



City of Fort Lupton
REGULAR MEETING AGENDA
Tuesday, April 6, 2021
7:00 PM
130 South McKinley Avenue

Zo Stieber, Mayor
Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Mike Sanchez, Ward 3
David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

You may join in person or join remotely by registering at:
<https://attendee.gotowebinar.com/register/8202213119026433036>

Pledge of Allegiance

Call to Order - Roll Call

Persons to Address Council - This portion of the Agenda is provided to allow members of the audience to present comments to the City Council. The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement or your question may be directed to the appropriate staff member for follow-up. Please limit the time of your comments to three (3) minutes - Mayor Stieber

Approval of Agenda

Review of Accounts Payables

- a. 04062021 Accounts Payable

Executive Session "To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e)." Waste Water Treatment

Consent Agenda - Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Councilmember so requests, in which case the item may be removed/moved from the Consent Agenda.

- a. 03162021 City Council Meeting Minutes
- b. 03182021 Public Meeting Minutes
- c. 03302021 City Council Special Meeting Minutes
- d. Second Reading Ordinance 2021-1109 An Ordinance Annexing Land Legally Described in Exhibit "A" Known as the Alquist Annexation and Approving the Annexation Agreement
- e. Second Reading Ordinance 2021-1110 Adopting an Ordinance Initially Zoning Land Known as the Alquist Initial Zoning, Legally Described in Exhibit A, to the 'A' Agricultural Zone District
- f. AM 2021-052 Approving a Resolution Ratifying the Extension of the One Half of One Percent (.5%) Sales and Use Tax for Street Improvements to December 31, 2031, as Approved by the Electors at the November 3, 2020 Coordinated Election

- g.** AM 2021-053 Approving a Resolution Ratifying the Extension of the One Half of One Percent (.5%) Culture Park and Recreation Sales and Use Tax to December 31, 2041, as Approved by the Electors at the November 5, 2019, Coordinated Election
- h.** AM 2021-054 Approving Payment to Northern Colorado Water Conservancy District (NCWCD) for Initial Construction and Engineering (C&E) on the Windy Gap Firing Project for \$92,558.20 from the Water Sales Tax Fund
- i.** AM 2021-057 Approving Submittal of an Application for Inclusion Into the Northern Colorado Water Conservancy District for the Property at 1310 14th Street - Alquist Annexation
- j.** Am 2021-060 Approving a Resolution Increasing the Engraving Fee for the Columbarium Doors at Hillside Cemetery
- k.** AM 2021-062 Pay Clear Water Solutions \$52,160.00 for Professional Services to Create a Risk and Resilience Assessment and Emergency Response Plan to Comply with the America's Water Infrastructure Act

Public Hearings - Public Hearings allow members of the audience to present comments and questions to the City Council on the item being presented. Comments and questions may be limited to three (3) minutes- Mayor Stieber

- a.** AM 2021-059 Approve a Resolution for the United Fulton Augmentation Station and Pipeline Project Special Use Permit
- b.** Withdrawal of the Hagler Annexation, Hagler Initial Zoning, and Hagler Special Use Permit Applications
- c.** AM 2021-055 Approve the Addition of a Fee for the Waste Water Treatment Plant to Pay the Future Debt Service Required by CDPHE for Reg. 85 Fee to be Added to the April 30, 2021 Utility Bill
- d.** AM 2021-058 Approve a Resolution Adopting an Intergovernmental Agreement with the Town of Firestone Regarding Growth and Planning Area

Action Memorandum

- a.** AM 2021-056 Amending Resolution 2019R019 Revising the Water and Sewer Infrastructure Investment Fee Schedule
- b.** AM 2021-061 Accepting the Bid from D2C Architects and Awarding the Contract for Planning, Design and Consultation Services for the Fort Lupton Shooting Park for an Amount not to Exceed \$50,000

Staff Reports

Mayor/Council Reports

Future City Events

a. 04062021 Upcoming Events

Adjourn



City of Fort Lupton

Check Report

By Check Number

Date Range: 03/17/2021 - 04/06/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: Golf Course-Golf Course						
000239	CITY OF FORT LUPTON	03/17/2021	Regular	0.00	1,104.00	84252
1194602 MAR21	Invoice	03/03/2021	GOLF-AR INVOICES	0.00	421.81	
1195001 MAR21	Invoice	03/03/2021	GOLF-AR INVOICES	0.00	343.00	
1195701 MAR21	Invoice	03/03/2021	GOLF-AR INVOICES	0.00	293.95	
19595600 MAR21	Invoice	03/03/2021	GOLF-AR INVOICES	0.00	24.64	
6601202 MAR21	Invoice	03/03/2021	GOLF-AR INVOICES	0.00	20.60	
000239	CITY OF FORT LUPTON	03/17/2021	Regular	0.00	-1,104.00	84252
001137	UNITED POWER	03/17/2021	Regular	0.00	1,104.00	84253
1194602 MAR21	Invoice	03/03/2021	United Power	0.00	421.81	
1195001 MAR21	Invoice	03/03/2021	United Power	0.00	343.00	
1195701 MAR21	Invoice	03/03/2021	United Power	0.00	293.95	
19595600 MAR21	Invoice	03/03/2021	United Power	0.00	24.64	
6601202 MAR21	Invoice	03/03/2021	United Power	0.00	20.60	
002254	ADIDAS AMERICA INC	03/23/2021	Regular	0.00	67.09	84254
6152860180	Invoice	03/03/2021	GOLF-ULT CLAS PANT-PRO SHOP	0.00	67.09	
000239	CITY OF FORT LUPTON	03/23/2021	Regular	0.00	997.93	84255
FIN2021080	Invoice	03/03/2021	GOLF-FEBRUARY POSTAGE-PRO SHOP	0.00	11.73	
FIN2021086	Invoice	03/10/2021	GOLF-CUSTOM FLAG CO 98-69959-PRO SHOP	0.00	122.50	
FIN2021087	Invoice	03/10/2021	Golf ComData Purchases	0.00	657.94	
FIN2021088	Invoice	03/11/2021	GOLF-VERIZON 2/27-3/26/21-PRO SHOP	0.00	205.76	
000290	COLORADO GOLF & TURF INC	03/23/2021	Regular	0.00	922.18	84256
01-72923	Invoice	03/11/2021	GOLF-BUSHING BALL BEARING-MAINT	0.00	922.18	
000307	COMCAST CABLE COMM, LLC	03/23/2021	Regular	0.00	244.27	84257
0120790 MAR21	Invoice	03/06/2021	GOLF-PHONE/INTERNET 3/6-4/5/21-PRO SH...	0.00	244.27	
000361	DBC IRRIGATION SUPPLY	03/23/2021	Regular	0.00	54.06	84258
S4030788.001	Invoice	03/04/2021	GOLF-IRRIGATION PARTS-MAINT	0.00	54.06	
002723	EAGLE ROCK COMPANY OF COLO	03/23/2021	Regular	0.00	439.85	84259
7721163	Invoice	03/11/2021	GOLF-BEVERAGES-PRO SHOP	0.00	439.85	
000461	FERRELLGAS LP	03/23/2021	Regular	0.00	1,952.75	84260
1114570496	Invoice	03/01/2021	GOLF-PROPANE-MAINT	0.00	1,952.75	
001987	MIZUNO USA INC	03/23/2021	Regular	0.00	713.40	84261
6896154RI	Invoice	03/02/2021	GOLF-CLUBS-PRO SHOP	0.00	713.40	
000944	REPUBLIC NATIONAL DISTRIBUTING CO LLC	03/23/2021	Regular	0.00	199.73	84262
6038054	Invoice	03/10/2021	GOLF-FIREBALL WHISKEY-PRO SHOP	0.00	119.53	
6038065	Invoice	03/10/2021	GOLF-REDBULL/FINESTCALL- PRO SHOP	0.00	80.20	
000974	SAFE SYSTEMS INC	03/23/2021	Regular	0.00	139.19	84263
870192-1051	Invoice	03/07/2021	GOLF-SECURITY SERVICES	0.00	139.19	
000999	SHAMROCK FOODS COMPANY	03/23/2021	Regular	0.00	1,566.57	84264
22357518	Invoice	03/08/2021	GOLF-FOOD/BEVERAGES/SNACKS-PRO SHOP	0.00	990.68	
22357519	Invoice	03/08/2021	GOLF-FOOD/SNACKS/SUPPLIES-PRO SHOP	0.00	575.89	
000246	SRIXON/CLEVELAND GOLF/XX10	03/23/2021	Regular	0.00	600.66	84265
6136650SO	Invoice	03/01/2021	GOLF-GOLF BALLS-PRO SHOP	0.00	600.66	
001064	TAYLORMADE GOLF COMPANY INC	03/23/2021	Regular	0.00	301.34	84266

Check Report

Date Range: 03/17/2021 - 04/06/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
34790088	Invoice	03/01/2021	GOLF-CARTLITEUSNAVY-PRO SHOP	0.00	156.85	
34796740	Invoice	03/01/2021	GOLF-FLEXTech LITE-PRO SHOP	0.00	144.49	
001301	AAA AUTO PARTS INC	03/30/2021	Regular	0.00	296.48	84267
107337	Invoice	03/01/2021	GOLF-NAPAGOLD OIL FILTER-MAINT	0.00	17.96	
107457	Invoice	03/02/2021	GOLF-SCREW EXTRACTOR-MAINT	0.00	13.28	
107725	Invoice	03/05/2021	GOLF-NAPAGOLF OIL FILTER-MAINT	0.00	30.83	
107753	Invoice	03/05/2021	GOLF-BATTERY/CORE DEPOSIT- MAINT	0.00	40.61	
107764	Invoice	03/05/2021	GOLF-SPARK PLUGS-MAINT	0.00	4.79	
107944	Invoice	03/08/2021	GOLF-OIL FILTER-MAINT	0.00	6.47	
108008	Invoice	03/09/2021	GOLF-10W30 OIL-MAINT	0.00	49.51	
108103	Invoice	03/10/2021	GOLF-BATTERY/CORE DEPOSIT-MAINT	0.00	25.65	
108861	Invoice	03/22/2021	GOLF-BATTERY/CORE DEPOSIT- MAINT	0.00	107.38	
000024	ACE HARDWARE OF FORT LUPTON	03/30/2021	Regular	0.00	92.76	84268
87682	Invoice	03/03/2021	GOLF-TAP PLUG/FASTENERS-MAINT	0.00	6.98	
87722	Invoice	03/05/2021	GOLF-COUPERS/REDUCERS-MAINT	0.00	31.96	
87723	Invoice	03/05/2021	GOLF-QUICK CONNECTS-MAINT	0.00	15.98	
87783	Invoice	03/09/2021	GOLF-1.25" CAP-MAINT	0.00	5.56	
87818	Invoice	03/11/2021	GOLF-FASTENERS-MAINT	0.00	0.75	
87958	Invoice	03/19/2021	GOLF-WRENCH/ELEC TAPE/FLY TAPE-MAINT	0.00	31.53	
000028	ACUSHNET COMPANY	03/30/2021	Regular	0.00	1,058.02	84269
910439645	Invoice	03/09/2021	GOLF-MERCHANDISE-PRO SHOP	0.00	1,058.02	
002254	ADIDAS AMERICA INC	03/30/2021	Regular	0.00	108.89	84270
6152929634	Invoice	03/11/2021	GOLF-MERCHANDISE-PRO SHOP	0.00	108.89	
000044	AGFINITY INC	03/30/2021	Regular	0.00	379.15	84271
154839	Invoice	03/01/2021	GOLF-ETHANOL-MAINT	0.00	379.15	
000106	ASTRAL COMMUNICATIONS INC	03/30/2021	Regular	0.00	610.00	84272
210178	Invoice	03/17/2021	GOLF-COMMUNICATIONS RADIO & EARPIEC...	0.00	610.00	
000163	BRIDGESTONE GOLF, INC	03/30/2021	Regular	0.00	818.88	84273
1002971791	Invoice	03/10/2021	GOLF-2020 TOUR B X & RX WHITE DZ-PRO S...	0.00	614.16	
1002979431	Invoice	03/06/2021	GOLF-2020 TOUR B RXS WHITE DZ-PRO SHOP	0.00	204.72	
000183	CALLAWAY GOLF SALES COMPANY	03/30/2021	Regular	0.00	1,389.42	84274
9322647228	Invoice	03/01/2021	GOLF-MERCHANDISE-PRO SHOP	0.00	222.06	
932319466	Credit Memo	03/05/2021	Callaway Golf	0.00	-4,186.01	
932624134	Invoice	03/01/2021	GOLF-MERCHANDISE-PRO SHOP	0.00	335.76	
932649622	Invoice	03/01/2021	GOLF-MERCHANDISE-PRO SHOP	0.00	3,312.86	
932649670	Invoice	03/01/2021	GOLF-GOLF BALLS-PRO SHOP	0.00	228.12	
932666940	Invoice	03/01/2021	GOLF-MERCHANDISE-PRO SHOP	0.00	122.98	
932724334	Invoice	03/09/2021	GOLF-OPTI FLEX-PRO SHOP	0.00	1,125.50	
932724336	Invoice	03/09/2021	GOLF-BALLS-PRO SHOP	0.00	228.15	
000239	CITY OF FORT LUPTON	03/30/2021	Regular	0.00	1,000.04	84275
FIN2021093	Invoice	03/18/2021	GOLF-APR21 EAP PROGRAM-ADMIN	0.00	4.02	
FIN2021096	Invoice	03/19/2021	GOLF-PINNACOL WORK COMP 1/1/21-1/1/2...	0.00	996.02	
002723	EAGLE ROCK COMPANY OF COLO	03/30/2021	Regular	0.00	258.00	84276
7739895	Invoice	03/18/2021	GOLF-BEVERAGES-PRO SHOP	0.00	258.00	
000461	FERRELLGAS LP	03/30/2021	Regular	0.00	1.37	84277
FC-13996582	Invoice	03/01/2021	GOLF-LATE CHARGES-PRO SHOP	0.00	1.37	
002011	FRONT RANGE LUMBER COMPANY	03/30/2021	Regular	0.00	48.97	84278
9432/2	Invoice	03/01/2021	GOLF-4X9 OSB FULL SHEETS-MAINT	0.00	48.97	
000567	HIGH COUNTRY BEVERAGE CORP	03/30/2021	Regular	0.00	39.72	84279
W-5929270	Invoice	03/22/2021	GOLF-ALCOHOLIC BEVERAGES-PRO-SHOP	0.00	39.72	

Check Report

Date Range: 03/17/2021 - 04/06/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
000742	LORENTE LLC	03/30/2021	Regular	0.00	663.18	84280
289554	Invoice	03/22/2021	GOLF-WOVEN TOWELS-PRO SHOP	0.00	663.18	
000795	MILE HIGH TURFGRASS, LLC	03/30/2021	Regular	0.00	385.07	84281
7960	Invoice	03/01/2021	GOLF-BEDKNIFE SUPPLIES FOR JOHN DEERE...	0.00	385.07	
001987	MIZUNO USA INC	03/30/2021	Regular	0.00	1,492.90	84282
6923425 RI	Invoice	03/16/2021	GOLF-MERCHANDISE-PRO SHOP	0.00	782.13	
6925293 RI	Invoice	03/17/2021	GOLF-HATS/BALLS/UMBRELLA-PRO SHOP	0.00	710.77	
001052	SWIRE COCA-COLA, USA	03/30/2021	Regular	0.00	359.71	84283
13923211036	Invoice	03/17/2021	GOLF-BEVERAGES-PRO SHOP	0.00	359.71	
001105	TOSHIBA FINANCIAL SERVICES	03/30/2021	Regular	0.00	231.45	84284
438661118	Invoice	03/16/2021	GOLF-MAR21 COPIER LEASE-PRO SHOP	0.00	231.45	
001594	WILBUR-ELLIS COMPANY LLC	03/30/2021	Regular	0.00	2,683.08	84285
14001938	Invoice	03/01/2021	GOLF-SERVICE CHARGE JAN21-PRO SHOP	0.00	31.33	
14027794	Invoice	03/01/2021	GOLF-SERVICE CHARGE DEC20-PRO SHOP	0.00	30.43	
14056677	Invoice	03/01/2021	GOLF-SERVICE CHARGE FEB21-PRO SHOP	0.00	27.49	
14074687	Invoice	03/11/2021	GOLF-SUPPLIES-MAINT	0.00	2,593.83	
000241	CITY OF FT LUPTON-UTIL INVOICE	04/06/2021	Regular	0.00	208.69	84286
110249001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-Golf	0.00	116.38	
110252001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-Golf	0.00	0.06	
110252101 MAR21	Invoice	03/31/2021	Water/Sewer Bill-Golf	0.00	51.25	
770214501 MAR21	Invoice	03/31/2021	Water/Sewer Bill-Golf	0.00	41.00	

Bank Code Golf Course Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	78	35	0.00	22,532.80
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-1,104.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	78	36	0.00	21,428.80

Check Report

Date Range: 03/17/2021 - 04/06/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: Pooled Cash-Pooled Cash						
002713	LINDA HOSELTON	03/17/2021	Regular	0.00	-530.00	69087
002713	LINDA HOSELTON	03/17/2021	Regular	0.00	530.00	69227
022721	Invoice	03/01/2021	CEM-Refund of Open/Close Fees-CEM	0.00	530.00	
001137	UNITED POWER	03/17/2021	Regular	0.00	31,484.58	69228
10553102 MAR21	Invoice	03/03/2021	United Power	0.00	22.24	
1195501 MAR21	Invoice	03/03/2021	United Power	0.00	1,450.80	
1195603 MAR21	Invoice	03/03/2021	United Power	0.00	255.66	
1196401 MAR21	Invoice	03/03/2021	United Power	0.00	33.82	
1207701 MAR21	Invoice	03/03/2021	United Power	0.00	21.05	
1223101 MAR21	Invoice	03/03/2021	United Power	0.00	20.00	
1240301 MAR21	Invoice	03/03/2021	United Power	0.00	274.32	
1241801 MAR21	Invoice	03/03/2021	United Power	0.00	144.58	
1241903 MAR21	Invoice	03/03/2021	United Power	0.00	128.92	
1276101 MAR21	Invoice	03/03/2021	United Power	0.00	162.82	
1279801 MAR21	Invoice	03/03/2021	United Power	0.00	24.72	
1295501 MAR21	Invoice	03/03/2021	United Power	0.00	57.34	
1296101 MAR21	Invoice	03/03/2021	United Power	0.00	152.34	
1299501 MAR21	Invoice	03/03/2021	United Power	0.00	112.00	
1302801 MAR21	Invoice	03/03/2021	United Power	0.00	1,370.43	
1302901 MAR21	Invoice	03/03/2021	United Power	0.00	170.59	
1316801 MAR21	Invoice	03/03/2021	United Power	0.00	296.88	
1322501 MAR21	Invoice	03/03/2021	United Power	0.00	5,923.34	
1360303 MAR21	Invoice	03/03/2021	United Power	0.00	27.26	
13842400 MAR21	Invoice	03/03/2021	United Power	0.00	43.55	
14427100 MAR21	Invoice	03/03/2021	United Power	0.00	172.87	
15232500 MAR21	Invoice	03/03/2021	United Power	0.00	21.90	
17149700 MAR21	Invoice	03/03/2021	United Power	0.00	56.45	
17761600 MAR21	Invoice	03/03/2021	United Power	0.00	20.00	
17868800 MAR21	Invoice	03/03/2021	United Power	0.00	20.00	
18057500 MAR21	Invoice	03/03/2021	United Power	0.00	589.26	
18498400 MAR21	Invoice	03/03/2021	United Power	0.00	138.24	
18762100 MAR21	Invoice	03/03/2021	United Power	0.00	88.60	
19545100 MAR21	Invoice	03/03/2021	United Power	0.00	688.98	
20040100 MAR21	Invoice	03/03/2021	United Power	0.00	445.39	
21675200 MAR21	Invoice	03/03/2021	United Power	0.00	30.00	
21675300 MAR21	Invoice	03/03/2021	United Power	0.00	30.00	
3399301 MAR21	Invoice	03/03/2021	United Power	0.00	52.13	
6612303 MAR21	Invoice	03/03/2021	United Power	0.00	21.07	
6779701 MAR21	Invoice	03/03/2021	United Power	0.00	5,802.70	
704901 MAR21	Invoice	03/03/2021	United Power	0.00	7,567.25	
7225800 MAR21	Invoice	03/03/2021	United Power	0.00	20.97	
726705 MAR21	Invoice	03/03/2021	United Power	0.00	20.00	
7280200 MAR21	Invoice	03/03/2021	United Power	0.00	21.90	
733101 MAR21	Invoice	03/03/2021	United Power	0.00	397.68	
762901 MAR21	Invoice	03/03/2021	United Power	0.00	248.38	
803908 MAR21	Invoice	03/03/2021	United Power	0.00	3,776.10	
8976200 MAR21	Invoice	03/03/2021	United Power	0.00	562.05	
000031	ADAMSON POLICE PRODUCTS	03/23/2021	Regular	0.00	71.99	69230
INV347835	Invoice	03/02/2021	GF-MAR-STRYKE PDU WOMENS PANT/WALK...	0.00	71.99	
000037	ADVANCED URGENT CARE AND OCC MED	03/23/2021	Regular	0.00	55.00	69231
67749	Invoice	03/15/2021	GF-URIN DRUG SCREEN-HR	0.00	55.00	
000250	CO ASSOC OF CHIEFS OF	03/23/2021	Regular	0.00	472.50	69232
2576	Invoice	03/01/2021	GF-TESTING MATERIALS-PD	0.00	472.50	
002651	COLORADO COMMUNITY MEDIA	03/23/2021	Regular	0.00	229.96	69233
18159	Invoice	03/14/2021	GF-LEGAL PUBLICATIONS	0.00	229.96	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
000306	COMCAST BUSINESS	03/23/2021	Regular	0.00	2,226.72	69234
118040267	Invoice	03/01/2021	Comcast Acct 930000301	0.00	2,226.72	
000307	COMCAST CABLE COMM, LLC	03/23/2021	Regular	0.00	360.67	69235
0124495 FEB21	Invoice	03/22/2021	GF-2/25/21-3/24/21 CABLE-CPR	0.00	140.65	
6460164533 MAR...	Invoice	03/13/2021	Comcast 0164533	0.00	220.02	
000316	COOKS INTERIORS	03/23/2021	Regular	0.00	2,144.67	69236
9436	Invoice	03/01/2021	GF-FLOOR INSTALLATION-PD	0.00	2,144.67	
002581	COUNTRY TRUCK & AUTO LLC	03/23/2021	Regular	0.00	1,262.75	69237
10313	Invoice	03/01/2021	GF-MAINTENANCE UNIT 2013 CHEV SILVER...	0.00	500.08	
10540	Invoice	03/01/2021	GF-MAINTENANCE 2013 CHEV SILVERADO 1...	0.00	762.67	
002712	DENVER DEMOLITION AND ABATEMENT LLC	03/23/2021	Regular	0.00	1,755.00	69238
2021-03	Invoice	03/10/2021	GF-INSTALL LINTEL SYSTEM-PD	0.00	1,755.00	
001608	ECONOMIC DEVELOPMENT COUNCIL OF COLORAI	03/23/2021	Regular	0.00	250.00	69239
1018	Invoice	03/01/2021	GF-2021 MEMBERSHIP DUES-CITYADM	0.00	250.00	
000431	EMPLOYERS COUNCIL SERVICES, INC	03/23/2021	Regular	0.00	421.89	69240
365778	Invoice	03/01/2021	GF-ANNUAL FEES 2021 LABOR POSTER SVC-...	0.00	421.89	
002568	FORT LUPTON CAR WASH	03/23/2021	Regular	0.00	182.25	69241
179	Invoice	03/09/2021	GF-2/21-2/28/21 VEHICLE MAINTENANCE-PD	0.00	182.25	
000491	FORT LUPTON VETERINARY	03/23/2021	Regular	0.00	420.00	69242
02232021	Invoice	03/01/2021	GF-ANIMAL IMPOUNDS-COM SVCS	0.00	420.00	
001930	HUMANA HEALTH PLAN INC	03/23/2021	Regular	0.00	86,224.06	69243
379450437	Invoice	04/01/2021	GF-APR21 HEALTH,DENTAL,VISION	0.00	86,224.06	
002166	JBS PIPELINE CONTRACTORS	03/23/2021	Regular	0.00	119,486.72	69244
AP5	Invoice	03/12/2021	SDF-KAHIL STORM DRAIN PROJECT-	0.00	19,482.30	
AP5A	Invoice	03/12/2021	WST-AM2020-196 REPLACE KAHIL WATER ...	0.00	1,555.20	
AP6	Invoice	03/25/2021	WST-AM2020-196 REPLACE KAHIL WATER ...	0.00	19,629.28	
AP6A	Invoice	03/25/2021	SDF-KAHIL STORM DRAIN PROJECT-	0.00	78,819.94	
001786	JOHNSON CONTROLS SECURITY SOLUTIONS	03/23/2021	Regular	0.00	170.41	69245
35630990	Invoice	03/06/2021	CPR-4/10-6/30/21 QUARTERLY BILLING-MU...	0.00	170.41	
000714	LEGACY SCHOOL OF DANCE LLC	03/23/2021	Regular	0.00	525.00	69246
3122021	Invoice	03/12/2021	REC-MARCH DANCE CLASSES	0.00	525.00	
000716	LEONARD B. MEDOFF, Ph.D.	03/23/2021	Regular	0.00	300.00	69247
02202021	Invoice	03/01/2021	GF-PRE-EMPLOYMENT PSYCH EVAL/LEON-PD	0.00	300.00	
002195	MINUTEMAN PRESS	03/23/2021	Regular	0.00	278.98	69248
35041	Invoice	03/12/2021	GF-ENVELOPES-FIN	0.00	278.98	
000811	MOTOROLA SOLUTIONS	03/23/2021	Regular	0.00	2,557.92	69249
8281121710	Invoice	03/01/2021	Replacement Radio Batteries	0.00	2,557.92	
000865	OFFICE DEPOT	03/23/2021	Regular	0.00	181.74	69250
159980868-001	Invoice	03/01/2021	GF-OFFICE SUPPLIES-COURT	0.00	181.74	
002711	Oxygen Forensics Inc	03/23/2021	Regular	0.00	7,495.00	69251
89301-1	Invoice	03/04/2021	Oxygen Software and Training	0.00	7,495.00	
001943	PINNACOL ASSURANCE	03/23/2021	Regular	0.00	13,485.00	69252
20393069	Invoice	03/15/2021	Workers Comp Insurance Premium	0.00	13,485.00	
002462	QUALITY OF COLORADO	03/23/2021	Regular	0.00	206.39	69253
8797	Invoice	03/12/2021	REC-GLOVES	0.00	206.39	
002722	SPECTRA ASSOCIATES INC	03/23/2021	Regular	0.00	378.50	69254

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41016-C	Invoice	03/09/2021	GF-MINUTE BOOKS-CITY CL	0.00	378.50	
001889	TABOR RICE FUNERAL HOME INC	03/23/2021	Regular	0.00	3,888.88	69255
20-272-6105F	Invoice	03/01/2021	GF-FUNERAL SERVICES-MISC	0.00	3,888.88	
001075	THE CONSOLIDATED MUTUAL	03/23/2021	Regular	0.00	291.12	69256
03122021B	Invoice	03/12/2021	UF-FEB21 ELECTRICAL PERRY PIT-WELL B	0.00	32.88	
03122021C	Invoice	03/12/2021	UF-FEB21 ELECTRICAL PERRY PIT-WELL C	0.00	32.54	
03122021D	Invoice	03/12/2021	UF-FEB21 ELECTRICAL PERRY PIT-DISCHARGE...	0.00	225.70	
001635	THE TALLENT COMPANY	03/23/2021	Regular	0.00	2,750.00	69257
1154	Invoice	03/16/2021	GF-COMplete COMMUNICATION-CITY ADM	0.00	2,750.00	
001101	TODD HODGES DESIGN LLC	03/23/2021	Regular	0.00	11,018.75	69258
3301	Invoice	03/15/2021	GF-3/1-3/14/21 SERVICES-PLANNING	0.00	11,018.75	
001105	TOSHIBA FINANCIAL SERVICES	03/23/2021	Regular	0.00	1,969.75	69259
438177107	Invoice	03/08/2021	Copier Lease	0.00	1,969.75	
001364	TRAKSTAR	03/23/2021	Regular	0.00	10,500.00	69260
15421	Invoice	03/01/2021	Trakstar annual	0.00	10,500.00	
001120	TRUDILIGENCE LLC	03/23/2021	Regular	0.00	429.24	69261
39466	Invoice	03/01/2021	GF-BACKGROUNG CHECKS-HR	0.00	429.24	
001126	TYLER TECHNOLOGIES	03/23/2021	Regular	0.00	7,428.00	69262
130-17744	Invoice	03/01/2021	Maintenance and Support	0.00	7,428.00	
001311	VERDEK LLC	03/23/2021	Regular	0.00	1,398.00	69263
84894	Invoice	03/11/2021	REC-COMM CLOUD PLAN/PARTS&LABOR	0.00	1,398.00	
001228	YOURMEMBERSHIP.COM INC	03/23/2021	Regular	0.00	129.00	69264
R49893269	Invoice	03/08/2021	GF-30DAY JOB POSTING LIFEGUARD-HR	0.00	129.00	
000037	ADVANCED URGENT CARE AND OCC MED	03/30/2021	Regular	0.00	205.00	69274
67805	Invoice	03/19/2021	GF-DRUG SCREEN-HR	0.00	55.00	
67807	Invoice	03/19/2021	GF-RAPID COVID TEST-LEGIS	0.00	95.00	
67851	Invoice	03/20/2021	GF-DRUG SCREEN-HR	0.00	55.00	
000041	AGFINITY	03/30/2021	Regular	0.00	146.00	69275
H59298	Invoice	03/05/2021	GF-FERTILIZER-PARKS	0.00	146.00	
002179	AUDREY DICUS	03/30/2021	Regular	0.00	7.53	69276
03192021ADICUS	Invoice	03/19/2021	GF-REFUND ST DIS PREM	0.00	7.53	
001908	CENTURA HEALTH	03/30/2021	Regular	0.00	84.24	69277
700000496 FEB21	Invoice	03/08/2021	GF-HC VENIPUNCTURE-PD	0.00	84.24	
000306	COMCAST BUSINESS	03/30/2021	Regular	0.00	687.52	69278
119023630	Invoice	03/24/2021	Comcast Phones	0.00	687.52	
000429	EMPIRE PORTABLE RESTROOMS	03/30/2021	Regular	0.00	795.60	69279
55903	Invoice	03/03/2021	CPR-PORTABLE RESTROOMS-COM CTR	0.00	795.60	
000431	EMPLOYERS COUNCIL SERVICES, INC	03/30/2021	Regular	0.00	205.00	69280
372528	Invoice	03/03/2021	GF-ADA MANAGING DISABILITIES IN WORKP...	0.00	205.00	
002726	FORT LUPTON EASY STORAGE	03/30/2021	Regular	0.00	1,900.00	69281
032321 FLES	Invoice	03/23/2021	GF-VCF PAYMENT-COURT	0.00	1,900.00	
000555	HAROLDS EXCAVATING SERVICES LL	03/30/2021	Regular	0.00	34,462.50	69282
6873	Invoice	03/23/2021	SSTX-SNOW REMOVAL-STREETS	0.00	34,462.50	
001705	KRISTIN MAY	03/30/2021	Regular	0.00	2.42	69283
031921 KMAY	Invoice	03/19/2021	GF-REFUND ST DIS PREM	0.00	2.42	
000796	MIRACLE RECREATION EQUIP	03/30/2021	Regular	0.00	353.74	69284

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831086	Invoice	03/01/2021	GF-SLASH PROOF SEAT W/SHACKLES-PARKS	0.00	353.74	
002048	NATHALIA BALDERAS	03/30/2021	Regular	0.00	20.58	69285
031921 NBALDER...	Invoice	03/19/2021	GF-REFUND ST DIS PREM	0.00	20.58	
000861	NVAA	03/30/2021	Regular	0.00	920.00	69286
031821 NVAA	Invoice	03/18/2021	CPR-NVAA DUES-ATHL	0.00	920.00	
000865	OFFICE DEPOT	03/30/2021	Regular	0.00	524.43	69287
158750134001	Invoice	03/01/2021	GF-OFFICE SUPPLIES-CITY ADM	0.00	63.79	
159970209001	Invoice	03/01/2021	GF-FLAGS SOLID-COURT	0.00	15.98	
159980868001	Invoice	03/01/2021	GF-OFFICE SUPPLIES-COURT	0.00	181.74	
161084368001	Invoice	03/05/2021	GF-OFFICE SUPPLIES	0.00	67.07	
161093987001	Invoice	03/05/2021	GF-OFFICE SUPPLIES-HR	0.00	44.04	
161203731001	Invoice	03/03/2021	GF-OFFICE SUPPLIES	0.00	126.73	
162935271001	Invoice	03/10/2021	GF-OFFICE SUPPLIES-CITY ADM	0.00	25.08	
000862	O'REILLY AUTO PARTS	03/30/2021	Regular	0.00	7.98	69288
4489-278133	Invoice	03/16/2021	GF-5AMP BLADE-PARKS	0.00	7.98	
002727	RELIABLE TOWING AND RECOVERY	03/30/2021	Regular	0.00	625.00	69289
15339	Invoice	03/14/2021	SSTX-TOW #7-STREETS	0.00	625.00	
002235	SHAWNA PAINTIN	03/30/2021	Regular	0.00	25.62	69290
031921 SPAINTIN	Invoice	03/19/2021	GF-REFUND ST DIS PREM	0.00	25.62	
002694	SYMMETRY ENERGY SOLUTIONS LLC	03/30/2021	Regular	0.00	4,038.19	69291
9857794	Invoice	03/22/2021	REC-NATURAL GAS 553 GALS	0.00	4,038.19	
002659	TAIT & ASSOCIATES, INC.	03/30/2021	Regular	0.00	11,217.75	69292
137869	Invoice	03/01/2021	AM2020-193 Harrison Ave / 4th St Engineeri...	0.00	11,217.75	
002725	TIRES TO GREEN RECYCLING COLORADO LLC	03/30/2021	Regular	0.00	900.00	69293
0015	Invoice	03/08/2021	GF-TIRE RECYCLING	0.00	900.00	
001105	TOSHIBA FINANCIAL SERVICES	03/30/2021	Regular	0.00	260.46	69294
438658924	Invoice	03/16/2021	GF-MAR21 COPIER LEASE-IT	0.00	260.46	
001126	TYLER TECHNOLOGIES	03/30/2021	Regular	0.00	992.25	69295
25-326755	Invoice	03/24/2021	Incode Court Citation/Warrant Maint (5/1/2...	0.00	992.25	
001963	WASTE CONNECTIONS OF COLO, INC	03/30/2021	Regular	0.00	218.18	69296
31177334 MAR21	Invoice	03/15/2021	CEM-APR TRASH SERVICES	0.00	103.44	
31775457 MAR21	Invoice	03/15/2021	GF-APR 21 TRASH SERVICES-PARKS	0.00	114.74	
001183	WAXIE SANITARY SUPPLY	03/30/2021	Regular	0.00	89.04	69297
79764859	Invoice	03/01/2021	GF-PAPER TOWELS-PW SHOP	0.00	89.04	
001224	XCEL ENERGY-GAS	03/30/2021	Regular	0.00	2,884.95	69298
5320352370 MAR...	Invoice	03/02/2021	GF-MAR21 GAS BILL	0.00	2,589.49	
5320352381 MAR...	Invoice	03/22/2021	GF-MAR21 GAS BILL-B&G	0.00	295.46	
000807	MORNING STAR ELEVATOR LLC	03/25/2021	Regular	0.00	560.00	69299
INV16-20372	Invoice	03/05/2021	GF-MAR21 ELEVATOR MAINTENANCE-MUS...	0.00	560.00	
001301	AAA AUTO PARTS INC	03/31/2021	Regular	0.00	262.75	69300
108338	Invoice	03/12/2021	WIPER BLADES FOR SNOW PLOWS	0.00	215.21	
108463	Invoice	03/16/2021	GF-HYD HOSE FITTINGS TRUCK#4-STREETS	0.00	47.54	
000023	ACE EQUIPMENT & SUPPLY	03/31/2021	Regular	0.00	2,078.10	69301
171766	Invoice	03/18/2021	GF-10' PLOW EDGE, 10' RUBBER PLOW BLAD...	0.00	2,078.10	
000031	ADAMSON POLICE PRODUCTS	03/31/2021	Regular	0.00	615.93	69302
INV348965	Invoice	03/17/2021	GF-UNDERVEST LS, VELCRO STRIP VASQUEZ-...	0.00	39.55	
INV349407	Invoice	03/22/2021	GF-BELTS,EARMOLDS, PANTS, LIGHT BUTTRY...	0.00	316.38	

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INV349521	Invoice	03/23/2021	GF-UNDERVEST SHIRTS BUTTRY/VALDEZ-PD	0.00	260.00	
000034	ADT SECURITY SYSTEM	03/31/2021	Regular	0.00	122.40	69303
MAR21	Invoice	03/03/2021	MONTHLY SECURITY MONITORING 3/25-4/24	0.00	122.40	
000040	AFLAC	03/31/2021	Regular	0.00	1,985.18	69304
877854	Invoice	03/11/2021	GF-SUPP INS FOR MARCH21-HR	0.00	1,985.18	
002600	BEARCOM	03/31/2021	Regular	0.00	125.00	69305
5170464	Invoice	03/19/2021	GF-TROUBLE SHOOT DEAD BATTERY C51390...	0.00	125.00	
000211	CH2M	03/31/2021	Regular	0.00	4,294.26	69306
D3410900-04	Invoice	03/26/2021	OMI - Engineering Services	0.00	4,294.26	
000241	CITY OF FT LUPTON-UTIL INVOICE	03/31/2021	Regular	0.00	2,383.74	69307
110035001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
110221001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
110222001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
110251001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
330025001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
330031001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
330045001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	135.29	
330092001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
330166001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	56.74	
330920000 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
550055501 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	66.77	
550057001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	94.22	
550057601 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	1,101.51	
550057701 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
660092001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
770109501 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
770116501 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
770229001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
770229501 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
770229601 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
770231101 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
990004001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
990004101 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	51.25	
990005001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	146.51	
990006001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
990007001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
990008001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	34.65	
990132001 MAR21	Invoice	03/31/2021	Water/Sewer Bill-City	0.00	38.45	
000267	COLONIAL LIFE	03/31/2021	Regular	0.00	105.96	69308
7816820-0401785	Invoice	03/22/2021	MAR21 COLONIAL INS	0.00	105.96	
000268	COLORADO ANALYTICAL LAB	03/31/2021	Regular	0.00	46.00	69309
210111049	Invoice	03/01/2021	UF-TOTAL COLIFORM P/A-W LINES	0.00	46.00	
000269	COLORADO ASPHALT SVCS	03/31/2021	Regular	0.00	1,201.20	69310
56702	Invoice	03/08/2021	SSTX-8.58 TONS EZ COLD ASPHALT-STREETS	0.00	1,201.20	
002651	COLORADO COMMUNITY MEDIA	03/31/2021	Regular	0.00	225.00	69311
22009	Invoice	04/02/2021	GF-CEMETERY CLEANUP ADS-CITY CLK	0.00	225.00	
000307	COMCAST CABLE COMM, LLC	03/31/2021	Regular	0.00	366.92	69312
606460117309 M...	Invoice	03/14/2021	REC-MAR21 CABLE/MUSIC	0.00	268.05	
6064601459244 ...	Invoice	03/21/2021	GF-MAR21 FAX/INTOXILIZER-PD	0.00	98.87	
001517	CORE&MAIN LP	03/31/2021	Regular	0.00	3,277.13	69313
N537136	Invoice	03/19/2021	UF-20X36 METER PIT-W LINES	0.00	2,250.00	
N726950	Invoice	03/04/2021	UF-TWO HOLE LID 1"-W LINES	0.00	429.50	

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N814549	Invoice	03/04/2021	UF-REPLACEMENT CLIPS-W LINES	0.00	165.94	
N853650	Invoice	03/10/2021	UF-BONNET GASKET/REPAIR KIT-W LINES	0.00	431.69	
000455	FASTENAL COMPANY 01COFTL	03/31/2021	Regular	0.00	169.69	69314
COFTL171316	Invoice	03/01/2021	GF-FASTENERS ETC-STREETS	0.00	45.66	
COFTL171685	Invoice	03/01/2021	GF-REPAIR PARTS-STREETS	0.00	23.51	
COFTL174210	Invoice	03/10/2021	GF-REPAIR PARTS-STREETS	0.00	100.52	
000745	LOUIS A GRESH	03/31/2021	Regular	0.00	1,500.00	69315
MAR21	Invoice	03/23/2021	GF-MAR21 ARRAIGNMENTS-COURT	0.00	1,500.00	
002049	MUNI RESOURCES	03/31/2021	Regular	0.00	65.00	69316
21-007	Invoice	03/27/2021	GF-DISCUSSIONS OF LEGAL MATTERS-CITY C...	0.00	65.00	
002049	MUNI RESOURCES	03/31/2021	Regular	0.00	-65.00	69316
002027	MURRAYSMITH INC	03/31/2021	Regular	0.00	2,611.00	69317
20-2746.00-13	Invoice	03/24/2021	WST- Non-Pot Pumphouse Engineering- WTP	0.00	2,611.00	
000847	NORMAN'S MEMORIALS INC.	03/31/2021	Regular	0.00	85.00	69318
SANDOVAL	Invoice	03/27/2021	CEM-SANDOVAL ENGRAVING SERVICES	0.00	85.00	
000862	O'REILLY AUTO PARTS	03/31/2021	Regular	0.00	375.86	69319
4489-242807	Invoice	03/01/2021	GF-HIPWR BELT-STREETS	0.00	10.52	
4489-242879	Credit Memo	03/01/2021	GF-HIPWR BELT-STREETS	0.00	-10.52	
4489-246469	Invoice	03/01/2021	REC-RV ANTIFREEZE	0.00	23.96	
4489-257802	Invoice	03/01/2021	GF-WIPER BLADE-STREETS	0.00	26.10	
4489-276749	Invoice	03/09/2021	CEM-MOTOROIL	0.00	47.88	
4489-276753	Invoice	03/09/2021	BLUE DEF FOR FLEET	0.00	239.99	
4489-277357	Invoice	03/11/2021	GF-WIPER FLUID-STREETS	0.00	29.94	
4489-280283	Invoice	03/24/2021	GF-BLUEDEF 1GAL-PARKS	0.00	7.99	
000896	PETTY CASH-FINANCE	03/31/2021	Regular	0.00	128.96	69320
MAR21	Invoice	03/31/2021	GF-PETTY CASH REIMBURSEMENT	0.00	128.96	
000927	PURIFOY CHEV CO	03/31/2021	Regular	0.00	282.41	69321
155242	Invoice	03/01/2021	GF-GASKET,MANIFOLD AND BOLT-STREETS	0.00	282.41	
000928	PUSH-PEDAL-PULL	03/31/2021	Regular	0.00	280.00	69322
305377	Invoice	03/23/2021	REC-FITNESS STEPMILL	0.00	280.00	
000931	R & L TIRES	03/31/2021	Regular	0.00	97.50	69323
38833	Invoice	03/09/2021	GF-TIRE REPAIR-STREETS	0.00	97.50	
000935	RAQUEL FERSZT	03/31/2021	Regular	0.00	375.00	69324
989291	Invoice	03/18/2021	GF-FEB21 TRANSLATOR SERVICES-COURT	0.00	375.00	
002728	READY MIXED CONCRETE	03/31/2021	Regular	0.00	11,007.10	69325
R00059074	Invoice	03/25/2021	UF-HYDRANT METER DEPOSIT REFUND/WAT...	0.00	11,007.10	
000942	RENEWABLE FIBER INC	03/31/2021	Regular	0.00	142.25	69326
INV0761655	Invoice	03/01/2021	GF-SAFEPLAY GROUND CHIPS-PARKS	0.00	142.25	
001035	STANDARD INSURANCE CO.	03/31/2021	Regular	0.00	6,179.09	69327
00 759761 0001 A...	Invoice	04/01/2021	LI, AD&D, LTD, STD Ins Prem	0.00	6,179.09	
001624	STATE OF COLORADO	03/31/2021	Regular	0.00	2,543.31	69328
17522-21	Invoice	03/26/2021	UF-MAR21 PRINT BILLS/LATE NOTICES-UB	0.00	2,543.31	
001040	STERICYCLE	03/31/2021	Regular	0.00	61.00	69329
3005483743	Invoice	04/01/2021	REC-BIOHAZARD PICKUP	0.00	61.00	
001606	SUPER-TECH FILTERS	03/31/2021	Regular	0.00	442.47	69330
345205	Invoice	03/01/2021	REC-HVAC FILTERS	0.00	442.47	
001343	TIME CLOCK PLUS	03/31/2021	Regular	0.00	148.00	69331
568670	Invoice	03/01/2021	GF-TCP OVERAGE 01/24-02/23-HR	0.00	68.00	

Check Report

Date Range: 03/17/2021 - 04/06/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
571509	Invoice	03/24/2021	GF-TCP OVERAGE 2/24-3/23-HR	0.00	80.00	
001101	TODD HODGES DESIGN LLC	03/31/2021	Regular	0.00	8,020.84	69332
3302	Invoice	03/29/2021	GF-PLANNING SERVICES 03/15-03/28-PLAN	0.00	8,020.84	
001147	USA BLUE BOOK	03/31/2021	Regular	0.00	1,422.50	69333
518662	Invoice	03/02/2021	UF-WIRE FLAGS AND WHISKERS	0.00	1,422.50	
001174	WAGNER EQUIPMENT CO.	03/31/2021	Regular	0.00	46.60	69334
P00C2347456	Invoice	03/26/2021	GF-AIR FILTERS, ELEMENT AS-STREETS	0.00	562.60	
S09C0708864	Credit Memo	02/23/2021	GF-TRANSMISSION REPAIR-STREETS	0.00	-1,234.00	
S09W0853695	Invoice	03/10/2021	GF-TRANSMISSION LABOR/REPAIRS-STREETS	0.00	718.00	
001204	WELD COUNTY TREASURER	03/31/2021	Regular	0.00	77.42	69335
R6784350 EVERIST	Invoice	03/29/2021	GF-EVERIST RIGHT OF WAY-MISC	0.00	37.10	
R6784351 EVERIST	Invoice	03/29/2021	GF-EVERIST RIGHT OF WAY-MISC	0.00	40.32	
002158	WW BACKHOE & DOZER SERVICES INC	03/31/2021	Regular	0.00	6,925.00	69336
26430	Invoice	03/23/2021	SSTX-SNOW REMOVAL 3/15-3/17-STREETS	0.00	6,925.00	
000388	DIGETEKs, LLC	04/06/2021	Regular	0.00	4,500.00	69347
7374	Invoice	03/01/2021	30 Hours for Litigation Purposes	0.00	4,500.00	
000119	BANK OF COLORADO	03/26/2021	Bank Draft	0.00	5,874.74	DFT0001597
INV0000955	Invoice	03/26/2021	HSA DISTRIBUTION	0.00	5,874.74	
000119	BANK OF COLORADO	03/26/2021	Bank Draft	0.00	679.79	DFT0001598
INV0000956	Invoice	03/26/2021	HSA DISTRIBUTION	0.00	679.79	
001416	VALIC_1	03/26/2021	Bank Draft	0.00	29,613.21	DFT0001599
INV0000957	Invoice	03/26/2021	VALIC - 457(b) \$ Contributions	0.00	29,613.21	
001265	IRS	03/26/2021	Bank Draft	0.00	46,851.52	DFT0001600
INV0000958	Invoice	03/26/2021	Federal Withholding	0.00	46,851.52	
001418	CO DEPARTMENT OF REVENUE	03/26/2021	Bank Draft	0.00	7,637.66	DFT0001601
INV0000959	Invoice	03/26/2021	CO Withholding	0.00	7,637.66	
000465	FIRE & POLICE PENSION ASC	03/26/2021	Bank Draft	0.00	1,663.84	DFT0001602
32621	Invoice	03/24/2021	GF-FPPA WIRE 03/26/2020-PD	0.00	1,663.84	
001416	VALIC_1	03/26/2021	Bank Draft	0.00	-26.00	DFT0001604
CM0000017	Credit Memo	03/26/2021	VALIC - Regular Plan Retirement Contributio...	0.00	-26.00	
001265	IRS	03/26/2021	Bank Draft	0.00	-87.16	DFT0001605
CM0000018	Credit Memo	03/26/2021	Federal Withholding	0.00	-87.16	
001418	CO DEPARTMENT OF REVENUE	03/26/2021	Bank Draft	0.00	-14.20	DFT0001606
CM0000019	Credit Memo	03/26/2021	CO Withholding	0.00	-14.20	

Bank Code Pooled Cash Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	207	101	0.00	439,669.99
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	-595.00
Bank Drafts	9	9	0.00	92,193.40
EFT's	0	0	0.00	0.00
	216	112	0.00	531,268.39

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	285	136	0.00	462,202.79
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	-1,699.00
Bank Drafts	9	9	0.00	92,193.40
EFT's	0	0	0.00	0.00
	294	148	0.00	552,697.19

Fund Summary

Fund	Name	Period	Amount
600	GOLF ENTERPRISE FUND	3/2021	21,220.11
600	GOLF ENTERPRISE FUND	4/2021	208.69
999	POOLED CASH/CONSOLIDATED CASH	3/2021	526,768.39
999	POOLED CASH/CONSOLIDATED CASH	4/2021	4,500.00
			552,697.19

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
March 16, 2021**

The City Council of the City of Fort Lupton met in a regular session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Tuesday, March 16, 2021. Due to the COVID-19 virus, the meeting was held with remote access provided through GoToWebinar. Mayor Zo Stieber called the meeting to order at 7:00 p.m. and invited everyone to join her in the Pledge of Allegiance.

