

TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
TUESDAY, MAY 3, 2016
REGULAR MEETING TOWN BOARD MEETING AGENDA
6:00 – 9:00 P.M.

(ALL AGENDA ITEMS ARE ELIGIBLE FOR DISCUSSION AND POSSIBLE VOTE BY THE BOARD OF TRUSTEES.)

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) AMENDMENTS TO THE AGENDA
- 4) PUBLIC TO ADDRESS THE BOARD/COMMUNICATIONS
- 5) PRESENTATIONS AND HEARINGS
 - a) Ordinance 429, an Ordinance Amending the Morrison Municipal Code to Permit Brew Pubs as a use by Special Review in the Commercial Transitional Zone District
 - b) Ordinance 430, an Ordinance Amending the Morrison Municipal Code to Prohibit Rooftop Patios in the Commercial Transitional (CT) Zone District
 - c) Outdoor Amplified Music Regulations
 - d) Trash Services for the Town of Morrison
- 6) GENERAL BUSINESS
 - a) Ordinance 431, an Ordinance Amending Parking Regulations and Declaring an Emergency
 - b) Ordinance 432, an Ordinance Amending the Morrison Municipal Code to Provide for Collection of Delinquent Fees, Rates and Charges
 - c) Appointments to the RV Planning Commission
 - d) Parking at Mount Vernon/Market Street
 - e) Electronic Referral – Rooney Ranch Business Center Northwest
 - f) Electronic Referral – Rooney Ranch Business Center Southeast
 - g) Appointment to the Town of Morrison Planning Commissioners
- 7) DEPARTMENTAL REPORTS
 - a) Police Department
 - b) Museum
 - c) Utility
 - d) Town Administrator
 - e) Attorney
- 8) CONSENT AGENDA
 - a) Minutes
 - b) Payroll
 - c) Vouchers
- 9) BOARD MEMBER COMMENTS
- 10) EXECUTIVE SESSION

For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) - Concerning Public Records and Public Meetings requirements.
- 11) ADJOURNMENT

Reasonable accommodation will be provided upon requests for persons with disabilities. If you require any special accommodation in order to attend a Town Board of Trustee Meeting, please call the Town Clerk at 303-697-8749. Next Board of Trustees Meeting, May 17, 2016.

TOWN OF MORRISON
BOARD OF TRUSTEES REGULAR MEETING
May 3, 2016
Board Action Form

SUBJECT: Ordinance 429, An Ordinance Amending the Morrison Municipal Code to Permit Brew Pubs as a use by Special Review in the Commercial-Transitional Zone District.

PROCEDURE: Adopt an Ordinance

RECOMMENDATION: Adopt an Ordinance

TOWN ATTORNEY REVIEW: YES NO

MOTION: Motion to adopt Ordinance 429, An Ordinance Amending the Morrison Municipal Code to Permit Brew Pubs as a use by Special Review in the Commercial-Transitional Zone District.

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES**

ORDINANCE NO. 429

**AN ORDINANCE AMENDING THE MORRISON MUNICIPAL CODE TO
PERMIT BREW PUBS AS A USE BY SPECIAL REVIEW IN THE
COMMERCIAL-TRANSITIONAL ZONE DISTRICT**

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees; and

WHEREAS, the Board of Trustees has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, in the exercise of this authority, the Board has previously adopted regulations for uses, yard and bulk requirements for the Commercial Transitional (CT) District; and

WHEREAS, the regulations currently permit Eating Establishments as a use by right, and Drinking Establishments as a use by special review in the CT District; and

WHEREAS, the regulations do not currently permit brew pubs in the CT District; and

WHEREAS, the Board finds that permitting brew pubs as a use by special review in the CT District would be consistent with other uses in that District.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado, that:

SECTION 1. Section 10-1B-2 (Words and Terms) of the Morrison Code is amended by the addition of a new definition in its appropriate alphabetical location as follows:

“BREW PUB: A retail establishment that manufactures malt liquor and fermented malt beverages on its licensed premises which establishment shall have properly obtained a brew pub alcohol beverage license from the Town and the state licensing authority under CRS 12-47-415, and which sells alcohol beverages for on-premises consumption only if at least fifteen percent of the gross on-premises food and drink income of the business is from the sale of food, as described by CRS 12-47-415(4).

SECTION 2. The “Commercial Use Groups” chart contained within Section 10-1E-6.A of the Morrison Municipal Code is amended by the addition of a new use No. 30 “Brew Pubs” as follows:

	CT	C1	C2
30. BREW PUBS	R	NO	NO

SECTION 3. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall take effect thirty (30) days after adoption and publication as provided by Section 3.14 of the Home Rule Charter.

INTRODUCED, READ, PASSED AND ADOPTED this ____ day of _____, 2016, by a vote of ____ ayes and ____ nays.

TOWN OF MORRISON:

Sean K. Forey, Mayor

ATTEST:

Charla Bryant, Town Clerk

TOWN OF MORRISON
BOARD OF TRUSTEES REGULAR MEETING
May 3, 2016
Board Action Form

SUBJECT: Ordinance 430, an ordinance amending the Morrison Municipal Code to prohibit roof top patios in the Commercial Transitional (CT) Zone District

PROCEDURE: Consider Ordinance.

TOWN ATTORNEY REVIEW: YES NO

MOTION:

1. Motion to adopt Ordinance 430, an ordinance amending the Morrison Municipal Code to prohibit roof top patios in the Commercial Transitional (CT) Zone District
2. Motion to adopt Ordinance 430, an ordinance amending the Morrison Municipal Code to prohibit roof top patios in the Commercial Transitional (CT) Zone District, with the following conditions.
3. Motion to not adopt Ordinance 430, an ordinance amending the Morrison Municipal Code to prohibit roof top patios in the Commercial Transitional (CT) Zone District.

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES**

ORDINANCE NO. 430

**AN ORDINANCE AMENDING THE MORRISON MUNICIPAL CODE TO
PROHIBIT ROOFTOP PATIOS IN THE COMMERCIAL
TRANSITIONAL (CT) ZONE DISTRICT**

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees; and

WHEREAS, the Board of Trustees has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, in the exercise of this authority, the Board has previously adopted regulations for uses, yard and bulk requirements for the Commercial Transitional (CT) Zone District; and

WHEREAS, the Board finds that operation of rooftop patios in the CT District produces noise impacts beyond the buildings involved and beyond the boundaries of the CT District; and

WHEREAS, the Board finds that construction of additional rooftop patios in the CT District would negatively affect the appearance of the Town's main commercial street, which bisects the CT District; and

WHEREAS, the Board finds these impacts negatively affect the health, safety and welfare of Town residents and the quiet enjoyment of residential properties; and

WHEREAS, the Board finds that it is appropriate to prohibit new construction of rooftop patios in the CT District to limit these negative effects.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado, that:

SECTION 1. Section 10-1B-2 (Words and Terms) of the Morrison Municipal Code is amended by the addition of a new definition in its appropriate alphabetical location as follows:

“**ROOFTOP PATIO:** A new or remodeled structure or area located on or above the roof of a new or existing commercial structure, designed or used for patrons of the business located in that structure.”

SECTION 2. The “Commercial Use Groups” chart contained within Section 10-1E-6A of the Morrison Municipal Code is amended by the addition of a new Note No. 2 to the Commercial Use Group table:

“2. Rooftop patios are not permitted in the CT District.”

SECTION 3. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall take effect thirty (30) days after adoption and publication as provided by Section 3.14 of the Home Rule Charter.

INTRODUCED, READ, PASSED AND ADOPTED this ____ day of _____, 2016, by a vote of ____ ayes and ____ nays.

TOWN OF MORRISON:

Sean K. Forey, Mayor

ATTEST:

Charla Bryant, Town Clerk

50

**TOWN BOARD MEETING
MORRISON TOWN HALL
110 STONE STREET
TUESDAY AUGUST 15, 2006**

CALL TO ORDER: Mayor Williams called the meeting to order at 7:05 p.m.

ROLL CALL: Clerk Hedberg called the roll. Mayor Williams, Trustees Aukland, Paul, and Price were present. Trustees Mikity, and Oswald were absent. A quorum was declared. Trustee Dichter arrived at 7:08.

AMENDMENTS TO THE AGENDA: EDS Waste Solutions trash disposal contract was removed, as the revised contract was not available for consideration. Trustee Price asked that employee salary increases be added. The item was placed under General Business.

PUBLIC TO ADDRESS THE BOARD: Kim Congello, 300 Spring Street, reiterated her request that Morrison have a 24 hour 7 day per week police department in order to increase response time. She inquired about the status of the proposal submitted by the Police Department to increase the service. Mayor Williams indicated that the matter was still under consideration; that it has not been fully explored, and would be evaluated at the next budget session. Mayor Williams advised that citizen input is welcome during Town budget discussions.

Bill Leonard, 116 South Park Avenue, brought the following issues to the Board's attention: Concerns over unresolved issues that he believed should be settled prior to any sale of the TnT Country Kitchen; Trail embankment maintenance; Town Hall maintenance; Trail fencing at the Blue Cow; Two Creek Park embankments; Fire engine being included in the Centennial Celebration; Reactivating the fire siren; Parking in the alley between Stone Street and the Mill Street Bridge; Heritage Square and Walker Square maintenance including refurbishing the bust of Helen Jordan; Bottled water from the Bradley well; Public access to the Bradley parking lot; and Dedication of the Memorial Plaza to George Morrison as part of the Centennial Celebration.

PRESENTATIONS/HEARINGS: Mayor Williams opened a public hearing for comments on Ordinance 340 "Amending Section 10-1B-2 and Section 10-1G-8 of Title 10 of the Morrison Municipal Code to Permit the Erection of Storage Sheds Meeting Certain Bulk and Height Criteria Within Side and Rear Setbacks in the R-1 and R-2 Residential Zone Districts in the Town of Morrison". No public comment was given. Attorney Miller advised deleting the words, "not affixed to the ground" from the Ordinance due to wind speeds. Illegal structures and structure size was reviewed. **MOTION** by Aukland, **SECOND** by Paul to adopt Ordinance 340 as amended. **VOTE:** Mayor Williams, Trustees Aukland, and Paul **IN FAVOR**. Trustees Dichter and Price **AGAINST**. **MOTION PASSED.**

Mayor Williams convened the Morrison Liquor Licensing Authority for the purpose of reviewing a Retail License Application for Transfer of Ownership, Permit Application and Report of Changes for Modification of Premises, and Temporary Liquor License Application for DYK, Inc. d/b/a Morrison Holiday Bar, 403 Bear Creek Avenue. David Killingsworth and Mark Richardson were present to represent the applicant. Impact, needs, and desires of the neighborhood were addressed. Proposed construction with regard to the flood plain, parking spaces, lighting, and noise were discussed. **MOTION** by Aukland, **SECOND** by Dichter to approve the liquor license transfer. **VOTE:** All present voting **IN FAVOR**. **MOTION PASSED.** Manager approval was considered. **MOTION** by Dichter, **SECOND** by Aukland to approve Mark Richardson as the manager. **VOTE:** All present voting **IN FAVOR**. **MOTION PASSED.** The Temporary Liquor License was addressed. **MOTION** by Dichter, **SECOND** by Aukland to approve issuance of a temporary liquor license. **VOTE:** All present voting **IN FAVOR**. **MOTION PASSED.** The request for modification of the premises was examined. Conditions were discussed including: Allowing outdoor amplified music Sunday through Thursday until 11:00 p.m. and Friday and Saturday until 12:00 p.m.; Requiring outdoor lighting to be downcast; Requiring any issues with the sewer line location to be resolved prior to construction; and requiring the Licensee to comply with all applicable codes and ordinances prior to use of the modified premises. **MOTION** by Dichter, **SECOND** by Aukland to approve the modification with the aforementioned conditions. **VOTE:** All present voting **IN FAVOR**. **MOTION PASSED.** It was noted that the noise restrictions attached were not uniform for other Town restaurants. Attorney Miller suggested sending a letter to Town restaurants advising that the Board will consider modifying noise restrictions at their next board meeting. Mr. Miller cautioned the applicant not to close on the sale of the business until their liquor license transfer is approved by the State.

TOWN OF MORRISON
 BOARD OF TRUSTEES SPECIAL MEETING
 May 3, 2016
 Board Action Form

SUBJECT: Request for Proposals were sent to three trash companies and all three submitted proposals. Each proposal has additional information or services that they can provide included in their proposals. Here is the breakdown of costs:

	Waste Management	Republic Services	Alpine Waste & Recycling 5 Yr. Contract
Residential Monthly Costs			
96 Gallon Trash	\$18.38	\$13.25	\$20.25
64 Gallon Trash	\$16.54		\$15.25
96 Gallon Recycling Biweekly	\$4.66	Included	Included
64 Gallon Recycling Biweekly	\$3.96		Included

Commercial Monthly Costs			
2 Yard 1x Week	\$96.00	\$96.00	\$87.00
2 Yard 2x Week	\$185.42		\$157.00
3 Yard 1x Week		\$105.00	\$99.00
2 Yard Recycle 1x Week	\$117.05		\$63.00
2 Yard Recycle 2x Week	\$226.59		
3 Yard Recycle 1x Week		\$117.00	

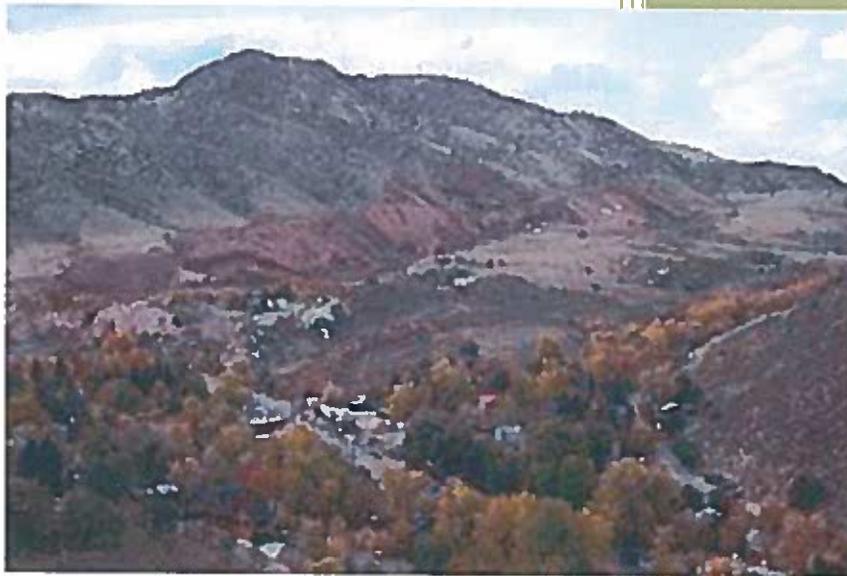
TOWN ATTORNEY REVIEW: [] YES [x] NO - Upon selection of a company the Town Attorney can draft an agreement.

MOTION: Motion to authorize staff to draft a contract for approval by the Board at a later meeting.



April 20, 2016

Waste and Recyclable Proposal for Morrison, CO



Overview

Waste Management of Colorado is excited to present the following proposal for the Town of Morrison. Being Colorado's leading trash and recycling services company, Waste Management has provided a level of dependability and value unmatched by any other trash and recycling services provider.

The following proposal is designed to continue to provide the Town with a professional waste collection and disposal service; protecting the quality of life by maintaining aesthetic values of the community.

Benefits for the Community with Waste Management

- Guaranteed; proven service
- Unmatched safety programs
- A financially stable company with over 30 years of experience in Colorado
- Competitive pricing

ABOUT WASTE MANAGEMENT OF COLORADO

Waste Management of Colorado, Inc. (WM), was incorporated in the State over 30 years ago and provides solid waste, recycle and disposal services to over 190,000 municipal, commercial, industrial and residential entities in Colorado. The company employs approximately 1,200 full-time personnel in Colorado. Locally, Waste Management proudly services the Town of Morrison from our site at 2400 W Union Ave, Englewood, CO

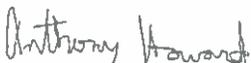


WM is the premier environmental solutions partner for the Town of Morrison. Our leadership in comprehensive waste reduction, recycling, energy recovery, and collection/disposal services will assist the Town in meeting their goals.

WM meets all standards and requirements set by state and local government. The company has never filed for reorganization or bankruptcy. There have been no criminal or civil suits or litigation brought against the company; nor have there been any violations of traffic ordinances or health regulations involving the company's activities in the State of Colorado; nor have there been any penalties imposed under any municipal or county contract within the last five years.

We look forward to our renewed relationship serving the Town of Morrison. If you have any questions, please do not hesitate to contact me at 719-493-3916.

Thank you,



Anthony "Tony" Howard
Public Sector Solutions
WM of Colorado

I. QUALIFICATIONS

Waste Management of Colorado is incorporated in the State of Colorado and provides collection, recycling and disposal services to more than 190,000 municipalities, commercial, industrial and residential customers throughout 41 counties in Colorado. The company employs approximately 1,200 full and part-time personnel, and has been servicing Colorado for nearly 30 years.

In our 30-year history, Waste Management has always been and continues to be in good standing with the State of Colorado. Furthermore, Waste Management maintains a Satisfactory Carrier Safety Rating by the US Department of Transportation - documentation for both items available upon request.

The Town of Morrison will be serviced from our facility located in Englewood, Colorado.

Waste Management of Colorado, Inc.

2400 W Union Ave

Englewood, CO 80110

Contact Name: Anthony "Tony" Howard

Contact Phone: 719 493 3916

Email: ahoward1@wm.com

While we have the resources of a national company, make no mistake about it our heart is local, when you really think about it, the waste industry by its very nature is inherently local. Waste Management's recycling plants, our operations, our equipment, and the people who make us who we are, are all right here. Of note, Waste Management maintains an open door policy at all our facilities, thus Town staff and elected officials are always welcome. With Waste Management's long-term commitment to the region, our experience and financial stability, you can feel confident in relying on us to meet your needs now and in the future.

Waste Management is the most committed collector and processor of recyclable material in the industry handling more recyclable material than any other entity. Our stated mission is to triple the amount of material we are recycling by 2020 and Waste Management will accomplish this goal by knowing more about our customer's waste stream than anyone else. Nationally, hundreds of municipalities rely on WM for their Recycling and other waste management needs.

Safety - Mission to Zero (M2Z) Program

Waste Management is fully committed to safety as a top priority and nowhere requires safety to be at the forefront more than in the mountain community of Morrison. Waste Management's devotion to safety is demonstrated through our development and implementation of the MISSION TO ZERO (M2Z) program. We believe that safety is everyone's responsibility. From the newest supervisor trainee to the senior leadership team we are all accountable for its success. Safety is the cornerstone of the way we do business as a company. Simply put, it means that if it is not safe, we will not do it. Nothing we do is so important that we will put people at risk.

Prior to hiring any driver, the following measures are taken to ensure competency and Patriot Act compliance:

- Third-party background checks including previous employment verification, drug and alcohol test information, and 10 year work history.
- Criminal and injury background check.
- Motor Vehicle Record (MVR) review.

- Physical examination that is much more intensive than required by the DOT.
- Pre-employment drug screen.
- Road test with a Route Manager.

Once hired, drivers must participate in on-going training, both in-class and on-the-job and drug and alcohol testing programs to include:

- A minimum of five (5) days classroom and hands-on training including driver orientation, rules book knowledge, safe driving, disposal site safety, vehicle inspections and our Waste Watch program.
- A minimum of two (2) weeks on-the-job training with a driver trainer that includes incremental assessments, evaluations and focused training that promotes safe and efficient development of skills, attitudes and behaviors and clearly defines expectations and accountability.
- On-going training performed by supervisors who conduct route and landfill observations, ride-alongs, and truck inspections with each driver at least monthly.
- Mandatory weekly safety meetings covering various subjects including defensive driving techniques, customer service, regulatory compliance, recent driving issues, incidents and other relevant training.
- Mandated DOT drug and alcohol testing program that includes 50% random testing for drugs and 10% random testing for alcohol on a monthly basis and post-accident and reasonable suspicion testing.

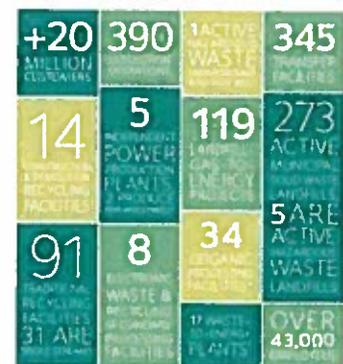
Waste Management's M2Z program has resulted in 20% reductions in employee injuries in each of the last three years for a total three-year reduction of 60%. Many other Fortune 500 companies like American Airlines and Caterpillar are asking to benchmark our safety program in an effort to improve their performance.

II. INNOVATIVE PROGRAMS

Most people identify us by our green trucks and green bins. They think of us as a garbage company. But today's Waste Management is much more than that. We are an environmental solutions company that provides resource sustainability for families, businesses, and municipalities. We are committed to helping our customers thrive and prosper through business practices that reflect social responsibility and environmental excellence.

Our company's sustainability goals reflect many of the values expressed by the Town of Morrison. For example, Waste Management is:

- Collaborating with information technology experts to create routing efficiencies reducing the carbon footprint of our operations.
- Building infrastructure and partnerships to expand access to recycling
- Educating and engaging with business, residential, and municipal customers to maximize waste reduction and diversion by changing the way they think about waste



- Protecting wetlands and wildlife
- Implementing aggressive internal sustainability programs for our own operations
- Investing in clean, alternative ways to turn waste into energy

Recycling Tracking and Reporting Capabilities

Waste Management understands the importance of tracking the volume of recyclables collected and, subsequently, the successful impact Morrison's recycling program will have on the community.

