



City of Woodland Park

City Council

April 4, 2024 at 6:30 PM

AGENDA

1. **CALL TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **CEREMONIES, PRESENTATIONS AND APPOINTMENTS**
 - A. Results of the 2024 Municipal Election.
(Presenter Deputy City Manager/City Clerk)
 - B. Outgoing Council remarks and thank you from the City of Woodland Park.
 - C. Oath of Office to newly elected Mayor and Councilmembers and seating of the new Council.
(Deputy City Manager/City Clerk Leclercq)
 - D. Appointment of the Mayor Pro-tem.
(Presenter Deputy City Manager/City Clerk Leclercq)
 - E. Review of Boards and Committees for Council Liaisons for the April 21, 2024, City Council Meeting.
(Deputy City Manager/City Clerk Leclercq)
4. **ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**
5. **CONSENT CALENDAR**
 - A. Approval of the March 21, 2024, City Council Regular Meeting Minutes.
(Presenter Deputy City Manager/City Clerk)
 - B. Consider Ordinance No. 1473, Series 2024 on initial posting, an Ordinance Adjusting Expenditure Appropriations to the Various Funds, in the Amounts and for the Purpose as Set Forth Below, for the City of Woodland Park, Colorado for the 2024 Budget Year, and Amending Ordinance No. 1466, Series 2023 and set the Public Hearing for April 18, 2024.
(Presenter City Manager Vassalotti)
6. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)**
7. **UNFINISHED BUSINESS**

(Public Comment may be heard)

 - A. Stone Ridge Village Filing No. 5 Request for Extension to Infrastructure Completion Deadline.
(Presenter Public Works Director Schmitt)
8. **ORDINANCES ON INITIAL POSTING**

(Public comment may be heard)

9. PUBLIC HEARINGS

(Public comment may be heard)

10. NEW BUSINESS

(Public comment may be heard)

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

B. Council Reports

C. City Attorney's Report

D. City Manager's Report

12. ADJOURNMENT

Key to agenda abbreviations:

(A) Administrative- matters involving day-to-day decisions such as approving contracts, hiring staff and the procurement of goods and services. Administrative actions generally do not require formal actions by the elected body.

(L)Legislative- typically in the policy arena; legislative matters affect large areas and large groups of people, such as enacting dog regulations or amending the City code. Legislative action generally involves motions, resolutions and ordinances.

(QJ)Quasi-Judicial- apply general rules to a specific interest, such as zoning change affecting a single piece of property, or a special use permit. Quasi-Judicial actions generally involve adjudication, sometimes in writing, but not a resolution or ordinance. Decision for Quasi-Judicial proceedings are made exclusively based upon the testimony presented on the record. Ex-parte communication (communication outside the official hearing) between elected officials and citizens is not permitted on Quasi-Judicial



STAFF REPORT

TO: Mayor LaBarre and City Council

FROM:

DATE: April 4, 2024

SUBJECT: Review of Boards and Committees for Council Liaisons for the April 21, 2024, City Council Meeting.
(Deputy City Manager/City Clerk Leclercq)

BACKGROUND: Attached please find a list of the current Board and Committees for the City of Woodland Park. The list includes the board/committee name, description and the meeting dates and times.

Serving on these boards and committees is voluntary.

On April 21, the Council will be asked to select what Boards and Committees they would like to serve on. This is for you to get familiar with before that time.

RECOMMENDATION:

ATTACHMENTS: 1. Current Boards and Committee Council Liaisons as of April 4, 2024

Current Boards and Committee Council Liaisons as of April 4, 2024

PPACG – Pikes Peak Area Council of Government – is a voluntary organization of 16 counties and municipalities, to provide a forum, for local governments to discuss issues that cross their political boundaries, identify shared opportunities and challenges, and develop collaborative strategies for action. **Meets 2nd Wednesday of the month 9 AM**

KWPB – Keep Woodland Park Beautiful - The Keep Woodland Park Beautiful Committee protects the community, wildlife, and natural beauty by reducing the accumulation of litter while promoting the responsible handling of trash through education, enforcement, and active community participation. **Meets 1st Thursday of the month 5 PM**