ROLL CALL

Mari Peña, City Clerk, called the roll. Those present were Mayor Zo Stieber, Councilmembers Chris Ceretto, Tommy Holton and Bruce Fitzgerald. Councilmembers Shannon Rhoda, David Crespin, and Michael Sanchez participated remotely through GoToWebinar.

Also present were City Administrator, Chris Cross, City Clerk, Mari Peña, City Attorney, Andy Ausmus, Public Works Director, Roy Vestal, and Planning Director, Todd Hodges.

Chief John Fryar and City Planner Maria Lancto participated remotely through GoToWebinar.

Mayor Stieber read the general advisement for connected meetings.

PERSONS TO ADDRESS COUNCIL

There was no one to address the Council.

APPROVAL OF AGENDA

It was moved by Tommy Holton and seconded by Chris Ceretto to approve the Agenda as presented. Motion passed on roll call vote.

REVIEW OF ACCOUNTS PAYABLES

Council reviewed the March 16, 2021 payables; there were no questions or comments from the Mayor or Council.

CONSENT AGENDA

It was moved by Tommy Holton and seconded by Bruce Fitzgerald to approve the Consent Agenda as presented with the following items: 03022021 City Council Meeting Minutes, the Second Reading Ordinance 2021-1106 AN ORDINANCE ACCEPTING THE NNN LUPTON SE LLC PUBLIC RIGHT OF WAY DEDICATION FOR 14TH STREET, Second Reading Ordinance 2021-1107 AN ORDINANCE ANNEXING LAND LEAGALLY DESCRIBED IN EXHIBIT "A" KNOWN AS BEEN ANNEXATION NOS. 1-4 AND APPROVING THE ANNEXATION AGREEMENT, Second Reading Ordinance 2021-1108 AN ORDINANCE INITALLY ZONING LAND KNOWN AS THE BEEN INITIAL ZONING LEGALLY DESCRIBED IN EXHIBIT A, TO THE 'A' AGRICULTURAL ZONE DISTRICT, Replace and Upgrade SCADA Computers at the Water Treatment Plant for \$30,631.00 (AM 2021-041), Approving

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Resolution 2021R018 APPOINTING AMY ADKINS TO THE HISTORIC PRESERVATION BOARD FOR A TERM TO EXPIRE JANUARY 21, 2023 (AM 2021-042), Award Contract for Annual Traffic Signal Maintenance to Lumin8 Transportation Technologies for Not to Exceed \$3,480.00 from Public Works Street Sales Tax Fund (AM 2021-044), Award Contract for Integrated Mosquito Management Services to Vector Disease Control International, LLC for Not to Exceed \$17,806.25 from the Public Works Shop General Fund (AM 2021-045), Authorizing the City Administrator to Sign Fireworks Agreement for Fireworks Display From J & M Displays for an Amount Not to Exceed \$16,500.00 (AM 2021-051). Motion passed unanimously on roll call vote.

PUBLIC HEARINGS

The Alquist Annexation and Zoning hearings were set to be heard first however, due to Melody Alquist and Robert Alquist not being present for the public hearing, the City Attorney, Andy Ausmus, stated that the Lupton Village Preliminary Plat may be heard first to provide time for the Mr. and Mrs. Alquist to attend.

AM 2021-049 Approve a Resolution Accepting the Lupton Village Townhomes Preliminary Plat.

Mayor Stieber read the following advisement to Zach Cesar: You understand that members of the City Council may be appearing tonight via a virtual connection and may not be appearing in person? You consent to the applicable member voting on your submittal even though said member is not present in person? You understand that the Applicant has a right to continue this public hearing to such a date to allow a full in person public hearing? You have agreed to voluntarily waive that right on behalf of the Applicant by proceeding tonight electronically, is that correct? On behalf of the Applicant, you have voluntarily signed and submitted the written waiver and consent to proceed electronically tonight, correct? Therefore, on behalf of the Applicant, you waive Applicant's right to proceed in an in person public hearing and have consented to proceed forward voluntarily tonight in this virtual City Council meeting, is that correct? Mr. Cesar responded 'yes' to all questions.

Mayor Stieber opened the public hearing at 7:12 p.m.

The City Planner, Maria Lancto, stated, the applicant, Townhome Developers, LLC, has applied for approval of a Preliminary Plat, known as the Lupton Village Townhomes Preliminary Plat. The site that is the subject of the Preliminary Plat is located approximately 0.08 miles east of South Rollie Avenue and approximately 0.25 miles north of County Road 12 (the Property). The proposed Preliminary Plat is for a single-family attached residential subdivision that will include 73 townhomes. The subdivision is 5.41 acres, more or less. The property is currently zoned PUD, with details of the PUD on the PUD Plan that was approved by City Council on January 5, 2021.

Mr. Cesar provided a presentation on the project. This project is a Replat of Lot 2 Block 8 of the Lupton Village PUD. The proposed plat consists of 73 townhomes lots with three (3), four (4), and five (5) plex buildings. The property is within the metro district in the Lupton Village PUD. The sub-association will be controlled by the metro district or HOA for maintenance of the overall

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
March 16, 2021**

community, which will include snow removal. The project will consist of a park with a small playground and picnic tables. There will be sixty-eight (68) additional parking units and every unit will have a two (2) car garage. Residential lighting plan. 2 street lights in the park. Sidelights on building for address. Mr. Cesar provided a description of the residential lighting plan and stated that the landscaping will also be handled by the HOA through a private entity.

Mayor Stieber asked if anyone from the public would like to speak for or against the proposal; hearing none, Mayor Stieber closed the public hearing at 7:22 p.m.

It was moved by Bruce Fitzgerald and seconded by Tommy Holton to approve Resolution 2021R019 A RESOLUTION ACCEPTING THE LUPTON VILLAGE TOWNHOMES PRELIMINARY PLAT. Motion passed with Shannon Rhoda voting 'no' to the motion.

AM 2021-047 Adopt an Annexation, Known as the Alquist Annexation, to Annex Land Legally Described in Exhibit A to the Proposed Ordinance, and Approving the Annexation Agreement

Mr. and Mrs. Alquist were not present at the hearing; the City Attorney, Andy Ausmus, determined that the Council could continue with the annexation. The Statute doesn't indicate the applicant need be present and the applicant has also signed a waiver

Mayor Stieber opened the public hearing at 7:23 p.m.

The Planning Directed stated that the property received a sewer tap and water tap in the past and was not annexed into the city. In order to receive water from the City, the property must be within the Northern Colorado Water District. Staff worked with both Mr. and Mrs. Alquist and no issues have come up.

The City Planner, Maria Lancto, stated that Melody A. Alquist and Robert J. Alquist have submitted a request for annexation of land totaling 0.43 acres, more or less, known as the Alquist Annexation. The Property is south and adjacent to 14th Street and approximately 0.63 miles west from County Road 29 in Weld County, Colorado. The proposed initial zoning is to the 'A' Agricultural Zone District, which is being presented to City Council for approval under a separate Action Memorandum and Ordinance following the hearing on this Annexation. The property is currently being served by City water and sewer utilities. Typically, city services are not provided until after annexation. The purpose for this annexation is to correct this situation. All notification requirements have been met including posting on the property and mailings to surrounding property owners. All conditions of approval are the standard minor red lines from staff and acknowledgement of comments from United Power.

Mayor Stieber asked if anyone from the public wished to speak for or against the proposal. Hearing none, Mayor Stieber closed the public hearing at 7:27 p.m.

It was moved by Chris Ceretto and seconded by Bruce Fitzgerald to adopt Ordinance 2021-1109 an Ordinance KNOWN AS THE ALQUIST ANNEXATION, TO ANNEX LAND LEGALLY DESCRIBED IN EXHIBIT A TO THE PROPOSED ORDINANCE AND APPROVING THE

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
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ANNEXATION AGREEMENT. Motion passed unanimously on roll call vote.

AM 2021-048 Adopt an Ordinance to Initially Zone Land Legally Described as Exhibit A of the Proposed Ordinance, and Know as the Alquist Initial Zoning, to the 'A' Agricultural Zone District

Mayor Stieber opened the public hearing at 7:28 p.m.

The City Planner, Maria Lancto, stated that Melody A. Alquist and Robert J. Alquist have submitted a request for initial zoning of certain land identified in Exhibit A of the Ordinance to the 'A' Agricultural Zone District. The Property that is the subject of the initial zoning is located south and adjacent to 14th Street and approximately 0.63 miles west from County Road 29 in Weld County, Colorado. City Council has previously reviewed and considered an Ordinance to approve the annexation known as the Alquist Annexation at a hearing on March 16, 2021. This request is to initially zone the property included within that Annexation. All notification requirements have been met including posting on the property and mailings to surrounding property owners.

Mayor Stieber asked if anyone from the public wished to speak for or against the proposal. Hearing none, Mayor Stieber closed the public hearing at 7:29 p.m.

It was moved by Tommy Holton and seconded by Chris Ceretto to adopt Ordinance 2021-1110 ASOPTING AN ORDINANCE TO INITALLY ZONE LAND LEGALLY DESCRIBED IN EXHIBIT A TO THE A AGRICULTAURL ZONE DISTRICT. Motion passed unanimously on roll call vote.

ACTION AGENDA

AM 2021-050 Approve a Resolution Accepting the Final Plat of the Lupton Village PUD Second Filing (AKA Lupton Village Townhomes Final Plat)

The applicant, Townhomes Developer, LLC, has applied for approval of a Final Plat, known as the Lupton Village PUD Second Filing, also known as the Lupton Village Townhomes Final Plat, for the City Council's consideration. The proposed Final Plat is for a single-family attached residential subdivision to include 73 townhomes. The Property that is the subject of the Final Plat is located approximately 0.08 miles east of South Rollie Avenue and approximately 0.25 miles north of County Road 21 (the Property). Public meeting no notification requirements but it was out for referral comments.

It was moved by Bruce Fitzgerald and seconded by Chris Ceretto to approve Resolution 2021R020 a RESOLUTION ACCEPTING THE FINAL PLAT OF THE LUPTON VILLAGE PUD SECOND FILING (AKA LUPTON VILLAGE TOWNHOMES FINAL PLAT). Motion passed with Shannon Rhoda voting 'no' to the motion.

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AM 2021-046 Approve the Purchase of 430 Cat Backhoe for Public Works Streets From Wagner Equipment Co., for Not to Exceed \$145,524.80 from the General Fund Public Works Streets General Fund

The backhoe is needed by Public Works for maintaining the City's water and sewer lines, clean-up days loading material handling. The current backhoe is a 2007 CAT 420E with over 3,000 operating hours. The machine has been having maintenance issues for the last year and is becoming difficult to keep operational. This machine is currently out of service due to linkage issues in the arm and will require over \$8,000 in parts to repair. The projected CIP budget had slated for this machine to be replaced in 2022.

Staff monitored the recent Richie Brothers auction. There were 3 backhoes that staff had looked as possible acquisitions. All the good backhoes went fast during auction and quickly exceeded \$85,000. Wagner does have a low hour used machines currently available for \$136,443.53 (2019 with 229 hours).

The selected machine includes a tamper plate, extendible arm for deeper digging, multi-purpose front bucket and hydraulic thumb. The multi-purpose bucket will save operating time by eliminating the need to use the front end loader during clean up days, when loading brush and provides additional flexibility and capabilities for our crew.

New CAT 140 Backhoe with compactor, multi-purpose bucket and thumb for \$145,524.80.

Wagner is a SourceWell provider with preferred government pricing.

It was moved by Tommy Holton and seconded by Chris Ceretto to approve purchase of 430 Cat Backhoe for Public Works Streets from Wagner Equipment Co., for not to Exceed \$145,524.80 from the General Fund Public Works Streets. Motion passed unanimously on roll call vote.

AM 2021-043 Approve Change Order Number 1 to Civil Resources, LLC for Not to Exceed \$6,815.00 for WWTP Lagoons Mining Engineering Services Project from Utility Fund

Council approved the engineering services agreement with Civil Resources LLC with AM 2020-009 on January 7, 2020. BurnCo is opening a mining pit on the Inouye farm site to the west of the WWTP. They are interested in mining the lagoon area as well at the same time. The City will receive payment for the aggregate mined and receive a water storage reservoir at the end of mining operations. The operations will include constructing a slurry wall around the perimeter of the lagoons area.

Civil Resources is the consultant working with BurnCo to permit and mine the Inouye Pit. Civil Resources' scope includes extension of the DRMS Permit to include the WWTP site and design of the slurry wall. This Change Order is to cover the cost of a land survey plat of the Pearson Park / Waste Water Treatment Plant (WWTP) area in support of the Special Use Permit and rezoning of the WWTP site. Anticipated mining start is early 2022.

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Todd this mining is special use permit and will come back before Council.

It was moved by Bruce Fitzgerald and seconded by Michael Sanchez to approve Change Order Number 1 to Civic Resources, LLC for not to Exceed \$6,815.00 for WWTP Lagoons Mining Engineering Services Project from the Utility Fund. Motion passed unanimously on roll call vote.

STAFF

The Public Works Director stated that snow removal has started in the residential neighborhoods. Staff has been working nonstop.

The City Administrator thanks the public works staff for their work on snow removal.

MAYOR/COUNCIL REPORTS

Bruce Fitzgerald indicated that he has volunteering for the County for 25 years. Appointed in 1996 pc and boa. Now on the AAA board.

FUTURE CITY EVENTS

March 18, 2021	Public Meeting – WWTP Upgrades Discussion, Fort Lupton Recreation Center, 203 S. Harrison Ave. 6:30 p.m.
March 30, 2021	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.
Month of April	Citywide Clean Up Days - Voucher Program
April 6, 2021	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.
April 11-17, 2021	Hillside Cemetery Clean Up, 13750 County Road 12
April 22, 2021	Shredding Day, City Hall, 130 S. McKinley Ave., 8 a.m. – 10 a.m.
April 22, 2021	Clean Up Day for Seniors
April 20, 2021	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.
April 27, 2021	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.

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ADJOURNMENT

Mayor Stieber adjourned the meeting at 7:55 p.m.

Respectfully Submitted,

Maricela Peña, City Clerk

Approved by City Council

Zo Stieber, Mayor

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
March 18, 2021**

A public meeting was held at the City of Fort Lupton Recreation Center, 203 S. Harrison Ave. on Tuesday, March 18, 2021. Due to the COVID-19 virus, the meeting was held with remote access provided through GoToWebinar. Mayor Zo Stieber called the meeting to order at 6:30 p.m. and invited everyone to join her in the Pledge of Allegiance.

ROLL CALL

Mari Peña, City Clerk, called the roll. Those present were Mayor Zo Stieber, Councilmembers Shannon Rhoda, Bruce Fitzgerald, Tommy Holton and Michael Sanchez.

Also present were City Administrator, Chris Cross, Assistant City Administrator, Glenda Aretxuloeta, City Clerk, Mari Peña, and Public Works Director, Roy Vestal.

PUBLIC PARTICIPANTS

Participants in attendance were: Cassie Ali, Diantha Dickinson, Steve Dickinson, James Tyler II, Ronald Schuyler, Tammy Klein, Marge Klein, Jim Sidebottom, Claud Hanes, Penny and Deb Demille, Brenda Willis, Jon Mays, Maria Vasquez, F. Vasquez, William Garden, and Emmet DeLange.

Participants who registered online using GoToWebinar: Bernice Hampton, Brandy DeLange, Bruce Davis, Carli Floyd, Christin Leis, David Moore, Erick Rickman, Jackie Van Watermuelen, Janet Kiota, Jeff Rabas, John Swanson, Julianna Williams, Kenneth Harnett, Larry Keil, Linda Irvine, Marilyn Jimenez, Marybeth Brown, Melissa Rojas, Michael Long, Nanette Balerio, Nathan Balliew, Pat Worley, Peggy Eagan, R Steven Clark, Rory Pettiger, Sherry Carey, Stephanie Luitzinger, Stephanie Martin, Steve Smith, Tom Callaway, Tom Shumaker, Travis Aksamitowski, Wesley Back, Amy Bullington, Jami Woodward, Derek Hofmeister, and Solomon Fadase.

Also, present was representative from Burns and McDonnell, Brian Knadle, Department Manager.

WASTEWATER TREATMENT PLANT (“WWTP”) UPGRADES PRESENTATION

Assistant City Administrator, Mrs. McCarroll presented the City with an overview of Specific Colorado Regulations including defining Regulation 31, Regulation 38 and Regulation 85 and the required nutrients to treat wastewater. Included in the presentation were a CDPHE Compliance Schedule, Penalties for Non-Compliance, the Cost to upgrade the treatment plant of \$38,000,000 plus the options explored by the City to come into compliance. The possibilities examined were: moving forward with the upgrade, look into regionalization with neighboring sanitation districts, and selling the WWTP. The City’s options are: (1) Pay for Upgrade of the WWTP or (2) Regionalize with Metro Wastewater Reclamation District. The breakdown of the \$38,000,000 estimate submitted by Burns and McDonnell was detailed in a spreadsheet.

Brian Knadle, Department Manager for Burns and McDonnell provided at overview of the layout, operations and capacity of the WWTP. Mr. Knadle explained what Regulation 85 compliance

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requirements means to the WWTP and the current and future treatment process at the WWTP.

Mrs. McCarroll explained the long-term costs of operating the WWTP including costs of \$38 million, \$15 million, and \$30 million costs over a 10 year period. These costs are total money possible to keep up with regulations.

Mrs. McCarroll indicated that this public meeting is required by the Environmental Protection Agency and the Colorado Department of Health and Environment to receive/apply for funding; therefore, discussion is limited to the upgrades. Mrs. McCarroll was able to briefly explain what regionalization was, since it was one of the options listed.

The presentation included funding options to pay for the upgrade. One of the options included an increase in sales tax, with the payback plan using a new sales tax to lessen the impact on sewer bills. This cannot be done because the enterprise fund cannot transfer more than 10% of its revenue. This option would not provide enough money to pay towards the loan. The second option would be bonds. Bonds are loans from various financial entities. The City could borrow from a financial institution who sells the bonds and in turn funds the WWTP project. The City cannot sell bonds itself, but a financial institution can sell bonds to fund a project. The City chose the bond option. Three (3) bonds were evaluated: State of Colorado Water Pollution Control Revolving Fund Loan, State of Colorado Water Revenue Bond Program, and Stifel Financial Private Bond Financing. The State of Colorado Water Pollution Control Revolving Fund proved to be the best lowest interest rate with the lowest cost of debt. The bond loan process was explained as a rigorous application process with a deadline to the State of Colorado by June 15, 2021.

Mrs. McCarroll explained that to assist in paying for the bond loan the City will be increasing sewer tap fees from \$3,041 to \$9,500 per tap. The estimated tap fees contributing to the annual debt payment is \$950,000 however, this is dependent on how many new homes and businesses are built per year. A portion of this money will go towards payment of the bond loan. The calculation of the tap fees were explained for both residential and commercial buildings as well as the breakdown of the money towards the bond loan payment and water projects. Also explained were changes to the utility bill that will soon include a new REG85 Sewer Fee. An estimate of the next five years and beyond explaining the Reg. 85 Sewer Fee was provided.

Q & A

Did the City consider the creation of a special district that can take on debt to be paid as a mill levy tax? The City Administrator, Chris Cross, responded that it was discussed. Not all information was available. The mill levy tax is a fee that would be going to everyone, it's a different way to spread the cost.

Discussion occurred over the cost of taps. The cost of each tap is based on the size of each tap per building.

Does the City have a 20-year plan for utilities? The Public Works Director, Roy Vestal, stated that the City does have a plan that is updated about every five 5-year and is currently at the end of

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the last one.

How was the tap fee determined? Mrs. McCarroll stated that an analysis and comparison of surrounding communities were completed. Mr. Vestal added that surrounding communities were researched and the City wants to maintain competitive. The City's fees were below the average.

What happens if there is no growth? Mrs. McCarroll provided the presentation "Next Five Years and Beyond" and explained what the sewer fee would be if there is no construction of new homes. The fee could go up to \$32.82 per home.

What growth does this plant allow for? Brian Knadle explained the flows of the existing treatment plant of 2 mgds. The new plant can treat up to 3.5 mgds, which will double the capacity. This flow is within the CDPHE guidelines. The new plant will handle 7000 taps and the existing plant handles 2700 taps. This plant follows CDPHE guidelines required, redundancy requirements, and expanding the plant that meets Reg. 85.

What is the capacity of each treatment train? Mr. Knadle explained the design meets CDPHE guidelines, and each treatment train must be able to treat 50% of the full flow, half of 3.5 mgds, but hydraulically capable to passing the peak flow.

How does this affect businesses? Mrs. McCarroll answered that sewer tap fees are based on the size of the tap and the usage of water.

What if we have a catastrophic failure? Mrs. McCarroll stated that there is approximately \$2.5 million in the sewer utility fund. If we don't have funds we would need a way to supplement it.

Have we found cost for piping? Mayor Stieber stated that as we pave streets we analyze any infrastructure that may need replacement.

Discussion occurred regarding why tap fees were not raised earlier? Mayor Stieber stated that fees should have been raised and it was overlooked.

A statement was made from a resident that Reg 31 technology isn't there yet.

Do we have enough water? Councilmember Tommy Holton stated that the City has enough water including CBT shares and purchase of Windy Gap.

How many cities are in this? Mrs. McCarroll stated that the mandate is not based on Cities but rather on entities that handle wastewater.

How many cost proposals did the City receive? Mr. Knadle explained that every piece of equipment was bid and Burns and McDonnell received 64 bid packages and each package was reviewed.

Is Fort Lupton water drinkable? The Water Treatment Supervisor, Jon Mays, stated that the water is drinkable and is excellent water. The plant is older and may need upgrades and the upkeep of

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maintenance.

Discussion occurred if the City could join a metro district or become regional. Mr. Vestal stated that these options were discussed and reviewed. There is a potential.

When the bond goes away what happens to the fee? Mrs. McCarroll stated that it is a 30-year bond; the slide presentation showed a “what if” scenario and the future can’t be predicted. There will be a \$20 fees in 2021.

There was no further discussion or comments.

ADJOURNMENT

The meeting adjourned at 8:09 p.m.

Respectfully Submitted,

Maricela Peña, City Clerk

Approved by City Council

Zo Stieber, Mayor

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
March 30, 2021

The City Council of the City of Fort Lupton met in a special session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Tuesday, March 30, 2021. Due to the COVID-19 virus, the meeting was held with remote access provided through GoToWebinar. Mayor Zo Stieber called the meeting to order at 6:30 p.m. and invited everyone to join her in the Pledge of Allegiance.

ROLL CALL

Mari Peña, City Clerk, called the roll. Those present were Mayor Zo Stieber, Councilmembers Shannon Rhoda, Chris Ceretto, Tommy Holton and Michael Sanchez. Councilmember David Crespín participated remotely through GoToWebinar.

Also present were City Administrator, Chris Cross, Assistant City Administrator, Glenda McCarroll, City Clerk, Mari Peña, Finance Director, Leann Perino, City Attorney, Andy Ausmus, and Public Works Director, Roy Vestal.

APPROVAL OF AGENDA

It was moved by Tommy Holton and seconded by Chris Ceretto to approve the Agenda as presented. Motion passed on roll call vote.

ACTION AGENDA

Presentation by Metro Waste Water District

Mr. Mickey Conway, District Manager provided an overview of the Metro Wastewater Reclamation District (“Metro” “District”). The Metro is the largest wastewater treatment facility with 38-member board of directors. There are two treatment facilities, one located in Denver and the other in Brighton. Mr. Conway explained the process to gain membership into the District as well as two (2) options that the City of Fort Lupton would consider. The first option is the Buy-in to Join the District 2. Option 2 would be a service contract establishing an annual payment schedule. Fort Lupton would continue to operate its treatment plant for a defined period of time. Mr. Conway explained that the timing and amount of flow Fort Lupton can convey to the District depends on Fort Lupton’s choice of options to buy in. Once Fort Lupton conveys flows to the district, there is a cost of treatment. The annual charges for services are proportionally based on flows and loading.

Minor discussion occurred regarding the single family equivalents (“SFE”). Shannon Rhoda asked if the form contract was available for review. Mr. Conway stated that Sewer connection charge rate percentage of increase over time was minimal and there is no cap charge or cap increase.

Mr. Ron Schuyler, resident of Fort Lupton, asked about the design capacity and the current load? Liam Cavanaugh, with Metro stated that the treatment plant has 28 million gallons per day with a current capacity with up to 60 million gallons/day.

RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
March 30, 2021

Claud Hanes, residential of Fort Lupton, asked what would happen to the existing plant? Assistant City Administrator, Glenda McCarroll stated that the plant would function as a lift station and collection point.

Shannon Rhoda asked if the plat would be turned over to Metro or would the City continue to maintain the plant. Mrs. McCarroll stated that this would be negotiation piece for future discussion and the infrastructure belongs to the City.

When asked what the costs would be to citizens, Mr. Conway stated that this would depend on flow and the strength of the flow. A rough estimate is \$125 per citizen per year.

Mr. Conway also added that the estimate of the timeline to extend pipe to Metro would be dependent on the routes.

Mrs. McCarroll stated the items to be taken into account include consideration of the bonds. It's hard to compute without the actual cost of pipeline. There are costs to join Metro but no costs on the construction of the pipeline.

Council discussed the City's District 208? The City would continue to do the billing a payment would be made to Metro. The City would have 1 board member on the 38 board member panel. The number of board members are based on populations, in this case, 1 board member per 75,000 population. Emily, a representative of Metro indicated that Metro functions within other 208s, and this isn't controlled by Metro.

Mr. Schuyler asked if metro has connectors with a 6.5 miles force main? Liam, a representative of metro stated that possible Thornton and Denver however he didn't know the size. Metro isn't unfamiliar with that length of force main.

No further discussion occurred.

EXECUTIVE SESSION

Mayor Stieber asked for a motion to move into executive session "To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e)" Waste Water Treatment. It was moved by Tommy Holton and seconded by Chris Ceretto to move into Executive Session. Motion passed unanimously on roll call vote.

The following entered into executive session at 7:23 p.m.: Mayor Stieber, Councilmembers, Shannon Rhoda, Michael Sanchez, Chris Ceretto, and Tommy Holton. Councilmember David Crespin participated by phone. Also City Administrator, Chris Cross, Assistant City Administrator, Glenda McCarroll, City Attorney, Andy Ausmus, and Finance Director, Leann Perino.

The Executive Session ended at 8:51 p.m. and the regular meeting reconvened at 8:52 p.m.

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
March 30, 2021**

ADJOURNMENT

Mayor Stieber adjourned the meeting at 8:52 p.m.

Respectfully Submitted,

Maricela Peña, City Clerk

Approved by City Council

Zo Stieber, Mayor

DRAFT

ORDINANCE NO. 2021-1109

INTRODUCED BY: CHRIS CERETTO

ADOPT ORDINANCE 2021-1109 ANNEXING LAND LEGALLY DESCRIBED IN EXHIBIT “A” KNOWN AS THE ALQUIST ANNEXATION AND APPROVING THE ANNEXATION AGREEMENT.

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 16th day of March 2021.

PUBLISHED in the Fort Lupton Press the 24th day of March 2021.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED PUBLISHED BY TITLE ONLY this 6th of April 2021.

PUBLISHED BY TITLE ONLY the 14th day of April 2021.

EFFECTIVE (after publication) the 14th day of May 2021.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

ATTEST:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

EXHIBIT A
PROPERTY DESCRIPTION

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32 TO BEAR SOUTH 89°36'06" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 2" ALUMINUM CAP, PLS 25937 IN MONUMENT BOX, AND ON THE WEST END BY 2" ALUMINUM CAPS, PLS 37971 AS REFERENCE MONUMENTS, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 32; THENCE SOUTH 89°36'06" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 708.00 FEET; THENCE SOUTH 00°23'54" EAST, A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 14TH STREET AND THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 4, 2016 AS RECEPTION NO. 4192789 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°23'54" EAST, COINCIDENT WITH THE EAST LINE OF SAID PARCEL, A DISTANCE OF 176.71 FEET TO THE NORTH LINE OF THAT PARCEL OF LAND SHOWN ON ANNEXATION MAP RECORDED JANUARY 16, 1974 AS RECEPTION NO. 1628442 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 52°09'19" WEST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 165.55 FEET; THENCE NORTH 65°01'59" WEST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 36.49 FEET TO THE WEST LINE OF THAT PARCEL DESCRIBED IN DEED RECORDED AS SAID RECEPTION NO. 4192789; THENCE NORTH 00°23'54" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 58.60 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID 14TH STREET; THENCE NORTH 89°36'06" EAST, COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 163.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 18,504 SQUARE FEET OR 0.43 ACRES, MORE OR LESS.

ORDINANCE NO. 2021-1110

INTRODUCED BY: TOMMY HOLTON

ADOPT ORDINANCE 2021-1110 INITIALLY ZONING LAND KNOWN AS THE ALQUIST INITIAL ZONING, LEGALLY DESCRIBED IN EXHIBIT A, TO THE 'A' AGRICULTURAL ZONE DISTRICT.

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 16th day of March 2021.

PUBLISHED in the Fort Lupton Press the 24th day of March 2021.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED PUBLISHED BY TITLE ONLY this 6th day of April 2021.

PUBLISHED BY TITLE ONLY the 14th day of April 2021.

EFFECTIVE (after publication) the 14th day of May 2021.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

ATTEST:

Maricela Peña, City Clerk
Approved as to form:

Andy Ausmus, City Attorney

EXHIBIT A
PROPERTY DESCRIPTION

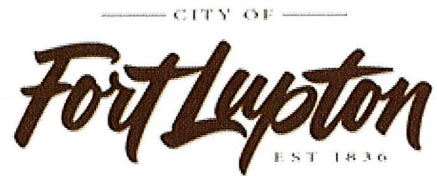
A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32 TO BEAR SOUTH 89°36'06" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 2" ALUMINUM CAP, PLS 25937 IN MONUMENT BOX, AND ON THE WEST END BY 2" ALUMINUM CAPS, PLS 37971 AS REFERENCE MONUMENTS, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 32; THENCE SOUTH 89°36'06" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 708.00 FEET; THENCE SOUTH 00°23'54" EAST, A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 14TH STREET AND THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 4, 2016 AS RECEPTION NO. 4192789 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°23'54" EAST, COINCIDENT WITH THE EAST LINE OF SAID PARCEL, A DISTANCE OF 176.71 FEET TO THE NORTH LINE OF THAT PARCEL OF LAND SHOWN ON ANNEXATION MAP RECORDED JANUARY 16, 1974 AS RECEPTION NO. 1628442 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 52°09'19" WEST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 165.55 FEET; THENCE NORTH 65°01'59" WEST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 36.49 FEET TO THE WEST LINE OF THAT PARCEL DESCRIBED IN DEED RECORDED AS SAID RECEPTION NO. 4192789; THENCE NORTH 00°23'54" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 58.60 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID 14TH STREET; THENCE NORTH 89°36'06" EAST, COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 163.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 18,504 SQUARE FEET OR 0.43 ACRES, MORE OR LESS.

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2021-052

APPROVING A RESOLUTION RATIFYING THE EXTENSION OF THE ONE HALF OF ONE PERCENT (.5%) SALES AND USE TAX FOR STREET IMPROVEMENTS TO DECEMBER 31, 2031, AS APPROVED BY THE ELECTORS AT THE NOVEMBER 3, 2020 COORDINATED ELECTION

I. **Agenda Date:** Council Meeting – April 6, 2021

II. **Attachments:** a. Resolution 2021Rxxx

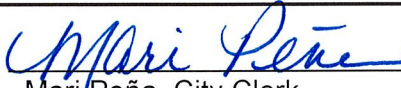
III. **Summary Statement:**

The voters approved Ballot Issue 2A extending the sales and use tax for street improvements to December 31, 2031.

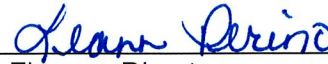
City of Fort Lupton Ballot Issue 2A

SHALL THE CITY OF FORT LUPTON EXTEND UNTIL DECEMBER 31, 2031, THE ONE HALF OF ONE PERCENT (0.5%) SALES AND USE TAX FOR STREET IMPROVEMENTS, SCHEDULED TO EXPIRE DECEMBER 31, 2021, TO PROVIDE SPECIAL CAPITAL IMPROVEMENT FUNDS TO BE USED ONLY FOR THE CONSTRUCTION AND REPAIRS OF STREETS AND ALLEYS, INCLUDING CURBS, GUTTERS AND SIDEWALKS, PROVIDING FOR THE ENGINEERING, TESTING AND INSPECTION OF THE SAME, NOTWITHSTANDING ANY STATE RESTRICTION ON FISCAL YEAR SPENDING, INCLUDING THE RESTRICTIONS OF ARTICLE X, SECTION 20 (TABOR) OF THE COLORADO CONSTITUTION?

IV. **Submitted by:**


Mari Peña, City Clerk

V. **Finance Reviewed**


Finance Director

VI. **Approved for Presentation:**


City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

On November 3, 2020, the voters elected to extend this tax for 10 years to continue street improvements.

After approval in November, the City needs to ratify the vote of the citizenry to reflect the extension of the street sales and use tax. No Code section exists that needs to be amended as the overall sales tax is stated correctly in the Code and does not need to be changed.

X. Legal/Political Considerations:

It is necessary to pass this ordinance to ratify the decision made by the electorate on November 3, 2020.

XI. Alternatives/Options:

N/A

XII. Financial Considerations:

The City has received \$3,578,678 from the 0.5% street sales tax and has budgeted \$738,950 in revenues in 2021.

2020	\$ 924,263
2019	976,269
2018	622,851
2017	573,895
2016	481,400
Total	<u>\$ 3,578,678</u>

XIII. Staff Recommendation:

Approve the Resolution ratifying the extension of the one half of one percent (.5%) sales and use tax for street improvements to December 31, 2031 as approved by the electors at the November 3, 2020 coordinated election.

RESOLUTION NO. 2021Rxxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO, RATIFYING THE EXTENSION OF THE ONE HALF OF ONE PERCENT (0.5%) STREET SALES AND USE TAX AS APPROVED BY THE ELECTORS AT THE NOVEMBER 3, 2020 COORDINATED ELECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO AS FOLLOWS:

Section 1. This one half of one percent (0.5%) Street Sales and Use Tax extension approved and made part of the Fort Lupton Code by a referendum of the registered electors of the City on November 3, 2020 for a period of ten years ending December 31, 2031. The extension is hereby recognized and ratified by this Council.

Section 2. Any resolution, code section, communication to the Colorado State Director of Revenue, or executive or administrative provision of the City of Fort Lupton shall be amended to change the termination of this tax from December 31, 2021 to December 31, 2031.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 6th DAY OF APRIL 2021.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

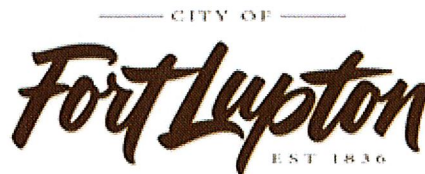
ATTEST:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2021-053

APPROVING A RESOLUTION RATIFYING THE EXTENSION OF THE ONE HALF OF ONE PERCENT (.5%) CULTURE PARKS AND RECREATION SALES AND USE TAX TO DECEMBER 31, 2041 AS APPROVED BY THE ELECTORS AT THE NOVEMBER 5, 2019 COORDINATED ELECTION.

I. **Agenda Date:** Council Meeting – April 6, 2021

II. **Attachments:** a. Resolution 2021Rxxx

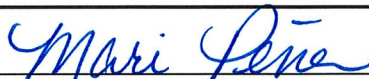
III. **Summary Statement:**

The voters approved Ballot Issue 2B extending the Culture, Parks & Recreation sales and use tax to December 31, 2041.

City of Fort Lupton Ballot Issue 2B

SHALL ORDINANCE NO. 2019-1057 OF THE CITY OF FORT LUPTON BE APPROVED EXTENDING UNTIL DECEMBER 31, 2041, THE ONE HALF OF ONE PERCENT (0.5%) SALES AND USE TAX FOR CULTURE, PARKS AND RECREATION, SCHEDULED TO EXPIRE DECEMBER 31, 2021 FOR THE CONTINUED OPERATION, MAINTENANCE, AND CAPITAL IMPROVEMENTS OF THE COMMUNITY CENTER AND FUNDING FOR THE CONSTRUCTION OF A RECREATION CENTER, TOGETHER WITH OTHER PARK IMPROVEMENTS AND MAINTENANCE AND RECREATIONAL PROGRAMS, FOR THE NEXT TWENTY YEARS NOTWITHSTANDING ANY STATE RESTRICTION ON FISCAL YEAR SPENDING, INCLUDING THE RESTRICTIONS OF ARTICLE X, SECTION 20 (TABOR) OF THE COLORADO CONSTITUTION, SAID FUNDS SHALL ONLY BE USED FOR THE PURPOSES SET FORTH HEREIN?

IV. **Submitted by:**


Mari Peña, City Clerk

V. **Finance Reviewed**


Finance Director

VI. **Approved for Presentation:**


City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

In 1991, the citizenry voted for the original ½ cent sales and use tax for Culture, Parks & Recreation. On November 5, 2019, the voters elected to extend this tax for 20 years to continue some of the same purposes and construct a Recreation Center.

After approval in November, the City needs to ratify the vote of the citizenry to reflect the extension of the Culture, Parks & Recreation sales and use tax. No Code section exists that needs to be amended as the overall sales tax is stated correctly in the Code and does not need to be changed.

X. Legal/Political Considerations:

It is necessary to pass this ordinance to ratify the decision made by the electorate on November 5, 2019.

XI. Alternatives/Options:

N/A

XII. Financial Considerations:

The .5% sales tax has given the Culture, Parks and Recreation Fund \$3,578,678 in revenues from 2016-2020. The funds has budgeted \$738,950 in revenues in 2021.

2020	\$	924,263
2019		976,269
2018		622,851
2017		573,895
2016		481,400
Total	\$	<u>3,578,678</u>

XIII. Staff Recommendation:

Approve the Resolution ratifying the extension of the one half of one percent (.5%) Culture, Parks & Recreation Sales and Use Tax to December 31, 2041 as approved by the electors at the November 5, 2019 coordinated election.

RESOLUTION NO. 2021Rxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO, RATIFYING THE EXTENSION OF THE ONE HALF OF ONE PERCENT (0.5%) CULTURE, PARKS AND RECREATION SALES AND USE TAX AS APPROVED BY THE ELECTORS AT THE NOVEMBER 5, 2019 COORDINATED ELECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO AS FOLLOWS:

Section 1. This one half of one percent (0.5%) Culture, Parks and Recreation Sales and Use Tax was extension approved and made part of the Fort Lupton Code by a referendum of the registered electors of the City on November 5, 2019 for a period of twenty years ending December 31, 2041. The extension is hereby recognized and ratified by this Council.

Section 2. Any resolution, code section, communication to the Colorado State Director of Revenue, or executive or administrative provision of the City of Fort Lupton shall be amended to change the termination of this tax from December 31, 2021 to December 31, 2041.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 6th DAY OF APRIL 2021.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

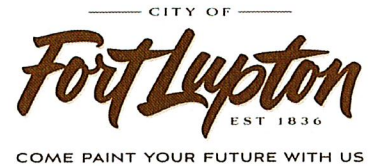
ATTEST:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

CITY OF FORT LUPTON CITY COUNCIL



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Mike Sanchez, Ward 3

Zo Stieber, Mayor

David Crespino, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald Ward 3

AM 2021-054

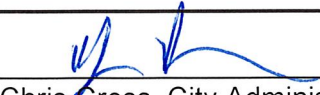
APPROVING PAYMENT TO NORTHERN COLORADO WATER CONSERVANCY DISTRICT (NCWCD) FOR INITIAL CONSTRUCTION AND ENGINEERING (C&E) ON THE WINDY GAP FIRING PROJECT FOR \$92,558.20 FROM THE WATER SALES TAX FUND

- I. **Agenda Date:** Council Meeting – April 6, 2021
- II. **Attachments:**
- a. Letter from NCWCD
 - b. Windy Gap Firing Invoice

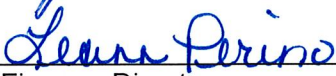
III. **Summary Statement:**

The 2020 allotment contract included an initial C&E funding obligation of \$600 million. NCWCD has identified \$700 million in engineering, construction and construction management services that need to be completed in 2021 at a cost of \$77.78 per unit.

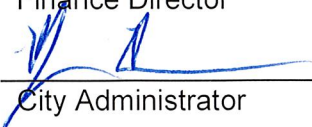
IV. **Submitted by:**


Chris Cross, City Administrator

V. **Finance Reviewed**


Finance Director

VI. **Approved for Presentation:**


City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

Construction on the Windy Gap Firming project has been put on hold pending the legal action by Save the Colorado. NCWCD has identified \$7 million in C&E that need to be accomplished in 2021 pre-construction costs of \$1,440,000, Long Lead Items of \$4,150,000, engineering services of \$760,000

<i>Pre-construction</i>	<i>\$ 1,440,000</i>	
<i>Long Lead Items</i>	<i>4,150,000</i>	
<i>Total Construction Contract</i>		<i>\$ 5,590,000</i>
<i>Engineering Services</i>		<i>760,000</i>
<i>Construction Management</i>		<i>650,000</i>
<i>Total 2021 C&E</i>		<i>\$ 7,000,000</i>

Fort Lupton's contribution for our 1,190 units of firming at \$77.78 per unit is \$92,558.20

X. Legal/Political Considerations:

None

XI. Alternatives/Options:

None.

XII. Financial Considerations:

The Water Sales Tax Fund has \$200,000 budgeted for Windy Gap Firming in 2021.

XIII. Staff Recommendation:

Approve the payment of \$92,558.20 to NCWCD for the Windy Gap Firming Project.



March 18, 2021

Mr. Chris Cross
City of Fort Lupton
130 S. McKinley Ave
Fort Lupton, CO 80621

ccross@fortluptonco.gov

Dear Chris:

The WGFP Allotment Contract approved in 2020 includes a Capital C&E Funding Obligation for Initial C&E of \$600 million. The Enterprise has identified \$7 million in Initial C&E cost that will be incurred this year, as shown in the budget below. The Enterprise will deposit received funds into the WGFP General Account and will not create segregated escrow accounts for Cash Allottee's until WGFP Financing and start of construction. For the purpose of allocating costs, all allottees are being assessed an exact charge of \$77.78 per WGFP Unit resulting in a total raised of \$7,000,200.

<u>2021 Initial C&E Budget</u>	
Construction Contract	\$5,590,000
Pre-con Period (\$1,440,000)	
Long Lead Items (\$4,150,000)	
Engineering Services	\$760,000
<u>Construction Management</u>	<u>\$650,000</u>
Total	\$7,000,000

The invoice will result in a decrease to the Capital C&E Funding Obligation from \$600 million to \$593 million for project funding. It should be noted that the Capital C&E Funding Obligation is expected to increase in the future as new Construction Cost estimates are developed when the federal litigation is complete.