With that in mind, Waste Management has the capability to separately track the volume of trash generated under a municipal agreement with the Town of Morrison. This will be easily accomplished, as Waste Management has access to tonnage reports through the Landfill and Materials Recovery Facility, (MRF). Reporting is easily accomplished as Waste Management has the capability to translate this information into positive environmental impacts for the Town specifically, including landfill diversion rates.

Education and Promotional Programs

Educating the public on the importance of recycling and the benefits realized are important for an effective program with a high participation rate. We have found that education does yield more recyclables per household, helps limit residue/contamination, and makes programs more efficient and sustainable. Waste Management will work closely with the Town to fully support the promotion and education of the Town's diversion goals and recycling program, including:

- Advance notice of recycling services, including a collection schedule and map and list of acceptable recyclables
- Development of a comprehensive public relations plan, in conjunction with the Town, designed to inform, educate, and ultimately increase diversion rates
- Provide tours of our WM Facilities
- Participate in all public informational meetings requested by the Town

In addition, Waste Management will provide the following communication avenues, and educational and promotional activities:

- Advertisements in the local newspapers
- Quarterly recycling tips and information in the Town's newsletter
- Educational material for inclusion in the Town's utility billing mailers as needed
- Available for press interviews and media activities
- Attendance at appropriate town staff meetings and workshops
- Ongoing communication and ride-alongs, if requested, with elected officials and staff members
- Creative solutions to local environmental challenges – waste diversion opportunities
- Innovative programs to help increase recycling participation and decrease contamination in recycling containers

III. REFERENCES

City of Monte Vista, Colorado

Services Provided

Curbside and Alley residential trash collection and all municipal facility collection, including parks and open space

Owner's Representative and Phone Number

Forrest Neuerburg, City Manager, 719-852-2692, citymgr@ci.monte-vista.co.us

Description of Services

Curbside and alley residential trash collection. Also providing trash to municipal facilities, parks and open space.

City of Evans, Colorado

Services Provided

Curbside residential trash and single stream recycling collection and all municipal facility collection, including parks and open space

Owner's Representative and Phone Number

Fred Starr, Director of Public Works, 970 475 1170, FStarr@evanscolorado.gov

Description of Services

Curbside residential trash and single stream recycling collection of approximately 4,600 homes. Also providing trash and single stream recycling services to municipal facilities. Parks and open space receive trash collection only.

Commerce City, Colorado

Name of Services Provided

Curbside residential trash and single stream recycling collection; municipal facility collection

Owner's Representative and Phone Number

Maria D'Andrea P.E., Director of Public Works, 303 289 8156, mdandrea@c3gov.com

Description of Services

Curbside residential trash and single stream recycling collection of approximately 15,000+ homes. Also providing trash and single stream recycling services to municipal facilities.

IV. BASE PROPOSAL

RESIDENTIAL PROPERTIES

- TRASH 96 GALLON CART – 1X/WEEK - \$18.38/MONTH
- TRASH 64 GALLON CART – 1X/WEEK - \$16.54/MONTH
- RECYCLING 96 GALLON CART – BI-WEEKLY SERVICE – \$4.66/MONTH
- RECYCLING 64 GALLON CART – BI-WEEKLY SERVICE - \$3.96/MONTH

COMMERCIAL PROPERTIES*

- 2 YARD TRASH CONTAINER – 1X/WEEK – \$96.00/MONTH
- 2 YARD TRASH CONTAINER – 2X/WEEK – \$185.42/MONTH
- 2 YARD RECYCLE CONTAINER – 1X/WEEK- \$117.05/MONTH
- 2 YARD RECYCLE CONTAINER – 2X/WEEK- \$226.59/ MONTH

***COMMERCIAL RATES VARY ON TYPE OF MATERIAL, LOCATION, AND ACCESS TO CONTAINER. THESE RATES ARE A SNAP-SHOT AND ESTIMATE OF BASE RATE AND DO NOT INCLUDE DELIVERY/REMOVAL, FUEL, ENVIRONMENTAL, OR DELIVERY SURCHARGES WHERE APPLICABLE.**

CONSUMER PRICE INDEX. THE COMPENSATION PAYABLE TO THE CONTRACTOR SHALL BE ADJUSTED UPWARD ANNUALLY ON THE ANNIVERSARY DATE OF THE CONTRACT TO REFLECT CHANGES IN THE COST OF DOING BUSINESS, AS MEASURED BY FLUCTUATIONS IN THE CONSUMER PRICE INDEX (CPI) PUBLISHED BY THE U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS FOR THE URBAN CONSUMERS WEST COAST FOR ALL ITEMS PENDING AN ANNUAL REVIEW WITH THE CITY. ANY PERCENT CHANGE IN THE CPI SHALL EQUAL THE PERCENT CHANGE IN THE COLLECTION RATE, WITH A FLOOR NO LOWER THAN 0% PER YEAR.

Fuel Protection. Fuel surcharges shall not be based on a percentage of the gross sales; rather the increase (surcharge) in the monthly bill shall be calculated based on miles driven to provide the service, the fuel mileage of the vehicles, and the national average cost of diesel fuel. The regional cost for diesel fuel shall be determined on the third Monday of the month from the following website:

<http://tonto.eia.doe.gov/ooq/info/wohdp/diesel.asp>. (Rocky Mountain Region)

The base rate to include for diesel fuel shall be \$2.80 per gallon. Any time the national average is below \$2.80 no surcharge shall be imposed.

V. SUMMARY

This proposal details Waste Management of Colorado's solutions for addressing Morrison's long-term waste and recycling needs. Waste Management has designed this program to achieve the optimum balance between service, price and convenience. All of these services are supported by the strength and experience of North America's leading waste services company and are backed by the waste industry's most comprehensive Service Guarantee. If the Town has any questions about any aspect of this proposal or would like to discuss any topic in greater detail, please feel free to contact Anthony Howard at (719) 493-3916.

Republic Services

Denver Hauling Division

Town of Morrison

Proposal for Solid Waste Collection
Services





April 20, 2016

Town of Morrison
Refuse and Recyclables Collection Proposal
c/o Kara Zabilansky
Town Administrator
321 Colorado Highway 8
Morrison, CO 80465-3001

RE: Response to the Town of Morrison request for Proposal for Residential Waste Service and Recycling Collection

Republic Services ("Republic") is pleased to submit a proposal to the Town of Morrison for Solid Waste and Recyclables Collection. Our goal in preparing this proposal was to be responsive to the scope of services desired, and to ensure the highest standards of solid waste collection and recycling for the residents of the Town of Morrison at the most competitive rates.

Republic Services is ready, willing, and able to perform the services as proposed with the utmost diligence and professionalism and to provide all of the services required at a level that we believe will be unmatched by our competition. We are proud of our reputation as an outstanding leader within the solid waste industry, and look forward to the opportunity to serve as the Town of Morrison integrated waste stream management service provider and a supportive member of the community.

The legal entity that will be entering into an agreement with the Town of Morrison is Allied Waste Transportation, Inc, d/b/a Republic Services of Denver. Allied Waste is a wholly-owned subsidiary of Republic Services, Inc. ("Republic"). Republic is the 2nd largest integrated waste and recycle stream management company in the United States and the strongest financially among the major publicly-held solid waste management companies in the nation.

The key contact for the Town of Morrison will be Mr. Mark Petrovich. Please contact Mark with any questions or concerns. We at Republic Services appreciate your consideration of our proposal and look forward to the opportunity to serve the Town of Morrison and its residents.

Respectfully,

Mark Petrovich
Municipal Services and Managed Properties Manager
5075 E. 74th Ave. Commerce City, CO 80022
(720) 590-4329, fax (303) 288-0305
e-mail mpetrovich@republicservices.com

cc: Bernice Carmosino – Division Controller- Republic Services, Denver Mountain

Scope of Service

Service Options

Curbside trash and single stream recycle collection for the residents of the Town of Morrison will be structured as follows:

- Republics service offering will consist of weekly curbside trash and every other week single stream recycling collection. This service offering **does include a 96 gallon trash cart and a 96 gallon recycle cart with no additional fee.** This service does include a weekly maximum of; the 96 gallon trash cart plus 7- (32 gallon) bags of normal household waste or 7 bags/bundles of yard waste. Recyclables are unlimited.
- **65 gallon** trash and/or recycle carts are available instead of 96 gallon. The only requirement is we want to use the same size cart per waste stream. Meaning, you can have 96 gallon trash carts and 65 gallon recycle carts or visa versa.

Additional Services:

- Large/Bulk Item Pick-Up:

Republic Services will provide Morrison residents an opportunity to have large bulk items picked up at a nominal fee. In the event a homeowner would like Republic Services to remove a bulk item, the resident must call Republic Services 24 hours in advance to request the bulk pick up. The cost of the pick-up shall be billed directly to the homeowner by Republic and are listed below.

ITEM	METRO
BBQ Grill	\$ 15.00
Carpet Bundled (per roll)	\$ 15.00
Chair	\$ 15.00
Coffee Table (small)	\$ 15.00
Construction Material (limit is 1 container/bundle)	\$ 15.00
Desk	\$ 15.00
Dishwasher	\$ 15.00
Door	\$ 15.00
Dresser Large (5 or more Drawers)	\$ 15.00
Dresser Small (4 Drawers)	\$ 15.00
End Table	\$ 15.00
Garage Door (4' per section)	\$ 15.00



Hot Water Heater	\$ 15.00
Love Seat	\$ 15.00
Mattress / Box Springs	\$ 15.00
Microwave (portable/non-mounted only)	\$ 15.00
Recliner	\$ 15.00
Sink (Porcelain only)	\$ 15.00
Sofa	\$ 15.00
Sofa Sleeper	\$ 15.00
Stove	\$ 15.00
Table	\$ 15.00
Toilet (Porcelain only)	\$ 15.00
Tub (Porcelain only)	\$ 15.00
Washer / Dryer	\$ 15.00
Water Bed / Each Section	\$ 15.00
Desk top printer	\$ 15.00
Lawn mower no oil no gas	\$ 15.00
Table Saw	\$ 15.00
Ping Pong Table (folded)	\$ 15.00
Not-Accepted Items	
Cast Iron	
Freon: Refrigerators, Air conditioners	
Cement, Dirt, Rocks, Steel	
Hazardous Materials (special waste)	

■ **Holiday Tree Collection:**

Included in the services contained within this proposal, Republic Services will remove holiday trees placed curbside during regular trash collection services. We do ask for the tree to be cut in half and the branches tied down for ease and safety of loading. The tree collected curbside will not be recycled.

■ **Physically Impaired Carry Out Service:**

Republic Services will provide carry out trash and recycle service to Morrison residents who are physically unable to move their trash/recycle containers to the collection area. The containers must be placed in an area where the collection driver does not have to enter a fence or other closed area to access the containers. This service is provided at **no extra cost** to the resident.



■ Special Events:

Republic Services continues to be more than just a service provider - we strive to be active members of the communities we serve. Staying true to our mission, Republic Services would like to participate with special events/community clean up days hosted by the Town of Morrison by providing three (3) 30 yard roll offs per year, at no extra cost, to handle the events refuse. This offer is valid every year the agreement between Republic Services and the Town of Morrison is in effect. Additional containers requested above and beyond the three (3) annual complimentary cans will be charged at \$250 per haul, \$25.00 per ton over 4 tons.

Single Stream Recycling Service

■ Curbside Single Stream Recycling:

Recycled material shall be collected on an every other week basis the same day as trash collection. Recyclables will be collected in a "single stream" manner, meaning, no need to separate recyclable products. All recyclable material collected by Republic Services through Morrison will be delivered to a local Material Recovery Facility.

Acceptable Single Stream Items

Clean Paper :

- Flattened cardboard (limit 2X3 ft)
- Newspapers, inserts
- Magazines, catalogs
- Phonebooks
- Paperback books
- Mail (Window envelopes OK)
- Paper bags, food boxes

Paper Food Containers:

- Clean caper Cups
- Milk and juice cartons
- Juice Boxes
- Frozen food Boxes

Clean Plastic:

- Bottles, jars, jugs (food, shampoo, vitamin, etc)
- Labels are OK, NO lids or caps
- Plastic food tubs (yogurt, cream cheese etc...)

Clean Metal:



-
- Aluminum & tin cans, empty aerosol cans, scrap metal (limit, 2x2x2 feet and 35 lbs)

Glass:

- Bottles & jars (all colors and sizes)
- Labels OK
- NO lids or caps

Not Accepted Single Stream Materials

Electronic and Hazardous Waste

Fluorescent tubes and bulbs, electronics (computers, cell phones, TVs etc.), rechargeable batteries, and hazardous products (cleaners, solvents, etc.) do not go in the recycling or garbage.

Not Accepted Household Items

- Food residue, garbage
- Plastic bags
Reuse or recycle at grocery stores
- Styrofoam containers, packing
- Styrofoam peanuts
Can be reused at mailing houses
- Paper towels, plates, napkins
OK in yard waste/compost pile
- Shredded paper
OK layered in yard cart
- Disposable diapers, rags
- Plastic take-out containers
- Plastic trays (bakery, meat, etc.)
- Plastic plates, utensils

-
- Prescription vials
 - Food wrap
 - Toxic containers
 - (paint, oil, antifreeze, pesticides, etc.)
 - Aluminum foil, foil trays
 - Needles, syringes
 - Sharp or greasy items
 - Knives, scissors
 - Ceramics, dishes
 - Light bulbs, windows, mirrors

Collection Containers

■ Container Exchange/Repair:

All container exchange requests for repair or replacement due to damage must be called into Republic to schedule the removal of the damaged container and the delivery of a replacement container. Repair/damage exchanges will be processed at no additional charge at the time the call is received and will be delivered within one (1) week of the call received. The first replacement of a damaged cart is provided at no cost to the homeowner. Subsequent container replacement requests to the same residence due to damage and/or neglect by the homeowner, will be charged at \$65 per occurrence billed directly to the residence.

■ Collection Container Ownership:

It is understood by Republic Services as well as the Town of Morrison that the 96 gallon/65 gallon collection containers, both trash and recycle will remain the property of Republic Services during the entire term of said agreement, including any and all extensions and/or renewals.

Operations

Operation Schedules

Refuse collection will take place on a weekly basis. Recycle collection will take place the same day as trash, every other week. Collection will start no earlier than 7:00 a.m. and will be completed prior to 7:00 pm. Inclement weather, vehicle malfunctions and other contingencies beyond Republic Services reasonable control can affect collection completion times.

When a holiday falls on a weekday, collection will be delayed one day. Holiday's shall be New Year's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. A schedule of which holidays will cause a delay in service will be provided each year as the holiday delays change yearly.

Equipment Accidents and Infractions

Republic Services will maintain records of any/all accidents or infractions by Republic Services employees servicing the Town of Morrison. These reports will be submitted to the Town for their review as part of our normal business reporting practices.

Best in the Business Drivers

All Republic Services drivers undergo an extensive background check through E-Verify and CDL verification, including pre-employment and random drug screens, prior to joining the Republic team. Once employment is offered, every driver undergoes the Smith System Defensive Driver Training program as well as continuous DOT training to ensure all skills are up to date and current. Republic Services does provide all drives with PPE (Personal Protection Equipment) to ensure their safety on the job and the safety of those they service. All drivers carry two way radios which allow real time problem solving when necessary as well as assists Republic in carrying out our **"We're Looking Out for You Program"**. This program trains all drivers to keep their eyes and ears open for anything out of the ordinary on their routes. It is like having another **"Neighborhood Watch"** program rolling through your neighborhoods.

The Town of Morrison /Trash & Recycle Service Solid Waste and Recycling Pricing Sheet

Collection Service	Unit of Measure	Estimated Quantity	Unit Cost	
Weekly Trash Every Other Week Single Stream Recycle 96 Gallon Trash Cart 96 Gallon Recycle Cart	Monthly	116 Homes	\$13.25	Weekly Trash, 96 gallon cart
			Included	EOW Recycle, 96 gallon cart
			Individual Monthly Charge	\$13.25 each
			Monthly Charge	\$1537.00
			Annual Charge	\$18,444

65 gallon trash and/or recycle carts are available if the Town prefers that size over the 96 gallon. We do not charge extra for carted service.

To accommodate the fluctuation in vacant homes throughout the community, a monthly or quarterly home count can be sent to Republic Services to adjust the billing to represent only occupied homes. The frequency of this update is up to the Town of Morrison

Additional Services

Town of Morrison	Service Quantity	Quantity	Charges
Curbside Bulk Collection	As needed	5 Bulk Items Per Residence	\$15 each approved item
30 Yard Roll Offs	On Call	3 Hauls (annually)	No Charge
30 Yard Roll Offs	On Call	On Call	\$250 per haul \$25.00 per ton over 4 Tons



- Monthly Billing

Republic shall bill the Town of Morrison monthly for services provided. The invoice shall include the residential service charges, miscellaneous special request charges and any adjustments. Invoices will be due and payable within 30 days of receipt of invoice.

- Rate Adjustments

Republic shall, over the term of proposed agreement, implement an annual rate adjustment CPI corresponding with the Water/Sewer/Trash index. This adjustment shall occur on the anniversary date for every year this agreement is in force, unless otherwise negotiated between Republic and the Town of Morrison. Rate adjustments are implemented to offset the rising costs of our vertically integrated operations.

- Fuel Surcharge and Other Fees:

There will be NO fuel surcharge, environmental fee, admin. or delivery fees assessed on the Town for the entire term of said agreement. Extensions of said agreement do not apply.

- Term of Agreement:

The length of proposed agreement gives the Town of Morrison the option to choose a 3 year (36 month) agreement or a 5 year (60) month agreement. On a three year agreement, the price shall be fixed for the first year (1) while years 2 and 3 shall follow the rate adjustment schedule above. On a five year agreement, the proposed rate shall be fixed for the first two (2) years, while years 3, 4 and 5 shall follow the rate adjustment schedule above.

- Use of Subcontractors

Republic Services shall not use any subcontractors for collection work throughout the Town of Morrison.

- Contractor Information

Republic Services of Denver
5075 E. 74th Ave.
Commerce City, CO 80022
303-286-1200

Corporation organized under the laws of the State of Delaware



Republic Services of Denver has almost 20 years of experience with similar projects in the Denver Metro Area.

1. City of Greenwood Village:

A municipal contract, five (5) year agreement, currently in the 8th year of service for this municipality. Agreement has been extended through December 31, 2016. There are 3,700 homes serviced under this agreement. Contract amount is approximately \$3.5 mm

John Sheldon, Director of Public Works is the main contact 303-708-6136

2. Town of Columbine Valley:

A municipal contract, five (5) year agreement, currently in the 16th year of service for this municipality. There are 517 homes serviced under this agreement.

Contract amount is approximately \$350,000

Gregg Germaine, Town Manager

3. City of Edgewater

A municipal contract, five (5) year agreement, initial service agreement to begin October 1, 2010, expire September 30, 2015.

Contract amount is approximately \$840,000. There are 1,250 homes serviced under this agreement.

HJ Stalf, City Manager is the main contact 303-238-7803 ext. 24

4. The Farm at Arapahoe HOA:

An HOA contract, five (5) year agreement, 1,604 homes, currently in our 11th year of service for this community. Current agreement renewed through December 31, 2015. Contract amount is approximately \$621,000.

Mark Eames, Community Representative, PCMS. (303) 224-0004 ext. 100.

5. Beacon Point Metropolitan District:

An HOA contract, three (3) year agreement, 549 homes, both carted trash and recycle. Currently in our first year of service for this community.

Contract amount is approximately \$198,000. Jessica Moser, Community Manager, PCMS. (303)-224-0004, ext 100



Additional Provisions:

(a) Waste. The waste collected by Contractor shall not contain any hazardous materials, wastes or substances; toxic substances, wastes or pollutants; contaminants; pollutants; infectious wastes; medical wastes; or radioactive wastes (collectively, "Excluded Waste"), each as defined by applicable federal, state or local laws or regulations or applicable permits. Contractor shall acquire title to refuse when it is placed into Contractor's truck. Title to and liability for any Excluded Waste shall at no time pass to Contractor.

(b) Force Majeure. Any failure or delay in performance due to contingencies beyond a party's reasonable control, including strikes, riots, terrorist acts, compliance with applicable laws or governmental orders, fires and acts of God, shall not constitute a breach of the Agreement.

(c) Assignment Republic will want the right to assign the contract to an affiliate of Republic without consent.

(d) Right to Negotiate. If awarded the bid, Republic reserves the right to review and negotiate the final contract in good faith.

Proposal for the Town of Morrison, Colorado (“Morrison”, “Town”)
Trash Removal and Single Stream Recycling for Residential and
Commercial Properties



Provided by:
Alpine Waste & Recycling (Alpine”, “we”, “us”, “our”)
Hanna Chaffer
Direct Phone 303-872-9616
hchaffer@alpinewaste.com

Greetings Town of Morrison,

Alpine Waste and Recycling is highly interested in becoming the trash and recycle provider for your residential and commercial needs. We pride ourselves on being able to provide a high level of service to our customers and are proud of the fact that we are a local company. Residential service is nothing new for Alpine. We still have our first account ever sold and it is a residential HOA.

Recently we took over servicing the City of Golden for trash and recycle service. This large residential service has primed us to be able to handle residential accounts of any size. We feel confident that we can provide service for your residents as well as the commercial locations.

As a company we acknowledge that presently many communities are pushing for sustainability and waste diversion efforts. Not only is it beneficial to the environment, but it also helps build community amongst towns and cities. We have the ability to track the amount of trash and recycle being taken out of Morrison and place it in a tangible form known as our Automated Sustainability Report™.

We appreciate the opportunity to bid on these services, and we look forward to the possibility of being Morrison's service provider. If you have any questions related to our proposal or Alpine as a company please feel free to reach out to me at the contact listed below.

