soil testing for all site work, concrete testing for foundation work, and structural steel inspections.

GROUND was founded in 1984. GROUND provides a full range of geotechnical engineering services for design, engineering, and construction. GROUND has a proven track record of successfully working with the public sector on a variety of projects.

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**
Approve Resolution 21-52 authorizing execution of said agreement and authorizing Staff to expend funds.

**ALTERNATIVES**

**ATTACHMENTS**
1. 21-52 Ground Engineering Public Works Facility
2. 2104-0717 Public Works Facility - Addition; Town of Firestone (003)

**FINANCIAL CONSIDERATIONS**

| | |
|---|---|
| Soils Technician | $7,056.00 |
| Concrete Technician | $1,728.00 |
| Asphalt Technician | $768.00 |
| Structural Steel/Welding | $3,520.00 |
| PM Management/Meetings | $1,785.00 |
| Proctor Compaction | $1,100.00 |
| Gradation | $600.00 |
| Atterberg Lim | $650.00 |
| Concrete Compression Test, | $840.00 |
| Asphalt Content and Extracted Gradation | $320.00 |
| Asphalt Theoretical Maximum Specific Gravity | $200.00 |
| Owner Contingency | $8,000.00 |
| **Total** | **$26,567.00** |

**RESOLUTION NO. 21-52**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING AN AGREEMENT BETWEEN THE TOWN OF FIRESTONE AND GROUND ENGINEERING CONSULTANTS INC. FOR TESTING AND SPECIAL INSPECTION SERVICES FOR THE TOWNS PUBLIC WORKS FACILITY EXPANSION AND REMODEL PROJECT**

WHEREAS, the Town of Firestone ("Town") is in need of soil and concrete testing and structural steel inspection services for the Town's Public Works Facility Expansion and Remodel Project; and

WHEREAS, Staff recommends that Ground Engineering Consultants Inc be selected to perform the required work as they are able to provide all of the requested services and have a proven record of successfully working for public entities.

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

The Agreement between the Town of Firestone and Ground Engineering Consultants Inc., for testing and special inspection services for the Town's Public Works Facility Expansion and Remodel Project 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 Agreement on behalf of the Town.

INTRODUCED, READ AND ADOPTED this __ day of ____________, 2021.

TOWN OF FIRESTONE, COLORADO

________________________________
Bobbi Sindelar, Mayor

ATTEST:

_________________________
Jessica Koenig, CMC Town Clerk

APPROVED AS TO FORM:

______________________________
William P. Hayashi, Town Attorney

April 9th, 2021

Subject: Proposal for Materials Testing and Special Inspection Services, Public Works Facility - Addition

**Proposal No. 2104-0717**

Ms. Raelynn Ferrera
**Town of Firestone**
151 Grant Avenue
Firestone, Coloraod 80520

Dear Ms. Ferrera,

Ground Engineering Consultants, Inc. (GROUND) appreciates the opportunity to prepare a proposal to provide materials testing and special inspection services for the Public Works Facility - Addition project located at 7500 County Road 20 in Firestone, Colorado. Please note that the services detailed below will only be provided as scheduled by the Owner, Owner's Representative, Contractor, or applicable Subcontractors. Additional services beyond those below can be provided. Please contact our office for a fee estimate for additional services that may be needed.

**Scope of Project**

The proposed project will generally consist an addition to an existing structure and associated sitework. The addition's foundation construction will consist of a shallow foundation system. The building will consist of a steel framed structure. Site improvements are anticipated to include finish site grading, utilities placement, and asphalt paving.

**Fee Estimate**

To assist in the budgeting of this project, we are providing the following general scope of services and approximate costs for each service. To prepare this estimate, a number of assumptions were made regarding the project construction sequencing, the actual number of hours and associated tests may be more or less.

The fees outlined below represents an estimate of the time and unit cost for the proposed scope of services, based on our understanding of the project quantities and assuming proper scheduling of our services. The estimate detailed is not inclusive of costs associated with retesting. An overtime rate of an additional $15.00 per hour above the hourly rate will be billed for hours over 8 per day and all hours on nights and weekends, and double time will be billed on major holidays.

**Estimated Time**

| | | | | | |
|---|---|---|---|---|---|
| **Soils Technician** | **$48.00** | per hour | 147 | Hours | $7,056.00 |
| **Concrete Technician** | **$48.00** | per hour | 36 | Hours | $1,728.00 |
| **Asphalt Technician** | **$48.00** | per hour | 16 | Hours | $768.00 |
| **Structural Steel/Welding (on-site)** | **$80.00** | per hour | 44 | Hours | $3,520.00 |
| **PM Management/Meetings/Review** | **$105.00** | per hour | 17 | Hours | $1,785.00 |

**Laboratory Testing and Unit Billing**

| **Soil** | | | | |
|---|---|---|---|---|
| Proctor Compaction | 10 | Tests @ | **$110.00** | $1,100.00 |
| Gradation | 10 | Tests @ | **$60.00** | $600.00 |
| Atterberg Limit | 10 | Tests @ | **$65.00** | $650.00 |

| | | | | |
|---|---|---|---|---|
| **Concrete** | | | | |
| Concrete Compression Test, Cylinders (each) | 60 | Tests @ | **$14.00** | $840.00 |
| **Asphalt** | | | | |
| AC Content and Extracted Gradation | 2 | Tests @ | **$160.00** | $320.00 |
| Theoretical Maximum Specific Gravity | 2 | Tests @ | **$100.00** | $200.00 |
| **Total Proposed Estimate** | | | | **$18,567.00** |

This estimate has been compiled based on information provided to GROUND Engineering Consultants, Inc. as of the date of proposal. General Conditions and Limitations of Liability have been submitted herewith, and are incorporated herein by reference. This estimate is not inclusive of any retests, nor of any changes to scope or schedule of work.

## Noted Proposal Assumptions/Exclusions/Conditions

1. Structural steel fabrication shop inspections are not included in our estimated fees but can be provided under an added scope of services upon request.

2. Building Inspection Services (excluded): Many municipalities are no longer providing the required inspections for commercial, retail and mixed use construction projects and the tenant finish portion of construction projects. GROUND can provide these services for this project in accordance with local, national, and/or international codes. We have highly qualified and certified IBC building inspectors familiar with the requirements for building/special inspection including fabrication, structural and nonstructural wood and light-gauge framing components, adhered and anchored masonry veneer, lath and gypsum board, EIFS, sprayed fire-resistant materials, fire-resistant penetrations, fire stopping assemblies, insulation, dampproofing and waterproofing, roof assemblies, and energy efficiency of buildings. *Note: Our staff of in-house building inspectors can complete these services under an added scope of services, upon request.*

    a. Fire Stop Inspection – If requested, GROUND can provide firestop inspection services under a separate scope of work. These services are provided by an IFC certified building inspector.

## Service Agreement/Proposal Conditions

The scope addressed by this proposal does not include geotechnical engineering services, other than any specifically identified herein. Should geotechnical engineering services be requested, including but not necessarily limited to soil bearing pressure evaluation, remedial earthwork/soil stabilization recommendations, groundwater evaluation, and assessment of soil suitability for specific uses, the Client/Owner/Contractor must realize additional time, exploration, evaluation/analysis, and costs likely will be incurred for such services. Such services would be provided under a separate scope and fee. Performing materials testing and observation services does not place the Consultant in the role of Geotechnical Engineer for the project, and the Consultant cannot assume that role unless specifically contracted to do so.

You will be invoiced for the amount of services actually performed, so actual total cost may be more or less than the amount estimated above. The terms under which our services will be performed are outlined in the General Conditions that contain a limitation of GROUND's liability. This proposed estimate shall be valid for a period of 120 calendar days from the date of submittal. GROUND reserves the right to review and revise the proposed quantities and unit rates thereafter. The referenced “Fee Schedule” and “General Conditions” are included and are part of this proposal. We propose that our fees for any additional services be based on our hourly and unit costs in accordance with the “Fee Schedule”. Also note that GROUND reserves the right to withhold data and reports until we have received a signed proposal. If this proposal meets with your approval, please sign one copy and return it to this office.

Thank you for considering us for the materials testing and special inspection services on this project.

Sincerely,
**GROUND Engineering Consultants, Inc.**

Kevin Tighe

Reviewed By: Levi Klingsmith

Agreed to this _________ day of _______________________________________________, 2021

Town of Firestone, by: ____________________________________________________________

Print: ______________________________________________________________________

GROUND ENGINEERING

FEE SCHEDULE - CONSTRUCTION SERVICES

## MATERIAL TESTING AND SPECIAL INSPECTION

(Time is round trip from office to project site and return)

| | |
|---|---|
| • Concrete and Asphalt Testing (hourly) | $48.00 |
| • Soil Testing (hourly) | $48.00 |
| • Rebar, Masonry, Post Tension, Piers (hourly) | $55.00 |
| • Floor Flatness (hourly) | $75.00 |
| • Wastew ater Pipe Inspection (hourly) | $75.00 |
| • Coring and Concrete Humidity/Moisture (hourly) | $75.00 |
| • Certified Welding Inspector (CWI) (hourly) | $80.00 |
| • Certified Building Inspector (hourly) | $80.00 |
| • Certified Fire Stop Inspector (hourly) | $95.00 |

## MANAGEMENT AND ENGINEERING

| | |
|---|---|
| • Project Management-Review /Supervision (hourly) | $105.00 |
| • Senior Project Engineer/Geologist (hourly) | $175.00 |
| • Project Engineer/Geologist (hourly) | $140.00 |
| • Staff Engineer/Geologist (hourly) | $105.00 |
| • Open Hole (hourly) | $95.00 |
| • Principal Engineer, Senior Project Manager | Quote |
| • Overtime (Over 8hrs/day, w eekends, after 6pm) | rate + $15.00 |
| • Trip Charge (covers vehicle and equipment) | $0.00 |
| • Interest charged after 30 days from invoice date | 1.5% |

## MISCELLANEOUS

(These units are on a project by project basis and w ill only apply as detailed in the proposal)

| | |
|---|---|
| • Construction Management, Civil Inspection | Quote |
| • Quality Management | Quote |
| • Out-of-tow n living expenses, commercial travel costs, equipment rental, etc. | Quote |
| • Mobile Laboratory | Quote |
| • Outside Laboratory Services | Quote |
| • Vibration Monitoring/Geotechnical Instrumentation Services, Thermal Conductivity and Resistivity | Quote |
| • Pile Dynamic Analysis, Ground Penetrating Radar, Cross Hole Sonic Logging, Sonic Echo, Falling Weight Deflectometer | Quote |

## LABORATORY TESTING

### Soil and Aggregate

| | |
|---|---|
| Proctor Compaction | $110.00 |
| Atterberg Limit | $65.00 |
| Gradation | $60.00 |
| No. 200 Wash | $35.00 |
| Gradation and Hydrometer | $135.00 |
| Specific Gravity of Fine Aggregate | $65.00 |
| Natural Density and Moisture Content | $15.00 |
| “R”-Value | $350.00 |
| Soil Cement Proctor | $150.00 |
| Unconfined Comp. Str.-Soil Stab. (per set) | $250.00 |
| pH Test | $50.00 |
| Water Soluble Sulfates Test | $50.00 |
| Triaxial Permeability | $375.00 |
| Alkali Silica Reactivity (to 28 days) | $450.00 |
| Denver Sw ell | $75.00 |
| Direct Shear | $500.00 |
| Sand Equivalent | $95.00 |
| Relative Density | $200.00 |
| Clay Lumps and Friable Particles | $45.00 |
| Flat or Elongated Particles | $60.00 |
| Sulfate Soundness | $300.00 |
| Fractured Faces Test | $60.00 |
| Los Angeles Abrasion Test | $150.00 |
| Uncompacted Voids Test | $95.00 |
| Specific Gravity of Coarse Aggregate | $95.00 |
| Soil Stabilization Mixture Analysis | $3,500.00 |

### Concrete

| | |
|---|---|
| Concrete Compression Test, Cylinders (each) | $14.00 |
| Concrete Comp. St. Cylinders (high strength concrete) | $75.00 |
| Compressive Strength-CLSM Cylinders | $20.00 |
| Concrete Flexural Test, Beams | $55.00 |
| Maturity Data Logger (each) | $95.00 |
| Moisture Coupons (each) | $95.00 |
| Relative Humidity Sensors (ASTM F2170) (each) | $95.00 |
| Shotcrete Comp. Str. (per panel) | $225.00 |
| Maturity Meter Strength Correlation | $3,000.00 |
| Concrete Mix Trial Blend | $4,000.00 |

### Asphalt

| | |
|---|---|
| AC Content and Extracted Gradation | $160.00 |
| Sp.G.(SSD), Stability, Flow (Marshall) (per test) | $350.00 |
| Specific Gravity (SSD) and Voids (Gyratory) (per test) | $250.00 |
| Theoretical Maximum Specific Gravity | $100.00 |
| Modified Lottman (TSR) | $325.00 |
| Ignition Oven Calibration | $225.00 |
| Specific Gravity (SSD) and Voids (per Core) | $40.00 |
| Coring-Asphalt (Dia. (*in.*) X Depth (*in.*) X No. cores) | $1.50 |
| Stability (Gyratory) | $105.00 |
| Asphalt Moisture Content | $15.00 |
| Micro Deval | $175.00 |

### Masonry

| | |
|---|---|
| Mortar Compressive Strength | $20.00 |
| Masonry Prism Comp. Strength | $95.00 |
| Grout Compressive Strength | $30.00 |
| Compressive Strength CMU/Brick Coupon | $50.00 |

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# GENERAL CONDITIONS

**INTENT OF SERVICES:** The services and any subsequent analysis and reporting performed by the Consultant under this agreement are intended to assist the Client. It must be understood that the Consultant's tests, observations, or inspection results do not mean that Consultant is approving any aspect of the design, or the work performed or materials used by the Contractor or any Subcontractors. Client acknowledges that Consultant is not responsible for the contractor's or subcontractor's compliance with regulating agencies, safety, materials, means, methods, techniques, sequences, procedures of construction, nor for contractor's failure to follow recommendations or good construction practices, and that the services provided by the Consultant shall not relieve the contractor of its obligation to perform the Work in accordance with the project plans and specifications, as well as use materials that are in accordance with the plans and specifications.

*The observation and testing services outlined herein, or lack thereof, do not relieve the contractor, subcontractors or any other applicable trades of their responsibilities to perform their portion of this project in conformance to the project plans, specifications, and other applicable documents.*

Any exploration, testing, specific observations, inspection and/or analysis associated with the services will be performed by Consultant solely to fulfill the purpose of this Service Agreement and Consultant is not responsible for interpretation by others of the information developed. Client recognizes that conditions on the project site may vary from those encountered during testing and that information generated by Consultant is based solely on the information available to the Consultant at the time and location of such testing. Furthermore, the Client acknowledges that actual testing, observation, or inspection performed is likely on a very small percentage of the overall project and that as such, may not fully reflect the work performed or materials used by Project Contractors or Subcontractors.

The proposed scope of services provided herein does not include engineering review of the project documents in regard to the geotechnical aspects of the project such as foundations, slabs, pavements, drains, walls, etc; nor does the proposed scope of work consist of construction management services relating to acceptance of materials, material types, or placement methodology. It is not the responsibility of the Consultant to accept or reject material placement or material types, nor to alter, amend, or revise project specifications. If required, these services can be provided under a separate scope of work.

**RIGHT-OF-ENTRY:** Unless otherwise agreed, Client will furnish right-of-entry for Consultant to take the scheduled tests or observations. Consultant will take reasonable precautions to reduce damage to property. However, cost of restoration or damage that may result from field operations are not included in the fee unless otherwise stated, and Consultant cannot be held responsible. Any construction debris or waste generated as a result of the required testing is the responsibility of the Client and their respective Contractor or Subcontractors.

**SCHEDULING OF SERVICES:** ALL observation and testing requests must be scheduled at least 24 hours in advance of each required observation or test. Verbal test results can be provided to the Contractor/Subcontractor and/or any other entities or representatives as designated by the Client as tests are completed, and formal, typed reports can be forwarded once they have been processed and reviewed. Unless specifically scheduled through our main office for a specific test/observation, date, and time, testing or observations may not occur.

The required amount of work for materials testing depends on the Client's, Contractor's, Subcontractor's, or other Entity's scheduling of our services, as well as their production schedule. Having no control over these factors, our proposed scope of work is in general accordance to the attached Fee Schedule.

The proposed scope of work is for periodic testing and observation. It is therefore important that the Client, Contractor, or Subcontractors schedule our field technicians such that: (1) Sufficient tests are conducted to comply with project specifications; and, (2) That such testing occurs at locations that are randomly distributed throughout the materials being tested. The quantity of tests provided for the various elements in the attached sheets are estimates; actual amounts of individual tests and locations are highly dependent on the Contractor's schedule and the scheduling of our field personnel (technicians, CWI, utility inspectors or building inspectors) by the Client, Contractor and/or Subcontractors.

**INVOICES:** Consultant will submit progress invoices to client monthly and a final bill upon completion of the services. Invoices will show charges for different personnel and expense classifications. Each invoice is due on presentation and is past-due thirty (30) days from invoice date. Rates quoted in this proposal reflect a 3% cash/check discount. Pricing will be adjusted to remove this discount in the event client prefers to pay by credit card. Client agrees to pay a finance charge of one and one-half percent (1.5%) per month, or the maximum rate allowed by law, on past-due accounts. Should Consultant bring suit to recover past due payment for services rendered to Client, Consultant shall be entitled to recover all costs of collection, including reasonable attorneys' fees.

**REPORTS:** Reports, plans and other work products prepared by Consultant remain the property of Consultant until all fees for Consultant's services have been paid. Client agrees that all reports and other documents furnished to the Client and his agents not paid for will be returned upon demand, and will not be used for licensing, permits, design and/or construction. Any Contractor or Subcontractor other than the Client who uses any test data or other information provided by Consultant in support of this scope of work must indemnify the Consultant from and against any and all claims resulting from such use.

**FINAL LETTERS:** Many governing agencies require that the Consultant provide some form of final letter at the completion of a project. Such letters are usually required to state that the project was constructed in compliance or general compliance to certain specifications, plans, or codes. As professional consulting engineers, it is not possible or reasonable to state with certainty that all work completed by others completely complied with any specification, plan, or code, and any interpretation as such is incorrect. The Consultant can only make such statements based on the best of their knowledge, their experience, as well as on the specific periodic testing and/or observations that were performed and for the time they were performed. Any use of the word "inspection" shall be assumed to mean "observation" in any document provided by our office that is in any way connected with this project. Such letters do not constitute any form of warranty, guarantee, or certification, expressed or implied, regardless of the wording used.

It must also be understood that such testing and observation only occur when properly scheduled by the owner, owner's representatives, contractor, or subcontractors, and therefore, it is their responsibility to schedule accordingly and in a manner consistent with the project specifications and the scope of work provided herein.

**USE OF ELECTRONIC OR OTHER SUPPLIED DATA:** Electronic documents, site plans, or other information provided to Consultant for the subject project may be used in compiling geotechnical, environmental, or construction-related reports for the subject project. It is the responsibility of the Owner or Supplier of such documents to ensure that our use does not violate any copyright or confidentiality that may be pertinent to the supplied information.

**LIMITATION OF LIABILITY:** Consultant agrees in connection with services performed under this Agreement that such services are performed with the care and skill ordinarily exercised by members of the profession practicing under similar conditions at the same time and in the same or a similar locality and scope. No warranty, expressed or implied, is made or intended by rendition of consulting services or by furnishing oral or written reports of the findings made. Liability of Consultant or Subconsultant(s) for damages due to or arising from professional negligence, breach of contract, or any cause of action, shall be limited to the Consultant's fee for this project.

Any exploration, testing, specific observations and analysis associated with the services will be performed by Consultant solely to fulfill the purpose of this Service Agreement and Consultant is not responsible for interpretation by others of the information developed. The services we have been retained to provide consist of periodic material testing and/or observations to assist the client, owner, construction manager and design team members with evaluating compliance with project specifications.

**STANDARD OF CARE:** In providing its services, Consultant shall perform in a manner consistent with that degree of care and skill ordinarily exercised by members of Consultant's profession practicing under the same or similar circumstances.

**CORPORATE PROTECTION:** It must be agreed to by all parties affiliated with this agreement that the services provided by the Consultant that are in any way connected to this project shall not connect Consultant's employees, owners, directors, or officers to any personal exposure for risks associated with any portion of this project. Therefore, and not withstanding anything to the contrary that may be contained herein or in any other document related to this project, the Client, future owners, future users, and/or any other trade or professional, agrees that as the sole and exclusive remedy for any claim, demand, or suit shall be directed and/or asserted against the Consultant, a Colorado Corporation, and not against any of GROUND's employees, owners, officers, or directors.

| AGENDA INFORMATION MEMORANDUM<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 6.c<br><br>**Consent Agenda**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Jessica Koenig<br><br>**Dept:** Town Clerk |
|---|---|

**AGENDA TITLE**

**Resolution 21-57:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, REPEALING IN ITS ENTIRETY THE TOWN OF FIRESTONE, COLORADO, BOARD OF TRUSTEES HANDBOOK & ORIENTATION

**SUMMARY**

In conjunction with the approval of the Rules of Procedure, Resolution 21-57 repeals the Board of Trustees Orientation Handbook. The intention is to eliminate the Board of Trustees Orientation Handbook and create a new and updated orientation document for the April 2022 election candidates. The orientation document will serve as a training resource and the Rules of Order & Procedure will be a guiding document on how Board of Trustees meetings will function.