Please remit payment of the attached invoice to:

Municipal Subdistrict, Northern Colorado Water Conservancy District
P.O. Box 913208
Denver, CO 80291-3208

Very truly yours,

Jeff Drager

INVOICE #9169

Windy Gap Firing Project Water Activity Enterprise

DATE: MARCH 19, 2021

PO Box 913208 Denver, CO 80291-3208
Phone 800-369-7246 Fax 1-877-851-0017

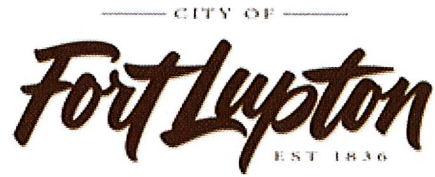
TO Mr. Chris Cross
City of Fort Lupton
130 S. McKinley Ave
Fort Lupton, CO 80621

ccross@fortluptonco.gov

DESCRIPTION	AMOUNT DUE
Contribution for 2021 Initial C&E Budget 1,190 units @ \$77.78/unit	\$ 92,558.20
<i>Please remit to: Municipal Subdistrict, Northern Water Colorado Water Conservancy District P.O. Box 913208 Denver, Colorado 80291-3208</i>	

THANK YOU!

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2021-057

**APPROVING SUBMITTAL OF AN APPLICATION FOR INCLUSION INTO THE NORTHERN
COLORADO WATER CONSERVANCY DISTRICT FOR THE PROPERTY AT 1310 14TH STREET –
ALQUIST ANNEXATION**

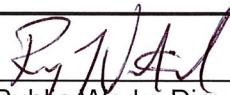
I. **Agenda Date:** Council Meeting – April 6, 2021

II. **Attachments:** a. NCWCD Petitions.
b. Application For Secretarial Assent.

III. **Summary Statement:**

Approve payment of \$964.26 to Northern Water Conservation District (NCWCD) for petition into the district for the Alquist Annexation.

IV. **Submitted by:**


Public Works Director

V. **Finance Reviewed**


Finance Director

VI. **Approved for Presentation:**


City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

The property located at 1310 14th Street is being serviced with water by the City of Fort Lupton. It is understood that the original service date is in 1973 as a result of an easement agreement for a water main extension.

The City transitioned from well water supply use to Colorado-Big Thomson water from the Northern Colorado Water Conservancy District in 1995. A part of the city joining the municipal sub district of Northern Water includes the provision of not allowing water to be used outside the district boundaries.

The current owners, Robert and Melody Alquist agreed to be annexed into the City and the City offered to cover the costs of the inclusion petition along with the annexation process.

The City is required by agreements with the District to not allow water to be used outside of the District. The entire city water supply contract agreement was in jeopardy by continuing water service to this property.

Council approved the Alquist Annexation on February 2, 2021 with Resolution 2021R014.

X. Legal/Political Considerations:

Not Applicable.

XI. Alternatives/Options:

- *Approve Payment*
- *Don't approve*

XII. Financial Considerations:

Funds are available in the Utility Administration Fund.

XIII. Staff Recommendation:

Staff recommends approval of the payment of NCWCD petition fees for the Alquist Annexation.

January 2021

**PETITION FOR INCLUSION OF LANDS IN
NORTHERN COLORADO WATER CONSERVANCY DISTRICT**

TO THE BOARD OF DIRECTORS OF NORTHERN COLORADO
WATER CONSERVANCY DISTRICT

1. All the owner(s) of lands situated in the County of _____, State of Colorado, hereby petition(s) and pray(s) that the lands hereinafter described be included in said Northern Colorado Water Conservancy District ("Northern Water").
2. The description of the lands owned by the Petitioner(s) is as follows:

<u>PETITIONER</u>	<u>DESCRIPTION</u>	<u>SEC.TWP.RGE.</u>	<u>ACRES</u>
Robert J. Alquist	Parcel No. 130932301001	32-02-66	0.43
Melody A. Alquist			

TOTAL ACRES INCLUDED	<u>0.43</u>
CURRENT ASSESSED VALUATION OF LANDS AND IMPROVEMENTS TO BE INCLUDED	<u>\$ 18,100</u>
AMOUNT OF NORTHERN WATER INCLUSION FACILITIES FEE ENCLOSED	<u>\$ 264.26</u>
AMOUNT OF NORTHERN WATER PROCESSING FEE ENCLOSED	<u>\$ 400.00</u>

The Processing Fee is calculated as follows:

If petitioning for inclusion in either the Northern Colorado Water Conservancy District (Northern Water) or the Municipal Subdistrict, Northern Colorado Water Conservancy District (Subdistrict), the processing fee will be \$400.00. If petitioning for inclusion in both Northern Water and the Subdistrict, the processing fee will be \$700.00, including, \$400.00 for Northern Water inclusion and \$300.00 for Subdistrict inclusion.

TOTAL	<u>\$ 664.26</u>
-------	------------------

- Appendix A – Annual Mill Levy and Special Assessment
Appendix B – Facilities Inclusion Fee Calculation
Appendix C – Application for Secretarial Assent for Proposed Inclusions into the Northern Colorado Water Conservancy District and Ability to Receive Colorado-Big Thompson Project Water
Appendix D – National Historic Preservation Act (NHPA) of 1966 Regulations (36 CFR Part 800)

STATE OF COLORADO)
) ss
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2019, by _____.

Witness my hand and Seal. My commission expires: _____

Notary Public

STATE OF COLORADO)
) ss
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2019, by _____.

Witness my hand and Seal. My commission expires: _____

Notary Public

STATE OF COLORADO)
) ss
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2019, by _____.

Witness my hand and Seal. My commission expires: _____

Notary Public

APPENDIX B

NORTHERN COLORADO WATER CONSERVANCY DISTRICT RESOLUTION D-1079-02-03 COLORADO-BIG THOMPSON FACILITIES INCLUSION FEE

WHEREAS, the inclusion of lands into the Northern Colorado Water Conservancy District (Northern Water) makes those lands eligible to receive water from the Colorado-Big Thompson (C-BT) Project facilities; and

WHEREAS, those lands included within Northern Water commencing in 1938 have contributed to the cost of construction repayment, operation, maintenance, replacement, and administration of the C-BT Project since the time of their inclusion through the generation of ad valorem taxes; and

WHEREAS, fairness and equity require that lands newly included within Northern Water be placed on the same basis as those lands originally included within Northern Water so that all lands included within Northern Water will have contributed approximately equally to the support of the C-BT Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A fee shall be charged in connection with the inclusion of lands into Northern Water for the purpose of placing such lands on an equal basis with lands previously included within Northern Water. This fee shall be calculated as follows:

The sum of the historical (1937 to current year) ad valorem tax revenues received by Northern Water from Larimer, Weld, and Boulder Counties and that portion of the City and County of Broomfield that was formerly part of Boulder and Weld Counties, divided by the current assessed valuation of Northern Water lying within those same counties times the current assessed valuation of the property and improvements to be included.

Example:

<u>Revenues From 4 Counties To Date</u> x	Current Assessed Valuation of Property
<u>Current Assessed Valuation of</u>	and Improvements to Be Included
<u>Northern Water Within 4 Counties</u>	

For Calendar Year 2020:

<u>\$360,386,680</u> x	Current Assessed Valuation of Property and Improvements
<u>\$24,630,714,393</u>	

or 0.0146 x	Current Assessed Valuation of Property and Improvements
-------------	---

The ratio determined above will be re-computed annually by Northern Water based on the most recent calendar-year assessed valuation and will be made available upon request. It will be the responsibility of the petitioner to furnish the current assessed valuation of the property and improvements to be included at the time the petition for inclusion is submitted to Northern Water.

2. As an alternative, the Northern Water C-BT facilities inclusion fee may be calculated as the total amount of ad valorem taxes on the property and improvements to be included which would have been collected by Northern Water under its annual historic mill levy had the lands been included in Northern Water from 1937 to the date of the petition for inclusion. The petition to Northern Water for inclusion, if this alternative is selected by petitioner, shall be accompanied, or supplemented, by a certified list of annual assessed valuations on the property and improvements to be included from 1937 to the date of the petition for inclusion.
3. In its discretion in individual cases involving a large number of individual parcels of property to be included, the Board may permit the method described in Section 2 above to be applied to a representative sample of the parcels of property to be included to determine a factor that would then be applied to the current assessed valuation of all of the property and improvements to be included.
4. Satisfactory arrangements for payment of fees must be made with Northern Water before the inclusion will be approved by the Board of Directors.
5. The previous Board Resolution D-986-02-97 is hereby repealed.

May 2019

**PETITION FOR INCLUSION OF LANDS IN MUNICIPAL SUBDISTRICT
NORTHERN COLORADO WATER CONSERVANCY DISTRICT**

TO THE BOARD OF DIRECTORS OF MUNICIPAL SUBDISTRICT,
NORTHERN COLORADO WATER CONSERVANCY DISTRICT

1. All the owner(s) of lands situated in the County of Weld, State of Colorado, hereby petition(s) and pray(s) that the lands hereinafter described be included in said Municipal Subdistrict, Northern Colorado Water Conservancy District ("Subdistrict").
2. The description of the lands owned by the Petitioner(s) is as follows:

<u>PETITIONER</u>	<u>DESCRIPTION</u>	<u>SEC.TWP.RGE.</u>	<u>ACRES</u>
Robert J. Alquist Melody A. Alquist	Weld County Parcel No. 130932301001	32-2- 66	0.43

TOTAL ACRES INCLUDED 0.43

AMOUNT OF SUBDISTRICT PROCESSING FEE ENCLOSED \$ 300.00

The Processing Fee is calculated as follows:

If petitioning for inclusion in either the Municipal Subdistrict, Northern Colorado Water Conservancy District (Subdistrict) or the Northern Colorado Water Conservancy District, (Northern Water), the processing fee will be \$400.00. If petitioning for inclusion in both the Municipal Subdistrict and Northern Water, the processing fee will be \$700.00.

STATE OF COLORADO)

County of Weld) ss

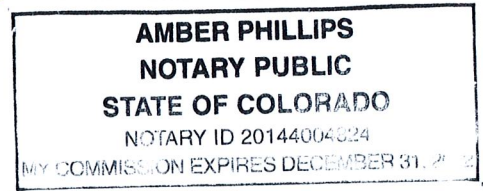
The foregoing instrument was acknowledged before me this 19 day of January,
2019, by Melody + Robert Alquest.

Witness my hand and Seal.

My commission expires: 12-31-22

Amber Phillips

Notary Public



STATE OF COLORADO)

County of _____) ss

The foregoing instrument was acknowledged before me this _____ day of _____,
2019, by _____.

Witness my hand and Seal.

My commission expires: _____

Notary Public

STATE OF COLORADO)

County of _____) ss

The foregoing instrument was acknowledged before me this _____ day of _____,
2019, by _____.

Witness my hand and Seal.

My commission expires: _____

Notary Public

APPENDIX A

Purpose

The purpose of this covenant is to subject Petitioner's property, described in the petition for inclusion and court order for inclusion, to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the Municipal Subdistrict ("Subdistrict") of the Northern Colorado Water Conservancy District at the time of inclusion of Petitioner's lands.

Waiver

Petitioner hereby waives any right which may exist to require an election pursuant to article X, § 20 of the Colorado Constitution before the Subdistrict can impose the mill levies and special assessments specified below. Petitioner also waives any right which may exist to a refund pursuant to article X, § 20 of the Colorado Constitution.

Mill Levies and Special Assessments

Upon inclusion into the Subdistrict, and as an express condition thereof, Petitioner covenants to pay any and all special assessments levied by the Board of Directors of the Subdistrict against Petitioner's property in the event the municipality or public corporation in which Petitioner's property is located defaults on payment of its obligations under existing or future allotment contracts with the Subdistrict. Such obligations include, but are not limited to:

1. Repayment of the bonded indebtedness of the Windy Gap Project.
2. Payment of the annual costs incurred by the Subdistrict in the administration, operation, maintenance, repair and rehabilitation of Windy Gap facilities and such other annual costs as may arise from and be attributable to the operation of the Windy Gap Project.

Covenant to Run with the Land

This covenant will run with and burden the property described in the petition for inclusion and court order for inclusion and binds all future owners of the property.

ALL OWNERS OF THE ABOVE DESCRIBED PROPERTY MUST SIGN THIS APPENDIX A.

<u>DATE</u>	<u>SIGNATURES</u>	<u>MAILING ADDRESS</u>
1-19-21		1310 14th St
1-19-21		1310 14th St

Legal Description

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32 TO BEAR SOUTH 89°36'06" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 2" ALUMINUM CAP, PLS 25937 IN MONUMENT BOX, AND ON THE WEST END BY 2" ALUMINUM CAPS, PLS 37971 AS REFERENCE MONUMENTS, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 32; THENCE SOUTH 89°36'06" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 708.00 FEET; THENCE SOUTH 00°23'54" EAST, A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 14TH STREET AND THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 4, 2016 AS RECEPTION NO. 4192789 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°23'54" EAST, COINCIDENT WITH THE EAST LINE OF SAID PARCEL, A DISTANCE OF 176.71 FEET TO THE NORTH LINE OF THAT PARCEL OF LAND SHOWN ON ANNEXATION MAP RECORDED JANUARY 16, 1974 AS RECEPTION NO. 1628442 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 52°09'19" WEST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 165.55 FEET; THENCE NORTH 65°01'59" WEST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 36.49 FEET TO THE WEST LINE OF THAT PARCEL DESCRIBED IN DEED RECORDED AS SAID RECEPTION NO. 4192789; THENCE NORTH 00°23'54" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 58.60 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID 14TH STREET; THENCE NORTH 89°36'06" EAST, COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 163.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 18,504 SQUARE FEET OR 0.43 ACRES, MORE OR LESS.

APPENDIX C
APPLICATION FOR SECRETARIAL ASSENT
FOR PROPOSED INCLUSIONS INTO THE
NORTHERN COLORADO WATER CONSERVANCY DISTRICT
AND ABILITY TO RECEIVE OF COLORADO-BIG THOMPSON PROJECT WATER

Please send this completed questionnaire to:

Ms. Kristen Thompson
 Inclusion Specialist
 Northern Colorado Water Conservancy District
 220 Water Ave.
 Berthoud, CO 80513-9245

If you have any questions regarding this questionnaire, please contact Ms. Thompson at (970) 622-2237 or contracts@northernwater.org

1) Proposed inclusion petitioner(s) name, address, phone number, and e-mail address:

Robert Alquist
 Melody Alquist
 1310 14th Street
 Fort Lupton, CO 80621
 m.alquistace@gmail.com
 (719) 838-1180

2) Applicant contact information, if different than that of the petitioner(s):

City of Fort Lupton Planning Department (719) 857-6694
 130 S. McKinley Ave, Fort Lupton, CO 80621 mlancto@fortluptonco.gov & thodges@fortluptonco.gov

3) Proposed inclusion parcel(s) address and legal description (Township, Range, Section and County) and proposed inclusion parcel(s) acreage:

Parcel: 130932301001
 S32 T2N R66W
 (see Appendix A for full legal description)

4) Attach a proposed inclusion parcel(s) location map (either topographic or aerial map from appropriate county assessor's website) showing parcel(s) boundaries.

Attached at the end of this Appendix C

5) How does the proposed inclusion parcel(s) currently receive water? For example, does the parcel(s) have a well, receive municipal or industrial water from a public water system or irrigation water through a ditch or canal? Provide Well Permit number if applicable.

The property is on the municipal water system, receiving water from the City of Fort Lupton. Utilities were brought to the site in 2003 prior to annexation, with the understanding that annexation would be required in the future. The City of Fort Lupton is now requiring this property to proceed with that annexation process, which requires petitioning for inclusion to the NCWCD.

6) Identify the water right(s) or shares in ditch or reservoir company associated with the proposed inclusion parcel(s). If the parcel receives municipal and industrial water, state the water supplier. Otherwise, provide the water right decree or indicated number of shares owned in ditch or reservoir company

The property receives water from the City of Fort Lupton.

- 7) **Discuss with Northern Colorado Water Conservancy District: Can any or all of the proposed activities resulting from the inclusion occur without your ability to receive Colorado-Big Thompson Project Water?**

No.

If Yes, you DO NOT need to answer questions 8-17.

If No, CONTINUE questions 8-17.

- 8) **Are there any city or county approvals required for the proposed inclusion?**

Approval for annexation already granted.

If yes, please describe:

The parcel has been approved for annexation and initial zoning with the City of Fort Lupton. Inclusion within the NCWCD is a stipulation of this annexation.

- 9) **Describe the proposed inclusion Parcel(s) current land use and/or zoning (e.g., residential, rural residential, agricultural, etc.) and any existing infrastructure (e.g., buildings, ditches, roads, etc.) within the proposed inclusion parcel(s):**

The property was approved on March 16, 2021 for annexation with initial zoning to the 'A' Agriculture zone district with the City of Fort Lupton, which will become effective approximately 60 days after approval. The land use is rural residential. The property contains a single family residence and detached garage.

- 10) **Are there any proposed changes to the proposed inclusion parcel(s) current land use and/or zoning (e.g., agricultural to residential, etc.) or any ground-disturbing activities within the proposed inclusion parcel(s) that will result from the proposed inclusion?**

The zoning is currently changing from Weld County Agriculture zoning to City of Fort Lupton Agriculture zoning, which will be effective approximately 60 days from March 16, 2021. the land use will not change at this time. NO ground-disturbing activities are planned.

If yes, please describe the extent of ground disturbance (e.g., excavation, trenching, tree removal, construction, demolition, etc.), the approximate dimensions of the proposed ground disturbance (e.g., length, width, and depth of trenching, etc.), and attach a map showing the approximate area of disturbance within the proposed inclusion parcel(s).

N/A

- 11) **Describe how the water provided by a water supplier, ditch and reservoir company, or Colorado-Big Thompson Project water will be used (e.g., provide water to an existing structure, provide water to a proposed commercial/industrial development, etc.) within the proposed inclusion parcel(s):**

Water will be used by the existing residential structure.

- 12) If a pipeline is required to provide water to an existing structure, please provide the approximate length and diameter of the pipeline:**

No new pipeline is required, as water is already being provided to this property by the City.

- 13) Is there any existing infrastructure (e.g., buildings, structures, canals, ditches, etc.) or are there any known archaeological sites within the proposed inclusion parcel(s) that are at least 50 years old?**

There is an existing residential structure and garage on site. These will remain in use. There are no known archaeological sites within the proposed inclusion parcel.

If yes, please describe:

- 14) Are there any known threatened or endangered species or their designated critical habitat within the proposed inclusion parcel(s)?**

There are no known threatened or endangered species or their designated critical habitat within the proposed inclusion parcel.

If yes, please describe:

- 15) Are there any known wetlands within the proposed inclusion parcel(s)?**

There are no known wetlands within the proposed inclusion parcel.

If yes, please describe:

- 16) Are there any anticipated water quality impacts within the proposed inclusion parcel(s) resulting from the proposed inclusion (e.g., sewage disposal, construction impacts, etc.)?**

There are no anticipated water quality impacts within the proposed inclusion parcel that would result from the proposed inclusion.

If yes, please describe:

- 17) Is there any prime and unique farmland within the proposed inclusion parcel(s)?**

While the parcel is zoned agriculture, the land use is rural residential. There are no prime and unique farmland within the proposed inclusion parcel.

If yes, please describe:

PETITIONERS:

Melody Alquest
Robert Alquest

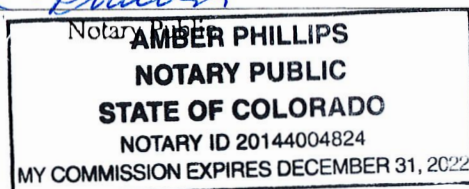
STATE OF COLORADO)
) ss
 County of Weld)

The foregoing instrument was acknowledged before me this 19 day of January,
 2022, by Melody + Robert Alquest

Witness my hand and Seal.

My commission expires: 12-31-22

Amber Phillips



STATE OF COLORADO)
) ss
 County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
 20____, by _____

Witness my hand and Seal.

My commission expires: _____

Notary Public

STATE OF COLORADO)
) ss
 County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
 20____, by _____

Witness my hand and Seal.

My commission expires: _____

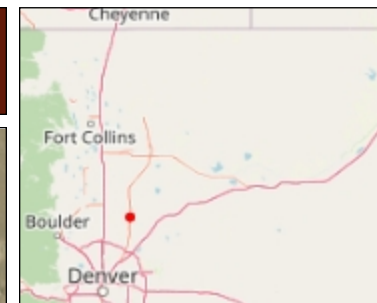
Notary Public

STATE OF COLORADO)
) ss
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
20____, by _____

Witness my hand and Seal. My commission expires: _____

Notary Public



Legend

- Parcels
- Highway
- County Boundary

Notes

600.0 0 300.00 600.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Weld County Colorado

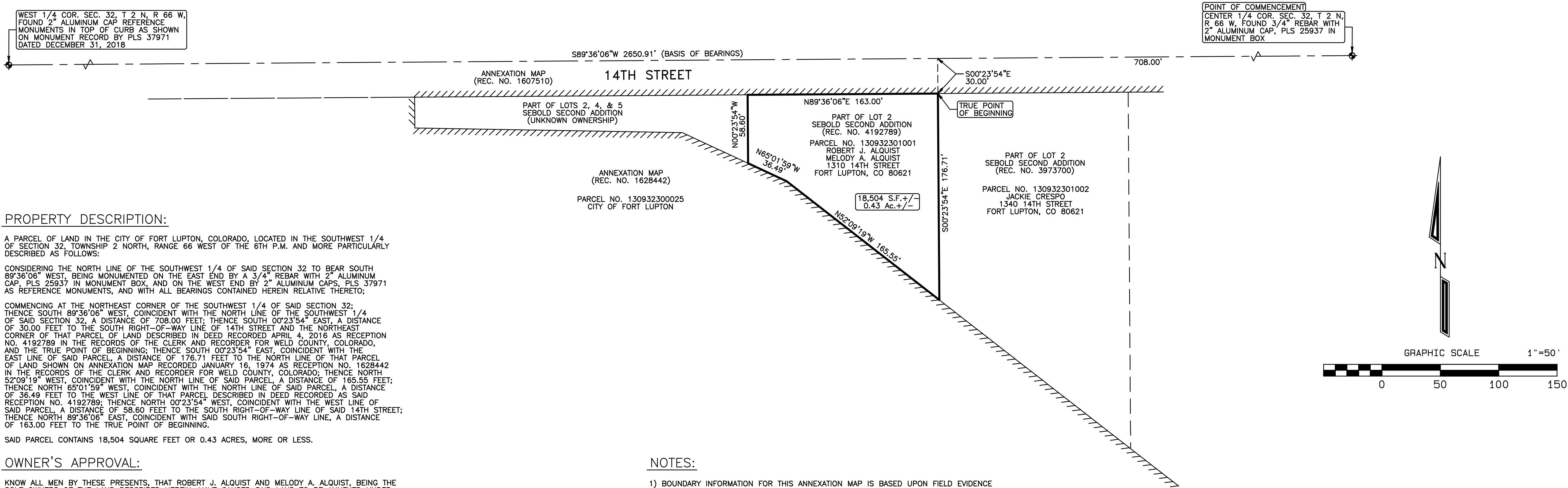
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

ALQUIST ANNEXATION TO THE CITY OF FORT LUPTON

Part of the Southwest 1/4 of Section 32,
Township 2 North, Range 66 West of the 6th P.M.,
City of Fort Lupton, County of Weld, State of Colorado

Sheet 1 of 1



PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32 TO BEAR SOUTH 89°36'06" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 2" ALUMINUM CAP, PLS 25937 IN MONUMENT BOX, AND ON THE WEST END BY 2" ALUMINUM CAPS, PLS 37971 AS REFERENCE MONUMENTS, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 32; THENCE SOUTH 89°36'06" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 708.00 FEET; THENCE SOUTH 00°23'54" EAST, A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 14TH STREET AND THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 4, 2016 AS RECEPTION NO. 4192789 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°23'54" EAST, COINCIDENT WITH THE EAST LINE OF SAID PARCEL, A DISTANCE OF 176.71 FEET TO THE NORTH LINE OF THAT PARCEL OF LAND SHOWN ON ANNEXATION MAP RECORDED JANUARY 16, 1974 AS RECEPTION NO. 1628442 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 52°09'19" WEST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 165.55 FEET; THENCE NORTH 65°01'59" WEST, COINCIDENT WITH THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 36.49 FEET TO THE WEST LINE OF THAT PARCEL DESCRIBED IN DEED RECORDED AS SAID RECEPTION NO. 4192789; THENCE NORTH 00°23'54" WEST, COINCIDENT WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 58.60 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID 14TH STREET; THENCE NORTH 89°36'06" EAST, COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 163.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 18,504 SQUARE FEET OR 0.43 ACRES, MORE OR LESS.

OWNER'S APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT ROBERT J. ALQUIST AND MELODY A. ALQUIST, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF ALQUIST ANNEXATION TO THE CITY OF FORT LUPTON.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS ____ DAY OF _____, 20____.

STATE OF COLORADO, }
COUNTY OF WELD } ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY: ROBERT J. ALQUIST & MELODY A. ALQUIST
ON THIS ____ DAY OF _____, 20____.

WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC: _____

PLANNING COMMISSION RECOMMENDATION:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS RECOMMENDED TO THE FORT LUPTON CITY COUNCIL VIA RESOLUTION NO. _____,
RECOMMENDED THIS ____ DAY OF _____, 201____.

CHAIRPERSON, FORT LUPTON
PLANNING COMMISSION

MAYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. _____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE ____ DAY OF _____ A.D., 20____ AND THAT THE MAYOR AND THE CITY OF FORT LUPTON, AS AUTHORIZED BY ORDINANCE NO. _____ ON BEHALF OF THE CITY OF FORT LUPTON, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

APPROVED THIS ____ DAY OF _____, 201____.

ATTEST: CITY CLERK

MAYOR

SURVEYOR'S CERTIFICATE:

I, CURTIS D. HOOS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID ANNEXATION MAP TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FURTHERMORE, THIS CERTIFIES THAT AT LEAST ONE-SIXTH (1/6) OF THE PROPERTY SHOWN HEREON IS CONTIGUOUS WITH THE MUNICIPAL BOUNDARY OF THE CITY OF FORT LUPTON, COLORADO.

CURTIS D. HOOS PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION

NOTES:

- BOUNDARY INFORMATION FOR THIS ANNEXATION MAP IS BASED UPON FIELD EVIDENCE TOGETHER WITH CALCULATIONS BASED UPON ANNEXATION PLATS, SUBDIVISION PLATS, AND PROPERTY DESCRIPTIONS OF RECORD.
- BASIS OF BEARING: THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32 TO BEAR SOUTH 89°36'06" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 2" ALUMINUM CAP, PLS 25937 IN MONUMENT BOX, AND ON THE WEST END BY 2" ALUMINUM CAPS, PLS 37971 AS REFERENCE MONUMENTS, AND WITH ALL BEARINGS SHOWN HEREON RELATIVE THERETO.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE PRACTICE OF LAND SURVEYING, CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- ALL DISTANCES SHOWN HEREON ARE REPORTED IN U.S. SURVEY FEET.

LEGEND:

- ALQUIST MONUMENT, AS NOTED.
- EXISTING MUNICIPAL BOUNDARY, AS NOTED.

ANNEXATION TABLE:

TOTAL PERIMETER:	600.35 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER:	100.06 FEET
CONTIGUOUS BOUNDARY:	365.04 FEET



VICINITY MAP: NTS

American West
Land Surveying Co.
A Colorado Corporation

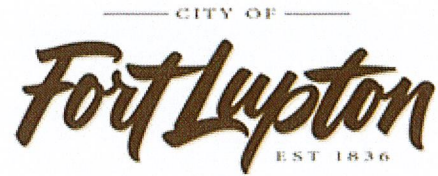
PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestlls.com

SCALE 1" = 50' | DRAWN BY: CDH | CHECKED BY: MJH | DATE: NOV. 1, 2020

REVISIONS:

JOB NO: 20- FILE: F:\SURVEYS\S-T\Sebolds' Second Add\ALQUIST ANNEX_REV11012020.pro

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2021-060

**APPROVING A RESOLUTION INCREASING THE ENGRAVING FEE FOR THE COLUMBARIUM
DOORS AT HILLSIDE CEMETERY**

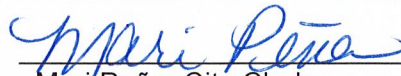
I. **Agenda Date:** Council Meeting – April 6, 2021

II. **Attachments:** a. Resolution 2021-0xx.

III. **Summary Statement:**

The City has solicited proposals for engraving services for the new Columbarium. The engraving services are for the “doors” on each niche and are paid by the person or family being inurned. Based on the proposals that the City has received, staff is recommending increasing the engraving fee.

IV. **Submitted by:**


Mari Peña, City Clerk

V. **Finance Reviewed**

Finance Director

VI. **Approved for Presentation:**


City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

The current fee for engraving each name with dates on the columbarium door \$85.00 plus \$85.00 for the City's staff time in removal/replacement of the door for a total of \$170.00. The fee is required at inurnment, along with the opening/closing fee of \$150.00. This brings the total of \$320.00.

The process has been for staff to remove the columbarium door, mark the door for the monument company, and have the monument company pick up the door at the Cemetery. The monument company takes the door to their shop, engraves it with the deceased person's name, date of birth and date of passing. The door is then brought back to the cemetery for staff to replace at the columbarium.

Three proposals were received:

Norman's Memorial's	\$120 for each engraving
Landmark Monuments	\$200 for each engraving on site
Greeley Monument Works	\$150 for each engraving

Based on the proposals, staff is asking the engraving fee be set to \$240.00. Staff would like to continue utilizing Norman's Memorials for memorial engraving services. However, should the need arise to use another company, we would like to have the flexibility to choose another company to perform these services as long as it doesn't exceed \$240.00.

X. Legal/Political Considerations:

N/A

XI. Alternatives/Options:

XII. Financial Considerations:

XIII. Staff Recommendation:

Staff recommends increasing the Columbarium Engraving Fee to \$240.00

RESOLUTION NO. 2021Rxxx

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING AN INCREASE TO THE COLUMBARIUM ENGRAVING FEE FOR HILLSIDE CEMETERY EFFECTIVE APRIL 6, 2021

WHEREAS, the has reviewed the current fees for engraving and found that the City hasn't adjusted the columbarium engraving fee since January 1, 2016, and

WHEREAS, the City has accepted engraving proposals from three (3) monument companies; and

WHEREAS, based on the proposals an increase is warranted to cover the costs associated with engraving and staff time;

WHEREAS, the increase is needed to offset several expenses and meet revenue numbers established in the budget; and

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves the engraving fee schedule as shown in Exhibit 'A' effective April 6, 2021.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 6th DAY OF APRIL 2021.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña, City Clerk

Approved as to form:

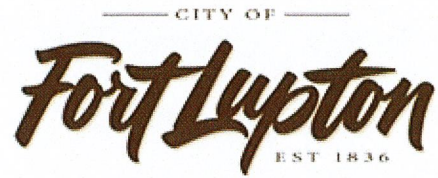
Andy Ausmus, City Attorney

Exhibit A
Resolution 2021Rxxx
Effective April 6, 2021

At Inurnment:

Engraving Fee	\$240.00
---------------	----------

CITY OF FORT LUPTON CITY COUNCIL



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2021-062

PAY CLEAR WATER SOLUTIONS \$52,160.00 FOR PROFESSIONAL SERVICES TO CREATE A RISK AND RESILIENCE ASSESSMENT AND EMERGENCY RESPONSE PLAN TO COMPLY WITH THE AMERICA'S WATER INFRASTRUCTURE ACT

I. **Agenda Date:** Council Meeting – April 6, 2021

II. **Attachments:**

- a. Professional Services Agreement-dated March 25, 2021.
- b. Clear Water Risk and Resilience Assessment and Emergency Response Presentation slides

III. **Summary Statement:**

The America's Water Infrastructure Act (AWIA) was signed into law on October 23, 2018. This law requires all community water systems/utilities that serve more than 3,000 people to conduct risk and resilience assessments and develop or update their emergency response plans (ERP's). Utilities must then certify to the Environmental Protection Agency (EPA) that they were completed. Failure to comply with this mandate can result in significant fines.

IV. **Submitted by:**


Glenda McCarroll, Asst. City Administrator

V. **Finance Reviewed**

Finance Director

VI. **Approved for Presentation:**



City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

The AWIA falls under the Safe Drinking Water Act. The intent of the Act is to "improve drinking water and water quality, deepen infrastructure investments, enhance public health and quality of life, increase jobs, and bolster the economy". In particular, Section 2013 of the AWIA states that all community (drinking) water systems serving more than 3,300 people must conduct risk and resilience assessments and develop or update their ERP's- addressing how the system would respond to threats uncovered in the assessment.

There is a Step by Step process to comply;

- 1- Complete the Risk and Resilience Assessment*
- 2- Submit certification of assessment completion to the EPA by June 30, 2021*
- 3- Develop or update your emergency response plan*
- 4- Submit certification of ERPP completion to the EPA*

We will be required to certify to the EPA every 5 years and have them review our assessment, and make necessary revisions. After the EPA review the City will need to certify completion of our ERP.

If we fail to comply with the AWIA, the EPA can fine the City Water Utilities \$25,000.00 for non-compliance.

X. Legal/Political Considerations:

XI. Alternatives/Options:

There are no alternative options, this is a Federal Law

XII. Financial Considerations:

XIII. Staff Recommendation:

Staff recommends that we contract with a reputable consulting firm that is experienced in working on Federal Water Laws. Clear Water Solutions, Inc has performed services for the City in the past and had a successful outcome. Staff would like to hire Clear Water Solution, Inc to provide professional services to meet EPA deadlines.

PROFESSIONAL SERVICES AGREEMENT
March 25, 2021

This Agreement is entered between:

City of Fort Lupton
130 South McKinley Avenue
Fort Lupton, CO 80621

(hereinafter referred to as "Client"), and

Clear Water Solutions, Inc., a Colorado Corporation
4750 Larimer Parkway, Unit 101
Johnstown, CO 80534

(hereinafter referred to as "Consultant")

for the Project generally known as **America's Water Infrastructure Act (AWIA) Risk and Resilience Assessment and Emergency Response Plan.**

RECITALS,

1. Client recognizes that it needs assistance with the completion of a Risk and Resilience Assessment.
2. Client recognizes that it needs assistance with the completion of an Emergency Response Plan.
3. Client desires Consultant to assist Client with the completion of the Risk and Resilience Assessment and an Emergency Response Plan.
4. Consultant is willing to assist Client pursuant to the terms and conditions set forth in this Agreement.

NOW THEREFORE, in consideration of the above recitals, and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the parties agree to the following:

Period of Engagement

Client shall retain the services of Consultant until completion of both phases of the project.

PROFESSIONAL SERVICES AGREEMENT

March 25, 2021

Standard of Care

The Consultant represents that its services will be performed in a professional and workmanlike manner in accordance with the standards expected of a consulting engineering profession. Consultant shall provide sufficient organization, personnel and management to carry out the requirements of this Agreement in an expeditious and economical manner consistent with the objectives of the engagement and specified interests of the Client. Client maintains professional liability insurance in the amount of \$1,000,000 per occurrence and \$2,000,000 aggregate.

Scope of Services

1. Phase 1 - Complete a Risk and Resilience Assessment and assist Client with the certification process through the Environmental Protection Agency.
2. Phase 2 - Complete an Emergency Response Plan and assist Client with the certification process through the Environmental Protection Agency.

Project Modification

In the event the Client requires changes to the scope, character or complexity of the services and where said changes result in an increase in the project costs, completion date, and/or value received by the Client, an equitable adjustment shall be made. Client and Consultant together shall determine an appropriate means to account for such adjustment, which may include scope, schedule and fee. Accordingly, this Agreement will be modified by a Supplemental Agreement to clarify and document the nature of any additional services contemplated by such change.

Compensation

The fee for the completion of Phase 1 - Risk and Resilience Assessment is \$21,195.
The fee for completion of Phase 2 - Emergency Response Plan is \$30,965.

Payment

Consultant shall invoice Client on a monthly basis. These invoices will include a memo documenting all services performed per the scope of services and percent of project complete. Payments will be remitted within 30 days from date of receipt, unless there is a dispute on the bill.

PROFESSIONAL SERVICES AGREEMENT

March 25, 2021

If to Client: **City of Fort Lupton**
Attn: Glenda Aretxuloeta
130 South McKinley Avenue
Fort Lupton, CO 80621

If to Consultant: **Clear Water Solutions, Inc.**
Attn: Steve Nguyen, P.E.
4750 Larimer Parkway, Unit 101
Johnstown, CO 80534

Any notice properly addressed and personally delivered shall be deemed to have been duly given and received upon such personal delivery, and notices properly addressed and sent by certified mail, return receipt requested, shall be deemed to have been duly given and received seventy-two hours after they are deposited in the mail, postage prepaid. Any party may change its address for purposes of this Agreement by giving notice to the other party as provided herein.

Dispute Resolution

In the event a dispute arises relating to the execution of services under the Agreement, both Client and Consultant shall convene to resolve the dispute in a way that is mutually agreed to by both parties. If such a dispute is not resolved, the Client and Consultant agree to proceed in good faith to submit the matter for Mediation. The Client and Consultant shall jointly appoint an acceptable mediator and will share equally in the cost of such Mediation.

Termination of Services

This Agreement may be terminated by either party upon not less than thirty days (30) written notice should the other party fail substantially to perform in accordance with the spirit of this Agreement through no fault of the party initiating the termination. In the event of termination, the Client shall pay the Consultant for all services rendered through the date of termination.

PROFESSIONAL SERVICES AGREEMENT

March 25, 2021

Delinquent Accounts

Undisputed accounts unpaid after 30 days shall be deemed delinquent and will incur a late payment charge, computed at the monthly rate of 1.25% on overdue balances (15% annually).

Undisputed accounts unpaid after 60 days will be subject to stoppage of work and initiation of collections through a collection agency, attorney, small claims court, or other legal means deemed appropriate. Time incurred by the Consultant, as well as reasonable attorney's fees, will be added to the defaulted account.

Ownership of Documents

All documents produced in connection with the scope of this Agreement shall remain the property of the Client. Work product generated by Consultant is intended for the Client's in-house use and application in connection with the scope of this Agreement. Except as to work product requiring disclosure pursuant to a request made to Client under the Colorado Open Records Act, work product shall not be shared with third parties without the prior written approval of Consultant.

Confidentiality

Both parties to this Agreement hereby agree to maintain in confidence any information related to the project, unless release of such information is authorized in writing by the originating party or required by law.

Contacts

For the purposes of this Agreement the following parties are designated as the contacts for the project. As a matter of protocol, all coordination and daily communication and contacts between the parties shall be routed through these individuals.

For the Client: **Ms. Glenda Aretxuloeta**

For the Consultant: **Mr. Steve Nguyen**

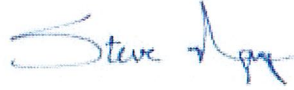
Notices

All notices, requests, demands and other communication given, or required to be given, under this Agreement, shall be in writing and duly addressed to the parties as follows:

PROFESSIONAL SERVICES AGREEMENT
March 25, 2021

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly executed as of the day and year first above written.

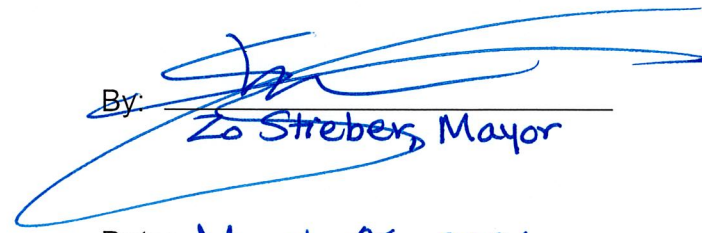
Clear Water Solutions, Inc.



By: _____
Steve Nguyen, *President*

Date: 3-25-21

City of Fort Lupton

By:  _____
Zo Strebers, Mayor

Date: March 25, 2021



CLEAWAT-01

LBOYER

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/25/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bradley Insurance Group 3401 W. 38th Avenue Denver, CO 80211	CONTACT NAME: Lori Boyer	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
INSURED Clear Water Solutions Inc. 4750 Larimer Parkway Unit 101 Johnstown, CO 80534	E-MAIL ADDRESS: lori@bradleyinsurancegroup.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: The Hartford P&C	
	INSURER B: Continental Casualty Company	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY						
	☐ CLAIMS-MADE ☐ OCCUR						EACH OCCURRENCE \$
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$
							MED EXP (Any one person) \$
							PERSONAL & ADV INJURY \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$
	☐ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG \$
	OTHER:						\$
	AUTOMOBILE LIABILITY						
	☐ ANY AUTO						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per person) \$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB ☐ OCCUR						EACH OCCURRENCE \$
	EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE \$
	☐ DED ☐ RETENTION \$						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N	N/A	34WECVPV0938	11/14/2020	11/14/2021	X PER STATUTE ☐ OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y					E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Professional Liab			EEH288316529	11/14/2020	11/14/2021	Aggregate 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Fort Lupton
130 S McKinley Ave
Fort Lupton, CO 80621

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Risk and Resilience Assessment And Emergency Response Plan

Overview Presentation



*clear***WATER***solutions*
water rights • planning • engineering

RISK MANAGEMENT OVERVIEW

- America's Water Infrastructure Act signed into law in 2018 - requires water systems serving >3,300 people to conduct R&Rs and ERPs (drinking water).
- R&RA goals are to identify highest risks to water system, understand risk/resilience, determine countermeasures.
- Includes malevolent acts (break-ins) and natural hazards (floods).
- Includes physical assets (reservoirs), monitoring systems (security), financial structures (billing).

RISK =

THREAT LIKELIHOOD

X

VULNERABILITY

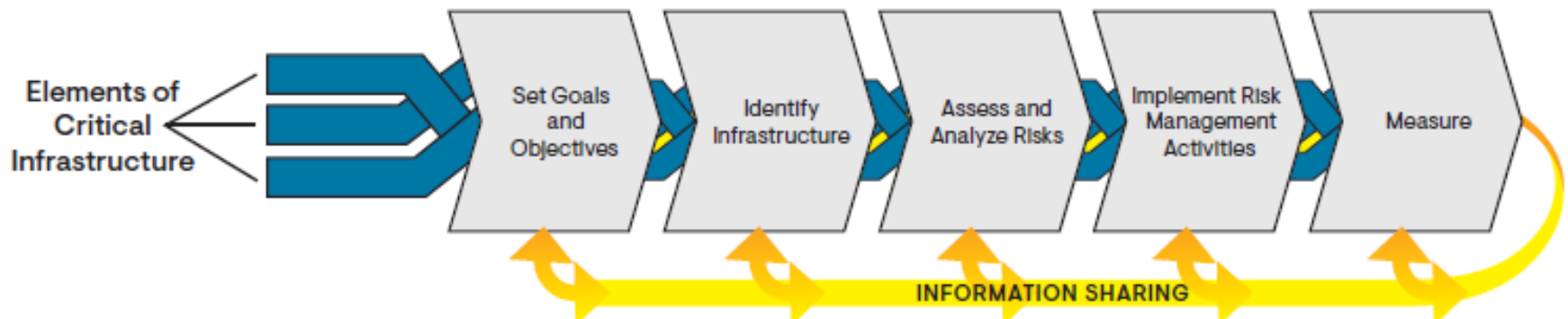
X

CONSEQUENCE

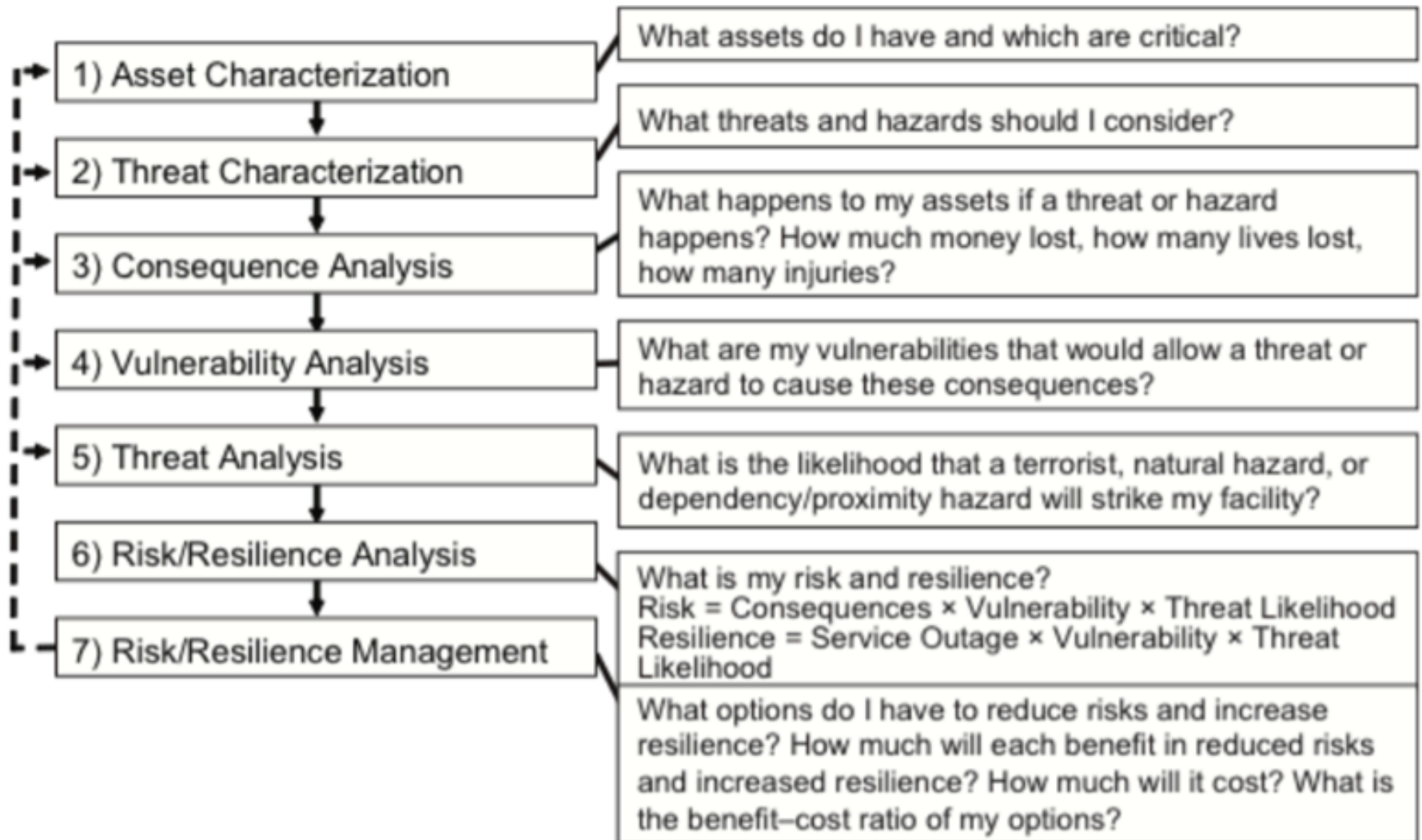
****LOOK AT CRITICAL ASSETS AND CRITICAL THREATS***

RISK MANAGEMENT PROCESS

5 MAIN STEPS



RECOMMENDED AWWA APPROACH



ERP OVERVIEW

Determine strategies to improve resilience of system (physical & cyber)

Develop plans & procedures if act/hazard threatens safe water

Establish strategies to aid in detection of threats to security and resilience

Identify actions/ procedures/ equipment to lessen the impact of an act/hazard



R&RA

STEPS 1 - 3

STEP 1 - PLAN OBJECTIVES (IDEAS)

- Conduct R&RA to meet AWIA requirements by the deadline of 6/30/21
- Ensure R&RA is relevant for municipality and consistent with mission and goals
- Assess risk and resilience in system for the most critical 3-6 asset/threat risk pairs
- Determine threat likelihood
- Coordinate R&RA across departments and staff
- Use R&RA to develop ERP and reduce risk in system through implementation of risk management activities
- Additional by municipality?