Thanks,

Hanna Chaffer
Special Projects Manager
O: 303-872-9616
C: 720-737-2065
F: 303-744-0888
Email: hchaffer@alpinewaste.com

Alpine Waste & Recycling

"Alpine is the largest independent waste, recycling, and composting company in Colorado. We are locally owned and operated. Alpine is the leader in sustainability initiatives in our industry."

Alpine was founded as Alpine Disposal in Denver's Washington Park neighborhood in 1999 with just one truck and one man. The company was based upon a simple premise—to provide an unprecedented level of service in the waste industry. This superior standard included courteous, professional drivers who didn't just dump customers' containers but also cleaned the immediate area, as well as a commitment to responsiveness to our customers' needs—a simple but unique approach to the industry. This superior level of service is ingrained in Alpine's culture, and remains a source of pride for all Alpine employees today.

Why Choose Alpine?

- **No Additional Fees** - Our rates are inclusive of all costs. Unlike our competitors, Alpine does not add additional fuel, environmental, or administrative charges to your invoice.
- **Automated Sustainability Report** – Aggregated report based on EPA statistics detailing how much waste was diverted over the course of one month.
- **New State-of-the-Art Recycling Facility** – Our Altogether Recycling plant allows us to offer the most comprehensive recycling program in the metro area.
- **100% Call or Haul Policy**- In the event a container is not able to be serviced, Alpine will call the customer to report the reason why the container was unable to be serviced, as well as provide a return time.
- **Drivers Clean all Debris**- It is the policy of Alpine to clean trash and debris in the enclosure every time property is serviced, as well as clean any waste spilled during transfer.
- **GPS Tracking**- Allows Alpine to provide the customers with the exact time and date the service was provided.
- **Natural Gas Vehicles**- As part of our sustainability commitment, Alpine is the first hauler in Colorado to utilize these vehicles using this cleaner, domestically produced fuel.
- **A+ rating and Gold Star Award** with the Denver Better Business Bureau
- **Denver Business Journal's Fastest Growing Companies List 2002, 2003, 2004, 2008, and 2009**

References

Name	Type	Contact
City of Golden	Residential	Chris Naber 303-384-8183 cnaber@cityofgolden.net OR Theresa Worsham 303-384-8117 tworsham@cityofgoden.net
Genesee HOA	Residential	Carla Andrews 303-526-0284 carla@geneseefoundation.org
Denver International Airport	Commercial/Public	Jerry Williams 303-342-2087 jerry.williams@flydenver.com



Pricing for Services

Pricing Table for 3 Year Contract

Stream	Quantity	Size	Frequency	Monthly Cost
Trash	1	65 gal cart	1x per week	\$17.25
Trash	1	95 gal cart	1x per week	\$22.25
Recycle	1	65 or 95 gal cart	every other week	Included in Trash Cost
Trash	1	2yd	1x per week	\$87.00
Trash	1	2yd	2x per week	\$157.00
Trash	1	3yd	1x per week	\$99.00
Trash	1	3yd	2x per week	\$171.00
Recycle	1	2yd	1x per week	\$63.00

*****Cost of maintaining and providing carts is included with pricing*****
 Prices are guaranteed for the 1st year, years 2 and 3 have a 6% price increase cap should Alpine need to pass through an increase

Pricing Table for 5 Year Contract

Stream	Quantity	Size	Frequency	Monthly Cost
Trash	1	65 gal cart	1x per week	\$15.25
Trash	1	95 gal cart	1x per week	\$20.25
Recycle	1	65 or 95 gal cart	every other week	Included in Trash Cost
Trash	1	2yd	1x per week	\$87.00
Trash	1	2yd	2x per week	\$157.00
Trash	1	3yd	1x per week	\$99.00
Trash	1	3yd	2x per week	\$171.00
Recycle	1	2yd	1x per week	\$63.00

*****Cost of maintaining and providing carts is included with pricing*****
 Prices are guaranteed for the 1st year, years 2 through 5 have a 4% price increase cap should Alpine need to pass through an increase

Miscellaneous Costs

Large Items are to be called into Alpine office and payment made prior to service being scheduled. Pick up of large items will be scheduled by Alpine on a day that may be different from the normal service schedule. Full list of large item costs are listed below.

<u>Item</u>	<u>Price</u>
Sectional	\$50
Fiberglass Bath Tub Cut Down	\$40
Couch	\$30
Hot Water Heater	\$30
Stove (No Doubles)	\$30
Washer or Dryer (Non Stackable)	\$25
Desk	\$20
Large Chest of Drawers	\$20
Large Chair/Recliner	\$20
Headboard/Bed Frame	\$20
Sink	\$20
Dresser	\$15
Futon Frame	\$15
Grill	\$15
Entertainment Center	\$15
Mattress (Bed or Futon)	\$15
Box Spring	\$15
Dishwasher	\$15
Table	\$15
Door	\$15
Toilet	\$15
Cabinet	\$15
Small Chair	\$10
Nightstand	\$10
Extra pick up on 2yd trash	\$28
Extra pick up on 3yd trash	\$42
Additional bag of trash (each)	\$2

Performance Schedule

1. All trash and recycle carts must be out by 7am on the scheduled service day
 - a. If they are not out they will not be serviced and a return pick up is up to the discretion of Alpine and may include a fee
2. Unobstructed access must be given to carts on service day (cars, trailers, etc)
3. On days in which both trash and recycle are serviced the carts must be at least 4ft apart from each other off of the curb
4. Weather can pose an issue to serviceability. Alpine will endeavor to service on regularly scheduled days but weather may lead to a delayed pick up
5. Observed holidays include: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas Eve
 - a. If a regularly scheduled service day falls on or after a holiday service will be delayed by 1 day.
6. Alpine will pick up non-hazardous solid waste. Title to and liability for unacceptable wastes shall remain with The Town of Morrison and/or the resident.
7. Any damage that may be caused by Alpine to properties serviced need to be reported to Alpine. Alpine reserves the right to investigate and schedule contractors for any repairs that need to be made if at fault.

Altogether Recycling® Program

Alpine offers the Altogether Recycling® Program. This is a single stream program in which all recyclable items can go in one cart without being sorted. A list of acceptable items and tips are listed below.

Newspaper	Plastic #1-7	Paper
Chipboard	Glass bottle	Magazines
Aluminum	Rigid Plastics	Milk cartons
Cardboard	Junk Mail	Styrofoam™

Not Accepted: Steel items such as horseshoes or fencing, plastic bags, six pack holders, clamshell to-go boxes, shredded paper, ceramics, window glass, plastic cutlery, or anything hazardous.

Tips: No plastic bags, no packing peanuts, leave lids on plastic bottles, do not crush aluminum cans, and flatten cardboard boxes.



ALTOGETHER RECYCLING™

Recycling Has Evolved.



THE FOLLOWING ITEMS SHOULD NOT BE RECYCLED:

- Plastic Bags
- Plastic Shrink Wrap
- Plastic Containers marked as "PLA"
- Compostable Plastic Containers
- Ceramics
- Batteries or Light Bulbs
- Paper Towels, Paper Plates or Cups
- Hazardous Materials (Needles)

RECYCLING ADVICE:

- Flatten all cardboard boxes
- Empty all food and liquids
- Ensure aerosol cans are empty
- Leave lids on plastic containers

Automated Sustainability Report™

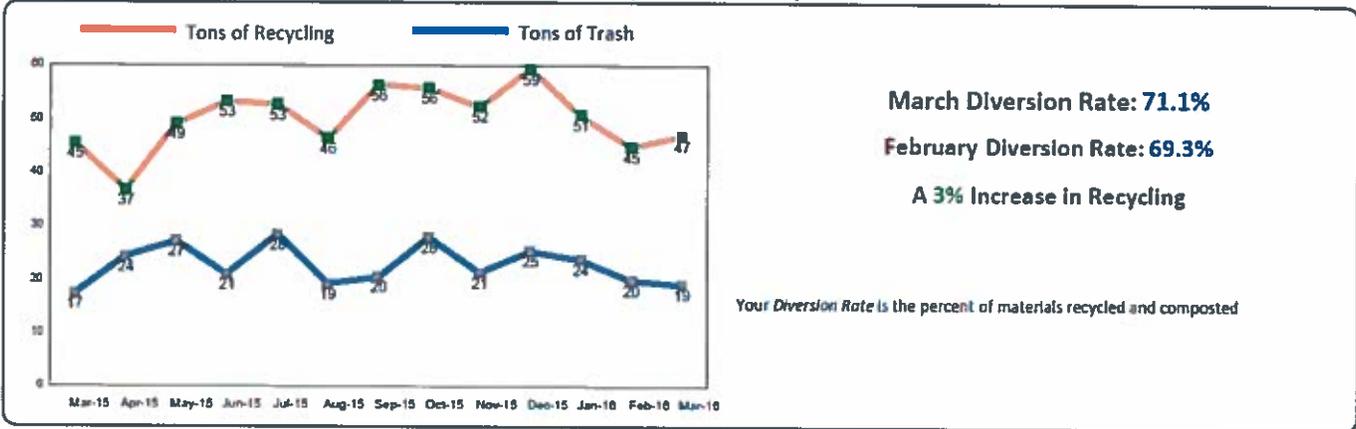
Alpine is a leader in sustainability initiatives in the waste industry. We have invested millions of dollars into tools that allow us to track and quantify sustainability efforts of our customers. The scales on our trucks allow us to weigh the amount of trash and recycle removed from a property. In the case of the Town of Morrison we would be able to track the total amount of trash and recycle removed from the residents. This info is then used in conjunction with ISRI and EPA ratios to calculate the environmental impact that recycling has had on your community. An example of our report is below.

Customer Name: Whole Foods - CCK
 Account: 000619
 Service Period: March 2016

Automated Sustainability Report™
 Altogether Recycling Collected: 6,972 lbs
 Trash Collected: 38,060 lbs
 Compostable Materials Collected: 86,820 lbs
 Total Materials Collected: 131,852 lbs



Monthly Collection Report



March Diversion Rate: **71.1%**

February Diversion Rate: **69.3%**

A **3%** Increase in Recycling

Your Diversion Rate is the percent of materials recycled and composted

Diversion Rate Comparison

How You Are Doing

Average Alpine Customer: The average diversion rate for all Alpine Customers

"Green" Alpine Customer: The average diversion rate of the top 10% of Alpine customers

Customer Ranking*

When compared to other **General Business** customers your rank this month is **353** out of **2,185**. Last month's rank was **362**.

When compared to other **Grocery Store** customers your rank this month is **117** out of **228**. Last month's rank was **117**.

When compared to other **Whole Foods Market** customers your rank this month is **3** out of **13**. Last month's rank was **2**.

*Your Customer Rank compares your diversion rate to other Alpine customers with similar business types

Your Environmental Impact This Month

- You conserved **526** gallons of oil
- You saved **48** trees
- You avoided **18,606** lbs carbon equivalent of GHG emissions

- You saved enough electricity to power the average US home for **929** days
- You helped keep **8** truck loads of trash out of the landfill
- You saved **15,861** gallons of water

This Month's Tip for Increasing Recycling

A typical family consumes 182 gallons of pop, 29 gallons of juice, 104 gallons of milk, and 26 gallons of bottled water a year. That's a lot of containers -- make sure they're recycled!

Go to <http://www.alpinewaste.com> for more tips or to schedule a discounted waste audit

Talkin' Trash: Practical Tips for Dealing With Trash Haulers

Colorado Municipal League
Annual Seminar on Municipal Law

Prepared by Carrie Mineart Daggett
Deputy City Attorney, City of Fort Collins
October 12, 2007

The Legal Basics¹

I. General Context of Local Government in Waste Collection and Hauling

A. It is commonly accepted that adequate waste or "trash" hauling is necessary for the maintenance of life and occupation of city residents and municipalities throughout the country and throughout history have commonly provided municipal waste hauling services, and continue to do so. Garbage is widely regarded as an actual and potential source of disease or detriment to public health, and therefore it is within the well-recognized limits of the police power for the municipality, acting for the common good of all, either to take over itself or to supervise and regulate the collection, transportation through the streets, and final disposition of a commodity which so easily may become a nuisance. *See generally* McQuillin Mun Corp §24.242 (3rd Ed.).

B. In April 2007, the U.S. Supreme Court made special note of the importance of local government's role and function in waste management matters. Calling waste disposal both typically and traditionally a local government function, the Opinion of the Court relied heavily on the vital role played by local government in this area. "For ninety years, it has been settled law that garbage collection and disposal is a core function of local government in the United States". *United Haulers Assn, Inc. et al. v. Oneida-Herkimer Solid Waste Management Authority, et al.*, 550 U.S. ___, 127 S.Ct. 1786, 64 ERC 1129, 167 L.Ed.2d 655, 75 USLW 4277, Slip Op. No. 05-1345 at 12 (April 30, 2007), *Opinion of the Court, quoting* M. Melosi, *Garbage in the Cities: Refuse, Reform, and the Environment*, 1880-1980 at 153-155 (1981).

C. Case law throughout the country is replete with references to the public health and safety implications of waste collection and disposal, and the public need for adequate waste hauling services. *See, e.g., Mohave Disposal, Inc. v. City of Kingman*, 922 P.2d 308, 313-14 (Ariz. 1996); *Weyerhaeuser v. Pierce County*, 873 P.2d 498, 506 (Wash. 1994); *In the Matter of the Application of the Borough of Saddle River*, 362 A.2d 552, 555 (N.J. 1976); *City of Lake Charles v. Wallace*, 170 So.2d 654, 656 (La. 1964) (all noting that the accumulation of garbage and trash within a city is deleterious to public health and safety, and its collection and disposal is a matter of public concern).

1. The author, Carrie Mineart Daggett, Deputy City Attorney for the City of Fort Collins, Colorado, welcomes feedback and discussion about these materials and this topic, and can be reached by telephone at 970/416-2463, or (cellphone) 970/219-6426, or by email at cdaggett@fcgov.com.

D. Colorado courts have taken the same general view of such services. *See, e.g., U.S. Disposal Systems v. City of Northglenn*, 193 Colo. 277, 282, 567 P.2d 365, 368 (1977) (Ordinance establishing municipal waste hauling service found a reasonable exercise of police power to protect public health and safety).

E. Waste hauling was included in the definition of "motor vehicle carrier", and was regulated as a public utility by the Colorado Public Utilities Commission ("P.U.C.") until 1980. At that time the Public Utilities Law was amended to exclude "persons hauling ashes, trash, waste, rubbish, garbage, or industrial waste products or any other discarded materials. . ." from the regulatory requirements for public utilities. § 40-1-103(3), C.R.S.²

F. Across the country, waste collection and hauling services are commonly provided by local governments as governmental services, and some Colorado cities and towns have a long history of providing these services to their citizens. However, in some jurisdictions, private service providers are the only source of waste collection and hauling services. The number of haulers and level of competition among them also varies greatly from place to place. In addition, the closely-related function of collection and disposition of recyclable materials is often handled by separate service providers.

G. Some municipalities use regulatory requirements, such as waste hauler licensure requirements, to accomplish policy goals related to recycling, waste reduction and service considerations. *See, e.g.,* Sections 15-411 through 15-430 of the Municipal Code of the City of Fort Collins, Colorado³ (establishing a licensing regime for solid waste collection and recycling services and requiring volume-based rates for residential customers, and certain recycling services, recordkeeping, identification of vehicles, and hours of operation).

II. Enumerated Powers of Municipalities Related to Waste Collection and Hauling

A. Among the statutorily enumerated general police powers of the governing body of a municipality, is the authorization "[t]o do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease. § 31-15-401(1)(b). This provision has been interpreted to support municipal activities, ordinances and regulations that have "a fair relation to the protection of human life and the protection of public convenience and welfare" as "a reasonable application of the police power." *U. S. Disposal Systems v. City of Northglenn*, 193 Colo. 277, 281, 567 P.2d 365, 367 (1977).

B. In addition, municipalities are by statute granted the power to "license, regulate and tax, subject to any law of this state, any lawful occupation . . . and to fix the

2. All statutory references are to the 2007 Colorado Revised Statutes, except as otherwise noted.

3. These Code provisions are available online at <http://www.colocode.com/ficollins/municipal/chapter15.htm#articleXV>.

amount, terms, and manner of issuing and revoking licenses issued therefore . . .". § 31-15-501 (1)(c).

C. Municipalities are further empowered to regulate traffic and sales upon the streets, sidewalks, and public places. § 31-15-702(1)(a)(VII). Restrictions on truck traffic in a municipality that are rationally and reasonably related to the purposes of reducing wear, maintenance costs, noise, and pollution in a residential area, and to protect public health, safety and welfare, have been upheld as within the general power of municipalities to regulate the use of streets. *See Carl Ainsworth, Inc., et al. v. Town of Morrison*, 189 Colo. 223, 539 P.2d 1267 (1975).

D. Local governments, including any county, home rule or statutory city, town, territorial charter city and city and county, are empowered to plan for and regulate the use of land on the basis of the impact of such use on the community or surrounding areas, and by otherwise planning for and regulating the use of land so as to provide planned and orderly use of land and protection of the environment in a manner consistent with constitutional rights. § 29-20-104(1)(g) and (h).

E. Oddly-placed statutory references in the County Government Title (Title 30), specifically in Section 30-15-401, the statute establishing the general regulatory power of counties, have historically been read to imply that municipalities have authority to provide and to some extent regulate waste collection and hauling services within their jurisdictions. Changes to this statute in 1994 have bolstered this interpretation, and added some specific procedures for initiating municipal service (in particular, subsection 7.5, described in more detail below).

1. The statute includes a specific exception noting that certain restrictions in the statute are not applicable to the transporting of trash, waste, garbage or other discarded materials "which are collected by a city, county, city and county, town, or other local subdivision within its jurisdictional limits". § 30-15-401(4). That provision prohibits the grant of an exclusive territory and further prohibits the regulation of rates for the collection and transportation of waste.

2. The statute requires any private waste hauler to provide one-year's public notice of its intent to offer those services in a jurisdiction in which the local government is providing those services. § 30-15-401(6). Conversely, the provision also requires any local government to provide one-year's public notice of its intent to offer waste hauling services in its jurisdiction if a private hauler is providing the services in the jurisdiction. § 30-15-401(6). These requirements are not applicable when the competitive process for initiating municipal service (in subsection 7.5) is used. § 30-15-401(6).

3. The statute expressly preserves the right of private waste haulers to provide service so long as municipal, city and county, or other local government rules and regulations are followed, if waste hauling services are also provided by

a governmental body in that jurisdiction. § 30-15-401(7)(a). Further, a municipality or city and county is expressly prohibited from compelling industrial or commercial establishments, or multifamily residences of eight or more units, to use or pay user charges for government-provided waste services "in preference to those services provided by a private person." § 30-15-401(7)(a).

4. The statute provides that a municipality or city and county seeking (after April 19, 1994, when this provision was enacted) to require municipal residents to use or pay user charges for "residential waste services" pursuant to subsection (7)(a) in all or any portion of its jurisdiction, including any annexed area, may do so provided that it follows the procedures laid out in the statute. § 30-15-401(7.5).

a. "[R]esidential waste hauling services" means the collection and transportation of ashes, trash, waste, rubbish, garbage or industrial waste products, or any other discarded materials from sources other than industrial or commercial establishments or multifamily residences of eight or more units. § 30-15-401(7.5)(d).

b. The municipality must provide written notice to any private person who lawfully provides waste services within the jurisdiction, and shall give a six-month public notice in a newspaper of general circulation prior to requiring the use of municipal waste services or imposition of the user fee. The notice must include the date of commencement, area covered, and an explanation of the option to request an opportunity to submit a proposal to provide the services. § 30-15-401(7.5)(b)(1).

c. Any person may, within thirty days following publication or receipt of the notice, request the opportunity to submit a proposal to provide the related waste services, and the commencement of the new service or fee will then be suspended until a proposal process is completed. Those submitting such a request are eligible to submit a proposal; the statute seems to imply (without stating) that those who have not submitted such a request are not eligible. If no such request is received, the municipality may proceed to commence the new service or fee pursuant to the published notice. § 30-15-401(7.5)(b)(II).

d. The municipality must conduct the proposal process as described in the statute (§ 30-15-401(7.5)(c)), including mailing a request for proposals describing the area to be served and requesting a proposed price for the services to all private persons eligible to submit a proposal. § 30-15-401(7.5)(c)(1).

e. If the municipality is itself submitting a proposal to provide the services, it must provide a certification from an independent auditor

stating that the municipality has not subsidized the proposed services from other revenue streams or unrelated operations. § 30-15-401(7.5)(c)(II).

f. The municipality must award a contract for the proposed services based upon the criteria set forth in the request for proposals. § 30-15-401(7.5)(c)(III).

g. The statute outlines a process for review of the selection process by an independent reviewing auditor selected by the municipality upon a request by a private person submitting a proposal, if the municipality's own proposal is selected and if requested within ten days after the selection is made. § 30-15-401(7.7)(a).

h. The scope of the reviewing auditor's review is limited to whether the municipality's proposal and selection process complied with the statutory procedures, whether the selection was clearly erroneous in light of the request for proposals, and whether the independent auditor certification regarding the funding sources for the municipal service was materially inaccurate. § 30-15-401(7.7)(b)(III).

i. If the reviewing auditor determines that the selection was improper, the determination is deemed void and all proposals timely submitted must be reconsidered by the municipality, giving due consideration to the reviewing auditor's determination. § 30-15-401(7.7)(b)(IV). The private person requesting review must pay the reviewing auditor's fee unless the selection process is found to have been improper, in which case the municipality is responsible for the fee. § 30-15-401(7.7)(b)(V).