UAC – Utility Advisory Board - The purpose of the Woodland Park Utilities Advisory Committee shall be to evaluate options and advise the City Council, the City Manager, and the City's water and wastewater enterprises of policies and plans of action in the areas of water supply (including water rights, storage, and augmentation), treatment and distribution, wastewater collection and treatment, and other utility-related projects and issues. **Meets 2nd Tuesday of the month at 4 PM**

CML Policy Committee - is a standing committee that develops the League's legislative program. The membership is composed of representatives from each member municipality, CML sections, and district presidents. **As needed**

PRAB – Parks, Recreation Advisory Board - The Parks and Recreation Advisory Board is a seven member advisory board established to review proposals and plans of action in the areas of parks, trails, open space and recreation. **Meets 2nd Wednesday of the month at 5:30 PM**

HPC – Historical Preservation Committee - The role of the Historical Preservation Committee is to review nominations for local historic landmarks and make recommendations to the City Council. Once a

structure is locally landmarked, the Committee also reviews proposals for moving, exterior remodeling and/or demolition. In addition, the Committee conducts historical surveys and assists with public education programs about local history. **Meets 1st Monday of the month at 3:30 PM**

DDA – Downtown Development Authority - The primary objectives and purpose of the Woodland Park Downtown Development Authority are to:

- promote the safety, prosperity, security and general welfare of the District and its inhabitants
- prevent deterioration of property values and structures within the District
- prevent growth of blighted areas within the District
- assist the City of Woodland Park in the development, redevelopment and planning of the economic and physical restoration and growth of the District
- improve the overall appearance, condition and function of the District
- encourage a variety of uses
- sustain and improve the economic vitality of the District
- relieve traffic congestion
- encourage pedestrian traffic and security in the District

Meets 1st Tuesday of the month at 7:30 AM



City of Woodland Park

March 21, 2024 at 6:30 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

Following a joint work session with the City Council, Prospective Candidates, Downtown Development Authority, Planning Commission with Braver Angels, Mayor LaBarre called the City Council meeting to order at 6:30 pm.

The following Council members were in attendance: Mayor LaBarre, Mayor Pro-tem Case, Councilmember Nakai, Councilmember Neal, Councilmember Connors, Councilmember Zuluaga and Councilmember Harvey.

The following Staff members were in attendance: City Manager Vassalotti, Deputy City Manager/City Clerk Leclercq, Parks and Recreation Director Keating, Chief of Police Deisler, Chief Accountant/Treasurer Edwards, Senior Planner Gates, City Attorney Williams, IT Technician Barnes and Communication Coordinator Higgenbotham.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A.** Re-appointment to the Board of Adjustment. (A)
(Presenter Deputy City Manager/City Clerk Suzanne Leclercq)

Deputy City Manager/City Clerk Leclercq introduced Kevin O'Neill, who was applying for re-appointment to the Board of Adjustment. City Council interviewed Mr. O'Neill and the following motion was made.

Motion: To appoint Kevin O'Neill to the Board of Adjustment for a three-year term. Neal/Case. Motion carried 7-0.

Leclercq administered the Oath of Office to O'Neill.

- B.** Great Outdoors Colorado (GOCO) announcement of a grant to the City of Woodland Park to purchase the 120-acre parcel known as the Avenger Open Space. (A)
(Presenter Parks and Recreation Director Cindy Keating)

Parks and Recreation Director Cindy Keating introduced PRAB members Chris Gonzales and Jeff Webb. Gonzales and Webb shared information on the purchase of a 120 acre parcel known as the Avenger Open Space project, where the City of Woodland Park just received a grant from GOCO in the amount of \$523,250. The City will be closing on this land in the next few weeks. The total cost of the project is \$753,250. The City of Woodland Park will be funding \$150,000 for this project and the Community will be donating \$80,000.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

5. **CONSENT CALENDAR**

- A. Approval 2024 Chipseal, Crackseal, Fogseal, and Citywide Striping Projects Contract between A1 Chipseal Co and Rocky Mountain Pavment, LLC and The City of Woodland Park for \$453,604.074. (Presenter Ben Schmitt, Director of Public Works)

Mayor LaBarre introduced the items on the Consent Agenda and the following motion was made.

