



BOARD OF TRUSTEES
May 10, 2022
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

Regular Meeting Agenda

Individuals wishing to make public comments must attend the meeting in person or may submit comments by sending an email to euckerkk@wellingtoncolorado.gov. The email must be received by 4:00 p.m. on the day of the meeting. The comments will be provided to the Trustees and added as an addendum to the packet. Emailed comments will not be read during the meeting.

The Zoom information below is for online viewing and listening only.

<https://us06web.zoom.us/j/81230291161?pwd=cVVRTFZOZnBGSktVaWhERC9vd0ROdz09>

Passcode: 101434

Or One tap mobile :

US: +17207072699,,81230291161# or +13462487799,,81230291161#

Or Telephone:

US: +1 720 707 2699 or +1 346 248 7799 or +1 253 215 8782 or +1 646 558 8656

Webinar ID: 812 3029 1161

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Amendments to Agenda
4. Conflict of Interest

B. COMMUNITY PARTICIPATION

1. Public Comment
2. Proclamation
 - a. Mental Health Awareness Month
 - b. Kids to Parks Day

C. CONSENT AGENDA

1. WaterNow Alliance Project Accelerator Grant Memorandum of Understanding
2. Minutes of the April 19, 2022 Board of Trustees Special Meeting

3. Minutes of the April 26, 2022 Board of Trustees Regular Meeting

D. ACTION ITEMS

1. Board of Trustee Appointments to Boards and Commissions
 - Presentation: Calar Chaussee, Mayor
2. Ordinance 11-2022 - An Ordinance Amending the 2022 Adopted Budget
 - Presentation: Vik Runkle, Interim Finance Director
3. Lease Agreement for Water Treatment Plant Expansion
 - Presentation: Meagan Smith, Deputy Public Works Director
4. Ordinance No. 10-2022 - An Ordinance of the Town of Wellington Establishing the Wellington Finance Committee as a Formal Advisory Board to the Board of Trustees
 - Presentation - Patti Garcia, Town Administrator

E. LIQUOR LICENSE AUTHORITY

1. Special Event Permit Application - Brewfest
 - Presentation: Krystal Eucker, Town Clerk

F. REPORTS

1. Town Attorney
2. Town Administrator
3. Staff Communications
 - a. Larimer County Sheriff's Office Monthly Report - March 2022
 - b. Quarterly Report - Wellington Main Streets Program
 - c. Boys and Girls Club Report
4. Board Reports

G. ADJOURN

The Town of Wellington will make reasonable accommodations for access to Town services, programs, and activities and special communication arrangements. Individuals needing special accommodation may request assistance by contacting at Town Hall or at 970-568-3380 ext. 110 at least 24 hours in advance.



PROCLAMATION

Mental Health Awareness Month

May 1-31, 2022

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with early and effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

THEREFORE, I Calar Chaussee, do hereby proclaim May 2022 as Mental Health Month in the Town of Wellington.

As the Mayor of Wellington, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in Wellington to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

Dated this 10th Day of May, 2022.

Calar Chaussee, Mayor



PROCLAMATION

Declaring May 21, 2022 as “Kids to Parks Day”

WHEREAS, May 21, 2022 is the 12th Kids to Parks Day organized and launched by the National Park Trust held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit local parks, public lands, and waters; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

WHEREAS, Kids to Parks Day will recognize the importance of recreating responsibly while enjoying the benefits of the outdoors; and

NOW, I Calar Chaussee, do hereby proclaim that May 21, 2022 is recognized as Kids to Parks Day in the Town of Wellington and encourage the community to celebrate and get outdoors.

Dated this 10th day of May 2022

Calar Chaussee , Mayor

Board of Trustees Meeting

Date: May 10, 2022
Submitted By: Hallie Sheldon, Senior Management Analyst
Subject: WaterNow Alliance Project Accelerator Grant Memorandum of Understanding

EXECUTIVE SUMMARY

The Town of Wellington was awarded a grant in January 2022 to create a Wellington Water Efficiency Campaign which would provide educational resources, including best practices, for residents. The town has been granted 250 hours of professional support for 6 months (valued at \$25,000) to develop this campaign with the WaterNow Alliance. The WaterNow Alliance Project Accelerator program focuses on providing high-value capacity and expertise to public water, wastewater, and stormwater agencies to make substantial progress locally in water saving practices. This program provides professional hands-on support and technical program assistance to local water providers in developing water efficiency programming. The Town pursued this opportunity in alignment with the 2021 [Strategic Plan Goal](#): Develop communications strategy for Town's Water Conservation Plan. This outreach campaign was also identified as a strategic water savings method in the Town's 2018 adopted [Municipal Water Efficiency Plan](#). You can find this plan on the Town website under the Water and Sewer page.

BACKGROUND / DISCUSSION

The Town of Wellington will work with WaterNow to create a specialized water efficiency campaign which provides educational resources and information for residents. This educational campaign has been identified as a key activity in Wellington's Municipal Water Efficiency Plan, along with 28 other water efficiency activities which are slated for implementation over a ten-year horizon. As part of the project, the Town aims to understand the unique needs of our population, including those that are on a fixed income, homeowners associations, and Spanish-speaking households. The Town has an overarching goal to engage 100 new residents with their water efficiency programming within one year. Creating a targeted water efficiency campaign with attainable goals for Wellington's residents will reduce utility treated water, as well as related stormwater, wastewater, and non-potable irrigation systems, which will benefit the long term supply of the Town and larger region.

This project will occur over a 6-month process starting once this memorandum has been signed and will incorporate a 6-phase approach. These 6 phases include background research, peer community reviews, stakeholder interviews and meetings, draft feedback opportunities, toolkit development, etc. Please see Attachment A for a full outline of the Project Description including outcomes, deliverables, engagement practices, timeline, etc. The final deliverable for this project will be an adaptable outreach and communication toolkit for Wellington's water use efficiency and conservation programming that can be used now and adapted for future needs of the community.

A brief description of each phase has been provided below (more details can be found in Attachment A: *Town of Wellington Project Brief*):

Phase 1 (May - June): Background research - develop baseline of understanding of existing water conservation efforts and outreach/engagement

- Document and clarify existing and past water use efficiency and conservation programming and outreach practices.
- Consider the diverse demographics present in Wellington, and determine which populations (e.g. Spanish-speaking residents, populations on a fixed income, etc.) as well as other identified groups such as home-owners associations, may benefit from targeted outreach.
- Identify community stakeholders who will be important to engage during Phase 2 (Initial Community Member Stakeholder Engagement), particularly regarding the Spanish-speaking community, homeowners associations, fixed income groups, or other demographic groups in Wellington.
- Understand efforts taken to engage the Spanish-speaking community, homeowners associations, fixed income groups, and other demographic groups in Wellington, as well as any lessons learned (e.g., the process used through the Comprehensive Plan and Land Use Code).



- Identify Wellington's perspectives on successes and challenges in past outreach processes, and goals for future outreach campaigns.
- Identify Wellington's goals for potential water savings strategies and water savings goals to be included in the outreach campaign.
- Analyze the broader population of Wellington's motivations and obstacles to participating in water use efficiency programs.

Phase 2 (July - September): Initial Community Member Stakeholder Engagement

- Ascertain some of the perspectives of populations identified for targeted outreach in Phase 1 (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income) regarding general outreach and engagement with the Town.
- Record these demographic groups' preferences for outreach content and mediums.
- Analyze what is important to members of these demographic groups regarding water conservation (i.e., how do they engage with water conservation, what might motivate them to conserve water).
- Identify any messaging and outreach efforts that have previously resonated with these demographic groups (not necessarily limited to water efficiency and conservation).
- Ask community stakeholders if they would be able to provide feedback on the draft campaign which will be developed during Phase 4, and note any preferences on how they would like to provide feedback (e.g., through meetings, through direct feedback on draft materials, etc.).

Phase 3 (July - September): Research Strong Outreach Campaigns and Conduct Informational Interviews

- Identify best practices to enhance outreach and engagement with water use efficiency and conservation programming in diverse communities (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income).
- Determine best practices for iterating communications and outreach content, to inform the practices used to develop content in Phases 4-6.

Phase 4 (October - November): Initial Design for Outreach and Communications Toolkit

- Develop an initial water use efficiency and conservation outreach campaign design which is relevant for Wellington's diverse population.
- Ensure that messaging and visuals resonate for the populations identified for targeted outreach in Phase 1 (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income).

Phase 5 (November - December): Review Campaign Design with Secondary Round of Community Stakeholder Engagement

- Obtain feedback on the WUE and conservation outreach campaign and strategy which reflects the preferences for outreach content and mediums across stakeholder groups.
- Understand community groups' feedback on the WUE and conservation goals and strategies included in the campaign.

Phase 6 (January): Finalize Outreach and Communications Toolkit

- Provide Wellington with an outreach and communications toolkit to support implementation of Wellington's water use efficiency and conservation programming.
- Provide a toolkit which can be tailored for future use by Wellington.



- Integrate learnings from secondary round of stakeholder engagement to finalize the outreach and communications toolkit materials in English and Spanish.

Financial Considerations

There is no match requirement for the Town of Wellington with this grant opportunity. This grant is for 250 hours of professional services provided by the WaterNow Alliance (value of \$25,000). If there are any outside costs associated with this grant such as supplies for stakeholder engagement meetings, the Town does have \$5000 included in the CIP Water Efficiency Program for education and outreach materials if necessary.

STAFF RECOMMENDATION

Optional motion:

- Move to approve the Memorandum of Understanding between the Town of Wellington and the WaterNow Alliance.

ATTACHMENTS

1. 2022.05.02 Combined MOU_Attachment A_Wellington CO_WaterNow

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF WELLINGTON, CO AND
WATERNOW ALLIANCE**

This Memorandum of Understanding (“MOU”) is made effective as of this ____ day of May, 2022 (the “Effective Date”), between the Town of Wellington (“Town” or “Wellington”), a statutory town located in Larimer County, CO, and WaterNow Alliance (“WaterNow”), a project of Multiplier, a California nonprofit public benefit corporation, regarding development of recommendations for the Wellington Water Efficiency Campaign (“Project”). The Town and WaterNow are, at times, individually referred to as a “Party” and collectively referred to as the “Parties.”

I. BACKGROUND AND PURPOSE

Wellington has experienced rapid population growth, roughly doubling in size since 2008, with more growth expected in the coming years. Given this population growth and its status as a bedroom community, Wellington has experienced unprecedented demands on its water resources and delivery systems, including those associated with increased water use as residents shifted to working from home during the COVID-19 pandemic. Along with existing planning efforts to support growth (such as Wellington’s 2018 Municipal Water Efficiency Plan or MWEP), this experience served to catalyze the importance of optimizing the Town’s water supplies and systems through implementation of priority water efficiency activities.

WaterNow Alliance (WaterNow) will work with the Town of Wellington to create a specialized water efficiency campaign which provides educational resources, including best practices, for residents. This educational campaign is also identified as a key activity in Wellington’s MWEP, along with 28 other water efficiency activities which are slated for implementation over a ten year horizon. As part of the project, Wellington aims to understand the unique needs of its population, including those that are on a fixed income, homeowners associations, and Spanish-speaking households. The Town has an overarching goal to engage 100 new residents with their water efficiency programming within one year. Creating a targeted water efficiency campaign with attainable goals for Wellington’s residents will reduce utility treated water, as well as related stormwater, wastewater, and non-potable irrigation systems, which will benefit the long term supply of the Town and larger region.

II. RECITALS

WHEREAS, the Parties have a common interest in promoting sustainable water solutions and water use efficiency in Wellington’s service area and throughout the U.S.; and

WHEREAS, Wellington adopted a Municipal Water Efficiency Plan in 2018 which identifies priority water efficiency activities, including educational activities, as a water savings practice the Town

can implement within the next 10 years; and

WHEREAS, Wellington is highly committed to optimizing its water supplies and system through practical water efficiency activities, and in order to achieve compliance with Colorado legislation regarding water use; and

WHEREAS, Wellington seeks to engage its diverse population and provide access to water efficiency education for all residents.

III. RESPONSIBILITIES OF THE PARTIES

- A. A detailed work plan is set forth in Attachment A to this MOU entitled: *“Town of Wellington Project Brief: Wellington Water Efficiency Campaign”* outlining the Parties’ respective responsibilities under this MOU, which attachment is incorporated herein by this reference.
- B. As detailed in Attachment A, WaterNow will provide up to 250 hours of technical and program support over a 6 to 12-month period, free of charge, to Wellington to support the Town’s effort to develop an educational water efficiency campaign.
- C. WaterNow will provide notice when Wellington has received 200 hours of such service and will not provide services in excess of the free 250 hours unless the parties mutually agree and execute a revised MOU establishing the terms for execution of such further services.
- D. As detailed in Attachment A, Wellington will provide the staff and time necessary to support, review and provide timely feedback on all WaterNow deliverables.
- E. WaterNow will, to the best of their ability, make the following contributions to the Project:
 - a. A brief memorandum summarizing Wellington’s current and past water conservation and efficiency programs and related outreach and community engagement.
 - b. Two brief memorandums summarizing discussions conducted with community stakeholders.
 - c. A brief memorandum summarizing discussions with national programs.
 - d. Draft and final outreach and communications toolkit for the water use efficiency programming.

IV. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this MOU.

Hallie Sheldon, Senior Management Analyst, Town of Wellington, CO

Meagan Smith, Deputy Public Works Director, Town of Wellington, CO
Kelly Houghteling, Deputy Town Administrator, Town of Wellington, CO
Mahalia Henschel, Communications Specialist, Town of Wellington, CO

Cynthia Koehler, Executive Director, WaterNow Alliance
Amy Weinfurter, Director of Strategic Projects, WaterNow Alliance
Victoria Arling, Colorado Basin Program Manager, WaterNow Alliance
Georgia Beesemyer, Project Manager, WaterNow Alliance

- V. TERMINATION AND MODIFICATION.** This MOU shall terminate 12 months after the Effective Date unless otherwise extended by written mutual agreement of the Parties. Each Party to this MOU may withdraw from and terminate the MOU upon written notice to the other Party.
- VI. NO OBLIGATION OF FUNDS.** Nothing in this MOU shall obligate the Parties to any current or future expenditure of funds on any particular project or purpose, even if funds are available.
- VII. NO LEGAL RIGHTS OR LIABILITIES.** The Parties agree that this MOU does not constitute any legal admission or opinion as to the subject matter, nor does it create any legal rights or liabilities between the Parties or to third parties.
- VIII. CONFIDENTIALITY AND PRIVACY ISSUES.** The Parties agree and acknowledge that both the terms of this MOU and the discussions relating to the collaborative activity are confidential and neither Party will disclose them without the prior written consent of the other Party. Notwithstanding the foregoing, the Parties also acknowledge that the Town of Wellington is a government entity subject to the requirements of the Colorado Open Records Act, and therefore may release any and all records requested and permitted for release under such law.
- IX. ENTIRE AGREEMENT.** This MOU represents the entire understanding between the Parties and supersedes any prior agreements or understandings with respect to the subject of this MOU. No changes, amendments or alterations to this MOU will be effective until in writing and signed by the Parties.

[Signatures on Following Page]

The effective date of this MOU is the date set forth above.

WATERNOW ALLIANCE

By:

Date

Cynthia Koehler, Executive Director, WaterNow

TOWN OF WELLINGTON, CO

By:

Date

Hallie Sheldon, Senior Management Analyst, Town of Wellington, CO

Town of Wellington, CO | Wellington Water Efficiency Campaign - Project Accelerator

Background

The Town of Wellington (“Town” or “Wellington”) is located along Colorado’s Front Range in Larimer County, and is primarily considered a suburb of the nearby City of Fort Collins. Wellington has experienced rapid population growth, roughly doubling in size since 2008, with more growth expected in the coming years. Given this population growth and its status as a bedroom community, Wellington has experienced unprecedented demands on its water resources and delivery systems, including those associated with increased water use as residents shifted to working from home during the COVID-19 pandemic. Along with existing planning efforts to support growth (such as Wellington’s 2018 Municipal Water Efficiency Plan or MWEP), this experience served to catalyze the importance of optimizing the Town’s water supplies and systems through implementation of priority water efficiency activities.

WaterNow Alliance (WaterNow) will work with the Town of Wellington to create a specialized water efficiency campaign which provides educational resources, including best practices, for residents. This educational campaign is also identified as a key activity in Wellington’s MWEP, along with 28 other water efficiency activities which are slated for implementation over a ten year horizon. As part of the project, Wellington aims to understand the unique needs of its population, including those that are on a fixed income, homeowners associations, and Spanish-speaking households. The Town has an overarching goal to engage 100 new residents with their water efficiency programming within one year. Creating a targeted water efficiency campaign with attainable goals for Wellington’s residents will reduce utility treated water, as well as related stormwater, wastewater, and non-potable irrigation systems, which will benefit the long term supply of the Town and larger region.

Project Outline

The project outline below describes how WaterNow proposes to partner with the Town of Wellington to research their water use efficiency program activities and outreach practices and develop a specialized water efficiency educational outreach campaign which is tailored to the Town’s residents. This initiative is part of the Winter 2022 WaterNow Project Accelerator, which will provide Wellington with up to 250 hours of program support over a 6–9-month period. Additional support, if requested by the Town, may be available on a fee-for-service basis.

Phase 1 | Background Research – Develop Baseline Understanding of Existing Water Conservation Efforts and Outreach/Engagement (May – July)

WaterNow will establish a foundational understanding of Wellington’s current water efficiency programs, including its youth programming and suite of offerings, including those implemented in partnership with Northern Water.¹ Programs offered in partnership with Northern Water include a showerhead exchange program, landscape irrigation audits, and classes and educational workshops related to water use efficiency and conservation. Additionally, WaterNow will gain an understanding of Wellington’s current and past outreach practices and community engagement related to these programs, through interviews with key staff members (and other relevant stakeholders, if applicable). Additionally, WaterNow will review background documents, including relevant current and past outreach materials and messaging; planning documents such as the 2018 Water Efficiency Plan and 2020 Strategic Plan; 2022 Land Use Code (with newly adopted Landscape and Irrigation Standards); media coverage of Wellington’s outreach efforts;² and the Glenwood Springs campaign (cited as a reference in Wellington’s original grant application).³

Objectives:

- To document and clarify existing and past water use efficiency and conservation programming and outreach practices.
- To consider the diverse demographics present in Wellington, and determine which populations (e.g. Spanish-speaking residents, populations on a fixed income, etc.) as well as other identified groups such as home-owners associations, may benefit from targeted outreach.
- To identify community stakeholders who will be important to engage during Phase 2 (Initial Community Member Stakeholder Engagement), particularly regarding the Spanish-speaking community, homeowners associations, fixed income groups, or other demographic groups in Wellington.
- To understand efforts taken to engage the Spanish-speaking community, homeowners associations, fixed income groups, and other demographic groups in Wellington, as well as any lessons learned (e.g., the process used through the Comprehensive Plan and Land Use Code).
- To understand Wellington’s perspectives on successes and challenges in past outreach processes, and goals for future outreach campaigns
- To understand Wellington’s goals for potential water savings strategies and water savings goals to be included in the outreach campaign.