F. Article V, Section 35 of the Colorado Constitution prohibits the Colorado General Assembly from interfering with, or vesting in the P.U.C. or any other special commission with like powers and duties, any power to make, supervise or interfere with any municipal improvement, money, property or effects, or to levy taxes or perform any municipal function whatever. *See U.S. Disposal Systems v. City of Northglenn*, 193 Colo. 277, 282, 567 P.2d 365, 368 (1977), *citing City of Thornton v. P.U.C.*, 157 Colo. 188, 402 P.2d 194 (1965). Thus, even if the P.U.C. is charged with regulating trash collection as a public utility, the P.U.C.'s regulatory power does not preclude a statutory city from establishing its own municipal utilities, or from providing utility services free of P.U.C. regulation within its own boundaries.

III. Home Rule-Specific Powers Related to Waste Collection and Hauling

A. Home rule cities and towns are governed generally by Article XX of the Colorado Constitution, and their own respective city or town charters. Unlike statutory municipalities, which must have a specific grant of authority, either from the state

constitution or state statute in order to act, home-rule cities and towns have the authority to act in local and municipal matters unless there is a specific constitutional or charter limitation. While local laws are preempted by state law when the laws conflict in matters of statewide concern or in matters of mixed state and local concern, there must be a conflict between state and local law in order for preemption of a local law to occur. See *Vela v. People*, 174 Colo. 465, 484 P.2d 1204 (1971); *DeLong v. City and County of Denver*, 195 Colo. 27, 576 P.2d 537 (1918). Consequently, even in matters of statewide concern or mixed state and local concern, so long as requirements or restrictions imposed by a home rule city do not conflict with an applicable constitution, city charter or state statute, they are considered within the scope of the city's authority.

B. Past case law finding regulation of trash haulers to be a matter of statewide concern was based on the fact that the Colorado General Assembly defined motor vehicles used to haul trash, waste, rubbish and garbage to be motor vehicle carriers subject to regulation as public utilities, thus putting the business of trash hauling within the purview of the P.U.C. and thus giving it the status of a matter of statewide concern. *Givigliano v. Veltri*, 180 Colo. 10, 13, 501 P.2d 1044, 1046 (1972). However, as noted above, since that time the Public Utilities Law has been amended to remove trash hauling from the definition of "public utility." § 40-1-103(3). Moreover, it has been held that regulation of utilities serving areas of local and municipal concern are a matter of mixed state and local concern. *Zelinger v. Public Service Co. of Colo.*, 164 Colo. 424, 435 P.2d 412 (1967).

C. The Colorado Supreme Court has articulated several factors to be applied on a case-by-case basis in evaluating whether a matter is of local, statewide, or mixed concern, balancing the relative interests of the state and the home rule municipality. *Denver v. State*, 788 P.2d 764 (Colo. 1990). The primary factors identified by the Court in that case include:

1. Uniformity – the need for uniformity in the operation of the state law, 788 P.2d at 768-769;
2. Extraterritorial impact – the degree of significance of the impact of a local law on other communities, 788 P.2d at 769;
3. Other state interests – the degree of impact of the local law on policies and interests of particular significance to the state, 788 P.2d at 769-770); and
4. Local interests – the degree of the local interest in the matter, based on analysis of the textual of the constitution and contextual evidence and precedent, 788 P.2d at 770-771.

These factors can reasonably be applied to justify finding the manner in which trash collection and hauling services are provided in a municipality to be of local concern,

although it is difficult (or perhaps foolhardy) to predict an outcome on this issue in the Colorado courts.

D. Home rule cities and towns have broad powers to establish utility and other public services in their jurisdictions. Article XX, Section 1, of the Colorado Constitution provides, in part, as follows: “[A home rule city] shall have the power, within or without its territorial limits, to construct, condemn and purchase, acquire, lease, add to, maintain, conduct, and operate waterworks, light plants, power plants, *transportation systems*, heating plants, *and any other public utilities or works or ways local in use and extent, in whole or in part, and everything required therefore* (sic) for the use of said city... and the inhabitants thereof, and any such systems, plants, or works or ways, or any contracts in relation or connection with either, that may exist and which said city ... may desire to purchase, in whole or in part, the same or any part thereof may be purchased by said city. . .”. (italics added).

E. While authorizing the Colorado General Assembly to regulate public utilities, whether or not located or operating in a home rule city or town, the Colorado Constitution specifically provides that “nothing herein shall effect the power of municipalities to exercise reasonable police and licensing powers, nor their power to grant franchises; and provided, further, that nothing herein shall be construed to apply to municipally owned utilities.” Colo. Const. Art. XXV.

F. In addition to the statutory references noted above, the County Government Title (Title 30) of Colorado Revised Statutes (Section 30-15-401) also expressly recognizes home rule authority to adopt ordinances, regulations, codes, or standards or granting permits while prohibiting the grant of an exclusive territory or regulation of rates for the collection and transportation of ashes, trash, waste, rubbish, garbage, or industrial waste products or any other discarded materials. § 30-15-401(5).

IV. Other Legal Constraints Related to Waste Collection and Hauling

A. **Antitrust and Waste Hauling**

1. Federal antitrust laws prohibit anticompetitive activities that constitute monopolizing, attempting to monopolize, or combining or conspiring with any person to monopolize any part of trade or commerce. 15 U.S.C. §§ 1, 2 & 3. These restrictions apply to activities and regulations of municipalities, unless authorized by a “clearly articulated and affirmatively expressed state policy.” *Parker v. Brown*, 317 U.S. 341 (1943); *Town of Hallie v. City of Eau Claire*, 471 U.S. 34 (1985).

2. State antitrust law prohibits every “contract, combination in the form of a trust or otherwise, or conspiracy in restraint of trade or commerce.” § 6-4-104. Persons exempt or immune under federal antitrust law are also exempt from the Colorado law. §6-4-108(4).

3. Efforts to coordinate or cooperatively divide service areas among private waste haulers, whether or not municipal authority or action is involved, would likely be considered anticompetitive and violative of antitrust regulations. During the 1980's, the Colorado Attorney General ("AG") actively prosecuted waste haulers for their cooperative efforts to coordinate service territories. It was further suggested by AG Antitrust Division attorneys at that time that municipalities that endeavored to control service territories or prohibit competition in the waste hauling marketplace were at risk of prosecution for violation of antitrust laws, because of the lack of sufficiently clear and affirmative state policy to exempt those activities from antitrust liability.

4. It is not uncommon for haulers to offer to groups of customers discounted rates or other service advantages in order to compete for that business, and this type of practice, because it epitomizes competition, rather than anti-competitive action, does not appear to constitute an antitrust violation. Moreover, if groups of waste hauling customers, such as homeowners associations or neighborhood groups, choose to collectively purchase waste hauling services, that activity does not appear to in and of itself raise antitrust issues. As a result, actions by a municipality to encourage customers to join together to purchase waste hauling services as a group should not violate antitrust regulations, provided that the municipality does not attempt to influence or control the selection of a hauler to provide such services.

5. As noted above, for a time it was questionable whether Colorado had in place state policy regarding municipal control of waste hauling that was articulated clearly enough, or stated affirmatively enough, to permit municipalities to contract for waste hauling services without risk of antitrust liability. With the enactment of Senate Bill 94-86, which revised Section 30-15-401 and added a process for establishing new municipal waste collection and hauling services, state law permits a municipality to impose a fee for or require use of residential waste services *in all or any portion of its jurisdiction*, and sets out procedural requirements for doing so. This allows for districted waste hauling where such an arrangement would previously have violated state and federal antitrust laws. Continuing in effect, though, is preexisting statutory language that prohibits municipalities from requiring "industrial or commercial establishments or multifamily residences of eight or more units to use or pay user charges" for government waste hauling service (§ 30-15-401(7)(a)) and prohibits municipal regulation of rates for waste hauling service.

B. Commerce Clause and Control of Waste Disposal ("Flow Control")

1. Municipalities often have an interest in directing the flow of waste in order to manage remaining local landfill capacity or in order to assure a consistent flow of waste or recyclable materials to bolster the economics of a publicly-funded disposal or recycling facility. However, the constitutionality of

"flow control" has been heavily litigated and is a matter of ongoing legal debate and dispute, because federal courts have long interpreted the Commerce Clause of the United States Constitution (U.S. Const., Art. I, §8, cl. 3) as an implicit restraint on state authority to regulate interstate commerce, even in the absence of a federal statute.

2. Until recently, the seminal "flow control" case has been a 1994 U.S. Supreme Court decision striking down local ordinances that designate a facility as the only permissible disposal site for garbage collected within the municipality, determining that such regulation unreasonably interferes with interstate commerce and thus violates the dormant Commerce Clause as judicially interpreted. *See C & A Carbone, Inc. v. Town of Clarkstown*, 114 S.Ct. 1677 (1994).

3. However, it has been argued that in the case of a municipality that is contracting for residential waste hauling services, the municipality may be considered a "market participant" rather than a "regulator", for the purpose of Commerce Clause analysis. In that event, the municipality's actions may not constitute prohibited "flow control". In the case of a municipality establishing a districted trash hauling system with trash hauling services provided by contracting with haulers, the requirements and restrictions related to those services would be contractual (rather than regulatory).

4. On April 30, 2007, the U.S. Supreme Court issued its decision in *United Haulers Assn, Inc. et al. v. Oneida-Herkimer Solid Waste Management Authority, et al.*, affirming the Second Circuit's judgment that *Carbone* (described above) did not decide whether the Commerce Clause precludes discrimination in favor of local government entities. The majority opinion of the Court distinguished discrimination in favor of private enterprise, the situation presented in *Carbone*, from discrimination favoring local government, finding that laws that benefit municipal facilities do not discriminate against interstate commerce in violation of the Commerce Clause. The majority further noted that it is not the office of the Commerce Clause to control the decision of the voters in deciding whether to vest responsibility for waste management services in the government, and that such a policy decision is not within the purview of the federal judiciary. *United Haulers Assn, Inc. et al. v. Oneida-Herkimer Solid Waste Management Authority, et al.*, 550 U.S. ___, 127 S.Ct. 1786, 64 ERC 1129, 167 L.Ed.2d 655, 75 USLW 4277 (2007).

C. Compensatory Takings and Impacts on Private Haulers

1. Private haulers have in some instances responded to the initiation or expansion of municipal waste hauling services with claims of inverse condemnation or other "takings" claims. The Colorado Court of Appeals has held that a water service company may be entitled to recover compensation on an

inverse condemnation claim in the case of a water and sanitation district requiring that all landowners connect to the district's system. Reversing the trial court's summary judgment in favor of the district and remanding the case for further proceedings, the Court noted that only if the government action reduces a business to worthlessness is compensation for the value of a business appropriate. *Clare v. Florissant Water and Sanitation District*, 879 P.2d 471, 475 (Colo. 1994). However, ". . . a compensable taking does not occur when the government enters into competition with an existing business, even if that business suffers economic harm as the result of the competition. . . . And, the fact that a municipality competes for new customers within an area where a public utility already operates does not, alone, amount to a compensable taking." *Clare v. Florissant Water and Sanitation District*, 879 P.2d 471, 474 (Colo. 1994) (citations omitted).

2. Similar claims in response to Northglenn's initiation of residential waste collection services were unsuccessful, because, although they P.U.C. had issued them certificates to operate, the certificates did not guarantee the aggrieved trash haulers the right to do business as a monopoly, and the Northglenn entry into the market did not destroy the haulers' right to collect and dispose of trash and garbage. *U. S. Disposal Systems v. City of Northglenn*, 193 Colo. 277, 281, 567 P.2d 365, 367-68 (1977).

D. Voter Approvals Required by City Charter or Colorado Constitution

It is important to note that establishing a waste hauling or recycling services program may call into play the need to obtain voter approval as a result of particular city charter requirements or financial considerations driven by Article X, Section 20 of the state constitution ("TABOR"). Some city charters require voter approval for the establishment of a new utility or a new enterprise. In addition, if a city establishes or substantially expands a municipal waste collection and hauling service and collects fees for those services, the additional revenues may trigger the need to obtain voter approval for retention and expenditure of revenues in excess of the spending cap imposed by TABOR. A Colorado statute (Section 31-32-201(1)) also requires an election prior to the acquisition of a public utility by a municipality, and may impose an independent requirement that an election be conducted in connection with this issue. Because of the scheduling implications and uncertainty associated with obtaining voter approval, it is important that these requirements be identified and incorporated into the planning process as early as possible.

TOWN OF MORRISON
BOARD OF TRUSTEES REGULAR MEETING
May 3, 2016
Board Action Form

SUBJECT: Ordinance 431, An Ordinance Amending Parking Regulations and Declaring an Emergency

PROCEDURE: Adopt an Ordinance

RECOMMENDATION: Adopt an Ordinance

TOWN ATTORNEY REVIEW: YES NO

MOTION: Motion to adopt Ordinance 431, an Ordinance Amending Parking Regulations and Declaring an Emergency

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES**

ORDINANCE NO. 431

**AN ORDINANCE AMENDING PARKING REGULATIONS AND
DECLARING AN EMERGENCY**

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees; and

WHEREAS, the Board of Trustees has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, the Board wishes to reinstate parking regulations.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado, that:

SECTION 1. Title 6 of the Morrison Municipal Code is amended by the addition of a new Chapter 2, to read as follows:

**CHAPTER 2
PARKING REGULATIONS**

- 6-2-1. Posting Of Parking Zones
- 6-2-2. Time Limits
- 6-2-3 Violation; Fine

6-2-1: **POSTING OF PARKING ZONES:** Parking zones within the corporate limits of the Town shall be established by the posting of parking time limit signs by the Police Chief.

6-2-2: **TIME LIMITS:** It shall be unlawful to park a motor vehicle or any other mode of conveyance within such parking limit zones in excess of the time posted on such signs during the hours specified on said signs.

6-2-3: **VIOLATION; FINE:** The operator or owner of any motor vehicle or any other type of vehicle or mode of conveyance violating the provisions of this Chapter shall be fined twenty dollars (\$20.00) for each violation thereof and each hour or fraction thereof in which a motor vehicle or any other type of vehicle or mode of conveyance remains in violation of the provisions of this Chapter is deemed to be a separate offense. In the event the fine is not paid within the period set forth on the parking ticket citation, the fine shall increase to twenty-five dollars (\$25.00).

6-2-4: ENFORCEMENT AND COLLECTION

Violations of this Chapter are traffic infractions, and no incarceration may be imposed for violation thereof. The Town may utilize photo machines or Town personnel, in its sole discretion for enforcement including, the issuance of parking ticket citations. The Town may, in addition to enforcement by appropriate municipal court order, employ a collection agency or agencies to collect delinquent unpaid parking fines.

SECTION 2. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

SECTION 3. Emergency Declared; Effective Date. The Board of Trustees hereby declares an emergency requiring immediate effectiveness of this ordinance, in that there is no present enforcement tool in the Municipal Code for parking violations, and the Town must be able to immediately enforce parking regulations for the public safety and welfare. Pursuant to Charter Section 3.10, this ordinance shall take effect upon adoption, and shall be published in full as required by Section 3.14 of the Home Rule Charter.

INTRODUCED, READ, PASSED AND ADOPTED this ____ day of _____, 2016, by a vote of ____ ayes and ____ nays.

TOWN OF MORRISON:

Sean K. Forey, Mayor

ATTEST:

Charla Bryant, Town Clerk

TOWN OF MORRISON
BOARD OF TRUSTEES REGULAR MEETING
May 3, 2016
Board Action Form

SUBJECT: Ordinance 432, An Ordinance Amending the Morrison Municipal Code to Provide for Collection of Delinquent Fees, Rates and Charges

PROCEDURE: Adopt an Ordinance

RECOMMENDATION: Adopt an Ordinance

TOWN ATTORNEY REVIEW: YES NO

MOTION: Motion to adopt Ordinance 432, an Ordinance Amending the Morrison Municipal Code to Provide for Collection of Delinquent Fees, Rates and Charges

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES**

ORDINANCE NO. 432

**AN ORDINANCE AMENDING THE MORRISON MUNICIPAL CODE TO
PROVIDE FOR COLLECTION OF DELINQUENT FEES, RATES AND
CHARGES**

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees; and

WHEREAS, the Board of Trustees has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, in the exercise of this authority, the Board has previously adopted Chapter 11 of title 1 of the Morrison Municipal Code, entitled "Fees, Rates and Charges," and

WHEREAS, the Town is authorized by CRS 31-20-105 and 106 to certify delinquent charges to the County Treasurer for collection in the same manner as taxes, provided the Board has adopted an ordinance providing for the same; and

WHEREAS, the Board finds that it is in the public interest that fees rates and charges imposed by the Town for services be promptly paid, and in the event, the same become delinquent, that they be collected promptly.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado, that:

SECTION 1. Title 1, Chapter 11 (Fees, Rates and Charges) of the Morrison Municipal Code is amended by the addition of a new Section 1-11-2 to read as follows:

1-11-2 COLLECTION OF FEES, RATES AND CHARGES; CERTIFICATION TO COUNTY TREASURER

- A. Until paid in full, all fees, rates and charges imposed for any Town service or function shall constitute a first and perpetual lien on and against the lot, land, building and/or property served or benefitted by said service, and in the event the same are not paid when due, the Town may certify the same to the County Treasurer to be collected in the same manner as taxes, together with the costs of collection, as permitted by CRS 31-20-105 and 106.
- B. The imposition or certification of a lien as provided in this Section shall not relieve a customer, user or property owner from liability for the payment of a fee or charge for any Town service, and the Town may seek and obtain the collection of the same

through an action at law, filing of a lien with the County Clerk and Recorder, or any other appropriate legal proceeding.

SECTION 2. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall take effect thirty (30) days after adoption and publication as provided by Section 3.14 of the Home Rule Charter.

INTRODUCED, READ, PASSED AND ADOPTED this ____ day of _____, 2016, by a vote of ____ ayes and ____ nays.

TOWN OF MORRISON:

Sean K. Forey, Mayor

ATTEST:

Charla Bryant, Town Clerk

TOWN OF MORRISON
BOARD OF TRUSTEES SPECIAL MEETING
May 3, 2016
Board Action Form

SUBJECT: Appoint three (3) Rooney Valley Planning Commission members and Town Project Coordinator.

TOWN ATTORNEY REVIEW: [] YES [x] NO

MOTION: Motion to appoint Carrie McCool as the Rooney Valley Town Project Coordinator and 3 members as Rooney Valley Planning Commissioner's.

April 15, 2015

Heather Gutherless
 Jefferson County Planning and Zoning Division
 100 Jefferson County Parkway, Suite 3550
 Golden, CO 80419



Re: Application for Rezoning: C-470/Alameda Northwest Planned Development

Dear Ms. Gutherless:

Baseline Corporation is pleased to be representing Three Dinos, LLC in the process to rezone their property located at the northwest corner of C-470 and Alameda Parkway. The proposed rezoning application will rezone the property from Corridor District – Medium-Scale Retail (CD-RM), Residential One (R-1), and Agricultural Two (A-2) to Planned Development (P-D). This application proposes to move several CD-RM uses from “Special Use” to “Permitted Use” category and add several new uses. In addition, this application will rezone the neighboring Public Service Company of Colorado (PSCO) parcel and a parcel owned by Rooney Incorporated, both located to the east, next to C-470. A letter of authorization from PSCO and Rooney, Incorporated is included with this submittal.

This application builds off of the pre-application review response comments for case number 15-119993PA, dated September 11, 2015. In the time since the comments were forwarded to us the following community outreach has occurred:

- Required Rezoning Community Meeting on November 16, 2015
- Informational Meeting regarding potential development on February 22, 2016*
- Informational Meeting regarding potential development on February 23, 2016*
- Informational Meeting regarding potential development on February 25, 2016*

*Attendance at these meetings included approximately 170 persons.

Included with this application are the following:

- Application Summary
- Vicinity Map
- Development Permit Application
- Letter of Authorization from Public Service Company/Xcel Energy
- Letter of Authorization from Rooney Incorporated
- Legal description in Word format
- Articles of Incorporation for Three Dinos, LLC, page 9 from Operating Agreement
- Deed for Three Dinos, LLC parcel (Reception No. 2008004630, parcel 4, except land deeded to Jeffco in Deed at Rec. No. 2009125314)
- Deed for Three Dinos, LLC parcel (former Alameda ROW) (Rec. No. 2009125964, Tract 4)

Corporate Headquarters
 Downtown Golden
 1950 Ford Street
 Golden, Colorado 80401
 Ph 303.940.9966
 Fax 303.940.9959

High Plains
 Downtown Greeley
 710 11th Avenue, Suite 105
 Greeley, Colorado 80631
 Ph 970.353.7600
 Fax 970.353.7601

Rocky Mountains
 Ski Village
 419 Oak Street, PO Box 770152
 Steamboat Springs, Colorado 80477
 Ph 970.879.1825
 Fax 866.242.9106

- Deeds for PSCO parcel (Book 1228, Page 520 and Book 1772, Page 16)
- Deed for Rooney, Incorporated parcel (Reception No. 86075297)
- Copy of Water Service Letter issued November 9, 2015
- Copy of Proof of Fire Protection Letter issued November 5, 2015
- Official Development Plan Written Restrictions
- Traffic Study (SE & NW Corner Properties)
- Phase 1 Drainage Report

Thank you in advance for your time to process this application. We look forward to working with you and other staff.

If you have any questions or are in need of additional information please contact me at 303.202.5010 ext. 218 or ethan@baselinecorp.com.

Sincerely,



Ethan Watel, AICP
Senior Planner, Project Manager
Baseline Corporation

CC: Three Dinos, LLC
Michael E. Diehl and Amber S. Dedus, Xcel Energy

Rezone Application Summary
Northwest Corner of C-470 and Alameda Parkway
CD-RM/R-1/A-2 to Planned Development

Property Information

The subject property is located on land in the Northeast Quarter and the Southeast Quarter of Section 23, Township 4 South, Range 70 West of the 6th Principal Meridian. The parcel is bordered by C-470 to the east and West Alameda Parkway to the south, South Rooney Road to the West, and land owned by the City of Lakewood to the north. A vicinity map is included with this letter.