Motion: to approve the Chipseal, Crackseal, Fogseal and Citywide Striping Projects Contract in the amount of \$453,604, the approval of the February Statement of Expenditures and the approval of the March 21, 2024 Council Minutes. Case/Connors. Motion carried 7-0.

- B. Approval of the February Statement of Expenditures.
(Presenter Chief Accountant/Treasurer Monet Edwards)
- C. Approval of the March 21, 2024, Regular City Council Meeting Minutes. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

6. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)**

Costas Mitchakas shared his support of Jerry Penland for Mayor.

Jerry Penland shared that he did not give his consent for the mailing that was mailed out to the electors.

Kitten Walker shared information on attendees of the forum that was held last week hosted by Victory Life Church.

7. **UNFINISHED BUSINESS**

(Public Comment may be heard)

8. **ORDINANCES ON INITIAL POSTING**

(Public comment may be heard)

9. **PUBLIC HEARINGS**

(Public comment may be heard)

- A. Public Hearing regarding a request from William L. Page for a two-year extension of the time limit to begin construction of the Best Western Hotel in Gold Hill Square South Building #6, Lots 2 & 3 Page's Subdivision (703, 717, 719 Gold Hill Place) in the Planned Unit Development (PUD) zone district pursuant to Municipal Code §18.30.050. **(QJ)**

Approval of either Resolution No. 917, Series 2024 to approve PUD extension request or Approval of Resolution No. 917, Series 2024 to deny extension request.

(Presenter Senior Planner, CJ Gates)

City Planner Gates reviewed his Staff Report with the Council sharing the following information.

PUD2024-01 Best Western at Gold Hill Square South PUD Extension: A request by William L. Page for a two-year extension of the time limit to begin construction of the Best Western Hotel in Gold Hill Square South Building #6, Lots 2 & 3 Page's Subdivision (703, 717, 719 Gold Hill Place) in the Planned Unit Development (PUD) zone district.

BACKGROUND

On January 6, 2016, the Planning Commission approved with conditions an amendment to the 1996 Gold Hill Square South PUD that allowed lodging use (a 70-room Best Western Hotel) and redesign of Building #6 on 1.37 acres. On February 4, 2016, City Council approved the dimensional standards for a 31% maximum building site cover, 98% maximum impervious cover, 46 foot maximum height, 50 foot minimum lot frontage, and zero foot front/rear/side minimum building setbacks.

Pursuant to Municipal Code §18.30.050 Time limit to begin construction—Extension:

A. A time period of two years, beginning with the approval of the required detailed PUD plan, shall be required. Failure to begin construction within this two-year period shall void the plan as approved, unless a request for extension of time is granted by the city planning commission.

B. Application for extension of time shall be made to the planning commission and shall be accompanied by such evidence as is necessary to show substantial need, and shall be made before the two-year expiration date. The planning commission will hold at least one public hearing on the request and if, from the evidence submitted, the commission finds that an extension is warranted, a recommendation will then be made to the city council. If the council concurs with the recommendation of the commission, it may then by resolution grant the extension.

First Extension

On January 25, 2018, the Planning Commission recommended granting a two-year extension and on February 1, 2018 via Resolution No. 824, City Council approved the request and granted a two-year extension to February 4, 2020.

Second Extension

On December 12, 2019, William L. Page submitted a second request for a two-year extension of PUD 15-001 to construct the Best Western at Gold Hill Square South. As stated by Mr. Page, he had run into “an impasse with Sherwin Williams on relocating their present store to a new location ... south of City Market. This put an immediate hold on our Best Western Hotel process.” This extension expires on February 4, 2022.

Third Extension

On November 22, 2021, Mr. Page submitted a third request for a two-year extension of PUD 15-001 to construct the Best Western at Gold Hill Square south. At that time Merit Academy had signed a short-term lease with Gold Hill Square South LLC for elementary school K-8 on the lower level (formerly Woodland Hardware) commencing July 1, 2021 and ending June 30, 2023. The lease provided Merit Academy two one-year extension options ending June 30, 2024, and June 30, 2025. Merit Academy has since moved out of the Gold Hill Square location in 2022. The Sherwin Williams lease expires the summer of 2025.