¹ See: <https://www.northernwater.org>.

² April 2021 9News article regarding the Latinx community and outreach to this community during the Comprehensive Plan process.

³ Wellington cited the Glenwood Springs campaign as a potential model for their new Water Efficiency Campaign.

- To comprehend the broader population of Wellington’s motivations and obstacles to participating in water use efficiency programs, as understood by Wellington.

WaterNow Tasks:

- Review information about Wellington’s WUE and conservation programs, planning documents and Town/regional measures (as relevant to the project), as provided by Wellington and through publicly available channels.
- Conduct 2-3 informational interviews with key staff members supporting program implementation and outreach efforts regarding Wellington’s water use efficiency (WUE) and conservation initiatives.
- Understand Wellington’s obtainable water savings goals and strategies, which will be part of the outreach campaign.
- Develop a list of community stakeholders it will be important to engage in Phase 2 of this project, particularly regarding the Spanish-speaking community homeowners associations, and fixed income groups.

Wellington Tasks:

- Provide examples of current and past outreach to customers, as well as other relevant documents.
- Identify and facilitate discussions with relevant staff that will be interviewed.
- Participate in the informational interviews, if desired.
- Share the obtainable water savings goals and strategies which will be part of the outreach campaign.
- Review and provide timely feedback on Phase 1 deliverables.
- Provide feedback and ideas to help generate a list of potential community outreach partners for rolling out the outreach campaign (e.g., non-profit organizations which serve various community demographic groups).

WaterNow Deliverables:

- A memorandum summarizing findings from research conducted during Phase 1, including current and past conservation programs and related outreach and community engagement, and a list of key community stakeholders (including the Spanish-speaking community, homeowners associations, and fixed income groups).

Phase 2 | Initial Community Member Stakeholder Engagement (July – September)

Following Phase 1, WaterNow and Wellington will conduct stakeholder conversations with key community stakeholder organizations, including those which support populations identified for targeted outreach in Phase 1 (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income), to gain an understanding of some of the

perspectives of these different demographic groups. These discussions will focus on the outreach and engagement preferences of the various demographic groups; suggested approaches to building trust and strengthening relationships; understanding attitudes towards water efficiency and conservation; and any barriers or obstacles to participation in WUE and conservation programs they may be aware of. WaterNow will also conduct additional research regarding key community stakeholders, as needed, to ensure community perspectives are well represented.

Objectives:

- To ascertain some of the perspectives of populations identified for targeted outreach in Phase 1 (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income) regarding general outreach and engagement with the Town.
- To appreciate these demographic groups' preferences for outreach content and mediums.
- To understand what is important to members of these demographic groups regarding water conservation (i.e., how do they engage with water conservation, what might motivate them to conserve water).
- To identify any messaging and outreach efforts that have previously resonated with these demographic groups (not necessarily limited to water efficiency and conservation).
- To ask community stakeholders if they would be able to provide feedback on the draft campaign which will be developed during Phase 4, and note any preferences on how they would like to provide feedback (e.g., through meetings, through direct feedback on draft materials, etc.).

WaterNow Tasks

- In collaboration with Wellington, select 3-4 key community stakeholder organizations/individuals for informational interviews, as identified in Phase 1.
- Conduct 3-4 informational interviews with key community stakeholders.

Wellington Tasks

- Select 3-4 community stakeholder organizations/individuals for informational interviews, as identified in Phase 1.
- Facilitate introductions to community stakeholder groups, if feasible, based on existing relationships.
- Participate in the informational interviews with community stakeholders.
- Review and provide timely feedback on Phase 2 memorandum deliverable.

WaterNow Deliverables

- A memorandum summarizing the informational interviews conducted with community stakeholders, including their perspectives and attitudes towards community outreach and engagement, as well as water use efficiency and conservation.

Phase 3 | Research Strong Outreach Campaigns and Conduct Informational Interviews (July – September)

During Phase 3, WaterNow will conduct research to identify strong national outreach programs and campaigns focused on water use efficiency and conservation. Program research will focus on water conservation campaigns, but research could include strong campaigns that are not focused on water conservation but might yield best practices. Research will focus on programs and campaigns that have similarities regarding the diversity of demographics present in Wellington, focusing on the populations identified for targeted outreach in Phase 1 (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income). WaterNow will conduct informational interviews with selected programs to glean their strategies and best practices for creating their outreach campaigns and engaging with community stakeholders.

Objectives:

- To identify best practices to enhance outreach and engagement with water use efficiency and conservation programming in diverse communities (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income).
- To determine best practices for iterating communications and outreach content, to inform the practices used to develop content in Phases 4-6.

WaterNow Tasks

- WaterNow will create a list of 6-8 U.S. programs/campaigns focused on those that have similarities regarding the diversity of demographics present in Wellington, particularly on the populations identified for targeted outreach in Phase 1 (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income), and conduct more detailed informational interviews with 3 program administrators to learn about their outreach program implementation strategies, identified best practices, lessons learned, and successes.

Wellington Tasks

- Select 3 campaigns/programs for informational interviews.
- Participate in informational interviews, if desired.
- Review and provide timely feedback on Phase 3 memorandum deliverable.

WaterNow Deliverables

- A memorandum summarizing informational interviews conducted with national programs engaging key demographic groups such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income.

Phase 4| Initial Design for Outreach and Communications Toolkit (October – November)

WaterNow will collate the research and learnings from Phases 1-3 to iteratively design a draft water use efficiency and conservation outreach campaign toolkit, focusing in particular on the populations identified for targeted outreach in Phase 1 (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income), including strategy and design examples of promotional materials to maximize public knowledge of and participation in the WUE and conservation programs. Wellington and WaterNow will determine the best process to gather feedback from Wellington staff to iterate the communications materials (e.g., in a meeting, through a review of draft documents, through beta testing of different messaging strategies by Wellington's comms department, etc.). Promotional materials produced will be determined by Wellington's priorities and preferences (for example, a one-page informational flier or smaller handout that can be posted on the Town's website and made available at key strategic locations, at local events, including community partner offices/locations; social media posts, etc.). Specifics about the collateral will be decided with the Town as the outreach strategy is developed. WaterNow anticipates committing 10-20 hours on design work for Phase 4. Community partners that Wellington identifies may provide additional platforms to spread knowledge about the programs once the campaign is ready for rollout.

Objectives:

- To develop an initial water use efficiency and conservation outreach campaign design which is relevant for Wellington's diverse population.
- To ensure that messaging and visuals resonate for the populations identified for targeted outreach in Phase 1 (such as the Spanish-speaking community, homeowners associations, and populations reliant on a fixed income).

WaterNow Tasks

- Incorporate the research and learnings from Phases 1-3 of this project to develop a draft outreach and communications toolkit for Wellington's WUE and conservation programming.

Wellington Tasks

- Support WaterNow in determining how best to gather feedback from Wellington staff to iterate the communications materials (e.g., in a meeting, through a review of draft documents, through beta testing of different messaging strategies, etc.).
- Provide Spanish-language translation support to ensure that messaging and visuals are culturally appropriate and resonate for the Spanish-speaking community.

- Select attainable water savings goals and strategies for residents which will be centrally promoted in the campaign.
- Review and provide timely feedback on Phase 4 draft outreach and communications toolkit deliverable.

WaterNow Deliverables

- Draft outreach and communications toolkit for the water use efficiency and conservation programming.

Phase 5 | Review Campaign Design with Secondary Round of Community Stakeholder Engagement (November – December)

WaterNow will support the Town of Wellington in re-engaging with community stakeholders engaged during Phase 2, to present the campaign draft and outreach strategy and obtain their feedback. This may include up to three separate conversations (virtual or in-person, dependent on Wellington's and community stakeholders' preferences, any state public health guidelines).

Objectives:

- To obtain feedback on the WUE and conservation outreach campaign and strategy which reflects the preferences for outreach content and mediums across stakeholder groups.
- To understand community groups' feedback on the WUE and conservation goals and strategies included in the campaign.

WaterNow Tasks

- Help convene and facilitate the process of community group engagement (for instance, supporting Wellington's outreach to engage stakeholders, helping facilitate stakeholder feedback through the creation of online feedback forms, questions for stakeholder meetings, and development of meeting agendas, etc.).
- Synthesize stakeholder feedback in a brief memorandum (if WaterNow is able to attend these meetings virtually or review notes or content from these conversations).

Wellington Tasks

- Provide input on the preferred format and organization of the stakeholder engagement meetings.
- Facilitate scheduling conversations, as needed.
- Provide Spanish-language translation support in preparation for stakeholder meetings (translation of agenda, etc.).
- Provide Spanish-language staff facilitation for conducting conversations with Spanish-language focused community stakeholder group.
- Host and facilitate all three conversations, as needed.

- Capture feedback offered through community conversations, as needed, including feedback shared in Spanish.

WaterNow Deliverables

- A memorandum summarizing the results of community stakeholder engagement.

Phase 6 | Finalize Outreach and Communications Toolkit (January)

WaterNow and Wellington will integrate the feedback and learnings from Phase 5 community stakeholder engagement sessions to finalize the next iteration of the outreach and communications toolkit in English and Spanish.

Objectives:

- Provide Wellington with an outreach and communications toolkit to support implementation of Wellington's water use efficiency and conservation programming.
- Provide a toolkit which can be tailored for future use by Wellington.
- Integrate learnings from secondary round of stakeholder engagement to finalize the outreach and communications toolkit materials in English and Spanish.

WaterNow Tasks

- Incorporate community stakeholders' feedback in the next iteration of the outreach campaign toolkit.
- Incorporate Wellington's feedback into the final outreach and communications toolkit deliverable.

Wellington Tasks

- Provide Spanish-language translation support for outreach and communications toolkit.
- Review and provide timely feedback on the final iteration of the outreach and communications toolkit.

WaterNow Deliverables

- Final draft of outreach and communications toolkit for Wellington's water use efficiency and conservation programming.



Board of Trustees Meeting

Date: May 10, 2022

Submitted By:

Subject: Minutes of the April 19, 2022 Board of Trustees Special Meeting

EXECUTIVE SUMMARY

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

ATTACHMENTS

1. 04.19.22 BOT Minutes - DRAFT



BOARD OF TRUSTEES

April 19, 2022

6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

MINUTES

A video recording of this meeting is available on the Town of Wellington's YouTube page at <https://www.youtube.com/channel/UCPgBl-EYjaSam4hF3mkoFNA>

A. CALL TO ORDER

Mayor Hamman called the special meeting to order at 6:33 p.m.

1. Pledge of Allegiance
Mayor Hamman asked that all rise for the pledge of allegiance.
2. Roll Call
Mayor Troy Hamman
Mayor Pro Tem Wyatt Knutson
Trustee Jon Gaiter
Trustee John Jerome – Absent
Trustee Rebekka Kinney
Trustee Ashley Macdonald
Trustee Tim Whitehouse

Also Present:

Patti Garcia, Town Administrator
Dan Sapienza, March & Olive, LLC, Town Attorney
Hallie Sheldon, Management Analyst
Krystal Eucker, Town Clerk
Bob Gowing, Public Works Director
Cody Bird, Planning Director
Kelly Houghteling, Deputy Town Administrator
Vik Runkle, Interim Finance Director
Sergeant Matt Cherry, Larimer County Sheriff's Office
Ross Lagenese, Library Manager
Dean Campos, Parks and Recreation Manager
Mahalia Henschel, Communications Specialist
Calar Chaussee, Mayor Elect
Brian Mason, Trustee Elect
David Wiegand, Trustee Elect
Shirrell Tietz, Trustee Elect

B. PRESENTATION

Bert McCaffrey, a member of the Planning Commission recognized the outgoing Trustees and Mayor and presented them with an appreciation gift.

1. Administration of Oath of Newly Elected Officials

Teresa Ablao, Wellington Municipal Judge administered the Oath of Office to Calar Chaussee as Mayor and Brian Mason, David Wiegand and Shirrell Tietz as Trustees.

C. ACTION ITEMS

1. Appointment of Mayor Pro Tem

Mayor Chaussee moved to nominate Trustee Macdonald as Mayor Pro Tem; Trustee Kinney seconded the motion.

The meeting was opened for public comment, and Reginald Westphal and Troy Hamman commented.

Roll call on the vote resulted as follows:

Yeas – Kinney, Mason, Macdonald, Chaussee

Nays – Gaiter, Wiegand, Tietz

Motion carried.

D. ADJOURN

Trustee Gaiter moved to adjourn the meeting; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Mason, Wiegand, Tietz, Macdonald, Chaussee

Nays – None

Motion carried.

The meeting was adjourned at 6:55 p.m.

Krystal Eucker, Town Clerk



Board of Trustees Meeting

Date: May 10, 2022

Submitted By:

Subject: Minutes of the April 26, 2022 Board of Trustees Regular Meeting

EXECUTIVE SUMMARY

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

ATTACHMENTS

1. 04.26.22 BOT Minutes - DRAFT



BOARD OF TRUSTEES

April 26, 2022

7:00 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

MINUTES

A video recording of this meeting is available on the Town of Wellington's YouTube page at <https://www.youtube.com/channel/UCPgBl-EYjaSam4hF3mkoFNA>

A. CALL TO ORDER

Mayor Chaussee called the meeting to order at 7:05

1. Pledge of Allegiance

Mayor Chaussee asked that all rise for the pledge of allegiance.

2. Roll Call

Mayor Calar Chaussee
Mayor Pro Tem Ashley Macdonald
Trustee Jon Gaiter
Trustee Brian Mason
Trustee Rebekka Kinney
Trustee David Wiegand – Via Zoom
Trustee Shirrell Tietz

Also Present:

Patti Garcia, Town Administrator
Dan Sapienza, March & Olive, LLC, Town Attorney
Hallie Sheldon, Management Analyst
Nathan Ewert, Civil Engineer II
DJ Jones, Water Superintendent
Cody Bird, Planning Director
Meagan Smith, Deputy Public Works Director
Stephanie Anderson, Human Resources Manager
Kelly Houghteling, Deputy Town Administrator
Vik Runkle, Interim Finance Director
Sergeant Matt Cherry, Larimer County Sheriff's Office
Kallie Cooper, Community and Business Liaison
Mahalia Henschel, Communications Specialist
Ross Lagenese, Library Manager
Darla Roselle, Human Resources Technician

3. Amendments to Agenda

Mayor Chaussee asked if there were any amendments to the agenda this evening which there were none.

4. Conflict of Interest

Mayor Chaussee asked if there were any conflicts of interest this evening, to which there were none.

B. COMMUNITY PARTICIPATION

1. Public Comment

The meeting was opened for public comment, Karen Eiffert, Reginald Westphal and Kathy Wydallis made comments.

C. CONSENT AGENDA

1. Minutes of the March 22, 2022 Board of Trustees Regular Meeting
2. Minutes of the April 12, 2022 Board of Trustees Regular Meeting

Trustee Tietz moved to approve the consent agenda; Trustee Mason seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Mason, Tietz, Wiegand, Macdonald, Chaussee

Nays – None

Motion carried.

D. ACTION ITEMS

1. Resolution No. 17-2022 - A Resolution of the Board of Trustees Making Appointments to the Planning Commission

Trustee Tietz moved to postpone the consideration of Resolution 17-2022 to the May 10, 2022 Board of Trustees Regular Meeting; Trustee Gaiter seconded the motion.

Trustee Tietz would like the Board to agree on an appointment process before making appointments to the Planning Commission; further discussion ensued among the Board of Trustees.

Roll call on the vote resulted as follows:

Yeas – Gaiter, Tietz, Wiegand

Nays – Kinney, Mason, Macdonald, Chaussee

Motion failed.

Mr. Bird informed the Board that he was a participant in the interview process for the Planning Commission appointments along with the Chair of the Planning Commission, Chair of the Board of Adjustments and members of the Board of Trustees.

Eric Sartor, Planning Commission Chair addressed the Board to support the individuals recommended for appointment to the Planning Commission.

Christine Gaiter, Board of Adjustment Chair addressed the Board and shared her perspective on the Planning Commission applicants.

Mayor Pro Tem Macdonald and Trustee Kinney shared their perspective on the applicants and appointment process.

The meeting was opened for Planning Commission applicants to make comments; Lisa Chollet, Lowrey Moyer, Tim Whitehouse, Gary Dicenta and Levi Killough gave comments.

The meeting was opened for public comment; Tom Donnelly, Sawyer Eiffert, Karen Eiffert made comments.

Trustee Gaiter moved to appoint Tim Whitehouse to One Regular Term on the Planning Commission beginning May 3, 2022 and Terming April 2024 and Delaying Other Appointments to the May 10, 2022 Regular Meeting; Trustee Tietz seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Tietz, Wiegand

Nays – Kinney, Mason, Macdonald, Chaussee

Motion failed.

Trustee Kinney moved to approve Resolution 17-2022, A Resolution of the Board of Trustees Making Appointments to the Planning Commission for Lisa Chollet, Lowrey Moyer, Tim Whitehouse and Gary Dicenta; Trustee Mason seconded the motion. Roll call on the vote resulted as follows:

Yeas – Kinney, Mason, Macdonald, Chaussee

Nays – Gaiter, Tietz, Wiegand

Motion carried.

2. Resolution No. 18-2022 - A Resolution of the Board of Trustees Making Appointments to the Board of Adjustments

Mr. Bird informed the Board that the Board of Adjustment appointment recommendations was the same process as the Planning Commission appointments.

Christine Gaiter addressed the Board to support the individuals recommended in option one for appointment to the Board of Adjustments.

Mayor Pro Tem Macdonald and Trustee Kinney shared their perspective on the applicants and appointment process.

The meeting was opened for Board of Adjustment applicants to make comments; Kathy Wydallis, Reginald Westphal and Levi Killough gave comments.

The meeting was opened for public comment, Karen Eiffert and Lisa Chollet made comments.

Mayor Pro Tem Macdonald moved to approve Resolution 18-2022, A Resolution of the Board of Trustees Making Appointments to the Board of Adjustments for Kathy Wydallis, Wyatt Knutson, Levi Killough and Reginald Westphal; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:

Yeas – Kinney, Mason, Wiegand, Macdonald, Chaussee

Nays – Gaiter, Tietz

Motion carried.

The Board of Trustees took a brief recess from 9:05 p.m. to 9:12 p.m.

