

# City Council

## Agenda

Tuesday, July 23, 2019

City Hall

749 Main Street

7:00 PM

**Note: The time frames assigned to agenda items are estimates for guidance only.  
Agenda items may be heard earlier or later than the listed time slot.**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF AGENDA**

**4. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Council requests that public comments be limited to 3 minutes. When several people wish to speak on the same position on a given item, Council requests they select a spokesperson to state that position.

**5. CONSENT AGENDA**

The following items on the City Council Agenda are considered routine by the City Manager and shall be approved, adopted, accepted, etc., by motion of the City Council and roll call vote unless the Mayor or a City Council person specifically requests that such item be considered under "Regular Business." In such an event the item shall be removed from the "Consent Agenda" and Council action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading "Consent Agenda" will appear in the Council Minutes in their proper order.

**A. Approval of Bills**

**B. Approval of Minutes: July 9, 2019**

**C. Approval of Contract Between the City of Louisville and Murraysmith for the Stormwater Quality Master Plan**

**D. Approval of State Highway 42 and Short Street Geometric Project**

**i. Award Bid for State Highway 42 and Short Street Geometric Improvements Project**

**ii. Approve Contract Amendment Between the City of Louisville and Sustainable Traffic Solutions for the State Highway 42 and Short Street Geometric Improvements Project**

**iii. Approve a Contract Between the City of Louisville and Michael Baker International for the Highway 42 and Short Street Geometric Improvements Project**

---

**Citizen Information**

If you wish to speak at the City Council meeting, please fill out a sign-up card and present it to the City Clerk.

Persons with disabilities planning to attend the meeting who need sign language interpretation, assisted listening systems, Braille, taped material, or special transportation, should contact the City Manager's Office at 303 335-4533. A forty-eight-hour notice is requested.

---

**City of Louisville**

City Council    749 Main Street    Louisville CO 80027  
303.335.4536 (phone)    303.335.4550 (fax)    www.LouisvilleCO.gov

- E. Approve Change Orders for Paving and Concrete
  - i. Approve Contract Change Order Between the City of Louisville and PLM Asphalt and Concrete for the Police Department Parking Lot Repaving Project
  - ii. Approve Contract Change Order Between the City of Louisville and Standard Concrete, Inc. for the Police Department Concrete Replacement Project
- F. Approval of Park Name Recommendations from the Parks and Public Landscaping Advisory Board
- G. Ratification of Policy Statement for Colorado Communities for Climate Action

**6. COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA** (Council general comments are scheduled at the end of the Agenda.)

**7. CITY MANAGER'S REPORT**

**8. REGULAR BUSINESS**

7:15 – 8:00 PM

**A. MARIJUANA CULTIVATION AND EXCISE TAX BALLOT ISSUES**

- i. **ORDINANCE NO. 1776, SERIES 2019 – AN ORDINANCE IMPOSING AN EXCISE TAX OF UP TO TEN PERCENT ON RETAIL MARIJUANA CULTIVATION FACILITIES BEGINNING JANUARY 1, 2020, TO BE IMPOSED ONLY IF THE REGISTERED ELECTORS OF THE CITY APPROVE A BALLOT QUESTION PERMITTING SUCH CULTIVATION FACILITIES WITHIN THE CITY, AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 5, 2019 – 2<sup>nd</sup> READING, PUBLIC HEARING (advertised *Daily Camera* 7/14/19)**

- Mayor Opens Public Hearing
- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Additional Public Comments
- Mayor Closes Public Hearing
- Action

ii. **ORDINANCE NO. 1777, SERIES 2019 – AN ORDINANCE AMENDING TITLES 5 AND 17 CONCERNING RETAIL MARIJUANA CULTIVATION FACILITIES AND SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF LOUISVILLE AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2019, THE QUESTION OF WHETHER TO PERMIT SUCH RETAIL MARIJUANA CULTIVATION FACILITIES WITHIN THE CITY SUBJECT TO AN EXCISE TAX ON THE SAME – 2<sup>nd</sup> READING, PUBLIC HEARING (advertised *Daily Camera* 7/14/19)**

- Mayor Opens Public Hearing
- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Additional Public Comments
- Mayor Closes Public Hearing
- Action

8:00 – 8:15 PM

B. **ORDINANCE NO. 1778, SERIES 2019 – AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 5, 2019 A BALLOT ISSUE TO ALLOW THE CITY OF LOUISVILLE TO KEEP REVENUES THAT OTHERWISE WOULD BE REFUNDED, TO CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND TO SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK – 2<sup>nd</sup> READING, PUBLIC HEARING (advertised *Daily Camera* 7/14/19)**

- Mayor Opens Public Hearing
- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Additional Public Comments
- Mayor Closes Public Hearing
- Action

- 8:15 – 8:30 PM **C. RESOLUTION NO. 23, SERIES 2019 – A RESOLUTION APPROVING A FINAL PLANNED UNIT DEVELOPMENT TO ALLOW THE CONSTRUCTION OF A NEW 22,500 SQUARE FOOT BUILDING AND ASSOCIATED IMPROVEMENTS FOR THE PROPERTY AT 602 TAYLOR AVENUE**
- Staff Presentation
  - Public Comments (Please limit to three minutes each)
  - Council Questions & Comments
  - Action
- 8:30 – 9:00 PM **D. DISCUSSION/DIRECTION – OPEN SPACE ZONING SCOPE OF WORK**
- Staff Presentation
  - Public Comments (Please limit to three minutes each)
  - Council Questions & Comments
  - Action
- 9:00 – 9:15 PM **E. ORDINANCE NO. 1779, SERIES 2019 – AN ORDINANCE ADOPTING A NEW SIGN CODE FOR THE CITY OF LOUISVILLE – 1<sup>ST</sup> READING, SET PUBLIC HEARING 9/3/19**
- City Attorney Introduction
  - Action

**9. CITY ATTORNEY’S REPORT**

**10. COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS**

**11. ADJOURN**

07/11/2019 10:21  
kreaged

City of Louisville, CO  
DETAIL INVOICE LIST

P 1  
apwarrnt

CASH ACCOUNT: 001000 101001

WARRANT: 071119 07/11/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14154	ALLSTREAM	JUL 19 PHONE CIRCUITS	940.78
1115	COLONIAL LIFE INSURANCE	#9711888 JUL 19 EMPLOYEE	173.68
1205	COLORADO DEPT OF REVENUE	2Q 2019 SALES TAX ACCT 01	1,236.73
14697	ISAIAS HUIZAR	EXPENSE REPORT 6/10-6/27/	292.32
99999	THOMAS SNIEGOWSKI	UTILITY REFUND 142 FAIRFI	74.96
99999	LINDSAY HUTH	EXPENSE REPORT 5/13-6/21/	50.40
99999	LAND TITLE	UTILITY REFUND 182 CHERRY	131.08
99999	HERITAGE TITLE COMPANY	UTILITY REFUND 2150 DOGWO	63.69
=====			
8 INVOICES			WARRANT TOTAL
=====			2,963.64

07/17/2019 10:57  
kreaged

City of Louisville, CO  
DETAIL INVOICE LIST

P 1  
apwarnt

CASH ACCOUNT: 001000 101001 WARRANT: 072319 07/23/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
12890	ADAMSON POLICE PRODUCTS	EQUIPMENT MCINTOSH	71.97
12890	ADAMSON POLICE PRODUCTS	EQUIPMENT MCINTOSH	89.99
14803	AIRTURF 307 LLC	CCGC Green Maintenance	2,500.00
7552	ALERT/SAM	2019 ALERT/SAM MEMBERSHIP	80.00
1006	ALL CURRENT ELECTRIC INC	Building Inspections	6,840.00
14596	AMERICAN ELEVATOR PROFESSIONAL	Elevator Inspections	4,100.00
13818	ARROWHEAD AWARDS INC	NAME BADGES BRENNAN	17.00
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	19.22
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	65.97
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	49.49
14811	BARCO MUNICIPAL PRODUCTS INC	UTILITY LOCATORS	2,407.99
14282	BIBLIOTHECA LLC	MATERIAL PROCESSING	1,800.31
14140	BLUE RIVER FORESTRY & TREE CAR	REMOVE TREE TO STUMP	650.00
640	BOULDER COUNTY	BUSINESS CARDS PD	73.93
640	BOULDER COUNTY	JUN 19 BOULDER COUNTY USE	83,991.75
640	BOULDER COUNTY	MAY 19 GATE FEE	4,394.70
640	BOULDER COUNTY	APR 19 GATE FEE	3,326.50
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt	207.90
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt	190.35
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt	192.15
7706	BRANNAN SAND & GRAVEL CO LLC	ASPHALT	249.30
7706	BRANNAN SAND & GRAVEL CO LLC	ASPHALT	101.70
9838	BRIGHTVIEW LANDSCAPE SERVICES	Downtown Floral Display M	1,625.00
13344	BROWNS HILL ENGINEERING & CONT	2MG TANK TROUBLESHOOTING	565.50
14461	C & R ELECTRICAL CONTRACTORS I	IRRIGATION CONTROLLER REP	757.62
14403	CALLAWAY GOLF	Resale Merchandise	208.74
14403	CALLAWAY GOLF	Resale Merchandise	221.63
14403	CALLAWAY GOLF	Resale Merchandise	305.53
14403	CALLAWAY GOLF	Resale Merchandise	442.80
14403	CALLAWAY GOLF	Resale Merchandise	1,069.84
14403	CALLAWAY GOLF	Resale Merchandise	914.90
14403	CALLAWAY GOLF	Resale Merchandise	203.05
248	CDW GOVERNMENT	LG MONITOR PD	309.22
248	CDW GOVERNMENT	VMWARE RENEWAL	765.00

07/17/2019 10:57  
kreged

City of Louisville, CO  
DETAIL INVOICE LIST

P 2  
apwarnt

CASH ACCOUNT: 001000 101001 WARRANT: 072319 07/23/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
248	CDW GOVERNMENT	FUJITSU SCANNER PD	462.83
935	CENTENNIAL PRINTING CO	BUSINESS CARDS BRENNAN	62.00
14036	CENTER COPY BOULDER INC	MUNICIPAL CODE COURTESY N	209.20
10773	CENTRIC ELEVATOR CORP	JUL 19 ELEVATOR MAINT CH	299.11
10773	CENTRIC ELEVATOR CORP	JUL 19 ELEVATOR MAINT RSC	300.96
10773	CENTRIC ELEVATOR CORP	JUL 19 ELEVATOR MAINT LIB	499.62
10773	CENTRIC ELEVATOR CORP	JUL 19 ELEVATOR MAINT PC	274.42
980	CENTURY CHEVROLET INC	PARTS UNIT 3128	121.91
980	CENTURY CHEVROLET INC	PARTS UNIT 3407	65.29
13352	CGRS INC	JUN 19 REMOTE POLLING	25.00
13964	CHANDLER ASSET MANAGEMENT	JUN 19 INVESTMENT FEES	2,060.72
1005	CHEMATOX LABORATORY INC	DRUG SCREENS	91.00
1005	CHEMATOX LABORATORY INC	BLOOD ALCOHOL TEST	28.00
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	227.24
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	227.24
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	227.24
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	227.24
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	227.24
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WWTP	50.64
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WWTP	50.64
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WWTP	50.64
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WWTP	50.64
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WWTP	50.64
14118	CLUB PROPHET SYSTEMS	JUL 19 POS SOFTWARE	610.00
10813	COLO ASSOC OF CHIEFS OF POLICE	2019 CACP	600.00
1120	COLORADO ANALYTICAL LABORATORI	BACTERIA TESTING	52.50
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	157.50
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	140.00
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	231.30
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	266.30
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	157.50
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	17.50
11016	COLORADO ASPHALT SERVICES INC	ASPHALT	875.00
13207	COLORADO TECH CENTER OWNERS AS	CTCOA DUES 712 CTC BLVD	311.15
13207	COLORADO TECH CENTER OWNERS AS	CTCOA DUES 739 S 104TH ST	866.68
13207	COLORADO TECH CENTER OWNERS AS	CTCOA DUES 734 CTC BLVD	355.31
13207	COLORADO TECH CENTER OWNERS AS	CTCOA DUES 2000 CHERRY ST	225.57

07/17/2019 10:57  
kreaegd

City of Louisville, CO  
DETAIL INVOICE LIST

P 3  
apwarnt

CASH ACCOUNT: 001000 101001 WARRANT: 072319 07/23/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
13207	COLORADO TECH CENTER OWNERS AS	CTCOA DUES 475 S 104TH ST	18.49
14009	COMPLETE MAILING SOLUTIONS INC	FOLDER/INSERTER MACHINE M	2,000.00
14767	DIRECT DISCHARGE CONSULTING LL	IPP Consulting Services	1,000.00
12392	DOOR TO DOOR PROMOTIONS	UNIFORMS PARKS	289.84
10885	EATON SALES & SERVICE LLC	FUEL PUMP REPAIR	254.00
11468	EMPLOYERS COUNCIL SERVICES INC	MANAGEMENT BACK TO BASICS	205.00
1915	EXQUISITE ENTERPRISES INC	NAME PLATES ZEMLER	25.60
13916	FERGUSON WATERWORKS	2019 Utility Parts	109.62
12819	FRANCOTYP-POSTALIA INC	POSTAGE MACHINE RSC	126.00
10623	FRONT RANGE LANDFILL INC	2019 Landfill Fees	4,948.25
7113	GALLS LLC	UNIFORMS MCINTOSH	169.98
7113	GALLS LLC	UNIFORMS MCINTOSH	74.26
13347	GLOBAL EQUIPMENT COMPANY INC	RUBBER VEHICLE STOPS CS	119.66
13347	GLOBAL EQUIPMENT COMPANY INC	CYLINDER STORAGE CABINET	440.60
2310	GRAINGER	SAFETY SIGN CS	10.63
2310	GRAINGER	WELDING SCREEN CS	331.98
2310	GRAINGER	EMERGENCY LIGHT LIB	475.92
2310	GRAINGER	OSCILLATING BLADE LIB	44.36
2310	GRAINGER	FIRE HOSE PIN RACK HOSE C	116.68
14576	GREEN LANDSCAPE SOLUTIONS LLC	Landscape Maint Front St	550.00
246	GREEN MILL SPORTSMAN CLUB	RANGE USE	450.00
2475	HILL PETROLEUM	Fuel Golf Course	649.52
1902	HILLYARD INC	JANITORIAL SUPPLIES LIB	30.85
14507	HIRED GUN WEED & PEST CONTROL	WEED SPRAY APPLICATION SW	1,311.17
14507	HIRED GUN WEED & PEST CONTROL	WEED SPRAY APPLICATION LS	1,051.31
9710	INDUSTRIAL CHEMICALS CORP	SODIUM HYDROXIDE NWTP	1,050.00
13280	INSIGHT PUBLIC SECTOR INC	Laserfiche Upgrade Licens	10,693.08
13911	J & M DISPLAYS INC	Additional 4th of July Fi	6,500.00
14647	J BROWER PSYCHOLOGICAL SERVICE	HIRING PSYCH EVALUATIONS	1,200.00

CASH ACCOUNT: 001000 101001 WARRANT: 072319 07/23/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14543	KUBWATER RESOURCES INC	WWTP Polymer	9,148.27
2945	LASER TECHNOLOGY INC	RADAR REPAIR	138.00
2945	LASER TECHNOLOGY INC	RADAR REPAIR	193.00
11075	LEFT HAND TREE & LANDSCAPE LLC	TREE PRUNING	1,020.00
13782	LEXISNEXIS RISK DATA MANAGEMEN	INFORMATION SEARCHES PD	375.05
13692	LIGHTNING MOBILE SERVICES LLC	SWEEP LIB PARKING GARAGE	320.00
5432	LOUISVILLE FIRE PROTECTION DIS	JUN 19 FIRE DISTRICT FEES	10,230.00
14290	MILE HIGH TURFGRASS LLC	GC GREENS FOLIAR FERTILIZ	1,628.85
14768	MOJOS CLEANING SERVICES INC	PARKS JANITORIAL SERVICE	3,550.00
2046	MOUNTAIN STATES IMAGING LLC	DOCUMENT STORAGE FEES PD	63.00
14648	OCCUPATIONAL HEALTH CENTERS OF	PHYSICAL	146.00
99999	GEORGE EMMETT	FM RADIO STATION SUPPLIES	105.99
99999	MR ROOTER PLUMBING	HYDROJET DRAIN GC HOLE #1	950.00
99999	FAST SIGN OF BROOMFIELD	PUBLIC HEARING SIGNS	517.50
13986	OPEN MEDIA FOUNDATION	JUL 19 WEB STREAM SERVICE	500.00
14348	PCS GROUP INC	Design Services Miner's F	1,552.50
14144	PING INC	Resale Merchandise	459.58
700	PRAIRIE MOUNTAIN MEDIA	DISPOSAL OF FOUND PROPERT	21.00
14394	PROS PLUS LLC	SOFTBALL UMPIRES	448.00
13095	PSYCHOLOGICAL DIMENSIONS PC	PRE-EMPLOYMENT PSYCH EVAL	450.00
13893	REBECCA TSUI	CONTRACTOR FEES TAI CHI	826.00
6500	RECORDED BOOKS LLC	MATERIAL PROCESSING	225.00
6500	RECORDED BOOKS LLC	MATERIAL PROCESSING	119.70
670	RESOURCE CENTRAL	Slow the Flow Program	2,430.00
670	RESOURCE CENTRAL	Slow the Flow Program	1,940.00
14617	RILEY EQUIPMENT COMPANY INC	TUB SCRUBBER ODOR CONTROL	1,614.14
14628	ROCK CREEK SURVEYING LLC	Re-Establish Survey Monum	6,345.00

07/17/2019 10:57  
kreged

City of Louisville, CO  
DETAIL INVOICE LIST

P 5  
apwarnt

CASH ACCOUNT: 001000 101001

WARRANT: 072319 07/23/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14560	SAMEDAY OFFICE SUPPLY	FRONT DESK CHAIR	469.00
14459	SAUNDERS CONSTRUCTION LLC	2019 Rec Center Construct	5,926.09
14459	SAUNDERS CONSTRUCTION LLC	Rec Center Hail Damage Ro	322,802.93
13644	SCHULTZ INDUSTRIES INC	2019 Landscape Maintenanc	22,760.94
13673	STERLING TALENT SOLUTIONS	BACKGROUND CHECKS	739.27
14798	STUDIOSEED LLC	Transportation Study McCa	1,225.40
14276	SWEET SPOT CAFE LLC	COUPLES SCRAMBLE 6/28/19	1,156.00
14516	TARGET SPECIALTY PRODUCTS	GC SLOW RELEASE FERTILIZE	1,560.00
14550	TAYLOR MADE GOLF COMPANY INC	Resale Merchandise	196.90
13053	TECHNOGYM USA CORP	Rec Center Fitness Equipm	15,554.29
7917	THE AQUEOUS SOLUTION INC	POOL CHEMICALS	2,310.90
7917	THE AQUEOUS SOLUTION INC	POOL CHEMICALS	328.46
7917	THE AQUEOUS SOLUTION INC	POOL CHEMICALS	675.64
9481	THE HOME DEPOT	JANITORIAL SUPPLIES LIB	84.96
9481	THE HOME DEPOT	JANITORIAL SUPPLIES LIB	57.60
14663	THE JUMP ROPE GROUP LLC	CONTRACTOR FEES 20039-3,	161.70
11624	TOWN OF SUPERIOR	Airport Consultant	15,000.00
14685	TRAFFIC ENGINEERS INC	Transportation Master Pla	37,552.76
14353	TRANSPARENT INFORMATION SERVIC	BACKGROUND CHECKS	265.05
6609	TRAVELERS	INSURANCE DEDUCTIBLE	4,311.20
4765	UNCC	JUN 19 LOCATES #48760	535.34
13426	UNIQUE MANAGEMENT SERVICES INC	COLLECTION SERVICES	80.55
14532	UNITED REFRIGERATION INC	HVAC FILTERS WWTP	19.06
14532	UNITED REFRIGERATION INC	HVAC FILTERS WTP	36.44
11473	UNITED RENTALS (NORTH AMERICA)	CONFINED SPACE TRAINING	750.00
11087	UNITED SITE SERVICES OF COLORA	TOILET RENTAL CENTENNIAL	224.36
11087	UNITED SITE SERVICES OF COLORA	TOILET RENTAL JULY 4TH	1,760.00
6509	USA BLUEBOOK	PH BUFFER WTP	128.16

07/17/2019 10:57  
kreged

City of Louisville, CO  
DETAIL INVOICE LIST

P 6  
apwarnt

CASH ACCOUNT: 001000 101001

WARRANT: 072319 07/23/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14814	VISUAL DATA ANALYTICS LLC	DRONE PRESENTATION	50.00
11094	WESTERN DISPOSAL SERVICES	JULY 4TH TRASH/RECYCLE/CO	544.00
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES RSC	1,425.88
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES RSC	1,501.13
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES RSC	41.53
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES LIB	95.70
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES LIB	246.24
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES NWTP	130.18
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES WWTP	94.86
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES MSP	236.40
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES CH	103.60
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES AC	19.96
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES GCC	185.30
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES GCC	677.67
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES GCC	40.52
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES GCC	167.76
10884	WORD OF MOUTH CATERING INC	SR MEAL PROGRAM 7/1-7/12/	2,012.00
13790	ZAYO GROUP LLC	JUL 19 INTERNET SERVICE	783.00
=====			
	173 INVOICES	WARRANT TOTAL	654,156.93
=====			

**CITY OF LOUISVILLE**  
**PURCHASE CARD SUMMARY**  
**STATEMENT PERIOD 05/21/19 - 06/19/19**

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
1000BULBS.COM	800-624-4488	PHIL LIND	FACILITIES	06/12/2019	743.31
4 RIVERS EQUIPMENT	GREELEY	CONNOR POWERS	GOLF COURSE	06/04/2019	-151.49
4 RIVERS EQUIPMENT	GREELEY	CONNOR POWERS	GOLF COURSE	06/04/2019	144.41
91787 - DENVER PAVILIO	DENVER	KURT KOWAR	PUBLIC WORKS	06/12/2019	18.00
AARP *MEMBERSHIP	888-687-2277	JILL SIEWERT	LIBRARY	06/11/2019	15.00
ACZ LABORATORIES, INC	STEAMBOAT SPR	JUSTIN ELKINS	WASTEWATER	05/22/2019	190.40
ADOBE *EXPORTPDF SUB	8008336687	DAVID D HAYES	POLICE	06/15/2019	23.88
AGFINITY HENDERSON AGR	HENDERSON	VICKIE ILKO	OPERATIONS	06/10/2019	265.00
AIRGAS CENTRAL	TULSA	DAVID DEAN	GOLF COURSE	06/14/2019	65.49
ALLDATA CORP #8601	ELK GROVE	MASON THOMPSON	OPERATIONS	06/01/2019	125.00
AMAZON.COM*M61FH9Q11 A	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	06/13/2019	100.67
AMAZON.COM*M62QK9501 A	AMZN.COM/BILL	REMY RODRIGUES	IT	06/11/2019	623.87
AMAZON.COM*M63708FE1 A	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	05/30/2019	59.80
AMAZON.COM*M69N33OB1 A	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/29/2019	49.94
AMAZON.COM*MN2LW9WR1 A	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/28/2019	20.09
AMAZON.COM*MN34418Y2 A	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/23/2019	31.40
AMAZON.COM*MN5M09UV0 A	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	05/31/2019	19.99
AMAZON.COM*MN8PF19P1 A	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	05/25/2019	131.39
AMAZON.COM*MN9L70RQ0 A	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/02/2019	12.39
AMERICAN CLAY WORKS	DENVER	BOB BERNHARDT	PARKS	06/17/2019	260.69
AMERICAN LEAK DETECTIO	LONGMONT	MICHAEL CLEVELAND	OPERATIONS	05/22/2019	350.00
AMERICAN STATISTICAL A	7036841221	NAT AHRENS	IT	06/18/2019	130.00
AMZN DIGITAL*M60HR9GX0	888-802-3080	KURT KOWAR	PUBLIC WORKS	06/14/2019	32.58
AMZN DIGITAL*M60OV16C1	888-802-3080	KURT KOWAR	PUBLIC WORKS	06/14/2019	19.54
AMZN DIGITAL*M631Y5XC0	888-802-3080	KURT KOWAR	PUBLIC WORKS	06/15/2019	13.89
AMZN DIGITAL*M61HA9GA0	888-802-3080	KURT KOWAR	PUBLIC WORKS	06/14/2019	26.06
AMZN DIGITAL*M62LD3DD1	888-802-3080	KURT KOWAR	PUBLIC WORKS	06/14/2019	29.02
AMZN DIGITAL*M694W45M2	888-802-3080	KURT KOWAR	PUBLIC WORKS	06/14/2019	5.42
AMZN MKTP US*M626L3BI0	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	06/18/2019	26.43
AMZN MKTP US*M63NH5112	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/10/2019	226.34
AMZN MKTP US*M63OQ5VM0	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	06/16/2019	48.80
AMZN MKTP US*M67BY1E81	AMZN.COM/BILL	JESSE DEGRAW	REC CENTER	06/04/2019	104.89
AMZN MKTP US*M67RK9QD2	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	06/18/2019	47.93
AMZN MKTP US*M68FU7Q12	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	06/17/2019	44.51
AMZN MKTP US*M68SR4810	AMZN.COM/BILL	LINDSEY WITTY	REC CENTER	06/18/2019	19.00
AMZN MKTP US*MN1LM28R2	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	05/22/2019	29.97
AMZN MKTP US*MN2RW2K72	AMZN.COM/BILL	ERIN OWEN	LIBRARY	05/27/2019	60.22
AMZN MKTP US*MN5CB7UP0	AMZN.COM/BILL	JAMES VAUGHAN	REC CENTER	05/31/2019	205.53

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
AMZN MKTP US*MN7292U42	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	05/30/2019	57.95
AMZN MKTP US	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/15/2019	-41.01
AMZN MKTP US	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	05/29/2019	-88.19
AMZN MKTP US	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	05/21/2019	-16.01
AMZN MKTP US*M60ES7B22	AMZN.COM/BILL	ELIZABETH SCHETTLER	PLANNING	06/17/2019	8.48
AMZN MKTP US*M61A34UR1	AMZN.COM/BILL	LINDSEY WITTY	REC CENTER	06/18/2019	15.75
AMZN MKTP US*M61G12V30	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	06/15/2019	135.92
AMZN MKTP US*M61H15621	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	06/14/2019	43.96
AMZN MKTP US*M62HQ1ZK2	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	06/05/2019	11.73
AMZN MKTP US*M62WA8ZB0	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	06/07/2019	45.00
AMZN MKTP US*M63C19CJ0	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	06/04/2019	26.93
AMZN MKTP US*M63WV7CY0	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	06/04/2019	7.99
AMZN MKTP US*M64123AJ2	AMZN.COM/BILL	KATIE MEYER	REC CENTER	06/08/2019	41.96
AMZN MKTP US*M646B65Q2	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	06/14/2019	45.00
AMZN MKTP US*M653M6EK0	AMZN.COM/BILL	CONNOR POWERS	GOLF COURSE	06/12/2019	13.95
AMZN MKTP US*M65BO9LW2	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/04/2019	44.86
AMZN MKTP US*M65UA20J2	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	06/09/2019	89.88
AMZN MKTP US*M65YW4GX2	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	06/11/2019	56.48
AMZN MKTP US*M66QL7TY2	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	06/07/2019	28.95
AMZN MKTP US*M67UA7OB1	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	05/29/2019	176.74
AMZN MKTP US*M689V6LW0	AMZN.COM/BILL	ANTHONY POHL	REC CENTER	06/06/2019	166.20
AMZN MKTP US*M68DM9E70	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	06/12/2019	100.95
AMZN MKTP US*M68MM4162	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	06/10/2019	25.00
AMZN MKTP US*M68N38ZJ2	AMZN.COM/BILL	JEN KENNEY	POLICE	06/04/2019	29.98
AMZN MKTP US*M69250KZ1	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	06/17/2019	99.99
AMZN MKTP US*M69AG9872	AMZN.COM/BILL	DAVID BARIL	GOLF COURSE	06/17/2019	86.97
AMZN MKTP US*M69TM3OR2	AMZN.COM/BILL	DAVID BARIL	GOLF COURSE	06/03/2019	599.99
AMZN MKTP US*MN05O9U20	AMZN.COM/BILL	LINDSEY WITTY	REC CENTER	05/30/2019	13.25
AMZN MKTP US*MN13S9UP0	AMZN.COM/BILL	LINDSEY WITTY	REC CENTER	05/31/2019	49.90
AMZN MKTP US*MN1RD56U2	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	05/24/2019	119.90
AMZN MKTP US*MN27H9291	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/23/2019	28.14
AMZN MKTP US*MN2YB02J1	AMZN.COM/BILL	LINDSEY WITTY	REC CENTER	05/22/2019	26.99
AMZN MKTP US*MN39K2250	AMZN.COM/BILL	ERIN OWEN	LIBRARY	05/27/2019	46.43
AMZN MKTP US*MN3HJ4H60	AMZN.COM/BILL	KATHERINE ZOSS	CITY MANAGER	05/22/2019	319.90
AMZN MKTP US*MN3PN8IA0	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	06/02/2019	36.18
AMZN MKTP US*MN4LM18R2	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	05/22/2019	41.80
AMZN MKTP US*MN4YJ5732	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/28/2019	32.98
AMZN MKTP US*MN61P6RR1	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/27/2019	70.78
AMZN MKTP US*MN6642IP0	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/01/2019	52.65
AMZN MKTP US*MN6CW8MB2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/20/2019	39.92
AMZN MKTP US*MN6F47U50	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/01/2019	20.14
AMZN MKTP US*MN7PD7Y00	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/04/2019	30.92

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
AMZN MKTP US*MN8KB08S2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/23/2019	56.80
AMZN MKTP US*MN8S25UL0	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	05/31/2019	149.95
AMZN MKTP US*MN9E13VP2	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	05/20/2019	89.88
AMZN MKTP US*MN9HF1BA0	AMZN.COM/BILL	BRIDGET BACON	LIBRARY	05/22/2019	53.68
AMZN MKTP US*MN9K596U0	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/25/2019	154.58
AMZN MKTP US*MN9QO0MD2	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	05/20/2019	93.03
AMZN MKTP US*MN9RG1242	AMZN.COM/BILL	JAMES VAUGHAN	REC CENTER	05/26/2019	103.75
AMZN MKTP US*MN9UJ5W90	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/03/2019	89.97
ANTLERS AT VAIL	VAIL	JULIE SEYDEL	REC CENTER	06/05/2019	365.09
APL*ITUNES.COM/BILL	866-712-7753	LANA FAUVER	REC CENTER	05/31/2019	9.99
AQUALOGIX	SAN DIEGO	LINDSEY WITTY	REC CENTER	06/01/2019	549.75
ARAMARK UNIFORM	800-504-0328	JULIE SEYDEL	REC CENTER	06/12/2019	484.00
ARAMARK UNIFORM	800-504-0328	JULIE SEYDEL	REC CENTER	05/21/2019	290.40
ARC*SERVICES/TRAINING	800-733-2767	KATIE MEYER	REC CENTER	06/11/2019	37.00
ARC*SERVICES/TRAINING	800-733-2767	KATIE MEYER	REC CENTER	06/11/2019	37.00
ARC*SERVICES/TRAINING	800-733-2767	KATIE MEYER	REC CENTER	06/11/2019	33.30
ARC*SERVICES/TRAINING	800-733-2767	DANIEL BIDLEMEN	REC CENTER	06/10/2019	210.00
ARC*SERVICES/TRAINING	800-733-2767	DANIEL BIDLEMEN	REC CENTER	06/03/2019	418.00
ARC*SERVICES/TRAINING	800-733-2767	DANIEL BIDLEMEN	REC CENTER	06/03/2019	418.00
ARC*SERVICES/TRAINING	800-733-2767	DANIEL BIDLEMEN	REC CENTER	05/29/2019	240.00
ARKANSAS VALLEY SEED	303-320-7500	CATHERINE JEPSON	PARKS	05/31/2019	284.80
ARROW STAGE LINES QPS	402-7311900	KATIE TOFTE	REC CENTER	06/12/2019	623.00
ARROW STAGE LINES QPS	402-7311900	KATIE TOFTE	REC CENTER	05/31/2019	623.00
ARROW STAGE LINES QPS	402-7311900	KATIE TOFTE	REC CENTER	05/28/2019	806.00
ATD	7036838100	MEAGAN BROWN	HUMAN RESOURCES	05/29/2019	95.00
ATD	7036838100	DIANE M KREAGER	FINANCE	05/21/2019	1,395.00
ATD	7036838100	MEAGAN BROWN	HUMAN RESOURCES	05/20/2019	259.00
AV NOW	8314252500	LINDSEY WITTY	REC CENTER	05/24/2019	47.48
AMAZON.COM*M60TQ41T1	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/06/2019	35.98
AMAZON.COM*M636D41V1	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	06/05/2019	72.22
AMAZON.COM*M63UX7VE2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/13/2019	69.75
AMAZON.COM*M63XE8CS1	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	05/29/2019	7.58
AMAZON.COM*M64BT58B1	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	06/13/2019	11.99
AMAZON.COM*M65MR8P40	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	06/14/2019	54.94
AMAZON.COM*M69ET8C71	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/29/2019	11.97
AMAZON.COM*MN0CY0KY0	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	05/28/2019	36.36
AMAZON.COM*MN0HR9Y50	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	06/04/2019	148.22
AMAZON.COM*MN0OY37Q2	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	05/28/2019	28.61
AMAZON.COM*MN1EG3W72	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	05/31/2019	39.99
AMAZON.COM*MN3KI62U2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/27/2019	42.99
AMAZON.COM*MN6NO2MZ2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	05/20/2019	4.19
BALISTRERI VINEYARDS	DENVER	KATIE TOFTE	REC CENTER	05/31/2019	104.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
BIG AIR JUMPERS	COLORADO SPRI	PEGGY JONES	REC CENTER	06/04/2019	-85.00
BIG AIR JUMPERS	303-579-5028	PEGGY JONES	REC CENTER	05/30/2019	399.70
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	06/06/2019	891.64
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	06/06/2019	237.18
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	06/05/2019	327.18
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	05/28/2019	782.36
BLACKJACK PIZZA OF LOU	LOUISVILLE	AMANDA PERERA	REC CENTER	05/30/2019	92.90
BOULDER COUNTY FAIR -	720-8646460	DAWN BURGESS	CITY MANAGER	06/17/2019	36.05
BOULDER DIGITAL ARTS	3038004647	EMILY KROPF	CITY MANAGER	06/07/2019	294.00
BOULDER DIGITAL ARTS	3038004647	EMILY KROPF	CITY MANAGER	06/07/2019	69.00
BOULDER DIGITAL ARTS	3038004647	EMILY KROPF	CITY MANAGER	06/07/2019	35.00
BRECK RESERVATIONS	9704964971	DAWN BURGESS	CITY MANAGER	06/11/2019	404.74
BRECK RESERVATIONS	9704964971	DAWN BURGESS	CITY MANAGER	06/08/2019	-286.84
BRECK RESERVATIONS	9704964971	DAWN BURGESS	CITY MANAGER	06/05/2019	286.84
BRECK RESERVATIONS	9704964971	DAWN BURGESS	CITY MANAGER	06/05/2019	286.84
BUDGET RENT-A-CAR	LAS VEGAS	AARON DEJONG	CITY MANAGER	05/21/2019	.02
BUFFALO BRAND SEED LLC	GREELEY	DAVID DEAN	GOLF COURSE	05/31/2019	581.25
BUILDASIGN.COM	800-330-9622	GINGER CROSS	GOLF COURSE	05/23/2019	-4.67
BUILDASIGN.COM	800-330-9622	GINGER CROSS	GOLF COURSE	05/23/2019	-9.77
BUILDASIGN.COM	800-330-9622	GINGER CROSS	GOLF COURSE	05/21/2019	58.76
BUGS AND BEYOND	LONGMONT	DAVID BARIL	GOLF COURSE	06/08/2019	50.00
CAFE BLUE, LLC	BOULDER	VICKIE ILKO	OPERATIONS	06/11/2019	39.90
CANON CITY & ROYAL GOR	8887245748	DIANE M KREAGER	FINANCE	05/21/2019	2,865.20
CENTENNIAL PRINTING CO	303-6650388	PENNEY BOLTE	SALES TAX	06/13/2019	62.00
CENTENNIAL PRINTING CO	303-6650388	ERIN OWEN	LIBRARY	06/06/2019	54.50
CENTENNIAL PRINTING CO	303-6650388	GINGER CROSS	GOLF COURSE	06/04/2019	157.50
CENTENNIAL PRINTING CO	303-6650388	PENNEY BOLTE	SALES TAX	05/30/2019	590.00
CENTENNIAL PRINTING CO	303-6650388	JULIE SEYDEL	REC CENTER	05/22/2019	145.00
CENTENNIAL PRINTING CO	303-6650388	KERRY HOLLE	PUBLIC WORKS	05/22/2019	126.00
CENTURYLINK/SPEEDPAY	800-244-1111	DIANE M KREAGER	FINANCE	05/28/2019	2,025.71
CGRS INC	FORT COLLINS	JUSTIN ELKINS	WASTEWATER	06/04/2019	200.00
CO BOULDER CO SVS	DENVER	LISA RITCHIE	PLANNING	06/14/2019	187.88
CO BOULDER CO SVS	DENVER	LISA RITCHIE	PLANNING	06/14/2019	211.40
CO BOULDER CO SVS	DENVER	LISA RITCHIE	PLANNING	06/14/2019	14.06
CO BOULDER CO SVS	DENVER	LISA RITCHIE	PLANNING	06/14/2019	65.18
CO EVENT REGISTRATION	3035343468	JEN KENNEY	POLICE	06/10/2019	128.58
COAL CREEK SPORTS CENT	LAFAYETTE	TERRELL PHILLIPS	WATER	06/12/2019	252.85
COGENT	816-221-0650	JUSTIN ELKINS	WASTEWATER	06/04/2019	40.00
COLOGRAPHIC INC	3032884796	MASON THOMPSON	OPERATIONS	05/23/2019	90.00
COLORADO ANALYTICAL	BRIGHTON	JUSTIN ELKINS	WASTEWATER	06/05/2019	84.00
COLORADO ANALYTICAL	BRIGHTON	MARC DENNY	WASTEWATER	05/21/2019	129.00
COLORADO ANALYTICAL	BRIGHTON	MARC DENNY	WASTEWATER	05/21/2019	84.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
COLORADO ASSOCIATION O	720-6747275	JEFFREY FISHER	POLICE	05/31/2019	125.00
COLORADO CHAPTER OF TH	303-9877554	RANDY DEWITZ	BUILDING SAFETY	05/28/2019	36.05
COLORADO CONVENTION	DENVER	GREG VENETTE	WATER	06/11/2019	12.00
COLORADO CWP	719-545-6748	GREG VENETTE	WATER	06/17/2019	85.00
COLORADO GOLF AND TURF	LITTLETON	CONNOR POWERS	GOLF COURSE	05/30/2019	145.47
COLORADO GOLF AND TURF	LITTLETON	CONNOR POWERS	GOLF COURSE	05/30/2019	58.48
COLORADO HOMETOWN WEEK	3036845306	JILL SIEWERT	LIBRARY	06/03/2019	28.00
COLORADO MUNICIPAL LEA	303-8316411	DAWN BURGESS	CITY MANAGER	05/29/2019	-230.00
COLORADO PARKS AND REC	DENVER	LINDSEY WITTY	REC CENTER	06/03/2019	339.00
COLORADO PARKS AND REC	DENVER	KATIE BEASLEY	REC CENTER	05/31/2019	339.00
COLORADO PARKS AND REC	DENVER	JULIE SEYDEL	REC CENTER	05/31/2019	339.00
COLORADO PARKS AND REC	DENVER	AMANDA PERERA	REC CENTER	05/30/2019	339.00
COLORADO PARKS AND REC	DENVER	JULIE SEYDEL	REC CENTER	05/30/2019	339.00
COMCAST CABLE COMM	800-COMCAST	KATHERINE ZOSS	CITY MANAGER	06/13/2019	109.95
COMCAST CABLE COMM	800-COMCAST	JIM GILBERT	PARKS	05/28/2019	351.17
COMCAST CABLE COMM	800-COMCAST	JIM GILBERT	PARKS	05/28/2019	117.24
COMCAST DENVER CS 1X	800-266-2278	JILL SIEWERT	LIBRARY	06/05/2019	298.45
COMCAST DENVER CS 1X	800-266-2278	DIANE M KREAGER	FINANCE	05/24/2019	33.93
CONCEPT2 INC	MORRISVILLE	DIANE M KREAGER	FINANCE	06/10/2019	1,000.00
CONOCO - UNITED PACIFI	LOUISVILLE	AUBREY HILTE	PARKS	06/15/2019	49.12
CPI*COLEPARMERINSTRUMT	800-323-4340	MARC DENNY	WASTEWATER	06/01/2019	126.73
CPS DIST INCBoulder250	BOULDER	MATT LOOMIS	PARKS	05/22/2019	10.02
CPS DISTINCWSTMNSTR251	WESTMINSTER	NORMAN MERLO	GOLF COURSE	06/18/2019	319.77
CPS DISTINCWSTMNSTR251	WESTMINSTER	BRADLEY AUSTIN	PARKS	06/18/2019	188.27
CPS DISTINCWSTMNSTR251	WESTMINSTER	BRADLEY AUSTIN	PARKS	05/22/2019	935.00
CUSTOM FENCE & SUPPLY	303-651-5700	KERRY KRAMER	PARKS	06/17/2019	320.00
DAILY CAMERA	3034443444	CHERYL KELLER	POLICE	05/23/2019	13.89
DAVIS & STANTON	2143401321	CHERYL KELLER	POLICE	06/05/2019	123.00
DAVIS & STANTON	2143401321	CHERYL KELLER	POLICE	05/30/2019	173.00
DBC IRRIGATION SUPPLY	BROOMFIELD	BRADLEY AUSTIN	PARKS	06/18/2019	102.80
DBC IRRIGATION SUPPLY	BROOMFIELD	DAVID ALDERS	PARKS	06/18/2019	90.55
DBC IRRIGATION SUPPLY	BROOMFIELD	DAVID ALDERS	PARKS	06/17/2019	133.25
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	06/14/2019	94.25
DBC IRRIGATION SUPPLY	BROOMFIELD	DAVID ALDERS	PARKS	06/11/2019	264.38
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	06/11/2019	319.08
DBC IRRIGATION SUPPLY	BROOMFIELD	DAVID ALDERS	PARKS	06/07/2019	27.39
DBC IRRIGATION SUPPLY	BROOMFIELD	DAVID ALDERS	PARKS	06/07/2019	7.41
DBC IRRIGATION SUPPLY	BROOMFIELD	DAVID ALDERS	PARKS	06/05/2019	864.79
DBC IRRIGATION SUPPLY	BROOMFIELD	MATT LOOMIS	PARKS	05/29/2019	377.93
DENVER ART MUSEUM ADMI	DENVER	KATIE TOFTE	REC CENTER	05/24/2019	96.00
DENVER POST CIRCULATIO	3038323232	DAWN BURGESS	CITY MANAGER	05/29/2019	11.99
DENVER REGIONAL LANDFI	ERIE	DAVID DEAN	GOLF COURSE	06/11/2019	217.25

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
DENVER REGIONAL LANDFI	ERIE	DAVID DEAN	GOLF COURSE	06/11/2019	193.00
DIA PARKING OPERATIONS	DENVER	AARON DEJONG	CITY MANAGER	05/21/2019	58.00
DOLLAR TREE	LAFAYETTE	SANDRA RICHMOND	LIBRARY	06/17/2019	49.00
DRONEINSURANCE #9	7272016718	KURT KOWAR	PUBLIC WORKS	06/01/2019	10.48
DROPBOX*7KKZ4KKQY7V3	DROPBOX.COM	MEREDYTH MUTH	CITY MANAGER	06/07/2019	99.00
DROPBOX*PVMXN8KCKPBH	DROPBOX.COM	EMILY KROPF	CITY MANAGER	06/18/2019	9.99
DTV*DIRECTV SERVICE	800-347-3288	DAVID BARIL	GOLF COURSE	06/11/2019	275.96
DURACARD	585-5826623	EMILY KROPF	CITY MANAGER	06/12/2019	157.35
DURAN'S HOBBY ACRES, I	3035077796	MARYANN DORNFELD	PARKS	05/22/2019	860.50
E 470 EXPRESS TOLLS	303-5373470	DIANE M KREAGER	FINANCE	05/31/2019	22.55
FACEBK 6QXLKHNFN2	MENLO PARK	GINGER CROSS	GOLF COURSE	05/31/2019	14.94
FAMOUS DAVE'S #2107	THORNTON	DAVID D HAYES	POLICE	06/04/2019	39.92
FASTENAL COMPANY 01COB	507-453-8920	MASON THOMPSON	OPERATIONS	06/06/2019	11.55
FASTENAL COMPANY 01COB	507-453-8920	CONNOR POWERS	GOLF COURSE	06/05/2019	59.85
FASTENAL COMPANY 01COB	507-453-8920	MASON THOMPSON	OPERATIONS	06/03/2019	8.27
FASTENAL COMPANY 01COB	LAFAYETTE	JAMES VAUGHAN	REC CENTER	05/30/2019	42.45
FASTENAL COMPANY 01COB	LAFAYETTE	JAMES VAUGHAN	REC CENTER	05/28/2019	4.62
FASTENAL COMPANY 01COB	LAFAYETTE	CONNOR POWERS	GOLF COURSE	05/23/2019	97.29
FEDEX 787697746230	MEMPHIS	MARC DENNY	WASTEWATER	06/06/2019	10.50
FEDEX OFFIC74200007427	LOUISVILLE	BRIDGET BACON	LIBRARY	05/31/2019	27.96
FEDEX OFFIC74200007427	LOUISVILLE	DAWN BURGESS	CITY MANAGER	05/20/2019	24.98
FIRST CHOICE-BOYER S C	303-9649400	DAWN BURGESS	CITY MANAGER	06/14/2019	10.50
FIRST CHOICE-BOYER S C	303-9649400	DAWN BURGESS	CITY MANAGER	06/05/2019	88.65
FIRST CHOICE-BOYER S C	303-9649400	DAWN BURGESS	CITY MANAGER	06/05/2019	84.00
FIRST CHOICE-BOYER S C	303-9649400	DAWN BURGESS	CITY MANAGER	06/05/2019	32.00
FIRST CHOICE-BOYER S C	303-9649400	DAWN BURGESS	CITY MANAGER	06/05/2019	255.45
FMH MATERIAL HANDLING	DENVER	MARC DENNY	WASTEWATER	06/14/2019	54.15
FMH MATERIAL HANDLING	DENVER	MARC DENNY	WASTEWATER	05/21/2019	45.71
FOCUS PARKING CALIFO	DENVER	TERRELL PHILLIPS	WATER	06/11/2019	18.00
FORT COLLINS BREWERY E	14157295247	KATIE TOFTE	REC CENTER	05/30/2019	-20.00
FORT COLLINS BREWERY E	14157295247	KATIE TOFTE	REC CENTER	05/22/2019	-40.00
FREDPRYOR CAREERTRACK	800-5563012	KEN MATHEWS	OPERATIONS	06/12/2019	149.00
FREDPRYOR CAREERTRACK	800-5563012	ANGELA NORENE	OPERATIONS	06/03/2019	199.00
FREDPRYOR CAREERTRACK	800-5563012	ANGELA NORENE	OPERATIONS	06/03/2019	79.00
FS *TECHSMITH	877-3278914	JAMES SCHWENGLER	IT	06/12/2019	223.97
GENERAL AIR SERVICE &	7203419437	JUSTIN ELKINS	WASTEWATER	06/04/2019	38.66
GEORGE T SANDERS 09	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	06/12/2019	216.00
GIGSALAD	866-7884447	KATIE TOFTE	REC CENTER	05/24/2019	215.00
GLENS GARAGE	LAKESWOOD	CONNOR POWERS	GOLF COURSE	06/11/2019	179.02
GOLF SPORT SOLUTIONS L	LA SALLE	DAVID DEAN	GOLF COURSE	06/11/2019	859.24
GOLF SPORT SOLUTIONS L	LA SALLE	DAVID DEAN	GOLF COURSE	05/28/2019	840.34
GOTPRINT.COM	818-252-3000	EMILY KROPF	CITY MANAGER	06/15/2019	45.03

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
GRAINGER	877-2022594	MARC DENNY	WASTEWATER	06/12/2019	54.85
GRAINGER	877-2022594	ANTHONY POHL	REC CENTER	05/29/2019	288.14
GRANDRABBITS TOY SHOP	WESTMINSTER	LARISSA COX	REC CENTER	06/02/2019	55.93
GREEN CO2 SYSTEMS	FORT COLLINS	PAUL BORTH	REC CENTER	05/30/2019	540.08
GREEN CO2 SYSTEMS	FORT COLLINS	PAUL BORTH	REC CENTER	05/22/2019	986.53
GREEN SPOT INC	LONGMONT	CHRIS LICHTY	PARKS	05/30/2019	452.00
GTI GOLF CARS	COMMERCE CITY	NORMAN MERLO	GOLF COURSE	06/06/2019	80.00
HARBOR FREIGHT TOOLS 7	LONGMONT	DAVID ALDERS	PARKS	06/05/2019	86.43
HOBBY-LOBBY #0034	LONGMONT	LARISSA COX	REC CENTER	06/01/2019	8.07
INT'L CODE COUNCIL INC	888-422-7233	RANDY DEWITZ	BUILDING SAFETY	06/14/2019	151.95
INT*IN *1-2-1 MARKETIN	407-3954701	DAVID BARIL	GOLF COURSE	06/04/2019	199.00
INT*IN *AMERICAN BIOID	303-8864747	AMANDA PERERA	REC CENTER	06/14/2019	247.50
INT*IN *ARROWHEAD SCIE	913-8948388	ERICA BERZINS	POLICE	05/29/2019	371.15
INT*IN *COATINGS INCOR	303-4234303	KERRY KRAMER	PARKS	05/22/2019	1,000.00
INT*IN *KAISER LOCK &	LOUISVILLE	MARC DENNY	WASTEWATER	06/18/2019	47.50
INT*IN *KAISER LOCK &	303-4493880	JAMES VAUGHAN	REC CENTER	06/18/2019	45.00
INT*IN *KAISER LOCK &	LOUISVILLE	JAMES VAUGHAN	REC CENTER	05/31/2019	62.50
INT*IN *KAISER LOCK &	LOUISVILLE	ANTHONY POHL	REC CENTER	05/30/2019	120.00
INT*IN *LOCALE OUTDOOR	970-4047091	DAVID BARIL	GOLF COURSE	05/27/2019	188.00
INT*IN *MOUNTAIN MAN W	303-7986822	JUSTIN ELKINS	WASTEWATER	05/23/2019	520.00
INT*IN *REED RESTAURAN	303-9549537	DAVID BARIL	GOLF COURSE	06/12/2019	215.58
INT*IN *REED RESTAURAN	303-9549537	DAVID BARIL	GOLF COURSE	06/12/2019	181.63
INT*IN *REED RESTAURAN	303-9549537	DAVID BARIL	GOLF COURSE	05/21/2019	642.18
INT*IN *VAN GO AUTO GL	303-4641500	MASON THOMPSON	OPERATIONS	05/22/2019	320.00
IPSY *GLAM BAG	HELP.IPSY.COM	JOHN BROOKS	POLICE	06/01/2019	10.00
ISA ROCKY MOUNTAIN CHA	720-9777941	CHRIS LICHTY	PARKS	06/06/2019	725.00
INSTANT IMPRINTS LOUIS	LOUISVILLE	ERICA BERZINS	POLICE	06/13/2019	93.96
INSTANT IMPRINTS LOUIS	LOUISVILLE	JORGE CALDERON	FACILITIES	06/11/2019	40.00
JAX OUTDOOR GEAR	LAFAYETTE	MARYANN DORNFELD	PARKS	05/20/2019	15.96
JAX RANCH & HOME	LAFAYETTE	MARYANN DORNFELD	PARKS	06/18/2019	9.92
JAX RANCH & HOME	LAFAYETTE	CATHERINE JEPSON	PARKS	06/14/2019	7.98
JAX RANCH & HOME	LAFAYETTE	CATHERINE JEPSON	PARKS	06/13/2019	71.94
JAX RANCH & HOME	LAFAYETTE	VICKIE ILKO	OPERATIONS	06/12/2019	79.98
JAX RANCH & HOME	LAFAYETTE	MARC DENNY	WASTEWATER	05/30/2019	1.28
JAX RANCH & HOME	LAFAYETTE	NICHOLAS POTOPCHUK	PARKS	05/23/2019	41.98
JAX RANCH & HOME	LAFAYETTE	NICHOLAS POTOPCHUK	PARKS	05/22/2019	71.97
JUNIPER PAINTS LLC	LOUISVILLE	PHIL LIND	FACILITIES	05/24/2019	11.72
JUNIPER PAINTS LLC	LOUISVILLE	PHIL LIND	FACILITIES	05/24/2019	10.79
KBS GOLF SHAFTS	303-748-2401	DAVID BARIL	GOLF COURSE	06/07/2019	40.36
KING SOOPERS #0013	LOUISVILLE	JESSE DEGRAW	REC CENTER	06/13/2019	43.43
KING SOOPERS #0013	LOUISVILLE	PEGGY JONES	REC CENTER	06/11/2019	21.74
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	06/07/2019	293.28

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
KING SOOPERS #0013	LOUISVILLE	RANDY DEWITZ	BUILDING SAFETY	06/06/2019	4.99
KING SOOPERS #0013	LOUISVILLE	DAWN BURGESS	CITY MANAGER	06/05/2019	3.50
KING SOOPERS #0013	LOUISVILLE	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	06/04/2019	27.93
KING SOOPERS #0013	LOUISVILLE	KERRY HOLLE	PUBLIC WORKS	06/04/2019	190.44
KING SOOPERS #0013	LOUISVILLE	KATIE BEASLEY	REC CENTER	05/31/2019	182.36
KING SOOPERS #0013	LOUISVILLE	VICKIE ILKO	OPERATIONS	05/30/2019	50.00
KING SOOPERS #0613 FUE	LOUISVILLE	JOHN BROOKS	POLICE	06/16/2019	34.04
KING SOOPERS #5135	877-415-4647	PATRICIA MORGAN	REC CENTER	05/28/2019	236.74
KLEEN RITE CORP	COLUMBIA	MARC DENNY	WASTEWATER	05/29/2019	129.04
LAKE RESTORATION-INTER	ROGERS	MARC DENNY	WASTEWATER	06/14/2019	55.00
LAKE RESTORATION-INTER	ROGERS	MARC DENNY	WASTEWATER	06/03/2019	23.70
LALLEMAND SPECIALTIES	MILWAUKEE	MICHAEL TOWERS	PARKS	06/04/2019	379.90
LAMARS DONUTS-	LOUISVILLE	KATIE BAUM	CITY MANAGER	06/18/2019	37.97
LAMARS DONUTS-	LOUISVILLE	DAWN BURGESS	CITY MANAGER	06/06/2019	65.94
LAMARS DONUTS-	LOUISVILLE	KATIE TOFTE	REC CENTER	06/01/2019	43.96
LANCE PFEIFER SNAP ON	FIRESTONE	DAVID DEAN	GOLF COURSE	06/17/2019	30.50
LEISURE TIME AWARDS	BOULDER	CHERYL KELLER	POLICE	06/03/2019	33.00
LEWAN TECHNOLOGY	DENVER	DIANE M KREAGER	FINANCE	06/07/2019	77.17
LEWAN TECHNOLOGY	DENVER	DIANE M KREAGER	FINANCE	06/07/2019	2,132.47
LEWAN TECHNOLOGY	DENVER	DIANE M KREAGER	FINANCE	06/07/2019	691.73
LEWAN TECHNOLOGY	DENVER	DIANE M KREAGER	FINANCE	06/07/2019	961.67
LHM TOYOTA BOULDER	BOULDER	MASON THOMPSON	OPERATIONS	06/13/2019	136.00
LITTLE VALLEY WHOLESAL	BRIGHTON	MARYANN DORNFELD	PARKS	06/14/2019	416.95
LITTLE VALLEY WHOLESAL	BRIGHTON	MARYANN DORNFELD	PARKS	06/10/2019	737.05
LITTLETON REG CO ST PA	3037911920	GREG VENETTE	WATER	05/29/2019	60.25
LL JOHNSON DIST CO	DENVER	DAVID DEAN	GOLF COURSE	06/13/2019	332.63
LL JOHNSON DIST CO	DENVER	DAVID DEAN	GOLF COURSE	06/13/2019	178.61
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/11/2019	138.14
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/11/2019	658.56
LL JOHNSON DIST CO	DENVER	CONNOR POWERS	GOLF COURSE	06/11/2019	402.18
LMUS	6308285949	LINDSEY WITTY	REC CENTER	06/06/2019	529.00
LOCO HERMANOS	LOUISVILLE	KATIE TOFTE	REC CENTER	06/02/2019	280.00
LOGMEIN*GOTOMEETING	LOGMEIN.COM	JEFFREY FISHER	POLICE	06/05/2019	49.00
LOUISVILLE ARC THRIFT	LOUISVILLE	KERRY HOLLE	PUBLIC WORKS	06/04/2019	13.80
LOVELAND LASER TAG	LOVELAND	AMANDA PERERA	REC CENTER	06/05/2019	422.00
LOWES #00220*	LOUISVILLE	BOB BERNHARDT	PARKS	06/18/2019	163.94
LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	06/18/2019	17.98
LOWES #00220*	LOUISVILLE	KATHLEEN D LORENZO	PARKS	06/18/2019	4.58
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/17/2019	39.92
LOWES #00220*	LOUISVILLE	CONNOR POWERS	GOLF COURSE	06/17/2019	67.96
LOWES #00220*	LOUISVILLE	CHRIS LICHTY	PARKS	06/14/2019	16.98
LOWES #00220*	LOUISVILLE	BOB BERNHARDT	PARKS	06/14/2019	22.28

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/15/2019	97.75
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/15/2019	-7.77
LOWES #00220*	LOUISVILLE	JEN KENNEY	POLICE	06/14/2019	208.10
LOWES #00220*	LOUISVILLE	BOB BERNHARDT	PARKS	06/13/2019	75.66
LOWES #00220*	LOUISVILLE	PEGGY JONES	REC CENTER	06/11/2019	12.98
LOWES #00220*	LOUISVILLE	BRIDGET BACON	LIBRARY	06/10/2019	7.52
LOWES #00220*	LOUISVILLE	KATHLEEN D LORENZO	PARKS	06/09/2019	18.24
LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	06/06/2019	65.12
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	06/06/2019	32.58
LOWES #00220*	LOUISVILLE	JAMES VAUGHAN	REC CENTER	06/06/2019	499.00
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/05/2019	51.71
LOWES #00220*	LOUISVILLE	KERRY KRAMER	PARKS	06/05/2019	11.48
LOWES #00220*	LOUISVILLE	KATHLEEN D LORENZO	PARKS	06/04/2019	17.30
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/04/2019	15.92
LOWES #00220*	LOUISVILLE	AMANDA PERERA	REC CENTER	06/04/2019	43.14
LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	06/03/2019	11.98
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	06/03/2019	32.92
LOWES #00220*	LOUISVILLE	KATHLEEN D LORENZO	PARKS	06/01/2019	35.48
LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	05/31/2019	10.88
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/30/2019	27.52
LOWES #00220*	LOUISVILLE	CHRIS LICHTY	PARKS	05/29/2019	4.85
LOWES #00220*	LOUISVILLE	ROBERT ZUCCARO	PLANNING	05/29/2019	24.64
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/29/2019	29.91
LOWES #00220*	LOUISVILLE	BOB BERNHARDT	PARKS	05/28/2019	6.56
LOWES #00220*	LOUISVILLE	CRAIG DUFFIN	PUBLIC WORKS	05/28/2019	41.96
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/28/2019	20.61
LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	05/28/2019	17.98
LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	05/24/2019	59.94
LOWES #00220*	LOUISVILLE	CONNOR POWERS	GOLF COURSE	05/24/2019	22.40
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/23/2019	-9.96
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/23/2019	40.87
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	05/23/2019	17.33
LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	05/22/2019	5.96
LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	05/20/2019	28.96
LOWES #00220*	LOUISVILLE	CONNOR POWERS	GOLF COURSE	05/20/2019	13.98
MAILCHIMP *MONTHLY	MAILCHIMP.COM	EMILY KROPF	CITY MANAGER	06/18/2019	212.50
MCDONALD'S F14200	LOUISVILLE	KATHY MARTIN	REC CENTER	05/31/2019	100.00
MCGUCKIN HARDWARE	BOULDER	PAUL BORTH	REC CENTER	05/22/2019	16.99
MEININGER ART SUPPLIES	DENVER	ROBERT ZUCCARO	PLANNING	06/01/2019	9.00
MGM GRAND HOTEL	LAS VEGAS	HEATHER BALSER	CITY MANAGER	05/21/2019	577.10
MGM GRAND HOTEL	LAS VEGAS	HEATHER BALSER	CITY MANAGER	05/21/2019	645.12
MGM GRAND HOTEL	LAS VEGAS	AARON DEJONG	CITY MANAGER	05/21/2019	577.10

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
MICHAELS STORES 1342	ARVADA	CHERYL KELLER	POLICE	06/14/2019	38.46
MILE HIGH TURFGRASS LL	3039880969	DAVID DEAN	GOLF COURSE	06/14/2019	797.01
MORRISON NATURAL HISTO	MORRISON	AMANDA PERERA	REC CENTER	06/12/2019	270.00
MOUSER ELECTRONICS INC	800-346-6873	MARC DENNY	WASTEWATER	06/04/2019	-63.48
MOUSER ELECTRONICS INC	800-346-6873	DAVID DEAN	GOLF COURSE	05/30/2019	9.45
MSFT * E05008CNFG	MSFT AZURE	DANIEL WOOLDRIDGE	IT	06/03/2019	109.72
MESSAGE MEDIA	SAN FRANCISCO	DAWN BURGESS	CITY MANAGER	06/05/2019	100.00
NAPA AUTO PART 0026903	LOUISVILLE	DIANE M KREAGER	FINANCE	06/17/2019	2,487.85
NAPA AUTO PART 0026903	LOUISVILLE	DIANE M KREAGER	FINANCE	06/17/2019	559.46
NAPA AUTO PART 0026903	LOUISVILLE	VICKIE ILKO	OPERATIONS	06/10/2019	6.10
NAPA AUTO PART 0026903	LOUISVILLE	DANIEL PEER	PARKS	05/30/2019	3.05
NAPA AUTO PART 0026903	LOUISVILLE	MARC DENNY	WASTEWATER	05/30/2019	50.01
NAPA TRAINING	7709531700	MASON THOMPSON	OPERATIONS	05/24/2019	89.85
NFPA NATL FIRE PROTECT	800-344-3555	TERRELL PHILLIPS	WATER	05/20/2019	249.95
NORTHWEST PARKWAY LLC	303-9262500	DIANE M KREAGER	FINANCE	05/22/2019	5.65
OFFICE DEPOT #1080	800-463-3768	ELIZABETH SCHETTLER	PLANNING	05/29/2019	62.67
OFFICE DEPOT #1080	800-463-3768	DAVID BARIL	GOLF COURSE	05/29/2019	21.95
OFFICE DEPOT #1080	800-463-3768	DAVID BARIL	GOLF COURSE	05/29/2019	21.18
OFFICE DEPOT #1080	800-463-3768	ELIZABETH SCHETTLER	PLANNING	05/20/2019	41.98
OFFICE DEPOT #2695	800-463-3768	ELIZABETH SCHETTLER	PLANNING	06/14/2019	15.00
OFFICEMAX/DEPOT 6616	SUPERIOR	DAVID BARIL	GOLF COURSE	06/07/2019	9.95
OFFICEMAX/DEPOT 6616	SUPERIOR	DAWN BURGESS	CITY MANAGER	06/11/2019	38.09
OFFICEMAX/DEPOT 6616	SUPERIOR	TERRELL PHILLIPS	WATER	06/06/2019	9.99
OFFICESCAPES OF DENVE	3035741115	JILL SIEWERT	LIBRARY	06/05/2019	49.29
O'TOOLE'S GARDEN CENTE	WESTMINSTER	DAVID DEAN	GOLF COURSE	06/14/2019	-28.45
O'TOOLE'S GARDEN CENTE	WESTMINSTER	DAVID DEAN	GOLF COURSE	06/14/2019	369.15
OLD SANTA FE MEXICAN G	LOUISVILLE	JEFFREY FISHER	POLICE	06/10/2019	59.01
OLD SANTA FE MEXICAN G	LOUISVILLE	JEN KENNEY	POLICE	06/10/2019	36.18
OLD SANTA FE MEXICAN G	LOUISVILLE	JEFFREY FISHER	POLICE	05/28/2019	63.66
OLD SANTA FE MEXICAN G	LOUISVILLE	JEFFREY FISHER	POLICE	05/22/2019	41.66
PANERA BREAD #202432	7203047000	AMANDA PERERA	REC CENTER	05/29/2019	252.15
PARTY CITY 922	SUPERIOR	JACQUELYN RAMSEY	REC CENTER	06/07/2019	146.14
PAYFLOW/PAYPAL	8888839770	DIANE M KREAGER	FINANCE	06/03/2019	19.95
PAYFLOW/PAYPAL	8888839770	DIANE M KREAGER	FINANCE	06/03/2019	59.95
PAYPAL *DONSC53	4029357733	DAVID BARIL	GOLF COURSE	06/12/2019	67.95
PAYPAL *ELIZABETHDA	4029357733	GINGER CROSS	GOLF COURSE	06/12/2019	525.00
PAYPAL *GDS	4029357733	DAVID BARIL	GOLF COURSE	06/08/2019	83.99
PAYPAL *INDIGOWATER	4029357733	TERRELL PHILLIPS	WATER	06/17/2019	30.00
PAYPAL *QUICKSHIPGO	4029357733	DAVID BARIL	GOLF COURSE	06/12/2019	57.57
PAYPAL *TRAINERSEDG	4029357733	JEFFREY FISHER	POLICE	06/10/2019	375.00
PAYPAL *TRAINERSEDG	4029357733	JEFFREY FISHER	POLICE	06/10/2019	375.00
PERFORMANCE HEALTH SUP	800-323-5547	PAUL BORTH	REC CENTER	06/14/2019	20.35

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
PGH WATER COOLER	4124877105	MIKE KARBGINSKY	FACILITIES	05/20/2019	788.00
PIONEER SAND CO 15	BROOMFIELD	JACK MANIAN	OPERATIONS	06/17/2019	51.90
PIONEER SAND CO 15	BROOMFIELD	CATHERINE JEPSON	PARKS	06/13/2019	59.60
PIONEER SAND CO 15	BROOMFIELD	NICHOLAS POTOPCHUK	PARKS	06/10/2019	64.39
PIONEER SAND CO 15	BROOMFIELD	NICHOLAS POTOPCHUK	PARKS	06/10/2019	135.07
PIONEER SAND CO 15	BROOMFIELD	MICHAEL TOWERS	PARKS	06/06/2019	56.91
PIONEER SAND CO 15	BROOMFIELD	NICHOLAS POTOPCHUK	PARKS	05/20/2019	390.86
PIONEER SAND CO HQ	COLORADO SPRI	DRUSILLA TIEBEN	PARKS	06/11/2019	85.06
PIONEER SAND CO HQ	COLORADO SPRI	DAVID DEAN	GOLF COURSE	06/05/2019	303.16
PLAY-WELL TEKNOLOGIES	4155782746	KATHY MARTIN	REC CENTER	06/05/2019	1,953.00
PLUG N PAY INC	800-945-2538	JULIE SEYDEL	REC CENTER	06/05/2019	198.75
POTESTIO BROTHERS EQUI	PARKER	DRUSILLA TIEBEN	PARKS	05/29/2019	179.53
PRAIRIE MOUNTAIN MEDIA	8884549588	DIANE M KREAGER	FINANCE	06/11/2019	1,459.04
PET SCOOP, INC. / PET	303-202-1899	DRUSILLA TIEBEN	PARKS	06/02/2019	470.00
ROADSAFE 3101	401-2534600	THOMAS CZAJKA	OPERATIONS	06/17/2019	944.40
ROADSAFE 3101	401-2534600	JACK MANIAN	OPERATIONS	06/17/2019	108.00
ROADSAFE 3101	401-2534600	JACK MANIAN	OPERATIONS	06/17/2019	788.40
ROADSAFE 3101	401-2534600	JACK MANIAN	OPERATIONS	06/17/2019	43.20
ROADSAFE 3101	401-2534600	VICKIE ILKO	OPERATIONS	05/29/2019	119.50
ROCKY MOUNTAIN AIR SOL	DENVER	AMANDA PERERA	REC CENTER	06/14/2019	426.01
RUDY'S #0220	GREELEY	JUSTIN ELKINS	WASTEWATER	05/23/2019	83.04
SAFEWAY #2812	LOUISVILLE	DAWN BURGESS	CITY MANAGER	06/11/2019	22.55
SAFEWAY #2812	LOUISVILLE	AMANDA PERERA	REC CENTER	06/10/2019	19.47
SAFEWAY #2812	LOUISVILLE	PAUL BORTH	REC CENTER	05/24/2019	17.99
SAI TEAM SPORTS	LOUISVILLE	AMANDA PERERA	REC CENTER	06/11/2019	307.50
SAI TEAM SPORTS	LOUISVILLE	KATIE MEYER	REC CENTER	05/29/2019	735.80
SAI TEAM SPORTS	LOUISVILLE	AMANDA PERERA	REC CENTER	05/21/2019	347.75
SHERWIN WILLIAMS 70348	LAFAYETTE	PHIL LIND	FACILITIES	06/03/2019	144.46
SHERWIN WILLIAMS 70348	LAFAYETTE	PHIL LIND	FACILITIES	06/03/2019	47.72
SHERWIN WILLIAMS 70348	LAFAYETTE	PHIL LIND	FACILITIES	05/20/2019	240.77
SHRED-IT	8666474733	DIANE M KREAGER	FINANCE	06/03/2019	85.20
SIP.US LLC	800-566-9810	TERRELL PHILLIPS	WATER	06/10/2019	24.95
SITEONE LANDSCAPE SUPP	BROOMFIELD	DAVID DEAN	GOLF COURSE	06/13/2019	167.21
SITEONE LANDSCAPE SUPP	BROOMFIELD	CONNOR POWERS	GOLF COURSE	06/03/2019	732.00
SITEONE LANDSCAPE SUPP	BROOMFIELD	CONNOR POWERS	GOLF COURSE	06/03/2019	3.00
SITEONE LANDSCAPE SUPP	BROOMFIELD	NORMAN MERLO	GOLF COURSE	05/29/2019	901.50
SITEONE LANDSCAPE SUPP	BROOMFIELD	DANIEL PEER	PARKS	05/21/2019	373.66
SMUGMUG*ONLINE PHOTOS	650-6413119	GINGER CROSS	GOLF COURSE	06/10/2019	-2.62
SMUGMUG*ONLINE PHOTOS	650-6413119	GINGER CROSS	GOLF COURSE	06/10/2019	74.50
SOURCE OFFICE - VITAL	GOLDEN	LESLIE RINGER	HUMAN RESOURCES	06/17/2019	168.02
SOURCE OFFICE - VITAL	GOLDEN	KERRY HOLLE	PUBLIC WORKS	06/13/2019	15.15
SOURCE OFFICE - VITAL	GOLDEN	MEREDYTH MUTH	CITY MANAGER	06/13/2019	55.24

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
SOURCE OFFICE - VITAL	GOLDEN	KERRY HOLLE	PUBLIC WORKS	06/11/2019	19.55
SOURCE OFFICE - VITAL	GOLDEN	DAWN BURGESS	CITY MANAGER	06/05/2019	36.26
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	05/31/2019	94.10
SOURCE OFFICE - VITAL	GOLDEN	DAWN BURGESS	CITY MANAGER	05/31/2019	104.32
SOURCE OFFICE - VITAL	GOLDEN	KERRY HOLLE	PUBLIC WORKS	05/31/2019	7.33
SOURCE OFFICE - VITAL	GOLDEN	ANGELA NORENE	OPERATIONS	05/29/2019	137.58
SOURCE OFFICE - VITAL	GOLDEN	LESLIE RINGER	HUMAN RESOURCES	05/29/2019	49.26
SOURCE OFFICE - VITAL	GOLDEN	DAWN BURGESS	CITY MANAGER	05/24/2019	20.60
SOURCE OFFICE - VITAL	GOLDEN	DAWN BURGESS	CITY MANAGER	05/21/2019	111.09
SOURCE OFFICE - VITAL	GOLDEN	DAWN BURGESS	CITY MANAGER	05/21/2019	15.26
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	05/21/2019	18.12
SPARKFUN ELECTRONICS	3032840979	JILL SIEWERT	LIBRARY	06/13/2019	43.65
SQU*SQ *B.O.B.S. DINER	LOUISVILLE	DAWN BURGESS	CITY MANAGER	05/30/2019	54.30
STAPLS7215631079001001	877-8267755	CHERYL KELLER	POLICE	06/08/2019	-54.00
STAPLS7218843435000002	877-8267755	LINDA LEBECK	CITY CLERK	05/29/2019	12.00
STAPLS7218843435000003	877-8267755	LINDA LEBECK	CITY CLERK	05/29/2019	12.00
STAPLS7218843435000004	877-8267755	LINDA LEBECK	CITY CLERK	05/29/2019	30.85
STAPLS7219259955000001	877-8267755	DIANE M KREAGER	FINANCE	05/24/2019	46.22
STAPLS7219259955000002	877-8267755	DIANE M KREAGER	FINANCE	05/25/2019	25.29
STAPLS7219490857000001	877-8267755	DIANE M KREAGER	FINANCE	05/30/2019	1,856.76
STAPLS7219723252000001	877-8267755	CHERYL KELLER	POLICE	06/04/2019	325.03
STAPLS7219723802000001	877-8267755	CHERYL KELLER	POLICE	06/04/2019	41.16
STAPLS7220312569000002	877-8267755	CHERYL KELLER	POLICE	06/13/2019	77.93
STARBUCKS STORE 05587	LOUISVILLE	JILL SIEWERT	LIBRARY	06/05/2019	132.95
STARBUCKS STORE 05587	LOUISVILLE	KATHY MARTIN	REC CENTER	05/31/2019	100.00
STOUT ST SOCIAL	DENVER	KURT KOWAR	PUBLIC WORKS	06/11/2019	101.11
SUPERIOR CHAMBER OF CO	8008259171	ALBERT SIEBER	LIBRARY	06/12/2019	75.00
SUPPLY.COM	6784868510	JAMES VAUGHAN	REC CENTER	06/01/2019	50.16
SWEET SPOT CAFE	LOUISVILLE	EMBER K BRIGNULL	PARKS	05/30/2019	25.18
SWEET SPOT CAFE	LOUISVILLE	HEATHER BALSER	CITY MANAGER	05/30/2019	138.84
TABLEAU SOFTWARE, INC.	12066333400	KERRY HOLLE	PUBLIC WORKS	05/22/2019	840.00
TARGET 00017699	SUPERIOR	CHRISTOPHER HUMPHREYS	POLICE	06/04/2019	19.99
TARGET.COM *	800-591-3869	KATIE BEASLEY	REC CENTER	05/22/2019	135.99
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	06/15/2019	11.00
THE HOME DEPOT #1506	LOUISVILLE	MARC DENNY	WASTEWATER	06/13/2019	6.78
THE HOME DEPOT #1506	LOUISVILLE	GREG VENETTE	WATER	06/14/2019	101.74
THE HOME DEPOT #1506	LOUISVILLE	BOB BERNHARDT	PARKS	06/13/2019	76.12
THE HOME DEPOT #1506	LOUISVILLE	DESHAUN BECERRIL	OPERATIONS	06/13/2019	71.76
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	06/14/2019	59.88
THE HOME DEPOT #1506	LOUISVILLE	CATHERINE JEPSON	PARKS	06/13/2019	22.93
THE HOME DEPOT #1506	LOUISVILLE	AARON GRANT	PARKS	06/13/2019	45.88
THE HOME DEPOT #1506	LOUISVILLE	ANTHONY POHL	REC CENTER	06/12/2019	179.74

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	06/12/2019	133.18
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	06/11/2019	16.45
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	06/11/2019	33.70
THE HOME DEPOT #1506	LOUISVILLE	JUSTIN ELKINS	WASTEWATER	06/10/2019	-179.11
THE HOME DEPOT #1506	LOUISVILLE	JUSTIN ELKINS	WASTEWATER	06/10/2019	179.11
THE HOME DEPOT #1506	LOUISVILLE	JUSTIN ELKINS	WASTEWATER	06/10/2019	172.81
THE HOME DEPOT #1506	LOUISVILLE	PHIL LIND	FACILITIES	06/10/2019	28.59
THE HOME DEPOT #1506	LOUISVILLE	JUSTIN ELKINS	WASTEWATER	06/07/2019	115.41
THE HOME DEPOT #1506	LOUISVILLE	ANTHONY POHL	REC CENTER	06/07/2019	43.86
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	06/06/2019	15.12
THE HOME DEPOT #1506	LOUISVILLE	CATHERINE JEPSON	PARKS	06/07/2019	21.96
THE HOME DEPOT #1506	LOUISVILLE	BENJAMIN FRANCISCO	OPERATIONS	06/06/2019	48.36
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	06/06/2019	50.35
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	06/06/2019	29.94
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	06/08/2019	45.25
THE HOME DEPOT #1506	LOUISVILLE	MATT LOOMIS	PARKS	06/05/2019	39.88
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	06/05/2019	1.14
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	06/05/2019	151.66
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	06/03/2019	5.92
THE HOME DEPOT #1506	LOUISVILLE	GREG VENETTE	WATER	05/31/2019	-20.82
THE HOME DEPOT #1506	LOUISVILLE	ANTHONY POHL	REC CENTER	05/30/2019	50.29
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	06/01/2019	30.41
THE HOME DEPOT #1506	LOUISVILLE	BOB BERNHARDT	PARKS	05/29/2019	26.94
THE HOME DEPOT #1506	LOUISVILLE	MARYANN DORNFELD	PARKS	05/29/2019	48.92
THE HOME DEPOT #1506	LOUISVILLE	MATT LOOMIS	PARKS	05/29/2019	16.94
THE HOME DEPOT #1506	LOUISVILLE	DAVID ALDERS	PARKS	05/29/2019	8.88
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	05/29/2019	2.38
THE HOME DEPOT #1506	LOUISVILLE	DESHAUN BECERRIL	OPERATIONS	05/28/2019	29.94
THE HOME DEPOT #1506	LOUISVILLE	CODY THOMPSON	PARKS	05/28/2019	5.89
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	05/28/2019	27.38
THE HOME DEPOT #1506	LOUISVILLE	PAUL BORTH	REC CENTER	05/24/2019	45.78
THE HOME DEPOT #1506	LOUISVILLE	PHIL LIND	FACILITIES	05/24/2019	5.98
THE HOME DEPOT #1506	LOUISVILLE	MATT LOOMIS	PARKS	05/23/2019	11.07
THE HOME DEPOT #1506	LOUISVILLE	ANTHONY POHL	REC CENTER	05/23/2019	39.37
THE HOME DEPOT #1506	LOUISVILLE	CATHERINE JEPSON	PARKS	05/23/2019	7.48
THE HOME DEPOT #1506	LOUISVILLE	MATT LOOMIS	PARKS	05/22/2019	119.00
THE HOME DEPOT #1506	LOUISVILLE	MATT LOOMIS	PARKS	05/22/2019	15.78
THE HOME DEPOT #1506	LOUISVILLE	ROSS DAVIS	OPERATIONS	05/21/2019	17.08
THE HOME DEPOT #1506	LOUISVILLE	VICKIE ILKO	OPERATIONS	05/20/2019	34.25
THE HOME DEPOT #1506	LOUISVILLE	PHIL LIND	FACILITIES	05/20/2019	69.54
THE HOME DEPOT 1506	LOUISVILLE	GREG VENETTE	WATER	06/14/2019	265.91
THE HOME DEPOT 1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	06/14/2019	99.98

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
THE HOME DEPOT 1506	LOUISVILLE	DAVID ALDERS	PARKS	06/12/2019	83.92
THE HOME DEPOT 1506	LOUISVILLE	ANTHONY POHL	REC CENTER	06/03/2019	85.83
THE HOME DEPOT 1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	05/30/2019	261.24
THE HOME DEPOT 1506	LOUISVILLE	VICKIE ILKO	OPERATIONS	05/23/2019	213.09
THE HOME DEPOT 1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	05/23/2019	283.29
THE HOME DEPOT PRO	8565333261	ERIK SWIATEK	PARKS	05/31/2019	636.60
THE HOME DEPOT PRO	8565333261	PATRICIA MORGAN	REC CENTER	05/24/2019	648.68
TOWN OF SUPERIOR	3034993675	DRUSILLA TIEBEN	PARKS	06/05/2019	16.17
TRAINERS WAREHOUSE	508-653-3770	MEAGAN BROWN	HUMAN RESOURCES	05/30/2019	161.50
TST* LULU S BBQ	LOUISVILLE	JEFFREY FISHER	POLICE	06/12/2019	83.50
TST* LULU S BBQ	LOUISVILLE	GREG VENETTE	WATER	06/04/2019	99.71
TST* THE HUCKLEBERRY	LOUISVILLE	ROBERT ZUCCARO	PLANNING	06/07/2019	37.50
TST* THE HUCKLEBERRY	LOUISVILLE	DAVID D HAYES	POLICE	06/05/2019	34.20
TST* THE HUCKLEBERRY	LOUISVILLE	JEFFREY FISHER	POLICE	05/24/2019	50.65
TST* THE HUCKLEBERRY	LOUISVILLE	JEFFREY FISHER	POLICE	05/25/2019	51.20
TST* THE HUCKLEBERRY	LOUISVILLE	JEFFREY FISHER	POLICE	05/23/2019	53.20
US AUTOFORCE	APPLETON	CONNOR POWERS	GOLF COURSE	06/11/2019	289.80
US AUTOFORCE	APPLETON	CONNOR POWERS	GOLF COURSE	05/30/2019	162.78
US AUTOFORCE	APPLETON	CONNOR POWERS	GOLF COURSE	05/24/2019	36.02
USA BLUE BOOK	8004939876	MARC DENNY	WASTEWATER	06/07/2019	171.77
VENNGAGE.COM	TORONTO	EMILY KROPF	CITY MANAGER	06/17/2019	19.00
VISTAPR*VISTAPRINT.COM	866-8936743	CHERYL KELLER	POLICE	05/21/2019	18.48
VZWRLSS*MY VZ VB P	800-922-0204	DIANE M KREAGER	FINANCE	06/01/2019	2,946.61
VZWRLSS*MY VZ VB P	800-922-0204	DIANE M KREAGER	FINANCE	05/22/2019	1,009.29
VZWRLSS*MY VZ VB P	800-922-0204	DIANE M KREAGER	FINANCE	05/22/2019	595.85
VZWRLSS*PRPAY AUTOPAY	888-294-6804	CRAIG DUFFIN	PUBLIC WORKS	06/05/2019	20.00
WAL-MART #5341	BROOMFIELD	LINDSEY WITTY	REC CENTER	06/03/2019	114.46
WALMART.COM	8009666546	KATIE TOFTE	REC CENTER	05/27/2019	39.06
WATERLOO ICEHOUSE	LOUISVILLE	JEFFREY FISHER	POLICE	05/23/2019	50.75
WATERSAFETY	8009877238X	JAMES VAUGHAN	REC CENTER	05/30/2019	-966.13
WATERSAFETY	8009877238X	JAMES VAUGHAN	REC CENTER	05/28/2019	966.13
WATERSAFETY	8009877238X	KATIE MEYER	REC CENTER	05/24/2019	966.13
WEF EVENT	703-684-2400	JUSTIN ELKINS	WASTEWATER	05/31/2019	570.00
WESTERN PAPER DISTRIBU	DENVER	ANGELA NORENE	OPERATIONS	06/04/2019	830.60
WESTERN PAPER DISTRIBU	DENVER	ERIK SWIATEK	PARKS	06/04/2019	781.28
WM SUPERCENTER #1045	LAFAYETTE	JACQUELYN RAMSEY	REC CENTER	06/13/2019	28.58
WM SUPERCENTER #1045	LAFAYETTE	JACQUELYN RAMSEY	REC CENTER	06/13/2019	23.76
WM SUPERCENTER #1045	LAFAYETTE	SHAYNA DIX	REC CENTER	05/31/2019	338.71
WWW.NORTHERNSAFETY.COM	800-625-1591	ERIK SWIATEK	PARKS	06/14/2019	141.13
WILLIAM OLIVER'S PUBLI	LAFAYETTE	CRAIG DUFFIN	PUBLIC WORKS	05/28/2019	108.75
ZORO TOOLS INC	855-2899676	MARC DENNY	WASTEWATER	05/25/2019	99.52
		PENNEY BOLTE	SALES TAX	05/30/2019	-150.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
		JOHN BROOKS	POLICE	06/01/2019	-20.00
		EMILY KROPF	CITY MANAGER	06/05/2019	356.02
		EMILY KROPF	CITY MANAGER	06/05/2019	-1,197.89
		ROBERT ZUCCARO	PLANNING	05/29/2019	-64.74
<b>TOTAL</b>					<b>\$ 103,254.53</b>

**CITY OF LOUISVILLE**

**EXPENDITURE APPROVALS \$25,000.00 - \$99,999.99**

**JUNE 2019**

<b>DATE</b>	<b>P.O. #</b>	<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
6/10/2019	2019155	Sill-Terhar Motors Inc.	2019 Ford F-150 Truck	\$34,157.00
			<i>This vehicle replaces unit 3509 that was totaled in the 2018 hail storm. Colorado State Bid pricing is being used for the purchase.</i>	
6/10/2019	2019158	High Country Pipe & Utility	2019 Sanitary Sewer Main Video	\$67,252.20
			<i>The City issued an RFP to video existing sanitary sewer mains. Five proposals were received and reviewed. High Country provided the low bid.</i>	
6/25/2019	2019165	Sill-Terhar Motors Inc.	2020 Ford Utility SUV Police Interceptors	\$68,590.00
			<i>The Arapahoe County Government Bid is being used for the purchase of two vehicles and is less than the State Bid. They will replace units 2158 and 2160 which received severe hail damage in 2018.</i>	

# **City Council Meeting Minutes**

**July 9, 2019  
City Hall, Council Chambers  
749 Main Street  
7:00 PM**

**Call to Order** – Mayor Muckle called the meeting to order at 7:00 p.m.

**Roll Call** was taken and the following members were present:

**City Council:**        *Mayor Robert Muckle  
Mayor Pro Tem Jeff Lipton  
Councilmember Jay Keany (arrived 7:01 pm)  
Councilmember Chris Leh (arrived 7:03 pm)  
Councilmember Susan Loo  
Councilmember Dennis Maloney  
Councilmember Ashley Stolzmann*

**Staff Present:**       *Megan Davis, Deputy City Manager  
Nathan Mosely, Parks, Recreation, & Open Space Director  
Dave Hayes, Police Chief  
Lisa Ritchie, Senior Planner  
Emily Hogan, Assistant City Manager for Communications  
& Special Projects  
Meredyth Muth, City Clerk*

**Others Present:**    *Kathleen Kelly, City Attorney*

## **PLEDGE OF ALLEGIANCE**

All rose for the pledge of allegiance.

## **APPROVAL OF AGENDA**

Mayor Muckle called for changes to the agenda and hearing none, moved to approve the agenda, seconded by Councilmember Stolzmann. All in favor.

## **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Robert Worsley, 1150 Pine Street, Walter Rhodes American Legion Post #111, stated the Legion is celebrating its 100<sup>th</sup> anniversary. He noted some of the work the post does in

the community and he invited Council to attend their celebration at Memory Square Park on July 27<sup>th</sup>.

### **APPROVAL OF THE CONSENT AGENDA**

MOTION: Mayor Muckle moved to approve the consent agenda, seconded by Councilmember Stolzmann. All in favor.

- A. *Approval of Bills***
- B. *Approval of Minutes: June 11, 2019; June 24, 2019***
- C. *Approval of Proclamation of August 2 – 11, 2019 as Boulder County Fair Days***
- D. *Approval of City Council Special Meeting on July 30***
- E. *Approval of Resolution No. 21, Series 2019 – A Resolution Approving an Intergovernmental Agreement with the University of Colorado for the Provision of Law Enforcement and Administrative Personnel***
- F. *Approval of Engagement Letter with Butler Snow, LLP for Review of Metro District Service Plans***
- G. *Award Contract to Axe Roofing for City Central Hail Damage Repairs***
- H. *Approval of Contract for Design Build Services for Playground Replacement Project***

### **COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA**

None.

### **CITY MANAGER'S REPORT**

Deputy City Manager Davis thanked the community for attending the July 4<sup>th</sup> event.

### **REGULAR BUSINESS**

---

---

### **ORDINANCE NO. 1775, SERIES 2019 – AN ORDINANCE AMENDING CHAPTER 17.56 OF THE LOUISVILLE MUNICIPAL CODE TO ADOPT UPDATED FLOOD INSURANCE RATE MAPS AND TO ADD PENALTY PROVISIONS FOR VIOLATIONS – 2nd READING, PUBLIC HEARING (advertised *Daily Camera* 5/26/19)**

City Attorney Kelly introduced the item by title. Mayor Muckle opened the public hearing.

Planner Ritchie stated all public notice requirements have been met for this ordinance. She stated this ordinance adopts flood maps replacing those from 2012; the new maps would go into effect on August 15<sup>th</sup> of this year. She noted this is part of the City's participation in the National Flood Insurance Program. The City regulates new

development in the 100-year floodplain to protect property and promote wise use of the floodplain.

Ritchie showed the existing floodplain and the new one with these maps. She noted generally the floodplain has been reduced in town, however there are some properties that now have sections of their property in the floodplain when they didn't before.

Staff recommended approval.

Mayor Pro Tem Lipton asked what the process is moving forward with FEMA to have them adopt these. Ritchie stated all the work with FEMA has been done and they will go into effect on August 15<sup>th</sup>.

Mayor Muckle asked if this is the first time the downtown drainage projects have been incorporated into these maps. Ritchie stated those properties have been removed from the floodplain on the new maps.

Public Comments – None

Councilmember Stolzmann stated Council recently approved the general municipal offense of 364 days and this ordinance makes people subject to that possible penalty. She noted the Council can set that differently for specific items if there is an interest in doing so. She asked if anyone would like to reduce the penalty for this ordinance.

Mayor Muckle stated he is comfortable leaving it as written and allowing the Court to use its discretion on any penalties. Councilmember Loo agreed.

Public Comments - None

Mayor Muckle closed the public hearing.

Mayor Pro Tem Lipton moved to approve Ordinance No. 1775, Series 2019, Councilmember Maloney seconded.

**Vote:** Motion carried by unanimous roll call vote.

**RESOLUTION NO. 22, SERIES 2019 – A RESOLUTION APPROVING AND ADOPTING  
THE EMERGENCY OPERATIONS PLAN FOR BOULDER COUNTY, CITY OF  
BOULDER, LOCAL GOVERNMENTS & SPECIAL DISTRICTS, 2017 EDITION**

Mayor Muckle introduced the item. Assistant City Manager Hogan noted the City conducted a tabletop exercise in 2018 led by the Boulder Office of Emergency Management (BOEM), a multi-jurisdictional agency managed by Boulder County and the City of Boulder. The BOEM provided several recommended actions following the

exercise. One such recommendation was to update the City's Emergency Operations Plan (EOP). She introduced Mike Chard from BOEM.

Chard stated the flood of 2013 affected all of the municipalities in Boulder County and was big enough to receive a presidential disaster declaration where all categories of public assistance were awarded. One part of qualifying for that declaration is the adoption of an emergency operations plan. In 2013, not all municipalities had adopted one. By Louisville adopting an EOP it allows the City to get coverage for the FEMA qualification. It also allows the City to know it is able to get assistance from the County when needed.

An EOP outlines multi-agency coordination and how to keep everyone coordinated at all of levels of government. This is for disaster management and would address sustained events that affect the community and affect resources. Chard stated the plan is kept current to organize the ground response in a disaster. It is to be used on top of all of the Cities own continuation of operation plans.

Councilmember Maloney asked Chief Hayes if there will be budget requests coming forward to support this. Hayes stated there are no costs for this emergency planning; there would be costs in the event of a disaster.

Chief Hayes stated the County operation is well run and their services are excellent. He supports the resolution. Fire Chief Willson agreed and he too supports this. It is a great plan and they do good work.

Public Comments – None.

Councilmember Keany moved to approved Resolution No. 22, Series 2019  
Councilmember Maloney seconded.

All in favor.