STEP 2 - ASSET-THREAT PAIRS

- Asset Categories
 - Physical barriers
 - Source water
 - Pipes, conveyance, water collection, intake
 - Pretreatment and treatment
 - Storage and distribution facilities
 - Electronic, computer, automated systems
 - Monitoring practices
 - Financial infrastructure
 - Chemicals (use, storage, handling)
 - Operation and maintenance



ASSET-THREAT PAIRS CONT.

- Threat Categories
 - Assault on Utility – Physical
 - Contamination of Finished Water – Accidental & Intentional
 - Theft or Diversion – Physical
 - Cyber Attack – Business Enterprise or Process Control Systems
 - Sabotage – Physical
 - Contamination of Source Water – Accidental & Intentional
- Threat Likelihood
 - Estimated Values

STEP 3 - R&RA CHECKLIST

- Threat Likelihood
 - Estimated Values

Baseline Information on Malevolent Acts for Community Water Systems

Table 7: Threat Category: Contamination of Finished Water – Accidental¹¹

Threat Category Definition: An incident where contamination of finished water in the storage or distribution system occurs due to an unintentional operational, management, or design failure such as pressure loss, leaking infrastructure, or cross connection

Crosslink to AWWA J100-10 Standard Reference Threat Scenarios	Annual Default Threat Likelihood	
	Water	Wastewater
Contamination of Product: C(C) Chemical, C(P) Pathogen	0.2	N/A
Basis: - Accidental contamination of finished water occurs at U.S. water utilities. Most incidents are minor and do not have measurable public health or economic consequences. - Major incidents of accidental microbial or chemical contamination of finished water can occur with significant adverse impacts on the utility and surrounding community. - Potential causes of accidental contamination include cross-connections, backflow, breaches in the integrity of storage facilities, and infiltration during periods of low pressure. Conservative estimate of threat likelihood: Utilities experience accidental contamination of finished water twice per year, and 10% of these incidents have significant public health or economic consequences.		

Factors for Modifying Default Threat Likelihood

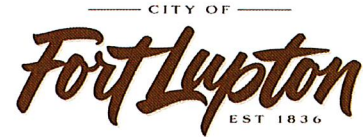
- Has the utility's distribution system management been effective in preventing accidental contamination events in the recent past (e.g., the past five years)?
☐ Yes ☒ No
- Do operators receive regular training on procedures for distribution system monitoring and operations?

SCHEDULE

Item	Date
Risk and Resilience Assessment	6/30/2021
Emergency Response Plan	6 months later or 12/30/2021

- Certifications (required) will be completed by municipality online using EPA web portal by dates.
- Actual plans do not get submitted.
- Plans must be kept for 5 years.
- ERP must be updated every 5 years and re-certified.

CITY OF FORT LUPTON CITY COUNCIL



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2021-059

APPROVE A RESOLUTION FOR THE UNITED FULTON AUGMENTATION STATION AND PIPELINE PROJECT SPECIAL USE PERMIT LOCATED IN THE NORTH HALF OF SECTIONS 17 AND 18, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

I. Agenda Date: Council Meeting – April 6, 2021

II. Attachments:

- a. Proposed Resolution
- b. Planning Commission Resolution, Minutes & Staff Report
- c. Land Use Application
- d. Special Use Permit Application & Project Description
- e. Vicinity Map
- f. Special Use Permit (Site Plan) Map
- g. Traffic Memorandum
- h. Drainage Memorandum
- i. Referral Responses
- j. Legal Notifications

III. Summary Statement:

United Water & Sanitation District (the "Applicant") has submitted a special use permit application for a 30" below grade gravity pipeline that will convey raw water from the Fulton Ditch to the South Platte River for augmentation purposes.

IV. Submitted by:

Marcia Lando
Planner

V. Finance Reviewed

Leann Periss
Finance Director

VI. Approved for Presentation:

[Signature]
City Administrator

VII. Attorney Reviewed

Approved

Pending Approval

VIII. Certification of Council Approval:

City Clerk

Date

IX. **Detail of Issue/Request:**

United Water & Sanitation District (the "Applicant") has submitted a special use permit application for a 30" below grade gravity pipeline that will convey raw water from the Fulton Ditch to the South Platte River for augmentation purposes. Easements have been acquired for the pipeline to cross the parcels located with the City of Fort Lupton, excluding the Theodore Shipman R Living Trust, which is part of the ownership group for the project.

The properties that are included within this special use permit application are zoned either 'A' Agricultural (the Theodore R. Shipman Living Trust parcel), I-1 Light Industrial (the Villano Brothers Properties, Inc. parcels), or I-2 Heavy Industrial (the Basalite Building Products, Brighton Industrial North, and Leroy & Brenda Sack parcels). While the proposed pipeline is not specifically mentioned as use by right in these zone districts, these zone districts list public utility facilities as permitted uses subject to the special use review and approval procedures set forth under Section 16-7 of the Fort Lupton Municipal Code (the "Code"). This proposal is of similar or like use and therefore requires a special use permit.

Section 16-7(d) states that the City shall use the following criteria to evaluate the Applicant's request:

1. *The special use shall satisfy all applicable provisions of the Code and shall be consistent with the intent of the Comprehensive Plan.*

Staff Comment: The use meets the provisions of the Code, specifically it meets the intent of the 'I-1' Light Industrial, 'I-2' Heavy Industrial, and 'A' Agricultural Zone Districts which allow for public facilities or similar uses with a special use permit.

2. *The special use shall not substantially alter the character of the district or the neighborhood.*

Staff Comment: The pipeline will be below grade and therefore will not affect the surrounding neighborhood character of the portion that runs through City limits. In addition, the alignment proposed was selected to limit impacts to the properties and infrastructure being affected. This use will not substantially alter this area.

3. *The special use will result in efficient on- and off-site traffic circulation, and will not have an adverse impact on adjacent uses or present hazardous conditions for pedestrians or vehicles.*

Staff Comment: After construction, the project will not affect traffic or pedestrians.

4. *Adequate conditions of approval shall address: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; erosion and other performance issues identified through the public hearing process.*

Staff Comment: Impacts will largely be during the construction process. There is no lighting proposed, and the majority of development will be underground. Traffic will be limited once construction is complete.

5. *The term of the special use permit and any reporting and inspection requirements as might be reasonably necessary to ensure compliance with conditions of approval may also be specified by the City Council.*

Staff Comment: Staff has recommended conditions of approval to the Planning Commission and City Council. The Planning Commission or City Council may choose to add or remove conditions as it deems appropriate. Typically, a special use permit is non-transferable. The conditions of approval address this item.

Additional information on this application can be found in the Planning Commission staff report and additional documents enclosed with this Action Memorandum.

X. Legal/Political Considerations:

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings were published in the Greeley Tribune on February 26, 2021, and the Fort Lupton Press on March 3, 2021. Because the publication was not published 15 days prior to the Planning Commission meeting, the Planning Commission made a motion to continue the hearing to March 25, 2021. The City Council hearing will still be held on April 6, 2021.

The Zoning Regulations require that properties be posted 15 days prior to public hearing. The properties were posted February 23, 2021, which is at least 15 days prior to the public hearings.

Notice was mailed to neighbors within one-hundred (100) feet of the parcels that are included with this project on February 18, 2021.

XI. Alternatives/Options:

The City Council has the following three options for each request:

- a) Approve the request;*
- b) Deny the request; or*
- c) Refer the request back to Planning Commission for further study.*

XII. Financial Considerations:

The Applicant has paid all applicable land use application fees and is covering ongoing review expenses.

XIII. Staff Recommendation:

Staff recommends conditional approval of the United Fulton Augmentation Station and Pipeline Project Special Use Permit. The conditions are listed in the proposed Resolution provided to Council.

RESOLUTION NO. 2021Rxxx

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE UNITED FULTON AUGMENTATION STATION AND PIPELINE PROJECT SPECIAL USE PERMIT LOCATED IN THE NORTH HALF OF SECTIONS 17 AND 18, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on March 25, 2021, for the purpose of reviewing the application for the United Fulton Augmentation Station and Pipeline Project Special Use Permit; and

WHEREAS, after review of the application and supporting information, and consideration of staff comments, applicant's presentation and any public input, the Planning Commission recommended approval, with conditions, of the special use permit application; and

WHEREAS, the City Council held a public hearing to consider and review the request for the special use permit on April 6, 2021; and

WHEREAS, after review of the application and supporting information, the City Council finds that the special use permit conforms to Colorado Revised Statutes and City codes and policies therein, and

WHEREAS, all legal requirements for the public hearing have been met, including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet, and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council reviewed the plans and supporting documentation, referral comments, as well as any citizen input in response to this application. Based upon the review of applicable policies and goals in the Fort Lupton Comprehensive Plan, review of the Zoning Regulations, and analysis of referral comments and the facts presented on this date, the City Council hereby approves the United Fulton Augmentation Station and Pipeline Project Special Use Permit, with the following conditions:

I. Prior to recording the special use permit map:

A. The title of the special use permit shall include the Project No.: LUP2021-0006 & Plan No. SUP2021-0001.

B. Any redline comments provided by City staff shall be made to the special use permit map.

II. Prior to the start of construction:

A. Applicant shall provide written acknowledgement of the comments from United Power.

- B. Applicant shall coordinate with the Public Works Director to receive approval of a flood hazard development permit.
- C. Applicant shall provide written acknowledgement that they will comply with the development standards listed in the comments from the Weld County Department of Public Health & Environment.
- D. Applicant shall provide written evidence that the comments from Xcel Energy (Public Service Company) have been adequately addressed.
- E. Applicant shall provide written evidence that they have received any required right of way permits from the Public Works Director.
- F. Any required building permits must be received from the Building Department, if applicable, or written evidence that they are not required shall be provided.
- G. Applicant shall provide written acknowledgement that they will notify the City of Fort Lupton and Fort Lupton Fire Protection District of road closures in advance.
- H. One set of Mylars of the special use permit map shall be submitted for recording with the Weld County Clerk & Recorder.

APPROVED AND PASSED BY A MAJORITY VOTE OF THOSE ELECTED TO THE CITY COUNCIL THIS 6th DAY OF APRIL 2021.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

RESOLUTION NO. P2021-009

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF THE UNITED FULTON AUGMENTATION STATION AND PIPELINE PROJECT SPECIAL USE PERMIT LOCATED IN THE NORTH HALF OF SECTIONS 17 AND 18, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission held a public hearing on March 25, 2021, for the purpose of reviewing the application for the United Fulton Augmentation Station and Pipeline Project Special Use Permit; and

WHEREAS, after review of the application and supporting information, the Planning Commission finds that the special use permit conforms to Colorado Revised Statutes and City codes and policies therein; and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 100 feet of the project, and posting of the hearing on the site; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the United Fulton Augmentation Station and Pipeline Project Special Use Permit, conditional upon the following:

I. Prior to recording the special use permit map:

- A. The title of the special use permit shall include the Project No.: LUP2021-0006 & Plan No. SUP2021-0001.
- B. Any redline comments provided by City staff shall be made to the special use permit map.

II. Prior to the start of construction:

- A. Applicant shall provide written acknowledgement of the comments from United Power.
- B. Applicant shall coordinate with the Public Works Director to receive approval of a flood hazard development permit.

- C. Applicant shall provide written acknowledgement that they will comply with the development standards listed in the comments from the Weld County Department of Public Health & Environment.
- D. Applicant shall provide written evidence that the comments from Xcel Energy (Public Service Company) have been adequately addressed.
- E. Applicant shall provide written evidence that they have received any required right of way permits from the Public Works Director.
- F. Any required building permits must be received from the Building Department, if applicable, or written evidence that they are not required shall be provided.
- G. Applicant shall provide written acknowledgement that they will notify the City of Fort Lupton and Fort Lupton Fire Protection District of road closures in advance.
- H. One set of Mylars of the special use permit map shall be submitted for recording with the Weld County Clerk & Recorder.

DONE THIS 25^h DAY OF MARCH, 2021, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

This Resolution was approved unanimously by Planning Commission on March 25, 2021. Due to COVID, there has been a delay in obtaining the Chairman's signature, and the signed Resolution will be added to the files once it is received.

Chairman

ATTEST:

Planning Director

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
March 25, 2021**

The Planning Commission of the City of Fort Lupton met in session virtually via GoToMeeting, on Thursday, March 25, 2021.

Vice-Chair Bushrod White called the meeting to order at 6:00 p.m.

ROLL CALL

Roll was taken and those present were Vice-Chair Bushrod White and Commission Members Carlos Barron, Kathy Kvasnicka, Lynne Derby and Paul Weber. Also in attendance were Planning Director Todd Hodges, City Planner II Alyssa Knutson, City Planner I Maria Lancto, and Planning Administrative Assistant Magaly Morales-Tejada.

Planner Alyssa Knutson gave the following advisement on behalf of the commission:

Tonight's meeting shall be held virtually so as to ensure the health and safety of the general public and the City of Fort Lupton Planning Commission and staff.

The intent and purpose of the virtual appearance options is to allow the City to be innovative in providing the general public the most meaningful access possible in light of the current challenges present as a result of the Covid-19 pandemic. Therefore, subject to social distancing and public health orders, members of the general public will be offered the opportunity to be electronically present for meetings at the City, subject to existing health conditions.

An electronic link has been made available for tonight's meeting on the City's website and social media platforms and as posted at City Hall, so that the general public, Planning Commission and staff may participate electronically via the internet or on the phone.

APPROVAL OF AGENDA

Planning Director Todd Hodges requested that items B and C be moved to the top of the agenda.

Vice-Chair White called for a motion to move items B and C to the top of the agenda. It was moved by Carlos Barron and seconded by Lynne Derby to approve the agenda as amended. Motion passed unanimously.

CONSENT AGENDA

Vice-Chair White called for a motion to approve the consent agenda. It was moved by Paul Weber and seconded by Kathy Kvasnicka. Motion passed unanimously.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
March 25, 2021**

PUBLIC COMMENT

Vice-Chair White asked if there was anyone who would like to comment on an item not on the agenda tonight. Hearing none, he closed Public Comment.

ACTION ITEMS

P2021-010 Hagler Annexation Nos.1-5 and Initial Zoning and P2021-011 Hagler Special Use Permit

Planning Director Todd Hodges stated that the applicants have submitted a letter of withdrawal for the Hagler Annexation Nos.1-5, Initial Zoning and Special Use Permit. He stated that this withdrawal did not require further action or discussion in order to be effective.

P2021-009: United Fulton Augmentation Station Project Special Use Permit

Planner Alyssa Knutson presented this action item. She stated that the project was for a proposed below-grade pipeline for augmentation from the Fulton Ditch to South Platte River. She stated this application was submitted by United Water and Sanitation District. Ms. Knutson stated that the project runs through both city and county parcels and this special use permit is for the seven parcels within the City. She stated that the zoning for these parcels range from I-1 Industrial, "A" Agriculture or I-2 Heavy Industrial. She stated that these zoning classifications do not permit public utility facilities or similar uses as a use by right, but it is listed as a special use permit with approval from Planning Commission and City Council. Ms. Knutson stated that the requirements for this special use permit are consistent with several other similar special use permits brought before Planning Commission and City Council, such as the previously approved Lupton Lakes Pipeline and the Pioneer Water Pipeline. She stated that the applicants were available with a brief presentation.

The applicant Andrew Damiano, with United Water and Sanitation District gave the presentation. Mr. Damiano explained that this project parallels the County Road 8 ½ alignment and parallels an existing utility corridor with an existing gas-line and water line. He stated that the purpose of this project was to divert raw water from the Fulton Ditch back to the South Platte River. Mr. Damiano stated that this is part of one of United Water's decrees and is subject to the State of Colorado. He stated that they have built a Fulton head-gate on Fulton and the project would consist of building a 30" pipeline from that head gate through these properties to an existing 18" inch bore underneath Highway 85, which would convey the water to the South Platte River. Mr. Damiano stated that this is a below grade gravity line with no pump stations or any above-grade structures. He stated that they are going through several zoning areas - Agriculture, I-1 and I-2. Mr. Damiano stated that the

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
March 25, 2021

location of the easements is on the backside of large lots about a corridor length long and have obtained all easements necessary to cross the City of Fort Lupton. He stated that that they will return the properties to pre-construction conditions, they will reseed and reclaim and minimize the impact to the drainage pattern. He stated that there is no impact to future land development on these parcels. Mr. Damiano stated that after construction there will be no noise or dust coming from this project. He stated that there will also be no traffic impact, no lights or odors. Mr. Damiano stated that they are in the process of acquiring the necessary permits from Weld County. He stated that they have received referral comments from referral agencies that they will address. Mr. Damiano stated that this project satisfies the obligation to the State of Colorado to return water from the Fulton Ditch to the South Platte River.

Planner Alyssa Knutson on behalf of the commission addressed the applicant, Andrew Damiano. She asked if he understood that Members of the Planning Commission may be appearing tonight via virtual connection and may not be appearing in-person.

Mr. Damiano stated yes.

Planner Knutson asked if he consented to the applicable members voting on their submittal, even though said members are not present in person.

Mr. Damiano stated yes.

Planner Knutson asked if he understood that he had the right to continue this public hearing to such a date to allow a full in-person public hearing.

Mr. Damiano stated yes.

Planner Knutson asked if he voluntarily signed and submitted the written waiver and consent to proceed electronically tonight.

Mr. Damiano stated yes.

Planner Knutson asked if he waived his right to proceed in an in-person public hearing and have consented to proceed forward voluntarily tonight in this virtual planning commission meeting, is that correct.

Mr. Damiano stated yes.

Vice-Chair White opened up the public comment portion of the Hearing for the special use permit action item. Hearing no one from the public wishing to speak, Vice-Chair White closed the Public Hearing.

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
March 25, 2021**

Planner Knutson asked Ms. Damiano if he felt he had a full and fair opportunity to participate in tonight's hearing.

Mr. Damiano stated yes

Vice-Chair White opened up the hearing to Planning Commissioners' comments and questions.

Member Paul Weber asked what the expected duration of construction is.

Mr. Damiano stated that they are expecting a 3-4 month duration, beginning in November as to minimize impact to the irrigation season.

Member Weber asked what impact this project would have on traffic.

Mr. Damiano stated that they are boring at Weld County Road 27, Rollie Ave. and under the railroad so there should be no traffic impact.

Member Carlos Barron asked what the reason to divert water back into South Platte River is.

Mr. Damiano stated that they (United Water and Sanitation) has an overall water system where they have to make up for depletions from a well field – he stated that this water goes back to the river to maintain depletions to downstream users.

Member Barron asked if there is any impact on people's access to Fulton Ditch's water.

Mr. Damiano stated no, he stated that they are only diverting their own water rights which would not impact Fulton. Mr. Damiano stated that Fulton Ditch is excited to move forward with this project and he foresees usage of this pipeline from others.

Vice-Chair White called for a motion to approve P2021-009. Kathy Kvasnicka motioned to approve and Paul Weber seconded. Motion passed unanimously.

DISCUSSION ITEMS

Review of Meeting Discussion

A review of meeting discussions took place.

Development Code Update

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
March 25, 2021**

A discussion of the Development Code Update took place.

FUTURE BUSINESS

The next meeting of the Planning Commission is scheduled for April 8, 2021 at 6:00 PM.

ADJOURNMENT

Vice-Chair White adjourned the meeting at 6:29 PM.

Submitted by

Magaly Morales-Tejada, Planning Assistant

Approved by Planning Commission

Mike Simone, Chairperson

**UNITED FULTON AUGMENTATION STATION AND PIPELINE PROJECT SPECIAL USE PERMIT
STAFF REPORT
Project No. LUP2021-0006 & Plan No. SUP2021-0001**

PROJECT DESCRIPTION

Project No.: LUP2021-0006 / Plan No.: SUP2021-0001

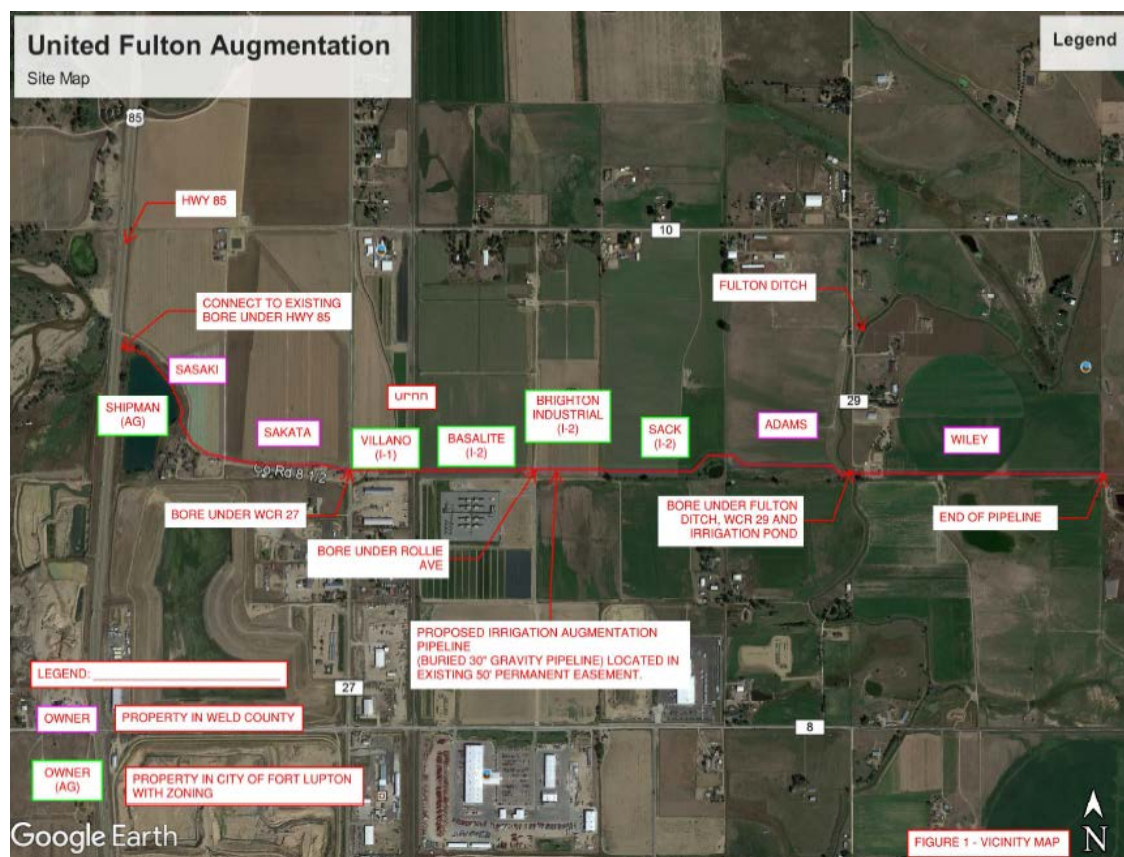
Project Name: United Fulton Augmentation Station and Pipeline Project Special Use Permit

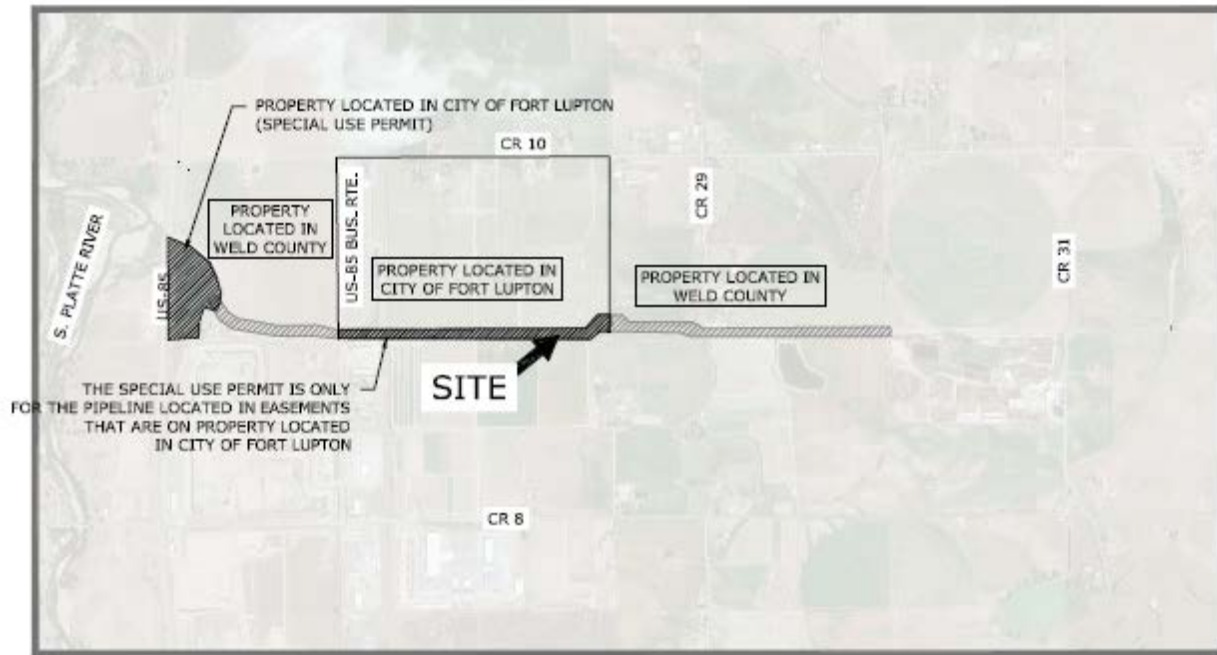
Applicant Name: United Water & Sanitation District (“Applicant”)

Representative: Adam Smith with Civil Resources, LLC

Location of Request:

The United Fulton Augmentation Station and Pipeline Project includes a below grade gravity pipeline that will be constructed through portions of unincorporated Weld County, and certain parcels of land located within the City of Fort Lupton. The pipeline is generally located north of the half section line between County Road 8 and County Road 10. The pipeline will begin approximately a half-mile east of County Road 29 and extend west to an existing bore at U.S. Highway 85. The special use permit is to review the portion of the project to be constructed through certain parcels of land located within the City of Fort Lupton. See figures below.





Nature of Request:

The Applicant has submitted a special use permit application for a 30" below grade gravity pipeline that will convey raw water from the Fulton Ditch to the South Platte River for augmentation purposes.

Easements are required in order for the pipeline to cross the parcels located with the City of Fort Lupton, excluding the Theodore Shipman R Living Trust, which is part of the ownership group for the project. The Applicant has stated that all easements have been acquired.

Site Size: Not applicable.

Zone District:

Theodore R. Shipman Living Trust (Parcel No. 147118101003): 'A' Agriculture Zone District
 Villano Brothers Properties, Inc. (Parcel Nos. 147117201004 & 147117200001): I-1 Light Industrial
 Basalite Building Products (Parcel No. 147117200006): I-2 Heavy Industrial
 Brighton Industrial North (Parcel No. 147117000054): 1-2 Heavy Industrial
 Leroy & Brenda Sack (Parcel Nos. 147117000052 & 147117000053): 1-2 Heavy Industrial

Proposed Use: The Applicant has submitted a special use permit application for a 30" below grade gravity pipeline that will convey raw water from the Fulton Ditch to the South Platte River for augmentation purposes.

Existing Use:

Theodore R. Shipman Living Trust (Parcel No. 147118101003): Open water pond with no plans for agriculture.
 Villano Brothers Properties, Inc. (Parcel Nos. 147117201004 & 147117200001): Existing agricultural.

Basalite Building Products (Parcel No. 147117200006): Industrial business.
Brighton Industrial North (Parcel No. 147117000054): Existing agricultural.
Leroy & Brenda Sack (Parcel Nos. 147117000052 & 147117000053): Existing agricultural and residential.

Hearing Dates: Planning Commission – March 25, 2021 at 6:00 PM (continued from March 11, 2021)
City Council – April 6, 2021 at 7:00 PM

Hearing Location: Virtually via GoToMeeting.

Staff Recommendation: Approval with conditions, as shown on the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

This is for a pipeline that will run through easements on private property. A summary of previous applications is not applicable for this project.

APPLICATION PROCESS

The Applicant is submitting a request for a special use permit for a 30" below grade gravity pipeline that will convey raw water from the Fulton Ditch to the South Platte River for augmentation purposes. A special use permit application is processed under [Section 16-7](#) of the Code.

After required public notice of the special use permit application, the Planning Commission shall consider the application, referral comments and any public testimony at a public hearing and make a recommendation to City Council to approve, approve with conditions or deny the special use permit. The Planning Commission's comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City's standards, regulations and policies.

The City Council shall then conduct a public hearing and evaluate the application, referral agency comments, Planning Commission recommendation and any public testimony, and shall approve, conditionally approve, continue for additional information or for further study or deny the application based on the evidence presented and compliance with the City's standards, regulations and policies and other guidelines.

NOTIFICATION REQUIREMENTS

The Zoning Regulations require published notice of the hearings at least fifteen (15) days prior to the hearings. The Planning Commission and City Council hearings was published in the Greeley Tribune on February 26, 2021, and the Fort Lupton Press on March 3, 2021. Because the publication was not published 15 days prior to the Planning Commission meeting, the Planning Commission made a motion to continue the hearing to March 25, 2021. The City Council hearing will still be held on April 6, 2021.

The Zoning Regulations require that properties be posted 15 days prior to public hearing. The properties were posted February 23, 2021, which is at least 15 days prior to the public hearings.

Notice was mailed to neighbors within one-hundred (100) feet of the parcels that are included with this project on February 18, 2021.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The parcels that are included with this project are located within the 'I-1' Light Industrial Zone District, 'I-2' Heavy Industrial Zone District, and 'A' Agricultural Zone District. While a pipeline to convey raw water for augmentation purposes is not specifically mentioned, each of these zone districts list public utility facilities as permitted uses subject to the special use review and approval procedures set forth under Section 16-7 of the Fort Lupton Municipal Code (the "Code"). This proposal is of similar or like use and therefore requires a special use permit. A special use review requires a public hearing before Planning Commission and City Council. The intent of the special use permit is to provide flexibility, to provide a means for setting performance standards for individual land uses and to help diversify uses within a zoning district.

Section 16-7(d) states that the City shall use the following criteria to evaluate the Applicant's request:

1. The special use shall satisfy all applicable provisions of the Code and shall be consistent with the intent of the Comprehensive Plan.

Staff Comment: The use meets the provisions of the Code, specifically it meets the intent of the 'I-1' Light Industrial, 'I-2' Heavy Industrial, and 'A' Agricultural Zone Districts which allow for public facilities or similar uses with a special use permit.

2. The special use shall not substantially alter the character of the district or the neighborhood.

Staff Comment: The pipeline will be below grade and therefore will not affect the surrounding neighborhood character of the portion that runs through City limits. In addition, the alignment proposed was selected to limit impacts to the properties and infrastructure being affected. This use will not substantially alter this area.

3. The special use will result in efficient on- and off-site traffic circulation, and will not have an adverse impact on adjacent uses or present hazardous conditions for pedestrians or vehicles.

Staff Comment: After construction, the project will not affect traffic or pedestrians.

4. Adequate conditions of approval shall address: traffic; activity levels; light; noise; odor; building type, style and scale; hours of operation; dust; erosion and other performance issues identified through the public hearing process.

Staff Comment: Impacts will largely be during the construction process. There is no lighting proposed, and the majority of development will be underground. Traffic will be limited once construction is complete.

5. The term of the special use permit and any reporting and inspection requirements as might be reasonably necessary to ensure compliance with conditions of approval may also be specified by the City Council.

Staff Comment: Staff has recommended conditions of approval to the Planning Commission. The Planning Commission may choose to add or remove conditions as it deems appropriate. Typically, a special use permit is non-transferable. The conditions of approval address this item.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Fort Lupton Comprehensive Plan designates the Theodore R. Shipman Living Trust as Agricultural & Rural Residential. This designation allows for agricultural and related uses as well as low density residential on the periphery of the planning area, intended to preserve a generally rural character. This also includes a variety of miscellaneous uses, such as isolated industrial businesses and semi-rural properties located under Estate Zoning.

The remaining parcels are located within the Industrial designation. This designation allows for a mix of heavy and light users as well as office development, intended to provide an appropriate environment for higher intensity users.

The proposed pipeline will not affect the intent of the land use designations identified above, and is compatible with these designations. The properties that are industrial will have the project entirely underground, and will not affect the industrial use after construction is complete.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

Buildings/Grounds Manager	City Attorney	Police Chief
City Administrator	Public Works Director	Building Inspector
Water Treatment Plant Manager	GIS Specialist	Fort Lupton Fire Protection District
CDOT	Colorado DRMS	Colorado Parks and Wildlife
Army Corp of Engineers	United Power	Comcast
CenturyLink	Xcel Energy	Weld County Department of Planning
Weld Cty. Dpt. of Public Health & Env.	Weld County Public Works	Fulton Ditch Company
City of Brighton		

***For more information on this development, please refer to the Planning Commission packet provided.
Additional documents are available for review at the Fort Lupton City Hall.***



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortluptonco.gov

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

- 1) Property Owner Name: See Attached
 Company: See Attached
 Phone: See Attached Email: See Attached
 Address: See Attached
 Preferred method of contact? Email: _____ Phone: _____ Mail: _____
- 2) Representative Name: Drew Damiano
 Company: United Water & Sanitation District
 Phone: 303-902-2564 Email: drew@unitedwaterdistrict.com
 Address: 8301 East Prentice Ave, Suite 100 Greenwood Village, CO 80111
 Preferred method of contact? Email: ☒ Phone: _____ Mail: _____
- 3) Billing Contact (where invoices should be directed to): Same as Representative above
 Billing Company: _____
 Phone: _____ Email: _____
 Address: _____

B. SITE DESCRIPTION

Site Address: See Attached
 Parcel Number: See Attached
 Existing Zone Classification: See Attached Proposed Zone Classification: See Attached
 Water Type: N/A Name: N/A
 Sewage Type: N/A District Name or Location Hauled to: N/A

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

Sketch Plat	Administrative Site Plan	PUD Plan (Preliminary & Final)
Preliminary Plat	<u>Special Use Permit</u>	Variance
Final Plat	Oil & Gas Permit	Administrative Variance
Minor Subdivision	Annexation & Initial Zone	Appeal
Amended Plat	Change of Zone	Other: _____
Site Plan	Comp Plan Amendment	

Project No. _____

D. PROJECT DESCRIPTION

Project Name: United Fulton Augmentation Station Project

Please provide a short description of the proposed project in the space provided below:

A 30-inch below grade gravity pipeline that will convey raw water from the Fulton Ditch
to the South Platte River to satisfy the owners obligation from the State of Colorado
for augmentation

E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

F. CERTIFICATIONS

Representative Certification

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative: _____

Date: _____

ANDREW R. DAMIANI, VP OPERATIONS
UNITED WATER & SANITATION DISTRICT

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner: _____

Date: _____

ANDREW R. DAMIANI, VP OPERATIONS
UNITED WATER & SANITATION DISTRICT

For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____

Escrow Submitted: _____

Instructions for Submitting the Land Use Application Form

DEFINITIONS

Words in the singular include the plural and words in the plural include the singular.

Application refers to the official submittal to the City of Fort Lupton's Planning Department for review of the proposed land use development identified in the land use application form. The application includes the form, all materials submitted for review of the project, including those documents required under the Land Use Regulations of the Municipal Code, and any additional information provided.

Project refers to the land use development identified on the land use application form and application materials.

Property refers to the land that is being proposed for development as described in the land use application form and application materials.

A. CONTACT INFORMATION

- 1) Provide contact information for all owners of any property that is the subject of the application. If the contact information for all property owners will not fit on the space provided, submit a separate sheet for the additional owners.
- 2) Provide contact information for all persons, firms or businesses that are authorized by the owners identified in Section A(1) to work on the land use application, including, but not limited to, discussing the project, submitting application materials, and attending meeting and hearings. If the contact information for all representatives will not fit on the space provided, submit a separate sheet for the additional representatives.
- 3) Provide contact and mailing information for the person that should receive all invoices for the project. If this person changes at any time, contact the Planning Department immediately to update this information.

B. SITE DESCRIPTION

Provide all information requested. Parcel numbers and address information may be found at the Weld County Property Portal at <https://www.co.weld.co.us/maps1/propertyportal/>. Current zoning can be found at <https://www.fortluptonco.gov/405/Zoning>.

C. APPLICATION TYPE

Select the land use application that is applicable to the project. If there are multiple land use application types being submitted to run concurrently, select all that apply. The land use application types will be identified during the required pre-application meeting. If you have any questions about this, please contact the Planning Department at 303.857.6694 or planningdept@fortluptonco.gov.

D. PROJECT DESCRIPTION

Please select a project name that will be referenced throughout the project and a description of what the project entails. If you need more space for the project description, please attach a separate sheet.

E. REQUIRED DOCUMENTS

Required documents will be discussed during the pre-application meeting with the Planning Department. If any documents are missing, the acceptance of the application may be delayed until the submittal is complete.

F. CERTIFICATIONS

Representative Certification. Provide the signature of all authorized representatives in this section.

Owner Certification. Provide the signature of all owners of properties included in the application in this section.

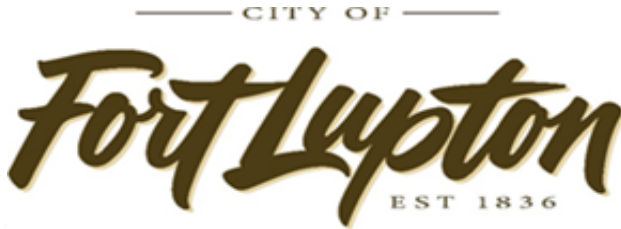
For any other questions, please contact the Planning Department at 303.857.6694 or planningdept@fortluptonco.gov.

United Fulton Augmentation Station Special Use Permit Easement Summary

Easement Summary From West to East

Property Owner	Parcel #	Address or Section-Township-Range	Current Zoning	Legal Description	Easement Owner/Crossing Agreement	Notes
Shipman Theodore R Living Trust	147118101003	S18, T01N, R66W	Agriculture	FTL 1LLS LUPTON LAKES FILING #1 (LUPTON LAKES ANNEX) BEG CEN ¼ COR SEC 18 BEG S89D29'E 135' POB N89D29'E 493.03' N00D07'E 150.01' S89D29'W 30' N00D07'E 131' S81D07'E 91.89' N08D19'W 220.55' N82D28'W 125.43' N24D46'E 256.44' N19D35'W 340.08' N40D28'W 435.28' N62D48'W 283.55' S04D03'W 1490.36' TPOB	No easement is required.	Theodor Shipman R Living Trust is part of the project ownership group
Villano Brothers Properties, Inc	147117201004	S17, T1N, R66W	I-1	Lot 4 VILLANO FARMS LLC MINOR SUB	70 Ranch Ventures, LLC	Bob Lembke is Manager of LLC
Fulton Ditch Lateral	N/A	S17, T1N, R66W	N/A	Prescriptive Ditch	United Water & Sanitation District	President - Bob Lembke
Villano Brothers Properties, Inc	147117200001	S17, T1N, R66W 13050 Couty Road 10 Fort Lupton, Colorado	I-1	PT W2W2NW4 17-1-66 COM NW COR SEC S89D49'E 30' N0D07'E 30' S89D49'E 417.50' TO TPOB S0D14'E 2671.67' S89D54'W 197.52' N0D07'E 2671.67' M/L TO TPOB (12.116RR)	70 Ranch Ventures, LLC	Bob Lembke is Manager of LLC
Union Pacific Rail Road	N/A	S17, T1N, R66W	N/A	N/A	United Water & Sanitation District	President - Bob Lembke
Basalite Building Products	147117200006	S17, T1N, R66W 1801 South Rollie, Ave Fort Lupton, Colorado	I-2	PT W2E2NW4 & E2W2NW4 17-1-66 EXC BEG 1026.25'E OF NW COR NW4 S567' E310' N567' W310' TO BEG EXC PT NW4 17 1 66 BEG NW COR THENCE E 1336' TO POB S 537' E 310' N 537' W 310' TO TRUE POB	United Water & Sanitation District	President - Bob Lembke
Brighton Industrial North	147117000054	S17, T1N, R66W 13400 County Road 10 Fort Lupton, Colorado	I-2	15899 E2E2NW4 17 1 66 EXC UPRR RES	United Water & Sanitation District	President - Bob Lembke
Leroy & Brenda Sack	147117000053	S17, T1N, R66W 13540 County Road 10 Fort Lupton, Colorado	I-2	15888 IMPS ONLY MH W2NE4 17 1 66	United Water & Sanitation District	President - Bob Lembke
Leroy & Brenda Sack	147117000052	S17, T1N, R66W	I-2	15888A PT W2NE4 17 1 66 BEG SE COR N10 RDS W32 RDS S10 RDS E32 RDS TO BEG EXC UPRR RES	United Water & Sanitation District	President - Bob Lembke

- Notes:
1. The Sasaki and Sakata properties that are located between the Shipman Theodore R Living Trust and Villano Brothers Peoperties have not been annexed into the City of Fort Lupton. United Water and Sanitation District has obtained easement on these properties.
 2. United Water and Sanitation District has obtained all of the easements on the properties located in the City of Fort Lupton, crossing agreements for the Fulton lateral and the Union Pacific crossing agreemer



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303-857-6694
Fax: 303.857.0351

www.fortluptonco.gov

APPLICATION FOR SPECIAL USE PERMIT

A pre-application conference and site visit may be required prior to submitting the Special Use Permit Application. The applicant may meet with representatives from the Planning Department to discuss the applicant's intended submittal, the City's application requirements and processes and other information relevant to the proposed application. Please contact the Planning Department at 303-857-6694.

Applicant should provide the following:

1. Plat of area with proposed zoning with vicinity map identifying site and surrounding area. If you are constructing a new building or adding to an existing building as part of this application, you must also submit a plot plan, construction plans, and a drainage plan. Approval of the special use permit will be based upon the drawings submitted unless changes are recommended by the engineer, planning commission, or city council.
2. Information as requested.

The applicant is responsible for the following:

1. Posting a hearing notice on the property 15 days prior to the hearing.

Name of Property Owner(s): See Attachment A Phone: See Attachment A

Address: See Attachment A

Applicant (if different from owner): United Water & Sanitation District c/o Drew Damiano

Address: 8301 East Prentice Ave, Suite 100 Greenwood Village, CO 80111

Home Phone: 303-659-5000

Cell Phone: 303-902-2564

Address or location of Property for which Special Use Permit is being requested:

See Attachment A

Legal Description See Attachment A

Current Zoning: See Attachment A

Reason for Request:

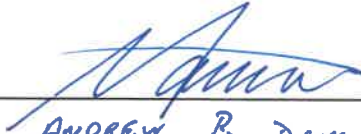
- The owner has an obligation with the State of Colorado to return augmentation water from the Fulton Ditch to the South Platte River. This below grade pipeline
 - will convey water from the ditch to the river.
-

Please answer the following questions in detail. [See attached memo](#)

1. What is the proposed use? [See attached memo](#)
2. How will the proposed use impact the surrounding properties as it relates to the following areas: [See attached memo](#)
 - Noise
 - Dust
 - Odor
 - Safety
 - Traffic
 - Light
3. What are the proposed hours of operation?
[See attached memo](#)
4. Are you required to obtain any special licenses or permits through any other government agency? If yes, what types of licenses and permits are required?
[See attached memo](#)
5. If this application is for a daycare, how many children will you be caring for?
[See attached memo](#)
6. If this application is for an assisted living facility, how many units will you have in the facility?
[See attached memo](#)
7. How many employees will work at the proposed facility?
[See attached memo](#)

The applicant hereby certifies that the above information, along with the attached plans and project descriptions, is correct. The applicant agrees to comply with the provisions of the zoning ordinances, building code and all other applicable sections of the City Code, Land Use Code, City Plan and all other laws and ordinances affecting the construction and occupancy of the proposed building.

Signature(s):



ANDREW R. DAMIANO, VP OPERATIONS
UNITED WATER & SANITATION DISTRICT

Date:

2/10/2021

MEMORANDUM

TO: Todd Hodges - City of Fort Lupton Planning Director
Drew Damiano - UWSD

FROM: Civil Resources, LLC

DATE: January 21, 2021

RE: United Fulton Augmentation Station Project – Special Use Permit Questionnaire

This memo provides responses to the Special Use Permit Questionnaire as shown on the application.

Please see Attachment A for the information on the parcels that the easements are on and that the pipeline will go through. Please note that easements have been acquired along the entire route of the pipeline.

Question 1: What is the proposed use?

Response: The use of the parcel is not changing and will stay the same (i.e.- property owners will still utilize the easement area as they are now). We are proposing a below grade (buried) gravity pipeline to satisfy the owners obligation to the State of Colorado to return irrigation water from the Fulton Ditch back to the South Platte River. There are no above grade structures.

Question 2: How will the proposed use impact the surrounding properties as it relates to the following areas:

Response: Noise – There will be typical construction noise with excavators, loader, etc. but at the completion of the project there will be no noise since it is a gravity below grade pipe that is conveying raw (ditch) water.