<i>County Parcel ID</i>	<i>Owner</i>	<i>Current Zoning</i>	<i>County Acres¹</i>	<i>Deed Acres</i>
40-231-00-006	Three Dinos, LLC	CD-RM	36.78	36.83
40-234-00-019	Three Dinos, LLC	R-1	0.68	0.68
40-231-00-008	Public Service Company of Colorado	A-2	2.43	2.52
40-231-00-002	Rooney Incorporated	A-2	0.5	0.53

Total acres: approximately 40.55

Copies of the current deeds for all parcels are included with this submittal. A new legal description for the entire area being rezoned is also included.

Access

The access to the property can be provided at the following locations:

- On the south side of the site at West Alameda Parkway
- On the west side of the site at South Rooney Road

Locations of the exact access points will be determined at the time of platting. A plat application is soon to be created and submitted.

Water

Currently there is no water service or known wells existing on site. The current site will be serviced by The Consolidated Mutual Water Company. A letter has been provided indicating that this service can be accommodated in the future and the site is within their service area.

Sewer

The property is not located within any sanitation district. At this time the owner will rely on a proposed Onsite Wastewater Treatment System (OWTS). Any OWTS will be permitted by Jefferson County and any applicable state agencies. The OWTS will be a temporary facility - in the future, as the property develops the property will be served by a sanitation district and the OWTS will be removed. Currently there are discussions with several options/districts to provide a permanent sanitation connection.

¹ Acreage as listed in the Jefferson County Assessor's property record.

Fire District

The subject site is located within the West Metro Fire Protection District (WMFPD). A letter confirming that the site is located within the WMFPD was obtained from the district's administrative staff and is included in this application.

Present Zoning

CD-RM Zone District

36.83 acres, or 91%, of the subject properties have been zoned CD-RM since April 24, 2007 when the Jefferson County Board of County Commissioners approved Resolution CC07-196 amending the zoning for this property as well as the other three quadrants of the interchange. The CD-RM zone district allows for a multitude of commercial and light industrial uses, including the following:

Permitted Use in the CD-RM Sub-district

- Light Manufacturing, processing, and fabrication of commodities, except those permitted in the Industrial-One, Industrial-Two or Industrial-Four districts.
- Research and development facility
- Business and professional offices
- Medical and dental offices, clinics, emergency facilities and hospitals.
- Laboratories except those involved in any hazardous process or that emit noxious noise, dust, fumes or odor.
- Banks and other financial institutions
- Other similar light industrial uses that are not more detrimental to the highest and best use of land permitted above.
- Retail shopping facilities
- Convenience service establishments including, but not limited to, barber and beauty shops, cleaners, shoe repair shops and laundries.
- Specialty goods and services including, but not limited to, art galleries, plant store or nursery, pet stores, book stores, and drug stores.
- State Licensed daycare center or large day-care home or preschool or nursery.
- Adult day-care center
- Restaurants, including fast food and carry-out facilities.
- Medical supply and drug store
- Grocery store
- Department store
- Indoor recreational facilities and limited outdoor recreational facilities in conjunction with indoor recreational facilities.

Accessory Uses in the CD-RM Sub-district:

- Construction Trailers 2 year maximum
- Commercial service activities that are accessory to the main use of the building may be conducted provided said use is contained within the main building. Cafeterias, restaurants without drive-through service, state licensed child or adult day care, and personal services such as beauty parlors, barber shops, laundry pick-up stations may be

conducted. However, the sum total of accessory commercial uses shall not exceed 10 percent of the gross floor area of any single building. The entrance to any accessory commercial use shall be from inside the building and no advertising shall be visible from outside the building.¹

- Accessory Uses per the Accessory Use Section of the Zoning Resolution.

Special Uses in the CD-RM Sub-district:

- Gas station, service station, or car wash. No more than 3 of these uses shall be located within 3,960 feet (3/4 mile) of an intersection of a freeway and a principal arterial, or minor arterial as designated on the Major Thoroughfare Plan.
- Auto repair facility, max. 4 bays. No more than 2 of these uses shall be located within 3,960 feet (3/4 mile) of an intersection of a freeway and a principal arterial, or minor arterial as designated on the Major Thoroughfare Plan.
- Building materials retail stores
- Hotels and motels

R-1 Zone District:

0.68 acres, or 1.6%, of the site is zoned in the Residential One zone district. This portion of the site was formerly right-of-way for Alameda Parkway. The right-of-way was vacated after the adjacent property was re-zoned to CD-RM.

A-2 Zone District:

2.93 acres, or 7.2%, of the site is zoned in the Agricultural Two zone district. This property appears to have been inadvertently excluded from the 2007 re-zone to CD-RM.

Proposed Zoning

The proposal is to amend the zoning to Planned Development (PD) with a set of written restrictions to control the uses and site design on the site. All CD-RM use, lot, and building standards shall be used as the base standards for the entire subject property unless specified below. In addition, all applicable Jefferson County Zoning Resolution standards will remain in effect. The changes proposed are the following:

List the following uses as a 'Permitted Use':

- Building material retail stores;
- Gas station, service station, or car wash;
- Hotels and motels;
- Motor vehicle (including motorcycle), recreational vehicle and trailer sales, leasing or rental (new or used) and Auto repair facility;
- Parking, including customer and employee parking of operable motor vehicles either open or covered; and
- Mini-storage.

List the following as 'Limitations on Uses:

- Motor vehicle (including motorcycle), recreational vehicle and trailer sales, leasing or rental (new or used) shall be limited to a maximum total lot size of 28 acres included in not more than four (4) lots for this allowed use.

In the pre-application submittal, we proposed multi-family uses on the property. While multi-family is allowed within the C-470 Alameda Activity Area, it is capped at 19 acres. The Southwest corner of C-470 and Alameda is zoned to allow multi-family, but to date it has not come to fruition. We are not proposing multi-family residential uses on the Northwest corner at this time in this application. This rezoning application does not include the land owned by Jefferson County containing the Dinosaur Ridge Discovery Center.

In addition to the added uses, the Written Restrictions refer to a future Architectural Control Committee (ACC) that will be established to govern the development on the site. The ACC will implement design standards that exceed Jefferson County's standards relating to site design, building design, sign design, lighting, and noise. A set of design guidelines will be drafted to enforce common architecture elements throughout the four quadrants of the interchange.

Community Plan Recommendations

The property is part of the Jefferson County Central Plains Area Plan (2011), specifically within Area 31, the C-470 Alameda Activity Center. Per the plan's future land use maps, the recommended land uses for the Northwest corner site are Large Scale Commercial/Mixed Use Building/Multi-Family.

Regarding the C-470/Alameda Activity Center the plan states the following:

"The construction of the interchange at C-470 and West Alameda Parkway and recent rezoning cases have made the land surrounding the interchange prime for higher intensity uses. This area should allow for retail, office, light industrial, and multi-family residential uses."

Large Scale Commercial (LSC) is defined as *Commercial uses that may have a regional draw. These include all Neighborhood Commercial uses, retail, office, and light industrial uses of any size, hotels and motels, hospitals, and automobile dealerships.*

Note that the Large Scale Commercial land use category is cumulative, and includes both the Neighborhood Commercial and Limited Commercial categories.

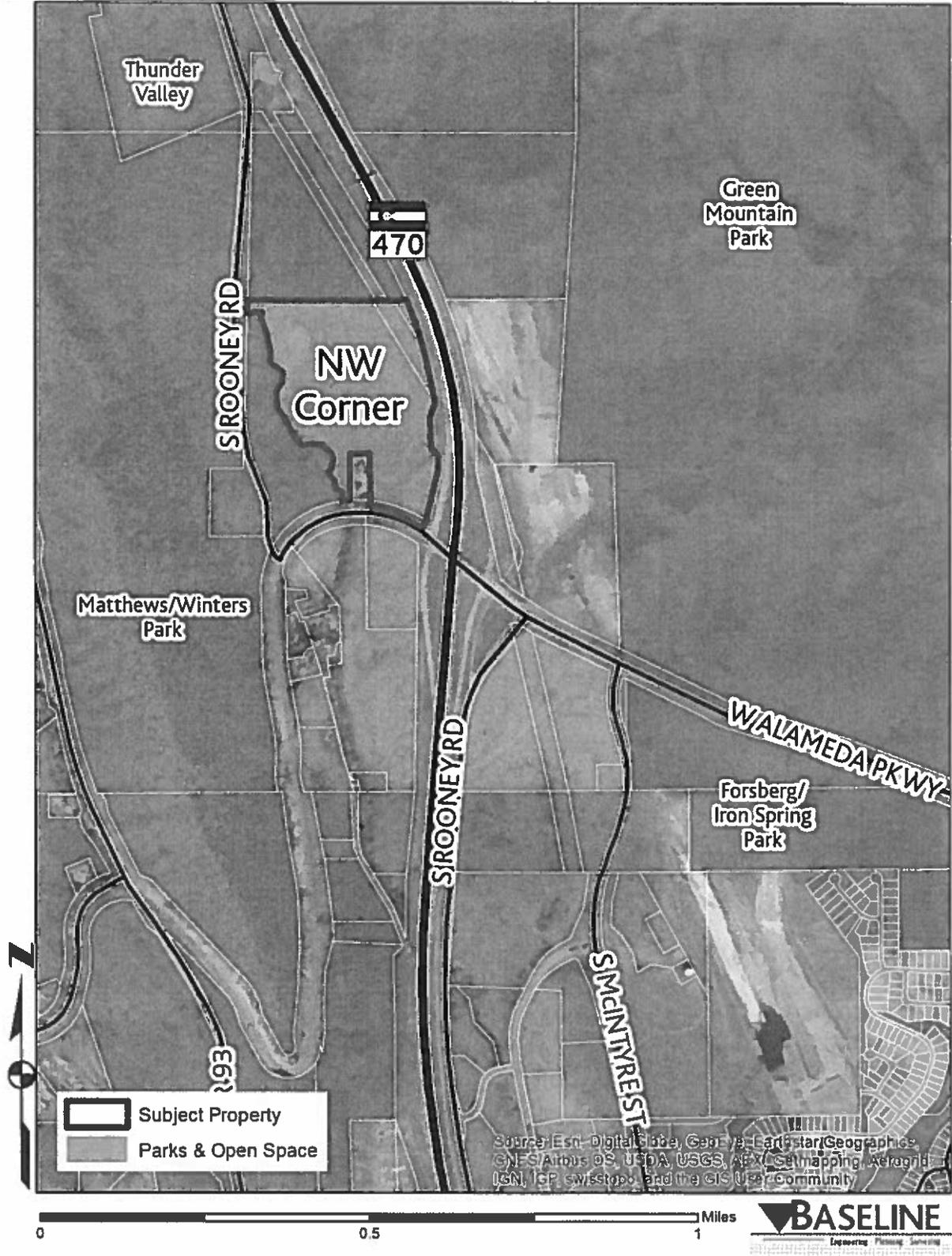
Further, **Neighborhood Commercial (NC)** is defined as *Commercial uses intended to serve the local neighborhood. These include all Limited Commercial Uses, grocery stores typically up to 75,000 square feet, retail businesses and small theaters typically less than 24,000 square feet, fast food restaurants, neighborhood taverns and nightclubs, and automobile repair facilities and gas stations. May include shops for custom work such as electrical, plumbing, air conditioning and similar type shops, with no outdoor storage.*

Conclusion

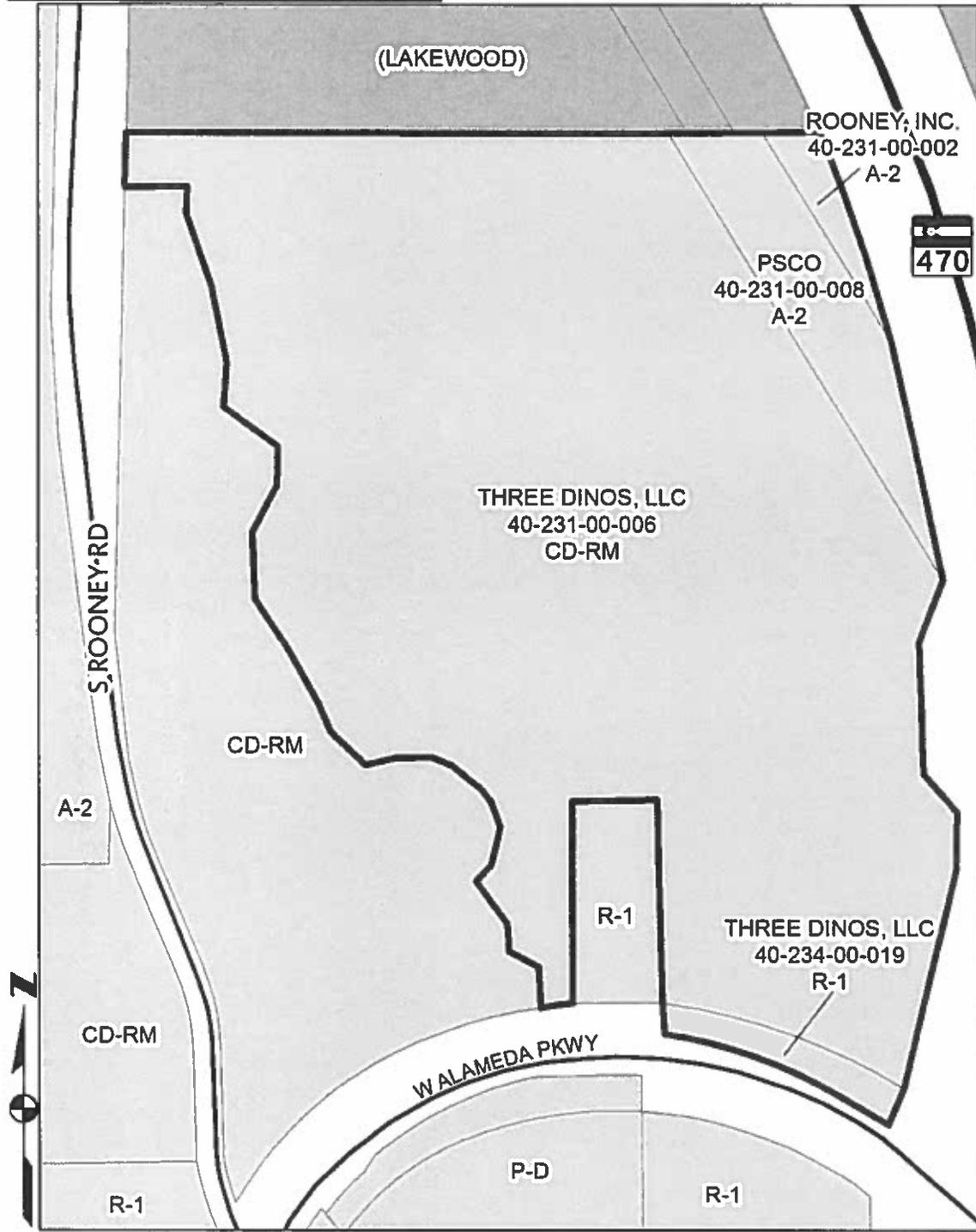
The Comprehensive Master Plan and the Central Plains Area Plan support the proposed rezoning. Automobile dealerships are included as suggested uses as indicated above. This application also cleans up a variety of zoning designations on parcels along Alameda that were never included in the original CD-RM rezone effort.

The property has been marketed to no avail since it received commercial retail zoning roughly nine years ago. The CD-RM zoning was established on the four quadrants of the C-470 and Alameda Parkway interchange in 2007. The Central Plains Community Plan was adopted in 2011 – reinforcing the vision for Large Scale Commercial (LSC) retail uses at the interchange. This LSC land use is defined in the Comprehensive Plan as Commercial uses that may have a regional draw. This rezoning furthers the opportunity to generate new jobs and create a new business center in JeffCo along C-470.

Vicinity Map (Not to Scale)



Ownership & Zoning Map (Not to Scale)



Subject Property	P-D
Zone District	R-1
A-2	LAKEWOOD
CD-RM	



C-470/Alameda Northwest - Rooney Ranch Business Center

Official Development Plan

- A. Intent – The purpose of this rezoning is to further enhance the existing Corridor District – Medium Scale Retail (CD-RM) zoning at the northwest corner of the interchange of C-470 and West Alameda Parkway. This rezoning furthers the goals of the Jefferson County Comprehensive Master Plan by promoting uses and site design that will create a needed neighborhood and regional retail destination supported by other non-residential uses.
- B. The property encumbered by this Official Development Plan is described in the legal description attached hereto as Exhibit A.
- C. The Board of County Commissioners’ Resolution authorizing this rezoning is recorded at Reception Number _____ in the Jefferson County, Colorado records of the Clerk and Recorder.
- D. Written Restrictions:
 - a) Except as may be otherwise expressly set forth in this Official Development Plan, the standards set forth in Section 19 of the Jefferson County Zoning Resolution and pertaining to the Corridor District Medium-Scale Retail (CD-RM) Zone Subdistrict, and the standards set forth in the Definitions and Sections 1 through 17 of the Jefferson County Zoning Resolution, shall control the use and development of the property.
 - b) In addition to the Permitted Uses in the CD-RM Zone Subdistrict, the following uses shall also be allowed as Permitted Uses:
 - i. Auto repair facility;
 - ii. Building material retail stores;
 - iii. Gas station, service station, or car wash;
 - iv. Hotels and motels;
 - v. Motor vehicle (including motorcycle), recreational vehicle and trailer sales, leasing or rental (new or used);
 - vi. Parking, including customer, vehicles for sale or lease, and employee parking of operable motor vehicles either open or covered; and
 - vii. Mini-storage.
 - c) Limitations on Uses:
 - i. Motor vehicle (including motorcycle), recreational vehicle and trailer sales, leasing or rental (new or used) shall be limited to a maximum total lot size of 28 acres (twenty-eight acres) included in not more than four (4) lots for this allowed use.
 - d) Lot and Building Standards:
 - i. In addition to the Maximum Heights in Section 19(F) of the CD-RM Zone Subdistrict, Hotels shall have a maximum permitted building height of 60 feet.

- ii. Car Display pads shall be allowed to be located directly adjacent to the C-470 right-of-way within the landscape buffer. Such pads shall not exceed 15% (by area) of the required landscape buffer along C-470.
- e) Sign Standards: In addition to the standards set forth in Section 11 of the Jefferson County Zoning Resolution, the following standards shall also apply:
 - i. Project or Center Identification Signs:
 - 1. Up to four (4) signs within the PD are allowed.
 - 2. Such sign is allowed to include the project/center name and address and is allowed to include identification of tenants within the PD.
 - 3. Signs may be single or double faced, monument style.
 - 4. Maximum size shall be 75 square feet, per face.
 - ii. Each future Lot that has frontage along C-470 shall be allowed an additional Ground Sign along C-470 at a maximum height of 15 feet. Such Ground Sign(s) shall not be designed as a pole sign but shall be designed as a monument style sign.
- f) Lighting Standards:
 - i. All lighting on the property shall comply with the standards set forth in Section 12 of the Jefferson County Zoning Resolution and the additional standards set forth in this Official Development Plan. If any conflicts occur, the standards in this PD shall govern.
 - ii. The maximum foot-candle measurement at the property line shall be 0.2.
 - iii. Any light fixture located on a light pole (that is not a security light) that is eighteen (18) feet or more above the ground shall be turned off or dimmed between the hours of 12am (Midnight) and 6am the next day except for security lighting deemed necessary by the land and/or business owner for the safety of employees and customers exiting or entering the building or site.
 - iv. The selected lighting fixtures referenced in item iii. above shall be equipped with motion sensors with a maximum 'on-time' of twenty minutes.
 - v. Lighting fixtures attached to any buildings shall not project above the fascia or roofline of such building and shall be shielded to transmit light downward.
 - vi. The maximum height of lighting poles shall be twenty (20) feet, inclusive of the light fixture. All poles in parking areas shall be placed a minimum of 4 feet outside the parking lot area, or 4 feet behind perimeter tire stop locations, or shall have a concrete pedestal at least 30" in height above the parking lot surface, or protected by other means as deemed appropriate by Jefferson County Planning and Zoning.
- g) Design Standards:
 - i. The owner and/or developer of the property shall establish a design review board or Architectural Control Committee (ACC) to govern development on the property. No building or sign permit shall be approved without an approval from the Architectural Control Committee.

OWNERS' CERTIFICATES:

Three Dinos, LLC, a Colorado Limited Liability Company, owner of the land affected by this Official Development Plan, accepts and approves all conditions set forth herein.

By: _____ Date: _____
William K. Jenkins
Title: Manager

State of Colorado)
) ss.
City & County of Denver)

The foregoing was acknowledged before me this _____ day of _____ 2016, by William K. Jenkins, as Manager of Three Dinos, LLC.

Notary Public
My commission expires: _____

Public Service Company of Colorado, a Colorado Corporation, owner of the land affected by this Official Development Plan, accepts and approves all conditions set forth herein.

By: _____ Date: _____
Name
Title:

State of Colorado)
) ss.
City & County of Denver)

The foregoing was acknowledged before me this _____ day of _____ 2016, by _____, as _____ of Public Service Company of Colorado.

Notary Public
My commission expires: _____

Rooney Incorporated, a Colorado Corporation, owner of the land affected by this Official Development Plan, accepts and approves all conditions set forth herein.

By: _____ Date: _____
Name
Title:

State of Colorado)
) ss.
County of Jefferson)

The foregoing was acknowledged before me this _____ day of _____ 2016, by _____, as _____ of Rooney Incorporated.

Notary Public
My commission expires: _____

COUNTY COMMISSIONER'S CERTIFICATE:

This Official Development Plan, titled C-470/Alameda Northwest - Rooney Ranch Business Center, was approved the ____ day of _____ 2016, and is accepted by the Board of County Commissioners this ____ day of _____, 2016.