3. Public Hearing: Zone Change Request from C-1 Community Commercial District to C-3 Highway Commercial District at the northwest corner of Jefferson Ave. and Sixth Street

Trustee Wiegand recused himself from this agenda item due to his attendance via Zoom and this being a quasi-judicial item.

There were no conflicts of interest on this agenda item.

Trustee Tietz disclosed that she had been notified that the Town is at risk of being sued if this is not moved along.

Trustee Tietz and Mayor Chaussee received comments from residents that they did not want the agenda item to pass.

Trustee Kinney disclosed that she received the same content as part of the Planning Commission, although that will not impact her decision during this public hearing.

Mr. Bird informed the Board that the property owner located at the northwest corner of Jefferson Avenue and Sixth Street has requested the zoning be changed from C-1 Community Commercial District to C-3 Highway Commercial District to allow for more intensive highway commercial uses for future development. The property proposed to be rezoned consists of two parcels being considered for development as one combined parcel for a total of 1.29 acres.

Zone change requests require public hearings by the Planning Commission and Board of Trustees. Notice of the public hearings was published in the Coloradoan as prescribed by State law. A sign advertising the public hearings has been continuously displayed on the property and notices were mailed to surrounding property owners as prescribed by State law.

The Planning Commission held a public hearing on April 4, 2022 to consider the rezoning request. Following the public hearing, the Planning Commission voted unanimously to forward a recommendation to the Board of Trustees to retain the existing zoning classification, C-1 Community Commercial District. The findings of fact used by the Planning Commission are as follows:

- Safety and access at the intersections would be negatively impacted if the higher intensity C-3 Highway Commercial District zoning is allowed;
- Uses allowed in C-3 Highway Commercial District zoning such as fast-food drive-thrus and gasoline stations are not appropriate for the location;
- Increased impact of higher volume traffic counts on local streets;
- Development of the property would be beneficial to address identified utility, street and drainage infrastructure needs on or adjacent to the property;
- Surrounding area has existing residential uses that need to be protected, including recently approved attached single-family townhomes and second-floor residential lofts within the C-1 Community Commercial District;
- Buffering, setbacks, screening and other typical zoning requirements would be ineffective in mitigating impacts of increased traffic adjacent to residential properties in the area; and
- Consistency of zoning districts along Sixth Street north of Jefferson Avenue and consistency of development approvals within existing zoning districts along Sixth Street.

The applicant, John Dyet informed the Board that they are pursuing the rezone from C-1 to C-3 and commented that he feels decisions have already been made and the issues with the property were not discussed until the public hearing. Mr. Dyet commented that they are not doing a gas station or a fast-food restaurant and there will be no semi-trucks; they are doing a retail cannabis store at this site. A traffic study was not completed although one can be done for this site. Mr. Dyet feels there

is no reason this parcel cannot be converted from C-1 to C-3; cannabis is allowed in the town, although no parcels are available. There isn't a risk of a lawsuit; there is a guarantee of a lawsuit.

As requested, Mr. Bird read the findings of fact from the Planning Commission again.

Mr. Bird informed the Board that the context behind the safety issue during the Planning Commission meeting was related to traffic coming off the highway that would go back to the highway making left-hand turns against the flow of traffic; a traffic study is not needed for a zone change request.

The meeting was opened for public comment; Reginald Westphal, Levi Killough, Karen Eiffert, Kathy Wydallis, Jesy Andreen, Rick Freeman and Tom Donnelly provided comments in opposition of the rezone related to traffic, safety and the additional uses that could be allowed in C-3.

Mr. Dyet responded to the comments made by the public.

Mr. Bird informed the Board that a rezone request looks at the uses allowed on the property; entrances and exits would be reviewed during the site plan.

Mayor Chaussee closed the public hearing.

4. Ordinance No. 09-2022: An Ordinance Concerning a Zone Change Request from C-1 Community Commercial to C-3 Highway Commercial at the northwest corner of Jefferson Avenue and Sixth Street

Mr. Bird informed the Board that there are options for Ordinance 09-2022:

- Adopt or approve the Planning Commission's recommendation which would be to retain the existing C-1 Community Commercial zoning district
- Override the Planning Commission's recommendation to approve the requested C-3 Highway Commercial zoning district
- Continue the public hearing

The Board of Trustees would also need to make specific findings of fact for the approval or denial of the application.

The Board of Trustees discussed the request for the rezoning application.

Trustee Gaiter moved to adopt the following findings of fact adopted by the Planning Commission:

- 1. Safety and access at the intersections would be negatively impacted if the higher intensity C-3 Highway Commercial District zoning is allowed;**
- 2. Uses allowed in C-3 Highway Commercial District zoning are not appropriate for the location;**
- 3. Development of the property would be beneficial to address identified utility, street and drainage infrastructure needs on or adjacent to the property;**
- 4. Surrounding area has existing residential uses that need to be protected, including recently approved attached single-family townhomes and second-floor residential lofts within the C-1 Community Commercial District;**
- 5. Consistency of zoning districts along Sixth Street north of Jefferson Avenue and consistency of development approvals within existing zoning districts along Sixth Street; and**

**6. Public Comments at the Town Board Public Hearing from area residents were in opposition to rezoning the property to C-3 and to deny the application for a zone change request, and to postpone Ordinance 09-2022 indefinitely; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:
Yeas – Gaiter, Kinney, Mason, Tietz, Macdonald, Chaussee
Nays – None
Motion carried.**

5. 2022 Wastewater Bond Debt Service Coverage

Ms. Runkle informed the Board that the Town has to ensure all prior debt covenants are met when issuing new debt. The Town of Wellington has two previous bonds prior to the 2022 State loans we are currently borrowing:

- 2002: one final payment will be made in fall 2022. Bonds will be retired
- 2014: Payments through 2034. In February of each year one interest payment; in August, a second interest payment and the principal payment

The 2014 Bond issue has a covenant that states when new bonds are issued; current net revenue must cover the Maximum Annual Debt Service (MADS) by 1.2x. Based on assumptions to date, the MADS occurs in 2030. The need is \$3,122,584 and the Town's current net revenue is estimated to be \$2,558,302, thus, leaving a shortfall of \$564,282

The 2014 outstanding principal is \$1,770,000 and the outstanding interest is \$ 467,575. These can be "called" or retired in late 2024 and completely paid off. To meet the immediate need of the Bond Covenant there are two options.

Ways to address the 2014 Bond Covenant:

- Refinance the outstanding debt can lower the bond coverage, although refinancing requires time, costs money, and the interest rates on the current outstanding debt are extremely favorable. The 2014 Bonds have very favorable interest rates; this is not assured in this market.
- Setting up a trust and moving some portion of current cash balances to a Trust Bank to cover the future principal and interest payments. This eliminates the bond covenant requirements, the Trustee bank makes all payments and reporting requirements, the Town receives the interest earnings on the balance that is transferred and it also allows the Town to call the outstanding debt in late 2024 and then will save \$319,135 in interest payments.

The meeting was opened for public comment and Christine Gaiter commented.

Ms. Runkle commented that there are fees associated with the trust, although there will be no effect on utility bills from this action.

Bond Counsel Mario Trimble gave information on the reasoning for setting up the trust.

Trustee Gaiter moved that the Town Board of Trustees, acting for itself and in its authority as the governing body of the Town Wastewater Enterprise, upon final document approval by the Town Attorney and the Town's bond counsel, authorize the mayor to execute a defeasance escrow agreement and all other documents necessary to establish a trust account with a trustee bank and authorize the Town Wastewater Enterprise to fund such account in an amount sufficient to remove the restrictive covenants associated with outstanding bonds; Trustee

Kinney seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Mason, Tietz, Wiegand, Macdonald, Chaussee

Nays – None

Motion carried.

6. Resolution No. 19-2022 - A Resolution of the Board of Trustees Appointing Officers and Municipal Judge until 2024 Election

Per Ms. Garcia, under Chapter 2, Article 3 of the Wellington Municipal Code, appointed officers shall be appointed by a majority vote of the members of the Board of Trustees at the first meeting after the Town's biennial election. The appointed officers include the Town Manager, Town Clerk, Treasurer, Town Attorney, Municipal Judge and Assistant Judge. This action would also confirm the appointment by the Municipal Judge of the Municipal Court Clerk.

The meeting was opened for public comment; there were no comments.

Mayor Pro Tem Macdonald moved to approve Resolution 19-2022, A Resolution of the Board of Trustees Appointing Officers and Municipal Judge until 2024 Election; Trustee Gaiter seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Mason, Tietz, Wiegand, Macdonald, Chaussee

Nays – None

Motion carried.

E. REPORTS

1. Town Attorney

None.

2. Town Administrator

Ms. Garcia reminded the Board of the round table the following evening.

3. Staff Communications

a. Colorado Open Records Act (CORA) Quarterly Report

4. Board Reports

Trustee Gaiter suggested a joint letter between Larimer County, Poudre School District and the Town of Wellington to CDOT regarding the round-a-bout by the high school. Also, the CAC discussed ADA parking for the fireworks during the 4th of July event.

F. EXECUTIVE SESSION

1. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to Section 24-6-402(4)(e), C.R.S. – regarding negotiations with North Poudre Irrigation Company. As required by C.R.S. §24-6-402(2)(d.5)(II)(A) and (II) (E) the executive session proceedings will be electronically recorded and the record will be preserved for 90 days through July 25, 2022.

Mayor Pro Tem Macdonald moved to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to Section 24-6-402(4)(e), C.R.S. – regarding negotiations with North Poudre Irrigation Company; Trustee Gaiter seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Mason, Tietz, Wiegand, Macdonald, Chaussee
Nays – None
Motion carried.

The Board of Trustees moved into executive session at 11:20 p.m.

No official action was taken during the executive session.

Mayor Pro Tem Macdonald moved to close the executive session; Trustee Gaiter seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Mason, Tietz, Wiegand, Macdonald, Chaussee
Nays – None
Motion carried.

The Board of Trustees moved out of executive session at 11:56 p.m.

G. ADJOURN

Mayor Pro Tem Macdonald moved to adjourn the meeting; Trustee Gaiter seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Mason, Tietz, Wiegand, Macdonald, Chaussee
Nays – None
Motion carried.

The meeting was adjourned at 11:57 p.m.

Krystal Eucker, Town Clerk

Board of Trustees Meeting

Date: May 10, 2022
Submitted By: Patti Garcia, Town Administrator
Subject: Board of Trustee Appointments to Boards and Commissions

- **Presentation: Calar Chaussee, Mayor**

EXECUTIVE SUMMARY

The Town of Wellington has a number of Boards and Commissions that have a Trustee liaison or Trustee appointment. Based on state statute, municipal code and bylaws, the appointments are Mayoral appointments which will be done by proclamation.

BACKGROUND / DISCUSSION

The Town of Wellington has a number of Boards and Commissions that have a Trustee liaison or Trustee appointment. Based on state statute, municipal code and bylaws, the appointments are Mayoral appointments which will be done by proclamation. The appointment of Trustee liaisons to boards and commissions is regular process that is done after each municipal election. The various boards and commissions are listed in this memo which includes if there is a voting liaison, the meeting date and time along with the current members appointed by the Board of Trustees. The Mayoral appointments will be updated on the proclamation on Monday, May 9, 2022 prior to 5 pm and included in the May 10, 2022 Trustee meeting packet.

The Wellington Housing Authority has a member whose term has expired; Mr. Bob Novascone. The Housing Authority has recommended that he be reappointed. After review of town documents, it appears that Mr. Novascone has been an active member of the Housing Authority Board for at least 12 years, if not more. The appointments for the Authority have been conducted a variety of ways over the years, some by request of the Housing Authority and others by resolution. Staff will add this item to the May 17 work session when the board and commission interview and appointment process will be discussed by the Trustees.

There will be two additional boards that will be added in the near future which will require the Mayor to appoint a Trustee as a liaison or voting member.

1. Finance Committee Advisory Board – Trustee liaison
2. Larimer Regional Opioid Council – appointed voting member

The role of Trustee liaison and Trustee appointment will be a topic for the May 17, 2022 work session.

Board of Adjustments

No Trustee Liaison

Community Activities Commission; meets the 1st Tuesday of each month at 5 pm.

- One Trustee Liaison/non-voting member – last held by Trustee Jon Gaiter

Name	Title	Term
Natalie Triplett	Chair	January 2023
Mario Quinonez	Vice Chair	January 2024
Jim Lafferty	Secretary	January 2024
Diana Sinatra	Treasurer	January 2025
JD Richardson	Member	January 2023
Vacant		January 2023
Vacant		January 2025

Finance Committee – Ordinance to be adopted to include a non-voting Trustee Liaison as a Mayoral appointment.

Library Board

The Wellington Board of Trustees is appointed to serve as the Library Board.

Liquor Licensing Board

The Wellington Board of Trustees is appointed to serve as the Liquor Licensing Board.

Larimer Regional Opioid Council - Mayoral appointment once the Council is formed.

Parks and Recreation Advisory Board; meets the 2nd Wednesday of each month at 6 pm.

- One Trustee Liaison/non-voting member – last held by former Trustee John Jerome

Name	Title	Term
Lorilyn Bockelman	Chair	January 2026
Erin Jerome	Vice Chair	January 2023
Christine Gaiter	Secretary	January 2024
Robert Sausaman	Member	January 2023
John Evans	Member	January 2023
Kallie Cooper	Member	January 2026
Vacant	Member	January 2024

Planning Commission

No Trustee Liaison

Wellington Housing Authority; meets quarterly on the 1st Thursday of the month at 6 pm (March, June,



September and December). They also hold a special budget meeting in October. The June 2022 meeting will be held June 9 due to scheduling conflicts.

- Trustee appointment and voting member – last held by Mayor Troy Hamman
- Housing Catalyst/Wellington Public Housing Program website

<https://housingcatalyst.com/programs/wellington-public-housing-program/>

Name	Title	Term
Mishie Daknis		December 2022
John Evans		December 2025
Bob Novascone	WHA has requested reappointment	December 2021
Amy Comstock		December 2023
Vacant	Trustee appointment	December 2024

Behavioral Health Policy Council; meetings are held the 1st Monday of each month from 8-10am – meetings are currently held over zoom.

- One Trustee Liaison and voting member – Last held by Mayor Troy Hamman
- Mayor could appoint two Trustees with one being an alternate
- Behavioral Health Policy Council website <https://www.larimer.org/boards/behavioral-health-policy-council>

Name	Position	Member Municipality
Marianna Dungan		Member at Large
Brian Ferrans		Member at Large
Emily Francis		City of Fort Collins, Alternate
Susan Gutowsky	Councilmember	City of Fort Collins
Troy Hamman	Mayor	Town of Wellington
Willian Karspeck	Mayor	Town of Berthoud
Wendy Koenig	Mayor	Town of Estes Park
Lisa Kurth		Member at Large
Lisa Laake	Councilmember	Town of Timnath
Mary Maldonado		Member at Large
Jackie Marsh	Mayor	City of Loveland
Clark McCoy		Member at Large

Chad Morris		Member at Large
Steve Olson	Councilmember	City of Loveland
Paul Rennemeyer	Mayor	Town of Windsor
Judy Shaddock-McNally	County Commissioner	Larimer County
Mark Soukup	Mayor	Town of Timnath, Alternate
Barry Wilson	Board Member	Town of Windsor
Vacant		Town of Wellington
Vacant		Town of Wellington, Alternate

Boxelder Basin Regional Stormwater Authority; meetings are held on an as needed basis.

- Richard Seaworth (President), Wellington representative; term expires April 2024
- Tim Singwald (Director) Town of Wellington/Larimer County representative; term expires 2024
- Boxelder Stormwater Authority website <https://www.boxelderauthority.org/>

Name	Title	Term	Representative Government
Richard Seaworth	President	April 2024	Town of Wellington / Larimer County
Tim Singwald	Director	April 2024	Town of Wellington
Theresa Connor	Secretary	April 2023	City of Fort Collins / Larimer County
Eric Tracy	Treasurer	April 2023	Larimer County
Jeni Arndt	Director	April 2023	City of Fort Collins

Colorado Municipal League (CML) Policy Committee; meetings are generally held during working hours in October, December, February and June. 2021-2022 CML Policy Committee Calendar can be found here <https://www.cml.org/home/advocacy-legal/Policy-Development>

This is a standing committee that develops the CML legislative program. The membership is composed of representatives from each member municipality, CML sections and district presidents. Current appointees are as follows:

- Patti Garcia, Member, Town Administrator
- Kelly Houghteling, Alternate, Deputy Town Administrator

North Front Range Regional Solid Waste Policy Council; meetings are held as needed.

- Two Trustee appointments serving as voting members – Rebekka Kinney is a current member; Trustee Whitehouse is a former member
- Mayor appoints two Trustees

- Solid Waste Policy Council website <https://www.larimer.org/boards/solid-waste-policy-council>

Name	Position	Member Municipality
Marina Connors		Town of Estes Park
Susan Gutowsky	Councilmember	City of Fort Collins
Leah Johnson	Member at Large	City of Loveland
John Kefalas	Commissioner	Larimer County
Wendy Koenig	Mayor	Town of Estes Park
Kelly Ohlson	Councilmember	City of Fort Collins
Don Overcash	Councilmember	City of Loveland
Rebekka Kinney	Trustee	Town of Wellington
Vacant		Town of Wellington

STAFF RECOMMENDATION

No recommendation; Mayoral proclamation.

ATTACHMENTS

1. Proclamation_2022 BC BOT appointments

TOWN OF WELLINGTON

A MAYORAL PROCLAMATION FOR THE APPOINTMENT OF BOARD AND
COMMISSION LIAISONS FOR MEMBERS OF THE WELLINGTON BOARD OF
TRUSTEES

WHEREAS, the Wellington Board of Trustees is privileged to share its members with various boards, commissions and authorities, all of which serve the interests of the Town and its citizens; and

WHEREAS, following the certification of elected Board of Trustee members in conjunction with the 2022 Regular Municipal Election, the Mayor has conferred with the Board of Trustees regarding the assignment of membership to serve as board and commission liaisons and appointees; and

WHEREAS, the power to make appointments of Board of Trustee members to board and commission positions is vested in the Mayor.

NOW, THEREFORE, I CALAR CHAUSSEE, MAYOR OF THE TOWN OF WELLINGTON, COLORADO, having conferred with my fellow Board of Trustee members and being fully advised, hereby proclaim the following board and commission appointments:

1. Community Activities Commission liaison: Shirrell Tietz
2. Parks and Recreation Advisory Board liaison: Rebekka Kinney
3. Wellington Housing Authority appointee: Calar Chaussee
4. Behavioral Health Policy Council appointee and alternate: Dave Wiegand, Alternate Brian Mason
5. Colorado Municipal League (CML) Policy Committee appointee: Patti Garcia, Alternate Kelly Houghteling
6. North Front Range Regional Solid Waste Policy Council appointees: Rebekka Kinney, Alternate Ashley Macdonald

Dates this 10th day of May, 2022.