## **MARIJUANA CULTIVATION AND EXCISE TAX BALLOT ISSUES**

**ORDINANCE NO. 1776, SERIES 2019 – AN ORDINANCE IMPOSING AN EXCISE TAX OF UP TO TEN PERCENT ON RETAIL MARIJUANA CULTIVATION FACILITIES BEGINNING JANUARY 1, 2020, TO BE IMPOSED ONLY IF THE REGISTERED ELECTORS OF THE CITY APPROVE A BALLOT QUESTION PERMITTING SUCH CULTIVATION FACILITIES WITHIN THE CITY, AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 5, 2019 – 1<sup>ST</sup> READING, SET PUBLIC HEARING 7/23/19**

City Attorney Kelly introduced the ordinance by title. Mayor Muckle moved to approve the ordinance on first reading and set the public hearing on July 23; seconded by Councilmember Loo.

Voice vote, all in favor.

**ORDINANCE NO. 1777, SERIES 2019 – AN ORDINANCE AMENDING TITLES 5 AND 17 CONCERNING RETAIL MARIJUANA CULTIVATION FACILITIES AND SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF LOUISVILLE AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2019, THE QUESTION OF WHETHER TO PERMIT SUCH RETAIL MARIJUANA CULTIVATION FACILITIES WITHIN THE CITY SUBJECT TO AN EXCISE TAX ON THE SAME – 1<sup>ST</sup> READING, SET PUBLIC HEARING 7/23/19**

City Attorney Kelly introduced the ordinance by title. Mayor Muckle moved to approve the ordinance on first reading and set the public hearing on July 23; seconded by Councilmember Loo.

Voice vote, all in favor.

**ORDINANCE NO. 1778, SERIES 2019 – AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 5, 2019 A BALLOT ISSUE TO ALLOW THE CITY OF LOUISVILLE TO KEEP REVENUES THAT OTHERWISE WOULD BE REFUNDED, TO CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND TO SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK – 1<sup>ST</sup> READING, SET PUBLIC HEARING 7/23/19**

City Attorney Kelly introduced the ordinance by title. Mayor Muckle moved to approve the ordinance on first reading and set the public hearing for July 23; seconded by Councilmember Maloney.

Voice vote, all in favor.

**CITY ATTORNEY'S REPORT**

None.

**COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS**

Councilmember Stolzmann stated she attended the CC4CA conference. The group reviewed the policy statement and took input on changes. The final document will come back to Council for approval.

**ADJOURN**

Members adjourned at 7:33 pm.

---

Robert P. Muckle, Mayor

---

Carol Hanson, Deputy City Clerk

**SUBJECT: APPROVE CONTRACT BETWEEN THE CITY OF LOUISVILLE AND MURRAYSMITH FOR THE STORMWATER QUALITY MASTER PLAN**

**DATE: JULY 23, 2019**

**PRESENTED BY: KURT KOWAR, PUBLIC WORKS**

**SUMMARY:**

The Public Works Department recommends approval of a contract with Murraysmith in the amount of \$96,146 to develop a Stormwater Quality Master Plan.

In May, staff issued a Request for Proposals (RFP) for design services for the Stormwater Quality Master Plan. The scope includes the identification of areas within the City to incorporate new stormwater quality measures, development of a rehabilitation plan for existing facilities to improve storm water quality through the use of green infrastructure, coordination with the Urban Drainage and Flood Control District (UDFCD) with master planning, and the development of a CIP and maintenance program.

Staff received and reviewed five proposals. The selection committee evaluated the proposals based on the following criteria:

1. Project Team Qualifications and experience on similar projects.
2. Understanding of the project goals and strategy to keep the project on schedule.
3. Fee Proposal.

Staff interviewed the two top ranked consultants. Based on the review criteria and interview, Staff ranked MurraySmith first. The selected consultant is not the low bidder; however, MurraySmith has the best understanding of the scope at a reasonable cost with a stronger emphasis on green infrastructure. In addition, the project manager for MurraySmith worked on the City's Stormwater Master Plan in 2015.

<b>Consultant</b>	<b>Proposal Fee</b>	<b>Ranking</b>
MIG	\$ 78,845	3
JVA	\$ 91,600	2
MurraySmith	\$ 96,146	1
Geosyntec	\$181,327	5
Respec	\$227,990	4

**FISCAL IMPACT:**

2019 Stormwater Quality Master Plan (503499-660273)	\$100,000.00
Consultant Contract	\$96,146.00
<u>Contingency (Surveying)</u>	<u>\$30,000.00</u>
Remaining Budget	(\$26,146.00)

The Stormwater Quality Master Plan (503499-660273) budget is the original 2019 budget. Staff did not request additional funds in the May 2019 Budget Amendment.

**SUBJECT: STORMWATER QUALITY MASTER PLAN**

**DATE: JULY 27, 2019**

**PAGE 2 OF 2**

Staff evaluated CIP funds for the project and determined that project expenses exceed the available funds in the account. The line item shortfalls were discussed with the Director of Finance and will be resolved through a future budget amendment, if necessary. The budget amendment will appropriate an additional \$26,146.00 within the Stormwater Fund.

UDFCD will contribute \$15,000 to the project via reimbursement. UDFCD does not require an Intergovernmental Agreement for this amount and will pay by invoice. The revenue budget will also be amended if a budget amendment is deemed necessary. Therefore, the net budget amendment to the original 2019 budget will be \$11,146.00.

**PROGRAM/SUB-PROGRAM IMPACT:**

The recommended contract supports the Utilities – Stormwater goal of ensuring effective stormwater control.

**RECOMMENDATION:**

Staff recommends City Council award the contract to MurraySmith per their proposal fee of \$96,146.00, authorize staff to contract addendums up to \$30,000.00 for project contingency, and authorize the Mayor, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

**ATTACHMENT(S):**

- 1. Consultant Contract

**STRATEGIC PLAN IMPACT:**

<input type="checkbox"/>	 <b>Financial Stewardship &amp; Asset Management</b>	<input checked="" type="checkbox"/>	 <b>Reliable Core Services</b>
<input type="checkbox"/>	 <b>Vibrant Economic Climate</b>	<input type="checkbox"/>	 <b>Quality Programs &amp; Amenities</b>
<input type="checkbox"/>	 <b>Engaged Community</b>	<input type="checkbox"/>	 <b>Healthy Workforce</b>
<input type="checkbox"/>	 <b>Supportive Technology</b>	<input type="checkbox"/>	 <b>Collaborative Regional Partner</b>

**INDEPENDENT CONTRACTOR AGREEMENT  
BY AND BETWEEN THE CITY OF LOUISVILLE  
AND MURRAYSMITH  
FOR CONSULTING SERVICES**

**1.0 PARTIES**

This INDEPENDENT CONTRACTOR AGREEMENT (this "Agreement") is made and entered into this 23rd day of July, 2019 (the "Effective Date"), by and between the **City of Louisville**, a Colorado home rule municipal corporation, hereinafter referred to as the "City", and **Murraysmith**, a CORPORATION, hereinafter referred to as the "Contractor".

**2.0 RECITALS AND PURPOSE**

- 2.1 The City desires to engage the Contractor for the purpose of providing Consulting Engineering services as further set forth in the Contractor's Scope of Services (which services are hereinafter referred to as the "Services").
- 2.2 The Contractor represents that it has the special expertise, qualifications and background necessary to complete the Services.

**3.0 SCOPE OF SERVICES**

The Contractor agrees to provide the City with the specific Services and to perform the specific tasks, duties and responsibilities set forth in Scope of Services attached hereto as Exhibit "A" and incorporated herein by reference. Contractor shall furnish all tools, labor and supplies in such quantities and of the proper quality as are necessary to professionally and timely perform the Services. Contractor acknowledges that this Agreement does not grant any exclusive privilege or right to supply Services to the City.

**4.0 COMPENSATION**

- 4.1 The City shall pay the Contractor for Services under this Agreement a total not to exceed the amounts set forth in Exhibit "A" attached hereto and incorporated herein by this reference. For Services compensated at hourly or per unit rates, or on a per-task basis, such rates or costs per task shall not exceed the amounts set forth in Exhibit A. The City shall pay mileage and other reimbursable expenses (such as meals, parking, travel expenses, necessary memberships, etc.) which are deemed necessary for performance of the Services and which are pre-approved by the Mayor. The foregoing amounts of compensation shall be inclusive of all costs of whatsoever nature associated with the Contractor's efforts, including but not limited to salaries, benefits, overhead, administration, profits, expenses, and outside Contractor fees. The Scope of Services and payment therefor shall only be changed by a properly authorized amendment to this Agreement. No City employee has the authority to bind the City with regard to any payment for any Services which exceeds the amount payable under the terms of this Agreement.
- 4.2 The Contractor shall submit monthly an invoice to the City for Services rendered and a detailed expense report for pre-approved, reimbursable expenses incurred during the previous month. The invoice shall document the Services provided during the preceding month, identifying by work category and subcategory the work and tasks performed and

such other information as may be required by the City. The Contractor shall provide such additional backup documentation as may be required by the City. The City shall pay the invoice within thirty (30) days of receipt unless the Services or the documentation therefor are unsatisfactory. Payments made after thirty (30) days may be assessed an interest charge of one percent (1%) per month unless the delay in payment resulted from unsatisfactory work or documentation therefor.

## **5.0 PROJECT REPRESENTATION**

- 5.1 The City designates Joliette Woodson as the responsible City staff to provide direction to the Contractor during the conduct of the Services. The Contractor shall comply with the directions given by Joliette Woodson and such person's designees.
- 5.2 The Contractor designates Joel Price as its project manager and as the principal in charge who shall be providing the Services under this Agreement. Should any of the representatives be replaced, particularly Joel Price, and such replacement require the City or the Contractor to undertake additional reevaluations, coordination, orientations, etc., the Contractor shall be fully responsible for all such additional costs and services.

## **6.0 TERM**

The term of this Agreement shall be from the Effective Date to March 1, 2020, unless sooner terminated pursuant to Section 13, below. The Contractor's Services under this Agreement shall commence on the Effective Date and Contractor shall proceed with diligence and promptness so that the Services are completed in a timely fashion consistent with the City's requirements.

## **7.0 INSURANCE**

- 7.1 The Contractor agrees to procure and maintain, at its own cost, the policies of insurance set forth in Subsections 7.1.1 through 7.1.4. The Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types. The coverages required below shall be procured and maintained with forms and insurers acceptable to the City. All coverages shall be continuously maintained from the date of commencement of Services hereunder. The required coverages are:
  - 7.1.1 Workers' Compensation insurance as required by the Labor Code of the State of Colorado and Employers Liability Insurance. Evidence of qualified self-insured status may be substituted.
  - 7.1.2 General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$2,000,000 aggregate. The policy shall include the City of Louisville, its officers and its employees, as additional insureds, with primary coverage as respects the City of Louisville, its officers and its employees, and shall contain a severability of interests provision.
  - 7.1.3 Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than \$400,000 per person in any one occurrence and \$1,000,000 for two or more persons in any one occurrence, and auto property damage insurance of at least \$50,000 per occurrence, with respect to

each of Contractor's owned, hired or non-owned vehicles assigned to or used in performance of the Services. If the Contractor has no owned automobiles, the requirements of this paragraph shall be met by each officer or employee of the Contractor providing services to the City of Louisville under this contract.

- 7.2 The Contractor's general liability insurance and automobile liability and physical damage insurance shall be endorsed to include the City, and its elected and appointed officers and employees, as additional insureds, unless the City in its sole discretion waives such requirement. Every policy required above shall be primary insurance, and any insurance carried by the City, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Contractor. Such policies shall contain a severability of interests provision. The Contractor shall be solely responsible for any deductible losses under each of the policies required above.
- 7.3 Certificates of insurance shall be provided by the Contractor as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject to review and approval by the City. No required coverage shall be cancelled, terminated or materially changed until at least 30 days prior written notice has been given to the City. The City reserves the right to request and receive a certified copy of any policy and any endorsement thereto.
- 7.4 Failure on the part of the Contractor to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of contract upon which the City may immediately terminate this Agreement, or at its discretion may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the City shall be repaid by Contractor to the City upon demand, or the City may offset the cost of the premiums against any monies due to Contractor from the City.
- 7.5 The parties understand and agree that the City is relying on, and does not waive or intend to waive by any provision of this contract, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, § 24-10-101 et seq., C.R.S., as from time to time amended, or otherwise available to the City, its officers, or its employees.

## **8.0 INDEMNIFICATION**

To the fullest extent permitted by law, the Contractor agrees to indemnify and hold harmless the City, and its elected and appointed officers and its employees, from and against all liability, claims, and demands, on account of any injury, loss, or damage, which arise out of or are connected with the Services hereunder, if such injury, loss, or damage is caused by the negligent act, omission, willful misconduct of the Contractor or any subcontractor of the Contractor, or any officer, employee, or agent of the Contractor or any subcontractor, or any other person for whom Contractor is responsible. The Contractor shall investigate, handle, respond to, and provide defense for and defend against any such liability, claims, and demands. The Contractor shall further bear all other costs and expenses incurred by the City or Contractor and related to any such liability, claims and demands, including but not limited to court costs, expert witness fees and attorneys' fees if the court determines that these incurred costs and expenses are related to such negligent acts, errors, and omissions or other fault of the Contractor. The City shall be entitled to its costs and attorneys' fees incurred in any action to enforce the provisions of this

Section 8.0. The Contractor's indemnification obligation shall not be construed to extend to any injury, loss, or damage which is caused by the act, omission, or other fault of the City.

## **9.0 QUALITY OF WORK**

Contractor's Services shall be performed in accordance with the professional workmanship and service standards in the field with the degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances to the satisfaction of the City.

## **10.0 INDEPENDENT CONTRACTOR**

It is the expressed intent of the parties that the Contractor is an independent contractor and not the agent, employee or servant of the City, and that:

- 10.1. **CONTRACTOR SHALL SATISFY ALL TAX AND OTHER GOVERNMENTALLY IMPOSE RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO, PAYMENT OF STATE, FEDERAL AND SOCIAL SECURITY TAXES, UNEMPLOYMENT TAXES, WORKERS' COMPENSATION AND SELF-EMPLOYMENT TAXES. NO STATE, FEDERAL OR LOCAL TAXES OF ANY KIND SHALL BE WITHHELD OR PAID BY THE CITY.**
- 10.2. **CONTRACTOR IS NOT ENTITLED TO WORKERS' COMPENSATION BENEFITS EXCEPT AS MAY BE PROVIDED BY THE INDEPENDENT CONTRACTOR NOR TO UNEMPLOYMENT INSURANCE BENEFITS UNLESS UNEMPLOYMENT COMPENSATION COVERAGE IS PROVIDED BY THE INDEPENDENT CONTRACTOR OR SOME ENTITY OTHER THAN THE CITY.**
- 10.3. Contractor does not have the authority to act for the City, or to bind the City in any respect whatsoever, or to incur any debts or liabilities in the name of or on behalf of the City.
- 10.4. Contractor has and retains control of and supervision over the performance of Contractor's obligations hereunder and control over any persons employed by Contractor for performing the Services hereunder.
- 10.5. The City will not provide training or instruction to Contractor or any of its employees regarding the performance of the Services hereunder.
- 10.6. Neither the Contractor nor any of its officers or employees will receive benefits of any type from the City.
- 10.7. Contractor represents that it is engaged in providing similar services to other clients and/or the general public and is not required to work exclusively for the City.
- 10.8. All Services are to be performed solely at the risk of Contractor and Contractor shall take all precautions necessary for the proper and sole performance thereof.
- 10.9. Contractor will not combine its business operations in any way with the City's business operations and each party shall maintain their operations as separate and distinct.

## **11.0 ASSIGNMENT**

Contractor shall not assign or delegate this Agreement or any portion thereof, or any monies due to or become due hereunder without the City's prior written consent.

## **12.0 DEFAULT**

Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either party should fail or refuse to perform according to the terms of this Agreement, such party may be declared in default.

## **13.0 TERMINATION**

13.1 This Agreement may be terminated by either party for material breach or default of this Agreement by the other party not caused by any action or omission of the other party by giving the other party written notice at least thirty (30) days in advance of the termination date. Termination pursuant to this subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

13.2 In addition to the foregoing, this Agreement may be terminated by the City for its convenience and without cause of any nature by giving written notice at least fifteen (15) days in advance of the termination date. In the event of such termination, the Contractor will be paid for the reasonable value of the Services rendered to the date of termination, not to exceed a pro-rated daily rate, for the Services rendered to the date of termination, and upon such payment, all obligations of the City to the Contractor under this Agreement will cease. Termination pursuant to this Subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

## **14.0 INSPECTION AND AUDIT**

The City and its duly authorized representatives shall have access to any books, documents, papers, and records of the Contractor that are related to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

## **15.0 DOCUMENTS**

All computer input and output, analyses, plans, documents photographic images, tests, maps, surveys, electronic files and written material of any kind generated in the performance of this Agreement or developed for the City in performance of the Services are and shall remain the sole and exclusive property of the City. All such materials shall be promptly provided to the City upon request therefor and at the time of termination of this Agreement, without further charge or expense to the City and in hardcopy or an electronic format acceptable to the City, or both, as the City shall determine. Contractor shall not provide copies of any such material to any other party without the prior written consent of the City. Contractor shall not use or disclose confidential information of the City for purposes unrelated to performance of this Agreement without the City's written consent.

## **16.0 ENFORCEMENT**

- 16.1 In the event that suit is brought upon this Agreement to enforce its terms, the parties shall each bear and be responsible for their own attorneys' fees and court costs.
- 16.2 This Agreement shall be deemed entered into in Boulder County, Colorado, and shall be governed by and interpreted under the laws of the State of Colorado. Any action arising out of, in connection with, or relating to this Agreement shall be filed in the courts of Boulder County or the federal district court for the District of Colorado, and in no other court. Colorado law shall apply to the construction and enforcement of this Agreement.

## **17.0 COMPLIANCE WITH LAWS; WORK BY ILLEGAL ALIENS PROHIBITED**

- 17.1 Contractor shall be solely responsible for compliance with all applicable federal, state, and local laws, including the ordinances, resolutions, rules, and regulations of the City; for payment of all applicable taxes; and obtaining and keeping in force all applicable permits and approvals.
- 17.2 Exhibit B, the "City of Louisville Public Services Contract Addendum-Prohibition Against Employing Illegal Aliens", is attached hereto and incorporated herein by reference. There is also attached hereto a copy of Contractor's Pre-Contract Certification which Contractor has executed and delivered to the City prior to Contractor's execution of this Agreement.

## **18.0 INTEGRATION AND AMENDMENT**

This Agreement represents the entire Agreement between the parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the parties.

## **19.0 NOTICES**

All notices required or permitted under this Agreement shall be in writing and shall be given by hand delivery, by United States first class mail, postage prepaid, registered or certified, return receipt requested, by national overnight carrier, or by email transmission, addressed to the party for whom it is intended at the following address:

If to the City:

City of Louisville  
Attn: Joliette Woodson  
749 Main Street  
Louisville, CO 80027  
e-mail: [jwoodson@louisvilleco.gov](mailto:jwoodson@louisvilleco.gov)

If to the Contractor:

Attn: Joel Price  
850 West South Boulder Road #200  
Louisville, Colorado 80027  
e-mail: [Joel.Price@murraysmith.us](mailto:Joel.Price@murraysmith.us)

Except for notices by email transmission, any notice required or permitted under this Agreement shall be effective when received as indicated on the delivery receipt, if by hand delivery or overnight carrier; on the United States mail return receipt, if by United States mail. Notices by email transmission shall be effective on transmission, so long as no message of error or non-receipt is received by the party giving notice. Either party may by similar notice given, change the address to which future notices or other communications shall be sent.

## 20.0 EQUAL OPPORTUNITY EMPLOYER

- a) Contractor will not discriminate against any employee or applicant for employment because of age 40 and over, race, sex, color, religion, national origin, disability, genetic information, sexual orientation, veteran status, or any other applicable status protected by state or local law. Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to any status set forth in the preceding sentence. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by an agency of the federal government, setting forth the provisions of the Equal Opportunity Laws.
  
- b) Contractor shall be in compliance with the applicable provisions of the American with Disabilities Act as enacted and from time to time amended and any other applicable federal, state, or local laws and regulations. A signed, written certificate stating compliance with the Americans with Disabilities Act may be requested at any time during the life of this Agreement or any renewal thereof.

In witness whereof, the parties have executed this Agreement to be effective as of the day and year of signed by the City.

CITY OF LOUISVILLE

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

CONTRACTOR:

\_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_



		Subconsultant					
		Russell + Mills					
Engineering Designer I	Landscape Architect Project Manager	Landscape Architect Technician	Hours	Subconsultants		Total	
				SWCA	Topographic (rates attached separately)		
Angelos	Russell	Lamastra					
				\$ -	\$ 2,000	\$ 2,000	
10	6	6	34	\$ 4,944		\$ 4,944	
24	8	12	60	\$ 8,316		\$ 8,316	
20	24	32	94	\$ 12,092		\$ 12,092	
8	6	6	28	\$ 3,906		\$ 3,906	
62	44	56	216	\$ 29,258	\$ 2,000	\$ 31,258	
				\$ -		\$ -	
24		4	34	\$ 4,554		\$ 4,554	
8	32	42	102	\$ 12,960	\$ 2,000	\$ 14,960	
12	12	24	54	\$ 6,454		\$ 6,454	
6	6	6	26	\$ 3,654		\$ 3,654	
50	50	76	216	\$ 27,622	\$ 2,000	\$ 29,622	
				\$ -	\$ 2,000	\$ 2,000	
12		2	22	\$ 3,274		\$ 3,274	
8	6	6	28	\$ 3,906		\$ 3,906	
4	12	8	30	\$ 3,926		\$ 3,926	
8	12	12	43	\$ 5,778		\$ 5,778	
8	4	4	20	\$ 2,678		\$ 2,678	
24	8	16	64	\$ 8,696		\$ 8,696	
16	4	16	41	\$ 5,008		\$ 5,008	
80	46	64	248	\$ 33,266	\$ 2,000	\$ 35,266	
192	140	196	680	\$ 90,146	\$ 6,000	\$ 96,146	



**SCHEDULE OF FEES—2019**

The following rates are effective January 1, 2019 through December 31, 2019 and subject to re-negotiation at the beginning of each calendar year. Overtime Rate for all personnel will be computed at 1.0 times the hourly rate for excess over 40 hours per week.

**FIELD SURVEY PERSONNEL**

Field Supervisor	\$80.00/ hour
1-man crew	\$125.00/ hour
2-man crew	\$160.00/ hour
3-man crew	\$180.00/ hour

Inclusive of the established rates: All survey equipment, standard tools, field consumables and insurance coverage of all employee's and equipment.

**DRAFTING/MAPPING/CALCULATIONS**

Clerical	\$55.00/ hour
Drafting	\$75.00/ hour
Computations, Survey Technician	\$85.00/hour
GIS Mapping Services	\$85.00/ hour
Project Manager	\$100.00/ hour
Professional Licensed Surveyor	\$125.00/ hour

**Additional Charges/Notes:**

- Per Diem expenses for out-of-town and overnight travel set at the standard Federal rate
- Mileage and hourly rates apply to travel to and from job site. Mileage rate \$0.85
- 4-Wheeler/UTV and Trailer rate: \$100.00 per day
- Minimum charge for scheduled field work is 4 hours
- Mobilization and Demobilization to a project will be billed on a time and materials basis at the rates listed

Registered States: Alabama, Arizona, Arkansas, Colorado, Illinois, Kansas, Kentucky, Louisiana, New Mexico, Mississippi, Nevada, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Wisconsin and Wyoming, as well as Certified Federal Surveyor.

Topographic Land Surveyors  
520 Stacy Court, Unit B | Lafayette, CO 80026  
o: 303.666.0379 w: <http://www.topographic.com>  
A Group of Companies Providing Geographic Information, Products, & Services

## EXHIBIT B

### City of Louisville Public Services Contract Addendum Prohibition Against Employing Illegal Aliens

Prohibition Against Employing Illegal Aliens. Contractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement. Contractor shall not enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.

Contractor will participate in either the E-verify program or the Department program, as defined in C.R.S. § § 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the public contract for services. Contractor is prohibited from using the E-verify program or the Department program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed.

If Contractor obtains actual knowledge that a subcontractor performing work under this Agreement for services knowingly employs or contracts with an illegal alien, Contractor shall:

- a. Notify the subcontractor and the City within three days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
- b. Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to this paragraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Contractor shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Contractor shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. § 8-17.5-102(5).

If Contractor violates a provision of this Agreement required pursuant to C.R.S. § 8-17.5-102, City may terminate the Agreement for breach of contract. If the Agreement is so terminated, the Contractor shall be liable for actual and consequential damages to the City.

**Pre-Contract Certification in Compliance with C.R.S. Section 8-17.5-102(1)**

The undersigned hereby certifies as follows:

That at the time of providing this certification, the undersigned does not knowingly employ or contract with an illegal alien; and that the undersigned will participate in the E-Verify program or the Department program, as defined in C.R.S. § § 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform under the public contract for services.

Proposer:

Murraysmith

By



Title: Principal Engineer

5/24/2019

Date

- SUBJECT: APPROVAL OF STATE HIGHWAY 42 AND SHORT STREET GEOMETRIC IMPROVEMENTS PROJECT**
- i. AWARD BID FOR STATE HIGHWAY 42 AND SHORT STREET GEOMETRIC IMPROVEMENTS PROJECT**
  - ii. APPROVE A CONTRACT AMENDMENT BETWEEN THE CITY OF LOUISVILLE AND SUSTAINABLE TRAFFIC SOLUTIONS FOR THE STATE HIGHWAY 42 AND SHORT STREET GEOMETRIC IMPROVEMENTS PROJECT**
  - iii. APPROVE A CONTRACT BETWEEN THE CITY OF LOUISVILLE AND MICHAEL BAKER INTERNATIONAL FOR THE STATE HIGHWAY 42 AND SHORT STREET GEOMETRIC IMPROVEMENTS PROJECT**

**DATE: JULY 23, 2019**

**PRESENTED BY: KURT KOWAR, PUBLIC WORKS**

**SUMMARY:**

Staff recommends approval of a construction contract with Goodland Construction (Goodland), a contract amendment to the existing consultant contract with Sustainable Traffic Solutions (STS), and a construction management contract with Michael Baker International for the State Highway 42 and Short St. Geometric Improvements Project.

Staff advertised the subject project on May 16, 2019. Bids received are as follows:

<b>Goodland</b>	<b>**\$2,496,096.00</b>
Defalco	\$2,623,800.00
Noraa	\$3,613,786.60

\*\* Actual bid of \$2,497,308.

The Goodland bid contained a math error however Goodland is still the low bid at \$2,497,308. CDOT has reviewed the bids and provided concurrence to award. Staff recommends approval of a contract with Goodland per their low bid of \$2,497,308. In addition, Staff is requesting approval of 10% contingency funds in the amount of \$249,730. This is a standard contingency amount and appropriate for a construction contract being awarded for construction.

**SUBJECT: STATE HIGHWAY 42/SHORT STREET GEOMETRIC IMPROVEMENTS****DATE: JULY 23, 2019****PAGE 2 OF 5****FISCAL IMPACT:**

The funding breakdown included in the recent budget amendment was as follows with an approved budget amendment of \$645,000.

<b>Project Budget</b>	<b>Account</b>	<b>Amount</b>
2015 Budget	301499-660079 (301312-660079)	\$500,000.00
2016 Budget	301312-660222	\$1,500,000.00
Budget Amendments	301312-660222	\$1,379,310.00
Approved 2019 Budget Amendment		\$645,000.00
<b>Total Funding</b>		<b>\$4,024,310.00</b>
Faster Funds		\$500,000.00
Boulder County IGA Reimbursement		\$1,000,000.00
Net City Costs		\$2,524,310.00
<b>Project Expenditures</b>		
Consultant Contract and Addendums		\$723,793.09
Miscellaneous Fees.		\$73,990.59
Construction Contract with 10% Contingency (Estimate)		\$2,844,684.10
Consultant Addendum (Estimate)		\$120,000.00
Construction Management (Estimate)		\$260,000.00
<b>Total Costs (Estimate)</b>		<b>\$ 4,022,467.78</b>

**Staff Recommended:**

The funding breakdown based on **actual bids** is as follows.

<b>2019 Project Budget</b>	<b>Account</b>	<b>Amount</b>
<b>SH 42 Corridor Improvements</b>	301312-660222	\$3,224,684.10
<b>2019 Project Expenditures</b>		
Construction Contract	301312-660222	\$2,497,308.00
10% Contingency		\$249,730.00
Construction Administration (STS Addendum)		\$4,529.00
Construction Management (Michael Baker)		\$232,795.00
<b>Total Construction Costs</b>		<b>\$2,984,362.00</b>
<b>Remaining</b>		<b>\$240,322.10</b>

**BOULDER COUNTY IGA:**

On May 7, 2019, Council approved an IGA with Boulder County that will provide up to \$1.8 million in Transportation Sales tax funds as local match for two projects on SH 42. Boulder County will contribute up to \$850,000 towards the construction of the SH 42 Underpass and up to \$1,000,000 towards the construction of the SH 42 and Short St. Geometric Improvements on a reimbursement basis.

**CONSULTANT ADDENDUM:**

On November 3, 2015, Council approved a contract with KDG for geometric design improvements of State Highway 42 and Short Street. Much of the consultant's budget was used for re-designs based on CDOT and City Council direction, however there are sufficient funds remaining in the KDG contract to cover construction administration services.

On November 3, 2015, City Council approved a contract amendment with STS for design services related to installation of a traffic signal for State Highway 42 and Short Street. Much of the consultant's budget was used for re-designs based on CDOT and City Council direction. The requested consultant addendum of \$4,529.00 will fund construction administration services if needed.

**CONSTRUCTION MANAGEMENT:**

CDOT will not permit the City to use KDG as both the design consultant and the construction management consultant due to conflict of interest regulations. In 2018, Staff requested proposals from consultants for construction management services which consists of daily on-site inspections, coordination with contractors, coordination with affected businesses, material testing per CDOT requirements, material documentation per CDOT requirements, and documentation close out with CDOT.

Staff received and reviewed seven proposals. The selection committee evaluated the proposals based on knowledge, cost, experience with similar projects and understanding of the scope. Based on these review criteria, Staff ranked Michael Baker first. The selected consultant is not the low bidder; however, Michael Baker has the best understanding of the scope including time commitments for inspections with realist costs for management and documentation of a CDOT administered project. Michael Baker also provided construction management services for the federally funded County Road Bridge Replacement project.

**SUBJECT: STATE HIGHWAY 42/SHORT STREET GEOMETRIC IMPROVEMENTS****DATE: JULY 23, 2019****PAGE 4 OF 5**

<b>Consultant</b>	<b>Proposal Fee</b>	<b>Ranking</b>	<b>RFP Score</b>
FHU	\$240,500		24
Atkins	\$180,280	2	33.2
JR Engineering	\$270,786		30.3
Loris (Otak)	\$284,447	3	32
Benesch	\$289,850		31.2
Michael Baker	\$289,919	1	34.3
Ground	\$184,360		30

The construction management proposal fees were based on the original scope which included a full traffic signal and medians. The Michael Baker contract included in this council communication for approval is based on the reduced scope with only partial traffic signal construction (poles only) and no medians at a cost of \$232,795.00.

**SCHEDULE:**

Construction will begin in September of 2019 and continue thru spring of 2020.

**PROGRAM/SUB-PROGRAM IMPACT:**

The recommended contracts support the Transportation-Planning and Engineering goal of implementing the SH 42 Plan.

**RECOMMENDATION:**

Staff recommends City Council award the SH 42 and Short St. Geometric Improvements Project to Goodland Construction per their bid of \$2,497,308.00, authorize staff to execute change orders up to \$249,730.00 as a 10% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

Staff recommends City Council approve the contract amendment with Sustainable Traffic Solutions, Inc. for \$4,529.00 for construction administration services.

Staff recommends City Council approve a contract to Michael Baker International per their proposal fee of \$232,795.00 and authorize the Mayor, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

The remaining budget of \$240,322.10 may be used for additional design, traffic signal equipment purchase, and construction management if approval of traffic signal installation can be secured from CDOT during the course of the project construction.

**ATTACHMENT(S):**

1. Construction Contract
2. STS Addendum
3. Michael Baker Contract

**STRATEGIC PLAN IMPACT:**

<input type="checkbox"/>	 <b>Financial Stewardship &amp; Asset Management</b>	<input checked="" type="checkbox"/>	 <b>Reliable Core Services</b>
<input type="checkbox"/>	 <b>Vibrant Economic Climate</b>	<input type="checkbox"/>	 <b>Quality Programs &amp; Amenities</b>
<input type="checkbox"/>	 <b>Engaged Community</b>	<input type="checkbox"/>	 <b>Healthy Workforce</b>
<input type="checkbox"/>	 <b>Supportive Technology</b>	<input type="checkbox"/>	 <b>Collaborative Regional Partner</b>

**AGREEMENT**

---

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ in the year 2019 by and between:

**CITY OF LOUISVILLE, COLORADO  
(hereinafter called OWNER)**

and

**GOODLAND CONSTRUCTION. INC.  
(hereinafter called CONTRACTOR)**

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows.

**ARTICLE 1. WORK**

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

**PROJECT: SH 42 AND SHORT ST. GEOMETRIC IMPROVEMENTS  
FEDERAL AID PROJECT NUMBER: FSA 042A-007  
OWNER: CITY OF LOUISVILLE, COLORADO**

**ARTICLE 2. CONTRACT TIMES**

The CONTRACTOR shall substantially complete all work by \_\_\_\_\_ 2020 and within **130 Working Days** after the date when the Contract Time commences to run. The Work shall be completed and ready for final payment in accordance with paragraph 14.13 of the General Conditions within **150 Working Days** after the date when the Contract Times commence to run. The Contract Times shall commence to run on the day indicated in the Notice to Proceed.

- 2.1 **LIQUIDATED DAMAGES.** The OWNER and the CONTRACTOR agree and recognize that time is of the essence in this contract and that the OWNER will suffer financial loss if the Work is not substantially complete by the date specified in paragraph 2.1 above, plus any extensions thereof allowed in accordance with the Article 12 of the General Conditions. OWNER and CONTRACTOR also agree that such damages are uncertain in amount and difficult to measure accurately. Accordingly, the OWNER and CONTRACTOR agree that as liquidated damages, and not as a penalty, for delay in performance the CONTRACTOR shall pay the OWNER **THIRTEEN HUNDRED DOLLARS (\$1,300)** for each and every **Calendar Day** and portion thereof that expires after the time specified above for substantial completion of the Work until the same is finally complete and ready for final payment. The liquidated damages herein specified shall only apply to the CONTRACTOR's delay in performance, and shall not include litigation or attorneys' fees incurred by the OWNER, or other incidental or consequential damages suffered by the OWNER due to the CONTRACTOR's performance. If the OWNER charges liquidated damages to the CONTRACTOR, this shall not preclude the OWNER from commencing an action against the CONTRACTOR for other actual harm resulting from the CONTRACTOR's performance, which is not due to the CONTRACTOR's delay in performance.

### **ARTICLE 3. CONTRACT PRICE**

3.1 The OWNER shall pay in current funds, and the CONTRACTOR agrees to accept in full payment for performance of the Work, subject to additions and deductions from extra and/or omitted work and determinations of actual quantities as provided in the Contract Documents, the Contract Price of two million four hundred ninety seven thousand three hundred and eight dollars (\$2,497,308) as set forth in the Bid Form of the CONTRACTOR dated June 11, 2019.

As provided in paragraph 11.9 of the General Conditions estimated quantities are not guaranteed, and determinations of actual quantities and classification are to be made by ENGINEER as provided in paragraph 9.10 of the General Conditions. Unit prices have been computed as provided in paragraph 11.9 of the General Conditions.

### **ARTICLE 4. PAYMENT PROCEDURES**

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by OWNER as provided in the General Conditions.

4.1 PROGRESS PAYMENTS. OWNER shall make progress payments on the basis of CONTRACTOR's Applications for Payment as recommended by ENGINEER, on or about the third Wednesday of each month during construction as provided below. All progress payments will be on the basis of the progress of the Unit Price Work based on the number of units completed as provided in the General Conditions.

4.1.1.1 Prior to Substantial Completion, progress payments will be made in the amount equal to 90 percent of the completed Work, and/or 90 percent of materials and equipment not incorporated in the Work (but delivered, suitably stored and accompanied by documentation satisfactory to OWNER as provided in 14.2 of the General Conditions), but in each case, less the aggregate of payments previously made and such less amounts as ENGINEER shall determine, or OWNER may withhold, in accordance with paragraph 14.7 of the General Conditions.

If Work has been 50 percent completed as determined by ENGINEER, and if the character and progress of the Work have been satisfactory to OWNER, OWNER may determine that as long as the character and progress of the Work remain satisfactory to them and no claims have been made by Subcontractors or material suppliers for unpaid work or materials, there will be no additional retainage on account of Work completed in which case the remaining progress payments prior to Substantial Completion may be in an amount equal to 100 percent of the Work completed.

Nothing contained in this provision shall preclude the OWNER and CONTRACTOR from making other arrangements consistent with C.R.S. 24-91-105 prior to contract award.

4.2 FINAL PAYMENT. Upon final completion and acceptance of the Work in accordance with paragraph 14.13 of the General Conditions, OWNER shall pay the remainder of the Contract Price as provided in said paragraph 14.13 of the General Conditions.

## ARTICLE 5. CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

- 5.1 CONTRACTOR has examined and carefully studied the Contract Documents, (including the Addenda listed in paragraph 6.10) and the other related data identified in the Bidding Documents including "technical".
- 5.2 CONTRACTOR has inspected the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the Work.
- 5.3 CONTRACTOR is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and furnishing of the Work.
- 5.4 CONTRACTOR has carefully studied all reports of exploration and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions relating to surface or subsurface structures at or contiguous to the site (Except Underground facilities) which have been identified in the General Conditions as provided in paragraph 4.2.1 of the General Conditions. CONTRACTOR accepts the determination set forth in paragraph 4.2 of the General Conditions. CONTRACTOR acknowledges that such reports and drawings are not Contract Documents and may not be complete for CONTRACTOR's purposes. CONTRACTOR acknowledges that OWNER and ENGINEER do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Contract Documents with respect to such reports, drawings or to Underground Facilities at or contiguous to the site. CONTRACTOR has conducted, obtained and carefully studied (or assume responsibility for having done so) all necessary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the site or otherwise which may affect cost, progress, performance or furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by CONTRACTOR and safety precautions and programs incident thereto. CONTRACTOR does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the performance and furnishing of the Work at the Contract Price, within the Contract Times and in accordance with the other terms and conditions of the Contract Documents.
- 5.5 CONTRACTOR has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports, studies or similar information or data in respect of said Underground Facilities are or will be required by CONTRACTOR in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of paragraph 4.3 of the General Conditions.
- 5.6 CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the site that relates to the Work as indicated in the Contract Documents.
- 5.7 CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and all additional examinations, investigations, explorations, tests studies and data with the Contract Documents.

5.8 CONTRACTOR has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that CONTRACTOR has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing the Work.

## ARTICLE 6. CONTRACT DOCUMENTS

The Contract Documents, which constitute the entire agreement between OWNER and CONTRACTOR concerning the Work, are all written documents, which define the Work and the obligations of the Contractor in performing the Work and the OWNER in providing compensation for the Work. The Contract Documents include the following:

- 6.1 Invitation to Bid.
- 6.2 Instruction to Bidders.
- 6.3 Bid Form.
- 6.4 This Agreement.
- 6.5 General Conditions.
- 6.6 Supplementary Conditions.
- 6.7 Project Special Provisions
- 6.8 Standard Special Provisions.
- 6.9 Drawings with each sheet bearing the title: **SH 42 AND SHORT ST. GEOMETRIC IMPROVEMENTS.**
- 6.10 City of Louisville Design and Construction Standards
- 6.11 Colorado Department of Transportation's 2017 Standard Specifications for Road and Bridge Construction
- 6.12 Colorado Department of Transportation's 2012 Standard Plans "M & S Standards"
- 6.13 Change Orders, Addenda and other documents which may be required or specified including:
  - 6.10.1 Addenda No. 0 to 1 exclusive
  - 6.10.2 Documentation submitted by CONTRACTOR prior to Notice of Award.
  - 6.10.3 Schedule of Subcontractors
  - 6.10.4 Anti-Collusion Affidavit
  - 6.10.5 Contractor's Pre-Contract Certification Regarding Employing Illegal Aliens
  - 6.10.6 Bidders List Data and Underutilized DBE (UDBE) Bid Conditions Assurance
  - 6.10.7 Acceptance of Fuel Costs Adjustments
  - 6.10.8 Contractors Performance Capability Statement
  - 6.10.9 Assignment of Antitrust Claims
  - 6.10.10 Certificate of Proposed UDBE Participation
  - 6.10.11 UDBE Good Faith Effort Documentation
  - 6.10.12 Notice of Award

- 6.10.13 Performance Bond
- 6.10.14 Labor and Material Payment Bond
- 6.10.15 Certificates of Insurance
- 6.10.16 Notice to Proceed
- 6.10.17 Contractor's Proposal Request
- 6.10.18 Contractor's Overtime Request
- 6.10.19 Field Order
- 6.10.20 Work Change Directive
- 6.10.21 Change Order
- 6.10.22 Application for Payment
- 6.10.23 Certificate of Substantial Completion
- 6.10.24 Claim Release
- 6.10.25 Final Inspection Report
- 6.10.26 Certificate of Final Completion
- 6.10.27 Required Project Forms

6.14 The following which may be delivered or issued after the Effective Date of the Agreement and are attached hereto: All Written Amendments and other documents amending, modifying, or supplementing the Contract Documents pursuant to paragraphs 3.5 and 3.6 of the General Conditions.

6.12 In the event of conflict between the above documents, the prevailing document shall be as follows:

1. Permits from other agencies as may be required.
2. Special Provisions (Project then Standard) and Detailed Drawings
3. Technical Specifications and Drawings. Drawings and Technical Specifications are intended to be complementary. Anything shown or called for in one and omitted in another is binding as if called for or shown by both.
4. Supplementary Conditions.
5. General Conditions.
6. Colorado Department of Transportation's 2017 Standard Specifications for Road and Bridge Construction
7. City of Louisville Design and Construction Standards.

In case of conflict between prevailing references above, the one having the more stringent requirements shall govern.

There are no Contract Documents other than those listed above in this Article 6. The Contract Documents may only be amended, modified or supplemented as provided in paragraphs 3.5 and 3.6 of the General Conditions.

**ARTICLE 7. MISCELLANEOUS**

- 7.1 Terms used in this Agreement, which are defined in Article 1 of the General Conditions, shall have the meanings indicated in the General Conditions.
- 7.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge that assignor from any duty or responsibility under the Contract Documents.
- 7.3 OWNER and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

**ARTICLE 8. OTHER PROVISIONS**

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed, initialed or identified by OWNER and CONTRACTOR.

This Agreement will be effective on \_\_\_\_\_, 2019

**OWNER: CITY OF LOUISVILLE,  
COLORADO**

**CONTRACTOR: GOODLAND CONSTRUCTION  
INC.**

By: \_\_\_\_\_  
Robert Muckle, Mayor

By: \_\_\_\_\_

(CORPORATE SEAL)

(CORPORATE SEAL)

Attest: \_\_\_\_\_  
Meredyth Muth, City Clerk

Attest: \_\_\_\_\_

Address for giving notices:

Address for giving notices:

749 Main Street  
Louisville, Colorado  
80027

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attention: City Engineer

**EXHIBIT C**

**Addendum No. 2 to Service Agreement**

This Addendum to that certain Services Agreement dated April 16, 2013 is made effective as of July 23, 2019, by and between the undersigned parties. The Addendum immediately preceding this Addendum was dated July 6, 2017.

1. Services to be provided: Construction Administration.
2. Fees: \$4,529.00
3. Schedule: Thru Dec. 31, 2020.

CITY OF LOUISVILLE  
749 Main Street  
Louisville, CO 80027

By: \_\_\_\_\_  
Robert P. Muckle, Mayor

Attest: \_\_\_\_\_  
Meredyth Muth, City Clerk

Company: Sustainable Traffic Solutions, Inc.

Address: 823 West 124<sup>th</sup> Drive

Westminster, CO 80234

By: \_\_\_\_\_

Attest: \_\_\_\_\_



# Sustainable Traffic Solutions

**Joseph L. Henderson** PE, PTOE  
Traffic Engineer / Principal

July 1, 2019

Ms. Joliette Woodson, PE  
Engineer III  
City of Louisville  
749 Main Street  
Louisville, CO 80027

RE: Proposal to Provide Construction Administration Services for the SH 42 / Short Street Project

Dear Joliette,

Based on your request, STS is providing this proposal for construction administration services to support the SH 42 / Short Street project.

## Scope of Work

- 1. Meetings with the Contractor.** STS will meet with the contractor on-site to review the project and to answer questions posed by the contractor. Two site visits are included in the fee estimate. Meeting minutes will be prepared and distributed following each meeting.
- 2. Respond to Questions.** STS will respond to questions posed by the contractor and City. Eight hours are included in the fee estimate.
- 3. Update the Signal Design.** STS will update the signal design to include the additional items necessary to signalize the intersection. Considering that the design has previously been approved by CDOT, there are no meetings included in this task.

## Deliverables

STS will deliver minutes and plans in pdf format.

## Estimated Fee

The work described in the proposal will be invoiced on a time and materials basis at an amount not to exceed \$4,529.00.

We look forward to working with you on this project. Please contact Joe at 303.589.6875 or at [joe@sustainabletrafficsolutions.com](mailto:joe@sustainabletrafficsolutions.com) with questions.

Sincerely,

SUSTAINABLE TRAFFIC SOLUTIONS, INC.

Julia B. Henderson  
President  
Short Street Construction Administration Proposal

Joseph L. Henderson, PE, PTOE  
Project Manager / Principal

**INDEPENDENT CONTRACTOR AGREEMENT  
BY AND BETWEEN THE CITY OF LOUISVILLE  
AND MICHAEL J. BAKER, JR., INC.  
FOR PROFESSIONAL SERVICES**

**1.0 PARTIES**

This INDEPENDENT CONTRACTOR AGREEMENT (this "Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ (the "Effective Date"), by and between the **City of Louisville**, a Colorado home rule municipal corporation, hereinafter referred to as the "City", and Michael J. Baker, Inc., a Pennsylvania corporation, hereinafter referred to as the "Contractor".

**2.0 RECITALS AND PURPOSE**

- 2.1 The City desires to engage the Contractor for the purpose of providing professional construction management and inspection services as further set forth in the Contractor's Scope of Services (which services are hereinafter referred to as the "Services").
- 2.2 The Contractor represents that it has the special expertise, qualifications and background necessary to complete the Services.

**3.0 SCOPE OF SERVICES**

The Contractor agrees to provide the City with the specific Services and to perform the specific tasks, duties and responsibilities set forth in Scope of Services attached hereto as Exhibit "A" and incorporated herein by reference. Contractor shall furnish all tools, labor and supplies in such quantities and of the proper quality as are necessary to professionally and timely perform the Services. Contractor acknowledges that this Agreement does not grant any exclusive privilege or right to supply Services to the City.

**4.0 COMPENSATION**

- 4.1 The City shall pay the Contractor for Services under this Agreement a total not to exceed the amounts set forth in Exhibit "A" attached hereto and incorporated herein by this reference. For Services compensated at hourly or per unit rates, or on a per-task basis, such rates or costs per task shall not exceed the amounts set forth in Exhibit A. The City shall not pay mileage and other reimbursable expenses (such as meals, parking, travel expenses, necessary memberships, etc.), unless such expenses are (1) clearly set forth in the Scope of Services, and (2) necessary for performance of the Services ("Pre-Approved Expenses"). The foregoing amounts of compensation shall be inclusive of all costs of whatsoever nature associated with the Contractor's efforts, including but not limited to salaries, benefits, overhead, administration, profits, expenses, and outside Contractor fees. The Scope of Services and payment therefor shall only be changed by a properly authorized amendment to this Agreement. No City employee has the authority to bind the City with regard to any payment for any Services which exceeds the amount payable under the terms of this Agreement.
- 4.2 The Contractor shall submit monthly an invoice to the City for Services rendered and a detailed expense report for Pre-Approved Expenses incurred during the previous month. The invoice shall document the Services provided during the preceding month, identifying by work category and subcategory the work and tasks performed and such other

information as may be required by the City. The Contractor shall provide such additional backup documentation as may be required by the City. The City shall pay the invoice within thirty (30) days of receipt unless the Services or the documentation therefor are unsatisfactory. Payments made after thirty (30) days may be assessed an interest charge of one percent (1%) per month unless the delay in payment resulted from unsatisfactory work or documentation therefor.

## **5.0 PROJECT REPRESENTATION**

- 5.1 The City designates Joliette Woodson as the responsible City staff to provide direction to the Contractor during the conduct of the Services. The Contractor shall comply with the directions given by Joliette Woodson and such person's designees.
- 5.2 The Contractor designates Jeffrey Meyer as its project manager and as the principal in charge who shall be providing the Services under this Agreement. Should any of the representatives be replaced, particularly Jeffrey Meyer, and such replacement require the City or the Contractor to undertake additional reevaluations, coordination, orientations, etc., the Contractor shall be fully responsible for all such additional costs and services.

## **6.0 TERM**

- 6.1 The term of this Agreement shall be from the Effective Date to December 31, 2020, unless sooner terminated pursuant to Section 13, below. The Contractor's Services under this Agreement shall commence on [(the Effective Date) or (on another date desired by the City, after the Effective Date)] and Contractor shall proceed with diligence and promptness so that the Services are completed in a timely fashion consistent with the City's requirements.
- 6.2 Nothing in this Agreement is intended or shall be deemed or construed as creating any multiple-fiscal year direct or indirect debt or financial obligation on the part of the City within the meaning of Colorado Constitution Article X, Section 20 or any other constitutional or statutory provision. All financial obligations of the City under this Agreement are subject to annual budgeting and appropriation by the Louisville City Council, in its sole discretion. Notwithstanding anything in this Agreement to the contrary, in the event of non-appropriation, this Agreement shall terminate effective December 31 of the then-current fiscal year.

## **7.0 INSURANCE**

- 7.1 The Contractor agrees to procure and maintain, at its own cost, the policies of insurance set forth in Subsections 7.1.1 through 7.1.4. The Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types. The coverages required below shall be procured and maintained with forms and insurers acceptable to the City. All coverages shall be continuously maintained from the date of commencement of Services hereunder. The required coverages are:
  - 7.1.1 Workers' Compensation insurance as required by the Labor Code of the State of Colorado and Employers Liability Insurance. Evidence of qualified self-insured status may be substituted.

- 7.1.2 General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$2,000,000 aggregate. The policy shall include the City of Louisville, its officers and its employees, as additional insureds, with primary coverage as respects the City of Louisville, its officers and its employees, and shall contain a severability of interests provision.
- 7.1.3 Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than \$400,000 per person in any one occurrence and \$1,000,000 for two or more persons in any one occurrence, and auto property damage insurance of at least \$50,000 per occurrence, with respect to each of Contractor's owned, hired or non-owned vehicles assigned to or used in performance of the Services. If the Contractor has no owned automobiles, the requirements of this paragraph shall be met by each officer or employee of the Contractor providing services to the City of Louisville under this contract.
- 7.2 The Contractor's general liability insurance and automobile liability and physical damage insurance shall be endorsed to include the City, and its elected and appointed officers and employees, as additional insureds, unless the City in its sole discretion waives such requirement. Every policy required above shall be primary insurance, and any insurance carried by the City, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Contractor. Such policies shall contain a severability of interests provision. The Contractor shall be solely responsible for any deductible losses under each of the policies required above.
- 7.3 Certificates of insurance shall be provided by the Contractor as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject to review and approval by the City. No required coverage shall be cancelled, terminated or materially changed until at least 30 days prior written notice has been given to the City. The City reserves the right to request and receive a certified copy of any policy and any endorsement thereto.
- 7.4 Failure on the part of the Contractor to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of contract upon which the City may immediately terminate this Agreement, or at its discretion may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the City shall be repaid by Contractor to the City upon demand, or the City may offset the cost of the premiums against any monies due to Contractor from the City.
- 7.5 The parties understand and agree that the City is relying on, and does not waive or intend to waive by any provision of this contract, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, § 24-10-101 et seq., C.R.S., as from time to time amended, or otherwise available to the City, its officers, or its employees.

## 8.0 INDEMNIFICATION

To the fullest extent permitted by law, the Contractor agrees to indemnify and hold harmless the City, and its elected and appointed officers and its employees, from and against all liability, claims, and demands, on account of any injury, loss, or damage, which arise out of or are connected with the Services hereunder, if such injury, loss, or damage is caused by the negligent act, omission, or other fault of the Contractor or any subcontractor of the Contractor, or any officer, employee, or agent of the Contractor or any subcontractor, or any other person for whom Contractor is responsible. The Contractor shall investigate, handle, respond to, and provide defense for and defend against any such liability, claims, and demands. The Contractor shall further bear all other costs and expenses incurred by the City or Contractor and related to any such liability, claims and demands, including but not limited to court costs, expert witness fees and attorneys' fees if the court determines that these incurred costs and expenses are related to such negligent acts, errors, and omissions or other fault of the Contractor. The City shall be entitled to its costs and attorneys' fees incurred in any action to enforce the provisions of this Section 8.0. The Contractor's indemnification obligation shall not be construed to extend to any injury, loss, or damage which is caused by the act, omission, or other fault of the City.

## 9.0 QUALITY OF WORK

Contractor's Services shall be performed in accordance with the highest professional workmanship and service standards in the field to the satisfaction of the City.

## 10.0 INDEPENDENT CONTRACTOR

It is the expressed intent of the parties that the Contractor is an independent contractor and not the agent, employee or servant of the City, and that:

- 10.1. **CONTRACTOR SHALL SATISFY ALL TAX AND OTHER GOVERNMENTALLY IMPOSE RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO, PAYMENT OF STATE, FEDERAL AND SOCIAL SECURITY TAXES, UNEMPLOYMENT TAXES, WORKERS' COMPENSATION AND SELF-EMPLOYMENT TAXES. NO STATE, FEDERAL OR LOCAL TAXES OF ANY KIND SHALL BE WITHHELD OR PAID BY THE CITY.**
- 10.2. **CONTRACTOR IS NOT ENTITLED TO WORKERS' COMPENSATION BENEFITS EXCEPT AS MAY BE PROVIDED BY THE INDEPENDENT CONTRACTOR NOR TO UNEMPLOYMENT INSURANCE BENEFITS UNLESS UNEMPLOYMENT COMPENSATION COVERAGE IS PROVIDED BY THE INDEPENDENT CONTRACTOR OR SOME ENTITY OTHER THAN THE CITY.**
- 10.3. Contractor does not have the authority to act for the City, or to bind the City in any respect whatsoever, or to incur any debts or liabilities in the name of or on behalf of the City.
- 10.4. Contractor has and retains control of and supervision over the performance of Contractor's obligations hereunder and control over any persons employed by Contractor for performing the Services hereunder.
- 10.5. The City will not provide training or instruction to Contractor or any of its employees regarding the performance of the Services hereunder.

- 10.6. Neither the Contractor nor any of its officers or employees will receive benefits of any type from the City.
- 10.7. Contractor represents that it is engaged in providing similar services to other clients and/or the general public and is not required to work exclusively for the City.
- 10.8. All Services are to be performed solely at the risk of Contractor and Contractor shall take all precautions necessary for the proper and sole performance thereof.
- 10.9. Contractor will not combine its business operations in any way with the City's business operations and each party shall maintain their operations as separate and distinct.

#### **11.0 ASSIGNMENT**

Contractor shall not assign or delegate this Agreement or any portion thereof, or any monies due to or become due hereunder without the City's prior written consent.

#### **12.0 DEFAULT**

Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either party should fail or refuse to perform according to the terms of this Agreement, such party may be declared in default.

#### **13.0 TERMINATION**

- 13.1 This Agreement may be terminated by either party for material breach or default of this Agreement by the other party not caused by any action or omission of the other party by giving the other party written notice at least thirty (30) days in advance of the termination date. Termination pursuant to this subsection shall not prevent either party from exercising any other legal remedies which may be available to it.
- 13.2 In addition to the foregoing, this Agreement may be terminated by the City for its convenience and without cause of any nature by giving written notice at least fifteen (15) days in advance of the termination date. In the event of such termination, the Contractor will be paid for the reasonable value of the Services rendered to the date of termination, not to exceed a pro-rated daily rate, for the Services rendered to the date of termination, and upon such payment, all obligations of the City to the Contractor under this Agreement will cease. Termination pursuant to this Subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

#### **14.0 INSPECTION AND AUDIT**

The City and its duly authorized representatives shall have access to any books, documents, papers, and records of the Contractor that are related to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

#### **15.0 DOCUMENTS**

All computer input and output, analyses, plans, documents photographic images, tests, maps, surveys, electronic files and written material of any kind generated in the performance of this Agreement or developed for the City in performance of the Services are and shall remain the sole

and exclusive property of the City. All such materials shall be promptly provided to the City upon request therefor and at the time of termination of this Agreement, without further charge or expense to the City and in hardcopy or an electronic format acceptable to the City, or both, as the City shall determine. Contractor shall not provide copies of any such material to any other party without the prior written consent of the City. Contractor shall not use or disclose confidential information of the City for purposes unrelated to performance of this Agreement without the City's written consent.

## **16.0 ENFORCEMENT**

- 16.1 In the event that suit is brought upon this Agreement to enforce its terms, the parties shall each bear and be responsible for their own attorneys' fees and court costs.
- 16.2 This Agreement shall be deemed entered into in Boulder County, Colorado, and shall be governed by and interpreted under the laws of the State of Colorado. Any action arising out of, in connection with, or relating to this Agreement shall be filed in the courts of Boulder County or the federal district court for the District of Colorado, and in no other court. [If out of state contractor: Contractor hereby waives its right to challenge the personal jurisdiction of the courts of Boulder County and the federal district court for the District of Colorado over it.] Colorado law shall apply to the construction and enforcement of this Agreement.

## **17.0 COMPLIANCE WITH LAWS; WORK BY ILLEGAL ALIENS PROHIBITED**

- 17.1 Contractor shall be solely responsible for compliance with all applicable federal, state, and local laws, including the ordinances, resolutions, rules, and regulations of the City; for payment of all applicable taxes; and obtaining and keeping in force all applicable permits and approvals.
- 17.2 Exhibit B, the "City of Louisville Public Services Contract Addendum-Prohibition Against Employing Illegal Aliens", is attached hereto and incorporated herein by reference. There is also attached hereto a copy of Contractor's Pre-Contract Certification which Contractor has executed and delivered to the City prior to Contractor's execution of this Agreement.

## **18.0 INTEGRATION AND AMENDMENT**

This Agreement represents the entire Agreement between the parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the parties.

## **19.0 NOTICES**

All notices required or permitted under this Agreement shall be in writing and shall be given by hand delivery, by United States first class mail, postage prepaid, registered or certified, return receipt requested, by national overnight carrier, or by email transmission, addressed to the party for whom it is intended at the following address:

If to the City:

City of Louisville  
Attn: Joliette Woodson

749 Main Street  
Louisville, CO 80027  
e-mail: jolietew@louisvilleco.gov

If to the Contractor:

Michael J. Baker, Jr., Inc.  
Attn: Jeffrey Meyer  
165 S Union Boulevard, Ste. 200  
Lakewood, CO 80228

Except for notices by email transmission, any notice required or permitted under this Agreement shall be effective when received as indicated on the delivery receipt, if by hand delivery or overnight carrier; on the United States mail return receipt, if by United States mail. Notices by email transmission shall be effective on transmission, so long as no message of error or non-receipt is received by the party giving notice. Either party may by similar notice given, change the address to which future notices or other communications shall be sent.

## **20.0 EQUAL OPPORTUNITY EMPLOYER**

- a) Contractor will not discriminate against any employee or applicant for employment because of age 40 and over, race, sex, color, religion, national origin, disability, genetic information, sexual orientation, veteran status, or any other applicable status protected by state or local law. Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to any status set forth in the preceding sentence. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by an agency of the federal government, setting forth the provisions of the Equal Opportunity Laws.
- b) Contractor shall be in compliance with the applicable provisions of the American with Disabilities Act as enacted and from time to time amended and any other applicable federal, state, or local laws and regulations. A signed, written certificate stating compliance with the Americans with Disabilities Act may be requested at any time during the life of this Agreement or any renewal thereof.

## **21.0 NO THIRD PARTY BENEFICIARIES**

It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to City and Contractor, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than City or Contractor receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

**22.0 SUBCONTRACTORS**

Contractor may utilize subcontractors identified in its qualifications submittal to assist with non-specialized works as necessary to complete projects. Contractor will submit any proposed subcontractor and the description of its services to the City for approval. The City will not work directly with subcontractors.

**23.0 AUTHORITY TO BIND**

Each of the persons signing below on behalf of any party hereby represents and warrants that such person is signing with full and complete authority to bind the party on whose behalf of whom such person is signing, to each and every term of this Agreement.

In witness whereof, the parties have executed this Agreement to be effective as of the day and year first above written.

CITY OF LOUISVILLE

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

CONTRACTOR:  
\_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_

**Exhibit A – Scope of Services**

**[See Following Page(s)]**

## Exhibit B

### City of Louisville Public Services Contract Addendum Prohibition Against Employing Illegal Aliens

Prohibition Against Employing Illegal Aliens. Contractor shall not knowingly employ or contract with an illegal alien to perform work under this contract. Contractor shall not enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract.

Contractor will participate in either the E-verify program or the Department program, as defined in C.R.S. § § 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the public contract for services. Contractor is prohibited from using the E-verify program or the Department program procedures to undertake pre-employment screening of job applicants while this contract is being performed.

If Contractor obtains actual knowledge that a subcontractor performing work under this contract for services knowingly employs or contracts with an illegal alien, Contractor shall:

- a. Notify the subcontractor and the City within three days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
- b. Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to this paragraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Contractor shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Contractor shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. § 8-17.5-102(5).

If Contractor violates a provision of this Contract required pursuant to C.R.S. § 8-17.5-102, City may terminate the contract for breach of contract. If the contract is so terminated, the Contractor shall be liable for actual and consequential damages to the City.

**Pre-Contract Certification in Compliance with C.R.S. Section 8-17.5-102(1)**

The undersigned hereby certifies as follows:

That at the time of providing this certification, the undersigned does not knowingly employ or contract with an illegal alien; and that the undersigned will participate in the E-Verify program or the Department program, as defined in C.R.S. § § 8-17.5-101(3.3) and 8-17.5-101(3.7), respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform under the public contract for services.

Proposer:

\_\_\_\_\_

By \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_

Date

## Contract Preparation Checklist

### Title Block:

- Insert Contactor Name
- Insert Type of Services

### First Paragraph:

- Insert Effective Date
- Insert Contractor Name
- If Contractor is an entity, insert state of organization and entity type

### Section 5:

- Insert name of City project manager in two places in Section 5.1
- Insert name of Contractor project manager in two places in Section 5.2

### Section 6:

- Insert dates for term of Agreement; the commencement date generally should not be prior to the Effective Date

### Section 16.2:

- Remove brackets or remove language depending on whether Contractor is an in-state or out-of-state contractor

### Section 19:

- Insert contact information for Contractor

### Signature Page:

- Complete signature block for Contactor
- Get the contractor to sign first before getting the signature of the Mayor or City Manager

### Exhibit A:

- Add the Scope of Services; ensure the Scope accurately and clearly lists all of the work to be completed by the Contractor.
- Ensure Exhibit A includes the not-to-exceed contract price; also, if the Services are compensated on a hourly, per-task or per-unit basis, ensure Exhibit A sets for the agreed upon rates, task or unit pricing

## FEE PROPOSAL – Rev 1 May 2019

Position	Pre & Post - Construction Hours	Construction Time Hours	Total Hours	Billing Rate	Cost
Project Engineer	50	900	950	\$99	\$94,050
Project Inspector	0	1200	1200	\$72	\$86,400
Labor Subtotal					\$179,460
Other Direct Costs	Billable Mileage		Miles	Rate	Cost
			9,200	\$0.520	\$4,784
Michael Baker International Subtotal					<b>\$184,244</b>
Material Testing					
Shannon and Wilson					<b>\$48,551</b>
<b>Total Construction Management</b>					<b>\$232,795</b>

- Construction time assumes 150 Working Days at 6 hours per day for Project Engineer and 8 hours per day for Project Inspector. This decreases the cost to the City, while ensuring superior construction services for the Project as a whole.
- Pre & post-construction time assumes tasks such as answering contractor questions, conducting the preconstruction conference, reviewing contractor’s submittals, RFI's prior to the start of the time count and project closeout activities.
- Mileage is at the current CDOT rate of \$0.52/mile.
- Material testing will be performed in accordance with CDOT testing and sampling frequencies as specified in the latest version of the CDOT Field Materials Manual. See the attached materials testing fee estimate sheet for a breakdown of services and assumptions.

Fee Estimate SH 42 and Short St. – Materials Testing

**Item 203 Embankment Material (Complete In Place) 6,151 CY**

Assumes eight trips at 3.5 hours per trip including travel plus one trip at 1.5 hours for sample pick up.

Technician III	29.5 hrs.	x	\$80 per hr.	=	\$2,360
Density Gauge	8 days	x	\$30 per day	=	\$240
Vehicle Charge	9 trips	x	\$35 ea	=	\$315
R-Value Test	1 test	x	\$470 ea	=	\$470
Standard Proctor Test	2 tests	x	\$205 ea	=	\$410
One Point Proctor Check	1 test	x	\$65 ea	=	\$65
Specific Gravity of Over-Sized Material	1 test	x	\$76 ea	=	\$76
Swell Test	1 test	x	\$115 ea	=	\$115
Corrosion Suite	4 tests	x	\$195 ea	=	\$780
Gradation Test	2 tests	x	\$120 ea	=	\$240
Atterberg Limits Test	2 tests	x	\$81 ea	=	\$162
Supervision and Review	3.5 hr.	x	\$105 per hr.	=	\$368
<b>Total</b>					<b>\$5,601</b>

**Item 206 Structure Backfill (Class 1) 1 Test Per Structure**

Assumes twenty trips at 3.5 hours per trip including travel, plus one trip at 2 hours for sample pick up.

This material will appear as an incidental item under Item 603, 604, and 619

This estimate assumes that the contractor will have two locations ready for testing per trip.

Technician III	72.0 hrs.	x	\$80 per hr.	=	\$5,760
Density Gauge	20 days	x	\$30 per day	=	\$600
Vehicle Charge	21 trips	x	\$35 ea	=	\$735
Modified Proctor Test	1 test	x	\$235 ea	=	\$235
One Point Proctor Check	1 test	x	\$75 ea	=	\$75
Specific Gravity of Over-Sized Material	1 test	x	\$76 ea	=	\$76
Corrosion Suite	1 test	x	\$195 ea	=	\$195
Gradation Test (Assumed)	5 tests	x	\$114 ea	=	\$570
Atterberg Limits Test (Assumed)	5 tests	x	\$81 ea	=	\$405
Supervision and Review	8.5 hr.	x	\$105 per hr.	=	\$893
<b>Total</b>					<b>\$9,544</b>

**Item 304 Aggregate Base Course 4,592**

Assumes three trips at 3.5 hours per trip including travel, plus one trip at 2 hours for sample pick up.

Technician III	12.5 hrs.	x	\$80 per hr.	=	\$1,000
Density Gauge	3 days	x	\$30 per day	=	\$90
Vehicle Charge	4 trips	x	\$35 ea	=	\$140
Modified Proctor Test	1 test	x	\$285 ea	=	\$285
One Point Proctor Check	1 test	x	\$75 ea	=	\$75
LA Abrasion Test	1 test	x	\$225 ea	=	\$225
R-Value Test	1 test	x	\$470 ea	=	\$470
Gradation Test	3 tests	x	\$114 ea	=	\$342
Atterberg Limits Test	3 tests	x	\$81 ea	=	\$243
Supervision and Review	1 hr.	x	\$105 per hr.	=	\$105
<b>Total</b>					<b>\$2,975</b>

Fee Estimate SH 42 and Short St. – Materials Testing

**Item 403 Hot Mix Asphalt (Grading S) 2,977**

Assumes three trips at 8 hours including travel, plus one trip at 2 hours to the HMA plant for aggregate pick up.

Technician III	26 hrs.	x	\$80 per hr.	=	\$2,080
Trip Charge	4 trips	x	\$35 ea	=	\$140
Density Gauge	3 days	x	\$30 per day	=	\$90
Ignition Oven Calibration	1 test	x	\$360 ea	=	\$360
Ignition AC Test/Gradation Test	2 tests	x	\$190 ea	=	\$380
Ignition AC Test	1 test	x	\$76 ea	=	\$76
Maximum Specific Gravity Test	3 tests	x	\$99 ea	=	\$297
Hveem Stability	3 tests	x	\$115 ea	=	\$345
Air Voids	3 tests	x	\$275 ea	=	\$825
Lottman Test	1 test	x	\$345 ea	=	\$345
Core Density	8 tests	x	\$52 ea	=	\$416
Aggregate Moisture	2 tests	x	\$75 ea	=	\$150
PG Binder Verification	1 test	x	\$805 ea	=	\$805
Supervision and Review	1.5 hrs.	x	\$105 per hr.	=	\$158
			<b>Total</b>		<b>\$6,467</b>

**Item 403 Hot Mix Asphalt (Grading SX) 1,091 Tons**

Assumes one trip at 8 hours including travel.

Technician III	8 hrs.	x	\$80 per hr.	=	\$640
Trip Charge	1 trip	x	\$35 ea	=	\$35
Density Gauge	1 day	x	\$30 per day	=	\$30
Ignition Oven Calibration	1 test	x	\$360 ea	=	\$360
Ignition AC Test/Gradation Test	1 test	x	\$190 ea	=	\$190
Ignition AC Test	1 test	x	\$76 ea	=	\$76
Maximum Specific Gravity Test	2 test	x	\$99 ea	=	\$198
Hveem Stability	1 test	x	\$115 ea	=	\$115
Air Voids	1 test	x	\$275 ea	=	\$275
Lottman Test	1 test	x	\$345 ea	=	\$345
Core Density	8 tests	x	\$52 ea	=	\$416
Aggregate Moisture	1 test	x	\$75 ea	=	\$75
PG Binder Verification	1 test	x	\$805 ea	=	\$805
Supervision and Review	0.5 hrs.	x	\$105 per hr.	=	\$53
			<b>Total</b>		<b>\$3,613</b>

**Item 412 Concrete Pavement (6 Inch) 189 SY**

Assumes two trips at 6 hours and two trips at 1.5 hours including travel for cylinder pick-ups

Technician III	15.0 hrs.	x	\$80 per hr.	=	\$1,200
Vehicle Charge	4 trips	x	\$35 ea.	=	\$140
Sand Equivalent Test	2 tests	x	\$120 ea.	=	\$240
Cylinder Testing (2 sets of 5 cylinders)	10 tests	x	\$19 ea.	=	\$190
Supervision and Review	2 hr.	x	\$105 per hr.	=	\$210
			<b>Total</b>		<b>\$1,980</b>

Fee Estimate SH 42 and Short St. – Materials Testing

**Item 503 Drilled Caissons 43 LF**

Assumes two trips at 4 hours and one trip at 1.5 hours for cylinder pick-up including travel

Technician III	9.5 hrs. x	\$80 per hr.	=	\$760
Vehicle Charge	3 trips x	\$35 ea.	=	\$105
Cylinder Testing (1 set of 5 cylinders)	5 tests x	\$19 ea.	=	\$95
Supervision and Review	1.5 hrs. x	\$105 per hr.	=	\$158
				<b>\$1,118</b>

**Item 507 Concrete Slope and Ditch Paving 5.3 CY**

Assumes one trip at 4 hours and one trip at 1.5 hours including travel for cylinder pick-up

Technician III	5.5 hrs. x	\$80 per hr.	=	\$440
Vehicle Charge	2 trips x	\$35 ea.	=	\$70
Cylinder Testing (1 set of 5 cylinders)	5 tests x	\$19 ea.	=	\$95
Supervision and Review	1 hr. x	\$105 per hr.	=	\$105
				<b>Total \$710</b>

**Item 608 Sidewalk 1,341 SY**

Assumes ten trips at 2.5 hours and two trip at 1.5 hours including travel for cylinder pick-up

Technician III	28.0 hrs. x	\$80 per hr.	=	\$2,240
Vehicle Charge	12 trips x	\$35 ea.	=	\$420
Cylinder Testing (2 sets of 5 cylinders)	10 tests x	\$19 ea.	=	\$190
Supervision and Review	2 hr. x	\$105 per hr.	=	\$210
				<b>Total \$3,060</b>

**Item 609 Curb and Gutter - All Types 2,020 LF**

Assumes seven trips at 2.5 hours and two trips at 1.5 hours including travel for cylinder pick-up

Technician III	19.0 hrs. x	\$80 per hr.	=	\$1,520
Vehicle Charge	9 trips x	\$35 ea.	=	\$315
Cylinder Testing (2 sets of 5 cylinders)	10 tests x	\$19 ea.	=	\$190
Supervision and Review	2 hr. x	\$105 per hr.	=	\$210
				<b>Total \$2,235</b>

**Materials Testing Meetings and Form 250 Documentation**

Assumes 10 meetings at 3 hours each including travel time.

Technician III (Meetings)	30 hrs. x	\$80 per hr.	=	\$2,400
Vehicle Charge	10 trips x	\$35 ea.	=	\$350
Technician III (Form 250)	80 hrs. x	\$80 per hr.	=	\$6,400
Supervision and Review	20 hr. x	\$105 per hr.	=	\$2,100
				<b>Total \$11,250</b>

**Project Total: \$48,551**

**SUBJECT: APPROVE CHANGE ORDERS FOR PAVING AND CONCRETE**

- i. APPROVE CONTRACT CHANGE ORDER BETWEEN THE CITY OF LOUISVILLE AND PLM ASPHALT AND CONCRETE FOR THE POLICE DEPARTMENT PARKING LOT REPAVING PROJECT**
- ii. APPROVE CONTRACT CHANGE ORDER BETWEEN THE CITY OF LOUISVILLE AND STANDARD CONCRETE, INC. FOR THE POLICE DEPARTMENT CONCRETE REPLACEMENT PROJECT**

**DATE: JULY 23, 2019**

**PRESENTED BY: KURT KOWAR, PUBLIC WORKS**

**SUMMARY:**

Staff recommends approval of a construction contract change order with PLM Asphalt and Concrete (PLM) and Standard Concrete Inc. (Standard) for the Police Department Parking Lot Repaving and Concrete Replacement Projects respectively.

Staff advertised the 2019 Street Resurfacing Project in March of this year and APC Construction Co. (APC) was the low bid contractor. Staff advertised the 2019 Street Reconstruction Project in March of this year and PLM was the low bid contractor. Staff advertised the 2019 Concrete Replacement project also in March of this year and Standard was the low bid contractor.

Staff requested quotes from both APC and PLM for the Police Department parking lot resurfacing project and PLM had the lowest quote. PLM's quote is based on approved unit prices from their 2019 Reconstruction bid.

PLM	\$180,918.85
APC Construction	\$229,591.00

Staff requested a quote from Standard for the Police Department concrete replacement. Standard's quote of \$42,918.50 is based on approved unit prices from their 2019 Concrete Replacement bid.

**FISCAL IMPACT:**

<b>Project Budget</b>	<b>Account</b>	<b>Amount</b>
2019 Police Department Parking Lot Repaving Budget	301219-610010	\$35,000.00
2019 Police Department Concrete Replacement Budget	301219-660276	\$199,000.00
<b>Total Funding (Consolidated)</b>		<b>\$234,000.00</b>

<b>Project Expenditures</b>	
PLM Construction Contract (Paving)	\$180,918.85
PLM Construction Contract 5% Contingency	\$9,045.00
Standard Construction Contract (Concrete)	\$42,918.50
Standard Construction Contract 5% Contingency	\$2,145.00
<b>Total Construction Costs</b>	<b>\$235,027.35</b>
<b>Remaining</b>	<b>(\$1,027.35)</b>

Staff evaluated CIP funds for the project and determined that project expenses exceed the available funds. Staff has discussed the line item shortfall with the Director of Finance and the shortfall can be resolved through expected savings in other projects within the Capital Projects Fund.

**SCHEDULE:**

Construction will occur this summer.

**PROGRAM/SUB-PROGRAM IMPACT:**

The recommended contracts support the Transportation-Infrastructure Maintenance goal of providing a safe, well-maintained effective and efficient multimodal transportation system at a reasonable cost.

**RECOMMENDATION:**

Staff recommends City Council approve a change order with PLM Asphalt and Concrete Inc. per their quote of \$180,918.85, authorize staff to execute change orders up to \$9,045.00 as a 5% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

Staff recommends City Council approve a change order with Standard Concrete, Inc. per their bid of \$42,918.50, authorize staff to execute change orders up to \$2,145.00 as a 5% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

**ATTACHMENT(S):**

- 1. PLM Change Order
- 2. Standard Concrete Change Order

**STRATEGIC PLAN IMPACT:**

<input type="checkbox"/>	 <b>Financial Stewardship &amp; Asset Management</b>	<input checked="" type="checkbox"/>	 <b>Reliable Core Services</b>
<input type="checkbox"/>	 <b>Vibrant Economic Climate</b>	<input type="checkbox"/>	 <b>Quality Programs &amp; Amenities</b>
<input type="checkbox"/>	 <b>Engaged Community</b>	<input type="checkbox"/>	 <b>Healthy Workforce</b>
<input type="checkbox"/>	 <b>Supportive Technology</b>	<input type="checkbox"/>	 <b>Collaborative Regional Partner</b>

**CHANGE ORDER NO.   1**

DATED: July 23, 2019

PROJECT: 2019 STREET RECONSTRUCTION PROJECT

AGREEMENT DATE: March 19, 2019

PROJECT NUMBER:301312-660012

OWNER: CITY OF LOUISVILLE, COLORADO

---

The following changes are hereby made to the Contract Documents:

Description: Addition of Police Department Repaving.

Attachments: See attached cost breakdown

**ADJUSTMENT TO CONTRACT PRICE:**

---

Original contract price	\$	<u>                    </u>	633,883.45
Set change previous Change Orders No. <u>  0  </u> to <u>  0  </u>	\$	<u>                    </u>	0
Contract price prior to this Change Order	\$	<u>                    </u>	633,883.45
Net adjustment resulting from this Change Order (+/-)	\$	<u>                    </u>	180,918.85
Current contract price including this Change Order	\$	<u>                    </u>	\$814,802.30

**ADJUSTMENT TO CONTRACT TIME:**

---

Original contract time (days or date)	<u>  50  </u>
Net change previous Change Orders No. <u>  0  </u> to <u>  0  </u> (days)	<u>  0  </u>
Contract time prior to this Change Order (days or date)	<u>  50  </u>
Net Adjustment Resulting from this Change Order (days)	<u>  5  </u>
Current contract time including this Change Order (days or date)	<u>  55  </u>

---

The Contractor's signature below indicates acceptance of full settlement for the work described, both direct and indirect costs. Any claims for additional costs associated with this Change Order will not be considered.

Recommended:

\_\_\_\_\_  
ENGINEER

Approved:

CITY OF LOUISVILLE, COLORADO  
OWNER

Accepted:

\_\_\_\_\_  
CONTRACTOR

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# PLM

## ASPHALT & CONCRETE, LLC.

**3313 Moline Street, Aurora, CO 80010**  
**PHONE: 303-287-0777 FAX 303-287-4779**

<b>To:</b> City of Louisville	<b>Contact:</b> Joliette Woodson
<b>Address:</b> 749 Main Street Louisville, CO 80027	<b>Phone:</b> (303) 335-4606
<b>Project Name:</b> Louisville Police Department	<b>Bid Number:</b> 212760
<b>Project Location:</b> 992 Via Appia Way, Louisville, CO	<b>Bid Date:</b> 6/11/2019

Item Description	Estimated Quantity	Unit	Unit Price	Total Price
Remove & Replace Parking Blocks	4.00	EACH	\$29.75	\$119.00
Structural Excavation & Backfill	95.00	CY	\$75.15	\$7,139.25
6" Grade S (75) (64-22) Or (58-28) W/20% RAP Asphalt Patching	525.00	SY	\$35.10	\$18,427.50
18" Wide X 3" Deep Crack Patching W/Petrotac	332.00	SY	\$125.90	\$41,798.80
Geogrid Installation	190.00	SY	\$5.85	\$1,111.50
2.5" Removal Of Asphalt Mat (Planing) ~ Machine Cut, Load, Detail And Sweep ~ Haul, Disposal And Water	5,419.00	SY	\$4.05	\$21,946.95
Petromat Installation	5,419.00	SY	\$2.80	\$15,173.20
Hot Mix Asphalt (Grading SX) (75) (64-22) Or (58-28) W/20% RAP LEVELING	298.00	TON	\$71.75	\$21,381.50
1.5" Hot Mix Asphalt (Grading SX) (75) (64-22) Or (58-28) W/20% RAP	5,398.00	SY	\$6.90	\$37,246.20
ADA Symbol	4.00	EACH	\$148.75	\$595.00
Thermoplastic W/S	31.00	SF	\$16.15	\$500.65
Thermoplastic X-walk Stop Bar	578.00	SF	\$14.35	\$8,294.30
Traffic Control	1.00	LS	\$1,240.00	\$1,240.00
Mobilization Patching (EACH OCCURRENCE)	1.00	EACH	\$1,750.00	\$1,750.00
Mobilization Rotomill (EACH OCCURRENCE)	1.00	EACH	\$1,920.00	\$1,920.00
Mobilization Asphalt Paving CAT (EACH OCCURRENCE)	1.00	EACH	\$2,275.00	\$2,275.00
<b>Total Price for above Items:</b>			<b>\$180,918.85</b>	

**Total Bid Price: \$180,918.85**

**Notes:**

- Notes: We shall not be responsible for pavement failures due to unstable subgrade and/or frost beneath and/or adjacent to our work. We cannot guarantee positive drainage on existing or proposed areas less than two percent (2%) slope. Any soft or unstable areas will be corrected on an hourly basis at the direction of the Owner's Representative or by others.

EXCLUSION: ENGINEERING PERMITS, INSPECTION FEES, TESTING, SURVEYING, STAKING, BOND (Bond Rate 2%), TEXTURA FEES, ADJUSTMENTS OF WATER VALVES AND MANHOLES, SOIL STERILANT, PRIME COAT AND SUBGRADE PREP (UNLESS OTHERWISE SPECIFIED).

THE FINAL CONTRACT PRICE WILL BE DETERMINED FROM ACTUAL FIELD MEASUREMENTS OF COMPLETED WORK AT THE UNIT PRICES SHOWN ABOVE.

- This contract (hereinafter referred to as the "Agreement") including the terms and conditions that follow, supersedes any prior understanding or written or oral agreement between the parties, and constitutes the entire agreement between the parties, and any understanding or representation not contained herein is hereby expressly waived. It is expressly understood that no representative of the Contractor has the power to modify the provisions hereof in any respect, that Contractor shall not be bound by, or liable to, Owner any representation, promise or endorsement made by any agent of person in Contractor's employment not set forth in this Agreement and no modification or amendment of this instrument shall be binding on the Contractor unless set forth in writing and signed by an authorized office of the Contractor.
- This agreement shall be binding on and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives successors, and assigns, where permitted by this Agreement. Owner expressly agrees that this Agreement is binding upon it and is not subject to cancellation unless expressly agreed upon for any reason, as shown in the body of this Agreement, and that furthermore, notwithstanding the terms hereof, this Agreement shall not be binding upon Contractor until the credit of Owner is approved and accepted by Contractor.
- Contractor shall not be liable for delays or damages occasioned by causes beyond the control of PLM Asphalt & Concrete, LLC, including but not limited to: the elements, labor strikes and other labor unrest, riots and other public disturbances, acts of God, accidents, material and supply shortages, and delays occasioned by suppliers not meeting shipping schedules.
- If any provision is modified by statute or declared invalid, the remaining provisions shall nevertheless continue in full force and effect. The Owner and the Contractor agree that the Agreement shall be construed and governed by the laws of Colorado and that venue for any dispute or litigation arising out of this Agreement shall be in Adams County, Colorado.
- As directed by the Owner, construction lender, public body or any alteration or deviation from the specification that involves extra cost (subcontractor, labor, materials) will be executed only upon the parties entering into a written change order. Owner hereby authorizes Contractor to make any such repairs and agrees to be responsible for the cost of any such additional work and materials necessary to complete the Job as described herein.
- Contractor will provide and pay for all labor and materials necessary to complete the Project. Contractor is released from this obligation for expenses incurred when the Owner is in arrears in making progress payment.
- Contractor will maintain worker's disability compensation insurance for his employees and comprehensive coverage liability insurance policies. Owner to carry insurance against fire, tornado, hail, vandalism and other casualty losses.
- Contractor may substitute materials without notice to Owner in order to allow work to proceed, provided that the substituted materials are of no lessor quality than those listed in the specifications.
- Contractor shall not be responsible for underlying materials of the pavement.
- The parties agree that in the event of breach of any warranty, either expressed or implied, the liability of the Contractor shall be limited to the labor cost of replacing the defective work. The Contractor shall not be liable for any other damages either direct or consequential. Notwithstanding anything else to the contrary, the Contractor shall have no liability or responsibility for any damages to the structure, its contents, floors, carpets and walkways that is caused by the condition of tracing materials (sealcoat, crack filler, tar, etc.) caused by others besides employees of PLM Asphalt and Concrete, LLC regardless of whether such damage occurs or is worsened during the performance of the job.
- Warranty void if Contract is not paid in full.
- If any payment under this Agreement is not made when due, the Contractor may suspend work on the job until such time as all payments due have been made. Any failure to make payment is subject to a claim enforced against the property in accordance with applicable lien laws.
- In the event the amount of Contract is not paid within 31 days from completion, the account shall be in default. The acceptor of this Agreement agrees to indemnify the Contractor harmless from any cost of expenses incurred in the collection of the defaulted account, or in any part thereof, including attorney's fees, court cost, etc., and further agrees that the defaulted account, or in part thereof, including attorney's fees, court cost, etc., and further agrees that the defaulted account will bear interest at the maximum lawful rate of 1-1/2% per month, not to exceed 18% per year, on the unpaid balance.
- The contractor will exercise reasonable care when performing the work, but cannot be held responsible in any manner for any damages done by other tradesmen, heavy trucks or chemical spills, including products not adhering to previous chemical spills.
- This Contract shall become binding when signed by all parties and the authorized officer of the Contractor. Owner agrees that upon cancellation before work is started, or before material is delivered on the job, to be liable for 15% of gross amount of contract for restocking fees. Owner is liable for the full amount of contract in the event they cancel Contract after work has started.
- Any notice required or permitted under this Agreement may be given certified or registered mail at the addresses contained in the Agreement.
- Owner further agrees that the equity in this property is securing in this Contract. This Contract shall become binding only upon written acceptance hereof by the Contractor or by the authorized Agent of the Contractor, or upon commencement of the work.
- This Contract constitutes the entire understanding of the parties, and no other understanding, collateral or otherwise, shall be binding unless in writing signed by both parties.
- The proposal will expire within 30 days from date unless extended in writing by the company. After 30 days, we reserve the right to revise out price in accordance with the cost in effect at that time.
- Additional work can be done at your request, at an additional charge, while crew is on site, if time and materials are available.
- One year warranty from workmanship and materials.
- Traffic Control on city streets not included unless specifically called out in this contract.
- All Contracts subject to approval of management.
- We cannot guarantee paint adherence between October 1st and April 1st.
- By signing this contract, I acknowledge that I have read and full understand the Terms and Conditions attached to this contract.
- Any soft, frozen, unstable, or unsuitable sub grade materials encountered will be removed and replaced with Class 6 road base at an additional charge.  
PLM will not be held responsible for any damage to new concrete due to vandalism or from application of mag chloride or any other de-icing agents. PLM will not be held responsible for conditions or materials in, under, or adjacent to the pavement such as but not limited to post tension cables, irrigation or electrical lines, etc.
- As of June 2008, the asphalt suppliers are no longer providing project pricing.  
Asphalt Cement will be priced to the industry monthly with no carry over pricing month to month.  
Firm pricing can be provided at the beginning of each month for work to be completed during that month.  
This project is quoted with asphalt costs valid until February 28, 2019.  
PLM will not be held responsible for conditions or materials in, under, or adjacent to the pavement such as but not limited to post tension cables, irrigation or electrical lines, etc.

**ACCEPTED:**

The above prices, specifications and conditions are satisfactory and are hereby accepted.

**Buyer:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date of Acceptance:** \_\_\_\_\_

**CONFIRMED:**

**PLM Asphalt & Concrete, LLC**

**Authorized Signature:** \_\_\_\_\_

**Estimator:** Van Miranda  
303.917.6492 vmiranda@plmus.com

**CHANGE ORDER NO. 1**

DATED: July 23, 2019

PROJECT: 2019 CONCRETE REPLACEMENT PROJECT

AGREEMENT DATE: March 5, 2019

PROJECT NUMBER: 301499-660022

OWNER: CITY OF LOUISVILLE, COLORADO

The following changes are hereby made to the Contract Documents:

Description:

Addition of Concrete Replacement at Louisville Police Department \_\_\_\_\_ Total Cost =\$42,918.50  
Purpose: Contract Scope Modifications

Attachments: Louisville Police Department Cost Breakdown

ADJUSTMENT TO CONTRACT PRICE:

Original contract price	\$1,297,819.02
Net change previous Change Orders No. <u>0</u> to <u>0</u>	\$ 0.00
Contract price prior to this Change Order	\$1,297,819.02
Net adjustment resulting from this Change Order (+/-)	\$ 42,918.50
Current contract price including this Change Order	\$ 1,340,737.52

ADJUSTMENT TO CONTRACT TIME:

Original contract time (days)	60
Net change previous Change Orders No. <u>0</u> to <u>0</u> (days)	0
Contract time prior to this Change Order (days)	60
Net Adjustment Resulting from this Change Order (days)	7
Current contract time including this Change Order (days)	67

The Contractor's signature below indicates acceptance of full settlement for the work described, both direct and indirect costs. Any claims for additional costs associated with this Change Order will not be considered.

Recommended: \_\_\_\_\_  
ENGINEER

Approved: \_\_\_\_\_  
CITY OF LOUISVILLE, COLORADO  
OWNER

Accepted: \_\_\_\_\_  
STANDARD CONCRETE  
CONTRACTOR

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



Date:07/03/2019

DBE Certification # 6210  
MBE/SBE Vendor # 20132061

**Project: 2019 Concrete Replacement - PD Change Order**

Line No.	Item Description	Units	Unit Price	Bid Amount
1	4" Concrete	SF	2907 \$ 6.50	\$ 18,895.50
2	6" Concrete	SF	84 \$ 7.00	\$ 588.00
3	8" Concrete w/ fibermesh	SF	70 \$ 9.05	\$ 633.50
4	24" Vertical Curb and Gutter	LF	48 \$ 25.00	\$ 1,200.00
5	6" Concrete Vertical Curbhead	LF	19 \$ 4.00	\$ 76.00
6	Truncated Domes	SF	16 \$ 180.00	\$ 2,880.00
7	Structure Excavation and Backfill	TN	183 \$ 73.00	\$ 13,359.00
8	Hot Asphalt Patch Grade SX (8")	SY	11 \$ 88.00	\$ 968.00
9	Traffic Control	LS	1 \$ 4,312.50	\$ 4,312.50
10	Dowels	EA	1 \$ 6.00	\$ 6.00
<b>Bid Total</b>				<b>\$ 42,918.50</b>
<b>Standard Inclusion:</b> Concrete, and labor.				
<b>Exclusions:</b> Bonds, Excavation, Grading, Backfill, Testing,Permits, Concrete Washout, Concrete Pump, Colored Concrete, Exposed Aggregate, Pattern/Stamps,Dewatering, Surveying, Pipes and Pipe work.				

**Notes:** Please note that amount of dowels will increase. Item is given to show price per dowel.

Please call for any questions.Best regards,Rene Munoz

Phone: 303.287.0250

Fax:303.439.2699

Email: standardconcrete@msn.com

**SUBJECT: APPROVAL OF PARK NAME RECOMMENDATIONS FROM THE  
PARKS AND PUBLIC LANDSCAPING ADVISORY BOARD**

**DATE: JULY 23, 2019**

**PRESENTED BY: NATHAN MOSLEY, DIRECTOR OF PARKS AND RECREATION  
DEAN JOHNSON, PARKS SUPERINTENDENT**

**SUMMARY:**

In November 2018, the Parks and Public Landscaping Advisory Board (PPLAB) received an update regarding the Park Sign Program. This program has installed large property signs at many parks throughout the City. The intent of the current funding for the Park Sign Capital Improvement Project is to begin the installation of the smaller signs with the park name and associated rules at locations without signs currently. To complete this project, a few outstanding items needed to be addressed. One is to assign names; some of the sites were simply never formally named.