BOARD OF COUNTY COMMISSIONERS: _____
Libby Szabo, Chair
Board of County Commissioners

Clerk

(BCC Seal)

Exhibit A

Legal Description

A PARCEL OF LAND BEING A PORTION OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO.

BASIS OF BEARINGS: THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 23, BEING MONUMENTED AT THE SOUTH BY A 1-1/2" AXLE AND AT THE NORTH BY A 2" IRON PIPE IS ASSUMED TO BEAR N 04°47'08" E, A DISTANCE OF 2659.64 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 23:

THENCE N 4°47'08" E ALONG SAID EAST LINE OF NORTHEAST QUARTER A DISTANCE OF 1329.82 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 23;

THENCE N 89°07'55" W ALONG SAID NORTH LINE A DISTANCE OF 1285.60 FEET TO THE WEST LINE OF C-470 AS RECORDED UNDER RECEPTION NO. 88074103, AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID WEST LINE ON THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 13°34'59", A RADIUS OF 3669.72 FEET, AN ARC LENGTH OF 869.99 FEET AND A CHORD WHICH BEARS S 14°01'41" E A DISTANCE OF 867.95 FEET TO A POINT OF NON-TANGENCY SAID POINT ALSO BEING ON THE WEST LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NUMBER 2007097842;

THENCE ALONG SAID WEST LINE OF THE FOLLOWING FIVE (5) COURSES:

- 1) S 23°57'15" W A DISTANCE OF 116.96 FEET;
- 2) S 00°36'45" E A DISTANCE OF 242.09 FEET;
- 3) S 39°32'44" E A DISTANCE OF 93.96 FEET;
- 4) S 02°08'25" W A DISTANCE OF 106.13 FEET;
- 5) S 14°52'49" W A DISTANCE OF 412.58 FEET TO THE NORTHEAST CORNER OF THE PARCEL AS DESCRIBED UNDER RECEPTION NUMBER 2009125964;

THENCE ALONG THE SOUTHERLY LINE OF THE PARCEL AS DESCRIBED UNDER RECEPTION NUMBER 2009125964 THE FOLLOWING FOUR (4) COURSES:

- 1) S 24°06'12" W A DISTANCE OF 73.22 FEET;
- 2) N 58°07'22" W A DISTANCE OF 105.27 FEET TO A POINT ON AN ARC OF A TANGENT CURVE;
- 3) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 22°12'56", A RADIUS OF 883.86 FEET, AN ARC LENGTH OF 342.70 FEET AND A CHORD WHICH BEARS N 69°13'49" W A DISTANCE OF 340.56 FEET;
- 4) N 00°04'01" W A DISTANCE OF 52.81 FEET TO THE EAST LINE OF THE PARCEL AS DESCRIBED UNDER RECEPTION NUMBER 94112438;

THENCE ALONG SAID EAST LINE FOLLOWING THREE (3) COURSES:

- 1) N 00°04'01" W A DISTANCE OF 375.06 FEET;
- 2) N 89°30'52" W A DISTANCE OF 157.16 FEET;
- 3) S 01°17'23" W A DISTANCE OF 372.19 FEET TO A POINT OF A CURVE, SAID CURVE BEING ON THE NORTH RIGHT-OF-WAY OF WEST ALAMEDA AVENUE AS RECORDED UNDER RECEPTION NUMBER F1224546;

THENCE ALONG SAID RIGHT-OF-WAY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03°36'24", A RADIUS OF 968.60 FEET, AN ARC LENGTH OF 60.97 FEET AND A CHORD WHICH BEARS S 84°45'45" W A DISTANCE OF 60.96 FEET TO THE EAST LINE OF THE PARCEL AS DESCRIBED UNDER RECEPTION NUMBER 2009125314;

THENCE ALONG SAID EAST LINE THE FOLLOWING TWENTY-FOUR (24) COURSES:

- 1) N 01°52'55" W A DISTANCE OF 75.11 FEET;
- 2) N 60°45'20" W A DISTANCE OF 62.19 FEET;
- 3) N 01°17'16" W A DISTANCE OF 51.14 FEET;
- 4) N 35°14'01" W A DISTANCE OF 97.58 FEET;
- 5) N 45°21'46" E A DISTANCE OF 41.71 FEET;
- 6) N 14°17'43" E A DISTANCE OF 71.62 FEET;
- 7) N 19°24'15" W A DISTANCE OF 49.97 FEET;
- 8) N 36°40'17" W A DISTANCE OF 29.83 FEET;
- 9) N 50°29'36" W A DISTANCE OF 68.95 FEET;
- 10) N 66°25'35" W A DISTANCE OF 38.20 FEET;
- 11) N 89°30'20" W A DISTANCE OF 66.68 FEET;
- 12) S 78°33'20" W A DISTANCE OF 56.45 FEET;
- 13) N 44°49'37" W A DISTANCE OF 87.53 FEET;
- 14) N 22°55'00" W A DISTANCE OF 57.93 FEET;
- 15) N 27°19'30" W A DISTANCE OF 113.42 FEET;
- 16) N 32°32'25" W A DISTANCE OF 109.26 FEET;
- 17) N 01°27'48" W A DISTANCE OF 123.95 FEET;
- 18) N 29°48'31" E A DISTANCE OF 97.58 FEET;
- 19) N 02°39'28" E A DISTANCE OF 72.26 FEET;
- 20) N 52°33'45" W A DISTANCE OF 124.50 FEET;

April 15, 2016
C-470/Alameda Northwest - Rooney Ranch Business Center

- 21) N 06°14'40" E A DISTANCE OF 81.10 FEET;
- 22) N 10°09'29" W A DISTANCE OF 143.37 FEET;
- 23) N 18°03'31" W A DISTANCE OF 140.12 FEET;
- 24) N 03°34'01" E A DISTANCE OF 50.64 FEET;

THENCE N 89°07'55" W A DISTANCE OF 115.29 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 23;

THENCE N 02°40'11" E ALONG SAID WEST LINE A DISTANCE OF 100.05 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 23;

THENCE S 89°07'55" E ALONG SAID NORTH LINE A DISTANCE OF 1273.29 FEET TO THE POINT OF BEGINNING

April 12, 2016

Heather Gutherless
 Jefferson County Planning and Zoning Division
 100 Jefferson County Parkway, Suite 3550
 Golden, CO 80419



Re: Application for Rezoning: C-470/Alameda Southeast Planned Development

Dear Ms. Gutherless:

Baseline Corporation is pleased to be representing Three Dinos, LLC in the process to rezone the property located at the southeast corner of the interchange of C-470 and Alameda Parkway. The proposed rezoning application seeks to rezone the property from Corridor District – Medium Scale Retail (CD-RM) to Planned Development (PD). This application proposes to move uses from the “Special Use” category to “Permitted Use” category and add other new uses, including sales of motorcycles. In addition, the proposed rezoning will prohibit self-storage as a permitted land use. This application for rezoning includes the Public Service Company of Colorado (PSCO) land that is located between the two Three Dinos parcels. A letter of authorization from PSCO/Xcel Energy is included with this submittal.

This application builds off of the pre-application review response comments for case number 15-120003PA, dated September 16, 2015. In the time since the comments were forwarded to us the following community outreach has occurred:

- Required Rezoning Community Meeting on November 16, 2015
- Informational Meeting regarding potential development on February 22, 2016*
- Informational Meeting regarding potential development on February 23, 2016*
- Informational Meeting regarding potential development on February 25, 2016*

*Attendance at these meetings included approximately 170 persons.

Included with this application are the following:

- Application summary
- Vicinity Map
- Development Permit Application
- Letter of Authorization from Public Service Company/Xcel Energy
- Legal description in Word format
- Articles of Incorporation for Three Dinos, LLC, page 9 from Operating Agreement
- Deed for Three Dinos, LLC parcels (Reception No. 2008004630, parcels 2, 3 & 6)
- Deeds for PSCO parcel (Book 1228, Page 520 and Book 1772, Page 16)
- Copy of Water Service Letter issued November 9, 2015
- Copy of Proof of Fire Protection Letter issued November 5, 2015

Corporate Headquarters
 Downtown Golden
 1950 Ford Street
 Golden, Colorado 80401
 Ph 303.940.9966
 Fax 303.940.9959

High Plains
 Downtown Greeley
 710 11th Avenue, Suite 105
 Greeley, Colorado 80631
 Ph 970.353.7600
 Fax 970.353.7601

Rocky Mountains
 Ski Village
 1815 Central Park Drive, #370
 Steamboat Springs, Colorado 80477
 Ph 970.879.1825
 Fax 866.242.9106

- Official Development Plan Written Restrictions
- Traffic Study (SE & NW Corner Properties)

Thank you in advance for your time to process this application. We look forward to working with you and other staff.

If you have any questions or are in need of additional information please contact me at 303-202-5010 ext. 218 or ethan@baselinecorp.com.

Sincerely,



Ethan Watel, AICP
Senior Planner, Project Manager
Baseline Corporation

CC: Three Dinos, LLC
Michael E. Diehl and Amber S. Dedus, Xcel Energy

Rezone Application Summary
Southeast Corner of C-470 and Alameda Parkway
CD-RM to Planned Development

Property Information

The subject property is located on land in the Southeast Quarter of Section 23 and the Southwest Quarter of Section 24, Township 4 South, Range 70 West of the 6th Principal Meridian. The parcel is bordered by C-470 and South Rooney Road to the west, West Alameda Parkway to the north, South McIntyre Street to the east, and land owned by the City of Lakewood to the south. A small portion (approximately 0.36 acres) lies on the east side of McIntyre Street. The property is bisected by a transmission line owned by Public Service Company of Colorado (Xcel Energy). A vicinity map is included with this application.

The following parcels are included in this application for rezoning:

<i>County Parcel ID</i>	<i>Owner</i>	<i>Current Zoning</i>	<i>County Acres¹</i>	<i>Deed Acres</i>
40-234-00-014	Three Dinos, LLC	CD-RM	24.51	25.56 ²
40-243-00-004	Three Dinos, LLC	CD-RM	1.00	
40-234-00-022	Public Service Company of Colorado	CD-RM	4.69 ³	4.69 gross 4.48 net ³

Total acres: approximately 30

Copies of the current deeds for all parcels are included with this submittal. A new legal description for the entire area being rezoned is also included.

Access

The access to the property can be provided at the following locations:

- On the west side of the site on South Rooney Road
- On the east side of the site on South McIntyre Street

The exact locations of access drives are not known at this time. Locations of future access points will be determined at the time of platting. A plat application is soon to be created and submitted.

Water

Currently there is no water service or known water wells existing on site. The site will be serviced by The Consolidated Mutual Water Company. A letter has been provided indicating that this service can be accommodated in the future and the site is within their service area.

¹ Acreage as listed in the Jefferson County Assessor's property record.

² Parcels 40-234-00-014 and 40-243-00-004 together comprise parcels 2, 3, & 6 in that deed recorded at Reception No. 2008004630.

³ A portion of PSCO's property appears to be within the roadway for South Rooney Road and West Alameda Parkway. The net acreage listed subtracts the area being used as right-of-way. This land will need to be dedicated.

Sewer

The property is not located within any sanitation district. At this time the owner will rely on a proposed Onsite Wastewater Treatment System (OWTS). Any OWTS will be permitted by Jefferson County and any applicable state agencies. The OWTS will be a temporary facility - in the future, as the property develops the property will be served by a sanitation district and the OWTS will be removed. Currently there are discussions with several options/districts to provide a permanent sanitation connection.

Fire District

The subject site is located within the West Metro Fire Protection District (WMFPD). A letter confirming that the site is located within the WMFPD was obtained from the district's administrative staff and is included in this application.

Present Zoning

The properties have been zoned CD-RM since April 24, 2007 when the Jefferson County Board of County Commissioners approved Resolution CC07-196 amending the zoning for this property as well as the other three quadrants of the interchange. The CD-RM zone district allows for a multitude of commercial and light industrial uses, including the following:

Permitted Use in the CD-RM Sub-district

- Light Manufacturing, processing, and fabrication of commodities, except those permitted in the Industrial-One, Industrial-Two or Industrial-Four districts.
- Research and development facility
- Business and professional offices
- Medical and dental offices, clinics, emergency facilities and hospitals.
- Laboratories except those involved in any hazardous process or that emit noxious noise, dust, fumes or odor.
- Banks and other financial institutions
- Other similar light industrial uses that are not more detrimental to the highest and best use of land permitted above.
- Retail shopping facilities
- Convenience service establishments including, but not limited to, barber and beauty shops, cleaners, shoe repair shops and laundries.
- Specialty goods and services including, but not limited to, art galleries, plant store or nursery, pet stores, book stores, and drug stores.
- State Licensed daycare center or large day-care home or preschool or nursery.
- Adult day-care center
- Restaurants, including fast food and carry-out facilities.
- Medical supply and drug store
- Grocery store
- Department store
- Indoor recreational facilities and limited outdoor recreational facilities in conjunction with indoor recreational facilities.

Accessory Uses in the CD-RM Sub-district:

- Construction Trailers 2 year maximum
- Commercial service activities that are accessory to the main use of the building may be conducted provided said use is contained within the main building. Cafeterias, restaurants without drive-through service, state licensed child or adult day care, and personal services such as beauty parlors, barber shops, laundry pick-up stations may be conducted. However, the sum total of accessory commercial uses shall not exceed 10 percent of the gross floor area of any single building. The entrance to any accessory commercial use shall be from inside the building and no advertising shall be visible from outside the building.¹
- Accessory Uses per the Accessory Use Section of the Zoning Resolution.

Special Uses in the CD-RM Sub-district:

- Gas station, service station, or car wash. No more than 3 of these uses shall be located within 3,960 feet (3/4 mile) of an intersection of a freeway and a principal arterial, or minor arterial as designated on the Major Thoroughfare Plan.
- Auto repair facility, max. 4 bays. No more than 2 of these uses shall be located within 3,960 feet (3/4 mile) of an intersection of a freeway and a principal arterial, or minor arterial as designated on the Major Thoroughfare Plan.
- Building materials retail stores
- Hotels and motels

Proposed Zoning

The proposal is to amend the zoning to Planned Development (PD) with a set of written restrictions to control the uses and site design on the site. All CD-RM use, lot, and building standards shall remain as is unless specified below. In addition, all applicable Jefferson County Zoning Resolution standards will remain in effect. The changes proposed are the following:

List the following uses as a 'Permitted Use':

- Motorcycle repair facility;
 - The applicant wishes to restrict the location of any future motorcycle sales operation. This use must be located on the western side of the parcel.
- Building material retail stores;
- Gas station, service station, or car wash;
- Hotels and motels;
- Motorcycle sales, leasing or rental (new or used); and
- Parking, including customer and employee parking of operable motor vehicles either open or covered.

List the following use as a 'Prohibited Use':

- Mini-storage.

In the pre-application submittal, we proposed multi-family uses on the property. While multi-family is allowed within the C-470 Alameda Activity Area, it is capped at 19 acres. The Southwest corner of C-470 and Alameda is zoned to allow multi-family, but to date it has not come to fruition. We are not proposing multi-family residential uses on the Southeast corner at this time in this application.

In addition to the added uses, the Written Restrictions refer to a future Architectural Control Committee (ACC) that will be established to govern the development on the site. The ACC will implement design standards that exceed Jefferson County's standards relating to site design, building design, sign design, lighting, and noise. A set of design guidelines will be drafted to enforce common architecture elements throughout the four quadrants of the interchange.

Community Plan Recommendations

The property is part of the Jefferson County Central Plains Area Plan (2011), specifically within Area 31, the C-470 Alameda Activity Center. Per the plan's future land use maps, the recommended land uses for the southeast corner site are Large Scale Commercial/Mixed Use Building/Multi-Family.

Regarding the C-470/Alameda Activity Center the plan states the following:

"The construction of the interchange at C-470 and West Alameda Parkway and recent rezoning cases have made the land surrounding the interchange prime for higher intensity uses. This area should allow for retail, office, light industrial, and multi-family residential uses."

Large Scale Commercial (LSC) is defined as *Commercial uses that may have a regional draw. These include all Neighborhood Commercial uses, retail, office, and light industrial uses of any size, hotels and motels, hospitals, and automobile dealerships.*

Note that the Large Scale Commercial land use category is cumulative, and includes both the Neighborhood Commercial and Limited Commercial categories.

Further, Neighborhood Commercial (NC) is defined as *Commercial uses intended to serve the local neighborhood. These include all Limited Commercial Uses, grocery stores typically up to 75,000 square feet, retail businesses and small theaters typically less than 24,000 square feet, fast food restaurants, neighborhood taverns and nightclubs, and automobile repair facilities and gas stations. May include shops for custom work such as electrical, plumbing, air conditioning and similar type shops, with no outdoor storage.*

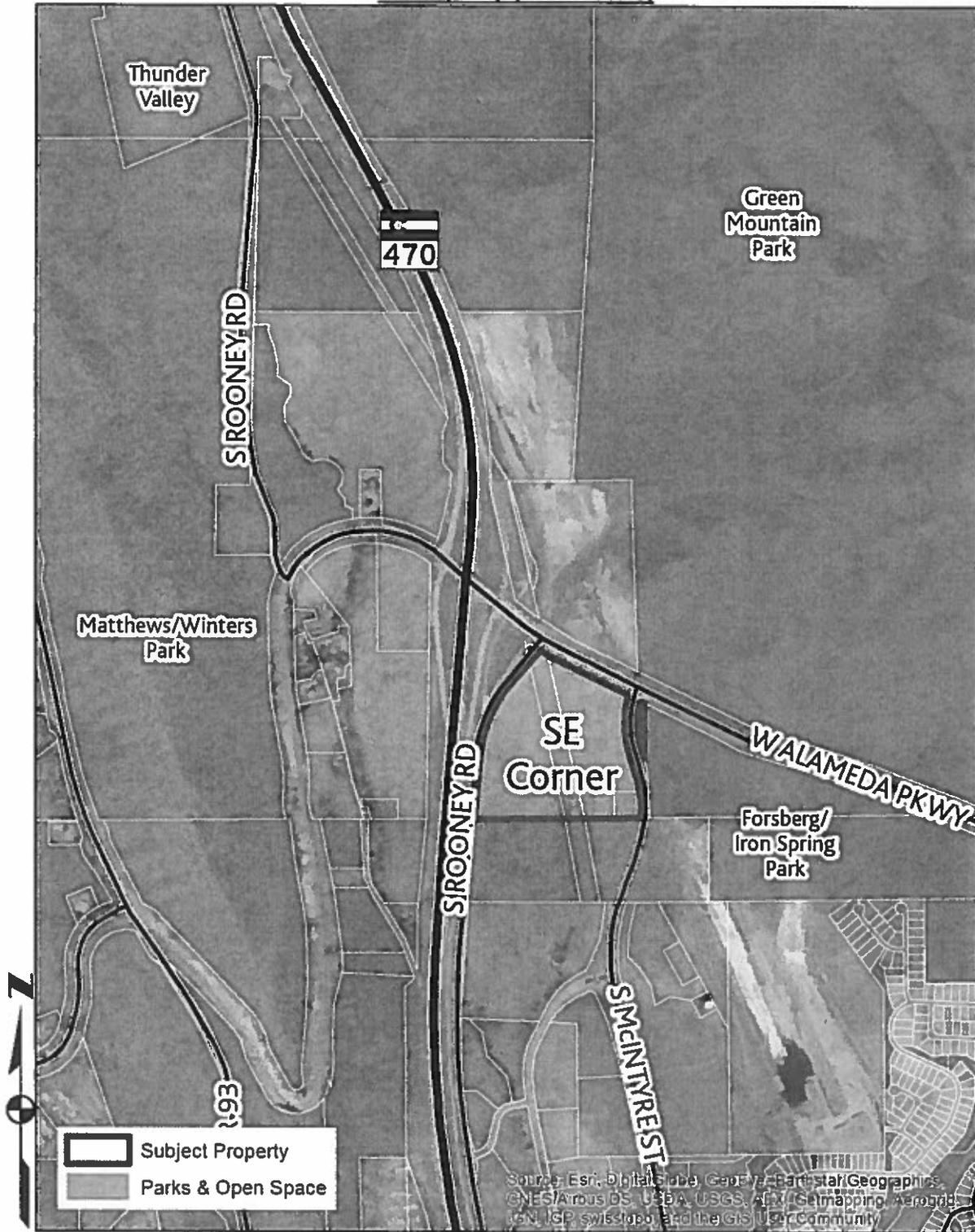
Conclusion

The Comprehensive Master Plan and the Central Plains Area Plan support the proposed rezoning. Automobile dealerships are included as suggested uses as indicated above.

The property has been marketed to no avail since it received commercial zoning roughly nine years ago. If approved, this PD amendment will allow an anchor tenant, Harley-Davidson, to locate on the Southeast corner property and is willing to help finance the utility infrastructure that is required to attract neighborhood retail tenants and allow a shopping center to locate within on this site.

A shopping center servicing the local neighborhood community seems to be preferred as opposed to light industrial/warehousing uses that are permitted without this rezoning application. The proposed uses are desired by the existing surrounding neighborhoods and are supported by the Jefferson County Master Plan. Once completed, the subject property will have fulfilled Jefferson County's vision for the property as a retail corner serviced by the Alameda Parkway interchange on C-470 and the greater Rooney Valley.