Calar Chaussee, Mayor



Board of Trustees Meeting

Date: May 10, 2022
Submitted By:
Subject: Ordinance 11-2022 - An Ordinance Amending the 2022 Adopted Budget

- **Presentation: Vik Runkle, Interim Finance Director**

EXECUTIVE SUMMARY

Please see the attached memorandum.

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

ATTACHMENTS

1. First 2022 Budget Amendment Memorandum
2. First 2022 Budget Amendment Presentation
3. Ordinance 11-2022 - 2022 First Budget Amendment



Board of Trustees Meeting

Date: May 10, 2022

Submitted By: Victoria A. Runkle, Interim Finance Director

Subject: First Amendment to the 2022 Budget

Executive Summary.

Governmental budgeting is a “living” process. The legislative body adopts a budget, as the 2022 Budget, prepared in the last half of the previous year. This budget changes almost immediately because there are projects that begin in the previous year, but are not completed, and thus, the obligations - the appropriations - must be “carried over” into the following year to complete the projects.

In addition to the “carry overs,” the Town decisionmakers made decisions after the 2022 Budget was adopted. The highlights of these changes include:

- Increase General Fund transfer to both the Water and Wastewater utilities;
- Decrease to General Fund to the CIP Fund and elimination of projects/expenditures to help offset those transfers;
- Debt issuance and defeasance of debt;
- Additional reductions in Street Fund due to workload issues; and
- Decreases in Water, Wastewater, and Drainage projects to focus on the work related to the construction of the Treatment Plant Expansions.

The challenge is to ensure all the budgetary amendments are transparent and documented. With transfers, many accounting actions require multiple changes to various Funds. This is particularly true as there are transfers to capital projects Fund from operating Fund.

Important, at this point of the year, generally, we do not change the revenues in any Fund. This Amended Budget does lower Transfers from the General Fund to the CIP Fund, and increases a transfer to the Water and Wastewater Funds. These are legally referred to as “Resources” – not Revenues.

The Summary of the Changes.

Fund	2022 Adopted Budget	Total Changes	2022 Amended Budget
General Fund	\$10,037,012	(\$411,991)	\$9,625,021
Capital Projects Fund	\$32,126,538	(\$1,030,290)	\$31,096,248
Water Fund	\$19,829,736	(\$49,467)	\$19,780,269
Wastewater Fund	\$16,514,383	\$2,432,953	\$18,947,336
Drainage Fund	\$1,093,725	(\$96,832)	\$996,893
Street Fund	\$2,989,090	(\$588,991)	\$2,400,099

The detail changes to the Expenditures Budgets are as follows:

Fund	Adopted per Budget Document	Summary of Changes	Amended Budget as of 5/10/22	Notes
General	\$10,037,012			
Increase to Transfer to Water and Wastewater Funds		\$1,043,000		Transfer \$653,000 to Water Fund; Transfer \$390,000 to Waste Water Fund
Decrease Transfer to the CIP Fund		(\$754,991)		Eliminate the Transfer to the CIP Fund and these three projects will not be funded in 2022: • T-Bar Parking Lot Improvement (\$150,000) • Point to Point Wireless Project (\$100,000) • Old Town Street Repairs (\$504,991)
Decrease Transfer to CIP Fund		(\$700,000)		Reallocate the unexpended Harrison Expansion Project, thus not having to transfers GF dollars to CIP Fund
2022 Amended General Fund with Changes			\$9,625,021	

Fund	Adopted per Budget Document	Summary of Changes	Amended Budget as of 5/10/22	Notes
CIP Fund	\$32,126,538			
RRA and ERP (Water Project) 211-80-4056	2021 Budget \$120,000 2022 Budget \$0	\$9,650		A 2021 project was the Risk and Resiliency Assessment and Emergency Action Plan was an EPA mandate. Jacobs Engineering completed the Study in 2021, but there are two outstanding 2021 invoices required for payment. This is a “normal” carry over request. Budget was \$120,000, 2021 expenditures were \$83,777; this would increase the actual for the project to \$93,427
Water Efficiency Program (Water Project) 211-80-5013	2021 Budget \$160,000 2022 Budget \$140,000	\$90,883		An order was placed in November, 2021 for additional meters. Supply chain issues – nothing was delivered until April. Another order will be placed for 2022 with the 2022 Budget. The 2021 budget: 160,000 Budgeted 69,117.74 Spent 90,882.26 The Town cannot pay for the goods until they are received – in this case, 2022. We will spend the entire 2022 budget for additional meters.

Fund	Adopted per Budget Document	Summary of Changes	Amended Budget as of 5/10/22	Notes
Fleet (Wastewater Truck) 211-80-5001	2021 Budget \$30,000	\$30,000		This is a truck for the wastewater plant. It was ordered, but not delivered due to supply chain issues. There is a \$30,000 truck budgeted for Parks in 2022.
CIP Deferred or Deleted 2022 Projects				
Decrease CIP Fund for Feb Changes to meet Water and Wastewater transfers		(\$754,991)		These three projects will not be funded in 2022: • T-Bar Parking Lot Improvement (\$150,000) • Point to Point Wireless Project (\$100,000) • Old Town Street Repairs (\$504,991)
CIP Defer Pavement Study to 2023; eliminate from 2022 Budget 211-80-4009	\$44,000	(\$44,000)		Town staff recommends delaying/deferring this project until 2023. To be represented in the 2023 budget
Delete Epoxy Street Improvements 211-80-4076	\$40,000	(\$40,000)		This eliminates this project until more evaluation
Defer Water Distribution System Master Plan 211-80-4019	\$60,000	(\$60,000)		Defer until 2023 budget;

Fund	Adopted per Budget Document	Summary of Changes	Amended Budget as of 5/10/22	Notes
Delete Water Distribution Improvements 211-80-4021	\$50,000	(\$50,000)		Delete this project
Defer Water PreTreatment Sonde	\$40,000	(\$40,000)		Move project for consideration in 2023
Defer WASTEWATER Risk Resilience Assessment	\$75,000	(\$75,000)		This project is delayed due to workload and be reconsidered in 2023.
Defer DRAINAGE Old Town Street Repair	\$63,124	(\$63,124)		With the GF portion eliminated, this project will not help offset the total costs of the project
Defer Drainage Storm Drain & Pan Replacements	\$33,708	(\$33,708)		These expenses will not be made as street repairs are not completed in 2022. Will review for 2023
TOTAL CIP FUND With changes			\$31,096,248	

Fund	Adopted per Budget Document	Summary of Changes	Amended Budget as of 5/10/22	Notes
Water Budget	\$19,829,736			
Reductions listed in CIP Section				Water distribution system master plan
211-80-4019	\$60,000	(\$60,000)		Water distribution improvements
211-80-4021	\$50,000	(\$50,000)		PreTreatment Sonde
211-80-4079	\$40,000	(\$40,000)		
Roll Overs in Water				
211-80-4056		\$9,650		Water RRA/ERP Plan
211-80-5013		\$90,883		Meter purchases
Total Water 2022 Budget			\$19,780,269	
Wastewater Fund	\$16,514,383			
2022 Debt Service Principal	0	\$667,771		Payment on the WRPDA Loan; no payment on the GPR Loan in 2022
2002 Bonds	\$344,501	(\$104,334)		Remaining balance based upon payments and obligations due
2014 Bonds	\$172,885	(\$141,442)		Remaining balance based on payments made to date
Defeasance dollars to Trustee	0	\$2,085,958		Payment to Trust Bank to make payments through 2034 and to call 2014 debt in September of 2024 and eliminate this debt

Fund	Adopted per Budget Document	Summary of Changes	Amended Budget as of 5/10/22	Notes
Defer Risk Resilience Study		(\$75,000)		Defer this project until 2023 The Transfer to the CIP will now be \$14,104,486
Wastewater Fund New Total			\$18,947,336	2022 Amended Wastewater Budget
Street Fund	\$2,989,090			
Decrease the transfer to CIP Fund		(\$588,991)		This is the decrease to the CIP fund for the Main Street project, the Pavement Study and the Epoxy Street Striping
2022 Amended Street Fund Budget			\$2,400,099	
Drainage Fund	\$1,093,725			
Decrease the transfer to the CIP Fund		(\$96,832)		Old Town Street Repair associated with Street money and associated Storm Drain and Pan Replacements
2022 Amended Drainage Fund Budget			\$996,893	
Street Fund	\$2,989,090			
Decrease the transfer to CIP Fund		(\$588,991)		This is the decrease to the CIP fund for the Main Street project, the Pavement Study and the Epoxy Street Striping
2022 Amended Street Fund Budget			\$2,400,099	

Recommended Action.

Budgets cannot be changed without the Board of Trustee's approval. There is no exact date when the first budget amendment must be approved. There will be one more amendment prior to the end of the year to ensure the Town captures all the budgetary changes, particularly if the Town receives more grants and other different types of revenue.

The Board can take one of the following actions:

- Adopt the changes as presented in the attached Ordinance.
- Change the Ordinance to include or exclude any recommended amendment.
- Choose to review these changes in more detail and adopt changes at a future date.



First 2022 Budget Amendment

Board of Trustee Meeting

May 10, 2022

Budget Amendments

- Budgets are usually amended after adoption
- Depending on the size of the Town, usually once or twice
- Disadvantage of one is it is to “clean up” all decisions or changes in November, prior to the end of the year
- Prefer two – one mid- year and one clean up
- Recommend this one to capture and document all the changes to date

Summary of Changes

Fund	2022 Adopted Budget	Total Changes	2022 Amended Budget
General Fund	\$10,037,012	(\$411,991)	\$9,625,021
Capital Projects Fund	\$32,126,538	(\$1,030,290)	\$31,096,248
Water Fund	\$19,829,736	(\$49,467)	\$19,780,269
Waste Water Fund	\$16,514,383	\$2,432,953	\$18,947,336
Drainage Fund	\$1,093,725	(\$96,832)	\$996,893
Street Fund	\$2,989,090	(\$588,991)	\$2,400,099
All Other Funds	\$2,753,742	0	\$2,753,742
Total	\$85,344,226	\$255,382	\$85,599,608



Highlights of Changes by Fund

- GENERAL

Increase to Budget of \$1,043,000 to Transfer money to Water and Waste Water Funds, \$653,000 and \$390,000, respectively

Decrease CIP Transfer of \$1,454,991 for four projects:

T Bar Parking Lot: \$150,000

Point to Point Wireless Project: \$100,000

Old Town Street Repairs: \$504,991

Reduction of Harrison Project: \$700,000



Highlights of Changes by Fund

- CAPITAL IMPROVEMENTS FUND

- Carryovers for services or goods not billed or delivered in 2021, but was obligated in 2021
 - RRA/ERP consulting services: \$9,650
 - Water Meters ordered, not delivered: \$90,883
 - Wastewater vehicle ordered, not delivered: \$30,000

Highlights of Changes by Fund

- CAPITAL IMPROVEMENTS FUND
 - Decrease CIP Projects due to workload:
 - T Bar Parking Lot: \$150,000
 - Point to Point Wireless Project: \$100,000
 - Old Town Street Repairs: \$504,991
 - Pavement Study: \$44,000
 - Epoxy Street Improvements: \$40,000
 - Water Distribution System Master Plan: \$60,000
 - Water Distribution Improvements: \$50,000
 - Water PreTreatment Sonde: \$40,000
 - Waste Water Risk Resilience Assessment: \$75,000
 - Drainage Old Town Street Contribution: \$63,124
 - Drainage Storm Drain Pan Replacements: \$33,708



Highlights of Changes by Fund

- **WATER FUND**
 - Decrease CIP Transfer
 - Water Distribution System Master Plan: \$60,000
 - Water Distribution Improvements: \$50,000
 - Water PreTreatment Sonde: \$40,000
 - Increase CIP Transfer for Carry Overs
 - RRA/ERP consulting services: \$9,650
 - Water Meters ordered, not delivered: \$90,883

Highlights of Changes by Fund

- **WASTE WATER FUND**

- Change Debt Payments to meet the new bond requirements and Defeasance of 2014 Bonds
 - Increase Debt Service Payments for 2022 bonds: \$667,771
 - Decrease 2002 Debt Payments \$104,334
 - Decrease 2014 Debt Service Payments:141,442
 - Increase Defeasance payments to pay debt and retire 2014 bonds in 2024: \$2,085,958
- Defer Risk Resilience Study: \$75,000



Highlights of Changes by Fund

- STREET FUND
 - Decrease the transfer to CIP Fund
 - Old Town Street Repairs: \$504,991
 - Pavement Study: \$44,000
 - Epoxy Street Improvements: \$40,000



Highlights of Changes by Fund

- DRAINAGE FUND
 - Decrease the transfer to CIP Fund
 - Drainage Old Town Street Contribution: \$63,124
 - Drainage Storm Drain Pan Replacements: \$33,708

SUMMARY

- Three possible actions
 - Adopt the ordinance making these changes
 - Change the ordinance to include or exclude any recommended amendment
 - Choose to review these changes in more detail and adopt changes at a future date

TOWN OF WELLINGTON
ORDINANCE NO. 11 - 2022

AN ORDINANCE AMENDING THE 2022 ADOPTED BUDGET EXPENDITURES FOR THE TOWN OF WELLINGTON, COLORADO FOR THE CALENDAR YEAR BEGINNING THE 1ST DAY OF JANUARY 2022, AND ENDING THE LAST DAY OF DECEMBER 2022.

WHEREAS, the Town Administrator has been designated to prepare and manage the 2022 annual Budget for Wellington Colorado, for the calendar year beginning January 1, 2022 and ending December 31, 2022; and

WHEREAS, after the adoption of the 2022 Budget, the Board of Trustees and the Town Administrator agreed to additional changes, particularly to meet changing requirements in the Town's utility funds; and

WHEREAS, the best budget practice is to adjust the 2022 Adopted Budget to reflect these changes as quickly as possible to ensure good management.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON, COLORADO, AS FOLLOWS:

SECTION 1: The estimated expenditures for the following Funds of the Town of Wellington will be adjusted and adopted as follows:

Fund	2022 Adopted Budget	Total Changes	2022 Amended Budget
General Fund	\$10,037,012	(\$411,991)	\$9,625,021
Capital Projects Fund	\$32,126,538	(\$1,030,290)	\$31,096,248
Water Fund	\$19,829,736	(\$49,467)	\$19,780,269
Waste Water Fund	\$16,514,383	\$2,432,953	\$18,947,336
Drainage Fund	\$1,093,725	(\$96,832)	\$996,893
Street Fund	\$2,989,090	(\$588,991)	\$2,400,099
All Other Funds	\$2,753,742	0	\$2,753,742
Total	\$85,344,226	\$255,382	\$85,599,608

SECTION 2. That the budget for the Town of Wellington, Colorado for the calendar year beginning January 1, 2022 and ending December 31, 2022 is amended and heretofore submitted to the Board of Trustees by the Town Administrator is adopted and approved budget for the Town of Wellington for the said fiscal year.

SECTION 3. That the budget herein approved and adopted shall be signed by the Mayor and the Town Clerk and made a part of the public records of the Town of Wellington.

PASSED AND ADOPTED by the Board of Trustees of the Town of Wellington, Colorado and ordered public this 10th day of May, 2022 and ordered to be effective 30 days from the date of publication.

TOWN OF WELLINGTON, COLORADO

By: _____
Calar Chaussee, Mayor

ATTEST:

Krystal Eucker, Town Clerk

Board of Trustees Meeting

Date: May 10, 2022
Submitted By: Meagan Smith, Deputy Public Works Director
Subject: Lease Agreement for Water Treatment Plant Expansion

- **Presentation:** Meagan Smith, Deputy Public Works Director

EXECUTIVE SUMMARY

Staff is presenting a proposed lease agreement between the Town of Wellington (Town) and North Poudre Irrigation Company (NPIC) for ~3.35 acres adjacent to the existing Water Treatment Plant (WTP). A lease agreement is necessary for the Town to commence construction activities for the Water Treatment Plant Expansion Project (Expansion) while land purchase negotiations are finalized with NPIC.

BACKGROUND / DISCUSSION

The Town currently leases 5.23 acres from NPIC at the southwest corner of N CR 11 and E CR 68, the site of our existing Water Treatment Plant. This land lease is included as part of a 1983 Agreement between the Town and NPIC. Among other provisions, this Agreement outlines the lease of the 5.23 acres, defines the terms for NPIC to provide raw water supplies to the Town, and identifies a 30-foot easement to the benefit of NPIC along the north portion of the existing lease area to provide access west of the WTP.

Through the planning process for the current Expansion, the Town identified the need for additional land. Exhibit A of the proposed lease agreement identifies the additional land needed for the Expansion. The Town approached NPIC in the Spring of 2021 to discuss an expansion of the existing lease area. Through this discussion, NPIC and the Town determined the best path forward is for the Town to purchase the existing lease area and the proposed expansion area.

The Town solicited and received an appraisal of the proposed purchase area in July 2021. NPIC formally entered negotiations with the Town in September 2021. These negotiations are ongoing, with an expectation to finalize in early Summer 2022.

Through the negotiation process, NPIC agreed to release the access easement along the north side of the WTP and have the Town replace the access with a gravel road to be located on NPIC property, along the south edge of the WTP. This proposed access road is reflected in Paragraph 3.1.1 of the proposed lease agreement and depicted in Exhibit B.

A lease agreement is necessary for the Town to commence construction activities for the Expansion project, allowing the Expansion to stay on schedule as the Town works with NPIC to finalize negotiations for the land purchase and works with Larimer County to work through the minor land subdivision process.

STAFF RECOMMENDATION

Staff recommends approval of the attached lease to facilitate the commencement of construction and to allow for ongoing negotiations to continue for purchase of the land. The lease requires approval by the North Poudre Board at its meeting and staff recommends authorizing the Town Attorney to sign off on non-substantial changes potentially required by that board.



Suggested Motion: Move to approve the Lease Agreement between North Poudre Irrigation Company and the Town of Wellington for the expansion of the Water Treatment Plant and to authorize the Mayor to execute the Lease Agreement in substantially the same form as included in the packet if approved by the North Poudre Irrigation Company Board of Directors and upon final approval by the Town Attorney.

ATTACHMENTS

1. NPIC-TOW Lease Expansion Land
2. EXHIBIT A -Expansion Land
3. EXHIBIT B - NPIC Access Rd

AGREEMENT FOR LEASE OF LAND
FOR WATER TREATMENT PLANT EXPANSION

This AGREEMENT FOR LEASE OF LAND FOR WATER TREATMENT PLANT EXPANSION (“Lease”) is entered into by and between the North Poudre Irrigation Company (“North Poudre” or “Company”), a Colorado nonprofit corporation whose address is P.O. Box 100, Wellington, CO 80549 and the Town of Wellington, Colorado (“Wellington” or “Town”) a Colorado statutory municipality whose address is P.O. Box 127, Wellington CO 80549, (each a “Party” and together the “Parties”).