Dust – During construction the contractor will have a water truck to control the dust. After construction dust will not be an issue since the surface use of the easement will remain the same (mostly farming with the exception of the Shipman and Basalite properties).

Odor – There is no odor since the project consists of a gravity below grade pipe to convey raw (ditch) water to the river.

Safety – There are no safety issues since the project consists of a gravity below grade pipe to convey raw (ditch) water to the river.

Traffic – During construction the easements will be accessed via existing county and farm roads. Post construction it is not anticipated to need access to the easement since it is a gravity below grade pipeline. In the unlikely event someone does need access it will be via existing county and farm roads.

Light – There are no lights proposed on the project.

Question 3: What are the proposed hours of operation?

Response: The pipeline will only be running water when the owner needs to return water from the Fulton Ditch to the River.

Question 4: Are you required to obtain any special licenses or permits through any other government agency? If yes, what types of licenses and permits are required?

Response: The portion of the pipeline in Weld County is a use by right therefore no permits are required. We have received approval from the Union Pacific Railroad to bore under the railroad tracks. United has the right to install a water pipeline within easements it possesses in accordance with Section 7 of the state constitution. This application is respectfully submitted as a consideration to the city without admitting or denying the necessity therefore.

Question 5: If this application for a daycare, how many children will you be caring for?

Response: No, this application is not for a daycare.

Question 6: If this application is for an assisted living facility, how many units will you have in the facility?

Response: No, this application is not for an assisted living facility.

Question 7: How many employees will work at the proposed facility?

Response: There are no employees that will work at the gravity below grade pipeline. The release into the pipeline is controlled by the Fulton Ditch rider at the headgate in the Fulton Ditch Right-of-Way.

United Fulton Augmentation Station Special Use Permit Application Questionnaire

Attachement A

Property Owner	Parcel #	Address or Section-Township-Range	Current Zoning	Legal Description
Shipman Theodore R Living Trust	147118101003	S18, T01N, R66W	Agriculture	FTL 1LLS LUPTON LAKES FILING #1 (LUPTON LAKES ANNEX) BEG CEN ¼ COR SEC 18 BEG S89D29'E 135' POB N89D29'E 493.03' N00D07'E 150.01' S89D29'W 30' N00D07'E 131' S81D07'E 91.89' N08D19'W 220.55' N82D28'W 125.43' N24D46'E 256.44' N19D35'W 340.08' N40D28'W 435.28' N62D48'W 283.55' S04D03'W 1490.36' TPOB
Villano Brothers Properties, Inc	147117201004	S17, T1N, R66W	I-1	Lot 4 VILLANO FARMS LLC MINOR SUB
Villano Brothers Properties, Inc	147117200001	S17, T1N, R66W 13050 Couty Road 10 Fort Lupton, Colorado	I-1	PT W2W2NW4 17-1-66 COM NW COR SEC S89D49'E 30' N0D07'E 30' S89D49'E 417.50' TO TPOB S0D14'E 2671.67' S89D54'W 197.52' N0D07'E 2671.67' M/L TO TPOB (12.116RR)
Basalite Building Products	147117200006	S17, T1N, R66W 1801 South Rollie, Ave Fort Lupton, Colorado	I-2	PT W2E2NW4 & E2W2NW4 17-1-66 EXC BEG 1026.25'E OF NW COR NW4 S567' E310' N567' W310' TO BEG EXC PT NW4 17 1 66 BEG NW COR THENCE E 1336' TO POB S 537' E 310' N 537 W 310' TO TRUE POB
Brighton Industrial North	147117000054	S17, T1N, R66W 13400 County Road 10 Fort Lupton, Colorado	I-2	15899 E2E2NW4 17 1 66 EXC UPRR RES
Leroy & Brenda Sack	147117000053	S17, T1N, R66W 13540 County Road 10 Fort Lupton, Colorado	I-2	15888 IMPS ONLY MH W2NE4 17 1 66
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MEMORANDUM

TO: Todd Hodges - City of Fort Lupton Planning Director
Drew Damiano - UWSD

FROM: Civil Resources, LLC

DATE: February 8, 2021

RE: United Fulton Augmentation Station Project – Special Use Permit Project Description Memo

This memo provides a project description for the United Fulton Augmentation Station Project located in Fort Lupton, Colorado.

Project Location

The project is located to the north of the future alignment of Weld County Road (WCR) 8.5 in the City of Fort Lupton and Weld County, Colorado. The west end of the project is bound by State Highway 85 near the open pond and the east end of the project is bound by the Binder property near the future alignment of WCR 29.5. The pipeline is approximately 10,266 linear feet in total length. The properties that are located within the City of Fort Lupton City limits are:

- Theodore R. Shipman Living Trust;
- Villano Brothers Properties, Inc.
- Basalite Building Products;
- Brighton Industrial North;
- Leroy and Branda Sack.

Purpose of Project

The purpose of this project is to satisfy an obligation from the State of Colorado to return augmentation water (raw water) from the Fulton Ditch (and ultimately the Brighton Lateral Ditch located farther to the east) back to the South Platte River.

Pipeline Alignment

The pipeline alignment was selected based on many factors including the least amount of existing and future impact on the surrounding lots and existing infrastructure along the alignment. The pipeline is located in a 50-foot wide easement that parallels on the north side an existing 50-foot wide easement that contains oil and gas pipelines. This alignment is along the back side of large narrow lots (approximately ½ mile deep) most of which are currently farmed. With the pipeline being buried with no above grade structures, this allows the landowner to continue farming over the easement as they were prior to the pipeline construction.

The easements/pipeline runs through the back (south side) of the following properties that are located in the City of Fort Lupton starting from west to east:

- Shipman Property – Zoned AG with an existing open water pond on the property;
- Villano Property – Zoned I-1 which is currently being farmed;
- Basalite Property – Zoned I-2 which is currently being farmed;
- Brighton Industrial – Zoned I-2 which is currently expanding their industrial use;
- Sack Property – Zoned I-2 which is currently being farmed.

The 50-foot permanent and 20-foot temporary construction easements (Villano Property has a 30-foot wide easement) were obtained from all of the property owners in the City of Fort Lupton with the Sack Property being acquired by eminent domain.

Pipeline Design Elements

The design of the pipeline incorporated many elements to reduce the impact to the surrounding properties while maintaining a sound engineering design to convey ditch water from the Fulton Ditch to the South Platte River as listed below:

- 30-inch buried ductile iron pipe – The pipe depth/cover was increased to not impede the existing and future farming operations on the Villano, Brighton Industrial and Sack property. The Shipman property has an open water pond with no plans for agriculture;
- The diversion/headgate structure is location on the Fulton Ditch within the Fulton Ditch Right-of-Way to divert and measure the water entering the pipeline. Approval from the Fulton Ditch has been obtained;
- The pipeline is a gravity below grade pipeline therefore there are no above grade structures on the pipeline. Everything is buried to reduce impact on the properties;
- There are no pollution impacts since the pipeline conveys ditch water (raw water);
- There are no traffic impacts caused by the pipeline. Once the pipeline is constructed there will be very little (if any) need to access the pipeline. In the event we do have to access the pipeline, we have an easement that can be accessed via existing farm and county roads;
- There are no noise impacts from this pipeline since everything is buried and there are no above grade structures;
- There are no impacts from bright lights from the project since it is a below grade pipeline;

Summary

In summary, the below grade gravity pipeline will return raw water from the Fulton Ditch back to the South Platte River. The alignment and design elements were carefully considered and analyzed to reduce the impact on the surrounding properties. Since everything is below grade there are no visual impacts to the City of Fort Lupton.

All permits have been obtained including the Fulton Ditch Lateral crossing agreement, and the Union Pacific Railroad crossing agreement.

United Fulton Augmentation

Site Map

Legend

85

HWY 85

CONNECT TO EXISTING
BORE UNDER HWY 85

SASAKI

SHIPMAN
(AG)

SAKATA

UPRR

VILLANO
(I-1)

BASALITE
(I-2)

BRIGHTON
INDUSTRIAL
(I-2)

SACK
(I-2)

ADAMS

WILEY

Co Rd 8 1/2

BORE UNDER WCR 27

BORE UNDER ROLLIE
AVE

BORE UNDER FULTON
DITCH, WCR 29 AND
IRRIGATION POND

END OF PIPELINE

PROPOSED IRRIGATION AUGMENTATION
PIPELINE
(BURIED 30" GRAVITY PIPELINE) LOCATED IN
EXISTING 50' PERMANENT EASEMENT.

LEGEND:

OWNER

PROPERTY IN WELD COUNTY

OWNER
(AG)

PROPERTY IN CITY OF FORT LUPTON
WITH ZONING

Google Earth

© 2020 Google

FIGURE 1 - VICINITY MAP

4000 ft

CONSTRUCTION PLANS FOR
UNITED FULTON AUGMENTATION STATION
SPECIAL USE PERMIT
WELD COUNTY, COLORADO

SET #:_____

SPECIAL USE PERMIT NOTE:

THE SPECIAL USE PERMIT IS ONLY FOR THE PIPELINE LOCATED WITHIN THE CITY LIMITS OF THE CITY OF FORT LUPTON, COLORADO. THIS INCLUDES THE FOLLOWING PROPERTIES:

1. THEODORE R. SHIPMAN LIVING TRUST;
2. VILLANO BROTHERS PROPERTIES, INC;
3. BASALITE BUILDING PRODUCTS;
4. BRIGHTON INDUSTRIAL NORTH;
5. LEROY AND BRENDA SACK.

ALL OTHER PROPERTY IS LOCATED WITHIN WELD COUNTY AND NOT WITHIN THE CITY OF FORT LUPTON'S JURISDICTION.

OWNERS APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT UNITED WATER AND SANITATION DISTRICT BEING THE SOLE OWNER OR GRANTEE, AS APPLICABLE, OF THE REAL PROPERTY INTERESTS DESCRIBED HERIN,

IN WITNESS WHEREOF, I HAVE HERE UNTO SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 2021

FOR AND ON BEHALF OF UNITED WATER AND SANITATION DISTRICT

STATE OF COLORADO

COUNTY OF _____

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____

AS _____ OF UNITED WATER AND SANITATION DISTRICT ON THIS

_____ DAY OF _____, 20____

WITNESS MY HAND AND SEAL

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

CITY ENGINEER'S APPROVAL:

APPROVED ON _____ DAY OF _____, 20____

CITY ENGINEER

CITY WATER AND SEWER DEPARTMENT APPROVAL:

APPROVED ON _____ DAY OF _____, 20____

DIRECTOR OF PUBLIC WORKS

CITY ADMINISTRATOR'S APPROVAL:

APPROVED ON _____ DAY OF _____, 20____

CITY ADMINISTRATOR

PLANNING COMMISSION RECOMMENDATION:

RECOMMENDED ON _____ DAY OF _____, 20____, BY RESOLUTION NO. _____

CHAIRPERSON, FORT LUPTON PLANNING COMMISSION

MAYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT A PLAT OF THE ABOVE DESCRIBED PROPERTY WAS APPROVED BY RESOLUTION NO. _____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE _____ DAY OF _____, 20____ A.D., AND THAT THE MAYOR OF THE CITY OF FORT LUPTON, AS AUTHORIZED BY SAID RESOLUTION NO. _____ ON BEHALF OF THE CITY OF FORT LUPTON, HEREBY ACKNOWLEDGES AND ADOPTS THE PLAT UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

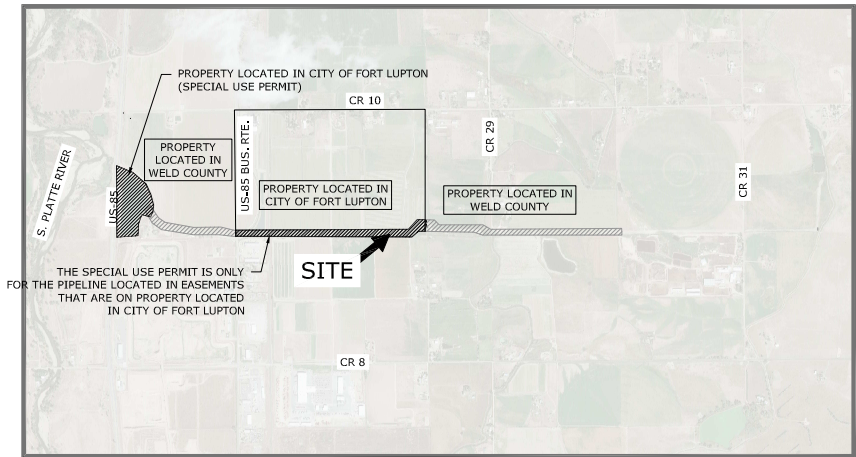
MAYOR

ATTEST:

CITY CLERK
(SEAL)



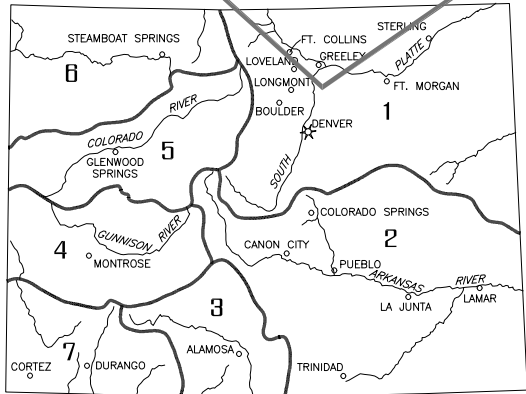
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NO.	DESCRIPTION	DATE	BY	Jan 24, 2019
				DWG:
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PROJECT LOCATION MAP

SCALE: 1" = 2000 FEET

NORTH



STATE OF COLORADO
PROJECT LOCATION MAP

N.T.S.

NORTH

PREPARED FOR:

UNITED WATER & SANITATION DISTRICT

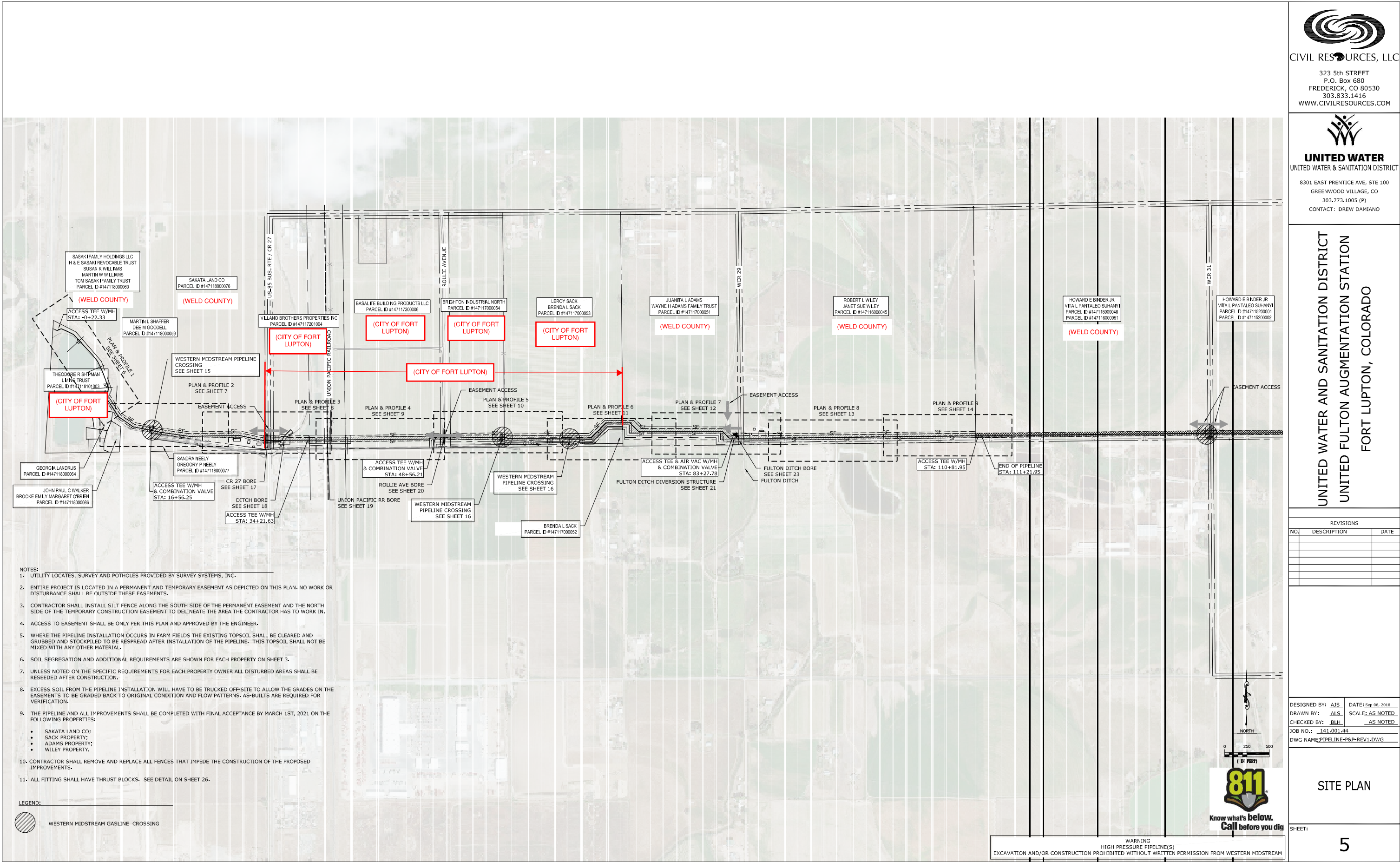
8301 EAST PRENTICE AVE, STE 100
GREENWOOD VILLAGE, CO
303.773.1005 (p)

PREPARED BY:

CIVIL RESOURCES, LLC

323 5th STREET
P.O. BOX 680
FREDERICK, CO 80530
303 833 1416

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CIVIL RESOURCES, LLC

323 5th STREET
P.O. Box 680
FREDERICK, CO 80530
303.833.1416
WWW.CIVILRESOURCES.COM



UNITED WATER
UNITED WATER & SANITATION DISTRICT

8301 EAST PRENTICE AVE, STE 100
GREENWOOD VILLAGE, CO
303.773.1005 (P)
CONTACT: DREW DAMIANO

UNITED WATER AND SANITATION DISTRICT
UNITED FULTON AUGMENTATION STATION
FORT LUPTON, COLORADO

REVISIONS

NO.	DESCRIPTION	DATE

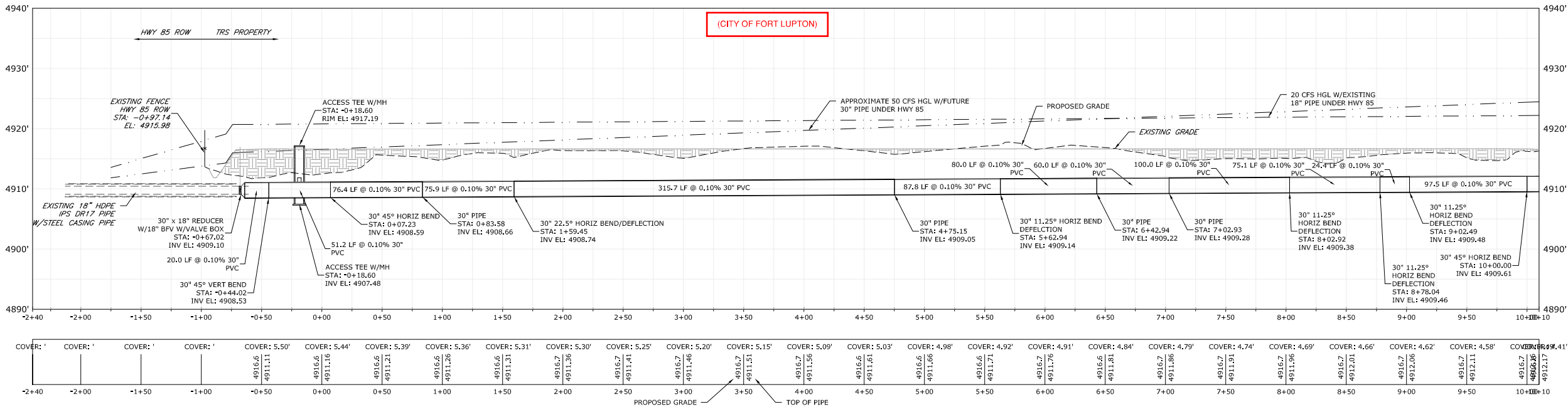
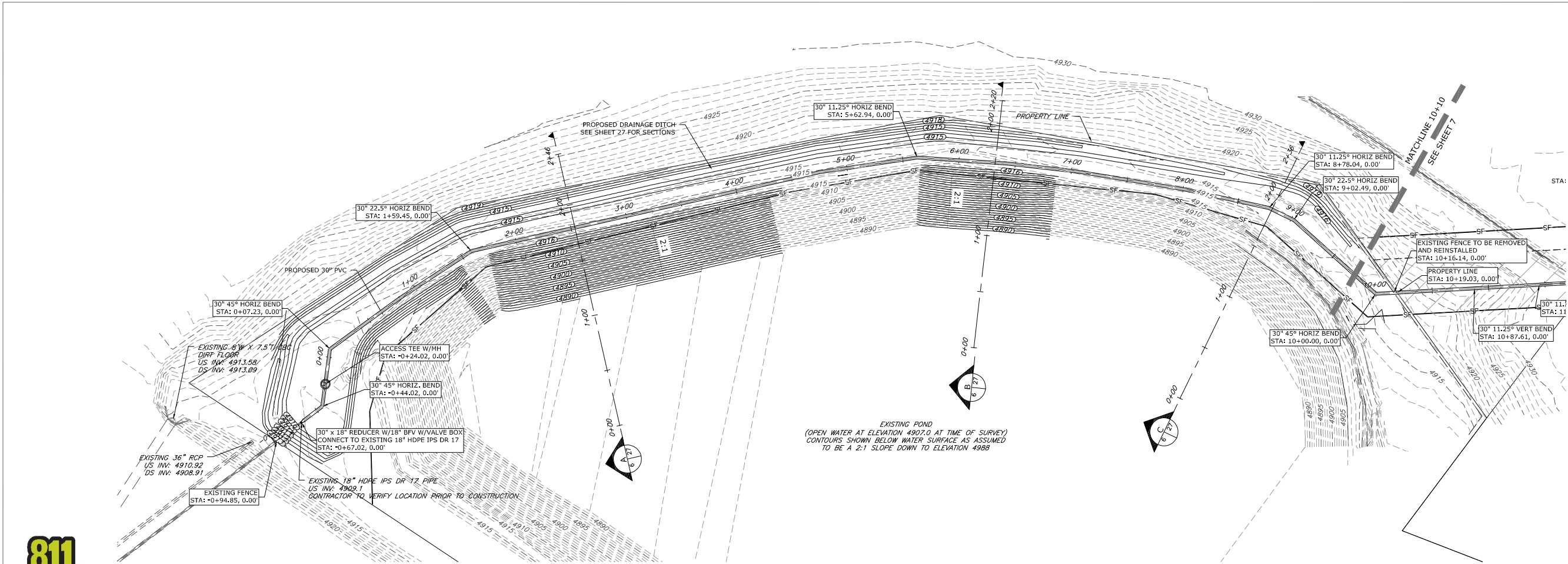
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CHECKED BY: BLH AS NOTED
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DWG NAME: PIPELINE-P&P-REV1.DWG

SITE PLAN

SHEET:

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PROFILE - STA -2+40 TO STA 10+10



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FORT LUPTON, COLORADO

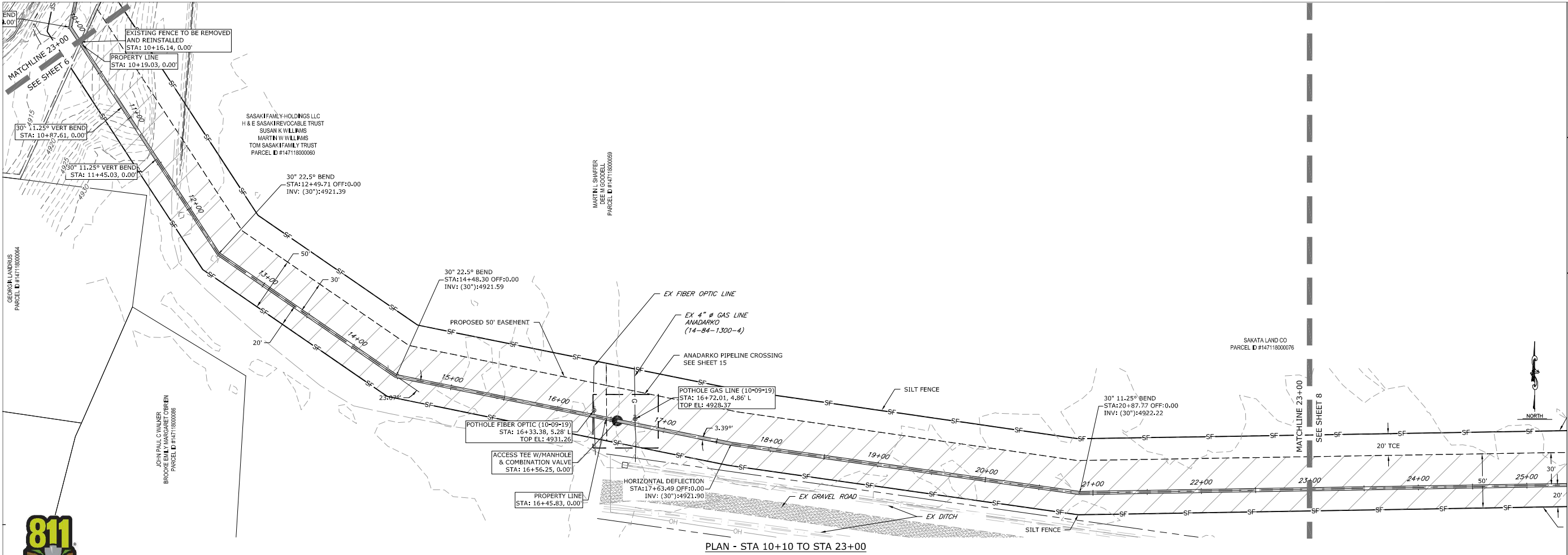
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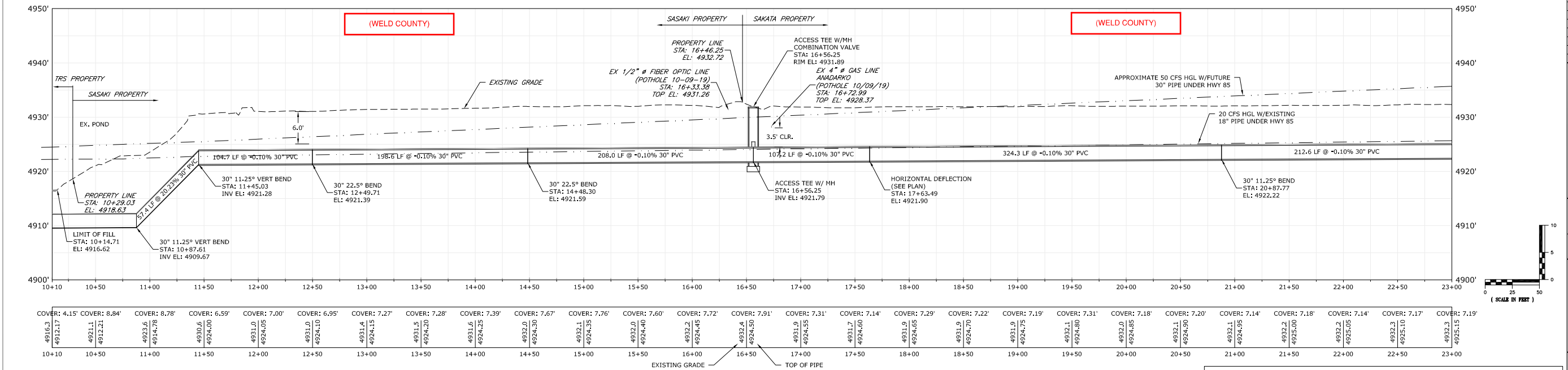
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SHEET:

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PLAN - STA 10+10 TO STA 23+00



PROFILE - STA 10+10 TO STA 23+00



CIVIL RESOURCES, LLC

323 5th STREET
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303.773.1005 (P)
CONTACT: DREW DAMIANO

UNITED WATER AND SANITATION DISTRICT
UNITED FULTON AUGMENTATION STATION
FORT LUPTON, COLORADO

REVISIONS		
NO.	DESCRIPTION	DATE

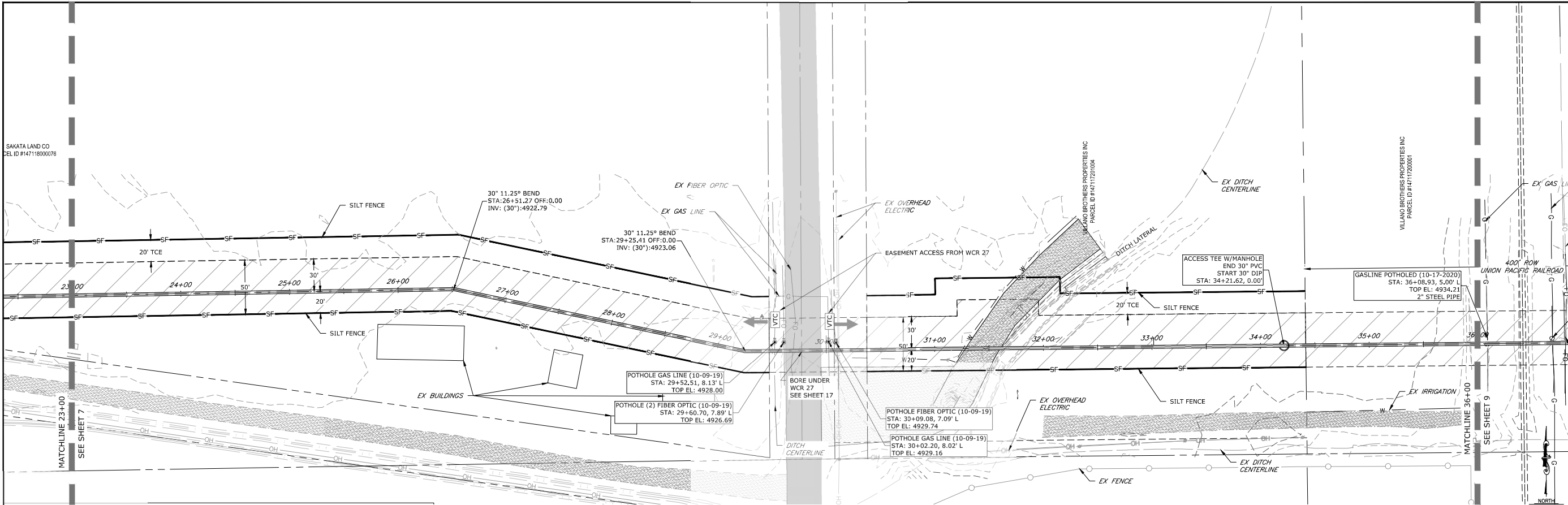
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PLAN & PROFILE 2

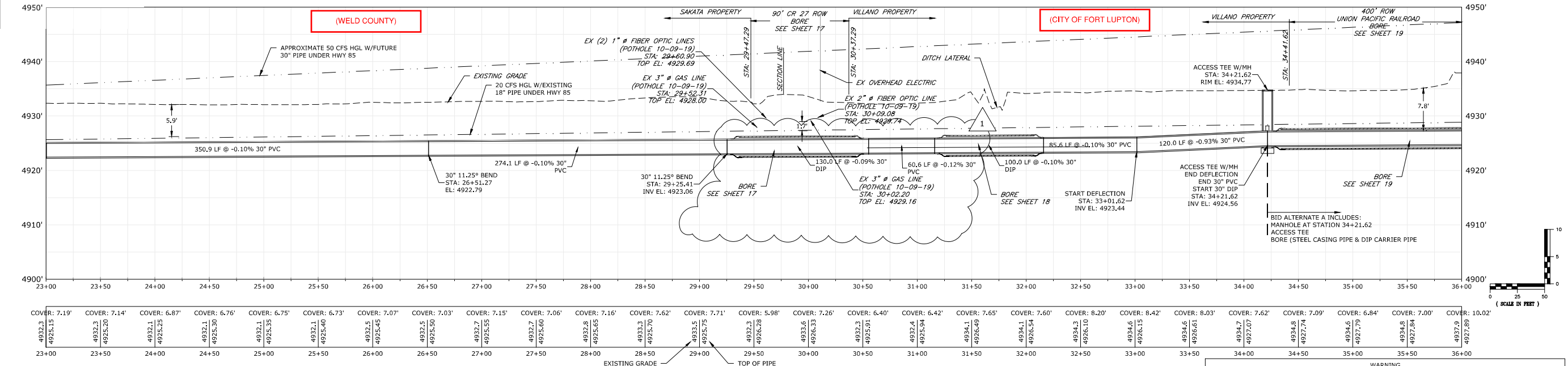
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PLAN - STA 23+00 TO STA 36+00



PROFILE - STA 23+00 TO STA 36+00



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323 5th STREET
P.O. Box 680
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303.833.1416
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8301 EAST PRENTICE AVE, STE 100
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303.773.1005 (P)
CONTACT: DREW DAMIANO

UNITED WATER AND SANITATION DISTRICT
UNITED FULTON AUGMENTATION STATION
FORT LUPTON, COLORADO

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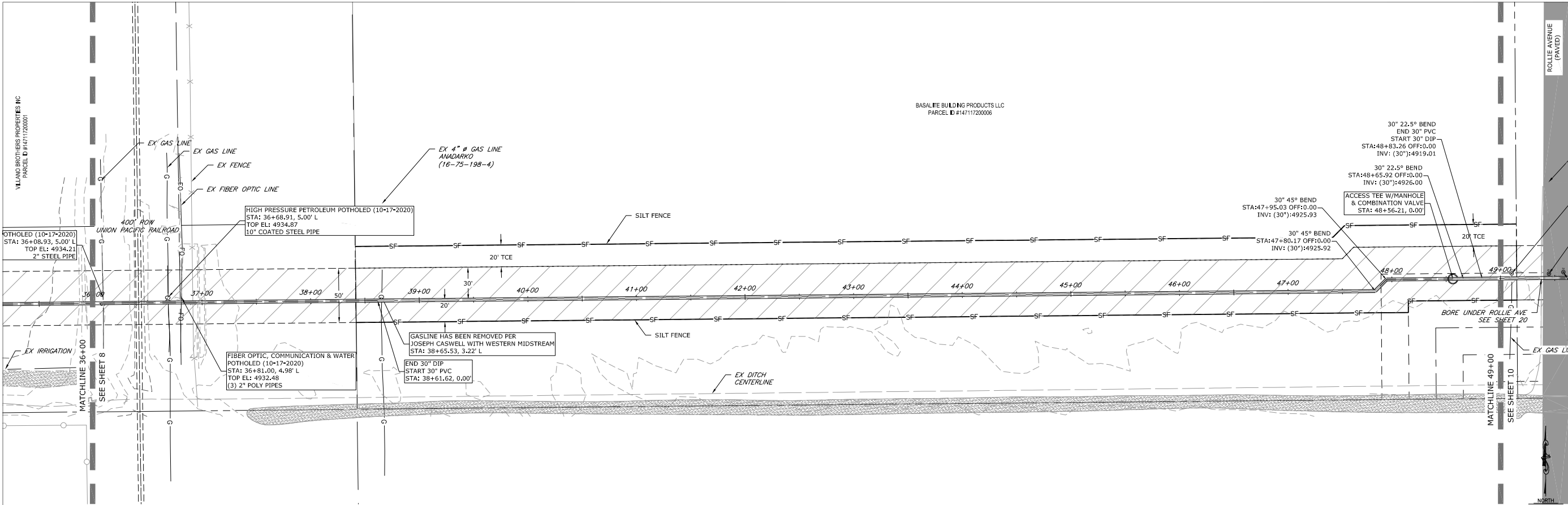
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JOB NO.: 141.001.44
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PLAN & PROFILE 3

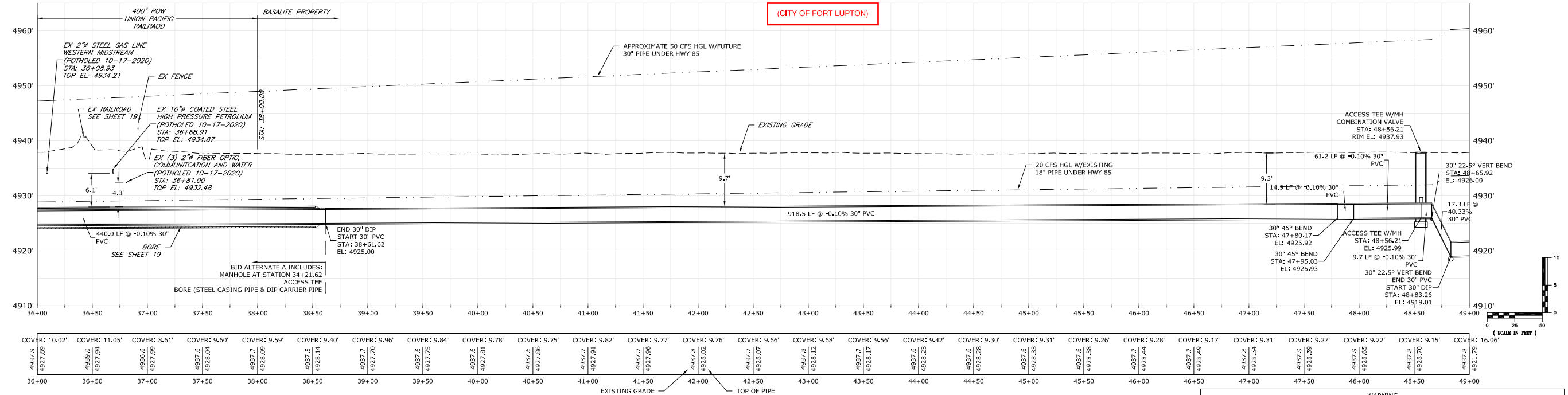
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PLAN - STA 36+00 TO STA 49+00



PROFILE - STA 36+00 TO STA 49+00



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323 5th STREET
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FREDERICK, CO 80530
303.833.1416
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UNITED FULTON AUGMENTATION STATION
FORT LUPTON, COLORADO

REVISIONS		
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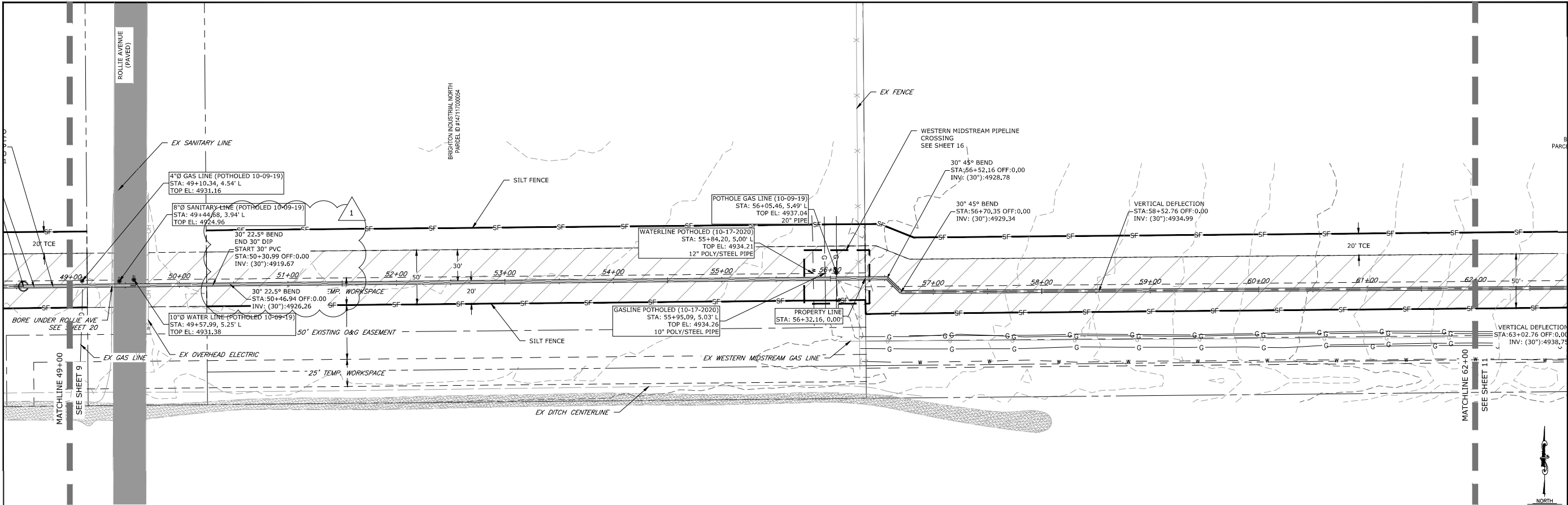
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PLAN & PROFILE 4

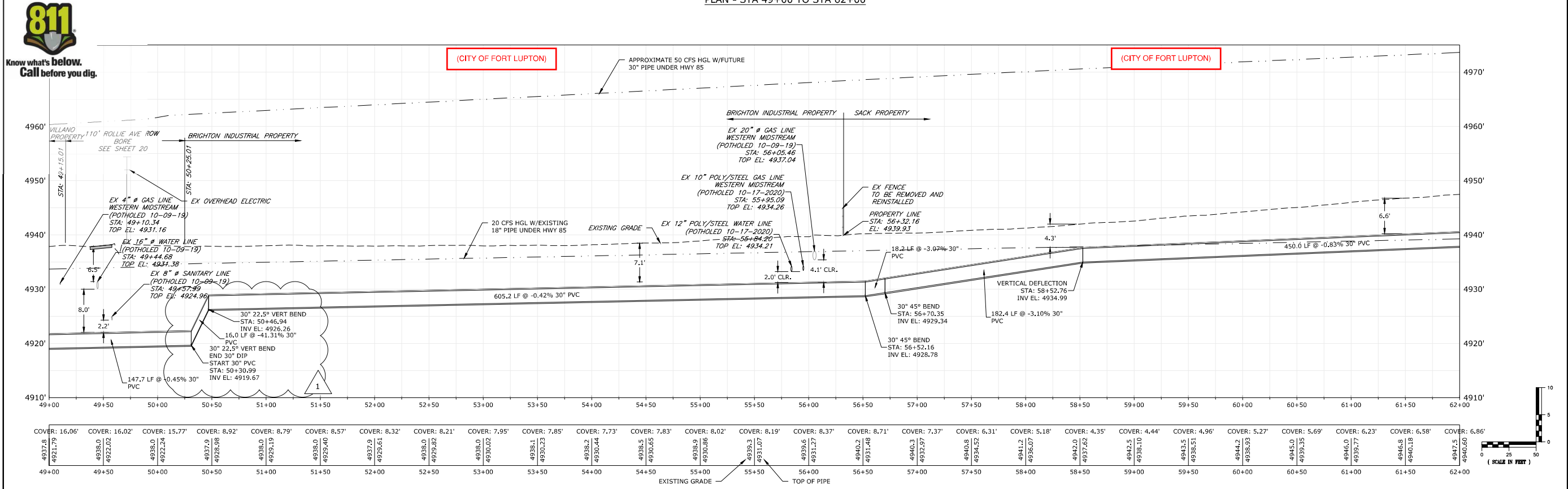
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PLAN - STA 49+00 TO STA 62+00



PROFILE - STA 49+00 TO STA 62+00



CIVIL RESOURCES, LLC
323 5th STREET
P.O. Box 680
FREDERICK, CO 80530
303.833.1416
WWW.CIVILRESOURCES.COM



UNITED WATER
UNITED WATER & SANITATION DISTRICT
8301 EAST PRENTICE AVE, STE 100
GREENWOOD VILLAGE, CO
303.773.1005 (P)
CONTACT: DREW DAMIANO

UNITED WATER AND SANITATION DISTRICT
UNITED FULTON AUGMENTATION STATION
FORT LUPTON, COLORADO

REVISIONS		
NO.	DESCRIPTION	DATE
1	T.O.P. REV. CASING EXT	11-4-20

DESIGNED BY: AJS DATE: SEP 06, 2018
DRAWN BY: ALS SCALE: AS NOTED
CHECKED BY: BLH AS NOTED
JOB NO.: 141.001.44
DWG NAME: PIPELINE-P&P-REV1-BIDDING.DWG

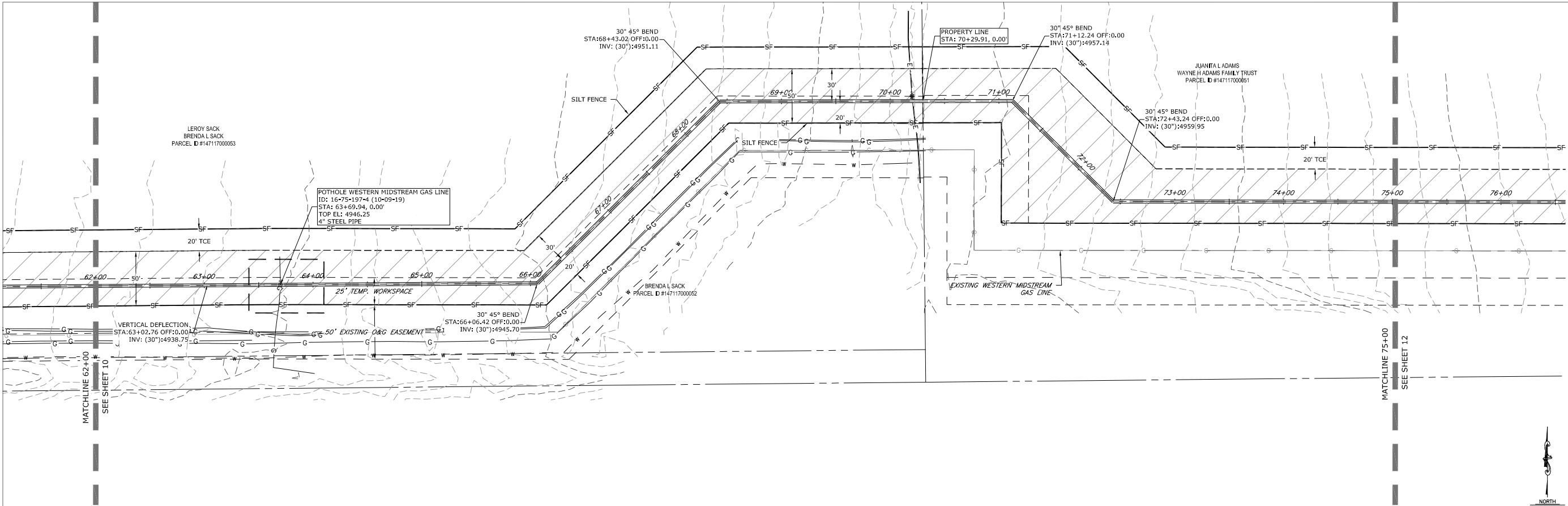
PLAN & PROFILE 5

SHEET:

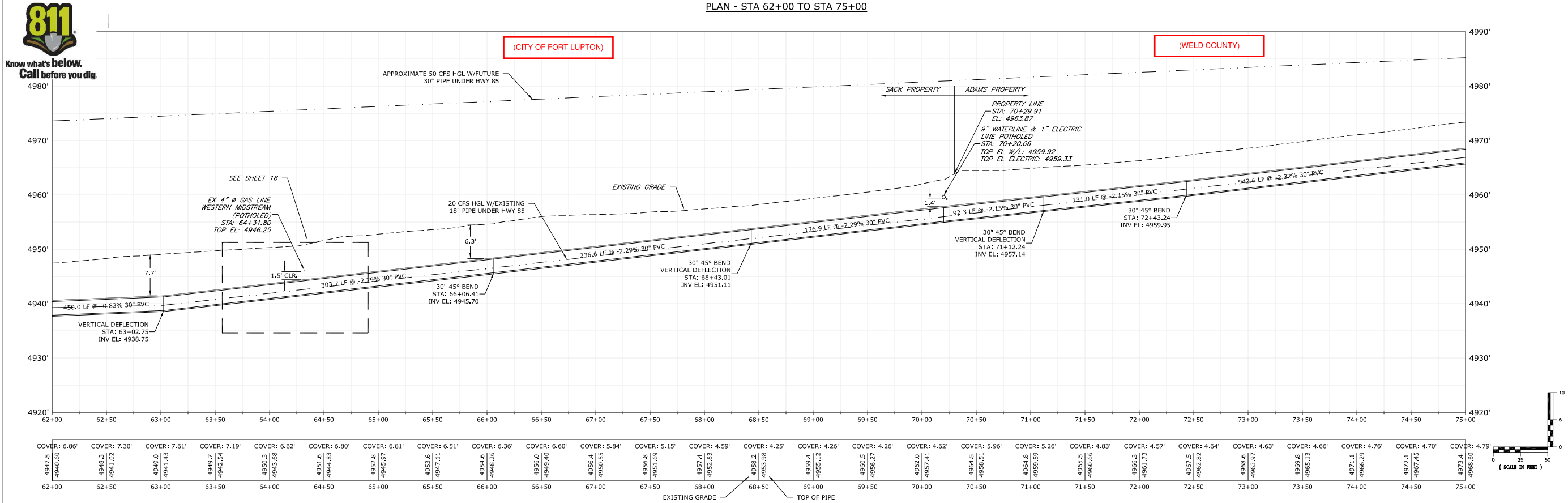
10

WARNING
HIGH PRESSURE PIPELINE(S)
EXCAVATION AND/OR CONSTRUCTION PROHIBITED WITHOUT WRITTEN PERMISSION FROM WESTERN MIDSTREAM

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PLAN - STA 62+00 TO STA 75+00



PROFILE - STA 62+00 TO STA 75+00



CIVIL RESOURCES, LLC

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P.O. Box 680
FREDERICK, CO 80530
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PLAN & PROFILE 6

SHEET:

11

WARNING
HIGH PRESSURE PIPELINE(S)
EXCAVATION AND/OR CONSTRUCTION PROHIBITED WITHOUT WRITTEN PERMISSION FROM WESTERN MIDSTREAM

MEMORANDUM

TO: Todd Hodges - City of Fort Lupton Planning Director
Drew Damiano - UWSD

FROM: Civil Resources, LLC

DATE: January 21, 2021

RE: United Fulton Augmentation Station Project – Special Use Permit Traffic Memo

This memo provides satisfies the traffic memo requirement for the Special Use Permit Application.