Vicinity Map (Not to Scale)



0 0.5 1 Miles

C-470/Alameda Southeast - Rooney Ranch Business Center

Official Development Plan

- A. Intent – The purpose of this rezoning is to further enhance the existing Corridor District – Medium Scale Retail (CD-RM) zoning at the southeast corner of the interchange of C-470 and West Alameda Parkway. This rezoning furthers the goals of the Jefferson County Comprehensive Master Plan by promoting uses and site design that will create a needed neighborhood retail destination supported by other non-residential uses. The Business Center will incorporate a high level of coordinated architectural design. A design review board or architectural control committee will be established to enforce design standards.
- B. The property encumbered by this Official Development Plan is described in the legal description attached hereto as Exhibit A.
- C. The Board of County Commissioners' Resolution authorizing this rezoning is recorded at Reception Number _____ in the Jefferson County, Colorado records of the Clerk and Recorder.
- D. Written Restrictions:
- a) Except as may be otherwise expressly set forth in this Official Development Plan, the standards set forth in Section 19 of the Jefferson County Zoning Resolution and pertaining to the Corridor District Medium-Scale Retail (CD-RM) Zone Subdistrict, and the standards set forth in the Definitions and Sections 1 through 17 of the Jefferson County Zoning Resolution, shall control the use and development of the property.
 - b) In addition to the Permitted Uses in the CD-RM Zone Subdistrict, the following uses shall also be allowed as Permitted Uses:
 - i. Motorcycle repair facility;
 - ii. Building material retail stores;
 - iii. Gas station, service station, or car wash;
 - iv. Hotels and motels;
 - v. Motorcycle sales, leasing or rental (new or used); and
 - vi. Parking, including customer and employee parking of operable motor vehicles either open or covered.
 - c) Prohibited Uses
 - i. Mini-storage.
 - d) Limitations on Uses:
 - i. Motorcycle, sales, leasing or rental (new or used) and Motorcycle repair facility shall be limited to a maximum lot size of 5.5 acres (five and one-half acres) and shall not be located on the eastern 450 feet of the property.
 - e) Lot and Building Standards:
 - i. In addition to the Maximum Heights in Section 19(F) of the CD-RM Zone Subdistrict, Hotels shall have a maximum permitted building height of 60 feet.

Exhibit A

Legal Description

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO.

BASIS OF BEARINGS: THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 23, BEING MONUMENTED AT THE SOUTH BY A 2" ALUMINUM CAP AND AT THE NORTH BY A 1-1/2" AXLE IS ASSUMED TO BEAR S 00°54'37" W, A DISTANCE OF 2633.03 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 23:

THENCE S 00°54'37" W ALONG SAID EAST LINE OF SOUTHEAST QUARTER A DISTANCE OF 1469.23 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WEST ALAMEDA AVENUE AS DESCRIBED UNDER RECEPTION NUMBER 2011076252 AND THE POINT OF BEGINNING;

THENCE S 62°50'57" E ALONG SAID SOUTH RIGHT-OF-WAY A DISTANCE OF 458.24 FEET TO A POINT ON AN ARC OF A TANGENT CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 66°50'13", A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 23.33 FEET AND A CHORD WHICH BEARS S 29°25'56" E A DISTANCE OF 22.03 FEET TO A POINT OF A COMPOUND CURVE, SAID CURVE BEING ON THE WEST RIGHT-OF-WAY OF SOUTH McINTYRE STREET AS DESCRIBED UNDER RECEPTION NUMBER 85103604;

THENCE ALONG SAID WEST LINE FOLLOWING FIVE (5) COURSES:

- 1) ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 08°09'57", A RADIUS OF 225.28 FEET, AN ARC LENGTH OF 32.11 FEET AND A CHORD WHICH BEARS S 08°04'04" W A DISTANCE OF 32.08 FEET TO A POINT OF TANGENCY;
- 2) S 12°09'04" W A DISTANCE OF 29.09 FEET TO A POINT ON AN ARC OF A TANGENT CURVE;
- 3) ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 27°28'41", A RADIUS OF 800.00 FEET, AN ARC LENGTH OF 383.67 FEET AND A CHORD WHICH BEARS S 01°35'17" E A DISTANCE OF 380.00 FEET TO A POINT OF TANGENCY;
- 4) S 15°19'38" E A DISTANCE OF 190.07 FEET TO A POINT ON AN ARC OF A TANGENT CURVE;
- 5) ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 19°46'33", A RADIUS OF 950.00 FEET, AN ARC LENGTH OF 327.90 FEET AND A CHORD WHICH BEARS S 05°26'21" E A DISTANCE OF 326.27 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24 AND POINT OF NON-TANGENCY;

THENCE N 89°29'46" W ALONG SAID SOUTH LINE A DISTANCE OF 518.28 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 23;

THENCE N 88°58'50" W ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 781.68 FEET TO THE EAST LINE OF THE PARCEL AS DESCRIBED UNDER RECEPTION NUMBER 88074103;

THENCE N 06°11'59" E ALONG SAID EAST LINE A DISTANCE OF 486.65 FEET TO THE EAST LINE OF THE PARCEL AS DESCRIBED UNDER RECEPTION NUMBER 2008002842;

THENCE ALONG THE EASTERLY LINE OF THE PARCEL AS DESCRIBED UNDER RECEPTION NUMBER 2008002842 THE FOLLOWING FIVE (5) COURSES:

- 1) ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 33°25'35", A RADIUS OF 1000.10 FEET, AN ARC LENGTH OF 583.46 FEET AND A CHORD WHICH BEARS N 22°59'36" E A DISTANCE OF 575.22 FEET TO A POINT OF TANGENCY;
- 2) N 39°41'25" E A DISTANCE OF 37.88 FEET;
- 3) N 42°59'14" E A DISTANCE OF 229.10 FEET;
- 4) N 11°27'53" W A DISTANCE OF 134.07 FEET;
- 5) N 61°26'07" E A DISTANCE OF 39.65 FEET TO THE SOUTH RIGHT-OF-WAY OF WEST ALAMEDA AVENUE AS RECORDED UNDER RECEPTION NUMBER 2011076252;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES;

- 1) ALONG SAID RIGHT-OF-WAY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12°03'14", A RADIUS OF 1248.27 FEET, AN ARC LENGTH OF 262.61 FEET AND A CHORD WHICH BEARS S 56°49'09" E A DISTANCE OF 262.13 FEET TO A POINT OF TANGENCY;
- 2) THENCE S 62°50'57" E A DISTANCE OF 129.21 FEET TO THE POINT OF BEGINNING;

SAID DESCRIBED PARCEL OF LAND CONTAINS 1,301,991 SQ. FT., MORE OR LESS.

TOGETHER WITH A PARCEL OF LAND A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO.

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 24:

THENCE S 00°54'37" W ALONG SAID EAST LINE OF SOUTHEAST QUARTER A DISTANCE OF 1460.91 FEET;

THENCE S 62°50'58" E A DISTANCE OF 608.25 FEET TO THE WEST LINE OF THE PARCEL AS DESCRIBED UNDER RECEPTION NUMBER 80061752 AND TO THE POINT OF BEGINNING;

THENCE S 00°54'04" W ALONG SAID WEST LINE A DISTANCE OF 435.42 FEET TO THE EAST LINE OF THE PARCEL AS DESCRIBED UNDER RECEPTION NUMBER 85103604;

THENCE ALONG SAID EAST LINE FOLLOWING THREE (3) COURSES:

- 1) N 15°19'38" W A DISTANCE OF 73.63 FEET TO A POINT ON AN ARC OF A TANGENT CURVE;
- 2) ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 27°28'41", A RADIUS OF 700.00 FEET, AN ARC LENGTH OF 335.71 FEET AND A CHORD WHICH BEARS N 01°35'17" W A DISTANCE OF 332.50 FEET TO A POINT OF TANGENCY;
- 3) N 12°09'04" E A DISTANCE OF 20.18 FEET TO A POINT ON AN ARC OF A TANGENT CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 105°27'53", A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 36.81 FEET AND A CHORD WHICH BEARS N 64°52'42" E A DISTANCE OF 31.83 FEET TO A POINT OF TANGENCY;

THENCE S 62°50'57" E A DISTANCE OF 2.76 FEET TO THE POINT OF BEGINNING;

SAID DESCRIBED PARCEL OF LAND CONTAINS 15,476 SQ. FT., MORE OR LESS.

- f) Sign Standards: In addition to the standards set forth in Section 11 of the Jefferson County Zoning Resolution, the following standards shall also apply:
 - i. Project or Center Identification Signs:
 - 1. Up to six (6) signs within the PD are allowed.
 - 2. Such signs are allowed to include the project/center name and address and are allowed to include identification of tenants within the PD.
 - 3. Signs may be single or double faced, monument style.
 - 4. Maximum size shall be 75 square feet, per face.
- g) Design Standards:
 - i. There shall be an Architectural Control Committee (ACC) or other design review board to govern development on the property. No building or sign permit shall be issued over the prior written objection of such design review board.

OWNERS' CERTIFICATES:

Three Dinos, LLC, a Colorado Limited Liability Company, owner of the land affected by this Official Development Plan, accepts and approves all conditions set forth herein.

By: _____ Date: _____
William K. Jenkins
Title: Manager

State of Colorado)
) ss.
City & County of Denver)

The foregoing was acknowledged before me this _____ day of _____ 2016, by William K. Jenkins, as Manager of Three Dinos, LLC.

Notary Public
My commission expires: _____

Town of Morrison
Board of Trustee Regular Meeting
May 3, 2016
Board Action Form

Subject: There are two regular Planning Commissioner vacancies and two alternate vacancies. Attached are three letters of interest. Here are the terms of the current Commissioners:

Roberts, Gretchen (Chair)	4/2016	}
Chambers, Jamee (Co-Chair)	4/2016	
Schweich, Matt (Alternate)	4/2016	
Oswalt, Loren (Alternate)	4/2016	
Raymond, Shari (Commissioner)	4/2018	
Stefansdottir, Maja (Commissioner)	4/2018	
Mercord, Todd	4/2020	

Town Attorney Review Yes No

Motion: Motion to appoint _____ and _____ as regular Planning Commissioners.

207 Bear Creek Lane
P.O. Box 339
Morrison, CO 80465
March 17, 2016

Honorable Mayor Sean Forey
and Board of Trustees
Town of Morrison
321 Hwy 8
Morrison, CO 80465

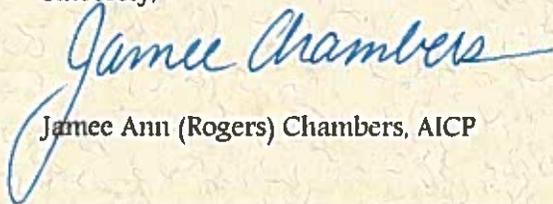
Mayor and Trustees,

I would like to apply to fill any position on the Planning Commission for the terms that will be vacant this year.

Since 1984 I've administered a small business and represented private planning clients in Jefferson, Clear Creek, Adams, Arapahoe and Douglas Counties. I feel that I have used my professional skills and interests in all of my volunteer efforts. in Town festivals and projects, on the Board of Directors of the Lariat Loop Scenic and Historic Byway, past member on the Board of the Jefferson County Historical Society, the Jefferson County Historical Commission and my quilt guild.

Our surveying and planning practice has specialized in the Town of Morrison and has given me a practical knowledge of the property lines within the Town limits and those surrounding the Town boundary. Through my planning background I have experience with the steps needed to process zoning cases, variance cases, minor lot line changes and subdivisions. I have learned several versions of CAD and have to produce three or more drawings per week during our busiest seasons. I have worked in the field running the survey instrument on major construction projects from I-70 bridges, Jefferson County R-1 and Platte Canyon school district schools and numerous pipeline projects from Westminster to Castle Rock.

Sincerely,



Jamee Ann (Rogers) Chambers, AICP

Char Bryant

From: graybeard.lo@gmail.com on behalf of Loren Oswalt <lorenoswalt@comcast.net>
Sent: Thursday, April 28, 2016 6:24 AM
To: Char Bryant
Subject: appointment to planning commission and board of adjustment

Sorry I am so late getting this to you.
I would like to reapply for the planning commission and the board of adjustments

Thanks

Loren Oswalt

*Innovative Contracting Services
PO Box 127
Morrison, CO 80465
303-359-6796*

April 15, 2016

Town Clerk
Town of Morrison
321 Highway 8
Morrison, CO 80465

Dear Town Board Members,

I am writing to express my interest in being appointed to the Planning Commission as a regular Commissioner (6 years). For the past two years, I have been on the Planning Commission as an Alternate. I would also be willing to remain as an Alternate if a regular Commissioner position is not available. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Matt Schweich". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Matt Schweich
211 Spring Street
303-408-2496
matt@bearcreek-ec.com

To: Mayor and Board of Trustees

From: Matthew T. Mossbrucker, Director, MNHM

Subject: Monthly Report - March/April 2016

Date: April 26, 2016

Visitation & Revenue

Snow, particularly the Spring Break blizzard, combined with the disruption of construction have had a negative impact on visitation. Over \$25,814 has been raised in tickets and gift shop sales during the first quarter of 2016. A total of \$6,500 was raised in April as of the 26th. Gift shop sales total \$8,018 (gross, after tax) year to date.

Visitation will continue to increase from this point through August. We anticipate serving between 15,000 and 17,000 visitors this year.

Don't forget to follow along with our media campaign on our Facebook (link on MNHM.org) and Twitter (@MorrisonMuseum) accounts.

Behind the Scenes

I defend the SCFD grant project on May 24.

I polled our volunteer corps for feedback on what they would like us to acquire with the \$15,000 earned for exhibit augmentation. With this feedback, I have created a handful of packages for our volunteers to vote on, but we are still waiting on bids from a potential supplier. New acquisitions are important as they refresh exhibits and create new programming for visitors and marketing opportunities.

We are on track for the installation of the long-awaited trail signs this spring.

Construction on the new museum balcony that began in late March continues. I estimate that the balcony will be complete in early May. The parking lot has recently been released for parking, which has helped. So far, I have been pleased with the quality of work that has been completed.

Aggregate Industries has agreed to donate gravel for the museum parking lot and circle drive, but this donation has yet to take place. A.I. is coordinating directly with Town maintenance.

I anticipate the reinstallation of the building sign by early May, pending the completion of the balcony. Zuni had to repaint the sign, as the new paint began to peel. This was done at no charge.

We again recruited a handful of new volunteers over the past month. Formalized training for all volunteers continues. More than fifty volunteers now assist Doug and I in the operation of the Museum.

I attended a professional meeting in Colorado Springs last week, which culminated in a professional field trip and tour I lead for an international group of professional fossil preparators for the Association of Materials and Methods in Paleontology (AMMP).

WATER

- Replacement of our water plant MCC is nearing completion. The final electrical inspection has been set for Friday 4/29/16. When it passes the inspection, the project will be 100% complete.
- We have begun pulling our raw water source (water that hasn't been treated yet) from the operation reservoir. We are doing this for two reasons. First, the creek is extremely turbid and will continue to be throughout this rain season. Secondly, we will be pulling the reservoir level down (approximately 30ft) so that we can inspect the suction/discharge line that enters the reservoir. At this time, we will also perform any necessary maintenance. We will also be inspecting the amount of sand/silt at the bottom. It will stay at a 30ft decreased level for about a week until we will start refilling. As a safety precaution for the general public, there will be caution tape put up around the reservoir until its back to its normal operational level.
- In the month of May, we will begin the process of replacing the WTP SCADA computer.
- We are working on pump station for Red Rocks Amphitheater. Will be starting the transmission main bidding. Advertise May 4*, Pre bid meeting on May 12* and Bid opening on May 18*.

WASTEWATER

- We have been preparing for, and will be putting online SBR #2 in the month of May. By getting the basin online before Red Rocks starts sending their waste to us all at once, will make it an easier transition for when they do. This will also give us a better idea if we have enough BOD (food for bugs) to keep both basins online without the shock loads (large quantities of waste in short time period) that we will be receiving from Red Rocks during winter out of concert season.
- We drained down the FEB (flow equalization basin) which is located at the end of both SBRs and power washed the floor and walls to get rid of the algae growth that has become a nuisance.
- Working closely with the Bear Creek Nursing home in the replacement of their grease interceptor.

BCWA

- As you know the segment of Bear Creek in downtown Morrison has been listed for Copper. This means that the BCWA will need to do some investigative sampling in order to identify the source of the high copper readings. I will be heading up this project and collecting these samples for the BCWA. I believe this will help in getting the Town Of Morrison more involved in the BCWA as well as keeping a close eye on the copper listing.

- Russ Clayshulte gave a recap of a presentation he gave recently to the Audubon Society about hydrology on the Bear Creek Watershed. The inflow to Bear Creek Reservoir in 2015 was very high at 116,000 acre feet, only two other years (1901 and 1944) saw similar flow levels. Although 2015 was a record year, the long term trend is that overall flows in Bear Creek are decreasing over time. Historical data (99 years of record) for the flow gauge on Bear Creek in Morrison identifies that the highest flows are recorded in May and June with flows in the range of 140 to 150 cfs. Historical data (since 1900) indicates that overall the average flow of water in Bear Creek at the Morrison gauging station is decreasing over time from approximately 60 cfs in 1900 to 45 cfs in 2015. The amount of extreme one day precipitation events in the US is increasing. It was discussed that due to climate change, the Bear Creek Watershed is expected to experience more frequent extreme weather events than recorded in the past. Even in years where the average amount of precipitation remain similar, it is expected that the precipitation will arrive in the form of short duration intense events. There was discussion among the water administrators in the group about how to best manage these extreme events in the future. Current infrastructure is not set up to capture water from infrequent intense events, changes are being made. Clear Creek County is an advocate for more high alpine water reservoirs, the need for this type of infrastructure is supported in the Colorado Water Plan.
- Denver Water reported that they are beginning to divert water from Bear Creek into the Harriman Ditch. Probably only about 5 to 8 cfs at this time. The amount diverted will be ramping up as irrigation season gets underway. The highest draw rate by Denver Water from Bear Creek into the Harriman Ditch is in the late summer and early fall.

**Thanks,
Fritz Fouts
Utility Director**

TOWN OF MORRISON
BOARD OF TRUSTEE REGULAR MEETING
May 3, 2016
Board Action Form

SUBJECT: Approval of Consent Agenda

PROCEEDURE: Approve the minutes, vouchers and payroll

RECOMMENDATION: Approve the Consent Agenda

TOWN ATTORNEY REVIEW: YES NO

MOTION: Motion to approve the Consent Agenda.

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, APRIL 19, 2016
6:00 P.M. – 9:00 P.M.**

Call to Order. Mayor Pro Tem Brewster Caesar called the regular Town Board Meeting to order at 6:00 P.M.

Roll Call. Mayor Pro Tem Brewster Caesar, Trustees Venessa Angell, Debora Jerome, and Allen Williams were present. Sean Forey, Ronald Metzler and Christopher Wolfe were absent. A quorum was established.

Staff Present. Gerald Dahl (Town Attorney), Kara Zabilansky (Town Administrator) and Charla Bryant (Town Clerk).

Amendments to the Agenda. Add 4b – Outdoor Amplified Music.

Public to Address the Board. Kathleen Dichter signed in to address the Board relating to 3a – Resolution 2016-06 and 4a - Resolution 2016-05.

Presentations and Hearings.

Resolution 2016-06, a Resolution Amending the Fiscal Year 2015 Budget for the Town of Morrison and Making Appropriation in accordance therewith. Caesar opened the Public Hearing. Zabilansky stated that the 2015 Budget is being amended for the second time. There is a need to increase the General Fund budget in the amount of \$10,000.00.

Kathleen Dichter, 109 Spring Street, Morrison, CO 80465. Dichter went through the financials. Dichter stated that employee benefits are over: Administration is over by \$3,566, Court is over by \$3,761, Police Department is over by \$25,496.99, Public Works is over by \$1,617, Museum is over by \$13,236. The sum is \$47,678.38. Dichter believes it is a billing error with Kaiser and asks if employee benefits were adjusted. Dichter stated it appeared that if the employees had a family plan, the employees were not billed. Dichter would suggest to the Board that it adopt a motion that employee benefits were over due to insurance benefits. There should be a record. There are thresholds on what people can spend. Bonuses were given out, Dichter believes in the approximate amount of \$20,000. Because it is in the budget, money does not need to be spent. Revenues are over for the year by \$64,000.00. Expenses under by \$116,000.00. Some of the expense was moved for the capital. Zabilansky stated the Town is over budget in the General Fund by \$10,000.00. The Town does not need to do an amendment for each item; it is the bottom line that matters according to the auditors. Resolution number should be 2016-06 not 2015-06. Williams made a motion to adopt Resolution 2016-06, a Resolution Amending the Fiscal Year 2015 Budget for the Town of Morrison and making Appropriation in accordance therewith. Jerome seconded the motion. All present voted in favor. Caesar noted that the

budget is amended at the end of every year to keep it in balance as required by law and that the Town is in the best financial condition that it has ever been in. Caesar would like to thank the staff. Caesar closed the Public Hearing.

General Business.

Resolution 2016-05, a Resolution Memorializing a Loan Between the Town of Morrison General Fund and the Town of Morrison Utility Fund. Zabilansky stated the auditors recommended writing off the loan. Dichter stated she would like the years and the amounts owing for each year to be listed. Caesar stated that the Balance Sheet for each year clearly shows the amount owed and does not want to make more work for the staff. Dahl stated the Resolution reflects this year's figures. Angell made a Motion to adopt Resolution 2016-05, a Resolution memorializing a loan between the Town of Morrison General Fund and the Town of Morrison Utility Fund. Williams seconded the motion. All present voted in favor of the motion.

Outdoor Amplified Music. Williams stated he has issues with the amplified music times. Times should be changed to reflect Sunday through Thursday ending at 9:00 pm and Friday and Saturday ending at 11:00 pm. Dahl stated any time differences need to be changed by Ordinance. Zabilansky stated that exceptions could be made for special events like Alley Fest. Williams would like to schedule a discussion of the amplified music at the next Board meeting. Williams made a motion to direct staff to place restrictions of outdoor amplified music on the Board Agenda for the May 3, 2016 meeting. Jerome second the motion. All present voted in favor.