Recitals

- A. North Poudre and Wellington are the parties to and beneficiaries of an agreement dated August 26, 1983, pertaining to Wellington’s transfer to the Company of 53 shares of North Poudre stock; the Company’s arranging for annual or seasonal transfers of water to North Poudre Reservoir No. 3 for Wellington’s use for domestic purposes; and Wellington’s rental from the Company of the ground on which Wellington constructed and operates its water treatment plant, along with associated easements (“1983 Agreement”). The terms of the 1983 Agreement are incorporated herein by reference and shall apply to additional land leased herein, except as to such terms as are expressly modified herein.
- B. Section 5 of the 1983 Agreement provides that the site of the water treatment plant (“WTP Site”) encompassed approximately 5.23 acres, plus access, as shown and described on Sheets 1 and 2 attached to the 1983 Agreement.
- C. Section 13 of the 1983 Agreement provides that Wellington’s use of the WTP Site “will be continued” for so long as “the site is used to provide water to the Town and the charges owed are paid”; and that Wellington holds no right to expand the WTP Site “without a new written agreement between the parties.”
- D. Wellington is undertaking an expansion of the water treatment plant that requires an enlargement of the WTP Site by approximately 3.35 acres (“WTP Expansion”).
- E. The Parties are presently engaged in purchase and sale negotiations concerning the existing lease parcel as well as the WTP Expansion area. However, Wellington wishes to commence construction of the WTP Expansion prior to closing on the pending purchase (“Closing”).
- F. The Parties wish to enter into this Lease to provide the terms and conditions on which Wellington will lease from North Poudre, through the earlier of September 30, 2022 or date

of Closing on the purchase of the additional ground necessary for the WTP Expansion (“Expansion Land”).

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, North Poudre and Wellington agree as follows:

1. Incorporation of Recitals: Recitals A through F above are part and parcel of this Lease, and are fully incorporated herein.
2. No effect on 1983 Agreement: Nothing in this Lease modifies, or is to be construed as modifying, the 1983 Agreement or the Parties’ rights and obligations thereunder.
3. Lease of Expansion Land: North Poudre hereby leases the Expansion Land to Wellington on the following terms and conditions:
 - 3.1 Description: A site layout of the WTP Expansion with depiction of the Expansion Land boundary is shown on attached **Exhibit A**
 - 3.1.1 In carrying out the WTP Expansion, and consistent with the terms of the 1983 Agreement, in lieu of maintaining and preserving the existing 30-foot access easement between the treatment plant as expanded and the north section line for the use of North Poudre and its agents as well as for the use of Wellington, Wellington shall, on or before the completion of the WTP Expansion, install a gravel access road for North Poudre’s sole use as set forth on **Exhibit B**. (“Access Road”). This provision shall survive the Lease term and shall be fully enforceable after termination of this Lease.
 - 3.2 Duration:
 - 3.2.1 This Lease will take effect on the date on which it has been signed by both Parties (“Effective Date”), and will continue in full force and effect through the earlier of September 30, 2022 or date of Closing, provided that (i) the treatment plant as modified by the WTP Expansion continues to be used to provide water to the Town, (ii) the Town timely pays all charges owed under this Lease, subject to the further terms of paragraph 3.4 below, and (iii) the Lease is not earlier terminated in accordance with the terms of paragraph 6.10 below or extended in accordance with the terms of paragraph 4.1 below. The period in which the Lease remains in effect is the “Lease Term.”
 - 3.2.2 There shall be no construction activity by Wellington on the Expansion Land prior to the execution of this Lease. To the extent that any entry or construction activity occurs on the Expansion Land prior to the Effective Date, Wellington shall pay North Poudre all amounts due under this Lease as though the Lease had been in effect at the time of entry and/or construction activity.

- 3.3 Lease rate and payments: Wellington shall pay North Poudre the following, which the Parties agree to be a reasonable cost allocation for Wellington's use of the Expansion Land.
- 3.3.1 Continuation of payments under the 1983 Agreement: Throughout the Lease Term, Wellington shall continue to be responsible to pay North Poudre all amounts due under the 1983 Agreement for rental of the WTP Site, including without limitation "7 percent times the total annual assessment as reimbursement and compensation to North Poudre for administrative expense, rental of ground and contingencies payable in advance for each assessment year" ("Annual 7% Payment").
- 3.3.2 Monthly rental payment: On the first day of each month during the Lease Term Wellington shall pay North Poudre Two Hundred and Fifty Dollars (\$250.00) for rental of the Expansion Land ("Monthly Lease Payment").
- 3.3.4 Reimbursement of legal and administrative expenses: Wellington shall reimburse North Poudre for its reasonable and documented legal and administrative expenses attributable to the Company's review, execution, and administration of this Lease ("Reimbursable Expenses"). Reimbursable Expenses do not include routine administrative costs and fees incurred in North Poudre's ordinary operations.
- (i) Beginning in the first full month after the Effective Date, no later than the fifteenth day of each month, North Poudre shall deliver to Wellington an emailed invoice for all of the Reimbursable Expenses the Company incurred in the previous month ("Monthly Invoice").
 - (ii) In each Monthly Invoice, North Poudre shall include a description of each expense for which reimbursement is claimed, including without limitation the hourly rate for and time billed by each of the Company's attorneys. North Poudre shall include in these description sufficient detail to allow Wellington to determine the amount, purpose, and reasonableness of expense; however, North Poudre will not include privileged or confidential information in such descriptions.
 - (iii) Should the Parties disagree over whether certain expenses incurred by North Poudre are Reimbursable Expenses, the dispute resolution provisions in paragraph 5.1 below will control.
 - (iv) Within thirty days of receipt of a Monthly Invoice, Wellington shall make full payment to North Poudre for all Reimbursable Expenses that are reported on that invoice and that are not disputed under paragraph 5.1 below.

- 3.4 Penalty for late payments: If money owed to North Poudre for Wellington's rental of the Expansion Land under this Lease is not paid when due, North Poudre may assess a late charge on such amount due and unpaid, in the amount of the interest rate then in effect and owed by any North Poudre stockholder for a delinquency on an assessment against shares of stock in the Company.
- 3.4.1 Remedies for North Poudre in the event of non-payment: North Poudre will not be entitled to terminate this lease for non-payment except under the following circumstances: (i) Wellington has appropriated sufficient funds to meet its obligations under this Lease in the applicable calendar year; (ii) Wellington has not paid money owed to North Poudre under this Lease within 60 days of the date on which such payment is due; (iii) North Poudre has sent Wellington written notice of such non-payment, along with documentation of North Poudre's intention to terminate the lease; (iv) Wellington does not dispute the non-payment; and (v) Wellington does not make the required payment within 28 days of the date on which it receives North Poudre's notice of intention to terminate. If Wellington disputes that it has not timely made a required payment, the Parties shall proceed according to the terms of paragraph 5 below.
- 3.5 Means of access to the Expansion Land: Wellington shall access the Expansion Land from County Road No. 11 within the existing lease parcel and shall arrange for such access.
- 3.6 Responsibility for loss or damage: Wellington bears sole responsibility for securing and insuring the WTP Expansion, and North Poudre will bear no responsibility for loss or damage suffered by the Town as a result of the location or characteristics of the Expansion Land. Wellington or its contractors or other agents acting on Wellington's behalf will bear sole responsibility for any and all damage for which there is legal liability as a result of construction.
- 3.7 Coordination of construction with North Poudre: Wellington shall coordinate with North Poudre the construction of the WTP Expansion and appurtenant facilities, and shall give North Poudre all requested information about such construction, including a reasonably detailed construction schedule, within a reasonable time prior to construction work commencing on the lease premises. Wellington shall plan such construction to hold to a reasonable minimum the loss of any water in storage in North Poudre Reservoir No. 3.
- 3.8 Regulatory approvals and permits: Wellington is solely responsible for obtaining all necessary regulatory approvals, permits, or other approvals necessary for construction of the WTP Expansion. Wellington shall deliver copies of all such approvals and permits to North Poudre within a reasonable time upon request of North Poudre.

- 3.9 Fencing: During construction, Wellington shall install fencing sufficient to turn livestock away from the construction site. Before construction is complete, Wellington shall install fencing, such as chain link or other similar security fencing, to fully surround the WTP Expansion.
 - 3.10 Power: Wellington bears sole responsibility for obtaining power for the WTP Expansion, and shall pay all charges for such power. Wellington shall obtain North Poudre's advance written approval of the location of power poles and lines, which location must not interfere with North Poudre's use of its property.
 - 3.11 Wellington shall have no right to further expansion or relocation of the Water Treatment Plant without subsequent agreement: Nothing in this Lease grants to the Town the right to further expansion or relocation of the WTP Site in the absence of a subsequent agreement providing for such expansion or relocation.
4. Agreement to terminate rental of the WTP Site and the Expansion Land upon Closing:
- 4.1 If the Parties are unable to close on the purchase and sale of the WTP Expansion Land and existing lease parcel on or before September 30, 2022, the Lease Term hereunder automatically will be extended on a month-to-month term until the Closing date.
 - 4.2 If the Parties close prior to September 30, 2022, the Lease Term hereunder automatically will terminate as of the Closing date.
 - 4.3 Nothing in this paragraph 4 alters or is to be construed as altering the terms of Section 13 of the 1983 Agreement.
5. Dispute resolution:
- 5.1 Disputes over Reimbursable Expenses: Should the Parties disagree over whether certain expenses incurred by North Poudre are Reimbursable Expenses, the Parties shall negotiate in good faith for a period of at least thirty days before taking any further action as provided in this Section ("Negotiation Period").
 - 5.1.1 If Wellington disputes that any expense claimed by North Poudre on a Monthly Invoice is not a Reimbursable Expense hereunder, Wellington shall, within thirty days of date of the invoice email, email North Poudre a written explanation of the basis for disputing that expense. The date Wellington emails that explanation is the first day of the Negotiation Period.
 - 5.1.2 If the Parties do not reach agreement concerning payment of the disputed expense within the Negotiation Period, which may be extended by written agreement of the Parties, either party may initiate an action in the District Court for Larimer County, Colorado, requesting declaratory judgment to resolve the dispute.

5.1.3 During pendency of any action under Section 5.1.2 above, Wellington shall make timely payment to North Poudre for all Reimbursable Expenses that were reported in a Monthly Invoice, that are undisputed, and that have not already been paid in accordance with paragraph 3.3.3 above.

5.2 Other disputes: Should a dispute arise that does not pertain to payment of Reimbursable Expenses and that the Parties are not able to resolve by good-faith negotiation, that dispute may be decided by binding arbitration. If the Parties cannot agree on an arbitrator, they shall engage JAG, Inc., in Denver, Colorado for arbitration services. However, if either Party informs the other in writing that it is unwilling to arbitrate, the dispute will be subject to all other remedies then available to the parties at law and in equity, including without limitation the remedy of specific performance.

6. General provisions:

6.1 Merger: This Lease supersedes and controls all prior written and oral agreements and representations of the Parties with respect to Wellington's rental of the Expansion Land and is the total integrated agreement between the Parties with respect to that subject.

6.2 Modifications: This Lease may be modified only by a subsequent written agreement executed by both Parties.

6.3 No assignment: This Lease is not assignable, and shall not be recorded in the county land records.

6.4 Communications: All communications and payments required under this Lease must be delivered to the addresses of the Parties as set forth below. All communications so given and properly addressed will be considered effective immediately upon hand delivery or email delivery; one business day after deposit with an overnight delivery service; and three business days after deposit in the U.S. Mail. Either Party by notice so given may change the address to which future notices or payments are to be sent.

North Poudre:

Communications and payments:

North Poudre Irrigation Company
Attn: Ms. Cali Gunter, Corporate Secretary
3729 Cleveland Avenue
P.O. Box 100 Wellington, CO 80549
cgunter@npicwater.com

Copies of communications:

Tad Moen, General Manager
tmoen@npicwater.com

Chrysten Hinze, Lind, Ottenhoff & Root, LLP
chrys@lorlegal.com

Wellington:

Town of Wellington
Attn: Ms. Patti Garcia, Town Administrator
3735 Cleveland Avenue
Wellington, CO 80549
garcia@wellingtoncolorado.gov

Copies:

Bob Gowing, Director of Public Works
gowingbj@wellingtoncolorado.gov

[Dan Sapienza, March & Olive, LLC, Town Attorney](mailto:dan@bmarchlaw.com)
dan@bmarchlaw.com

- 6.5 Severability: The terms of this Lease are severable. If a court of competent jurisdiction finds any provision hereof to be invalid or unenforceable, the remaining terms and conditions will remain in full force and effect.
- 6.6 No third-party beneficiaries: Nothing in this Lease, express or implied, confers or is intended to confer any rights or remedies whatsoever upon any person or entity other than North Poudre and Wellington.
- 6.7 No waiver of immunity: Nothing in this Lease, express or implied, waives or is intended to waive Wellington's immunity under Colorado law, including without limitation the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101 through 120.
- 6.8 Joint drafting: The Parties acknowledge that this Lease represents the negotiated terms, conditions, and covenants of the Parties, and that the Party responsible for drafting any such term, condition, or covenant is not to be prejudiced by any presumption, canon of construction, implication, or rule requiring construction or interpretation against that Party.
- 6.9 Counterparts: This Lease may be executed in multiple counterparts, all of which taken together constitute one and the same document.
- 6.10 Appropriation of funds: No part of this Lease creates or is to be construed as creating a "multiple fiscal year obligation" as that term is defined by Article X, Section 20 of the Colorado Constitution. Wellington may terminate this Lease without penalty by affirmatively declaring that it will not appropriate sufficient funds to meet its obligations under this Lease in the upcoming year. Wellington shall give North Poudre notice of any such termination due to non-appropriation no later than January 31 of the applicable calendar year. In that event, which will not constitute a breach of this Lease, Wellington and North Poudre shall negotiate in good faith regarding prompt execution of an agreement regarding Wellington's continuing use of the WTP Expansion to treat water for the Town.

- 6.11 No waiver of subsequent breach: Waiver of a breach of any term of this Lease by either Party will not constitute and is not to be construed as a waiver of any subsequent breach of either the same or another term of this Lease.
- 6.12 Dates: If any date or deadline set by this Lease for the delivery of any communication or payment should fall on a weekend, a federal holiday, or a Colorado-recognized holiday, such date or deadline is automatically extended to the next succeeding weekday that is not a holiday.

WHEREFORE, the Parties have executed this Lease on the date(s) written below

TOWN OF WELLINGTON, COLORADO

By: _____
Mayor

Date: _____

Attest: _____
Town Clerk

STATE OF COLORADO)

ss.

COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022 by _____, as Mayor of the Town of Wellington, Colorado.

Witness my hand and official seal.

My commission expires _____.

Notary Public

THE NORTH POUDRE IRRIGATION COMPANY

By: _____
Loren Maxey, President

Date: _____

Attest: _____
Secretary

STATE OF COLORADO)

ss.

COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022 by Loren Maxey, as President of the North Poudre Irrigation Company.

Witness my hand and official seal.

My commission expires _____.

Notary Public

C:\Users\mhammett\Documents - Town of Wellington\10691 N CR 11\10691 N CR 11.dwg 03/28/2022

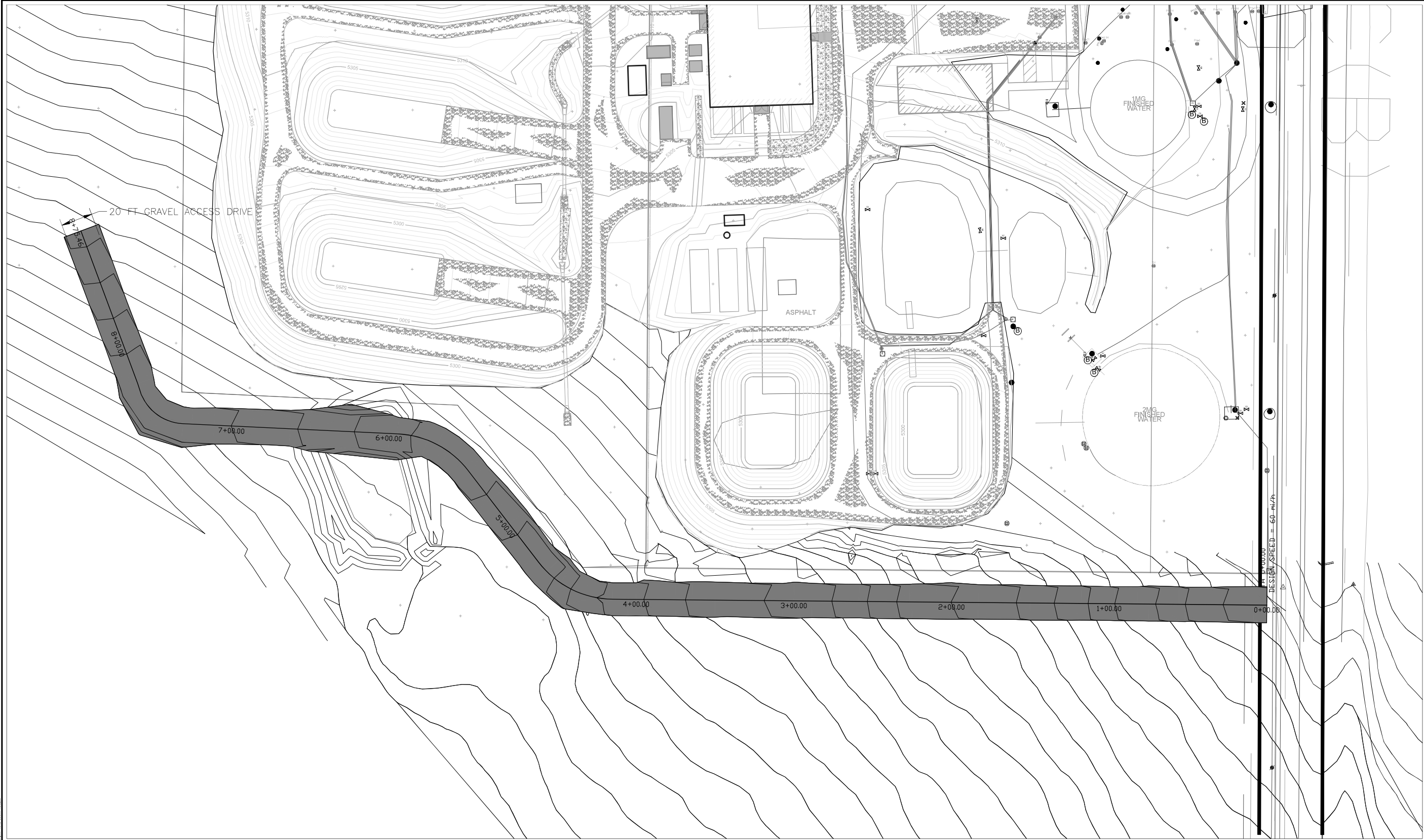
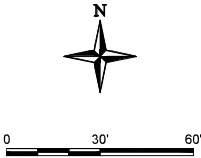


EXHIBIT "B"

EXPLANATION
NONE



DRAFT

SHEET 1 1 OF 1	NPIC ALTERNATE ACCESS ROAD		DRAWN BY: NRE		WARNING IF THIS BAR DOES NOT MEASURE 1" IN LENGTH THEN DRAWING IS NOT AT INTENDED SCALE		REV. DATE		DESCRIPTION		REVISIONS	
	WATER TREATMENT PLANT EXPANSION TOWN OF WELLINGTON 10691 N CR 11		CHECKED BY: MS		DATE: 04/25/2022		A		04/25/2022		DRAFT LAYOUT	
	REV: A		SCALE: AS SHOWN		FILE: WTP-NPIC SOUTH ACCESS		BY		NRE		MS	



Board of Trustees Meeting

Date: May 10, 2022
Submitted By: Patti Garcia, Town Administrator
Subject: Ordinance No. 10-2022 - An Ordinance of the Town of Wellington Establishing the Wellington Finance Committee as a Formal Advisory Board to the Board of Trustees

- **Presentation - Patti Garcia, Town Administrator**

EXECUTIVE SUMMARY

Based on a direction by the Board of Trustees in February 2022, an ordinance has been drafted to establish the Town of Wellington Finance Committee Advisory Board.