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

Approval of Resolution 21-57.

**ALTERNATIVES**

Provide staff with further direction.

**ATTACHMENTS**

1. 21-57 Handbook Orientation BOT Res

**FINANCIAL CONSIDERATIONS**

**RESOLUTION NO. 21-57**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, REPEALING IN ITS ENTIRETY THE TOWN OF FIRESTONE, COLORADO, BOARD OF TRUSTEES HANDBOOK & ORIENTATION**

WHEREAS, the Town of Firestone, Colorado, Board of Trustees Handbook & Orientation ("Handbook") contains policies, procedures and processes that are both outdated and inconsistent with current Town practices; and

WHEREAS, to replace the Handbook, the Town Clerk will develop an updated Councilor Orientation packet.

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

The Town of Firestone, Colorado, Board of Trustees Handbook & Orientation is repealed in its entirety.

INTRODUCED, READ AND ADOPTED this __ day of ____________, 2021.

TOWN OF FIRESTONE, COLORADO

______________________________
Bobbi Sindelar, Mayor

ATTEST:

________________________
Jessica Koenig, CMC Town Clerk

APPROVED AS TO FORM:

_____________________________
William P. Hayashi, Town Attorney

| **AGENDA INFORMATION MEMORANDUM**<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 6.d<br><br>**Consent Agenda**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Julie Pasillas<br><br>**Dept:** Public Works |
|---|---|

**AGENDA TITLE**

**Resolution 21-59**: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE PURCHASE OF TWO MATERIAL STORAGE TANKS FOR THE TOWNS PUBLIC WORKS DEPARTMENT

**SUMMARY**

A requirement of the Town Municipal Separate Storm Sewer Systems (MS4) Permit from the State of Colorado is that any outdoor bulk storage of more than 55 gallons of petroleum or other liquid chemicals must have secondary containment. Currently, the Town's Public Works facility has three outdoor storage tanks with capacities of 1,500, 3,000, and 5,000 gallons. This project will replace those three tanks with new double-walled tanks that meet the secondary containment requirement of the Town's permit.

**HISTORY AND PREVIOUS BOARD ACTION**

The purchase of the replacement tanks was discussed at the budget work session last fall.

**RECOMMENDATION**

Staff recommends that the Board approve Resolution 21-59, a resolution approving purchases of material storage tanks for the Public Works Department.

**ALTERNATIVES**

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

**ATTACHMENTS**

1. Res 21-59 Equipment Two Material Storage Tanks for Public Works
2. Town of Firestone 5k Double wall-magnesium chloride

**FINANCIAL CONSIDERATIONS**

The resolution includes an amount not to exceed $72,000.00. Sufficient funds are available in the Stormwater Fund.

# RESOLUTION NO. 21-59

## A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE PURCHASE OF TWO MATERIAL STORAGE TANKS FOR THE TOWNS 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 the Public Works Department's ("PWD") purchase of two material storage tanks which are necessary for PWD's performance of its Municipal Separate Storm Sewer System ("MS4') permit requirements; and

**WHEREAS,** PWD desires to expend an amount not to exceed $72,000.00 for purchase of the following;

Two 5000 Gallon 1.5 Specific Gravity Double Wall Captor Tanks and Accessories.

**WHEREAS,** the Board of Trustees finds that the purchase of the two material storage tanks is in the best interest of the Town.

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

**Section 1**. The Board of Trustees approves the Public Works Department's purchase of the two material storage tanks as described in this Resolution.

**INTRODUCED, READ AND ADOPTED** this 28th day of April, 2021.

TOWN OF FIRESTONE, COLORADO

________________________________
Bobbi Sindelar, Mayor

ATTEST:

__________________________
Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

______________________________
William P. Hayashi, Town Attorney

# QUOTE

Plastic Mart
685 John B Sias Memorial Parkway
Suite 330
Fort Worth TX 76134

| | |
|---|---|
| DATE | April 21, 2021 |
| QUOTE EXPIRATION | May 6, 2021 |

Customer Info:

Town of Firestone CO
Julie Pasillas
303-531-6258
jpasillas@firestoneco.gov
Deliver to Firestone CO

| SALESPERSON | Phone # | SHIPPING METHOD |
|---|---|---|
| Ryan Cottle | 682-255-4005 | jni ref 19402 |

| QTY | ITEM # | DESCRIPTION | UNIT PRICE | |
|---|---|---|---|---|
| 2.00 | SII-5630000N43 | 5000 Gallon 1.5 Specific Gravity Double Wall Captor Tank (102"D x 216"H) | $ 22,000.00 | $ 44,000.00 |
| | | Magensium Chloride Storage | | $ - |
| | | | | $ - |
| 2.00 | 1070000N--2E | 2" UFO Fitting (outlet assembly) (notes: install only at 0, 90, 180 and 270 degrees) | $ 400.00 | $ 800.00 |
| 2.00 | 34700271 | 2" PVC Double Flange Bolted Fitting-SS bolts (outlet assembly) | $ 185.00 | $ 370.00 |
| 2.00 | 347-fillpipe | 2" PVC External Fill Pipe Assembly | $ 465.00 | $ 930.00 |
| 2.00 | 34701319 | 2" Valve/elbow Assembly for External Fill Assembly | $ 150.00 | $ 300.00 |
| 2.00 | 34200015 | 2" PVC Bulkhead (required for external fill pipe assembly) | $ 80.00 | $ 160.00 |
| 2.00 | 34701030 | Leak Detection Sensor- Standard System | $ 595.00 | $ 1,190.00 |
| 2.00 | 34701515 | Ultrasonic Level Indicator | $ 2,290.00 | $ 4,580.00 |
| 2.00 | 1035000N97803 | 18" Mushroom Vent w/ Bug Screen (for pneumatic fill applications) | $ 299.00 | $ 598.00 |
| 2.00 | 34700470 | Ladder Attachment Kit | $ 400.00 | $ 800.00 |
| 36.00 | 339-galv | Galvanized Straight Ladder (price per foot) | $ 123.00 | $ 4,428.00 |
| 22.00 | 347--steel cage | Galvanized OSHA Cage (price per foot; starts 7' from floor) | $ 130.00 | $ 2,860.00 |
| | | | | $ - |
| 2.00 | 34700861 | 2" PVC Flange Adapter (required for flexmaster) | $ 35.00 | $ 70.00 |
| 4.00 | 33100020 | 2" EPDM Gasket (required for flange adapter/flex master) | $ 24.00 | $ 96.00 |
| 2.00 | 5390100N95401 | 2" HDLPE Flex Master (recommended for sidewall outlet) | $ 485.00 | $ 970.00 |
| | | | | $ - |
| 2.00 | 59000-- | Tank Saver Platform Only | $ 2,999.00 | $ 5,998.00 |
| 2.00 | 34701168 | Cable System for Tank platform | $ 199.00 | $ 398.00 |
| 2.00 | 33900366 | Ladder Attachment for Base | $ 100.00 | $ 200.00 |
| | | | | |
| | | | SUBTOTAL | $ 68,748.00 |
| | | | SHIPPING | $ 3,000.00 |
| | | | SALES TAX | |
| | | | TOTAL | $ 71,748.00 |

| | |
|---|---|
| **AGENDA INFORMATION MEMORANDUM**<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 6.e<br><br>**Consent Agenda**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Jessica Koenig<br><br>**Dept:** Town Clerk |

**AGENDA TITLE**

**Resolution 21-58:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE BOARD OF TRUSTEES RULES OF PROCEDURE

**SUMMARY**

Resolution 21-58 will approve the Rules of Procedure that has been collaboratively developed to consolidate the procedures into a single document. Resolution 21-58, if approved, will require clean-up of the Firestone Municipal Code in addition to repealing the Board of Trustees Orientation Handbook in favor of an updated training document.

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

Approval of Resolution 21-58.

**ALTERNATIVES**

Provide staff with further direction.

**ATTACHMENTS**

1. 21-58 Rules of Procedure BOT Res
2. Final Draft Firestone Rules of Order Procedure - DRAFT

**FINANCIAL CONSIDERATIONS**

**RESOLUTION NO. 21-58**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING THE BOARD OF TRUSTEES RULES OF PROCEDURE**

WHEREAS, the Board of Trustees Rules of Procedure are set forth in Chapter 2.04 of the Firestone Municipal Code and within the Town of Firestone, Colorado, Board of Trustees Handbook & Orientation; and

WHEREAS, the Board of Trustees ("Board") desires to update its Rules of Procedure and consolidate them within one document; and

WHEREAS, the Board has worked collaboratively among its members to develop an updated Rules of Procedure, which is both compliant with the desires of its members and current municipal practices.

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

The Board of Trustees Rules of Procedure are hereby adopted in substantially the same form as the copy attached hereto and made a part of this resolution, and all other resolutions establishing or amending rules of procedure for the Board of Trustees are repealed in their entirety.

INTRODUCED, READ AND ADOPTED this __ day of ____________, 2021.

TOWN OF FIRESTONE, COLORADO

______________________________
Bobbi Sindelar, Mayor

ATTEST:

________________________
Jessica Koenig, CMC Town Clerk

APPROVED AS TO FORM:

_____________________________
William P. Hayashi, Town Attorney

## 1. AUTHORITY AND PURPOSE

**1.1** These Rules of Procedure are intended to supplement those set forth in Article 4 of Chapter 31 of the Colorado Revised Statutes ("C.R.S."). They are to govern the actions of the Board of Trustees in the conduct of its meetings and serve as reference for resolution of procedural matters.

## 2.0 MEETINGS OF THE BOARD OF TRUSTEES



**2.1 Regular meeting:** The Board of Trustees ("collectively "Board" or "Trustees" or individually "Trustee") shall generally meet in regular session on the second and fourth Wednesdays of each month beginning at 7:00 p.m. All regular meetings shall be held at the Police and Municipal Court Building, located at 9900 Park Avenue, Firestone CO 80520, unless otherwise determined by the Board.

**2.2 Pre-Meeting**: Prior to the convening of a regular meeting, the Board may meet to review the regular meeting's agenda at a pre-meeting Work Session, which will be regularly scheduled to commence at 6:30 p.m. and unless determined otherwise by the Board be held at the Police and Municipal Court Building, located at 9900 Park Avenue, Firestone CO 80520, in the Training Room.

**2.3 Work Session:** The Board shall generally meet in work session on the third Wednesday of each month beginning at 6:30 p.m. All work sessions shall be held at the Police and Municipal Court Building, located at 9900 Park Avenue, Firestone CO 80520, in the Training Room, unless otherwise determined by the Board. Work sessions may be used by the Board to discuss, review and establish upcoming agenda topics for regular meetings or work sessions. Work sessions are for the Board's internal discussion of matters, public comment shall not be received during work sessions, and no final action shall be taken during a work session.

**2.4 Special meetings:** Special meetings are those held on any other date other than the date of the regular meetings and may address matters considered at either regular or work session meetings.

a. Special Meetings may be called by the Mayor, at the request of three (3) Trustees as conveyed to the Mayor, or by a motion at a regular meeting approved by a majority of the Board present. Notice of the Special Meeting shall be conveyed by telephone or electronically to the Board by the Town Clerk.

### 2.5 Electronic Participation Meetings:

1. **Purpose**.

The purpose of this policy is to specify the circumstances under which Trustees may participate in regular, work sessions or special meetings by telephone or other electronic means of participation, such as video-conferencing ("Electronic Participation"). Electronic Participation has inherent limitations because Electronic Participation effectively precludes a Trustee from contemporaneously observing documentary information presented during meetings; from fully evaluating a speaker's non-verbal language in assessing veracity or credibility; and from observing nonverbal explanations (pointing at graphs and charts) during a speaker's presentation or testimony. The Board finds that these limitations in Electronic Participation may produce inefficiencies in meetings and may undermine the decision-making process and thus desires to permit Electronic Participation only under emergency situations.

2. **Policy.**

A Trustee may participate by Electronic Participation in a Board meeting only in accordance with this policy.

a. Emergency Situations.

In the event a quorum is unable to meet in-person at the day, hour, and place fixed by the rules and procedures of the Board because it is not practical or prudent due to an emergency resulting from, for example, an accident, illness, weather condition or other natural disaster, epidemic or pandemic; meetings necessary to conduct Town business may be conducted by Electronic Participation only if all of the following conditions are met:

i. The Town Manager or the Mayor determines that meeting in person is not practical or prudent, because of an emergency;

ii. All Trustees can hear each other or otherwise communicate with each other and can hear or read all discussion and testimony in a manner designed to provide maximum participation;

iii. Members of the public present at the meeting location can hear or read all discussion, testimony and votes, unless not feasible due to the emergency. In the event that the nature of the emergency precludes allowing the physical attendance of the public, appropriate arrangements, if feasible, will be made to allow the public to remotely observe or listen to the meeting and provide comment as permitted in these Rules of Procedure.

iv. At least one (1) Trustee is present at the meeting location, unless not feasible due to the emergency;

v. All votes are conducted by roll call;

vi. Minutes of the regular or special meeting are taken and promptly recorded, and such records are available for public inspection; and

vii. To the extent possible, full and timely notice is given to the public setting forth the time and format of the meeting, advising that Trustees and the public may participate electronically.

3. **Arranging for Electronic Participation**.

To arrange to participate via Electronic Participation, a Trustee shall:

i. Contact the Mayor, Town Manager, and/or Town Clerk in advance of the meeting to determine if arrangement for Electronic Participation is possible. Trustees shall endeavor to advise the Town Clerk of their intent to participate via Electronic Participation at the earliest possible time and not less than twenty-four (24) hours prior to the requested participation.

ii. The Town Clerk shall to the extent feasible initiate the Electronic Participation not more than ten (10) minutes prior to the scheduled time of the meeting. Upon disconnection during a meeting, the Town Clerk shall attempt to re-initiate the connection.

4. **Effect of Electronic Participation**.

a. Electronic Participation except as specifically provided herein shall only constitute actual attendance for meetings during which no quasi-judicial matters will be heard, considered or decided.

b. Electronic Participation except as specifically provided herein shall not be available for executive sessions, as to permit participation in executive sessions may preclude assured compliance with the executive session procedures of the Open Meeting Law.

5. **Limited Applicability of Policy**.

This Policy shall, except as otherwise provided herein, apply only to regular meetings, special meetings, pre-meetings and work sessions of the Board.

6. **Reasonable Accommodations**.

The Town shall provide reasonable accommodation and may modify provisions of this Policy to provide those members of the Board or public with a hardship to access Board meetings.

7. **Executive Session.**

Electronic Participation shall not be available for executive sessions except in the event of a local disaster emergency where the executive session to the extent feasible complies with all requirements of the Open Meetings Act and the required notice in addition to setting forth the permitted purpose and statutory cite as set forth in C.R.S. §24-6-402 (4) expressly states the immediate necessity for the executive session. In addition, all persons participating in the executive session shall take all necessary measures to ensure that the confidentiality of the executive session is maintained and no participant shall permit any non-participant to hear, see or otherwise have access to an executive session or related materials.

8. **Quasi-Judicial Matters.**

Quasi-judicial matters may be held by Electronic Participation in the event of a local disaster emergency subject to the requirements set forth herein.

a. In the event that an application is scheduled for a public hearing that is a quasi-judicial matter and due to applicable timelines must be held during the time that a local disaster emergency is in effect, the Town shall notify the applicant of such circumstances and present the applicant with options for proceeding with the application. Upon notice from the Town, the applicant shall authorize the Town, in writing, to proceed with one of the following options:

i. Conduct the public hearing under this policy with accommodations made for Electronic Participation by the applicant and the public, subject to the applicant waiving, in writing, any legal challenge on the basis that the hearing will be conducted via Electronic Participation; or

ii. Suspend any and all review and decision deadlines until such time that the local disaster emergency declaration is terminated and the Board can schedule a meeting at which an in-person quorum will be present.

b. To the extent reasonably possible the Board shall provide adequate opportunity for the applicant and the public to participate in the quasi-judicial matter in a manner that approximates as closely as possible the opportunity that is routinely provided during in-person meetings, for example, an opportunity for members of the public to comment on the application during the public comment portion of the hearing. Such opportunity shall include, at a minimum, the ability for the public to listen and as appropriate comment by telephone or electronically during the hearing. Nothing in this policy shall prevent members of the public from submitting written comments in advance of the meeting at which the quasi-judicial matter will be considered. If written comments are received on a quasi-judicial matter being considered at a meeting conducted via Electronic Participation, such comments shall be read into the record by the Town Clerk, the Mayor, or a member of Town staff.
c. Any documents, exhibits, or other materials (collectively, "Materials"), to be presented by the applicant, Town staff, other parties (if any), or members of the public during the public hearing, must be clearly marked for identification and must be submitted to the Town Clerk at least five (5) days prior to the hearing date, in addition to any obligation the applicant, Town staff, or other parties, if any, may have by law to provide such materials to other parties prior to the hearing. Notice of the public

hearing issued by the Town shall include notice of this requirement to submit Materials to the Town Clerk, and shall state where, how, and when such Materials must be submitted. The Town Clerk will include the Materials in the Board packet with a cover sheet identifying the name of the party submitting the materials, and will make such materials available to the public on the Town's website and or Town Hall if feasible at least 24 hours before the hearing.

d. The participants in the public hearing, discussion, and decision should identify themselves for the record upon speaking or asking questions. The Mayor will endeavor to ensure the participants in the public hearing clearly identify themselves and any Materials referenced during the hearing for purposes of creating an adequate record.
e. A record of the public hearing, including all presentations, testimony, documents and other materials submitted, discussion, and decision shall be made and kept by the Town, including a full audio recording or, if the meeting is conducted using video, a full audio and video recording.

9. **Notice**.

In the event of an Electronic Participation meeting, notice and the procedure for public participation shall be posted at Town Hall and published on the Town's website: www.firestoneco.gov and such other electronic means as the Town deems appropriate.

## 3. BOARD MEETING PARTICIPANT DUTIES

**3.1 Mayor:** The Mayor shall be considered a member of the governing body and the Board of Trustees and shall preside over meetings of the Board of Trustees. The Mayor shall not be counted for purposes of determining the requisite quorum for any matter of the Board. The Mayor shall not vote on any matter that comes before the Board, except in the case of a tie vote. Any ordinance adopted and any resolutions authorizing the expenditure of money or the entering into of a contract shall be subject to disapproval by the Mayor as provided by state law (C.R.S. 31-16-104). Duties of the Mayor as presiding officer include:

a. Open the meeting at the appointed time, and call the meeting to order.

b. Announce the business coming before the Board in accordance with the agenda.
c. Control the proceedings of the meeting and recognize Trustees, staff and members of the public who are entitled to the floor.
d. State or cause to be stated and put to a vote all matters that come before the Board and announce the results of the vote.
e. Enforce the Board's rules relating to debate, order, and decorum.
f. Decide all questions of order.
g. Adjourn the meeting.

**3.2 Mayor Pro Tem:** At the first meeting following each regular election, the Board shall elect from one of the Trustees a Mayor Pro Tem, who shall in the Mayor's absence or inability to act, perform the Mayor's duties.

**3.3 Temporary Chair:** In the event that both the Mayor and the Mayor Pro Tem are absent or unable to act, the Board shall elect from one of the Trustees a Temporary Chair who shall perform the Mayor's duties.

**3.4 Trustees:** Trustees are expected to attend and participate in all Board meetings and sessions.

**3.5** In the event of illness or absence, Trustee's should notify the Mayor and the Town Clerk as soon as possible prior to the applicable Board meeting or event.

**3.6** Trustees who desire to be excused from a Board meeting should make such request to the Mayor, with as much advance notice as practicable. If the Mayor is so advised, the Mayor shall upon completion of roll call request a motion to excuse the Trustee.

**3.7 Executive staff:** The Town Manager and the Town Attorney, or their designees, shall, unless excused, attend all regular and special meetings of the Board. The Town Attorney, upon request of the Board, shall provide either a written or oral opinion on questions of law.

**3.8 Town Clerk:** The Town Clerk, or designee, shall attend all meetings of the Board and shall keep the official journal of proceedings and perform other such duties as may be requested by the Board.

## 4. AGENDA & NOTICE OF MEETINGS

**4.1** The agenda shall be established by the Town Manager subject to the Mayor's approval. Trustees who desire to place an item on the agenda must first obtain the approval of the Mayor. During Trustee Reports, a Trustee may request an item be placed on an upcoming meeting agenda and such will occur upon the consensus of the majority of the Board present.