On February 3rd, 2022 the City Council then approved another extension of the PUD per Resolution 887 Series 2022. The 2022 Resolution stated that construction must commence by February 4, 2024 and all conditions and terms of the original approval of PUD 15.001 remain in place and are unchanged.

Current Request

The City of Woodland Park Staff received a completed application on January 19, 2024 requesting the PUD approval be extended for another two years. If the current extension request is approved by City Council, the approvals would be valid and construction would have to commence by February 4, 2026. According to the Applicant's narrative attached hereto, the applicant is "optimistic about Woodland Park future business stability, economic growth and interest rate project financing."

At this time, the proposed development continues to be consistent with the 2021 Comprehensive Plan, existing zoning regulations and other standards; compatible with the surrounding uses and development pattern; logically developed with the necessary infrastructure improvements and services; in the interest of public, health, safety and welfare of the citizens and visitors to Woodland Park; and, does not create adverse impacts to the natural environment.

REFERRALS AND NOTIFICATIONS

Adjacent property owners within 150 feet were mailed a letter notifying them of the submittal of this application as well as all meeting dates including the scheduled Planning Commission public hearing. Staff has received no written comments regarding this extension proposal.

The application was referred to the City Utilities/Public Works Director, the City Attorney, the City Inspector, the City Engineer, and the City Manager as well as external referral agencies including CORE, Black Hills Energy, CDOT, North East Teller County Fire Protection District (NETCFPD), and the City of Woodland Park Police Department. A comment from CDOT was received on January 31, 2024. CODT communicated that no records of the accesses being permitted in accordance with the State Highway Access Code were found. CDOT's full comment letter is attached hereto.

PLANNING COMMISSION FINDINGS

The Planning Commission held a public hearing on February 22, 2024 (minutes attached). After consideration of the staff report and comments made at the public hearing, the Planning Commission voted unanimously to recommend City Council approve of the request by William L. Page for a two-year extension (to February 4, 2026) of the time limit to begin construction of the Best Western Hotel in Gold Hill Square South Building #6, Lots 2 & 3 Page's Subdivision (703, 717, 719 Gold Hill Place) in the Planned Unit Development (PUD) zone district pursuant to Municipal Code § 18.30.050 subject to the following conditions:

1. The development is subject to all the conditions and dimensional standards specified with the original approval of PUD15-001 in January 2016.

If the City Council finds that an extension is warranted and grants the two-year extension to February 4, 2026, then the approving resolution should clearly state that the development is still to all of the conditions and dimensional standards specified with the original approval of PUD15-001 in January 2016.

City Planner Gates shared that there were two Resolutions for the Council to chose from. One resolution is to deny and the other is to approve.

At this time Council asked Mr. Page to approach the podium. Mr. Page shared the history of the previous requests. Following Council questions of Mr. Page, Mayor LaBarre opened up the Public Comment portion of the Public Hearing. There being no Public Comment Mayor

LaBarre closed the Public Comment portion of the Public Hearing and the following motion was made.

Motion: to approve the PUD extension providing Mr. Page submit for a final site plan approval through the Planning Department which will include reviews from internal and external review agencies. Zuluaga/Neal. Motion carried 5-2 with Case and Nakai voting no.

- B.** Approval of Ordinance No. 1472, Series 2024, an Ordinance of the City Council for the City of Woodland Park, Colorado, Amending Title 5 of the Woodland Park Municipal Code, Concerning Business Regulations, to License and Regulate Short Term Businesses.

City Attorney Williams reviewed Ordinance No. 1472, Series 2024. There being no questions from the Council, Mayor LaBarre opened the Public Comment portion of the Public Hearing.

Arnie Sparnins thanked Council for their work and shared that the New Neighbor Guidelines have significant relevance and that Council should approve Ordinance No. 1477, series 2024 as presented. There being no further Public Comment, Mayor LaBarre closed the Public Comment portion of the Public Hearing.