BACKGROUND / DISCUSSION

In early 2022, the Board of Trustees requested staff to research options regarding the creation of a Finance Committee Advisory Board for the Town of Wellington. It was found that many municipalities in Colorado have some type of oversight board related to finance. Some have what would be considered “ad hoc” committees that are not formal advisory boards and are not included in their municipal code. Others have more formal advisory boards where the board is adopted by the elected officials by ordinance, and it is included in their municipal code. The role of a Finance Committee is generally broken down into two types; either directing policy or general budget oversight. A Finance Committee that is policy related would be looking at items such as financial policies, purchasing policies, fleet policies and working with the town’s appointed auditor. A Committee that has general budget oversight would be meeting to review revenues and expenditures and looking at the adopted budget versus actual expenses. A Committee can be both policy and have budget oversight but it would be very time consuming for the members of the Committee and for staff.

Committee goals that were discussed in February included the following:

- Review and provide feedback to the Board of Trustees on the Town’s annual draft budget, budgeting priorities, and initiatives as determined by the Trustees.
- Periodically review the need for rotation of the Town’s independent auditor.
- Review the Town’s draft annual audit and provide recommendations regarding responses to the Town auditors management letter. Provide recommendations to the Board of Trustees to accept the Town’s audited year-end financial statements.
- Review of revenues.
- Review of budget versus actual expenses.
- Review of reports generated by outside consultants for matters having a financial impact such as utility rate studies, long term financial planning and potential contracts for banking or financial services.

Pursuant to direction provided at the February 22, 2022 Trustee work session, it was requested that the Wellington Finance Committee Advisory Board be one that has general budget oversight. Additionally, direction was provided that the committee be made up of seven Wellington residents for two-year terms that would coincide with Board of Trustee elections which are held in April of even-numbered years. It was requested that the members of this Committee be dedicated to this Advisory Board only and that interviews for the Finance Committee be conducted by the full Board of Trustees in an open meeting. Although not discussed at the work session, there is an assumption by staff that there would be a non-voting Trustee liaison appointed by the Mayor to the Finance Committee Advisory Board.



The ordinance before the Trustees can either be adopted on May 10 or adoption can be postponed to May 24 for adoption if further information is needed by the Trustees. Based on the adoption date, the application, interview and appointment process will create different timelines. If the ordinance is adopted on May 24 with a Committee appointment date of June 28, applicants would be notified of appointment after the interviews so they could prepare for the June 29 meeting date. The two scenarios for adoption of the ordinance are as follows:

May 10 ordinance adoption date

Application process – May 11-May 25

Interviews – week of May 30 (potentially a special meeting on Tuesday, May 31 which is the 5th Monday)

Appointments made – June 14

First meeting of the Finance Committee – June 29

May 24 ordinance adoption date

Application process – May 25-June 8

Interviews – week of June 13 (potentially a special meeting on Wednesday, June 15)

Appointments made – June 28

First meeting of the Finance Committee – June 29

Vik Runkle, the town's interim Finance Director, will be facilitating initial meetings of the Finance Committee. There is a lot of information to absorb for those that will be appointed and it is recommended that five weekly meetings be held in order to get everyone up to speed. The tentative schedule and topics are listed below. The dates were chosen based on Trustee and Advisory Board meetings schedules, municipal court and conference room availability and in conjunction with the 2023 budget calendar and water and sewer rate study.

Meeting 1 – Wednesday, June 29

Identify roles and responsibilities

- Budget and accounting cycle/calendar.
- Monthly or quarterly report to the BOT.
- “Color of Money” presentation. This is a presentation of General Fund, Special Revenue Funds, Enterprise and Trust Funds. The accounting and auditing “parameters and rules” of revenues and expenditures of each Fund type.
- TABOR/DeBruce discussion.
- Creation of bylaws.

Meeting 2 – Wednesday, July 6

- Review of General Fund
 - o Revenues
 - o Expenditures
 - o CIP

Meeting 3 – Wednesday, July 20

- Review of Street Fund
 - o Revenues
 - o Expenditures
 - o CIP
- Review of Park Fund



- o Revenues
- o Expenditures
- o CIP
- Review of Conservation Trust Fund
 - o Revenues
 - o Expenditures
- Review of Library Trust Fund
 - o Revenues
 - o Expenditures

Meeting 4 – Wednesday, July 27

- Review of Water Fund
 - o Revenues
 - o Expenditures
 - o Debt and CIP
- Review of Sewer Fund
 - o Revenues
 - o Expenditures
 - o Debt and CIP
- Review of Drainage Fund
 - o Revenues
 - o Expenditures
 - o Debt and CIP

Meeting 5 – Wednesday, August 3

- Discuss policies: types of reserves, creation of CIP funds

STAFF RECOMMENDATION

Optional motions

- Move to adopt Ordinance No. 10-2022 - An Ordinance of the Town of Wellington Establishing the Wellington Finance Committee as a Formal Advisory Board to the Board of Trustees
- Move to postpone adoption of Ordinance No. 10-2022 - An Ordinance of the Town of Wellington Establishing the Wellington Finance Committee as a Formal Advisory Board to the Board of Trustees to the May 24, 2022 regular meeting of the Board of Trustees

ATTACHMENTS

1. ATTACHMENT 1 - Ordinance 10-2022_Finance Committee

TOWN OF WELLINGTON

ORDINANCE NO. 10-2022

AN ORDINANCE OF THE TOWN OF WELLINGTON ESTABLISHING THE
WELLINGTON FINANCE COMMITTEE AS A FORMAL ADVISORY BOARD TO THE
BOARD OF TRUSTEES

WHEREAS, the Town of Wellington, Colorado (“Town”) is a statutory town, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, the Board of Trustees of the Town desire to ensure transparency of the Town’s finances; and

WHEREAS, the Board of Trustees finds it in the best interests of the community and its citizens to amend Article 2 of Chapter 2 of the Wellington Municipal Code and conform relevant code provisions for best practices for financial reporting purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON, COLORADO AS FOLLOWS:

Article 16 – Wellington Finance Committee Advisory Board

Sec. 2-16-10. Purpose.

The Finance Committee Advisory Board shall serve in an advisory capacity to the Board of Trustees on matters concerning the Town’s finances. Responsibilities shall include the following:

- a) To review the Town’s annual draft budget to obtain understanding of the Town’s financial position as well as budgeting priorities and initiatives determined by the Board of Trustees.
- b) To make recommendations to the Board of Trustees concerning Town finances, annual budget and long-range financial planning to address the needs of the Town.
- c) To monitor all required annual, quarterly, and monthly financial reporting to lenders, creditors, and other financial institutions affiliated with the Town.
- d) To review Town revenues and actual expenses on a monthly basis.
- e) To review reports generated by outside consultants for matters having a financial impact such as utility rate studies, long term financial planning and potential contracts for banking or financial services.
- f) To provide independent review of the Town’s financial reporting processes, internal controls and independent auditors.

Sec. 2-16-20. Creation, qualification, and eligibility.

- a) There is hereby created and established a Finance Committee which shall perform those duties and exercise those powers and responsibilities set forth in this Article.
 - 1) Members of the Finance Committee Advisory Board shall take it upon themselves to be educated regarding the role of the Committee, standard audit procedures, internal controls, and best practices in governmental financial accounting and reporting.

- 2) Members shall be a minimum of eighteen (18) years of age.
- 3) Members shall serve without pay.
- b) No voting member of the Wellington Finance Committee Advisory Board shall be eligible to serve on any other board or commission of the Town during that member's tenure on the Wellington Finance Committee Advisory Board.

Section 2-16-30. Membership; terms; appointment and removal.

- a) The Wellington Finance Committee Advisory Board shall be composed of members from the following constituencies and for the following terms:
 - 1) The Advisory Board shall consist of seven (7) voting members and one (1) non-voting Board of Trustee liaison member, all of whom shall be residents of the Town. If any member ceases to be ineligible due to residency, their membership shall immediately terminate.
 - 2) The seven (7) voting members shall be appointed as members at large by the Board of Trustees. At-large members shall be appointed to serve a term of two (2) years and shall be conterminous with the annual Board of Trustee elections in April of even numbered years.
 - 3) The Mayor shall appoint one (1) member from the Board of Trustees as a nonvoting liaison member. The member's term shall be conterminous with the annual Board of Trustee elections in April of even numbered years.
- b) Members of the Wellington Finance Committee Advisory Board may be removed from office for inefficiency, neglect of duty, malfeasance, upon written notice and after a public hearing is held during a regular or special Board of Trustee meeting. The removal of any Wellington Finance Committee Advisory Board member shall require the affirmative vote of a majority of the Board of Trustees participating in the public hearing.
- c) The Board of Trustees shall make such appointments as necessary to fill the unexpired terms of vacancies which may occur on the Advisory Board, with the exception of any vacancy left by the nonvoting liaison member, which shall be filled by appointment by the Mayor.

Section 2-16-40. Meetings, Voting.

- a) The Wellington Finance Committee Advisory Board shall adopt bylaws and rules for the transaction of business and shall keep a record of business, which shall be public record.
- b) The Advisory Board shall meet monthly unless there is no business for the Finance Committee to consider.
- c) Four (4) members of the Advisory Board shall constitute a quorum to do business at all meetings.
- d) The Advisory Board shall keep minutes of its meetings and transactions and provide them to the Town Clerk after approval.
- e) A simple majority is necessary for passage of all items brought before the Wellington Finance Committee Advisory Board. No member shall vote or act by proxy.

PASSED AND ADOPTED by the Board of Trustees of the Town of Wellington, Colorado and ordered published this _____ day of _____, 2022 and ordered to become effective _____, 2022.

TOWN OF WELLINGTON, COLORADO

By: _____
Calar Chaussee, Mayor

ATTEST:

Krystal Eucker, Town Clerk



Board of Trustees Meeting

Date: May 10, 2022
Submitted By: Krystal Eucker, Town Clerk
Subject: Special Event Permit Application - Brewfest

- **Presentation:** Krystal Eucker, Town Clerk

EXECUTIVE SUMMARY

Wellington Main Streets Program (WMSP) has submitted an Application for a Special Event Permit to serve fermented malt beverages on June 4, 2022 during Wellington Brewfest. WMSP has submitted all documentation for the permit including the application, premise map, permission for use of the premise, Certificate of Good Standing from the Colorado Secretary of State that shows their nonprofit status and the special event questionnaire.

The Wellington Brewfest event will take place on June 4, 2022 from 2:00 - 5:00 p.m. and it is anticipated that 600 individuals will attend the event. A variety of local breweries will be serving alcohol including Accomplish, Maxline, Sparge, Zwei, Verboten, Grimm, Soul Squared, Rally King, Timnath Brewwerks, Old Colorado Brewing, Odell, Stodgy, Myth Maker, Knuckle Puck, Mash Lab and Crown Hop. Alcohol will be served by TIPS (Training for Intervention Procedures) certified employees of the breweries. The food trucks scheduled to be onsite are Leave it to Cleaver Food Truck, The Cakery and The BBQ Love Shack. Landmark Event Staffing will provide security at the entrances for ID checks and exits will be monitored to keep alcohol from leaving the premise. There will also be three Larimer County Sheriff's Deputies at the event for security.

Wellington Main Streets Program was issued a Special Event Permit for Brewfest in 2021; there were no issues reported related to the liquor permit.

BACKGROUND / DISCUSSION

Pursuant to C.R.S 44-5-106, public notice of the proposed permit application and of the procedure to protest the permit was posted on April 29, 2022 at the premise location. To date, there have been no protests to the Application for a Special Events Permit.

The Local Liquor Licensing Authority shall report approved or disapproved Special Events Permits to the Colorado Liquor Enforcement Division within 10 days.

STAFF RECOMMENDATION

Optional Motion for Approval - Move to Approve the Special Event Permit Application for Brewfest as submitted by Wellington CO Main Streets Program.

ATTACHMENTS

1. SEP Application - WMSP

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT
AND ONE OF THE FOLLOWING (See back for details.)

- | | | |
|------------------------------------|---|---|
| ☐ SOCIAL | ☐ ATHLETIC | ☐ PHILANTHROPIC INSTITUTION |
| ☐ FRATERNAL | ☐ CHARTERED BRANCH, LODGE OR CHAPTER | ☐ POLITICAL CANDIDATE |
| ☐ PATRIOTIC | ☒ OF A NATIONAL ORGANIZATION OR SOCIETY | ☐ MUNICIPALITY OWNING ARTS
FACILITIES |
| ☐ POLITICAL | ☐ RELIGIOUS INSTITUTION | |

LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:
2110 ☐ MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY
2170 ☒ FERMENTED MALT BEVERAGE \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE Wellington CO Main Streets Program		State Sales Tax Number (Required) [REDACTED]	
2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) PO Box 1021 Wellington, CO 80549		3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) Centennial Park 3815 Harrison Ave Wellington CO 80549	
NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE Anita Hardy	[REDACTED]	[REDACTED]	[REDACTED]
5. EVENT MANAGER Megan Larson	[REDACTED]	[REDACTED]	[REDACTED]
6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? ☐ NO ☒ YES HOW MANY DAYS? 1		7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? ☒ NO ☐ YES TO WHOM? _____	

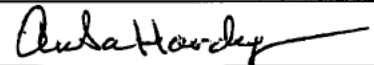
8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? ☒ Yes ☐ No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date 06/04/22	Date	Date	Date	Date
Hours From 9:00 A.m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To 6:30 P.m.	To .m.	To .m.	To .m.	To .m.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE 	TITLE PRESIDENT	DATE 2/15/2022
--	--------------------	-------------------

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)	☐ CITY ☐ COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK
SIGNATURE	TITLE	DATE

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION

License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$.

(Instructions on Reverse Side)

APPLICATION INFORMATION AND CHECKLIST

THE FOLLOWING SUPPORTING DOCUMENTS MUST BE ATTACHED TO THIS APPLICATION FOR A PERMIT TO BE ISSUED:

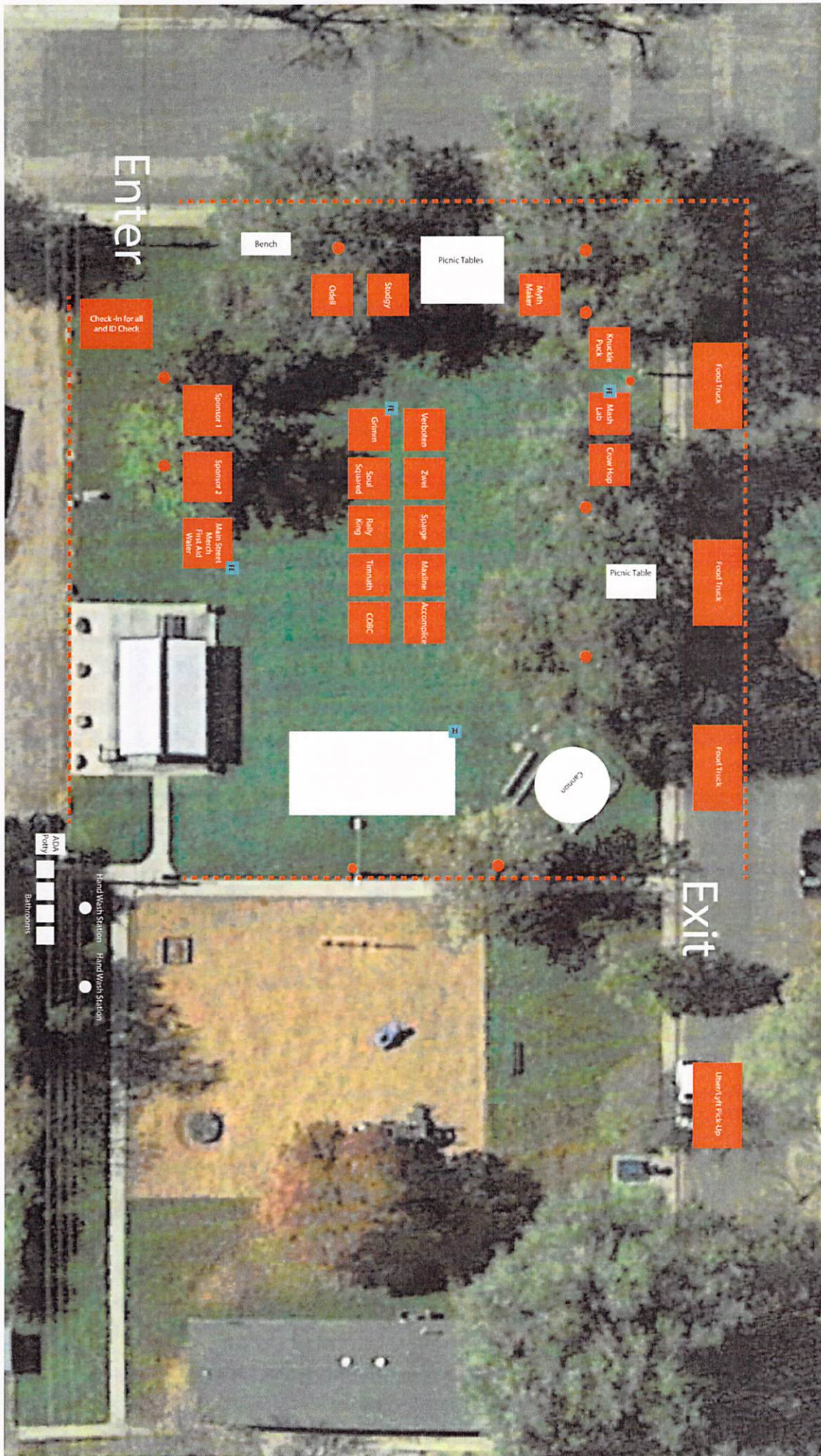
- ☒ Appropriate fee.
- ☒ Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions.
Note: If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
- ☒ Copy of deed, lease, or written permission of owner for use of the premises.
- ☒ Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; **or**
- ☐ If not incorporated, a NONPROFIT charter; **or**
- ☐ If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

- ☐ APPLICATION MUST FIRST BE SUBMITTED TO THE LOCAL LICENSING AUTHORITY (CITY OR COUNTY) AT LEAST THIRTY (30) DAYS PRIOR TO THE EVENT.
- ☐ THE PREMISES TO BE LICENSED MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE A HEARING CAN BE HELD. (12-48-106 C.R.S.)
- ☐ AN APPROVED APPLICATION MUST BE RECEIVED BY THE LIQUOR ENFORCEMENT DIVISION AT LEAST TEN (10) DAYS PRIOR TO THE EVENT.
- ☐ CHECK PAYABLE TO THE COLORADO DEPARTMENT OF REVENUE

(12-48-102 C.R.S.)