The project consists of the 30" below grade gravity raw water pipeline. It is not anticipated there will be a need to access the pipeline except on rare occasions therefore there are no traffic impacts with this project.

MEMORANDUM

TO: Todd Hodges - City of Fort Lupton Planning Director
Drew Damiano - UWSD

FROM: Civil Resources, LLC

DATE: January 21, 2021

RE: United Fulton Augmentation Station Project – Special Use Permit Drainage Memo

This memo provides satisfies the drainage memo requirement for the Special Use Permit Application.

The project consists of the 30" below grade gravity raw water pipeline. After construction of the pipeline the topography on the disturbed areas will be re-graded back to the original grades prior to construction therefore there are no drainage impacts with this project.

Magaly Morales-Tejada

From: Alyssa Knutson
Sent: Tuesday, February 16, 2021 4:48 PM
To: Magaly Morales-Tejada
Subject: FW: United Fulton Augmentation Station Land Use and SUP Submittal

Can you please add this to the referrals for United Fulton? Thanks!

Alyssa Knutson, AICP
Planner II & FLURA Staff Liaison
130 S. McKinley Ave.
Fort Lupton, CO 80621
Office: 303.857.6694
Direct: 720.466.6128
Mobile: 303.304.4498



This institution is an equal opportunity provider and employer.

From: Adam Smith <adam@civilresources.com>
Sent: Tuesday, February 16, 2021 4:40 PM
To: Alyssa Knutson <AKnutson@Fortluptonco.gov>
Cc: 'Drew Damiano' <drew@unitedwaterdistrict.com>
Subject: FW: United Fulton Augmentation Station Land Use and SUP Submittal

Alyssa,

Please see the email below for the response from Fort Lupton Fire Department.

Thanks,

Adam Smith, P.E.
Project Engineer

Please note our new address below:

Civil Resources, LLC
8308 Colorado Blvd Suite 200
Firestone, CO 80504
Phone: (303) 833-1416 x206
www.civilresources.com

From: Taw Tamlin <ttamlin@ftluptonfire.com>
Sent: Wednesday, February 10, 2021 2:22 PM
To: Adam Smith <adam@civilresources.com>
Cc: 'drew@unitedwaterdistrict.com' <drew@unitedwaterdistrict.com>
Subject: RE: United Fulton Augmentation Station Land Use and SUP Submittal

Adam,

As I mentioned in our Pre App meeting, the only thing I would request is notification of any road closures due to the project.

Thanks

From: Adam Smith <adam@civilresources.com>
Sent: Wednesday, February 10, 2021 11:39 AM
To: Taw Tamlin <ttamlin@ftluptonfire.com>
Cc: 'drew@unitedwaterdistrict.com' <drew@unitedwaterdistrict.com>
Subject: United Fulton Augmentation Station Land Use and SUP Submittal

Taw,

You were copied on our Land Use and SUP Application for the United Fulton Augmentation Station Projects in Fort Lupton.

The project consists of a below grade, gravity raw water pipeline that conveys ditch water from the Fulton Ditch to the South Platte River. There are no above grade structures, just a buried pipe to convey ditch water.

I just wanted to touch base with you to see if you had any questions on the submittal.

If you have any questions please feel free to contact me.

Thanks,

Adam Smith, P.E.
Project Engineer

Please note our new address below:

Civil Resources, LLC
8308 Colorado Blvd Suite 200
Firestone, CO 80504
Phone: (303) 833-1416 x206
www.civilresources.com

From: Maria Lancto <MLancto@Fortluptonco.gov>
Sent: Friday, January 22, 2021 10:47 AM
To: 'drew@unitedwaterdistrict.com' <drew@unitedwaterdistrict.com>; Adam Smith <adam@civilresources.com>
Cc: Todd Hodges <thodges@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>; Roy Vestal <RVestal@Fortluptonco.gov>; Taw Tamlin <ttamlin@ftluptonfire.com>
Subject: Special Use Permit Submittal Requirements

Hello,

It was nice to meet with you to discuss your proposed project yesterday. For your reference, we wanted to follow up with the submittal requirements for a special use permit, which includes public hearings before the Planning Commission and City Council. Prior to scheduling this for public hearings before the Planning Commission and City Council, we require that a complete packet be submitted that includes all the below information.

If you would like, you can view examples of acceptable applications that have been submitted to the City can be found at the [Current Developments](#) page of the City website. Submittals that would be similar to your include the Pioneer Water Pipeline LLC Special Use Permit and the Lupton Lakes Inlet/Outlet Facilities Special Use Permit.

Magaly Morales-Tejada

From: Roy Vestal
Sent: Thursday, March 4, 2021 2:20 PM
To: Magaly Morales-Tejada
Cc: Maria Lancto; Todd Hodges; Alyssa Knutson
Subject: RE: Referral Response Request: United Fulton Augmentation Station Special Use Permit LUP2021-0006 & SUP2021-0001

PW has no objections to this application. City ROW permits will be released following approvals through the Planning process.

RoyV

Roy L. Vestal, P.E.
Public Works Director / City Engineer



130 S. McKinley, Fort Lupton, CO 80621
Office: 720.466.6109
Mobile: 720.966.3613

From: Magaly Morales-Tejada
Sent: Friday, February 12, 2021 10:44 AM
Cc: Maria Lancto <MLancto@Fortluptonco.gov>; Todd Hodges <thodges@Fortluptonco.gov>; Alyssa Knutson <AKnutson@Fortluptonco.gov>
Subject: Referral Response Request: United Fulton Augmentation Station Special Use Permit LUP2021-0006 & SUP2021-0001

Good Morning,

The documentation located at the following link is submitted to you for review and recommendation for a special use permit being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link:

<https://www.fortluptonco.gov/DocumentCenter/Index/575>

Any comments you consider relevant to this request would be appreciated. Please reply by **March 5, 2021**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The Public Hearings for this matter are scheduled for:

- Planning Commission: Thursday, March 11, 2021 at 6:00 PM; and
- City Council: Tuesday, April 6, 2021 at 7:00 PM

Magaly Morales-Tejada

From: Lauren Light <llight@weldgov.com>
Sent: Friday, February 12, 2021 11:22 AM
To: PlanningDept
Subject: United Fulton Augmentation Station Special Use Permit; LUP2021-0006 & SUP2021-0001

I have included the Development standards that EH uses for water pipelines.

1. During construction, all liquid and solid wastes (as defined in the Solid Wastes Disposal Sites and Facilities Act, 30-20-100.5, C.R.S.) shall be stored and removed for final disposal in a manner that protects against surface and groundwater contamination.
2. During construction, no permanent disposal of wastes shall be permitted at this site. This is not meant to include those wastes specifically excluded from the definition of a solid waste in the Solid Wastes Disposal Sites and Facilities Act, 30-20-100.5, C.R.S.
3. During construction, waste materials shall be handled, stored, and disposed in a manner that controls fugitive dust, fugitive particulate emissions, blowing debris, and other potential nuisance conditions.
4. Fugitive dust and fugitive particulate emissions shall be controlled throughout the duration of construction of the pipeline and until ground cover is established. Uses on the property shall comply with the Colorado Air Quality Commission's air quality regulations.
5. The applicant shall submit an Air Pollution Emission Notice (A.P.E.N.) and Emissions Permit Application and obtain a permit from the Air Pollution Control Division, Colorado Department of Public Health and Environment, as applicable.
6. During construction, adequate toilet facilities and handwashing units shall be provided. Screened portable toilets are acceptable. Screened portable toilets shall be serviced by a cleaner licensed in Weld County, contain hand sanitizers and removed when construction is completed.
7. The operation shall comply with all applicable rules and regulations of the State and Federal agencies.

Lauren Light, M.B.S.
Program Manager/Environmental Planner, Environmental Health Services
Weld County Department of Public Health & Environment
1555 N. 17th Ave.
Greeley, CO 80631
llight@weldgov.com
970-400-2211 (office)

Hello,

Thank you for inviting United Power, Inc. to review and comment on the case referral for United Fulton Augmentation Station Project – Special Use Permit Project Description Memo. After reviewing, United Power has electric power in the area, and the only concern we have is with the existing overhead power lines across the Sasaki and Sakata properties north of CO Rd 8.5. We want to make the city of aware of the existing overhead lines at those locations and ask that should this project be in conflict with the existing overhead powerlines that United Power in contacted.

In general, we will require the following for dry utilities:

- **General** - 8' to 10' wide utility easements along rear of all lots, sides of lots abutting roads, and across tracts. This allows us to install electric facilities in a continuous manner for our loop feed which provides reliability.
- **Tracts/Open Space/Parks** - 8' to 10' wide utility easements along perimeter of tracts, along perimeter of tracts abutting roads, and through tracts between lots. United Power prefers blanket utility use within tracts be dedicated as this gives us the opportunity to set above ground equipment, if needed and coordinated with the developer.
- **Streetlights** - If streetlight locations are known, we need a 5' wide utility easement along one side of the lot closest to the streetlight location. No permanent structures are acceptable within the utility easement; such as, window wells, wing walls, retaining walls, etc. All streetlight locations must be approved and signed off by the city/town, etc.

We look forward to safely and efficiently providing reliable electric power and outstanding service to future members.

Thank you,

Steve Barwick

Steve Barwick
United Power, Inc
Land Acquisition Manager
303-637-1234



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

March 5, 2021

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

Re: United Fulton Augmentation Station, Case #s LUP2021-0006 and SUP2021-0001

Public Service Company of Colorado's (PSCo) Right of Way and Permits Referral Desk has determined that an **engineering review** is necessary for the above captioned project. The proposed pipeline crosses PSCo's existing high-pressure natural gas transmission pipeline and associated land rights within Weld County Road 27. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across PSCo's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. PSCo is requesting that, prior to any final approval of the development plan, it is the responsibility of the property owner/developer/contractor to contact PSCo's Encroachment Team for development plan review and execution of a License Agreement (upload all files in PDF format) at:

https://www.xcelenergy.com/working_with_us/builders/encroachment_requests (click *Colorado* if necessary). An engineer will then be in contact to request specific plan sheets. Please see the attached Exhibit B for more information.

The pipeline also crosses PSCo's existing natural gas distribution main just east of Rollie Avenue. As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 to have all utilities located prior to any construction. Use caution and hand dig when excavating within 18-inches of each side of the marked facilities. Please be aware that all risk and responsibility for this request are unilaterally that of the Applicant/Requestor.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Exhibit B

Minimum Requirements for Grading and Excavation near Public Service Company of Colorado Transmission Pipeline(s)

1) General

- a. Colorado State Law Requires notification before excavation around utilities occurs. Requestor or Requestor's Contractor must call the Utility Notification Center of Colorado (UNCC) 1-800-922-1987 (811 when calling within Colorado) 48 hours prior to excavation, including the grading of the right of way, begins. Public Service Company of Colorado (PSCo) representatives provide these construction locates at its' cost as a participant in the one call system.
- b. All costs for labor, equipment and materials required to repair any damage to the pipeline(s) caused by Requestor or its' Contractors will be the responsibility of the Requestor and/or its Contractors for reimbursement to PSCo.
- c. Requestor's Contractor shall provide access to PSCo facilities on the project site for inspection by PSCo Personnel. Open excavations that need to be entered by PSCo Personnel shall conform to all federal, state and local jurisdictional codes and regulations governing safe entry and exit from open excavations.
- d. A fully executed agreement, applicable to the type of right being requested, between the Requestor and PSCo must be completed prior to construction activity within the PSCo ROW.
- e. Requests for installation of improvements by Requestor within the PSCo ROW must be reviewed and approved by PSCo High Pressure (HP) Gas Engineering and Operations. Installation of, and all costs associated with any improvements, are the responsibility of the Requestor. All costs associated with repairs or relocation of these improvements to accommodate PSCo Operations and Maintenance work on the existing pipeline(s) or installation of a new pipeline will be the responsibility of the Owner of record of the property at the time the work is performed.
- f. In the mutual interest of project coordination and scheduling of PSCo resources for your project, PSCo requests invitation to the Pre-Construction Meeting to obtain actual schedules and construction plans, make introductions and address any site specific conditions or project changes that have occurred between Final Design Review and Construction.
- g. Any exceptions to the Minimum Requirements stated in this document must be requested in writing and reviewed by PSCo HP Gas Engineering and Operations before approval for construction activity on the PSCo pipeline(s) permitted ROW is given.
- h. Any change in Requestor's construction plan and or scope of work that was agreed to between the Requestor and PSCo prior to, or during, construction must be presented to PSCo HP Gas Engineering and Operations for additional review and modification of requirements.
- i. Additional requirements may apply to address issues not foreseen during review of Requestor's proposal.

2) Engineering

- a. Specifications of weight and type of any heavy equipment or trucks planned to be run over or along the pipeline(s) are required to be submitted to PSCo HP Gas Engineering for analysis of excessive live load stresses induced on the pipeline(s) prior to approval for crossing is given.
 - i. Should calculated allowable stresses induced by Requestor equipment traveling over the PSCo pipeline(s) be exceeded, Requestor will be required to install additional temporary fill over the pipeline(s).
 - ii. If calculated allowable combined stress on the pipeline(s) can not be reduced below limits by adding additional protective fill over the pipeline(s) or the depth of additional fill is deemed impractical, a temporary bridging structure installed over the pipeline(s) will be required to mitigate the excess stress on the pipeline(s).
 1. This bridging structure must be constructed of timbers, plates or other material that does not allow the driving surface to come in contact with the ground surface. The supports for the driving surface of the bridging structure may be of dirt or other material with the inside edges of the supports placed a minimum of 5 feet from the center line of the PSCo pipeline(s).
- b. Requestor's Plans must contain surveyed horizontal location of the PSCo pipeline(s) throughout the project area based on current field locates. Surveyed vertical location of the PSCo pipeline(s) based on pothole information must be presented on the Proposed Construction Drawings Profile Sheets at all Requestor facility crossing locations of the pipeline(s) prior to final comment and approval of the plans.
- c. Locates and or potholing for the purpose of Requestor's engineering, design and construction drawings to establish the horizontal and vertical locations of PSCo facilities and all associated costs will be the responsibility of Requestor. A PSCo representative will be required to be on site during any pothole operations.
 - i. Potholing with excavation equipment during frost conditions will not be allowed unless contractor thaws ground prior to excavation. Potholing with vac-truck will be allowed under any conditions
- d. **Any excavator acting in a reckless manner while working in the area of Xcel Energy pipelines shall be asked to stop their work in that area. Work will not be allowed to continue until Xcel Energy personnel deem the situation has returned to a safe situation.**

e. Blasting Near PSCo Facilities

i. Notification

1. In accordance with Article 7 of Title 9 of CRS “Explosive Act”, Section 6.1.7, Utilities must be notified at least 24 hours prior to commencement of blasting activity. If Blasting is anticipated for this project an “Explosive Use Application and Notification” and the associated Agreement Document must be processed before blasting activities may commence near the PSCo pipeline(s). It is recommended that this notification be made at least one month in advance of actual blasting activities to allow for processing of these documents and any studies that may need to be performed to access the applicants blasting plan.

ii. Limits

1. Buried Pipe - Total Combined (Effective) Stresses on the pipe must not exceed **50%** of the specified minimum yield strength of the pipe.
 2. Above Ground Pipe –Blasting operations must not generate Peak Particle Velocity (PPV) greater than 1 in/sec.
- f. Vibrations from dynamic compaction equipment or other sources must be maintained at a peak particle velocity of not greater than 1 in /sec as measured in any one of the three components of a seismographic reading.

3) Inspection

- a. PSCo will require that one of its Field Operators be on site during the potholing, excavation, site grading, backfill operations, compaction, and installation of your facilities when working within the pipeline(s) easement and/or a minimum of fifteen (15) Ft from the outer limits of the locate marks for the PSCo pipeline(s). This standby expense is covered by PSCo during a normal 8 hour day Monday - Friday. Any time required in excess of 8 hours per day or weekend and holidays will be billed to the Third Party of the facilities under construction at the applicable PSCo Labor Overtime Rates and Equipment/Vehicle Rates.
- b. Requests for standby will be filled on a first-come, first-served basis, consistent with the number of personnel available for standby and Xcel Energy workload at that time. It is not our intent to unnecessarily impede the work schedule of the installation contractor, and we will strive to be as available as possible.
- c. Appointments for standby excavations shall be scheduled to minimize the amount of time Xcel Energy personnel are waiting during contractor setup. Contractors will be charged at the applicable straight time or overtime PSCo labor rate and Equipment/Vehicle per hour for time between appointment time and actual start time (i.e. a call for an 8:00 A.M. standby and actual construction start time of 10:00 A.M. will result in 2 hours of the applicable straight time or overtime PSCo labor and Equipment/vehicle charges)
- d. Frequency and duration of Field Operator Standby will be determined during the initial site visit with the Requestor’s Construction Contractor based on construction schedule and phasing of construction activities as they relate to work near the PSCo pipeline(s).

- e. Potholing frequency during construction will be at the discretion of the PSCo Inspector on site on an as needed basis based on field conditions and proximity of the excavation to the pipe.
- f. Potholing with excavation equipment during frost conditions will not be allowed unless contractor thaws ground prior to excavation. Potholing with vac-truck will be allowed under any conditions.

4) Construction

a. Grading, Excavation, Installation, Backfill

- i. A “Method of Construction Plan” shall be provided to PSCo HP Gas Engineering and Operations for review and approval prior to the beginning of construction.
- ii. For Parallel Encroachments, the recommended method of construction is to place the trench spoils between the Requestor line and the PSCo line and set the working side on the opposite side of the trench from the spoil pile.
 - 1. Alternate Method of Construction
 - a. Install a layer of straw or some other method of identifying the top of the existing ground elevation then place trench spoils on top of the line. During backfill operations, removal of the spoil shall stop at the level of the warning material.
 - b. Requests to work above existing PSCo pipeline(s), either on top of existing ground elevation or top of spoil pile, will be reviewed on a case by case basis. Requestor must provide specs for all equipment that will be traveling on top of the line for calculation of combined stresses for determination if allowable combined stress levels are exceeded prior to approval of this method
- iii. The maximum unsupported length of PSCo's 2” and larger diameter High Pressure Natural Gas pipeline(s) is **15** feet.
 - 1. Specific calculations can be made for pipe diameter’s greater than 2” in outside diameter to determine greater free span lengths.
 - 2. Should Requestor excavation require a greater length of the pipe be exposed than allowable stress limits dictate, plans for providing support will be required to be submitted to PSCo HP Gas Engineering for review and approval. This support system can be provided by the third party’s contractor and installed under the supervision of the on-site PSCo Energy Employee. A list of qualified pipeline contractors to perform this work, if needed, can be supplied to you if so requested.
- iv. If site re-grading leaves less than 36" of cover over the PSCo pipeline(s), the pipe will have to be lowered or additional protection measures installed over the pipe such as concrete capping or steel plating. Any mitigation measures, including engineering of such structures, will be at the expense of the Third Party of the facilities being constructed.
- v. Backfill operations around exposed sections of PSCo’s pipeline(s) shall be inspected by a PSCo representative.

- vi. Any sections of the PSCo pipeline(s) that are exposed during construction must be padded with material passing ¾" minus screens that is non-angular in shape to a depth of one (1) foot above the top of pipe before native material passing 6" minus screens or two (2) feet above the top of pipe before native material passing greater than 6" plus screens can be used for the remaining backfill. Bedding material of an angular nature and/or passing 2" minus screens may be used if rock shield, epoxy coating applied to a thickness of 30 mils or greater, or other abrasion resistant coating, is installed around the pipe over the entire exposed length. Installation of any such additional protective coating installation shall be inspected by a PSCo representative.
- vii. Utilization of flowable fill with cement or fly ash binder material may be utilized once one (1) foot of cover is established over the PSCo pipeline(s) with consolidated, non-abrasive, bedding material. The flowable fill must be able to be excavated with a shovel. The flowable fill shall extend ten feet on either side of the PSCo pipe and extend to the trench walls. The use of flowable fills is subject to approval of the local government authorities.
- viii. Other backfill material not requiring additional compactive effort to obtain required dry densities of the project specifications may be utilized around the pipe. Submittal of a backfill plan and material specifications shall be presented to PSCo HP Gas Engineering and local government authorities for review before approval is granted.
- ix. Permanently added fill over PSCo pipeline(s) shall not exceed a typical depth of cover of four (4) feet over the top of PSCo's pipeline(s) at final grade. Exceptions due to terrain, grading requirements and re-establishment of slopes must be reviewed with PSCo HP Gas Engineering but shall not exceed eight (8) feet of cover over the top of the PSCo pipeline(s).

b. Compaction over PSCo Pipelines

- i. No heavy vibratory compaction equipment (driver operated) will be allowed over or along the length of the PSCo pipeline(s) in the area requiring compaction and for a distance of ten (10) feet on either side of the outside wall of the pipe and ten (10) feet from the ends of the pipe length at the compaction area limits if less than three (3) feet of cover is left over the pipe after sub excavation work is completed.
- ii. Light vibratory compaction equipment (jumping jacks, walk behind or remote control rollers) may be utilized once the minimum one (1) foot of bedding material cover over the top of the PSCo pipeline(s) is established.

c. Facility Crossings

- i. Buried Facility Crossings of the PSCo pipeline(s) will be required to go under or over the PSCo pipeline(s) with a minimum clearance of two (2) feet to the bottom or top respectively of the PSCo pipeline(s).
- ii. Buried facilities installed parallel to the PSCo pipeline(s) must maintain a minimum horizontal separation of ten (10) feet from the pipeline(s). If this minimum horizontal separation cannot be maintained, the top of the facility being installed will be required to be one (1) foot below the bottom of the PSCo pipeline(s) for every foot closer than ten (10) feet to the pipeline(s).

d. Improvements/Structure/Facility Placement

- i. No surface or sub-grade structures or utility facilities will be allowed within the PSCo ROW limits without plan review approval from PSCo HP Gas Engineering and Operations. Potential ignition source facilities shall be a minimum of fifteen (15) from the outside wall of the pipe

e. Landscape Installation

- i. No planting of vegetation will be allowed within the PSCo ROW limits without plan review approval from PSCo HP Gas Engineering and Operations. Under no circumstances will trees be allowed to be planted over the pipeline(s) within the PSCo ROW limits and shall be no closer than fifteen (15) feet from the outside wall of the pipe.

f. Cathodic Protection

- i. A copy of the Requestor Cathodic Protection (CP) System design shall be provided to PSCo for review prior to construction. .
- ii. At crossing locations, Stray Current Mitigation will be required if either pipeline is cathodically protected from a rectified ground bed system. At a minimum this shall consist of a run of two # 8 wires from Public Service Company (PSCo) pipe and 2 # 8 wires up from the third party facility pipe into a common or separate test station for bonding of the two systems together if necessary. The wires could either run to the test station in a common conduit or separate conduits. In addition, four 17# or larger anodes are to be placed in each quadrant of the crossing pipes and placed vertically equidistant between the two pipelines. PSCo will provide the material for its CP test station and assist **Requestor's** contractor with installation of the test station.
- iii. For parallel encroachments, at locations where third party is installing a CP Test Station, the third party will be required to expose the PSCo pipeline(s) for installation of a CP test station for monitoring of interference. PSCo will provide the material for its CP test station and assist the third party's contractor with installation of the test station.

5) Post Construction

a. Permanent Private Road Crossings

- i. Permanent private access roads intended for use by vehicles with a loaded single axle rating of less than or equal to CDOT load limits, must provide and maintain a minimum of **4** feet of cover over the PSCo pipeline(s). Any party needing to cross the PSCo pipeline(s) with vehicles in excess of the CDOT Load Limits per single axel must contact PSCo for additional requirements or place bridging structures over the located pipeline(s).
 - ii. Permanent private access roads intended for use by vehicles with a loaded single axle rating of less than or equal to 20,000 lb per axle, must provide and maintain a minimum of **4 (four)** feet of cover over the PSCo pipeline(s).
 - iii. Tracked equipment crossings of the PSCo pipeline(s) must be made via tractor/lowboy transport adhering to the restrictions of section 5.a.i. and 5.a.ii. If it is desired to track the equipment over the PSCo pipeline(s), PSCo must be contacted to calculate the limits for the specific piece of equipment or provide a bridging structure over the pipeline(s) in accordance with Section 2.a.ii.1.
- b. Four wheel all terrain sport and utility vehicles and dirt bikes are exempt from this section's restrictions. A minimum cover of twelve (12") inches of dirt over the pipe must be present before these vehicles can cross over the pipe.
 - c. It is recommended that Requestor install and maintain load limit signage at all road crossings of the PSCo pipeline(s).
 - d. PSCo will place pipeline markers at all permanent road crossings that are to remain at the conclusion of the installation of the Requestor pipeline.

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a special use permit known as the United Fulton Augmentation Station Project. The proposal will include a pipeline that will convey raw water from the Fulton Ditch to the South Platte River for augmentation purposes. The pipeline will be generally located north of the half section line between County Road 8 and County Road 10. The pipeline will begin approximately a half-mile east of County Road 29 and extend west to an existing bore at U.S. Highway 85. The special use permit is to review the portion of the project to be constructed through certain parcels of land located within the City of Fort Lupton that are legally described below.

The public hearings are to be held before the Planning Commission on Thursday, March 11, 2021, at 6:00 P.M., and before the City Council on Tuesday, April 6, 2021 at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that the City Hall is closed to the public at the time of the hearings due to COVID-19, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning and Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND.

LEGAL DESCRIPTION

**LEROY AND BRENDA SACK
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District**

A STRIP OF LAND FIFTY-FEET (50') WIDE OVER AND ACROSS TWO PARCELS OF LAND AS DESCRIBED IN DEEDS, RECORDED MAY 10, 1990 AT RECEPTION NO. 2213327 AND JULY 11, 1990 AT RECEPTION NO. 2219653, IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDERS OFFICE BEING THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST SIXTEENTH CORNER BETWEEN SECTION 8 AND SECTION 17 FROM WHENCE THE NORTH QUARTER CORNER OF SAID SECTION 17 BEARS SOUTH 89°42'42" WEST 1321.14 FEET AND ALL BEARINGS HEREIN REFERENCED THERETO;

THENCE SOUTH 00°35'41" EAST, ALONG THE EAST LINE OF SAID WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, A DISTANCE OF 2,337.51 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°35'41" EAST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO A POINT ON THE RIGHT-OF-WAY EASEMENT RECORDED DECEMBER 10, 2015 AT RECEPTION NO. 4164293;

THENCE ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT LINE THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 89°54'27" WEST A DISTANCE OF 178.82 FEET;
2. SOUTH 45°04'11" WEST A DISTANCE OF 236.55 FEET;
3. NORTH 89°55'48" WEST A DISTANCE OF 261.02 FEET;
4. SOUTH 89°29'23" WEST A DISTANCE OF 716.07 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FROM WHENCE THE CENTER QUARTER CORNER OF SAID SECTION 17 BEARS SOUTH 00°30'21" EAST

90.52 FEET;
THENCE NORTH 00°30'21" WEST, ALONG
SAID WEST LINE, A DISTANCE OF 62.75
FEET;
THENCE NORTH 89°27'16" EAST,
DEPARTING SAID WEST LINE, A DISTANCE
OF 9.91 FEET;
THENCE SOUTH 68°02'44" EAST A
DISTANCE OF 33.38 FEET;
THENCE NORTH 89°29'23" EAST A
DISTANCE OF 675.56 FEET;
THENCE SOUTH 89°55'48" EAST A
DISTANCE OF 240.56 FEET;
THENCE NORTH 45°04'11" EAST A
DISTANCE OF 236.47 FEET;
THENCE NORTH 89°55'27" EAST A
DISTANCE OF 199.01 FEET TO THE POINT
OF BEGINNING.

CONTAINING 69,945 SQUARE FEET OR 1.61
ACRES, MORE OR LESS.

**BRIGHTON INDUSTRIAL NORTH, LLP
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District**

A STRIP OF LAND FIFTY-FEET (50') WIDE
OVER AND ACROSS A PARCEL OF LAND AS
DESCRIBED IN THE DEED, RECORDED
MARCH 22, 1982 AT RECEPTION NO.
1886226, IN THE RECORDS OF THE WELD
COUNTY CLERK AND RECORDERS OFFICE
BEING THE EAST HALF OF THE EAST HALF
OF THE NORTHWEST QUARTER OF
SECTION 17, TOWNSHIP 1 NORTH, RANGE
66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF WELD STATE OF COLORADO,
BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER
CORNER OF SAID SECTION 17 FROM
WHENCE THE NORTH QUARTER CORNER
OF SAID SECTION 17 BEARS NORTH
00°30'21" WEST 2631.51 FEET AND ALL
BEARINGS HEREIN REFERENCED
THERETO:
THENCE NORTH 00°30'21" WEST, ALONG
THE EAST LINE OF SAID NORTHWEST
QUARTER OF SECTION 17, A DISTANCE OF
90.52 FEET TO THE POINT OF BEGINNING
ON THE NORTH LINE OF THE
RIGHT-OF-WAY EASEMENT RECORDED
MAY 8, 2018 AT RECEPTION NO. 4397218;
THENCE SOUTH 89°27'16" WEST, ALONG
SAID NORTH RIGHT-OF-WAY EASEMENT
LINE, A DISTANCE OF 607.15 FEET TO A
POINT ON THE EAST RIGHT-OF-WAY LINE
OF ROLLIE AVENUE AS DESCRIBED IN THE
INSTRUMENT RECORDED SEPTEMBER 12,
2012 AT RECEPTION NO. 3872808, FROM
WHENCE THE CENTER EAST WEST
SIXTY-FOURTH CORNER BEARS SOUTH
30°59'09" WEST 106.18 FEET;
THENCE NORTH 00°27'38" WEST, ALONG
SAID EAST RIGHT-OF-WAY LINE, A
DISTANCE OF 50.00 FEET;
THENCE NORTH 89°27'16" EAST,
DEPARTING SAID EAST RIGHT-OF-WAY
LINE, A DISTANCE OF 607.11 FEET TO A
POINT ON THE EAST LINE OF SAID
NORTHWEST QUARTER OF SECTION 17;
THENCE SOUTH 00°30'21" EAST, ALONG
SAID EAST LINE, A DISTANCE OF 50.00
FEET TO THE POINT OF BEGINNING.

CONTAINING 30,357 SQUARE FEET OR 0.70
ACRES, MORE OR LESS.

**BASALITE BUILDING PRODUCTS, LLC
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District**

A STRIP OF LAND FIFTY-FEET (50') WIDE
OVER AND ACROSS A PARCEL OF LAND AS
DESCRIBED IN THE DEED, RECORDED MAY
1, 2018 AT RECEPTION NO. 4395056, IN THE
RECORDS OF THE WELD COUNTY CLERK
AND RECORDERS OFFICE BEING THE EAST
HALF OF THE WEST HALF OF THE
NORTHWEST QUARTER OF SECTION 17
AND THE WEST HALF OF THE EAST HALF
OF THE NORTHWEST QUARTER OF
SECTION 17, TOWNSHIP 1 NORTH, RANGE
66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF WELD STATE OF COLORADO,
BEING MORE PARTICULARLY DESCRIBED

AS FOLLOWS:

COMMENCING AT THE CENTER EAST WEST SIXTY-FOURTH CORNER OF SAID SECTION 17 FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 17 BEARS SOUTH 89°27'15" WEST 1988.18 FEET AND ALL BEARINGS HEREIN REFERENCED THERETO;

THENCE NORTH 31°55'04" WEST A DISTANCE OF 105.39 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF ROLLIE AVENUE AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 12, 2012 AT RECEPTION NO. 3872808 AND A POINT ON THE NORTH LINE OF THE RIGHT-OF-WAY EASEMENT RECORDED MAY 8, 2018 AT RECEPTION NO. 4397218;

THENCE SOUTH 89°27'16" WEST, ALONG SAID NORTH RIGHT-OF-WAY EASEMENT LINE, A DISTANCE OF 100.00 FEET;

THENCE SOUTH 00°27'38" EAST, ALONG THE WEST LINE OF SAID RIGHT-OF-WAY EASEMENT LINE, A DISTANCE OF 10.51 FEET;

THENCE SOUTH 89°27'15" WEST A DISTANCE OF 968.95 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;

THENCE NORTH 00°42'03" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET;

THENCE NORTH 89°27'15" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 908.66 FEET;

THENCE NORTH 44°29'48" EAST A DISTANCE OF 14.87 FEET;

THENCE NORTH 89°27'16" EAST A DISTANCE OF 150.00 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF ROLLIE AVENUE;

THENCE SOUTH 00°27'38" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 54.033 SQUARE FEET OR 1.24 ACRES, MORE OR LESS.

**VILLANO BROTHERS FARMS, INC.
EASEMENT LEGAL DESCRIPTION
I-1 Light Industrial Zone District**

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND AS DESCRIBED UNDER RECEPTION NO. 7435777 OF THE WELD COUNTY RECORDS, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 01 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO BEING DESCRIBED AS FOLLOWS:

A PERMANENT PERPETUAL NONEXCLUSIVE EASEMENT OF APPROXIMATELY 15-FEET IN WIDTH TO THE EXTENT OWNED BY GRANTOR, OVER, UNDER, ACROSS AND THROUGH AN AREA SITUATED ALONG THE NORTHERN BOUNDARY LINE OF THE CENTER LINE OF SECTION 17 RUNNING FROM THE POINT OF INTERSECTION OF THE MACANN DITCH AND EASEMENT AREA 3 WEST TO THE POINT OF INTERSECTION WITH WELD COUNTY ROAD 27.

**THEODORE R. SHIPMAN LIVING TRUST
PROPERTY LEGAL DESCRIPTION
'A' Agricultural Zone District**

A PARCEL OF LAND AS DESCRIBED UNDER RECEPTION NO. 4208794 OF THE WELD COUNTY RECORDS, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 01 NORTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO BEING DESCRIBED AS FOLLOWS:

LUPTON LAKES SUBDIVISION FILING #1 (LUPTON LAKES ANNEX) BEGINNING AT THE CENTER QUARTER CORNER OF SECTION 18 BEAR S89°29'E, A DISTANCE OF 135' TO THE POINT OF BEGINNING. THENCE RUNNING THE FOLLOWING TWELVE (12) COURSES:

1. N89°29'E, A DISTANCE OF 493.03' TO A POINT;
2. N00°07'E, A DISTANCE OF 150.01' TO A POINT;
3. S89°29'W, A DISTANCE OF 30' TO A POINT;
4. N00°07'E, A DISTANCE OF 131' TO A POINT;
5. S81°07'E, A DISTANCE OF 91.89' TO A POINT;
6. N08°19'W, A DISTANCE OF 220.55' TO A POINT;
7. N82°28'W, A DISTANCE OF 125.43' TO A POINT;
8. N24°46'E, A DISTANCE OF 256.44' TO A POINT;
9. N19°35'W, A DISTANCE OF 340.08' TO A POINT;
10. N40°28'W, A DISTANCE OF 435.28' TO A POINT;
11. N62°48'W, A DISTANCE OF 283.55' TO A POINT ON THE EAST US HIGHWAY 85 RIGHT-OF-WAY;
12. S04°03'W, A DISTANCE OF 1490.36' TO POINT OF BEGINNING.
CONTAINING 739,113 SQUARE FEET OR 16.97 ACRES, MORE OR LESS.

Legal Ad No.: FLP222254

First Publication: March 3, 2021

Last Publication: March 3, 2021

Published In: Fort Lupton Press

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ALL INTERESTED PERSONS MAY ATTEND.
LEGAL DESCRIPTION

LEROY AND BRENDA SACK
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District

A STRIP OF LAND FIFTY-FEET (50') WIDE OVER AND ACROSS TWO PARCELS OF LAND AS DESCRIBED IN DEEDS, RECORDED MAY 10, 1990 AT RECEPTION NO. 2213327 AND JULY 11, 1990 AT RECEPTION NO. 2219653, IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDERS OFFICE BEING THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE SOUTH 00°35'41" EAST, ALONG THE EAST LINE OF SAID WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, A DISTANCE OF 2,337.51 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°35'41" EAST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO A POINT ON THE RIGHT-OF-WAY EASEMENT RECORDED DECEMBER 10, 2015 AT RECEPTION NO. 4164233;

THENCE ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT LINE THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 89°54'27" WEST A DISTANCE OF 178.82 FEET;
2. SOUTH 45°04'11" WEST A DISTANCE OF 236.55 FEET;
3. NORTH 89°55'48" WEST A DISTANCE OF 261.02 FEET;
4. SOUTH 89°29'23" WEST A DISTANCE OF 716.07 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FROM WHENCE THE CENTER QUARTER CORNER OF SAID SECTION 17 BEARS SOUTH 00°30'21" EAST 90.52 FEET;

THENCE NORTH 00°30'21" WEST, ALONG SAID WEST LINE, A DISTANCE OF 62.75 FEET;
THENCE NORTH 89°27'16" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 9.91 FEET;
THENCE SOUTH 68°02'44" EAST A DISTANCE OF 33.38 FEET;
THENCE NORTH 89°29'23" EAST A DISTANCE OF 675.56 FEET;
THENCE SOUTH 89°55'48" EAST A DISTANCE OF 240.56 FEET;
THENCE NORTH 45°04'11" EAST A DISTANCE OF 236.47 FEET;
THENCE NORTH 89°53'27" EAST A DISTANCE OF 199.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 69,945 SQUARE FEET OR 1.61 ACRES, MORE OR LESS.

BRIGHTON INDUSTRIAL NORTH, LLP
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District

A STRIP OF LAND FIFTY-FEET (50') WIDE OVER AND ACROSS A PARCEL OF LAND AS DESCRIBED IN THE DEED, RECORDED MARCH 22, 1982 AT RECEPTION NO. 1886226, IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDERS OFFICE BEING THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 17 FROM WHENCE THE NORTH QUARTER CORNER OF SAID SECTION 17 BEARS NORTH 00°30'21" WEST 2631.51 FEET AND ALL BEARINGS HEREIN REFERENCED THERETO;

THENCE NORTH 00°30'21" WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 17, A DISTANCE OF 90.52 FEET TO THE POINT OF BEGINNING ON THE NORTH LINE OF THE RIGHT-OF-WAY EASEMENT RECORDED MAY 8, 2018 AT RECEPTION NO. 4397218;

THENCE SOUTH 89°27'16" WEST, ALONG SAID NORTH RIGHT-OF-WAY EASEMENT LINE, A DISTANCE OF 607.15 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ROLLIE AVENUE AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 12, 2012 AT RECEPTION NO. 3872808, FROM WHENCE THE CENTER EAST WEST SIXTY-FOURTH CORNER BEARS SOUTH 30°59'09" WEST 106.18 FEET;

THENCE NORTH 00°27'38" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET;
THENCE NORTH 89°27'16" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 607.11 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 17;
THENCE SOUTH 00°30'21" EAST, ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 30,357 SQUARE FEET OR 0.70 ACRES, MORE OR LESS.

BASALITE BUILDING PRODUCTS, LLC
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District

A STRIP OF LAND FIFTY-FEET (50') WIDE OVER AND ACROSS A PARCEL OF LAND AS DESCRIBED IN THE DEED, RECORDED MAY 1, 2018 AT RECEPTION NO. 4395056, IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDERS OFFICE BEING THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17 AND THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER EAST WEST SIXTY-FOURTH CORNER OF SAID SECTION 17 FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 17 BEARS SOUTH 89°27'15" WEST

Prairie Mountain Media, LLC

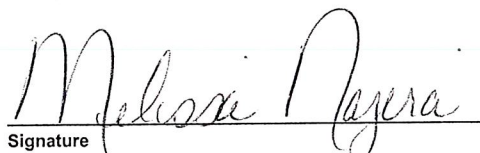
PUBLISHER'S AFFIDAVIT

County of Weld
State of Colorado

The undersigned, Melissa Najera, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Greeley Tribune*.
2. The *Greeley Tribune* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Weld County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Greeley Tribune* in Weld County on the following date(s):

Feb 26, 2021


Signature

Subscribed and sworn to me before me this

26th day of February, 2021.


Notary Public

(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES JULY 31, 2021

Account: 1102365
Ad Number: 1779978
Fee: \$195.36

1.4

THENCE NORTH 31°55'04" WEST A DISTANCE OF 105.39 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF ROLLIE AVENUE AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 12, 2012 AT RECEPTION NO. 3872808 AND A POINT ON THE NORTH LINE OF THE RIGHT-OF-WAY EASEMENT RECORDED MAY 8, 2018 AT RECEPTION NO. 4397218;
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 THENCE NORTH 00°42'03" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET;
 THENCE NORTH 89°27'15" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 908.66 FEET;
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 THENCE NORTH 89°27'16" EAST A DISTANCE OF 150.00 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF ROLLIE AVENUE;
 THENCE SOUTH 00°27'38" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 54,033 SQUARE FEET OR 1.24 ACRES, MORE OR LESS.

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**THEODORE R. SHIPMAN LIVING TRUST
 PROPERTY LEGAL DESCRIPTION
 'A' Agricultural Zone District**

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2. N00°07'E, A DISTANCE OF 150.01' TO A POINT;
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4. N00°07'E, A DISTANCE OF 131' TO A POINT;
5. S81°07'E, A DISTANCE OF 91.89' TO A POINT;
6. N08°19'W, A DISTANCE OF 220.55' TO A POINT;
7. N82°28'W, A DISTANCE OF 125.43' TO A POINT;
8. N24°46'E, A DISTANCE OF 256.44' TO A POINT;
9. N19°35'W, A DISTANCE OF 340.08' TO A POINT;
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12. S04°03'W, A DISTANCE OF 1490.36' TO POINT OF BEGINNING.

CONTAINING 739,113 SQUARE FEET OR 16.97 ACRES, MORE OR LESS.

Published: Greeley Tribune February 26, 2021-1779978



COME PAINT YOUR FUTURE WITH US

Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortluptonco.gov

Sign Posting Affidavit

United Fulton Augmentation Station Special Use Permit

Project No. LUP2021-0006 / Plan No. SUP2021-0001



SOUTH ROLLIE AVENUE
(LOOKING EAST)

South Rollie Ave



WCR 27 (DENVER AVENUE)
(LOOKING EAST)

WCR 27 (Denver Ave)

I, ADAM SMITH hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 23rd day of FEBRUARY, 2021.