**4.2** The Town Clerk shall prepare all meeting agendas upon the direction of the Town Manager.

**4.3** Generally no later than Friday preceding the regular meeting, or work session the Town Clerk will publish on the Town's website a packet including the agenda for the next meeting showing the order of business and as applicable, related minutes.

**4.4** Included in the packet will be Agenda Item Memos in addition to supporting documentation such as resolutions or ordinances, and agreements. Trustees are responsible for thoroughly reviewing all packet materials prior to the applicable meeting. If a Trustee has a question for staff, the Trustee should contact the Town Manager a reasonable period of time prior to the meeting so that staff may prepare a response. Any written responses of staff shall be provided to all Trustees.

**4.5** A notice of meeting shall be posted and published on the Town Website no later than twenty-four (24) hours prior to a regular, special meeting, or work session. Notices shall also be posted at the location designated by the Board of Trustees by resolution at the first regular meeting of each calendar year.

**4.6** **Proclamations.** Procedure and policy for placing a proclamation on the Board of Trustees agenda is as follows:

Purpose:

a. Ceremonial for recognition for a special event or activity.
b. Honor persons or groups service to or for the Town.
c. Nationally recognized events or activities of local interest.

Procedure:

d. Proclamations require a Trustee sponsor - staff will assist Trustees as needed.

e. When applicable, a representative of the subject entity should be present to accept the proclamation.

## 5. MEETING PROCEDURES

**5.1** The order of business shall be as follows (unless amended by a majority of the quorum present):

a. **Call to Order & Roll Call** (by presiding officer)
b. **Pledge of Allegiance**
c. **Approval of Agenda** The Town Manager may request the Board amend the agenda. Amendments to the agenda must be approved by a majority of the Trustees present.
d. **Consent Agenda** Includes items that may be approved without discussion or debate though Trustees may by request remove items from the Consent Agenda.
e. **Public Comment** For public comment on any item not scheduled for public hearing. The Board of Trustees shall not engage in dialogue or answer questions posed during public comment. Questions that arise during public comment may be addressed at a future meeting if requested by the Board.
f. **Proclamations**
g. **Presentations**
h. **Land Development** Action items and public hearings pertaining to land use.
i. **Discussion/Action** Ordinances and resolutions for which the Town Clerk will assign a number prior to the meeting.
j. **Public Comment** Second opportunity for the public to give public comment.
k. **Staff Reports** Includes information from staff which is advisory or may require Board action at a later meeting.
l. **Mayor & Trustees Reports** Trustees opportunity to report on their activities as they relate to the Town and bring forth matters for future consideration by the Board.
m. **Executive Session** (on an as needed basis only). The placement of the Executive Session within the agenda may be changed as determined to be appropriate by the Board.
n. **Adjournment.**

**5.2 Public Comment:** Persons seeking to speak at public comment shall first sign a public comment sheet listing their name, address, and if they are speaking on a specific item on the agenda. Public comment sheets will be prepared by the Town Clerk, and separate sheets will be available for public comment, and for Public Hearings.

**5.3** The Town Clerk will deliver the public comment sheets to the Mayor, who will read the name aloud of the person(s) who desire to speak in the order they signed up.

**5.4** Prior to making comments, each person shall, for the record, state their name and address. If any person neglects to do this, the Mayor will ask for this information.

**5.5** Public comment is limited to thirty (30) minutes per meeting. Public comment is limited to three (3) minutes per person and no person may convey any of their allotted time to another person nor speak on behalf of any other person. The Town Clerk will monitor each speaker's time and advise the Mayor when the 30 minute time period has expired and at such time the Mayor shall close public comment. The Board of Trustees shall not respond to public comment in session.

**5.6** Public Hearings if required by law shall be conducted as follows:

a. The presiding officer shall read the title of the ordinance or resolution into the record and open the public hearing;
b. Staff presentation
c. Applicant/petitioner presentation
d. Public comment
e. Presiding officer closes the public comment portion of the public hearing
f. Applicant/ petitioner or staff has the opportunity to respond to public comments and questions
g. Public discussion closed
h. Board questions (may ask questions of applicant/ petitioner, or staff)
i. Board comments
j. Board motion and action

**5.7** All persons, excluding Town staff, who desire to provide evidence or testimony at a public hearing shall be sworn in by the presiding officer prior to giving such evidence or testimony. This shall be done in the manner as follows.

Prior to taking evidence or testimony, the presiding officer shall after the person arrives at the podium and provides their name state “Please raise your right hand. Do you swear or affirm that the evidence and testimony that you are about to give is true?"

This procedure may be repeated as necessary in order to allow all those wishing to testify or give evidence to address the Board under oath.

## 6. VOTING

**6.1** Votes may be taken either by voice vote or by roll call vote. A voice vote is achieved by asking those in favor of an item to indicate such as a group and then by asking those in opposition to an item to likewise indicate such as a group. A roll call vote is achieved by having each Trustee individually indicate their vote either in favor of or in opposition to the item. All votes are announced by the Mayor.

**6.2** Roll call votes are recorded in the minutes and indicate the names of the Trustees who voted in favor or in opposition. Any Trustees may call for a roll call vote at any time.

**6.3** All ordinances, resolutions, and orders for the appropriation of funds require an affirmative vote of a majority of the entire Board. (C.R.S. § 31-16-103). All other actions may be approved by a majority of the quorum present. No votes may be taken unless a quorum meaning four (4) Trustees excluding the Mayor are present.

**6.5** All ordinances and resolutions that require the appropriation of funds or by which the Board enters into a contract shall be voted on by a roll call vote.

**6.6** No Trustee shall be permitted to abstain from voting, except if such Trustee has a personal or private interest (conflict of interest) in the matter, as defined in C.R.S.§ 24-18-109 and Chapter 2.05 of the Firestone Municipal Code. If a conflict exists the Trustee shall disclose such interest to the Board and shall not vote thereon and refrain from attempting to influence the decisions of other members of the Board and leave the chambers during the discussion and vote concerning the matter.

## 7. MOTIONS

**7.1** All matters before the Board shall be introduced by motion. A motion refers to a formal proposal by a Trustee seeking specific action by the Board generally preceded by the statement "I move that….". However, if the motion is lengthy or complex, it should be put in writing. Motions shall be put in writing if requested by two Trustees.

**7.2** All motions must be seconded in order for discussion to occur.

**7.3** The following steps shall be taken for the presentation and disposition of motions:

a. The presiding officer recognizes a Trustee.
b. The Trustee proposes a motion.
c. Another Trustee seconds the motion. If a second is not made by a Trustee the motion fails.
d. The presiding officer may cause the motion to be restated.
e. The Board debates/discusses the motion (amendments to the motion or other substitute motions may be made during the debate/ discussion).
f. Vote is taken and the presiding officer announces the results of the vote.

**7.4 The following Motions are the most commonly used:**

a. **Motion to Amend:** A motion to amend is only applicable to the main motion before the Board. It may take the form of inserting, striking out or inserting words, sentences, or paragraphs. The motion is debatable and a majority of the quorum present is required for approval. It is proper to make a motion to amend an amendment. Motions shall be discussed in the reverse order from which they were proposed.
b. **Motion to Continue Matter to a Date Certain**: A motion to continue has the effect of moving an item to a future agenda. The motion shall include the date to which the item is being continued.
c. **Motion to Lay on the Table:** This motion is used to set aside an item currently under discussion for a more pressing matter. It is not used to

"kill" an item. Once the more pressing matter has been disposed with, a motion to take from the table is in order. This motion shall be made at the same meeting.

d. **Motion to Postpone Indefinitely:** Approval of this motion effectively "kills" the item as it removes the item from the Board's consideration without discussion or a vote on the item. If the motion fails, discussion on the motion, and a vote, can be had.
e. **Motion to Call the Question:** This motion is used to cut off debate and to bring an immediate vote on the pending motion. A motion to call the question requires a two/thirds (⅔) vote of the quorum present to prevail. This motion cannot be made while a Board member has the floor. A vote is first taken on the motion; if successful, debate is halted and a vote on the main motion is made. If the vote on the motion to call the question fails, debate on the main motion may continue.
f. **Motion to Reconsider:** A motion to reconsider must be made at the same meeting at which the action occurred, or at the next following regular meeting. The motion must be made by a Trustee who voted on the prevailing side and the Trustee shall so state that in their motion. The second need not be a Trustee from the prevailing side. Debate is limited to discussion of the reasons for reconsideration. A vote is then taken on the motion to reconsider. Passage requires 2/3rds of the quorum present. The passage of a motion to reconsider suspends all action on the original motion. The original matter is then placed before the Board in the exact form it was in when originally acted upon by the Board though the Board may set the vote for a later regular meeting. Once the vote is taken and the results determined, no further reconsideration can be granted.
g. **Motion for Executive Session:** Executive sessions which allow the Board to discuss matters in a closed setting are expressly permitted by the Colorado Open Meetings Law C.R.S. Part 4 Title 26, for specified topics and require the announcement of the topic of discussion including the specific statutory citation which authorizes an executive session. Executive sessions require the affirmative vote of 2/3rds of the quorum present. Executive Sessions including all comments and documents disclosed therein are confidential and may not be disclosed to any party not a participant in the Executive Session.

**7.5** Any Trustee may withdraw their seconded motion prior to a vote on that motion.

**7.6** When a main motion is before the Board, no other business or motion may be brought before the Board except for a secondary or subsidiary motion as follows: motion to amend, motion to continue, motion to lay on the table, motion to postpone indefinitely, or motion to call the question, These subsidiary motions shall have precedence in the order indicated.

h. **Miscellaneous:**

**7.7 Point of Order**: When a Trustee believes that a Rule of Procedure is being violated the Trustee may make a Point of Order calling upon the presiding officer for a ruling and enforcement of the Rule of Procedure. It does not require a second and is not debatable but with the presiding officer's consent the requesting Trustee may explain the matter.

## 8. ORDINANCES & RESOLUTIONS

**8.1** All ordinances and resolutions, except those appropriating funds, require an affirmative vote of the majority of the quorum in order to be adopted. Ordinances or resolutions for the purpose of appropriating funds require an affirmative vote of the majority of the Board.

**8.2** Ordinances adopting Codes by reference shall adhere to the requirements set forth in C.R.S. Part 2, Article 16, Title 31. Resolutions are effective upon passage.

**8.3** The Town Clerk is responsible for maintaining a public record of all ordinances and resolutions.

## 9. GENERAL RULES

**9.1** Trustees shall occupy seats in the Board Room as assigned to them by the Mayor, except that the Mayor Pro Tem shall occupy the seat immediately to the right of the Mayor. New seat assignments shall be made after each regular municipal election.

a. Trustees should not engage in conversation or commit any other act which may distract the attention of any other Trustee from the business at hand.
b. Trustees shall, when speaking, confine their remarks to the matter under discussion.
c. Any Trustee may protest any action of the Board and upon acknowledgement by the presiding officer state the reasons therefore and have such entered into the record.

**9.2** The Chief of Police, or her/his designee, shall be charged with maintaining the peace in the Chambers.

**9.3** The presiding officer may call a recess during a meeting setting forth the approximate time of the recess to provide for a temporary break for the convenience of all present or at the request of a majority of the Board. The call for a recess should occur between items of business.

**9.4** Each Board member shall be recognized by the presiding officer prior to speaking.

**9.5** The Town Clerk shall maintain an account of all proceedings of the Board, which shall constitute the official record of the board. All public records shall be kept in accordance with the Colorado Open Records Act C.R.S. § 24-72-200.1 et seq.

**9.6** The Town Clerk shall prepare all minutes, which shall be a record of the actions taken at the meeting, but not a verbatim transcript of what was stated by the Board and any participants. The minutes shall contain a separate paragraph for each item or subject matter and should reflect each item considered and the disposition of each motion or matter on which action is taken. Comments by Trustees or other participants may be summarized.

**9.7** The minutes may be corrected or amended by a motion of a Trustee. If the correction is minimal or insubstantial ("scriveners error"), Trustees should contact the Town Clerk prior to the meeting. A corrected copy of the minutes shall then be prepared for approval by the Board at their meeting.

## 9.8 Electronic Communication Inquiry Policy.

The Director of Marketing and Communications will be added as a recipient to all emails addressed to the Board of Trustees at board members@firestoneco.gov.

The Director shall, on behalf of the Board, promptly reply to all emails thanking the sender for their communication and, if necessary, stating that a response to their inquiry shall be forthcoming from staff. The Board shall be copied on the Director's initial response and any follow-up communication provided by staff.

All other emails directed to a Trustee individually, or the entire Board, or to certain Trustees inquiring about the Board's actions, plans, or activities shall, upon receipt and absent any response, be immediately forwarded to the Director, who shall respond and advise the entire Board in the same manner as those emails sent to boardmembers@firestoneco.gov.

## 10. AMENDMENTS/ SUSPENSION

**10.1** These Rules of Procedure may be amended by the Board by a majority vote of the entire Board. Any amendments shall be submitted to the Board in writing preceding formal discussion and action.

**10.2** Any provision of these Rules of Procedure not governed by state statute or the municipal code may be temporarily suspended at any regular or special meeting by a majority vote of the quorum present. The vote shall be entered into the record of the meeting, and when making a motion to suspend, the Trustee must specifically state the rule being suspended and the purpose for the suspension.

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**AGENDA INFORMATION MEMORANDUM**

FIRESTONE<br>TOWN BOARD OF TRUSTEES

FIRESTONE<br>COLORADO

</td>
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**AIM#:** 6.f

**Consent Agenda**

**Meeting Date:** April 28, 2021

**Initiated By:** Raelynn Ferrera

**Dept:** Administration

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**AGENDA TITLE**

**Resolution: 21- 60:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A CHANGE ORDER TO THE TOWNS CONSTRUCTION SERVICES AGREEMENT WITH FRANSEN PITTMAN CONSTRUCTION CO., REGARDING THE TOWN HALL PROJECT

**SUMMARY**

At the start of the Town Hall construction project, it was determined that the existing detention pond was insufficient and did not meet existing needs, let alone any expansion.

The regional detention pond project will address the existing water quality deficiency and make the necessary modifications to meet the needs of the Town Hall.

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

Approve Resolution 21-60 authorizing Staff to expend funds.

**ALTERNATIVES**

**ATTACHMENTS**

1. 21-60 Fransen Pittman Town Hall Det Pond
2. 21-0407 Regional Detention Pond_Added VL riprap - Estimate (003)

**FINANCIAL CONSIDERATIONS**

| | |
|---|---|
| General Requirements | $10,904.00 |
| Insurance Overhead & Profit, & Bonds | |
| Site Work | $158,303.00 |
| Landscaping, soil prep, Grade & Fill, Outlet Structure & RipRap | |
| **Total** | **$169,207.00** |

**RESOLUTION NO. 21-60**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A CHANGE ORDER TO THE TOWNS CONSTRUCTION SERVICES AGREEMENT WITH FRANSEN PITTMAN CONSTRUCTION CO., REGARDING THE TOWN HALL PROJECT**

WHEREAS, by Resolution No. 20-92 the Town of Firestone (“Town”) entered into a Construction Services Agreement with Fransen Pittman Construction Co, for the Town Hall Construction Project (“Project”); and

WHEREAS, upon commencement of the Project’s work it was determined that the existing detention pond did not meet the requirements of the sites existing Police and Municipal Court Facility and would need to be upgraded to meet the needs of both the existing facility and the Town Hall Project; and

WHEREAS, in accordance with the parties Agreement performance of the additional work requires that the Board of Trustees approve a Change Order.

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

The Change Order of the Town Hall Construction Services Agreement between the Town of Firestone and Fransen Pittman Construction Co. for improvement to the sites existing detention pond 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 Change Order on behalf of the Town.

**INTRODUCED, READ AND ADOPTED** this __ day of ____________, 2021.

TOWN OF FIRESTONE, COLORADO

________________________________
Bobbi Sindelar, Mayor

ATTEST:

_________________________
Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

_______________________________
William P. Hayashi, Town Attorney

FRANSEN PITTMAN
EXPECT PRECISION

# Central Park Regional Detention Pond Redesign

## Final Estimate

| | |
|---|---|
| ESTIMATE DATE: | 04/07/21 |
| BUILDING AREA IN SQ FT: | 26230 |
| DRAWINGS PREPARED BY: | 0 |
| DRAWINGS ARE DATED: | 2/5/2021 |

| DIV NO | DIVISION RECAP | | DIVISION TOTAL | $ PER S.F. | % OF TTL |
|---|---|---|---|---|---|
| 1 | General Conditions | | 2,495 | $0.10 | 1.5% |
| 2 | Demolition & Sitework | | 158,303 | $6.04 | 93.6% |
| 3 | Concrete | | 0 | $0.00 | 0.0% |
| 4 | Masonry | | 0 | $0.00 | 0.0% |
| 5 | Metals | | 0 | $0.00 | 0.0% |
| 6 | Carpentry | | 0 | $0.00 | 0.0% |
| 7 | Moisture Protection | | 0 | $0.00 | 0.0% |
| 8 | Doors, Windows & Glass | | 0 | $0.00 | 0.0% |
| 9 | Finishes | | 0 | $0.00 | 0.0% |
| 10 | Specialties | | 0 | $0.00 | 0.0% |
| 11 | Equipment | | 0 | $0.00 | 0.0% |
| 12 | Furnishings | | 0 | $0.00 | 0.0% |
| 13 | Special Construction | | 0 | $0.00 | 0.0% |
| 14 | Conveying Systems | | 0 | $0.00 | 0.0% |
| 15 | Mechanical | | 0 | $0.00 | 0.0% |
| 16 | Electrical | | 0 | $0.00 | 0.0% |
| | DIRECT COST | | 160,798 | $6.13 | 95.03% |
| | State & Local Tax | 6.50% | 0 | $0.00 | 0.00% |
| | Use Tax | EXEMPT | Excluded | | |
| | Permit & Plan Review Fee | EXEMPT | 0 | $0.00 | 0.00% |
| | Overhead & Profit | 4.1% | 6,937 | $0.26 | 4.10% |
| | Construction Contingency | 0.00% | 0 | $0.00 | 0.00% |
| | Performance and Payment Bond | LS | 1,472 | $0.06 | 0.87% |
| | TOTAL COST | | $169,207 | $6.45 | 100.0% |

## Division 1 General Requirements

| Item Code | ITEM DESCRIPTION 4/7/2021 | QUAN | UNIT | ITEM TOTAL | $ PER S.F. | % OF TTL |
|---|---|---|---|---|---|---|
| | **01 15 00 INSURANCE** | | | | | |
| 01 15 01 | Liability | 169 | K$ | **1,345** | $0.05 | 0.8% |
| 01 15 02 | Umbrella | 169 | K$ | **838** | $0.03 | 0.5% |
| 01 15 03 | Builders Risk | 169 | K$ | **118** | $0.00 | 0.1% |
| 01 15 04 | Professional Liability | 169 | K$ | **195** | $0.01 | 0.1% |
| | **DIVISION 1 TOTALS** | | | **2,495** | $0.10 | 1.5% |

## Division 2 Site Work

| LINE NO. | ITEM DESCRIPTION | QUAN | UNIT | ITEM TOTAL | $ PER S.F. | % OF TTL |
|---|---|---|---|---|---|---|
| **32 90 00 Landscaping** | | | | | | |
| **1** | Hydromulching and Temp Irrigation (Assumes using existing Fire Hydrant) | 1 | LS | **25,081** | $0.96 | 14.8% |
| **2** | Soil Prep (If needed) | 1 | LS | **6,592** | $0.25 | 3.9% |
| **3** | Water Used for Temp Irrigation (ALLOWANCE) | 1 | ALLOW | **2,000** | $0.08 | 1.2% |
| 32 90 00 | Landscaping | | | 33,673 | $1.28 | 19.9% |
| **33 10 00 Utilities** | | | | | | |
| **1** | Utilities Package | 1 | LS | **115,318** | | |
| **2** | Grade and Fill Pond | 1 | INC | **INCLUDED** | #VALUE! | #VALUE! |
| **3** | Forebay | 1 | INC | **INCLUDED** | #VALUE! | #VALUE! |
| **4** | Outlet Structure | 1 | INC | **INCLUDED** | #VALUE! | #VALUE! |
| **5** | Trickle Channel | 1 | INC | **INCLUDED** | #VALUE! | #VALUE! |
| **6** | Type VL RipRap | 1 | INC | **INCLUDED** | #VALUE! | #VALUE! |
| **7** | Type L Riprap | 1 | INC | **INCLUDED** | #VALUE! | #VALUE! |
| **8** | Typer VH Riprap | 1 | INC | **INCLUDED** | #VALUE! | #VALUE! |
| **9** | Flared end section head wall is excluded as currently this detail does not appear to apply to the scope shown in the drawings | 1 | EXC | **EXCLUDED** | #VALUE! | #VALUE! |
| **10** | Added 33cys of type VL grouted riprap per request of Ashley Tucker (Stormwater Coordinator for Firestone) from road to detention pond | 1 | LS | **9,312** | $0.36 | 5.5% |
| 33 10 00 | Utilities | | | 124,630 | $4.75 | 73.7% |
| | | | **DIVISION 2 TOTALS** | **158,303** | $6.04 | 93.6% |

TERRASCAPES LLC
407 21st St
Golden, CO

Wednesday, March 10, 2021

**Project:** **Central Park Regional Detention Pond and Redesign**

On behalf of Terrascapes., I am pleased to provide the following proposal for the landscape development on the above-referenced project. Our proposal is based on Erosion and Sediment Control Plan sheet C-4 (4 0f 6) 02/04/2021 by Coffee Engineering and Surveying.