PPLAB took this opportunity to advise and guide the City on selecting names for nine of these sites. PPLAB instituted a community outreach process by way of a naming contest. The contest was advertised at the actual park locations and was communicated via City social media outlets. More than 300 suggestions were submitted and results can be found in the [June 6<sup>th</sup>, 2019 PPLAB packet](#).

During the June 6<sup>th</sup> meeting, the results of the contest were discussed along with selection criteria. Overall, the Board was not in favor of recommending any site be named after an individual. The Board concluded unintended equity issues could be created and a memorial bench program currently exists as a means for residents to honor loved ones. Another component or priority on which the Board focused was to clarify and reinforce the locations of the parks through the name when possible or relevant. The Board appreciated all the enthusiastic participation and feedback from the community. Shown below are PPLAB'S recommendations:

1. The park unofficially referred to as "Wildridge Park" (between Washington Ave. and Arapahoe Circle) be formally called Sunflower Park.
2. The park unofficially referred to as "Wildflower Park" (corner of Pine and Owl) be formally called Owl Park.
3. The park unofficially referred to as "Saratoga 2 Park" (off Tyler between Spruce and Buckthorn) be formally called Tyler Park.
4. The park unofficially referred to as "Saratoga 1 Park" (off Hoover between W Elm and W Sycamore) be formally called Hoover Park.

**SUBJECT: PARK NAME RECOMMENDATIONS**

**DATE: JULY 23, 2019**

**PAGE 2 OF 2**

- 5. The park unofficially referred to as "Sagebrush Park" (on Pine between Polk and Tyler) be formally called Pallino Park. *A Pallino is the small ball used as a target ball in bocce. Name was selected in part to bring awareness and to highlight the significant amenity at this site; bocce ball courts.*
- 6. The park unofficially referred to as "Mission Greens Park" (on Lois Drive near Warembourg Fishing Pond) to formally be called Mission Greens Park.
- 7. The park unofficially referred to as "Heritage B Park" (on W Hackberry near Buchanan) be formally called Hackberry Park.
- 8. The park unofficially referred to as "Cedarwood Park" (on Hutchinson St and Jefferson Ave) be formally called Hutchinson Park.
- 9. The park unofficially referred to as "Elephant Park" (on Chestnut St and Lilac Cir) to stay the same and formally be called Elephant Park.

**FISCAL IMPACT:**

None

**PROGRAM/SUB-PROGRAM IMPACT:**

None

**RECOMMENDATION:**

City Council approve park name recommendations from PPLAB.

**ATTACHMENT(S):**

None

**STRATEGIC PLAN IMPACT:**

<input type="checkbox"/>	 <b>Financial Stewardship &amp; Asset Management</b>	<input checked="" type="checkbox"/>	 <b>Reliable Core Services</b>
<input type="checkbox"/>	 <b>Vibrant Economic Climate</b>	<input checked="" type="checkbox"/>	 <b>Quality Programs &amp; Amenities</b>
<input type="checkbox"/>	 <b>Engaged Community</b>	<input type="checkbox"/>	 <b>Healthy Workforce</b>
<input type="checkbox"/>	 <b>Supportive Technology</b>	<input type="checkbox"/>	 <b>Collaborative Regional Partner</b>

**SUBJECT:               RATIFICATION OF POLICY STATEMENT FOR COLORADO  
COMMUNITIES FOR CLIMATE ACTION**

**DATE:                    JULY 23, 2019**

**PRESENTED BY:   ASHLEY STOLZMANN, CITY COUNCILMEMBER  
MEGAN DAVIS, DEPUTY CITY MANAGER**

**SUMMARY:**

The City of Louisville became a member of Colorado Communities for Climate Action (CC4CA) in 2018. As a member, the City had the opportunity to weigh-in on the development of the CC4CA Policy Statement, which is updated on an annual basis to establish the priorities for the organization and its members around climate-related policy. CC4CA's Policy Statement for 2020 reflects unanimous agreement among the coalition members on steps that should be taken at the state and federal level, often in partnership with local governments, to enable Colorado and its communities to lead in protecting the climate.

The proposed statements were developed through CC4CA subcommittees, which updated and developed proposed changes or additions to the past year's policy statement. The City of Louisville participated in these discussions and provided input on the development of the draft policies. In June Councilor Stolzmann and staff brought the proposed 2020 Policy Statement to City Council for input and review, prior to the all-member retreat.

CC4CA held its all-member annual retreat to review and finalize the Policy Statement on June 27, 2019, during which time the issues raised by City Council were discussed and addressed. The retreat provided the opportunity for all members to share input on each of the policy statements and priorities, and the statements were modified accordingly. CC4CA members did a significant amount of work to finalize the proposed statement based on the input of all member Councils and Boards, and gain the approval of all members present at the retreat. At this time, all members of CC4CA are asked to formally ratify the final policy statement, which can be found in Attachment 1.

**FISCAL IMPACT:**

There is no fiscal impact to this item. The City pays annual dues of \$5,000 to maintain its membership in CC4CA.

**PROGRAM/SUB-PROGRAM IMPACT:**

The City’s membership in CC4CA supports the goals of the Sustainability Sub-Program to use environmental, economic, and human resources to meet present and future needs without compromising the ecosystems on which we depend. Actively pursue energy efficient upgrades to realize cost savings and reduce environmental impacts.

**RECOMMENDATION:**

Councilor Stolzmann and staff recommend Council approve this document in its final form.

**ATTACHMENT(S):**

- 1. CC4CA 2019-2020 Policy Statement

**STRATEGIC PLAN IMPACT:**

<input type="checkbox"/>	 <b>Financial Stewardship &amp; Asset Management</b>	<input type="checkbox"/>	 <b>Reliable Core Services</b>
<input type="checkbox"/>	 <b>Vibrant Economic Climate</b>	<input checked="" type="checkbox"/>	 <b>Quality Programs &amp; Amenities</b>
<input type="checkbox"/>	 <b>Engaged Community</b>	<input type="checkbox"/>	 <b>Healthy Workforce</b>
<input type="checkbox"/>	 <b>Supportive Technology</b>	<input checked="" type="checkbox"/>	 <b>Collaborative Regional Partner</b>

## **CC4CA Policy Statement Effective July 1, 2019**

### **Adopted by the CC4CA Steering Committee on June 27, 2019 for Final Member Sign-Off**

Colorado Communities for Climate Action is a coalition of local governments advocating for stronger state and federal climate policy. CC4CA's policy priorities for 2019-2020 reflect unanimous agreement among the coalition members on steps that should be taken at the state and federal level, often in partnership with local governments, to enable Colorado and its communities to lead in protecting the climate.

CC4CA generally focuses on legislative, regulatory, and administrative action, supporting efforts that advance the general policy principles and the detailed policy positions described below, and opposing efforts that would weaken or undermine these principles and positions.

### **General Policy Principles**

The following general principles guide the specific policies that Colorado Communities for Climate Action advocates for:

Supports collaboration between state and federal government agencies and Colorado's local governments to advance local climate protection.

Supports state and federal programs to reduce carbon pollution, including adequate and ongoing funding of those programs.

Supports analyses, financial incentives, and enabling policies for the development and deployment of clean energy technologies.

Supports locally driven and designed programs to support communities impacted by the clean energy transformation.

Supports prioritizing policies that put people at the center of decision-making, do not exacerbate or create disparities in growing the green economy, and enhance equitable outcomes for all.

## **Policy Positions**

Colorado Communities for Climate Action supports the following policy positions:

### *Statewide Climate Strategies*

- 1. Reducing statewide carbon emissions consistent with or greater than the State of Colorado's 2019 codified goals.**
- 2. Securing accurate, frequent greenhouse gas inventories and forecasts for Colorado.**
- 3. Adopting a comprehensive market-based approach to reduce Colorado's greenhouse gas emissions.**
- 4. Expanding the consideration of the environmental and health costs associated with the use of fossil fuels.**

### *Local Climate Strategies*

- 5. Removing barriers and promoting opportunities that allow counties and municipalities to maximize the deployment of local clean energy and climate options.**
- 6. Enabling local governments to obtain the energy use and other data they need to effectively address climate change.**
- 7. Supporting a public process for evaluating retail energy choice options for local jurisdictions.**
- 8. Supporting policies that promote energy efficient buildings.**
- 9. Providing for equitable strategies to enable and accelerate beneficial electrification.**

### *Energy Generation*

- 10. Accelerating retirement of existing fossil fuel generation facilities and their replacement with cost-effective and reliable clean energy supplies, through means that protect both utilities and consumers.**

**11. Expanding the ability of electric cooperatives to independently purchase local renewable electricity and take other steps to reduce carbon pollution.**

**12. Expanding distributed generation, energy storage, high levels of renewable energy generation (distributed and utility-scale), and appropriate technologies through grid modernization.**

*Energy Efficiency*

**13. Expanding demand side savings from efficiency and conservation for all energy types.**

**14. Supporting ongoing and sustainable funding for weatherization and renewable energy assistance to low-income households so that all Coloradans have access to comfortable and affordable homes.**

**15. Providing counties and statutory cities and towns with the same authority held by home rule cities to implement local energy conservation policies and programs.**

*Transportation*

**16. Ensuring effective implementation of Colorado's vehicle emissions standards and other regulatory activities designed to reduce carbon emissions from vehicles.**

**17. Implementing the 2018 Colorado Electric Vehicle Plan and other efforts to increase electrification of all motor vehicles.**

**18. Increasing multimodal transportation funding.**

**19. Incentivizing and selecting mobility alternatives, including movement of both people and goods, based on energy efficiency and environmental costs and benefits.**

*Fossil Fuel Extraction Activities*

**20. Expanding monitoring of and reducing the full life cycle emissions from fossil fuel extractive industry activities.**

*Solid Waste Reduction*

**21. Granting CDPHE the authority to implement a plan for meeting Colorado's statewide and regional solid waste diversion goals.**

**22. Reducing the use of disposable/single-use products and promoting the reuse of materials.**

**23. Fostering infrastructure, policies, incentives, and programs for recycling and composting.**

*General*

**24. Promoting proactive programs and efforts that improve the resilience and adaptability of Colorado communities in the face of natural disasters and other major challenges associated with climate change.**

**25. Optimizing the potential for carbon sequestration through regenerative agriculture, improved soil health, and forest management.**

**26. Incorporating equity, accessibility, and just transition considerations into climate policies and actions.**

**27. Encouraging investments that achieve climate-positive solutions.**

**28. Maintaining protections and authorities currently provided under environmental laws like the Clean Air Act and the Clean Water Act.**

**SUBJECT: MARIJUANA CULTIVATION AND EXCISE TAX BALLOT ISSUES**

- i. **ORDINANCE NO. 1776, SERIES 2019 – AN ORDINANCE IMPOSING AN EXCISE TAX OF UP TO TEN PERCENT ON RETAIL MARIJUANA CULTIVATION FACILITIES BEGINNING JANUARY 1, 2020, TO BE IMPOSED ONLY IF THE REGISTERED ELECTORS OF THE CITY APPROVE A BALLOT QUESTION PERMITTING SUCH CULTIVATION FACILITIES WITHIN THE CITY, AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 5, 2019 – 2<sup>nd</sup> READING, PUBLIC HEARING (advertised *Daily Camera* 7/14/19)**
- ii. **ORDINANCE NO. 1777, SERIES 2019 – AN ORDINANCE AMENDING TITLES 5 AND 17 CONCERNING RETAIL MARIJUANA CULTIVATION FACILITIES AND SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF LOUISVILLE AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2019, THE QUESTION OF WHETHER TO PERMIT SUCH RETAIL MARIJUANA CULTIVATION FACILITIES WITHIN THE CITY SUBJECT TO AN EXCISE TAX ON THE SAME – 2<sup>nd</sup> READING, PUBLIC HEARING (advertised *Daily Camera* 7/14/19)**

**DATE: JULY 23, 2019**

**PRESENTED BY: HEATHER BALSER, CITY MANAGER  
KATHLEEN KELLY, CITY ATTORNEY**

**DISCUSSION:**

Enclosed are two proposed ordinances referring the marijuana cultivation and excise tax questions to a vote of the City's electors at the November 5, 2019 election. City Council previously reviewed these two ordinances at its June 11 meeting.

**Excise Tax Ordinance with 2<sup>nd</sup> Reading Amendments**

The first ordinance addresses the excise tax. Specifically, it:

- Refers to the voters a TABOR ballot issue seeking authorization to impose an excise tax on the first sale or transfer of unprocessed marijuana by a retail marijuana cultivation facility.
- The proposed tax rate is five percent (5%) of the average market rate of the marijuana, which is defined in the ordinance as that amount determined by the

State of Colorado Department of Revenue pursuant to state statute, or such alternative amount as may be determined by the Finance Director as the average price of unprocessed retail marijuana that is sold or transferred from a retail marijuana cultivation facility to a retail marijuana products manufacturer or retail marijuana store. The ordinance authorizes City Council to increase the rate to ten percent (10%) without further voter approval.

- Revenues from the tax can be used for the following purposes: (1) to pay or reimburse the City for direct and indirect costs incurred or expended by the City for training, enforcement, and administration of all applicable marijuana laws and regulations; (2) to support local drug and alcohol programs and facilities; and (3) for other general purposes of the City.
- Estimates a tax increase of \$200,000 the first fiscal year the new tax is in place. Revenue will be dependent on the number of cultivation facilities that open in the City. Staff believes an annual excise tax of \$20,000 per cultivation facility is a reasonable estimate. This estimate is based on averages received from Lafayette, Boulder, and Aurora. Assuming five facilities open the first year, the total estimate for the first year is \$100,000. Staff doubled the estimate to avoid underestimation and potential refund and rate reduction under TABOR.
- Also makes corresponding amendments to Title 3 of the Louisville Municipal Code should the voters approve the tax.
- The ordinance and ballot language have been reviewed by the City's bond counsel.
- Second reading amendments are proposed, to revise the ballot title to reflect the basis for the imposition of tax will be the average market rate rather than the price paid by the purchaser.

### **Cultivation Facility Ordinance**

The second ordinance addresses retail marijuana cultivation facilities. Specifically, it:

- Refers to voters the question of whether retail marijuana cultivation facilities should be allowed within the Industrial zone districts of the City.
- Cultivation facilities will be allowed only if the voters also approve the excise tax on cultivation facilities.
- Makes corresponding amendments to Titles 5 and 17 of the City Code.
- The following two changes were made to the ordinance after Council reviewed it on June 11:
  - Provides that the total combined square footage of all licensed retail marijuana cultivation facilities operating in the City will not exceed 150,000 square feet of building area.
  - Added a requirement that plants be organized in orderly rows that include aisles of sufficient size to provide clear access to exits.
- Requires that cultivation occur within a locked and enclosed space.

**SUBJECT: MARIJUANA CULTIVATION AND EXCISE TAX BALLOT ISSUES**

**DATE: JULY 23, 2019**

**PAGE 3 OF 3**

- As part of the license application, a cultivation facility will be required to submit a ventilation plan that describes how odors are prevented from leaving the premises.
- The prohibition against odor emissions City Council adopted as part of Ordinance No. 1769 in February, 2019 will also apply to cultivation facilities. Specifically, cultivation facilities (along with stores, manufacturers and testing facilities) are prohibited from emitting detectable odors that leave the premises and that interfere with the reasonable and comfortable use and enjoyment of another's property.

**FISCAL IMPACT:** If the voters approve the excise tax and vote to allow retail marijuana cultivation facilities, an estimated \$200,000 is anticipated the first year the tax is collected.

**RECOMMENDATION:**

Finance Committee reviewed the excise tax ordinance and ballot language and recommended its approval. Staff also recommends the two ordinances be approved and the ballot issues be referred to the voters. Therefore, staff recommends City Council:

#1 - Approve Ordinance No. 1776, Series 2019 on second reading, with the second reading amendments.

#2 - Approve Ordinance No 1777, Series 2019 on second reading.

**ATTACHMENTS:**

1. Ordinance No. 1776, Series 2019 – Excise Tax Ordinance
2. Ordinance No. 1777, Series 2019 – Retail Marijuana Cultivation Facilities
3. Packet Information from Finance Committee Meetings April 1 & April 22, 2019
4. Public Comments

Proposed Second Reading Amendments

Ordinance No. 1769, Series 2019 is revised to read as follows (amendments are shown in **bold underline** and ~~**bold-strikeout**~~):

**ORDINANCE NO. 1776  
SERIES 2019**

**AN ORDINANCE IMPOSING AN EXCISE TAX OF UP TO TEN PERCENT ON RETAIL MARIJUANA CULTIVATION FACILITIES BEGINNING JANUARY 1, 2020, TO BE IMPOSED ONLY IF THE REGISTERED ELECTORS OF THE CITY APPROVE A BALLOT QUESTION PERMITTING SUCH CULTIVATION FACILITIES WITHIN THE CITY, AND PROVIDING FOR THE SUBMISSION OF THE ORDINANCE TO A VOTE OF THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 5, 2019**

**WHEREAS**, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”); and

**WHEREAS**, the members of the City Council of the City (the “City Council”) have been duly elected and qualified; and

**WHEREAS**, Article X, Section 20 of the Colorado Constitution, also referred to as the Taxpayer’s Bill of Rights (“TABOR”) requires voter approval for any new tax, any increase in any tax rate, the creation of any debt, and the spending of certain funds above limits established by TABOR; and

**WHEREAS**, pursuant to Article 12 and Section 4-8 of the City Charter, the City Council may authorize the imposition of new taxes by ordinance and upon approval of the registered electors of the City; and

**WHEREAS**, pursuant to Section 7-6 of the City Charter, the City Council may submit any measure to a vote of the registered electors of the City, without receipt of any petition; and

**WHEREAS**, the City will hold a regular election on November 5, 2019 as a coordinated election pursuant to the Uniform Election Code of 1992, as amended; and

**WHEREAS**, TABOR requires that the City submit ballot issues, as defined in TABOR, to the City’s registered electors on specified election days before action can be taken on such ballot issues; and

**WHEREAS**, November 5, 2019, is one of the election dates at which TABOR ballot issues may be submitted to the registered electors of the City pursuant to TABOR; and

**WHEREAS**, the City Council is of the opinion that it should refer to the voters at the November 5, 2019 election a TABOR ballot issue concerning the imposition of an excise tax on retail marijuana cultivation facilities to begin January 1, 2020, to be imposed only if retail marijuana cultivation facilities are permitted within the City, with the net proceeds of the excise tax to be used for those municipal purposes as further stated in this ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

**Section 1.** A regular municipal election will be held in the City of Louisville, County of Boulder, State of Colorado on Tuesday, November 5, 2019, between the hours of 7:00 a.m. and 7:00 p.m. (the “Election”).

**Section 2.** Pursuant to the applicable provisions of the laws of the State of Colorado and the City Charter, the City Council hereby submits to the registered electors of the City at the Election the ballot issue specified in Section 3 of this ordinance.

**Section 3.** The following ballot issue, certified in substantially the form set forth below, is hereby referred to the registered electors of the City and shall appear on the ballot of the Election:

BALLOT ISSUE NO. \_\_\_\_\_

**RETAIL MARIJUANA CULTIVATION FACILITY EXCISE TAX**

SHALL CITY OF LOUISVILLE TAXES BE INCREASED BY \$200,000 IN 2020 (THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2020, A NEW TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AT THE RATE OF FIVE PERCENT (5%) OF THE ~~PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE MARIJUANA~~ AVERAGE MARKET RATE, WITH THE TAX REVENUES BEING USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY FOR TRAINING, ENFORCEMENT, AND ADMINISTRATION OF ALL APPLICABLE MARIJUANA LAWS AND REGULATIONS, TO SUPPORT LOCAL DRUG AND ALCOHOL PROGRAMS AND FACILITIES, AND FOR OTHER GENERAL PURPOSES OF THE CITY; WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED TEN PERCENT (10%), IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL

MARIJUANA CULTIVATION FACILITIES ARE PERMITTED WITHIN THE CITY; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION, AND SHALL ORDINANCE NO. 1776, SERIES 2019, WHICH IMPOSES THE TAX, BE APPROVED?

YES \_\_\_\_\_

NO \_\_\_\_\_

**Section 4.** If a majority of the registered electors voting at the Election vote “yes” in response to the ballot issue specified in Section 3 of this ordinance, the issue shall be deemed to have passed and the Louisville Municipal Code shall be amended as set forth in Section 5 of this ordinance.

**Section 5.** Title 3 of the Louisville Municipal Code is hereby amended by a new Chapter 3.32 to read as follows:

### TITLE 3 – REVENUE AND FINANCE

#### Chapter 3.32 – Retail Marijuana Cultivation Facility Tax

**Sec. 3.32.010. Legislative intent.**

The City Council intends that an additional excise tax be imposed on the first sale or transfer of marijuana by a retail marijuana cultivation facility, as licensed by Section 5.11.030.A.4 of this Code. The purpose of this tax is to increase the revenue base for the City to pay or reimburse the City for direct and indirect costs incurred or expended by the City for training, enforcement, and administration of all applicable marijuana laws and regulations, to support local drug and alcohol programs and facilities, and for other general purposes of the City]. Revenues from the tax shall be deposited in the general fund and shall be available to pay for the expenses as set forth in this Chapter.

**Sec. 3.32.020. Definitions.**

As used in this Chapter, unless the context clearly demonstrates otherwise, words and phrases shall have the meanings as defined in Section 5.11.020 of this Code. In addition, the following words and phrases shall have the following meanings:

A. *Average market rate* means the amount determined by the State of Colorado Department of Revenue pursuant to C.R.S. § 39-28.8-101(1), or such alternate amount as may be determined by the Finance Director as the average price of unprocessed retail marijuana that is sold or transferred from a retail

marijuana cultivation facility to a retail marijuana products, manufacturer or retail marijuana store.

B. *Sale* means any exchange or barter, in any manner or by any means whatsoever, for consideration.

C. *Transfer* means to grant, convey, hand over, assign, sell, exchange, or barter, in any manner or by any means, with or without consideration, any unprocessed retail marijuana or retail marijuana product from one licensee to another or to a consumer. A transfer includes the movement of retail marijuana or retail marijuana product from one licensed premises to another, even if both premises are contiguous, and even if both premises are owned by a single entity or individual or group of individuals and also includes a virtual transfer that is reflected on the Marijuana Inventory Tracking Solution (“MITS”) system, even if no physical movement of the retail marijuana occurs.

**Sec. 3.32.030. Imposition and rate of tax; vendor liable for tax.**

A. In addition to any other tax imposed by law, there is levied and shall be paid and collected an excise tax of five percent (5%) on the average market rate of unprocessed retail marijuana that is first sold or transferred from a retail marijuana cultivation facility located within the City. The excise tax shall be levied and owed irrespective of where delivery takes place.

B. Each retail marijuana cultivation facility shall collect, remit, and pay the excise tax on the first sale or transfer of unprocessed retail marijuana.

**Sec. 3.32.040. Taxes collected are held in trust.**

All sums of money paid by a person as the additional excise tax imposed by this Chapter are public monies that are the property of the City. The person required to collect and remit the additional excise tax shall hold such monies in trust for the sole use and benefit of the City until paying them to the City.

**Sec. 3.32.050. Licensing; filing of returns; recordkeeping.**

A. Every person with a duty to collect the excise tax imposed by this Chapter shall obtain a license as set forth in Section 3.20.402 of this Code to collect the tax, report such taxes collected on forms prescribed by the Finance Director, remit such taxes to the City on or before the twentieth (20<sup>th</sup>) day of the month for the preceding month under report, and file such returns as provided in Section 3.20.406 of this Code. Any due date, payment date, or deadline for paying tax due, providing information, or taking other action that falls on a Saturday, Sunday, or legal holiday recognized by either the federal government or

State of Colorado shall be extended to the first business day following such weekend or holiday.

B. Date of payment shall be evidenced by the postmark date if mailed or by the date the City receives confirmation that the funds have been received through ACH payment; otherwise, date of payment shall be evidenced by the date on the receipt issued by the City cashier. For good cause shown, and upon written request of the excise taxpayer, the Finance Director may extend the time for making returns and paying tax due. The request must be received by the Finance Director no later than two (2) days prior to the date the return is due. The Finance Director may also, upon advance written request of the excise taxpayer and in the Finance Director's sole discretion, authorize the filing of returns and payment of taxes at such intervals as will better accommodate the convenience of the taxpayer. The Finance Director may grant such request if it is determined, in the Finance Director's sole discretion, that the collection of the tax will not be jeopardized, that the realization of amounts owed will not be delayed, and that administrative hardship to the City will not be caused by reason of the granting of such request. Authorization for such alternate method of reporting may be revoked by the Finance Director if the taxpayer becomes delinquent or if the Finance Director otherwise determines in the Finance Director's sole discretion that such alternative method will jeopardize collection of the tax, result in delay of amounts owed, or otherwise cause administrative hardship to the City. Immediately following notice of such revocation, the taxpayer shall file returns and pay tax as otherwise required by this Chapter.

C. The excise tax license issued pursuant to Section 3.20.402 of this Code shall be valid so long as the business remains in continuous operation and the business holds a valid optional premises cultivation license or retail marijuana cultivation facility license from the City. Such license may be revoked as provided in Section 3.20.402 and is subject to all other conditions and requirements of Section 3.20.402. Requirements with regard to acquisition, inception, and cessation of a marijuana cultivation facility shall be as set forth in Section 3.20.410 of this Code.

D. An excise taxpayer engaged in business at two or more locations within the City may file one return for all such locations, when accompanied by a supplemental schedule showing the gross sales of unprocessed marijuana at each location and the excise tax due for each location.

**Sec. 3.32.060. Books and records to be preserved.**

A. Every retail marijuana cultivation facility shall keep at each licensed place of business complete and accurate records for that place of business, including itemized invoices of all retail marijuana grown, held, shipped,

or otherwise transported or sold to retail marijuana product manufacturing facilities, retail marijuana stores, or other retail marijuana cultivation facilities.

B. The records required by subsection A of this Section shall include the names and addresses of retail marijuana product manufacturing facilities, retail marijuana stores, or other retail marijuana cultivation facilities to which unprocessed retail marijuana is sold or transferred, the inventory of all unprocessed retail marijuana on hand, and other pertinent papers and documents relating to the sale or transfer of unprocessed retail marijuana.

C. A retail marijuana cultivation facility shall keep itemized invoices of all unprocessed marijuana transferred to retail marijuana stores owned or controlled by the owners of the retail marijuana cultivation facility.

**Sec. 3.32.070. Interest and penalties for failure to file tax return or pay tax.**

Penalties and interest for failure of a person to collect the excise tax imposed by this Chapter or to make a return and remit the correct amount of tax required by this Chapter and the procedures for enforcing such penalties shall be as set forth in Section 3.20.430 of this Code (“Penalties and interest for failure to file tax return or pay tax.”).

**Sec. 3.32.080. Refunds.**

Procedures for refunds for overpayment of excise taxes paid under this Chapter are as set forth in Section 3.20.420 of this Code.

**Sec. 3.32.090. Assessment and enforcement of tax liability; liens.**

A. The procedure for assessment of excise taxes under this Chapter shall be as set forth in Section 3.20.425 of this Code.

B. The excise tax imposed by this Chapter, together with all interest and penalties pertaining thereto, is a first and prior lien on tangible personal property in which the person responsible to collect and remit the tax has an ownership interest, subject only to valid mortgages or other liens of record at the time or and prior to the recording of a notice of lien as provided in Section 3.20.460 of this Code.

C. The provisions of Sections 3.20.400 (“Authority of Finance Director”), 3.20.465 (“Foreclosure by distraint”), 3.20.470 (“Jeopardy assessment”), 3.20.475 (“Recovery by action at law”), 3.20.480 (Certification of delinquent tax to County”), and 3.20.485 (Other remedies; compromise”) govern the authority of the Finance Director to collect the taxes, penalties, and interest imposed by this Chapter.

**Section 6.** City tax revenues are estimated to increase by up to \$200,000 the first full fiscal year in which the excise tax provided for in this ordinance is in effect. However, the revenues from said sales and use tax may be collected and spent, regardless of whether said revenues, in any year after the first full year in which said sales and use tax is in effect, exceed the estimated dollar amount stated above, and without any other limitation or condition, and without limiting the collection or spending of any other revenues or funds by the City of Louisville, under Article X, Section 20 of the Colorado Constitution or any other law.

**Section 7.** The provisions of this ordinance shall take effect, following passage and approval thereof as provided in Section 4, on January 1, 2020.

**Section 8.** If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council and the registered voters of the City hereby declare that they would have passed and approved this ordinance and each part hereof irrespective of the fact that any one part be declared invalid. The tax established by this measure is intended to be authorized under any lawful means of taxation.

**Section 9.** The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**Section 10.** Pursuant to Article XX of the Colorado Constitution and the City Charter, all state statutes that might otherwise apply in connection with the provisions of this ordinance (including, without limitation C.R.S. § 31-11-111) are hereby superseded to the extent of any inconsistencies or conflicts between the provisions of this ordinance and such statutes. Any such inconsistency or conflict is intended by the City Council and shall be deemed made pursuant to the authority of Article XX of the Colorado Constitution and the City Charter.

**Section 11.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED** this 9<sup>th</sup> day of July, 2019.

---

Robert P. Muckle, Mayor

Ordinance No. 1776, Series 2019  
Page 7 of 8

ATTEST:

---

Carol Hanson, Deputy City Clerk

APPROVED AS TO FORM:

---

Kelly PC  
City Attorney

**PASSED AND ADOPTED ON SECOND AND FINAL READING**, this 23<sup>rd</sup> day of July,  
2019.

---

Robert P. Muckle, Mayor

ATTEST:

---

Carol Hanson, Deputy City Clerk

**ORDINANCE NO. 1777  
SERIES 2019**

**AN ORDINANCE AMENDING TITLES 5 AND 17 CONCERNING RETAIL MARIJUANA CULTIVATION FACILITIES AND SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF LOUISVILLE AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2019, THE QUESTION OF WHETHER TO PERMIT SUCH RETAIL MARIJUANA CULTIVATION FACILITIES WITHIN THE CITY SUBJECT TO AN EXCISE TAX ON THE SAME**

**WHEREAS**, the City Council previously adopted licensing standards and regulations governing the time, place, manner, and number of retail marijuana businesses, which such standards and regulations are set forth in Chapter 5.11 and Title 17 of the Louisville Municipal Code, which standards and regulations do not permit retail marijuana cultivation facilities to be located within the City; and

**WHEREAS**, by Ordinance No. 1776, Series 2019, the City Council submitted to the registered electors of the City at the November 5, 2019 regular election a ballot issue concerning an excise tax of up to ten percent (10%) on the first sale or transfer of unprocessed marijuana by a retail marijuana cultivation facility (the "Cultivation Excise Tax"), provided that such Cultivation Excise Tax shall be imposed only if retail marijuana cultivation facilities are permitted within the City; and

**WHEREAS**, the City Council is of the opinion that it should refer to the voters at the November 5, 2019 regular municipal election the question of whether retail marijuana cultivation facilities should be permitted on property located within the City's Industrial ("I") zone district or as an industrial use within the City's Planned Community Zone District ("PCZD"), subject to the regulations set forth herein; and

**WHEREAS**, if a majority of the City's registered electors vote at the November 5, 2019 election in favor of the question referred herein, this ordinance will take effect on January 1, 2020.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

**Section 1.** A regular municipal election will be held in the City of Louisville, County of Boulder, State of Colorado, on Tuesday, November 5, 2019, between the hours of 7:00 a.m. and 7:00 p.m. (the "Election").

**Section 2.** Pursuant to applicable provisions of the laws of the State of Colorado and the City Charter, the City Council hereby submits to the registered

electors of the City at the Election the ballot question specified in Section 3 of this ordinance.

**Section 3.** The following ballot question, certified in substantially the form set forth below, is hereby referred to the registered electors of the City and shall appear on the ballot of the Election:

BALLOT QUESTION NO. \_\_\_\_\_

IF BALLOT QUESTION NO. \_\_\_\_\_ IS PASSED BY THE VOTERS, APPROVING AN EXCISE TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY, SHALL THE CITY OF LOUISVILLE MUNICIPAL CODE BE AMENDED TO PERMIT RETAIL MARIJUANA CULTIVATION FACILITIES WITHIN INDUSTRIAL ZONE DISTRICTS OF THE CITY, SUBJECT TO CITY LICENSING AND REGULATION, AND SHALL ORDINANCE NO. 1777, SERIES 2019, WHICH IMPOSES CERTAIN REQUIREMENTS AND REGULATIONS FOR SUCH FACILITIES, BE APPROVED?

YES \_\_\_\_\_

NO \_\_\_\_\_

**Section 4.** If a majority of majority of the registered voters voting at the Election vote “yes” in response to the ballot question specified in Section 3 of this ordinance, the question shall be deemed to have passed and the Louisville Municipal Code shall be amended as set forth in Sections 5 through 14 of this ordinance effective January 1, 2020.

**Section 5.** The following definition in Section 5.11.020 of the Louisville Municipal Code is hereby amended (words to be added are underlined; words to be deleted are ~~stricken through~~):

**Sec. 5.11.020. Definitions.**

*Retail marijuana establishment* means a retail marijuana store, retail marijuana products manufacturing facility, ~~or~~ a retail marijuana testing facility or a retail marijuana cultivation facility.

**Section 6.** Section 5.11.030 of the Louisville Municipal Code is hereby amended by the addition of a new subsection 4 to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

**Sec. 5.11.030. Classes, ~~and number~~ and size of retail marijuana licenses authorized.**

A. The local licensing authority may issue only the following retail marijuana licenses upon payment of the fee and compliance with all local licensing requirements, as determined by the local licensing authority:

1. A retail marijuana store license. A retail marijuana store license shall be issued only to a person selling retail marijuana or retail marijuana products pursuant to the terms and conditions of this chapter, the Colorado Retail Marijuana Code and any related rules and regulations.

2. A retail marijuana testing facility license shall be issued to a person who performs testing and research on retail marijuana and industrial hemp. The facility may develop and test retail marijuana products and industrial hemp, pursuant to the terms and conditions of this chapter, the Colorado Retail Marijuana Code and any related rules and regulations.

3. A retail marijuana products manufacturing license. A retail marijuana products manufacturing license may be issued to a person who manufactures retail marijuana products, pursuant to the terms and conditions of this chapter, the Colorado Retail Marijuana Code and any related rules and regulations.

4. A retail marijuana cultivation facility license. A retail marijuana cultivation facility license may be issued to a person who cultivates retail marijuana for sale and distribution to licensed retail marijuana stores, retail marijuana products manufacturing licensees, or other retail marijuana cultivation facilities.

B. There shall be no more than a total of six licensed retail marijuana stores and medical marijuana centers operating within the city. If at the time of application for a retail marijuana store or medical marijuana center license there are fewer than six retail marijuana stores and medical marijuana centers operating in the city, applications shall be reviewed and acted upon by the local licensing authority in the order in which complete applications are received.

C. The total combined square footage of all licensed retail marijuana cultivation facilities operating in the City shall not exceed one hundred and fifty thousand (150,000) square feet of building area.

**Section 7.** Section 5.11.070.B.10 of the Louisville Municipal Code is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

**Sec. 5.11.070. Local license procedure.**

B. The applicant shall also provide the following information to the city, which information shall be required for the applicant, the proposed manager of the retail marijuana establishment, and all persons having any financial interest in the retail marijuana establishment that is the subject of the application; to the extent that any of the following information has been included with the applicant's state license application and forwarded to the city by the state licensing authority, the local licensing authority may rely upon the information forwarded from the state without requiring resubmittal of the same materials for the local license application:

10. A plan for ventilation of the retail marijuana establishment that describes the ventilation systems that will be used to prevent any odor of marijuana off the premises of the business. For retail marijuana cultivation facilities, such plan shall also include all ventilation systems used to control the environment for the plants and describe how such systems operate with the systems preventing any odor leaving the premises. For retail marijuana products manufacturers and retail marijuana testing facilities, such plan shall also include all ventilation systems used to mitigate noxious gases or other fumes used or created as part of the production process.

**Section 8.** Section 5.11.180 of the Louisville Municipal Code (entitled "Cultivation, growing and manufacturing") is hereby repealed in its entirety.

**Section 9.** Section 5.11.210.A of the Louisville Municipal Code is hereby amended by the addition of a new subsection 10 to read as follows (words to be added are underlined):

**Sec. 5.11.210. Prohibited acts.**

A. It shall be unlawful for any licensee to:

10. Cultivate or permit the cultivation of retail marijuana outside of a locked enclosed space within a building.

**Section 10.** Section 5.11.220 of the Louisville Municipal Code is hereby

amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

**Sec. 5.11.220. Visibility of activities; control of emissions; organization of facilities.**

A. All activities of retail marijuana establishments, including, without limitation, processing, displaying, selling, cultivation and storage, shall be conducted indoors.

B. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting a retail marijuana establishment must be provided at all times. In the event that any odors, debris, dust, fluids or other substances exit a retail marijuana establishment, the owner of the subject premises and the licensee shall be jointly and severally liable for such conditions and shall be responsible for immediate, full clean-up and correction of such condition. The licensee shall properly dispose of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, state and local laws and regulations.

C. Marijuana plants in cultivation facilities shall be organized in orderly rows that include aisles of sufficient size to provide clear access to all exits.

**Section 11.** The following definition in Section 17.08.406 of the Louisville Municipal Code is hereby amended (words to be added are underlined; words to be deleted are ~~stricken through~~):

**Sec. 17.08.406. Retail marijuana.**

*Retail marijuana establishment* means a retail marijuana store, retail marijuana products manufacturing facility, or a retail marijuana testing facility, or a retail marijuana cultivation facility.

**Section 12.** Section 17.12.030 of the Louisville Municipal Code is hereby amended by revising the following use group (words to be added are underlined; words to be deleted are ~~stricken through~~):

**Sec. 17.12.030. Use groups.**

	Districts																	
Use Groups	A	A-O	B-O	A-OT	R-RR	SF-R	SF-E	R-R R-E R-L	SF-LD SF-MD SF-HD	R-M	R-H	C-N	C-C	C-B	I	PCZ D	MU R	O S

52b	Retail Marijuana Cultivation Facility**** *	No	<del>No</del> <u>Yes</u>		No	No														
-----	------------------------------------------------	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----------------------------	--	----	----

**Section 13.** Section 17.16.237 of the Louisville Municipal Code is hereby amended by the addition of new subsection H to read as follows (words to be added are underlined):

**Sec. 17.16.237. Retail marijuana establishments.**

H. The total combined square footage of all licensed retail marijuana cultivation facilities operating in the City shall not exceed one hundred and fifty thousand (150,000) square feet of building area.

**Section 14.** Section 17.72.100.E of the Louisville Municipal Code is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

**Sec. 17.72.100. Industrial uses permitted.**

The following industrial and nonindustrial uses may be permitted within any planning area designated “industrial” on the adopted planned community development general plan:

E. Retail marijuana products manufacturing facilities, retail marijuana testing facilities, retail marijuana cultivation facilities, medical marijuana-infused products manufacturing facilities, and medical marijuana testing facilities, except the foregoing uses are not allowed in any mixed use lot that includes a residential use.

**Section 15.** Pursuant to C.R.S. § 31-10-102.7, the City will utilize the requirements and procedures of the Uniform Election Code of 1992, Articles 1 to 13 of Title 1, C.R.S., as amended, in lieu of the Colorado Municipal Election Code of 1965, Article 10 of Title 31, C.R.S., as amended, with respect to the Election, and such Election shall be conducted as part of the coordinated mail ballot election.

**Section 16.** The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance and the conduct of the Election, and to contract with the County Clerk to conduct the election for the City as a coordinated election.

**Section 17.** If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

**Section 18.** The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**Section 19.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED  
PUBLISHED** this 9<sup>th</sup> day of July, 2019.

---

Robert P. Muckle, Mayor

ATTEST:

---

Carol Hanson, Deputy City Clerk

APPROVED AS TO FORM:

---

Kelly PC, City Attorney

**PASSED AND ADOPTED ON SECOND AND FINAL READING, this 23<sup>rd</sup>**  
day of July, 2019.

\_\_\_\_\_  
Robert P. Muckle, Mayor

ATTEST:

\_\_\_\_\_  
Carol Hanson, Deputy City Clerk

**SUBJECT: EXCISE TAX FOR MARIJUANA CULTIVATION**

**DATE: APRIL 1, 2019**

**PRESENTED BY: NICK COTTON-BAEZ, CITY ATTORNEY'S OFFICE**

**SUMMARY:**

Attached is a table prepared by CML containing a summary of municipal marijuana taxation ballot measures from the fall of 2013 to the fall of 2018.

<b>Retail Marijuana Taxation Ballot Questions - through Fall 2018</b>		
<b>Municipality</b>	<b>Ballot Language</b>	<b>Pass/Fail; Y-N</b>
<b>FALL 2013</b>	<b>Sales Tax Measures</b>	
<b>CARBONDALE</b>	2C: SHALL THE TOWN OF CARBONDALE'S TAXES BE INCREASED BY \$394,875 IN THE FIRST FULL FISCAL YEAR, BEGINNING JANUARY 1, 2014, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND AN EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTNATION FACILITY TO A RETAIL MARIJUANA STORE OR RETAIL MARIJUANA PRODUCTS MANUFACTURER, WITH THE RESULTING SALES OR EXCISE TAX RATES CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY OTHER LIMITATIONS PROVIDED BY LAW, AND USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION, AND OTHER TOWN EXPENSES?	PASS, 1162-425
<b>DENVER</b>	Referred Question 2A "SHALL CITY TAXES BE INCREASED BY \$4.48 MILLION ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 3.5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER CITY EXPENSES, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 15%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW?"	PASS, 69%-31%

<b>FRASER</b>	<p>Referred Measure 2C          SHALL TOWN OF FRASER TAXES BE INCREASED BY \$100,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A RETAIL MARIJUANA TAX OF FIVE PERCENT (5%) ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF FRASER AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?</p>	PASS, 219-85
<b>LITTLETON</b>	<p>Ballot Issue 2E          SHALL CITY OF LITTLETON TAXES BE INCREASED BY AN ESTIMATED \$120,000 IN 2014 (THE FIRST FULL FISCAL YEAR) AND WHATEVER AMOUNTS MAY BE COLLECTED IN FUTURE YEARS BY ADDING A NEW CHAPTER 22 TO TITLE 3 OF THE CITY CODE OF THE CITY OF LITTLETON TO IMPOSE A TAX OF THREE PERCENT (3%) OF THE PURCHASE PRICE PAID OR CHARGED FOR SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN THE CITY OF LITTLETON IN ADDITION TO THE SALES TAX AND ANY OTHER STATE TAX IMPOSED ON SUCH SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS? AND SHALL ALL REVENUE RECEIVED FROM SUCH TAX INCREASE AND ANY INVESTMENT INTEREST THEREON BE A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	PASS, 63.8%-36.1%
<b>MANITOU SPRINGS</b>	<p>2A - CITY OF MANITOU SPRINGS          SHALL CITY OF MANITOU SPRINGS' TAXES BE INCREASED BY ONE HUNDRED TWENTY TWO THOUSAND DOLLARS (\$122,000.00) ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT BY THE CITY WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	PASS, 66%-33%

<b>MOUNTAIN VIEW</b>	<p>BALLOT ISSUE NO. 1          SHALL TOWN OF MOUNTAIN VIEW TAXES BE INCREASED \$100,000.00 ANNUALLY IN THE FIRST FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR BY THE IMPOSITION OF A 5% TAX ON THE PURCHASE OR SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, COMMENCING ON JANUARY 1, 2014, THE PROCEEDS OF SUCH TAX TO BE USED FOR POLICE PROTECTION, COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, AND RELATED SERVICES, AND SHALL THE PROCEEDS OF SUCH TAX AND INVESTMENT INCOME THEREON CONSTITUTE VOTER-APPROVED REVENUE CHANGES AND BE COLLECTED AND SPENT BY THE TOWN WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	<p>PASS, 86-34</p>
<b>NORTHGLENN</b>	<p>SHALL CITY OF NORTHGLENN TAXES BE INCREASED BY FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) ANNUALLY IN THE FIRST FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A NEW SALES TAX OF TWO PERCENT (2%) ON THE SALE OF RETAIL MARIJUANA AND MEDICAL MARIJUANA, AND RETAIL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO BE USED EXCLUSIVELY FOR THE CONSTRUCTION OF PUBLIC FACILITIES, INCLUDING, BUT NOT LIMITED TO, THE NORTHGLENN RECREATION CENTER, THE NORTHGLENN SENIOR CENTER, AND THE NORTHGLENN THEATRE AS A VOTER APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	<p>PASS, 6791-3926</p>
<b>RED CLIFF</b>	<p>2G: SHALL TOWN OF RED CLIFF TAXES BE INCREASED BY \$50,000.00 IN THE FISCAL YEAR COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014 AND BY SUCH AMOUNTS AS MAY BE COLLECTED ANNUALLY THEREAFTER BY THE IMPOSITION ON JANUARY 1, 2014 OF A NEW SALES TAX ON THE RETAIL SALE OF MARIJUANA, MARIJUANA PRODUCTS AND MARIJUANA ACCESSORIES BY LICENSED MARIJUANA ESTABLISHMENTS AT A RATE OF UP TO 5 PERCENT (5%), AND BY THE IMPOSITION ON JANUARY 1, 2014 OF A NEW EXCISE TAX ON THE SALE OF MARIJUANA BY A MARIJUANA CULTIVATION FACILITY TO ANOTHER LICENSED MARIJUANA ESTABLISHMENT AT A RATE OF UP TO 15 PERCENT (15%), WITH SUCH ADDITIONAL REVENUES AS ARE GENERATED BY THE NEW TAX TO BE COLLECTED, RETAINED AND SPENT FOR THE PURPOSE OF FUNDING MUNICIPAL SERVICES AND OPERATIONS AND/OR OTHER LAWFUL GENERAL MUNICIPAL PURPOSES, AS A VOTER APPROVED REVENUE CHANGE, OFFSET AND EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	<p>PASS, 53-27</p>

<b>Excise Tax Measures</b>		
<b>BOULDER</b>	<p>BALLOT ISSUE NO. 2A: RECREATIONAL MARIJUANA TAX</p> <p>SHALL CITY OF BOULDER TAXES BE INCREASED BY (\$3,360,000 FIRST FULL FISCAL YEAR DOLLAR INCREASE) ANNUALLY AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX OF 5 PERCENT IN 2014 AND UP TO 10 PERCENT THEREAFTER ON THE CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF TRANSFER FROM THE CULTIVATION FACILITY AND AN ADDITIONAL SALES AND USE TAX OF 3.5 PERCENT IN 2014 AND UP TO 10 PERCENT THEREAFTER ON RECREATIONAL MARIJUANA AS PROVIDED IN ORDINANCE NO. 7916 COMMENCING JANUARY 1, 2014 WITH SUFFICIENT REVENUES FROM THE EXCISE AND SALES AND USE TAX TO BE USED FOR PUBLIC SAFETY, ENFORCEMENT AND ADMINISTRATIVE PURPOSES AND FOR COMPREHENSIVE SUBSTANCE ABUSE PROGRAMS INCLUDING WITHOUT LIMITATION PREVENTION, TREATMENT, EDUCATION, RESPONSIBLE USE, INTERVENTION, AND MONITORING, WITH AN EMPHASIS ON YOUTH, AND WITH THE REMAINDER USED BY THE GENERAL FUND; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAXES AT SUCH RATES AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE CITY OF BOULDER UNDER ARTICLE X SECTION 20 OF THE COLORADO</p>	PASS, 18,461-9,295
<b>BRECKENRIDGE</b>	<p>2C: SHALL TOWN OF BRECKENRIDGE TAXES BE INCREASED BY SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) IN THE FISCAL YEAR COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2014, A NEW EXCISE TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE AND APPLICABLE TOWN ORDINANCES, AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, IN ACCORDANCE WITH ORDINANCE NO. 29, SERIES 2013, WHICH IS HEREBY APPROVED; AND SHALL THE REVENUE RECEIVED BY THE TOWN FROM THE COLLECTION OF SUCH NEW TAX BE USED TO PAY OR REIMBURSE THE TOWN FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE TOWN FOR ADEQUATE TRAINING, ENFORCEMENT, AND ADMINISTRATION OF ALL APPLICABLE MARIJUANA LAWS AND REGULATIONS, TO SUPPORT LOCAL DRUG AND ALCOHOL PROGRAMS AND FACILITIES, AND FOR OTHER GENERAL PURPOSES OF THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION ?</p>	PAS,S 73%-27%

<b>FRISCO</b>	<p>2A: SHALL TOWN OF FRISCO TAXES BE INCREASED BY TWO HUNDRED SEVENTYFIVE THOUSAND DOLLARS (\$275,000) IN THE FISCAL YEAR COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW EXCISE TAX, EFFECTIVE JANUARY 1, 2014, ON THE AUTHORIZED (UNDER STATE LAW) RETAIL SALE WITHIN THE TOWN OF MARIJUANA IN ANY FORM, INCLUDING BUT NOT LIMITED TO, A MARIJUANA PRODUCT AS DEFINED BY STATE LAW, AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OF THE MARIJUANA, IN ACCORDANCE WITH TOWN OF FRISCO ORDINANCE 13-_; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION ?</p>	PASS, 78%-22%
<b>SILVERTHORNE</b>	<p>2F: SHALL TOWN OF SILVERTHORNE TAXES BE INCREASED BY \$100,000.00 IN CALENDAR YEAR 2014 AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR, BY THE IMPOSITION OF AN EXCISE TAX ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS (AS SUCH ARE AUTHORIZED BY STATE LAW, (WITH THE EXCEPTION OF MEDICAL MARIJUANA AND PRODUCTS RELATED THERETO), COMMENCING JANUARY 1, 2014 AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER, WHICH TAX REVENUES SHALL BE EXPENDED FOR, BUT NOT BE LIMITED TO:</p> <ul style="list-style-type: none"> <li>• MENTAL HEALTH SUPPORT SERVICES WITHIN THE TOWN, AND</li> <li>• DUI ENFORCEMENT WITHIN THE TOWN,</li> </ul> <p>AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND SPEND THE REVENUES FROM SUCH TAX, INCLUDING ALL INTEREST DERIVED THEREFROM, WITHOUT REGARD TO THE REVENUE RAISING, DEBT LIMITATION OR OTHER RESTRICTIONS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?</p>	PASS, 72.1%-27.9%
<b>Occupation Tax Measures</b>		

<b>EAGLE</b>	2F: SHALL THE TOWN OF EAGLE'S TAXES BE INCREASED BY \$50,000.00 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX UP TO \$5.00 FOR EACH SALES TRANSACTION BY ANY RETAIL MARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF EAGLE, EFFECTIVE JANUARY 1, 2014; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW?	PASS, 1298-643
<b>SPRING 2014</b>		
	<b>Sales Tax Measures</b>	
<b>Black Hawk</b>	Ballot Issue #1: Shall City taxes be increased by imposing a new sales tax of 5% on sale of retail marijuana & medical marijuana and retail marijuana & medical marijuana products.	PASS, 40-4
<b>Silverton</b>	REFERRED MEASURE A SHALL THE TOWN OF SILVERTON'S TAXES BE INCREASED BY \$20,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 1% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER GENERAL PURPOSES OF THE TOWN, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 1%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER SPENDING, REVENUE-RAISING, OR OTHER LIMITATIONS PROVIDED BY LAW?	PASS, 348-64
	<b>Excise Tax Measures</b>	

<b>Dillon</b>	SHALL THE TOWN OF DILLON TAXES BE INCREASED BY ONE HUNDRED THOUSAND DOLLARS (\$100,000) IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING EFFECTIVE January 1, 2015, A NEW EXCISE TAX ON (1) the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility and (2) THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS permitted by Article XVIII, Section 16 of the Colorado Constitution but not on the sale of medical marijuana pursuant to Article XVIII, Section 14 of the Colorado Constitution, AT THE RATE OF FIVE PERCENT (which rate may be adjusted from time to time by the Council so long as it does not exceed five percent) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE COUNCIL; AND SHALL THE REVENUE RECEIVED BY THE TOWN FROM THE COLLECTION OF SUCH NEW TAX BE USED TO PAY OR REIMBURSE THE TOWN FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE TOWN FOR ADEQUATE TRAINING, ENFORCEMENT, AND ADMINISTRATION OF ALL APPLICABLE MARIJUANA LAWS AND REGULATIONS, TO SUPPORT LOCAL DRUG AND ALCOHOL PROGRAMS AND FACILITIES, AND FOR OTHER GENERAL PURPOSES OF THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 115-34
<b>Fruita</b>	Referred Issue B: SHALL THE CITY OF FRUITA'S TAXES BE INCREASED BY \$100,000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE), AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A MARIJUANA EXCISE TAX AT THE RATE OF 5% OF THE PRICE PAID FOR THE PURCHASE OF RETAIL MARIJUANA, RETAIL MARIJUANA PRODUCTS AND RETAIL MARIJUANA ACCESSORIES WITH SUCH REVENUE TO BE USED FOR ADDITIONAL COSTS INCURRED FOR ADEQUATE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, AND ADMINISTRATION OF RETAIL MARIJUANA REGULATIONS AND OTHER GENERAL PURPOSES OF THE CITY; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?	PASS, 1913-1425
<b>Larkspur</b>	SHALL THE TOWN OF LARKSPUR, COLORADO ENACT ORDINANCE 7.85 TO ADOPT AN ADULT USE MARIJUANA EXCISE TAX OF 5% ON THE PRICE PAID FOR RETAIL MARIJUANA, RETAIL MARIJUANA PRODUCTS, AND RETAIL MARIJUANA ACCESSORIES TO COVER THE COST OF ADMINISTRATIVE AND ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY AS ALLOWED UNDER AMENDMENT 64 OF THE COLORADO CONSTITUTION?	FAIL, 23-75

<p><b>Silverton</b></p>	<p>REFERRED MEASURE B</p> <p>SHALL THE TOWN OF SILVERTON TAXES BE INCREASED BY \$60,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A 3% WHOLESale EXCISE TAX ON ALL MARIJUANA WHOLESale TRANSACTIONS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL AND MEDICAL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER GENERAL PURPOSES OF THE TOWN, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHERVOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 3%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER SPENDING, REVENUE-RAISING, OR OTHER LIMITATIONS PROVIDED BY LAW?</p>	<p>PASS, 331-79</p>
<p><b>Occupation Tax Measures</b></p>		
<p><b>Mancos</b></p>	<p>SHALL THE TOWN OF MANCOS TAXES BE INCREASED BY \$50,000 IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2015. A NEW OCCUPATION TAX ON THE OCCUPATION OF SELLING WITHIN THE TOWN RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION (BUT NOT ON THE SALE OF MEDICAL MARIJUANA PURSUANT TO ARTICLE VIII, SECTION 14 OF THE COLORADO CONSTITUTION), SUCH TAX TO BE IMPOSED AT A MAXIMUM RATE OF TEN DOLLARS PER SINGLE RETAIL TRANSACTION FOR THE SALE OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS WITHIN THE TOWN (WHICH TAX MAY BE DJUSTED FROM TIME TO TIME BY THE BOARD OF TRUSTEES WITHOUT FURTHER ELECTIONS SO LONG AS IT DOES NOT EXCEED TEN DOLLARS PER RETAIL TRANSACTION) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES, ROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF THE SALE OF RETAIL MARIJUANA IS PERMITTED WITHIN THE TOWN, AND NOTHING HEREIN SHALL BE CONSTRUED AS APPROVING THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS; AND SHALL THE PROCEEDS OF ANY SUCH TAXES AND INVESTMENT INCOME THEREON BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE TOWN?</p>	<p>PASS, 206-66</p>

<b>Sedgwick</b>	<p>ISSUE 1A          SHALL TOWN OF SEDGWICK TAXES BE INCREASED BY \$1,000,000.00 (FIRST FULL FISCAL YEAR INCREASE) AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED EACH YEAR FROM THE LEVY OF AN OCCUPATION TAX AT A RATE OF \$5.00 PER SALES TRANSACTION BY ANY RETAIL MARIJUANA STORE WITHIN THE TOWN OF SEDGWICK, TO COMMENCE JULY 1, 2014, AND WITH ALL REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED, RETAINED AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	PASS, 27-4
<b>Sedgwick</b>	<p>ISSUE 2A          SHALL TOWN OF SEDGWICK TAXES BE INCREASED BY \$1,000,000.00 (FIRST FULL FISCAL YEAR INCREASE) AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED EACH YEAR FROM THE LEVY OF AN OCCUPATION TAX AT A RATE OF \$100.00 PER SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY ANY RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE TOWN OF SEDGWICK, TO COMMENCE JULY 1, 2014, AND WITH ALL REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED, RETAINED AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	PASS, 26-5
<b>Fall 2014</b>		
	<b>Sales Tax Measures</b>	
<b>Basalt</b>	<p>SHALL THE TOWN OF BASALT, COLORADO, ACTING THROUGH ITS TOWN COUNCIL, BEGINNING JANUARY 1, 2015, BE AUTHORIZED TO IMPOSE AN ADDITIONAL MUNICIPAL SALES TAX OF 5% ON THE SAMPLE SALES OF RETAIL MARIJUANA AND MARIJUANA PRODUCTS WITH THE RESULTING SALES TAX RATE CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE BASALT TOWN COUNCIL, WITH THE RESULTING TAX REVENUES TO BE COLLECTED AND SPENT TO PAY DIRECT AND INDIRECT EXPENSES RELATED TO THE LICENSING AND REGULATION OF THE RETAIL MARIJUANA INDUSTRY, ENFORCEMENT OF MARIJUANA LAWS IN GENERAL, EDUCATION AND PUBLIC HEALTH PROGRAMS TO MITIGATE ANY NEGATIVE CONSEQUENCES ASSOCIATED WITH THE CONSUMPTION OF MARIJUANA AND MARIJUANA PRODUCTS, PROGRAMS TO PREVENT THE ILLEGAL DIVERSION OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS TO PERSONS UNDER THE AGE OF TWENTY-ONE (21); AND TO OTHERWISE PAY THE EXPENSES OF OPERATING AND IMPROVING THE TOWN AND ITS FACILITIES?</p>	PASS, 970-375

<b>Federal Heights</b>	3) SHALL THE CITY OF FEDERAL HEIGHTS' TAXES BE INCREASED BY (\$300,000) ANNUALLY BEGINNING IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2015, AN ADDITIONAL SALES TAX AT THE RATE OF FIVE PERCENT UPON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE CITY AS LEGALIZED BY ARTICLE XVIII, SECTION 16, OF THE COLORADO CONSTITUTION (WHICH RATE MAY BE ADJUSTED, FROM TIME TO TIME BY CITY COUNCIL, UPON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHOUT FURTHER VOTER APPROVAL SO LONG AS SUCH RATE DOES NOT EXCEED TEN PERCENT) WITH SUCH SALES TAX TO BE IN ADDITION TO THE APPLICATION OF THE CITY'S SALES TAX AND THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF THE SALES TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, TO SUPPORT LOCAL DRUG EDUCATION PROGRAMS, PREVENTION OF UNDERAGE CONSUMPTION OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PURPOSES OF THE CITY, WITH THE REVENUE FROM SUCH TAX AND ANY EARNINGS FROM THE INVESTMENT THEREOF TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 1175-1052
<b>Gunnison</b>	SHALL THE CITY OF GUNNISON TAXES BE INCREASED BY \$150,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF AN ADDITIONAL SALES TAX IN THE AMOUNT OF FIVE PERCENT (5%) ON THE SALE OF MEDICAL MARIJUANA, MEDICAL MARIJUANA INFUSED PRODUCTS, RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AND AN EXCISE TAX IN THE AMOUNT OF FIVE PERCENT (5%) OF THE CASH VALUE OF THE TRANSACTION ON THE SALE BY A RETAIL MARIJUANA CULTIVATION FACILITY OR RETAIL MARIJUANA PRODUCTS MANUFACTURING FACILITY TO A LICENSED MARIJUANA ESTABLISHMENT OUTSIDE THE CITY OF GUNNISON, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX COLLECTED BE SPENT TO DEFRAY COSTS INCURRED IN REGULATING THE MARIJUANA INDUSTRY, FUNDING SOCIAL, RECREATIONAL, AND EDUCATIONAL PROGRAMS WITHIN THE COMMUNITY AS MAY BE DETERMINED BY THE CITY INCLUDING SUBSTANCE ABUSE PREVENTION, EDUCATION AND COUNSELING PROGRAMS, AND TO PROMOTE THE GENERAL PURPOSES OF THE CITY OF GUNNISON AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?	PASS, 974-472
<b>Hot Sulphur Springs</b>	SHALL TOWN OF HOT SULPHUR SPRINGS TAXES BE INCREASED BY \$60,000 ANNUALLY IN THE FIRST FISCAL YEAR COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, AND ONLY IN THE EVENT THAT THE TOWN BOARD OF TRUSTEES TAKES ACTION TO PERMIT THE RETAIL SALE OF MARIJUANA AND MARIJUANA INFUSED PRODUCTS WITHIN THE TOWN, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW SALES TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE AND APPLICABLE TOWN ORDINANCES, AT THE RATE OF TEN PERCENT (10%) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH IS HEREBY APPROVED; WITH THE RATE OF SUCH SALES TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 15%?	FAIL, 175-154

<p><b>Lyons</b></p>	<p>SHALL TOWN OF LYONS TAXES BE INCREASED BY \$95,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW SALES TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE AND APPLICABLE TOWN ORDINANCES, AT THE RATE OF THREE POINT FIVE PERCENT (3.5%) OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH IS HEREBY APPROVED; AND SHALL THE REVENUE RECEIVED BY THE TOWN FROM THE COLLECTION OF SUCH NEW TAX BE USED TO PAY OR REIMBURSE THE TOWN FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE TOWN FOR ADEQUATE TRAINING, ENFORCEMENT, AND ADMINISTRATION OF ALL APPLICABLE MARIJUANA LAWS AND REGULATIONS, TO SUPPORT LOCAL DRUG AND ALCOHOL PROGRAMS AND FACILITIES, AND FOR OTHER GENERAL PURPOSES OF THE TOWN, WITH THE RATE OF SUCH SALES TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 10%; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION ?</p>	<p>PASS, 548-154</p>
<p><b>Northglenn</b></p>	<p>SHALL CITY OF NORTHGLENN TAXES BE INCREASED BY FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) ANNUALLY IN THE FIRST FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A NEW SALES TAX OF TWO PERCENT (2%) ON THE SALE OF RETAIL MARIJUANA AND MEDICAL MARIJUANA, AND RETAIL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO BE USED EXCLUSIVELY FOR THE CONSTRUCTION OF PUBLIC FACILITIES, INCLUDING, BUT NOT LIMITED TO, THE NORTHGLENN RECREATION CENTER, THE NORTHGLENN SENIOR CENTER, AND THE NORTHGLENN THEATRE AS A VOTER APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	<p>PASS, 6791-3926</p>
<p><b>Ouray</b></p>	<p>SHALL CITY OF OURAY'S TAXES BE INCREASED BY FIFTY-THREE THOUSAND DOLLARS (\$53,000.00) IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT BY THE CITY WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	<p>PASS, 59-41%</p>

<p><b>Paonia</b></p>	<p>SHALL THE TOWN OF PAONIA TAXES BE INCREASED BY \$50,000.00 IN 2015 (THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW TAX ON (1) THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AND (2) THE SALE WITHIN THE TOWN OF PAONIA RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII , SECTION 16 OF THE COLORADO CONSTITUTION AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF EITHER OR BOTH TAXES BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED TEN PERCENT (10%), IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA ESTABLISHMENTS ARE PERMITTED WITHIN THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?</p>	<p>PASS, 481-286</p>
<p><b>Ramah</b></p>	<p>SHALL THE TOWN OF RAMAH TAXES BE INCREASED BY \$50,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW TAX ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION AT THE RATE OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED TEN PERCENT (10%), IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF RAMAH; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA ESTABLISHMENTS ARE PERMITTED WITHIN THE TOWN; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?</p>	<p>TIE, 28-28 (FAIL)</p>
<p><b>Trinidad</b></p>	<p>SHALL CITY OF TRINIDAD TAXES BE INCREASED BY \$100,000.00 (FIRST FISCAL YEAR DOLLAR INCREASE) IN THE FISCAL YEAR COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015 AND BY SUCH AMOUNTS AS MAY BE COLLECTED ANNUALLY THEREAFTER BY THE IMPOSITION ON JANUARY 1, 2015 OF A NEW SALES TAX ON THE RETAIL SALE OF MARIJUANA, MARIJUANA PRODUCTS AND MARIJUANA ACCESSORIES BY LICENSED MARIJUANA ESTABLISHMENTS AT A RATE OF FIVE PERCENT (5%), WITH SUCH ADDITIONAL REVENUES AS ARE GENERATED BY THE NEW TAX TO BE COLLECTED, RETAINED AND SPENT FOR THE PURPOSE OF FUNDING COMMUNITY DEVELOPMENT, PUBLIC SAFETY, YOUTH PROGRAMS, MUNICIPAL SERVICES AND OPERATIONS AND/OR OTHER LAWFUL GENERAL MUNICIPAL PURPOSES, AS A VOTER APPROVED REVENUE CHANGE, OFFSET AND EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	<p>PASS, 64%-36%</p>
<p><b>Excise Tax Measures</b></p>		

<b>Aurora</b>	SHALL AURORA'S TAXES BE INCREASED BY \$2,400,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF SUCH INCREASE AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER FROM THE IMPOSITION OF A 5.0% EXCISE TAX ON THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA THAT IS SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY AND AN ADDITIONAL 2.0% SALES AND USE TAX ON THE SALE AND USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF SUCH SALES AND USE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 10%, AND SHALL THE REVENUES FROM SUCH TAXES BE COLLECTED, RETAINED, AND SPENT AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, SECTION 11-27 OF THE AURORA CHARTER, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT AURORA'S REVENUES OR EXPENDITURES?	PASS, 53624-32124
<b>Canon City</b>	SHALL THE CITY OF CAÑON CITY TAXES BE INCREASED BY \$100,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW EXCISE TAX ON (1) THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AND (2) THE SALE WITHIN THE CITY OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION AT THE RATE OF FIVE PERCENT (5%) [ WHICH RATE MAY BE ADJUSTED FROM TIME TO TIME BY THE COUNCIL SO LONG AS IT DOES NOT EXCEED TEN PERCENT (10%) ] OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE COUNCIL OF CAÑON CITY; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF RETAIL MARIJUANA ESTABLISHMENTS ARE PERMITTED WITHIN THE CITY; AND SHALL THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF SUCH NEW TAX BE USED BY THE CITY TO MAINTAIN, REPAIR AND RECONSTRUCT PUBLIC STREETS WITHIN THE CITY; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 3801-2257
<b>De Beque</b>	SHALL THE TOWN OF DE BEQUE'S TAXES BE INCREASED BY \$300,000.00 IN CALENDAR YEAR 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT CALENDAR YEAR, BY THE IMPOSITION OF AN EXCISE TAX ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS SUCH ARE AUTHORIZED BY STATE LAW AND BY THE TOWN OF DE BEQUE, COMMENCING JANUARY 1, 2015, AT THE RATE OF FIVE PERCENT (5%) OF THE PURCHASE PRICE PAID BY EACH PURCHASER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE TOWN, WHETHER FROM THE SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AND/OR FROM THE SALE OF RETAIL MARIJUANA BY A RETAIL MARIJUANA STORE, AND SHALL ALL SUCH TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, NOT WITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN THE COLORADO CONSTITUTION OR OTHER APPLICABLE LAW?	PASS, 81-44

<b>Hot Sulphur Springs</b>	SHALL TOWN OF HOT SULPHUR SPRINGS TAXES BE INCREASED BY \$60,000 ANNUALLY IN THE FIRST FISCAL YEAR COMMENCING JANUARY 1, 2015, AND ENDING DECEMBER 31, 2015, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, AND ONLY IN THE EVENT THAT THE TOWN BOARD OF TRUSTEES TAKES ACTION TO PERMIT THE OPERATION OF RETAIL MARIJUANA CULTIVATION FACILITIES WITHIN THE TOWN, BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW EXCISE TAX OF 10% TO BE PAID TO THE TOWN WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A RETAIL MARIJUANA CULTIVATION FACILITY; WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 15%?	FAIL, 175-152
<b>Lafayette</b>	SHALL THE CITY OF LAFAYETTE TAXES BE INCREASED BY \$240,000 ANNUALLY BEGINNING IN 2015 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2015, A NEW EXCISE TAX UPON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE CITY AND UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE CITY, ALL AS LEGALIZED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, AT THE RATE OF FIVE PERCENT (WHICH RATE MAY BE ADJUSTED FROM TIME TO TIME BY THE CITY COUNCIL ON EITHER THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY OR UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS OR UPON BOTH SUCH SALES OR TRANSFERS WITHOUT FURTHER VOTER APPROVAL SO LONG AS SUCH RATE DOES NOT EXCEED TEN PERCENT), WITH SUCH EXCISE TAX TO BE IN ADDITION TO THE APPLICATION OF THE CITY'S SALES TAX, AND THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF THE EXCISE TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, TO SUPPORT LOCAL DRUG EDUCATION PROGRAMS, PREVENT UNDERAGE CONSUMPTION OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PURPOSES OF THE CITY, AND WITH THE REVENUE FROM SUCH TAX AND ANY EARNINGS FROM THE INVESTMENT THEREOF TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?	PASS, 4830-1741
<b>Pueblo</b>	SHALL THE CITY OF PUEBLO'S TAXES BE INCREASED BY \$ 986,249 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) BEGINNING JANUARY 1, 2015 AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF ORDINANCE NO. 8754 IMPOSING AN EXCISE TAX OF 8.0 % WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A RETAIL MARIJUANA CULTIVATION FACILITY AND BY IMPOSING AN ADDITIONAL SALES TAX OF 4.3 % ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITH THE RATE OF EITHER OR BOTH TAXES BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF EITHER TAX DOES NOT EXCEED 15.0 % AND SHALL ALL REVENUES DERIVED FROM SUCH TAXES BE COLLECTED, RETAINED AND SPENT, NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW, AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW AND ALLOWING SUCH REVENUE TO BE EXPENDED AS THE CITY COUNCIL SHALL DETERMINE?	FAIL, 52-48%

<b>Rifle</b>	SHOULD THE CITY OF RIFLE'S TAXES BE INCREASED BY \$250,000, BEGINNING JANUARY 1, 2015, AND BY SUCH AMOUNTS THAT ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX IN THE AMOUNT OF 5% OF THE MARKET RATE OF RETAIL MARIJUANA, UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA FROM A RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE CITY OF RIFLE TO A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, A RETAIL MARIJUANA STORE, ANOTHER RETAIL MARIJUANA CULTIVATION FACILITY OR ANY OTHER PURCHASER OR TRANSFEREE, WITHIN OR WITHOUT THE CITY OF RIFLE; WITH THE MARKET RATE OF MARIJUANA TO EQUAL, IN ANY EVENT, THE AVERAGE MARKET RATE FOR RETAIL MARIJUANA UNDER C.R.S. § 39-28.8-101, AS THAT CODE SECTION MAY BE AMENDED; WITH THE RESULTING TAX REVENUES TO BE COLLECTED BY THE CITY AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS, 1451-849
<b>Silver Plume</b>	SHALL THE TOWN OF SILVER PLUMES TAXES BE INCREASED BEGINNING IN CALENDAR YEAR 2015, BY IMPOSING A NEW EXCISE TAX EFFECTIVE JANUARY 1, 2015, ON THE SALE WITHIN THE TOWN OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS SUCH ARE AUTHORIZED BY STATE LAW, AT THE RATE OF FOUR PERCENT OF THE PRICE PAID BY THE PURCHASER OF THE RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE RATE OF TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 8% AND THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW?	PASS, 99-7
<b>Occupation Tax Measures</b>		
<b>Empire</b>	SHALL THE TOWN OF EMPIRE'S TAX REVENUE BE INCREASED BY AN ESTIMATED \$1000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX UP TO \$5.00 FOR EACH WHOLESALE TRANSACTION (NON-MEDICAL) OF MARIJUANA OR MARIJUANA PRODUCTS BY ANY ADULT USE MARIJUANA CENTER, MARIJUANA CULTIVATION FACILITY AND MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF EMPIRE, EFFECTIVE JANUARY 1, 2015; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW?	PASS, 70-35

<b>Palisade</b>	“SHALL THE TOWN OF PALISADE’S TAXES BE INCREASED BY \$200,000.00 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX IN THE AMOUNT OF \$5.00 FOR EACH SALES TRANSACTION THAT IS LESS THAN \$100.00, IN THE AMOUNT OF \$10.00 FOR EACH SALES TRANSACTION THAT IS \$100.00 OR OVER BUT LESS THAN \$500.00, AND IN THE AMOUNT OF \$25.00 FOR EACH SALES TRANSACTION THAT IS \$500.00 OR OVER INVOLVING THE SALE OR PURCHASE OF RETAIL MARIJUANA, RETAIL MARIJUANA PRODUCTS OR RETAIL MARIJUANA ACCESSORIES BY ANY RETAIL MARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF PALISADE, EFFECTIVE JANUARY 1, 2015; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW?	PASS, 60-40%
<b>Spring 2015</b>		
	There were no marijuana tax ballot actions in spring 2015 elections	
<b>Fall 2015</b>		
<b>COMMERCE CITY</b>	ISSUE NO.1SHALL THE CITY OF COMMERCE CITY TAXES BE INCREASED BY ONE HUNDRED THOUSAND DOLLARS IN THE FISCAL YEAR COMMENCING JANUARY 1, 2016, AND ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX ON THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS AS SUCH ARE AUTHORIZED BY STATE LAW COMMENCING JANUARY 1, 2016 AT THE RATE OF FIVE PERCENT OF THE PRICE PAID BY THE PURCHASER, IN ACCORDANCE WITH CITY ORDINANCE 2050; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 63-37%
<b>DENVER</b>	2B May the City and County of Denver retain and spend all 2014 revenues derived from the special retail marijuana sales tax as originally approved by the voters on November 5, 2013, and continue to impose and collect the tax to the full extent permitted by the original voter approval?	Pass 81-19%
<b>GEORGETOWN</b>	SHALL THE TOWN OF GEORGETOWN TAXES BE INCREASED BY \$100,000 IN 2016 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2016, A NEW OCCUPATION TAX ON THE OCCUPATION OF SELLING WITHIN THE TOWN RETAIL AND WHOLESALE MARIJUANA AND RETAIL AND WHOLESALE MARIJUANA PRODUCTS PERMITTED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, SUCH TAX TO BE IMPOSED AT A MAXIMUM RATE OF FIVE DOLLARS PER SINGLE RETAIL OR WHOLESALE TRANSACTION WITHIN THE TOWN (WHICH TAX MAY BE ADJUSTED FROM TIME TO TIME BY THE BOARD OF SELECTMEN WITHOUT FURTHER ELECTIONS SO LONG AS IT DOES NOT EXCEED FIVE DOLLARS PER TRANSACTION) IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER ADOPTED BY THE BOARD OF SELECTMEN; AND SHALL THE PROCEEDS OF ANY SUCH TAXES AND INVESTMENT INCOME THEREON BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?	Pass 52-48%

<b>HAYDEN</b>	REFERENDUM 2D SHALL THE TOWN OF HAYDEN'S TAXES BE INCREASED BY ONE HUNDRED FORTY THREE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$143,500) IN FISCAL YEAR 2016 (FIRST FULL FISCAL YEAR DOLLAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION OF AN EXCISE TAX IN THE AMOUNT OF SEVEN AND ONE-HALF PERCENT (7.5%) IN 2016 AND UP TO FIFTEEN PERCENT (15%) THEREAFTER ON THE SALE OR TRANSFER OF MARIJUANA (BOTH MEDICAL AND RETAIL) BY A MARIJUANA CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF SALE OR TRANSFER FROM THE CULTIVATION FACILITY, COMMENCING ON JANUARY 1, 2016; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAX AT SUCH RATE AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE TOWN OF HAYDEN UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 62-38%
<b>LEADVILLE</b>	2A SHALL CITY OF LEADVILLE TAXES BE INCREASED, COMMENCING JANUARY 1, 2018, BY \$150,000 ANNUALLY IN THE FIRST FISCAL YEAR ENDING DECEMBER 31, 2018, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A MARIJUANA CULTIVATION FACILITY; WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 10%, AND SHALL ALL REVENUES DERIVED FORM SUCH EXCISE TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTHWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?	Pass 61-39%
<b>LOG LANE VILLAGE</b>	2ASHALL THE TOWN OF LOG LANE VILLAGE'S TAXES BE INCREASED BY five hundred thousand (\$500,000) ANNUALLY IN FISCAL YEAR 2016 (FIRST FULL FISCAL YEAR DOLLAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION OF AN EXCISE TAX IN THE AMOUNT OF ONE AND ONE HALF PERCENT (1.5%) ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF SALE OR TRANSFER FROM THE CULTIVATION FACILITY, COMMENCING ON JANUARY1, 2016; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAX AT SUCH RATE AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVEDREVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE TOWNOF LOG LANE VILLAGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 58-42%

<b>LYONS</b>	2B SHALL TOWN OF LYONS TAXES BE INCREASED, COMMENCING JANUARY 1, 2016, BY \$270,000.00 ANNUALLY IN THE FIRST FISCAL YEAR ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, A NEW EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE WHEN RETAIL MARIJUANA IN ANY FORM IS FIRST SOLD OR TRANSFERRED BY A MARIJUANA CULTIVATION FACILITY OR MARIJUANA INFUSED PRODUCTS FACILITY; WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF SUCH TAX DOES NOT EXCEED 10%, AND SHALL ALL REVENUES DERIVED FROM SUCH EXCISE TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?	Pass 65-35%
<b>MANITOU SPRINGS</b>	2E SHALL THE CITY OF MANITOU SPRINGS, COLORADO BE PERMITTED TO RETAIN AND EXPEND \$ 57,993 IN EXCESS REVENUE RECEIVED BY THE CITY FROM THE CITY'S SPECIAL RETAIL MARIJUANA SALES TAX AS ORIGINALLY APPROVED BY THE VOTERS ON NOVEMBER 5, 2013, WHICH EXCESS REVENUE WOULD OTHERWISE BE REFUNDED BY A TEMPORARY REDUCTION IN THE CITY'S SPECIAL RETAIL MARIJUANA TAX, PURSUANT TO THE REQUIREMENTS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 84-16%
<b>MILLIKEN (measure to allow failed)</b>	Ballot Issue 2J SHALL THE TOWN OF MILLIKEN'S TAXES BE INCREASED BY \$50,000.00 BEGINNING IN 2016 (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX UP TO \$10.00 FOR EACH SALES TRANSACTION BY ANY RETAILMARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29 OF THE COLORADO REVISED STATUTES OR ANY OTHER LAW?	Pass 54-46%
<b>MOUNTAIN VIEW</b>	2A SHALL THE TOWN OF MOUNTAIN VIEW RETAIN THE EXCESS REVENUE RECEIVED BY THE TOWN FOR FISCAL YEAR 2014 FROM THE TOWN'S RETAIL MARIJUANA SALES TAX AS ORIGINALLY APPROVED BY THE VOTERS ON NOVEMBER 5, 2013, AND SHALL SUCH RETAINED TAXES AND ANY INVESTMENT INCOME THEREON CONSTITUTE VOTER-APPROVED REVENUE CHANGES AND BE COLLECTED AND SPENT BY THE TOWN WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 71-29%

<b>PARACHUTE</b>	SHALL THE TOWN OF PARACHUTE'S TAXES BE INCREASED BY \$200,000.00 IN THE FIRST FULL FISCAL YEAR, BEGINNING JANUARY 1, 2016, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 5% ON UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA STORE, RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, OR OTHER RETAIL MARIJUANA CULTIVATION FACILITY, WITH THE RESULTING EXCISE TAX RATE CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED, RETAINED AND SPENT BY THE TOWN AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 107-57
<b>PUEBLO</b>	QUESTION NO. 2B (EXCISE TAX ON MARIJUANA CULTIVATORS) SHALL THE CITY OF PUEBLO'S TAXES BE INCREASED BY \$850,000 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) BEGINNING JANUARY 1, 2016 AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF ORDINANCE NO. 8903 IMPOSING AN EXCISE TAX OF 8.0 % WHEN UNPROCESSED RETAIL MARIJUANA IS FIRST SOLD OR TRANSFERRED BY A RETAIL MARIJUANA CULTIVATION FACILITY WITH THE RATE OF THE TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 15.0 % AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED, RETAINED AND SPENT, NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW, AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW AND ALLOWING SUCH REVENUE TO BE EXPENDED AS THE CITY COUNCIL SHALL DETERMINE?	Pass 12750-8737
<b>SOUTH FORK (measure to allow failed)</b>	2. SHALL THE TOWN OF SOUTH FORK TAXES BE INCREASED BY AN ESTIMAED FIFTY THOUSAND DOLLARS (\$50,000.00) PER YEAR COMMENCING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF FIVE PERCENT (5%) OF THE PRICE PAID BY THE PURCHASER OF ANY MARIJUANA PRODUCT EFFECTIVE JANUARY 1, 2016, ON THE AUTHORIZED (UNDER STATE LAW) RETAIL SALE OF MARIJUANA WITHIN THE TOWN OF SOUTH FORK IN ANY FORM, INCLUDING BUT NOT LIMITED TO, MARIJUANA PRODUCTS AS DEFINED BY STATE LAW, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED TEN PERCENT (10%) AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 126-82

<b>STERLING</b>	IF BALLOT QUESTION NO. 300 APPROVING THE ALLOWANCE OF THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, AND RETAIL MARIJUANA STORES IN THE CITY OF STERLING, IS PASSED BY THE VOTERS, SHALL CITY OF STERLING TAXES BE INCREASED BY \$600,000.00 FOR THE FIRST FULL FISCAL YEAR (2016), AND ANNUALLY THEREAFTER BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN EXCISE TAX OF 15 PERCENT IN 2016, AND THEREAFTER ON THE CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF TRANSFER FROM THE CULTIVATION FACILITY, AND AN ADDITIONAL SALES AND USE TAX OF 5 PERCENT IN 2016, AND THEREAFTER, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10 PERCENT ON RECREATIONAL MARIJUANA AS PROVIDED IN SAID BALLOT QUESTION NO. 300, WITH THE RESULTING REVENUES FROM THE EXCISE AND SALES AND USE TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT COSTS INCURRED OR EXPENDED BY THE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PURPOSES OF THE CITY; AND IN CONNECTION THEREWITH, SHALL THE FULL PROCEEDS OF SUCH TAXES AT SUCH RATES AND ANY EARNINGS THEREON BE COLLECTED, RETAINED, AND SPENT, AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION, RETENTION, OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY THE CITY OF STERLING UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Fail 1375-1173
<b>Spring 2016</b>		
<b>BLANCA</b>	SHALL THE TOWN OF BLANCA'S TAXES BE INCREASED BY \$50,000 IN THE FIRST FULL FISCAL YEAR, BEGINNING MAY 1, 2016, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 5.0% OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA STORE OR RETAIL MARIJUANA PRODUCTS MANUFACTURER, WITH THE RESULT CAPABLE OF BEING INCREASED, LOWERED OR REVOKED AT THE SOLE DISCRETION OF THE BOARD OF TRUSTEES OF THE TOWN OF BLANCA SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 5.0 %, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT TO FUND THE ENFORCEMENT OF REGULATIONS ON THE MARIJUANA CULTIVATION AND INFUSED PRODUCT INDUSTRY AND FOR THE PURPOSE OF FUNDING MUNICIPAL SERVICES AND OTHER MUNICIPAL PURPOSES, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY OTHER LIMITATIONS PROVIDED BY LAW OR CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 33-8

<b>CRESTONE</b>	SHALL THE TOWN OF CRESTONE 'S TAXES BE INCREASED BY AN ESTIMATED FIFTY THOUSAND DOLLARS (\$50,000) PER YEAR COMMENCING APRIL 5, 2016 AND ENDING DECEMBER 31, 2016, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, THROUGH THE ADOPTION OF A RETAIL MARIJUANA STORE TAX AT THE RATE OF 5% ON THE PRICE PAID FOR THE PURCHASE OF RETAIL MARIJUANA AND MARIJUANA INFUSED PRODUCTS, WITH SUCH REVENUE TO BE USED FOR THE ADDITIONAL COSTS INCURRED FOR ADEQUATE ENFORCEMENT AND ADMINISTRATION OF RETAIL MARIJUANA REGULATIONS AND OTHER GENERAL PURPOSES OF THE TOWN; AND SHALL ALL REVENUES DERIVED FROM SUCH RETAIL MARIJUANA TAX BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE , NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	Pass 30-13
<b>HOTCHKISS (measure to allow failed)</b>	2C BEGINNING JANUARY 1 017, SHALL THE TOWN OF HOTCHKISS TAXES BE INCREASE BY ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF TWO PERCENT (2%) ON THE SALE OF RETAIL AND MEDICAL MARIJUANA AND RETAIL AND MEDICAL MARIJUANA PRODUCTS, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED TEN PERCENT(10%), ONLY IN THE EVENT THAT SUCH FACILITIES ARE PERMITTED IN THE TOWN OF HOTCHKISS BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THE TOWN OF HOTCHKISS, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT BY THE TOWN OF HOTCHKISS WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 185-102
<b>PONCHA SPRINGS (measure to allow failed)</b>	SHALL THE TOWN OF PONCHA SPRINGS TAXES BE INCREASED BY \$50,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF AN ADDITIONAL SALES TAX IN THE AMOUNT OF FIVE PERCENT (5%) ON THE SALE OF MEDICAL MARIJUANA, MEDICAL MARIJUANA INFUSED PRODUCTS, RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AND AN EXCISE TAX IN THE AMOUNT OF FIVE PERCENT (5%) ON THE CASH VALUE OF THE TRANSACTION ON THE SALE BY A RETAIL MARIJAUNA PRODUCTS MANUFACTURING FACILITY TO A LICENSED MARIJUANA ESTABLISHMENT OUTSIDE THE TOWN OF PONCHA SPRINGS, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX COLLECTED BE SPENT TO DEFRAY COSTS INCURRED IN REGULATING THE MARIJUANA INDUSTRY, FUNDING SOCIAL, RECREATIONAL, AND EDUCATIONAL PROGRAMS WITHIN THE COMMUNITY AS MAY BE DETERMINED BY THE TOWN INCLUDING SUBSTANCE ABUSE PREVENTION, EDUCATION AND COUNSELING PROGRAMS, AND TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF PONCHA SPRINGS AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION?	Pass 138-102

<b>SEDGWICK</b>	SHALL TOWN OF SEDGWICK TAXES BE INCREASED BY \$500,000 (FIRST FULL FISCAL YEAR INCREASE) AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED EACH YEAR THROUGH THE IMPOSITION OF AN EXCISE TAX IN THE AMOUNT OF TWO PERCENT (2%) ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY AT THE AVERAGE MARKET RATE AT THE POINT OF SALE OR TRANSFER FROM THE CULTIVATION FACILITY, COMMENCING ON JULY 1, 2016, WHICH IF APPROVED, SHALL REPLACE THE OCCUPATION TAX LEVIED ON SALES OR TRANSFERS OF RETAIL MARIJUANA BY RETAIL MARIJUANA CULTIVATION FACILITIES, AND WITH ALL REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED, RETAINED AND SPENT FOR ANY LAWFUL MUNICIPAL PURPOSE; AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH EXCISE TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Pass 29-3
<b>SILVER CLIFF (measure to allow failed)</b>	Issue B: SHALL THE TAXES OF THE TOWN OF SILVER CLIFF BE INCREASED BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF 10 % ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AND AN EXCISE TAX OF 10 % OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA FACILITY OR MARIJUANA PRODUCT MANUFACTURING FACILITY, ONLY IN THE EVENT THAT SUCH FACILITIES ARE PERMITTED IN THE TOWN OF SILVER CLIFF BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THE TOWN OF SILVER CLIFF, WITH THE RESULTING SALES OR EXCISE TAX RATES BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE TOWN OF SILVER CLIFF BOARD OF TRUSTEES, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY OTHER LIMITATIONS PROVIDED BY LAW?	Pass 164-115
<b>Fall 2016</b>		
	<b>SALES TAX</b>	
<b>CENTRAL CITY</b>	Ballot Question 1C: SHALL CITY OF CENTRAL CITY TAXES BE INCREASED BY AN ESTIMATED \$130,000 IN 2017 (THE FIRST FULL FISCAL YEAR) AND WHATEVER AMOUNTS MAY BE COLLECTED IN FUTURE YEARS BY ADDING A NEW ARTICLE XI TO CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF CENTRAL CITY TO IMPOSE A TAX OF FIVE PERCENT (5%) OF THE PURCHASE PRICE PAID OR CHARGED FOR SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN THE CITY OF CENTRAL CITY IN ADDITION TO THE SALES TAX AND ANY OTHER STATE TAX IMPOSED ON SUCH SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS? AND SHALL ALL REVENUE RECEIVED FROM SUCH TAX INCREASE AND ANY INVESTMENT INTEREST THEREON BE A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS 239 - 172

<b>ENGLEWOOD</b>	BALLOT QUESTION 2B: SHALL CITY OF ENGLEWOOD TAXES BE INCREASED BY \$512,500 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 3.5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND ANY LAWFUL GOVERNMENTAL PURPOSE DETERMINED BY THE CITY COUNCIL WITH THE RATE OF TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 15% AND THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW?	FAIL 6,084 - 6,802
	<b>OCCUPATION TAX</b>	
<b>DINOSAUR</b>	Referred Measure 3B SHALL THE TOWN OF DINOSAUR'S TAXES BE INCREASED BY \$40,000.00 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE LEVY OF AN OCCUPATION TAX IN THE AMOUNT OF \$5.00 FOR EACH SALES TRANSACTION BY ANY MEDICAL MARIJUANA CENTER, ALSO KNOWN AS A MEDICAL MARIJUANA DISPENSARY, ANY RETAIL MARIJUANA STORE, ANY MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION, ANY MEDICAL AND RETAIL MARIJUANA-INFUSED PRODUCTS MANUFACTURER, ANY MEDICAL MARIJUANA CULTIVATION FACILITY, ANY MEDICAL AND RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN OF DINOSAUR, EFFECTIVE JANUARY 1, 2017; AND SHALL ALL REVENUES DERIVED FROM SUCH OCCUPATION TAX BE COLLECTED AND SPENT, AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES OR ANY OTHER LAW? Yes No	PASS 89 - 63
	<b>EXCISE TAX</b>	
<b>DINOSAUR</b>	SHALL THE TOWN OF DINOSAUR'S TAXES BE INCREASED BY \$50,000.00 ANNUALLY (FULL FISCAL YEAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE ADOPTION OF A MUNICIPAL EXCISE TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, A RETAIL MARIJUANA STORE, OR ANOTHER RETAIL MARIJUANA CULTIVATION FACILITY AT A RATE NOT TO EXCEED FIVE PERCENT (5%) OF THE AVERAGE MARKET RATE AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE PURSUANT TO SECTION 39-28.8-101(1). C.R.S. OF THE UNPROCESSED RETAIL MARIJUANA, ALL IN ACCORDANCE WITH SECTION 29-2-114 C.R.S., AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUES AS A VOTER APPROVED REVENUE CHANGE, NOT WITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	PASS 84 - 65