City Manager Vassalotti shared that they would be laminated and displayed in all Short Term Rentals.

The following motion was made.

Motion: to approve Ordinance No. 1472, Series 2024, an Ordinance of the City Council for the City of Woodland Park, Colorado, amending Title 5 of the Woodland Park Municipal Code, Concerning Business Regulations to license and regulate Short Term Businesses. Nakai/Harvey. Motion carried 7-0.

- C.** Approval of Ordinance No. 1471, Series 2024, an Ordinance of the City of Woodland Park, Colorado, reducing the City Sales Tax by 1.09% effective January 1, 2025. (L) (Tabled from the March 7, 2024 City Council Meeting) (Presenter City Manager Vassalotti)

City Manager Vassalotti reported that City Attorney Wilson had received an email from Brad Miller, the Woodland Park School Board's attorney, sharing that the school board had committed to signing the IGA. The School Board had agreed to all the terms of the IGA.

Council members Nakai and Neal shared that until the IGA is officially signed, Ordinance No. 1471 should be tabled until July 18, 2024.

There being no further Council discussion at this time, Mayor LaBarre opened the Public Comment portion of the Public Hearing. The following individuals spoke.

Nicole Wagoneer shared that she felt the Council was again being disingenuous and that they should vote no on this ordinance.

Mary Sekowski shared that she was disappointed and that this ordinance needed to be put to rest.

Anna Hand shared that the School Board has proven that they have misused money and that the Council should approve this ordinance and take the sales tax away.

There being no further public comment Mayor LaBarre closed the public comment portion of the public hearing. Following a brief Council discussion the following motion was made.

Motion: To continue Ordinance No. 1471, Series 2024, an Ordinance of the City of Woodland Park, Colorado, reducing the City Sales Tax by 1.09% effective January 1, 2025 until July 18, 2024. Harvey/Neal. Motion carried 5-2 with Connors and Zuluaga voting no.

10. NEW BUSINESS

(Public comment may be heard)

- A.** Approval of Resolution No. 918, Series 2024 establishing water and sewer plant investment fees effective April 1, 2024. (A)
(Presenter Utilities Director Kip Wiley)

Utilities Director Wiley reviewed Resolution No. 918 with the Council. Mayor LaBarre commented that she felt the increased costs should be passed on to the residents rather to the contractors/developers/builders.

The following motion was made.

Motion: to approve Resolution No. 918, Series 2024 Establishing water and sewer plant investment fees effective April 1, 2024. Nakai/Neal. Motion carried 7-0.

- B.** Approval of Resolution 919, Series 2024, a Resolution of the City Council for the City of Woodland Park, Colorado Updating the 2024 Fee Schedule Regarding Short-Term Rental Businesses, Specifically initial License Fee, Renewal License Fee and Penalty for Operating Without a License. (A)
(Presenter City Attorney Williams)

City Attorney Williams reviewed the fee schedule for Short Term Rentals with the Council. Williams shared that staff recommended a lower fee of \$100 for the application. Williams shared that she left the penalty blank so that the Council could decide. Following Council discussion, there was consensus to have the penalty fee set at \$1,000.

Motion: to approve Resolution No. 919, Series 2024 with the application fee set at \$100 and the penalty fee set at \$1,000 as amended. Case/Nakai. Motion carried 7-0.

Mayor LaBarre read Resolution No. 919, Series 2024 into the record.

- C.** Approval of Resolution 920, Series 2024, a Resolution of the City Council for the City of Woodland Park Colorado, a Resolution Regarding Migrant Response and Declaring Status as a Non-Sanctuary City.
(Presenter Mayor Hilary LaBarre).

Mayor LaBarre read Resolution No. 920, Series 2024, a Resolution of the City Council for the City of Woodland Park Colorado, a Resolution Regarding Migrant Response and Declaring its Status as a Non-Sanctuary City into the record. Councilmember Zuluaga thanked Mayor LaBarre for moving this Resolution onto the record.

Motion: to approve Resolution No. 920, Series 2024, a Resolution of the City Council for the City of Woodland Park, Colorado, a Resolution Regarding Migrant Response and Declaring Status as a Non-Sanctuary City. Zuluaga/Harvey. Motion carried 7-0.