## Landscape & Irrigation Scope:

| | Quantity | | | | |
|---|---|---|---|---|---|
| **Seed Prep/Install -Pond Bottom** | 26,230 | SF | | **Temp Irrigation** | **LS** |
| *Inlcudes hydro mulch* | | | | *Inlcudes BFP and Valve Timers Nodes in lieu of controller* | |
| *Does not inlcuded weeding or grubbing* | | | | *Hydrant meter provided by others* | |
| *Does not inluded ammendment – see ADD below* | | | | *Assumes POC within 100' from pond bottom* | |
| | | | | *BFP includes pad and cage* | |
| | | | | | |
| | | | | ***Total*** | ***$ 24,350.00*** |

## Additional Scope (not included above) – Reference below for Qualifications on Additional Scope Items

## ADD: Soil Prep if needed

| | Quantity | | | | |
|---|---|---|---|---|---|
| **Soil Ammendment** | 26,230 | SF | | | |
| *4 CY/1000 sf* | 100 | YDS | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | ***Total*** | ***$ 6,400.00*** |

**QUALIFICATIONS**

1) Grade to be accepted at 1.2" above or 1.2" below sub-grade in a clean, rock and weed-free condition.
2) Maintenance
3) Tap development and other fees are by others.

4) Inspection fees are to be paid by the General Contractor
5) Meter and meter pit are by others.
6) Import/export of topsoil is not included.
7) Placing of topsoil is not included.
8) Permit fees are not included. If permits are required, fees shall be reimbursed at cost.
9) Pricing is based upon a 2021 installation schedule.
10) Private locates are not included.
11) Bond is not included.
12) Sales tax is included at 6.5% per City of Firestone.
13) Textrua Fees are inluded.
14) Due to Terrascapes not being onsite throughout the project, it in the General Contractors responsibility to notify Terrascapes of sleeving installation schedules. Failing to do so may result in added costs.
15) All warranty walks MUST be conducted with a representative from Terrascapes present during the walk.
16) Plans sets listed above are the only plans utilized for this proposal, all other plan sets should be considered unpriced and therefore have been excluded.
17) Additional Exclusions: any/all concrete/asphalt, crane/hoisting services, boring/coring, drainage materials- including drainage systems of any kind, winter watering, any work that exists within the building – stub outs/electrical for irrigation must be supplied by others, grade requirements listed above, temporary irrigation, synthetic turf, fencing, retaining walls, site lighting, waterproofing, pavers, site furnishings, erosion control of any kind (including blankets).

.

## CLARIFICATIONS

1. Terrascape supervisors are OSHA Certified.
2. We can provide a detailed cost breakdown before beginning the work
3. We can provide a written schedule for the progress of the work upon request.
4. Terrascapes will not be in breach of this agreement while prevented from performing due to threats/act of terrorism, labor shortages due to act of government affecting allotment of visas, earthquake, and other acts of God.
5. If contractor does not commence work pursuant to schedule, Terrascapes will be entitled to review its labor availability and labor costs, as well as its material availability/costs, and may re-bid the project to account for any changes in such availability and/or costs.
6. We will always leave the job in a clean and orderly condition.
7. We will provide you with a list of the subcontractors that we intend to hire.
8. We will honor warranties in a timely manner.

We appreciate your consideration of Terrascapes LLC for this project. If you should have any questions or require additional [redacted]ot hesitate to call.

[redacted]
940-206-0663
rodneyl@terrascapes.us
Project Manager / Owner

DIAMOND CONTRACTING CORP.
18300 West Highway 72
ARVADA, COLORADO 80007
303-456-7666
Fax 303-456-7690
diamondcontracting@yahoo.com

April 5, 2021
Travis Smith, Project Manager
Fransen Pittman General Contractors
9563 South Kingston Court Suite 200
Englewood, CO 80112

RE: City of Firestone Regional Detention Pond Modifications REVISED Proposal

Dear Travis,
Please find enclosed our REVISED proposal for the above work. This revision includes 24 additional cubic yards of type VL grouted riprap.
Pricing is produced from plans dated 02/04/21 and cut fill report provided by Fransen Pittman.
Please note that we have priced approximately 100 cubic yards of material to be moved and imported to the site. If quantities change cost shale be negotiated.
We have excluded any FES headwall, due to having a detail included within the plan set, however, we are unable to find any proposed FES on the grading or pond improvement plan sheet.
If you have any questions, please do not hesitate to contact me.

**SPECIFIC INCLUSIONS**

- Pinnacol Assurance workman's compensation insurance
- General liability and auto insurance with $one million / $two million coverage
- $One million umbrella policy
- One mobilization
- All material, labor, supervision and equipment to install all items listed
- On site safety program
- Soils compaction to 95% standard proctor
- Construction water meter and water
- Permits and fees allowance to $1,500.00
- Sales tax 4%

**SPECIFIC EXCLUSIONS**

- Bond (if required add 2%)
- All surveying, including, but not limited to, layout, construction, and as built drawings

- All costs associated with hazardous and or contaminated materials and soils, including A.C. Pipe, such as, but not limited to, detection, monitoring, handling, removal, disposal, reporting and liability
- Rock excavation
- Off-haul
- Flared End Section Headwall
- Material testing
- Soils compaction testing
- Dewatering
- Erosion control including pond seeding
- Road restoration
- Wetland reclamation

Thank you,

Chris Cole
Encl.

PROJECT: Firestone Regional Detention Modifications
REVISION Date: 4-5-2021
Diamond Contracting Corp
Phone: 303-456-7666

| ITEM | QUANTITY | | UNIT | TOTAL |
|---|---|---|---|---|
| Grade and Fill Pond | 1 | LS | $10,549.00 | $10,549.00 |
| Forebay | 1 | EA | $23,082.00 | $23,082.00 |
| Outlet Structure | 1 | EA | $22,325.00 | $22,325.00 |
| Trickle Channel | 380 | LF | $49.00 | $18,620.00 |
| Type VL Riprap | 33 | CY | $388.00 | $12,804.00 |
| Type L Riprap | 6 | CY | $393.00 | $2,358.00 |
| Type VH Riprap | 122 | CY | $286.00 | $34,892.00 |
| TOTALS | | | | $124,630.00 |

| | |
|---|---|
| **AGENDA INFORMATION MEMORANDUM**<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES | **AIM#:** 6.g<br><br>**Consent Agenda**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Jessica Koenig<br><br>**Dept:** Town Clerk |

FIRESTONE
COLORADO

**AGENDA TITLE**

**Ordinance 994:** AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, REPEALING IN ITS ENTIRETY AND REENACTING AND RETITLING CHAPTER 2.04 BOARD OF TRUSTEES AND MAYOR

**SUMMARY**

Ordinance 994 will amend the Firestone Municipal Code to clean up Chapter 2.04 as a result of the approval of the Rules of Procedure. Chapter 2.04 will be retitled from Board of Trustees and Mayor to Board of Trustees Terms and Compensation. Chapter 2.04.010, Trustees Term of Office, and Chapter 2.04.020, Trustees Compensation will remain in Chapter 2.04. Current Sections Chapter 2.04.010, Generally - 2.04.255, Cancellation of Election, and 2.04.270, Board of Trustees vacancies will be repealed from Chapter 2.04 to eliminate any sections not aligned with the new Rules of Procedure and any repetitions of the Colorado Revised Statutes.

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

Approval of Ordinance 994.

**ALTERNATIVES**

Provide staff with further direction.

**ATTACHMENTS**

1. Ord 994 Rules of Procedure BOT Amend Code Ord (002)

**FINANCIAL CONSIDERATIONS**

**ORDINANCE NO. 994**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, REPEALING IN ITS ENTIRETY AND REENACTING AND RETITLING CHAPTER 2.04 BOARD OF TRUSTEES AND MAYOR**

WHEREAS, the Board of Trustees has adopted an updated Board of Trustees Rules of Procedure, which necessitates that it repeal the rules of procedure set forth in Chapter 2.04 of the Firestone Municipal Code.

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

Section 1. Chapter 2.04, Board of Trustees and Mayor, of the Firestone Municipal Code is repealed in its entirety and reenacted and retitled "Board of Trustees Terms and Compensation." to provide as follows:

2.04.010, Trustees Term of Office

At the April 4, 1972, election, six Trustees shall be elected. The three candidates for Trustee receiving the highest number of votes shall be elected for four-year terms, and the three candidates for Trustee receiving the next highest numbers of votes shall be elected for two-year terms. At the next subsequent regular election and at each regular election thereafter, three Trustees shall be elected to serve four-year terms.

2.04.020, Trustees Compensation

A. Compensation - Mayor. The Mayor of the Town shall be compensated at the rate of three hundred fifty dollars per month. Such rate shall apply only upon commencement of the Mayor's term of office following an election held on or after April 3, 2018.

B. Compensation - Trustees. Each Trustee shall be compensated at the rate of three hundred dollars per month. Such rate shall apply only upon commencement of the term of office of a Trustee whose position is subject to an election held on or after April 3, 2018.

C. Restrictions on reappointment or reelection. Any trustee or Mayor who has resigned or vacated an office prior to the end of his or her elective or appointive term shall not be eligible for reelection or reappointment to such office during such term if during such term the compensation has been increased.

D. Other compensation. The Mayor and Trustees may be reimbursed for expenses incurred in the performance of Town business, provided that such expenses are itemized and approved by the Board of Trustees.

Section 2. 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 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this __th day of ____________, 2021.

TOWN OF FIRESTONE, COLORADO

___________________________________
Bobbi Sindelar, Mayor

ATTEST:

_________________________
Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

________________________________
William P. Hayashi, Town Attorney

| AGENDA INFORMATION MEMORANDUM<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 7.a<br><br>**Presentation**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Jan Sloat<br><br>**Dept:** Human Resources |
|---|---|

**AGENDA TITLE**
STAR Award

**SUMMARY**
Presentation of the STAR Award for Outstanding Achievement in recognition of the performance of duties by two of our police officers, Aaron Androuladakis and Devon Torres.

**HISTORY AND PREVIOUS BOARD ACTION**
In May 2019, the Board approved a new employee recognition program that was created to award employees for demonstrating exceptional service or exceeding expectations in the performance of their work and are deserving of Special Thanks and Recognition (STAR).

**RECOMMENDATION**

**ALTERNATIVES**

**ATTACHMENTS**
1. Special Thanks And Recognition Program (1)

**FINANCIAL CONSIDERATIONS**

FIRESTONE
COLORADO

# Special Thanks And Recognition - STAR Award

The STAR Award is being created to recognize and express appreciation for services rendered by Town employees who demonstrate exceptional service and/or performance in one or more of the following categories:

- **Customer Service:** Exceeds customer service standards when serving the residents of the Town of Firestone.

- **Safety:** Recognizes employees for providing exceptional care and service while administering first aid and/or support until professional services arrive.

- **Creativity:** One-time innovation or creation that results in time/dollar savings, revenue enhancement, and productivity improvement; and/or ongoing innovative activities that will benefit the Town of Firestone.

- **Teamwork:** Acting as an exceptionally effective and cooperative team member or team leader for a group that has significantly exceeded goals and objectives of the department or unit.

- **Outstanding Achievement:** Awarded to the team member(s) for exceeding expectations and serving the Town in an exemplary manner.

To nominate an employee for consideration of the STAR Award you must submit your request in writing identifying the circumstance for the recommendation. Recipients of this award should demonstrate exceptional service and/or performance in one of the aforementioned categories.

Selected recipients of this award will be recognized at a regularly scheduled Town Board meeting by the Mayor and Board of Trustees and be presented with the STAR Award and a limited edition Town inspired t-shirt. Employees awarded the STAR Award will also have their name added to the STAR Award recipient plaque that will be located in the Board Room at Town Hall.

Recipients will be informed of their selection by means of a congratulatory email and letter inviting them to the next practicable Board meeting for this honor. We encourage recipients to invite family and friends as we recognize their achievement.

| AGENDA INFORMATION MEMORANDUM<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 7.b<br><br>**Presentation**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:**<br><br>**Dept:** Town Clerk |
| --- | --- |

**AGENDA TITLE**
Lobbyist Presentation

**SUMMARY**

**HISTORY AND PREVIOUS BOARD ACTION**

**RECOMMENDATION**

**ALTERNATIVES**

**ATTACHMENTS**
None

**FINANCIAL CONSIDERATIONS**

| AGENDA INFORMATION MEMORANDUM<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES | **AIM#:** 8.a<br><br>**Discussion/Action**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Jessica Clanton<br><br>**Dept:** Finance |
|---|---|

FIRESTONE
COLORADO

**AGENDA TITLE**
**PUBLIC HEARING: Resolution 21-53:** A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, APPROVING A SUPPLEMENTAL BUDGET APPROPRIATION TO THE TOWN OF FIRESTONE'S 2020 BUDGET

**SUMMARY**
In late 2020, the Town issued the 2020 Certificates of Participation (COP's). A portion of those funds was used to pay off the remaining balance of the 2005 Lease Purchase Agreement. As a result of extinguishing the 2005 Lease Purchase Agreement, the 2020 budget for the Firestone Finance Authority fund exceeded its budget by $710,000.00.

**HISTORY AND PREVIOUS BOARD ACTION**
On December 4th, 2019, the Board of Trustees adopted the Town's 2020 budget.

**RECOMMENDATION**
Staff recommends approval of Resolution 21-53.

**ALTERNATIVES**

**ATTACHMENTS**
1. 21-53 2020 Budget Amendment Resolution_04.28.21

**FINANCIAL CONSIDERATIONS**

**RESOLUTION NO. 21-53**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE COLORADO, APPROVING A SUPPLEMENTAL BUDGET APPROPRIATION TO THE TOWN OF FIRESTONE'S 2020 BUDGET.**

**WHEREAS**, on December 4, 2019 the Board of Trustees of the Town of Firestone ("Town") adopted the Towns' 2020 budget ("Budget"); and

**WHEREAS**, the Town's Board of Trustees desires to supplement the Budget as to the Firestone Finance Authority Fund in the amount of $710,000; and

**WHEREAS**, such amount constitutes the outstanding principal payments for the Firestone Finance Authority Fund's 2005 Lease Purchase Agreement; and

**WHEREAS**, such amount has been paid in full by funds from the Town's 2020 Certificates of Participation; and

**WHEREAS**, having fulfilled all its obligations the Firestone Finance Authority Fund is now defunct; and

**WHEREAS**, as required by law the Town has published notice of and held a public hearing regarding the proposed supplemental appropriation; and

**WHEREAS**, the 2020 Budget, as supplemented by this Resolution, remains in balance as required by law.

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

**Section 1**. That the Town of Firestone's 2020 Firestone Finance Authority Fund is hereby supplemented in the amount of $710,000.

**INTRODUCED, READ AND ADOPTED** this 28th day of April, 2021.

TOWN OF FIRESTONE, COLORADO

__________________________

Bobbi Sindelar, Mayor

ATTEST:

__________________________

Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

______________________________

William P. Hayashi, Town Attorney

| AGENDA INFORMATION MEMORANDUM<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 8.b<br><br>**Discussion/Action**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Marty Ostholthoff<br><br>**Dept:** Planning & Development |
|---|---|

**AGENDA TITLE**
**Resolution 21-54**: A RESOLUTION APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF COTTONWOOD HOLLOW COMMERCIAL METROPOLITAN DISTRICT

**SUMMARY**
See attached a letter from the legal counsel representing the Cottonwood Hollow Commercial Metropolitan District.

**HISTORY AND PREVIOUS BOARD ACTION**
n/a

**RECOMMENDATION**
Staff recommends the Board of Trustees approve Resolution 21-54.

**ALTERNATIVES**
n/a

**ATTACHMENTS**
1. Resolution 21-54 Appt Board Members Commercial (003)
2. Letter to Firestone Regarding Appointment of Directors Commercial

**FINANCIAL CONSIDERATIONS**
n/a

# RESOLUTION NO. 21-54

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE COLORADO, APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF COTTONWOOD HOLLOW COMMERCIAL METROPOLITAN DISTRICT**

WHEREAS, Cottonwood Hollow Commercial Metropolitan District ("District") is a special district located wholly within the boundaries of the Town of Firestone; and

WHEREAS, the Board of Trustees of the Town of Firestone ("Board of Trustees") approved the Service Plan for the District ("Service Plan"); and

WHEREAS, the Board of Trustees is authorized to appoint individuals to a district's board of directors if the district's board of directors has been vacated and the failure to appoint a new board will result in the interruption of services that are provided by the district, pursuant to Sec. 32-1-109(2.5), C.R.S.; and

WHEREAS, due to a change in ownership of the property within the District all of the three seats on the District's board ("District Board") are vacant; and

WHEREAS, the Board of Trustees has received a request to appoint the following three qualified individuals, Douglas Hatfield, Dustin Anderson, and Timothy O'Conner ("Proposed Directors") to the District Board; and

WHEREAS, in accordance with Sections 32-1-103(5)(a) and (b), C.R.S., the Proposed Directors are qualified as eligible electors of the District; and

WHEREAS, the Proposed Directors are willing to serve on the District Board; and

WHEREAS, the failure to appoint directors to the District Board will result in the interruption of services provided by the District; and

WHEREAS, the Board of Trustees finds that appointment of the Proposed Directors will allow the District to provide services as contemplated by the District's Service Plan.

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

1. Necessity of Appointment. The Board of Trustees determines that failure to appoint qualified individuals to the District Board will result in the interruption of the District's services.

2. Appointment of Directors. In accordance with Sec. 32-1-905(2.5), C.R.S., the Board of Trustees hereby appoints Douglas Hatfield, Dustin Anderson, and Timothy O'Conner, each a qualified eligible elector, to serve on the District Board.

3. Election. The District's board of director shall call for nominations for a special election within six months after their appointment to elect directors pursuant to the Special District Act, Article 1 of Title 32, C.R.S., the Uniform Election Code of 1992, Articles 1 to 13 of Title 1, C.R.S.; and the Colorado Local Government Election Code, Article 13.5 of Title 1, C.R.S.

INTRODUCED, READ AND ADOPTED this 28th day of April, 2021.

TOWN OF FIRESTONE, COLORADO

______________________________________
Bobbi Sindelar, Mayor

ATTEST:

____________________________________
Jessica Koenig, CMC, Town Clerk

APPROVED AS TO FORM:

____________________________
William P. Hayashi, Town Attorney

WBA
WHITE BEAR ANKELE
TANAKA & WALDRON
ATTORNEYS AT LAW



April 13, 2021

Bill Hayashi
Keith Martin
1650 38th Street, Ste. 103 W.
Boulder, CO 80301
whayashi@wandhlaw.com
kmartin@wandhlaw.com

Re: Cottonwood Hollow Commercial Metropolitan District – Board Appointments

Dear Bill and Keith:

Cottonwood Hollow Commercial Metropolitan District (the "**District**") is located within the Town of Firestone (the "**Town**") and was organized pursuant to a service plan approved by the Town.

The District's board of directors had been comprised of five individuals. Subsequently, four of the board members of the District submitted resignations with one board member remaining on the board until such time as new board members could be appointed. A meeting was scheduled to appoint new board members, but was canceled. Before a new meeting could be set, the remaining board member's resignation became effective, leaving the District without a board.

In instances where there are no duly elected directors of a metropolitan district, Sec. 32-1-905(2.5), C.R.S., permits the governing body of a municipality to appoint the board of directors from a pool of duly qualified, willing candidates. If no qualified, eligible electors have submitted a letter of interest to be considered to fill the vacancy within ten days after publication of a notice of vacancy pursuant § 32-1-808(2)(a)(I), C.R.S., individuals may be qualified as eligible electors and appointed to the District's board of directors.

A notice of vacancy for the District's Board of Directors was published on March 24, 2021, in the Fort Lupton Press. No otherwise qualified, eligible electors filed a letter of interest on or before April 2, 2021. Douglas Hatfield, Dustin Anderson, and Timothy O'Conner have been qualified as eligible electors of the District, are willing to serve, and desire to be appointed. Not appointing new directors will result in the interruption of services that are to be provided by the District.

The District is requesting the Town Board of Trustees adopt a resolution to appoint Douglas Hatfield, Dustin Anderson, and Timothy O'Conner to the District's Board of Directors upon a finding that they are the only qualified, eligible electors of the District, each is willing to serve on the Board of Directors, and failure to appoint a new Board of Directors will result in the interruption of services that are being provided by the District.