<b>PALISADE</b>	REFERRED MEASURE 2A: SHALL THE TOWN OF PALISADE'S TAXES BE INCREASED BY \$300,000 ANNYALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE ADOPTION OF A MUNICIPAL EXCISE TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, A RETAIL MARIJUANA STORE, OR ANOTHER RETAIL MARIJUANA CULTIVATION FACILITY AT A RATE NOT TO EXCEED FIVE PERCENT (5%) OF THE AVERAGE MARKET RATE AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE PURSUANT TO SECTION 39-28.8-101(1), C.R.S. OF THE UNPROCESSED RETAIL MARIJUANA, ALL IN ACCORDANCE WITH SECTION 29-2-114, C.R.S., AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUES AS A VOTER APPROVED REVENUE CHANGE, NOT WITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	PASS 732 - 567
<b>FLORENCE</b>	BALLOT QUESTION 2C: UP TO 5.0% ON UNPROCESSED RETAIL MARIJUANA SHALL CITY OF FLORENCE TAXES BE INCREASED BY \$1,200,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY THE CITY LEVYING, COLLECTING AND ENFORCING AN EXCISE TAX, ON UNPROCESSED RETAIL MARIJUANA, UP TO FIVE PERCENT (5.0 %) OF THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA (AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE) ON THE DATE THAT IT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA STORE, A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, OR ANOTHER RETAIL MARIJUANA CULTIVATION FACILITY, WITH THE RESULTING REVENUES COLLECTED AND SPENT TO DEFER GENERAL AND CAPITAL IMPROVEMENT PROJECT EXPENSES OF THE CITY, NOTWITHSTANDING ANY LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW? YES NO	PASS 1,045 - 712
<b>NUNN</b>	SHALL THE TOWN OF NUNN TAXES BE INCREASED BY \$165,000 ANNUALLY IN 2017, THE FIRST FULL FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER THROUGH THE ADOPTION OF AN EXCISE TAX OF 5% ON THE PRICE RECEIVED FOR THE WHOLESALE SALE OF UNPROCESSED MARIJUANA BY A "MARIJUANA CULTIVATION FACILITY" AS DEFINED BY TOWN OF NUNN ORDINANCE NUMBER 2016-295 WHEN UNPROCESSED MARIJUANA IS SOLD OR TRANSFERRED FROM WITHIN THE CORPORATE LIMITS OF THE TOWN OF NUNN BY A MARIJUANA CULTIVATION FACILITY FOR RESALE, WITH THE TAX REVENUES TO BE USED FOR THE PURPOSE OF FUNDING ADDITIONAL COSTS INCURRED BY THE TOWN OF NUNN, INCLUDING ADDITIONAL FACILITIES, EQUIPMENT, AND PERSONNEL NEEDED, DUE TO OPERATIONS OF MARIJUANA CULTIVATION FACILITIES WITHIN THE TOWN OF NUNN AND FOR THE PURPOSE OF FUNDING THE TOWN OF NUNN'S GENERAL OPERATIONS, INCLUDING PUBLIC SAFETY, MUNICIPAL SERVICES, TRANSPORTATION AND OTHER PUBLIC IMPROVEMENTS, PARK AND RECREATIONAL FACILITIES, POLICE SERVICES, AND ANY OTHER LAWFUL PUBLIC PURPOSE OF THE TOWN OF NUNN; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTIUTIONS?	PASS 131 - 103

<b>PALMER LAKE</b>	BALLOT QUESTION 300: SHALL THE TOWN OF PALMER LAKE TAXES BE INCREASED BY FIVE HUNDRED THOUSAND DOLLARS (\$500,000) IN THE FIRST FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL (RECREATIONAL) MARIJUANA AND RETAIL (RECREATIONAL) PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10%, PROVIDED THAT THE RATE SHALL NOT EXCEED 7% ON OR BEFORE JANUARY 1, 2019, WITH THE REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED AND SPENT TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF PALMER LAKE AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	PASS 867 - 721
<b>PARACHUTE</b>	BALLOT QUESTION 2E: SHALL THE TOWN OF PARACHUTE'S TAXES BE INCREASED BY \$500,000.00 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2017, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX OF 5% ON THE MANUFACTURING OF RETAIL AND MEDICAL MARIJUANA AND THE CULTIVATION OF UNPROCESSED MEDICAL MARIJUANA, WHEN ANY SUCH PRODUCT IS FIRST SOLD OR TRANSFERRED FROM A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY TO A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY TO A RETAIL MARIJUANA STORE, OTHER RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, OTHER RETAIL MARIJUANA CULTIVATION FACILITY, OR ANY OTHER PURCHASER OR TRANSFEREE, AND WHEN SUCH PRODUCT IS FIRST SOLD OR TRANSFERRED FROM A MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER OR OPTIONAL PREMISES CULTIVATION OPERATION TO A MEDICAL MARIJUANA CENTER, OTHER MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER, OTHER OPTIONAL PREMISES CULTIVATION OPERATION, OR ANY OTHER PURCHASER OR TRANSFEREE, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED, RETAINED AND SPENT BY THE TOWN AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	PASS 204 -165
<b>Spring 2017</b>		
<b>GLENWOOD SPRINGS</b>	GLENWOOD ISSUE 1: SHALL CITY TAXES BE INCREASED BY \$500,000 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER CITY EXPENSES, WITH THE RATE OF TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 15%, AND WITH THE RESULTING TAX REVENUES TO BE COLLECTED BY THE CITY AS A VOTER APPROVED REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?	<b>YES: 1,205</b> NO: 813

	<p>GLENWOOD ISSUE 2: SHOULD THE CITY OF GLENWOOD SPRINGS'S TAXES BE INCREASED BY \$500,000.00, BEGINNING JULY 1, 2017, AND BY SUCH AMOUNTS THAT ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX IN THE AMOUNT OF 5% OF THE MARKET RATE OF RETAIL MARIJUANA UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA FROM A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, CULTIVATION FACILITY, OR TESTING FACILITY TO A RETAIL MARIJUANA STORE OR ANOTHER RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, CULTIVATION FACILITY, OR TESTING FACILITY OR ANY OTHER PURCHASER OR TRANSFEREE, WITHIN OR WITHOUT THE CITY OF GLENWOOD SPRINGS; WITH THE MARKET RATE OF MARIJUANA TO EQUAL, IN ANY EVENT, THE AVERAGE MARKET RATE FOR RETAIL MARIJUANA UNDER C.R.S. § 39-28.8-101, ET SEQ., AS THAT CODE SECTION MAY BE AMENDED; WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS OF THE RETAIL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER CITY EXPENSES, AND WITH THE RESULTING TA REVENUES TO BE COLLECTED BY THE CITY AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY APPLICABLE REVENUE OR EXPENDITURE LIMITATION IMPOSED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?</p>	<p><b>YES: 1,260</b> NO: 764</p>
<p><b>FALL 2017</b></p>		
<p>Alamosa</p>	<p>SHALL THE TAXES OF THE CITY OF ALAMOSA BE INCREASED BY \$ 300,000 IN THE FIRST FISCAL YEAR, BEGINNING JANUARY 1, 2018, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF 5 % ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, ONLY IN THE EVENT THAT RETAIL MARIJUANA FACILITIES ARE PERMITTED IN THE CITY OF ALAMOSA BASED UPON AN AFFIRMATIVE VOTE OF THE QUALIFIED ELECTORS OF THE CITY OF ALAMOSA UNDER SEPARATE BALLOT QUESTION, WITH THE RESULTING SALES TAX RATES BEING CAPABLE OF BEING LOWERED OR REVOKED IN THE SOLE DISCRETION OF THE ALAMOSA CITY COUNCIL, WITH THE RESULTING TAX REVENUES ALLOWED TO BE COLLECTED AND SPENT, NOTWITHSTANDING ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION ANY OTHER LIMITATIONS PROVIDED BY LAW?</p>	<p>Pass Yes: 1,331 No: 828</p>

Berthoud	<p>SHALL THE TOWN OF BERTHOUD TAXES BE INCREASED BY \$100,000 .00 OR SUCH GREATER OR LESSER AMOUNT WHICH MAY ACTUALLY BE RECEIVED IN THE CALENDAR YEAR 2018 AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR, BY THE IMPOSITIONS OF A SALES AND EXCISE TAX ON THE RETAIL SALE OF MARIJUANA AND MARIJUANA PRODUCTS (AS SUCH ARE AUTHORIZED BY STATE LAW, WITH THE EXCEPTION OF MEDICAL MARIJUANA AND PRODUCTS RELATED THERETO), COMMENCING JANUARY 1, 2018 OR AT SUCH LATER TIME AS SUCH SALES MAY BE AUTHORIZED BY THE BOARD OF TRUSTEES OR VOTERS OF THE TOWN, AT THE RATE OF SEVEN PERCENT (7%) OF THE PRICE PAID BY THE PURCHASER IN ADDITION TO THE REGULAR MUNICIPAL SALES TAX, WHICH TAX REVENUES SHALL BE EXPENDED TO PROMOTE YOUTH ACTIVITIES AND SERVICES , STREETS &amp; SIDEWALKS, LAW ENFORCEMENT, AND PARKS &amp; RECREATIONAL PURPOSES OF THE TOWN, AND SHALL THE TOWN BE PERMITTED TO COLLECT, RETAIN AND SPEND THE REVENUES FROM SUCH TAX, INCLUDING ALL INTEREST DERIVED THEREFROM, WITHOUT REGARD TO THE REVENUE RAISING, DEBT LIMITATION OR OTHER RESTRICTIONS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?</p>	<p>Pass Yes: 1,149 No: 518</p>
Commerce City	<p>SHALL THE CITY OF COMMERCE CITY'S TAXES BE INCREASED BY \$900,000.00 IN THE FIRST FULL FISCAL YEAR (BEGINNING JANUARY 1, 2018), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, IMPOSING AN ADDITIONAL FIVE PERCENT (5%) EXCISE TAX ON THE WHOLESALE TRANSFER OF MARIJUANA AND MARIJUANA PRODUCTS FROM OR TO A MARIJUANA BUSINESS IN THE CITY, INCLUDING TRANSFERS BY THE SAME BUSINESS BETWEEN LICENSES, ASSESSED ON THE AVERAGE MARKET RATE OF UNPROCESSED MARIJUANA NOT FOR RETAIL SALE (FOR MARIJUANA) AND ON THE GREATER OF THE PRICE PAID BY THE PURCHASER OR THE CASH VALUE OF MARIJUANA PRODUCTS (FOR MARIJUANA PRODUCTS), WITH THE RATE OF SUCH EXCISE TAX BEING ALLOWED TO INCREASE OR DECREASE BY ORDINANCE APPROVED BY THE CITY COUNCIL WITHOUT FURTHER VOTER APPROVAL BUT NOT TO A RATE OF MORE THAN TEN PERCENT (10%); AND SHALL THE VOTERS' AUTHORIZATION FOR AN EXCISE TAX APPROVED IN 2015 BE REPEALED; AND SHALL THE REVENUES FROM SUCH TAXES, PLUS INTEREST EARNED THEREON, BE COLLECTED, RETAINED, AND SPENT FOR PURPOSES OF PUBLIC SAFETY AND AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO ANY AND ALL LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION AND ANY OTHER LAW WHICH PURPORT TO LIMIT COMMERCE CITY'S REVENUE OR EXPENDITURES?</p>	<p>Pass Yes: 3,610 No: 3,184</p>

De Beque	SHALL THE TOWN OF DE BEQUE’S TAXES BE INCREASED BY \$500,000.00 (FIRST FULL FISCAL YEAR INCREASE), AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A NEW SALES TAX ON THE SALE OF MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS COMMENCING JANUARY 1, 2018, AT THE RATE OF FIVE PERCENT (5%) OF THE PURCHASE PRICE OF MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS WITHIN THE TOWN, WHICH NEW SALES TAX SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES, AND SHALL ALL SUCH TAX REVENUES BE COLLECTED, RETAINED, AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN THE COLORADO CONSTITUTION OR OTHER APPLICABLE LAW?	Pass Yes: 76 No: 47
Dinosaur	Shall the Town of Dinosaur's taxes be increased by \$200,000.00 annually (first full fiscal year increase) and by whatever additional amounts are raised annually thereafter, by imposing a tax of 5% commencing January 1, 2018 on the sale of retail marijuana and retail marijuana products and shall the Town of Dinosaur's occupation tax on retail marijuana stores set forth in Ordinance No. 5-17, Series of 2017, be repealed; and shall the town be authorized to collect and spend such revenues as a voter approved revenue change, notwithstanding any revenue or expenditure limitation contained in Article X, Section 20 of the Colorado Constitution, or any other law as it currently exists or as it may be amended in the future and without limiting in any year the amount of other revenues that may be collected and spent by the Town of Dinosaur?	Pass Yes: 53 No: 26
Eagle	SHALL THE TOWN OF EAGLE’S TAXES BE INCREASED BY \$200,000.00 ANNUALLY (FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A TAX OF 2.5% COMMENCING JANUARY 1, 2018 ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND AN EXCISE TAX OF 2.5% COMMENCING JANUARY 1, 2018 ON THE AVERAGE MARKET RATE OR OTHER CALCULATION METHOD ALLOWED BY LAW OF UNPROCESSED RETAIL MARIJUANA UPON THE FIRST SALE OR TRANSFER BY A RETAIL MARIJUANA CULTIVATION FACILITY, WITH BOTH RATES BEING ALLOWED TO INCREASE .5% EACH YEAR THEREAFTER WITHOUT FURTHER VOTER APPROVAL SO LONG AS EACH RATE DOES NOT EXCEED 5%; AND SHALL THE TOWN OF EAGLE’S OCCUPATION TAX ON RETAIL MARIJUANA BUSINESSES SET FORTH IN CHAPTER 5.16 OF THE EAGLE MUNICIPAL CODE BE REPEALED; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUES AS A VOTER APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW AS IT CURRENTLY EXISTS OR AS IT MAY BE AMENDED IN THE FUTURE AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE TOWN OF EAGLE?	Pass Yes: 1,096 No: 710

Federal Heights	Shall the City of Federal Heights taxes be increased by \$750,000.00 annually beginning in 2018 (first fiscal year increase) and by whatever additional amounts are raised annually thereafter by imposing, effective January 1, 2018, a new excise tax upon the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility within the City, as legalized by Article XVIII, Section 16 of the Colorado Constitution, at the rate of 5% (which rate may be adjusted from time to time by the city council without further voter approval so long as such rate doesn't exceed 10%), with such excise tax to be in addition to the application of the City's sales tax, and the revenue received by the city from the collection of excise tax to be used to pay or reimburse the city for direct and indirect costs incurred or expended by the City related to the regulation of the use of retail marijuana and retail marijuana products, to support local drug education programs, prevent underage consumption of retail marijuana and retail marijuana products, and for other general purposes of the city, and with the revenue from such tax and any earnings from the investment thereof to be collected and spent as a voter approved revenue change under Article X Section 20 of the Colorado Constitution?	Pass Yes: 584 No: 429
Foxfield	SHALL TOWN OF FOXFIELD TAXES BE INCREASED BY FOUR HUNDRED THOUSAND DOLLARS (\$400,000) ANNUALLY IN THE FIRST FISCAL YEAR (2018), AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND GENERAL GOVERNMENT EXPENSES AS DETERMINED BY THE BOARD OF TRUSTEES, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 15%, AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20, OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?	Fail Yes: 152 No: 208
Log Lane Village	Shall taxes of the Town of Log Lane Village be increased by an estimated \$20,000.00 in the first fiscal year, beginning January 1, 2018, and by such amounts that are raised annually thereafter, by imposing an additional excise tax of 3.5% of the average market rate on the sale or transfer of unprocessed retail marijuana by a duly licensed retail marijuana cultivation facility within the Town of Log Lane Village, for a total excise of 5% on such sales and transfers of the average market rate, with the rate of such excise tax being allowed to be decreased or increased without further voter approval so long as the rate of the tax does not exceed 5% , and with the resulting excise tax revenue being allowed to be collected and spent by the City without regard to any expenditure, revenue raising or other limitation contained in article X, section 20 of the Colorado Constitution or any other law?	Pass Yes: 58 No: 53

Longmont	SHALL CITY OF LONGMONT TAXES BE INCREASED \$1.3 MILLION ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF AN ADDITIONAL SALES TAX OF 3.0 PERCENT, WHICH IS AN INCREASE OF THIRTY CENTS ON EACH TEN DOLLAR PURCHASE, BEGINNING JANUARY 1, 2018, ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS AS PROVIDED IN ORDINANCE 0-2017-47, WITH THE RATE OF TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 15 PERCENT, AND WITH PROCEEDS REPRESENTING 1.5 PERCENT OF SUCH SALES OR 15 CENTS ON EACH TEN DOLLAR PURCHASE USED EXCLUSIVELY FOR AFFORDABLE HOUSING PROGRAMS AND SERVICES; SHALL THE REVENUES FROM SUCH TAX AND ANY INVESTMENT INCOME EARNED FROM SUCH REVENUES BE COLLECTED AND SPENT AS A VOTER-APPROVED REVENUE CHANGE UNDER SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION; AND SHALL ORDINANCE 0-2017-47 BE APPROVED?	<p>Pass  Yes: 15,607  No: 9,087</p>
Monte Vista	Shall the taxes of the City of Monte Vista be increased by an estimated \$500,000 in the first fiscal year, beginning January 1, 2018. and by such amounts as are raised annually thereafter, by imposing an excise tax in the amount of 18% of the amount paid by the purchaser on any first transfer of medical or retail marijuana from a cultivation facility, medical marijuana enter, or medical marijuana optional premises cultivation operations, an excise tax in the amount of 18% of the amount paid by the purchaser on the first transfer of medical or retail marijuana product from a medical marijuana-infused products manufacturer or a marijuana products manufacturer, and an additional sales tax of 18% on the sales of marijuana and marijuana products, both medical and retail, with 1% of said tax revenue generated specifically designated for the monte vista police department to upgrade equipment and provide for personnel, and 1% of said revenue generated specifically designated for the Monte Vista Capital Improvement Fund, only in the event that marijuana establishments are permitted in the city of Monte Vista based upon an affirmative vote of the qualified electors of the City of Monte Vista, with the resulting sales tax rates being capable of being lowered or revoked in the sole discretion of the Montel Vista City Council, with the resulting tax revenues allowed to be collected and spent, notwithstanding any expenditure, revenue raising, or other limitation contained in Article X, 20 of the Colorado Constitution or any other limitations provided by law?	<p>Pass  Yes: 533  No: 429</p>
Rocky Ford	Shall the registered electors of Rocky Ford Approve a sales tax of 6% on the sale of retail marijuana and retail marijuana products, allow the city council of Rocky Ford to increase or decrease the rate of such tax without further voter approval so long as the rate of the tax does not exceed 8%, and all revenue from which will be collected and spent by the City of Rocky Ford.	<p>Pass  Yes: 614  No: 250</p>

<p>Sheridan</p>	<p>CITY OF SHERIDAN RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS EXCISE TAX</p> <p>SHALL THE CITY OF SHERIDAN TAXES BE INCREASED BY \$1,710,000.00 ANNUALLY BEGINNING IN 2018 (FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING, EFFECTIVE JANUARY 1, 2018, A NEW EXCISE TAX UPON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY WITHIN THE CITY AND UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN THE CITY, ALL AS LEGALIZED BY ARTICLE XVIII, SECTION 16 OF THE COLORADO CONSTITUTION, AT THE RATE OF FIVE PERCENT (WHICH RATE MAY BE ADJUSTED FROM TIME TO TIME BY THE CITY COUNCIL ON EITHER THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY OR UPON THE SALE OR TRANSFER OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS OR UPON SUCH SALES OR TRANSFERS WITHOUT FURTHER VOTER APPROVAL SO LONG AS SUCH RATE DOES NOT EXCEED TEN PERCENT), WITH SUCH EXCISE TAX TO BE IN ADDITION TO THE APPLICATION OF THE CITY'S SALES TAX, AND THE REVENUE RECEIVED BY THE CITY FROM THE COLLECTION OF THE EXCISE TAX TO BE USED TO PAY OR REIMBURSE THE CITY FOR DIRECT AND INDIRECT PUBLIC SAFETY COSTS INCURRED OR EXPENDED BY THE CITY RELATED TO THE REGULATION OF THE USE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, AND FOR OTHER GENERAL PUBLIC SAFETY PURPOSES OF THE CITY, AND WITH THE REVENUE FROM SUCH TAX AND ANY EARNINGS FROM THE INVESTMENT THEREOF TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?</p>	<p>Pass Yes: 511 No: 329</p>
<p>Walsenburg</p>	<p>SHALL CITY OF WALSENBURG TAXES BE INCREASED BY \$75,000 IN 2018, THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY COLLECTING, ADMINISTERING, ENFORCING AND SPENDING AS A VOTER APPROVED REVENUE CHANGE UNDER COLO. CONST. ART. X § 20, A MUNICIPAL EXCISE TAX AT THE RATE OF FIVE-PERCENT (5.0%) OF THE AVERAGE MARKET RATE OF THE UNPROCESSED RETAIL MARIJUANA, AS DETERMINED BY THE DEPARTMENT OF REVENUE, AT THE TIME WHEN THE RETAIL MARIJUANA CULTIVATION FACILITY FIRST SELLS OR TRANSFERS UNPROCESSED RETAIL MARIJUANA FROM THE RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, A RETAIL MARIJUANA STORE, OR ANOTHER RETAIL MARIJUANA CULTIVATION FACILITY PURSUANT TO C.R.S. §29-2-114(2) AS AMENDED; AND, SHALL THE EXCISE TAX, NET OF THE COST OF COLLECTING, ADMINISTERING AND ENFORCING THE TAX, BE PLACED IN THE GENERAL FUND AND RESTRICTED TO THE FOLLOWING PURPOSES: MAKING UP ANY NET LOSS BETWEEN OPERATING REVENUES AND OPERATING EXPENSES OF THE WILD WATERS POOL, CITY PARKS' MAINTENANCE AND CONSTRUCTION, CODE ENFORCEMENT COSTS, AND YOUTH RELATED ACTIVITIES.</p>	<p>Pass Yes: 507 No: 419</p>
<p>Spring 2018</p>		

Crawford	<p>Referred Measure 2A Effective as of the date of authorization of the sale of retail marijuana or retail marijuana products within the town of Crawford, Colorado, shall the town of Crawford taxes be increased by fifty thousand dollars (\$50,000) in the first full fiscal year and by such amounts as are raised annually thereafter (1) by imposing a special sales tax of five (5%) percent on the retail sale of marijuana and marijuana products, with resulting special sales tax rate subject to being lowered or increased in the sole discretion of the Board of Trustees of the town of Crawford so long as the rate of the tax does not exceed ten (10%) percent and (2) by imposing an excise tax not to exceed five (5%) percent of the average market rate of unprocessed retail marijuana on the date it is first sold or transferred from a retail marijuana cultivation facility to a retail marijuana store, retail marijuana products manufacturer, or other marijuana cultivation facility, with all revenues therefrom to be expended for any lawful municipal purpose, and with the resulting tax revenue being allowed to be collected and spent by the town of Crawford without regard to any expenditure, revenue-raising or other limitation contained in article X, section 20 of the Colorado Constitution or any other law?</p>	<p>Pass Yes: 75 No: 45</p>
Delta	<p>2B SHALL THE CITY OF DELTA’S TAXES BE INCREASED BY \$325,000 (FIRST FULL FISCAL YEAR INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN EXCISE TAX ON THE FIRST SALE OF UNPROCESSED RETAIL MARIJUANA BY RETAIL MARIJUANA CULTIVATION FACILITIES LOCATED WITHIN THE CITY AS SUCH IS AUTHORIZED BY STATE LAW AND BY THE CITY OF DELTA AT THE RATE OF FIVE PERCENT (5%) OF THE AVERAGE MARKET RATE OF UNPROCESSED MARIJUANA AS DEFINED BY STATE LAW OR AS MAY LATER BE AUTHORIZED BY STATE LAW, AND SHALL ALL SUCH TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN THE COLORADO CONSTITUTION OR OTHER APPLICABLE LAW?</p>	<p>Pass Yes: 1057 No: 681</p>
Delta	<p>2C SHALL THE CITY OF DELTA’S TAXES BE INCREASED BY \$275,000 (FIRST FULL FISCAL YEAR INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING A SPECIAL SALES TAX ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS TO CONSUMERS, RETAIL MARIJUANA STORES, OR RETAIL MARIJUANA PRODUCT MANUFACTURERS, AS SUCH IS AUTHORIZED BY STATE LAW AND BY THE CITY OF DELTA, AT THE RATE OF TWO PERCENT (2%) OF THE PURCHASE PRICE, WITH SAID SPECIAL SALES TAX TO BE IN ADDITION TO THE MUNICIPAL SALES TAX IMPOSED BY THE CITY OF DELTA, AND SHALL ALL SUCH TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN THE COLORADO CONSTITUTION OR OTHER APPLICABLE LAW?</p>	<p>Pass Yes: 1085 No: 649</p>

Naturita	Ballot Question 6: Retail Marijuana and Retail Marijuana Products Municipal Special Sales Tax Shall the Town of Naturita's taxes be increased by \$100,000 annually in the first full fiscal year and by such amounts as are raised annually thereafter by imposing an additional special sales tax of two percent (2%) on the sale of retail marijuana and retail marijuana products with the rate of such tax being allowed to be decreased or increased without further voter approval so long as the rate of the tax does not exceed ten percent (10%) only in the event that such facilities are permitted in the town of Naturita based upon an affirmative vote of the qualified electors of the Town of Naturita and with the resulting tax revenue being allowed to be collected and spent by the Town of Naturita as a voter approved revenue change and allowing such revenue to be expended as the Board of Trustees of Naturita shall determine, without regard to any expenditure, revenue-raising, or other limitation contained in Article X, Section 20 of the Colorado Constitution or any other law?	Pass Yes: 60 No: 39
Naturita	Ballot Question 7: Municipal Excise Tax on the First Sale or Transfer of Retail Marijuana by a retail marijuana cultivation facility Shall the Town of Naturita's taxes be increased by \$100,000 annually in the first full year and by whatever additional amounts are raised annually thereafter through the adoption of a municipal excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility to a retail marijuana manufacturing facility, a retail marijuana store, or another retail marijuana cultivation facility at a rate not to exceed five percent (5%) of the average market rate as determined by the Colorado Department of Revenue pursuant to section 29-2-114, C.R.S., of the unprocessed retail marijuana, all in accordance with section 29-2-114, C.R.S., and shall the Town be authorized to collect and spend such revenue as a voter approved revenue change and allowing such revenue to be expended as the Board of Trustees of Naturita shall determine, without regard to any expenditure, revenue-raising, or other limitation contained in Article X, Section 20 of the Colorado Constitution or any other law?	Pass Yes: 61 No: 37

Orchard City	<p>Referred Measure 2E "Municipal sales tax on retail marijuana, excise tax on the first sale or transfer of retail marijuana by a retail marijuana cultivation facility, and an occupation tax on marijuana":</p> <p>SHALL THE TOWN OF ORCHARD CITY TAXES BE INCREASED \$130,000.00 ANNUALLY COMMENCING JANUARY 1, 2019, AND BY SUCH OTHER AMOUNT AS MAY BE RAISED ANNUALLY IN EACH YEAR THEREAFTER, BY THE IMPOSITION OF: (1) IMPOSITION OF A SALES TAX OF UP TO FIVE PERCENT (5.0%) ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO ANY MUNICIPAL SALES TAX ON SUCH SALES, (2) AN EXCISE TAX ON THE SALE OR TRANSFER OF RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY TO ANOTHER LICENSED RETAIL MARIJUANA ESTABLISHMENT AT A RATE OF UP TO FIVE 5 PERCENT (5%), AND (3) AN OCCUPATION TAX UP TO \$10.00 FOR EACH SALES TRANSACTION BY ANY MEDICAL MARIJUANA ESTABLISHMENT, RETAIL MARIJUANA STORE, ANY RETAIL MARIJUANA CULTIVATION FACILITY AND ANY RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY WITHIN THE TOWN ORCHARD CITY; WITH SUCH TAXES BEING CONTINGENT ON THE TOWN OF ORCHARD CITY LICENSING THE ASSOCIATED MARIJUANA-RELATED ACTIVITY, AND WITH THE REVENUES OF SUCH TAXES DIRECTED TO A PUBLIC HEALTH AND SAFETY FUND FOR THE FOLLOWING PURPOSES: 1) FUNDING ROAD CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, EXPANSION, REHABILITATION AND RENOVATION OF EXISTING AND PLANNED STREETS, INCLUDING BUT NOT LIMITED TO ARTERIAL, COLLECTOR AND LOCAL STREETS, CURBS, GUTTERS, SIDEWALKS, SHOULDERS, AND MEDIANS, AND FOR PUBLIC WORKS OPERATIONS EQUIPMENT, AND 2) FUNDING LAW ENFORCEMENT SERVICES, SUCH AS CONTRACTING WITH A SEPARATE AGENCY FOR LAW ENFORCEMENT SERVICES (INCLUDING BUT NOT LIMITED TO THE DELTA COUNTY SHERIFF'S DEPARTMENT), AS WELL AS LAW ENFORCEMENT OPERATIONAL EXPENSES, SUPPLIES, EQUIPMENT AND CAPITAL EXPENDITURES RELATING TO PUBLIC SAFETY; AND SHALL SUCH TAX REVENUES BE COLLECTED, RETAINED, AND SPENT AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p>	<p>Fail Yes: 270 No: 764</p>
Ordway	<p>Question 1: Shall Town of Ordway Taxes be increased by such amounts as are raised annually thereafter by imposing an additional sales tax of five and a half percent (5.5%) on the sale of medical marijuana, medical marijuana products, retail marijuana, and retail marijuana products, with the tax revenues being used to fund the adequate enforcement and administration of regulations on the medical and retail marijuana industry and other general purposes of the Town, and shall the Town of Ordway be entitled to collect, retain, and spend the full revenues from such tax increase as a voter approved revenue change notwithstanding any revenue or expenditures limitation contained in Article X, Section 20 of the State Constitution, C.R.S. Section 29-1-301, or any other law?</p>	<p>Pass Yes: 176 No: 20</p>

Yuma	Ballot Issue #1A Shall the city of Yuma's taxes be increased by one million dollars annually in the first full fiscal year and by such amounts as are raised annually thereafter by imposing an additional sales tax of 5% on the sale of retail marijuana and retail marijuana products with the rate of such tax being allowed to be decreased or increased without further voter approval so long as the rate of the tax does not exceed 10% and with the resulting tax revenue being allowed to be collected and spent by the city without regard to any expenditure, revenue-raising, or other limitation contained in Article X, Section 20 of the Colorado Constitution of any other law?	Pass Yes: 288 No: 223
<b>Fall 2018</b>		
Northglenn	<p>QUESTION NO. 2C (MARIJUANA SALES TAX)</p> <p>SHALL CITY OF NORTHGLENN TAXES BE INCREASED BY \$1,400,000 ANNUALLY IN THE FIRST FISCAL YEAR, AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING A NEW SALES TAX OF 4% ON THE SALE OF RETAIL MARIJUANA AND MEDICAL MARIJUANA, AND RETAIL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS, WHICH SHALL BE IN ADDITION TO THE MUNICIPAL SALES TAX ON SUCH SALES, AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO BE USED EXCLUSIVELY FOR CAPITAL IMPROVEMENTS AND PUBLIC FACILITIES WITH THE RATE OF THE TAX BEING ALLOWED TO INCREASE OR DECREASE NO MORE THAN 1% ANNUALLY WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED 10%, AS A VOTER APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, § 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?</p> <p>YES _____ NO _____</p>	Pass
Saguache	<p>Issue 2A Allowance and Taxation of Retail (Recreational) Marijuana Stores</p> <p>Shall the establishment and operation of retail marijuana stores selling marijuana and marijuana products be permitted in the town of Saguache, Colorado, subject to the requirements of the Colorado Retail Marijuana Codes and regulations to be adopted by the Town of Saguache, and shall the Town of Saguache's taxes be increased by an estimated fifty thousand dollars (\$50,000) in the first fiscal year commencing January 1, 2019 and ending December 31, 2019 and by whatever amounts are raised annually thereafter though the imposition of an additional sales tax of 5% on the sale of retail marijuana and retail marijuana products with the rate of tax being allowed to be increased without further voter approval so long as the rate of taxation does not exceed 15% on the price paid for the purchase of retail marijuana and retail marijuana products, with such tax revenues to be used for the additional costs incurred for adequate enforcement and administration of retail marijuana regulations and other general purposes of the town and shall all revenues derived from such retail marijuana tax be collected and spent as a voter approved revenue change, notwithstanding any revenue or expenditure limitations contained in Article X, Section 20 of the Colorado Constitution?</p>	Fail
Moffat	<p>Issue 2C Creation of a Specific 5% Marijuana Sales Tax Increase</p> <p>Shall the Town of Moffat sales tax be increased (2% first full fiscal year, 3% second full fiscal year increases) annually solely for the funding of Town of Moffat public safety and in replacement of obsolete and failing equipment 5% excise tax on all marijuana (Commercial, retail, medical marijuana, grow operations, shops, stores, outlets) for the retail cost of such goods, and shall the town be authorized to collect and spend such revenues as a voter approved revenue change notwithstanding any revenue or expenditure limitations contained in Article X, Section 20 of the Colorado Constitution or by other law?</p>	Pass

Las Animas	<p>ISSUE 20</p> <p>Beginning January 1, 2019, shall the city of Las Animas taxes be increased by an estimated one hundred fifty thousand dollars (\$150,000.00) in the first full fiscal year and by such amounts as are raised annually thereafter by imposing an additional sales tax of five percent (5%) on the sale of retail and medical marijuana and retail and medical marijuana products, with the rate of such tax being allowed to be decreased or increased without further voter approval so long as the rate of the tax does not exceed ten percent (10%) only in the event that such facilities are permitted in the city of Las Animas based on upon an affirmative vote of the qualified electors of the city of Las Animas and with the resulting tax revenue being allowed to be collected and spent by the city of Las Animas without regard to any expenditure, revenue-raising, or other limitation contained in Article X, Section 20 of the Colorado Constitution or any other law?</p>	Fail
Bayfield	<p>ISSUE 20</p> <p>Shall the Town of Bayfield taxes be increased by \$100,000 in 2019 (first full fiscal year of such tax increase), and by whatever additional amounts are raised annually thereafter by imposing, effective January 1, 2019, a new occupation tax on the occupation of selling within the town retail marijuana and retail marijuana products permitted by Article XVIII, Section 16 of the Colorado Constitution (but not on the sale of medical marijuana pursuant to Article VIII, Section 14 of the Colorado Constitution), such tax to be imposed at a maximum rate of ten dollars per single retail transaction for the sale of retail marijuana or retail marijuana products within the town (which tax may be adjusted from time to time by the Board of Trustees without further elections so long as it does not exceed ten dollars per retail transaction) in accordance with any ordinances hereafter approved by the Board of Trustees, provided that any such tax shall b imposed only if the sale of retail marijuana is permitted within the town, and nothing herein shall be construed as approving the sale within the town of retail marijuana or retail marijuana products, and shall the proceeds of any such taxes and investment income thereon be collected and spent by the town as a voter-approved revenue change, without regard to any spending, revenue-raising, or other limitation contained within Article X, Section 20 of the Colorado Constitution, and without limiting in any year the amount of other revenues that may be collected and spent by the town?</p>	Pass
Hudson	<p>Ballot Issue 21</p> <p>Shall the Town of Hudson taxes be increased by two hundred thousand dollars (\$200,000) annually in the first fiscal year (2019) and by such amounts as are raised annually thereafter by imposing an additional sales tax of 3% on the sale of retail marijuana and retail marijuana product if the registered electors of the town determine to allow the sale of retail marijuana and retail marijuana products, with the tax revenues being used to fund general government expenses as determined by the town council, with the rate of the tax being allowed to be increased or decreased without further voter approval so long as the rate of taxation does not exceed 8%, and with the resulting tax revenue being allowed to be collected and spent as a voter approved revenue change without regard to any expenditure, revenue raising or other limitation contained in Article X, 20, of the Colorado Constitution or any other law?</p>	Fail
Palmer Lake	<p>TOWN OF PALMER LAKE 21</p> <p>SHALL THE TOWN OF PALMER LAKE TAXES BE INCREASED BY FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) IN THE FIRST FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING AN ADDITIONAL SALES TAX OF 5% ON THE SALE OF RETAIL (RECREATIONAL) MARIJUANA AND RETAIL (RECREATIONAL) MARIJUANA PRODUCTS AS DEFINED IN THE COLORADO RETAIL MARIJUANA CODE, CONDITIONED ON THE TOWN ALLOWING AND REGULATING THE SALE OF RETAIL (RECREATIONAL) MARIJUANA AND RETAIL (RECREATIONAL) MARIJUANA PRODUCTS BY SEPARATE ACTION, WITH THE RATE OF SUCH TAX BEING ALLOWED TO BE DECREASED OR INCREASED ON OR AFTER DECEMBER 31, 2020, WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF THE TAX DOES NOT EXCEED 10%, WITH THE REVENUES DERIVED FROM SUCH TAX TO BE COLLECTED AND SPENT TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF PALMER LAKE AS A VOTER APPROVED REVENUE CHANGE NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, ARTICLE 1 OF TITLE 29, COLORADO REVISED STATUTES, OR ANY OTHER LAW?</p>	Pass

Snowmass Village	<p>10000 22</p> <p>SHALL TOWN OF SNOWMASS VILLAGE TAXES BE INCREASED BY FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) ANNUALLY IN THE FIRST FISCAL YEAR (2019), AND BY SUCH AMOUNTS AS ARE RAISED ANNUALLY THEREAFTER BY IMPOSING AN ADDITIONAL SALES TAX OF FIVE PERCENT (5%) ON THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, WITH THE TAX REVENUES BEING USED TO FUND GENERAL MUNICIPAL GOVERNMENT EXPENSES AS DETERMINED BY THE TOWN COUNCIL, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED, DECREASED OR ELIMINATED AFTER THE FIRST FISCAL YEAR AND SUBSEQUENT YEARS BY THE TOWN COUNCIL WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED FIFTEEN PERCENT (15%), AND WITH THE RESULTING TAX REVENUE BEING ALLOWED TO BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY EXPENDITURE, REVENUE RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION OR ANY OTHER LAW AS IT CURRENTLY EXISTS OR AS IT MAY BE AMENDED IN THE FUTURE AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE TOWN OF SNOWMASS VILLAGE?</p>	Pass
		Pass 88
		Fail 12
		Passage Rate 88.0%

## Proposed Marijuana Cultivation Excise Tax Ballot Language

Similarities among each of the ballot issue alternatives set forth below:

- Tax imposed *only if* cultivation facilities are permitted within the City
- Tax set at a certain percentage rate (first set of blanks), and City Council authorized to increase percentage rate up to a maximum limit (second set of blanks) without further voter approval (i.e., establishes a range)

**Alternative #1:**

- Not limiting how revenues from tax may be spent
- Long form de-Brucing Language

SHALL CITY OF LOUISVILLE TAXES BE INCREASED BY \$\_\_\_\_\_ IN 20\_\_\_ (THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 20\_\_\_, A NEW TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED MARIJUANA BY A MARIJUANA CULTIVATION FACILITY AT THE RATE OF \_\_\_\_\_ PERCENT (\_\_\_%) OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE MARIJUANA, WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED \_\_\_\_\_ PERCENT (\_\_\_\_%), IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF MARIJUANA CULTIVATION FACILITIES ARE PERMITTED WITHIN THE CITY; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE NOTWITHSTANDING ANY LIMITATIONS CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER SPENDING, REVENUE-RAISING, OR OTHER LIMITATIONS PROVIDED BY LAW?

**Alternative #2:**

- Specifies goals for how revenue is to be spent, but broad catch-all provision permitting revenues to be spent for “general purposes of the City”
- Short form de-Brucing language

SHALL CITY OF LOUISVILLE TAXES BE INCREASED BY \$\_\_\_\_\_ IN 20\_\_\_ (THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 20\_\_\_, A NEW TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED MARIJUANA BY A MARIJUANA CULTIVATION FACILITY AT THE RATE OF \_\_\_\_\_ PERCENT (\_\_\_%) OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE MARIJUANA, WITH THE TAX REVENUES BEING USED TO FUND THE ENFORCEMENT OF REGULATIONS ON THE RETAIL AND MEDICAL MARIJUANA INDUSTRY, OTHER COSTS RELATED TO ENFORCEMENT OF MARIJUANA LAWS, EDUCATION AND PUBLIC HEALTH PROGRAMS ASSOCIATED WITH MARIJUANA CONSUMPTION INCLUDING PREVENTION OF UNDERAGE CONSUMPTION, AND OTHER GENERAL PURPOSES OF THE CITY; WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED \_\_\_\_\_ PERCENT (\_\_\_\_%), IN

ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF MARIJUANA CULTIVATION FACILITIES ARE PERMITTED WITHIN THE CITY; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

**Alternative #3:**

- **Specifies goals for how revenue is to be spent, but broad catch-all provision permitting revenues to be “used by the General Fund”**
- **Short form De-Brucing language**

SHALL CITY OF LOUISVILLE TAXES BE INCREASED BY \$\_\_\_\_\_ IN 20\_\_\_ (THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY IMPOSING, EFFECTIVE JANUARY 1, 20\_\_\_, A NEW TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED MARIJUANA BY A MARIJUANA CULTIVATION FACILITY AT THE RATE OF \_\_\_\_\_ PERCENT (\_\_\_%) OF THE PRICE PAID BY THE PURCHASER OR TRANSFEREE OF THE MARIJUANA, WITH THE TAX REVENUES BEING USED FOR PUBLIC SAFETY, ENFORCEMENT AND ADMINISTRATIVE PURPOSES AND FOR COMPREHENSIVE SUBSTANCE ABUSE PROGRAMS INCLUDING WITHOUT LIMITATION PREVENTION, TREATMENT, EDUCATION, RESPONSIBLE USE, INTERVENTION, AND MONITORING, WITH AN EMPHASIS ON YOUTH, AND WITH THE REMAINDER USED BY THE GENERAL FUND; WITH THE RATE OF THE TAX BEING ALLOWED TO BE INCREASED OR DECREASED WITHOUT FURTHER VOTER APPROVAL SO LONG AS THE RATE OF TAXATION DOES NOT EXCEED \_\_\_\_\_ PERCENT (\_\_\_\_%), IN ACCORDANCE WITH ANY ORDINANCES HEREAFTER APPROVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE; PROVIDED THAT ANY SUCH TAX SHALL BE IMPOSED ONLY IF MARIJUANA CULTIVATION FACILITIES ARE PERMITTED WITHIN THE CITY; AND SHALL THE CITY BE AUTHORIZED TO COLLECT AND SPEND SUCH REVENUE AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

**From:** [Patricia Ross](#)  
**To:** [City Council](#)  
**Subject:** Concerning the Retail Marijuana Cultivation Facility Excise Tax ballot issue  
**Date:** Tuesday, June 11, 2019 3:08:02 PM

---

Dear Mayor and Louisville City Council Members

Tuesday, June 11, the Louisville City Council will be voting to move forward a ballot measure to allow marijuana cultivation in our industrial areas and the excise tax for those grows.

### **Will the excise tax collected cover the costs of regulating these grows?**

- According to the Council packet, the City of Louisville projects excise tax revenue to be \$100,000 to \$200,000. That is only 1% of Louisville's 2018 sales tax revenue and .03% of our total revenue—a *paltry* amount.
- The projected \$100,000 to \$200,000 in pot revenue may not even cover the "direct and indirect costs incurred or expended by the city" for the training, enforcement, and administration of all applicable marijuana laws and regulations.
- Is the pot grown at these sites going to stay in Louisville? If not, where is it going to go? Are the dollars from Big Marijuana who will own these grows stay in town? Probably not.

### **PUBLIC SAFETY AND INCREASED CRIME:**

- The Colorado State Patrol reported this year that marijuana related traffic fatalities were up 86% and 64% of intoxicated drivers tested positive for marijuana or marijuana and other substances.
- Colo Dept of Public Safety and the National Institute of Health documented that in neighborhoods near marijuana businesses (including cultivation sites), property crimes increased 84.9%.
- Will we invite black market crime? Colorado has seen an increase in investigative seizures (9%) since legalization and highway seizures (39%). Does our community want to be part of that problem?

### **Will that \$100 - 200K cover increase law enforcement for petty crime and DUIs?**

#### **THE SMELL**

The odor emitted by cultivation operations is intense, far-ranging, and expensive to contain. Boulder, Lafayette, and Denver have proven to be unsuccessful at proactively regulating the smell. Will that \$200,000 cover the cost of making sure the smell is regulated? Do we want to subject our loyal existing businesses to this issue?

**ENVIRONMENTAL IMPACT:** each marijuana plant takes up to 6 gallons of water PER DAY. That could significantly impact Louisville's water supply.

CTC represents over 90% of the industrial area in Louisville; the owners' association has clearly stated they will not allow this use. Why then does City Council want to force it on them?

That leaves eligible the former Louisville Glass location adjacent to our newly acquired Mayhoffer Farm open space, near the historic Miners Field and its neighborhood. Is this

what we want to greet residents *and* visitors with at the gateway to our town?

**What problem is our City Council trying to solve? Please urge our City Council to VOTE NO on the RETAIL MARIJUANA CULTIVATION FACILITY EXCISE TAX**

--

Dr. Patricia Ross

**From:** [Cyndi Thomas](#)  
**To:** [Rob Zuccaro](#); [City Council](#)  
**Subject:** Marijuana & CTC  
**Date:** Tuesday, June 11, 2019 12:18:54 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Hello All,

In advance of your discussion tonight, I wanted to make you aware that the CTC OA Board of Directors took the marijuana question out to vote to the owners within the CTC earlier this year.

We only received 48.9% of the ballots, so not quite enough for a quorum and as such the amendment does not pass. For reference, of the votes we did receive, roughly two-thirds were AGAINST the change, and roughly one-third were IN FAVOR. Therefore, marijuana will continue to NOT be allowed with the CTC OA boundaries per the covenants.

Thank you,  
Cyndi

**Cyndi Thomas**, Partner  
Etkin Johnson Real Estate Partners  
P 303.223.0491 (direct) | C 303.349.8399 | [vCard](#)  
1512 Larimer Street, Suite 100 (Bridge Level)  
Denver, CO 80202



[Click Here](#) to read our latest newsletter

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

**From:** [Lori Domenico](#)  
**To:** [City Council](#)  
**Subject:** marijuana growing in Louisville  
**Date:** Monday, June 10, 2019 1:03:37 PM

---

I just received an email stating the agenda for June 11th's Council Meeting regarding the growth of commercial marijuana.

I am a native Louisville resident. My grandfather was a coal miner and I am sure when he and others were risking their lives making Louisville the city that they were proud to live in, they were not doing it so that when Louisville became popular they would one day be known as the best little place to get high. I am extremely upset that this is even a consideration for Louisville.

Do you want more crime?

Do you want more young people to use marijuana and destroy the brain cells that are needed to be successful in this world?

Why is it that government jobs want a drug test for employment and then not only legalize marijuana but then actually want to cultivate it so that families and young children and people coming into Louisville will smell it.

And lets just talk about the use of water - our precious resource that costs us more every year.

Do we really want to waste it on drug cultivation?

Why don't we work on getting more good, honorable businesses in Louisville that will make us proud to have in our community.

I really feel that this will not help Louisville in anyway as far as revenue, it will not only cost us more money in the long run, but will probably destroy our property values as well.

**I oppose marijuana grows in Louisville**

**VOTE NO!**

**NO MARIJUANA GROWS IN LOUISVILLE**

--

Lori Domenico  
St. Louis Parish Secretary  
902 Grant Ave., Louisville, CO 80027  
303-666-6401 x411

*As I put my hope in God, he is my help and my shield. Psalm 33:20*

**From:** [Betty Scarpella](#)  
**To:** [City Council](#)  
**Cc:** [Patricia Ross](#)  
**Subject:** Marijuana grows in Louisville  
**Date:** Monday, June 10, 2019 12:24:14 PM

---

I would like to voice my opposition to growing marijuana in Louisville. While I know that Council is always looking for innovative ways to make money for the town, I feel this will be very detrimental to the City as a whole and will not pay for itself. The amount of water that will be needed, the opposition from current residents of the CTC, the smell, the fact that according to the US Government it is not legal, which will make it impossible for businesses like Lockheed Martin (who is one of the tenants of the CTC) to reside there. Do any of you actually believe that the crops won't be robbed by Teenagers out messing around? Will any of the monies from these grows stay in Louisville? And if you go ahead with this project, will you be willing to provide actual figures as to how much money was made verses how much it cost to city to protect it, and much water was used to grow the plants and how you intend to make up for the lost water?

*Betty Scarpella*  
826 W Dahlia Ct.  
Louisville, CO 80027  
Phone: 303-666-9440  
Work: 720-663-3334  
[betty.scarpella@ricoh-usa.com](mailto:betty.scarpella@ricoh-usa.com)

It's not the load that breaks you down. It's the way you carry it – Lena Horne

**From:** [Debbie](#)  
**To:** [City Council](#)  
**Subject:** NO MARIJUANA GROWS IN LOUISVILLE  
**Date:** Monday, June 10, 2019 12:14:59 PM

---

**I oppose marijuana grows in Louisville**

**VOTE NO!**

**NO MARIJUANA GROWS IN LOUISVILLE**

*Deb*

**Deborah Ruppert | Premier Travel**

641 Saint Andrews Ln | Louisville, CO 80027 | USA

T: 303.604.2111 | F: 303.604.4335

[deb.premiertravel@gmail.com](mailto:deb.premiertravel@gmail.com)

**From:** [Michael Deborski](#)  
**To:** [City Council](#); [City Council](#)  
**Subject:** Marijuana grow ballot issue  
**Date:** Tuesday, June 11, 2019 6:55:53 PM

---

Mr. Mayor and Louisville City Council

I am writing to you on the review and direction of the marijuana grow ballot option. First, I have no issues with those who partake in the responsible use of marijuana. I'd like for my friends and neighbors to have a reasonable number of options to purchase their cannabis products at a competitive price. In addition, I recognize the medicinal benefits for those who use it appropriately.

I know of no other family in this town who would profit from embracing the sale of marijuana more than mine. Our property location would be ideal for this use. We, like so many other families, have chosen to do what is best for our community and support the family-based values they regard so highly.

For generations it has been a priority for our city leadership make a concerted effort to preserve and protect our family values. Louisville was known for this and became sought after for those who wanted the "Mayberry" factor. With the national attention received by Money Magazine folks flocked to our town in search of this to locate their businesses and raise their families. This has been our brand and image and has set us apart from other communities.

With the marijuana issue the importance of preserving our family values seems to be lost. To further allow the expansion of the marijuana sales, production and or processing only compromises the image of our family-based community. After all, do we really consider sitting around the hooka burning weed a family activity?

To date, our city council and or staff have not been able to demonstrate a positive gain from pursuing marijuana grow operations. Council has tied up a significant amount of valuable staff time chasing this pipe dream. Is there a problem that council is trying to solve?

Staff projects the annual revenue to be only \$100K-\$200K per year. This is based on previous years collections by other municipalities. Did staff factor in the market saturation which has driven down the wholesale price of cannabis from \$2,800 to less than \$1,000 per pound.

Has staff quantified that the cost of administration, monitoring and compliance?

Has the police department weighed in on the incremental cost to be incurred?

The ordinance requires that the revenues be allocated first to city training, enforcement, and administration of this use. After that, will there be anything left? Can staff or council demonstrate that the benefit will ought-weigh the risk and cost to our community?

Staff recommends a limit of 150,000 square foot buildings. If initially limited to five grows, that's 750,000 square feet. A little over 17 acres. That's larger than our Community Park on Roosevelt.

Council members have testified their impressive experience in the grow facility tours. Were these tours selective smoke and mirror / dog and pony shows on behalf of the growers? It's industry knowledge that the plant becomes odorous and intensifies during the last two weeks

prior to harvest. I can show you grows in Lafayette, Boulder and Aurora that reek of weed from over 100 yards away.

The pot industry representative claimed that no other industry is regulated more than marijuana. I call this “Bull”! Our U.S.D.A. F.S.I.S. Inspectors are present in each meat processing plant every day it operates. They have about 130 establishments to inspect in Colorado and 130 Inspectors and USDA Veterinarians to cover them. A one to one ratio.

It’s reported that the state of Colorado has only 8 inspectors for over 1,500 marijuana facilities. Thus, the math shows they can spend the equivalent of only two days a year in each operation. How can that allow for effective or comprehensive compliance? Who will do this job?

The CTC represents about 90 percent of our proposed eligible industrial zoned area. Their owners’ association has made it clear that this use will not be allowed. Does our City Council not respect their desires?

The balance of eligible property appears to be the former Louisville Glass site. That property extends West to the intersection of Pine and Highway 42. Is this what council desires to greet folks at the gateway to the “Old Town” of our city?

Some speculate that this proposal is a contrived issue to polarize voters toward candidates for our three upcoming council and the mayor’s seat. That there is an attempt to pander to the 68 percent of voters who supported amendment 64 that Council Person Stoltzmann referred to in the public hearing on retail marijuana. If that is so, it seems to be working. I am not alone by stating I will not support or vote for any candidate who supports this ballot proposal.

Respectfully,

Michael Deborski

**From:** [Sharon Reese](#)  
**To:** [Robert Muckle](#); [City Council](#)  
**Subject:** Marijuana - where do we go from here?  
**Date:** Wednesday, July 3, 2019 9:31:51 AM

---

Hi,

This Chuck Wibby commentary appeared in today's Daily Camera. Please pay close attention to what he says in the second paragraph from the end with suggestions for where we go from here?

Louisville is a family oriented community and numerous residents I've spoken with think 4 shops is plenty, 6 is barely acceptable and no more are needed. Please let your community know well in advance of the November vote about the 150,000 square foot cultivation facility, along with fair, accurate, and well researched pros and cons.

Follow the link below to view the article.

<http://boulderdailycamera.co.newsmemory.com/?publink=2bf28462c>

Thanks,  
Sharon Reese  
303-995-8060

Sent from my iPhone

**From:** [Nicole Brooks](#)  
**To:** [City Council](#)  
**Cc:** [Christopher Leh](#); [Susan Loo](#); [Dennis Maloney](#); [Ashley Stolzmann](#)  
**Subject:** Concerned parent regarding cultivation and processing of marijuana  
**Date:** Sunday, July 7, 2019 8:55:53 AM

---

As you approach the time to review your ballot proposal regarding the cultivation and processing of marijuana in industrialized zones, I urge you to consider the ramifications beyond the monetary ones that are most likely driving this ballot initiative. Many of the industrialized zones are near our open space areas and Coal Creek Trail. These are areas that my children frequent with their friends. I am highly opposed to allowing this stench and processing chemicals into our neighborhood.

See proof of difficulties and stench that other cities have experienced after they allowed cultivation:

<https://www.nytimes.com/2018/12/19/us/california-marijuana-stink.html>

<https://mailtribune.com/news/top-stories/school-sours-on-stench-of-hemp>

<https://www.pbs.org/newshour/nation/producers-notebook-inside-smelly-world-marijuana-dispensary>

Please do your due diligence before allowing cultivation and processing. If you must allow this, setbacks and restrictions should be placed for schools, open spaces, churches, playgrounds, ball parks and residential areas. Have you ever walked by a processing facility in Denver? The stench is overwhelming! Try it out for yourself before you consider this ballot proposal, and ask yourself if you want this smell wafting into your home, child's school or playground.

Thank you for your consideration.

Keep our air clean!

Nicole Brooks

**From:** [Richard Mackay](#)  
**To:** [City Council](#)  
**Subject:** ballot initiatives to be discussed in 7/9/19 meeting  
**Date:** Sunday, July 7, 2019 8:47:43 PM

---

In spite of sitting in city council meeting in which approximately 60 people spoke against the proposed changes to the sale and manufacture and growth of marijuana in Louisville, and where the only two proponents of the change are employed by the industry, you voted unanimously to move ahead.

Your complete disregard to the citizens input is astounding. You are moving ahead, without any real discussion, proposing the maximum change possible, and then hiding behind the argument “well, we let the voters decide on it,” when their comments have been ignored on what should be on the ballot.

The city councils united voice on this single issue blinds any real counterargument by the community. And if it passes, you will feel justified. If it fails, it will be reworked and put on the next ballot until your goals are achieved.

Please take this seriously and consider what would be good for the city in the long term. Take into account the entire city, the families as well as the businesses. Take into account a time frame beyond the next couple of years. Look 20 years into the future if you can. It does not have to be an all or nothing decision.

Sincerely,  
Richard Mackay

Mayor Muckle and Louisville City Council,

Thank you for accommodating for our senior resident present at the June meeting. As stated, back in February, several of our elder residents and multiple parent's with young children were precluded from attending or forced to leave by the late-night scheduling.

Again, I'll state to council, I have no issue with folks who use marijuana responsibly and recognize the medicinal benefits. They should be able to purchase a selection of goods at a competitive price. With our current retail locations, I'm told that need is met and the retailers have ample supply.

What's at issue is not whether the recreational use of pot is right or wrong. We are not passing judgement on those or their family who work in the marijuana industry. What is being decided is whether it's right for Louisville and the families that live here.

I have no qualms with the cities of Aurora, Denver, Commerce City and Boulder allowing grows and processing of weed. Perhaps that's where it belongs. Walsenburg appeared economically depressed before the Bud Hut came to life at the entrance to their town. Now it's my first and lasting impression of the "Berg".

Should we join the ranks of these fine communities and get on the band wagon? After all, there's money to be made for City Hall! This "rushed to ballot" proposal by council omits and overlooks many important factors. With the residents and business owners I know, it raises many more questions and concerns.

In the June 11, council meeting Director Zuccaro projected a first-year gross revenue projection of \$200K based on allowing up to 5, 150,000 square foot grow operations (750,000 square feet). Council curtailed that down to an initial total of 150,000 square feet. Will that revenue projection not then be significantly decreased?

Why has council's finance committee and staff not conducted and presented to the public a fiscal analysis including all expenses for the training, administration, enforcement and regulation of this use? It does not take an MBA to know the expenses will exceed the revenue.

Why has the Council and public not been presented a sustainability report by our City Manager? This should include projected energy, water, waste water and environmental impacts including pesticides and fertilizers.

Some of our council members are working under the assumption that 68 percent of Louisville's voters would support their proposal as written. Do they believe their constituent's want to allow the cultivation and processing of marijuana at the gateway of our Old Town and Historic Main Street?

Do they want it adjacent to the Coal Creek Trail and Open Space, or less than 200 feet from Louisville's Community Park?

What about 200 feet from our Miner's Field Neighborhood, or within 150 feet of our recently acquired Mayhoffer Open Space, at the location of 1303 Empire Road?

As written, this proposal allows for 150,000 sq. ft. of multiple marijuana grows within the city and no setback buffers from parks, playgrounds, ball parks, day cares or churches.

To date, none of our council members or staff have demonstrated a true benefit that will outweigh the cost. To push this city council created and driven proposal forward without fully addressing the consequences will be irresponsible.

In addition, I urge this council to take the time and fully address all of the impacts it will have on our community including our family-based culture, heritage, and lifestyle. Marijuana grows at our gateway are NOT RIGHT for Louisville, please strike it down!

Respectfully,

Michael Deborski

July 08, 2019

**From:** [Jean Morgan](#)  
**To:** [City Council](#)  
**Subject:** marijuana ballot wording  
**Date:** Tuesday, July 9, 2019 1:36:57 PM

---

Dear city council members,

My concern on the ballot proposal allowing the cultivation and processing of marijuana is as follows:

1. Because of the proximity of the proposed grow areas to neighborhoods, the minor league Miners' Field ball park and the Mayhoffer Open Space, I strongly believe there needs to be appropriate setbacks to a marijuana grow/processing facility. A 200' setback from Miners' Field neighborhood and a 150' setback from the Mayhoffer Open Space property are NOT sufficient.
2. There needs to be state-of-the-art sensory devices to measure odors coming from such a facility, if indeed, the ballot is approved. It is unacceptable to have an odor from such a facility coming into historic neighborhoods, sporting complexes, and streets entering our town.

Please consider my concerns in the wording of the ballot.

Thank you,  
Jean Morgan  
1131 Spruce St  
Louisville, CO  
(Miners' Field Neighborhood resident)

**From:** [Eric Fowles](#)  
**To:** [Meredyth Muth](#)  
**Subject:** Please don't allow marijuana grow facilities in Louisville.  
**Date:** Tuesday, July 9, 2019 3:14:08 PM

---

Council. I'd like to share my thoughts regarding allowing grow facilities in Louisville. I really don't feel like this will enhance our cities growth or add to the family friendly vibe which we are known for.

Rather I believe if we let growers bring in large operations to cultivate marijuana anywhere in our city limits it will keep other businesses from coming to Louisville. The controversial nature of the product, the smell, and the crowd the drug attracts will deter businesses we might want in our community from coming here, and possibly encourage others to leave. It's not worth the revenue or whatever reasons there may be for considering this.

Please hear my concern as a business owner, property owner in downtown Louisville and someone who's chosen to raise their family in this great town for the last 20 years. I think it will change the landscape of our community. Please don't allow it.

Thx  
Eric fowles

Sent from my iPhone

**From:** [Elizabeth Stahr](#)  
**To:** [City Council](#)  
**Subject:** No to more marijuana  
**Date:** Tuesday, July 9, 2019 6:43:05 PM

---

City Council,

I am working and cannot come to tonight's meeting, but I did come to a meeting month's ago, along with other Louisville residents, (who waited and waited until this was addressed), that opposed additional marijuana sales, and wanted no part of any growth facility. That meeting showed anyone who would pay attention, that 99% of Louisville residents vehemently opposed a slick attempt of pushing through some members of city council's personal agenda. Although council members are working under the assumption that 68 percent of Louisville's voters would support their proposal, I believe that these people have been misled and misguided regarding where the revenue a growth facility will go. The amount of money it would cost to maintain watch over this type of manufacturing has not been presented and perhaps not fully understood.

Some members of council are looking to move up the ladder politically, I know myself, neighbors, family and friends will not support those hopefuls while voting if this irresponsible motion is railroaded and forced upon our community.

I should not have to police the city council, but their utter lack of regard to maintain the history, culture and heritage for the community that they have joined, makes me frightened for the future of Louisville.

Please act responsibly, not all of us can pick up and leave and go back to where ever we are from.

Elizabeth Stahr

**From:** [Jen Brinker](#)  
**To:** [City Council](#); [Jay Keany](#); [Jeff Lipton](#); [Susan Loo](#); [Ashley Stolzmann](#); [Robert Muckle](#); [Dennis Maloney](#); [leh@louisvilleco.gov](mailto:leh@louisvilleco.gov)  
**Subject:** Please don't approve a cannabis grow center  
**Date:** Thursday, July 11, 2019 10:51:29 AM

---

We love Louisville! We've lived here for over 15 years and it's changing so fast. We moved here for the open spaces and smaller population and feel of a small town. Please don't add any more large buildings that will obstruct views and make us all feel closed in.

After Boulder County, Louisville and Lafayette worked hard to obtain the Mayhoffer Property and after spending over \$8 million, it would be a shame to jeopardize the incredible views of the property at the entrance of our city.

Thank you for considering.

Jen Brinker

**From:** [Kelly Knudson](#)  
**To:** [City Council](#)  
**Subject:** No to growhouse  
**Date:** Thursday, July 11, 2019 11:42:37 AM

---

Please do not allow the building of a large growhouse next to the mayhoffer open space. After all the work and money that went into preserving the open space it would be a shame to have a bit ugly warehouse blocking the open space, using tons of our community water and dumping byproducts into the sewer.

Thank you  
Kelly Knudson

Sent from my iPhone

**From:** [Cimmaron Stahr](#)  
**To:** [City Council](#)  
**Subject:** Proposed cannabis grow center in Louisville  
**Date:** Thursday, July 11, 2019 12:02:40 PM

---

I am deeply saddened that Louisville has strayed so far from the character and small town values of Louisville that city council would even be considering a cannabis grow center within city limits. Grow centers belong in industrial areas of the Denver metro area; not adjacent to an open space property that Boulder County, Louisville and Lafayette just spent a whopping \$8.25 million on. Shame on you city council.

I am sure you will be quick to brush off my sentiments with the fact that a grow center was approved by voters. However, you should be ashamed that you targeted families and parents of school age children in Louisville by advertising the grow center as potential money that could possibly benefit Louisville's schools. It is a shame that those voters do not understand the cost of operating a grow center. You have sold out to the cannabis industry at the expense of Louisville's character.

In a recent city council meeting I attended, every single citizen who spoke was against increasing the allowed number of dispensaries in town. The only people who spoke in favor were from the cannabis industry. Yet city council sided with the cannabis industry rather than their own citizens. Again, shameful.

If \$\$\$ are the only thing on city council's mind, how about better commerce options. My family and friends drive to Broomfield, Boulder, Denver, and even all the way to Aurora to spend our money. Since you seems so focused on modernizing Louisville and competing with the neighbors, how about some creative solutions for mixed-use spaces, (i.e. the Stanley Market Place and the Denver Milk Market). Based on the success of the Street Faire and downtown's thriving restaurants, and the proximity of Highway 36, it is obvious that a mixed space with vendors and food would generate large amounts of revenue. But I shouldn't have to tell you that.

You are not representing, protecting and more importantly respecting the character, tradition and values of Louisville. You are actively dismantling the charm that originally drew all of you to this "small" town. For those of us who have been in this town for five generations, we are disgusted with the way city council has handled the development of this city. There may not be many native Louisville Citizens left but we will be sure to vote for better representation this coming election.

Although not directly related to the issue at hand, it is worth mentioning how unsettling it is that Louisville City Council has been so blatantly irresponsible with the recent with push for the availability of an unregulated drug in our community. It is very clear that city council has not done their due diligence and researched the relevant facts and statistics about marijuana use. The FDA, CDC, and recent research (i.e. Lancet Journal of Psychiatry) have all warned against the consequences of high potency THC use. It is shameful that Louisville City Council has been so blinded by the potential \$\$\$ that they would not even stop to consider the consequences.

Regular high potency users of THC are 5X more likely to develop psychosis and schizophrenia. Majority of dispensary consumers self-report as regular high potency users.

Dispensaries specifically develop and sell high potency THC products to target their consumer population.

Do better, City Council. Do better.

**From:** [Rich Armstrong](#)  
**To:** [City Council](#)  
**Subject:** Marijuana In Industrial Zones  
**Date:** Sunday, July 14, 2019 9:13:26 AM

---

You're probably getting some feedback against the allowing of marijuana cultivation and processing due to the Families for Louisville flyers that went out.

I am writing to express my strong support of the proposed allowance. I have a family and am not a cannabis user. The concerns raised by the pamphlet are nothing but scaremongering and moral panic.

I see no danger in having marijuana processed wherever properly zoned. That's why we have zoning.

Rich Armstrong

--

ra

**From:** [Robert](#)  
**To:** [City Council](#)  
**Subject:** Cultivation and Processing Plants  
**Date:** Monday, July 15, 2019 6:53:27 PM

---

Hello.

I am sending this email as I received a flyer in my mailbox about two marijuana cultivation and processing plants planned for 1200 Lock St and 1303 Empire Rd. While I am unclear if this is truthfully imminent, I am emailing to share my concern with this being placed so close to residential areas and large community parks.

I completely understand that marijuana is legal in our state, so my email is not about consternation toward something that is legal in our state. My concern rises from the potential that grow and processing facilities will be so close to where families reside and children are playing. This feels very shortsighted and not consistent with the family values and image that Louisville portrays to the community.

Louisville has many regulations ranging from when we can put our garbage out to how high bushes can be near a street. I would like to think that we all live in a community where good decisions and regulations that protect our children and property value, take precedent over marijuana related businesses that benefit a few. I am not anti-marijuana, but I would like to think we are careful in where we allow the marijuana businesses to be.

Thanks,  
Rob Zwolfer

Sent from Xfinity Connect Mobile App

**From:** [Dennis Maloney](#)  
**To:** [City Council](#); [Heather Balser](#)  
**Subject:** Fwd: Cultivation and Processing Plants  
**Date:** Monday, July 15, 2019 6:55:59 PM

---

If anyone has a copy of this flier could you share it with us. Thank you, Dennis

Sent from my iPhone

Begin forwarded message:

**From:** Robert <[zwolfrout@comcast.net](mailto:zwolfrout@comcast.net)>  
**Date:** July 15, 2019 at 6:53:23 PM MDT  
**To:** [council@louisvilleco.gov](mailto:council@louisvilleco.gov)  
**Subject:** Cultivation and Processing Plants

Hello.

I am sending this email as I received a flyer in my mailbox about two marijuana cultivation and processing plants planned for 1200 Lock St and 1303 Empire Rd. While I am unclear if this is truthfully imminent, I am emailing to share my concern with this being placed so close to residential areas and large community parks.

I completely understand that marijuana is legal in our state, so my email is not about consternation toward something that is legal in our state. My concern rises from the potential that grow and processing facilities will be so close to where families reside and children are playing. This feels very shortsighted and not consistent with the family values and image that Louisville portrays to the community.

Louisville has many regulations ranging from when we can put our garbage out to how high bushes can be near a street. I would like to think that we all live in a community where good decisions and regulations that protect our children and property value, take precedent over marijuana related businesses that benefit a few. I am not anti-marijuana, but I would like to think we are careful in where we allow the marijuana businesses to be.

Thanks,  
Rob Zwolfer

Sent from Xfinity Connect Mobile App

**From:** [Insuk Ahn](#)  
**To:** [City Council](#)  
**Subject:** Concerning about the no setback buffers  
**Date:** Monday, July 15, 2019 7:24:12 PM

---

Hello,

I strongly disagree about the proposal about "no setback buffers".  
That potential area is close to schools and active community area.  
I am also afraid that would encourage to use marijuana to citizen including youths.

In long term, the increasing of cultivation and processing of marijuana will be affect Louisville family lives badly.

Please put priority more on health of Louisville citizen rather than getting tax from marijuana industries.

Thank you!

**From:** [stevenmoss@gmail.com](mailto:stevenmoss@gmail.com)  
**To:** [City Council](#)  
**Cc:** [Steven Moss](#)  
**Subject:** Opposition to framing of ballot proposal on marijuana growing  
**Date:** Thursday, July 18, 2019 2:33:06 PM

---

Dear Council members,

I have lived in Louisville since 1982. I am not against the growing of marijuana in Louisville. However, I am against the zoning that would put it so close to Louisville's Community Park and Miners Field. I worked for many years in the Globeville-Elyria-Swansea neighborhoods in Denver which has the highest number and percentage of marijuana businesses in the state. Proximity to children became a serious issue for many parents as did the overwhelming smell of weed production. Providing significant setback buffers from neighborhoods and especially areas where children go is essential for public safety and health. Thank you.

Steven

Steven Moss Consulting

*Consulting, Coaching, Facilitation, Training,  
& Technical Assistance*

560 Jefferson Avenue

Louisville, Colorado 80027

(303) 885-9150

[www.stevenmossconsulting.com](http://www.stevenmossconsulting.com)

**SUBJECT:**           **ORDINANCE NO. 1778, SERIES 2019 – AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS AT THE REGULAR ELECTION TO BE HELD NOVEMBER 5, 2019 A BALLOT ISSUE TO ALLOW THE CITY OF LOUISVILLE TO KEEP REVENUES THAT OTHERWISE WOULD BE REFUNDED, TO CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND TO SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK – 2<sup>nd</sup> READING, PUBLIC HEARING (advertised *Daily Camera* 7/14/19)**

**DATE:**               **JULY 23, 2019**

**PRESENTED BY:**   **KATHLEEN KELLY, CITY ATTORNEY  
HEATHER BALSER, CITY MANAGER**

**SUMMARY:**

At the June 11, 2019 regular meeting of the City Council, the City Council reviewed two sample ballot titles in connection with the 2016 voter-approved 0.15% sales and use tax increase. If passed by the voters, the first option would allow the City to continue to collect sales and use tax at the previously approved rate, and to keep revenues exceeding estimates included in the election notice mailed to the voters in 2016. The second option, if passed, would require the City to refund revenues exceeding estimates included in the election notice mailed to the voters in 2016, but would allow the City to continue to collect sales and use tax at the previously approved rate.

The City Council decided to move forward with the first option, and directed the City Attorney to prepare an ordinance to submit the ballot issue to the registered electors at the regular election to be held November 5, 2019.

The attached ordinance would submit to the registered electors of the City the following ballot issue for a “yes” or “no” vote:

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAX RATE, MAY THE CITY OF LOUISVILLE KEEP REVENUES THAT OTHERWISE WOULD BE REFUNDED FOR EXCEEDING ESTIMATES INCLUDED IN THE ELECTION NOTICE MAILED TO VOTERS FOR THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, WHETHER OR NOT SUCH REVENUES HAVE ALREADY BEEN SPENT, AND CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND

**MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK?**

Pursuant to the ordinance, if a majority of the registered electors were to vote “yes” in response to the ballot issue, the City of Louisville would be permitted to keep revenues that otherwise would be refunded for exceeding estimates included in the election notice mailed to voters for the 2016 voter-approved 0.15 percent increase in sales and use tax, whether or not such revenues have been spent, and continue to collect the tax at the previously approved rate, and spend all revenues collected for operating and maintaining the Louisville Recreation/Senior Center and pool facilities at Memory Square Park.

If, alternatively, a majority of the registered electors were to vote “no” in response to the ballot issue, the City of Louisville would be required to refund revenues exceeding estimates included in the election notice mailed to voters for the 2016 voter-approved 0.15 percent increase in sales and use tax, capped at the actual amount of the tax increase collected in 2018, and reduce the rate of the tax to the rate approved prior to the 2016 election, each in accordance with TABOR Section 3(c). Please reference Attachments #2 for additional information on refunding and rate reduction.

**FISCAL IMPACT:**

- 1) Should the ballot issue pass, the City will be permitted to retain revenues received in 2018 exceeding estimates included in the election notice mailed to voters for the 2016 voter-approved sales and use tax increase, amounting to \$845,795 according to the City’s public finance counsel. The City would also be permitted to continue to collect the tax at the rate approved by the voters at the 2016 election.
- 2) Should the ballot issue fail, the City will be required, pursuant to TABOR, to refund \$845,795 in revenues from the tax to the citizens in a manner to be determined by Council, and to reduce the rate of the City’s sales and use tax to the rate approved prior to the 2016 election.

**PROGRAM/SUB-PROGRAM IMPACT:**

This addresses the Recreation program area to promote the physical, mental, and social well-being of residents thorough a broad range of high-quality, reasonably priced recreation and leisure activities for people of all ages, interests, and ability levels.

**RECOMMENDATION:**

Adoption of the attached ordinance to refer the ballot issue contained therein to the voters.

**ATTACHMENT(S):**

1. Ordinance No. 1778, Series 2019
2. June 11, 2019 City Council Communication

**ORDINANCE NO. 1778  
SERIES 2019**

**AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS AT THE  
REGULAR ELECTION TO BE HELD NOVEMBER 5, 2019 A BALLOT ISSUE TO  
ALLOW THE CITY OF LOUISVILLE TO KEEP REVENUES THAT OTHERWISE  
WOULD BE REFUNDED, TO CONTINUE TO COLLECT THE TAX AT THE  
PREVIOUSLY APPROVED RATE, AND TO SPEND ALL REVENUES COLLECTED  
FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR  
CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK**

**WHEREAS**, the City of Louisville (the “City”) is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”); and

**WHEREAS**, the members of the City Council of the City (the “City Council”) have been duly elected and qualified; and

**WHEREAS**, at the November 8, 2016 election, the registered voters of the City of Louisville approved a TABOR ballot issue concerning the imposition of an additional sales and use tax, which commenced January 1, 2018, the net proceeds of which additional sales and use tax have been and are currently being used for operating and maintaining the Louisville Recreation/Senior Center and pool facilities at Memory Square Park; and

**WHEREAS**, pursuant to Article X, Section 20 of the Colorado Constitution, also referred to as the Taxpayer’s Bill of Rights (“TABOR”), the City was required to include in the election notice mailed to the voters an estimate of revenues expected to be received from the tax increase in the first full fiscal year of collection, and an estimate of fiscal year spending if the tax were not imposed; and

**WHEREAS**, pursuant to TABOR Section 3(c), “Except by later voter approval, if a tax increase or fiscal year spending exceeds any estimate...for the same fiscal year, the tax increase is thereafter reduced up to 100% in proportion to the combined dollar excess, and the combined excess revenue refunded in the next fiscal year”; and

**WHEREAS**, the City Council desires to refer to the voters at the November 5, 2019 regular election a TABOR ballot issue to allow the City to keep revenues that otherwise would be refunded for exceeding estimates included in the election notice mailed to voters for the 2016 voter-approved 0.15 percent increase in sales and use tax, whether or not such revenues have been spent, and continue to collect the tax at the previously approved rate, and spend all revenues collected for operating and maintaining the Louisville Recreation/Senior Center and pool facilities at Memory Square Park.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF LOUISVILLE, COLORADO:**

**Section 1.** There shall be included on ballot for the City of Louisville regular election to be held on November 5, 2019, the following ballot title:

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAX RATE, MAY THE CITY OF LOUISVILLE KEEP REVENUES THAT OTHERWISE WOULD BE REFUNDED FOR EXCEEDING ESTIMATES INCLUDED IN THE ELECTION NOTICE MAILED TO VOTERS FOR THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, WHETHER OR NOT SUCH REVENUES HAVE ALREADY BEEN SPENT, AND CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK?

YES \_\_\_\_\_  
NO \_\_\_\_\_

**Section 2.** If a majority of the registered electors vote “yes” in response to the ballot title set forth in Section 1 above, the City of Louisville shall keep revenues that otherwise would be refunded for exceeding estimates included in the election notice mailed to voters for the 2016 voter-approved 0.15 percent increase in sales and use tax, whether or not such revenues have been spent, and continue to collect the tax at the previously approved rate, and spend all revenues collected for operating and maintaining the Louisville Recreation/Senior Center and pool facilities at Memory Square Park.

**Section 3.** If a majority of the registered electors vote “no” in response to the ballot title set forth in Section 1 above, the City of Louisville shall refund revenues exceeding estimates included in the election notice mailed to voters for the 2016 voter-approved 0.15 percent increase in sales and use tax in accordance with TABOR Section 3(c), which revenues shall be refunded in a manner to be determined by City Council. In addition, the rate of the tax increase shall be reduced in accordance with TABOR Section 3(c) and the amendments to the Louisville Municipal Code set forth in Ordinance No. 1724, Series 2016, shall be repealed in their entirety.

**Section 4.** If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council and the registered voters of the City hereby declare that they would have passed and approved this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

**Section 5.** The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any

judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**Section 6.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED** this 9<sup>th</sup> day of July, 2019.

---

Robert P. Muckle, Mayor

ATTEST:

---

Carol Hanson, Deputy City Clerk

APPROVED AS TO FORM:

---

Kelly PC, City Attorney

**PASSED AND ADOPTED ON SECOND AND FINAL READING**, this 23<sup>rd</sup> day of July, 2019.

---

Robert P. Muckle, Mayor

ATTEST:

---

Carol Hanson, Deputy City Clerk

**SUBJECT: DISCUSSION/DIRECTION – PROPOSED EXCESS TAX  
REVENUE TABOR BALLOT ISSUE LANGUAGE**

**DATE: JUNE 11, 2019**

**PRESENTED BY: KATHLEEN KELLY, CITY ATTORNEY  
HEATHER BALSER, CITY MANAGER**

**SUMMARY:**

The City exceeded its 2018 sales and use tax revenue estimates from the 0.15 percent recreation tax used in connection with Ballot Issue 2B, approved by the voters in November 2016, and the total fiscal year spending estimate for 2018.

At the November 8, 2016 election, City voters approved the following ballot issue:

SHALL THE CITY OF LOUISVILLE TAXES BE INCREASED \$575,000 IN 2018 AND THEN ANNUALLY BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED THEREAFTER FROM THE LEVY OF AN ADDITIONAL SALES AND USE TAX OF 0.15 PERCENT BEGINNING JANUARY 1, 2018 AND CONTINUING THEREAFTER; WITH SUCH TAX TO BE IMPOSED ONLY IF REFERRED MEASURE 2A, REFERRED TO REGISTERED ELECTORS OF THE CITY AT THE NOVEMBER 8, 2016 ELECTION, IS APPROVED BY A MAJORITY OF SUCH ELECTORS; WITH THE NET PROCEEDS OF SUCH SALES AND USE TAX TO BE COLLECTED, RETAINED AND SPENT FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK; AND SHALL THE CITY BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH SALES AND USE TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

In connection with new taxes, TABOR requires the distribution of a ballot issue notice which requires the City disclose: “For the first full year of each proposed district (City) tax increase, district estimates for the dollar amount of each increase and of district fiscal year spending without the increase.” For 2018, the first year of collection of the recreation tax, the notice estimated the dollar amount of the increase to be \$575,000 and the estimated 2018 fiscal year spending without the increase to be \$33,470,000. Previous Finance Committee memos with additional detail on TABOR requirements and applications are included in the attachments.

Absent later voter approval, TABOR requires a refund if either the revenue generated by the new tax exceeded the estimate (\$575,000) or the City’s total 2018 fiscal year spending without the tax increase exceeded the amount in the TABOR notice

(\$33,470,000), and requires the tax rate be reduced up to 100 % in future years in proportion to the combined dollar excess. Revenues exceeded both estimates and thus, absent later voter approval to retain this excess, refunds will be due for both in addition to requiring a rate reduction.

Therefore, should the voters not approve the City retaining the revenues exceeding the estimates included in the election notice mailed to voters in connection with the tax increase, the City will need to refund the revenue collected above the \$575,000 estimate for the new tax (\$270,795) plus the amount the City's 2018 fiscal year spending with the tax increase exceeded the estimate in the TABOR notice (\$4,662,787) but the amount of refund should be capped at the total revenue collected for the 0.15% tax in 2018 (\$845,795). Additionally, a rate reduction would be applied in future years; due to the large amount of the combined dollar excess, this would likely result in the rate being reduced to 0.0%. Options for discussion of how to logistically provide a refund as well as rate reduction consideration is included in the attached June 11, 2018 Finance Committee memorandum.

At the April 1<sup>st</sup> Finance Committee meeting, members reviewed two alternative TABOR ballot issues. The first would seek voter approval to retain excess revenues received from the 2016 sales and use tax increase and retain the 0.15% rate increase. The second would seek voter approval to retain the 0.15% rate increase, but not retain revenues in excess of the revenue estimates set forth in the 2016 Tabor notice (which would provide a refund of \$845,795). Final proposed ballot language for both alternatives is attached. The Finance Committee supports City Council referring the first proposed ballot issue alternative to the voters, which provides no refund and retains the 0.15% rate increase. Once direction is provided regarding the desired ballot language, staff will provide an ordinance on July 9, 2019 for further consideration addressing the TABOR issues and to seek voter approval.

**FISCAL IMPACT:**

Fiscal impacts are as follows for the following options:

- 1) Direct a refund of 2018 excess revenue (\$845,795) in 2019, but refer a ballot issue to the voters requesting approval to continue the tax at the 0.15% rate.
- 2) Refer a ballot issue to the voters requesting approval to keep all revenues from the tax and continue the tax at the 0.15% rate.

**PROGRAM/SUB-PROGRAM IMPACT:**

This addresses the Recreation program area to promote the physical, mental, and social well-being of residents through a broad range of high-quality, reasonably priced recreation and leisure activities for people of all ages, interests, and ability levels.

**RECOMMENDATION:**

Finance Committee and staff support referring a ballot issue to the voters requesting approval to keep all revenues from the tax and continue the tax at the 0.15% rate.

**SUBJECT: EXCESS TAX REVENUE TABOR BALLOT ISSUE LANGUAGE**

**DATE: JUNE 11, 2019**

**PAGE 3 OF 3**

**ATTACHMENT(S):**

1. Proposed TABOR ballot language options
2. June 11, 2018 Finance Committee Memo
3. April 1, 2019 Finance Committee Memo
4. May 17, 2019 Finance Committee Memo

**FINAL PROPOSED BALLOT ISSUE LANGUAGE**

**NO REFUND; RETAIN RATE:**

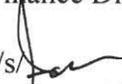
WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAX RATE, MAY THE CITY OF LOUISVILLE KEEP REVENUES THAT OTHERWISE WOULD BE REFUNDED FOR EXCEEDING ESTIMATES INCLUDED IN THE ELECTION NOTICE MAILED TO VOTERS FOR THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, WHETHER OR NOT SUCH REVENUES HAVE ALREADY BEEN SPENT, AND CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK?

**ALTERNATIVE CITY OF LOUISVILLE BALLOT ISSUE LANGUAGE (REFUND EXCESS; RETAIN RATE):**

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAX RATE, SHALL THE CITY OF LOUISVILLE REFUND TO THE TAXPAYERS REVENUE RECEIVED BY THE CITY IN 2018 EXCEEDING ESTIMATES INCLUDED IN THE ELECTION NOTICE MAILED TO VOTERS FOR THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, AND BE PERMITTED TO CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK?

**MEMORANDUM**

TO: Louisville City Council Finance Committee  
Heather Balsler, City Manager  
Kevin Watson, Finance Director

FROM: Samuel J. Light /s/   
Nicolas D. Cotton-Baez /s/

DATE: June 11, 2018

RE: City Recreation Sales and Use Tax - Excess Revenue  
Obligations under Taxpayer's Bill of Rights (TABOR)

---

**Introduction.** The City anticipates its 2018 sales and use tax revenue from the 0.15 percent recreation tax will exceed the estimate used in connection with Ballot Issue 2B, approved by the voters in November 2016. This memo outlines TABOR requirements related to the receipt of such excess tax revenues, and outlines for the Committee's discussion options for how the City might address these issues.

**Background.** At the November 8, 2016 election, City voters approved the following ballot issue:

SHALL CITY OF LOUISVILLE TAXES BE INCREASED \$575,000 IN 2018 AND THEN ANNUALLY BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED THEREAFTER FROM THE LEVY OF AN ADDITIONAL SALES AND USE TAX OF 0.15 PERCENT BEGINNING JANUARY 1, 2018 AND CONTINUING THEREAFTER; WITH SUCH TAX TO BE IMPOSED ONLY IF REFERRED MEASURE 2A, REFERRED TO REGISTERED ELECTORS OF THE CITY AT THE NOVEMBER 8, 2016, ELECTION, IS APPROVED BY A MAJORITY OF SUCH ELECTORS; WITH THE NET PROCEEDS OF SUCH SALES AND USE TAX TO BE COLLECTED, RETAINED AND SPENT FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK; AND SHALL THE CITY BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH SALES AND USE TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

In connection with new taxes, TABOR requires the distribution of a ballot issue notice which, as pertinent here, requires the City disclose: "For the first full fiscal year of each proposed district [City] tax increase, district estimates of the dollar amount of each increase and of district fiscal year

spending without the increase.” TABOR §20(3)(b)(iii). For 2018, the first year of collection of the recreation tax, the notice estimated the dollar amount of the increase to be \$575,000. It estimated 2018 fiscal year spending without the increase to be \$33,470,000. A copy of the notice is attached.

Currently, the Finance Department estimates that 2018 revenues from the recreation tax will be \$908,900, and that 2018 fiscal year spending will be \$37,903,000, both in excess of the estimates in the ballot issue notice. The actual amounts cannot be confirmed until after the end of the year.

TABOR includes a specific provision addressing amounts in excess of estimates contained in the ballot issue notice, which states as follows:

*Except by later voter approval, if a tax increase or fiscal year spending exceeds any estimate in (b)(iii) for the same fiscal year, the tax increase is thereafter reduced up to 100% in proportion to the combined dollar excess, and the combined excess revenue refunded in the next fiscal year. District bonded debt shall not issue on terms that could exceed its share of its maximum repayment costs in (b)(iv). Ballot titles for tax or bonded debt increases shall begin, "SHALL (DISTRICT) TAXES BE INCREASED (first, or if phased in, final, full fiscal year dollar increase) ANNUALLY...?" or "SHALL (DISTRICT) DEBT BE INCREASED (principal amount), WITH A REPAYMENT COST OF (maximum total district cost), ...?"*

TABOR §3(c)(emphasis added). Thus, absent “later voter approval,” this provision appears to require two actions to be taken if a tax increase or fiscal year spending exceeds an estimate in the ballot issue notice: (1) a refund of the excess revenue collected; and (2) a rate reduction in proportion to the excess revenue collected. These issues are discussed in turn.

**Refund of Excess Revenue.** While there is currently pending litigation regarding TABOR’s refund language (discussed below), Section (3)(c) of TABOR has generally been interpreted to require, in this instance, that the City refund amounts collected in 2018 in excess of \$575,000, unless the voters approve another ballot issue allowing the City to retain the excess revenue.<sup>1</sup> If the City Council determines to make a refund, the following are some pertinent points:

- TABOR Section 3(c) requires excess tax revenue to be refunded “in the next fiscal year.” For the recreation tax, this means before December 31, 2019.
- If excess tax revenue is not refunded by the end of the next fiscal year, TABOR Section 1 authorizes enforcement actions to force the refund of “[r]evenue collected, kept, or spent illegally since four full fiscal years before the suit is filed.” In other words, if the City did not obtain voter approval to retain the excess revenue collected in 2018 and failed to refund that revenue by December 31, 2019, a plaintiff with standing could bring a suit to force the refund at any time prior to December 31, 2023.
- Section 1 of TABOR permits municipalities to use “any reasonable method” to refund excess revenue, and provides that “[r]efunds need not be proportional when prior payments are impractical to identify or return.”

---

<sup>1</sup> TABOR does not prohibit the receipt of excess revenue in the first place; that is, the City is not required to reduce the tax rate or take other action to forestall the receipt of excess revenue in the first year, though it could do so if desired in an effort to keep collections under the estimate.

- Colorado Revised Statutes (C.R.S.) Section 39-1-111.5 expressly authorizes a temporary mill levy reduction or temporary property tax credit in order to effect a TABOR refund. This section also includes a legislative declaration that the procedures set forth therein “shall be deemed to be a reasonable method for effecting refunds in accordance with [TABOR].” If desired, the refund method authorized by this statute can be used to refund excess revenue attributable to sales and use tax.
- While there is no reported appellate case specifically holding that excess sales and use tax revenue may be refunded through utility bill credits, this method has been used at the state and local level without challenge. Further, we do not think a utility bill credit would face any different proportionality issue than use of a temporary property tax credit or mill levy reduction. If a utility bill credit is used, the legislative declaration in C.R.S. §39-1-111.5 would not apply but, as noted above, TABOR itself authorizes any reasonable refund method, and states refunds need not be proportional when prior payments are impractical to identify or return, which is the case for many retail sales tax transactions.
- Interest is not required to be paid on the excess revenue collected *unless* such revenue is not refunded in the next fiscal year *and* suit is brought to force a refund, in which case the excess revenue will be ordered refunded with 10% annual simple interest from the “initial conduct” (i.e., December 31, 2019). See TABOR §§ 1 and 3(c).

**Rate Reduction.** As noted above, TABOR Section 3(c) also states that if a tax increase exceeds an estimate in the ballot issue notice for the same fiscal year, “the tax increase is thereafter reduced up to 100% in proportion to the combined dollar excess...”. Thus, absent “later voter approval,” this language appears to require the City reduce the rate of the tax on a going forward basis if revenues exceed estimates for the first full year of collection.

TABOR is not clear when the rate reduction must be applied. In a legal memo addressing the State’s obligations with respect to excess marijuana taxes, the Office of Legislative Legal Services interpreted TABOR to require the rate reduction to begin with the next fiscal year—i.e. beginning January 1, 2019 as applied to the City’s recreation tax. TABOR is also unclear on how to reduce the rate “in proportion to the combined dollar excess.” This language could mean that the amount of combined dollar excess is compared to the amounts actually brought in, or, alternatively, compared to the estimated tax increase, to determine the percentage by which the rate would then be reduced. Finally, it is not clear how “de-Brucing” language in a ballot issue may affect the rate reduction requirement.

The Colorado appellate courts have not issued an opinion on these issues, though there is currently pending litigation in this area (discussed below). This dearth of case law is due in part to the limited instances of revenues exceeding estimates and that where this has occurred, jurisdictions have obtained later voter approval to retain revenues generated by the previously approved tax. However, we understand several jurisdictions are currently facing this issue because of strong revenue growth.

**Later Voter Approval.** As noted above, TABOR Section 3(c) requires a rate reduction and refund, “except by later voter approval.” Thus, the City could refer a ballot issue to the voters requesting approval to retain excess revenue and/or maintain the previously approved tax rate. While it may be

possible to put such a question on the November 2018 ballot, it is not certain whether the timing of such a question constitutes “later voter approval” because the first year of tax collection is not over, and thus the refund liability has not yet accrued. However, subject to this potential risk, the City could refer a ballot issue in 2018 or, alternatively, do so in November 2019. If a question in either year did not pass, the City would have until December 31, 2019 to effect a refund without the risk of liability for interest.

**Pending Litigation.** TABOR’s refund and rate reduction provisions were recently addressed in an El Paso County District Court case styled as Bruce v. El Paso County, Case No. 2017CV156. In this case, Douglas Bruce alleged that the County violated TABOR by collecting and retaining, year over year, sales tax revenues in excess of the amount estimated when the tax was approved in 2012.<sup>2</sup> In his Complaint, Mr. Bruce demanded a reduction in the rate of the tax and a refund of amounts collected each year in excess of the estimate, plus interest.

In its Order granting the County’s motion to dismiss, the trial court ruled that the “de-Brucing” language in the County ballot issue exempted the tax from TABOR’s restrictions, including the “except by later approval” language contained within Section (3)(c), effectively holding that the County did not have a refund obligation for even the first year of collection, or any rate reduction obligation. This Order (copy enclosed) is only a district court decision, and thus would not be binding, for example, on a Boulder County District Court, and the decision differs from some other interpretations of the “later voter approval” requirement. Nonetheless, the decision holds that “de-Brucing” language, similar to that contained in the City’s recreation tax question, eliminates any refund or rate reduction obligation. We understand Mr. Bruce has appealed the case and may be seeking direct review by the Colorado Supreme Court. Thus, it is possible this case will generate appellate law interpreting the rate reduction and refund obligations the City may face regarding the recreation tax.