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor LaBarre thanked the Braver Angels for the worksession they held earlier.

B. Council Reports

Mayor Pro-tem shared information from Parks and Recreation and PPACG.

Councilmember Neal shared an update of the DDA.

Councilmember Zuluaga shared information on the UAC and KWPB.

C. City Attorney's Report

City Attorney Williams shared her gratitude for those that would be coming off the Council.

D. City Manager's Report

1. Year End Sales Tax Report for 2023

City Manager Vassalotti shared a Salex Tax update for 2023 and for January 2024.

Deputy City Manager/City Clerk Leclercq shared an election update.

12. ADJOURNMENT

There being no further City business, Mayor LaBarre adjourned the City Council Meeting at 9:22 pm.

Respectfully submitted:

Suzanne Leclercq MMC, City Clerk

APPROVED THIS ____ DAY OF _____, 2024

Hilary LaBarre, Mayor



STAFF REPORT

TO: Mayor LaBarre and City Council

FROM: Aaron Vassalotti, Finance Director

DATE: April 4, 2024

SUBJECT: Consider Ordinance No. 1473, Series 2024 on initial posting, an Ordinance Adjusting Expenditure Appropriations to the Various Funds, in the Amounts and for the Purpose as Set Forth Below, for the City of Woodland Park, Colorado for the 2024 Budget Year, and Amending Ordinance No. 1466, Series 2023 and set the Public Hearing for April 18, 2024.
(Presenter City Manager Vassalotti)

BACKGROUND: Consider Ordinance No. 1473, Series 2024 on initial posting, an Ordinance Adjusting Expenditure Appropriations to the Various Funds, in the Amounts and for the Purpose as Set Forth Below, for the City of Woodland Park, Colorado for the 2024 Budget Year, and Amending Ordinance No. 1466, Series 2023 and set the Public Hearing for April 18, 2024.

RECOMMENDATION: Approve Ordinance 1473 and set the public hearing for April 18, 2024.

ATTACHMENTS:

1. Staff Report - Supplemental 04.18.2024
2. ORD 1473 - 2024 supplemental appropriation No. 1
3. 2024 Supplemental Appropriation #1
4. 2024 Supplemental Appropriation #1-Summary



City of Woodland Park Staff Report for City Council

Meeting Date	Agenda Item
April 18, 2024	
Department	Presenter
City Manager's Office/ Finance	Aaron Vassalotti, City Manager Kimberly Burleson Budget Manager

Item Title

Ordinance 1473, series 2024 to amend 2024 Budget expenditure appropriations (Budget Supplemental Ordinance)

Long title: Ordinance No. 1473, Series 2024, AN ORDINANCE ADJUSTING EXPENDITURES APPROPRIATIONS TO THE VARIOUS FUNDS, IN THE AMOUNTS AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE CITY OF WOODLAND PARK, COLORADO, FOR THE 2024 BUDGET YEAR, AND AMENDING ORDINANCE NO. 1466, SERIES 2023

History

City Council adopted the City's 2024 Annual Budget on December 7, 2023. Pursuant to the City's Home Rule Charter, City Council can amend the budget when the City Manager certifies that there are available for appropriation revenues in excess of those estimated in the budget.

Summary

The purpose of this supplemental appropriation is summarized below. This budget expenditure adjustment and revenue source is described in the attachment to this report.

- **DDA Grant to NETCO**
 - At the DDA meeting on March 5, 2024 the DDA unanimously approved for a \$150,000 grant to NETCO for the exclusive use of purchasing a new fire engine to replace the department's current aging engine.
 - The DDA wishes to disburse these funds to NETCO to be held until the time of the purchase of the new fire engine.

Staff Recommendation

Approve Ordinance No. 1473, Series 2024 to amend the 2024 Annual Budget.

Question for Council

Does the City Council approve Ordinance No. 1473, Series 2024 and set the public hearing for April 18, 2024?

CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1473, SERIES 2024

AN ORDINANCE ADJUSTING EXPENDITURE APPROPRIATIONS TO THE VARIOUS FUNDS, IN THE AMOUNTS AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE CITY OF WOODLAND PARK, COLORADO FOR THE 2024 BUDGET YEAR, AND AMENDING ORDINANCE NO. 1466, SERIES 2023.

WHEREAS, the Home Rule Charter of the City of Woodland Park specifies that City Council may, by ordinance, make supplemental appropriations when there are available for appropriation revenues in excess of those estimated in the budget.

NOW, THEREFORE, THIS ORDINANCE:

THE CITY OF WOODLAND PARK, COLORADO, ORDAINS

That an Ordinance entitled “AN ORDINANCE ADJUSTING EXPENDITURE APPROPRIATIONS TO THE VARIOUS FUNDS, IN THE AMOUNTS AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE CITY OF WOODLAND PARK, COLORADO FOR THE 2021 BUDGET YEAR, AND AMENDING ORDINANCE NO. 1466, SERIES 2023,” be and the same is hereby adopted as follows:

Section 1. The 2024 Amended Budget for the City of Woodland Park, Colorado, which is attached hereto as Exhibit A and incorporated by this reference, is hereby adopted and the monies are appropriated to the various funds as the same are budgeted.

Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its publication as required by law.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING, FOLLOWING PUBLIC HEARING, THIS 18th DAY OF April, 2024.

Hilary LaBarre, Mayor

ATTEST:

Suzanne Leclercq, City Clerk

City of Woodland Park
2024 Amended Budget
Supplemental Appropriations

	2024 Current Budget	2024 Supplemental Appropriation	2024 Amended Budget
	(incr/decr)		
<u>Downtown Development Authority (215)</u>			
Revenue	\$ 1,019,769	\$ -	\$ 1,019,769
Expenditures	(567,599)	(150,000)	(717,599)
Revenue over/(under) Expenditures	<u>\$ 452,170</u>	<u>\$ (150,000)</u>	<u>\$ 302,170</u>
<u>Fund Balance Summary:</u>			
Beginning Fund Balance - 1/1/2024	\$ 890,658		\$ 890,658
Revenue over/(under) Expenditures	452,170	(150,000)	302,170
Ending Fund Balance - 12/31/2024	<u>\$ 1,342,828</u>	<u>\$ (150,000)</u>	<u>\$ 1,192,828</u>

Supplemental Appropriation Detail:	<u>Expenditures</u>	<u>Revenue</u>
1. Grant to NETCO to Purchase New Fire Engine	\$ 150,000	\$ -
 Total adjustment	 \$ 150,000	 \$ -

City of Woodland Park
2024 Supplemental Appropriation

Exhibit A

General Fund	
Increase Budgeted Revenues	\$ -
Supplemental Appropriation	150,000



STAFF REPORT

TO: Mayor LaBarre and City Council

FROM: Ben Schmitt, City Engineer

DATE: April 4, 2024

SUBJECT: Stone Ridge Village Filing No. 5 Request for Extension to Infrastructure Completion Deadline.
(Presenter Public Works Director Schmitt)

BACKGROUND: Stone Ridge Village, LLC began construction on a 16 lot residential subdivision in the 4th quarter of 2021 without an approved zoning development permit from the City. The City stopped the work and required a zoning development permit to be obtained. After multiple iterations of review, the developer obtained an approved zoning development permit in May 2022 and continued construction of water and sewer infrastructure.

In April of 2023, the developer requested to enter into a subdivision development agreement (SDA) with the City to be able to obtain a plat and sell lots, prior to the infrastructure being completed. The SDA was executed in June of 2023, with guarantees that all infrastructure would be completed by April 20th, 2024.

The developer began construction of the sidewalk, replacing curb and gutter from a previously non-compliant installation, and roadway in October 2023. This is approximately a year and a half after receiving initial approval to begin construction per the zoning development permit.

Per two pre-acceptance punch list walks conducted in December of 2023 and March of 2024, and review of submitted testing results submitted in March 2024, there are outstanding items that need to be installed/addressed prior to acceptance. These include approximately 946 feet of sidewalk that was not installed, 85 feet of sidewalk and an ADA ramp that failed strength testing, and the failure to install a water system valve which allows for fire protection to be maintained in the intersection should City staff have to fix a water main break. Per the SDA, these outstanding items would need to be completed prior to the April 20th, 2024 deadline.