A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 46 and 47 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.

If an event is cancelled, the application fees and the day(s) are forfeited.



4' CHAIN-LINK FENCE

422' x 158'

Krystal Eucker

From: Dean Campos
Sent: Friday, April 29, 2022 2:26 PM
To: Krystal Eucker
Subject: Brewfest 2022 Approval

Hello Krystal,

I give permission for Main Street to use Centennial Park on June 4th, 2022 for there Brewfest event.

Thank you,



Dean Campos

Parks and Recreation Manager

Phone: [\(970\) 568-7410](tel:(970)568-7410)

Email: camposde@wellingtoncolorado.gov

Web: www.wellingtoncolorado.gov

3735 Cleveland Ave, Wellington, CO
80549



OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Wellington, CO Main Streets Program

is a

Nonprofit Corporation

formed or registered on 06/12/2014 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20141362413 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 04/27/2022 that have been posted, and by documents delivered to this office electronically through 04/29/2022 @ 14:23:46 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 04/29/2022 @ 14:23:46 in accordance with applicable law. This certificate is assigned Confirmation Number 13986668 .

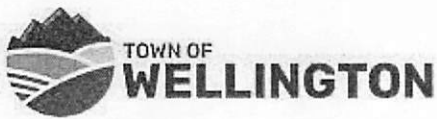


Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



SPECIAL EVENTS PERMIT QUESTIONNAIRE

Date Submitted: 2/15/2022

Application Name (Line 1 of DR8439): Wellington Brewfest

PLEASE FILL OUT **ONE** QUESTIONNAIRE FOR **EACH** EVENT LISTED IN THE APPLICATION.

1. Briefly describe your event. Brewfest and beer tasting

2. How many people will be attending your event? 600

3. During what hours will you be serving alcohol? 2:00 - 5:00 pm

4. Describe what food will be available during all hours that alcohol will be served. _____
BBQ, Sandwiches, Cupcakes
5. Who will be providing the food? Leave it to Cleaver Food Truck. The Cakery, The BBQ Love Shack

6. Identify who will be providing the alcohol. Local Breweries
Accomplice, Maxline, Sparge, Zwei, Verboten, Grimm, Soul Squared, Rally King, Timnath Breworks
~~Old Colorado Brewing, Odell, Stodgy, Myth Maker, Knuckle Puck, Mash Lab, Crow Hop~~
7. Is the alcohol donated or purchased. Donated

8. Who will be serving the alcohol during the event and describe the alcohol service training of those serving. TIPS Certified Brewery Staff

9. Describe the procedures that will be used to monitor alcohol use, identify the age of purchasers and prevent alcohol from entering or leaving the designated area. _____
ID Check Upon Entrance, Staffed exit monitoring (LANDMARK EVENT STAFFING)
Town of Wellington Parks and Rec Fencing
10. How many volunteers will be assisting? 30

11. Identify the company and number of officers that have been contracted to provide security. _____
3 LCSO Off-Duty Officers
12. When was the last Special Event Permit issued for this applicant? Hoppy Go Lucky 5K Special Event

13. Please list all Special Events Permits issued for this organization for the current calendar year. Attach a separate sheet if needed. Main Street Market, Hoppy Go Lucky 5K

14. Is the location for the special permit requested within 500 feet of a school? Yes ☐ No ☒
If yes, will the school be in session during the event? Yes ☐ No ☒

15. Were there any compliance problems in the past event for which a special permit has been issued? If yes, explain what changes have been made to insure compliance for this event. _____
None

16. Explain how and where the applicant will post in a conspicuous manner the license, permits, and notices required to be posted. All permits will be posted at the Main Street Tent

17. Identify and provide the cell phone number of the person who will be in charge and available during the event. Megan Larson; 720-985-9309

18. Attach a diagram showing the location of the Special Event and include ALL of the following:
- Linear dimension of each boundary and total square footage
 - Show the street and address closest to main entrance of the event
 - Show all entrances and exits
 - Describe the type and height of boundary barriers
 - Outline in bold the perimeter of the entire area in which alcohol will be stored, consumed and served and indicate on the diagram the location where alcohol will be stored and served
 - Directional Orientation (show North arrow)

Attach extra pages as necessary in order to complete the answers on this questionnaire.

I verify and affirm that I have read the foregoing application and all attachments, and that all information therein is true, correct and complete to the best of my knowledge. I understand that upon issuance of this Special Events Permit, it is my responsibility to manage the event as indicated on this questionnaire and comply with, and ensure that all volunteers and participants comply with, all provisions of the Colorado Liquor Code, state law, local ordinances and any other conditions placed on the issuance of this permit.

Kallie Cooper
Signature of Officer

Executive Director
Title

info@wellingtonmainstreet.org 970.568.4985
Contact Email & Phone

2/15/2022
Date

PUBLIC SAFETY PLAN

Wellington Brewfest

SPONSORING COMPANY: Wellington CO Main Streets Program

EVENT LOCATION: Centennial Park
3815 Harrison Ave

EVENT DATE/TIME: Saturday, June 4th, 2022
2:00 pm – 5:00 pm
Set-Up 9:00 am – 2:00 pm; Tear Down 5:00 pm – 6:30 pm

CONTACT INFO:

On Site Event Contact Megan Larson; [REDACTED]
Emergency Contact Anita Hardy; [REDACTED]

EVENT SECURITY

- A. Security Services
 - a. ~~LANDMARK~~ will provide Entrance and Exit security to ensure no alcohol leaves delineated area. There will be (4) TIPS certified representatives to check IDs and issue wristbands to attendees 21+.
 - b. Brewery staff are TIPS certified and will be checking for wristbands prior to service.
 - c. Off-duty officers with the Larimer County Sheriff's Office (LCSO) will be on site during the event to provide additional security.
- B. Area Control
 - a. Fencing has been secured through the Town of Wellington Parks and Recreation Department
 - b. Entrance and Exit openings determined by the Wellington Fire Protection District based on 800' of fencing in a 422' x 158' area
- C. A site plan is distributed to volunteers, the Wellington Fire Protection District and LCSO officers
- D. On Site Event Contact has received FEMA ICS-100 and ICS-700 Training
- E. On Site Event Contact is registered for emergency notifications through NOCOAlert
- F. There will be one volunteer for every 250 attendees

EMERGENCY PROCEDURES:

- A. NEARBY EMERGENCY SHELTERS:
 - a. Wellington Fire Protect District (8130 3rd St)
 - b. Wellington Hotel (3725 Cleveland Ave)
 - c. Owl Canyon Coffee (3745 Cleveland Ave)
 - d. Nearby vehicles
 - e. Centennial Park Shelter
- B. COMMUNICATION:
 - a. Cell phone and radio on site
- C. ON SITE EVENT CONTACT RESPONSIBLE FOR:
 - a. Monitoring a weather source (National Weather Service) two or more hours before the event and deciding whether or not to proceed with the event based on that information.
 - b. Checking the tent structures for any changes since installation – stakes pulling out of the ground, loose poles, ropes or straps etc.
 - c. Ensuring tents are spaced properly
 - d. Ensuring 10' spacing between generators / food trucks
 - e. Making sure volunteers are aware of the location of fire extinguishers and first aid supplies

- f. Exits are properly marked
 - g. First-aid stations are clearly marked
- D. DURING THE EVENT: Monitor the weather and evacuate attendees and vendors in the event of any the following conditions:
 - a. If a Severe Weather Alert is posted by the National Weather Service.
 - b. If lightning strikes within 1 mile (count of less than 5 seconds between lighting and thunder).
 - c. Damaging winds causing large trees to sway or leaves to be ripped off trees
 - d. Fire or explosion
 - e. Heavy rain causing standing water
 - f. Snow, hail or ice accumulation
 - g. Active Shooter
 - h. Bomb Threat
- E. MEDICAL EMERGENCY
 - a. Move individual away from hazard if it is safe to do so
 - b. Dial 911 for ambulance.
 - c. Move attendees away from all exits
 - d. Utilize off-duty LCSO officers for assistance
- F. SECURITY EMERGENCY / ACTIVE SHOOTER
 - a. Identify potential security risks and report unusual behavior to the local authorities
 - b. Quickly determine the most reasonable way to protect your own life. Remember that attendees are likely to follow the lead of employees and managers during an active shooter situation.
 - c. Evacuate
 - i. If there is an accessible escape path, attempt to evacuate the premises. Be sure to:
 - 1. Evacuate regardless of whether others agree to follow
 - 2. Leave your belongings behind
 - 3. Help others escape, if possible
 - 4. Prevent individuals from entering an area where the active shooter may be
 - 5. Keep your hands visible
 - 6. Follow the instructions of any police officers
 - 7. Do not attempt to move wounded people
 - 8. Call 911 when you are safe
 - d. Hide out
 - i. If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.
 - ii. Your hiding place should:
 - 1. Be out of the active shooter's view
 - 2. Provide protection if shots are fired in your direction
 - 3. Not trap you or restrict your options for movement
 - 4. Dial 911, if possible, to alert police to the active shooter's location
 - e. Acting against the shooter as a last resort
- G. IN THE EVENT OF EVACUATION:
 - a. Use the on site cell phones or radio to call 911
 - b. Use radios to disperse volunteers to notify attendees that there is weather or other emergency and that it is unsafe to stay in the park. Attendees will be directed to designated emergency shelters by way of the marked exits
 - c. Volunteers will assist guests in tearing down equipment as long as it is safe to do so

NOTICE

**PURSUANT TO THE LIQUOR LAWS OF
THE STATE OF COLORADO
Wellington, CO Main Streets Program
PO Box 1021
Wellington, CO 80549**

**HAS REQUESTED THE LICENSING
OFFICIALS OF THE TOWN OF WELLINGTON
TO: Grant a Special Event Liquor Permit
AT:
3815 Harrison Avenue, Wellington, CO
June 4, 2022 from 9:30 am - 6:30pm**

**HEARING ON APPLICATION TO BE HELD AT:
Leeper Center**

3800 Wilson Ave, Wellington, CO

TIME AND DATE: May 10, 2022 at 6:30 pm

DATE OF APPLICATION: February 15, 2022

BY ORDER OF: Wellington Liquor Authority

APPLICANT OFFICER: Anita Hardy/PO Box 1470 Wellington, CO 80549

**Krystal Eucker, Town Clerk
8225 3rd Street, Wellington, CO 80549 / 970.568-3381 x.110
ADDRESS OF THE PLACE AT WHICH PETITIONS OF REMONSTRANCES MAY BE FILED**



LARIMER COUNTY SHERIFF'S OFFICE

Justin E. Smith, Sheriff

One Agency

One Mission

Public Safety

April 25, 2022

Town of Wellington
Attn: Patti Garcia, Town Administrator
PO Box 127
Wellington, Colorado 80549

Dear Ms. Garcia:

The Law Enforcement Services Agreement for the Town of Wellington obligates the Larimer County Sheriff's Office to provide monthly reporting.

In meeting the contract, for the month of **March 2022**, the Larimer County Sheriff's Office maintained six deputies, one corporal, and one sergeant providing full-time law enforcement for the Town. In addition, one half-time investigator, one full-time desk deputy, and one full-time School Resource Officer assisted the town with law enforcement activities.

During the month of **March 2022**, non-assigned deputies spent a total of **128.14** hours in Wellington responding to calls, patrolling, and making contacts in the town.

During the month of **March 2022** there were **35.0** hours worked by Northern Colorado Drug Task Force.

Investigations – ongoing and active cases include:

Sex Crime - 4

Vehicle Theft – 1

Suspicious Circumstances – 1

Assist DHS - 1

Administration
2501 Midpoint Dr.
Fort Collins, CO 80525
970 498-5100

County Jail
2405 Midpoint Dr.
Fort Collins, CO 80525
970 498-5200

Emergency Services
1303 N. Shields
Fort Collins, CO 80524
970 498-5300

Of Note:

Deputies responded to assist Fire and EMS personnel with a 2-year-old male who had fallen out of a second-story window and onto the pavement below. Investigations and Crime Lab responded to conduct further interviews and to process the scene for evidence. Investigation revealed that the child had opened a second-story window, pushed on the screen, and accidentally fell out of the window. Luckily, the child only suffered minor injuries as a result of the fall and is expected to recover. This was great teamwork by all personnel involved in the initial response and subsequent investigation.

Through extensive surveillance and coordination, Deputies observed what appeared to be a drug transaction taking place at the Loaf & Jug and contacted both suspects. The investigation resulted in taking both suspects (buyer and seller) into custody for drug possession and distribution charges. A large amount of methamphetamine, heroin, and oxycodone pills were seized.

Deputies participated in a community engagement event at the Boys & Girls Club where the SWAT Bearcat, Crime Scene Van, and a drone were on display. Deputies and Crime Lab personnel had fun interacting with children and their parents as they climbed through the Bearcat, dusted for their own fingerprints, and observed the flying skills of one of our drone pilots. Later, Deputies participated in a fun game of dodgeball with the children and their parents.

Members of the LCSO Bike Team participated in a community engagement event at the Kiwanis Club Bike Rodeo. Deputies assisted children with helmet fittings and rode with them through a cone course to help teach bike handling skills and safety.

Sergeant Cherry facilitated four ride-alongs for the Town of Wellington Mayoral and Trustee candidates to provide them with information regarding the Sheriff's Office, its culture, and the numerous resources available to the town.

Pursuant to the Law Enforcement Agreement between the Town of Wellington and Larimer County, applicable documenting monthly forms are attached.

Thank you,

A handwritten signature in black ink, appearing to read "Joe Shellhammer". The signature is fluid and cursive, with a long, sweeping underline.

Captain Joe Shellhammer
(970) 498-5103
Attachments



LARIMER COUNTY SHERIFF'S OFFICE

Wellington Calls for Service and Patrol Time
(For Non-Wellington Officers)

Dispatch Dates Between 3/1/2022 and 3/31/2022

Excluded from this report -

Squads: Civilian, Parks, and Investigations

Units: 9ME, 9S27;9Z89;9E13;9E43;9E75;9E39;9E66;9E65;9E49;9E7;9X106*

Call Times by Month

	Call/Contact Time (Minutes/Hours)	Patrol Time (Minutes/Hours)	Totals
2022-03	6,080.48 101.34	1,607.75 26.8	7,688.23 128.14
Totals	6,080.48 101.34	1,607.75 26.8	7,688.23 128.14

Wellington Monthly Report

March 2022

Larimer County Sheriff's Office

Christine Harpel
Executive Assistant

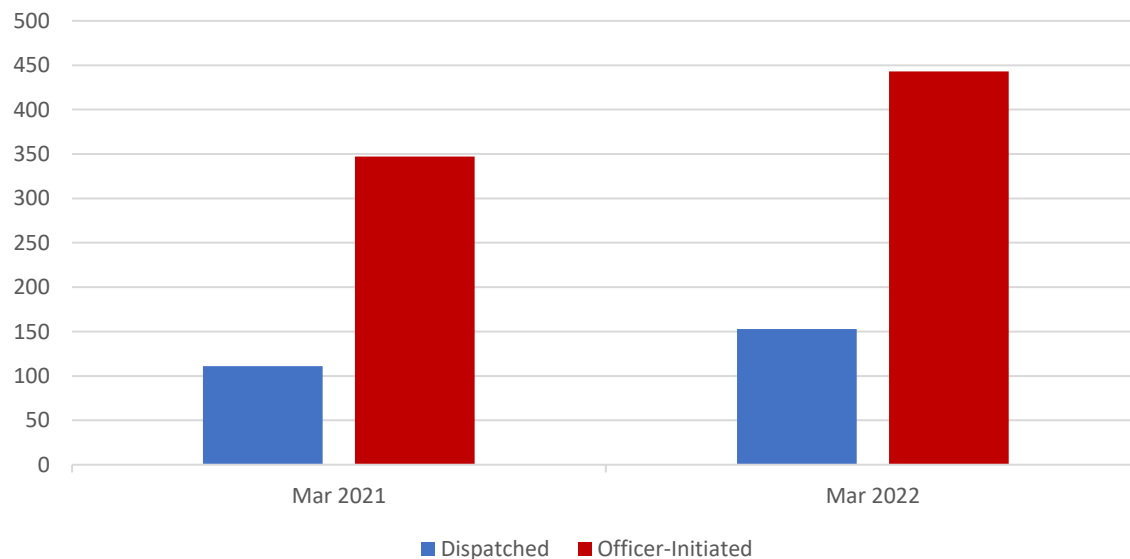
4/5/2022

March 2022 Totals

Dispatched / Officer-Initiated Activity

Dispatched Calls	153
Officer Initiated	443
Mar 2022 Total	596

Dispatched vs Officer-Initiated Activity



- Dispatched calls were Up 42 or 38% from March 2021
- Officer-Initiated Activity was Up 96 or 28% from March 2021

	Mar 2021	Mar 2022
Dispatched Calls	111	153
	24%	26%
Officer Initiated	347	443
	76%	74%
Total	458	596