**Summary of Options.** To assist your June 15 discussion, the following is a summary of potential options for addressing these issues:

- Direct a refund of 2018 excess revenue in 2019 and reduce the tax rate.
- Refer a ballot issue to the voters requesting approval to keep all revenues from the tax and to continue the tax at the 0.15% rate.
- Direct action be taken in 2018 to avoid collection of revenues in excess of the estimate.
- Take a wait-and-see approach and defer decisions on this issue until the first or second quarter of 2019, by which time there may be further developments in the Bruce case. At that time the City will also have actual revenue amounts for the 2018 fiscal year.

We will be available at your June 15 meeting to further discuss these issues.

---

<sup>2</sup> Specifically, the County in 2012 voted to increase the sales tax rate 0.23% and estimated the dollar amount of the increase at \$17 million. Mr. Bruce alleged the County received about \$875,000 more than the estimated amount and that under TABOR Section 3(c), the County was obligated to refunds \$875,000 each year, plus 10% interest.

# CITY OF LOUISVILLE

## TO: ALL REGISTERED VOTERS

### NOTICE OF ELECTION TO INCREASE TAXES AND DEBT ON A REFERRED MEASURE

CITY OF LOUISVILLE  
BOULDER COUNTY, COLORADO

ELECTION DATE: TUESDAY, NOVEMBER 8, 2016  
ELECTION HOURS: 7:00 A.M. TO 7:00 P.M.

#### LOCAL ELECTION OFFICE ADDRESS AND TELEPHONE NUMBER:

BOULDER COUNTY CLERK & RECORDER  
ELECTIONS DIVISION  
1750 33<sup>RD</sup> STREET, SUITE 200  
BOULDER, CO 80301  
TELEPHONE: 303-413-7740

CITY OF LOUISVILLE, COLORADO  
DESIGNATED ELECTION OFFICIAL  
MEREDYTH MUTH, CITY CLERK  
749 MAIN STREET  
LOUISVILLE, CO 80027  
TELEPHONE: 303-335-4536

## CITY OF LOUISVILLE BALLOT ISSUE 2A

### BALLOT TITLE AND TEXT:

SHALL CITY OF LOUISVILLE DEBT BE INCREASED \$28,600,000, WITH A REPAYMENT COST OF UP TO \$45,400,000; AND SHALL CITY OF LOUISVILLE TAXES BE INCREASED UP TO \$1,820,000 ANNUALLY, OR BY SUCH LESSER AMOUNT AS MAY BE NECESSARY TO PAY SUCH DEBT FROM AN ADDITIONAL AD VALOREM PROPERTY TAX MILL LEVY NOT TO EXCEED 3.350 MILLS TO BE IMPOSED FOR A PERIOD NOT TO EXCEED TWENTY FIVE YEARS; SUCH DEBT AND TAXES TO BE FOR THE PURPOSE OF CONSTRUCTING, EXPANDING AND RENOVATING THE LOUISVILLE RECREATION/SENIOR CENTER AND THE POOL FACILITIES AT MEMORY SQUARE PARK, TO INCLUDE ALL NECESSARY LAND, EQUIPMENT, FURNISHINGS, IMPROVEMENTS AND INCIDENTALS FOR SUCH FACILITIES; SUCH DEBT TO BE EVIDENCED BY THE ISSUANCE OF BONDS OR BONDS ISSUED TO REFUND SUCH BONDS; SUCH BONDS TO BE SOLD IN ONE SERIES OR MORE IN AN AGGREGATE AMOUNT NOT TO EXCEED THE MAXIMUM AUTHORIZED PRINCIPAL AMOUNT AND REPAYMENT COSTS, ON TERMS AND CONDITIONS AS THE CITY COUNCIL MAY DETERMINE, INCLUDING PROVISIONS FOR THE REDEMPTION OF THE BONDS PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF A PREMIUM; AND SHALL THE PROCEEDS OF ANY SUCH DEBT AND TAXES, AND ANY INVESTMENT INCOME THEREON, BE COLLECTED AND SPENT AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

## CITY OF LOUISVILLE BALLOT ISSUE 2B

### BALLOT TITLE AND TEXT:

SHALL CITY OF LOUISVILLE TAXES BE INCREASED \$575,000 IN 2018 AND THEN ANNUALLY BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED THEREAFTER FROM THE LEVY OF AN ADDITIONAL SALES AND USE TAX OF 0.15 PERCENT BEGINNING JANUARY 1, 2018 AND CONTINUING THEREAFTER; WITH SUCH TAX TO BE IMPOSED ONLY IF REFERRED MEASURE 2A, REFERRED TO REGISTERED ELECTORS OF THE CITY AT THE NOVEMBER 8, 2016, ELECTION, IS APPROVED BY A MAJORITY OF SUCH ELECTORS; WITH THE NET PROCEEDS OF SUCH SALES AND USE TAX TO BE COLLECTED, RETAINED AND SPENT FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK; AND SHALL THE CITY BE PERMITTED TO COLLECT, RETAIN AND EXPEND ALL REVENUES DERIVED FROM SUCH SALES AND USE TAX AS A VOTER-APPROVED REVENUE CHANGE AND AN EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

### Fiscal Information

Total City Fiscal Year Spending

#### Fiscal Year

2016 (estimated)	\$ 32,410,000
2015 (actual)	\$ 27,973,744
2014 (actual)	\$ 25,247,247
2013 (actual)	\$ 24,439,278
2012 (actual)	\$ 23,772,123

Overall percentage change from 2012 to 2016  
36.3%

Overall dollar change from 2012 to 2016  
\$ 8,637,877

### Proposed Tax Increase

City Estimate of the Maximum Dollar Amount of the Proposed Tax Increase for Fiscal Year 2017 (the First Full Fiscal Year of the Proposed Tax Increase):  
BALLOT ISSUE NO. 2A: \$ 1,820,000

City Estimate of 2017 Fiscal Year Spending\*  
Without Proposed Tax Increase: \$ 31,425,000

City Estimate of the Maximum Dollar Amount of the Proposed Tax Increase for Fiscal Year 2018 (the First Full Fiscal Year of the Proposed Tax Increase):  
BALLOT ISSUE NO. 2B: \$ 575,000

City Estimate of 2018 Fiscal Year Spending\*  
Without Proposed Tax Increase: \$ 33,470,000

\*Fiscal year spending without the proposed tax increases does not include proceeds of bonded debt, lease purchase

## CITY OF LOUISVILLE

---

agreements or other borrowings which may occur in such fiscal years.

### **Information on City's Proposed Debt**

#### **BALLOT ISSUE NO. 2A:**

Principal Amount of Proposed Bonds:  
Not to exceed \$ 28,600,000

Maximum Annual City Repayment Cost:  
Not to exceed \$ 1,820,000

Total City Repayment Cost:  
Not to exceed \$ 45,400,000

#### **Information on City's Current Debt \***

Principal Amount Outstanding Debt:\$ 2,635,000  
Maximum Annual Repayment Cost:\$ 497,900  
Remaining Total Repayment Cost: \$ 2,937,677  
(All amounts @ 09/23/2016)

\*Excluded from debt are enterprise and annual appropriation obligations.

#### **Summary of Written Comments FOR Ballot Issue No. 2A:**

No comments were filed by the constitutional deadline.

#### **Summary of Written Comments AGAINST Ballot Issue No. 2A:**

No comments were filed by the constitutional deadline.

#### **Summary of Written Comments FOR Ballot Issue No. 2B:**

No comments were filed by the constitutional deadline.

#### **Summary of Written Comments AGAINST Ballot Issue No. 2B:**

No comments were filed by the constitutional deadline.

<p><b>El Paso County, CO, District Court</b></p> <p>Court Address: <b>P.O. Box 2980 270 S. Tejon Colorado Springs, CO 80901-2980</b></p> <p>Phone Number: <b>(719) 452-5275</b></p>	<p>DATE FILED: March 8, 2018 CASE NUMBER: 2017CV156</p> <p><b>▲ COURT USE ONLY ▲</b></p>
<p><b>DOUGLAS BRUCE</b></p> <p><b>PLAINTIFF</b></p> <p><b>vs</b></p> <p><b>EL PASO COUNTY</b> <b>DEFENDANT</b></p>	<p><b>Case Number:</b> <b>2017CV156</b></p> <p><b>Division 3, Courtroom S406</b></p>
<p><b>ORDER RE: DEFENDANT'S MOTION TO DISMISS PURSUANT TO C.R.C.P 12(b)(5)</b></p>	

**I. JURISDICTION**

Jurisdiction is proper in the El Paso County District Court. Although Plaintiff has failed to comply with C.R.S. § 30-11-105, which provides that all proceedings against a Colorado county must be brought against "The board of county commissioners of the county". The Board of County Commissioners of the County of El Paso waives any objection it has to jurisdiction.

**II. STANDARD OF REVIEW**

A motion to dismiss for failure to state a claim upon which relief can be granted, made pursuant to Rule 12(b)(5) of the Colorado Rules of Civil Procedure, may be granted if the plaintiff's factual allegations cannot support a claim as a matter of law. *Asphalt Specialties, Co. v. City of Commerce City*, 218 P.3d 741 (Colo. App. 2009). In reviewing such a motion, a court must accept all

material facts in the complaint as true and view all allegations in the light most favorable to the plaintiff.

The Plaintiff has requested oral argument and a hearing because “ facts and law are in serious dispute”. The request is denied. For purposes of this Motion, all material facts in the Complaint are assumed truthful and the question before the Court is whether the allegations can support a claim as a matter of law.

### **III STATEMENT OF THE CASE AND ALLEGATIONS**

On September 6, 2012, the Board of El Paso County Commissioners passed a resolution to refer a measure for the November 2012 election seeking voter approval to increase El Paso County’s sales and use tax rate to address certain public safety needs of the El Paso County Sheriff’s Office. The measure was designated “1A” by the El Paso County Clerk and Recorder’s Office.

Pursuant to the Taxpayers Bill of Rights (TABOR), a Notice of Election was mailed to all registered voters in El Paso County which contained information regarding measure 1A. El Paso County voters approved measure 1A. Starting in 2013, El Paso County has been collecting revenues from 1A for the purposes stated within the ballot measure.

The Plaintiff alleges that language in TABOR requires the county to refund to the taxpayers certain calculated revenues that exceed the estimate of revenues per TABOR. The Defendant asserts that the language of the measure preempts the statutory provision for reimbursement because the measure included authority from the voters to keep and use all revenues collected.

#### IV CONCLUSIONS OF LAW AND ORDER

Under Colo. Const. art X, § 20(3)(b), when proposing a tax increase, a county must mail an election notice to all registered voters in its jurisdiction with content requirements as set forth in the same section. Pursuant to Colo. Const. art X, § 20(3)(b)(iii), the county must provide, for the first full fiscal year of the increase, estimates of the maximum dollar amount of the tax increase and of the fiscal year spending without the increase. Colo. Const. art X, § 20(3)(c) states that except by later voter approval, if a tax increase or fiscal year spending exceeds any estimate in (b)(iii) for the same fiscal year, the tax increase is thereafter reduced and refunded.

The Colorado Supreme Court has identified three situations in which the voters must approve the collection, retention or expenditure of an increase in government revenue, one of which exists when such revenue exceeds the election notice estimate. *City of Aurora v. Acosta*, 892 P.2d 264, 268 (Colo. 1995). Because voter approval to allow a variation from the otherwise applicable limits is mandated by TABOR, any interpretation of TABOR which would limit the right of the electorate to vote on tax or spending proposals is not favored. *Havens v. Bd. of County Com'rs of County of Archuleta*, 924 P.2d 517, 520 (Colo. 1996).

Defendant's measure 1A contained the following language:

SHALL EL PASO COUNTY TAXES BE INCREASED BY  
APPROXIMATELY \$17 MILLION ANNUALLY TO DIRECTLY FUND THE  
URGENT PUBLIC SAFETY NEEDS IDENTIFIED BY EL PASO COUNTY  
SHERIFF TERRY MAKETA, THE CHIEF LAW ENFORCEMENT OFFICIAL

SERVING ALL RESIDENTS OF THE CITIES, TOWNS AND UNINCORPORATED AREAS WITHIN THE BOUNDARIES OF EL PASO COUNTY, AS CRITICAL TO PERFORMING HIS STATUTORY OBLIGATIONS TO ALL EL PASO COUNTY RESIDENTS, BY INCREASING THE COUNTY'S SALES AND USE TAX RATE BY TWENTY-THREE HUNDREDTHS OF ONE CENT (\$0.0023) PER DOLLAR PURSUANT TO PART 1 OF ARTICLE 2 OF TITLE 29, COLORADO REVISED STATUTES;

...

WITH ALL REVENUES GENERATED AND THE EARNINGS ON SUCH REVENUE TO BE COLLECTED AND SPENT EACH YEAR WITHOUT LIMITATION BY THE REVENUE AND SPENDING LIMITS OF, AND WITHOUT AFFECTING THE COUNTY'S ABILITY TO COLLECT AND SPEND OTHER REVENUES OR FUNDS UNDER, ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION...?

The Court finds that the language in measure 1A specifically asks the voters whether taxes shall be increased and whether all revenues generated from such tax and the earnings thereon may be exempted from the revenue and spending limits of TABOR. In approving measure 1A, El Paso County voters voted to lift all revenue and spending limitations contained in TABOR from the revenue generated by the tax increase.

The Colorado Supreme Court has consistently recognized the power vested in the voters to direct government spending under TABOR. It has stated that: "[t]he will of the electors, when fully and freely expressed, will not be defeated by a strict and technical construction of the law". *Bickel v. City of Boulder*, 885 P.2d

215, 226 (Colo. 1994). The Colorado Supreme Court also acknowledges that governments must be able to rely on the language and outcome of ballot issues in order to function, explaining that “[r]eliance on the ballot language is especially important for these ballot issues because article X, section 20 relies on voters to make important financial decisions. The issues are often complex... and article X, section 20 provides minimal guidance to taxing authorities seeking voter approval. To make this form of ‘direct democracy’ work, districts must be able to rely on the language of the ballot issues.” *Mesa Cty. Bd. of Cty. Comm'rs v. State*, 203 P.3d 519, 534 (Colo. 2009).

The Defendant has relied on the text of measure 1A as approved by the voters, which states that 1A is exempt from spending and revenue limits of TABOR. Importantly, the text of measure 1A clearly identifies “all revenue” being exempt from TABOR. This text applies to the first collection under the measure and applies to future years as well. By approving this text, the voters specifically removed measure 1A from TABOR’s restrictions, including the “[e]xcept by later approval...” language contained within (3)(c). It is contradictory that the voters would approve language to except TABOR, only to then be faced with the possibility of additional ballot questions thereafter on the exact same issue.

Accordingly, the Court grants the Defendant’s Motion to Dismiss and Plaintiff’s Complaint is hereby dismissed with prejudice.

Dated this 8<sup>th</sup> day of March, 2018

BY THE COURT



---

Thomas K. Kane  
District Court Judge

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on March 8, 2018 a true and correct copy of the foregoing order was filed via US mail to:

Lori Seago, #29458  
Senior Assistant County Attorney  
200 S. Cascade  
Colorado Springs, CO 80903

Steven Klaffky, #44836  
Assistant County Attorney  
200 S. Cascade  
Colorado Springs, CO 80903

Douglas Bruce  
Box 26018  
Colorado Springs, CO 80936

**SUBJECT:                PROPOSED BALLOT ISSUE LANGUAGE – CITY RECREATION  
SALES AND USE TAX – EXCESS REVENUE OBLIGATIONS  
UNDER THE TAXPAYER’S BILL OF RIGHTS (TABOR)**

**DATE:                    APRIL 1, 2019**

**PRESENTED BY:    NICK COTTON-BAEZ, CITY ATTORNEY’S OFFICE**

**SUMMARY:**

At its February 18, 2019 meeting, the Finance Committee discussed its options under TABOR for either retaining or refunding revenues received in excess of the estimate for the first year of its 0.15% sales and use tax increase approved by the voters at the 2016 election, and for continuing to collect the tax at the established rate.

At that meeting, the Finance Committee elected to recommend to the City Council to refer to the voters a TABOR ballot issue that, if passed, would permit the City to retain revenues received in excess of the estimate for the first year of the tax, and to continue to collect sales and use tax at the rate approved by the voters at the 2016 election.

The Finance Committee directed the City Attorney’s office to collect examples of ballot language from other municipalities, and to prepare proposed ballot language for the City’s retention of the excess revenues and previously approved rate.

The attached document contains examples of ballot language used by other municipalities to retain excess revenues and previously-approved tax rates. In addition, as directed, the City Attorney’s office has prepared proposed ballot language for the Committee’s review. The City Attorney’s office also prepared alternative ballot language in case the City Council should decide to refund excess revenues and to ask the voters to permit the City to retain the rate approved at the 2016 election.

**RECOMMENDATION:**

Staff is seeking comments on the proposed ballot language.

**ATTACHMENT(S):**

1. Proposed Ballot Issue Language and Examples

**PROPOSED BALLOT ISSUE LANGUAGE AND EXAMPLES**

**RECOMMENDED CITY OF LOUISVILLE BALLOT ISSUE LANGUAGE (NO REFUND; RETAIN RATE):**

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAXES, SHALL THE CITY OF LOUISVILLE BE PERMITTED TO KEEP REVENUES FROM THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, WHETHER OR NOT SUCH REVENUES HAVE ALREADY BEEN SPENT, AND CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK, WITHOUT REFUNDING TO THE TAXPAYERS THE AMOUNT THAT EXCEEDED THE REVENUE ESTIMATES IN THE ELECTION NOTICE MAILED TO VOTERS IN 2016?

**ALTERNATIVE CITY OF LOUISVILLE BALLOT ISSUE LANGUAGE (REFUND EXCESS; RETAIN RATE):**

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAXES, SHALL THE CITY OF LOUISVILLE REFUND TO THE TAXPAYERS \$270,795 IN EXCESS REVENUE RECEIVED BY THE CITY IN 2018 FROM THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, AND BE PERMITTED TO CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK?

**CITY OF BOULDER EXAMPLE:**

**City of Boulder Ballot Issue 2D -  
Authorize Retention of All  
Sugar-Sweetened Beverages Tax  
Revenue**

WITHOUT RAISING TAXES MAY THE CITY KEEP ALL REVENUES FROM THE 2016 VOTER-APPROVED SUGAR-SWEETENED BEVERAGE PRODUCT DISTRIBUTION EXCISE TAX, AND CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR THE HEALTH EQUITY-RELATED PURPOSES PREVIOUSLY APPROVED BY THE VOTERS, WITHOUT REFUNDING TO DISTRIBUTORS THE AMOUNT THAT EXCEEDED THE REVENUE ESTIMATES APPROVED BY VOTERS IN 2016?

FOR THE MEASURE	<input type="radio"/>	AGAINST THE MEASURE	<input type="radio"/>
-----------------	-----------------------	---------------------	-----------------------

**FORT COLLINS EXAMPLE:**

MAY THE CITY KEEP ALL OF THE REVENUES THAT IT HAS COLLECTED FROM THE CITY'S "KEEP FORT COLLINS GREAT" .85% SALES AND USE TAX APPROVED BY THE VOTERS IN 2010, WHETHER OR NOT SUCH

REVENUES HAVE ALREADY BEEN SPENT, AND CONTINUE TO COLLECT THE TAX AT THE .85% RATE AND SPEND ALL OF THE REVENUES IN THE FOLLOWING WAYS DIRECTED BY THE VOTERS IN 2010:

33% FOR STREET MAINTENANCE AND REPAIR;

17% FOR OTHER STREET AND TRANSPORTATION NEEDS;

17% FOR POLICE SERVICES;

11% FOR FIRE PROTECTION AND OTHER EMERGENCY SERVICES;

11% FOR PARKS MAINTENANCE AND RECREATION SERVICES; AND

11% FOR COMMUNITY PRIORITIES OTHER THAN THOSE LISTED ABOVE, AS DETERMINED BY THE CITY COUNCIL;

WITHOUT REFUNDING ANY AMOUNT FOR EXCEEDING THE REVENUE ESTIMATES IN THE ELECTION NOTICE MAILED TO VOTERS IN 2010?

**MANITOU SPRINGS MARIJUANA EXCISE TAX EXAMPLE:**

SHALL THE CITY OF MANITOU SPRINGS, COLORADO BE PERMITTED TO RETAIN AND EXPEND \$57,993 IN EXCESS REVENUE RECEIVED BY THE CITY FROM THE CITY'S SPECIAL RETAIL MARIJUANA SALES TAX AS ORIGINALLY APPROVED BY THE VOTERS ON NOVEMBER 5, 2013, WHICH EXCESS REVENUE WOULD OTHERWISE BE REFUNDED BY A TEMPORARY REDUCTION IN THE CITY'S SPECIAL RETAIL MARIJUANA TAX, PURSUANT TO THE REQUIREMENTS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?



**Kathleen M. Kelly**  
**Nicolas D. Cotton-Baez**  
(303) 298-1601 tel  
(303) 298-1627 fax  
kathleen@kellypc.com  
nick@kellypc.com

**MEMORANDUM**

TO: Finance Committee  
City of Louisville

FROM: Kathleen M. Kelly /s/  
Nicolas D. Cotton-Baez /s/

DATE: May 17, 2019

RE: Bond Counsel Revisions to Proposed Excess Tax Revenue  
TABOR Ballot Issue Language

---

At the April 1<sup>st</sup> meeting, the Finance Committee reviewed two alternative TABOR ballot issues. The first alternative would seek voter approval to retain excess revenues received from the 2016 sales and use tax increase and retain the 0.15% rate increase. The second alternative would seek voter approval to retain the 0.15% rate increase, but not retain revenues in excess of the revenue estimates set forth in the 2016 TABOR notice.

The Finance Committee directed the City Attorney's office to confer with the City's bond counsel, Dee Wisor, to confirm the proposed ballot issue alternatives would meet City objectives and TABOR requirements.

Mr. Wisor recommended the following revisions to the ballot issue alternatives proposed by the City Attorney's office (words added are underlined; words deleted are ~~stricken through~~):

**No Refund; Retain Rate:**

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT ~~TAXES~~ TAX RATE, SHALL THE CITY OF LOUISVILLE ~~BE PERMITTED TO KEEP REVENUES THAT OTHERWISE WOULD BE REFUNDED FOR EXCEEDING ESTIMATES INCLUDED IN THE ELECTION NOTICE MAILED TO VOTERS FOR~~ FROM THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, WHETHER OR NOT SUCH REVENUES HAVE ALREADY BEEN SPENT, AND CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES

~~COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK, WITHOUT REFUNDING TO THE TAXPAYERS THE AMOUNT THAT EXCEEDED THE REVENUE ESTIMATES IN THE ELECTION NOTICE MAILED TO VOTERS IN 2016?~~

**Refund Excess Revenue; Retain Rate:**

~~WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAXES TAX RATE, SHALL THE CITY OF LOUISVILLE REFUND TO THE TAXPAYERS \$270,795 IN EXCESS REVENUE RECEIVED BY THE CITY IN 2018 EXCEEDING ESTIMATES INCLUDED IN THE ELECTION NOTICE MAILED TO VOTERS FOR FROM THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, AND BE PERMITTED TO CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK?~~

During our discussions with Mr. Wisor, it became clear the amount of potential refund is larger than had been previously discussed. Absent later voter approval, TABOR requires a refund if either the revenue generated by the new tax exceeded the estimate (\$575,000) or the City's total 2018 fiscal year spending without the tax increase exceeded the amount in the TABOR notice (\$33,470,000), and requires the tax rate be reduced in future years in proportion to the combined dollar excess. We now know that revenues exceeded both estimates and Mr. Wisor has advised refunds are due for both. The Office of Legislative Legal Services ("OLLS") has interpreted the total amount to be refunded when both estimates are exceeded is limited to the total tax revenues collected for the tax (in this case, the 0.15% increase). Mr. Wisor thought this interpretation by OLLS made sense, but cautioned that interpretation has not been judicially tested.

Therefore, should the voters not approve the City retaining the revenues exceeding the estimates (plural) included in the election notice mailed to voters in connection with this tax increase, the City will need to refund the revenue collected above the \$575,000 estimate for the new tax (\$270,795) plus the amount the City's 2018 fiscal year spending without the tax increase exceeded the estimate in the TABOR notice (\$4,662,787), but the amount of refund should be capped at the total revenue collected for this 0.15% tax in 2018 (\$845,795).

City staff recommends the Finance Committee support City Council referring the first proposed ballot issue alternative to the voters, which provides no refund and retains the 0.15% rate increase. Final proposed ballot language for both alternatives is attached to this memorandum.

Please let us know if you have questions.

cc: Heather Balser, City Manager  
Kevin Watson, Finance Director

**FINAL PROPOSED BALLOT ISSUE LANGUAGE**

**NO REFUND; RETAIN RATE:**

WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAX RATE, MAY THE CITY OF LOUISVILLE KEEP REVENUES THAT OTHERWISE WOULD BE REFUNDED FOR EXCEEDING ESTIMATES INCLUDED IN THE ELECTION NOTICE MAILED TO VOTERS FOR THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, WHETHER OR NOT SUCH REVENUES HAVE ALREADY BEEN SPENT, AND CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK?

**ALTERNATIVE CITY OF LOUISVILLE BALLOT ISSUE LANGUAGE (REFUND EXCESS; RETAIN RATE):**

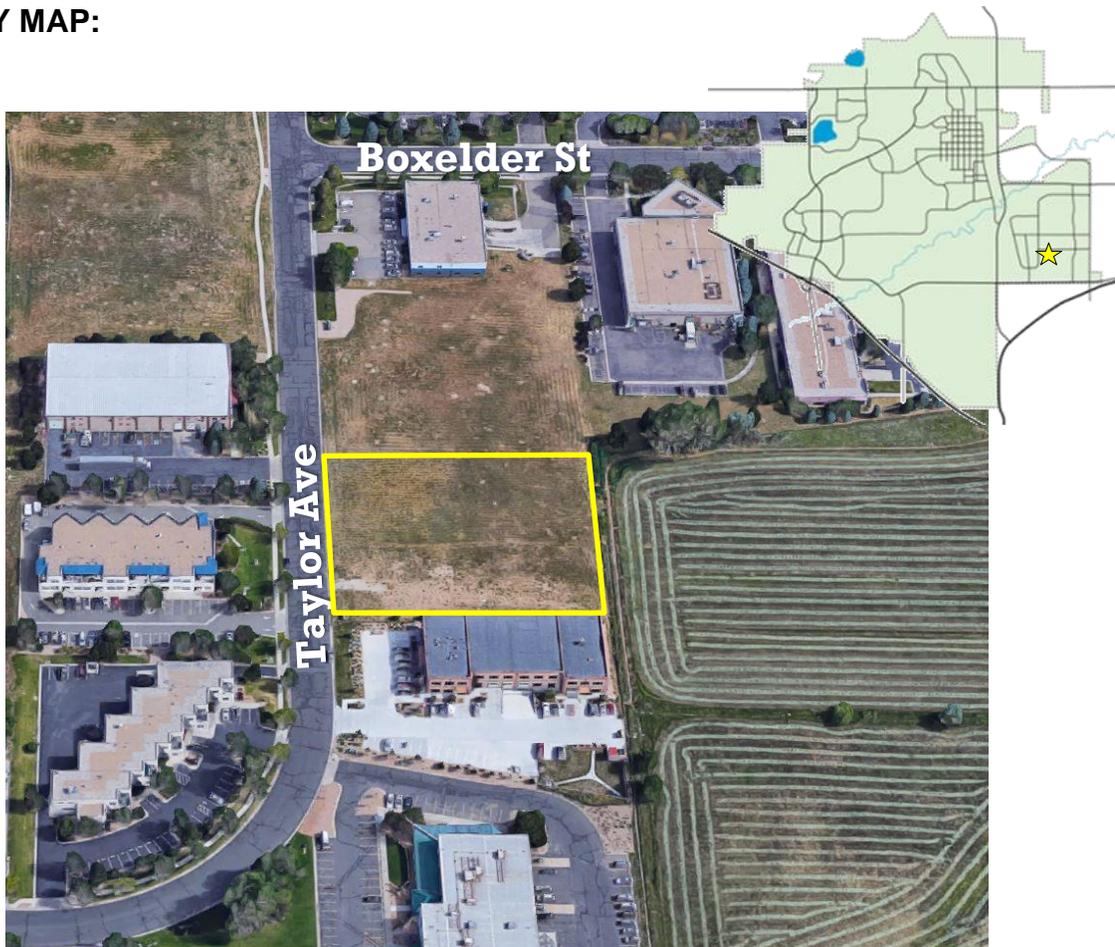
WITHOUT CREATING ANY NEW TAX OR INCREASING ANY CURRENT TAX RATE, SHALL THE CITY OF LOUISVILLE REFUND TO THE TAXPAYERS REVENUE RECEIVED BY THE CITY IN 2018 EXCEEDING ESTIMATES INCLUDED IN THE ELECTION NOTICE MAILED TO VOTERS FOR THE 2016 VOTER-APPROVED 0.15 PERCENT INCREASE IN SALES AND USE TAX, AND BE PERMITTED TO CONTINUE TO COLLECT THE TAX AT THE PREVIOUSLY APPROVED RATE, AND SPEND ALL REVENUES COLLECTED FOR OPERATING AND MAINTAINING THE LOUISVILLE RECREATION/SENIOR CENTER AND POOL FACILITIES AT MEMORY SQUARE PARK?

**SUBJECT:** RESOLUTION 23, SERIES 2019 – A RESOLUTION APPROVING A FINAL PLANNED UNIT DEVELOPMENT TO ALLOW THE CONSTRUCTION OF A NEW 22,500 SQUARE-FOOT BUILDING AND ASSOCIATED SITE IMPROVEMENTS AT 602 TAYLOR AVENUE

**DATE:** JULY 23, 2019

**PRESENTED BY:** FELICITY SELVOSKI, PLANNER

**VICINITY MAP:**



**SUMMARY:**

The owner, Elixinol, LLC, represented by applicant, RVP Architecture, requests approval of a Planned Unit Development (PUD) to allow construction of a 22,500 SF, two-story building, along with landscaping, parking and other site improvements.

The site is located in the Colorado Technology Center (CTC) at 602 S. Taylor Avenue. The property is zoned Industrial (I) and is subject to the Industrial Development Design Standards and Guidelines (IDDSG).

**BACKGROUND:**

The City approved the original plat for the property in 1979 as part of the Colorado Technological Center First Filing subdivision. The property owner, Elixinol, LLC, currently leases approximately 10,000 SF in the building at 638 Taylor, immediately south of the subject property. They are seeking approval of a PUD so that they can construct a 22,500 SF, two-story building at 602 Taylor Avenue.

**PROPOSAL:**

The applicant proposes to construct a two-story building along the northern portion of the property with an entrance on the southwest corner, fronting Taylor Avenue. Parking is proposed on the southern portion of the lot. The proposal includes an area for detention between the building frontage and Taylor Avenue on the western side of the property, an employee gathering area and bicycle parking near the front of the building. The landscaping plan provides for trees along all sides of the property. The building design is tilt-up concrete with windows on all elevations and large expansions of glass at the southwest corner entry area.

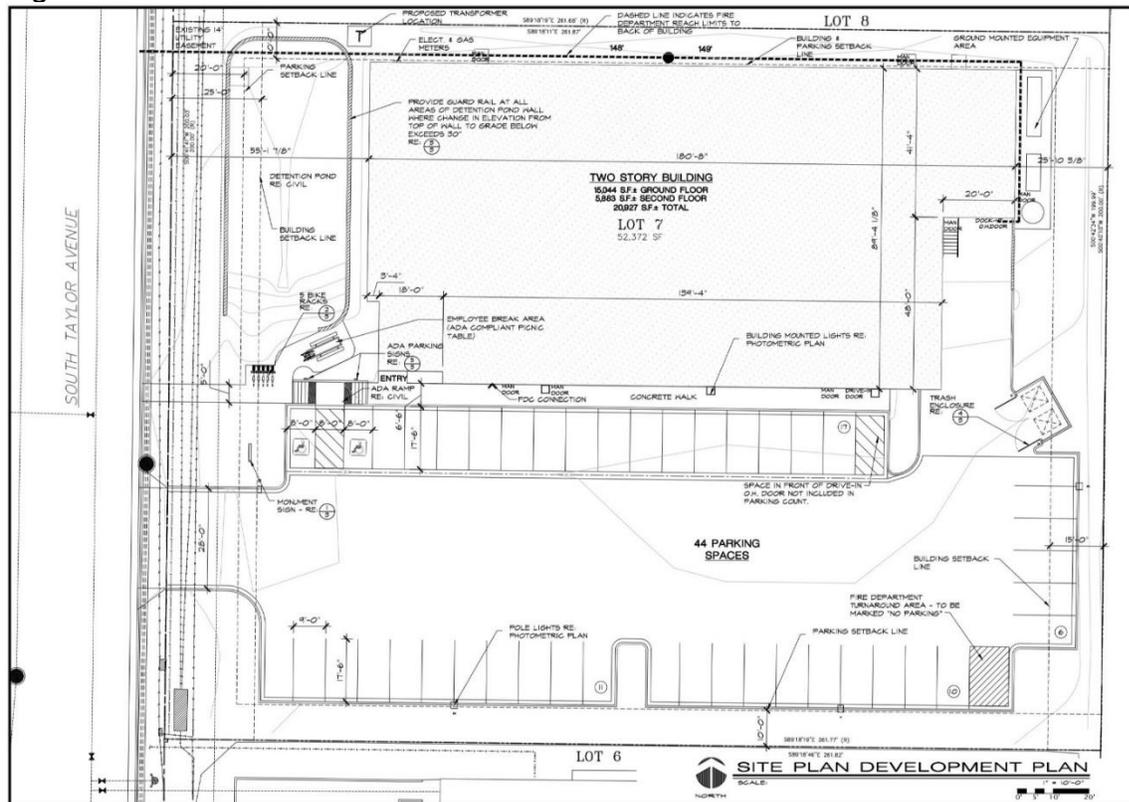
The proposed parking meets the minimum parking required per the anticipated uses on the site.

<b>Parking Spaces – By Type</b>	<b>Square Feet</b>	<b>Ratio</b>	<b>Required</b>
Office	3,421 SF	@ 4/1000	13.68
Manufacturing	12,799 SF	@ 2/1000	25.60
Warehouse	4,707 SF	@ 1/1000	4.71
Total			43.99
<b>Parking Spaces – Provided</b>	<b>Proposed Spaces</b>		
Standard	42		
Accessible	2		
Total	44		
Bicycle	5		

Figure 1: Rendering



Figure 2: Site Plan



**ANALYSIS:**

**PUD**

The applicant has designed the proposed building primarily for manufacturing, with office and warehouse areas to support the manufacturing. The property is zoned industrial (I). All properties surrounding the subject property are zoned I. All development in the I zone district requires the establishment of a Planned Unit Development (PUD), and must comply with the development regulations established in the Louisville Municipal Code (Code) and the design standards outlined in the [Industrial Development Design Standards and Guidelines](#) (“IDDSG”).

*IDDSG: 1. Site Planning*

The application complies with the standards in this section, including all minimum setbacks and building and site orientation standards. The proposed loading dock is recessed along the east side of the building in the non-public zone, minimizing its appearance. The lot meets the minimum landscape requirements and the standards for site grading in the IDDSG.

*IDDSG: 2. Vehicular Circulation and Parking*

The site is adjacent to Taylor Avenue on the west and private property on the south, east, and north. Access is accommodated through one drive aisle to the south of the proposed building. The drive aisle will be 47.5 feet which is wide enough to accommodate trucks and fire access and complies with the IDDSG. This proposal meets the required number of parking spaces.

*IDDSG: 3. Pedestrian and Bicycle Circulation*

The applicant proposes pedestrian connections and bicycle parking consistent with the standards of the IDDSG. The application includes 5 exterior bicycle parking spaces near the employee entrance. The plans include pedestrian access via sidewalks to the adjacent street and throughout the site.

*IDDSG: 4. Architectural Design*

The PUD provides for appropriate building relationships and compatibility by including landscaping and orientation that minimizes from public view the loading areas of the site. The main entry area will have extensive storefront glazing to add variation to the concrete portions of the building as well as enhance the pedestrian arrival experience. The proposed building height is approximately 30 feet tall with a two-foot parapet and is allowed under the IDDSG. All roof-top mechanical units will be set back a minimum of 25 feet from the edge of the parapet.

*IDDSG: 5. Landscape Design*

The application complies with standards in the IDDSG for perimeter landscaping adjacent to abutting property, parking lot landscaping, and building and loading and service area landscaping.

*IDDSG: 6. Fences and Walls*

The applicant does not propose additional fences or walls.

*IDDSG: 7. Sign Design*

The site plan includes a monument sign facing Taylor Avenue which complies with the regulations in the IDDSG. The PUD does not include a waiver request for wall signage, therefore any future signs will need to comply with the Sign Code unless a PUD amendment is sought.

*IDDSG: 8. Exterior Site Lighting*

Staff finds the application complies with the IDDSG for the lighting design. The application includes wall mounted and pole mounted full cut-off LED light fixtures that will safely light the property.

*Compliance with 17.28.120*

Section 17.28.120 of the Louisville Municipal Code lists 28 criteria for PUDs that must be satisfied or found not applicable in order to approve a PUD. Analysis and staff's recommended finding of each criterion is provided in the attached appendix.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission reviewed the current proposal on June 13, 2019 and voted 5-0 to recommend approval without conditions (see Attachment 4 for minutes).

**PUBLIC COMMENT:**

Staff has not received any public comments regarding the PUD application.

**FISCAL IMPACT:**

Staff finds no significant fiscal impact to the City. The proposal is consistent with existing zoning and planned development within the Colorado Tech Center, which has established and adequate City services and infrastructure to support the development.

**PROGRAM/SUB-PROGRAM IMPACT:**

The application meets the Community Design and Economic Prosperity program goals and sub-program objectives by helping to retain an existing business in the City and ensuring new development meets adopted zoning and design standards and guidelines.

**RECOMMENDATION:**

Staff recommends approval of Resolution No. 23, Series 2019 recommending approval of a Planned Unit Development for Lot 7, Block 4, Colorado Technological Center Filing 1.

**ATTACHMENT(S):**

1. Resolution No. 23, Series 2019
2. Application Materials
3. Proposed PUD
4. June 13, 2019 Planning Commission Minutes
5. Staff Presentation

**STRATEGIC PLAN IMPACT:**

<input type="checkbox"/>	 <b>Financial Stewardship &amp; Asset Management</b>	<input type="checkbox"/>	 <b>Reliable Core Services</b>
<input checked="" type="checkbox"/>	 <b>Vibrant Economic Climate</b>	<input type="checkbox"/>	 <b>Quality Programs &amp; Amenities</b>
<input checked="" type="checkbox"/>	 <b>Engaged Community</b>	<input type="checkbox"/>	 <b>Healthy Workforce</b>
<input type="checkbox"/>	 <b>Supportive Technology</b>	<input type="checkbox"/>	 <b>Collaborative Regional Partner</b>

**APPENDIX: PUD Criteria Analysis – Elixinol PUD**

Criteria 17.28.120 (A)	Finding	Narrative
1. An appropriate relationship to the surrounding area.	Compliant	The use is appropriate for the area and permitted in the Industrial zone district. The site design is consistent with the context of the surrounding area.
2. Circulation in terms of the internal street circulation system, designed for the type of traffic generated, safety, separation from living areas, convenience, access, and noise and exhaust control. Proper circulation in parking areas in terms of safety, convenience, separation and screening.	Compliant	The application provides for adequate and safe internal circulation. Parking, drive aisles and pedestrian access are provided in compliance with the IDDSG.
3. Consideration and provision for low and moderate-income housing	Not applicable	The property is zoned Industrial. Residential uses are not allowed.
4. Functional open space in terms of optimum preservation of natural features, including trees and drainage areas, recreation, views, density relief and convenience of function	Compliant	The PUD complies with landscape requirements in the IDDSG.
5. Variety in terms of housing types, densities, facilities and open space	Not applicable	The property is zoned Industrial. Residential uses are not allowed.
6. Privacy in terms of the needs of individuals, families and neighbors	Compliant	The PUD complies with site planning provisions in the IDDSG, assuring appropriate privacy of neighboring properties. All surrounding properties are also zoned I.
7. Pedestrian and bicycle traffic in terms of safety, separation, convenience, access points of destination and attractiveness	Compliant	The PUD complies with pedestrian and bicycle requirements in the IDDSG, ensuring adequate pedestrian and bicycle access.
8. Building types in terms of appropriateness to density, site relationship and bulk	Compliant	The PUD complies with site planning and building height requirements in the IDDSG, ensuring an appropriate bulk for buildings and relationship to other development in the CTC.

9. Building design in terms of orientation, spacing, materials, color, texture, storage, signs and lighting	Compliant	The PUD complies with the architectural design and site planning requirements in the IDDSG. The design incorporates adequate articulation, building materials and site configuration.
10. Landscaping of total site in terms of purpose, such as screening, ornamental types used, and materials used, if any; and maintenance, suitability and effect on the neighborhood	Compliant	The PUD complies with landscape requirements in the IDDSG ensuring adequate screening and compatible landscaping for the CTC.
11. Compliance with all applicable development design standards and guidelines and all applicable regulations pertaining to matters of state interest, as specified in <u>chapter 17.32</u>	Compliant, with waiver	The PUD complies with all applicable development design standards and guidelines.
12. None of the standards for annexation specified in <u>chapter 16.32</u> have been violated	Not applicable	The property was annexed in 1976.
13. Services including utilities, fire and police protection, and other such services are available or can be made available to adequately serve the development specified in the final development plan	Compliant	The Public Works Department and Louisville Fire District reviewed the PUD and meets their requirements.

Criteria 17.28.120 (B)	Finding	Narrative
1. Development shall be in accordance with the adopted elements of the comprehensive development plan of the city, and in accordance with any adopted development design standards and guidelines.	Compliant	The PUD complies with the adopted elements of the comprehensive plan, and the adopted development design standards and guidelines.
2. No structures in a planned unit development shall encroach upon the floodplain. Existing bodies of water and existing stream courses shall not be channelized or altered in a planned unit development plan.	Compliant	The property is not located in a floodplain, nor are there any existing bodies of water in the area.

<p>3. No occupied structure shall be located on ground showing severe subsidence potential without adequate design and study approved specifically by the city.</p>	<p>Compliant</p>	<p>There is no known subsidence on the property.</p>
<p>4. The proposal should utilize and preserve existing vegetation, land forms, waterways, and historical or archeological sites in the best manner possible. Steep slopes and important natural drainage systems shall not be disrupted. How the proposal meets this provision, including an inventory of how existing vegetation is included in the proposal, shall be set forth on the landscape plan submitted to the city.</p>	<p>Compliant</p>	<p>The PUD is appropriate for the context of the existing conditions of the property. The property is located within an established light industrial park.</p>
<p>5. Visual relief and variety of visual sitings shall be located within a development in the overall site plan. Such relief shall be accomplished by building placements, shortened or interrupted street vistas, visual access to open space and other methods of design.</p>	<p>Compliant</p>	<p>The PUD complies with site planning requirements in the IDDSG, ensuring proper building placement, vistas and access to open space.</p>
<p>6. Open space within the project shall be located in such a manner as to facilitate pedestrian use and to create an area that is usable and accessible to residents of surrounding developments.</p>	<p>Not Applicable</p>	<p>The PUD complies with requirements in the IDDSG and is part of an established light industrial park. Providing public opens space for residents is not applicable.</p>
<p>7. Street design should minimize through traffic passing residential units. Suggested standards with respect to paving widths, housing setbacks and landscaping are set forth in public works standards of the city and applicable development design standards and guidelines. The system of streets, including parking lots,</p>	<p>Compliant</p>	<p>The PUD complies with requirements in the IDDSG, ensuring properly designed landscaping adjacent to public streets.</p>

shall aid the order and aesthetic quality of the development.		
8. There shall exist an internal pedestrian circulation system separate from the vehicular system such that allows access to adjacent parcels as well as to parks, open space or recreation facilities within the development. Pedestrian links to trail systems of the city shall be provided.	Compliant	The PUD complies with bicycle and pedestrian requirements in the IDDSG, ensuring adequate pedestrian and bicycle access.
9. The project and development should attempt to incorporate features which reduce the demand for water usage.	Compliant	The PUD proposes minimal use of water. Waterwise landscaping best practices are utilized throughout the proposed site. All proposed plantings will be watered with an automatic underground irrigation system designed for efficiency.
10. Landscape plans shall attempt to reduce heating and cooling demands of buildings through the selection and placement of landscape materials, paving, vegetation, earth forms, walls, fences, or other materials.	Compliant	The PUD complies with landscape requirements in the IDDSG, providing for shading of parking and pedestrian areas.
11. Proposed developments shall be buffered from collector and arterial streets. Such buffering may be accomplished by earthen berms, landscaping, leafing patterns, and other materials. Entrance islands defining traffic patterns along with landscaping shall be incorporated into entrances to developments.	Compliant	The PUD complies with the requirements of the IDDSG and includes adequate landscaping and buffering from adjacent streets.
12. There shall be encouraged the siting of lot arrangement, building orientation and roof orientation in developments so as to obtain the maximum use of solar energy for heating.	Compliant	The PUD provides unshaded roof structures so that solar energy may be utilized in the future.
13. The overall PUD shall provide a variety of housing types.	Not applicable	Housing is not proposed.

14. Neighborhoods within a PUD shall provide a range of housing size.	Not applicable	Housing is not proposed.
15. Architectural design of buildings shall be compatible in design with the contours of the site, compatible with surrounding designs and neighborhoods, shall promote harmonious transitions and scale in character in areas of different planned uses, and shall contribute to a mix of styles within the city.	Compliant	The PUD proposes architecture that is compatible in design with the contours of the site, with surrounding designs and neighborhoods.

**RESOLUTION NO. 23  
SERIES 2019**

**A RESOLUTION APPROVING A FINAL PLANNED UNIT DEVELOPMENT TO  
ALLOW THE CONSTRUCTION OF A NEW 22,500 SQUARE FOOT BUILDING AND  
ASSOCIATED SITE IMPROVEMENTS FOR THE PROPERTY AT 602 TAYLOR  
AVENUE**

**WHEREAS**, there has been submitted to the Louisville Planning Commission an application for approval of a request for of a final Planned Unit Development (PUD) to allow the construction of a new 22,500 square foot building and associated site improvements for the property at 602 Taylor Avenue; and

**WHEREAS**, the City Staff has reviewed the information submitted and found that, subject to conditions, the application complies with the Louisville zoning and subdivision regulations and other applicable sections of the Louisville Municipal Code; and;

**WHEREAS**, after a duly noticed public hearing on June 13, 2019, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated June 13, 2019, the Planning Commission recommended approval of the Final PUD to City Council; and

**WHEREAS**, City Council has reviewed the application, including the recommendation of the Planning Commission and finds that said Planned Unit Development should be approved.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Louisville, Colorado does hereby recommend approve a final Planned Unit Development (PUD) for the construction of a new 22,500 square foot building and associated site improvements for the property at 602 Taylor Avenue.

**PASSED AND ADOPTED** this 23<sup>rd</sup> day of July, 2019.

By: \_\_\_\_\_  
Robert P. Muckle, Mayor

Attest: \_\_\_\_\_  
Carol Hanson, Deputy City Clerk

**LAND USE APPLICATION**

**CASE NO.** \_\_\_\_\_

**APPLICANT INFORMATION**

Firm: RVP Architecture, P.C.  
 Contact: Robert Van Relt  
 Address: 3223 Arapahoe Ave #220  
Boulder, CO 80303  
 Mailing Address: same  
 Telephone: 303-443-5355  
 Fax: -  
 Email: bob@rvparchitecture.com

**OWNER INFORMATION**

Firm: Elixinol, LLC  
 Contact: Gabriel Etteusan  
 Address: 580 Burbank St. Unit J  
Broomfield, CO 80020  
 Mailing Address: same  
 Telephone: 844-804-3504  
 Fax: -  
 Email: gabriel@elixinol.com

**REPRESENTATIVE INFORMATION**

Firm: Same as Applicant  
 Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**PROPERTY INFORMATION**

Common Address: 402 Taylor  
 Legal Description: Lot 7 Blk 4  
 Subdivision CTZ First Filing  
 Area: 52,372 Sq. Ft.

**TYPE (S) OF APPLICATION**

- Annexation
- Zoning
- Preliminary Subdivision Plat
- Final Subdivision Plat
- Minor Subdivision Plat
- Preliminary Planned Unit Development (PUD)
- Final PUD
- Amended PUD
- Administrative PUD Amendment
- Special Review Use (SRU)
- SRU Amendment
- SRU Administrative Review
- Temporary Use Permit: \_\_\_\_\_
- CMRS Facility: \_\_\_\_\_
- Other: (easement / right-of-way; floodplain; variance; vested right; 1041 permit; oil / gas production permit)

**PROJECT INFORMATION**

Summary: New 22,500 s.f. building  
(2 story) on vacant lot.  
Building to house the  
operations of Elixinol, LLC  
(property owner).

Current zoning: I Proposed zoning: I

**SIGNATURES & DATE**

Applicant: [Signature]  
 Print: Robert Van Relt  
 Owner: [Signature]  
 Print: Gabriel Etteusan  
 Representative: [Signature]  
 Print: Robert Van Relt

**CITY STAFF USE ONLY**

- Fee paid: \_\_\_\_\_
- Check number: \_\_\_\_\_
- Date Received: \_\_\_\_\_



March 6, 2016

City of Louisville Planning Department  
749 Main Street  
Louisville, CO 80027

**Letter of Request – Final PUD, Lot 7, Block 4, CTC First Filing  
(602 Taylor Avenue)**

Elixinol, LLC is seeking approval to build a new building on the above referenced lot in the Colorado Technological Center. Elixinol, LLC is a leader in the production of hemp products in Europe, the U.S. and Australia. They specialize in the development of organic CBD and related hemp products for distribution to consumers here in the U.S. They are anticipating having 35 employees at this new facility and are currently leasing approximately 10,000 s.f. in the adjacent building at 638 Taylor. They intend to occupy both facilities.

Final PUD approval is being sought for a two story 22,500 s.f. building. The ground floor of 15,000 s.f. will house their research, production, distribution and warehouse functions. The second floor will contain office and employee amenity areas. 45 parking spaces will be provided (a ratio of 2 spaces per 1,000 s.f.), which is adequate to handle employees and visitors. A single ingress/egress location is being proposed. A loading dock is proposed at the east of the building.

The building is oriented very similar to the adjacent building they are leasing next door. The building will be 30' tall at its highest point. Construction is to be tilt up concrete panels with interior steel columns and bar joists. The building will have an automatic fire sprinkler system throughout. The main entry area will have extensive storefront glazing to add some variation to the concrete portions of the building as well as enhance the pedestrian arrival experience. Variations in heights of the parapets will also help to differentiate parts of the building and three to four color combinations will be used on the panels to give variety to the concrete elements. Landscaping will play a major role in the entry area and the employee break/relaxation area just west of this entry. The loading area is far back enough on the site to occur entirely in the private zone. The site layout meets the setback and bulk requirements of the IDDSG adopted by the City. We also believe the site and building design meets or exceeds all the other design criteria set forth in that document.

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

Sincerely,

Robert Van Pelt  
Architect

4141 Arapahoe Avenue, Suite 100  
Boulder, Colorado 80303

(303) 443-5355  
Fax (303) 444-5085

**FINAL DRAINAGE REPORT  
602 TAYLOR AVENUE  
LOT 7, BLOCK 4  
COLORADO TECHNOLOGICAL CENTER FILING 1  
LOUISVILLE, COLORADO**

**Prepared For:**

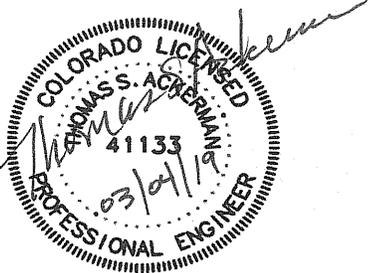
RVP Architecture, P.C.  
3223 Arapahoe Avenue  
Suite 220  
Boulder, CO 80303

**Prepared By:**

Hurst and Associates, Inc.  
1265 S. Public Rd. Suite B  
Lafayette, CO 80026

Job Number 2515-5  
March 5, 2019

I hereby certify that this report for the final drainage design of Lot 7, Block 4 of the Colorado Technological Center, Filing 1 was prepared by me (or under my direct supervision) in accordance with the provisions of the City of Louisville *Storm Drainage Design and Technical Criteria Manual* for the owners thereof.



Thomas S Akherman  
Registered Professional Engineer  
State of Colorado No. 41133

## TABLE OF CONTENTS

Introduction

Hydrologic/Hydraulic Analysis

Drainage Facility Design

Erosion Control

Conclusion

References

Vicinity Map

FIRM Map

Runoff Calculations.....	Appendix A
Storm Sewer Pipe Sizing.....	Appendix B
Inlet Analysis.....	Appendix C
Detention Pond Calculations.....	Appendix D
Rip Rap Analysis.....	Appendix E
Soil Information.....	Appendix F

Map Pocket - 1. Grading & Drainage Plan

## ***INTRODUCTION***

The intent of this drainage report is to present the drainage design of the proposed drainage facilities of Lot 7, Block 4 of Colorado Technological Center Filing 1. The project site is located at 602 Taylor Avenue. Also, it is located in the southwest quarter of Section 16, Township 1 South, and Range 69 West of the Sixth Principal Meridian, City of Louisville, County of Boulder, and State of Colorado. A single light industrial building will be built. The project site is currently vacant. Runoff from the approximate western two-thirds of the site drains westerly to Taylor Avenue. Runoff from the approximate eastern one-third of the site drains easterly onto the eastern adjoiner's property. This report analyzes the impact of the storm events only and is not intended to analyze the effects of future irrigation or groundwater conditions.

## ***HYDROLOGIC/HYDRAULIC ANALYSIS***

The drainage system was designed using a 2-year minor storm return period and a 100-year major storm return period. The storm water runoff was determined using the Rational Method as presented in the *Urban Drainage and Flood Control District Manual*. Drainage basins were defined by the proposed grading and the locations of the proposed inlets and storm sewers. Times of concentration (Tc) were developed for each basin. These times and the Time-Intensity-Frequency Curve in the *City of Louisville's Design and Technical Criteria* were used to determine the minor and major storm intensities and the corresponding runoffs for each sub-basin. Calculations are located within **Appendix A**.

## ***DRAINAGE FACILITY DESIGN***

The drainage design conveys the developed runoff from the project site to a proposed on-site detention pond along Taylor Avenue. Curb and gutters, concrete pans, inlets, and storm pipes carry the developed runoff to the proposed detention pond. The storm sewer systems were designed to convey the 100-year flows to the proposed detention pond. See **Appendix B** and **Appendix C** for a detailed analysis of the proposed storm pipes and inlets. The proposed detention pond will release flows into the existing 36-inch storm pipe located along the eastern curb line of Taylor Avenue.

Runoff from 0.09 acres of Lot 7 will bypass the proposed detention pond and enter Taylor Avenue. The 0.09 acres includes 0.08 acres of grass or landscaping and 0.1 acres of asphalt or concrete. This will have minimal impact on surrounding areas. Runoff from 0.04 grassed or landscaped acres of Lot 7 will bypass the proposed detention pond and enter the eastern adjoiner's property. This will have minimum impact on the surrounding areas.

The *Urban Drainage and Flood Control District's* Detention Design worksheet was used to determine the 10-year and 100-year volumes. The 10-year and 100-year release rates were determined using the City of Louisville's *Storm Drainage and Technical Criteria Manual*. To improve the quality of

the released flows, a water quality capture volume is incorporated into the design. The water quality capture volume and release rate are based upon the design procedures set forth in the *Urban Drainage and Flood Control Drainage Design Guidelines* for extended detention basins. The outfall structure will have small outlets that extend the emptying time of the frequent storm events to facilitate pollutant removal.

WQCV	V <sub>10</sub>	V <sub>100</sub>	Q <sub>10</sub>	Q <sub>100</sub>
0.03 ac-ft	0.09 ac-ft	0.13 ac-ft	0.33 cfs	1.11 cfs

***EROSION CONTROL***

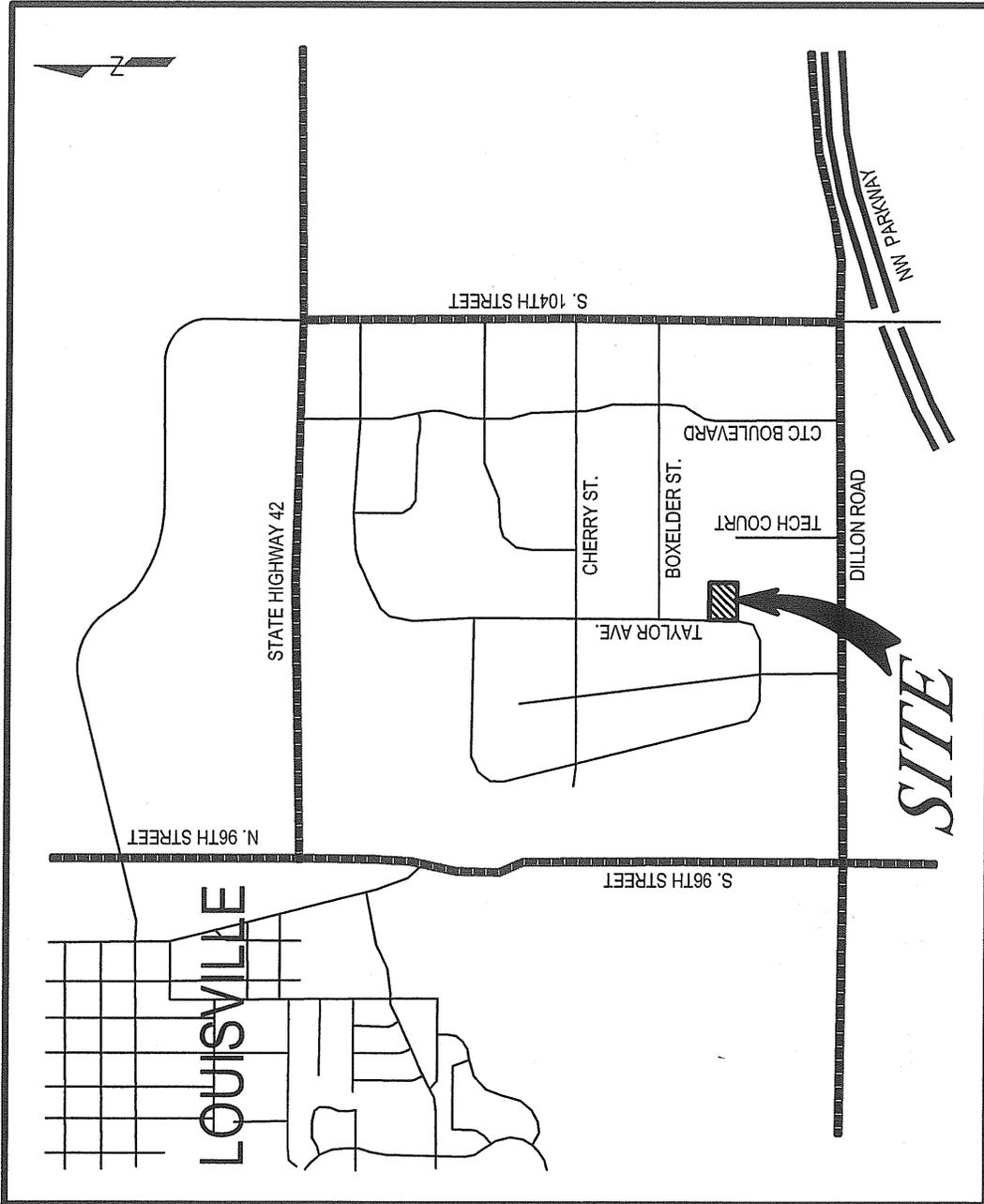
Temporary erosion control will be provided during construction and grading of the project. This includes silt fencing, inlet protection, and the seeding and mulching of disturbed areas. Permanent erosion control for storm sewer outfalls will be provided.

**CONCLUSION**

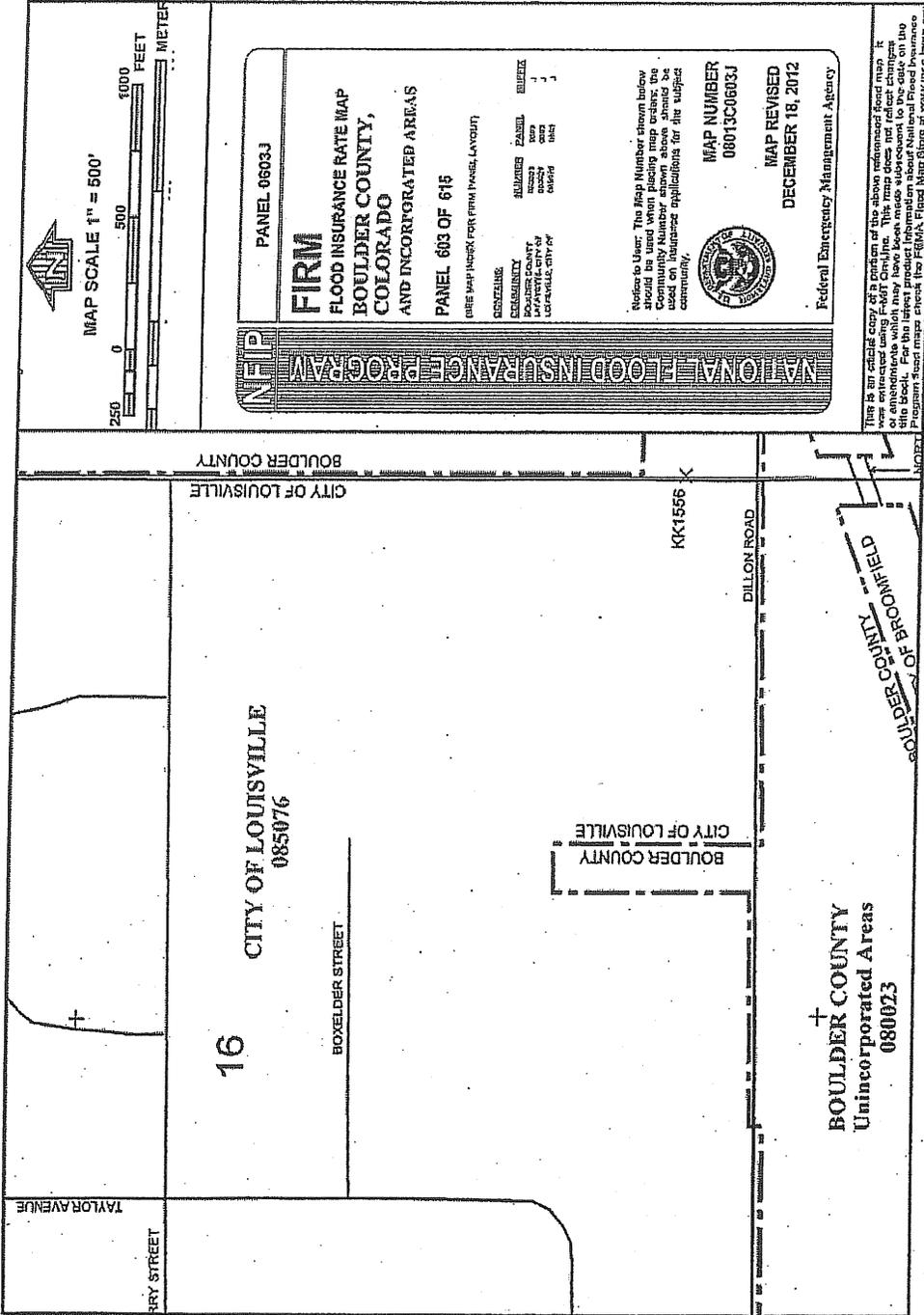
The drainage design conveys the developed runoff from the project site to a proposed detention pond located along Taylor Avenue. Curb and gutters, concrete pans, inlets, and storm pipes will carry the developed runoff to the proposed detention pond. The detention pond will release the runoff into the existing 36-inch storm pipe located along the eastern curb line of Taylor Avenue. The proposed drainage facilities conform to the design standards set forth in the City of Louisville’s *Storm Drainage and Technical Criteria Manual*.

***REFERENCES***

- 1) City of Louisville’s *Storm Drainage and Technical Criteria Manual* as prepared by WHPacific, Inc. and dated August 2013.
- 2) *Urban Storm Drainage Criteria Manual*, Urban Drainage and Flood Control District.



VICINITY MAP (NTS)



**PANEL 0603J**

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**BOULDER COUNTY,**  
**COLORADO**  
**AND INCORPORATED AREAS**

**PANEL 603 OF 615**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

COMMUNITY	ALUMINUM	PANEL	SUBJECT
BOULDER COUNTY	603J	0603J	F
LOUISVILLE, CITY OF	603J	0603J	F

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

**MAP NUMBER**  
06013C0603J

**MAP REVISED**  
DECEMBER 18, 2012

Federal Emergency Management Agency

This is an archival copy of a portion of the above referenced flood map. It was extracted using FIRM Online. This map does not reflect any changes to the flood map which have been made subsequent to the date on the title block. For more information about National Flood Insurance Program flood maps, contact the FEMA Flood Map Store at [www.fema.gov](http://www.fema.gov).

# Final Planned Unit Development

## Lot 7, Block 4, CTC, First Filing

### New Building at 602 Taylor Avenue

CITY COUNCIL CERTIFICATE

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO, RESOLUTION NO. \_\_\_\_\_ SERIES \_\_\_\_\_

MAYOR \_\_\_\_\_ CITY CLERK \_\_\_\_\_

PLANNING COMMISSION CERTIFICATE

RECOMMENDED APPROVAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE PLANNING COMMISSION OF THE CITY OF LOUISVILLE, COLORADO, RESOLUTION NO. \_\_\_\_\_ SERIES \_\_\_\_\_

CLERK AND RECORDER CERTIFICATE  
(COUNTY OF BOULDER  
STATE OF COLORADO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_ M., THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND IS RECORDED IN PLAN FILE \_\_\_\_\_, FEE \_\_\_\_\_ PAID \_\_\_\_\_, FILM NO. \_\_\_\_\_, RECEPTION \_\_\_\_\_.

RECORDER \_\_\_\_\_ DEPUTY \_\_\_\_\_

OWNERSHIP SIGNATURE BLOCK

BY SIGNING THIS P.U.D., THE OWNER ACKNOWLEDGES AND ACCEPTS ALL THE REQUIREMENTS AND INTENT SET FORTH IN THIS P.U.D.

WITNESS OUR HANDS AND SEALS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ELIXINOL, LLC. (OWNER)

NOTARY \_\_\_\_\_

**LEGAL DESCRIPTION:** LOT 7, BLOCK 4, COLORADO TECHNOLOGICAL CENTER, FIRST FILING. LOCATED IN SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST, 6TH PRINCIPAL MERIDIAN, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO.

**ZONING AND PARKING INFORMATION**

**ZONING:** INDUSTRIAL PUD. (COLORADO TECH CENTER PUD)  
**SETBACKS (PRINCIPAL BUILDING):** SETBACKS (PARKING):  
FRONT (SOUTH TAYLOR): 50' FRONT (SOUTH TAYLOR): 20'  
REAR: 10' REAR: N/A  
SIDE: 10' SIDE: 10'

ALLOWABLE MAXIMUM BUILDING HEIGHT: 40'  
(PER CITY OF LOUISVILLE (DDSG))  
PROPOSED BUILDING HEIGHT: 30'-0"

**PARKING:**  
SPACES REQUIRED (2 SPACES PER 1,000 S.F. MIN.): \_\_\_\_\_ = 30 SPACES  
GROUND FLOOR: 15,044 S.F. / 500 = 12 SPACES  
SECOND FLOOR: 5,883 S.F. / 500 = 42 SPACES  
TOTAL PARKING REQUIRED: \_\_\_\_\_ = 42 SPACES  
SEE NOTE #8 BELOW ON BREAKDOWN OF ANTICIPATED USES IN BUILDING.

**SPACES PROVIDED:**  
HANDICAP SPACES: 2 SPACES = 8'-0"x11'-6"\* = 2 SPACES  
FULL SIZE SPACES: 4'-0"x11'-6"\* = 42 SPACES  
TOTAL PARKING PROVIDED: \_\_\_\_\_ = 44 SPACES  
\*NOTE: 11'-6" DEEP PARKING SPACES WITH 18" OVERHANG = 19'-0" STANDARD DEPTH

- GENERAL NOTES:**
- THE PROJECT IS TO BE CONSTRUCTED IN ONE PHASE.
  - CONSTRUCTION MATERIALS ARE AS FOLLOWS:  
WALLS: PRE-CAST CONCRETE PANELS PAINTED AS FOLLOWS  
COLOR P-1: SHERWIN WILLIAMS SW 6966 "BLUEBLOOD"  
COLOR P-2: SHERWIN WILLIAMS SW 6002 "ESSENTIAL GRAY"  
COLOR P-3: SHERWIN WILLIAMS SW 1008 "EXTRA WHITE"  
ROOF: TAPERED WHITE TPO ROOF (CONCEALED BY PARAPET)  
WINDOWS: ALUMINUM STOREFRONT - NATURAL ANODIZED FINISH  
CANOPIES: ALUMINUM/STEEL PAINTED P-3
  - THE PROJECT IS TO BE DESIGNED IN ACCORDANCE WITH THE CRITERIA SET FORTH IN THE CITY OF LOUISVILLE INDUSTRIAL DEVELOPMENT DESIGN STANDARDS AND GUIDELINES (IDDSG).
  - ALL EXISTING PUBLIC AND PRIVATE SIDEWALK, CURB, GUTTER AND ASPHALT ADJACENT TO THE PERIMETER OF THE SITE THAT IS CRACKED, SETTLED, OR OTHERWISE DAMAGED SHALL BE REMOVED AND REPLACED BY THE CONTRACTOR AS DETERMINED NECESSARY BY THE CITY, AS PART OF THE PROJECT, AND AT THE DEVELOPER'S EXPENSE.
  - NO OFF SITE IMPROVEMENTS ARE ANTICIPATED TO BE REQUIRED IN CONJUNCTION WITH THIS PROJECT.
  - ANY ROOF TOP SCREENING SHALL BE SUBJECT TO THE IDDSG OR THE DESIGN REGULATIONS IN EFFECT AT THE TIME OF INSTALLATION.
  - ANY RETAINING WALL MATERIAL ASSOCIATED WITH THE DETENTION POND WILL MATCH THE PRIMARY BUILDING COLORS.
  - THE BUILDING IS ANTICIPATED TO HAVE THE FOLLOWING BREAKDOWN OF USES: OFFICE - 3,421 S.F., MANUFACTURING - 12,719 S.F., WAREHOUSE - 4,701 S.F.

**LAND USE BREAKDOWN**

USE	AREA	PERCENT
BUILDING COVERAGE:	15,044 S.F.	28.7%
PARKING AND DRIVES:	20,280 S.F.	38.7%
SIDEWALKS AND EQUIP. PAD:	1,926 S.F.	3.7%
OPEN SPACE (LANDSCAPED):	15,122 S.F.	28.4%
<b>TOTAL: LOT SIZE</b>	<b>52,372 S.F.</b> 1.20 ACRES	<b>100%</b>
<b>TOTAL BUILDING AREA:</b>	<b>20,921 S.F.</b>	
GROUND FLOOR:	15,044 S.F.	
UPPER FLOOR:	5,883 S.F.	

**PROJECT DATA**

**OWNER:**  
ELIXINOL, LLC  
580 BURBANK STREET, UNIT 155  
BROOMFIELD, COLORADO 80020  
844-904-3504 phone

**ARCHITECT/PLANNER:**  
RVP ARCHITECTURE AND CONSULTING, P.C.  
3223 ARAPAHOE AVENUE, SUITE 220  
BOULDER, COLORADO 80505  
303-443-5355

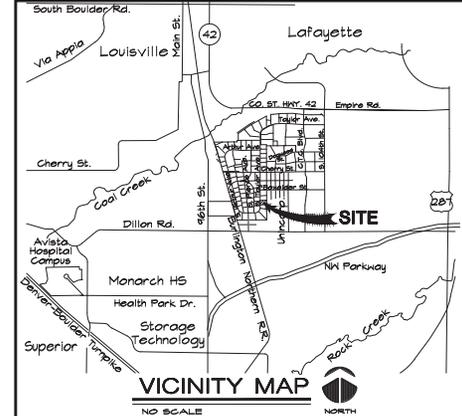
**CIVIL ENGINEER:**  
HURST & ASSOCIATES, INC.  
1265 PUBLIC ROAD, SUITE B  
LAFAYETTE, COLORADO 80026  
303-444-4105

**LANDSCAPE ARCHITECT:**  
TOPE LLC  
1466 N. FRANKLIN COURT  
LOUISVILLE, COLORADO 80021  
303-500-1058

**LIGHTING PHOTOMETRIC DESIGN:**  
THE LIGHTING AGENCY  
2661 11TH STREET  
DENVER, COLORADO 80211  
303-455-1012 phone

**PUD DRAWING INDEX**

1	COVER SHEET
2	SITE PLAN DEVELOPMENT PLAN
3	SITE DETAILS
4	ELEVATIONS
5	UTILITY PLAN
6	GRADING PLAN
7	LANDSCAPE NOTES AND TABLES
8	LANDSCAPE PLAN
9	LANDSCAPE DETAILS
10	PHOTOMETRIC PLAN
11	LIGHTING CUT SHEETS



**RVP Architecture**  
a professional architectural firm  
a Colorado professional corporation  
3223 Arapahoe Avenue, Suite 220  
Boulder, Colorado 80505  
(303) 443-5355  
rvpar@rva.com

**Elixinol, LLC New Building**  
Lot 7, Block 4, CTC First Filing 602 Taylor Avenue  
Louisville, Colorado

PROJ NO: 18-14  
DATE: MARCH 8, 2019  
REV: MAY 7, 2019

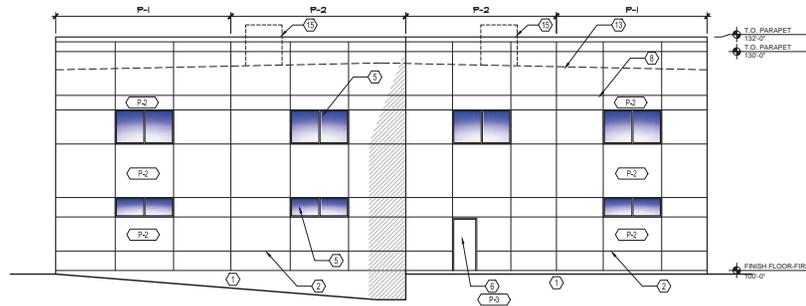
Copyright ©2019 - All rights reserved RVP Architecture and Consulting, P.C. All design drawings and written material herein may not be used or duplicated without the written consent of RVP Architecture and Consulting, P.C.

COVER SHEET

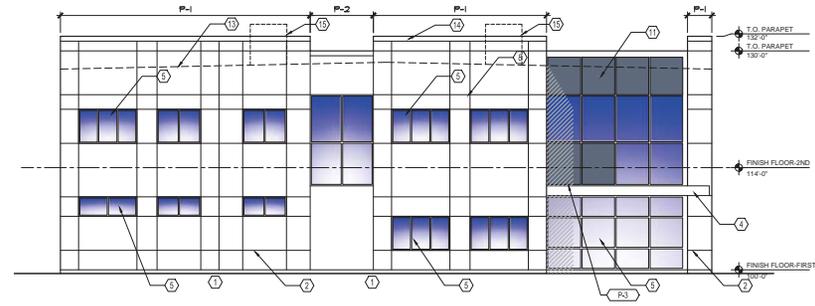
1  
SHEET 1 OF 11







**EAST ELEVATION**  
SCALE: 1/8" = 1'-0"

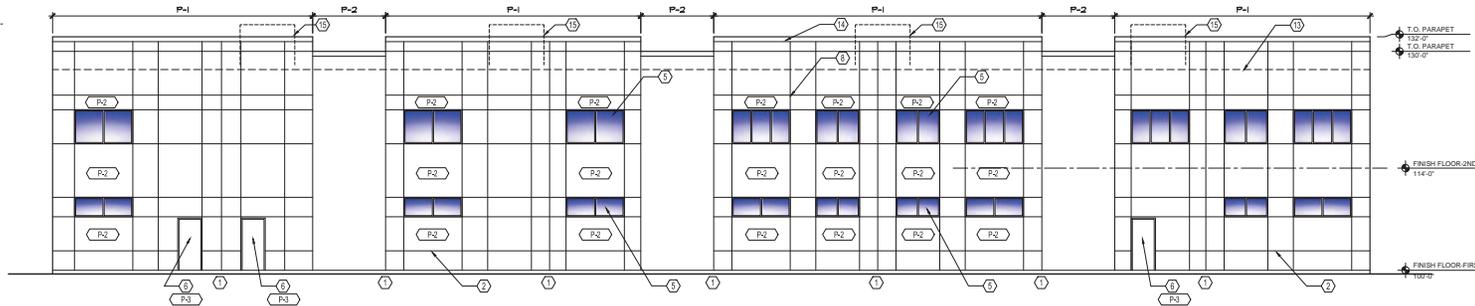


**WEST ELEVATION**  
SCALE: 1/8" = 1'-0"

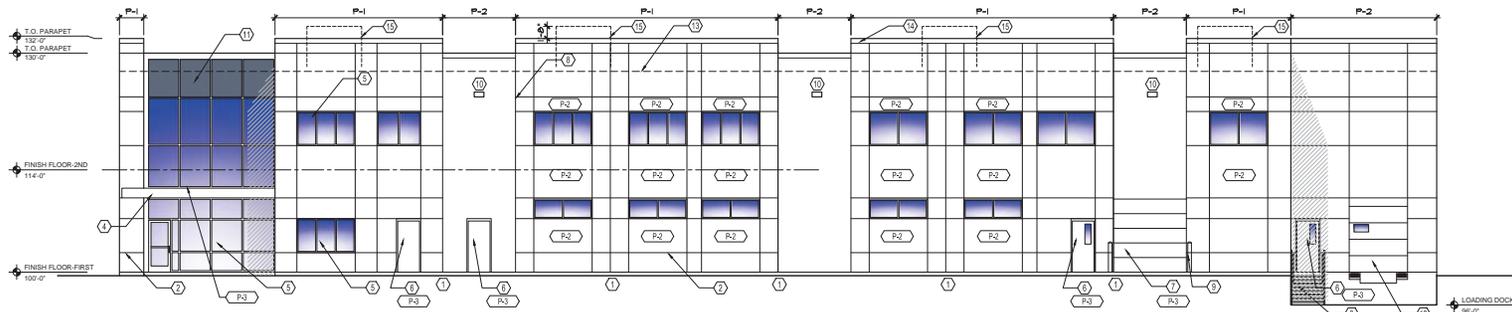
**ELEVATION NOTES**

1. PANEL JOINT
2. TEXTURED PRE-CAST CONC. EXTERIOR WALL PANELS - TYPICAL
3. METAL STAIR
4. METAL/ALUMINUM CANOPY
5. ALUMINUM STOREFRONT WINDOWS AND DOORS (NATURAL ANODIZED FINISH)
6. STEEL MAN DOOR
7. DRIVE IN O.H. DOOR
8. HORIZONTAL AND VERTICAL REVEALS
9. BOLLARD
10. WALL PAC LIGHT (RE: ELECTRICAL)
11. SPANDREL GLASS
12. OVERHEAD DOCK DOOR
13. LINE OF ROOF BEHIND PARAPET (DASHED)
14. PAINTED METAL PARAPET CAP
15. APPROX. LOCATION AND SIZE OF RTU'S (ALL WILL BE SET BACK MIN. 25' FROM EDGE OF PARAPET).

- COLOR NOTES:**
- P-1: SHERWIN WILLIAMS SW 6966 "BLUEBLOOD"
  - P-2: SHERWIN WILLIAMS SW 6002 "ESSENTIAL GRAY"
  - P-3: SHERWIN WILLIAMS SW 7006 "EXTRA WHITE"



**NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"

**KVP Architecture**  
a professional consulting company  
3225 Arapahoe Avenue Suite 220  
Boulder, Colorado 80503  
303 443-9365  
kvparchitecture.com

**Elixinol, LLC New Building**  
Lot 7, Block 4, CTC First Filing 602 Taylor Avenue  
Louisville, Colorado

PROJ NO: 18-14  
DATE: MARCH 6, 2018  
REV: MAY 7, 2018

Copyright © 2018 - All rights reserved. KVP Architecture and Consulting, P.C. All design drawings and written material herein may not be used or duplicated without the written consent of KVP Architecture and Consulting, P.C.

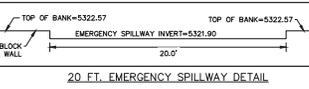
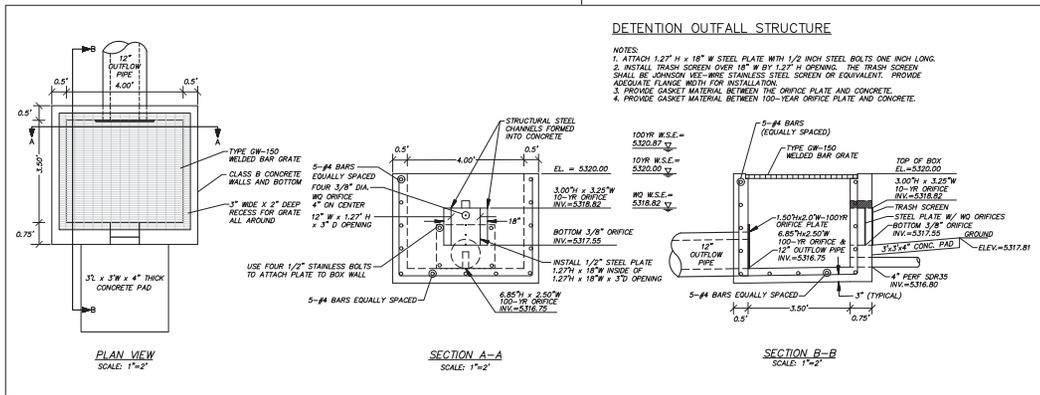
ELEVATIONS



LEGEND

- Proposed Waterline
- - - Existing Waterline
- - - Proposed Sewerline
- - - Existing Sewerline
- Stormline
- W Water Service
- SS Sewer Service
- FS Fire Service
- G Existing Gas Line
- E Ex. Underground Electric
- OHE Ex. Overhead Electric
- FO Existing Fiber Optic
- T Existing Telephone Line
- TV Existing Cable TV Line
- ▲ Thrust Block
- W Water Valve
- ⊕ Fire Hydrant
- ⊕ Plug
- - - Existing Contours
- - - Proposed Contours
- Flow Arrow
- ⊕ Basin Designation
- Basin Boundary

**LOT 7, BLOCK 4**  
**COLORADO TECHNOLOGICAL CENTER FILING 1**  
**602 SOUTH TAYLOR AVENUE**  
**PLANNED UNIT DEVELOPMENT**  
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16,  
 TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
 CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO



**DETENTION POND CHARACTERISTICS**

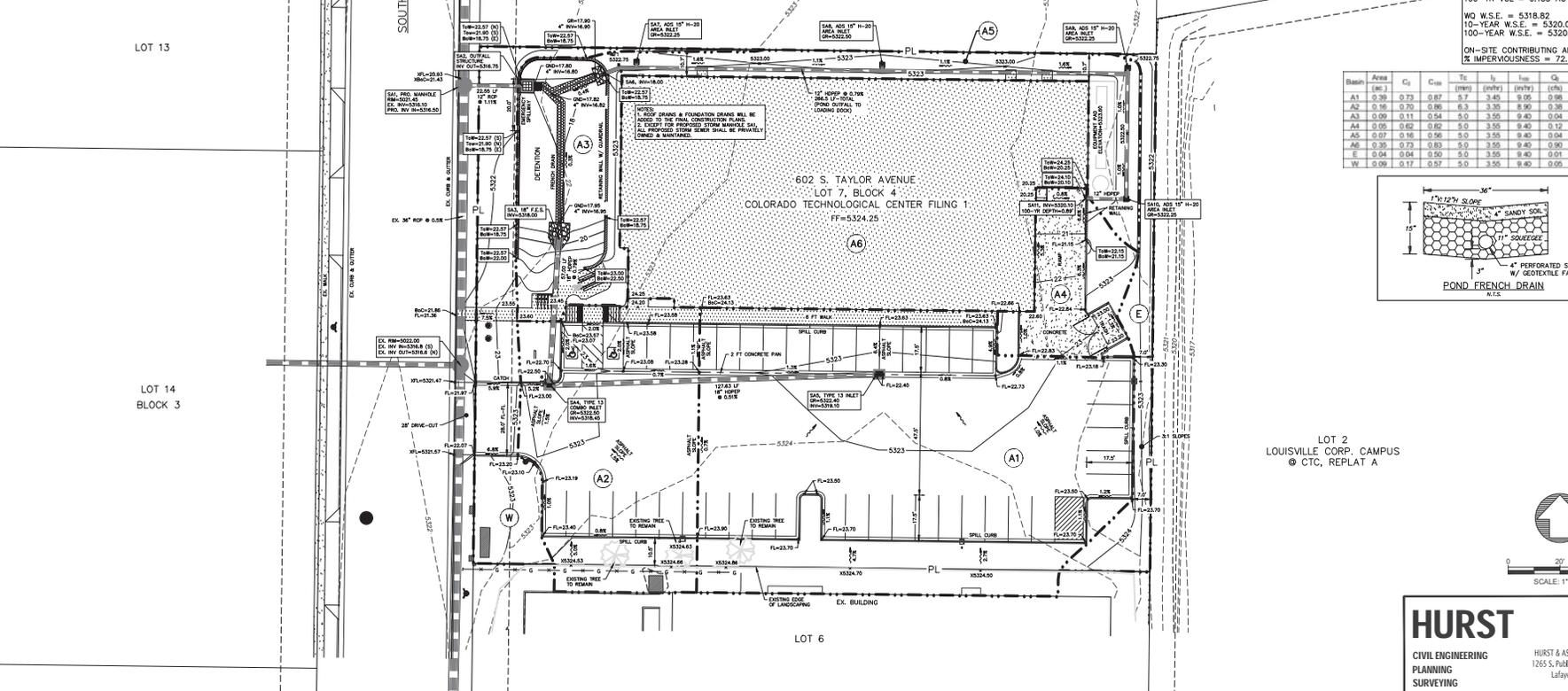
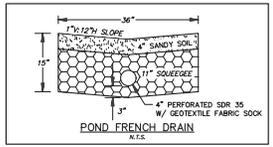
Q10 = 0.34 CFS  
 Q100 = 1.12 CFS

WQ VOL = 0.027 AC-FT  
 10-YR VOL = 0.087 AC-FT  
 100-YR VOL = 0.133 AC-FT

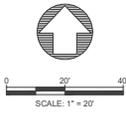
WQ W.S.E. = 5318.82  
 10-YEAR W.S.E. = 5320.00  
 100-YEAR W.S.E. = 5320.87

ON-SITE CONTRIBUTING AREA  
 % IMPERVIOUSNESS = 72.4%

Basin	Area (ac.)	C <sub>1</sub>	C <sub>2</sub>	T <sub>c</sub> (min)	I <sub>s</sub> (in/hr)	I <sub>max</sub> (in/hr)	Q <sub>1</sub> (cfs)	Q <sub>10</sub> (cfs)
A1	0.29	0.73	0.87	0.7	3.45	9.06	0.98	3.07
A2	0.96	0.70	0.86	6.3	3.35	8.90	0.38	1.24
A3	0.09	0.11	0.54	5.0	3.55	9.40	0.04	0.47
A4	0.05	0.62	0.50	5.0	3.55	9.40	0.12	0.42
A5	0.07	0.18	0.56	5.0	3.55	9.40	0.04	0.39
A6	0.35	0.73	0.83	5.0	3.55	9.40	0.90	2.69
F	0.04	0.04	0.50	5.0	3.55	9.40	0.01	0.20
W	0.08	0.17	0.57	5.0	3.55	9.40	0.05	0.47



LOT 2  
 LOUISVILLE CORP. CAMPUS  
 © CTC, REPLAT A



**HURST**  
 CIVIL ENGINEERING  
 PLANNING  
 SURVEYING

HURST & ASSOCIATES, INC.  
 1265 S. Public Road, Suite B  
 Lafayette, CO 80026  
 303.445.9103

**KVP Architecture**  
 ARCHITECTS  
 a collaborative professional corporation  
 3223 Arapahoe Avenue Suite 220  
 Boulder, Colorado 80503  
 P: (303) 443-8585  
 kvpare.com

**Elixinol, LLC New Building**  
 Lot 7, Block 4, CTC First Filing 602 Taylor Avenue  
 Louisville, Colorado

PROJ NO: 18-14  
 DATE: MARCH 6, 2019  
 REV: MAY 7, 2019

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

Copyright © 2019 - All rights reserved RVP Architecture and Consulting, P.C. All design drawings and written material herein may not be used or duplicated without the written consent of RVP Architecture and Consulting, P.C.

GRADING PLAN  
**6**  
 SHEET 6 OF 11

**LANDSCAPE SHEET INDEX**

- 7 LANDSCAPE NOTES AND TABLES
- 8 LANDSCAPE PLAN
- 9 LANDSCAPE DETAILS

**PLANT LEGEND**

**DECIDUOUS SHADE TREES**

SYMBOL	QUANTITY	BOTANIC NAME	COMMON NAME	SIZE	WATER NEEDS	TYP. MATURE SIZE	
						HEIGHT	SPREAD
AC RR	2	ACER NYRABO 'FIS-KIKAMI'	RUGGED RIDGE MAPLE	2.5" CAL.	M	45'	35'
CE OC	5	CELTIS OCCIDENTALIS	WESTERN HACKBERRY	2.5" CAL.	L-W	50'-60'	40'-50'
OU MU	2	QUERCUS MUEHLBENBERGII	CHINKAPIN OAK	2.5" CAL.	M	40'	40'
TI CO	4	TILIA CORDATA 'GLENLEVEN'	GLENLEVEN LINDEN	2.5" CAL.	M	40'	35'
ULM ACC	3	ULMUS X 'MORTON'	ACCOLADE ELM	2.5" CAL.	M	50'	30'
TOTAL	16						

**DECIDUOUS ORNAMENTAL TREES**

SYMBOL	QUANTITY	BOTANIC NAME	COMMON NAME	SIZE	WATER NEEDS	TYP. MATURE SIZE	
						HEIGHT	SPREAD
AC TA	11	ACER TATARICUM 'PATTERN PERFECT'	PATTERN PERFECT MAPLE	8' CLUMP	M	15'-20'	15'-20'
TOTAL	11						

**EVERGREEN TREES**

SYMBOL	QUANTITY	BOTANIC NAME	COMMON NAME	SIZE	WATER NEEDS	TYP. MATURE SIZE	
						HEIGHT	SPREAD
PI PU	3	PICEA PUNGENS	COLORADO SPRUCE (GREEN)	6' HT.	L-W	60'	25'
PI NI	1	PINUS NIGRA	AUSTRIAN PINE	6' HT.	M	50'	30'
PI OG	5	PINUS NIGRA 'OREGON GREEN'	OREGON GREEN AUSTRIAN PINE	6' HT.	L-W	15'-20'	12'-15'
TOTAL	9						

**DECIDUOUS SHRUBS**

SYMBOL	QUANTITY	BOTANIC NAME	COMMON NAME	SIZE	WATER NEEDS	TYP. MATURE SIZE	
						HEIGHT	SPREAD
CC DK	12	CARYOPTERIS X CLANDONENSIS 'DARK KNIGHT'	DARK KNIGHT SPIREA	#5 CONT.	L-W	3'	3'
COR BA	9	CORNUS SERICEA 'BAILEY'	RED TWIG DOGWOOD	#5 CONT.	M	6'-8'	6'-8'
CH LS	3	PIERISIA ATRIPURPUREA 'LITTLE SPIRE'	LITTLE SPIRE RUSSIAN SAGE	#5 CONT.	L	2'-3'	2'-3'
PF TA	12	POTENTILLA FRUTICOSA 'FAROS'	DIAMONIA SUNSHOT POTENTILLA	#5 CONT.	L	3'	3'
PO JE	18	PHYSCALOPUS OPULIFOLIUS 'EFAN'	AMBER JUBILEE NINEBARK	#5 CONT.	M	6'	4'
RH AR	28	RHUS AROMATICA 'GROW-LOW'	GRO-LOW SUMAC	#5 CONT.	L-W	2'-3'	6'-8'
RH TR	7	RHUS TRILOBATA	THREE-LEAF SUMAC	#5 CONT.	L-W	3'-6'	3'-6'
RHU AUT	6	RHUS TRILOBATA 'AUTUMN AMBER'	AUTUMN AMBER SUMAC	#5 CONT.	L	18"	6'-8"
ROS GLA	5	ROSA GLAUCIA	REDLEAF ROSE	#5 CONT.	L-W	6'	4'-6"
SAL NAN	10	SALIX PURPUREA 'NANA'	DWARF ARCTIC BLUE WILLOW	#5 CONT.	M-H	6'	6'
SJ AW	6	SPIREA JAPONICA 'ANTHONY WATERER'	ANTHONY WATERER SPIREA	#5 CONT.	M	3'	3'
VB RAL	11	VBURNUM DENTATUM 'RALPH SENIOR'	AUTUMN JAZZ VBURNUM	#5 CONT.	M	11'	9'
VB MOH	3	VBURNUM LANTANA 'MOHICAN'	MOHICAN VBURNUM	#5 CONT.	L-W	6'	6'
VB LEN	6	VBURNUM LENTAGO	NANNYBERRY VBURNUM	#5 CONT.	L-W	8'-15'	6'-8'
TOTAL	136						

**ORNAMENTAL GRASSES**

SYMBOL	QUANTITY	BOTANIC NAME	COMMON NAME	SIZE	WATER NEEDS	TYP. MATURE SIZE	
						HEIGHT	SPREAD
BA BG	44	BOUPELOUJA GRACILIS 'BLONDE AMBITION'	BLONDE AMBITION BLUE GRAMA GRASS	#1 CONT.	L	30"	30"
PA HE	3	PANDOUJA VIRGATUM 'HEAVY METAL'	HEAVY METAL SWITCHGRASS	#1 CONT.	L	3'-4'	12'-18"
TOTAL	47						

**PLANT LEGEND NOTES**

- ALL TREES B&B.
- IN THE CASE OF A DISCREPANCY BETWEEN THE PLANT SCHEDULE AND THE PLANS, THE PLANS SUPERSEDE THE PLANT SCHEDULE.
- PLANT SPECIES AND SIZES ARE BASED ON CITY OF LOUISVILLE SITE REVIEW PROCESS. NO PLANT SUBSTITUTIONS WILL BE PERMITTED WITHOUT PRIOR WRITTEN AUTHORIZATION, AND SUBSTITUTION REQUESTS MAY BE DENIED.