Adam Smith

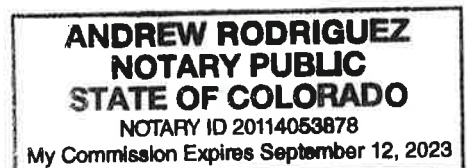
Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Adam Smith, this 24th day of February, 2021. Witness my hand and seal.

My commission expires 9/12/2023.

Andrew Rodriguez
Notary Public

(SEAL)





CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 18th day of February 2021, a true and correct copy of the foregoing Notice of Public Hearings and Special Use Permit map for the United Fulton Augmentation Station Special Use Permit was sent via U.S. Mail, postage pre-paid, to the following addresses:

MARGARET CHAVEZ
MELECIO CHAVEZ
739 COUNTY ROAD 47
HUDSON, CO 80642

ATTN: APC PROPERTY TAX
KERR-MCGEE GATHERING LLC
PO BOX 173779
DENVER, CO 80217

LINDA L SCHEEL
LEON A SCHEEL
2055 S DENVER AVE
FORT LUPTON, CO 80621

MICHAEL BILLS
RYAN DAHLENBURG
12679 COUNTY ROAD 8 ½
FORT LUPTON, CO 80621

IRVIN D COLLINS
12651 COUNTY ROAD 8 ½
FORT LUPTON, CO 80621

CITY AND COUNTY OF DENVER
BOARD OF WATER COMMISSIONERS
1600 W 12TH AVE
DENVER, CO 80204

SCHMIDT ESTATE REVOCABLE TRUST
SCHMIDT V JEANNE TRUST AGREEMENT
13539 COUNTY ROAD 10
FORT LUPTON, CO 80621

SAKATA LAND CO
PO BOX 508
BRIGHTON, CO 80601

ROBERT W ADAMS
JUANITA L ADAMS
13770 COUNTY ROAD 10
FORT LUPTON, CO 80621

GAYLE ANN WEBB
STEVEN LEE WEBB
13280 COUNTY ROAD 10
FORT LUPTON, CO 80621

GREENFIELD INDUSTRIAL PARK LLC
7415 VARDON WAY
FORT COLLINS, CO 80528

MARTIN W WILLIAMS
ESTATE OF LYN K WILLIAMS
1821 COUNTY ROAD 27
BRIGHTON, CO 80603

LORNA K GREIN
12645 COUNTY ROAD 8 ½
FOR TLUPTON, CO 80621

CITY OF DENVER
1600 W 12TH AVE
DENVER, CO 80204

AUGUSTA WARDEN
4029 COUNTY ROAD 29
FORT LUPTON, CO 80621

CHARLOTTE A JONES
13611 COUNTY ROAD 10
FORT LUPTON, CO 80621

C/O JANE SASAKI
JOLLY STORAGE
1821 COUNTY ROAD 27
BRIGHTON, CO 80603



City Official

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a special use permit known as the United Fulton Augmentation Station Project. The proposal will include a pipeline that will convey raw water from the Fulton Ditch to the South Platte River for augmentation purposes. The pipeline will be generally located north of the half section line between County Road 8 and County Road 10. The pipeline will begin approximately a half-mile east of County Road 29 and extend west to an existing bore at U.S. Highway 85. The special use permit is to review the portion of the project to be constructed through certain parcels of land located within the City of Fort Lupton that are legally described below.

The public hearings are to be held before the Planning Commission on Thursday, March 11, 2021, at 6:00 P.M., and before the City Council on Tuesday, April 6, 2021 at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that the City Hall is closed to the public at the time of the hearings due to COVID-19, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning and Building Department at (303) 857-6694.

**ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT
BIT.LY/FLDEVELOPMENT AND SCROLLING DOWN TO THE ROW TITLED: UNITED FULTON AUGMENATION
STATION SPECIAL USE PERMIT**

ALL INTERESTED PERSONS MAY ATTEND.

LEGAL DESCRIPTION

**LEROY AND BRENDA SACK
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District**

A STRIP OF LAND FIFTY-FEET (50') WIDE OVER AND ACROSS TWO PARCELS OF LAND AS DESCRIBED IN DEEDS, RECORDED MAY 10, 1990 AT RECEPTION NO. 2213327 AND JULY 11, 1990 AT RECEPTION NO. 2219653, IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDERS OFFICE BEING THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH

PRINCIPAL MERIDIAN, COUNTY OF WELD STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST SIXTEENTH CORNER BETWEEN SECTION 8 AND SECTION 17 FROM WHENCE THE NORTH QUARTER CORNER OF SAID SECTION 17 BEARS SOUTH 89°42'42" WEST 1321.14 FEET AND AND ALL BEARINGS HEREIN REFERENCED THERETO;
THENCE SOUTH 00°35'41" EAST, ALONG THE EAST LINE OF SAID WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, A DISTANCE OF 2,337.51 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 00°35'41" EAST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO A POINT ON THE RIGHT-OF-WAY EASEMENT RECORDED DECEMBER 10, 2015 AT RECEPTION NO. 4164293;
THENCE ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT LINE THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 89°54'27" WEST A DISTANCE OF 178.82 FEET;
 2. SOUTH 45°04'11" WEST A DISTANCE OF 236.55 FEET;
 3. NORTH 89°55'48" WEST A DISTANCE OF 261.02 FEET;
 4. SOUTH 89°29'23" WEST A DISTANCE OF 716.07 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FROM WHENCE THE CENTER QUARTER CORNER OF SAID SECTION 17 BEARS SOUTH 00°30'21" EAST 90.52 FEET;
- THENCE NORTH 00°30'21" WEST, ALONG SAID WEST LINE, A DISTANCE OF 62.75 FEET;
THENCE NORTH 89°27'16" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 9.91 FEET;
THENCE SOUTH 68°02'44" EAST A DISTANCE OF 33.38 FEET;
THENCE NORTH 89°29'23" EAST A DISTANCE OF 675.56 FEET;
THENCE SOUTH 89°55'48" EAST A DISTANCE OF 240.56 FEET;
THENCE NORTH 45°04'11" EAST A DISTANCE OF 236.47 FEET;
THENCE NORTH 89°55'27" EAST A DISTANCE OF 199.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 69,945 SQUARE FEET OR 1.61 ACRES, MORE OR LESS.

**BRIGHTON INDUSTRIAL NORTH, LLP
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District**

A STRIP OF LAND FIFTY-FEET (50') WIDE OVER AND ACROSS A PARCEL OF LAND AS DESCRIBED IN THE DEED, RECORDED MARCH 22, 1982 AT RECEPTION NO. 1886226, IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDERS OFFICE BEING THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 17 FROM WHENCE THE NORTH QUARTER CORNER OF SAID SECTION 17 BEARS NORTH 00°30'21" WEST 2631.51 FEET AND AND ALL BEARINGS HEREIN REFERENCED THERETO;
THENCE NORTH 00°30'21" WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 17, A DISTANCE OF 90.52 FEET TO THE POINT OF BEGINNING ON THE NORTH LINE OF THE RIGHT-OF-WAY EASEMENT RECORDED MAY 8, 2018 AT RECEPTION NO. 4397218;

THENCE SOUTH 89°27'16" WEST, ALONG SAID NORTH RIGHT-OF-WAY EASEMENT LINE, A DISTANCE OF 607.15 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ROLLIE AVENUE AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 12, 2012 AT RECEPTION NO. 3872808, FROM WHENCE THE CENTER EAST WEST SIXTY-FOURTH CORNER BEARS SOUTH 30°59'09" WEST 106.18 FEET;
THENCE NORTH 00°27'38" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET;
THENCE NORTH 89°27'16" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 607.11 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 17;
THENCE SOUTH 00°30'21" EAST, ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 30,357 SQUARE FEET OR 0.70 ACRES, MORE OR LESS.

**BASALITE BUILDING PRODUCTS, LLC
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District**

A STRIP OF LAND FIFTY-FEET (50') WIDE OVER AND ACROSS A PARCEL OF LAND AS DESCRIBED IN THE DEED, RECORDED MAY 1, 2018 AT RECEPTION NO. 4395056, IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDERS OFFICE BEING THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17 AND THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER EAST WEST SIXTY-FOURTH CORNER OF SAID SECTION 17 FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 17 BEARS SOUTH 89°27'15" WEST 1988.18 FEET AND ALL BEARINGS HEREIN REFERENCED THERETO;
THENCE NORTH 31°55'04" WEST A DISTANCE OF 105.39 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF ROLLIE AVENUE AS DESCRIBED IN THE INSTRUMENT RECORDED SEPTEMBER 12, 2012 AT RECEPTION NO. 3872808 AND A POINT ON THE NORTH LINE OF THE RIGHT-OF-WAY EASEMENT RECORDED MAY 8, 2018 AT RECEPTION NO. 4397218;
THENCE SOUTH 89°27'16" WEST, ALONG SAID NORTH RIGHT-OF-WAY EASEMENT LINE, A DISTANCE OF 100.00 FEET;
THENCE SOUTH 00°27'38" EAST, ALONG THE WEST LINE OF SAID RIGHT-OF-WAY EASEMENT LINE, A DISTANCE OF 10.51 FEET;
THENCE SOUTH 89°27'15" WEST A DISTANCE OF 968.95 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;
THENCE NORTH 00°42'03" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET;
THENCE NORTH 89°27'15" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 908.66 FEET;
THENCE NORTH 44°29'48" EAST A DISTANCE OF 14.87 FEET;
THENCE NORTH 89°27'16" EAST A DISTANCE OF 150.00 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF ROLLIE AVENUE;
THENCE SOUTH 00°27'38" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 54,033 SQUARE FEET OR 1.24 ACRES, MORE OR LESS.

**VILLANO BROTHERS FARMS, INC.
EASEMENT LEGAL DESCRIPTION
I-1 Light Industrial Zone District**

AN EASEMENT OVER AND ACROSS A PARCEL OF LAND AS DESCRIBED UNDER RECEPTION NO. 7435777 OF THE WELD COUNTY RECORDS. LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 01 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO BEING DESCRIBED AS FOLLOWS:

A PERMANENT PERPETUAL NONEXCLUSIVE EASEMENT OF APPROXIMATELY 15-FEET IN WIDTH TO THE EXTENT OWNED BY GRANTOR, OVER, UNDER, ACROSS AND THROUGH AN AREA SITUATED ALONG THE NORTHERN BOUNDARY LINE OF THE CENTER LINE OF SECTION 17 RUNNING FROM THE POINT OF INTERSECTION OF THE MACANN DITCH AND EASEMENT AREA 3 WEST TO THE POINT OF INTERSECTION WITH WELD COUNTY ROAD 27.

**THEODORE R. SHIPMAN LIVING TRUST
PROPERTY LEGAL DESCRIPTION
'A' Agricultural Zone District**

A PARCEL OF LAND AS DESCRIBED UNDER RECEPTION NO. 4208794 OF THE WELD COUNTY RECORDS. LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 01 NORTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO BEING DESCRIBED AS FOLLOWS:

LUPTON LAKES SUBDIVISION FILING #1 (LUPTON LAKES ANNEX) BEGINNING AT THE CENTER QUARTER CORNER OF SECTION 18 BEAR S89°29'E, A DISTANCE OF 135' TO THE POINT OF BEGINNING. THENCE RUNNING THE FOLLOWING TWELVE (12) COURSES:

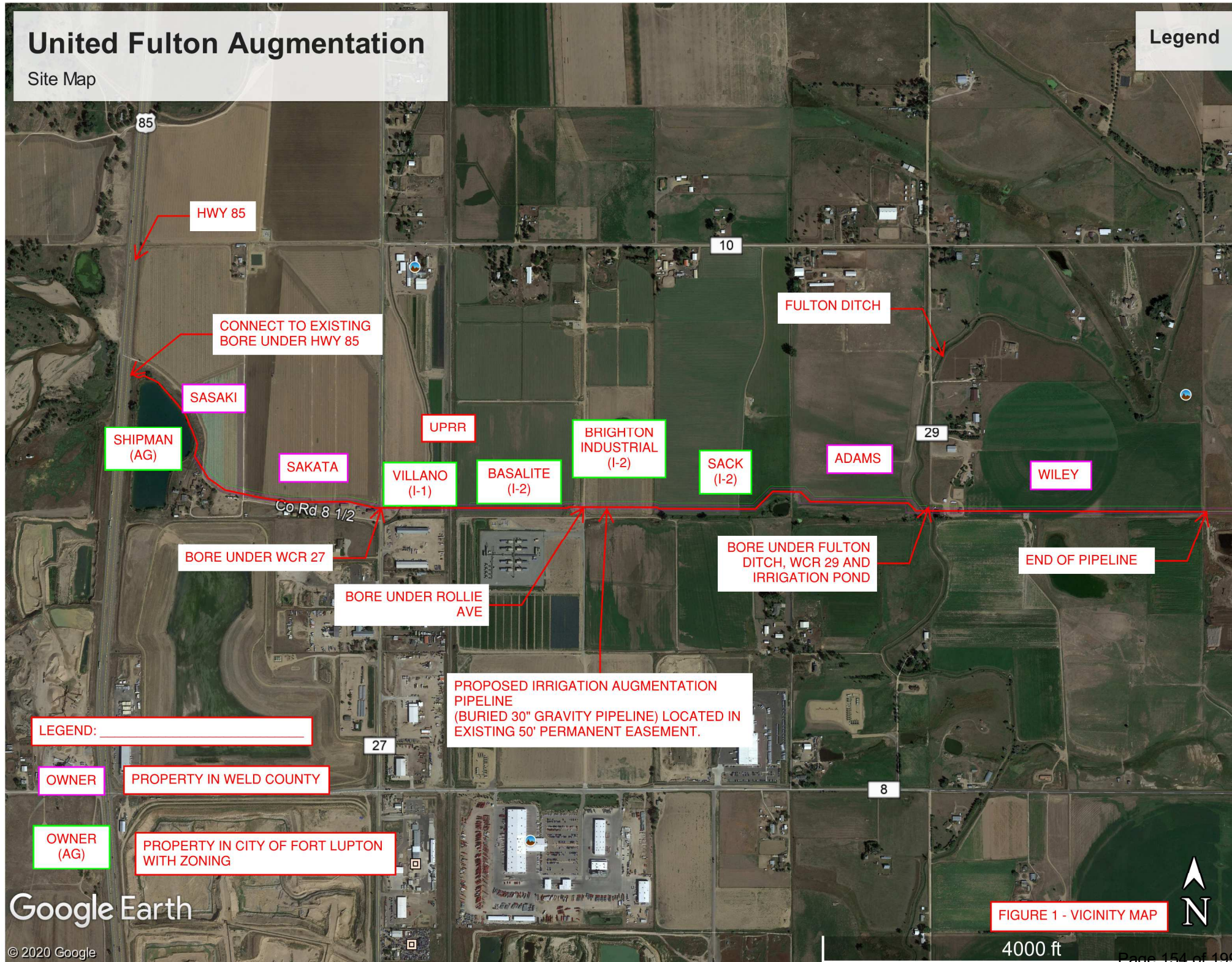
1. N89°29'E, A DISTANCE OF 493.03' TO A POINT;
2. N00°07'E, A DISTANCE OF 150.01' TO A POINT;
3. S89°29'W, A DISTANCE OF 30' TO A POINT;
4. N00°07'E, A DISTANCE OF 131' TO A POINT;
5. S81°07'E, A DISTANCE OF 91.89' TO A POINT;
6. N08°19'W, A DISTANCE OF 220.55' TO A POINT;
7. N82°28'W, A DISTANCE OF 125.43' TO A POINT;
8. N24°46'E, A DISTANCE OF 256.44' TO A POINT;
9. N19°35'W, A DISTANCE OF 340.08' TO A POINT;
10. N40°28'W, A DISTANCE OF 435.28' TO A POINT;
11. N62°48'W, A DISTANCE OF 283.55' TO A POINT ON THE EAST US HIGHWAY 85 RIGHT-OF-WAY;
12. S04°03'W, A DISTANCE OF 1490.36' TO POINT OF BEGINNING.

CONTAINING 739,113 SQUARE FEET OR 16.97 ACRES, MORE OR LESS.

United Fulton Augmentation

Site Map

Legend





CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 29th day of March 2021, a true and correct copy of the foregoing Notice of Public Hearings and Special Use Permit map for the United Fulton Augmentation Station Special Use Permit was sent via U.S. Mail, postage pre-paid, to the following addresses:

BASALITE BUILDING PRODUCTS LLC
2150 DOUGLAS BLVD STE 260
ROSEVILLE, CA 95661

BRENDA L SACK
LEROY SACK
13540 COUNTY ROAD 10
FORT LUPTON, CO 80621

VILLANO BROTHERS PROPERTIES INC
13050 COUNTY ROAD 10
FORT LUPTON, CO 80621

C/O JOHN J VANDEMOER
BRIGHTON INDUSTRIAL NORTH
8791 CIRCLE DR
WESTMINSTER, CO 80031

THEODORE R SHIPMAN LIVING TRUST
8301 E PRENTICE AVE
STE 100
GREENWOOD VILLAGE, CO 80111

City Official

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BIT.LY/FLDEVELOPMENT AND SCROLLING DOWN TO THE ROW TITLED: UNITED FULTON AUGMENATION
STATION SPECIAL USE PERMIT**

ALL INTERESTED PERSONS MAY ATTEND.

LEGAL DESCRIPTION

**LEROY AND BRENDA SACK
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District**

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THENCE SOUTH 00°35'41" EAST, ALONG THE EAST LINE OF SAID WEST HALF OF THE NORTHEAST QUARTER OF SECTION 17, A DISTANCE OF 2,337.51 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 00°35'41" EAST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO A POINT ON THE RIGHT-OF-WAY EASEMENT RECORDED DECEMBER 10, 2015 AT RECEPTION NO. 4164293;
THENCE ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT LINE THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 89°54'27" WEST A DISTANCE OF 178.82 FEET;
 2. SOUTH 45°04'11" WEST A DISTANCE OF 236.55 FEET;
 3. NORTH 89°55'48" WEST A DISTANCE OF 261.02 FEET;
 4. SOUTH 89°29'23" WEST A DISTANCE OF 716.07 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FROM WHENCE THE CENTER QUARTER CORNER OF SAID SECTION 17 BEARS SOUTH 00°30'21" EAST 90.52 FEET;
- THENCE NORTH 00°30'21" WEST, ALONG SAID WEST LINE, A DISTANCE OF 62.75 FEET;
THENCE NORTH 89°27'16" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 9.91 FEET;
THENCE SOUTH 68°02'44" EAST A DISTANCE OF 33.38 FEET;
THENCE NORTH 89°29'23" EAST A DISTANCE OF 675.56 FEET;
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THENCE NORTH 45°04'11" EAST A DISTANCE OF 236.47 FEET;
THENCE NORTH 89°55'27" EAST A DISTANCE OF 199.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 69,945 SQUARE FEET OR 1.61 ACRES, MORE OR LESS.

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EASEMENT LEGAL DESCRIPTION
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THENCE NORTH 00°30'21" WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 17, A DISTANCE OF 90.52 FEET TO THE POINT OF BEGINNING ON THE NORTH LINE OF THE RIGHT-OF-WAY EASEMENT RECORDED MAY 8, 2018 AT RECEPTION NO. 4397218;

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THENCE NORTH 00°27'38" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET;
THENCE NORTH 89°27'16" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 607.11 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 17;
THENCE SOUTH 00°30'21" EAST, ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 30,357 SQUARE FEET OR 0.70 ACRES, MORE OR LESS.

**BASALITE BUILDING PRODUCTS, LLC
EASEMENT LEGAL DESCRIPTION
I-2 Heavy Industrial Zone District**

A STRIP OF LAND FIFTY-FEET (50') WIDE OVER AND ACROSS A PARCEL OF LAND AS DESCRIBED IN THE DEED, RECORDED MAY 1, 2018 AT RECEPTION NO. 4395056, IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDERS OFFICE BEING THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17 AND THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE SOUTH 89°27'16" WEST, ALONG SAID NORTH RIGHT-OF-WAY EASEMENT LINE, A DISTANCE OF 100.00 FEET;
THENCE SOUTH 00°27'38" EAST, ALONG THE WEST LINE OF SAID RIGHT-OF-WAY EASEMENT LINE, A DISTANCE OF 10.51 FEET;
THENCE SOUTH 89°27'15" WEST A DISTANCE OF 968.95 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;
THENCE NORTH 00°42'03" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET;
THENCE NORTH 89°27'15" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 908.66 FEET;
THENCE NORTH 44°29'48" EAST A DISTANCE OF 14.87 FEET;
THENCE NORTH 89°27'16" EAST A DISTANCE OF 150.00 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF ROLLIE AVENUE;
THENCE SOUTH 00°27'38" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

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A PERMANENT PERPETUAL NONEXCLUSIVE EASEMENT OF APPROXIMATELY 15-FEET IN WIDTH TO THE EXTENT OWNED BY GRANTOR, OVER, UNDER, ACROSS AND THROUGH AN AREA SITUATED ALONG THE NORTHERN BOUNDARY LINE OF THE CENTER LINE OF SECTION 17 RUNNING FROM THE POINT OF INTERSECTION OF THE MACANN DITCH AND EASEMENT AREA 3 WEST TO THE POINT OF INTERSECTION WITH WELD COUNTY ROAD 27.

**THEODORE R. SHIPMAN LIVING TRUST
PROPERTY LEGAL DESCRIPTION
'A' Agricultural Zone District**

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LUPTON LAKES SUBDIVISION FILING #1 (LUPTON LAKES ANNEX) BEGINNING AT THE CENTER QUARTER CORNER OF SECTION 18 BEAR S89°29'E, A DISTANCE OF 135' TO THE POINT OF BEGINNING. THENCE RUNNING THE FOLLOWING TWELVE (12) COURSES:

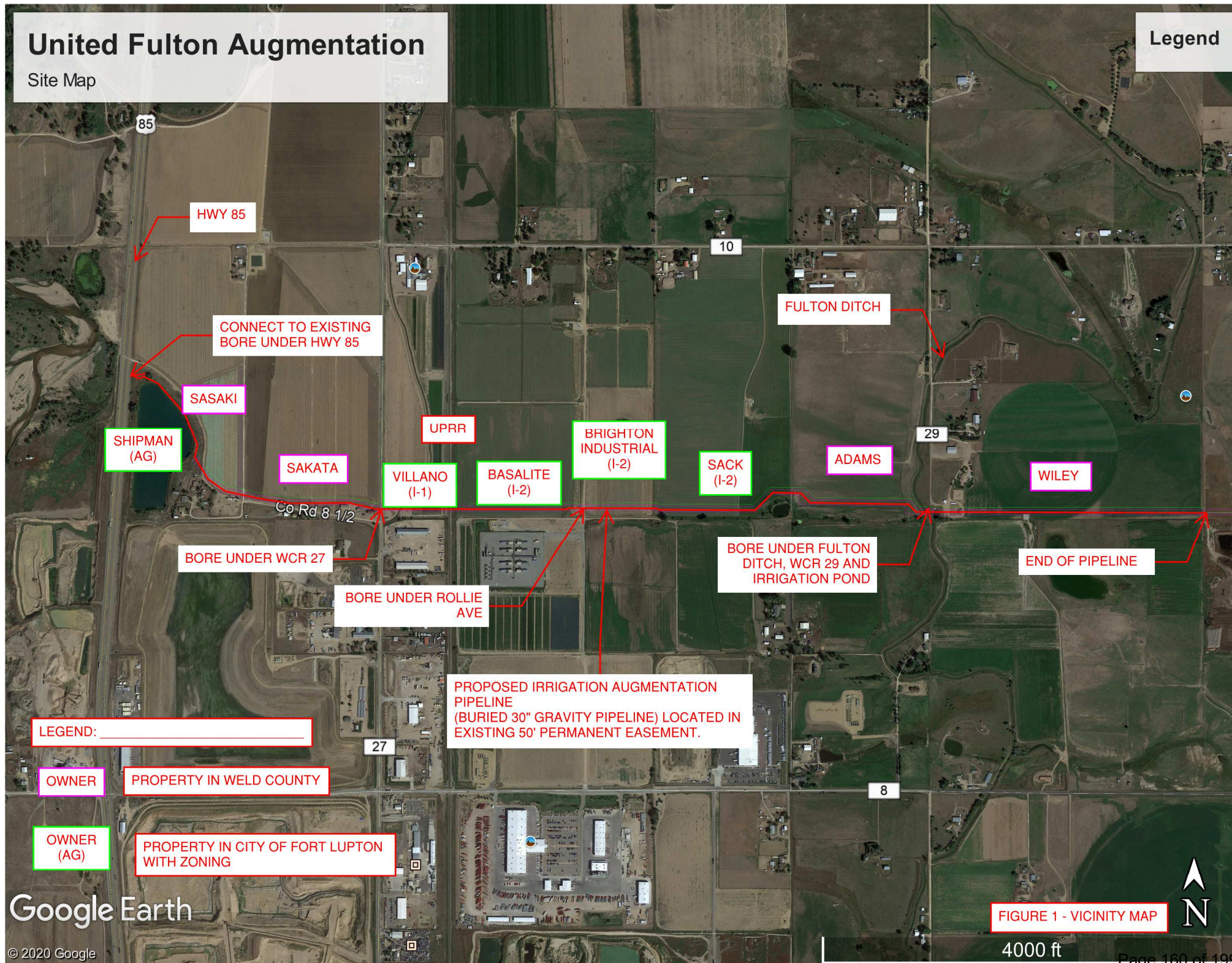
1. N89°29'E, A DISTANCE OF 493.03' TO A POINT;
2. N00°07'E, A DISTANCE OF 150.01' TO A POINT;
3. S89°29'W, A DISTANCE OF 30' TO A POINT;
4. N00°07'E, A DISTANCE OF 131' TO A POINT;
5. S81°07'E, A DISTANCE OF 91.89' TO A POINT;
6. N08°19'W, A DISTANCE OF 220.55' TO A POINT;
7. N82°28'W, A DISTANCE OF 125.43' TO A POINT;
8. N24°46'E, A DISTANCE OF 256.44' TO A POINT;
9. N19°35'W, A DISTANCE OF 340.08' TO A POINT;
10. N40°28'W, A DISTANCE OF 435.28' TO A POINT;
11. N62°48'W, A DISTANCE OF 283.55' TO A POINT ON THE EAST US HIGHWAY 85 RIGHT-OF-WAY;
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CONTAINING 739,113 SQUARE FEET OR 16.97 ACRES, MORE OR LESS.

United Fulton Augmentation

Site Map

Legend



Google Earth

© 2020 Google

FIGURE 1 - VICINITY MAP



To: City Council
From: Maria Lancto, Planner I
CC: Todd Hodges, Planning Director; Alyssa Knutson, Planner II; Andy Ausmus, City Attorney
Date: March 31, 2021
Subject: Withdrawal of the Hagler Annexation Nos. 1 – 5, Hagler Initial Zoning and the Hagler Special Use Permit.

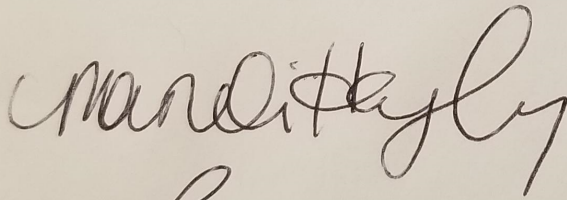
Staff is requesting a cancellation of the scheduled public hearings for the Hagler Annexation Nos. 1 – 5, Hagler Initial Zoning and the Hagler Special Use Permit. The applicant has formally withdrawn their applications. A copy of the withdrawal letter is attached.

March 23, 2021

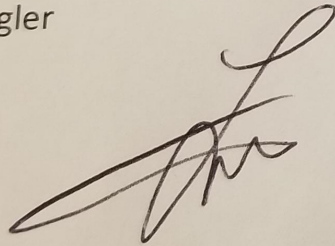
To Whom It May Concern at the City of Fort Lupton,

We would like to withdraw the annexation and special use permit. The project number we are referencing is (LUP2020-0036) and plan numbers (ANX2020-0006; COZ2020-0008 & SUP2020-0007).

Sincerely,

A handwritten signature in cursive script, appearing to read "Mandi Hagler".

Lee and Mandi Hagler

A handwritten signature in cursive script, appearing to read "Lee Hagler".

CITY OF
Fort Lupton
EST 1836
COME PAINT YOUR FUTURE WITH US

COME PAINT YOUR FUTURE WITH US

IX. Detail of Issue/Request:

Colorado Department of Public Health and Environment (CDPHE) was tasked by the Environmental Protection Agency with enforcing regulations limiting the amount of phosphates and nitrogen put into rivers by waste water treatment plants in Colorado. To costs of upgrades and alternatives will require the City to take out debt in the form of a loan or bond issue. The new fee will pay the annual debt service payment. The request for the initial fee in 2021 is as follows:

<u>Residential</u>	<u>Per Month</u>
Single Family Home	\$ 20.00
Multi-Family (per unit)	20.00
6" Tap	4,360.00
<u>Commercial</u>	
¾ "	\$ 40.00
1"	96.00
1.5"	220.00
2"	400.00
3"	860.00
4"	1,660.00

X. Legal/Political Considerations:

Regulation 85 requires some action be taken on our waste water treatment plant. CDPHE has set a schedule with milestones. Not meeting the milestones and finishing the project by January 31, 2023 will result in fines of \$10,000 per day.

XI. Alternatives/Options:

None.

XII. Financial Considerations:

The revenues from the new fee will be used to pay future debt payments. The fee will be reviewed every year during the budget process and increased or decreased as needed through a resolution.

XIII. Staff Recommendation:

Approve the addition of a \$20.00 fee to fund waste water treatment debt.

**Public Notice
Schedule Public Hearing**

Notice is hereby given to the residents and taxpayers of the City of Fort Lupton that the Fort Lupton Council/Utility Enterprise Board will consider adding a Sewer Base Fee for REG85 effective on the April 2021 utility bills to pay for the Sewer Plant upgrades mandated by CDPHE at the regularly scheduled meeting of the Fort Lupton City Council/Utility Enterprise Board on Tuesday, April 6, 2021 and April 20, 2021 at 7:00pm. The public hearing will take place at the city administration building, 130 South McKinley, Fort Lupton Colorado (goto meeting link at www.fortluptonco.gov). Any citizen may appear at the public hearing and will be given the opportunity to comment on said water and sewer amendment if they so desire.

Legal Ad No.:FLP222271

First Publication: March 24, 2021
Last Publication: March 21, 2021
Published In: Fort Lupton Press

RESOLUTION NO. 2021RXX

**A RESOLUTION OF THE UTILITY ENTERPRISE BOARD OF THE CITY OF FORT LUPTON
AMENDING ADDING A WASTE WATER TREATMENT DEBT SERVICE FEE**

WHEREAS, a specific level of revenue is required by revenue bonds and/or loans in waste water treatment in order to comply with rate maintenance covenants; and

WHEREAS, Sections 13-136(b) and 13-26(c) of the Fort Lupton Municipal Code requires a review of water and sewer rates at least once every year and to be revised if necessary to cover costs of the system; and

WHEREAS, the Utility Enterprise Board is required to comply with State and Federal environmental regulations and determined future debt is required to pay for compliance measures; and

WHEREAS, the Utility Enterprise Board has published the proposed rates and held two public hearings as required by Sections 13-26(a) and 13-136(a) of the Fort Lupton Municipal Code and has determined that it is necessary to add a fee to sewer customers to ensure compliance with its bond covenants and meet capital needs; and

WHEREAS, all sewer customers of City will bear a part of the increase based on the size of their water lines;

NOW, THEREFORE, BE IT RESOLVED that the Utility Enterprise Board of the City of Fort Lupton hereby adds a waste water treatment debt service fee by approving Exhibit "A" herein included, to become effective on April 25, 2021 for all customers.

APPROVED AND PASSED BY A MAJORITY VOTE OF THOSE APPOINTED TO THE UTILITY ENTERPRISE BOARD THIS 6th DAY OF APRIL 2021.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Pena, City Clerk

Approved as to form:

Andy Ausmus, City Attorney

Exhibit "A"

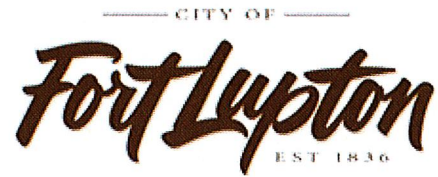
CITY OF FORT LUPTON, COLORADO

SEWER REG85 FEE SCHEDULE

EFFECTIVE APRIL 25, 2021

Residential Customers:		
<i>Single Family Home</i>	\$ 20.00	Per month
<i>Multi-Family</i>	\$ 20.00	Per Unit Per Month
<i>Apartments</i>	\$ 20.00	Per Unit Per Month
<i>6" line</i>	\$ 4,360.00	Per month
Commercial Customers:		
$\frac{3}{4}$ " water line	\$ 40.00	Per month
1" water line	\$ 96.00	Per month
1½" water line	\$ 220.00	Per month
2" water line	\$ 400.00	Per month
3" water line	\$ 860.00	Per month
4" water line	\$ 1,660.00	Per month

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2021-058

**APPROVE A RESOLUTION ADOPTING AN INTERGOVERNMENTAL AGREEMENT WITH THE
TOWN OF FIRESONE REGARDING GROWTH AND PLANNING AREAS.**

I. **Agenda Date:** Council Meeting – April 6, 2021

II. **Attachments:** a. Resolution 2021-0xx.
b. Proposed IGA between Fort Lupton and Firestone with exhibits

III. **Summary Statement:**

The City of Fort Lupton and the Town of Firestone have been working on an agreement and desire to enter into an Intergovernmental Agreement regarding growth and planning areas. (see attached agreement with exhibits)

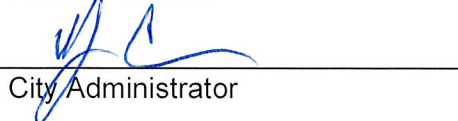
IV. **Submitted by:**


Todd A. Hodges, Planning Director

V. **Finance Reviewed**


Leanne Perino
Finance Director

VI. **Approved for Presentation:**


City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

Staff has worked diligently with the Town of Firestone staff to bring forth an agreement that works for both municipalities and creates a boundary for future growth and planning areas within each municipality. The principal line used for the agreement is CR 19 between ½ mile south of CR 18 to CR 24. The proposed agreement is attached with the exhibits.

X. Legal/Political Considerations:

The Intergovernmental Agreement with the Town of Firestone reflects a joint interest in land use development of the area with CR 19 being the predominate line between growth and planning areas. (see attached exhibits) Legal Council has reviewed the proposed agreement and exhibits.

XI. Alternatives/Options:

- 1. Approve the Resolution pertaining to the Intergovernmental Agreement.*
- 2. Do not approve the Resolution pertaining to the Intergovernmental Agreement.*

XII. Financial Considerations:

Not applicable.

XIII. Staff Recommendation:

Staff recommends approving the Resolution for the Intergovernmental Agreement between the City of Fort Lupton and the Town of Firestone.

RESOLUTION NO. 2021Rxxx

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF FORT LUPTON AND THE TOWN OF FIRESTONE.

WHEREAS, the State of Colorado has authorized and encouraged local governments to cooperate or contract with each other for the purposes of planning or regulating the development of land pursuant to the Local Government Land Use Control Act, C.R.S. § 29-20-101, et seq., C.R.S. § 29-1-203, and § 18(2)(a) and 2(b) of Article XIV of the Colorado Constitution; and

WHEREAS, growth, development, and demands for municipal services exist, and will continue to exist within the geographic vicinity of Fort Lupton and Firestone; and

WHEREAS, certain unincorporated areas of Weld County are located between Firestone and Fort Lupton; and

WHEREAS, Firestone has adopted a comprehensive plan titled the Firestone Master Plan 2013, in which Firestone recognizes its support of the establishment of urban growth boundaries around municipalities; and

WHEREAS, Fort Lupton has adopted a comprehensive plan titled Picture Fort Lupton, adopted June 18, 2018; and

WHEREAS, Fort Lupton and Firestone have identified unincorporated areas within their respective growth boundaries which overlap; and

WHEREAS, through the Parties' respective comprehensive plans and this Agreement, the Parties have both committed to: orderly growth and quality development; promoting economic viability and environmental integrity of their respective communities; planning the location and timing of activities and development which may result in increased demands for municipal services; providing for the efficient development and extension of municipal services, facilities, and regulations; and avoiding unnecessary duplication of governmental services; and

WHEREAS, the Parties desire to establish a growth boundary line for their respective east/west jurisdictional boundaries and establish respective planning areas, as described herein, for the purposes of planning for future annexation and guiding the use of land within these described areas; and

WHEREAS, cooperation and increased coordination between the Parties, as represented in this Agreement, in planning for the affected geographic area will enhance the ability of the Parties to achieve their respective and common goals;

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby finds, determines and declares that this Resolution is necessary and that it serves a valid public purpose, and authorizes the execution of the attached intergovernmental agreement between the City and Firestone.

APPROVED AND PASSED BY A MAJORITY VOTE OF THOSE ELECTED TO THE CITY COUNCIL THIS 6TH DAY OF APRIL 2021.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña
City Clerk

Approved as to form:

Andy Ausmus, City Attorney

INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF FORT LUPTON AND THE TOWN OF
FIRESTONE REGARDING GROWTH AND PLANNING AREAS

This INTERGOVERNMENTAL AGREEMENT (the “Agreement”) is made by and between THE CITY OF FORT LUPTON, a Colorado municipality with an address of 130 South McKinley Avenue, Fort Lupton, Colorado 80621 (“Fort Lupton”), and THE TOWN OF FIRESTONE, a Colorado municipality with an address of 151 Grant Avenue, Firestone, Colorado 80520 (“Firestone”) (each a “Party” and collectively the “Parties”).

WHEREAS, the State of Colorado has authorized and encouraged local governments to cooperate or contract with each other for the purposes of planning or regulating the development of land pursuant to the Local Government Land Use Control Act, C.R.S. § 29-20-101, *et seq.*, C.R.S. § 29-1-203, and § 18(2)(a) and 2(b) of Article XIV of the Colorado Constitution; and

WHEREAS, growth, development, and demands for municipal services exist, and will continue to exist within the geographic vicinity of Fort Lupton and Firestone; and

WHEREAS, certain unincorporated areas of Weld County are located between Firestone and Fort Lupton; and

WHEREAS, Firestone has adopted a comprehensive plan titled the *Firestone Master Plan 2013*, in which Firestone recognizes its support of the establishment of urban growth boundaries around municipalities; and

WHEREAS, Fort Lupton has adopted a comprehensive plan titled *Picture Fort Lupton*, adopted June 18, 2018; and

WHEREAS, Fort Lupton and Firestone have identified unincorporated areas within their respective growth boundaries which overlap; and

WHEREAS, through the Parties’ respective comprehensive plans and this Agreement, the Parties have both committed to: orderly growth and quality development; promoting economic viability and environmental integrity of their respective communities; planning the location and timing of activities and development which may result in increased demands for municipal services; providing for the efficient development and extension of municipal services, facilities, and regulations; and avoiding unnecessary duplication of governmental services; and

WHEREAS, the Parties desire to establish a growth boundary line for their respective east/west jurisdictional boundaries and establish respective planning areas, as described herein, for the purposes of planning for future annexation and guiding the use of land within these described areas; and

WHEREAS, cooperation and increased coordination between the Parties, as represented in this Agreement, in planning for the affected geographic area will enhance the ability of the Parties to achieve their respective and common goals; and

WHEREAS, the Parties, after notice and public hearing, have adopted resolutions approving this Agreement, which resolutions are attached hereto and incorporated by this reference.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Designation of Growth Boundary Line.** The boundary line that marks the jurisdictional growth boundaries between Firestone and Fort Lupton is depicted on the map identified as **Exhibit A** attached hereto and made a part hereof, and generally is described as the eastern boundary of Weld County Road 19 from one half-mile south of Weld County Road 18 to Weld County Road 24 (“Growth Boundary Line”).

2. **Designation of Planning Areas.** Fort Lupton hereby designates a planning area east of the Growth Boundary Line as depicted in the map attached hereto as **Exhibit B** and made a part hereof. Firestone hereby designates a planning area west of the Growth Boundary Line as depicted in the map attached hereto as **Exhibit C** and made a part hereof. Collectively, **Exhibit B** and **Exhibit C** shall be referred to herein as the “Planning Areas.”

3. **Annexation of Territory Relative to Growth Boundary Line.**

(a) **Fort Lupton.** Fort Lupton agrees not to annex, enter into any agreement to annex, commence proceedings to annex or entertain a petition to annex any territory which lies west of the Growth Boundary Line as shown on **Exhibit A**. Fort Lupton may annex and provide its services west of the Growth Boundary Line only with the prior written approval of Firestone.

(b) **Firestone.** Firestone agrees not to annex, enter into any agreement to annex, commence proceedings to annex, nor entertain a petition to annex any territory which lies east of the Growth Boundary Line as shown on **Exhibit A**. Firestone may annex and provide its services east of the Growth Boundary Line only with the prior written approval of Fort Lupton. Firestone shall annex the entirety of the Weld County Road 19 right-of-way along the Growth Boundary Line and shall have full operational control and maintenance responsibility of such portion of County Road 19 as the same may be widened in accordance with Paragraph 5(g) below.

(c) **Annexation Proceedings.** Each Party agrees that it shall not become directly or indirectly involved with the annexation proceedings of the other Party, or oppose the other Party’s annexation of property within its respective Planning Areas, as such Planning Areas are described in Paragraph 2 above and shown on **Exhibit B** and **Exhibit C**.

(d) **Annexation Petitions.** In the event either Party is contacted by any person or entity in connection with a request for annexation of land which lies in the other Party’s Planning Area, the contacted Party shall refer such person or entity to the other Party for disposition.

4. **Adoption of Development Plan.** It is the intent of the Parties that this Agreement is a mutually binding and enforceable “development plan” established pursuant to C.R.S. §§ 24-32-3209 and 29-20-105. To that end, each Party shall cause notice and a copy of this Agreement to be provided to each neighboring jurisdiction as defined in C.R.S. § 24-32-3209(1)(h) within thirty (30) days of execution of this Agreement by the Parties. The Parties further represent that they will each take appropriate actions to reflect the existence of this Agreement in the Parties’ respective comprehensive plans and three-mile plans.

5. **Coordination of Planning Areas.**

(a) **Fort Lupton.** Fort Lupton shall provide Firestone with a referral notice and a copy of any annexation petition or application for initial zoning, rezoning, planned unit development, variance, conditional use or special use, subdivision or injection well affecting any property within Fort Lupton's Planning Area as depicted in the map attached hereto as **Exhibit B**, for Firestone's review and comment at least twenty-one (21) days prior to any formal action thereon by any official, commission, agency, council or governing body of Fort Lupton. In reviewing any such application for initial zoning, rezoning, planned unit development, variance, conditional use or special use, subdivision, or injection well application proposal, Firestone shall consider future land uses and the effects of the proposal on the character and land uses currently existing in the Planning Areas.

(b) **Firestone.** Firestone shall provide Fort Lupton with a referral notice and a copy of any annexation petition or application for initial zoning, rezoning, planned unit development, variance, conditional use or special use, subdivision or injection well affecting any property within Firestone's Planning Area as depicted in the map attached hereto as **Exhibit C**, for Fort Lupton's review and comment at least twenty-one (21) days prior to any formal action thereon by any official, commission, agency, board or governing body of Firestone. In reviewing any such application for initial zoning, rezoning, planned unit development, variance, conditional use or special use, subdivision, or injection well application proposal, Fort Lupton shall consider future land uses and the effects of the proposal on the character and land uses currently existing in the Planning Areas.

(c) **Roadway Maintenance and Access.** Absent separate agreement, surface maintenance of any right-of-way shall be the responsibility of the municipality within which the right-of-way lies. All access to Weld County Road 19 shall be permitted through Firestone in accordance with Firestone's Design Standards and Construction Specifications for Public Improvements as may be amended from time to time. Firestone shall not impose any limitation on vehicular access or use of Weld County Road 19 so as to specifically exclude farm or agricultural vehicles and equipment, or to exclude new access solely because of objection by Firestone to the type of the new adjacent land use permit(s) granted by Fort Lupton.

(d) **Transportation Planning.** To facilitate the coordination of transportation planning efforts, the Parties agree to evaluate their respective comprehensive plans or transportation master plans to include any jointly designated transportation plans and standards for roadways that the Parties may develop within the Planning Areas.

(e) **Common Utility Corridor.** The Parties agree to work cooperatively to establish a common utility corridor to service the properties located both to the east and west of the Growth Boundary Line and to minimize surface impacts within the right-of-way of Weld County Road 19.

(f) **Regional Recreational Planning.** The Parties agree to cooperate with each other and other affected agencies and individuals in the planning and implementation of recreational opportunities within the Planning Areas, including but not limited to regional trail connectivity.

(g) **Ultimate Right-of-Way for WCR 19.** The parties acknowledge that Weld County Road 19 is planned to be expanded to 120' in width at full build-out. To facilitate the acquisition of right-of-way necessary for this future roadway expansion, Firestone and Fort Lupton shall adopt procedures whereby property owners abutting Weld County Road 19 will reserve future right-of-way at time of annexation and convey or dedicate necessary right-of-way to Firestone at the time of subdivision, site plan approval, or

other development approval in accordance with law.

6. **Notice of Comprehensive Plan Amendments.** Each Party shall comply with the provisions of C.R.S. § 24-32-3209(2)(a) by providing written notice at least fifteen days in advance of the first public hearing at which a Party will consider any comprehensive plan or comprehensive plan amendments. The Party to whom the referral is sent may provide written comments or objections any time prior to adoption of the comprehensive plan or plan amendments. In the event mediation is requested as part of the objection, such mediation shall be conducted in accordance with C.R.S. § 24-32-3209(2)(b) and (2)(c).

7. **Term and Termination.** The term of this Agreement shall commence on the date of mutual execution hereof by the Parties (the “Effective Date”) and shall terminate on December 31, 2031 (“Initial 10-Year Term”). Thereafter, it shall automatically renew for successive one (1) year terms, commencing on January 1, 2032, unless written notice of nonrenewal is served on the other Party at least thirty (30) days prior to the end of a term. This Agreement may be terminated before the end of the Initial 10-Year Term only with the written consent of the Parties, as expressed in a joint resolution passed by a majority vote of the Fort Lupton City Council and the Firestone Board of Trustees.