- 26% were Dispatched Calls
- 74% was Officer-Initiated Activity

March 2022 Calls for Service

Calls for Service Comparison

Call Types A-M

Call Type	2019	2020	2021	Avg 19-21	2022	% Change 3-Yr Avg to 2022
9-1-1 Hangup	0	0	1	0.33	0	-100%
Alarm Calls	2	7	6	5.00	14	180%
Alcohol Calls	1	0	0	0.33	0	-100%
Animal Calls	7	7	3	5.67	6	6%
Assault	3	3	1	2.33	2	-14%
Assist Other Agency (Fire/Med)	16	12	7	11.67	18	54%
Burglary	1	2	0	1.00	0	-100%
Child abuse	1	1	0	0.67	1	50%
Citizen Assist	14	13	20	15.67	25	60%
Civil	17	9	13	13.00	12	-8%
Criminal Mischief	1	3	1	1.67	2	20%
Death Investigation	1	1	0	0.67	0	-100%
Disturbance	3	12	1	5.33	6	13%
Drug case	0	1	1	0.67	4	500%
DUI Arrest	2	1	2	1.67	2	20%
Extra Checks & Business Check	179	349	202	243.33	184	-24%
Family Problems	7	3	7	5.67	5	-12%
Fireworks Complaint	0	0	1	0.33	0	-100%
Follow up	22	31	28	27.00	37	37%
Found property	1	2	3	2.00	4	100%
Fraud	5	6	21	10.67	9	-16%
Harassment	4	3	3	3.33	5	50%
Juvenile Problem	2	1	0	1.00	6	500%
Lost Property	1	0	2	1.00	0	-100%
Mental Health Call	0	0	1	0.33	5	1400%
Missing Person (Child/Adult)	3	2	4	3.00	2	-33%
Motor Vehicle Accident	4	3	3	3.33	6	80%
Municipal Code Violation	1	0	0	0.33	0	-100%

Call Types N-Z

Call Type	2019	2020	2021	Avg 19-21	2022	% Change 3-Yr Avg to 2022
Neighbor Problems	2	5	0	2.33	8	243%
Noise\Party Complaint	4	6	1	3.67	4	9%
Pedestrian Contact/Subject St	2	1	0	1.00	8	700%
Private Tow	4	1	0	1.67	4	140%
REDDI Report	4	2	1	2.33	5	114%
Restraining Order Violation	1	5	0	2.00	1	-50%
Safe 2 Tell	0	0	0	0.00	5	NC
School Check	7	0	6	4.33	8	85%
Sex Offense	1	0	1	0.67	0	-100%
Sex Offender Check	1	1	0	0.67	8	1100%
Solicitor	0	0	1	0.33	0	-100%
Suicide Attempt	1	0	0	0.33	1	200%
Suicide Threat	1	5	0	2.00	3	50%
Suspicious Circumstances	21	26	23	23.33	17	-27%
Theft	7	8	3	6.00	2	-67%
Traffic Problem	11	11	16	12.67	8	-37%
Traffic Stop	105	90	47	80.67	137	70%
Trespass	0	1	2	1.00	2	100%
Vehicle Theft	0	1	1	0.67	1	50%
Vehicle Trespass	3	2	0	1.67	2	20%
VIN Check	14	2	5	7.00	4	-43%
Warrant Attempt/Arrest	7	3	4	4.67	2	-57%
Weapon Related (menacing)	0	1	0	0.33	0	-100%
Welfare Check	12	10	16	12.67	8	-37%
Unspecified	0	0	0	0.00	3	NC
TOTALS	506	653	458	539.00	596	11%

NC = Not Calculable. Cannot divide by 0.

Calls for Service UP 138 or 30% from March 2021

March 2022 calls UP 11% from March 2019-2021 Average

March 2022 Call Categories

Crime Type Averages / Trends

Property Crimes					
Call Type	2019	2020	2021	Avg 19-21	2022
Burglary	1	2	0	1.00	0
Theft	7	8	3	6.00	2
Vehicle Theft	0	1	1	0.67	1
Vehicle Trespass	3	2	0	1.67	2
Property Crimes Totals	11	13	4	9.33	5

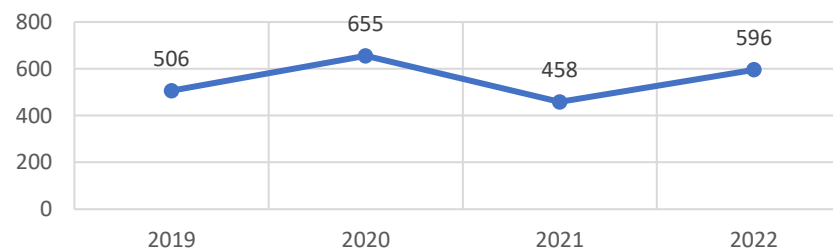
Persons Crimes					
Call Type	2019	2020	2021	Avg 19-21	2022
Assault	3	3	1	2.33	2
Missing Person (Child/Adult)	3	2	4	3.00	2
Robbery	0	0	0	0.00	0
Sex Offense	1	0	1	0.67	0
Weapon Related (menacing,	0	1	0	0.33	0
Persons Crimes Totals	7	6	6	6.33	4

Disorder/Other Crimes					
Call Type	2019	2020	2021	Avg 19-21	2022
Alcohol Calls	1	0	0	0.33	0
Animal Calls	7	7	3	5.67	6
Criminal Mischief	1	3	1	1.67	2
Disturbance	3	12	1	5.33	6
Drug case	0	1	1	0.67	4
Family Problems	7	3	7	5.67	5
Harassment	4	3	3	3.33	5
Juvenile Problem	2	1	0	1.00	6
Noise\Party Complaint	4	6	1	3.67	4
Suspicious Circumstances	21	26	23	23.33	17
Trespass	0	1	2	1.00	2
Disorder Crimes Totals	50	63	42	51.67	57

Red numbers indicate a DECREASE in crime from March 2021

Yellow backgrounds indicate an INCREASE in crime from March 2019-2021 Average

March 2019-2022 Totals



March 2022 Traffic

Traffic Citations	3/21	3/22
Traffic Citations Issued	10	15
Traffic Warnings	34	96

➤ Citations Issued Up 5

➤ Warnings Up 62

Call Type	3/21	3/22
Traffic Stop	47	137
Motor Vehicle Accident	3	6
DUI Arrest	2	2
Traffic Problem	16	8
REDDI Report	1	5

➤ Traffic Stops Up 90 or 192%

➤ MV Accidents Up 3

➤ DUI Arrests Equal

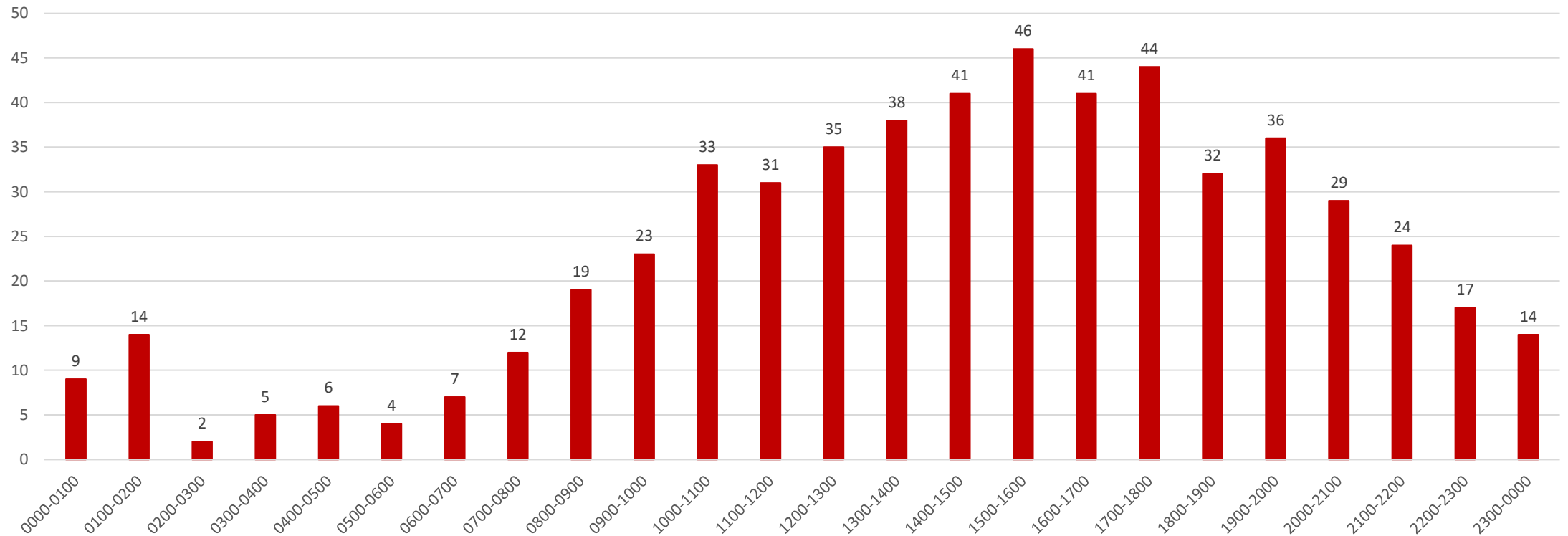
➤ Traffic Problems Down 8

➤ REDDI Reports Up 4

March 2022

Call Totals by Hour

Busiest Hours
1500-1600 (46)
1700-1800 (44)

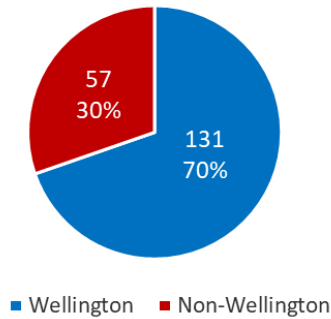


←→ 24 Calls between 0200-0700

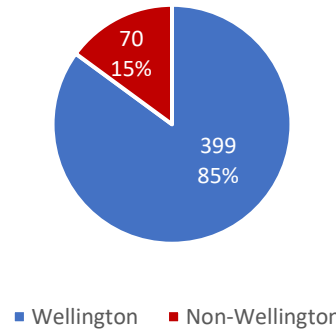
March 2022

Wellington/Non-Wellington Units

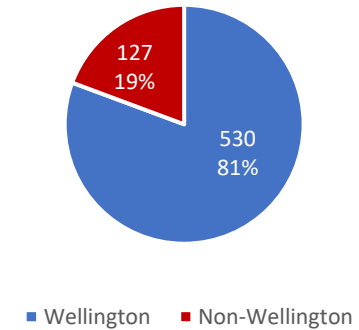
Dispatched



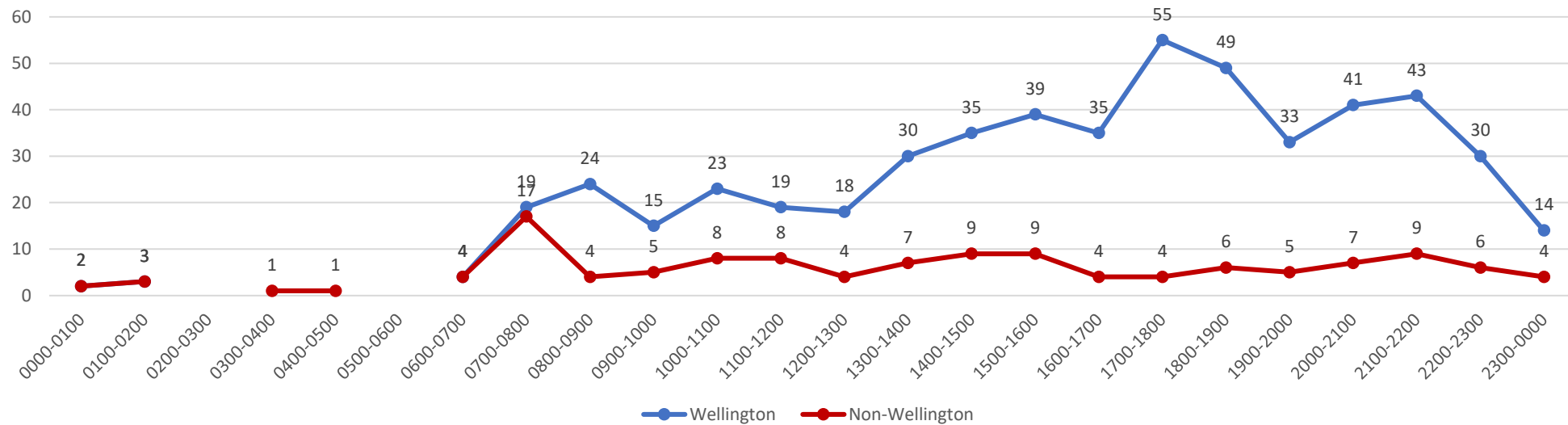
Officer-Initiated



Total Calls



Wellington/Non-Wellington Calls by Hour



March 2022

Response Times / Time on Calls
Dispatched Calls Only
All Times in Minutes

Average Response Time (All Units)		
High		
Medium		11.43
Low		34.81
Avg. Response Time		23.12

Average Time on Calls (All Wellington Calls)			
High			
Medium			36.06
Low			38.72
Avg. Time			37.39

AGENDA ITEM SUMMARY SHEET

Wellington Town Trustee Meeting- May 2022

ITEM#: _____

SUBJECT: Wellington Main Streets Program presentation to the Town Trustees and Mayor from Wellington Main Streets Program President – Anita Hardy

Summary:

The Wellington Main Streets Program provides quarterly updates to the Town Trustees regarding on-going projects, organizational updates, events, and future plans. **This update is for the months of January, February and March 2022**

Item 1: Current projects

- *Publications* - <https://wellingtonmainstreet.org/blog>
- *Exterior Sign and Awning Grant*
 - The Main Street Program has allocated \$12,000 in fundraising dollars from the 2021 Wellington Brewfest towards the Exterior Sign and Awning Grant program. This grant will provide 50/50 matching funds up to \$1,000 per project for businesses in the Main Street program area to purchase new signs and awnings for their buildings.
 - To date we have received four applications. We've distributed funds to Rust Vintage Marketplace and Integrity Insurance Specialist. We're reviewing and anticipating distributing funds to two additional applicants during 2nd Qtr 2022.
- *Byron White Memorial Project at Wellington Town Library*
 - We have set aside a \$5,000 grant for this project.

Item 2: Upcoming Events

- *Main Street Market*
 - The 2022 Main Street Market will run between July 21 – September 22
 - We have over 30 vendors and food trucks signed up for every week, providing a variety of goods and wares, including produce stands, hand made goods, printed items, candies and clothing
- *Wellington Main Street Board Retreat*
 - The Wellington Main Street Annual Board Retreat will be held on Monday, May 2nd
- *Wellington Annual Color*
 - This program provides the flower planters, flowers and maintenance. Flower Planters are located on Cleveland Ave, along Sixth Street and at the Wellington Library. The flowers for 2022 have been ordered and we anticipate flowers to be delivered in June

Item 3: Other:

- *Main Street: Open for Business Façade and Energy Efficiency Grant*
 - The Town of Wellington was awarded \$569,626.98 through the Main Street: Open for Business Grant. This funding has gone directly to 11 of our downtown businesses to support façade and energy efficiency improvement projects.
 - Projects are in progress downtown and all construction is to be completed by June 30, 2022
 - Exciting news about this project – several of the grant recipients utilized other local businesses for the work, thus providing revenue and jobs to local residents and sales tax to our community.
- *Main Street Revitalizing Main Street Grant*
 - The Town of Wellington was awarded \$150,000 for a project total cost of \$172,500. The Wellington Main Street Program leveraged additional DOLA grant funds (\$10,000) and the remaining funds raised were from the 2021 Well-o-Rama to cover the matching portion of this grant. The funds were used for new solar streetlights, trash and recycling bins, and ADA compliant benches. This

project is complete and all funds have been distributed

- **Item 4: Funding**

- The Main Street program raised a total of \$2,100 from .05k Fun Run and \$5,000 from Hoppy Go Lucky and \$921 from the Cleveland Crawl during the first quarter of 2022. These funds will be utilized to cover the Trick or Treat Down Main Street event and additional operating costs of the Main Street program
- Financial Statements for the Wellington Main Street Program are available upon request

Thank you for your ongoing support. We welcome your questions, concerns and comments! We would love to hear from the Trustees regarding what they would like to see from this program.





Town of Wellington Grant Report

April 1, 2022



Wellington Firefighters visiting the Sage Homes Wellington Club.

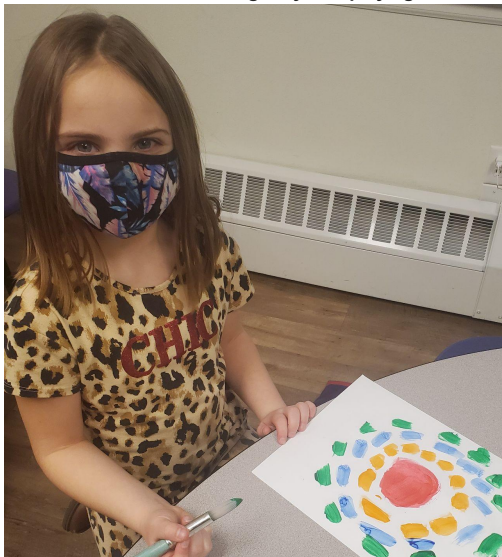
Programming Updates:

The Boys & Girls Clubs of Larimer County Sage Homes Wellington Club and the Wellington Middle School Eagles Club have been thriving. Recently, both Family Nights and Teen Nights have been a great success at both locations. The most recent Family Night, inviting Club families into the Club facilities, had 60 families in attendance. Also in attendance was the Wellington Squad of the Larimer County Sheriff's Office. The squad presented a 'show and tell' session for families. We truly appreciate the partnerships both Wellington sites have made to help facilitate community events and Club programming.

Between both sites, almost 70 Wellington youth are being served daily by the Boys & Girls Clubs of Larimer County, with an average daily attendance of nearly 50 at our Sage Homes Wellington Club and nearly 15 at our Wellington Middle School Eagles Club. We anticipate a full summer program this year, as registration spots are already almost filled, with 150 youth currently enrolled. This past quarter, the most popular programs have included Tennis, Coding Club, Who Do I Want to Be When I Grow Up?, Spy Club, and Karate. Wellington youth recently contributed to a large Boys & Girls Clubs of Colorado tile art project that will be displayed in Denver. Two Wellington Club members also competed in the Youth of the Year competition at Colorado State University in February, with the support of their families and all of the Club staff members.



Wellington youth playing tennis with the help of Dave Boon from National Junior Tennis & Learning.



Art projects at Club, including tiles for a collaborative project with Boys & Girls Clubs of Colorado to be displayed in Denver.



Wellington staff members with Junior Youth of the Year candidate, Jayden.

Financial Updates:

We have not yet received funding for allocation, but will send spending updates with next quarter's report.