Thank you for your attention to this matter. Please let us know if you need any additional information.

Sincerely,

WHITE BEAR ANKELE TANAKA & WALDRON

George M Rowley

George M. Rowley
Shareholder

/GMR
2312:0011:1117111

| AGENDA INFORMATION MEMORANDUM<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 8.c<br><br>**Discussion/Action**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Marty Ostholthoff<br><br>**Dept:** Planning & Development |
|---|---|

**AGENDA TITLE**
**Resolution 21-55**: A RESOLUTION APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF COTTONWOOD HOLLOW RESIDENTIAL METROPOLITAN DISTRICT

**SUMMARY**
See attached letter from the legal counsel representing the Cottonwood Hollow Residential Metropolitan District.

**HISTORY AND PREVIOUS BOARD ACTION**
n/a

**RECOMMENDATION**
Staff recommends the Board of Trustees approve Resolution 21-55.

**ALTERNATIVES**
n/a

**ATTACHMENTS**
1. Resolution 21-55 Apt Board Members Residential
2. Letter to Firestone Regarding Appointment of Directors Residential

**FINANCIAL CONSIDERATIONS**
n/a

## RESOLUTION 21-55

**A RESOLUTION APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF COTTONWOOD HOLLOW RESIDENTIAL METROPOLITAN DISTRICT**

WHEREAS, Cottonwood Hollow Residential Metropolitan District (the "District") is a special district located wholly within the boundaries of the Town of Firestone; and

WHEREAS, the Board of Trustees of the Town of Firestone (the "Board of Trustees") approved the Service Plan for the District (the "Service Plan"); and

WHEREAS, the Board of Trustees is authorized to appoint individuals to a district's board of directors if the district's board of directors has been vacated and the failure to appoint a new board will result in the interruption of services that are provided by the district, pursuant to § 32-1-109(2.5), C.R.S.; and

WHEREAS, due to a change in ownership of the property within the District all of the seats on the District's board ("District Board") are vacant; and

WHEREAS, the Board of Trustees has received a request to appoint the following three qualified individuals, Douglas Hatfield, Dustin Anderson, and Timothy O'Conner (the "Proposed Directors") to the District Board; and

WHEREAS, in accordance with Sections 32-1-103(5)(a) and (b), C.R.S., the Proposed Directors are qualified as eligible electors of the District; and

WHEREAS, the Proposed Directors are willing to serve on the District Board; and

WHEREAS, the failure to appoint directors to the District Board will result in the interruption of services provided by the District; and

WHEREAS, the Board of Trustees finds that appointment of the Proposed Directors will allow the District to provide services as contemplated by the District's Service Plan.

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

1. Necessity of Appointment. The Board of Trustees determines that failure to appoint qualified individuals to the District Board will result in the interruption of the District's services.

2. Appointment of Directors. In accordance with § 32-1-905(2.5), C.R.S., the Board of Trustees hereby appoints Douglas Hatfield, Dustin Anderson, and Timothy O'Conner, each a qualified eligible elector, to serve on the District Board.

3. Election. The District's board of director shall call for nominations for a special election within six months after their appointment in order to elect directors pursuant to the

Special District Act, Article 1 of Title 32, C.R.S., the Uniform Election Code of 1992, Articles 1 to 13 of Title 1, C.R.S.; and the Colorado Local Government Election Code, Article 13.5 of Title 1, C.R.S.

4. Effect. This Resolution shall take effect immediately upon its passage

INTRODUCED, READ AND ADOPTED this 28th day of April, 2021

______________________________
Bobbi Sindelar, Mayor

ATTEST:

______________________________
Jessica Koenig, CMC Town Clerk

APPROVED AS TO FORM:

______________________________
William P. Hayashi, Town Attorney

WILLIAM P. ANKELE, JR.
JENNIFER GRUBER TANAKA
CLINT C. WALDRON
KRISTIN BOWERS TOMPKINS
ROBERT G. ROGERS
BLAIR M. DICKHONER
GEORGE M. ROWLEY

OF COUNSEL:
KRISTEN D. BEAR
K. SEAN ALLEN

WHITE BEAR ANKELE
TANAKA & WALDRON
ATTORNEYS AT LAW

ZACHARY P. WHITE
TRISHA K. HARRIS
HEATHER L. HARTUNG
MEGAN J. MURPHY
EVE M. G. VELASCO
LAURA S. HEINRICH
AUDREY G. JOHNSON
LISA CANCANON
CAREY S. SMITH V
ERIN K. STUTZ

April 13, 2021

Bill Hayashi
Keith Martin
1650 38th Street, Ste. 103 W.
Boulder, CO 80301
whayashi@wandhlaw.com
kmartin@wandhlaw.com

Re: Cottonwood Hollow Residential Metropolitan District – Board Appointments

Dear Bill and Keith:

Cottonwood Hollow Residential Metropolitan District (the "**District**") is located within the Town of Firestone (the "**Town**") and was organized pursuant to a service plan approved by the Town.

The District's board of directors had been comprised of five individuals. Subsequently, four of the board members of the District submitted resignations with one board member remaining on the board until such time as new board members could be appointed. A meeting was scheduled to appoint new board members, but was canceled. Before a new meeting could be set, the remaining board member's resignation became effective, leaving the District without a board.

In instances where there are no duly elected directors of a metropolitan district, Section 32-1-905(2.5), C.R.S., permits the governing body of a municipality to appoint the board of directors from a pool of duly qualified, willing candidates. If no qualified, eligible electors have submitted a letter of interest to be considered to fill the vacancy within ten days after publication of a notice of vacancy pursuant § 32-1-808(2)(a)(I), C.R.S., individuals may be qualified as eligible electors and appointed to the District's board of directors.

A notice of vacancy for the District's board of directors was published on March 24, 2021, in the Fort Lupton Press. No otherwise qualified, eligible electors filed a letter of interest on or before April 2, 2021. Douglas Hatfield, Dustin Anderson, and Timothy O'Conner have now been qualified as eligible electors of the District, are willing to serve, and desire to be appointed.

The District is requesting the Town Board of Trustees adopt a resolution to appoint Douglas Hatfield, Dustin Anderson, and Timothy O'Conner to the District's Board of Directors upon a finding that they are the only qualified, eligible electors of the District, each is willing to serve on the Board of Directors, and failure to appoint a new Board of Directors will result in the interruption of services that are being provided by the District. Not appointing new directors will result in the interruption of services that are to be provided by the District.

Thank you for your attention to this matter. Please let us know if you need any additional information.

Sincerely,

WHITE BEAR ANKELE TANAKA & WALDRON

George M Rowley

George M. Rowley
Shareholder

/GMR
2313:0011:1117690

| AGENDA INFORMATION MEMORANDUM<br><br>FIRESTONE<br>TOWN BOARD OF TRUSTEES<br><br>FIRESTONE<br>COLORADO | **AIM#:** 8.d<br><br>**Discussion/Action**<br><br>**Meeting Date:** April 28, 2021<br><br>**Initiated By:** Jessica Koenig<br><br>**Dept:** Town Clerk |
|---|---|

**AGENDA TITLE**
Consideration and appointment of an independent third party to audit the findings and policies recommended by the Safety Services Director and consultants regarding the Police Department's policies, procedures, and practices and to audit all of the Department's other policies, procedures and practices

**SUMMARY**
The search for an independent third party to audit the Police Department findings and the policies as recommended has concluded. Mayor Pro Tem Jimenez is prepared to recommend the appointment of an independent third-party auditor.

**HISTORY AND PREVIOUS BOARD ACTION**
At the April 14, 2021 Board of Trustees meeting, the Board appointed Mayor Pro Tem Jimenez to lead the search for a third party to audit the Police Department's policies and recent recommendations.

**RECOMMENDATION**

**ALTERNATIVES**

**ATTACHMENTS**
1. Kroll - Daniel Linskey
2. Richard Myers
3. Alan C Youngs Bio 2019

**FINANCIAL CONSIDERATIONS**

**Relevant Firm Experience:** Case examples relevant to Kroll's experience in providing similar oversight services, independent police auditor services, and/or independent reviews concerning law enforcement agencies.

**a. Salem (New Hampshire) Police Department**

*Nature of Services:* In 2018, the town of Salem, New Hampshire retained Kroll to lead the audit and review of the internal affairs program of the Salem Police Department ("SPD") along with a review of time and attendance practices of SPD personnel. The town manager sought the review after receiving complaints that senior leaders of the SPD were involved in misconduct, abusing town resources, and fraudulently claiming payment for hours not worked. There were also reports that the internal affairs division was not properly investigating citizens' complaints. Under the direction of Dan Linskey, Kroll conducted witness interviews and reviewed thousands of documents, including emails, videos, social media posts, and other relevant SPD documents. Kroll documented a negative culture towards town officials and anyone who criticized police actions; identified evidence of misappropriation of funds and fraud at the highest levels; and documented actions that showed senior members of the SPD had actively thwarted the investigation by providing inaccurate documents and withholding evidence. The investigation resulted in a referral to the New Hampshire Attorney General's Office leading to criminal charges and an on-going grand jury investigation. *Cost of Services:* $71,336.

*Point of Contact*: Christopher A. Dillon, Town Manager, Town of Salem, New Hampshire; (603) 890-2120 (Office); cdillon@salemnh.gov.

**b. Braintree (Massachusetts) Police Department**

*Nature of Services:* In September 2016, the town of Braintree, Massachusetts retained Kroll to conduct an independent administrative investigation of the Braintree Police Department's ("BTPD") evidence management program. The investigation, led by Dan Linskey, stemmed from the findings of an independent audit which identified discrepancies and concerns with BTPD's evidence management program, including unaccounted for cash, narcotics and firearms, as well as several other concerns, including potentially criminal actions and policy and procedural shortcomings that required additional investigation. The town of Braintree engaged Kroll to review the audit results and assess BTPD's internal policies and procedures pertaining to evidence handling, processing and storage. Kroll was also tasked with identifying factors that may have contributed to the deficiencies in the proper handling and safeguarding of evidence in the Braintree evidence room and to examine administrative actions that occurred both prior and subsequent to the death of a former evidence officer on May 19, 2016. Kroll interviewed over 100 individuals, reviewed tens of thousands of documents and emails, physical evidence, hours of video, and conducted a full forensic financial audit. Kroll's investigation found that financial fraud had been committed by BTPD's CFO and nonfeasance by the Chief and Deputy Chief of Police. Kroll's findings led to a referral for disciplinary charges, a criminal investigation, and the implementation of substantial reforms in BTPD's evidence management program.*Cost of Services:* $261,028.

*Point of Contact:* Nicole Taub, City Solicitor, Town of Braintree, Massachusetts; (781) 734-8150 (Office); ntaub@braintreema.gov.

**c. University of Cincinnati Police Department**

*Nature of Services:* On July 19, 2015, a white University of Cincinnati Police Department ("UCP") officer shot and killed an unarmed, African American motorist during an off-campus traffic stop. The University of Cincinnati retained Kroll to conduct the internal administrative review and use of force investigation of the incident. Kroll reviewed all aspects of the incident and police response, including UCP personnel actions associated with the incident. Kroll's findings addressed the traffic stop, the officer's use of deadly force, UCP's response to the incident, the truthfulness and cooperation of UCP officer with all relevant investigations, and the officers' compliance or non-compliance with all relevant UCP policies and procedures. On August 31, 2015, Kroll issued a 60-page report containing its findings and recommendations.*Cost of Services:* $146,000.

*Point of Contact:* Robin Engel, Vice President for Safety and Reform, University of Cincinnati; (513) 556-5850; robin.engel@uc.edu.

**C. Potential Team Biographies** Kroll works in small, multi-disciplinary, specialist teams to ensure consistency during the investigation and enable a concentration of knowledge within a core group of team members. A biographical description of each team member is noted below:

**Daniel Linskey, Managing Director (Subject Matter Expert: Use of Force, Internal Affairs, Police Organizational Management, Urban and Community Policing)**: Dan Linskey served for over 28 years with the Boston Police Department ("BPD"), having most recently served as the Superintendent-in-Chief, the highest-ranking uniformed officer in the BPD. From 2009 to 2014, then Chief Linskey oversaw the day-to-day operation of a 3,000-person department with a budget of over $300 million and helped guide the BPD to a 30% reduction in part I crime. He also developed and oversaw the BPD's social media, recruitment, community outreach, and engagement strategies, which have been cited as among the best practices in police management in the United States, and which included the addition of an ice cream truck to the BPD's fleet that accompanied officers as they were deployed throughout the community. Chief Linskey also helped deploy the first in the nation text-a-tip program.Linskey also changed the management and response of BPD to large-scale public disorder events. He oversaw the peaceful and successful management of the Boston Occupy movement and eight world championship contests earning an international reputation at planning and overseeing major special events. Linskey was the Incident Commander during the Boston Marathon Bombing Attack. He was tasked with stabilizing the scene removing the injured and overseeing the joint investigation of the attack for the BPD. Linskey has lectured and consulted for police officials and emergency management officials in the United States and abroad on special event management, and on developing training, policies, and leadership within police departments. He was part of a team sent to St. Louis County to assist the Department of Justice with an assessment of the St. Louis County Police Department and collaborative reform project. He also helped author *A Collaborative Reform Initiative: An Assessment of the St. Louis County Police Department*. Linskey currently serves as a managing director at Kroll and is the Head of Kroll's Boston office. Since joining Kroll, he has conducted police department investigations and reviews, led training sessions for corporate security departments, and provided consulting advice to police agencies, universities, corporations, and a wide spectrum of organizations. He has also worked with the U.S. Department of State's Anti-Terrorism Advisory Bureau to develop training courses, programs, and community engagement strategies for partner nations around the globe.Linskey has developed training programs on conducting investigations, community engagement, ethical policing, and large-scale event security for the following organizations:

• Numerous State and Local Police, Fire, Public Health, and Emergency Management Groups

• United States Navy Chief of Operations Strategic Studies Group

• United States Marine Corps Marathon Planning Team

• New York Police and Fire Department

• North Carolina Information and Analysis Centre

• The Federal Bureau of Investigation

• The U.S. Drug Enforcement Administration

• The Bureau of Alcohol Tobacco and Firearms

• The Egyptian Ministry of Interior Police Force

• The U.S. State Department - Overseas Security Advisory Council

• The Dutch Police and Military

• The Australian Federal Police

• The Queensland Police Service

• The Finnish Police Service

• Abu Dhabi Police Service

• Iraqi Police Service

• International Association of Chiefs of Police

• The U.S. Department of State Anti-Terrorism Advisory Bureau

• The Moroccan Ministry of Interior

• The United States Veteran's Administration

• Mexican law enforcement leaders (and law enforcement officers in Central and South America)

• Police senior leadership of India

Finally, Linskey has been engaged as an expert witness by prosecutors and plaintiffs in criminal and civil cases against police officers and public safety agencies. He has also been retained to defend police officers and public safety agencies as defendants in civil cases and has performed work assisting individuals who were wrongfully convicted.

**Sherine Ebadi, Associate Managing Director (Project Manager / Primary Client Contact, Subject Matter Expert: Fraud, Public Corruption)**: Sherine Ebadi is an associate managing director with Kroll, based in the Los Angeles office. She is a fraud and financial investigations expert with more than 10 years of experience leading investigations into complex crimes and public corruption while at the Federal Bureau of Investigation (FBI). Sherine's responsibilities include interfacing with clients to build bespoke, solution-driven engagements, actively managing investigative teams, directing case strategy, conducting critical and sensitive interviews, analyzing results of data analytics research to drive investigative leads, preparing client reports, and testifying as an expert witness. Sherine has testified several times in US Federal Court on issues involving fraud, crimes and public corruption.Prior to joining Kroll, Sherine spent 10 years at the FBI as a Special Agent where she successfully investigated and helped prosecute several high-profile cases involving complex financial crimes, bank fraud, money laundering, securities fraud, public corruption, organized crime, fraud against the government, and asset forfeiture.Sherine holds a B.A. (magna cum laude) from the University of California, San Diego in History and is an alumnus of the Aspen Institute's Henry Crown Fellowship Executive Leadership Program. She graduated valedictorian of her FBI Academy class and was awarded the FBI Medal of Excellence, FBI Excellent Performance Award, and multiple U.S. Attorney's Awards during her

Led a number of high-profile fraud and corruption investigations. Most notably, as the lead case agent for Special Counsel Robert Mueller's investigation and trial into Paul Manafort, Rick Gates and others.

Conducted numerous corporate and securities fraud investigations involving public and private companies. Often working in conjunction with state and federal regulatory bodies to uncover sophisticated schemes designed to undermine capital markets.

Investigated several matters involving bribery, corruption, money laundering, and international organized crime in the U.S., U.K., Russia, Ukraine, Romania, and elsewhere. Worked in conjunction with forensic accountants to unravel complex corporate structures designed to conceal illicit activities and flows of money.

Investigated and helped prosecute several multi-million-dollar bank fraud matters. Regularly worked in conjunction with IRS, FHA, HUD, and FDIC to uncover complex loan fraud schemes. Provided training to Certified Fraud Examiners on mortgage fraud trends and was considered one of the FBI's experts on loan fraud matters.

**J. Larry Mayes (Project Advisor and Subject Matter Expert: Community Engagement and Police Internal Affairs Investigations):** J. Larry Mayes has two decades of experience working with government officials, elected officials, and community leaders. Since 2010, Mayes serves as Vice President of Programs for Catholic Charities in Boston, Massachusetts, where he leads the organization's 100 state-wide programs in adult education, immigration resettlement and legal services, child care, and new poverty strategies. He also works with the legislature on securing funding for childcare facilities, adult education, food security and advocating for the state minimum wage increase. In 2014, City of Boston Mayor Martin J. Walsh appointed Mayes to the Community Ombudsman Oversight Panel, which reviews Boston Police Department Internal Affairs citizen complaint cases that are on appeal, as well as randomly selected cases under investigation. Mayes was a consultant to two City of Boston Civilian Review Commissions to restructure the panel to meet the present and future challenges of the BPD and the citizens of Boston. From 2004 to 2010, Mayes served as the Cabinet Chief of Human Services under former City of Boston Mayor Thomas Menino. In that role, he led joint government/community-based initiatives to reduce crime and stabilize communities, launched a campaign to counter “Stop Snitching” sentiments in the court system, and expanded access to summer programming for youth. Mayes has served on the boards of several human services organizations, including Beth Israel Deaconess Medical Center, The Greater Boston Food Bank, and Tenacity. For many years, Mayes has been a contributor to the Boston Globe, Boston Herald, Commonwealth Magazine, CNN, WBUR, ABC News, and various other media outlets. He holds an M.A. in Public Policy from Regent University.

**Additional Resources / Other Areas of Expertise** In addition to the above professionals, Kroll has a vast array of experience and expertise in law enforcement audits, Internal investigations information technology, eDiscovery, forensic accounting, data analytics, security risk management, public records research, video analysis, and other professions. These additional Kroll resources will be used as needed to support the work of the Project Team members, including, if applicable, in reviews of emails and text messages, social media and other open source research, review and analysis of incident reports, analysis of structured and unstructured data, and other research.In addition to the examples detailed in section  above, Kroll has substantial experience investigating, reviewing and evaluating police departments throughout the United States, including the following[3]:

**A. Austin Police Department** In November 2020, the City of Austin, Texas, through its Office of Police Oversight and City Manager's Office, retained Kroll to conduct a multi-pronged, comprehensive investigation and evaluation of the Austin Police Department ("APD") concerning the extent to which forms of racism, bigotry, and discrimination are present in the protocols, practices, and behaviors of the APD.Kroll's investigation and evaluation will document the impacts that any individual and systemic biases have had on hiring, professional ranking, and treatment of personnel within APD, and on police interactions with people of color and other marginalized groups in Austin. The initial phase of Kroll's work, which is currently underway, concerns an assessment of the APD Training Academy in how effectively it trains cadets for policing a multi-ethnic, diverse urban population consistent with best practices. Subsequent phases will include an assessment of recruitment and promotion practices and protocols to ensure ethnic and gender diversity and inclusion in recruitment; a thorough review of approximately 3,000 use-of-force incident reports from June to November 2019, analyzing them by location, any resulting charges, the outcome of each incident, and demographic information (including race, ethnicity, and language spoken) of all persons involved; a review of aggregate data on every recorded interaction from June to November 2019 between APD and any member of the public, including type of interaction and its outcome (search, arrest with charges, citation with charges) and an evaluation on whether there are racial and/or ethnic or other disparities in searches, arrests, charges and citations; and a review of complaints made against APD officers and executives accused of bias and/or discrimination, including complaints that did not result in disciplinary action and the reason no disciplinary action was taken in each case, for the last 10 years. Kroll's evaluation of the training academy is to be completed in March 2021, with the additional work described above to be completed in September 2021.