**PLANTING PLAN NOTES**

- PROVIDE TREE PROTECTION FOR ALL EXISTING TREES TO REMAIN. SEE TREE PROTECTION NOTES AND DETAILS ON SHEET L3.0.
- UTILITY LOCATIONS ARE SHOWN ON THE PLANS FOR REFERENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ACTUAL UTILITY LOCATIONS.

**LANDSCAPE DESIGN STATEMENT**

THIS LANDSCAPE PLAN IS DESIGNED TO MEET OR EXCEED THE REQUIREMENTS OF THE LOUISVILLE INDUSTRIAL DEVELOPMENT DESIGN STANDARDS AND GUIDELINES (IDD5G) WITH RESPECT TO AESTHETICS, MASSING, VISUAL ENHANCEMENT, BUFFERS, AND WATER CONSERVATION.

WATERWISE LANDSCAPING BEST PRACTICES ARE UTILIZED THROUGHOUT THE PROPOSED LANDSCAPE, INCLUDING NATIVE AND ADAPTED PLANTS, SOIL AMENDMENTS, HYDROZONING, EFFICIENT IRRIGATION PRACTICES, MULCHING, AND CONSIDERATION OF MAINTENANCE REQUIREMENTS.

ALL PROPOSED PLANTINGS WILL BE WATERED WITH AN AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM DESIGNED FOR EFFICIENCY.

**PERIMETER LANDSCAPING ADJACENT TO ROADS: TREE REQUIREMENTS**

1 TREE PER 20 LINEAR FEET OF STREET FRONTAGE	
LINEAR FEET OF STREET FRONTAGE	200 LF
TREES REQUIRED	10
TREES PROVIDED (SEE NOTE)	10

NOTE:  
DUE TO THE UNDERGROUND UTILITIES IN THE RIGHT-OF-WAY AREA AND THE UTILITY EASEMENT ADJACENT TO THE RIGHT-OF-WAY, PERIMETER TREES MUST BE SET BACK A MINIMUM OF 22 FEET FROM THE SOUTH TAYLOR AVENUE CURB FLOWLINE.

**PERIMETER LANDSCAPING ADJACENT TO ROADS: SHRUB REQUIREMENTS**

6 SHRUBS PER TREE WITHIN THE STREETScape AREA	
TREES REQUIRED	10
SHRUBS REQUIRED	60
SHRUBS PROVIDED	63

**PERIMETER LANDSCAPING ADJACENT TO ABUTTING PROPERTY: TREE REQUIREMENTS**

SOUTH PROPERTY LINE: 1 TREE PER 30 LINEAR FEET OF PROPERTY LINE	
LINEAR FEET OF PROPERTY LINE	262 LF
TREES REQUIRED	9
TREES PROVIDED	10

NORTH PROPERTY LINE: 1 TREE PER 30 LINEAR FEET OF PROPERTY LINE	
LINEAR FEET OF PROPERTY LINE	262 LF
TREES REQUIRED	9
TREES PROVIDED	11

**REQUIRED PARKING LOT TREES**

1 TREE PER 16 PARKING SPACES	
TOTAL PROPOSED PARKING SPACES	44
PARKING LOT TREES REQUIRED	3
PARKING LOT TREES PROVIDED	3

**BUILDING SITE LANDSCAPING: TREE REQUIREMENTS**

1 DECIDUOUS TREE PER 30 LINEAR FEET OF BUILDING FRONTAGE FOR 50% OF THE BUILDING	
50% OF BUILDING PERIMETER LENGTH	270 LF
TREES REQUIRED	9
TREES PROVIDED	16

NOTE:  
ONLY TREES ON THE NORTH AND EAST SIDES OF THE BUILDING FRONTAGE ARE COUNTED IN THIS CALCULATION. PERIMETER TREES COUNTED ELSEWHERE ARE NOT INCLUDED.

**BUILDING SITE LANDSCAPING: MINIMUM LANDSCAPE COVERAGE**

25% LANDSCAPE COVERAGE WITHIN THE BUILDING SITE	
TOTAL SITE AREA	52,345 SF
LANDSCAPE COVERAGE REQUIRED	13,086 SF
LANDSCAPE COVERAGE PROVIDED	15,984 SF

Eixonol, LLC New Building  
Lot 7, Block 4, CTC First Filing | 602 Taylor Avenue, Louisville, CO

SEAL

REVISIONS

NO.	DATE	DESCRIPTION
1	05/07/2019	RESUB

ISSUED FOR

SITE REVIEW

ISSUE DATE

03/06/2019

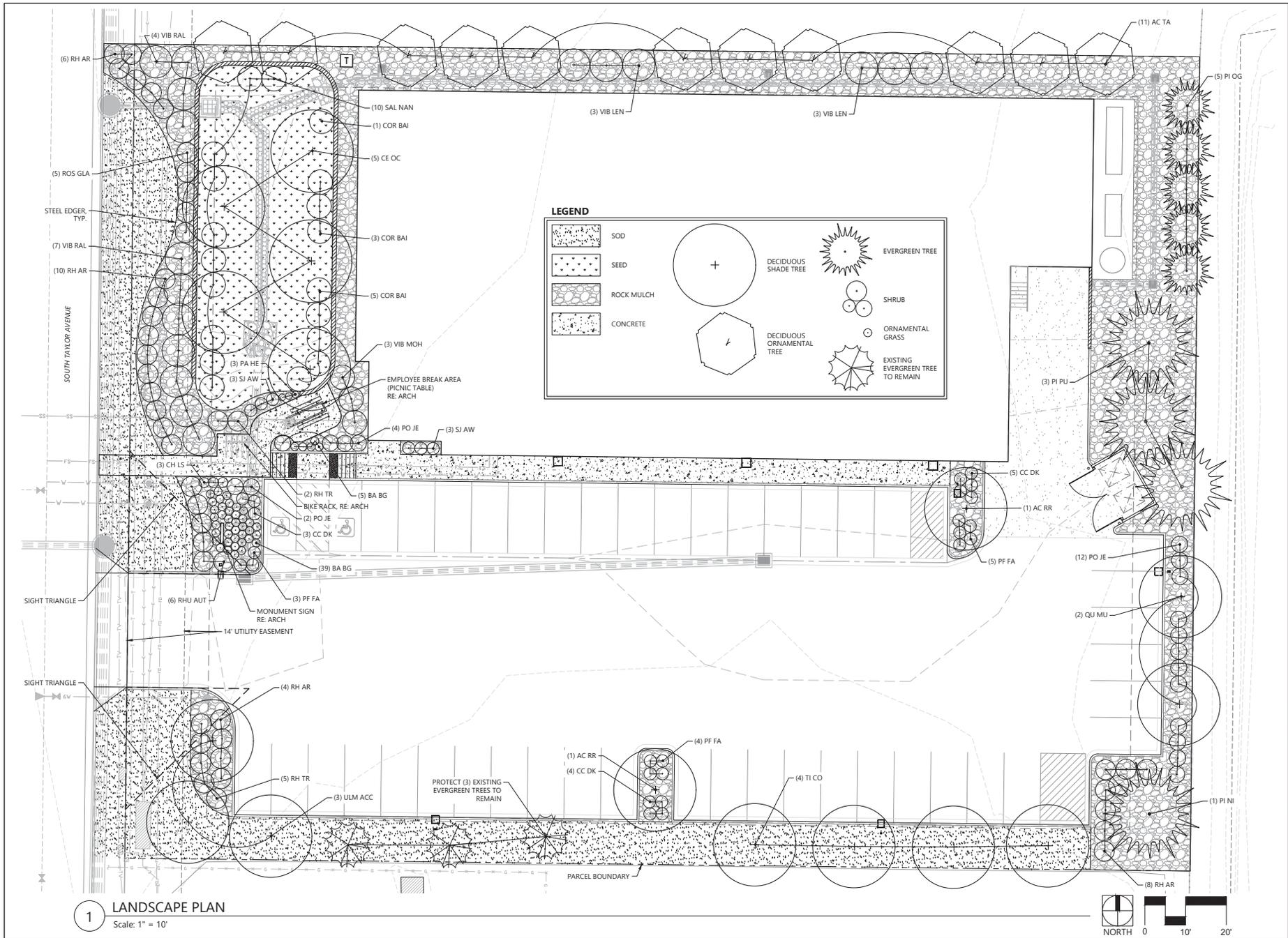
SHEET TITLE

LANDSCAPE NOTES AND TABLES

SHEET NUMBER

7

SHEET 7 OF 11



SEAL		
REVISIONS		
NO.	DATE	DESCRIPTION
1	05/07/2019	RESUB
ISSUED FOR		
SITE REVIEW		
ISSUE DATE		
03/06/2019		
SHEET TITLE		
LANDSCAPE PLAN		
SHEET NUMBER		
8		
SHEET 8 OF 11		

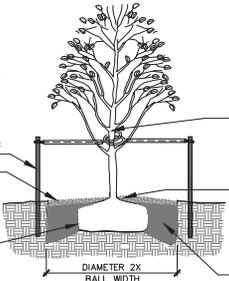
**1 LANDSCAPE PLAN**  
Scale: 1" = 10'

**GUYING SYSTEM:**  
MIN. 6 FEET LONG  
LOGPOLE STAKES WITH  
1/2 GAUGE GALVANIZED  
STEEL WIRE WITH  
WHITE PLASTIC FLAGGING  
TAPE. NO BARE WIRE.

CONIFERS TO HAVE 2  
STAKES FOR TREES 6 FEET  
AND LESS. 3 STAKES FOR  
TREES ABOVE 6 FEET.  
DECIDUOUS TREES TO  
HAVE 2 STAKES FOR  
TREES 2-1/2" CAL. ONE  
STAKE ALWAYS IN  
DIRECTION OF PREVAILING  
WINDS. REMOVE STAKES &  
GUY'S AFTER 1 YEAR.

4" MULCH PER NOTES.  
FLUSH WITH SOD AT  
EDGE OR CONTINUOUS  
THROUGHOUT PLANTING  
BED PER PLANS.

REMOVE BURLAP AND  
BASKETS COMPLETELY  
KEEPING ROOTBALL  
INTACT. SET BURLAP AND  
BASKETS NEXT TO TREE  
FOR INSPECTION.



**DECIDUOUS TREE**

PRUNE AS DIRECTED BY  
OWNER'S REPRESENTATIVE.

SCARIFY SIDES OF TREE PITS  
AFTER EXCAVATION TO  
BREAK COMPACTION AND  
ALLOW LATERAL ROOT  
PENETRATION.

WRAP TRUNK FROM GROUND  
LEVEL TO SECOND BRANCH WITH  
4" ASPHALT IMPREGNATED TREE  
WRAP. SECURE ENDS WITH  
FLEXIBLE TAPE. (DOUBLE WRAP  
MAPLES.)

REMOVE CONTAINER,  
SPLIT BOTTOM 1/2 OF  
BALL, SPREAD AND  
PLANT

COLLAR OF TREE TO BE  
2" MIN ABOVE  
SURROUNDING GRADE

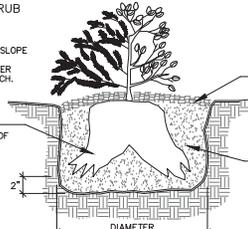
PREPARED BACKFILL MIXTURE:  
1. FOUR PARTS NATIVE SOIL  
2. ONE PART TYPE I COMPOST,  
3. MATERIALS TO BE  
THOROUGHLY BLENDED.

**EVERGREEN SHRUB**

PLACE SPREADING  
EVERGREEN SHRUBS  
PERPENDICULAR TO SLOPE  
OF GROUND. LEAVE  
ENOUGH SPACE UNDER  
BRANCHES FOR MULCH.

MOUND BACKFILL  
UNDER ROOTBALL.

REMOVE CONTAINER,  
SPLIT BOTTOM 1/2 OF  
BALL, SPREAD AND  
PLANT



**DECIDUOUS SHRUB**

PRUNE AS DIRECTED BY  
LANDSCAPE ARCHITECT.

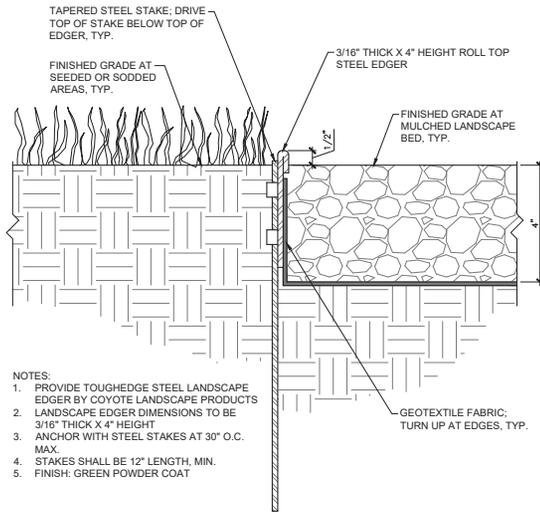
SET SHRUB PLUMB.

4" MULCH PER NOTES.

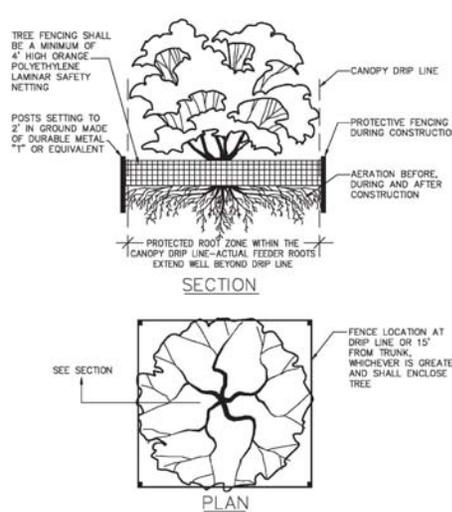
PREPARED BACKFILL  
MIXTURE:  
1. FOUR PARTS NATIVE SOIL  
2. ONE PART TYPE I  
COMPOST,  
3. MATERIALS TO BE  
THOROUGHLY BLENDED.

**1 TREE PLANTING DETAIL**  
NOT TO SCALE

**2 SHRUB PLANTING DETAIL**  
NOT TO SCALE



**3 STEEL LANDSCAPE EDGER**  
NOT TO SCALE



**4 TREE PROTECTION DETAIL**  
NOT TO SCALE

**LANDSCAPE NOTES:**

- TREES IN SODDED AREAS:** PROVIDE A 4" DIAMETER MULCH RING AROUND ALL TREES IN SODDED AREAS, CONSISTING OF 4" DEPTH SHREDDED RED CEDAR MULCH.
- TREES IN SEEDED AREAS:** NO MULCH IN SEEDED DETENTION AREA.
- ROCK MULCH (FOR ROCK MULCHED PLANTING BEDS PER PLANS):** 4" DEPTH RIVER ROCK, 2-1/2" SIZE, BUFF COLOR.
- INSTALL WEED BARRIER FABRIC** AT ALL MULCHED PLANTING BEDS CONFORMING TO THE FOLLOWING: NONWOVEN GEOTEXTILE FILTER FABRIC: POLYPROPYLENE OR POLYESTER FABRIC, 3 OZ./SQ. YD. MINIMUM. COMPOSED OF FIBERS FORMED INTO A STABLE NETWORK SO THAT FIBERS RETAIN THEIR RELATIVE POSITION. FABRIC SHALL BE INERT TO BIOLOGICAL DEGRADATION AND RESIST NATURALLY ENCOUNTERED CHEMICALS, ALKALIS, AND ACIDS.
- TREE STAKES:** TWO INCH (2") DIAMETER BY SIX FOOT (6') LENGTH ROUND WOODEN POSTS OR SIX FOOT (6') LONG, HEAVY-DUTY T-BAR STEEL POSTS WITH WHITE TOPS
- TREE GUY'S:** 1/2" STRAP-X (FLAT SYNTHETIC WEBBING MATERIAL) OR 1/2" CENTRAL BAG POLYESTER STRAPPING WITH 1/2" GAUGE GALVANIZED STEEL WIRE
- SOIL AMENDMENT** TO BE TYPE I COMPOST, TYP. PROVIDE BIO-COMP BY A-1 ORGANICS OR APPROVED EQUAL: FINELY SHREDDED, FREE OF PLANTS, ROOTS, STICKS, STONES, LUMPS, AND NOXIOUS WEEDS. THE MATERIAL SHALL CONTAIN A MINIMUM OF 30% ORGANIC MATTER AND SHALL HAVE A pH RANGE OF 4.5 TO 7.5. AND A SALT CONTENT NOT MORE THAN 3 MMS/CM AND MEET THE CLASS I REQUIREMENTS.
- SOIL AMENDMENT AT PLANTING BEDS AND SOD AREAS:** 4 CUBIC YARDS PER 1,000 SQUARE FEET TILLED THOROUGHLY TO A MINIMUM DEPTH OF 6"-9"
- SOIL AMENDMENT AT NATIVE SEED AREAS:** 3 CUBIC YARDS PER 1,000 SQUARE FEET TILLED THOROUGHLY TO A MINIMUM DEPTH OF 6"-9"
- STEEL EDGING:** STEEL EDGING SHALL BE INSTALLED BETWEEN ALL MULCHED PLANTING BEDS AND SOD/SEED AREAS. SEE DETAIL.
- UTILITIES:** NO TREES SHALL BE PLANTED WITHIN 10' OF A WATER OR SEWER LINE. NO SHRUBS OR TREES SHALL BE PLANTED WITHIN A 10' RADIUS AROUND FIRE HYDRANTS.
- DRY UTILITIES:** ALL EXISTING DRY UTILITIES SHALL BE FIELD LOCATED BEFORE ANY DIGGING OR TREE LOCATION STAKING TAKES PLACE. DO NOT PLANT A TREE WITHIN 4' OF ANY EXISTING DRY UTILITY WITHOUT VERIFYING THE DEPTH OF THE UTILITY.
- SOD:** LOCALLY GROWN SOD COMPOSED OF RHIZOMATOUS TALL FESCUE (RTF) SOD FROM GRAFF TURF FARMS OR APPROVED EQUAL.

**UPLAND AREA SEED MIX (FOR ELEVATIONS ABOVE THE DETENTION POND OUTLET STRUCTURE INVERT ELEVATION):**

UPLAND AREA SEED MIX SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS:

BLUE GRAMA (BOULELOUA GRACILIS)	1.8 LBS PLS/ACRE
SAND DROPSSEED (SPOROBOLUS CRYPTANDRUS)	0.2 LBS PLS/ACRE
SIDEOTS GRAMA (BOULELOUA CURTIPENDULA)	6.3 LBS PLS/ACRE
WESTERN WHEATGRASS (PASCOPYRUM SMITHII)	8.2 LBS PLS/ACRE
BUFFALOGRASS (BOULELOUA DACTYLOIDES)	10.7 LBS PLS/ACRE
INLAND SALTGRASS (DISTICHLIS SPICATA)	0.6 LBS PLS/ACRE
PASTURE SAGE (ARTEMISIA FRIGIDA)	0.01 LBS PLS/ACRE
BLANKET FLOWER (GAILLARDIA ARISTATA)	0.5 LBS PLS/ACRE
PRAIRIE CONEFLOWER (RATIBIDA COLUMNIFERA)	0.1 LBS PLS/ACRE
BLUE FLAX (LINUM LEWISII)	0.4 LBS PLS/ACRE
TOTAL PLS POUNDS/ACRE	29.11 LBS PLS/ACRE

PLS = PURE LIVE SEED; SEEDING RATE IS FOR DRILL SEEDING; FOR BROADCAST SEEDING, DOUBLE THE RATE

**DETENTION AREA SEED MIX (FOR ELEVATIONS AT OR BELOW THE DETENTION POND OUTLET STRUCTURE INVERT ELEVATION):**

DETENTION AREA SEED MIX SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS:

ALKALI SACATON (SPOROBOLUS AIROIDES)	0.4 LBS PLS/ACRE
INLAND SALTGRASS (DISTICHLIS SPICATA)	1.2 LBS PLS/ACRE
NUTTALL'S ALKALIGRASS (PUCCINELLIA NUTTALLIANA)	0.2 LBS PLS/ACRE
PRAIRIE CORDGRASS (SPARTINA PECTINATA)	3.0 LBS PLS/ACRE
SLENDER WHEATGRASS (ELYMUS TRACHYCAULUS SPP.)	3.8 LBS PLS/ACRE
WESTERN WHEATGRASS (PASCOPYRUM SMITHII)	5.5 LBS PLS/ACRE
FOWL MANNAGRASS (GLYCERIA STRIATA)	3.3 LBS PLS/ACRE
HARDSTEM BULLRUSH (SCIRPUS ACUTUS)	1.6 LBS PLS/ACRE
BALTIC RUSH (JUNCUS BALTICUS)	0.1 LBS PLS/ACRE
CREeping SPIKERUSH (ELEOCHARIS PALUSTRIS)	1.0 LBS PLS/ACRE
TOTAL PLS POUNDS/ACRE	20.1 LBS PLS/ACRE

PLS = PURE LIVE SEED; SEEDING RATE IS FOR DRILL SEEDING; FOR BROADCAST SEEDING, DOUBLE THE RATE

**STANDARDS AND GUIDELINES:**

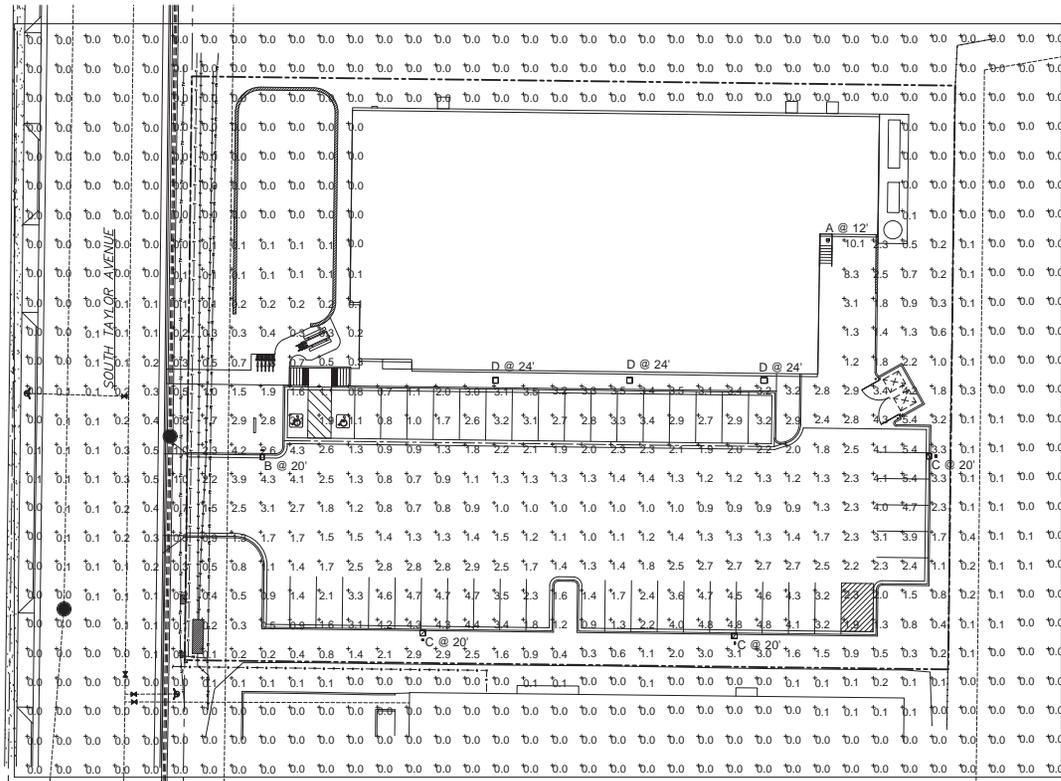
- THE PROPERTY OWNER SHALL REMOVE AND REPLACE DEAD OR DISEASED PLANT MATERIALS IMMEDIATELY WITH THE SAME TYPE, SIZE, AND QUANTITY OF PLANT MATERIAL AS ORIGINALLY INSTALLED.
- AVOID REPLACING PLANT MATERIALS DURING THE DRY WINTER MONTHS BETWEEN DECEMBER AND FEBRUARY AND IN MID-SUMMER.
- CONTACT THE PLANNING DIVISION FOR SPECIFIC TIME REQUIREMENTS FOR LANDSCAPE MATERIAL REPLACEMENT.
- LANDSCAPE MATERIALS LOCATED IN THE PUBLIC RIGHT-OF-WAY ARE TO BE MAINTAINED BY THE ADJUTING PROPERTY OWNER.

NO.	DATE	DESCRIPTION
1	05/07/2019	RESUB

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	A	1	Lithonia Lighting	WST LED P3 40K VFLVOLT	WST LED, Performance package 3, 4000 K, 90lm/foot forward throw, MVOLT	LED	1	WST_LED_P3_40K_VFLVOLT.ies	6609	0.92	50
	B	1	Lithonia Lighting	DSX1 LED P2 40K VLS	DSX1 LED Visual Comfort, P3 symmetric Type V distribution 40K	LED	1	DSX1_LED_P2_40K_VLS.ies	12221	0.92	116
	C	3	Lithonia Lighting	DSX1 LED P4 40K BLC MVOLT	DSX1 LED P4 40K BLC MVOLT	LED	1	DSX1_LED_P4_40K_BLC_MVOLT.ies	11878	0.92	125
	D	3	Lithonia Lighting	DSX0 LED P3 VLS 40K HS	DSX0 LED Visual Comfort, P3 symmetric Type V distribution 40K with house-side shield	LED	1	DSX0_LED_P3_VLS_40K_HS.ies	8714	0.92	116

Luminaire Locations											
Location								Aim			
No.	Label	X	Y	Z	Mt	Orientation	Tilt	X	Y	Z	
1	A	2247.00	884.00	12.00	12.00	180.00	0.00	2247.00	884.00	0.00	
1	B	2053.00	812.00	20.00	20.00	180.00	0.00	2053.00	810.81	0.00	
1	C	2108.00	747.00	20.00	20.00	0.00	0.00	2108.00	748.19	0.00	
2	C	2213.00	748.00	20.00	20.00	0.00	0.00	2215.00	747.19	0.00	
3	C	2284.00	810.00	20.00	20.00	270.00	0.00	2282.81	810.00	0.00	
1	D	2225.00	837.00	24.00	24.00	180.00	0.00	2225.00	836.50	0.00	
2	D	2179.00	837.00	24.00	24.00	180.00	0.00	2179.00	836.50	0.00	
3	D	2133.00	837.00	24.00	24.00	180.00	0.00	2133.00	836.50	0.00	

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	0.8 fc	10.1 fc	0.0 fc	N/A	N/A



**PHOTOMETRIC SITE PLAN**  
 SCALE: 1" = 20'-0"  
 0' 10' 20' 40'

**RVP Architecture**  
 a national professional corporation  
 3223 Arapahoe Avenue, Suite 220  
 Boulder, Colorado 80303  
 (303) 442-5885  
 rvp@rvp.com

**Elixinol, LLC New Building**  
 Lot 7, Block 4, CTC First Filing 602 Taylor Avenue  
 Louisville, Colorado

PROJ NO: 18-14  
 DATE: MARCH 8, 2018  
 REV: MAY 7, 2018

Copyright © 2019 - All rights reserved RVP Architecture and Consulting, P.C. All design drawings and written material herein may not be used or duplicated without the written consent of RVP Architecture and Consulting, P.C.

PHOTOMETRIC PLAN

10

SHEET 10 OF 11



***Planning Commission  
Meeting Minutes  
June 13<sup>th</sup>, 2019  
City Hall, Council Chambers  
749 Main Street  
6:30 PM***

**Call to Order** – Chair Brauneis called the meeting to order at 6:33 PM.

**Roll Call** was taken and the following members were present:

Commission Members Present: Steve Brauneis, Chair  
Keaton Howe  
Jeff Moline  
Debra Williams  
Dietrich Hoefner

Commission Members Absent: Tom Rice, Vice Chair

Staff Members Present: Rob Zuccaro, Dir of Planning & Building Safety  
Lisa Ritchie, Senior Planner  
Felicity Selvoski, Planner/Historic Preservation  
Amelia Brackett, Planning Clerk

**APPROVAL OF AGENDA**

Moline moved and Howe seconded a motion to approve the June 13<sup>th</sup>, 2019 agenda. Motion passed unanimously by voice vote.

**APPROVAL OF MINUTES**

Howe moved and Moline seconded a motion to approve the April 11<sup>th</sup>, 2019 minutes. Motion passed unanimously by voice vote.  
Williams abstained due to her absence from the meeting.

Moline moved and Williams seconded a motion to approve the May 9<sup>th</sup>, 2019 minutes. Motion passed unanimously by voice vote.  
Hoefner abstained due to his absence from the meeting.

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

**NEW BUSINESS – PUBLIC HEARING ITEMS**

**Sireno Neighborhood Child Care Center SRU:** A request for approval of a Special Review Use to allow a Neighborhood Child Care Center to provide care for up to 12 children at 224 Front Street (Resolution 8, Series 2019)

- Applicant: Front Street Child Care, Denise Ehrmann Sireno
- Case Manager: Lisa Ritchie, Senior Planner

This application, which was continued from the May 9<sup>th</sup>, 2019 meeting, has been withdrawn.

**Lot 7, Block 4, Colorado Technological Center First Filing (602 Taylor Ave) PUD:** A request for approval of a Planned Unit Development to allow the construction of a 22,500 sf building and associated site improvements. (Resolution 10, Series 2019)

- Applicant: RVP Architecture
- Case Manager: Felicity Selvoski, Planner/Historic Preservation

Public notice was met as required.

Selvoski presented the PUD application. The property owner, Elixinol, LLC, currently leases 10,000 square feet in the building at 638 Taylor, immediately south of the subject property, and is applying for a PUD to approve construction of a 22,500 square foot, two-story building at 602 Taylor. The site plan includes a new building, required parking, a screened loading dock, and a detention pond. Selvoski clarified that the color of the building was blue, not purple as it appeared on the computer screen. Staff found that the application met the standards in the IDDSG and Selvoski noted that the applicant was not requesting any waivers.

Staff recommends approval.

Brauneis asked for conflicts of interest. Seeing none, he invited questions of staff.

Hoefner clarified that there were no waivers and no conditions. Staff confirmed there were none requested now.

Bob Van Pelt of RVP Architecture in Boulder offered to answer questions from the Commission.

Williams asked about the materials.

Van Pelt replied that the structure was precast tilt-up concrete painted two different colors with a metal canopy around the front with glass storefronts, white doors, and white metal overhead and man doors. He stated that the construction materials were typical of the buildings in the area. He added that it was a steel structure.

Howe asked if there were any special ventilation systems required.

Van Pelt replied that there were no special requirements since they were not processing anything that would put off large amounts of fumes.

Williams asked about landscaping.

Van Pelt replied that they were planning to follow the IDDSG standards and that there would be a pedestrian area up front with a flower bed with seating that would be about 120 square feet.

Moline asked about the parking lot size and layout.

Van Pelt replied that it was designed to accommodate firetrucks and delivery trucks.

Brauneis asked for public comment. Seeing none, he asked for closing statements, closed the public hearing, and opened commissioner comments.

Williams stated that she did not see anything alarming or out of the ordinary in the application. General consensus from the other commissioners. Howe and Moline thanked the applicant for submitting a proposal that met all the requirements.

Brauneis noted that he would like to hear about water efficiency or landscaping in future project proposals.

Williams made a motion to approve Resolution 10, Series 2019. Howe seconded. Roll call. All in favor. Motion passed unanimously.

**Centennial Valley General Development Plan Amendment: Lots 2 and 3, Parcel O, Filing 7:** A request for an amendment to the Centennial Valley General Development Plan concerning allowed uses, heights, and densities and other development provisions at 550 S. McCaslin Blvd and 919 W. Dillon Rd. (Resolution 11, Series 2019)

- Applicant: City of Louisville, Seminole Land Holding, Inc., Centennial Valley Properties I, LLC
- Case Manager: Rob Zuccaro, Director of Planning and Building Safety

Public notice was met as required.

Brauneis asked for conflicts of interest. None disclosed.

Zuccaro presented the application, which was a partnership between developers and the City. He explained the history of the Centennial Valley General Development Plan (GDP) for Parcel O, which was originally planned as a “super block” in 1983 and included 882 acres and a mix of commercial/retail and residential. The Davidson Mesa Open Space was dedicated as part of the GDP at that time, as well. There have been 8 amendments to Centennial Valley overall since 1983. The driving factors to updating the GDP now were that the Sam’s Club lot had been vacant for the past 9 years and the Kohl’s lot would soon be vacant. Zuccaro noted that the fiscal health of this particular corridor was vital to the City as a source of sales tax revenue. Based on these issues, the City initiated a redevelopment study in February 2019, which focused on identifying market-supported and financially-viable redevelopment options, regulatory barriers and private restrictions, community-desired redevelopment options, and the fiscal impact to the City.

Zuccaro explained that the study found that there was a lot of retail competition in the area and that there were fewer large format retailers than when the GDP was originally conceived. The study suggested that within the next 10 years there would be market for 150,000 square feet for new development in the entire market area. There was currently market support for 30,000 square feet of new retail. Zuccaro summarized community engagement findings, as well, which found that participants were generally interested in boutique, walkable retail areas with gathering spaces. Zuccaro then summarized the study test scenarios and variables in detail, clarifying that the City was not supporting one particular scenario, but that they were created to test against various factors to predict outcomes. The main recommendations of the study were:

- Modify the GDP to allow greater variety of uses, including multi-family housing to incentivize retail development
- Provide additional density and allow non-sales tax generating supportive uses
- Improve connectivity and provide public amenities and gather spaces
- Focus retail development on community-oriented uses

Zuccaro described the proposed GDP amendments, which were based on the study and community feedback:

- Expand allowed uses – entertainment/commercial amusement and multi-family
- Residential cap – 240 units (incentives up to 384 units)
- Commercial density increase - .2 to .3 FAR
- Retail concurrency with new residential development – every 12 units requires 1,000 square feet of retail/restaurant and 4,000 square feet of other commercial uses
- Public space requirement with new residential development – 7% of area with 80% contiguous
- New multi-modal street and block structure – 400-600 ft street grid
- Height increase – allow 2-3 stories in buffer area and 3-4 stories in core area

Zuccaro shared the 3D models that staff used to explore what different heights could look like under the proposed GDP and he discussed the height proposal. Zuccaro also shared that the City commissioned a traffic analysis to compare development scenarios to current condition and a baseline condition (Sam's Club occupied.) Overall, the modeled scenarios found no adverse impact on intersections and that there would be more traffic during the AM peak than the PM peak.

Staff recommended approval of Resolution 11, Series 2019. Zuccaro suggested making conditional recommendations if there were modifications the Commission wanted to see. He noted that staff could provide more information if the Commission wanted, but he recommended using an overflow meeting in that case to help staff meet the goal of presenting the application to City Council in July.

Moline asked how the City would address an intersection with an F level of service.

Zuccaro replied that there were recommendations in the traffic study related to signal timing that would help the F intersection, as well as adding more turn lanes.

Moline asked what had prevented the Sam's Club lot from redeveloping.

Zuccaro replied that the market study had some information on that, but the private covenants have been a barrier that did not allow a second grocery store in that area, as had the limited demand for new retail, especially big-box retail.

Williams asked for clarification on what this development plan would achieve.

Zuccaro replied that this document would set the baseline zoning for the property, but any development would have to go through a PUD process.

Williams asked if the City would be bound in any financial way based on the proposed GDP.

Zuccaro replied that everything to do with the City would be addressed in the PUD process.

Howe asked if there were any tenants who were already interested in the area being redeveloped.

Zuccaro responded that he was not aware of a particular user, but the main difference at this time from before was that the proposal took 200,000 square feet of retail and trying to turn that into 20-30,000 square feet of retail, 80,000 square feet of non-residential uses, and then having the residential. The City did not think it was ever going to get another 200,000 square feet of new retail.

Brauneis asked how the plan would affect the Downtown area.

Zuccaro replied that staff had heard concern that the redevelopment area could take away from Main Street business, but the fiscal model analysis took into consideration the cannibalization of existing retail, even though the goal was to capture new retail with the redevelopment.

Brauneis asked for the square footage of retail in the redevelopment with Centre Court Apartments.

Zuccaro responded that he did not know, but he noted that the fiscal analysis for the GDP took into consideration cannibalization of retail in its calculations.

Brauneis asked how much retail was included in the Centre Court Apartment block redevelopment. Zuccaro replied that he could find out. Brauneis then asked if there were any alternatives discussed for the streetscape.

Zuccaro replied that staff had not addressed any design elements at this point.

Moline asked for the percentage of the City's revenue coming from the McCaslin trade area.

Zuccaro replied that the area accounted for almost 50% of the City's sales tax revenue, which was not necessarily the correct percentage for overall revenue.

Brauneis asked for public comment.

Jerome McQuie, 972 St. Andrews Lane in Louisville, was concerned that the heights were higher than anywhere else in the city and that the plan allowed for development right up to the sidewalk on Dahlia Street. The height of the Sam's Club and the Kohl's was higher than Dahlia and the condominiums were lower than the elevation at Dahlia, which added more to the elevation differential for people living on Dahlia. He also thought that the plan was not sensitive to the McCaslin Small Area Plan. He understood

that retail was changing, but he wanted to see the heights be more consistent with the rest of the town.

Brauneis asked about the setbacks and elevation around Dahlia and Director Zuccaro offered to get more information.

Teresa Cardoni, 730 Copper Lane #202 in Louisville, agreed with Mr. McQuie about the height. She stated that she had bought her condo because of the view of the mountains and she asked the Commission to consider the long-term residents in the area. She was also concerned about the setbacks. She suggested allowing a basement for people who wanted a three-story condominium rather than allowing three stories. She liked the walkability of the current neighborhood and was looking forward to that part of the redevelopment.

Tom Casey, 780 Copper Lane in Louisville, stated that staff presentation was a great introduction to the project, but he lived in the area across from Kohl's and he agreed with Mr. McQuie and Ms. Cardoni. He added that he was concerned about the traffic study, because the area was a major corridor. Getting across the intersections was amazing and he imagined there would be more problems with the redevelopment plan. The intersection beside McDonald's needed to be eliminated and rerouted.

John Leary, 1116 LaFarge Avenue in Louisville, stated that the Comprehensive Plan was meant to be advisory per state law, but the City specified in Section 17-28-160 that developments will be consistent with the Comp Plan. He stated that it was important to go through a Comp Plan Amendment because it was an intense public and legislative process rather than a quasi-judicial process like the one tonight. He stated that residential units do not pay for themselves. He added that the market-plan consultant was unequivocal that if it was not for the covenants and the current GDP that Sam's Club would be occupied now. The proposal, therefore, was jumping ahead to a solution without removing the barriers to the problem. He observed that mixed-use areas was that it did not attract people from outside the city and he gave examples of cases in which residential had not brought in commercial development. He ended by saying that there was a very high probability that the GDP amendment as written would go to referendum.

Alana Kunzleman, 780 Copper Lane #106 in Louisville, asked if there would be a lot of extra roadways coming out onto Dahlia based on the GDP. She liked the idea of having entertainment, commercial, residential, and walkability in the new development.

Sharon Pauley, 524 Ridge View Drive in Louisville, stated that she and her HOA had been watching various plans come and go and wondered how the Ascent Church news would play into this redevelopment process. She explained that living in the McCaslin area of Louisville felt a bit orphaned. The area was currently quite urban and noisy with the traffic and the loading dock for the grocery store, and there was a tremendous amount of traffic driving fast down Dahlia. She thought it would be a quality of life issue for current residents if the City were to add hundreds of residential units. She added that there was nothing in the plan that addressed senior housing. There were not enough single-story, affordable units for seniors who were independent but looking to downsize, a genuine need in the community. She noted that Sam's Club was high and she

requested that whatever replaced it was attractive and did not tower over the current residents.

Wendy Bohling, 624 Ridgeview Drive in Louisville was concerned that the area would be too dense and would become like Steel Ranch and she wondered if fewer residential structures had ever been considered. The additional residences would also add to traffic. She had a basement and a two-story home, so she agreed that a basement as a way to get three stories was a good idea. The view of the mountains was also important to her. She asked if there could be denser, mature trees along the corridor. She thought the whole corridor would get crazy with this plan. She was also concerned that the plan would increase the need for stoplights along Dahlia. She added that she would like to hear from Ascent Church as a possible developer and that the city did not need another hotel.

Cindy Bedell, 662 West Willow Street in Louisville reminded the Commission that their job was to preserve the small-town way of life, follow the Comp Plan, while maintaining financial stability. She noted that the area was still a positive to the City's finances and so there was no need to panic. The height and the density were not consistent with the 2017 McCaslin Small Area Plan, which reflected public input over many meetings and workshops. The four-story height allowance and the increase in density would not be consistent with the small-town character and would increase traffic. She questioned the traffic study and asked how adding more people to the area would reduce traffic. She noted that this number of residential units was not upheld by the McCaslin Small Area Plan or the Comp Plan. Residential does not pay its way and it permanently displaces tax revenue. She wanted to put in a word for dark night lighting standards, as well. Overall, she requested lower heights, lower densities, and fewer residential spaces. She did not think that the City should bow to pressure from developers who wanted to profit from residential development. She also looked to the church for its development plan.

Jim Candy, 516 Country Lane in Boulder, co-pastor at Ascent Church, stated that he had been surprised by the redevelopment plan. Ascent was under contract with the Sam's Club property. The church did not intend to take tax dollars from the City and they intended to bring alternative uses to the area. Ascent was open to creative solutions, working with residents, staff, commissioners, and Council members to developing the area.

Beth McQuie, 972 St. Andrews in Louisville, agreed with other commenters and she was particularly concerned that the height allowances would destroy the mountain views and would not fit in with the rest of the town. She did not think any developers could guarantee retail. She was curious to see what Ascent had in mind for the area. She liked having an affordable clothing option like Kohl's in town and wondered if the City could incentivize them to stay. She did not think it fit in with the McCaslin Small Area Plan and thought that the process needed more public input. Finally, she stated that the City should not benefit developers at the expense of current residents.

Robert Edward, 517 Ridgeview Drive in Louisville, stated that he and his wife had one of the only straight-on view of the Flatirons. He did not expect that their view would be affected, but he had concerns with the increased density and traffic issues. The new situation with Ascent Church should be a primary factor before considering any other

changes. He wanted to know if the proposal included any traffic mitigation along Dahlia. Without it, there would be car wrecks and pedestrians killed. He also did not like the height increase and the difference between the proposed height allowance and what exists now. He asked for clarification on the scenarios in the staff packet.

Zuccaro replied that the GDP amendment is modeled after scenario 2 as per City Council direction.

Jeff Hancock, 592 Ridgeview Drive in Louisville, expressed an objection to an increase in the height allowance as he also bought his townhouse with the view in mind. He stated that the plan served developers at the expense of current residences. He thought the Small Area Plan sounded good and these proposed changes conflict with the height recommendations in the Plan. He also noted that the Small Area Plan recommended a decrease in the total allowed development in the area from what existing zoning and regulations allowed.

Brauneis asked for further public comment. Seeing none, he asked that two recent emails be entered into the record. Hoefner moved and Moline seconded. Voice vote all in favor.

Zuccaro responded to earlier questions from the Commission. First, square feet of commercial development at the Centre Court Apartment lot, which did not include anything from the Walgreens westward, was 36,000 square feet, with the Alfalfa's being a little over 26,000 of that. Second, the elevation along Dahlia varied between 4 and 10 feet between street grade going up onto the properties. Third, the setbacks for residential development would go to underlying residential zoning and would be negotiated in the design process. For commercial, for a building footprint less than 30,000 square feet, the setback would be 20 feet. Over that would be 40 feet.

Moline asked staff how a developer might respond if the City allowed more units but at a lower height.

Zuccaro replied that the Parcel O market study chose areas that would accommodate the development densities that were in there and it was never contemplated that there would be a four-story development. Staff did not design out a plan under that scenario, but believed that generally the land area could accommodate it. When staff talked to the property owners they said that the project would be better with the four-story allowance to provide for more flexibility within the site design. He also noted that the GDP was trying to create a financially feasible plan for the area.

Williams asked if staff knew if Ascent had plans to stay in the development.

Zuccaro replied that he did not know.

Tom McGimpsey, 671 Manorwood Lane in Louisville, requested that the Commission include studies on noise and nighttime light.

Zuccaro responded that within the commercial development guidelines there were specific lighting standards that had maximum heights and required cut-off fixtures.

There were no residential dark-sky lighting requirements, though the City is currently updating those requirements and that could change. The City did not have light standards for residential areas or on traffic noise.

Williams asked what would happen if there was no amendment.

Zuccaro replied that based on the market analysis there were limitations on what the City could be expected to see. Someone could come in with a PUD but there were limitations to what could be expected to come in under the current regulations. He added that the current height would be 35 feet, though with the current designed guidelines they were considering having a buffer and allowing three-story structures.

Hoefner asked if the current property owners had a position on this amendment.

Zuccaro replied that they had consented to the application being made, which they had to do, and they were comfortable with it moving forward as is and were curious to hear what the Commission had to say. The City had not had direct coordination with anyone under contract.

Hoefner asked for more information on the private covenants versus City regulations.

Zuccaro replied that there were real barriers in the covenants, including height limitations and the grocery store use limitation. The property owners intended to work to remove barriers.

Hoefner asked if there had been a study about traffic on Dahlia.

Zuccaro replied that the study looked at the major intersections at Dahlia and Cherry and Dahlia and Dillon. It also looked at all transportation and safety issues. They suggested a series of more regional connections and having an improved pedestrian crossing across Dahlia. They did not raise any flags that there would be any particular issues along Dahlia, however.

Hoefner asked how a future PUD would address traffic.

Zuccaro replied that the PUD process required a new traffic analysis based on the actual application, which typically included analyses of current conditions, changed conditions at current and future dates, and recommendations on safety improvements and vehicular congestion to accommodate the development.

Hoefner asked if it was possible that an intersection could be changed based on a proposal.

Zuccaro gave the example that sometimes there were full-movement intersections in the area that could be limited if there was too much traffic.

Williams asked if the fiscal models in the staff packet included property taxes and if the model could incorporate a property owner who was tax-exempt.

Zuccaro confirmed that the model did include property taxes and that the model could include tax-exemptions. The Parcel O Study did not have that in the fiscal analysis. He responded to Commissioner Hoefner's earlier question about covenants by directing the Commission to the staff packet for more details on the limitations in the private covenants.

Williams stated that she would like to see a fiscal model where most of the properties were tax-exempt to consider the possible church development.

Zuccaro asked the Commission if that information would be material to the amendment decision, staff could bring that to a future meeting.

Williams stated that Lafayette could have insight into the tax-exempt question.

Howe asked what would happen to lot 3 to be financially feasible if lot 2 was not to be developed.

Zuccaro replied that a hypothetical scenario in which lot 2 were not developed, lot 3 could have 120 residential units as its base, with incentives to get more, required to provide 10,000 square feet of new retail development and 40,000 square feet of other non-residential development. Zuccaro did not know if lot 3 would need 4 stories to achieve the 120 units, but the assumption had been that the land areas might be tight but could probably fit the units without 4 stories, but he had not done a full analysis to test that.

Hoefner asked how long it would take to achieve a result if an offer were placed on a lot or a building.

Zuccaro replied that it varied, each one was individual but it was usually a matter of months.

Brauneis asked for additional questions of staff. Seeing none, he closed public comment and opened commissioner discussion.

Brauneis noted that there had been a newspaper article in the last week that publicized the fact that Ascent Church was under contract with the Sam's Club property and suggested that the Commission address that issue first.

Brief adjournment at 8:49 PM. Reconvened at 8:55 PM.

Brauneis recommended that the Commission address the Ascent Church news, how the plan related to the Comp Plan and the Small Area Plan, height, and setbacks.

Moline stated that he was prepared to act on the amendment as presented tonight regardless of the Ascent Church news. He appreciated Commissioner Williams's concern in wanting to get additional fiscal analysis related to the Ascent news, but he was prepared to move forward.

Howe thanked staff for the presentation and the 3D imaging. His main concern was balancing the small-town values with the long-term revitalization goals. He saw it as an opportunity to create a pedestrian-friendly thoroughfare, improve the attractiveness of Louisville, increase the availability of residential properties, and provide a financial opportunity. These represented opportunities within the proposal to improve the city. He would probably need to agree a condition on height allowance. He added that traffic was of concern. He liked the idea of the entertainment uses and noted that public comment did not approve of the allowance of hotels. Finally, he liked the idea of allowing basements.

Hoefner stated that he thought the private covenants needed action to deal with the development limitations in the area, questioning whether it was appropriate for the City to take action before the property owners had, especially on a contentious project. He also agreed that height was an issue.

Brauneis clarified that the private covenants were not anything that the current owners wanted to enforce and that they were limited by the covenants, as well.

Zuccaro replied that the intent was to work with the property owners to change the covenants and they seemed willing to do so. It required all the owners within a parcel to approve a covenant change.

Hoefner observed that it was hard to consider an amendment against which there was a lot of opposition without having the property owners working on the covenants. He wondered if there could be a way with the setbacks to bring things closer into the core while achieving the walkability feel. Finally, he thought that 5,000 square feet of development was pretty aspirational.

Williams wanted to see more financial models based on specific types of owners. She was also concerned about the buffer to existing residential to make sure that there would be a natural berm, or a gradual height differential, or something similar. She had an issue talking about view corridors when, at the same time, the core would have four stories – those were contradictory goals. She was not in favor of four stories for that reason. She would rather see the cap on residential units a bit lower, like 200, and then adding the residential incentives up to 250. She added that the residential incentive for senior housing meant units no stairs with main living all on one floor. She summarized that she was between alternative 1 and 2. She did not think there was anything wrong with the status quo and the City did not need to rush changes.

Brauneis stated that he was not content with getting worse before getting better and he was happy being proactive on trying to incentivize something that looked like it would work better in the long term for the City. Things as they are now increase the probability of vacancy and that having similar use as now would now be looking toward the long-term needs of the area. When Sam's Club closed, it was roughly 5% of the City's general fund. He was concerned about the view shed to a degree. He thought there could be a balance between setbacks and height allowances to preserve views.

Moline stated that one of the things in terms of traffic and safety was underpasses that the City was able to provide, but those kinds of quality-of-life improvements could not

continue without revenue. He was generally in support of the amendment. He agreed with Chair Brauneis that the City had been waiting for something to happen organically and nothing had happened in 9 years so he appreciated that the City was trying to find a solution. He thought the Centre Court example was a good one and he appreciated having a shopping area and a grocery store in the neighborhood. The market study showed that without some form of residential, the City would be unlikely to see that kind of development. He noted that from a design standpoint they were moved away from a corridor plan toward a centered plan that was more walkable and with some open space. He wanted a buffer to the existing residential. He thought going higher in heights in the core area was more appropriate.

Zuccaro reminded the Commission that the 200 was the mixed-commercial buffer at a lower height than the core. From a pedestrian design standpoint, having buildings near the street is always better. He acknowledged that view corridors were important as well. The amendment could be brought down or the Commission could suggest allowing higher allowances with further view analysis.

Moline stated that discussing setbacks was easier at the PUD stage, but the things that were discussed in the Small Area Plan regarding design should be retained as much as possible. He stated that the area was closest to mass transit and the busiest highway, this was the place to draw in regional shoppers to create revenue for the City.

Hoefner stated that if they approved the GDP amendment while allowing the continuance of the private covenants, they were risking having residential development while the covenants continued to prohibit commercial development. He wanted to understand the plan for the covenants and the chance of success.

Brauneis replied that the covenants were not as big a stumbling block for him because the property owners would not want to create a financially viable property.

Hoefner observed that an application a month ago had requested increased residential area in comparison to the previously approved residential-commercial balance in that area.

Moline stated that he was under the impression that the GDP would be drafted to require the commercial commitment to allow residential development.

Hoefner replied that he was under the same impression, but developers could always come ask for a waiver.

Brauneis stated that the covenants were not up to the Commission to change.

Hoefner replied that he did not have a sense of how hard it was to dispense with the covenants and how important they were to the property owner. To allow residential on a property that was previously commercial only was the City giving something, and everyone should be giving something. He read out loud the allowed uses by the covenants, which included office, hotel, hospital, nursing and rest homes, childcare, marijuana sales; limited uses included retail, trade, or service business; cultural facilities; restaurants; one drive-through; and recreational facilities inside and outside.

Brauneis stated that no one wanted to sit on the property without building so there would be a financial incentive for property owners to deal with the covenants.

Hoefner replied that the financial incentive would be to maximize residential development.

Brauneis replied that the proposal allowed residential development alongside commercial.

Howe agreed with the idea that the Commission should move forward with a vision to addressing the vacancies and that the goal for this proposal was to make it easier for a developer to reduce the amount of vacancies to create an opportunity that could benefit the City.

Williams observed that too many times cities include residential to incentivize commercial and lost the mixed-use and commercial. Once you build the residential, it's very difficult to get rid of the residential. She noted that in Superior there was no downtown or Main Street, it was just residential and she would hate to see that happen here.

Brauneis agreed with Commissioner Howe's comment that the Commission was not trying to approve a specific development plan, it was trying to address an area that has been an issue for nine years when the studies said that the area could not support the 200,000 square feet of commercial.

Hoefner stated that other than his objections to the covenants and with changes to setbacks, he was generally supportive of the GDP's easing of restrictions.

Brauneis reopened the public hearing and asked Zuccaro about the City's options for dealing with covenants.

Zuccaro replied that there would likely need to be covenant changes to fulfill the vision. The City does not control covenants at all and condemnation of covenants was an extreme measure that was not part of the discussion with this effort now. Staff was trying to control what was in their power to control.

Brauneis asked what checks the City had in place to giving away the residential without any commercial development.

Zuccaro replied that the goal of the concurrency requirement was to avoid that situation. Technically, future developers could not get a waiver, but they could request a GDP amendment.

Jeff Sheets with Koelbel and Company, 5291 East Yale Avenue in Denver, stated that he owned the Kohl's building and he understood the concerns over the covenants. He explained that it took 100% of the property owners to change the covenants. In his experience, changes to covenants follow changes to zoning so property owners can know what might happen under the new regulations. He thought his building could find

tenants again, but maybe not at 100% occupancy. At the time of the original development, the area was trying to make a regional play, but the area was no longer in competition for regional retail due to developments like Flat Irons and in Boulder. Now it needed to be a community retail space.

Jim Candy added that Ascent wanted to work with Mr. Sheets to amend the covenants and that the owners are interested in amending the covenants.

Brauneis closed public hearing and reopened closed discussion.

Howe stated that as a business owner, he had thought about the risk of an idea versus satisfaction with the status quo, and that it took a risk to change the status quo. He suggested approving the majority of what was proposed with the conditions to include setbacks to preserve view corridors and to create a pedestrian infrastructure that would support the plan no matter how many residential units were built.

Moline agreed with Commissioner Howe's comments and suggested approving the plan with a condition that the 200 foot buffer pulled from the Small Area Plan that the height limitations in that plan be applied to this GDP and he was willing to flex on the eight of the other portions of the plan.

Zuccaro stated that the Small Area Plan didn't specify the depth of the buffer but it set a two-story limit. The Commission could amend the GDP so that the mixed commercial buffer area was limited to 2 story residential and commercial development within the 200 foot buffer, while outside the buffer would allow what's currently written in the plan.

Moline thought that was reasonable.

Howe asked about preserving view corridors.

Brauneis responded that the corridors were undefinable and this would definitely change the views.

Williams stated that she would agree to two-story residential and a 200-foot buffer on Dahlia, but she was not in favor of a four-story residential in the core and she wanted to see a different cap on residential. She added that she still wanted to understand the financial aspect to move forward.

Hoefner agreed with the height statements and didn't have a problem with the four-story core but he did not think the Commission could decide which height allowances to put where on the fly. He stated that there was no way the Commission could ballpark the changes to the covenant so he thought it would be helpful to have something on the record about the intentions of the property owners.

Zuccaro presented an option to the Commission for a condition on the height: Under the current zoning framework, there could be a structure up to 35 feet with two-story commercial within the buffer area, and the Commission could suggest applying that cap to residential, as well.

Moline supported Director Zuccaro's suggestion and asked about height under current regulations.

Zuccaro replied that under current regulations it was 35 feet under all of Parcel O. He clarified that his recommendation would reduce residential from three stories to two stories and from 40 feet to 35 feet while keeping the commercial heights the same. He stated that there was no setback within the GDP. He noted that having a walk-out might create a better streetscape, for example, so staff had wanted some flexibility there. The Commission could say that they did not want any buildings within the Dahlia line, which could provide some protections to the property owners.

Moline noted that there had been no residential use allowed before and there had been commercial uses going all the way up to a street across from residential. He would rather see setbacks develop with the PUD proposals.

Zuccaro stated that the current commercial design requirements would have minimum setbacks and the Commission could make recommendations on the updated commercial design requirements.

Moline stated that he liked Zuccaro's wording for the condition dealing with the 200-foot buffer.

Zuccaro summarized that the Commission could approve the resolution with the condition that the MCB height restriction be reduced for residential from 3 stories to 2 stories and from 40 feet to 35 feet (and 35 feet or 30.)

Howe made a motion to approve Resolution 11, Series 2019 with the condition as stated by Director Zuccaro. Roll call vote. Williams voted nay. All else in favor. Motion passed 4-1.

**LMC Amendment – Sign Code Update:** A request for approval of an ordinance amending Title 17 of the Louisville Municipal Code regarding sign regulations throughout the City of Louisville. (Resolution 12, Series 2019)

- Applicant: City of Louisville
- Case Manager: Lisa Ritchie, Senior Planner

Notice met as required.

Ritchie presented the sign code update, noting that the consultants and staff were still working through how to handle signs for civic events on City property. She presented the changes to the amendment since the April Planning Commission meeting:

- Additional language for sign purpose in Downtown, taken from Downtown Sign Manual
- Property owners may follow PUD or new sign code
- Removed requirement that building mounted flags count toward wall sign allowance
- Master Sign Program removed
- Waiver criteria, per Planning Commission discussion

- Some specificity for Electronic Message Centers (EMCs) removed
- Properties east of the railroad tracks in Downtown subject to the Mixed-Use standards
- Murals allowed on accessory and other structures
- Up-lit monument signs not permitted
- Sandwich Board signs – removed provision to allow alley-fronting businesses a sign anywhere within the block
- Other minor clarifications

Ritchie explained that the ordinance would repeal all existing sign regulations and adopt the new regulations as a single ordinance. She noted that a Council member wanted to know the Commission's opinion on expanding allowed size for painted wall signs.

Moline asked how that was different from a mural.

Ritchie replied that murals did not have commercial speech.

Staff recommends approval of Resolution 12, Series 2019.

Hoefner thought that the new proposal incorporated the feedback from the previous Commission meeting. He noted that there were compelling public comments about the sandwich board signs for businesses that front onto alleys.

Ritchie acknowledged that the feedback on the boards was not unanimous.

Howe asked about the options for temporary business signs beyond downtown.

Ritchie replied that sandwich boards were allowed beyond downtown, but they could not be on right-of-way and they would have to be on building frontage. Temporary banners were allowed for up to 60 days a year and the size of those signs was tied to the building size up to 60 square feet in commercial areas. There were also sign allowances and requirements for yard and site signs.

Brauneis asked about the logic on the painted signs.

Ritchie replied that her understanding was that it was an aesthetic preference for painted signs.

Hoefner stated that he liked painted signs, but he did not see any need to further incentivize them.

Gerald Dahl of Murray Dahl Beery Renaud LLP, discussed banner signs in the right-of-way. The 2015 Supreme Court ruling meant that cities could no longer regulate signs based on content. Now most people identify signs by type, like banner or roof signs. Exempt signs on public property include city-related communications, like speed signs or city library events signs. There was also concern over regulating the public forum. He stated that there were three choices for dealing with this issue:

- City events only

- Generally civic-related signs
- Using a permit program for the signs, with the City reserving a certain number for itself

He stated that options 1 and 2 were the safest, even though most people went with a middle route. He requested guidance from the Commission as to if the City was interested in allowing limited civic signs beyond just those of the City itself, like from a county library or a private hospital.

Brauneis asked Ritchie about quasi-public events.

Ritchie replied that the current status was to allow city-related events on City property and staff was comfortable with keeping the allowance for city-sponsored or city-related events.

Dahl noted that City-sponsored events were a safer option.

Zuccaro added that city-sponsored meant either contributing money to or using staff time on the event. There were probably some events that people think are city-sponsored that are not.

Dahl noted that codifying that would mean that the City would have to say no to a sign based on the use of the banner.

Moline asked for staff's perspective on the permitted option.

Zuccaro did not recommend that option since it opened up a slew of issues, including people not understanding the limit.

Hoefner asked staff if they received inappropriate signage requests currently.

Ritchie replied that in her experience someone who wanted to put up something controversial typically did not ask for permission from the City.

Zuccaro noted that option 3 would not allow the City to distinguish between commercial and city-sponsored events.

Ritchie added that the City-sponsored event was a clear line that staff could administer.

Dahl replied that he would help codify that desire since it was not in the Code currently.

Howe stated that he was supportive of the city-sponsored idea.

Martin Landers with Plan Tools stated that he had been working with City staff on technical issues and offered to answer questions from the Commission.

Brauneis asked for additional comment from the Commission. None.

Howe stated his support for the proposal because it addressed the needs of businesses and citizens without allowing signs everywhere.

Williams stated that she did not approve of the edit that an alley-facing business could not put their signs on the street.

Hoefner shared that concern.

Hoefner moved to approve Resolution 12, Series 2019. Howe seconded. Roll call vote. All in favor. Motion passed unanimously.

### **COMMISSIONER COMMENTS**

None.

### **STAFF COMMENTS**

None.

### **ITEMS TENTATIVELY SCHEDULED FOR JULY 11<sup>TH</sup>, 2019**

- Speedy Sparkle PUD Amendment
- Transportation Master Plan
- 824 South Street SRU
- 1776 Boxelder PUD

**Adjourn:** Chair Brauneis adjourned meeting at 10:36 PM.

# City Council Public Hearing

July 23, 2019

## Elixinol

### Planned Unit Development

*Approval of Resolution No. 23, Series 2019, a resolution approving a Planned Unit Development to allow construction of a 22,500 SF, two-story building and associated site improvements at 602 Taylor Avenue.*

**Public Notice Certification:**

*Published in the Boulder Daily Camera – Sunday, May 26, 2019*

*Posted in Required Locations, Property Posted and Mailing Notice – Friday, May 24, 2019*

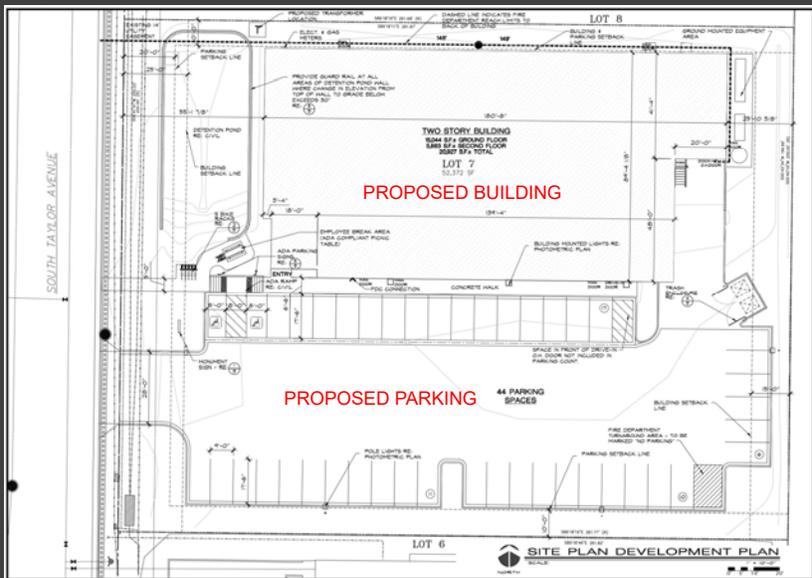
**Elixinol**  
Vicinity Aerial



## Elixinol Background

- Colorado Technological Center First Filing Plat – 1979
- The property owner, Elixinol, LLC, currently leases approximately 10,000 SF in the building at 638 Taylor, immediately south of the subject property.
- They are seeking approval of a PUD to approve construction of a 22,500 SF, two-story building at 602 Taylor.

## Elixinol Vicinity PUD





**Elixinol**  
IDDSG Stanands

- Application meets the standards in the IDDSG
- No waivers were requested by the applicant
- All referral agency comments have been addressed.

## Elixinol

### Staff Recommendation

- Staff recommends approval of a resolution approving a Planned Unit Development amendment to allow the construction of a two story building and associated site improvements.

**SUBJECT: DISCUSSION/DIRECTION – OPEN SPACE ZONING SCOPE OF WORK**

**DATE: JULY 23, 2019**

**PRESENTED BY: EMBER BRIGNULL, OPEN SPACE SUPERINTENDENT  
NATHAN MOSLEY, DIRECTOR OF PARKS, RECREATION, AND  
OPEN SPACE**

**SUMMARY:**

**BACKGROUND**

On August 2, 2011 the Planning and Parks & Recreation Departments, in collaboration with the Planning Commission and the Open Space Advisory Board (OSAB), revised the Louisville Municipal Code, to be consistent with the Charter (Section 15-3(b)), establishing the Open Space Zone District. This Zone District was subsequently approved by City Council (Ordinance No. 1597, Series 2011).

In 2011, City Council included Davidson Mesa, Damyanovich, and Hillside Open Space properties in the Open Space Zone District (Ordinance No. 1597, Series 2011).

In 2017, City Council included Avista, Gateway, CTC, Bullhead Gulch, Hecla, Coal Creek Trail Corridor, North, Centennial Trail Corridor, Harper Lake, Coyote Run, Aquarius, and portions of Daughenbaugh/Warembourg Open Space properties into the Open Space Zone District (Ordinance No.1752, Series 2017).

On July 12, 2017 OSAB reviewed and confirmed earlier OSAB recommended properties for City Council consideration of a zone change to the Open Space Zone District. On October 10, 2017, OSAB shared these Open Space Zone District recommendations with City Council at a Study Session.

On October 16, 2018, City Council reviewed the above mentioned OSAB and staff recommendations and directed staff to proceed with evaluating Daughenbaugh/Warembourg, Walnut, Dutch Creek, Coal Creek Trail Corridor between US 36 and Dillon, and Olson for inclusion in the Open Space Zone District. City Council was supportive of designating Lake Park as parkland. However, direction was given to reevaluate Lake Park for potential inclusion into the Open Space Zoning District following completion of the 2020 Cottonwood Master Plan which will evaluate and inform future use of Lake Park, Cottonwood Park, and the former First Baptist Church property. Refinement of parcel selection since the City Council meeting was based on City Council feedback, additional multi department staff review, and OSAB and Parks and Public Landscape Advisory Board (PPLAB) review at their January 2019 meetings.

PARCEL REFINEMENT & DISCUSSION

City staff recommends proceeding to include the following properties in the Open Space Zone District: the remainder of Daughenbaugh/Warembourg, Walnut, Dutch Creek, Coal Creek Trail Corridor between US 36 and Dillon, and Olson. Inclusion of these properties into the Open Space Zone District is consistent with present management and maintenance practices on these properties and would continue to move the City toward compliance with the City Charter (Section 15-3(b)).

The desire is to complete the field work as quickly as possible to finalize the zoning changes. However, staff have discussed the project with various consultants and understand the surveyors are backed up and will likely not be able to begin work until 2020.

Daughenbaugh/Warembourg

Located south of West Sycamore Lane and north of West Cherry Street, portions of this property were included in the Open Space Zone District in 2017. Parcel refinements are as follows:

- a) Include the northern property boundary from South Polk Avenue east and terminating at North Hoover Avenue.
- b) Include the eastern property boundary from North Hoover Avenue south terminating at Mission Greens Park.
- c) Include the trail corridor on the southwest corner of Daughenbaugh between Daughenbaugh Open Space and Heritage Park.

Walnut

Located on Walnut Street and north of West Spruce Street. Parcel refinements are as follows:

- a) Include the north-south trail corridor located on southwest corner of the property terminating at West Spruce Street.
- b) Exclude Walnut Street road right-of-way located on the west and east sides of the property.

Coal Creek Trail from US 36 to Dillon Road

Located between HWY 36 and Dillon Road. Parcel refinements are as follows:

- a) Exclude existing Golf Maintenance Shop access road.
- b) Exclude the existing road segment east of the Premier Members Credit Union.
- c) Include a portion of the parcel south of Dillon Road while still meeting Public Works request for future road right-of-way needs south of Dillon Road.
- d) Increased footprint around Golf Maintenance Shop to allow for potential future expansion.

Dutch Creek

Located between West Cherry Street and Aspen Way and bordered by Coal Creek to the South. Parcel refinements are as follows:

- a) Exclude noncontiguous parcels along the south side of West Cherry Street and Bella Vista Drive indicated in blue in the Power Point Presentation.
- b) Increase the Golf Course boundary by an additional twenty-feet around the Golf Course green and fairway.
- c) Exclude West Cherry Street road right-of-way.
- d) If proceeding in 2019, exclude the existing Elephant Park swing set. If City is unable to proceed until 2020, this segment will be adjusted and zoned to be consistent with the outcome of the Elephant Park playground redesign within the Playground Replacement Project.

Olson

Located west and east of South 96<sup>th</sup> Street and south of Hwy 42. Parcel refinements are as follows:

- a) Exclude southernmost parcel to allow for addition PPLAB, City staff, and City Council discussion regarding best future use of the area.
- b) Exclude Public Works requested road right-of-way.
- c) Platt 96<sup>th</sup> street to designate road right-of-way.

Once City Council direction is provided, staff will follow the process outlined in Sec. 17.44 of the Municipal Code to rezone properties to the Open Space Zone District. Per the code, public notices will be sent to all property owners within 500 ft. of a proposed property, signs will be posted on the properties, and a notice will be published in the Daily Camera. Public Hearings will be held before Planning Commission and City Council to consider the zone changes via ordinance.

**FISCAL IMPACT:**

Preliminary conversations suggest project cost are approximately \$30,000. This estimate includes platting the unplatted properties in the Olson Open Space area including 96<sup>th</sup> street and creating legal descriptions to incorporate the above recommended properties into the Open Space Zone District. Funding is currently not budgeted for this project in 2019. If Council would like to proceed with the project, the budget will need to be adjusted. The 2019 Acquisition Sub Program in the Open Space Operations budget includes \$5,000 which could be utilized for this project. A budget adjustment of \$25,000 would be necessary for the remainder of the project cost. If consultants are available to complete the work in 2019, staff will come forward with a budget adjustment to the following accounts:

- a) \$15,000, would be funded through the Transportation Planning - Professional Services fund (101425-540900) account for platting of 96<sup>th</sup> Street
- b) \$10,000, would be funded out of Open Space and Parks Acquisition - Professional Services (201755-540900) account for legal descriptions and field work for Open Space Zoning

The proposal does not significantly impact current management practices or operational costs. Properties zoned as Open Space will not be re-zoned for commercial and residential development, which means they will not produce property or sales tax revenue. However, the properties proposed to be zoned are currently being used and managed consistent with Open Space classifications and practices. Officially zoning these properties as open space will not have a negative fiscal impact on the City of Louisville and in fact, open space adds value and improves the quality of life for our community.

**PROGRAM/SUB-PROGRAM IMPACT:**

Open Space Zoning supports the Open Space Maintenance and Management Sub-Program by ensuring that Open Space is protected and managed “in a manner consistent with good stewardship and sound ecological principles that benefits citizens of Louisville by promoting native plants, wildlife, wildlife and plant habitat, cultural resources, agriculture and scenic vistas and appropriate passive recreation.”

**RECOMMENDATION:**

Based on consultant availability and ongoing Elephant Park Playground Redesign, staff recommends the Open Space Zoning project be bid in 2019 to determine availability for consultant work with likely completion in 2020.

**ATTACHMENT(S):**

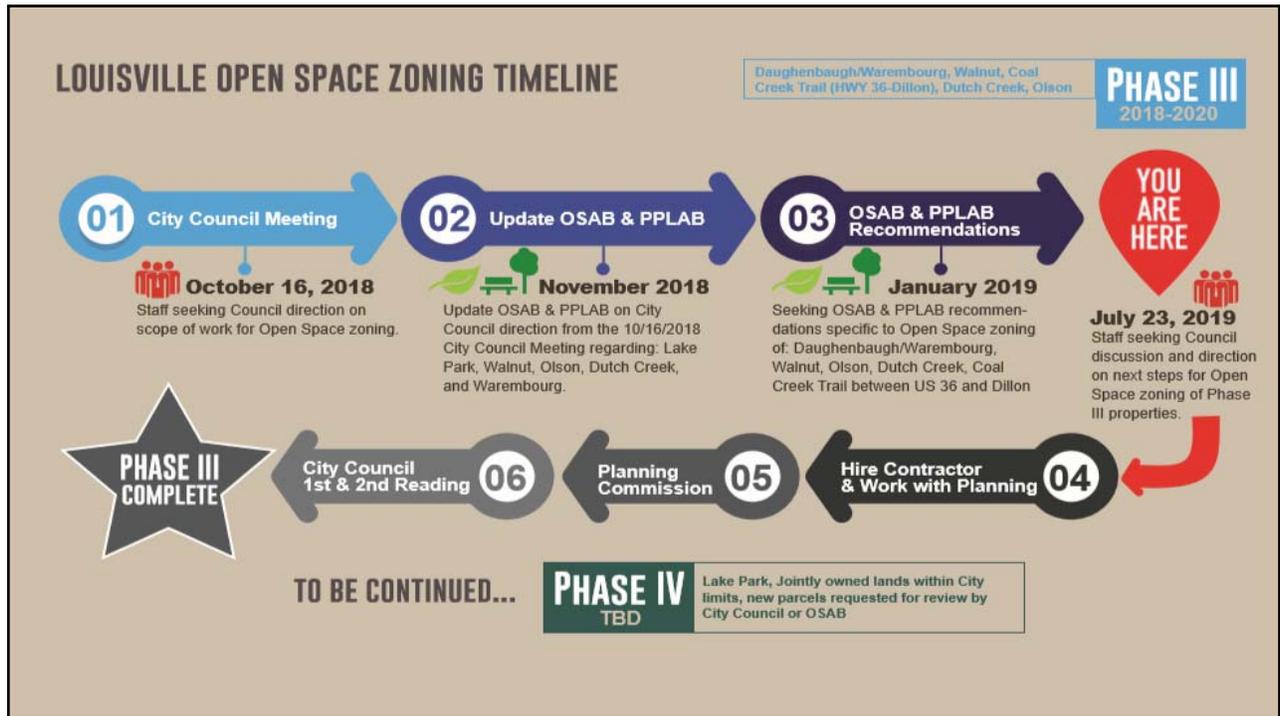
- 1. Presentation

**STRATEGIC PLAN IMPACT:**

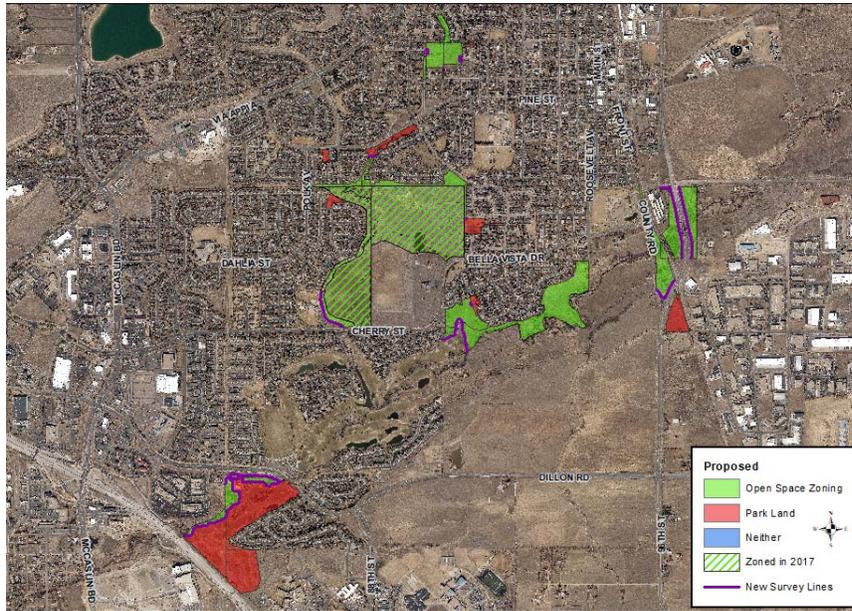
<input type="checkbox"/>	 <b>Financial Stewardship &amp; Asset Management</b>	<input checked="" type="checkbox"/>	 <b>Reliable Core Services</b>
<input type="checkbox"/>	 <b>Vibrant Economic Climate</b>	<input checked="" type="checkbox"/>	 <b>Quality Programs &amp; Amenities</b>
<input type="checkbox"/>	 <b>Engaged Community</b>	<input type="checkbox"/>	 <b>Healthy Workforce</b>
<input type="checkbox"/>	 <b>Supportive Technology</b>	<input type="checkbox"/>	 <b>Collaborative Regional Partner</b>

# Open Space Zoning Scope of Work

July 23, 2019

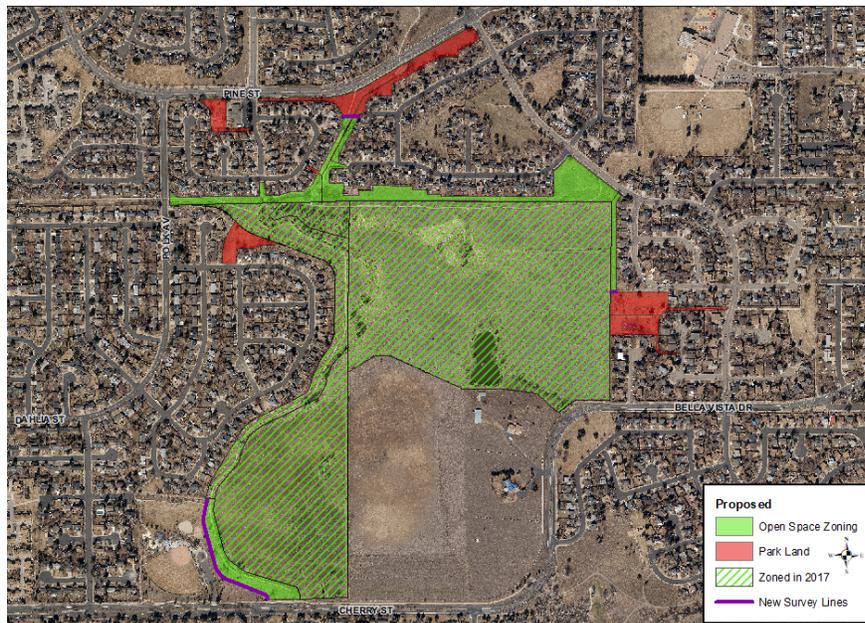


## Proposed Phase III Open Space Zoning



- Additional parcels at Daughenbaugh/Warembourg
- Walnut
- Coal Creek Trail (US 36 to Dillon)
- Dutch Creek
- Olson

## Proposed Open Space Zoning: Daughenbaugh/Warembourg



- Include the northern property boundary from South Polk Avenue east and terminating at North Hoover Avenue
- Include the eastern property boundary from North Hoover Avenue south terminating at Mission Greens Park
- Include the trail corridor on the southwest corner of Daughenbaugh between Daughenbaugh Open Space and Heritage Park

## Proposed Open Space Zoning: Walnut



- Include the north-south trail corridor located on southwest corner of the property terminating at West Spruce Street
- Exclude Walnut Street road right-of-way located on the west and east sides of the property

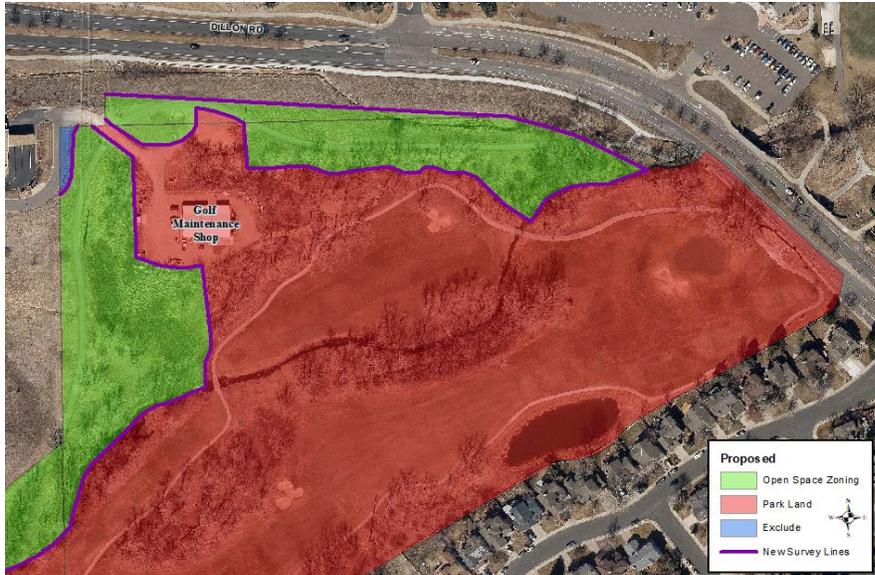
## Proposed Open Space Zoning: Coal Creek Trail US 36 to Dillon Road



Showing full extent of trail corridor from US 36 to Dillon

- Exclude existing Golf Maintenance Shop access road
- Exclude the existing road segment east of the Premier Members Credit Union
- Include a portion of the parcel south of Dillon Road while still meeting Public Works request for future road right-of-way needs south of Dillon Road

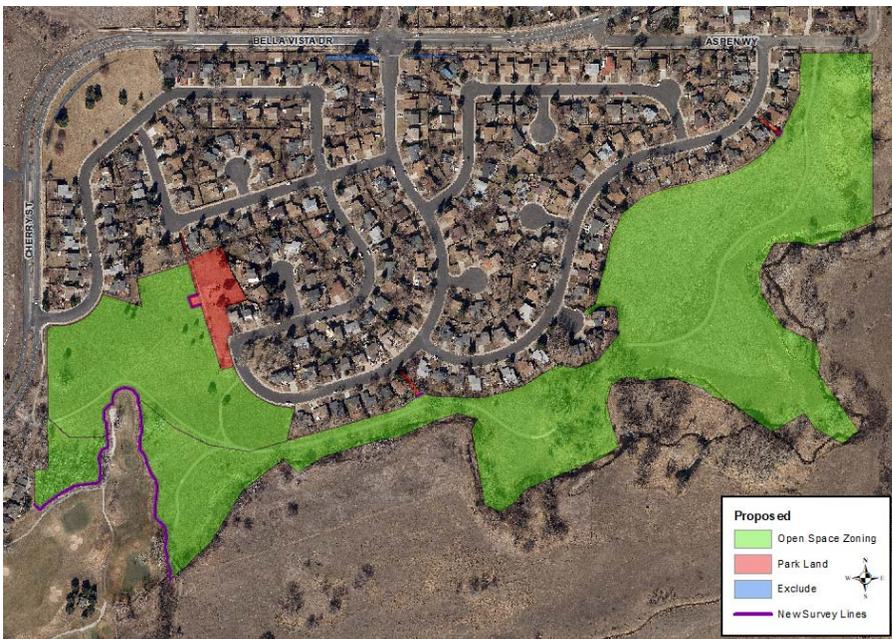
## Proposed Open Space Zoning: Coal Creek Trail US 36 to Dillon Road



Zoomed in view near the Golf Maintenance Shop

- Exclude existing Golf Maintenance Shop access road
- Exclude the existing road segment east of the Premier Members Credit Union
- Include a portion of the parcel south of Dillon Road while still meeting Public Works request for future road right-of-way needs south of Dillon Road.

## Proposed Open Space Zoning: Dutch Creek



- Exclude noncontiguous parcels along the south side of West Cherry Street and Bella Vista Drive indicated in blue
- Increase the Golf Course boundary to include an additional twenty-foot boundary around the Golf Course green and fairway
- Exclude West Cherry Street road right-of-way
- Exclude Elephant Park swing set or zone this property following completion of the Playground Replacement Plan

## Proposed Open Space Zoning: Olson

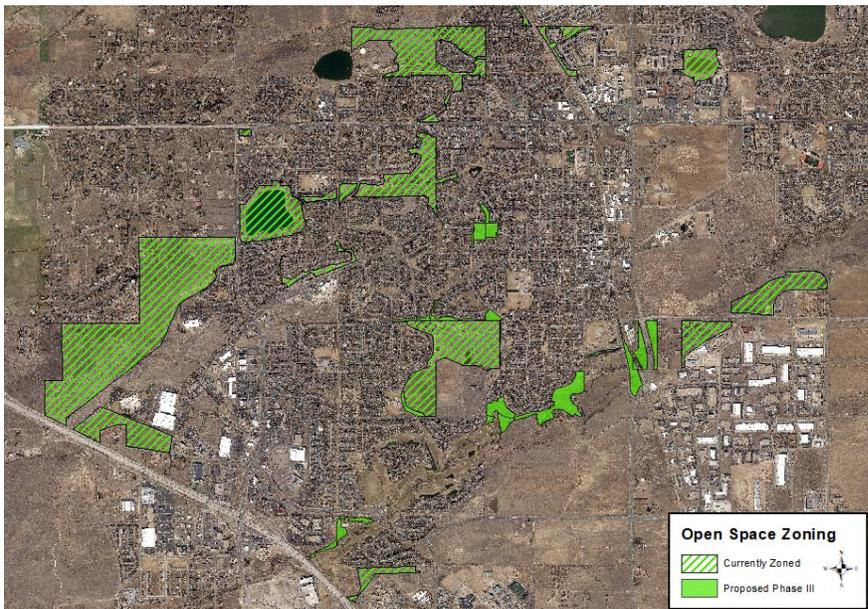


- Exclude southernmost parcel to allow for addition PPLAB and City staff discussion regarding best future use of the area
- Exclude Public Works requested road right-of-way
- Exclude County Road
- Platt 96<sup>th</sup> street to designate road right-of-way

## Staff Open Space Zoning Recommendations

- Include the following properties in the Open Space Zone District
  - Additional parcels on Daughenbaugh/Warembourg
  - Walnut
  - Coal Creek Trail from US 36 to Dillon
  - Olson
  - Dutch Creek
    - If proceeding in 2019, exclude the existing Elephant Park swing set from the Open Space Zone District
    - If proceeding in 2020, the property line near the playground will be adjusted and zoned to be consistent with the outcome of the Elephant Park Playground Replacement Program
- Preliminary project cost of \$30,000 is not currently budgeted
  - Propose \$5,000 from the 2019 Acquisition Sub Program in the Open Space Operations Budget
  - Propose additional budget adjustment of \$25,000
    - \$15,000 from the Transportation Planning- Professional Services and
    - \$10,000 from the Open Space and Parks Acquisition- Professional Services

# Map of Existing & Proposed Phase III Open Space Zoning



**SUBJECT:           ORDINANCE NO. 1779, SERIES 2019 – AN ORDINANCE  
ADOPTING A NEW SIGN CODE FOR THE CITY OF LOUISVILLE  
– 1<sup>ST</sup> READING, SET PUBLIC HEARING 9/03/19**

**DATE:               JULY 23, 2019**

**PRESENTED BY:   LISA RITCHIE, SENIOR PLANNER**

**SUMMARY:**

Presented for adoption is an updated comprehensive sign code for the City of Louisville. The new code repeals all existing sign codes and manuals and replaces them with a single regulatory document for signs in all parts of the City. The intent of the updated sign code is to:

- Modernize and improve sign regulations to accommodate business and resident needs while ensuring quality sign design consistent with desired community character;
- Accommodate changes in technology and best practices in sign design; and
- Align regulations with current legal requirements.

Staff developed the code with the assistance of Russell + Mills, Plan Tools, and Murray Dahl Beery and Renaud, LLP...

**BACKGROUND:**

The City has adopted and amended sign regulations over the years, which has resulted in regulations in numerous different documents:

- [Louisville Municipal Code Chapter 17.24](#) – Signs on residential property, temporary signs, other miscellaneous sign regulations
- [CDDSG](#) –Permanent signs in areas regulated by the CDDSG
- [IDDSG](#) – Permanent signs in areas regulated by the IDDSG
- [Downtown Sign Manual](#) – Temporary and permanent signs in Downtown
- [Mixed-Use Design Standards and Guidelines \(MUDDSG\)](#) – Temporary and permanent signs in areas regulated by the MUDDSG

Having sign regulations in so many different places is not user friendly and has created confusion for business owners, architects and sign designers working in the City. Many of the regulations contained in the code and design standards and guidelines have also not kept up with best practices resulting in many waiver requests to accommodate adequate signage for the City's businesses. There are also several conflicts in the sign regulations with recent court cases related to the 1<sup>st</sup> amendment.

**PUBLIC OUTREACH:**

Prior to development of the draft Sign Code, staff and the consultant met with local focus groups and stakeholders to discuss desired provisions in a new code, prepared an online survey and held a public open house. Following the initial outreach, staff began preparation of the draft Sign Code, along with the guidance and input from the consultant team, which included expertise in legal matters and design standards related to signs.

Earlier this spring, staff presented the draft Sign Code to the Business Retention and Advisory Committee, the Downtown Business Association, a focus group and other local stakeholders, and held a public open house. Summaries of those discussions are included as attachments. Following this input, staff made further revisions to the draft Sign Code.

Some of the main comments and supported concepts from the public outreach included:

- A desire by some businesses for more flexible sign standards and larger signs, especially for wall and freestanding signs.
- Moderate increases in allowed sign size were generally supported by the public.
- High quality sign design is important.
- Limiting sign clutter and having reasonable restrictions for size, materials and illumination is important to achieving desired community character.
- Sign illumination is important and consideration should be given to glare and dark sky-friendly illumination.
- Expansion of allowance for murals in and outside of Downtown is generally supported.
- Continuing to allow sandwich board signs in Downtown is important, but controlling location and ensuring that they don't conflict with a high-quality pedestrian environment needs to be addressed.
- Generally, commercial and industrial sign standards are outdated and need more comprehensive updates, but the Downtown sign code was more recently adopted and few updates are needed. The pedestrian scale focus for Downtown signs is important.
- Businesses desire more flexibility for temporary signs, including use of sandwich board signs outside of Downtown.
- Sign standards should be more specific to the location and context of where a business is located and the surrounding roadway network (e.g. larger centers should have larger sign allowance, signs facing US 36 or larger roads need larger signs).
- New technology for Electronic Message Center (EMC) signs should be incorporated, especially for menu boards and gas station signs, but wider use of EMCs for advertising or to supplement non-EMC sign panels is not consistent with desired community character.