8. **Remedies.** Should either Party fail to comply with the provisions of this Agreement, the other Party, after providing written notification to the non-complying Party and upon the failure of said Party to achieve compliance within ninety (90) days after said notice, may at its option either terminate this Agreement in its entirety or seek appropriate relief, including specific performance or injunctive relief as authorized by C.R.S. § 29-20-105(2)(g), but excluding monetary damages.

9. **Consents/Approvals.** When this Agreement calls for the consent or approval of a Party, to be effective, such consent or approval shall be in the form of a resolution duly enacted by the Fort Lupton City Council or the Firestone Board of Trustees, as appropriate.

10. **Subject to Annual Appropriation.** Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of either Party not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year. To the extent that any obligation under this Agreement is deemed to constitute a multiple fiscal year financial obligation pursuant to Article X, § 20 of the Colorado Constitution, the performance of such obligation is conditioned upon annual appropriation by the Fort Lupton City Council or the Firestone Board of Trustees, as appropriate, and in the sole discretion of that governing body.

11. **Amendment.** This Agreement may be amended in writing only by the mutual agreement of the governing bodies of the Parties.

12. **No Third Party Rights.** This Agreement is made solely for the benefit of the Parties, and is not intended to nor shall it be deemed to confer rights to any persons or entities not named as Parties.

13. **Severability.** If any provision of this Agreement is deemed invalid, the validity and effect of any other provision shall not be affected; and such invalid provision shall be deemed deleted from this Agreement in a manner to give effect to the remaining provisions, except that if a requirement or limitation in such provision is declared invalid as to one Party, it shall likewise be deemed invalid as to the other Party.

14. **Notice.** Any notice under this Agreement shall be in writing, and shall be deemed sufficient when hand-delivered or sent pre-paid, first class United States Mail to the Party at the Party's address set forth on the first page of this Agreement.

15. **Governing Law and Venue.** This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Weld County, Colorado.

16. **Entire Agreement.** This Agreement constitutes the entire understanding, contract, and agreement between the Parties as to the subject matters herein set forth.

17. **Governmental Immunity.** The Parties and their officers, attorneys and employees are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations and any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Parties and their officers, attorneys or employees.

18. **Police Powers Reserved.** Nothing herein shall be construed to limit or impair a Party's police powers.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date(s) set forth below, to be effective as of the Effective Date.

CITY OF FORT LUPTON, COLORADO

Zo Stieber, Mayor

Date of signature: _____, 2021

ATTEST:

Mari Pena, City Clerk

APPROVED AS TO FORM:

J. Andrew Ausmus, City Attorney

CITY OF FIRESTONE, COLORADO

Bobbi Sindelar, Mayor

Date of signature: _____, 2021

ATTEST:

Jessica Koenig, Town Clerk

APPROVED AS TO FORM

William P. Hayashi, Town Attorney

Growth Boundary Line

Scale = 1:50,000



Growth Boundary Line



Fort Lupton City Limits



Firestone Town Limits

The Growth Boundary Line is located 60' east of the centerline of County Road 19 right-of-way.

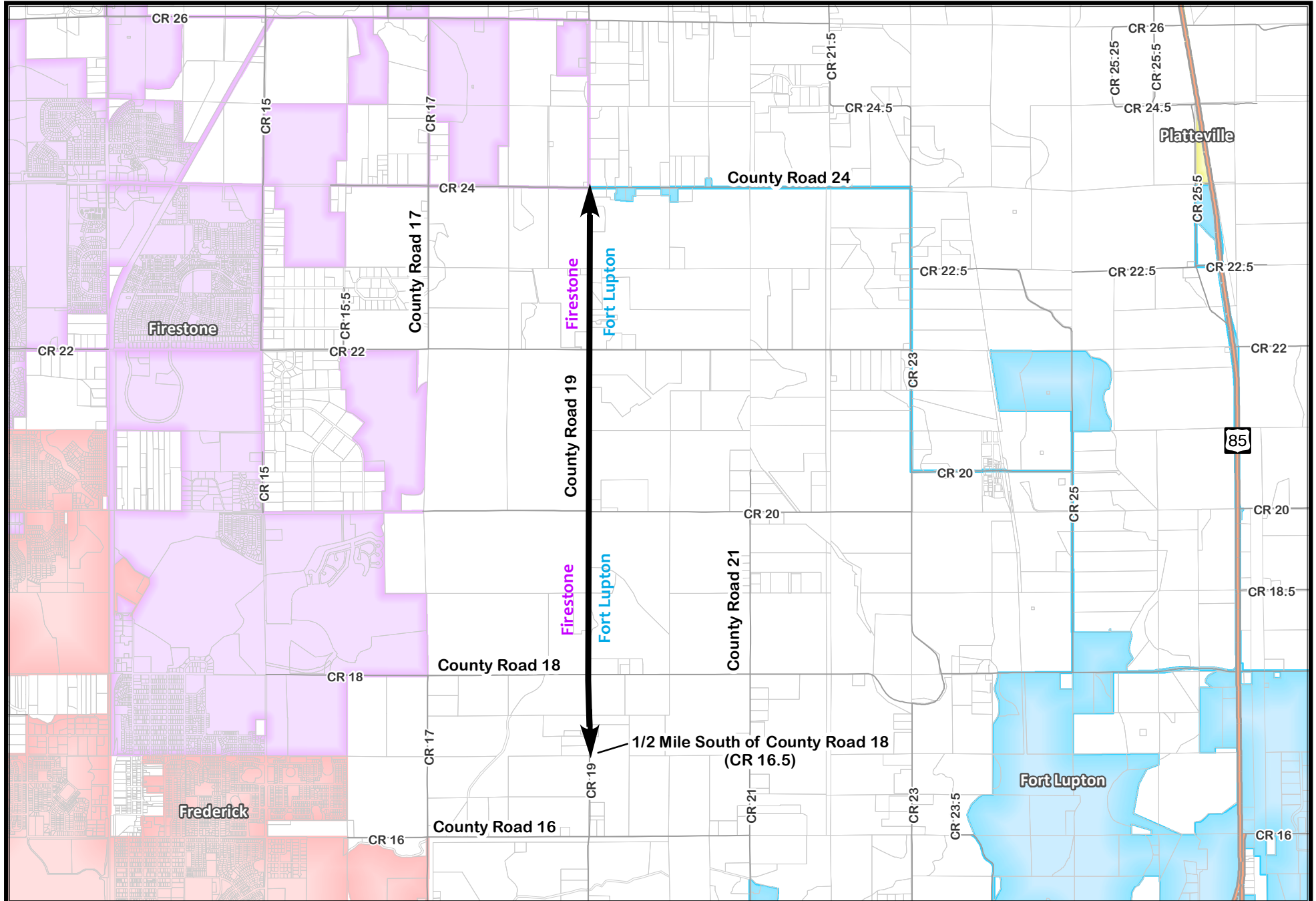


Exhibit A

Fort Lupton Planning Area

Scale = 1:50,000

- Fort Lupton Planning Area
- Fort Lupton City Limits
- Firestone Town Limits

The Fort Lupton Planning Area is exclusive of the full built-out (120') width of County Road 19.

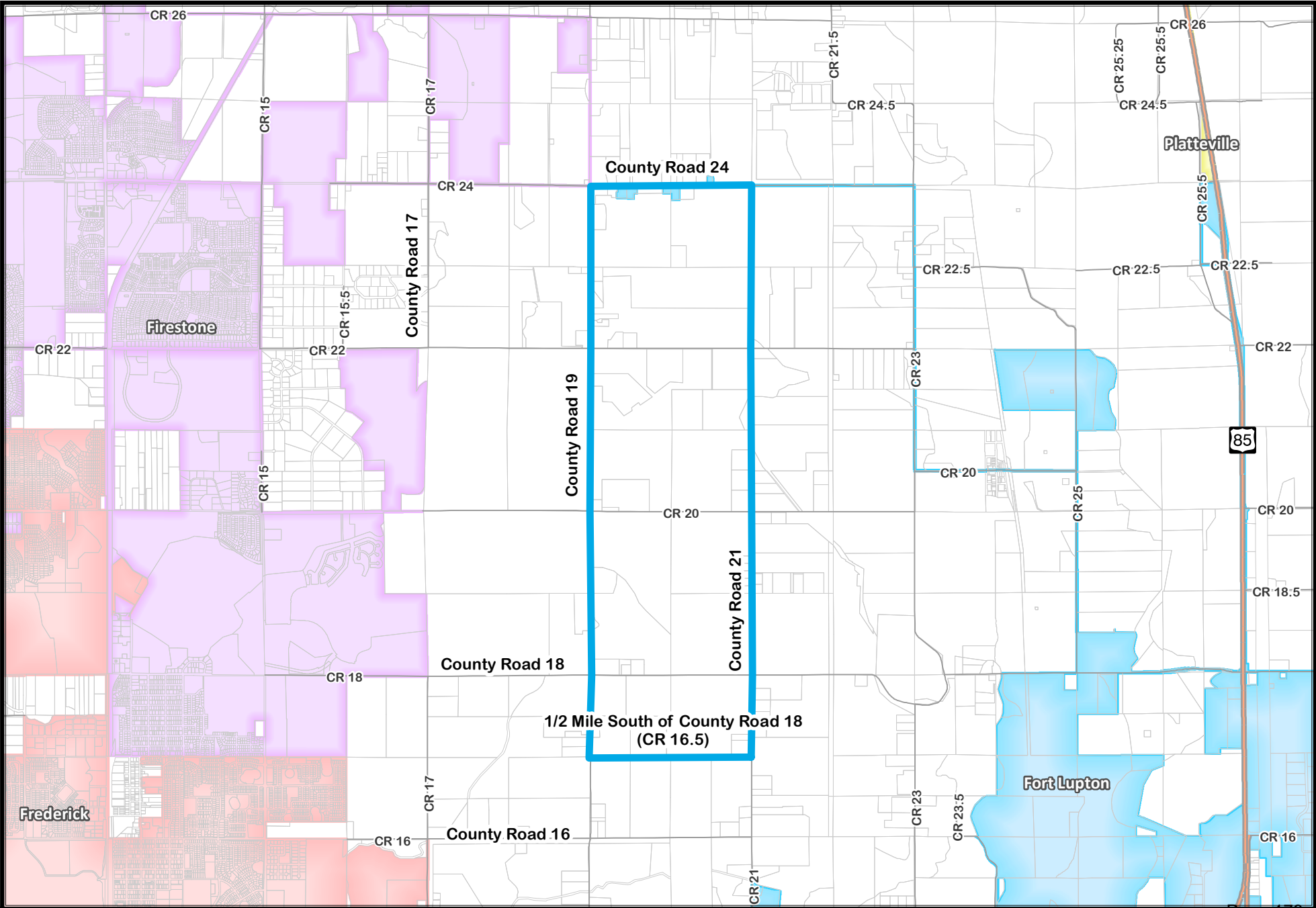


Exhibit B

Firestone Planning Area

Scale = 1:50,000

-  Firestone Planning Area
-  Fort Lupton City Limits
-  Firestone Town Limits

The Firestone Planning Area is inclusive of the full built-out (120') width of County Road 19.

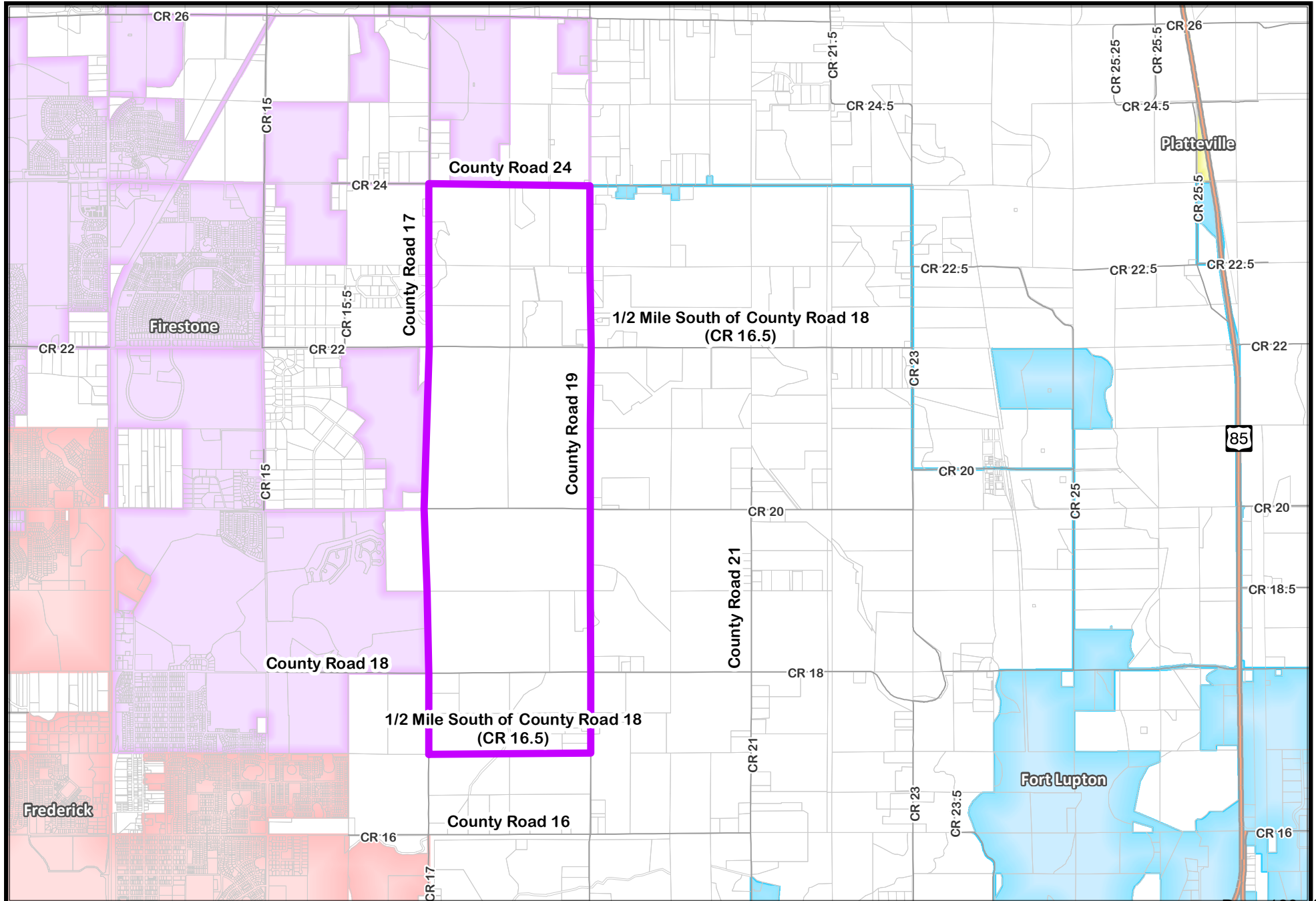
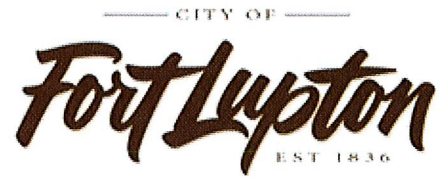


Exhibit C

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespin, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2021-056

**AMENDING RESOLUTION 2021R019 REVISING
THE WATER AND SEWER INFRASTRUCTURE INVESTMENT FEE SCHEDULE**

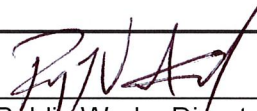
I. **Agenda Date:** Council Meeting – April 6, 2021

II. **Attachments:** a. Resolution 2021R019 with Revised Water and Sewer Plant Investment Fee Schedule.

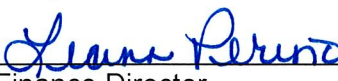
III. **Summary Statement:**

Resolution 2021R019 was approved on March 2, 2021 with an effective date of April 5, 2021. The fees listed on the Resolution need to be revised.

IV. **Submitted by:**


Public Works Director

V. **Finance Reviewed**


Finance Director

VI. **Approved for Presentation:**


City Administrator

VII. **Attorney Reviewed**

Approved

Pending Approval

VIII. **Certification of Council Approval:**

City Clerk

Date

IX. Detail of Issue/Request:

Resolution 2021 R019 approved by Council on March 2, 2021 becomes effective April 5, 2021 raising the Plant Investment Fees. The City's previous structure for different sizes of water tap fees were based on potential water usage. The proposed changes for different sizes of taps were similarly graduated for the proposed increase based on the costs of a ¾" service tap.

Residential		Water Tap Fees:	Sewer Tap Fees:	<i>Original</i>
	SFE			
¾"	1	\$ 7,500.00	\$ 9,500.00	\$9,500.00
1"	2	\$ 12,525.00	\$ 19,000.00	\$20,520.00
Multi-family		\$ 4,500.00	\$ 9,500.00	\$5,700.00
Commercial Water Tap Fees:				
¾"	2	\$ 9,825.00	\$ 19,000.00	\$12,445.00
1"	4.8	\$ 14,725.00	\$ 45,600.00	
1 ½"	11	\$ 29,325.00	\$ 104,500.00	\$26,880.00
2"	20	\$ 46,950.00	\$ 190,000.00	
3"	43	\$ 93,975.00	\$ 408,500.00	
4"	83	TBD	\$ 788,500.00	
6"	217.98	TBD	\$ 2,070,820.00	

X. Legal/Political Considerations:

Not Applicable.

XI. Alternatives/Options:

- Approve Resolution
- Deny approval

XII. Financial Considerations:

Revising the respective fees will ensure that the City can adequately plan for the expansion of the WWTP without requiring additional dept.

XIII. Staff Recommendation:

Staff recommends approval of a Resolution to provide adequate funding for future expansion of the WWTP.

RESOLUTION NO. 2021R0xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT LUPTON ACTING AS THE FORT LUPTON UTILITY ENTERPRISE BOARD REVISING THE WATER AND SEWER PLANT INVESTMENT FEE SCHEDULE.

WHEREAS, Section 13-124(a) of the Fort Lupton Municipal Code states the water plant investment fee shall be established, and amended from time to time, by written resolution of the Fort Lupton Utility Enterprise Board; and

WHEREAS, Section 13-27(a) of the Fort Lupton Municipal Code states the sewer plant investment fee shall be established, and amended from time to time, by written resolution of the Fort Lupton Utility Enterprise Board; and

WHEREAS, the water and sewer plant investment fee schedule is not adequate to provide for the expansion of the water and sewer treatment plants and for upgrades of the system; and

WHEREAS, it is necessary to raise these fees to reflect prevailing market rate trends and consistent with the needs of the City.

NOW THEREFORE BE IT RESOLVED that the City Council, acting as the Fort Lupton Utility Enterprise Board, hereby modify the plant investment fee requirements of Fort Lupton Municipal Code effective April 5, 2021 for new services.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 30th DAY OF MARCH 2021.

City of Fort Lupton, Colorado

Zo Stieber, Mayor

Attest:

Maricela Peña, City Clerk

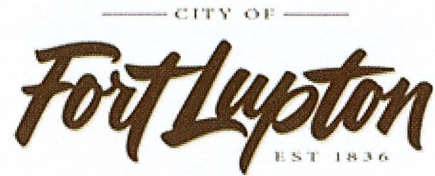
Approved as to form:

Andy Ausmus, City Attorney

CITY OF FORT LUPTON, COLORADO
WATER AND SEWER PLANT INVESTMENT FEE SCHEDULE
Resolution 2021Rxxx
Effective April 5, 2021

Residential		Water Tap Fees:	Sewer Tap Fees:
	SFE		
¾"	1	\$ 7,500.00	\$9,500.00
1"	2	\$ 12,525.00	\$19,000.00
Multi-family / Unit		\$ 4,500.00	\$4,550.00
Commercial			
¾"	2	\$ 9,825.00	\$19,000.00
1"	4.8	\$ 14,725.00	\$45,600.00
1 ½"	11	\$ 29,325.00	\$104,500.00
2"	20	\$ 46,950.00	\$190,000.00
3"	43	\$ 93,975.00	\$408,500.00
4"	83	TBD	\$788,500.00
6"	217.98	TBD	\$2,070,820.00

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Tommy Holton, Ward 2
Bruce Fitzgerald, Ward 3

AM 2021-061

**ACCEPTING THE BID FROM D2C ARCHITECTS AND AWARDING THE CONTRACT FOR
PLANNING, DESIGN AND CONSULTATION SERVICES FOR THE FORT LUPTON SHOOTING
PARK FOR AN AMOUNT NOT TO EXCEED \$50,000.**

I. **Agenda Date:** Council Meeting – April 20, 2021

II. **Attachments:** a. I Design Consulting Services Agreement

III. **Summary Statement:**

*This AM is for payment for to D2C Architects for planning, design and consultation services for
the Fort Lupton Shooting Park at \$50,000.*

IV. **Submitted by:** _____
Chief of Police

V. **Finance Reviewed** _____
Finance Director

VI. **Approved for Presentation:** _____
City Administrator

VII. **Attorney Reviewed** _____ Approved _____ Pending Approval

VIII. **Certification of Council Approval:** _____
City Clerk _____ Date _____

IX. Detail of Issue/Request:

- *D2C was chose after and RFQ and selection process.*
- *The cost for the basic proposal is not to exceed \$50,000 and provides a services list of additional available services that would be approved separately from this AM.*
- *The proposal includes D2C assisting with public meetings needed as the project progresses.*
- *The product of this proposal will offer the City a choice of phased development for range amenities.*

X. Legal/Political Considerations:

Not Applicable

XI. Alternatives/Options:

1. *None*

XII. Financial Considerations:

This will be funded by current grant funds.

XIII. Staff Recommendation:

Approval.



Design Consulting Services Agreement

This PUBLIC WORKS Agreement is entered into by and between the **City of Fort Lupton**, Colorado (hereinafter "City") and D2C Architects (hereinafter "CONSULTANT").

WHEREAS, the parties hereto agree in consideration of the covenants, payments and agreements set forth herein as follows:

1. **SCOPE OF SERVICES.** Consultant shall perform the services included in the scope of work set forth and incorporated herein as **Exhibit A**. Consultant confirms it possesses all necessary professional licenses and is in good standing with the State of Colorado. Further, Consultant states it possesses professional liability insurance.
2. **CONTRACT DOCUMENTS.** This Agreement consists of and includes this Agreement, the Consultant's Scope of Work (Exhibit A) and Conditions of Contract contained in the original Request for Proposal documents attached hereto as **Exhibit B**. In the event of any conflict between any of these documents, this document shall control.
3. **PERIOD OF SERVICE AND SCHEDULE.** The provisions of this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the services stated in the Proposal. Consultant's obligation to render services hereunder will extend for a period that may reasonably be required for the completion of said services. Consultant shall make reasonable efforts to comply with deliverable schedules and consistent with Consultant's professional responsibility.
4. **CONTRACT SUM.** The City shall pay to the Consultant for performance and completion of the work encompassed by this Agreement, and the Consultant will accept as full compensation therefore the sum of not to exceed **\$50,000**, subject to confirmation by the City of completion of the scope of work in accordance with the contract documents attached hereto. Said amounts to be paid upon review and acceptance of the work by the City, in its sole discretion, including completion by the Consultant of any review corrections as determined by the City and approvals deemed necessary by CDPH&E.
5. **CONTRACT APPROPRIATIONS/NO CHANGE ORDERS.** The City states that the amount of money appropriated for this Agreement is equal to or in excess of the contract amount. No change order to this Agreement requiring additional compensable work to be performed, which work causes the aggregate amount payable under this Agreement to exceed the amount appropriated for the original contract shall be issued by the City unless the City notifies the Consultant in writing, that lawful appropriations to cover the costs of

this additional work has been made and the change order is approved by the City in its sole discretion in writing. City shall have the right to make changes within the general scope of Consultant's services, with an appropriate change in compensation and schedule, upon execution of a mutually acceptable amendment or change order signed by authorized representatives of City and Consultant.

6. **AMENDMENT/NO ASSIGNMENT.** No modification or amendment of this Agreement shall be valid unless in writing and signed by all parties to this Agreement. Consultant's services will be performed solely for the benefit of City and not for the benefit of any other persons or entities. Neither City nor Consultant shall assign or transfer interest in this Agreement without the written consent of the other.

7. **COMPLETE AGREEMENT.** This Agreement, and the exhibits hereto, shall constitute the entire agreement between the parties with respect to the subject matter hereof and there are no agreements, representations or warranties other than as set forth herein.

8. **COMPUTER PROGRAMS OR MODELS**
Any use, development, modification, or integration by Consultant of computer software modeling programs does not constitute ownership or a license to City to use or modify such computer software modeling programs.

9. **ELECTRONIC MEDIA AND DATA TRANSMISSIONS**

A. Any electronic media (computer disks, tapes, etc.) or data transmissions furnished (including Project Web Sites or CAD file transmissions) are for City information and convenience only. Such media or transmissions are not to be considered part of Consultant's instruments of service. Consultant, at its option, may remove all indicia of its ownership and involvement from each electronic display.

B. Consultant shall not be liable for loss or damage directly or indirectly, arising out of City's use of electronic media or data transmissions.

10. **DOCUMENTS.** All documents prepared by Consultant pursuant to this Agreement are instruments of service in respect of the Project specified herein. They are not intended or represented to be suitable for reuse by City or others in extensions of the Project beyond that now contemplated or on any other Project. Any reuse, extension, or completion by City or others without written verification, adaptation, and permission by Consultant for the specific purpose intended will be at City's sole risk and without liability or legal exposure to Consultant.

In the event that Consultant is to reuse, copy or adapt all or portions of reports, plans, or specifications prepared by others, City represents that City either possesses or will obtain permission and necessary rights in copyright, patents, or other proprietary rights and will be responsible for any infringement claims by others. Consultant will use professional

judgement and analysis related to any documents produce by others for the City, for which Consultant shall rely on to perform and complete its services.

11. ESTIMATES, SCHEDULES, FORECASTS, AND PROJECTIONS

Estimates, schedules, forecasts, and projections prepared by Consultant relating to loads, interest rates and other financial analysis parameters, construction costs and schedules, operation and maintenance costs, equipment characteristics and performance, and operating results are opinions based on Consultant's experience, qualifications, and judgment as a professional. Since Consultant has no control over weather, cost and availability of labor, cost and availability of material and equipment, cost of fuel or other utilities, labor productivity, construction contractor's procedures and methods, unavoidable delays, construction contractor's methods of determining prices, economic conditions, government regulations and laws (including the interpretation thereof), competitive bidding or market conditions, and other factors affecting such estimates or projections, Consultant does not guarantee that actual rates, costs, quantities, performance, schedules, etc., will not vary significantly from estimates and projections prepared by Consultant.

12. Intentionally deleted.

13. ON-SITE SERVICES

A. Project site visits by Consultant during investigation, observation, construction or equipment installation, or the furnishing of Project representatives shall not make Consultant responsible for construction means, methods, techniques, sequences, or procedures; for construction safety precautions or programs; or for any construction contractor(s') failure to perform its work in accordance with the contract documents.

B. City shall disclose to Consultant the location and types of any known or suspected toxic, hazardous, or chemical materials or wastes existing on or near the premises upon which work is to be performed by Consultant's employees or subcontractors. If any hazardous wastes not identified by City are discovered after a Project is undertaken, City and Consultant agree that the scope of services, schedule, and compensation may be adjusted accordingly. City agrees to release Consultant from all damages related to any pre-existing pollutant, contaminant, toxic, or hazardous substance at the site

14. **TERMINATION.** Services may be terminated by City or Consultant by seven (7) days' written notice in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If so terminated, City shall pay Consultant all amounts due for all services properly rendered and expenses incurred to the date of receipt of notice of termination.

15. **SEVERABILITY.** In the event any portion of this Agreement is held to be unenforceable, the unenforceable portion of this Agreement will be deleted and the remaining provisions of the Agreement shall continue in full force and effect.

16. **GOVERNING LAW.** This Agreement shall be governed by the laws of the State of Colorado. All parties agree that any dispute regarding enforcement of this Agreement shall be filed in Weld County District Court after first attempting in good faith to submit the dispute to mediation. Submission of any dispute to mediation shall be a condition precedent to filing litigation in this matter, other than the request for injunctive relief.

17. **OSHA REQUIREMENTS.** Consultant agrees that it alone bears the responsibility for providing a safe and healthy work environment and shall provide its employees with adequate orientation and training to safely perform the scope of work set forth in this contract. Consultant shall at all times comply with the safety and health regulations of the Occupational Safety and Health Act of 1970 (29 CFR 1926) including all amendments and modifications thereto. In the event there is a conflict between the safety and health provisions of federal, state or local regulations, the more stringent provision shall prevail. Consultant acknowledges and agrees that with respect to the scope of work under this contract, it shall comply with all obligations and assume all responsibilities for its actions regarding all OSHA rules and regulations.

18. **NO WAIVER OF GOVERNMENTAL IMMUNITY.** The City, its elected officials, officers and employees are relying upon, and do not waive or intent to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, C.R.S. Sec. 24-10-101 et seq. as amended or otherwise available to the City. Nothing herein shall operate as a waiver of any right the City has of governmental immunity under Colorado law which is specifically herein reserved.

19. **INDEPENDENT CONTRACTOR.** Consultant is a separate, legal entity from the City and the parties make this Agreement accordingly with the understanding that Consultant at all times is acting as an independent contractor and not an employee or agent of the City. All persons retained by Consultant to perform services pursuant to this Agreement shall be employees or independent contractors of Consultant and are not employees, contractors or agents of the City. Consultant does not have the authority to bind the City by contract or otherwise.

20. **FORCE MAJEURE.** Neither party shall be liable or responsible to the other party nor be deemed to have defaulted under or breached this Agreement for failure or delay in fulfilling or performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected party, including but not limited to fire, floods, embargoes, pandemics, wars, acts of war (whether war is declared or not), insurrections, riots, civil commotions, strikes, lockouts or other labor disturbances, instances affecting public health including pandemics, acts of God or acts, omission, or delays in acting by any governmental authority. Provided, however, that the party so affected shall use reasonable efforts to avoid or remove such causes of non-performance, and shall continue performance hereunder with reasonable dispatch whenever such causes are removed. Either party shall provide the other party with prompt written notice of any delay or failure to perform that occurs by reason of force majeure. The parties shall mutually seek a resolution of the delay or the failure to perform as noted above.

21. **INDEMNIFICATION BY CONSULTANT.** Consultant shall, indemnify and hold the City harmless from damages caused by its negligence, including expenses, or injury to persons or damage to property to the extent caused by negligent activities of Consultant or its sub consultants pursuant to this Agreement. Expenses shall include reasonable out of pocket expenses, attorney fees, expert costs and related litigation fees. To the extent allowed by law, City will require all construction contractors to indemnify, defend, and hold harmless City and Consultant from any and all loss where loss is caused or alleged to be caused in whole or in part by the construction contractors, their employees, agents, subcontractors or suppliers.

22. **APPROVAL REQUIRED.** This Agreement is subject to the final approval of the Fort Lupton City Council and signature by the Mayor of Fort Lupton.

EXECUTED THIS 6th DAY OF **April 2021**.

CITY OF FORT LUPTON, COLORADO

BY: Zo Stieber

TITLE: Mayor

D2C Architects

BY: _____

TITLE: _____

26 January 2021

9 February 2021 – REVISION 1

Chief John Fryar

Fort Lupton Police Department
130 S. McKinley Ave
Fort Lupton, Colorado 80621

Dear Chief Fryar,

We are pleased to present our proposal to render professional architectural design services for the master planning of your Fort Lupton Shooting Sports Park (FLSSP) project in Fort Lupton, Colorado. This property is owned by the City of Fort Lupton and is bordered by State Route 52 to the South, 9th Street (CR 14) to the North, County Road 35 to the East and a solar farm to the West. The various aspects of this project entail:

- Campus (assumed to be roughly 150 acres)
 - o Parking
 - o Site Lighting
 - o Strategically positioned restrooms on the site for public and law enforcement use
 - o Security Fencing
- Skeet, Clays and Trapshooting
 - o To consider 5-10 skeet fields
 - o To consider 5-10 trap fields
 - o To consider 1 Circular/Oval field with 15 positions, 1 round
- Outdoor Gun Ranges
 - o 25 Yard
 - o 50 Yard
 - Potentially combine 25 and 50 yard
 - 15 Lanes total if combined (or 15 for each – TBD)
 - o 100 Yard
 - o 300 Yard
 - Potentially combine 100 and 30 yard
 - 15 Lanes total if combined (or 15 for each – TBD)
 - o Shoot Houses to be provided and considered in the phasing of the project
 - Radiant Heat
 - Lighting
 - Baffled
 - o Less Lethal (Bags, Rubber Balls, etc.) to be used on same range(s) as desired
- Archery Range
 - o To be a lowest priority and “fill in” to the site as space allows
 - 2 fields possible – 14 positions
 - o Hunters Course with 3D animals in the field
 - o No bullseye course
- Training Facility
 - o 1 or 2 story building
 - o Restrooms
 - o 3-4 Offices
 - o Training Rooms
 - o Conference Rooms
 - o Space for Law Enforcement (This extra space would come later with an Indoor Range) Facility

- Armory
- Weapons Cleaning
- o Storage of golf carts and equipment
- o Janitorial

D2C Architects will be the Architect-of-Record (AOR) in this Master Planning pursuit with the City of Fort Lupton. Below is a summary of efforts required to complete the master plan project as well as future tasks that should be considered.

Based on the information we have and our understanding of the project, we anticipate the base services to be finalized in 60-90 days of Notice to Proceed.

Our proposed master plan scope includes the following services/scope. A series of optional services follow the base services and can be added at your discretion:

BASE SERVICES

- **Master Planning** **\$44,500**
 - o Architecture/Range Planning \$42,000
 - Table Top concept master plan layout (minor layout options within the scheme as necessary)
 - Shooting Features
 - Site Amenities – Restroom Shelters
 - Building Structures
 - Depiction of Commercial Property Location
 - Depiction of Oil/Gas Setbacks on the master plan – To be coordinated with Fort Lupton Planning Department
 - Presentation of the concept to Fort Lupton in person or virtually (Zoom)
 - One (1) virtual meeting with Fort Lupton Planning Department on setback, zoning and other planning requirements.
 - Revision of the concept based on Fort Lupton comments.
 - Program Development of enclosed / future buildings (Training Room, etc.)
 - Define spaces and sizes of spaces (how many offices, how many restrooms, how many conference rooms, etc.)
 - o Phasing \$2,500
 - Depict phases of the master plan and priority/order of construction
- **Cost Opinion** **\$5,000**
 - o Single cost estimate with one revision at the conclusion of the master plan phase.
- **Reimbursable Allowance** **\$500**
 - o This is an allowance for the design team to use against direct costs realized, including mileage reimbursement, printing costs, etc.
- **Deliverables** **Included**
 - o Digital Copy of the Master Plan Package
 - o One (1) Printed Package Report that includes:
 - Table Top Master Plan Layout / Colored Master Plan
 - Cost Opinion
 - Assumes the site is flat and for cost opinion purposes and that berms are plus quantities and depressions are reductions in quantities
 - Parametric Level (cost per SF)
 - Phasing Definition
 - Program of Buildings

TOTAL REQUESTED: \$50,000

OPTIONAL ADDITIONAL SERVICES

If the owner or prime agreement requests services that are above and beyond the Basic Services described above, such services will be billed on a then current hourly rate basis. Prior to work commencing, such services requested will be identified and addressed in terms of estimated fees required. Agreement in writing to these services and fees must be obtained prior to D2C Architects undertaking the work. Reimbursable expenses of such agreed to additional services will be billed at cost plus 15% or as agreed upon in the additional services request.

Some potential additional services have been noted below along with associated fees requested for each task. Please initial next to each item for acceptance:

INITIAL TO ACCEPT

- | | | |
|-------|---|----------|
| _____ | Range Demand Study | \$9,000 |
| | <ul style="list-style-type: none">▪ The public access program should be based on the Range Population Demand for Zip Code 80621. This effort includes conducting a competitive analysis of existing shooting facilities in the 50 mile area to predict the shooters, market share, if a substantial population is being served for this site location, etc. | |
| _____ | Landscape Narrative | \$4,500 |
| | <ul style="list-style-type: none">▪ 2D aerial colored site rendering of the final concept. Rendering is not done until the final layout is complete and approved.▪ Landscape and Irrigation narrative | |
| _____ | Civil Narrative and High Level Overview | \$6,000 |
| | <ul style="list-style-type: none">▪ Site inspection and evaluation, inventory of drainage, utility and pavement problem areas, and preparation of related sections in narrative form along with recommendations.▪ Single site drawing depicting utilities, site features, topo, etc. | |
| _____ | Structural Narrative | \$3,000 |
| | <ul style="list-style-type: none">▪ Written Narrative that depicts the structural systems of the proposed structures. | |
| _____ | Mechanical, Electrical, Plumbing Narrative | \$4,000 |
| | <ul style="list-style-type: none">▪ Written Narrative that depicts mechanical system systems, plumbing provisions, electrical and power, lighting systems, IT/Data and technology. | |
| _____ | Community Outreach | \$10,000 |
| | <ul style="list-style-type: none">▪ Meeting/Presentation Preparation▪ Two (2) one hour Meetings with City of Fort Lupton and attending Community Members▪ Presentation of "Hot Topics" as determined in advance of each meeting. Meeting topics shall be determined by Fort Lupton Leadership and D2C Architects. | |
| _____ | Baseline Noise Study | \$7,500 |
| | <ul style="list-style-type: none">▪ Establish existing noise levels at nearby residences. Efforts include placing one sound level meter near the homes to the south of the site and one to the east of the site. Each meter will measure sound levels for a period of 7 days to capture typical ambient levels. Measurement of additional locations or longer durations are not accounted for in this proposal. | |

_____ Computer Noise Prediction Model	\$9,500
▪ A computer noise prediction model of the shooting ranges. The computer model takes into account the distance between the sound source and the sound receivers being evaluated, the terrain and topography, shielding by buildings, shoot houses, sound walls, berms, and the atmospheric conditions. We will use our library of measured sound data for different firearms to model the source levels. The software produces a map with noise contours overlaid on the surrounding area.	
_____ Noise Prediction Mitigation Model	\$4,500
▪ Noise prediction model to evaluate mitigation options such as shooting sheds, berms, orientation of ranges, etc. Work with the design team to consider different options and incorporate the mitigation into the range design.	
_____ Acoustic and Sound Isolation at Buildings	Est. \$12,000 - \$15,000
▪ Evaluate acoustics and sound isolation for the range support building(s) with offices, classrooms, training rooms, etc. Consider reverberation, sound isolation, and mechanical noise within the building as well as exterior noise isolation from the shooting ranges.	

Any agreed to additional services provided shall be pursuant to all terms and conditions listed within this agreement and as noted below.

FUTURE SCOPE ITEMS TO BE PLANNED FOR / ACCOUNTED FOR:

After consensus/approval of the master plan, the team will develop a scope of work for the respective next steps / phase(s). Phases may be combined or individual as Fort Lupton deems appropriate. Each phase may include: Schematic Design, Design Development, Final Construction Documents, Bidding Support and Negotiation and Construction Administration services. Below is a summary of what those phases may entail.

- **Schematic Design** **TBD / Specific to the Phase**
 - This milestone in the project advances the set to a roughly 30% completion point where all disciplines of the design team start to depict the design and engineering aspects. Some of the scope at this milestone includes:
 - o Building Documentation
 - Building Floor Plans
 - Building Elevations
 - Building Roof Plans
 - Building Sections
 - o Site Documentation
 - More detailed site layouts
 - Preliminary Engineering
 - Topography
 - Utility Layouts
 - Preliminary Site Features (Detention Ponds/Drainage, etc.)
 - o Technical Specifications
 - Table of Contents and Specification sections anticipated
 - o Team Coordination

- Design Development** **TBD / Specific to the Phase**

 - This milestone is essentially the half way mark in the project documentation. This phase is also referred to as 50% Construction Documents. At this milestone, all work is captured at a high level and most of the major systems and details are defined. It starts to look at the aspects of the project in more detail and starts to define some of that detail. Some of the scope at this milestone includes:
 - o Building Documentation
 - Code Plans and Analysis
 - Buildings
 - Floor Plans
 - Elevations
 - Roof Plans
 - Building Sections
 - Finish Plans
 - Wall Sections
 - Reflected Ceiling Plans
 - o Site Documentation
 - Site Plan
 - Preliminary Site Details
 - o Technical Specifications
 - Preliminary Pass at full specifications for the project. Some editing is still necessary as not all details are figured out at this milestone.
 - o Civil Engineering
 - Utilities
 - Infrastructure
 - Topography
 - Roadway Improvement
 - Drainage Layouts and Calculations
 - o Structural
 - Foundation Plans
 - Framing Layouts and Preliminary Details
 - o Mechanical/Electrical/Plumbing
 - Lighting
 - HVAC
 - Power
 - Data
 - AV/IT
 - Security
 - o Team Coordination
- Construction Documents** **TBD / Specific to the Phase**

 - This milestone includes advancement of the Design Development set of documents to a construction ready package that will be submitted to the planning and building department for approval. This is essentially a more detailed set of documents that are ready to be stamped and signed by the architectural and engineering team, submitted to authorities with jurisdiction (AHJ) and a contractor for building.
- Permitting Support** **TBD / Specific to the Phase**

 - Assistance by the design team to submit drawings and documents to both planning departments and building departments.
- Bidding Support** **TBD / Specific to the Phase**

 - This milestone includes the design team supporting the City of Fort Lupton with contractor bidding efforts. The architect and engineer answer questions of bidding contractors, clarify

items asked by bidding contractors, and assist the owner with bid tabulation and the bidding process.

- **Construction Observation**

TBD / Specific to the Phase

- Support during the construction of the project where the design team will attend meetings with the owner and contractor, answer RFIs and questions, review submittals for products to be used (concrete mix, foundation reviews, structural framing/steel shops, building wall products, etc.), punch work based on compliance with the drawings and closeout paperwork.

REIMBURSABLE EXPENSES:

In addition to the fees for professional architectural services and possible additional services, D2C Architects, their employees as well any consultant shall be reimbursed for direct project expenses at cost plus a 15%. Reimbursable expenses shall include, but not be limited to:

- Printing / Reproduction Costs
- High Resolution Graphics/ Mounted Boards
- Document Transmittal (Postage, FedEx, Courier Fees, etc.)
- Mileage (rate to be billed at prevailing IRS rate – currently \$0.56/mile)
- Food, Lodging, and Travel Expenses

EXCLUSIONS

The following items are excluded from this proposal and Scope of Services. D2C Architects assumes no liability or responsibility to perform any services not specifically listed in this proposal.

- Scope not specifically identified in specific tasks above
- Professional services made necessary by defects in the work of a contractor or his subs.
- Inspection or testing of any sort
- Entitlement Documentation, Design and Efforts (SIP, SDP, GESC, Land Use App., etc.)
- Traffic Studies
- Off Site Improvement Considerations
- Infrastructure Improvement Considerations and/or Analysis
- Drainage Analysis, Calculations and Letters
- Surveys
- Geotechnical and Environmental Efforts
- Corrosion Analysis and/or Studies
- Permitting and Zoning fees (application costs, etc.)
- Resident Inspection
- Authority with Jurisdiction (AHJ) Coordination or any associated planning/building department efforts
- Pre-Submittal Meetings
- Code Analysis, Code Plan(s), Code Documentation
- Millwork, Casework layout, drafting and details
- O&M Manual Review
- Furniture, Fixtures, Equipment (FF&E) Plans
- Signage Design, Selection and/or Documentation
- Value Engineering efforts
- Fire Protection Engineering (including sprinkler, smoke and fire alarm systems)
- Mass Notification Design and Engineering
- Life Safety Design and Analysis
- Efforts associated with the highway and the building proximity to the highway or other buildings.
- Efforts associate with the oil and/or gas on-site
- 3D Renderings of the buildings and/or site
- Excludes all sound propagation from concerts and/or the amphitheater on this site or nearby sites.

- Professional Photography (Before, During or After)
- LEED Registration Costs (Application Fees, Registration Fees, etc.)
- LEED Efforts (Templates, Checklist, Coordination, Calculations, Submittal Efforts, etc.)
- Commissioning in any capacity
- Provisions for Service/Labor Tax
- Taxes (in any form or fashion)

ASSUMPTIONS

The following items are assumptions our team has made in composing this proposal. If any of these assumptions are not accurate, D2C Architects shall be notified and given adequate time to make edits to the proposal prior to any agreements or contracting being signed and or executed. In the event notification does not occur prior to execution of a contract, D2C Architects reserves the right to request additional services, if necessary, to incorporate such changes. D2C Architects assumes no liability or responsibility directly related to assumptions made specifically in this proposal that were inaccurate but for which the Client did not provide notification of any inaccuracy.

- This proposal will be used as the contract for this project. Alternative contracts that alter contractual language, liability or risk may require additional services.
- Client shall require and shall include provisions in Client Agreement with Contractor that the Contractor shall indemnify Client and Architect for any damages caused by Contractor's negligent acts or omissions.
- Contractor shall indemnify Client and Architect for any damages caused by Contractor's negligent acts or omissions.
- Fort Lupton will hire/consult directly with other for:
 - o Survey (topo, utilities, boundaries, etc.) services
 - o Geotechnical Engineering services
 - o Environmental services
- Electronic Submittals – No more than 3 books of the final master plan report/deliverable.
- Sanitary: Main connection is located at the intersection of 9th Street and County Road 31; approximately 1.5 miles west of the northwest corner of the property.
- Water: Mains are located approximately 2 miles west of the property along State Highway 52. It has also disclosed by Fort Lupton that the water main is undersized to serve this site and project and that a main will need to be upsized further.
- Dry Utilities: Overhead power lines are located along the East side on the site. Gas utility locations are unknown currently.
- Oil and Gas Wells: There are currently oil and gas wells on the property, which are to remain. According to standards, no building shall be within 1,000-foot radius of an active oil and gas well.
- Stormwater: The property is currently sloped to the northeast corner. Drainage and detention would be best located in this area of the site.

Proposed By:
D2C Architects

Eric Combs
D2C Architects
ecombs@D2Carchitects.com

Attachments: N/A



Upcoming Events

Month of April	Citywide Clean Up Days - Voucher Program
April 11-17, 2021	Hillside Cemetery Clean Up, 13750 County Road 12
April 22, 2021	Shredding Day, City Hall, 130 S. McKinley Ave., 8 a.m. – 10 a.m.
April 22, 2021	Clean Up Day for Seniors
April 20, 2021	City Council Meeting, 130 S. McKinley Ave. 7:00 p.m.
April 27, 2021	Town Hall Meeting, 130 S. McKinley Ave. 6:30 p.m.