**B. Boston Police Department**J. Larry Mayes served on the City of Boston Community Ombudsman Oversight Panel (CO-OP) for six years. He also was a consultant to two City of Boston civilian review commissions that restructured the panel to meet present and future challenges of the Boston Police Department ("BPD") and citizens of Boston. During his time there, he reviewed randomly pulled cases from Internal Affairs and determined whether officers involved in complaints followed BPD regulations. As part of his consultancy, he recommended areas where mediation between officers and citizens wasmpossible, attended community meetings to discuss the role of the CO-OP, and provided best practices insight on the complaint process.

**C. University of Chicago Police Department** The University of Chicago retained Kroll in November 2016 to perform a comprehensive review of the University of Chicago Police Department's ("UCPD") operations and to assess the UCPD's implementation of recommendations previously submitted by a small consultancy in a 2008 report. Kroll was also asked to examine current staffing levels, patrol areas, UCPD's use of technology, equipment, and infrastructure, and the effectiveness of its collaboration with the Chicago Police Department. In carrying out the assignment, which was led by Dan Linskey, Kroll identified opportunities to help UCPD improve community engagement strategies and developed a detailed implementation roadmap for achieving desired goals. Kroll's review and written report, which was submitted to the UCPD in February 2017, was intended to serve as a roadmap for UCPD's reform agenda and to help establish a culture of transparency, legitimacy, fairness, collaboration, inclusion, diversity, and innovation within the UCPD. Kroll's report and recommendations were well-received and accepted by the UCPD.

**D. St. Louis County (Missouri) Police Department** Dan Linskey was part of a team selected by the U.S. Department of Justice through the National Police Foundation to assist the St. Louis County Police Department in their collaborative reform project in response to an officer-involved shooting in Ferguson, Missouri. The project resulted in a published report, authored in part by Linskey, entitled: *Collaborative Reform Initiative: An Assessment of the St. Louis County Police Department*.

E. **Stamford (Connecticut) Police Department** In October 2019, after the discovery of a scheme to collect unearned pay at the Stamford Police Department resulted in criminal prosecutions, Kroll was engaged to conduct an audit and review of Stamford Police Department's processes, policies and procedures. Kroll's team reviewed several years' worth of outside employment records, thousands of pages of paper, and electronic documents. Our team conducted interviews and a thorough review of Stamford Police Department's complaints, policies, procedures, and best practices. Kroll issued an initial report with recommendations for best practices. Currently, the audit is awaiting approval for a second phase.

# RICHARD W. MYERS

**ACCOMPLISHED LEADER IN PUBLIC SAFETY**

**Innovative Chief of Police in Communities Ranging from 5000 to 445,000 in Population**
**Effective Change Agent that Maximizes Performance with Available Resources**
**An Internationally Recognized Leader Among Peers**

## PROFILE

Proven public safety leader that combines an empowering, servant leadership style with strong accountability and high fiscal efficiency. Past-Chair/President of the International Commission that establishes law enforcement standards. Long recognized history as a collaborative leader that brings inter-disciplinary agencies together, and fosters non-traditional partnerships. Distinguished career record of peer leadership in local, state, national and international professional organizations. Founding member of a global police futurism association, published author and teacher/mentor. A student and a trainer in policing and security in Europe, Middle East, and Africa.

## PROFESSIONAL EXPERIENCE

CONSULTANT **2011-present**
**RWM, Limited**-Oct. 2011-present

- Principle of an LLC providing subject matter expertise in training, consulting, management studies for public and private sector. Clients have included federal, state, and local agencies. CURRENTLY MEMBER OF Consent Decree Monitor Team; currently a COPS Office CRI-TAC Subject Matter Expert engaged in consulting project.
- Has applied business acumen in assisting Major City agency in process improvement (arrest booking process)
- In federal engagement, co-led a team to develop major strategies for long-term improvement of four adjacent municipal agencies plagued with corruption and incompetence.
- Speaker/presenter at training and conferences. Clients have included, Fox Valley Technical College, US Army War College, Illinois Association of Chiefs, FBI Academy, World Future Society, Florida Association of Chiefs of Police, etc
- Areas of Expertise: Policy Development; Civilianization of tasks not requiring sworn officers; Recruiting, selection and hiring, training, field training, and retention of sworn officers; Community Oriented Policing; developing community collaboration; racial disparities/ engaging disenfranchised members of the community; inter-agency collaboration and partnerships.

ENUMERATOR
**U.S. Census-**February-October 2020 **2020**

- Assigned cases in urban, suburban, and rural areas to follow up, including:
  - Validate address and location
  - In first phase, leave Census packet for residents to complete on line or mail in
  - In second phase, contact non-responders in person and collect Census data
- Assigned to challenging cases with prior refusals
- Assigned to remote locations requiring innovative methods to reach destination

EXECUTIVE DIRECTOR **2017-2019**
**Major Cities Chiefs Association-**Sept 2017-June 2019

- CEO reporting to Board, with overall oversight of professional association representing the chiefs of police of the largest cities in the U.S. and Canada
- Primary contact for national media, federal law enforcement agencies, and members of US Congress and the Administration for MCCA.
- Frequently coordinate activities with other professional associations, federal partners, and member police agencies
- Represents MCCA at national meetings, summits, and events internationally
- Overall coordination responsibilities for ongoing legislative and public policy positions, conferences and meetings

CHIEF OF POLICE/INTERIM CHIEF **1984-2017**
**City of Newport News, VA-**Jan 2014-Sept 2017 Chief of Police

- Led an accredited agency in Virginia's 5$^{th}$ largest city.
- Restored community policing philosophy and approach throughout the city and region.
- Introduced improved technologies and methods to increase workforce efficiency.

- Led a spirit of collaboration with neighboring agencies resulting in shared programming and resources.
- Priority focus on strengthening relationship between police and community, particularly minority community.
- Increased the focus of agency on addressing gun-related violence.

**City of Sanford, FL-**May, 2012-April, 2013 Interim Chief

- Stabilized a police department in crisis as Interim Chief following the Trayvon Martin/George Zimmerman case.
- Worked to build bridges between the police department and minority constituencies throughout the city, and assist in selecting new chief.
- Brought workforce into focus on their mission, resulting in improved morale, improved investigations and increase in neighborhood patrols.

**City of Manitou Springs, CO-** Jan.-Mar. 2012 Interim Chief

- Conducted organizational assessment as an Interim Chief while they recruited replacement for retiring chief.
- Identified gaps in policy and engaged workforce in researching and implementing policies to improve services and establish improved accountability
- Provided incoming chief with extensive and detailed strategy and tactics report
- Secured community input to develop strategy and tactics addressing troubled community park

**City of Colorado Springs, CO-**Jan.2007-Oct 2011 Chief of Police

- Led an accredited agency in US's 46th Largest City.
- Sustained quality service while making significant budget cuts; engaged employees in identifying targets for reducing budget
- Created Homeless Outreach Team during time of fiscal crisis, resulting in international award for police problem solving
- Created a Civilian/Military Collaboration to improve communication and cooperation between local police and extensive network of military installations; received national award for model program
- Created Community Service Officers (non-sworn) to increase efficient use of limited resources
- Overhauled entry level selection and promotional process to ensure best candidates were hired and/or promoted
- Increased diversity of the command staff
- Forged a strong, cooperative working relationship with employee advocacy/representative group where prior administration had conflict and no relationship
- Formed regional gang unit to manage gang intelligence and apply tactical enforcement
- Consolidated intelligence unit with crime analysis to form Analysis Unit; resulted as an adjunct to state fusion center, improved identification of community threats and more rapidly identified suspect and crime patterns
- Oversaw a budget approximately $90 million prior to significant budget cuts; ended year within budget annually
- In command during major active shooter incident at a mega-church; oversaw major tactical and investigation operation involving over 100 personnel; addressed global media assembled to report on incident
- In command during major VIP visits, including POTUS, VPOTUS, SECDEF and others; significant candidate visit site during presidential campaigns
- Regularly participated in national security level drills and briefings coordinated by resident leadership from NORAD/Northcom
- Participating member of JTTF; received regular briefings requiring Secret Clearance

**City of Appleton, WI**-June 1995-Jan.2007 Chief of Police

- Led an accredited agency in Wisconsin'5th largest city
- Consistently rated among top 3 safest in America with an exceptional quality of life
- Effectively partnered with three labor unions within agency to sustain quality of work life, minimize labor conflicts
- Created unique inter-cultural coordinator position that positioned organization to lead community as diversity increased. Received community award for diversity efforts
- Led unique partnership with local schools resulting in strong proactive police presence in schools; became model program for many other communities to study
- Partner in forming community Truancy and Runaway Center, intensely focusing on pre-delinquent juveniles
- Started a regional focus on interagency radio communications and information sharing; resulted in a three county, multi-million data and voice collaboration project that continues today
- Partnered in starting an executive development training program at local college; served as advisory board member, instructor.
- Pilot site of first-ever self assessment under the U.S. Office of Community Policing
- Restored long dormant K-9 program; formed citizen-led fund raising committee to underwrite cost of program
- Implemented first in-car video recording systems, resulting in reduced court time and higher accountability
- Post-9/11, as President of Wisconsin Chiefs of Police, coordinated with national and statewide officials to improve Wisconsin's threat management, information sharing, and emergency operations
- In command during several candidate visits during campaign years; oversaw details during POTUS, VPOTUS visits

**Village of Lisle, IL**- Apr. 1991-May 1995 Chief of Police

- Led a police agency in a community along Suburban Chicago's High-Tech Corridor.
- Partner in forming regional radio communication center; board member, led many policy and operations changes
- Increased partnerships with adjoining agencies, resulting in more joint investigations and operations
- Raised hiring standards, increased training to focus on both strategic and tactical skill building
- Introduced in-car video systems, in-car mobile data terminals, other emerging technologies
- Coordinated with regional and state and federal partners during multiple major conferences conducted at community's hotels and conference centers
- Assisted federal authorities in highly sensitive, confidential investigation involving an employee
- Strong and cooperative working relationship with union

**City of Plymouth, MI**-Apr. 1985-Apr. 1991 Chief of Police

- Led an agency in popular Detroit suburb that attracted thousands of visitors.
- Led agency through a significant budget cut when contract with adjacent community was cancelled; assisted laid-off officers in landing new positions
- Researched and developed comprehensive program to manage the popular activity of "cruising" annually in the summer; ultimately applied "lessons learned" in master's research paper.
- Formed a functional command staff structure
- Stopped long-standing tolerance of policy and rules violations, lax accountability practices
- Overhauled the entire use-of-force continuum policy, deployed low-profile collapsible batons, mandated regular re-training on force

**Atlas Twp/Goodrich, MI**-Jan 1984-Mar.1985 Chief of Police

- First full time chief of police in newly consolidated village and township police agency serving rural suburb of Flint, MI.
- While among smallest agencies, was second in total hours of training county-wide
- Raised standards for both full time and part time officers
- With no support staff, hands-on managed budget, procurement of equipment, etc

COMMISSIONER/PRESIDENT/CHAIR **2009-2017**

**Commission on Accreditation for Law Enforcement Agencies (CALEA)**- Jan 2009-Dec 2017

- Served three 3-year terms as member of the governing body that establishes and upholds international standards for accreditation of police agencies, training academies, emergency communication centers, and college and university police and security agencies.
- Elected to the Executive Board as Secretary in Jan. 2012; elected as President/Chair in Jan. 2015
- Chaired the Selection Committee in 2012-2013 to select new Executive Director
- Co-Chaired committee that developed entirely new program for accrediting non-sworn university security officers
- Chaired Review Committee D; led committee that reviewed all Mexican agencies seeking accreditation

INVESTIGATOR, PUBLIC SAFETY OFFICER, POLICE OFFICER **1977-1984**

**Various Agencies in Metropolitan Detroit**-May 1977-Jan. 1984

- Served as a Medical Examiner Investigator in major county over 1million in population; investigated all not-natural deaths, assisted forensic pathologists with photography during autopsies, follow up with local investigators
- Public Safety Officer (consolidated police/fire); cross-trained to respond to any and all emergency situations in adjacent suburb of Detroit; responded to violent crimes, fires, medical emergencies. Conducted crime and fire prevention audits
- Deputy Sheriff, assigned to a 36 square mile patrol area in rural portion of major county, sole law enforcement source
- Police Patrol Officer in emerging suburban community adjacent to NFL stadium, major highways

## EDUCATION AND TRAINING

**Michigan State University**, East Lansing, Michigan

- Master of Science Degree (M.S.), 1989- College of Social Science, School of Criminal Justice Major: CJ Administration
- Bachelor of Science Degree (B.S.), 1976- College of Natural Science Major: Zoology

**Oakland University,** Rochester, Michigan

- Graduate studies, 1978-1980 Sociology

**FBI Academy,** Quantico, Virginia

- National Executive Institute (NEI), 31st Session, 2008- Three week residential program for major city chiefs included international studies in Ireland and Northern Ireland, field studies in Gettysburg, PA and Quantico, VA.
- Law Enforcement Executive Development Seminar (LEEDS), 26th Session, 1992-Three week residential program for leaders of mid-size agencies.
- The National Academy (FBINA), 156th Session, 1989-Three month residential program for leaders and developing leaders, intensely tailored to the individual student.

In addition to the formal academic course work, attended numerous training programs, conferences, and seminars on wide ranging topics of leadership, management, human resources, strategic visioning, and advanced policing. Have received all recommended and required ICS courses.

Additionally, has been a lecturer/presenter at many regional and national conferences, training programs, etc. Has taught on subjects ranging from ethics and integrity to leading diversity efforts to community oriented/problem solving policing to police futurism. Conferences have included the World Future Society, IACP, PERF, CALEA, Senior Management Institute for Police, the FBI National Academy, etc.

## HONORS AND AWARDS

- **Outstanding Service Award** (2018)-Presented by the Police Section of the Academy of Criminal Justice Sciences (ACJS) for "your distinguished police leadership, Police Futures, and engagement"

- **Egon Bittner Award** (2010)-Presented by CALEA to CEO's who have led CALEA-accredited agencies for fifteen or more consecutive years.
- **Alumni Wall of Fame Award** (2009)-Presented by the Michigan State University School of Criminal Justice to honor individuals who have distinguished themselves within the field of criminal justice while maintaining the highest standards of integrity and character.
- **Unity in Diversity Award** (1999)-Presented by Toward Community: Unity in Diversity, to an individual who has brought people together in the spirit of Dr. Martin Luther King, Jr.

## PUBLICATIONS

- The Future of Policing; A Practical Guide for Police Managers and Leaders CRC Press (2012); Schafer, Buerger, Myers, Jensen and Levin
- Numerous journal articles, and publications of the Futures Working Group; comprehensive list available by request.
- Contributor to Am I That Man? How Heroes, Role Models and Mentors Can Shape Your Life Warrior Spirit Books (2013); Edited by Brian R. Willis
- Contributor to Encyclopedia of Community Policing and Problem Solving Sage Publications (2013); Edited by Kenneth J. Peak
- How to Find the Right Interim Police Chief, Especially in a Crisis, Public Management magazine (May 2020) with Norton N. Bonaparte, Jr.
- Innovations in Addressing Racism and Police Excessive Use of Force, Public Management magazine (Nov 2020) with James Bourey
- Intelligence-Led Leadership Selection, Police Chief magazine (online edition) (Dec 2020) with Dr. James Fico, Chief Karen Ashley

## CERTIFICATIONS

- Certified Law Enforcement Executive, Colorado Association of Chiefs of Police, 2009

## VOLUNTEER ENGAGEMENTS

- Volunteer Monitor for the Colorado Emergency Reporting Network (volunteers for shifts monitoring statewide ham radio repeater system for emergency calls that cannot access telephone coverage and connects callers with appropriate emergency services)
- Board Member, Boulder County Amateur Radio Emergency Services (BCARES); Chair, Recruitment Committee; Chair, Public Information Officer Committee. (volunteer organization of ham radio operators who assist public safety agencies in Broomfield and Boulder County in disasters such as wildfires, floods, major snowstorms, major special events, University of Colorado football games, etc)

## ADDITIONAL LEADERSHIP EXPERIENCE

Previously served as President for several professional organizations such as the Wisconsin Chiefs of Police Association, the Wisconsin Police Executive Group (WiPEG), the Wayne County, Michigan (Detroit) Association of Chiefs of Police, the Society of Police Futurists International (PFI). Previously served as a Board member for the Police Executive Research Forum (PERF), the Colorado Association of Chiefs of Police. Life Member of the International Association of Chiefs of Police (IACP). A founding/charter member of PFI, also original member and active contributor to the Futures Working Group (FWG), a collaboration between PFI and the FBI. Served as an appointee to the Wisconsin Sentencing Commission and the Michigan Emergency Telephone Board. Prior participant in several Director's Forums and other programs sponsored by the U.S. Department of Justice's COPS Office.

As a volunteer, co-led an effort to raise $5 million to acquire and remodel a new shelter for a domestic violence prevention program. Has been a board member on 2 regional Boys and Girls Clubs, a community diversity center, and was Moderator for local church for 2 year term. Board Member and Executive Committee member of a community-wide youth services coalition in Colorado Springs.

Was chosen as one of 8 instructors to assist US State Department in traveling to Tanzania and training the top 50 police executives in Community Policing.

Has served as a Peer Advisor team member in Ferguson, MO and in Baton Rouge, LA following significant racial strife following controversial police actions, requested by the US Dept. of Justice/COPS Office.

Executive Fellow, The National Police Foundation, Washington, D.C. 2016-present

**Chief Alan C. Youngs** retired after 33 years with the Lakewood Colorado Police Department, a suburb of Denver. He held command positions within every division of the department. He is a graduate of the FBI National Academy, 166th Session. He has earned a bachelor's degree in Political Science, a master's degree in Public Administration, and a Law degree.

Chief Youngs is a practicing attorney, defending police officers, municipalities and counties, and is a law enforcement expert witness in police policies, procedures, training and police academies. He is a licensed member of the Washington D.C. Bar, the Nebraska and Colorado United States District Courts, International Trade Court, Court of Appeals for the District and U.S. Supreme Court. He is a member of the American Bar Association Rule of Law Committee, the American Immigration Lawyers Association, Federal Litigation Committee and is an Americans for Effective Law Enforcement (AELE) certified Litigation Specialist and a member of the AELE Board of Directors. He has completed a Colorado Bar-approved, 40-hour training course on Arbitration and Mediation.

Mr. Youngs has been a Police Advisor to the U.S. Department of Justice, U.S.A.I.D. and U.S. State Department. He has worked as a Police Advisor to the Program Director in El Salvador, the Dominican Republic, Honduras, Paraguay and Peru. He has provided technical assistance with the development of curriculum, training courses, procedural manuals, anti-corruption training and best practices consistent with democratic principles of policing. Mr. Youngs currently serves as a Federal Monitor for Puerto Rico which is under a United States Department of Justice Consent Decree.

Mr. Youngs has been a consultant for Dyn-Corp International. He conducted audits, inspections and due diligence in Israel, Jordan and Palestine. His assignment included recommendations regarding the security and base operations for the Jordan International Police Training Center (JIPTC), located in Muwaqqar, Jordan. JIPTC trained the national police forces of Iraq, Jordan and Palestine.

Mr. Youngs has helped conduct management audits of 51 law enforcement agencies in the United States, the Middle East, the Caribbean, and South and Central America as a consultant. He was a contract employee at Fort Leavenworth, where he was an instructor, facilitator and role player involved in the democratic police training of Human Terrain Teams, which were deployed to Iraq and Afghanistan.

Mr. Youngs has lectured for the International Association of Chiefs of Police (IACP), the Dallas Crime Commission, The Institute for Law Enforcement Administration, the FBI Academy, the World Future Society, the Colorado, Connecticut, Illinois, Michigan and Northern California Chiefs of Police Associations, the Dallas, Tulsa, Pennsylvania State Police, Guadalajara and Mexico City Police Academies.

He is a Colorado Police Officer Standards and Training Instructor. He is an Adjunct Professor of Criminal Justice at Rio Salado College and at Red Rocks Community College. He was the former Director of the Red Rock Police Officers Standards and Training (POST), Certified Police Academy. In the past, he has been a facilitator for Enlightened Leadership International, as well as an Adjunct Professor at the University of Colorado, Ottawa University, Remington College, Metropolitan State College, the University of Phoenix and Penn State University. He has also reviewed class materials for the University of Notre Dame, pertaining to the future of law enforcement.

He is an associate with KRW, LLC, which conducts executive searches and management studies throughout the United States. He is also a co-owner of The Law Enforcement Personality, LLC.

Mr. Youngs is member of the International Association of Chiefs of Police (IACP) Investigative Operations Committee and the IACP Professional Standards Committee. He is a certified instructor for the recognition of Excited Delirium and Agitated Chaotic episodes, by the Institute for the Prevention of In-Custody Deaths, Inc. He is also certified in Fraud Prevention.