**DISCUSSION:**

Under consideration is a draft Ordinance that repeals all sign regulations in the various locations and adopts by reference the City of Louisville Sign Code, both of which are attached for review. When developing the draft Sign Code, staff reviewed all standards currently in effect and found that some standards were working well, while others required changes to meet the feedback initially provided by the business community and the public. Staff also reviewed and compared other regional communities' sign regulations to learn other methods for sign regulation.

The draft Sign Code will not be located within structure of the Louisville Municipal Code, but rather will be adopted by reference so that the document can include graphics, images and tables to aid in understanding and administration of the regulations. Any future amendments to the draft Sign Code will follow this same procedure and requires public hearings before Planning Commission and City Council. Staff believes the draft Sign Code is complete, however as this new code is administered, staff may prepare a minor update in the future to address any inadvertent omissions or desired changes.

The major provisions by chapter include:

**Section 1: General Provisions**

This section includes regulations related to the *Purpose, Intent, Applicability, Nonconforming Signs, Enforcement and Prohibited Signs*. The primary changes from previous codes include:

- Stated intent for consistency with the First Amendment guarantee of free speech
- Additional discussion related to prevention of sign clutter
- Provisions to allow a property owner to install signs under the draft Sign Code rather than what was previously approved on a PUD, provided that all signs come into conformance with the draft Sign Code, including those on a multi-tenant or multi-property PUD.
- Additional detail regarding nonconforming signs and enforcement of sign regulations;
- The following prohibited signs were added:
  - Teardrop banner signs
  - Inflatable signs
  - Additional clarification of other prohibited sign types

**Section 2: Approval Procedure**

This section establishes the approval processes for signs in Louisville. This section includes new sign specific criteria for consideration of waivers through a PUD or for a request for an administrative minor impact variance. From the applicant perspective, the process follows the existing process currently in place.

Section 2 includes regulations for:

- The requirements to obtain a sign permit;
- The types of signs that are exempt from obtaining a sign permit, including:
  - Signs installed by the City or other government agency
  - Any public purpose/safety sign required by law
  - Signs on vehicles, subject to standards
  - Temporary decorations or displays commonly associated with holidays or religious celebrations, subject to standards
  - Flags, subject to standards
  - Incidental or directional signs less than 5 sf in area
  - Other signs not requiring a permit, as shown in each sign type in Sections 4 and 5
- The provisions and processes to allow waivers and modifications through approval of a PUD, subject to the following revised criteria:
  - *The proposed sign(s) shall encourage excellence in design, exhibit improved creativity, promote community aesthetics, and be appropriate with the character of the area.*
  - *The proposed sign(s) shall be compatible with the color, materials, and design of the on-site building(s).*
  - *The proposed sign(s) shall be scaled and located in a manner that is compatible with the scale of the lot and the massing of the building(s), with consideration of legibility of copy area.*
  - *The proposed sign(s) are otherwise in conformance with the standards of this chapter and applicable design regulations respecting the height, location, design and appearance of the sign(s) involved.*
- The provisions and process to allow the Planning Department to approve minor modifications of up to 10 percent.
- Establishment of regulations for Iconic and Landmark Signs regarding sign changes following designation.

### **Section 3: General Regulations**

This section establishes physical design and location related regulations that apply to all signs within the City, including:

- Language and graphics concerning how sign measurements are determined, including height, area, projection and clearance.
- Design standards that apply to all signs, including requirements for :
  - High quality and durable materials
  - Treatment of raceways and conduit
  - Compatibility with the architectural character of the site and building
  - Compatibility between all signs on a site and building

- Regulations for sign illumination standards for all signs
  - Internally illuminated signs
    - Exposed light sources not permitted, except for neon where allowed
    - When using an internally illuminated sign cabinet, only the portion of the sign face dedicated to the logo or characters may be transparent, the rest of the sign face shall be opaque. This is carried forth from the existing CDDSG sign standards.
  - Externally illuminated signs
    - The light shall be directed to only illuminate the face of the sign without causing glare
    - The light source must be downcast and fully shielded. This standard is new.
    - The design of the light fixtures shall be simple and unobtrusive and not obscure the graphics of the sign.
  - Regulations for sign illumination near residential zoning.
  - Regulations restricting certain light sources, such as flashing, rotating or moving, etc.
  - Regulations regarding sign installation, maintenance, alterations and removals.



Also included in Section 3 are new regulations regarding Electronic Message Centers (EMC). EMCs are electronic signs, typically with LED lights that allow changeable messaging. Currently, these are not allowed within the City, except for messaging to display time and temperature. When developing the draft Sign Code, staff asked specific questions at the open houses, survey and of the focus groups and stakeholders regarding allowing EMCs in Louisville. While the feedback was not unanimous, the majority of responses indicated that they could have a negative impact on character and were generally not desired within the City.

The draft Sign Code provides for the allowance of EMCs for variable pricing for gas stations and Display Signs in Commercial and Mixed-Use areas. All other signs with EMCs require approval of a PUD prior to their use. The draft Sign Code establishes standards for EMCs such as light output, integrated design, and transition method and duration.

Finally, Section 3 specifies the areas in town that the standards apply, which include Residential, Commercial, Industrial, Mixed-Use and Downtown. Staff notes that for the Downtown properties on the east side of the tracks, the standards for the Mixed-Use areas apply.

#### **Section 4: Permanent Signs**

The next section includes specific regulations for all permanent sign types in all areas of the City. The section is organized by sign type, with both text and tables outlining the applicable regulations. When drafting this section, staff evaluated all current regulations, typical waiver requests, other regional communities' regulations, and industry best practices to determine what changes were appropriate. Staff also evaluated the City's existing stock of signs to understand how the draft regulations compare. Included are attachments with tables comparing some local signs with the draft regulations, and a comparison table summarizing the draft Sign Code regulations with the existing regulations.

Generally, the new permanent sign standards do not reduce permitted sign size, increase sign size allowances in some circumstances, provide for sign size in a graduated manner based on location and size of development, and now provide for multiple signs on certain property without approval of a PUD. For example, the current regulations require approval of a PUD to allow two monument signs on a corner lot. The following outlines the primary changes in the draft Sign Code related to permanent signs:

- Provision for primary and secondary frontages on a site. This allows sites to install more than one freestanding sign, or other limited sign types, on property without approval of a PUD. There is flexibility in what is considered primary and secondary frontage, and the secondary frontage sign allowance is smaller than the primary sign allowance.
- The inclusion of regulations for all sign types in all areas of Louisville. Currently, some of the City's sign regulations are silent on certain sign types, such as canopy signs or awning signs. The draft Sign Code includes reference to all sign types in all areas to delineate if they are permitted or not, in addition to the specific sign regulations when permitted.
- The draft Sign Code includes allowances for murals beyond Downtown. The draft proposes to allow murals in Residential areas on Institutional uses, such as the Recreation and Senior Center, Commercial and Mixed-Use areas. The regulations also expand the size allowance for murals within Downtown.
- Generally, sign regulations for Downtown closely match the current Downtown Sign Manual. Staff found those regulations were working well, and the draft Sign Code only includes minor changes for consistency with other regulations throughout the remainder of the City.

- The draft Sign Code provides additional detail for Wall Signs and Freestanding Signs in all areas of the City. These sign types are the most common, and the regulations include provisions for different land use types within each area.
- The regulations now include additional sign allowances for signs orienting toward US 36. Typically, highway oriented signs require larger size and height allowances due to greater distances away from the roadways and the higher traveling speeds of the reader. The standards allow for an additional 50% increase in sign area for wall and freestanding signs, and an additional 50% increase in height for wall signs, and an additional 100% increase in height for freestanding signs.

### **Section 5: Temporary Signs**

Temporary sign regulations have substantially changed when comparing the draft Sign Code with existing regulations. These changes stem from a recent Supreme Court ruling, *Reed v. Gilbert*, around first amendment issues pertaining to free speech. Essentially, the new rulings state that if a temporary sign must be read to understand its purpose, the regulations are invalid. For example, a jurisdiction cannot regulate a sign advertising a political candidate differently than it regulates a sign announcing a special event.

Best practices for temporary sign regulation currently allow for codes to address “time”, “place” and “manner.” Cities can regulate the length of time signs are permitted to remain in place, the place temporary signs are located throughout the City, and the manner of the sign itself, including size and height, materials and types of properties on which signs may be placed.

Rather than the existing sign types, such as Political Sign, Real Estate Sign, Construction Sign, etc, the draft Sign Code includes the following sign types: Fabric Sign, Sandwich Board Sign, Site Sign, Yard Sign and Window Sign. These categories capture the different physical types of signs and allow them without distinguishing a purpose for the sign itself.

This section is organized in the same manner as the section for permanent signs, with standards for each sign type in each area of the City. The following summarizes the new regulations for each sign type:

- Fabric signs, commonly referred to as banners, are permitted in all zone districts for up to 60 days per calendar year. Size and location vary by area.
- Sandwich board signs are currently only permitted in Downtown. The draft Sign Code now proposes to allow them in Commercial and Mixed-Use areas when located on private property within a tenant frontage area. This new provision was vetted through the online survey, public open house and

feedback from stakeholder groups. Generally, there was support for the expanded use of sandwich board signs in all commercial areas of the City. Within Downtown, staff initially proposed language providing more flexibility for locations for sandwich boards for properties without street frontage. Staff revised the draft to require sandwich boards at the tenant frontage, consistent with feedback received through discussions with the Downtown Business Association, the Business Retention and Advisory Committee, and Planning Commission. The language in the current draft is the same as the current standard.

- Site signs are a new sign type intended for properties with active real estate listings for sale or rent or on properties with active building permits. The allowed time aligns with the above activities and the size varies by area.
- Yard signs are a new sign type to allow smaller signs on property on a temporary basis. Signs may be placed in residential areas for up to 120 days per year, and 60 days per year in all other areas. These signs cannot exceed 6 sf throughout the entire City.
- The window sign category allows for additional window signs on a temporary basis in all areas of the City.

### **Section 6: Definitions**

The final section of the draft Sign Code contains the definitions as they pertain to the language in the Code. Some of these are carried forth from previous code, and some are new to this draft. All definitions were vetted for consistency with the intent and use of the language in the draft Sign Code.

The staff presentation that will take place with second reading on August 27<sup>th</sup> will include more extensive discussion of the public and advisory board input, analysis and considerations that went into the draft code recommendations.

### **FISCAL IMPACT:**

Staff finds that administration of this code will not have a fiscal impact. Staff currently requires sign permits for most sign types, and will continue to require permits under this code. Thus, staff time and resources needed to ensure compliance with the code will not significantly change.

### **PROGRAM/SUB-PROGRAM IMPACT:**

Staff finds the approval of this Ordinance will have a positive impact on the Community Design and Economic Prosperity Programs and the Development Review subprogram by reflecting the City's small-town atmosphere as it pertains to signage, and improving the development review process by providing clarity.

**PLANNING COMMISSION RECOMMENDATION:**

On June 13, 2019, a public hearing was held for Planning Commission’s consideration of the draft Sign Code. The Commission unanimously voted to recommend approval to City Council. Minutes from the public hearing before Planning Commission are included as an attachment.

**RECOMMENDATION:**

Staff recommends approval of Ordinance 1779, Series 2019, an ordinance adopting a new sign code for the City of Louisville on first reading, send the ordinance out for publication, and set the public hearing for August 27, 2019.

**ATTACHMENT(S):**

1. Ordinance 1779, Series 2019
2. Draft Sign Code
3. Existing signs comparison table
4. Existing regulations and draft Sign Code comparison table
5. Public input prior to development of the draft Sign Code
6. Public comments on the draft Sign Code
7. Planning Commission minutes, April 11, 2019
8. Planning Commission minutes, June 13, 2019
9. BRaD minutes, April 1, 2019

**STRATEGIC PLAN IMPACT:**

<input type="checkbox"/>	 <b>Financial Stewardship &amp; Asset Management</b>	<input checked="" type="checkbox"/>	 <b>Reliable Core Services</b>
<input checked="" type="checkbox"/>	 <b>Vibrant Economic Climate</b>	<input type="checkbox"/>	 <b>Quality Programs &amp; Amenities</b>
<input checked="" type="checkbox"/>	 <b>Engaged Community</b>	<input type="checkbox"/>	 <b>Healthy Workforce</b>
<input type="checkbox"/>	 <b>Supportive Technology</b>	<input type="checkbox"/>	 <b>Collaborative Regional Partner</b>

**ORDINANCE NO. 1779  
SERIES 2019**

**AN ORDINANCE ADOPTING A NEW SIGN CODE FOR THE CITY OF LOUISVILLE**

**WHEREAS**, the City of Louisville is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter; and

**WHEREAS**, pursuant to such home rule authority and state law, including but not limited to C.R.S. § 31-23-301 *et seq.*, the City has adopted procedures and standards pertaining to the regulation of signs within the City, which are set forth in Chapter 17.24 of the Louisville Municipal Code; the Downtown Louisville Sign Manual; and the City of Louisville Mixed Use, Commercial and Industrial Development Design Standards and Guidelines; and

**WHEREAS**, the City Council desires to adopt and incorporate into the Louisville Municipal Code a new Sign Code for the City of Louisville (the “Sign Code”), which Sign Code includes standards and guidelines for all signs in the City; and

**WHEREAS**, in connection therewith, the City Council desires to repeal the Downtown Louisville Sign Manual and make corresponding amendments to Chapter 17.24 of the Louisville Municipal Code and the City of Louisville Mixed Use, Commercial and Industrial Development Design Standards and Guidelines; and

**WHEREAS**, the City has held public workshops to discuss and gather feedback and comments on the Sign Code; and

**WHEREAS**, after a duly noticed public hearing, where evidence and testimony were entered into the record, the Louisville Planning Commission has recommended the City Council adopt the Sign Code and this ordinance; and

**WHEREAS**, the City Council has reviewed the recommendation of the Louisville Planning Commission and desires to adopt the Sign Code and this ordinance; and

**WHEREAS**, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:**

**Section 1.** The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the City Council.

**Section 2.** Chapter 17.24 of the Louisville Municipal Code is hereby repealed and reenacted to read as follows:

**Chapter 17.24  
Signs**

Sec. 17.24.010 Sign Code.  
Sec. 17.24.020 Violation; penalty.

**Sec. 17.24.010. Sign Code**

A. There is hereby adopted by reference and incorporated into this Title the City of Louisville Sign Code (“Sign Code”), which Sign Code is set forth in full as Appendix A to this Chapter. The sign requirements, standards and guidelines contained in the Sign Code may be amended from time to time in the manner set forth in Chapter 17.44. A copy of the Sign Code shall be made available to applicants for a sign permit.

B. Any sign proposed for construction or placement within the City shall be regulated solely by and comply with the Sign Code, as adopted and amended from time to time by ordinance of the City Council.

**Sec. 17.24.010. Violation; penalty.**

Any person who violates any of the provisions of the Sign Code shall be subject to the penalty provided in Section 1.28.010.

**Section 3.** The following definitions in Chapter 17.08 of the Louisville Municipal Code are hereby repealed in their entirety: Sec. 17.08.435 (“Sign”); Sec. 17.08.440 (“Sign, advertising”); Sec. 17.08.445 (Sign, animated); Sec. 17.08.450 (“Sign, arcade”); Sec. 17.08.455 (“Sign, bulletin board”); Sec. 17.08.460 (“Sign, business”); Sec. 17.08.465 (“Sign, construction”); Sec. 17.08.470 (“Sign, flashing”); Sec. 17.08.475 (“Sign, ground”); Sec. 17.08.480 (“Sign, identification”); Sec. 17.08.485 (“Sign, illuminated”); Sec. 17.08.490 (“Sign, nameplate”); Sec. 17.08.495 (“Sign, projecting”); Sec. 17.08.500 (“Sign, real estate”); Sec. 17.08.505 (“Sign, roof”); Sec. 17.08.510 (“Sign, wall”); and Sec. 17.08.515 (“Sign, window”).

**Section 4.** Section 17.08.585 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

**Sec. 17.08.585. Variance.**

Variance means a legal modification of applicable zoning district provisions, such as yard, lot width, yard depth, ~~sign~~, setback, and off-street parking and loading regulations, granted due to the peculiar conditions existing within a single piece of property.

**Section 5.** Section 17.16.180.B.4 of the Louisville Municipal Code is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

**Sec. 17.16.180. Temporary uses.**

B. *Additional provisions applicable to temporary uses.* Temporary uses shall be subject to the following additional regulations:

4. *Signs.* Signs associated with temporary uses shall comply with the City of Louisville Sign Code adopted pursuant to chapter 17.24 of this title. ~~In addition to compliance with the sign provisions of chapter 17.24 of this title, the following requirements shall apply to temporary uses:~~

a. ~~Temporary uses shall be limited to one freestanding, wall, banner, sandwich board, construction, or window sign per street frontage;~~

b. ~~Total sign area shall not exceed 64 square feet per temporary use;~~

c. ~~Signs shall not be located off site or in public right of way.~~

**Section 6.** Section 17.16.280 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

**Sec. 17.16.280. Design Handbook ~~and Sign Manual~~ for Downtown Louisville to apply.**

Any addition, remodeling, relocation, construction, or other improvement within Downtown Louisville and requiring a building permit or any other permit from the city shall comply with all requirements of Design Handbook for Downtown Louisville, as adopted and amended from time to time. ~~Any sign proposed for construction or placement in Downtown Louisville shall be regulated solely by and comply with the Downtown Louisville Sign Manual, as adopted and amended from time to time.~~

**Section 7.** Section 17.16.290 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

**Sec. 17.16.290. Industrial Development Design Standards and Guidelines to apply.**

Any addition, remodeling, relocation, construction, or other improvement to an industrial property or project within the city and requiring a building permit, ~~sign permit~~, or any other permit from the city shall comply with all requirements of City of Louisville Industrial Development Design Standards and Guidelines, as adopted and amended from time to time.

**Section 8.** Section 17.16.300.B of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

**Sec. 17.16.300. Mixed use design standards and guidelines to apply.**

B. Applicability. Any addition, remodeling, relocation, construction, or other improvement within the mixed use residential (MU-R) or a commercial community (CC) zone district and requiring a building permit, ~~sign permit~~, or any other approval or permit from the city shall comply with all requirements of the City of Louisville Mixed Use Development Design Standards and Guidelines, as adopted and amended from time to time.

**Section 9.** Section 17.28.020 of the Louisville Municipal Code is hereby amended by the addition of a new subsection D to read as follows (words to be added are underlined):

**Sec. 17.28.020. Scope.**

D. Except for those requirements specifically waived or modified in the planned unit development process approved hereunder, the sign requirements, standards and guidelines contained in the City of Louisville Sign Code adopted pursuant to chapter 17.24 of this title shall apply to applications under this chapter.

**Section 10.** Section 17.52.100 of the Louisville Municipal Code is hereby amended to read as follows (words to be added are underlined):

**Sec. 17.52.100. Temporary permits.**

Temporary permits for buildings to be constructed and used for storage incidental to the construction of buildings on the property and for signs advertising a subdivision or tract of land or the lots thereon shall be subject to section 17.16.180, the City of Louisville Sign Code adopted pursuant to chapter 17.24, chapter 17.60 and any other applicable provisions of this title.

**Section 11.** Section 15.04.180 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

**Sec. 15.04.180. Design Handbook for Downtown Louisville to apply.**

Any addition, remodeling, relocation, construction, or other improvement within Downtown Louisville and requiring a building permit, ~~sign permit~~, or any other permit from the city shall comply with all requirements of the Design Handbook for Downtown Louisville, as adopted and amended from time to time.

**Section 12.** Section 15.04.190 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

**Sec. 15.04.190. Industrial and Commercial Development Design Standards and Guidelines to apply.**

Any addition, remodeling, relocation, construction, or other improvement to

an industrial property or project within the city and requiring a building permit, ~~sign permit~~, or any other permit from the city shall comply with the requirements of City of Louisville Industrial Development Design Standards and Guidelines (IDDSG) and the Commercial Development Design Standards and Guidelines (CDDSG) as adopted and amended from time to time.

**Section 13.** Section 12.16.060 of the Louisville Municipal Code is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

**Sec. 12.16.060. ~~Permit required for f~~Flags and banners.**

It shall be unlawful for any person to place or cause to be placed across or above any street in the city any flag, banner, or similar sign or symbol unless allowed by the City of Louisville Sign Code adopted pursuant to chapter 17.24 of this code ~~without first obtaining a proper sign permit from the city manager or his authorized agent. A sign permit shall be issued upon written application showing the desired sign is to be displayed in connection with a national, state, or local celebration or holiday. Political advertisements or banners are prohibited under this section.~~

**Section 14.** The Downtown Louisville Sign Manual is hereby repealed in its entirety.

**Section 15.** Sections 7.1 to 7.5 of the City of Louisville Commercial Development Design Standards and Guidelines are hereby repealed and reenacted to read as follows:

**7.1 Compliance with Sign Code.**

Signs shall comply with the City of Louisville Sign Code, as amended from time to time.

**Section 16.** Sections 7.1 to 7.5 of the City of Louisville Industrial Development Design Standards and Guidelines are hereby repealed and reenacted to read as follows:

**7.1 Compliance with Sign Code.**

Signs shall comply with the City of Louisville Sign Code, as amended from time to time.

**Section 17.** Section 13 of the City of Louisville Mixed Use Development Design Standards and Guidelines is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~)::

**13. Sign Design.** ~~The policy, standards, and guidelines for sign design stated in Section 7 of the CDDSG shall apply in the MU-R and CC Zone Districts only to signage placed on a building fronting an arterial street or in a yard or setback adjacent to an arterial street. All other signage in the MU-R District shall~~

comply with the City of Louisville Sign Code, as amended from time to time. ~~sign standards applicable in the Louisville Downtown Area, as stated in the Design Handbook for Downtown Louisville.~~

**Section 18.** For any Planned Unit Development (PUD) under Louisville Municipal Code Chapter 17.28 that is approved, unexpired and currently effective as of the effective date of this ordinance, the approved PUD plan shall apply to the extent that said plan includes specific sign allowances and/or restrictions that directly conflict with the City of Louisville Sign Code adopted herein. In lieu thereof, the property owner may elect to fully comply with the City of Louisville Sign Code in the area of the conflict.

**Section 19.** If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

**Section 20.** The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**Section 21.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED** this 23<sup>rd</sup> day of July, 2019.

---

Robert P. Muckle, Mayor

ATTEST:

---

Meredyth Muth, City Clerk

APPROVED AS TO FORM:

---

Kelly PC, City Attorney

**PASSED AND ADOPTED ON SECOND AND FINAL READING**, this 3<sup>rd</sup> day of September, 2019.

---

Robert P. Muckle, Mayor

ATTEST:

---

Meredyth Muth, City Clerk

# Sign Code City of Louisville



## **CONTRIBUTORS**

### **CITY COUNCIL**

Mayor Robert Muckle  
Jay Keany  
Chris Leh  
Jeff Lipton  
Susan Loo  
Dennis Maloney  
Ashley Stolzmann

### **PLANNING COMMISSION**

Chair Steve Brauneis  
Deitrich Hoefner  
Keaton Howe  
David Hsu  
Jeff Moline  
Tom Sullivan Rice  
Debra Williams

### **DEPARTMENT OF PLANNING & BUILDING SAFETY**

Robert Zuccaro, AICP, Director of Planning & Building Safety  
Lisa Ritchie, AICP, Senior Planner  
Felicity Selvoski, Historic Preservation Planner  
Kristin Dean, AICP, former staff member  
Kelly, P.C., City Attorney

### **CONSULTANT TEAM**

Russell + Mills Studios  
Plan Tools, LLC  
Gerald Dahl, Murray Dahl Beery Renaud, LLP

## TABLE OF CONTENTS

**Section 1: General Provisions..... 1**

- 1.1 Purpose
- 1.2 Intent
- 1.3 Applicability
- 1.4 Nonconforming Signs
- 1.5 Enforcement
- 1.6 Prohibited Signs

**Section 2: Approval Procedure..... 7**

- 2.1 Permit Required
- 2.2 Exemption from Required Permit
- 2.3 Waivers and Modifications from Sign Requirements
- 2.4 Iconic Sign Designation
- 2.5 Landmark Sign Designation

**Section 3: General Regulations..... 13**

- 3.1 Sign Measurement
- 3.2 Sign Design
- 3.3 Sign Illumination
- 3.4 Electronic Message Centers
- 3.5 Sign Installation
- 3.6 Sign Maintenance
- 3.7 Sign Alteration and Removal
- 3.8 District Areas

**Section 4: Permanent Signs..... 23**

- 4.1 Permanent Signs
- 4.2 Awning Signs
- 4.3 Canopy Signs
- 4.4 Display Signs
- 4.5 Window Signs

- 4.6 Kiosks
- 4.7 Marquee Signs
- 4.8 Murals
- 4.9 Projecting Signs
- 4.10 Freestanding Signs
- 4.11 Wall Signs

**Section 5: Temporary Signs..... 47**

- 5.1 Temporary Signs
- 5.2 Fabric Signs (Banners)
- 5.3 Sandwich Board Signs
- 5.4 Site Signs
- 5.5 Yard Signs
- 5.6 Window Signs

**Section 6: Definitions..... 53**



*Photo credit: Xavier Torrents*

**1.1 PURPOSE.** These sign regulations are established to safeguard the health, safety, convenience, order and welfare of all residents and visitors of Louisville. The City of Louisville recognizes that signs may act as a visual means of communication between the public and businesses and those businesses have an expectation of using signs to identify and advertise themselves.

Specifically, the purpose of these regulations is to provide a balanced and fair legal framework for the design, construction, and placement of signs that:

1. Enhance the City's economy and its businesses by promoting reasonable, orderly, and effective signs which assist in wayfinding and achieve better communication with the public;
2. Promote the efficient communication of messages, ensure that persons exposed to signs are not overwhelmed by the number of messages presented, and enhance the appearance and economic value of the landscape by reducing and preventing sign clutter;
3. Encourage creativity and innovation consistent within the established principles of the City's Design Guidelines;
4. Ensure that signs are compatible with their surroundings, and prevent the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height;
5. Ensure commercial signs are designed for the purpose of identifying a business in an attractive and functional manner;
6. Ensure signs on the façade of buildings reinforce the City's existing character and are complimentary to the architectural design of Louisville's commercial districts;
7. In Downtown Louisville, promote commerce, enable creativity, ensure visibility for all users, and requires compatibility with the historic architectural character and pedestrian scale, to accomplish the following:
  - a. Establish reasonable and improved standards for business identification;
  - b. Encourage creative and innovative approaches to regulating signs consistent with the established principles of the Design Handbook for Downtown Louisville;
  - c. Promote economic vitality in Downtown Louisville;

- d. Enhance overall visual environment in Downtown Louisville by discouraging signs which contribute to the visual clutter of the streetscape;
  - e. Ensure commercial signs are designed for the purpose of identifying a business in an attractive functional manner;
  - f. Ensure signs on the facade of buildings reinforce the existing character and are complimentary to the architectural design of Downtown Louisville.
- 8. Provide fair and consistent permitting and enforcement, and
  - 9. Promote the safety of persons and property by ensuring that signs do not create a hazard by:
    - a. Confusing or distracting motorists; or
    - b. Impairing drivers' ability to see pedestrians, obstacles or other vehicles, or to read traffic signs.

**1.2 INTENT.** It is the intent of these regulations to provide for the proper control of signs in a manner consistent with the First Amendment guarantee of free speech. It is not the intent of these regulations to regulate signs based on the content of their messages. Rather, these regulations advance important, substantial, and compelling governmental interests.

- 1. The incidental restriction on the freedom of speech that may result from the regulation of signs hereunder is no greater than is essential to the furtherance of the important, substantial, and compelling interests that are advanced by these regulations.
- 2. The City has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists and pedestrians), because sign clutter:
  - a. Creates visual distraction and obstructs views, potentially creating a public safety hazard for motorists, bicyclists, and pedestrians;
  - b. May involve physical obstructions of streets or sidewalks, creating public safety hazards;
  - c. Degrades the aesthetic and essential historic character of Louisville, making the City a less attractive place for tourism, commerce, and private investment; and
  - d. Dilutes or obscures messages displayed along City streets

through the proliferation of distracting structures and competing messages.

3. The City has a substantial and compelling interest in preventing traffic accidents.
4. The City has a substantial and compelling interest in preventing negative impacts associated with temporary signs. Temporary signs may be degraded, damaged, moved, or destroyed by wind, rain, snow, ice, and sun, and after such degradation, damage, movement, or destruction, such signs harm the safety and aesthetics of the City's streets if they are not removed.

**1.3 APPLICABILITY.** These regulations shall apply to the display, construction, erection, alteration, use, maintenance, and location of all signs within the City.

1. Signs may be erected, altered and maintained only for, and be a permitted use in, the district in which the signs are located; shall be located on the same lot as the permitted uses to which they relate, except for sandwich board signs as permitted in Section 5 and shall be clearly incidental, customary and commonly associated with the operation of the permitted use.
2. If any provision of these regulations conflicts with any other adopted City ordinance or regulation that regulates signs, the more restrictive standards shall apply, provided, however, to the extent an approved, unexpired and currently effective Planned Unit Development (PUD) under Louisville Municipal Code Chapter 17.28 includes specific sign allowances and/or restrictions that directly conflict with these regulations, the approved PUD regulations shall apply to the extent of the conflict. In lieu thereof, the property owner may elect to fully comply with these regulations in the area of the conflict.
3. Design guidelines identified within this manual replace the design standards for signs contained in the Design Handbook for Downtown Louisville, the Downtown Louisville Sign Manual, the City of Louisville Commercial Development Design Standards and Guidelines, the City of Louisville Industrial Development Design Standards and Guidelines, the City of Louisville Mixed Use Development Design Standards and Guidelines, and Chapter 17.24 of the Louisville Municipal Code (LMC).
4. The City recognizes other regulations pertaining to signage, specifically the State of Colorado, Department of Highways, "Rules and

Regulations Pertaining to Outdoor Advertising,” effective January 1, 1984, as may be amended. Where any provision of these regulations address the same subject matter as other regulations, the more restrictive regulation shall apply.

5. Nothing in these regulations shall be construed as a defense to a violation of applicable state or federal law.
6. All signs displayed, constructed, erected or altered after the effective date of these regulations, as adopted on \*\*\*, 2019, by Ordinance \*\*\*, Series 2019, shall be in conformance with the provisions of these regulations. All signs that are existing at the time of the adoption of these regulations shall not be altered or enlarged without being brought into conformance with these regulations.

**1.4 NONCONFORMING SIGNS** Existing signs which do not conform to the specific provisions of these regulations or to an approved and unexpired PUD, variance, or waiver are designated as nonconforming signs. Nonconforming signs must be brought into compliance with these regulations or must be removed when any of the following conditions exist:

1. Any change which requires a permit per Section 2.1, except copy changes are permitted with an approved permit.
2. The owner wishes to relocate, alter the size, height or supporting structure for the sign.
3. If any such sign or nonconforming portion thereof is destroyed by any means to an extent of more than fifty (50) percent of its replacement value at the time of the destruction, it shall not be reconstructed except in conformity with the applicable provisions of these regulations.
4. The location of the sign is moved or relocated.

## 1.5 ENFORCEMENT

1. The provisions herein shall be enforced by the City Manager. It shall be unlawful to erect, construct, reconstruct, alter or change any sign without first obtaining a sign permit from the City, and no permit shall be issued unless plans of and for the proposed erection, construction, reconstruction, alteration or use fully conform to this Section.



*Freestanding pole signs are not permitted*



*Inflatable signs are not permitted*

2. It shall be unlawful to erect, construct, move or change the use of any sign in the City or cause the same to be done contrary to or in violation of the provisions of these regulations or amendments thereto.

**1.6 PROHIBITED SIGNS** The following types of signs are prohibited except as noted:

1. All signs not expressly permitted under these regulations or exempt from a permit in accordance with Section 2.2 of these regulations.
2. Any sign other than traffic control signs, that is erected, constructed or maintained within, over or upon a public right-of-way or city property, except projecting signs, signs on awnings or canopies, flags, and sandwich board signs in conformance with these regulations, or civic event signs otherwise granted permission for such location by the City or the Colorado Department of Transportation.
3. Any sign, other than traffic control signs, located in a vision clearance area.
4. Any sign at any location where by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, signal or device, or may it interfere with, mislead or confuse traffic.
5. Handheld signs. No person shall place, maintain or otherwise utilize a handheld sign in a manner which obstructs or makes hazardous the free passage of pedestrians and motor vehicles on any street, sidewalk or public-right-of way.
6. Vehicle signs. No person shall park any vehicle or trailer on a public right-of-way or public property, or on private property, so as to be visible from a public right-of-way which has attached thereto or located thereon any sign. This provision applies when the vehicle is placed in a location for the primary purpose of displaying signage and is not intended to prohibit any form of vehicular sign, such as a sign attached to a motor vehicle primarily used for business purposes other than advertising.
7. Teardrop banner signs, as defined in Section 6.1.
8. Any sign attached to a tree or utility pole whether on public or

private property.

9. Any flashing, rotating or moving signs, animated signs, signs with moving lights or signs which create the illusion of movement, except for:
  - a. A sign whereon the current time and/or temperature is indicated by intermittent lighting shall not be deemed to be a flashing sign.
  - b. Traditional barber poles.
  - c. Electronic message signs, subject to the standards in Section 3.4.
10. Inflatable signs or displays placed on the ground or on buildings or tethered to other objects or structures.
11. Any freestanding pole sign, unless designated as an Iconic or Landmark Sign.
12. Any sign painted, erected and/or constructed upon, above or over the roof or parapet of any building.
13. Any off-premise sign, including billboards. Off-premise sandwich board signs are permitted subject to the standards in these regulations.
14. Any sign that obstructs access to or impedes operation of any fire escape, downspout, window, door, stairway, ladder or opening intended to provide light, air, ingress or egress for any building or structure as may be required by law.
15. Any sign or sign structure which is structurally unsafe, constitutes a hazard to safety or health by reason of inadequate maintenance, abandonment, dilapidation or obsolescence and/or is not kept in good repair.



*Teardrop banners are not permitted*

**2.1 PERMIT REQUIRED** A permit shall be required in order to change copy, erect, move, alter, reconstruct or repair any permanent or temporary sign, except signs that are exempt from permits in compliance with Section 2.2.

1. An application for a permit for a sign shall be submitted on a form provided by the Department of Building and Safety.
2. Submittal requirements. Each application for a permit shall include:
  - a. A to-scale drawing showing the proposed location of the sign(s) along with the property boundaries, locations, types and square footage areas of all existing signs on the same site.
  - b. Specifications and full color scale drawings shall be included showing the sign type, materials, design, and dimensions.
  - c. Structural supports and/or attachments.
  - d. To-scale landscaping plan, if required.
  - e. Lighting and/or electrical components of the proposed sign(s).
  - f. Additional submittal requirements, as requested at the discretion of the Department of Planning and Building Safety, which information is reasonably necessary to assist in the review of the sign permit application.
  - g. The number of copies of application submittal items shall be determined by the Department of Planning and Building Safety.
  - h. The appropriate fee as adopted and required by the City.
3. Upon receipt of a complete application the Department of Planning and Building Safety shall review the same for compliance with these regulations, all applicable building code requirements, and any other applicable City codes and regulations, and approve, approve with conditions, or deny the application.
4. The Department of Planning and Building Safety shall have the right to inspect the proposed sign location prior to acting on the application, and shall also have the right to inspect the sign after construction to insure compliance with these regulations and any conditions of approval.
5. A permit for a sign shall lapse and have no further effect unless a sign has been erected in compliance with the terms and conditions of the permit within one (1) year after the date of the permit approval, or as provided in the adopted City building codes.

## 2.2 EXEMPTIONS FROM REQUIRED PERMIT

The following signs are exempt from the permit requirements of Section 2.1 above; however, exempt signs remain subject to the remaining provisions of these regulations. Exempt signs shall otherwise be in conformance with all applicable requirements of these regulations, and the construction and safety standards of the City. All signs not listed in this Section and that are not prohibited by Section 1.6 require a permit pursuant to Section 2.1 above. Unless otherwise specifically provided, exempt signs may not be illuminated. Exempt signs include:

1. Signs erected by the City or by any government agency, including but not limited to traffic control signs and civic event signs on city property or right-of-way. These signs may be illuminated for safety purposes.
2. Any public purpose/safety sign and any other notice or warning required by a valid and applicable federal, State or local law, regulation or resolution. These signs may be illuminated for safety purposes.
3. Signs displayed on motor vehicles which are being operated or stored in the normal course of a business, provided that the primary purpose of such vehicles is not for the display of signs and provided that they are parked or stored in areas appropriate to their use as vehicles.
  - a. Signs on vehicles shall not project beyond the surface of the vehicle in a manner which creates a hazard to pedestrians, cyclists, or other vehicles.
  - b. It shall be unlawful to place or store a vehicle with a sign on it in such manner as to increase the permitted sign area or number of signs either on-site or off-site for a non-residential use, as provided in Section 1.6.
4. Temporary decorations or displays, if they are clearly incidental to, customarily, or commonly associated with any national, State, or local holiday or religious celebration provided that such signs shall be displayed for a period of not more than forty five (45) consecutive days nor more than sixty (60) days in any one year. Such decorations or displays may be of any type, number, area, height, location, illumination or animation, provided that such decorations or displays:
  - a. Are maintained and do not constitute a fire hazard; and
  - b. Are located so as not to conflict with, interfere with or visually distract from traffic regulatory devices.



*Public safety and warning sign*



Sign Displayed on a Vehicle



Temporary Decorations



Flag affixed to a pole



Directional sign

5. Flags that are affixed to not more than two (2) permanent flagpoles or flagpoles that are mounted to buildings (either temporary or permanent) provided that such flag maintains a minimum clearance of eight (8) feet from any travel surface and does not exceed twenty-four (24) square feet in Downtown, and forty (40) square feet in all other areas.
6. Incidental and directional signs, as defined in Section 6.1, provided that such signs do not exceed five (5) square feet in sign area.
7. Non-illuminated wall mounted display signs, as defined in Section 6.1, subject to the standards in Section 4.4.
8. Window signs, as defined in Section 6.1, subject to the standards in Section 4.5 and 5.6.
9. Sandwich board signs, as defined in Section 6.1, subject to the standards in Section 5.3.
10. Site signs, as defined in Section 6.1, subject to the standards in Section 5.4.
11. Yard signs, as defined in Section 6.1, subject to the standards in Section 5.5.

## 2.3 WAIVERS AND MODIFICATIONS FROM SIGN REQUIREMENTS

1. Unless eligible for a minor modification in Section 2.3.2, any request for an increase in the maximum allowable height, area, or number of signs permitted by these regulations shall follow the procedures set forth in Title 17 of the Louisville Municipal Code for approval of a Final Planned Unit Development (PUD). The following review criteria will be used as the basis of the evaluation of such request:
  - a. The proposed sign(s) shall encourage excellence in design, exhibit improved creativity, promote community aesthetics, and be appropriate with the character of the area.
  - b. The proposed sign(s) shall be compatible with the color, materials, design of the on-site building(s).
  - c. The proposed signs(s) shall be scaled and located in a manner that is compatible with the scale of the lot and the massing of the building(s), with consideration of legibility of copy area.
  - d. The proposed sign(s) are otherwise in conformity with the

standards of this chapter and applicable design guidelines respecting the size, height, location, design and appearance of the sign(s) involved.

2. The Department of Planning and Building Safety shall be authorized to grant minor modifications of any sign standard, including but not limited to sign area and/or height modifications of ten (10) percent or less, pursuant to the procedure for a Minor Impact Variance set forth in Sec. 17.52.050, and upon a finding that:
  - a. The minor modification is of a technical nature and is required to compensate for some practical difficulty or unusual aspect of the site or the proposed sign.
  - b. The proposed sign(s) shall encourage excellence in design, exhibit improved creativity, promote community aesthetics, and be compatible with the character of the area.
  - c. The proposed sign(s) shall be compatible with the color, materials, design of the on-site building(s).
  - d. The proposed signs(s) shall be scaled and located in a manner that is compatible with the scale of the lot and the massing of the building(s), with consideration of legibility of copy area.



*Creative sign design that could be considered through approval of a waiver for exposed illumination*

## 2.4 ICONIC SIGN DESIGNATION

1. Iconic Signs. Signs which have been officially designated as an Iconic Sign by the Historic Preservation Commission and City Council, and which retain those dimensional, locational, and lighting standards that the sign possessed when it received such a designation, shall benefit from the following privileges:
  - a. May remain on roofs, or exceed height limits found elsewhere in these regulations.
  - b. May exceed dimensional limits found elsewhere in these regulations.
  - c. May change the sign copy and logo so long as the architectural quality of the original sign is maintained, subject to Section 2.4.6.
  - d. Shall not have the sign area deducted from the square footage of sign area granted by other standards in these regulations.
  - e. May remain in a right-of-way unless it becomes a hazard.
  - f. May retain its original lighting patterns and materials.



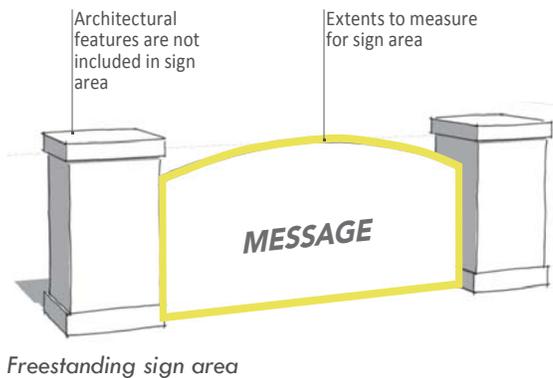
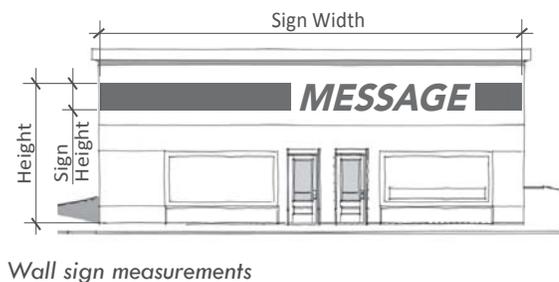
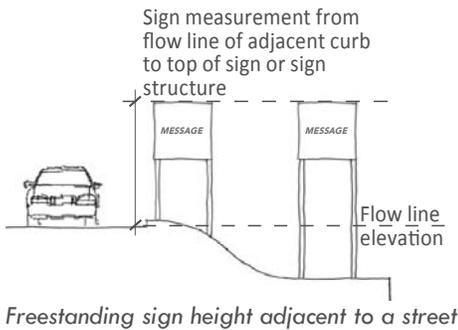
## 2.5 LANDMARK SIGN DESIGNATION

1. Landmark Signs. Signs which have been officially designated as a Landmark Sign by the Historic Preservation Commission and City Council shall benefit from the following privileges:
  - a. May be eligible for historic preservation funds for restoration, repair, or maintenance, with approval from the Historic Preservation Commission and City Council.
  - b. May remain on roofs, or exceed height limits found elsewhere in these regulations.
  - c. May exceed dimensional limits found elsewhere in these regulations.
  - d. May change the sign copy only with an alteration certificate from the Historic Preservation Commission.
  - e. Shall not have the sign area deducted from the square footage of sign area granted by other standards of these regulations.
  - f. May remain in a right-of-way unless it becomes a hazard.
  - g. May retain its original lighting patterns and materials.
2. Review Criteria. A Landmark Sign shall meet the criteria established for a landmark structure as outlined in Section 15.36.050 of the Louisville Municipal Code.
3. Designation. The City of Louisville Historic Preservation Commission and City Council shall have the authority to approve or disapprove the designation of a Landmark Sign based upon the criteria in Section 15.36.050 of the Louisville Municipal Code.
4. At the time of submittal, the applicant must file all information as required by the Department of Planning and Building Safety to determine if the sign meets the criteria.
5. A sign which has been officially designated as a Landmark Sign will not be required to comply with the requirements for nonconforming signs.
6. In addition to a permit under these regulations, a sign which has been officially designated as a Landmark sign shall be required to obtain an Alteration Certificate pursuant to Section 15.36.110 of the Louisville Municipal Code prior to any alteration that requires a permit under these regulations.



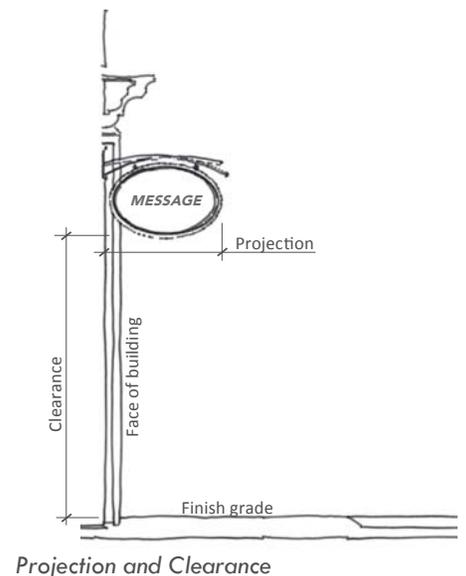
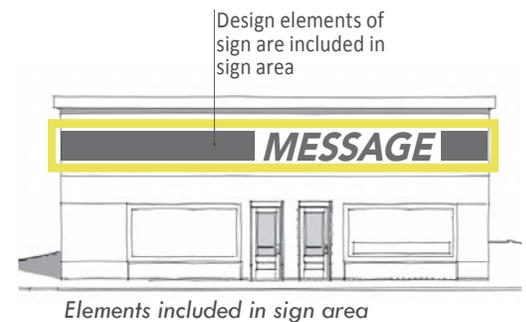
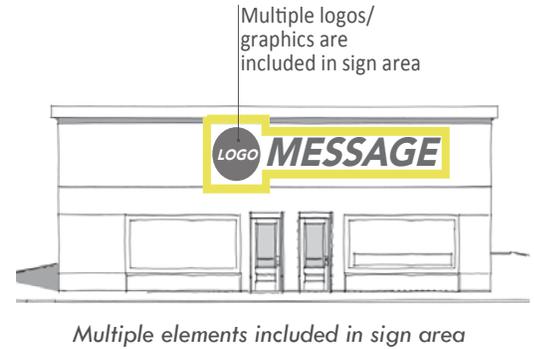
*Designated Landmark Sign*

### 3.1 SIGN MEASUREMENT



1. Height.
  - a. The height of a freestanding sign is the vertical distance to the top of the structure or sign face, whichever is higher, measured from the elevation of average grade in the area within the required landscape area around the base of the sign.
  - b. For freestanding signs adjacent to a street, if said average grade is more than two (2) feet lower than the average grade of the nearest abutting street, then the height of the sign shall be measured from the flow line elevation of said street to the top of the sign face or sign structure, whichever is higher.
  - c. For signs mounted on a building, the height is measured from the average grade of the building frontage.
2. Sign height. Sign height is the vertical distance of the sign area.
3. Area of single-faced signs.
  - a. Sign area is the entire surface area of a sign, including non-structural trim, frame or other material or color forming an integral part of the display or used to differentiate the sign's contents from the background against which they are placed. The supports, uprights, or structures on which any sign is mounted shall not be included in measuring sign area.
  - b. A building's architectural features, structural supports and landscape elements shall not be included within the sign area.
  - c. An awning, canopy, or non-cabinet wall sign's area shall be measured by including within a single continuous rectilinear perimeter of not more than eight straight lines which enclose the extreme limits of writing, representation, lines, emblems, or figures contained within all modules together with any air space, materials or colors forming an integral part or background of the display or materials used to differentiate such sign from the structure against which the sign is placed.

4. Area of multi-faced signs. All sign faces visible from one point shall be counted and considered part of the maximum total sign area allowance for a sign.
  - a. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and are part of the same sign structure, the sign area shall be computed as the measurement of one (1) of the two (2) faces.
  - b. When a sign has more than two (2) display surfaces that are visible from the same viewpoint, or the sign is a three-dimensional object, the area of such sign is the largest display surface visible from any single direction.
5. Area of multiple Signs.
  - a. Whenever more than one (1) sign is placed on a freestanding structure, or on a projecting structure, the combination of signs shall be considered as one sign for the purpose of computing sign area and determining the number of signs on a site.
  - b. Total sign area shall be computed by adding the areas of the individual signs.
6. Projection. Projection is measured as the distance from the face of the building to which a sign is mounted to the furthest point on the sign away from the wall.
7. Clearance. Clearance is measured as the shortest distance between the bottom of a sign and the grade below.



**3.2 SIGN DESIGN** In general, signs shall have mutually unifying elements which may include uniformity in materials, color, size, height, letter style, sign type, shape, lighting, location on buildings, and design motif.

1. All signs shall be constructed of high quality durable materials.
2. Exposed raceways and conduit.
  - a. Raceways shall only be permitted when other means of attachment are not feasible, except as noted in d. below.



High quality, unified signage



Exposed raceway



Multi-tenant freestanding sign

- b. Exposed raceways shall be as thin and narrow as possible and shall be finished to match the background wall, and shall not extend in width or height beyond the area of the sign's lettering or graphics.
  - c. Conduit shall be concealed from public view.
  - d. Raceways and exposed conduit are not permitted in Downtown Louisville.
3. Materials and textures of signs shall be compatible with the architectural character of the site and building. Supporting sign structures of freestanding signs shall match the primary finish and colors of the associated building(s).
  4. Where possible, freestanding signs shall integrate tenant signs into a single sign structure.
  5. Wayfinding and directional signage systems shall be of a unified graphical system. Such signage shall be placed in consistent locations near site entries, key points on the internal automobile and pedestrian circulation system, building entries, seating areas, and sidewalk intersections.
  6. The supporting members of a sign shall appear to be free of any extra bracing angle iron, guy wires, cables, etc. The supports shall appear to be an architectural and integral part of the building and/or sign.

**3.3 SIGN ILLUMINATION** Illumination of signs shall be in accordance with the following requirements, in addition to the standards provided in Section 4 for each sign type:

1. Internally illuminated signs.
  - a. No internally illuminated sign shall include any exposed light source, except that neon or comparable tube lighting is permitted where neon is allowed.
  - b. When an internally illuminated sign cabinet is permitted, only that portion of the sign face dedicated to the trademark or characters may be translucent. The balance of the sign face shall be opaque.
2. Externally illuminated signs.
  - a. All signs that use external illumination shall have their lighting directed in such a manner as to illuminate only the face of the

- sign without causing glare.
  - b. The light source must be downcast and fully shielded.
  - c. Projecting light fixtures shall be simple and unobtrusive in appearance, and shall not obscure the graphics of the sign.
- 3. No illuminated sign visible from and located within three hundred (300) feet of any property in a residential zoning district may be illuminated between the hours of 11:00 p.m. or one-half hour after the use to which it is appurtenant is closed, whichever is later, and 7:00 a.m.
- 4. The following light sources are prohibited anywhere in Louisville, except as provided for in Section 1.6 and Section 3.4.
  - a. Any flashing, rotating or moving signs, animated signs, signs with moving lights or signs which create the illusion of movement.
- 5. All illuminated signs in AO-T zone districts shall comply with Section 17.13.110 of the Louisville Municipal Code regarding glare, and the following additional standards:
  - a. Signs shall be illuminated only from a concealed light source internal to the sign structure or shielded from public view and from surrounding properties used to illuminate only the sign face, and not any area beyond the face; and
  - b. Signs shall not remain illuminated between the hours of 9:00 p.m. and 6:00 a.m.



Electronic message center



Electronic message center at a gas station

### 3.4 ELECTRONIC MESSAGE CENTERS

1. Electronic message centers are permitted for the display of variable pricing on freestanding signs for gasoline stations and display signs in Commercial and Mixed-Use Areas.
2. Any other electronic message center may be permitted only if expressly authorized in an approved Final PUD plan. The electronic message center in the Final PUD plan shall meet the specific standards in Section 3. below and shall include standards and requirements concerning the design and location of the electronic message center, and shall demonstrate exceptional and unique circumstances warranting the use of the electronic message center.
3. All electronic message centers shall meet the following requirements:



*Halo lit wall sign*



*Externally illuminated wall sign*

- a. The electronic message area of a freestanding sign shall be integrated into the design of the freestanding sign. Such electronic message portions of freestanding signs shall not be an add-on feature, but rather must be fully integrated into the sign design.
- b. All electronic message centers shall be equipped with a malfunction display and the ability to automatically shut off if a malfunction occurs.
- c. Transition method. The electronic message center shall be limited to static messages, changed only through either dissolve or fade transitions, which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign or structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity.
- d. Transition duration. The transition duration between messages shall not exceed one (1) second.
- e. Message hold time. Messages shall not transition on a frequent basis. The message hold time shall be appropriate for the site, surrounding neighborhood, uses, and roadway.
- f. Lighting from an electronic message center shall not exceed 0.3 footcandles between dusk to dawn as measured from the sign's face. The City may require lower light levels if it is determined less light is appropriate for the surrounding area. The electronic message center shall have automatic dimmer software or solar sensors to control brightness for nighttime viewing. the intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard. Documentation shall be provided from the sign manufacturer which verifies compliance with auto dimming and brightness requirements.
- g. Existing signage proposed for conversion to the use of an electronic message center shall conform to the sign standards in these regulations prior to issuance of a sign permit. Nonconforming signs shall not be eligible for conversion to an electronic message center.

### 3.5 SIGN INSTALLATION

1. In addition to the permit requirements in Section 2.1, all permanent signs and all components thereof, including sign structures and sign faces, shall be installed in compliance with the

adopted building and electrical codes of the City.

- a. At final inspection by the City, every electric sign shall have affixed thereon an approved Underwriters' Laboratories label, or all wiring of such sign as approved by the State electrical inspector, and all wiring connected to such sign shall comply with all provisions of the applicable regulations of the City relating to electrical installations. This label may be removed following the passage of the final inspection.
  - b. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with adopted electrical code specifications, depending on voltages concerned. However, in no case shall a sign be installed closer than forty eight inches (48") horizontally or vertically from any conductor or public utility guy wire, or as recommended by the local public utility company.
  - c. No sign or sign structure shall be installed that impedes pedestrian or vehicular movement, or be erected in such a location as to cause visual obstruction or interference with motor vehicle traffic or traffic-control devices, or obstruct clear vision in any direction from any street intersection or driveway.
  - d. No sign or sign structure shall be installed that obstructs access to or impedes operation of any fire escape, downspout, window, door, stairway, ladder or opening intended to provide light, air, ingress or egress for any building or structure as may be required by law. If possible, signs should not be placed in locations that obscure architectural features such as pilasters, arches, windows, cornices, etc.
  - e. No sign or sign structure shall be installed which is structurally unsafe.
2. Except for flags, window signs and temporary signs conforming to the requirements of these regulations, all signs shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.



Externally illuminated wall sign



Halo lit freestanding sign



Neon illuminated signs



Up-lit signs are not allowed

**3.6 SIGN MAINTENANCE** The owner or lessee of any sign shall take all reasonable actions so that the sign will be maintained.

1. All signs and all parts and components thereof, shall be maintained in a safe condition in compliance with the approved permit and in conformance with these regulations.

- a. All signs, including sign structures and sign faces, shall be maintained in good repair at all times and shall not constitute a hazard to safety, health or public welfare by reason of inadequate maintenance or deterioration. For the purposes of this Section, good repair shall mean that there are no loose, broken, torn or severely weathered portions of the sign structure or sign face.
  - b. The owner of a sign shall be required to keep signs and supporting hardware structurally safe, clean, free of visible defects, including graffiti, and functioning properly at all times. Exposed surfaces shall be kept clean and neatly painted, and free from rust and corrosion. Defective parts shall be replaced. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.
2. All signs or any part of a sign which is broken or damaged or which is not reasonably maintained such as to present a nuisance, hazard or potential hazard, including any required landscaping, shall be repaired or removed by the sign owner such that the sign no longer is a nuisance or endangers public health and/or safety. If the sign owner fails or refuses to repair or remove the unsafe sign as herein required, the sign shall be deemed a nuisance and the City may abate the same as provided in Section 8.01.050 of the Louisville Municipal Code, as the same may be amended.

### 3.7 SIGN ALTERATION AND REMOVAL

1. Any alteration to an existing sign, including a copy change, shall require a new sign permit pursuant to Section 2.1, unless exempt pursuant to Section 2.2. Alterations shall include, without limitation:
  - a. Changing the size of the sign;
  - b. Changing the shape of the sign;
  - c. Changing the material of which the sign is constructed;
  - d. Changing or adding lighting to the sign;
  - e. Changing the location of the sign; or
  - f. Changing the height of the sign.
2. Existing nonconforming signs may be altered in any way that does not change the materials, light source, size height, background, shape or location of the sign without bringing the entire sign into conformance, provided that the cost of the alteration is less than

fifty (50) percent of the sign's replacement cost.

3. Any abandoned or illegal sign, which is not removed from the premises by the owner, user, or property owner within the time frames prescribed shall be subject to removal in accordance with the provisions and procedures detailed in this Section. Any such sign shall be considered a violation of the provisions of these regulations.
  - a. An abandoned permanent sign shall be removed by the owner, user, or property owner within thirty (30) days from time the purpose has passed or no longer applies.
  - b. An abandoned temporary sign shall be removed by the owner, user, or property owner within three (3) days from time the purpose has passed or no longer applies.
  - c. When building-mounted and painted wall signs are removed, the face of the structure shall be treated to conform to surrounding building conditions. Such removal shall not leave any evidence of the sign's existence.
  - d. Any illegal sign shall be removed from the premises upon which it is located within thirty (30) days from the notice of violation, and shall not remain on the premises until and unless a sign permit is issued.
4. Upon failure of the owner, user, or property owner to comply within the specified time requirements set out in this Section, the City Manager is hereby authorized to cause such abandoned or illegal sign to be removed and any expense attendant thereto shall be paid by the owner, agent, or person having the beneficial use of the building, structure, or premises upon which the sign is located.
  - a. If such removal expense remains unpaid for more than thirty (30) days after such removal is performed and expense incurred by the City and a bill for same was mailed to the permittee or property owner by first class, certified or registered mail, such unpaid charge shall constitute a lien upon the real estate.
  - b. The City Attorney is hereby authorized, in accordance with the law, to file a notice of lien in the office of the County Clerk to foreclose this lien and to sue the owner of the property of sign permittee, or their agents, in a civil action to recover the money due for the foregoing service, plus all its costs as hereinafter more fully described, together with reasonable attorney's fees to be fixed by the court.
  - c. Any such judgement shall be enforced in accordance with law. Included in the expenses recoverable by the City shall be

the costs of filing the notice of lien foreclosing such lien and all litigation costs, together with all office and legal expenses incurred in connection with collection of the amount due hereunder.

- d. In lieu of filing and enforcing a lien, the City may certify its costs of removal and enforcement with the County Treasurer under CRS 31-20-105 & 106 for collection in the same manner as real property taxes.
- e. A failure to remove any abandoned or illegal sign and subsequent failure by the Department of Planning and Building Safety to duly notice the owner, user, or property owner of the provisions of this Section shall not be deemed to constitute a waiver of any violations of these regulations, nor to be given any special status.
- f. If, through administrative neglect or inaction, an owner, user, or property owner is not notified of the requirements of this Section within the time frames specified, but is later so notified, such owner, user, or property owner shall take action to either correct the abandonment or illegality or shall cause the sign to be removed within twenty (20) days of such notification.
- g. Any sign removed by the City, in accordance with this Section, shall become the property of the City and may be disposed of in any manner deemed appropriate by the City.

**3.8 DISTRICT AREAS** The regulations in Section 4 and 5 set forth standards applicable by districts. Contact the Department of Planning & Building Safety to confirm which district is applicable.

**Residential:** Generally, this area is comprised of the residentially zoned properties, or properties developed with residential uses. This area includes properties zoned A, RR, RE, RL, RM, RH, R-RR, SF-LD, SF-MD, SF-HD, SF-R, SF-E, and PCZD-R. This also may include properties with commercial zoning with residential uses approved through a Special Review Use. Institutional uses include uses defined by Use Groups 9, 11 through 23, and 30 of Section 17.12.030 the Louisville Municipal Code that are located in the above zone districts.

**Commercial:** Generally, this area includes properties with commercial zoning, and that are subject to the Commercial Development Design Standards and Guidelines. This area includes properties that are zoned CN, CC (not Downtown), CB, AO, BO, AO-T (with additional regulations) and PCZD-C.

**Industrial:** Generally, this area includes properties with industrial zoning, and that are subject to the Industrial Development Design Standards and Guidelines. This area includes properties that are zoned I and PCZD-I.

**Mixed-Use:** This area includes properties with mixed-use zoning, and that are subject to the Mixed Use Development Design Standards and Guidelines. This area includes properties that are zoned MU-R and CC-MU. This area also includes properties located on the east side of the railroad tracks within the downtown, as defined in Sec. 17.08.113 of the Louisville Municipal Code.

**Downtown:** This area includes properties with Commercial Community zoning that are located on the west side of the railroad tracks within the Downtown, as defined in Sec. 17.08.113 of the Louisville Municipal Code. Properties located on the east side of the railroad tracks in Downtown are subject to the standards in the Mixed-Use Area.



Residential Area



McCaslin Marketplace - Commercial Area



Louisville Corp. Campus - Industrial Area



DELO - Mixed-Use Area



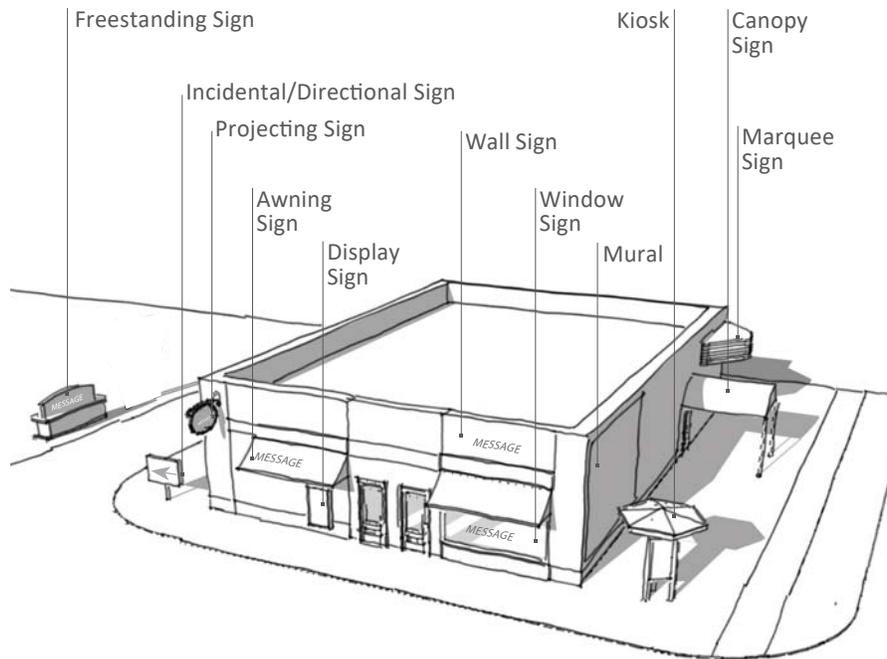
Downtown Louisville

### 4.1 PERMANENT SIGNS.

The standards of this Section apply to all permanent signs. Permanent signs may be subject to additional standards set out elsewhere in these regulations.

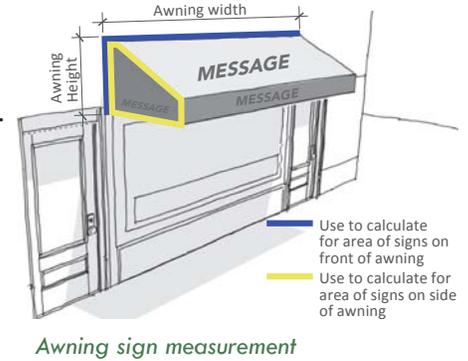
Sign Types. Permanent signs include the following types:

- 4.2 Awning Signs
- 4.3 Canopy Signs
- 4.4 Display Signs
- 4.5 Window Signs
- 4.6 Kiosks
- 4.7 Marquee Signs
- 4.8 Murals
- 4.9 Projecting Signs
- 4.10 Freestanding Signs
- 4.11 Wall Signs



**4.2 AWNING SIGNS** Signs on awnings are subject to the standards below. These regulations do not authorize the installation of awnings with or without signs without obtaining any necessary building permits in compliance with the city’s applicable building and zoning codes.

1. Awnings that contain signs shall be designed to be compatible with the storefront in scale, proportion, material, and color.
2. No awnings with signs shall extend above the roof line of any building, or the first story, whichever is less.
3. No sign mounted to an awning shall project beyond, above or below the face of the awning.
4. The principal function of any awning with a sign must be to provide shelter for a window, a door, or an outdoor seating area.
5. Awnings in Downtown shall project not more than six (6) ft from the face of the building to which it is mounted, or two-thirds (2/3) the width of the walkway above which it is mounted, whichever is less. Awnings in all other areas shall comply with the design regulations in effect in that area.



Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	No	Yes	No	Yes	Yes
Permit Req'd	--	Yes	--	Yes	Yes
Max. Number	--	1 per awning face	--	1 per awning face	1 per awning face
Max. Area	--	40% of area of awning face	--	40% of area of awning face	40% of area of awning face
Min. Clearance	--	8 ft	--	8 ft	8 ft
Max. Height	--	12 ft	--	12 ft	12 ft
Illumination	--	No	--	No	No
Subject to Max. Wall Sign allowance	--	Yes	--	Yes	Yes



**4.3.a CANOPY SIGNS in VEHICULAR AREAS** Signs on canopies in vehicular areas may be permitted only in commercial and mixed-use areas and only if a canopy in a vehicular area is expressly authorized in an approved Final PUD plan. The PUD plan shall contain standards and requirements concerning the design of any canopy in vehicular areas.

1. Canopies with signs shall be designed to be compatible with the storefront in scale, proportion, and color.
2. Signs on a canopy in a vehicular area shall not be permitted to wrap the canopy.

Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	No	Yes	No	Yes	No
Permit Req'd	--	Yes	--	Yes	--
Max. Number	--	1 per frontage	--	1 per frontage	--
Max. Area	--	25% of area of canopy face, or 15 sf, whichever is less	--	25% of area of canopy face, or 15 sf, whichever is less	--
Illumination	--	Internal or Halo lit	--	Internal of Halo lit	--
Subject to Max. Wall Sign allowance	--	Yes	--	Yes	--

### 4.3.b CANOPY SIGNS in PEDESTRIAN AREAS

Signs on canopies are subject to the standards below. These regulations do not authorize the installation of canopies with or without signs without obtaining any necessary building permits in compliance with the city’s applicable building and zoning codes.

1. No sign mounted to a canopy shall project below the face of a canopy. Signs mounted to the top of a canopy shall be designed such that:
  - a. They are comprised of channel letters or other three dimensional forms;
  - b. The mounting hardware and supporting structures of the sign are concealed from view;
  - c. The sign does not extend more than two (2) feet above the top of the canopy, or extend above the nearest roofline, whichever is less.
4. Canopies with signs shall be designed to be compatible with the storefront in scale, proportion, material, and color.
5. Canopies in Downtown shall project not more than six (6) ft from the face of the building to which it is mounted, or two-thirds (2/3) the width of the walkway above which it is mounted, and shall maintain a two (2) ft minimum distance from the back of the curb, whichever is less. Canopies in all other areas shall comply with the design regulations in effect in that area.



Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	Yes, Multi-family and Institutional uses only	Yes	No	Yes	Yes
Permit Req'd	Yes	Yes	--	Yes	Yes
Max. Number	1 per primary entry	1 per primary entry	--	1 per primary entry	1 per primary entry
Max. Area	1 sf copy area per 1 lin ft of canopy	2 sf copy area per 1 lin ft of canopy	--	1 sf copy area per 1 lin ft of canopy	1 sf copy area per 1 lin ft of canopy
Max. Height	1st story	1st story	--	1st story	1st story
Min. Clearance	8 ft	8 ft	--	8 ft	8 ft
Illumination	No	Internally lit	--	Internally lit	No
Subject to Max. Wall Sign allowance	Yes	Yes	--	Yes	Yes



**4.4 DISPLAY SIGNS** Display signs are subject to the standards below. Display signs may be wall mounted or may orient to occupants in a vehicle. Display signs oriented to occupants in a vehicle may be permitted only in commercial and mixed-use areas and only if a drive through is expressly authorized in an approved Final PUD plan.

1. High quality materials shall be used in the construction of display signs.
2. Display signs shall be appropriate in material, size, location and design to the character and architectural detail of the building and site.
3. Display signs may include electronic message centers in commercial and mixed-use areas, subject to Section 3.4.
4. A display sign oriented to a drive through in a Commercial or Mixed-Use area may be an electronic message center that contains up to 100% of the sign area if the display changes no more than three (3) times in a 24-hour period.

Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	No	Yes	No	Yes	Yes
Permit Req'd	--	No, if non-illuminated wall mounted Yes, all others	--	No, if non-illuminated wall mounted Yes, if all others	Yes, if illuminated No, if non-illuminated
Max. Number	--	1 per drive-thru lane and 1 wall mounted per tenant	--	1 per drive-thru lane and 1 wall mounted per tenant	1 wall mounted per tenant
Max. Area	--	8 sf - wall 32 sf - drive-thru	--	8 sf - wall 32 sf - drive-thru	8 sf - wall
Max. Height	--	7 ft	--	7 ft	7 ft
Illumination	--	Internally or Externally lit	--	Internally or Externally lit	Internally or Externally lit
Subject to Max. Wall Sign Allowance	--	No	--	No	No

**4.5 WINDOW SIGNS** Permanent window signs are subject to the following standards:

1. A window sign may be painted on, attached to, or placed within four feet of the inside of a window.



Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	Yes, Institutional and Multi-Family uses only	Yes	Yes	Yes	Yes
Permit Req'd	No	No	No	No	No
Max. Number	1 per building entry	Unlimited, subject to max. area	1 per building entry	Unlimited, subject to max. area	Unlimited, subject to max. area
Max. Area	10% of door/window	25% of window	10% of door/window	25% of window, not to exceed 12 sf	20% of window, not to exceed 8 sf
Max. Height	First Story	First Story	First Story	First Story	First Story
Illumination	No	Internally lit or neon	No	No	No
Subject to Max. Wall Sign allowance	No	Yes, if illuminated No, if non-illuminated	No	No	Neon



**4.6 KIOSKS** Kiosks may be permitted only if expressly authorized in an approved Final PUD plan. The Final PUD plan shall contain specific standards and requirements concerning the design, construction, maintenance and operation of any kiosk.

1. The size and placement of the kiosk is dependent on the proposed activity. Specific design considerations, including illumination, will be approved through the Final PUD or Special Review Use (SRU) process.
2. A kiosk may contain an electronic message center display.



Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	No	Yes, via PUD	No	Yes, via PUD	Yes, via PUD
Permit Req'd	--	Yes	--	Yes	Yes
Max. Height	--	10 ft	--	7 ft	7 ft
Illumination	--	Internally or Externally lit	--	Internally or Externally lit	No

**4.7 MARQUEE SIGNS** Marquee signs are subject to the following standards.

1. A marquee sign shall be designed to be compatible with the storefront in scale, proportions, and color.
2. A marquee sign shall be located on the upper portion of the storefront. A marquee shall not obscure the building’s windows, doors, or ornamental features.
3. A marquee sign is not permitted along an alley frontage.



Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	No	Yes	No	Yes	Yes
Permit Req'd	--	Yes	--	Yes	Yes
Max. Number	--	1 per building	--	1 per building	1 per building
Max. Area	--	1 sf per 1 lin ft of building frontage, not to exceed 150 sf	--	2 sf per 1 lin ft of building frontage, not to exceed 60 sf	2 sf per 1 lin ft of building frontage
Max. Height	--	Roof line, or second story window sill, whichever is less	--	Roof line, or second story window sill, whichever is less	Roof line, or second story window sill, whichever is less
Max. Sign Height	--	8 ft	--	6 ft	4 ft
Min. Clearance	--	8 ft	--	8 ft	8 ft
Max. Projection	--	8 ft, or 2/3 width of adjacent walkway, whichever is less	--	8 ft, or 2/3 width of adjacent walkway, whichever is less	6 ft, or 2/3 width of adjacent walkway, whichever is less
Illumination	--	Externally or internally lit, or neon	--	Externally or internally lit, or neon	Externally or internally lit, or neon
Subject to Max. Wall Sign allowance	--	Yes	--	Yes	Yes



**4.8 MURALS** Murals are subject to the following standards.

1. Murals shall not be located on the primary frontage.
2. Murals may be located on a principal or accessory structure facade, or other structure within a site.

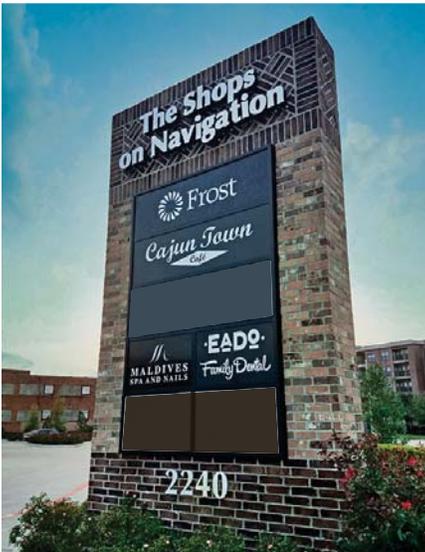
Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	Yes, Institutional uses only	Yes	No	Yes	Yes
Permit Req'd	Yes	Yes	--	Yes	Yes
Max. Number	Unlimited, subject to max. area	Unlimited, subject to max. area	--	Unlimited, subject to max. area	Unlimited, subject to max. area
Max. Area	50% of the building facade or structure area	75% of the building facade or structure area	--	100% of the building facade or structure area	100% of the building facade or structure area
Max. Height	Roof line	Roof line	--	Roof line	Roof line
Illumination	No	No	--	No	No
Subject to Max. Wall Sign Allowance	No	No	--	No	No

**4.9 PROJECTING SIGNS** Projecting signs are subject to the following standards.

1. Projecting signs shall be placed near a building entrance or an access point to a walkway.
2. Projecting signs shall be spaced a minimum of ten (10) feet apart on multi-tenant buildings, unless there is less than ten (10) feet separating tenant entrances.



Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	No	Yes	No	Yes	Yes
Permit Req'd	--	Yes	--	Yes	Yes
Max. Number	--	1 per tenant per frontage, not to exceed 2 per tenant	--	1 per tenant per frontage, not to exceed 2 per tenant	1 per tenant per frontage, not to exceed 2 per tenant
Max. Area	--	12 sf	--	9 sf	9 ft
Min. Clearance	--	8 ft	--	8 ft	8ft
Max. Projection	--	4 ft	--	4 ft	4 ft
Max. Height	--	12 ft	--	12 ft	12 ft
Illumination	--	No	--	No	No
Subject to Max. Wall Sign allowance	--	Yes	--	Yes	Yes



**4.10 FREESTANDING SIGNS** The standards below apply to all freestanding signs.

1. All freestanding signs shall be located outside of the vision clearance area.
2. Freestanding signs may be located in a privately owned and maintained median and shall be setback at least ten (10) feet from nose of the median, and subject to review and approval from the Department of Public Works.
3. Where more than one primary or secondary freestanding sign is permitted, each permitted sign shall be allowed to have the maximum square footage allowed as noted in this section.
4. A freestanding sign may be affixed to an existing retaining wall, provided the retaining wall is expressly authorized by a Final PUD plan and is not located in right-of-way. The minimum setback does not apply to a sign affixed to such a retaining wall.
5. When required, landscaping shall include shrubs, ornamental grasses, perennials, ground covers and other enhancements. Landscaping areas shall not consist of more than twenty-five (25) percent turf or native grasses.

**4.10.a FREESTANDING SIGNS in RESIDENTIAL AREAS** In addition to the standards in Sec 4.10, freestanding signs in residential areas are subject to the standards below.

1. A freestanding sign shall be located at primary or secondary neighborhood entrances or entry drives on privately owned common areas or privately owned and maintained medians. There must be at least six hundred (600) feet of separation between any freestanding sign on the same street.
2. All freestanding signs must be constructed of an opaque background of uniform color, and shall be of high quality materials that are compatible with the character of the neighborhood. Freestanding sign bases or supports shall be constructed of stone, brick, wood, decorative concrete, high quality metal, or other similar materials.
3. Internally lit cabinet signs are not permitted.
4. All freestanding signs shall be in a landscaped area on privately owned common area. A minimum of three (3) square feet of landscaping shall be provided for every one (1) square feet of sign area. Only one face of the sign shall be counted. Landscape plans shall demonstrate that after three years of growth, seventy-five (75) percent of the landscaping area shall be covered with living plants.
5. Freestanding signs for single-family residential areas shall only be permitted for neighborhoods with a Home Owners' Associations (HOA) to ensure the signs are properly maintained over time. If a HOA dissolves, the HOA shall be responsible for removal of the sign prior to dissolving.
6. In place of one sign at a neighborhood entrance, one sign may be placed on each side of the street at the neighborhood entrance, provided the maximum area of both signs combined does not exceed the maximum area for one sign, and the maximum height is reduced to four (4) feet.



Primary Entrance Sign



Secondary Entrance Sign



Entry Sign on a retaining wall

Standard	Residential, Single-Family	Residential, Multi-Family	Residential, Institutional Use
Permitted	Yes	Yes	Yes
Permit Req'd	Yes	Yes	Yes
Max. Number	1 at each neighborhood entrance, not to exceed 4 signs. See note 6.	1 at each entry drive, not to exceed 2 signs. See note 6.	1 at each entry drive, not to exceed 2 signs. See note 6.
Max. Area	32 sf	40 sf	40 sf
Max. Height	6 ft	8 ft	8 ft
Illumination	Externally lit	Externally or halo lit	Externally or halo lit
Min. Setback	5 ft	8 ft	8 ft



High quality compatible freestanding sign



Multi-tenant freestanding sign with only characters illuminated



Cabinet signs without base and border are not permitted

#### 4.10.b FREESTANDING SIGNS in COMMERCIAL AREAS

In addition to the standards in Sec 4.10, freestanding signs in Commercial areas are subject to the following standards.

1. All freestanding signs shall be located along a primary or secondary public street frontage. Only one primary frontage shall be allowed. Sites may have more than one secondary frontage. Sites with more than five hundred (500) feet of primary or secondary frontage shall be allowed to place an additional sign meeting the secondary frontage standards on the that frontage.
2. Primary and secondary freestanding signs shall be located a minimum of seventy-five (75) feet apart.
3. All freestanding signs must be constructed of an opaque background of uniform color, and shall be of high quality materials that are compatible with the building. Freestanding sign bases and support shall be constructed of brick, stone, wood, decorative concrete, high quality metal, or other similar materials.
4. All freestanding signs using an internally lit sign cabinet design shall have an architectural base and border on all sides that is consistent with and/or complements the building materials.
5. All freestanding signs shall be in a landscaped area. A minimum of three (3) square feet of landscaping shall be provided for every one (1) square feet of sign area. Only one face of the sign shall be counted. Landscape plans shall demonstrate that after three years of growth, seventy-five (75) percent of the landscaping area shall be covered with living plants.
6. The minimum setback is not required if the sign is adjacent to right-of-way with more than ten (10) feet between the curb and the property line, provided there is a minimum of five (5) feet between the sign and any adjacent sidewalk.
7. Properties adjacent to US 36 may have an additional freestanding sign oriented to US 36. Freestanding signs oriented toward US 36 may have an additional fifty (50) percent increase in the maximum area and an additional one-hundred (100) percent increase in the maximum height.

#### 4.10.b FREESTANDING SIGNS in COMMERCIAL AREAS, cont.

Standard	Commercial Single Tenant Site	Commercial Multi-Tenant Site*	Office Single Tenant Site	Office Multi-Tenant Site
Permitted	Yes	Yes	Yes	Yes
Permit Req'd	Yes	Yes	Yes	Yes
Max. Number	1 per primary frontage, 1 per secondary frontage, not to exceed 2 signs	1 per primary frontage, 1 per secondary frontage, not to exceed 4 signs	1 per primary frontage, 1 per secondary frontage, not to exceed 2 signs	1 per primary frontage, 1 per secondary frontage, not to exceed 3 signs
Max. Area, Primary	48 sf	60 sf - less than 60,000 sf of floor area 96 sf - more than 60,000 sf of floor area	40 sf	48 sf - less than 60,000 sf of floor area 60 sf - more than 60,000 sf of floor area
Max. Area, Secondary	24 sf	32 sf	16 sf	24 sf
Max. Height, Primary	8 ft	12 ft	6 ft	8 ft
Max. Height, Secondary	5 ft	6 ft	5 ft	6 ft
Illumination	Externally, internally or halo lit	Externally, internally or halo lit	Externally, internally or halo lit	Externally, internally or halo lit
Min. Setback	10 ft	10 ft	10 ft	10 ft

\*A commercial multi-tenant site may include an office tenant.



Primary Entrance Sign



Secondary Entrance Sign

### 4.10.c FREESTANDING SIGNS in INDUSTRIAL AREAS

In addition to the standards in Sec 4.10, freestanding signs in industrial areas are subject to the following standards:

1. All freestanding signs shall be located along a primary or secondary public street frontage. Only one primary frontage shall be allowed. Sites may have more than one secondary frontage. Sites with more than five hundred (500) feet of primary or secondary frontage shall be allowed to place an additional sign meeting the secondary frontage standards on that frontage.
2. Primary and secondary freestanding signs shall be located a minimum of seventy-five (75) feet apart.
3. All freestanding signs must be constructed of an opaque background of uniform color, and shall be of high quality materials that are compatible with the building.
4. Internally lit cabinet signs are not permitted.
5. All freestanding signs shall be in a landscaped area. A minimum of three (3) square feet of landscaping shall be provided for every one (1) square feet of sign area. Only one face of the sign shall be counted. Landscape plans shall demonstrate that after three years of growth, seventy-five (75) percent of the landscaping area shall be covered with living plants.

Standard	Industrial, Single Tenant Site	Industrial, Multi-Tenant Site
Permitted	Yes	Yes
Permit Req'd	Yes	Yes
Max. Number	1 per primary frontage, 1 per secondary frontage, not to exceed 2 signs	1 per primary frontage, 1 per secondary frontage, not to exceed 4 signs
Max. Area, Primary	25 sf	40 sf
Max. Area, Secondary	15 sf	25 sf
Max. Height, Primary	6 ft	8 ft
Max. Height, Secondary	5 ft	6 ft
Illumination	Externally lit	Externally lit
Min. Setback	10 ft	15 ft

**4.10.d FREESTANDING SIGNS in MIXED-USE AREAS**

In addition to the standards in Sec 4.10, freestanding signs in mixed-use areas are subject to the following standards:

1. For lots or sites with only residential uses, the standards for Residential Areas apply. For all other sites, the standards in this Section apply.
1. All freestanding signs shall be located along a primary or secondary public street frontage. Only one primary frontage shall be allowed. Sites may have more than one secondary frontage. Sites with more than five hundred (500) feet of primary or secondary frontage shall be allowed to place an additional sign meeting the secondary frontage standards on the that frontage. If a site has arterial frontage, the arterial frontage shall be the primary frontage for the purpose of these regulations.
2. Primary and secondary freestanding signs shall be located a minimum of seventy-five (75) feet apart.
3. All freestanding signs must be constructed of an opaque background of uniform color, and shall be of high quality materials that are compatible with the building. Freestanding sign bases or supports shall be constructed of stone, brick, wood, decorative concrete, high quality metal, or other similar materials.
4. Internally lit cabinet signs are only permitted on an arterial frontage.
5. All freestanding signs shall be in a landscaped area, or in an appropriate location within a hardscaped area or plaza.



Primary Entrance Sign

Standard	Single Tenant Site Arterial Frontage	Multi-Tenant Site Arterial Frontage	Single Tenant Site Non-arterial Frontage	Multi-Tenant Site Non-arterial Frontage
Permitted	Yes	Yes	Yes	Yes
Permit Req'd	Yes	Yes	Yes	Yes
Max. Number	1 per primary frontage, 1 per secondary frontage, not to exceed 2 signs	1 per primary frontage, 1 per secondary frontage, not to exceed 4 signs	1 per primary frontage, 1 per secondary frontage, not to exceed 2 signs	1 per primary frontage, 1 per secondary frontage, not to exceed 4 signs
Max. Area, Primary	48 sf	60 sf	24 sf	32 sf
Max. Area, Secondary	24 sf	32 sf	16 sf	24 sf
Max. Height, Primary	8 ft	12 ft	6 ft	8 ft
Max. Height, Secondary	5 ft	6 ft	5 ft	6 ft
Illumination	Externally, internally or halo lit	Externally, internally or halo lit	Externally or halo lit	Externally or halo lit
Min. Setback	10 ft	10 ft	50% of the distance of the structures's setback, or 3 ft, whichever is greater	50% of the distance of the structures's setback, or 3 ft, whichever is greater



### 4.10.e FREESTANDING SIGNS in DOWNTOWN

In addition to the standards in Sec 4.10, freestanding signs in downtown are subject to the standards below.

1. A freestanding sign shall be located only on a site frontage adjoining a public street.
2. Freestanding signs shall be designed to be compatible with the principal building in material, scale, proportions and color. Opaque backgrounds are required and shall be a non-reflective material
3. Freestanding signs shall only be used when other allowed types of signage cannot provide adequate messaging.
4. Freestanding signs shall not include a cabinet sign or utilize a monolithic base anchored to the ground.

Standard	Downtown
Permitted	Yes
Permit Req'd	Yes
Max. Number	1 per building
Max. Area	9 sf
Max. Height	6 ft
Min. Setback	None, provided no part of sign shall be placed or extend into right-of-way
Illumination	No
Subject to Max. Wall Sign allowance	Yes

**4.11 WALL SIGNS** The standards below apply to all wall signs.

1. Wall signs shall be designed to be compatible with the building in scale, proportions, and color.
2. A wall sign shall not obstruct any portion of a window, doorway or other architectural detail.
3. No sign part, including cut-out letters, may project from the building more than required for construction purposes and in no case more than twelve (12) inches.
4. No wall sign shall extend above the roof or parapet line of any building.





Primary Halo Lit Wall Sign



Secondary Wall Sign

**4.11.a WALL SIGNS in RESIDENTIAL AREAS** In addition to the standards in Sec. 4.11, wall signs in residential areas are subject to the standards below.

1. Wall signs may be located on primary and secondary frontages. Only one primary frontage shall be designated per site.
2. Internally lit cabinet signs are not permitted.
3. In place of a wall sign located on primary or secondary frontages, a wall sign may be permitted on an alternative location on the structure, oriented towards a parking lot, plaza, alley, or other area with a public entrance.
4. The area allowance for wall signs shall include any sign area utilized on a canopy sign.

Standard	Residential, Single-Family	Residential, Multi-Family	Residential, Institutional
Permitted	No	Yes	Yes
Permit Req'd	--	Yes	Yes
Max. Number	--	1 per building	1 on primary frontage, 1 on secondary frontage
Max. Area, Primary	--	24 sf	32 sf
Max. Area, Secondary	--	--	15 sf
Max. Height	--	15 ft, or roofline, whichever is less	20 ft, or roofline, whichever is less
Max. Sign Height	--	2 ft	3 ft
Illumination	--	Externally or halo lit	Externally or halo lit

**4.11.b WALL SIGNS in COMMERCIAL AREAS** In addition to the standards in Sec. 4.11, wall signs in commercial areas are subject to the standards below.

1. Wall signs may be located on primary and secondary public street frontages. Only one primary frontage shall be designated per site. Sites may have more than one secondary frontage.
2. In place of a wall sign located on primary or secondary frontages, a wall sign may be permitted on an alternative location on the structure, oriented towards a parking lot, plaza, alley, or other area with a public entrance.
3. The area allowance for wall signs shall include any sign area utilized on a canopy sign, awning sign, marquee sign, illuminated window sign, or a projecting sign.
4. In addition to the signs in this section, buildings with public rear entrances may have a six (6) sf unlit sign above each entrance, one (1) per tenant.
5. Properties adjacent to US 36 may have an additional wall sign(s). Wall signs oriented toward US 36 may have an additional fifty (50) percent increase in the maximum area and an additional fifty (50) percent increase in the maximum sign height.
6. The use of individually cut, internally lit or halo lit characters are encouraged.



Standard	Commercial Single Tenant Site	Commercial Multi-Tenant Site	Commercial Office Only Site
Permitted	Yes	Yes	Yes
Permit Req'd	Yes	Yes	Yes
Max. Number	1 at primary frontage plus 1 additional sign for each 100 linear ft of sign wall, 1 at secondary frontage	1 per tenant at primary frontage, 1 per tenant at secondary frontage	1 per tenant at primary frontage, 1 per tenant at secondary frontage
Max. Area, Primary	1 sf per 1 linear ft of building frontage, not to exceed 100 sf	1 sf per 1 linear ft of tenant building frontage, not to exceed 100 sf per sign	1 sf per 1 linear ft of tenant building frontage, not to exceed 40 sf per sign, not to exceed 100 sf total for all wall signs
Max. Area, Secondary or Alternative	.5 sf per linear ft of building frontage, not to exceed 100 sf	.5 sf per linear ft of building frontage, not to exceed 50 sf per sign	.5 sf per linear ft of building frontage, not to exceed 24 sf per sign, not to exceed 60 sf total for all wall signs
Max. Height	Roofline	Roof line	Roof line
Max. Sign Height	3 ft	4 ft	2 ft for buildings less than 25 ft tall, 3 ft for buildings taller than 25 ft
Illumination	Internally, externally, or halo lit or neon	Internally, externally, or halo lit or neon	Internally, externally, or halo lit



**4.11.c WALL SIGNS in INDUSTRIAL AREAS** In addition to the standards in Sec. 4.11, wall signs in industrial areas are subject to the following standards:

1. Wall signs may be located on primary and secondary public street frontages. Only one primary frontage shall be designated per site. Sites may have more than one secondary frontage.
2. In addition to the signs in this section, buildings with public rear entrances may have a 6 sf unlit sign above each entrance, one (1) per tenant.
3. Cabinet signs are not permitted.

Standard	Industrial, Single Tenant Site	Industrial, Multi-Tenant Site
Permitted	Yes	Yes
Permit Req'd	Yes	Yes
Max. Number	1 at primary frontage, 1 at secondary frontage	1 per tenant at primary frontage, 1 per tenant at secondary frontage.
Max. Area, Primary	1 sf per 1 linear ft of building frontage, not to exceed 60 sf	1 sf per 1 linear ft of tenant building frontage, not to exceed 40 sf per sign. If a tenant space is larger than 60,000 sf, the wall sign for that tenant may be up to 60 sf
Max. Area, Secondary	1 sf per 1 linear ft of building frontage, not to exceed 30 sf	1 sf per 1 linear ft of building frontage, not to exceed 25 sf
Max. Height	Roof line	Roof line
Max. Sign Height	3 ft	3 ft
Illumination	No	No

**4.11.d WALL SIGNS in MIXED USE AREAS** In addition to the standards in Sec. 4.11, wall signs in mixed use areas are subject to the standards below.

1. For lots or sites with only residential uses, the standards in Residential Areas apply.
2. For all other sites, the standards in Commercial Areas apply.



Externally Lit Wall Sign



Neon Lit Wall Sign



Halo Lit Wall Sign

**4.11.e WALL SIGNS in DOWNTOWN** In addition to the standards in Sec. 4.11, wall signs in downtown are subject to the following standards:

1. Wall signs may be located on primary and secondary public street frontages. Only one primary frontage shall be designated per site. Sites may have more than one secondary frontage.
2. In addition to wall signs on primary or secondary frontages, wall signs may be permitted on an alternative location on the structure, such as a parking lot, plaza, alley or other area, provided there is an operable public entrance to the building orienting to that area.
3. The area allowance for wall signs shall include any sign area utilized on a canopy sign, awning sign, marquee sign, or projecting sign.
4. Visible raceways and transformers are not permitted.

Standard	Downtown, Single Tenant Site	Downtown, Multi-Tenant Site
Permitted	Yes	Yes
Permit Req'd	Yes	Yes
Max. Number	1 at primary frontage, 1 at secondary frontage, 1 at alternative area	1 per tenant at primary frontage, 1 per tenant at secondary frontage, 1 per tenant at alternative area
Max. Area, Primary	2 sf per 1 linear ft of building frontage	2 sf per 1 linear ft of building frontage, total for all signs
Max. Area, Secondary and Alternative	1 sf per 1 linear ft of building frontage	1 sf per 1 linear ft of building frontage, total for all signs
Max. Installation Height	Roof line, 20 ft, or 2nd story window sill, whichever is less	Roof line, 20 ft, or 2nd story window sill, whichever is less
Max. Sign Height	--	--
Illumination	Externally, halo lit or neon	Externally, halo lit or neon



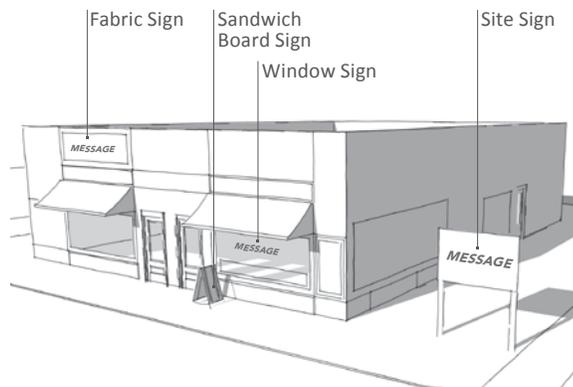
*Photo credit: T.M. Spring*

**5.1 TEMPORARY SIGNS.** The standards of this Section apply to all temporary signs. Temporary signs may be subject to additional standards set out elsewhere within these regulations.