Adjournment. The meeting was adjourned at 6:30 pm.

Caesar would like to thank Venessa Angell, Chris Wolfe and Ronald Metzler who served as Trustees for the Town of Morrison the last four years. Caesar stated he would like to welcome Katie Gill to the Board.

Oaths of Office. Venessa Angell and Katie Gill were administered the Oath of Office by Charla Bryant, Town Clerk.

Call to Order. Brewster Caesar called the regular Town Board Meeting to order at 6:32 pm.

Roll Call. Brewster Caesar, Trustees Venessa Angell, Katie Gill, Debora Jerome, and Allen Williams were present. Sean Forey and Christopher Wolfe were absent. A quorum was established.

Staff Present. Gerald Dahl (Town Attorney), Kara Zabilansky (Town Administrator) and Charla Bryant (Town Clerk).

Mayor Pro Tem. Angell made a motion to elect Brewster Caesar as Mayor Pro Tem. Jerome seconded the motion. All present voted in favor of the motion

Appointments. Jerome made a motion to appoint Charla Bryant as the Town Clerk, Kara Zabilansky as the Town Administrator, Gerald Dahl as the Town Attorney, Ford Wheatley as the Town Judge, Cynthia Covell as the Water Attorney and Rudy Sandoval as the Chief of Police.

Williams seconded the motion. All present voted in favor. Williams made a motion to appoint Jerome as the DRCOG representative and Sean Forey as the alternate. Angell seconded the motion. All present voted in favor of the motion.

Amendments to the Agenda. Continue 10b to the next meeting as it relates to the Planning Commission and the three JPRC representative positions. These positions will be reposted and brought before the Board at a later meeting.

Public to Address the Board.

Kathleen Dichter, 109 Spring Street, Morrison, CO. Dichter would like to thank the Board for picking up the tree limbs throughout the Town.

Adam Way, 201 Bear Creek Lane, Morrison, Colorado. Turning left onto the entrance ramp of C470 from Morrison Road is difficult. Way has almost been run off the road two times at the yield sign. The Board stated that it will bring this matter up to CDOT.

Departmental Reports.

Court. Revenues are good. There were no further questions or comments.

Accounting. There were no questions or comments.

Town Administrator. There is a Rooney Valley Planning Workshop on April 20, 2016. The Town audit has been completed and a presentation will be made at a later Board meeting. Alley Fest is three weeks away. The Town clean-up is two weeks away. The Street Sweeping is one week away. A notice of violation was sent to the Nursing Home because of lighting. The DOLA Grant for \$213,000 came through for the Clear Well.

Attorney. Dahl provided an update on the status of various projects.

Planning Commission Minutes. Brea Pafford is leaving McCool Development Solutions and will be employed by Lakewood.

Interwest Safety. A new permanent cross-walk sign is requested. The sign would be by The Cow. There would be one pedestrian activated, flashing sign on each side of the cross-walk. Caesar and Gill would like to have more options; stay away from flashing. Jerome likes the sign in the center. Zabilansky will look into other options.

Consent Agenda. Caesar made a motion to approve the Consent Agenda. Jerome seconded the motion. All present voted in favor of the motion.

Board Comments. The stop sign at the Park Street Bridge and the one way sign is not good and is not the correct height.

Adjournment. The meeting was adjourned at 7:02 pm.

TOWN OF MORRISON

Brewster Caesar. Mayor Pro Tem

ATTEST:

Charla D. Bryant, Town Clerk

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
SPECIAL MEETING OF THE BOARD OF TRUSTEES
MONDAY, APRIL 25, 2016
4:00 P.M. – 5:00 P.M.**

Call to Order. Mayor Sean Forey called the special Town Board Meeting to order at 4:00 P.M.

Roll Call. Mayor Sean Forey, Trustees Brewster Caesar, Venessa Angell, Debora Jerome, Katie Gill and Allen Williams were present. Christopher Wolfe was absent. A quorum was established.

Staff Present. Glendon Berrett (Town Engineer), Gerald Dahl (Town Attorney), Kara Zabilansky (Town Administrator) and Charla Bryant (Town Clerk).

Public to Address the Board. None.

General Business.

Staff Memorandum and Canterbury Construction Management Services, Inc. – CMAR Contract. CMAR will manage all other contracts and will coordinate the site work. Berrett stated TTG changed a few things to bring contract down and the amount came in right on budget. Denver will pay for anything above and does not need to approve the contract. Zabilansky stated Denver knows what is happening. Forey stated Denver wanted the work completed quickly. The job was sent out to four companies and only 2 companies placed a bid. Caesar made a motion to enter into a contract with Canterbury CMS in the amount of \$123,432.00. Gill seconded the motion. All present voted in favor.

MCI – Prefabricated Pump Station. Williams made a motion to enter into a contract, upon attorney approval of the final form of contract with Motor Controls, Inc. in the amount of \$147,286.00. Dahl stated there would be 10 days to notice any defects, but this would not limit warranty repairs. Caesar asked if there would be an interior smoke alarm that would be tied in with West Metro Fire. Angell seconded the motion. All present voted in favor.

Timberline Electric & Controls and Cross Diamond Electric, Inc. Angell made a motion to enter into contracts, upon attorney approval of the final form of contract with Timberline Electric & Controls in the amount of \$22,665.00 and Cross Diamond Electric, Inc. in the amount of \$19,050.00. Gill seconded the motion. All present voted in favor.

Berrett stated the concrete pad is 16' x 12'.

Adjournment. The meeting was adjourned at 4:25 pm.

TOWN OF MORRISON

ATTEST:

Sean Forey, Mayor

Charla D. Bryant, Town Clerk

Date	Payee	Employee Number	Reference Number	Check Number	M	Gross	Expense	FICA	FWT	SWT	Deduct	Net	D	Info	F/T
04/22/2016															
PC															
Total PC:		6078		32		44,833.67	.00	3,392.36-	4,374.00-	1,500.00-	2,711.68-	32,855.63-			.00

PC Hours/Units/Types Summary

PC	Title	Hours	Units	Net Type	Amount	D	Info Type	Amount
1-00	Regular Pay	1,715.00	.00	Direct Deposit Net	32,855.63-	D	Informational	.00
2-00	Overtime Pay	25.00	.00	Net	.00		Info Tips Reported	.00
3-00	Vacation Pay	32.00	.00				Fringe Benefit	.00
4-00	Sick Leave Pay	24.00	.00					
5-02	PD Special Officer Wages-	48.00	.00					
7-02	Holiday - Floating	24.00	.00					
Grand Totals:		1,868.00	.00		32,855.63-			.00

Total 04/22/2016:	6078	32	32	44,833.67	.00	3,392.36-	4,374.00-	1,500.00-	2,711.68-	32,855.63-	.00
-------------------	------	----	----	-----------	-----	-----------	-----------	-----------	-----------	------------	-----

04/22/2016 Hours/Units/Types Summary

PC	Title	Hours	Units	Net Type	Amount	D	Info Type	Amount
1-00	Regular Pay	1,715.00	.00	Direct Deposit Net	32,855.63-	D	Informational	.00
2-00	Overtime Pay	25.00	.00	Net	.00		Info Tips Reported	.00
3-00	Vacation Pay	32.00	.00				Fringe Benefit	.00
4-00	Sick Leave Pay	24.00	.00					
5-02	PD Special Officer Wages-	48.00	.00					
7-02	Holiday - Floating	24.00	.00					

M=Manual Check D=Direct Deposit Net *Includes EIC T=Tips Reported F=Fringe Benefits

PC	Title	Hours	Units	Net Type	Amount	D	Info Type	Amount
	Grand Totals:	1,868.00	.00		32,855.63-			.00
	Grand Totals:	6078	32	32	44,833.67	.00	3,392.36-	4,374.00-
							1,500.00-	2,711.68-
								32,855.63-
								.00

Grand Totals Hours/Units/Types Summary

PC	Title	Hours	Units	Net Type	Amount	D	Info Type	Amount
1-00	Regular Pay	1,715.00	.00		32,855.63-	D	Informational	.00
2-00	Overtime Pay	25.00	.00	Direct Deposit Net	.00		Info Tips Reported	.00
3-00	Vacation Pay	32.00	.00				Fringe Benefit	.00
4-00	Sick Leave Pay	24.00	.00					
5-02	PD Special Officer Wages-	48.00	.00					
7-02	Holiday - Floating	24.00	.00					
	Grand Totals:	1,868.00	.00		32,855.63-			.00

M=Manual Check D=Direct Deposit Net *=Includes EIC T=Trips Reported F=Fringe Benefits

Report Criteria:

Invoices with totals above \$0.00 included.
Only paid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
GENERAL FUND							
10-25370 Insurance Payable							
126	Kaiser Permanente	18480807	Insurance	04/11/2016	5,727.04	5,727.04	05/03/2016
953	Principal Financial Group	1062983	Benefits	04/17/2016	1,882.38	1,882.38	05/03/2016
10-36-705 Miscellaneous Service Revenue							
904	Promote Morrison	0418	Alley Fest sponsorship checks	04/18/2016	100.00	100.00	05/03/2016
Total :					7,709.42	7,709.42	
CAPITAL PROJECTS - GF							
10-40-904 Downtown Improvement/Urban Des							
954	Welby Gardens Co.	194633	Hanging Plants	04/26/2016	679.38	679.38	05/03/2016
10-40-905 Police Vehicle							
315	L.A.W.S	11115	Vehicle Equipment Unit 7	04/19/2016	15,587.47	15,587.47	05/03/2016
10-40-907 Rooney Valley Masterplan							
127	Kara Zabilansky	0419	employee reimbursement	04/19/2016	13.44	13.44	05/03/2016
142	Mccool Development Solutions,	8903	Rooney Valley	04/16/2016	9,434.56	9,434.56	05/03/2016
Total CAPITAL PROJECTS - GF:					25,714.85	25,714.85	
ADMIN							
10-50-110 EMPLOYEE BENEFITS							
50	Cobrahelp	108931	Monthly Fee	04/19/2016	15.00	15.00	05/03/2016
10-50-200 Outside Services							
728	Allen Technology	11442	Core Coverage	05/01/2016	199.15	199.15	05/03/2016
10-50-210 Printing and Duplication							
252	Xerox Corporation	84041265	MODEL W7845PT	04/01/2016	66.52	66.52	05/03/2016
10-50-215 Telephone/Internet							
185	CENTURYLINK	0404	3038970681617B	04/04/2016	8.64	8.64	05/03/2016
185	CENTURYLINK	0404	3038978112866b	04/04/2016	40.62	40.62	05/03/2016
66	Comcast	0419	telephone/internet	04/20/2016	52.22	52.22	05/03/2016
212	T-mobile	0413	Account 515485017	04/13/2016	74.62	74.62	05/03/2016
10-50-225 Travel and Meetings							
127	Kara Zabilansky	0419	mileage reimbursement	04/19/2016	15.22	15.22	05/03/2016
10-50-385 Marketing/Event Contributions							
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	59.56	59.56	05/03/2016
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	205.61	205.61	05/03/2016
904	Promote Morrison	0418	Promote Morrison	04/18/2016	902.93	902.93	05/03/2016
10-50-395 Office Supplies							
755	Eldorado Artesian Springs	21104040	Water Town Office	04/18/2016	4.85	4.85	05/03/2016
343	Staples Advantage	3299100849	Office supplies	04/09/2016	29.56	29.56	05/03/2016
Total ADMIN:					1,674.50	1,674.50	
ELECTION							
10-65-210 Printing and Duplication							
85	Evergreen Newspapers	000NXF3	Election Results	04/20/2016	29.04	29.04	05/03/2016
Total ELECTION:					29.04	29.04	
COURT							
10-70-200 Outside Services							
728	Allen Technology	11442	Core Coverage	05/01/2016	199.17	199.17	05/03/2016

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
59	Colorado Dept Of Revenue - Dmv	0427	Default Clearance	04/27/2016	210.00	210.00	05/03/2016
10-70-210 Printing and Duplication							
252	Xerox Corporation	84041265	MODEL W7845PT	04/01/2016	66.52	66.52	05/03/2016
10-70-215 Telephone/Internet							
185	CENTURYLINK	0404	3036970681617B	04/04/2016	8.64	8.64	05/03/2016
185	CENTURYLINK	0404	3036978112866b	04/04/2016	40.64	40.64	05/03/2016
66	Comcast	0419	telephone/internet	04/20/2016	52.22	52.22	05/03/2016
10-70-395 Office Supplies							
343	Staples Advantage	3299100849	Office supplies	04/09/2016	7.67	7.67	05/03/2016
Total COURT:					584.86	584.86	
PLANNING							
10-75-410 Engineering Services							
381	TTG INC. OF DENVER	107912	Professional services	04/01/2016	102.85	102.85	05/03/2016
10-75-415 Planning and Zoning Services							
142	Mccool Development Solutions,	8903	120 Bear Creek Ave lot line adj	04/16/2016	133.00	133.00	05/03/2016
142	Mccool Development Solutions,	8903	General Planning	04/16/2016	2,000.00	2,000.00	05/03/2016
Total PLANNING:					2,235.85	2,235.85	
POLICE							
10-80-200 Outside Services							
728	Allen Technology	11442	Core Coverage	05/01/2016	199.17	199.17	05/03/2016
10-80-210 Printing and Duplication							
17	American Solutions For Busines	2539242	Police Letterhead	04/08/2016	192.30	192.30	05/03/2016
252	Xerox Corporation	84041265	MODEL W7845PT	04/01/2016	199.75	199.75	05/03/2016
10-80-215 Telephone/Internet							
185	CENTURYLINK	0404	3036970681617B	04/04/2016	8.64	8.64	05/03/2016
185	CENTURYLINK	0404	3036978112866b	04/04/2016	40.64	40.64	05/03/2016
66	Comcast	0419	telephone/internet	04/20/2016	52.22	52.22	05/03/2016
10-80-345 Edu., Training & Equip. Surchar							
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	327.57	327.57	05/03/2016
642	Radio Resource Inc.	45194	mobile	04/15/2016	212.75	212.75	05/03/2016
892	Safety & Construction Supply, Inc	35352	police cones	02/24/2016	1,384.00	1,384.00	05/03/2016
242	Walmart	0422	Supplies	04/22/2016	377.89	377.89	05/03/2016
10-80-360 Gas, Oil, and Vehicle Repair							
313	Galls, LLC	5192441	Supplies	04/06/2016	212.00	212.00	05/03/2016
313	Galls, LLC	5217522	Supplies	04/13/2016	132.58	132.58	05/03/2016
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	174.86	174.86	05/03/2016
258	Jefferson County S. O.	0415	Unit 2	04/15/2016	35.30	35.30	05/03/2016
258	Jefferson County S. O.	0415	Chief	04/15/2016	35.30	35.30	05/03/2016
711	Voyager Fleet Systems INC	158615	fleet fuel	04/08/2016	228.95	228.95	05/03/2016
10-80-395 Office Supplies							
755	Eldorado Artesian Springs	21104040	Water Town Office	04/18/2016	4.85	4.85	05/03/2016
10-80-397 Operating Supplies							
242	Walmart	0422	Supplies	04/22/2016	537.46	537.46	05/03/2016
Total POLICE:					4,356.21	4,356.21	
PUBLIC WORKS							
10-85-200 Outside Services							
728	Allen Technology	11442	Core Coverage	05/01/2016	199.17	199.17	05/03/2016
196	Rooney Valley Maintenance	0416	Monthly Cleaning Service	04/30/2016	540.00	540.00	05/03/2016
252	Xerox Corporation	84041265	MODEL W7845PT	04/01/2016	66.52	66.52	05/03/2016
10-85-215 Telephone/Internet							
185	CENTURYLINK	0404	3036970681617B	04/04/2016	8.64	8.64	05/03/2016
66	Comcast	0419	telephone/internet	04/20/2016	52.22	52.22	05/03/2016

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
10-85-360 Gas, Oil, and Vehicle Repair							
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	68.64	68.64	05/03/2016
10-85-365 Bulding and Repair Materials							
74	Dewayne Rhodig	0419	Employee Reimbursement	04/19/2016	1,404.60	1,404.60	05/03/2016
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	6.92	6.92	05/03/2016
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	8.97	8.97	05/03/2016
10-85-370 Repair and Maintenance							
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	75.44	75.44	05/03/2016
10-85-380 Legal Services							
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	20.45	20.45	05/03/2016
10-85-397 Operating Supplies							
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	18.00	18.00	05/03/2016
10-85-702 Streets, Repairs & Maintenance							
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	19.94	19.94	05/03/2016
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	87.19	87.19	05/03/2016
113	Home Depot Credit Services	8014535	Supplies	03/21/2016	58.40	58.40	05/03/2016
Total PUBLIC WORKS:					2,635.10	2,635.10	
HISTORY MUSEUM							
10-90-215 Telephone							
68	Comcast	0419	telephone/internet	04/20/2016	52.22	52.22	05/03/2016
10-90-358 Inventory - Expense							
822	Safari Ltd.	14613	Museum	04/01/2016	315.30	315.30	05/03/2016
822	Safari Ltd.	14613	Museum	04/01/2016	451.75	451.75	05/03/2016
822	Safari Ltd.	14613	Museum	04/01/2016	20.00	20.00	05/03/2016
10-90-387 Advertising							
547	Lariat Loop	MORNATHIST	Heritage Site	02/29/2016	100.00	100.00	05/03/2016
10-90-395 Office Supplies							
952	Eldorado Artesian Springs	21104047	Water Museum	04/18/2016	2.50	2.50	05/03/2016
219	The Stone Company	0323	Museum	03/28/2016	515.00	515.00	05/03/2016
10-90-397 Operating Supplies							
951	Ann Sarg	0418	employee reimbursment	04/18/2016	124.57	124.57	05/03/2016
Total HISTORY MUSEUM:					950.74	950.74	
Total GENERAL FUND:					45,890.57	45,890.57	
UTILITY FUND							
20-25370 Insurance Payable							
126	Kaiser Permanente	18480807	Insurance	04/11/2016	1,660.62	1,660.62	05/03/2016
953	Principal Financial Group	1082983	Benefits	04/17/2016	270.72	270.72	05/03/2016
Total :					1,931.34	1,931.34	
SEWER EXPENDITURES							
20-40-200 Outside Services							
728	Allen Technology	11442	Core Coverage	05/01/2016	199.17	199.17	05/03/2016
252	Xerox Corporation	84041265	MODEL W7845PT	04/01/2016	66.52	66.52	05/03/2016
20-40-215 Telephone/Internet							
185	CENTURYLINK	0404	sewer trmnt	04/04/2016	130.44	130.44	05/03/2016
185	CENTURYLINK	0404	3036970681617B	04/04/2016	8.64	8.64	05/03/2016
185	CENTURYLINK	0404	3036978112866b	04/04/2016	40.64	40.64	05/03/2016
66	Comcast	0419	telephone/internet	04/20/2016	52.22	52.22	05/03/2016
212	T-mobile	0413	Acct 707087534	04/13/2016	70.31	70.31	05/03/2016
20-40-395 Office Supplies							
755	Eldorado Artesian Springs	21104040	Water Town Office	04/18/2016	4.85	4.85	05/03/2016

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
343	Staples Advantage	3299100849	Office supplies	04/09/2016	29.56	29.56	05/03/2016
20-40-397 Operating Supplies							
940	Pioneer Landscaping Materials	30513	Sand	04/08/2016	553.29	553.29	05/03/2016
20-40-508 Sludge Hauling							
731	McDonald Farms Enterprises, INC	420403-1016	Pickup and Return	04/18/2016	741.08	741.08	05/03/2016
20-40-510 Lab Fees							
286	Colorado Analytical Lab	160413073	wastewater	04/20/2016	169.00	169.00	05/03/2016
Total SEWER EXPENDITURES:					2,065.72	2,065.72	
WATER EXPENDITURES							
20-45-200 Outside Services							
728	Alien Technology	11442	Core Coverage	05/01/2016	199.17	199.17	05/03/2016
252	Xerox Corporation	84041265	MODEL W7845PT	04/01/2016	66.52	66.52	05/03/2016
20-45-215 Telephone/Internet							
185	CENTURYLINK	0404	water trtmnt	04/04/2016	59.18	59.18	05/03/2016
185	CENTURYLINK	0404	3036978112866b	04/04/2016	40.64	40.64	05/03/2016
185	CENTURYLINK	0404	3036970681617B	04/04/2016	8.63	8.63	05/03/2016
66	Comcast	0419	telephone/internet	04/20/2016	52.22	52.22	05/03/2016
20-45-395 Office Supplies							
755	Eldorado Artesian Springs	21104040	Water Town Office	04/18/2016	4.85	4.85	05/03/2016
343	Staples Advantage	3299100849	Office supplies	04/09/2016	29.56	29.56	05/03/2016
20-45-401 SCADA							
156	Mountain Peak Controls, Inc.	8029	scada	04/18/2016	375.00	375.00	05/03/2016
20-45-410 Engineering Services							
381	TTG INC. OF DENVER	107912	Red Rocks Amphitheater Water Se	04/01/2016	13,933.18	13,933.18	05/03/2016
361	TTG INC. OF DENVER	107912	WTP MCC Replacement	04/01/2016	2,296.11	2,296.11	05/03/2016
20-45-510 Lab Fees							
286	Colorado Analytical Lab	160412010	Drinking Water	04/14/2016	46.00	46.00	05/03/2016
20-45-900 Equipment Purchase							
384	Omega Engineering, Inc.	172279	engineering	04/19/2016	216.56	216.56	05/03/2016
Total WATER EXPENDITURES:					17,327.62	17,327.62	
Total UTILITY FUND:					21,324.68	21,324.68	
Grand Totals:					67,215.25	67,215.25	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____