**Publications**

Mr. Youngs is a published author of 15 articles on law enforcement. These topics include: *The Future of Public/Private Partnerships; Trust and Transparency; Teamwork, an Innovative Approach; The Lakewood Police Department Cross Cultural Training Program;* and *The Use of Process Mapping in the Investigation of Domestic Violence.*

**Awards and Achievements**

- United States Department of Justice International Criminal Investigation Training Assistance Program Outstanding Commitment and Service Award.
- United States Department of Justice International Criminal Investigation Training Assistance Program Instructors Award.
- Project Manager for the Public/Private Partnership program that won the Colorado Association of Chiefs of Police Pioneer Policing Award.
- Mayor's Award for Special Achievement in Promoting Cultural Diversity within the Community of Lakewood.
- Project Manager of the Process Mapping project that won the Colorado Association of Chiefs of Police Pioneer Policing Award. This same team won the Mayor's Innovative Program and also the Denver Regional Council of Governments Innovations Award.
- Commendation from Mayor and Lakewood City Council for Dedicated Service.
- Commendation from Jefferson County Community Corrections Board for Dedicated Service.
- Commendation from Police Athletic League (PAL) for Dedicated Service.
- Inducted into the Denver Post Hall of Fame.
- Inducted into the Lakewood Police Hall of Fame.
- Officer of the Month by the Green Mountain Kiwanis Club.
- Recipient of the Optimist International Law Enforcement Award.
- Awarded Colorado's Top 20 Police Pistol Shooter status by Governor Richard Lamm.
- Chairman of the Board for the West Metro Drug Task Force.
- Past President of the Police Futurists International.
- Past President of the Metropolitan Law Enforcement Association.
- Past President of the Penn State Polex Class for Police Executives.
- Appointed to Leadership Denver Board of Directors.
- Coordinator of the Senior Management Institute for Police sponsored by Harvard, Kennedy School of Government.
- U.S. International Police Association representative to the Country of Argentina.
- Chosen by IACP to attend instructor training for Leadership in Police Organizations held at the Maryland State Police Academy.
- Chair of the American Society of Industrial Security (ASIS) Interpol Committee.
- Selected to be a Member of the FBI Task Force concerning Gangs, Terrorism and Weapons of Mass Destruction (WMD).
- Assisted in the making of two training films on Juvenile Violence and Gangs by the California and Arizona Police Officers Standards and Training (POST) Commissions.

Town of Firestone — Payroll Monthly Board Report — April 14, 2021

Paycheck Issue Dates: 03/01/2021 to 03/31/2021

**Hours/Units/Types Summary**

| PC | Title | Hours |
|---|---|---|
| 1-00 | Regular Pay | 9,237.40 |
| 2-00 | Overtime Pay | 256.67 |
| 3-00 | Paid Time Off & EIB | 659.25 |
| 5-00 | Call Outs | 30.00 |
| 7-00 | Holiday, Holidy Worked | 800.00 |
| 8-10 | PD Grant/Contracts | 20.00 |
| 8-00 | Miscellaneous Pay | 146.00 |
| 8-21 | NON WORK- COVID19 | 20.00 |
| 8-22 | EPSL-Emrgncy Pd Sick | 0.00 |
| 8-24 | WORKING - COVID 19 | 186.35 |
| 8-26 | PHE - Public Health Emer | 61.00 |
| 9-01 | Comp Time Earned | 66.33 |
| 9-02 | Comp Time Used | 27.50 |
| | Grand Totals: | 11,510.50 |

| Net Type | Amount |
|---|---|
| Direct Deposit Net | 402,590.59 |
| Net | 1,438.40 |
| 3rd Party Pay Net | 762.73 |
| | 404,791.72 |

| Info Type | Amount |
|---|---|
| Informational | 0.00 |
| Fringe Benefits | 9.98 |
| | 9.98 |

**Pay Code Totals - Employee**

| PC | Title | Amount | PC | Title | Amount | PC | Title | Amount |
|---|---|---|---|---|---|---|---|---|
| 1-01 | Regular Pay | 509,086.98 | 8-20 | Retro Pay (non-FPPA) | 0.00 | 61-02 | HSA7200 | -6,853.46 |
| 1-03 | Mayor/Trustee | 2,150.00 | 8-21 | NON WORK - COVID 19 | 541.41 | 61-10 | FSA- Dependent Care | -1,578.32 |
| 1-04 | Temporary | 1,848.00 | 8-22 | EPSL-Emrgncy Pd Sick Lv | 0.00 | 61-11 | FSA- Limited Purpose | -166.66 |
| 2-00 | Overtime | 12,227.46 | 8-24 | WORKING - COVID 19 | 4,557.61 | 61-12 | FSA - Medical | -1,975.96 |
| 3-01 | PTO | 14,851.22 | 8-26 | PHE - Public Health Emergenc | 1,683.08 | 62-00 | Dental Insurance | -937.01 |
| 3-05 | PTO Payout | 0.00 | 9-02 | Comp Time | 713.00 | 63-00 | Vision | -330.00 |
| 3-10 | Contract PTO | 0.00 | 19-00 | 3rd Party Pay | 773.95 | 64-01 | Voluntary/Ad Life | -929.30 |
| 4-00 | EIB | 0.00 | 21-01 | Stipend | 0.00 | 64-03 | Child Life | -43.20 |
| 5-01 | Call Outs | 765.71 | 21-02 | Cell Phone Stipend | 250.00 | 64-04 | Spouse Life | -293.10 |
| 5-02 | PD Call Outs | 180.02 | 30-04 | Life Ins > 50k | 9.98 | 64-99 | Accident Insurance | -854.92 |
| 7-01 | Holiday | 17,094.08 | 40-00 | 401k - PERA | -327.70 | 70-01 | Misc Deduction | 0.00 |
| 7-02 | Holiday Work SW | 4,013.57 | 50-01 | FPPA 457 | -1,141.55 | 70-02 | Child Support | -837.50 |
| 7-03 | Holiday Work NSW | 211.91 | 50-02 | FPPA PD Pension | -23,283.33 | 70-03 | Garnishment | -825.49 |
| 8-01 | Misc Pay | 0.00 | 50-03 | FPPA ROTH | -922.32 | 70-04 | Equipment | -549.74 |
| 8-02 | Retro Pay | 6,209.69 | 51-01 | PERA | -30,236.76 | 74-00 | Soc Sec | -793.11 |
| 8-04 | Bereavement | 1,272.40 | 51-02 | PERA+457 | -335.08 | 75-00 | Medicare | -7,962.16 |
| 8-06 | Snow Day | 0.00 | 51-03 | PERA Life | -62.00 | 76-00 | FWT | -55,447.85 |
| 8-07 | LTD Reimb | 0.00 | 52-01 | ICMA 401a | -250.00 | 77-00 | SWT | -18,916.60 |
| 8-08 | Pd Admin Leave | 0.00 | 52-02 | ICMA 457b-Pre | -678.69 | 79-00 | 3rd Party Medicare | -11.22 |
| 8-10 | PD Grant | 953.80 | 52-04 | ICMA 457b-Post | -634.62 | 85-00 | Net Pay - check | 1,438.40 |
| 8-12 | Jury Duty | 0.00 | 60-00 | Health Insurance | -17,555.30 | 86-00 | Dir Deposit | 402,590.59 |
| 8-13 | Military Leave | 300.10 | 61-01 | HSA3600 | -2,159.32 | 89-00 | 3rd Party Net | -762.73 |
| 8-16 | Employee Bonus | 2,000.00 | | | | | | |

**Pay Code Totals - Employer**

| PC | Title | Amount | PC | Title | Amount | PC | Title | Amount |
|---|---|---|---|---|---|---|---|---|
| 50-02 | FPPA - Polic | 17,209.50 | 61-01 | HSA3600 | 1,100.00 | 91-00 | Long Term Disability | 1,987.38 |
| 51-01 | PERA | 50,584.31 | 61-02 | HSA7200 | 3,800.00 | 92-00 | Short Term Disability | 1,975.21 |
| 51-04 | PERA AED/SAED | 498.08 | 62-00 | Dental Insurance | 5,665.62 | 93-00 | Police Pension | 5,739.66 |
| 52-01 | ICMA 401a | 1,600.00 | 63-00 | Vision Insurance | 900.22 | 94-00 | Basic Life & AD&D | 1,412.06 |
| 52-02 | ICMA 457b | 1,615.38 | 74-00 | Social Security | 793.11 | 95-01 | Employee Asst Plan | 580.28 |
| 60-00 | Health Insurance | 85,530.77 | 75-00 | Medicare | 7,973.38 | 98-00 | State Unemployment | 1,729.55 |

| Name | Total Paid |
|---|---|
| Total 24/7 Networks, Inc.: | 13,048.52 |
| Total 4 RIVERS EQUIPMENT, LLC: | 1,733.95 |
| Total ADAMSON POLICE PRODUCTS: | 327.55 |
| Total AIRGAS INC: | 795.23 |
| Total AMAZON: | 951.91 |
| Total AMERICAN CONSERVATION & BILLING SOLUTION: | 200.00 |
| Total American Society of Canine Trainers: | 165.00 |
| Total ANYTIME FITNESS: | 330.00 |
| Total APEX SHREDDING, INC.: | 80.00 |
| Total ASCEND PROJECT MGMT & STORMWATER SVC INC: | 8,946.25 |
| Total AUSMUS LAW FIRM, P.C.: | 1,200.00 |
| Total B K TIRE, INC: | 3,058.92 |
| Total BARCO MUNICIPAL PRODUCTS INC: | 489.89 |
| Total BAREFOOT RESIDENTIAL LLC: | 68.47 |
| Total BENEFIT TECHNOLOGY RESOURCES, LLC: | 200.00 |
| Total BINFORD SUPPLY LLC: | 2,270.28 |
| Total Black Hills Energy: | 5,083.10 |
| Total BOBCAT OF THE ROCKIES: | 178.69 |
| Total BOHANNAN HUSTON INC: | 5,234.40 |
| Total BUDGET CONFERENCING: | 125.23 |
| Total CAMCA: | 40.00 |
| Total CANYON TITLE (FT COLLINS): | 21.53 |
| Total CANYON TITLE (GOLDEN): | 4.41 |
| Total CARBON VALLEY RECREATION DISTRICT: | 227.50 |
| Total CASELLE, INC.: | 3,455.00 |
| Total CENTENNIAL ARCHAELOLGY LLC: | 22,997.00 |
| Total CENTRAL STATES HOSE INC: | 209.54 |
| Total CENTRAL WELD COUNTY WATER DISTRICT: | 22.03 |
| Total CENTRAL WELD COUNTY WATER DISTRICT.-TREA: | 45,471.78 |
| Total CENTRAL WELD COUNTY WATER DISTRICT-TAPS: | 186,200.00 |
| Total CENTURY LINK: | 676.92 |
| Total CESARE, INC: | 20,081.15 |
| Total CHASE'N'SMOKE BBQ LLC: | 225.00 |
| Total CIGNA HEALTH & LIFE INSURANCE CO: | 64,090.59 |
| Total CINTAS FIRST AID & SAFETY: | 362.74 |
| Total CIRSA: | 808.50 |
| Total CIVILARTS, INC: | 15,526.35 |
| Total COALRIDGE ANIMAL HOSPITAL, INC: | 177.98 |
| Total COLLISION RECONSTRUCTION SERVI, LLC: | 1,995.00 |

| Name | Total Paid |
|---|---|
| Total COLORADO CIVIL GROUP INC.: | 38,871.25 |
| Total COLORADO MATERIALS, INC: | 5,403.95 |
| Total COMCAST - PD: | 2,049.52 |
| Total COMCAST-PHILADELPHIA: | 413.57 |
| Total CONCENTRA MEDICAL CENTERS: | 3,885.00 |
| Total CRASH DATA GROUP INC: | 5,285.00 |
| Total DANA KEPNER COMPANY, INC.: | 1,256.64 |
| Total DBC IRRIGATION SUPPLY: | 2,604.55 |
| Total DELTA DENTAL OF COLORADO, INC: | 7,080.05 |
| Total DESIGN WORKSHOP INC: | 20,607.20 |
| Total E&G Terminal, Inc: | 195.82 |
| Total EHRHART LAND SURVEYING, LLC: | 3,600.00 |
| Total EMPLOYEE REIMBURSEMENTS & PER DIEMS: | 218.48 |
| Total ENTERPRISE FLEET MGMT CUSTOMER BILLINGS: | 37,401.51 |
| Total ENVIROTECH SERVICES, INC.: | 15,961.11 |
| Total Escrow Deposit Refunds: | 37,849.01 |
| Total FACTORY MOTOR PARTS CO.: | 13.88 |
| Total FBI NATIONAL ACADEMY ASSOCIATES: | .00 |
| Total FIRSTBANK: | 10,767.55 |
| Total FRANSEN PITTMAN GENERAL CONTRACTORS: | 544,590.00 |
| Total FRONT RANGE COMPLIANCE SERVICE, LLC: | 625.75 |
| Total FRONTIER COMPUTER CORP.: | 3,387.34 |
| Total FUZION FIELD SERVICES LLC: | 1,236.50 |
| Total GODDING DITCH COMPANY: | 1,448.00 |
| Total GRAINGER: | 1,067.20 |
| Total GRAVES CONSULTING LLC: | 187.50 |
| Total GREEN GIRL RECYCLING SERVICES: | 233.00 |
| Total GROUND ENGINEERING CONSULTANTS, INC: | 3,675.25 |
| Total GUARDIAN TITLE-DENVER: | 295.73 |
| Total HERITAGE TITLE-FT COLLINS: | 2.89 |
| Total HERITAGE TITLE-LONGMONT: | 21.73 |
| Total HYDRANT METER REFUNDS: | 3,383.17 |
| Total INTEGRATED WATER SERVICES, INC: | 684,032.59 |
| Total INTERNATIONAL ASSOC FOR PROPERTY & EVIDE: | 265.00 |
| Total INTERSTATE BATTERY OF THE ROCKIES: | 366.85 |
| Total INTERSTATE FORD: | 242.61 |
| Total INTERWEST SAFETY SUPPLY, INC.: | 98.15 |
| Total K & K LASER CREATIONS: | 16.95 |
| Total KATHLEEN A. OATIS: | 1,250.00 |

| Name | Total Paid |
| --- | --- |
| Total KB HOME COLORADO INC: | 29.76 |
| Total KENZ & LESLIE DISTRIBUTING CO.: | 596.60 |
| Total KISSINGER & FELLMAN P.C.: | 3,556.50 |
| Total LAND TITLE - BRIGHTON: | 45.33 |
| Total LAND TITLE (CSPR): | 37.15 |
| Total LAND TITLE-DENVER-2: | 17.09 |
| Total LAND TITLE-LONGMONT: | 27.81 |
| Total LANGUAGE NEXUS, INC: | 180.00 |
| Total LAST CHANCE DITCH COMPANY: | 1,503.40 |
| Total LAWRENCE CUSTER GRASMICK JONES & DONOVAN: | 21,812.64 |
| Total LENNAR COLORADO: | 21.80 |
| Total LEONARD RICE ENGINEERS, INC: | 32,481.25 |
| Total LEOTEK ELECTRONICS USA LLC: | 2,832.22 |
| Total LIFE SAFETY TECHNOLOGIES LLC: | 325.00 |
| Total LITTLE THOMPSON WATER DISTRICT: | 277.90 |
| Total LONGMONT HUMANE SOCIETY: | 1,166.67 |
| Total LYONS GADDIS: | 7,500.00 |
| Total MAC EQUIPMENT INC LONGMONT: | 275.00 |
| Total MAIN STREET MAT COMPANY, INC: | 186.58 |
| Total MATCO TOOLS: | 416.93 |
| Total MCDONALD FARMS ENTERPRISES, INC: | 1,903.76 |
| Total MCGRANE WATER ENGINEERING, LLC: | 19,511.75 |
| Total MCI: | 54.19 |
| Total MICHOW COX & MCASKIN LLP: | 9,226.75 |
| Total MIKE MAROONE FORD LONGMONT: | 1,204.93 |
| Total MILLER GROUNDWATER ENGINEERING, LLC: | 3,255.00 |
| Total MIRACLE RECREATION EQUIPMENT CO.: | 2,368.55 |
| Total MISC VENDOR: | 205.00 |
| Total MTECH MECHANICAL TECHNOLOGIES GROUP: | 2,808.25 |
| Total MUTUAL OF OMAHA INSURANCE CO: | 7,162.26 |
| Total NCSI: | 85.50 |
| Total NEW CONSOLIDATED LOWER BOULDER RESERVOIR: | 2,552.81 |
| Total NEW IPT INC: | 5,868.00 |
| Total NORTHERN COLORADO WATER CONSERVANCY DIST: | 24,416.12 |
| Total O.J. WATSON COMPANY, INC.: | 85.26 |
| Total OFFICE DEPOT INC: | 397.22 |
| Total O'REILLY AUTO PARTS: | 1,303.21 |
| Total ORKIN PEST CONTROL, INC: | 283.44 |
| Total PAUL D. BASSO: | 1,000.00 |

| Name | Total Paid |
|---|---|
| Total PINNACOL ASSURANCE: | 1,928.22 |
| Total PITNEY GLOBAL FINANCIAL SERVICES LLC: | 681.00 |
| Total POLICE EVIDENCE AUDIT LLC: | 1,000.00 |
| Total POO FREE PARKS: | 1,019.91 |
| Total PRAIRIE MOUNTAIN PUBLISHING: | 601.68 |
| Total PRESTIGE DODGE, INC: | 1,248.00 |
| Total PUREWATER DYNAMICS, INC: | 513.95 |
| Total QUICK-SET AUTO GLASS: | 275.00 |
| Total RAMEY ENVIRONMENTAL COMPLIANCE, INC: | 100.00 |
| Total RED WING SHOE STORE: | 150.00 |
| Total REDEMPTION ROAD COFFEE: | 200.00 |
| Total RESTITUTION / COURT REFUNDS: | 1,691.06 |
| Total RICHMOND AMERICAN HOMES: | 130.91 |
| Total RIPTIDE CAR & PET WASH: | 536.25 |
| Total RPS PLAN ADMINISTRATORS: | 45,707.27 |
| Total RURAL DITCH COMPANY: | 6,699.00 |
| Total SAFE BUILT COLORADO INC: | 77,649.80 |
| Total SAFETY AND CONSTRUCTION SUPPLY INC: | 5,023.98 |
| Total SHERWIN WILLIAMS CO.: | 571.05 |
| Total SIMPLIFILE: | 290.00 |
| Total STEVE BALCEROVICH: | 1,250.00 |
| Total SUNRISE ENVIROMENTAL SCIENTIFIC: | 86.29 |
| Total THOMSON REUTERS-WEST: | 215.00 |
| Total TIMBERLAN, INC: | 14,860.00 |
| Total TOMMY BOY MINI DONUTS LLC: | 375.00 |
| Total TRANSWEST TRUCK TRAILER RV: | 393.74 |
| Total TRIDENT SECURITY SYSTEMS INC: | 386.00 |
| Total TRI-STATE FIREWORKS, INC: | 17,500.00 |
| Total UC HEALTH, INC: | 999.47 |
| Total UNITED POWER: | 7,953.98 |
| Total UNIVERSITY AUTO PARTS, INC: | 568.59 |
| Total UTILITY NOTIFICATION CENTER OF COLORADO: | 1,209.12 |
| Total UTILITY REFUNDS -1: | 527.46 |
| Total VALLI INFORMATION SYSTEMS: | 4,825.72 |
| Total Verizon Connect NWF INC: | 145.71 |
| Total VERIZON WIRELESS: | 5,940.93 |
| Total VIA MOBILITY SERVICES: | 14,440.00 |
| Total WAGNER WELDING SUPPLY CO.: | 23.52 |
| Total WALSH CONSTRUCTION INC: | 137,633.72 |

| Name | Total Paid |
|---|---|
| Total WELD COUNTY DEPT OF PUBLIC HEALTH & ADMI: | 1,937.00 |
| Total WENCK ASSOCIATES INC: | 65,588.02 |
| Total WESTERN PAPER DISTRIBUTORS INC: | 186.78 |
| Total WESTWATER RESEARCH, LLC: | 5,000.00 |
| Total WEX BANK: | 9,308.12 |
| Total WHITESIDE'S BOOTS & CLOTHING 2 - BRIGHTO: | 1,687.79 |
| Total WILLIAMSON & HAYASHI, LLC: | 10,434.00 |
| Total WORKWELL OCCUPATIONAL MEDICINE LLC: | 252.00 |
| Total XPRESS BILL PAY / XPRESS SOLUTIONS: | 1,753.03 |
| Total ZERO9 HOLSTERS: | 1,235.70 |
| Grand Totals: | 2,456,686.11 |