Sign Types. Temporary signs include the following types:

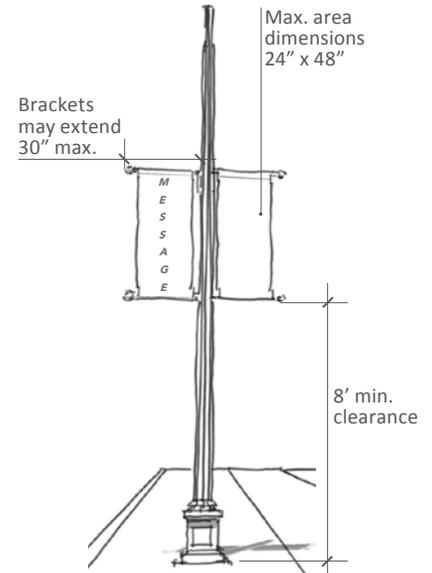
- 5.2 Fabric Signs
- 5.3 Sandwich Board Signs
- 5.4 Site Signs
- 5.5 Yard Signs
- 5.6 Window Signs

1. The purpose of temporary signs is to display messages for a temporary duration. Temporary signs shall not be used to circumvent the regulations that apply to permanent signs or to add permanent signage to a property in addition to that which is allowed by these regulations.
2. In general, a temporary sign shall be removed as of the date that:
  - a. It becomes an abandoned sign;
  - b. It falls into disrepair; or
  - c. The expiration of the number of days in the tables below.



**5.2 FABRIC SIGNS** Fabric signs, also referred to as banners, are subject to the following standards:

1. Fabric signs placed on a wall shall not obstruct any portion of a window, doorway, or other architectural detail.
2. Fabric signs mounted on the ground may not be located within the vision clearance area.
3. Fabric signs may be installed for civic events on a utility pole with the consent of both the utility provider and the Department of Planning and Building Safety. A fabric sign shall be attached at the top and bottom of utility pole brackets that project no more than thirty (30) inches from the utility pole. Fabric signs installed on utility poles shall not exceed twenty-four (24) inches in width and forty-eight (48) inches in height, with a minimum clearance of eight (8) feet maintained from any travel or walking surface.



Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	Yes, Institutional or Multi-Family uses only	Yes	Yes	Yes	Yes
Permit Req'd	Yes	Yes	Yes	Yes	Yes
Max. Number	1	1 per tenant	1 per building	1 per tenant	1 per tenant
Max. Area	32 sf	60 sf or wall sign allowance, whichever is less	40 sf	40 sf	40 sf
Max. Height	Roof line or 25 ft, whichever is less	Roof line	Roof line	Roof line or 25 ft, whichever is less	Roof line or 25 ft, whichever is less
Max. Time Permitted	60 days in a calendar year, not required to be consecutive	60 days in a calendar year, not required to be consecutive	60 days in a calendar year, not required to be consecutive	60 days in a calendar year, not required to be consecutive	60 days in a calendar year, not required to be consecutive
Illumination	No	No	No	No	No
Min. Setback, if ground mounted	10 ft	10 ft	15 ft	10 ft	3 ft



**5.3 SANDWICH BOARD SIGNS** Sandwich board signs are subject to the standards below.

1. High quality materials and artistic designs shall be used in the construction of sandwich board signs. No plastic board or plastic letters shall be permitted.
2. A sandwich board sign shall not obstruct pedestrian circulation. A minimum of four (4) feet of sidewalk clearance shall be maintained at all times.
3. Sandwich board signs must be removed each day at close of business.
4. Sandwich board signs must be anchored to the ground or weighted sufficiently to prevent movement by wind.
5. In Downtown, sandwich board signs may be placed in right-of-way on a sidewalk or on a private walkway immediately adjacent to the building frontage with the primary entry of a tenant or site.
6. In Commercial and Mixed-Use areas, sandwich boards are permitted only on walkways not in right-of-way and shall be located adjacent to the business and on the same frontage as the primary entry.

Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	No	Yes	No	Yes	Yes
Permit Req'd	--	No	--	No	No
Max. Number	--	1 per tenant	--	1 per tenant	1 per tenant
Max. Area	--	6 sf	--	6 sf	6 sf
Max. Time Permitted	--	Unlimited	--	Unlimited	Unlimited
Illumination	--	No	--	No	No
Min. Setback	--	None	--	None	None

**5.4 SITE SIGNS** Site signs are subject to the following standards:

1. Site signs are not intended to be installed in place of a permanent sign.
2. Site signs are only allowed on properties with active listings for sale or for rent, or on properties with active building permits.
3. Site signs may not be located within a vision clearance area.



Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	Yes	Yes	Yes	Yes	Yes
Permit Req'd	No	No	No	No	No
Max. Number	1	1 per frontage, minimum distance between site signs is 1,000 ft	1	1	1
Max. Area	24 sf	32 sf	32 sf	32 sf	24 sf
Max. Height	6 ft	8 ft	8 ft	8 ft	6 ft
Max. Time Permitted	See # 2 above	See # 2 above	See # 2 above	See # 2 above	See # 2 above
Illumination	No	No	No	No	No
Min. Setback	10 ft	15 ft	10 ft	10 ft	3 ft



**5.5 YARD SIGNS** Yard signs are subject to the standards below.

1. Yard signs may not be placed in a vision clearance area.

Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	Yes	Yes	Yes	Yes	Yes
Permit Req'd	No	No	No	No	No
Max. Number	unlimited for sites with residential uses, 1 per frontage for site with institutional uses	1 per frontage per tenant			
Max. Area	6 sf	6 sf	6 sf	6 sf	6 sf
Max. Height	4 ft	4 ft	4 ft	4 ft	4 ft
Max. Time Permitted	120 days per calendar year, not required to be consecutive	60 days per calendar year, not required to be consecutive	60 days per calendar year, not required to be consecutive	60 days per calendar year, not required to be consecutive	60 days per calendar year, not required to be consecutive
Illumination	No	No	No	No	No
Min. Setback	None	None	None	None	None

**5.6 WINDOW SIGNS** Temporary window signs are subject to the standards below.

1. Temporary window signs are allowed in all locations where permanent window signs are allowed.
2. The temporary sign area allowance is in addition to the area allowance for permanent window signage, pursuant to Section 4.5. If a site does not utilize all of the permanent allowance, that area may be used for temporary window signage, in addition to the area listed below.
3. Temporary window signs shall be affixed to the window such that the fastener (e.g. tape) is not highly visible, or signs shall be mounted inside of the building for viewing through the window.



Standard	Residential	Commercial	Industrial	Mixed-Use	Downtown
Permitted	Yes	Yes	Yes	Yes	Yes
Permit Req'd	No	No	No	No	No
Max. Number	1	Unlimited, subject to max. area	1 per building entry	Unlimited, subject to max. area	Unlimited, subject to max. area
Max. Area	6 sf	25% of window or door	25% of window or door	25% of window, not to exceed 12 sf	20% of window, not to exceed 8 sf
Max. Time Permitted	120 days per calendar year, not required to be consecutive	60 days per calendar year, not required to be consecutive	60 days per calendar year, not required to be consecutive	60 days per calendar year, not required to be consecutive	60 days per calendar year, not required to be consecutive
Illumination	No	No	No	No	No

**6.1 DEFINITIONS.** The following words, terms and phrases when used in these regulations shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

**Abandoned sign** means a sign, including sign face and supporting structure, which is unsafe, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or obsolescence and/or is not kept in good repair; or which contains no sign copy on all sign faces for a continuous period of three (3) months.

**Alteration** means change in the size or shape of an existing sign.

**Animated** means the use of movement or change of lighting to depict action or to create a special effect or scene.

**Animated sign** means any sign flashing or simulating motion with an electronic or manufactured source of supply or contains wind-actuated motion.

**Architectural features** means finished elements of a building that define a structure's architectural style and physical uniqueness, including, but not limited by windows, doors, trim, and ornamental features.

**Awning sign** means a sign permanently affixed to a sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a storefront, window, doorway, or deck.

**Banner.** See definition for Fabric sign.

**Billboard** means any sign in excess of fifty (50) square feet in size oriented to a public street utilized to advertise a product or service that is not produced or conducted on the same property as the sign.

**Building** means any structure built for the shelter or enclosure of persons, animals, chattels or property or substances of any kind, excluding fences.

**Building frontage** means the horizontal, linear dimension of that side of a building which abuts a street, a parking area, plaza, alley, or other circulation area open to the general public; and having either a main window display of the enterprise or a public entrance to the building.

- a. Where more than one use or tenant occupies a building, each such use or tenant having a public entrance or main window display for its exclusive use shall be considered to have its own building frontage, which shall be the frontage width of the portion of the building occupied by that use.
- b. On corner and double-frontage lots, each building frontage that abuts a street, highway, private drives, or alley shall be considered to have both a primary and secondary frontage.

**Cabinet sign** means a sign structure consisting of the frame and face(s), not including the internal components, embellishments or support structure.

**Canopy sign** means a sign permanently affixed to a roofed shelter covering a sidewalk, walkway, driveway or other similar area which shelter may be wholly supported by a building or may be wholly or partially supported by columns, poles or braces extended from the ground.

**Channel letter** means a three-dimensional character that may include an internal or external light source.

**Character** means any graphic symbol used for sign text, included but not limited to letters, numbers and logos.

**City Manager** means the City Manager of Louisville, Colorado or his or her designee.

**Civic event** means any event held or advertised on property or right-of-way owned, or controlled by the City of Louisville, either financially or with in-kind services, and having a valid special event permit.

**Clearance** means the distance from the bottom of a sign face elevated above grade and the grade below.

**Copy** means the words, message, logo, symbols, figures or images on a sign.

**Copy area** means the area that encloses the words, message, logo, symbols, figures or images on a sign.

**Copy change** means replacement or alteration to any portion of a sign that includes copy. This includes any change that alters the script, size, color or arrangement of copy on a sign face, or replacement of a sign face. This does not include any change to manual changable copy, such as readerboards.

**Electric sign** means any sign containing electrical wiring, but not including signs illuminated by exterior light sources, such as floodlights.

**Directional sign** means any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic with or without reference to, or inclusion of, the name of a product sold or service performed on the lot or in a building, structure or business enterprise occupying the same.

**Display sign** means a sign either 1) mounted on a building wall oriented to pedestrians, or 2) a freestanding sign oriented to occupants of a vehicle in a drive aisle.

**Electronic message center sign** means a sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

**Externally illuminated** means lighting by means of a light source which is directed at a reflecting surface in such a way as to illuminate the sign from the front, or a light source which is primarily designed to illuminate the entire building facade upon which a sign is displayed. External illumination does not include lighting which is primarily used for purposes other than sign illumination; e.g., parking lot lights, or lights inside a building which may silhouette a window sign but which are primarily installed to serve as inside illumination.

**Fabric sign** includes any temporary sign, banner, pennant, valance or advertising display constructed of cloth, canvas, fabric or other light material, with or without frames, which is not permanently fixed to a supporting structure.

**Flag.** A fabric device similar to and including national and state flags, designed to be attached to a flagpole.

**Flagpole** means a pole, either building-mounted or freestanding, that is used for displaying a flag.

**Flashing** means a pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated for the purpose of drawing attention to the sign.

**Freestanding sign** means a sign which is not attached to a building.

**Frontage** means the linear frontage - Primary or Secondary - of a lot, parcel or site abutting on a public street, park, plaza, walkway, or alley.

**Grade** (*ground level*) means the average of the finished grade surface elevation as measured in Section 3.1.1.

**Halo lit** means an illuminated reverse channel letter (open or translucent back) so light from the letter is directed against the surface behind the letter producing a halo lighting effect around the letter. Also referred to as silhouette lit or back lit.

**Handheld sign** means a temporary sign held, suspended or supported by an individual. Handheld signs do not include handheld signs utilized for traffic control or safety purposes. Also known as a human directional, sign spinner or sign twirler sign.

**Hazard** means whenever any portion, support structure or appurtenance of a sign is likely to fail or to become detached or dislodged or collapse.

**Iconic sign** means an existing non-conforming sign with a distinctive architectural style and specifically designated as an Iconic Sign as provided herein.

**Incidental sign** means a small sign affixed to a building or structure, machine, equipment, fence, gate, wall, gasoline pump, public telephone, or utility cabinet.

**Inflatable sign** means a balloon, blimp or other inflated object used for attracting attention.

**Internal illumination** means lighting by means of a light source which is within a sign having a translucent background, silhouetting opaque letters or designs, or which is within letters or designs which are themselves made of a translucent material.

**Kiosk** means a small structure, typically located within a pedestrian walkway or similar circulation area, and intended for use as a key, magazine or similar type of small shop, or for use as display space for posters, notices, exhibits, etc.

**Landmark Sign** means an existing sign with a distinctive architectural style and historic significance which has been officially designated as a Landmark Sign as provided herein.

**Light source** includes neon, fluorescent or similar tube lighting, the incandescent bulb (including the light-producing elements therein) light-emitting diode (LED) and any reflecting surface which, by reason of its construction and/or placement, becomes in effect the light source.

**Logo** means an emblem, letter, character, picture, trademark or symbol used to represent any firm, organization, entity or product.

**Lot** means a portion or parcel of land, whether part of a platted subdivision or otherwise, occupied or intended to be occupied by a building or use and its accessories, together with such yards as are required under the provisions of the Louisville Municipal Code. A lot must be an integral unit of land held under unified ownership in fee or in co-tenancy, or under legal control tantamount to such ownership.

**Maintenance** means the repairing or repainting of a portion of a sign structure; periodic changing of bulletin board panels; or renewing of copy which has been made unusable by ordinary wear and tear, weather or accident.

**Marquee** means a permanently-roofed structure with changeable messages attached to and supported by a building above an entrance.

**Marquee sign** means any sign made a part of a marquee and designed to have changeable copy.

**Message hold time** means the time interval a static message must remain on the display before transitioning to another message.

**Multi-tenant building** means a structure housing more than one retail business, office or commercial venture but not including residential apartment buildings, which share the same lot, access and/or parking facilities.

**Mural** means a picture or graphic illustration applied directly to a wall of a building or structure that does not advertise or promote a particular business, service or product.

**Nonconforming sign** means a sign which was validly installed under laws or ordinances in effect at the time of its installation, but which is in conflict with the current provisions of these regulations.

**Off-premise sign** means a sign which advertises or directs attention to products or activities not provided on the parcel or site upon which the sign is located.

**Owner** means a person, firm, corporation or other legal entity recorded as such on the records of the County Assessor including a duly authorized agent or attorney, a purchaser, devisee, fiduciary or a person having a vested or contingent interest in the property in question.

**Pennant** means a triangular, square or rectangular shaped flag attached in a string-type manner. Pennants do not contain any words, logos or emblems.

**Permanent sign** means any sign constructed of durable materials and affixed, lettered, attached to or placed upon a fixed, non-movable, non-portable supporting structure.

**Pole sign** means a permanent sign supported by one or more poles or pylons.

**Projecting sign** means a double-faced sign attached perpendicular to the wall of a building or structure which projects over private or public property.

**Raceway** means an enclosed box that functions as a mounting mechanism, and electronic component enclosure for wall mounted signage.

**Roof** means the cover of any building, including the eaves and similar projections.

**Roofline** means the highest point on any building where an exterior wall encloses usable floor space, including floor area for housing mechanical equipment. The term “roofline” also includes the highest point on any parapet wall, providing such parapet wall extends around the entire perimeter of the building.

**Roof sign** means a sign erected upon or above a roof or parapet wall of a building and which is wholly or partially supported by such building.

**Sandwich board** means a type of portable sign that is intended to be placed on a hard surface, most commonly a sidewalk. These signs include A-frame signs, signs that are suspended from the top member of an A-frame, signs with weighted bases, and comparable signs.

**Setback** means the distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

**Sign** means any written copy, display, illustration, insignia or illumination used to communicate a message or idea which is displayed or placed in view of the general public, and shall include every detached sign and every sign attached to or forming a component part of any marquee, canopy, awning, pole, vehicle or other object, whether stationary or movable.

**Sign face** means the exterior display surface of a sign (including nonstructural trim, yet exclusive of the supporting sign structure) upon, against, or through which a message is displayed or illustrated.

**Sign height** shall be the vertical distance from established grade at the base of the sign to the highest element or the uppermost point on the sign or sign structure.

**Sign program** means a design package that identifies a coordinated project theme of uniform design elements for all sign associated with a building, including color, lettering style, material, and placement.

**Site** means a lot, lots, parcel or tract of land under common ownership, or developed together as a single development site, regardless of how many uses occupy the site.

**Site sign** means a temporary freestanding sign constructed of vinyl, plastic, wood or metal and designed or intended to be displayed for a limited period of time on a site with an active listing for sale or for rent, or on properties with active building permits.

**Street frontage** means the linear frontage (or frontages) of a lot or parcel abutting on a private or public street which provides principal access to, or visibility of, the premises.

**Teardrop banner sign** means a type of temporary sign consisting of cloth, bunting, canvas or similar fabric, attached to a single vertical support structure with distinctive color, words, patterns or symbolic logos for display. Also known as a feather banner, flying banner or a wave banner sign.

**Temporary sign** means any sign based upon its materials, location and/or means of construction, e.g., light fabric,

cardboard, wallboard, plywood, paper or other light materials, with or without a frame, intended or designed to be displayed for a limited period of time.

**Traffic control sign** means a sign erected in a public right-of-way by an authorized governmental agency for the purposes of traffic regulation and safety.

**Transition duration** means the time interval it takes the display to change from one complete static message to another complete static message.

**Transition method** means a visual effect applied to a message to transition from one message to the next. Transition methods include:

- a. Dissolve – a frame effect accomplished by varying the light intensity or pattern, where the first frame gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second frame.
- b. Fade – a frame effect accomplished by varying the light intensity, where the first frame gradually reduces intensity to the point of not being legible (i.e. fading to black) and the subsequent frame gradually increases intensity to the point of legibility.

**Vehicle sign** means a sign that is printed, painted upon or attached to motor vehicles, including semi-truck trailers, used primarily for the delivery of products, passengers or services or for business purposes other than as a sign.

**Vision clearance area** means a triangular area on a lot at the intersection of two streets, a street and a railroad, a street and an alley, or a street and a recreational trail, two sides of which are curb lines measured from the corner intersection of the curb lines to a distance specified in the Sec. 17.08.590 of the Louisville Municipal Code.

**Wall sign** means any sign painted on or affixed to the wall of a building or structure, or any sign consisting of cut-out letters or devices affixed to a wall with no background defined on the wall in such a manner that the wall forms the background surface of the sign.

**Window** means an opening for letting in light or air or for looking through, usually having a pane or panes of glass, etc. Spandrel glass that appears to be a window shall not be considered as such.

**Window sign** means any sign which is applied or attached to either the interior or exterior of a window and intended to be viewed from outside the building or structure.

**Yard sign** means a temporary freestanding sign constructed of paper, vinyl, plastic, wood, metal or other comparable material, and designed or intended to be displayed for a limited period of time on a lot with one or more existing permanent structures.

Sign Type	Standard	Existing Regulation	Proposed Regulation	Comments
General Standards	Restrictions on raceways	Only prohibited downtown	Prohibited in downtown, design standards in 3.2.2	
	Electronic Message Centers	None, prohibited under moving signs	New standards in 3.4, allowed on gas station monument signs and certain display signs, may be allowed elsewhere with PUD	
	Character height	18" max industrial areas, 24" max commercial areas, 8" min on monument signs	None	
	Illumination	Varies	Varies, generally standards are updated to allow more modern technology	
Awning Signs, 4.2	Downtown, maximum area	1 sf/1 lin ft awning	40% of awning face	
	Commercial, maximum area	None	40% of awning face	
	Mixed-Use, maximum area	Not allowed on arterials, 1 sf/1 lin ft awning elsewhere	40% of awning face	
Canopy Signs in Vehicular Areas, 4.3.a	Maximum area	None	25% of the face of the canopy, on properties with a canopy authorized through a PUD	Also cannot wrap a canopy with colors and materials associated with the design of the canopy sign
Canopy Signs in Pedestrian Areas, 4.3.b	Downtown, maximum area	1 sf/1 lin ft canopy	1 sf/1 lin ft canopy	
	Commercial, maximum area	None	2 sf/1 lin ft canopy	
	Mixed-Use, maximum area	None on arterials, 1 sf/1 lin ft canopy elsewhere	1 sf/1 lin ft canopy	
	Residential, maximum area	None	1 sf/1 lin ft canopy, Multi-Family and Institutional only	
Display Signs, 4.4	Downtown, maximum area	Wall only, 8 sf	Wall only, 8 sf	
	Commercial, maximum area	None	8 sf wall, 32 sf drive-thru	
	Mixed-Use, maximum area	None for arterials, wall only 8 sf elsewhere	8 sf wall, 32 sf drive-thru	
	Maximum height, all areas	None	7 ft	
	Electronic Message Centers	None	In Commercial or Mixed-Use only	

Sign Type	Standard	Existing Regulation	Proposed Regulation	Comments
Window Signs, 4.5	Downtown, maximum area	20% of window or 8 sf, whichever is less	20% of window or 8 sf, whichever is less	1st floor windows only
	Commercial, maximum area	25% of window	25% of window	
	Mixed-Use, maximum area	25% of window	25% of window or 12 sf, whichever is less	
	Industrial, maximum area	25% of window, limited to tenant name only	10% of door/window, 1 per entry	
	Residential, maximum area	None	10% of door/window, 1 per entry, Multi-Family and Institutional only	
Kiosk Signs, 4.6	Downtown, maximum height	PUD only, no standards	7 ft, with PUD	
	Commercial, maximum height	PUD only, no standards	7 ft, with PUD	
	Mixed-Use, maximum height	PUD only, no standards	10 ft, with PUD	
	Industrial, maximum height	PUD only, no standards	Not allowed	
Marquee Signs, 4.7	Downtown, maximum area	2 sf/1 lin ft frontage	2 sf/1 lin ft frontage	
	Commercial, maximum area	None	1 sf/1 lin ft frontage, not to exceed 150 sf	
	Mixed-Use, maximum area	Not allowed on arterials, 2sf/1 lin ft frontage elsewhere	2 sf/1 lin ft frontage, not to exceed 60 sf	
	Downtown, maximum height	4 ft	4 ft	
	Commercial, maximum height	None	8 ft	
	Mixed-Use, maximum height	Not allowed on arterials, 4 ft elsewhere	6 ft	
Murals, 4.8	Downtown, maximum area	50% of building façade, provided wall has minimum 500 sf uninterrupted space	100% building frontage	Not on primary frontage
	Commercial, maximum area	None	75% building frontage	
	Mixed-Use maximum area	Not allowed on arterials, Downtown standards for other areas	100% building frontage	
	Residential, maximum area	None	50% building frontage, Institutional uses only	
Projecting Signs, 4.9	Downtown, maximum area	9 sf	9 sf	
	Commercial, maximum area	4 sf	12 sf	
	Mixed-Use, maximum area	4 sf on arterials, 9 sf elsewhere	9 sf	
	Industrial, maximum area	Not permitted	Not permitted	
	Maximum number	1 per tenant	1 per tenant per frontage, not to exceed 2 signs	

Sign Type	Standard	Existing Regulation	Proposed Regulation	Comments
Freestanding Signs, Residential 4.10a	Maximum number	1 per primary subdivision entrance	Single family neighborhood - 1 per neighborhood entrance, not to exceed 4 signs	
			Multi-family property - 1 at each entry drive, not to exceed 2 signs	
			Institutional use - 1 at each entry drive, not to exceed 2 signs	
	Maximum area	32 sf	Single family neighborhood - 32 sf	
			Multi-family property - 40 sf	
			Institutional use - 40 sf	
	Maximum height	8 ft	Single family neighborhood - 6 sf	
			Multi-family property - 8 sf	
			Institutional use - 8 sf	

Sign Type	Standard	Existing Regulation	Proposed Regulation	Comments
Freestanding Signs, Commercial 4.10b	Maximum number	1 per building, more through PUD	Commercial single tenant - 1 per frontage, not to exceed 2 signs	Sites with more than 500 ft of frontage may have another sign meeting the secondary standards on that frontage
			Commercial multi-tenant - 1 per frontage, not to exceed 4 signs	
			Office single tenant - 1 per frontage, not to exceed 2 signs	
			Office multi-tenant - 1 per frontage, not to exceed 3 signs	
	Maximum area	60 sf retail, 40 sf office	Commercial single tenant -48 sf, 24 sf secondary	
			Commercial multi-tenant - 60 sf when less than 60,000 sf FA, 96 sf when more than 60,000 sf FA, 32 sf secondary	
			Office single tenant -40 sf, 16 sf secondary	
			Office multi-tenant - 48 sf when less than 60,000 sf FA, 60 sf when more than 60,000 sf FA, 24 sf secondary	
			Adjacent to US 36 - additional 50% in area	
	Maximum height	None	Commercial single tenant - 8 ft, 5 ft secondary	
			Commercial multi-tenant - 12 ft, 6 ft secondary	
			Office single tenant - 6 ft, 5 ft secondary	
			Office multi-tenant - 8 ft, 6 ft secondary	
			Adjacent to US 36 - additional 100% in height	

Sign Type	Standard	Existing Regulation	Proposed Regulation	Comments
Freestanding Signs, Industrial, 4.10c	Maximum number	1 per building, more through PUD	Single-tenant - 1 per frontage, not to exceed 2 signs	of frontage may have another sign meeting the secondary standards on that frontage
			Multi-tenant - 1 per frontage, not to exceed 4 signs	
	Maximum area	25 sf	Single-tenant - 25 sf, 15 sf secondary	
			Multi-tenant - 40 sf, 25 sf secondary	
	Maximum height	6 ft	Single-tenant - 6 ft, 5 ft secondary	
			Multi-tenant - 8 ft, 6 ft secondary	
Freestanding signs, Mixed-Use, 4.10d	Maximum number	1 per building, more through PUD	signs	of frontage may have another sign meeting the secondary standards on that
			Multi-tenant - 1 per frontage, not to exceed 4 signs	
	Maximum area	60 sf retail, 40 sf office on arterials, 9 sf elsewhere	secondary	
			Multi-tenant, arterial frontage - 60 sf, 32 sf secondary	
			Single-tenant, non-arterial frontage - 24 sf, 16 sf secondary	
			Multi-tenant, non-arterial frontage - 32 sf, 24, sf secondary	
	Maximum height	None on arterials, 6 sf elsewhere	Single-tenant, arterial frontage - 8 ft, 5 ft secondary	
			Multi-tenant, arterial frontage - 12 ft, 6 ft secondary	
			Single-tenant, non-arterial frontage - 6 ft, 5 ft secondary	
			Multi-tenant, non-arterial frontage - 8 ft, 6 ft secondary	

Sign Type	Standard	Existing Regulation	Proposed Regulation	Comments	
Freestanding signs, Downtown, 4.10e	Maximum number	1 per building	1 per building	Only when other allowed sign types cannot provide adequate messaging	
	Maximum area	9 sf	9 sf		
	Maximum height	6 ft	6 ft		
Wall signs, Residential, 4.11a	Maximum number	undefined	Multi-family - 1 per building		
			Institutional - 1 primary, 1 secondary		
	Maximum area	2 ft	Multi-family - 24 sf		
			Institutional - 32 sf, 15 sf secondary		
	Maximum installation height	undefined	Multi-family - 15 ft or roof line		
			Institutional - 20 ft or roofline		
Maximum sign height	undefined	Multi-family - 2 ft			
		Institutional - 3 ft			
Wall signs, Commercial, 4.11b	Maximum number	1 per tenant frontage, not to exceed 3 signs	Single-tenant - 1 primary, 1 secondary, + 1 each 100 lin ft of wall		
		1 per tenant frontage, not to exceed 3 signs	Multi-tenant - 1 per tenant primary, 1 per tenant secondary		
		1 per tenant	Office only - 1 per tenant primary, 1 per tenant secondary		
	Maximum area	1 sf/1 lin ft, not to exceed 200 sf	1 sf/1 lin ft, not to exceed 200 sf	Single-tenant - 1 sf/1 lin ft, not to exceed 100 sf	
			1 sf/1 lin ft, not to exceed 200 sf	Multi-tenant - 1 sf/1 lin ft, not to exceed 100 sf per sign	
			40 sf each, not to exceed 100 sf total	Office only - 1 sf/1 lin ft, not to exceed 40 sf per sign, 100 sf total	
				Adjacent to US 36, additional 50% area	
	Maximum installation height	None		Single-tenant - Roofline	
				Multi-tenant - Roofline	
				Office only - Roofline	
	Maximum sign height	None, regulates character height		Single-tenant - 3 ft	
				Multi-tenant - 4 ft	
			Office only - 2 ft if less than 25 ft, 3 ft if more than 25 ft tall building		
			Adjacent to US 36, additional 100% height		

Sign Type	Standard	Existing Regulation	Proposed Regulation	Comments
Wall signs, Industrial, 4.11c	Maximum number	1 per tenant	Single tenant - 1 primary, 1 secondary	
			Multi-tenant - 1 per tenant primary, 1 per tenant secondary	
	Maximum area	15 sf per tenant, 80 sf total	Single-tenant - Primary - 1 sf/1 lin ft, not to exceed 60 sf, Secondary - 1sf/1 lin ft, not to exceed 30 sf	
			Multi-tenant -Primary - 1 sf/1 lin ft, not to exceed 40 sf per sign. If a tenant space is larger than 60,000 sf, may have up to 60 sf, Secondary - 1 sf/1 lin ft, not to exceed 25 sf	
	Maximum installation height	25 ft	Roofline	
Maximum sign height	None, regulates character height	3 ft		
Wall signs, Mixed-Use, 4.11d	Standards	Arterial - Same as Existing Commercial Wall Signs, Non-arterial , Same as ExistingDowntown Wall Signs	Sites with only residential uses - Proposed Residential Wall Sign standards apply, All other sites - Proposed Commercial Wall Sign standards apply	
Wall signs, Downtown, 4.11e	Maximum number	Subject to max area	Single tenant - 1 primary, 1 secondary, 1 alternative	
			Multi-tenant - 1 per tenant primary, 1 per tenant secondary, 1 per tenant alternative	
	Maximum area	Primary - 2 sf/1 lin ft frontage, Secondary - 1 sf/1 lin ft frontage	Single-tenant - Primary - 2 sf/1 lin ft frontage, Secondary - 1 sf/1 lin ft frontage	
			Multi-tenant - Primary - 2 sf/lin ft frontage, Secondary - 1 sf/1 lin ft frontage	
	Maximum installation height	Roofline, 20 ft, or 2nd story window sill, whichever is less	Roofline, 20 ft, or 2nd story window sill, whichever is less	
Maximum sign height	None	None		

Location/Property	Area	Freestanding Sign Area	Draft Code Freestanding Sign Area	Existing Freestanding Sign Height	Draft Code Freestanding Sign Height	Bldg Square Footage
Alfalfas and Centre Court	Commercial	54 sf	60 sf - Multi-tenant	11.5 ft tall	12 ft tall - Multi-tenant	32,093 sf
Village Square	Commercial	54 sf	60 sf - Multi-tenant	12.5 ft tall	12 ft tall - Multi-tenant	45,000 sf
Century Retail Center	Commercial	92 sf (28 sf allowed incorrectly though a building permit)	60 sf - Multi-tenant	12 ft tall	12 ft tall - Multi-tenant	33,150 sf
Avista	Commercial	48 sf	96 sf - Multi-tenant	15 ft tall	12 ft tall - Multi-tenant	200,000+ sf
Louisville Plaza	Commercial	96 sf	96 sf - Multi-tenant	14 ft tall	12 ft tall - Multi-tenant	200,000+ sf
168 Centennial	Office	13 sf	48 sf - Multi-tenant office	6 ft tall	8 ft tall - Multi-tenant office	57,000 sf
400 S McCaslin	Office	32 sf	48 sf - Multi-tenant office	6 ft	8 ft tall - Multi-tenant office	33,000 sf
Delo Plaza	Mixed Use	53 sf	60 sf - Multi-tenant	12 ft tall	12 ft tall - Multi-tenant	13,600 sf
Lowe's	Commercial	32 sf	48 sf - Single tenant	5 ft tall	8 ft tall - Single tenant	
Goddard School	Commercial	43 sf	48 sf - Single tenant	7 ft tall	8 ft tall - Single tenant	

Report generated at: 2018-10-11 19:42:28 by kdean

Project: City Design Guidelines and Sign Code Update

Question: Are there specific areas in the City where electronic message signs should be prohibited?

No.	Contribution	Author	Posted at
1	Not close to homes where lights might disturb people's sleep.	barbara.holub	23 Jul 2018, 12:16 PM
2	They are gaudy and not effective	Pmcentee	23 Jul 2018, 12:28 PM
3	Mainstreet!	Mars512	23 Jul 2018, 12:56 PM
4	South Boulder Rd, McCaslin: They could be distracting and hard to read at 40MPH with small fonts.	darioa	23 Jul 2018, 12:59 PM
5	In the downtown area.	Mortenson947	23 Jul 2018, 01:30 PM
6	EVERYWHERE!!!!!! NO ELECTRONIC SIGNS	mah	23 Jul 2018, 02:24 PM
7	Historic Downtown	Jeannette96	23 Jul 2018, 02:40 PM
8	Schools and public buildings. I did like the sign at the Lafayette shopping center. That is where I found out there was a pilates class!	nancyk	23 Jul 2018, 02:45 PM
9	everywhere except for schools and churches	RTanner	23 Jul 2018, 03:21 PM
10	Everywhere! Ugly!	dscriber	23 Jul 2018, 03:24 PM
11	Downtown	maryfclough	23 Jul 2018, 03:33 PM
12	This would be useful in areas where there is a large setback from traffic, however many of these only create a distraction and don't add information, beauty or character.	Staje	23 Jul 2018, 04:23 PM
13	none	dunlapcr	23 Jul 2018, 08:45 PM
14	Downtown	Jageiger	23 Jul 2018, 08:59 PM
15	I don't see them as a benefit to the community. There are larger commercial issues rather than flashing signs.	jsroge	24 Jul 2018, 12:14 AM
16	Downtown area	ebenidt	24 Jul 2018, 09:44 AM
17	Every where	faunellwood	24 Jul 2018, 12:18 PM
18	Directly in front of homes not adjacent to biz being advertised.	LaneO84	24 Jul 2018, 01:56 PM
19	Not downtown!	Sucht	24 Jul 2018, 04:41 PM
20	Downtown, certainly. It would detract from the "Old Town" nature of our town.	Bud Talbot	24 Jul 2018, 08:55 PM
21	None along McCaslin or in the downtown. Provide light pollution.	D.Cristopher Benner	25 Jul 2018, 06:53 AM
22	Along roadways because the signs distract drivers and are a safety risk	laesecke	25 Jul 2018, 10:08 AM
23	Would be distracting most places	billyod	26 Jul 2018, 05:45 PM

24	All Electronic message signs most likely should be limited to monument signs that support retail or other service oriented businesses.	mertens	27 Jul 2018, 04:14 PM
25	Perhaps electronic message signs could be allowed for other uses on a temporary and permitted basis.	NMiesen70	29 Jul 2018, 02:26 PM
26	These electronic signs look tacky and are a distraction for drivers.	joneskath	02 Aug 2018, 03:26 PM
27	No	BillK	17 Aug 2018, 09:32 AM
28	Everywhere. This is out of character with our town.	303keane	20 Aug 2018, 12:06 PM
29	All	Plumbdandy	10 Sep 2018, 07:18 PM

END OF REPORT

**Report generated at: 2018-10-11 19:47:29 by kdean**  
**Project: City Design Guidelines and Sign Code Update**  
**Question: Mural Comments**

<b>Contribution</b>	<b>Author</b>	<b>Posted at</b>
1 Never thought of murals. But yes, I think I'll like them!	barbara.holub	23 Jul 2018, 12:13 PM
2 I love them	nancyk	23 Jul 2018, 02:44 PM
3 It's art - art should be everywhere!!	RTanner	23 Jul 2018, 03:19 PM
4 And please paint all of the green utility boxes, like they do in Fort Collins, while you're at it :)	dscriber	23 Jul 2018, 03:23 PM
5 I think it would be wonderful to have as many artistic items on any building around the city. I think of Loveland and how the city sponsors a lot of art around the city. Louisville could do the same. We should support the arts.	vrsalcido	23 Jul 2018, 04:19 PM
6 I love the murals. They add color and beauty and are an expression of local artistry.	Staje	23 Jul 2018, 04:20 PM
7 I believe they are an urban decoration and belong in such. Hell yes!! I travelled through Europe last year and some of the most intriguing displays of culture were the many large murals and art all over. Artistic expression is the future of a cooperative culture.	jsroge	24 Jul 2018, 12:13 AM
8 Murals add an artistic flare and beauty to building facades. Diversity and variety can be represented.	LaneO84	24 Jul 2018, 01:51 PM
9 As long as the murals are not for commercial purposes and not misinterpreted as billboards.	Sucht	24 Jul 2018, 04:35 PM
10 Grear public art would be an asset in most places	D.Cristopher Benner	25 Jul 2018, 06:52 AM
11 If allowed outside of downtown, mural content shall be subject to a City review and approval process to ensure continuity of message etc.	billyod	26 Jul 2018, 05:44 PM
12 They are flat out ugly and most look like graffiti gone bad.	NMiesen70	29 Jul 2018, 02:22 PM
13 The more, the merrier.	BillK	17 Aug 2018, 09:31 AM
	Plumbdandy	10 Sep 2018, 07:15 PM

END OF REPORT

**Report generated at: 2018-10-11 19:41:52 by kdean**  
**Project: City Design Guidelines and Sign Code Update**  
**Question: Sandwich Board Comments**

Contribution	Author	Posted at
1 As long as they don't block sidewalks too much Why do downtown business receive special treatment? Why are other Louisville businesses not allowed signs?	barbara.holub	23 Jul 2018, 12:14 PM
2 Now , that said, there should be restrictions on size, placement, etc. There are so many on downtown side walks now they often block pathways there should no sandwich boards anywhere - they obstruct the sidewalk which is already obstructed by folks reading menus and folks stopping to chat with each other and waiters working and tables for business at restaurants.	mah	23 Jul 2018, 02:22 PM
3 No, I hate them in the grocery store and I hate them on the street. Just one more thing to maneuver around!	RTanner	23 Jul 2018, 03:20 PM
4 If any commercial property feels that a sandwich board will help them with foot traffic, then I believe they should be allowed to have these signs. They look good in some areas.	dscriber	23 Jul 2018, 03:24 PM
5 I believe boards to be legitimate and reasonable form of advertising for businesses	vrsalcido	23 Jul 2018, 04:21 PM
6 And there should be no cost or permit for them. Let people promote their businesses at their storefront, only makes sense. Jut need to make sure there are no ADA obstructions.	jsroge	24 Jul 2018, 12:14 AM
7 If they don't unreasonably block sidewalk access, then yes. They add visability for small businesses. And seem inviting and quaint.	LaneO84	24 Jul 2018, 01:53 PM
8 Helpful and fun	Sucht	24 Jul 2018, 04:36 PM
	billyod	26 Jul 2018, 05:44 PM

<p>The type, size, material and method of anchoring requirements shall subject to City review and approval to ensure aesthetic quality and safety. Additionally some regulations as to the allowed locations for sandwich boards shall be determined.</p>	<p>NMiesen70</p>	<p>29 Jul 2018, 02:24 PM</p>
<p>This could be an effective way for restaurants and other businesses along McCaslin, South Boulder Road, and other areas with pedestrian traffic to inform potential customers of daily specials, etc.</p>	<p>joneskath</p>	<p>02 Aug 2018, 03:25 PM</p>
<p>They work downtown where there is a lot of foot traffic; they would be hazards on say McCaslin.</p>	<p>BillK</p>	<p>17 Aug 2018, 09:32 AM</p>
<p>With appropriate limitations / regulations</p>	<p>303keane</p>	<p>20 Aug 2018, 12:05 PM</p>
<p>It doesn't seem fair that one commercial district should be allowed to use these but not others.</p>	<p>Plumbdandy</p>	<p>10 Sep 2018, 07:15 PM</p>

END OF REPORT

**Report generated at: 2018-10-11 19:39:57 by kdean**  
**Project: City Design Guidelines and Sign Code Update**  
**Question: Size of Sign Letters**

<b>No.</b>	<b>Contribution</b>	<b>Author</b>	<b>Posted at</b>
1	MINIMIZE signage!	mah	23 Jul 2018, 03:05 PM
2	again, an aging population needs a larger font size People gotta know where they're headed and a bigger sign	RTanner	23 Jul 2018, 03:28 PM
3	on the building is better than a bigger list of signs for the corner. Also, ease of visibility will reduce traffic accidents related to people looking for a place.	LaneO84	24 Jul 2018, 02:10 PM
4	This character size of a sign shall be subject to the location of the building from the street front, zone use of area, surrounding landscape elements and overall proportions of the building or retail development.	NMiesen70	29 Jul 2018, 02:45 PM
5	I don't struggle to see the letters on any existing buildings.	Plumbdandy	10 Sep 2018, 07:43 PM

END OF REPORT

**Report generated at: 2018-10-11 19:46:06 by kdean**  
**Project: City Design Guidelines and Sign Code Update**  
**Question: Size of Signs**

<b>No.</b>	<b>Contribution</b>	<b>Author</b>	<b>Posted at</b>
1	Larger signs would be easier to read but should not be overwhelming	barbara.holub	23 Jul 2018, 12:31 PM
2	We came from CA and the signage is terrible here. We had trouble finding the DMV !	nancyk	23 Jul 2018, 02:51 PM
3	Let's keep Louisville beautiful! Few signs, greater beauty.	mah	23 Jul 2018, 03:04 PM
4	we have an older population that an increase in font size would help tremendously	RTanner	23 Jul 2018, 03:28 PM
5	Or less	Louisvillejoy	25 Jul 2018, 06:35 AM
6	Bigger is not better for these In efforts to assist retail business monument signs need to be visible from vehicular ways. Depending upon the landscaping along the street front this	billyod	26 Jul 2018, 05:53 PM
7	may require that a monument sign is larger than currently allowed. Again I think the size, design, materials, foundation and lighting of monuments signs shall be subject to City review and approval.	NMiesen70	29 Jul 2018, 02:44 PM
8	Keep them small	Wukoki	30 Jul 2018, 10:41 PM
9	Size increase commensurate with information size, e.g. not just large signs with small type, but big signs with big type. Your question asks one thing. Your example illustrates	BillK	17 Aug 2018, 09:37 AM
10	another. Are you asking about increasing the height allowance, or allowing for more square feet, or both? I don't see a need for signs to be any larger OR taller than existing.	Plumbdandy	10 Sep 2018, 07:42 PM

END OF REPORT



September 19, 2018

To Whom It May Concern:

My name is Donna Sigmond and I have been a small business owner in the Louisville area for over 16 years. I am the owner of East West Wellness in the Colony Square II Shopping Center. This past Saturday, we were informed by the Louisville Police Department that our A Frame board situated in front our business violated municipal codes 17.24.030, 71.24.040, and 17.24.170. According to our contact at the City Planning, there is no current permits available for signage of this type. The only permit available at this time is a temporary permit, which is expensive and is only operational for 30 days. This is a definite issue for small businesses, as A Frame and other small freestanding signage is an essential advertising tool. These signs are already an added expense to our business, I have spent \$180 on an item that I can no longer use. We already pay a hefty amount in taxes to the city (property, sales, etc.) and having to pay another large cost is difficult on small business owners. We need to make a distinction in the municipal code between signage that is directly in front of a business used for advertising verses the signs that litter the area and are not within the business frontage or property line.

Small signage for small business owners is essential to help create a thriving business, as well as help the local economy thrive. Support small business by updating the municipal code to include small freestanding signs displayed within the immediate area of the business entrance.

Sincerely,

A handwritten signature in blue ink that reads "Donna Sigmond". The signature is written in a cursive style.

Donna Sigmond, RDN, LAc, LCh, Dipl OM, CLT, FAARFM, ABAHP, Doctorate Candidate

## Kristin Dean

---

**From:** Citizen Inquiries  
**Sent:** Tuesday, May 1, 2018 2:09 PM  
**To:** Kristin Dean  
**Subject:** FW: City of Louisville, CO: Design Guidelines and Sign Code Update Public Workshop #1

FYI

Emily Hogan  
Assistant to the City Manager  
City of Louisville  
303-335-4528  
[ehogan@louisvilleco.gov](mailto:ehogan@louisvilleco.gov)

*Sign up for the new Community Update E-Newsletter [here!](#)*

**From:** Regina Macy [mailto:reginamacy@gmail.com]  
**Sent:** Tuesday, May 1, 2018 12:44 PM  
**To:** Citizen Inquiries <info@louisvilleco.gov>  
**Subject:** Re: City of Louisville, CO: Design Guidelines and Sign Code Update Public Workshop #1

Hi All, Thank you for your service. Since we live in such a beautiful city with great views please keep in mind the placement of signs. Signs can so easily ruin views. I know you'll do your best. Sincerely, Regina Macy 1021 Willow Place 80027

On Wed, Apr 25, 2018 at 9:01 AM, City of Louisville, CO <[info@louisvilleco.gov](mailto:info@louisvilleco.gov)> wrote:

### **Design Guidelines and Sign Code Update Public Workshop #1**

- Date: 04/26/2018 6:30 PM - 8:30 PM
- Location: City Hall  
[749 Main Street](#)  
[Louisville, Colorado 80027](#)



## Design Guidelines & Sign Code

Please join us for a public workshop to discuss and provide input on the update to the City's commercial and industrial design guidelines and the sign code. We will discuss topics such as building design, landscaping, sidewalk and bicycle connections, lighting, signs, and parking. Visit the [project website](#) for more information and [Engage Louisville](#) to participate online. Be sure to sign up for the Design Guidelines and Sign Code calendar and event [e-notifications](#) to stay informed of upcoming meetings and for other ways to participate.

Having trouble viewing this email? [View on the website instead.](#)

[Change your eNotification preference.](#)

[Unsubscribe from all City of Louisville, CO eNotifications.](#)

## Lisa Ritchie

---

**From:** Citizen Inquiries  
**Sent:** Tuesday, April 9, 2019 11:33 AM  
**To:** Lisa Ritchie  
**Subject:** FW: City of Louisville, CO: Draft Sign Code - Public Open House

Hi Lisa. Do you want to respond to this? Thanks!!

Emily Hogan  
Assistant City Manager for Communications & Special Projects  
City of Louisville  
303-335-4528  
[ehogan@louisvilleco.gov](mailto:ehogan@louisvilleco.gov)

---

**From:** Ernie Villany [mailto:ernest.villany.cpa@gmail.com]  
**Sent:** Monday, April 8, 2019 11:43 PM  
**To:** Citizen Inquiries <info@louisvilleco.gov>  
**Subject:** Re: City of Louisville, CO: Draft Sign Code - Public Open House

63 pages to address signage?

Sent from my iPhone

On Apr 8, 2019, at 6:30 PM, City of Louisville, CO <[info@louisvilleco.gov](mailto:info@louisvilleco.gov)> wrote:

### **Draft Sign Code - Public Open House**

- Date: 05/01/2019 6:30 PM - 7:30 PM
- Location: City Hall  
[749 Main Street](#)  
[Louisville, Colorado 80027](#)



The draft Sign Code is ready for review! We want to hear from you with your comments and feedback. You can view the draft Sign Code at [EngageLouisvilleCo.org](http://EngageLouisvilleCo.org). Staff from the Planning Department will provide a brief presentation on the new draft Sign Code, and will be available to answer questions and hear your thoughts. If you aren't able to attend the meeting, you can provide your comments on Engage Louisville, or [Email](#) staff.

Having trouble viewing this email? [View on the website instead.](#)

[Change your eNotification preference.](#)

[Unsubscribe from all City of Louisville, CO eNotifications.](#)

# COMMENT FORM

Draft Sign Code | Public Open House | May 1, 2019

**NAME:** Robbin Meets, Stauffer Team Real Estate

**ADDRESS:** 932 Main St.

**EMAIL:** robbin@staufferteam.com

## PROVIDE ANY ADDITIONAL COMMENTS BELOW:

In regards to temporary signage, my concern is that enforcement of signs in right of way will be too restrictive. For events (eg., garage sales, open houses) the inability to put a sign in a public area to advertise the event could make it difficult, if not impossible, to conduct the event. This would affect residents as well as businesses. I would suggest an allowance for these types of signs for a limited time - i.e., weekends between 10am-4pm, or signs allowed for no more than 4 hours at a time. The size and materials could still be regulated but some kind of an opportunity to use these signs is important. Thank you for your consideration!

## SIGN CODE UPDATE OPEN HOUSE

Additional feedback can be sent to [lritchie@louisvilleco.gov](mailto:lritchie@louisvilleco.gov)

## Lisa Ritchie

---

**From:** Ashley Stolzmann  
**Sent:** Tuesday, April 9, 2019 11:29 PM  
**To:** Lisa Ritchie  
**Cc:** Rob Zuccaro  
**Subject:** FW: Louisville Municipal Code Courtesy Notice

Hi Lisa,

Some feedback is forwarded below on the sandwich board issue from a couple of the business owners perspective. Would it be possible to have Planning Commission spend some time deliberating about the pros and cons of the sandwich board section in particular as to how it relates to downtown?

Thank you!  
Ashley Stolzmann

---

From: Mike Price [littlehorsebooks@gmail.com]  
Sent: Tuesday, April 9, 2019 7:46 PM  
To: Tracy Hobbs  
Cc: Ashley Stolzmann; liz@pitterpattershop.com; carol.fingerplaystudio@gmail.com; Sarah Lynch; Trent Davol; oldfriendsllc@yahoo.com; Christopher Leh; Jay Keany; caleb@foxpropertymgmt.com; triviumsalon2@gmail.com; kimberlydba@gmail.com; erin@elcphoto.com; jfred740front@gmail.com; eomj@master-jeweler.net  
Subject: Re: Louisville Municipal Code Courtesy Notice

Hi Ashley.

Tracy's points are all valid in my opinion. I have the same issues with the ordinance.

Mike

Sent from my iPhone

On Apr 9, 2019, at 7:19 PM, Tracy Hobbs <tracy@eleanorandhobbs.com<mailto:tracy@eleanorandhobbs.com>> wrote:

Ashley

Thank you for sending me the courtesy message. This new code doesn't meet the needs of my business. It appears to be very similar to the old code. It still does not allow us to place signs at the corner of our block (which is what is needed to draw traffic to our stores). This also adds that we have to weight down our signs which is impractical. In the six years of doing business, I have not found a single way to protect my sign from falling in front range wind. I think that requirement is vague and unattainable. Even if anchored, a strong wind will knock signs down. The question then would be, will we get ticketed if our sign is anchored and still falls? If yes, then do we really need the anchor?

The idea behind a Sandwich board (that planning committee doesn't seem to understand) is to draw in traffic from the more trafficked Main Streets. If you are in Main Street, a sandwich board adjacent to your front door is fine, but if you are like myself on a side street, The sandwich board needs to be at the corners of your block. I am in the middle of the block on Walnut. For my sign to bring traffic in, it needs to be at the corner of Main and Walnut, or at Front and Walnut.

These adjustments need to be made to the pending ordinances.

Tracy Hobbs  
901 Front Street  
Louisville CO 80027

Sent from my iPhone

On Apr 9, 2019, at 10:59 AM, Ashley Stolzmann <ashleys@louisvilleco.gov<mailto:ashleys@louisvilleco.gov>> wrote:

Hi Tracy & Mike,

I want to make sure that you know that the staff have posted a draft of the proposed sign code:

<http://www.louisvilleco.gov/home/showdocument?id=22949>

The draft has not come to Council yet & there is still plenty of time for changes and public input. Does the section on sandwich boards meet your needs (page 54)?

Thank you,

Ashley Stolzmann

Councilmember

303-570-9614

---

From: Mike Price <littlehorsebooks@gmail.com<mailto:littlehorsebooks@gmail.com>>

Sent: Wednesday, October 3, 2018 8:33 PM

To: ernie@bouldervalleycpa.com<mailto:ernie@bouldervalleycpa.com>

Cc: Tracy Hobbs; zuccaro@louisvilleco.gov<mailto:zuccaro@louisvilleco.gov>; City Council; Carol Bosshard; Liz Connor; jfred740front@gmail.com<mailto:jfred740front@gmail.com>; Rori Bass; ICE Chris Hobbs; Heather Balser

Subject: Re: Louisville Municipal Code Courtesy Notice

I received the same warning for one of my signs. It's comical.

Sent from my iPhone

On Oct 3, 2018, at 8:12 PM, <ernie@bouldervalleycpa.com<mailto:ernie@bouldervalleycpa.com>>  
<ernie@bouldervalleycpa.com<mailto:ernie@bouldervalleycpa.com>> wrote:

Stories like this have become exhausting and painful to hear. They are offensive on multiple levels, yet sadly, not at all unexpected. In fact, I'm kind of surprised it has taken this long for us to get to this point.

In the nearly ten years I've lived here, the city has clearly lost its way. On multiple levels. Perhaps they never knew which way they should be going and only dumb luck got them here in the first place, but a clear and rapidly growing disconnect has become too big to ignore.

Perhaps that's why Boulder Valley CPAs is leaving Louisville and buying a building in Lafayette? Making that city its new home. Perhaps that's why dozens of people I speak to complain about the stunted growth of our government's leaders? Perhaps that's why people feel there's no cohesive or strategic plan for the future of our city? Perhaps that's why the King Soopers mall looks like an urban retail graveyard? Perhaps that's why retail giants like Kohl's and Lowe's are reviewing their exit strategies? Perhaps we'll never know what really plagues Louisville leadership, but what I do know is the whole thing stinks. As a homeowner I hope someone in city leadership cares enough to prove me wrong, but I'm not optimistic. If leadership can't figure it out I hope the citizens of Louisville do and vote them out.

Respectfully,

Ernest J. Villany, CPA

From: Tracy Hobbs <tracy@eleanorandhobbs.com<mailto:tracy@eleanorandhobbs.com>>  
Sent: Wednesday, October 3, 2018 5:11 PM  
To: zuccaro@louisvilleco.gov<mailto:zuccaro@louisvilleco.gov>; City Council <Council@louisvilleco.gov<mailto:Council@louisvilleco.gov>>  
Cc: Mike Price <littlehorsebooks@gmail.com<mailto:littlehorsebooks@gmail.com>>; Carol Bosshard <carol.fingerplaystudio@gmail.com<mailto:carol.fingerplaystudio@gmail.com>>; Liz Connor <liz@pitterpattershop.com<mailto:liz@pitterpattershop.com>>; jfred740front@gmail.com<mailto:jfred740front@gmail.com>; Rori Bass <triviumsalon2@gmail.com<mailto:triviumsalon2@gmail.com>>; ICE Chris Hobbs <cshobbs@ameritech.net<mailto:cshobbs@ameritech.net>>; Ernie Villany <ernie@bouldervalleycpa.com<mailto:ernie@bouldervalleycpa.com>>; Heather Balser <Heatherb@Louisvilleco.gov<mailto:Heatherb@Louisvilleco.gov>>  
Subject: Louisville Municipal Code Courtesy Notice

Today, Officer S. Kenney came into my store and gave me a citation for 17.24.030 Sign Permits Required and 17.24.040 General standards for signs. She explained to me that I cannot have my sandwich board at the corner of my block, but only in front of and adjacent to my store.

My understanding is that several other businesses in downtown were also given the citation and asked to remove the sandwich boards from the corners of their blocks. We were told the Mr Zuccaro, Director of Planning and Building Safety is a "stickler for code" and that the sandwich boards were "cluttering the side walks".

I explained to officer S. Kenney that I am a stickler for trying to bring business into my store and that is why the Eleanor and Hobbs sandwich board is at the corner of Mani St. and Walnut. The walking traffic in downtown Louisville is dismal at best. If we cut off that small trickle of walking traffic that is on Main Street, I might as well close my doors. Who needs a brick and mortar shop if no one is going to walk in. As each year passes, traffic becomes less and less. For the City of Louisville to enforce a code that hurts business is beyond my understanding.

It becomes ever more clear to me that Louisville isn't interested in supporting small businesses, walking traffic, or a cohesive business environment. I would hope that Louisville City Council would change this city code to read that business owners are allowed to have Sandwich boards at each corner of the block where they reside.

Please let me know what I/We need to do to have this code changed.

Tracy Hobbs  
Owner  
Eleanor and Hobbs

901 Front Street Suite 100  
Louisville, Colorado 80027  
(720) 708-3016  
tracy@eleanorandhobbs.com<mailto:tracy@eleanorandhobbs.com>  
shop-eleanor.com<http://shop-eleanor.com/>

## Lisa Ritchie

---

**From:** Michael Ulm <mokba8@gmail.com>  
**Sent:** Monday, April 29, 2019 1:45 PM  
**To:** Lisa Ritchie  
**Cc:** Gmail  
**Subject:** Re: Draft Sign Code Focus Group

Lisa, thanks for including me in the review effort of the sign code draft.

First off let me say, job well done! This is one of the most efficiently comprehensive documents I have viewed/used on the subject. Great work on getting this doc this tight and easily usable.

Just a couple of comments:

1. Section 3.1.3.b - Maybe a diagram showing how a sign displaying more than one visible face might appear?? This is kind of a tall order for a diagrammatic response and might be wishful thinking on my part.
2. Section 3.4.1.a - Do you need to mention that Underwriter Labels need to be visible from the ground? This always seems to be a point of contention as most sign companies would like to hide these for aesthetic reasons. It is truly important for sign compliance inspection but not for much else. Just something to consider.
3. Section 3.6.1.g - Is there really a permit requirement for routine maintenance? If these means re-lamping, etc. then maybe this type of work should be better defined.
4. The formatting for section 4 and 5 is brilliantly simple and efficient. Once again, maybe one of the best implementations I've seen of this info.

That's all I've got. This is really well done and will perform well in the ongoing development of Louisville. If you have any questions, comments or need further explanation please shoot me an email.

Thanks, Michael

Michael Ulm  
[mokba8@gmail.com](mailto:mokba8@gmail.com)

On Apr 13, 2019, at 11:54 AM, Lisa Ritchie <[lritchie@louisvilleco.gov](mailto:lritchie@louisvilleco.gov)> wrote:

Hi everyone,

We'd love to hear from each of you on your own time. There wasn't enough interest in a meeting, which is absolutely fine. If you are able, please send your comments by May 1. If you have any other thoughts or ideas, I'm happy to chat over the phone or set up a separate time to discuss the draft code. Thanks everyone,

Lisa Ritchie, AICP  
Senior Planner  
303-335-4596

Sent from my iPad

On Apr 5, 2019, at 12:45 PM, Lisa Ritchie <[lritchie@louisvilleco.gov](mailto:lritchie@louisvilleco.gov)> wrote:

Hello again,

The sign code is now uploaded for your review on the Engage Louisville website<<https://www.engagelouisvilleco.org/city-design-guidelines-and-sign-code-update>>, and attached to this email. The doodle poll below is still accessible to select your availability, thanks to those of you who have completed your request! We'll set a meeting date by Wednesday of next week, I'll reach back out then to let you know what date was selected.

We are also happy to receive comments via email, or drop by your written comments at City Hall. If you want to discuss with me in person, I'm happy to set up a separate meeting. Please reach out with any questions or concerns. Thanks, and I look forward to hearing from you!

Lisa Ritchie, AICP  
Senior Planner  
City of Louisville  
303-335-4596

From: Lisa Ritchie  
Sent: Monday, April 1, 2019 12:36 PM  
To: '[michael@hostworks.net](mailto:michael@hostworks.net)' <[michael@hostworks.net](mailto:michael@hostworks.net)>; Andy Johnson <[andy@dajdesign.com](mailto:andy@dajdesign.com)>; '[louisville@instantimprints.com](mailto:louisville@instantimprints.com)' <[louisville@instantimprints.com](mailto:louisville@instantimprints.com)>; '[cthoma3@buffalo.edu](mailto:cthoma3@buffalo.edu)' <[cthoma3@buffalo.edu](mailto:cthoma3@buffalo.edu)>; Greg McMenamin <[mcd@mcdallc.com](mailto:mcd@mcdallc.com)>; '[erik@hapcdesign.com](mailto:erik@hapcdesign.com)' <[erik@hapcdesign.com](mailto:erik@hapcdesign.com)>; 'Judy Cruz' <[judy@bscsigns.com](mailto:judy@bscsigns.com)>  
Subject: Draft Sign Code Focus Group

Hello everyone,

Thanks for your participation last year as a focus group member for the updates to the Sign Code and the Design Standards (CDDSG and IDDSG). As you may know, Kristin Dean is no longer with the City. I'll be working on the completion of the updates. The updates to the CDDSG and the IDDSG are still in development, but we have a draft sign code that is ready for your feedback.

At this time, we'd like to set a meeting date to discuss your questions and hear from you about the draft sign code. Please complete the Doodle Poll at the link below. If you are not interested in participating, or would rather provide your feedback outside of the meeting setting, please reach out to me directly.

An email will follow in the next few days with a link to view the draft sign code. We are looking forward to hearing from you! Thanks!

<https://doodle.com/poll/gedhrz6wkfrtsmqs>

Lisa Ritchie, AICP  
Senior Planner  
City of Louisville  
[lritchie@louisvilleco.gov](mailto:lritchie@louisvilleco.gov)<<mailto:lritchie@louisvilleco.gov>>  
303-335-4596

We encourage you to visit our new online maps webpage<<http://www.louisvilleco.gov/residents/departments/planning-building-safety/online-maps>> with planning and land use information.

The Department of Planning & Building Safety is collecting feedback to improve our customer service.

Please let us know how we are doing by completing this short survey!<<https://www.surveymonkey.com/r/DC53NLN>>

<COL Sign Code\_Public Draft 4.3.pdf>

## Lisa Ritchie

---

**From:** Alicia Miller <[alicia@aliciamiller.net](mailto:alicia@aliciamiller.net)>  
**Sent:** Wednesday, July 3, 2019 2:42 PM  
**To:** Ashley Stolzmann  
**Cc:** Rob Zuccaro; Lisa Ritchie  
**Subject:** Re: Real Estate Open House Signs  
**Attachments:** AM\_email\_logo.jpg

Thank you!  
Kindly,  
Alicia



RE/MAX of Boulder  
303 818-0954

[Alicia@AliciaMiller.net](mailto:Alicia@AliciaMiller.net)

On Wed, Jul 3, 2019 at 2:24 PM Ashley Stolzmann <[ashleys@louisvilleco.gov](mailto:ashleys@louisvilleco.gov)> wrote:

Hi Alicia,

All of our discussions and decisions are open to the public & we really value having the public participate. I am copying staff on this note so they can let you know when all the public hearing dates and openhouses are planned to be scheduled for the sign discussion & they can also update you if the dates change.

Thank you for the suggestion, I will bring it up for discussion as a possibility.

Ashley Stolzmann

Councilmember

303-570-9614

---

**From:** Alicia Miller <[alicia@aliciamiller.net](mailto:alicia@aliciamiller.net)>  
**Sent:** Wednesday, July 3, 2019 10:52 AM  
**To:** Ashley Stolzmann  
**Cc:** Rob Zuccaro  
**Subject:** Re: Real Estate Open House Signs

Ashley,

I want to thank you for taking the time to write me back concerning the issues of signs. After reading your email I did have an idea/ suggestion. Real estate open houses commonly happen on Saturday and Sundays for two hours. What about having a time limit on how long a sign can be placed on public property? NO more than 2 or 3 hours? I realize a time limit can be a challenge to enforce but I think that most real estate signs will be picked up in that time period. As I stated in my original email, they are expensive. I also completely support a limit on how many signs can be placed.

Is there a time that this issue will be discussed and that the discussion would be open to the public? I would really like to be a part of this discussion.

Thank you,  
Alicia

RE/MAX of Boulder  
303 818-0954  
[Alicia@AliciaMiller.net](mailto:Alicia@AliciaMiller.net)

On Wed, Jun 26, 2019 at 9:31 PM Ashley Stolzmann <[ashleys@louisvilleco.gov](mailto:ashleys@louisvilleco.gov)> wrote:

Hi Alicia,

Thank you very much for the feedback. As you likely know, we are in the process of updating our municipal sign code (which it seems you are aware does not currently allow signs on public property) & the issues you raise have come to my attention from both real estate agents and estate sale companies. I have copied our Planning Director on this note so he can capture your perspective. The flip side of the issue which has also been brought to our attention is that the content of a sign cannot be regulated (freedom of speech) and so if we allow signs of a certain size to be placed on public property, we would have to allow all signs (political, social, real estate, sales, ads and so on). There have been a few novel suggestions to allow signs on public property only on Saturday mornings and a few other suggestions. I am taking the review very seriously and will work to come up with solutions that try to strike a fair balance for all in the community and maintain excellent community character. This is not an easy task, so community feedback including yours is very helpful.

Thank you for writing in,

Ashley Stolzmann

Councilmember

303-570-9614

**From:** Alicia Miller <[alicia@aliciamiller.net](mailto:alicia@aliciamiller.net)>

**Sent:** Tuesday, June 25, 2019 12:28 PM

**To:** City Council

**Subject:** Real Estate Open House Signs

To the members of City Council,

My name is Alicia Miller, have been a resident of Louisville for 25 years. I am a realtor with ReMax of Boulder and the new Elevate office in Louisville. I am writing to address a city ordinance that I feel makes my business as a realtor difficult and is unfair to residents selling their homes.

On Sunday I had an open house at 923 Grove Drive and put out open house signs directing people to my open house. The signs I put out were located at South Boulder and Washington, Washington and McCaslin, Tyler and Via Appia, and Washington and Grove. Four signs, nothing excessive. I was concerned during the open house that the number of people coming through seemed less than I would have expected for a new listing. I really felt for my clients as they are a family of six and eager to sell their home.

Once the open house concluded, I went to retrieve my signs and found to my disappointment many of them were gone. I feel this negatively affected the open house and limited the home's exposure to buyers. This morning (Tuesday) I got a call from officer Kinney, stating that she had picked up my signs, that "open house signs are illegal in the city of Louisville". She said this was a verbal warning and that the next time I would be issued a ticket.

While I understand that having excessive signs put out for garage sales, open houses, etc.. is undesirable (I have definitely seen a few realtors get carried away with dozens of signs for an open house), I feel that myself having just four signs is not a excessive. Furthermore, realtors pick up their signs at the conclusion of their open houses, we pay for them and they are expensive, so they are not left behind as a garage sale signs may be.

One additional concern is the idea that the signs can only be placed on private property. In old town, this there is less green space on the corners. Around the Harper Lake area, the majority of corners have city owned green space, therefore its not practical to put a sign on private property on those corners.

While some residents may complain, I really think if anyone were selling their home they would want open house signs used for an open house getting buyers to their home.

I know there are a number of other realtors who are concerned with this and we would be happy to meet with city council to see if we can come up with an amicable solution.

I appreciate your attention to this matter.

Kindly,  
Alicia Miller  
827 Trail Ridge Drive  
Louisville

RE/MAX of Boulder

303 818-0954

[Alicia@AliciaMiller.net](mailto:Alicia@AliciaMiller.net)

**Lisa Ritchie**

---

**From:** Justen Stauffer <justen@stauferteam.com>  
**Sent:** Friday, June 21, 2019 3:31 PM  
**To:** Lisa Ritchie  
**Subject:** Common Sense Temporary Signage

Hi Lisa,

I hope the City of Louisville adopts Common Sense Temporary Signage Codes. I understand that municipalities want to keep their streets friendly, inviting and free of ads and unnecessary signage. There are any number ways of doing this while still giving residents and businesses a means to conduct business and helping them get the word out about unique opportunities such as garage sales and homes for sale. Some examples:

- 1) Time limits on signage. 3-6 hours is often enough time to conduct a garage sale or open house.
- 2) Quantity and quality of signage. Bent or broken signs might not be permitted for example. Limiting the number of signs to 5 signs.
- 3) Size of the sign. Keeping signs or panels under 6 sqft f.

There has to be a way to find a happy medium. Nobody wants signs until they want to conduct a garage sale or open house for example. Then they do want them when they are in the market for new home or would like to find or conduct a garage sale. The current sign code is very black and white and does not allow for much flexibility for the residents.

Thank You,

--



**Justen Stauffer**

Director of Business Development and Employing Associate Broker  
at [Staufer Team Real Estate](#)

---

932 Main Street, Louisville, CO 80027  
 303-664-0000 303-819-6242  
 justen@stauferteam.com www.stauferteam.com

---



**Planning Commission  
Meeting Minutes  
April 11<sup>th</sup>, 2019  
City Hall, Council Chambers  
749 Main Street  
6:30 PM**

**Call to Order** – Chair Brauneis called the meeting to order at 6:30 PM.

**Roll Call** was taken and the following members were present:

Commission Members Present: Steve Brauneis, Chair  
Dietrich Hoefner  
Keaton Howe  
Tom Rice  
Jeff Moline  
Commission Members Absent: Debra Williams  
David Hsu, Vice Chair  
Staff Members Present: Rob Zuccaro, Dir of Planning & Building Safety  
Lisa Ritchie, Senior Planner  
Amelia Brackett, Planning Clerk

**APPROVAL OF AGENDA**

Howe moved and Moline seconded a motion to approve the April 11<sup>th</sup>, 2019 agenda. Motion passed unanimously by voice vote.

**APPROVAL OF MINUTES**

Rice moved and Moline seconded a motion to approve the March 14<sup>th</sup>, 2019 minutes. Motion passed unanimously by voice vote.

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

**DISCUSSION**

**Draft Sign Code**

Ritchie presented the major areas of proposed change to the City's sign code. The goals of the sign code updated were to consolidate the various documents that govern signage, to respond to Supreme Court rulings from 2015 on municipal sign codes, and to bring the sign code in line with reasonable requests that currently require waivers. She summarized feedback from a focus group, an open house, and a survey on Engage Louisville. In general, participants supported marginally larger signs and other possible changes suggested by the review, but the feedback was inconclusive on electronic signs.

***PUD Process***

Brauneis asked about the difference between “consistency” and “compatibility” in the language and for an explanation on color differentiation requirements.

Ritchie replied that the language matched other waiver criteria meant to ensure that the design was appropriate for the site.

Brauneis observed that “appropriate” was a better word than “compatible” to that end.

Rice suggested getting rid of the “consistent” and just leave “compatible” since “consistent” could be read as “the same” or “nearly the same,” which did not seem to be the intent.

Howe asked if the size of the allowable sign would be based on the size of the lot.

Ritchie and Zuccaro responded that the language was meant to help the signs scale up with the size of the building and the size of the lot.

Howe asked if the language on scale would relate to downtown.

Ritchie agreed that the scale of a downtown project would be different than projects elsewhere in the city, so the “scale” would be different.

Brauneis suggested that “appropriate” would be better than “consistent” for this point, as well.

Rice stated that he liked the first criterion, which demanded “excellence” as a benchmark for obtaining a waiver.

Hoefner suggested looking into the overlap among the four criteria with an eye toward condensing them into fewer points since often the Commission reviewed the list of criteria but then decided on a single point so maybe fewer points would be responsive to that.

***Minor Modifications and Master Sign Program***

Moline wondered if the incentive for an increase of up to 10% sign area through the Master Sign Program was sufficient.

Brauneis asked for the criteria for someone to be considered part of the Master Sign Program.

Ritchie replied that the Master Sign Program was an option for places with unique signage needs in specific uses and the bonus was meant to encourage excellence in design.

Rice agreed with Commissioner Moline’s point that the incentive should be greater, but asked for the thinking behind the 10% number.

Ritchie replied that the community was okay with signs that were a little bigger. 10% on height would be a lot since the height allowance was already high, but an increase beyond 10% for area could be acceptable. She suggested that they could increase the percentage or they could scale back on the by-right option and leave the 20% on area or scale back on the by-right signage size with the increase to 20% as the incentive.

Brauneis noted that scaling back the by-right seemed like penalizing people who wanted to be involved in the Master Sign Program.

Zuccaro stated that staff would bring additional information on this issue to the Commission.

### ***Areas in Louisville***

Ritchie presented the different areas in the sign plan: residential, commercial, industrial, mixed-used, and downtown. She noted that the downtown area was experiencing the least changes to signage criteria, since the City did not receive many waiver requests for the downtown area.

### ***Sandwich board signs***

Ritchie asked for feedback on where businesses could put their sandwich boards vis-à-vis the location of their business and allowing sandwich boards outside of downtown.

Rice asked if there were any caps on the total number of sandwich boards and voiced a concern for having too many of them on sidewalks.

Zuccaro replied that the allowances to have a sandwich board away from your storefront would only apply to alley-access businesses and a couple of private pedestrian alleyways downtown. The proposed language did not allow second-story businesses to have sandwich boards. He added that there was no cap on the total number of sandwich boards.

Brauneis thought it was excessive for businesses on Front Street to advertise on Main Street.

Moline asked for the rationale that business owners used to request allowing businesses on other streets to put their signs on Main Street.

Ritchie responded that these businesses largely made the argument that their signs were more effective if they were on Main Street.

Hoefner stated that he was sympathetic to the alley-fronted businesses. While those businesses knew they were going to have to operate in an alley, he liked the character of the alleyways and wanted to help encourage businesses there. He agreed that there should be limitations on where sandwich boards could be.

Rice noted that these could be considered de facto permanent signs even if they had to be taken in every night.

Zuccaro observed that sandwich boards could bring character to an area, but they had to be done right. He asked for commissioner comment on sandwich boards outside of downtown.

Brauneis and Hoefner noted that some existing signs were not of high quality.

Ritchie replied that there were standards for the design of sandwich boards and no plastic boards or letters were permitted.

Rice asked if there was a model community for regulating sandwich boards.

Zuccaro noted that staff had looked into other communities. The proposed language made it explicit how much sidewalk space had to be left unencumbered, what materials the sandwich boards could be, and how far the boards could be from the business in an effort to reduce clutter.

Howe stated that he was sympathetic with the alleyway issue, but also with the tenants who were paying a premium to be on Main Street. He advocated for linking the signs with the businesses spatially, especially since more clutter diluted the ability of other businesses to advertise.

### ***Murals outside of downtown***

Rice suggested having more regulations and standards for murals since murals could be bad.

Ritchie replied that the permitting process would ensure that there would be no commercial elements embedded in the art since that would be regulated under different criteria. Staff did not want to get into regulating artistic design.

Zuccaro noted that the City already allowed murals. The only thing that was changing downtown was the allowed size.

Moline asked if the proposed language would allow someone downtown to do an entire side.

Ritchie replied that someone could cover the sides and the back of their buildings, just not on the front.

Hoefner supported keeping it artistically open and observed that tenants with financial interests in a building would not support a bad mural.

Howe asked if there were a board that could evaluate the murals.

Zuccaro replied that public murals could go through a review process, but private artistic endeavors could not be regulated the same way.

Hoefner noted that RiNo in Denver had a number of cool murals that had helped to put the neighborhood on the map.

### **Flags**

Ritchie described the changes to the flag criteria, since they could no longer be regulated by content. The new criteria included size restrictions and number of flag restrictions.

### **Electronic Message Centers**

Ritchie noted that school signs were exempt from City regulations.

Brauneis stated that he felt the fewer of these the better and noted that they could contribute to residential light pollution.

Hoefner stated that gas stations did not bother him but other types of EMCs should go through a PUD. He did not support anything that flashed or moved through images too quickly.

Brauneis noted that the messaging speed for some of these signs was set at an optimal speed to get messages across to people driving by.

Ritchie stated that there are different regulations for not distracting drivers and it was important to consider who they were trying to create a message for.

Moline appreciated the detail, but he was a little worried that enforcement might be difficult and suggested moving some of the criteria to guidelines.

Ritchie responded that staff could dial back some of the specifics if the Commission decided to keep it as a PUD process only.

Rice stated that keeping it as a PUD only would allow City control while also not trying to write a one-size-fits-all set of criteria.

Zuccaro added that the community feedback was generally not comfortable with promoting these kinds of signs.

Brauneis asked about the gas station and menu board signs.

Zuccaro replied that those kinds of signs would be exempted.

Howe stated that making it different for the downtown area was that it was a disadvantage to a business downtown.

Ritchie replied that EMCs were not allowed downtown as menu boards.

Rice stated that the EMCs did not seem "compatible" with downtown. He agreed with Chair Brauneis that he wanted fewer of these signs, not more.

Zuccaro summarized that the Commission suggested keeping it as a PUD only and cutting back on the specificity in the criteria.

### ***Commercial areas***

Ritchie encouraged the commissioners to continue thinking about signs they liked and didn't like in the area and let staff know over the next few weeks.

Moline asked if it would be possible to know how many signs would be made non-conforming by these updates.

Ritchie replied that it would be very difficult to evaluate all the signs, but anything existing would be grandfathered in and staff anticipated that more signs would be conforming than non-conforming based on these changes.

### ***Downtown***

Brauneis asked for examples of current freestanding signs in Louisville currently.

Zuccaro listed Moxie, the Underground, and the gas station. He explained that freestanding signs might be appropriate for businesses that don't come up to the front property line. He noted that allowing freestanding signs in any case might allow buildings with setbacks of a few feet to add freestanding signs in front of their wall signs.

Rice suggested language offering that applicants could have either a wall sign or a freestanding sign.

### ***Temporary signs***

Rice noted that in commercial buildings that don't fill up, signs for rent or sale are effectively permanent. While he did not like the signs usually, their utility was indisputable.

Moline asked about the permit process.

Ritchie responded that staff would have to make sure that the permit section was not regulating print on temporary signs.

Zuccaro noted that staff had considered regulating changes of copy, especially situations with illumination changes. That would not affect the code, but would probably occur over the counter.

Moline observed that there were a lot of regulations related to illumination.

Richtie replied that those regulations attended to impact on neighbors and dark sky impacts.

### ***BRaD Requests***

Ritchie informed the Commission of the feedback from the BRaD discussion:

- Consider teardrop banners for Grand Openings
- Murals outside of Downtown and remove % restrictions
- Support sandwich boards outside of downtown
- Concern about allowing alley fronting businesses a sandwich board anywhere within the block
- Allow Electronic Message Centers

- Freestanding signs – reduce minimum building size to get the larger size

Brauneis observed that he thought teardrop banners were cheap and easy to use for businesses so they should not be outright banned.

Howe stated that there was some benefit to the teardrop banners for people who are driving and can give businesses the opportunity to advertise in non-pedestrian areas.

Hoefner voiced a concern about high winds and the teardrop banners.

Moline asked for staff's rationale for not allowing teardrop banners.

Zuccaro replied that he did not think the teardrop banners were considered high-quality sign types, but on a very limited basis they could be okay.

Brauneis asked if the 30-day grand opening counted as a "limited basis."

Ritchie noted that there were some areas that had high turnover and would have these signs more often.

Rice liked the definition section and suggested adding "raceway" and "way-finding" to the list.

Moline suggested that in the non-conforming signage language should regulate based on the area of the sign rather than the cost of the sign as a trigger.

Brauneis stated that the update to the Downtown Sign Guidelines a few years ago was meant to foster creativity and that encouraging creativity was a good idea when possible. He did not want signs to look the same here as they do everywhere else.

Moline stated that the graphics in the staff packet and the way the Code was laid out was user-friendly for laypeople in the community.

Ritchie responded to Commissioner Moline's emailed question, explaining that sign area was calculated using one viewpoint. So for a multidimensional sign where you could view multiple sides at once, whatever the largest surface area was visible from one point, that all counted toward your surface area.

Ritchie also addressed Commissioner Moline's other question about the language "enforced by city manager" and stated that that was typical language for enforcement.

Howe asked if there were exceptions for entry points to the city.

Zuccaro replied that the sign code would not address those issues. The consultant for the Small Area Plans designed entry signs for those plans but they had not been formally adopted or approved.

Hoefner suggested making it explicit in the language that the City wanted to encourage creativity and innovation around signs in the PUD process. General agreement from the Commission.

Zuccaro noted that there was aspirational language in the Downtown Sign Guide and thought that adding that kind of language to the new manual was a good idea.

Ritchie stated that the adoption of the sign code was tentatively on the June agenda and she encouraged the commissioners to reach out to staff with their observations over the coming months.

### **2019 Planning Commission Work Plan**

Brauneis noted that some commissioners had requested this discussion.

Zuccaro referred the commissioners to three documents to guide their discussion of the Commission's 2019 work plan: The Strategic Planning Framework, City Program Goals and Objectives, and the City of Louisville Comprehensive Plan. He noted that takeaways from the Commission's work plan would be funneled into the Council's 2020 work plan. He covered the goals from each of the three guiding documents and invited the Commission to address the following discussion points:

- Study session on topics of interest and additional research from staff?
- Explore and propose zoning or subdivision ordinance amendments?
- Explore Comprehensive Plan Amendments?
- Other ideas beyond the proposed workload?

Rice found the prioritization of the various projects appropriate.

Howe wondered how to approach the redevelopment and economic prosperity issues and if the Commission should be considering these issues on the scale of singular projects, like the McCaslin redevelopment, or considering them more broadly across the city?

Zuccaro replied that the Small Area Plans had been an opportunity to consider making changes to encourage development desires in incorporating those into zoning. The McCaslin study allowed the City to do market analysis in a way that they had not done in the Small Area Plans and, as such, the McCaslin area study would be a case study for those broader processes and considerations.

Howe asked who was responsible for pushing issues of economic development currently.

Zuccaro replied that the City had a staff and a committee for economic development and they were tasked with being the liaison between the business community and City Council. If there were concerns that overlapped with zoning then the Planning Commission should be involved in those discussions.

Howe wondered if there should be an additional box on the priorities list that addressed economic prosperity beyond specific area studies.

***Planning Commission  
Meeting Minutes  
June 13<sup>th</sup>, 2019  
City Hall, Council Chambers  
749 Main Street  
6:30 PM***

**Call to Order** – Chair Brauneis called the meeting to order at 6:33 PM.

**Roll Call** was taken and the following members were present:

Commission Members Present: Steve Brauneis, Chair  
Keaton Howe  
Jeff Moline  
Debra Williams  
Dietrich Hoefner  
Commission Members Absent: Tom Rice, Vice Chair  
Staff Members Present: Rob Zuccaro, Dir of Planning & Building Safety  
Lisa Ritchie, Senior Planner  
Felicity Selvoski, Planner/Historic Preservation  
Amelia Brackett, Planning Clerk

**APPROVAL OF AGENDA**

Moline moved and Howe seconded a motion to approve the June 13<sup>th</sup>, 2019 agenda.  
Motion passed unanimously by voice vote.

**APPROVAL OF MINUTES**

Howe moved and Moline seconded a motion to approve the April 11<sup>th</sup>, 2019 minutes.  
Motion passed unanimously by voice vote.  
Williams abstained due to her absence from the meeting.

Moline moved and Williams seconded a motion to approve the May 9<sup>th</sup>, 2019 minutes.  
Motion passed unanimously by voice vote.  
Hoefner abstained due to his absence from the meeting.

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

**NEW BUSINESS – PUBLIC HEARING ITEMS**

**Sireno Neighborhood Child Care Center SRU:** A request for approval of a Special Review Use to allow a Neighborhood Child Care Center to provide care for up to 12 children at 224 Front Street (Resolution 8, Series 2019)

- Applicant: Front Street Child Care, Denise Ehrmann Sireno
- Case Manager: Lisa Ritchie, Senior Planner

Moline supported Director Zuccaro's suggestion and asked about height under current regulations.

Zuccaro replied that under current regulations it was 35 feet under all of Parcel O. He clarified that his recommendation would reduce residential from three stories to two stories and from 40 feet to 35 feet while keeping the commercial heights the same. He stated that there was no setback within the GDP. He noted that having a walk-out might create a better streetscape, for example, so staff had wanted some flexibility there. The Commission could say that they did not want any buildings within the Dahlia line, which could provide some protections to the property owners.

Moline noted that there had been no residential use allowed before and there had been commercial uses going all the way up to a street across from residential. He would rather see setbacks develop with the PUD proposals.

Zuccaro stated that the current commercial design requirements would have minimum setbacks and the Commission could make recommendations on the updated commercial design requirements.

Moline stated that he liked Zuccaro's wording for the condition dealing with the 200-foot buffer.

Zuccaro summarized that the Commission could approve the resolution with the condition that the MCB height restriction be reduced for residential from 3 stories to 2 stories and from 40 feet to 35 feet (and 35 feet or 30.)

Howe made a motion to approve Resolution 11, Series 2019 with the condition as stated by Director Zuccaro. Roll call vote. Williams voted nay. All else in favor. Motion passed 4-1.

**LMC Amendment – Sign Code Update:** A request for approval of an ordinance amending Title 17 of the Louisville Municipal Code regarding sign regulations throughout the City of Louisville. (Resolution 12, Series 2019)

- Applicant: City of Louisville
- Case Manager: Lisa Ritchie, Senior Planner

Notice met as required.

Ritchie presented the sign code update, noting that the consultants and staff were still working through how to handle signs for civic events on City property. She presented the changes to the amendment since the April Planning Commission meeting:

- Additional language for sign purpose in Downtown, taken from Downtown Sign Manual
- Property owners may follow PUD or new sign code
- Removed requirement that building mounted flags count toward wall sign allowance
- Master Sign Program removed
- Waiver criteria, per Planning Commission discussion

- Some specificity for Electronic Message Centers (EMCs) removed
- Properties east of the railroad tracks in Downtown subject to the Mixed-Use standards
- Murals allowed on accessory and other structures
- Up-lit monument signs not permitted
- Sandwich Board signs – removed provision to allow alley-fronting businesses a sign anywhere within the block
- Other minor clarifications

Ritchie explained that the ordinance would repeal all existing sign regulations and adopt the new regulations as a single ordinance. She noted that a Council member wanted to know the Commission's opinion on expanding allowed size for painted wall signs.

Moline asked how that was different from a mural.

Ritchie replied that murals did not have commercial speech.

Staff recommends approval of Resolution 12, Series 2019.

Hoefner thought that the new proposal incorporated the feedback from the previous Commission meeting. He noted that there were compelling public comments about the sandwich board signs for businesses that front onto alleys.

Ritchie acknowledged that the feedback on the boards was not unanimous.

Howe asked about the options for temporary business signs beyond downtown.

Ritchie replied that sandwich boards were allowed beyond downtown, but they could not be on right-of-way and they would have to be on building frontage. Temporary banners were allowed for up to 60 days a year and the size of those signs was tied to the building size up to 60 square feet in commercial areas. There were also sign allowances and requirements for yard and site signs.

Brauneis asked about the logic on the painted signs.

Ritchie replied that her understanding was that it was an aesthetic preference for painted signs.

Hoefner stated that he liked painted signs, but he did not see any need to further incentivize them.

Gerald Dahl of Murray Dahl Beery Renaud LLP, discussed banner signs in the right-of-way. The 2015 Supreme Court ruling meant that cities could no longer regulate signs based on content. Now most people identify signs by type, like banner or roof signs. Exempt signs on public property include city-related communications, like speed signs or city library events signs. There was also concern over regulating the public forum. He stated that there were three choices for dealing with this issue:

- City events only

- Generally civic-related signs
- Using a permit program for the signs, with the City reserving a certain number for itself

He stated that options 1 and 2 were the safest, even though most people went with a middle route. He requested guidance from the Commission as to if the City was interested in allowing limited civic signs beyond just those of the City itself, like from a county library or a private hospital.

Brauneis asked Ritchie about quasi-public events.

Ritchie replied that the current status was to allow city-related events on City property and staff was comfortable with keeping the allowance for city-sponsored or city-related events.

Dahl noted that City-sponsored events were a safer option.

Zuccaro added that city-sponsored meant either contributing money to or using staff time on the event. There were probably some events that people think are city-sponsored that are not.

Dahl noted that codifying that would mean that the City would have to say no to a sign based on the use of the banner.

Moline asked for staff's perspective on the permitted option.

Zuccaro did not recommend that option since it opened up a slew of issues, including people not understanding the limit.

Hoefner asked staff if they received inappropriate signage requests currently.

Ritchie replied that in her experience someone who wanted to put up something controversial typically did not ask for permission from the City.

Zuccaro noted that option 3 would not allow the City to distinguish between commercial and city-sponsored events.

Ritchie added that the City-sponsored event was a clear line that staff could administer.

Dahl replied that he would help codify that desire since it was not in the Code currently.

Howe stated that he was supportive of the city-sponsored idea.

Martin Landers with Plan Tools stated that he had been working with City staff on technical issues and offered to answer questions from the Commission.

Brauneis asked for additional comment from the Commission. None.

Howe stated his support for the proposal because it addressed the needs of businesses and citizens without allowing signs everywhere.

Williams stated that she did not approve of the edit that an alley-facing business could not put their signs on the street.

Hoefner shared that concern.

Hoefner moved to approve Resolution 12, Series 2019. Howe seconded. Roll call vote. All in favor. Motion passed unanimously.

### **COMMISSIONER COMMENTS**

None.

### **STAFF COMMENTS**

None.

### **ITEMS TENTATIVELY SCHEDULED FOR JULY 11<sup>TH</sup>, 2019**

- Speedy Sparkle PUD Amendment
- Transportation Master Plan
- 824 South Street SRU
- 1776 Boxelder PUD

**Adjourn:** Chair Brauneis adjourned meeting at 10:36 PM.

***City Council  
Business Retention and  
Development Committee  
Meeting Minutes***

**April 1, 2019  
Library Meeting Room  
951 Spruce Street  
Louisville, CO 80027**

- I. CALL TO ORDER** –The meeting was called to order by Chair Oberholzer at 8:00 AM in the Library Meeting Room at the Louisville Public Library, 951 Spruce Street, Louisville, Colorado 80027.
- II. ROLL CALL** – The following members were present:

Committee Members Present:

Shelley Angell  
Nicole Mansour  
Steve Erickson  
Mark Oberholzer  
Todd Budin  
Darryl LaRue

Council Liaisons:

Council Member Susan Loo

Absent Committee Members: Scott Reichenberg

Staff Present:

Aaron DeJong, Economic Development Director  
Lisa Ritchie, Senior Planner–Planning & Bldg Safety Dept.  
Rob Zuccaro, Director – Planning & Building Safety Director

Others Present:

Laura Levesque-Catalano Sustainability Advisory Board,  
Jim Tienken, Randy Caranci, Mike Kransdorf, Mike Deborski

**MEETING WAS CALLED TO ORDER BY COMMITTEE CHAIR OBERHOLZER**

**III. APPROVAL OF MARCH 4, 2019 MINUTES** – On proper motion, the Committee approved the BRaD Committee minutes of March 4, 2019.

**IV. APPROVAL OF AGENDA** – Approved.

**V. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA:**

**VI. BUSINESS MATTERS OF THE COMMITTEE:**

**1. 2019 Louisville Sign Code Update:**

Senior Planner Lisa Ritchie provided the Committee with a review of the comprehensive update being conducted for the Louisville signage ordinances. Ms. Ritchie noted that the process would seek comment of the public and businesses, and would extend through the summer, with planned presentation to the City Council in the fall. Discussion / questions from the /committee and public included:

- How will the new ordinance handle sandwich boards and sidewalk signs;
- Will there be allowance for Grand Opening signs;
- Teardrop / feather and moving signs;
- Electronic Signs are the future of signage – updated signage code should not unduly restrict use / incorporation of electronic signs;
- Kiosk signs are ideal medium / site for electronic signs;
- Support allowing wall murals;

**2. May Business Forum Discussion:** Aaron DeJong informed the Committee that Dr. Richard Wobbekind had accepted the invitation to present as Keynote Speaker at the upcoming Louisville Business Forum. He is available the week of June 10. The Committee suggested targeting the Forum for:

- Date: Thursday morning June 13 (fall-back date of Wed June 12)
- Time: 8 am networking; Speaker kickoff 8:30 am; Finish 9:30 - 10
- Location: Louisville Rec Center

**3. 2019 BRaD Topic Calendar.** The Committee reviewed the suggested Topic Schedule provided in the agenda packet.

**4. May 1, 2019 Open Government Training (6:30 City Hall).** Members that have not attended the training within the last two years should attend. DeJong notified those who are due for the refresher.

**VII. COUNCIL LIAISON UPDATE.**

- Laura Levesque-Catalano, member of the Louisville Sustainability Advisory Board, informed the Committee about the Louisville Green Business program (flyer attached).
- Ms. Levesque-Catalano noted that Colorado business recycling has much room to improve. Ms. Levesque-Catalano circulated information regarding Colorado