# TOWN OF FIRESTONE QUARTERLY FINANCIAL UPDATE

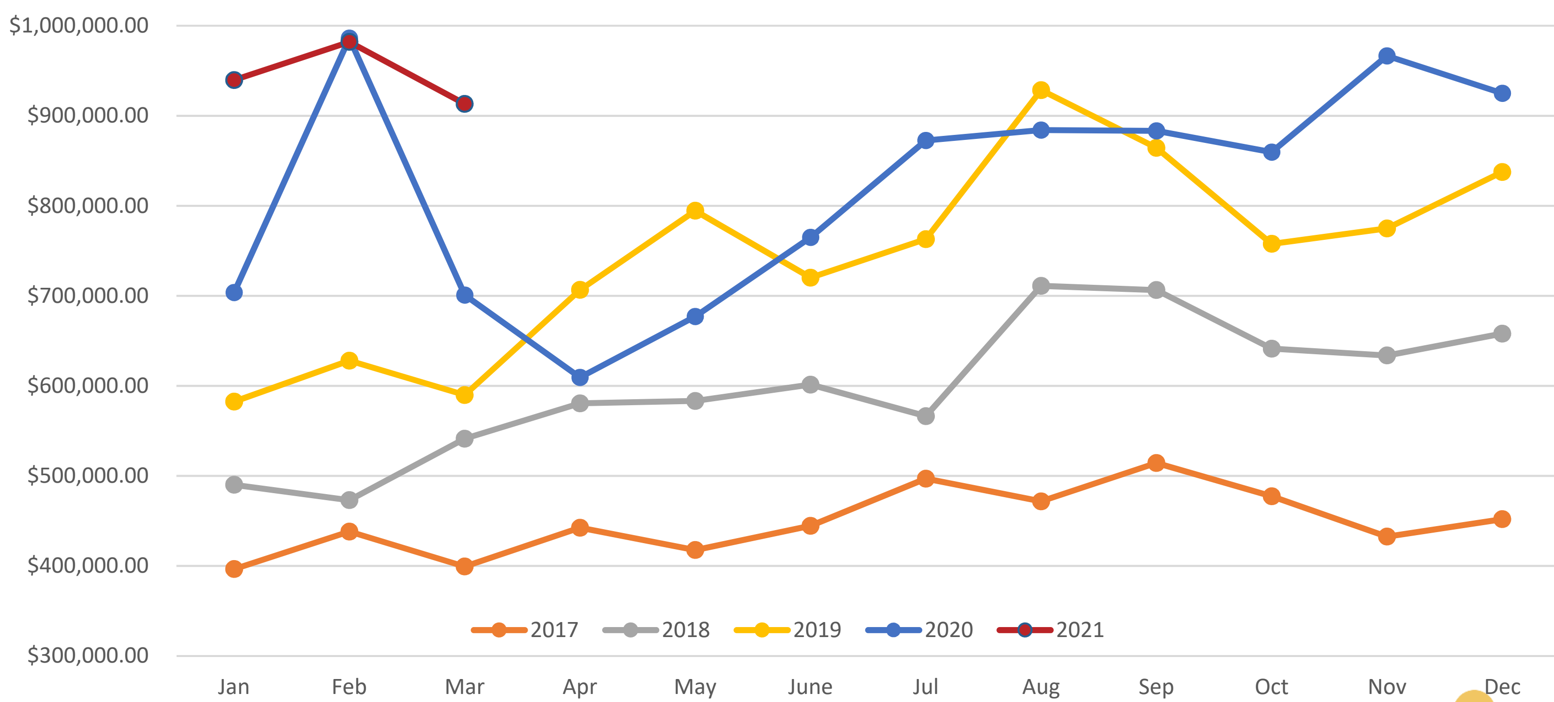
## March 31, 2021

Jessica Clanton, Director of Finance

FIRESTONE
COLORADO

# SALES & USE TAX

- Year to date collections $2,834,880
- Increase of $212,379 or 24.6% when compared to the prior year



# GENERAL FUND REVENUE

| | 2021 Adopted Budget | Actual as of March 31, 2021 | Over/(Under) Projected | Collection Rate | Prior Year Actual as of March 31, 2020 | Over/(Under) Prior Year | Percent Difference |
|---|---|---|---|---|---|---|---|
| **REVENUES** | | | | | | | |
| **Taxes** | | | | | | | |
| Property Taxes | $ 1,491,326 | $ 475,225 | $ (1,016,101) | 31.87% | $ 456,601 | $ 18,624 | 4.08% |
| Sales Taxes | 6,221,048 | 665,329 | (5,555,719) | 10.69% | 623,932 | 41,397 | 6.63% |
| Use Tax | 1,510,000 | 496,760 | (1,013,240) | 32.90% | 287,545 | 209,215 | 72.76% |
| Other Tax | 207,781 | 16,610 | (191,171) | 7.99% | 28,864 | (12,254) | -42.45% |
| **Total Taxes*** | **9,430,155** | **1,653,924** | **(7,776,231)** | **17.54%** | **1,396,942** | **256,982** | **18.40%** |
| **Intergovernmental Revenues** | 1,135,965 | 217,812 | (918,153) | **19.17%** | 106,151 | 111,661 | **105.19%** |
| **Licenses and Permits** | 1,467,495 | 420,814 | (1,046,681) | **28.68%** | 241,759 | 179,055 | **74.06%** |
| **Fines and Forfeitures** | 190,000 | 26,058 | (163,942) | **13.71%** | 30,398 | (4,340) | **-14.28%** |
| **Charges for Services & Fees** | 1,044,115 | 286,913 | (757,202) | **27.48%** | 280,955 | 5,958 | **2.12%** |
| **Other Revenues** | 215,500 | 41,665 | (173,835) | **19.33%** | 73,152 | (31,487) | **-43.04%** |
| **Total Revenues** | **13,483,230** | **2,647,186** | **(10,836,044)** | **19.63%** | **2,129,357** | **517,829** | **24.32%** |
| **Transfers In** | 2,230,000 | - | (2,230,000) | **0.00%** | - | - | **N/A** |
| **Total Revenue** | **$ 15,713,230** | **$ 2,647,186** | **$ (13,066,044)** | **16.85%** | **$ 2,129,357** | **$ 517,829** | **24.32%** |

FIRESTONE
COLORADO

# GENERAL FUND EXPENDITURES

| | 2021 Adopted Budget | Actual as of March 31, 2021 | Over/(Under) Adopted Budget | Spending Rate | Prior Year Actual as of March 31, 2020 | Over/(Under) Prior Year | Percent Difference |
|---|---|---|---|---|---|---|---|
| **Legislative** | $ 113,261 | $ 19,082 | $ (94,179) | **16.85%** | $ 21,406 | $ (2,324) | **-10.86%** |
| **Town Manager** | 1,057,703 | 318,930 | (738,773) | **30.15%** | 170,265 | 148,665 | **87.31%** |
| **Town Clerk** | 136,456 | 27,639 | (108,817) | **20.25%** | 41,665 | (14,026) | **-33.66%** |
| **Marketing and Communications** | 411,678 | 94,829 | (316,849) | **23.03%** | 86,130 | 8,699 | **10.10%** |
| **Human Resources** | 666,466 | 455,993 | (210,473) | **68.42%** | 855,771 | (399,778) | **-46.72%** |
| **Finance** | 1,083,119 | 174,930 | (908,189) | **16.15%** | 221,686 | (46,756) | **-21.09%** |
| **Technology** | 1,145,908 | 161,822 | (984,086) | **14.12%** | 74,664 | 87,158 | **116.73%** |
| **Planning & Development** | 1,335,600 | 314,913 | (1,020,687) | **23.58%** | 368,649 | (53,736) | **-14.58%** |
| **Police** | 4,761,779 | 1,446,377 | (3,315,402) | **30.37%** | 1,194,341 | 252,036 | **21.10%** |
| **Public Works** | 4,354,413 | 817,340 | (3,537,073) | **18.77%** | 967,634 | (150,294) | **-15.53%** |
| **Engineering** | 349,088 | 56,063 | (293,025) | **16.06%** | 114,165 | (58,102) | **-50.89%** |
| **Total Expenditures** | **$ 15,415,471** | **$ 3,887,918** | **$ (11,527,553)** | **25.22%** | **$ 4,116,376** | **$ (228,458)** | **-5.55%** |

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COLORADO

# CAPITAL PROJECTS FUND

| | 2021 Adopted Budget | Actual as of March 31, 2021 | Over/(Under) Budget | Collection/ Spending Rates | Prior Year Actual as of March 31, 2020 | Current Year Over/(Under) Prior Year | Percent Difference |
|---|---|---|---|---|---|---|---|
| **Revenues** | | | | | | | |
| Sales Taxes - 1% | $ 2,128,543 | $ 174,723 | $ (1,953,820) | 8.21% | $ 156,878 | $ 17,845 | 11.38% |
| Sales Taxes - .6% | 1,545,960 | 154,962 | (1,390,998) | 10.02% | 152,251 | 2,711 | 1.78% |
| Impact Fee Revenue | 2,293,499 | 944,999 | (1,348,500) | 41.20% | 446,696 | 498,303 | 111.55% |
| **Miscellaneous Revenues** | | | | | | | |
| Grant Revenue | 900,000 | - | (900,000) | 0.00% | - | - | N/A |
| Investment Earnings | 69,000 | 8,912 | (60,088) | 12.92% | 25,915 | (17,003) | -65.61% |
| **Total Revenues** | **6,937,002** | **1,283,596** | **(5,653,406)** | **18.50%** | **781,740** | **501,856** | **64.20%** |
| **Expenditures** | | | | | | | |
| Capital Improvement Expenditures | 9,983,500 | 1,140,193 | (8,843,307) | 11.42% | 66,626 | 1,073,567 | 1611.33% |
| **Total Expenditures** | **9,983,500** | **1,140,193** | **(8,843,307)** | **11.42%** | **66,626** | **1,073,567** | **1611.33%** |
| **Total Revenues Over/(Under) Expenditures** | **(3,046,498)** | **143,403** | **3,189,901** | **N/A** | **715,114** | **(571,711)** | **-79.95%** |
| **Other Financing Sources/Uses** | (4,064,455) | 12,350 | 4,076,805 | **N/A** | (2,257) | 14,607 | **N/A** |
| **Revenues Over/(Under) Expenditures** | **$ (7,110,953)** | **$ 155,753** | **$ 7,266,706** | **N/A** | **$ 712,857** | **$ (557,104)** | **-78.15%** |

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# WATER FUND

| | 2021 Adopted Budget | Actual as of March 31, 2021 | Over/(Under) Budget | Collection/ Spending Rates | Prior Year Actual as of March 31, 2020 | Current Year Over/(Under) Prior Year | Percent Difference |
|---|---|---|---|---|---|---|---|
| **Revenues** | | | | | | | |
| **Charges for Services** | | | | | | | |
| Operating Revenue | $ 6,678,044 | $ 1,891,200 | $ (4,786,844) | **28.32%** | $ 1,247,713 | $ 643,487 | **51.57%** |
| Impact Fee Revenue | 325,963 | 148,702 | (177,261) | **45.62%** | 65,202 | 83,500 | **128.06%** |
| **Miscellaneous Revenues** | | | | | | | |
| Miscellaneous | - | - | - | **N/A** | 5,509 | (5,509) | **-100.00%** |
| Investment Earnings | 145,000 | 27,004 | (117,996) | **18.62%** | 39,725 | (12,721) | **-32.02%** |
| **Total Water Fund Revenues** | **7,149,007** | **2,066,906** | **(5,082,101)** | **28.91%** | **1,358,149** | **708,757** | **52.19%** |
| **Expenditures** | | | | | | | |
| Operating Expenditures | 5,668,869 | 1,105,100 | (4,563,769) | **19.49%** | 770,576 | 334,524 | **43.41%** |
| Capital Improvement Expenditures | 36,050,180 | 3,136,191 | (32,913,989) | **8.70%** | 1,411,879 | 1,724,312 | **122.13%** |
| **Total Expenditures** | **41,719,049** | **4,241,291** | **(37,477,758)** | **28.19%** | **2,182,455** | **2,058,836** | **94.34%** |
| **Other Financing Uses** | 1,937,600 | - | (1,937,600) | **0.00%** | 41,551 | (41,551) | **-100.00%** |
| **Total Water Fund Expenditures** | **43,656,649** | **4,241,291** | **(39,415,358)** | **9.72%** | **2,224,006** | **2,017,285** | **90.71%** |
| **Revenues Over/(Under) Expenditures** | **$ (36,507,642)** | **$ (2,174,385)** | **$ 34,333,257** | **N/A** | **$ (865,857)** | **$ (1,308,528)** | **N/A** |

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# STORMWATER FUND

| | 2021 Adopted Budget | Actual as of March 31, 2021 | Over/(Under) Budget | Collection/ Spending Rates | Prior Year Actual as of March 31, 2020 | Current Year Over/(Under) Prior Year | Percent Difference |
|---|---|---|---|---|---|---|---|
| **Revenues** | | | | | | | |
| **Charges for Services** | | | | | | | |
| Stormwater Charges | $ 662,369 | $ 166,215 | $ (496,154) | 25.09% | $ 159,094 | $ 7,121 | 4.48% |
| Impact Fee Revenue | 226,015 | 101,786 | (124,229) | 45.04% | 42,958 | 58,828 | 136.94% |
| **Miscellaneous Revenues** | | | | | | | |
| Investment Earnings | 20,000 | 1,847 | (18,153) | 9.24% | 9,011 | (7,164) | -79.50% |
| **Total Revenues** | **908,384** | **269,848** | **(638,536)** | **29.71%** | **211,063** | **58,785** | **27.85%** |
| **Expenditures** | | | | | | | |
| Stormwater Collection | 692,101 | 112,738 | (579,363) | 16.29% | 106,795 | 5,943 | 5.56% |
| Capital Improvement Expenditures | 990,500 | - | | | - | - | N/A |
| **Total Expenditures** | **1,682,601** | **112,738** | **(579,363)** | **6.70%** | **106,795** | **5,943** | **5.56%** |
| **Revenues Over/(Under) Expenditures** | **$ (774,217)** | **$ 157,110** | **$ 931,327** | **N/A** | **$ 104,268** | **$ 52,842** | **50.68%** |

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# SUMMARY

- General Fund revenue is up 24% from prior year, mainly in the areas of Use Tax and Intergovernmental Revenue

- Sales/Use tax right on-track with budget projections

- Spending in all Funds align with new expectations set

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TOWN OF FIRESTONE
Capital Improvement Program

| Project Description | 2021 Adopted Budget | YTD March 2021 Actuals: YTD Expenditures | YTD March 2021 Actuals: Amount Remaining | 2022 Estimate | 2023 Estimate | 2024 Estimate | 2025 Estimate | 5-Year Total | Funding Source |
|---|---|---|---|---|---|---|---|---|---|
| **CAPITAL PROJECTS FUND** | | | | | | | | | |
| Sculptures | $ 10,000 | $ - | $ 10,000 | $ 50,000 | $ - | $ - | $ - | $ 60,000 | Impact Fees |
| Historic Firestone Street Replacement | 621,500 | - | 621,500 | 640,000 | 660,000 | 679,000 | 679,000 | 3,279,500 | 1% Sales Tax |
| Pavement Maintenance | 250,000 | - | 250,000 | 850,000 | 850,000 | 850,000 | 850,000 | 3,650,000 | 1% Sales Tax |
| Dust Control | 60,000 | - | 60,000 | 60,000 | 120,000 | 120,000 | 120,000 | 480,000 | 1% Sales Tax |
| Street and Crosswalk Striping | 10,000 | - | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 50,000 | 1% Sales Tax |
| Street Signs Program | 12,000 | 1,325 | 10,675 | 12,000 | 12,000 | 12,000 | 12,000 | 60,000 | 1% Sales Tax |
| Town Hall Extension | 4,000,000 | 1,083,671 | 2,916,329 | - | - | - | - | 4,000,000 | COP's/.6% Sales Tax |
| Public Works Administration Offices Building | 2,750,000 | - | 2,750,000 | - | - | - | - | 2,750,000 | COP's |
| Neighbor's Point Park | 2,000,000 | 4,139 | 1,995,861 | - | - | - | - | 2,000,000 | Impact Fees |
| Central Park Master Plan | 250,000 | 51,058 | 198,942 | - | - | - | - | 250,000 | Impact Fees |
| Traffic Signal Upgrade | 20,000 | - | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 | 100,000 | 1% Sales Tax |
| **Total** | **$ 9,983,500** | **$ 1,140,193** | **$ 8,843,307** | **$ 1,642,000** | **$ 1,672,000** | **$ 1,691,000** | **$ 1,691,000** | **$ 16,679,500** | |
| **CONSERVATION TRUST FUND** | | | | | | | | | |
| Settlers Park Improvements | $ 225,000 | $ - | $ 225,000 | $ 75,000 | $ - | $ - | $ - | $ 300,000 | CTF |
| Firestone Trail Improvements | 75,000 | - | 75,000 | 75,000 | - | - | - | 150,000 | CTF |
| **Total** | **$ 300,000** | **$ -** | **$ 300,000** | **$ 150,000** | **$ -** | **$ -** | **$ -** | **$ 450,000** | |

TOWN OF FIRESTONE
Capital Improvement Program

| Project Description | 2021 Adopted Budget | YTD March 2021 Actuals: YTD Expenditures | YTD March 2021 Actuals: Amount Remaining | 2022 Estimate | 2023 Estimate | 2024 Estimate | 2025 Estimate | 5-Year Total | Funding Source |
|---|---|---|---|---|---|---|---|---|---|
| **WATER FUND** | | | | | | | | | |
| Water Rights | $ 2,000,000 | $ 10,000 | $ 1,990,000 | $ 2,000,000 | $ 2,000,000 | $ 2,000,000 | $ 2,000,000 | $ 10,000,000 | WF/2020 Bond |
| Gould Well Field | 1,252,300 | 164,834 | 1,087,466 | - | - | - | - | 1,252,300 | 2020 Water Ent. Bond |
| Mtn Shadows Park Conversion to Well Water | 252,600 | - | 252,600 | - | - | - | - | 252,600 | WF |
| NISP Participation | 973,000 | 474,500 | 498,500 | 1,492,000 | 1,492,000 | 1,492,000 | 1,492,000 | 6,941,000 | WF |
| Firestone Reservoir No. 1 Plumbing | 6,165,580 | 1,077,935 | 5,087,645 | - | - | - | - | 6,165,580 | 2020 Water Ent. Bond |
| Historic Firestone Water Line Replacements | 384,290 | - | 384,290 | 395,716 | 407,587 | 419,815 | 432,410 | 2,039,818 | WF |
| St. Vrain Water Treatment Plant | 14,357,750 | 1,290,526 | 13,067,224 | 1,194,850 | - | - | - | 15,552,600 | 2020 Water Ent. Bond |
| St. Vrain WTP Blend Pipeline - Phase 1 | 3,522,560 | 84,863 | 3,437,698 | - | - | - | - | 3,522,560 | 2020 Water Ent. Bond |
| St Vrain WTP Injection Well | 4,535,000 | 33,534 | 4,501,466 | - | - | - | - | 4,535,000 | 2020 Water Ent. Bond |
| SCADA Upgrade | 157,300 | - | 157,300 | 500,000 | - | - | - | 657,300 | WF |
| Firestone Reservoir #1 RipRap | 1,445,000 | - | 1,445,000 | - | - | - | - | 1,445,000 | WF |
| Non-potable Irrigation System Infrastructure | 187,300 | - | 187,300 | 932,700 | - | - | - | 1,120,000 | Raw Water Impact Fees |
| Water Master Plan | 125,000 | - | 125,000 | - | - | - | - | 125,000 | WF |
| Historic Firestone Water Design | 375,000 | - | 375,000 | - | - | - | - | 375,000 | WF |
| Alluvial Well Field #2 | 317,500 | - | 317,500 | - | - | - | 4,782,500 | 5,100,000 | 2020 Water Ent. Bond |
| **Total** | **$ 36,050,180** | **$ 3,136,191** | **$ 32,913,989** | **$ 6,515,266** | **$ 3,899,587** | **$ 3,911,815** | **$ 8,706,910** | **$ 59,083,758** | |
| **STORMWATER FUND** | | | | | | | | | |
| Interim Godding - Tri Town Basin Outfall | $ 200,000 | $ - | $ 200,000 | $ - | $ - | $ - | $ - | $ 200,000 | Impact Fees |
| Regional Detention Pond | 340,500 | - | 340,500 | - | - | - | - | 340,500 | Impact Fees |
| Drainage Master Plan | 350,000 | - | 350,000 | - | - | - | - | 350,000 | Impact Fees |
| Public Works Secondary Containment | 100,000 | - | 100,000 | - | - | - | - | 100,000 | SWF |
| **Total** | **$ 990,500** | **$ -** | **$ 990,500** | **$ -** | **$ -** | **$ -** | **$ -** | **$ 990,500** | |
| **TOWN-WIDE TOTAL** | **$ 47,024,180** | **$ 4,276,384** | **$ 42,747,796** | **$ 8,157,266** | **$ 5,571,587** | **$ 5,602,815** | **$ 10,397,910** | **$ 76,753,758** | |

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