Should the SDA deadline not be extended, the developer would forfeit the financial guarantees for those items, and the City would use that money to complete the work per CWPMC 17.28.030. The developer would remain liable for all costs of completion of the required public improvements in excess of the collateral amounts, per the SDA.

The Certificate of Occupancies for the residential houses is also conditional on the City receiving the documentation, inspecting, and accepting all the subdivision infrastructure. If the developer fails to

complete the infrastructure, and the City has to install it, this may delay the residential owners from receiving certificates of occupancy if the houses are complete.

RECOMMENDATION: Approve the Extension of the Subdivison Development Agreement Stoneridge Filing 5, Section A.2. Deadline from April 20th,2024 to June 20th, 2024.

ATTACHMENTS:

1. Howes Request for Extension 3.26.24
2. FINAL RECORDED - Stone Ridge Village F5 SDA



Stone Ridge Village, LLC
P.O. Box 5044
Woodland Park, CO 80866
719-687-0800

March 26, 2024

Suzanne Leclercq, City Clerk
City of Woodland Park
Woodland Park Colorado

Re: Subdivision Development Agreement Stone Ridge Village Filing 5

Dear Suzanne,

As previously discussed we are requesting time before City Council at their April 4, 2024 meeting to seek approval of an extension to the Completion timing of the current SDA. We have received a pre-initial acceptance punch list for the road system items in Filing 5 and have been working to complete those items.

We made good progress until the three feet plus of snow took over the site. Our goal is to complete the items that are not weather dependent within the next week and have those items inspected by Public Works. Public Works has identified other items that should be completed when the frost is out of the ground and snow is not in the forecast. These items include the placing of concrete, slope stabilization and revegetation, crack filing and minor pavement repair.

We request that City Council extend the SDA end date to at least June 20, 2024 at the April 4, 2024 meeting and request that Public Works identify the specific items to be postponed into the extension period for City Council to incorporate into the extended SDA agreement at their April 18, 2024 meeting. We will work with Public Works during that time period to have a defined list of items and can clarify any bonding requirements for those items in accordance with the current SDA for City Council concurrence.

Thank you for your consideration. Should you need any more specific information on our request, please let us know prior to the City Council meeting.

Warm regards,

Skip Howes
Project Manager
719-330-6266
scotthomesltd@cs.com



SUBDIVISION DEVELOPMENT AGREEMENT

Stone Ridge Village Filing No. 5

THIS AGREEMENT, made and entered into this 20th day of July, 2023 by and between the CITY OF WOODLAND PARK (the "City"), and Stone Ridge Village, LLC, Dana Duncan, Manager (the "Developer"):

WHEREAS, the property which is subject to this agreement is the Stone Ridge Village Filing 5 Subdivision, within the City of Woodland Park, County of Teller, Colorado, and the Developer has submitted this plat for the subject property to the City for approval as required by City Ordinance; and

WHEREAS, the Developer and City desire to provide for the orderly development of the subject area now submitted to platting and provide for all matters required by the Subdivision Regulations, Engineering Specifications, Zoning Ordinance and all other applicable ordinances of the City; and

WHEREAS, City Code Section 13.12.040, City Code Section 13.36.030 and City Code Section 17.44.030 provide for an agreement with those desiring to extend water or sewer facilities, requiring all third parties to pay for their pro-rata share of the cost of extension prior to tapping on to said facilities; and

WHEREAS, the parties hereto wish to make an equitable agreement defining various terms concerning the construction/installation of such facilities,

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

A. GENERAL CONDITIONS

1. The Developer agrees as follows:
 - a. To develop the platted area in accordance with the Subdivision Regulations, Engineering Specifications, Zoning Ordinance and all other applicable ordinances of the City.
 - b. To install and construct the following public improvements: street base and surface, water lines, sanitary sewer line, drainage, street signs, traffic control signs; and all other improvements necessary to develop the area in accordance with the Subdivision Regulations, Engineering Specifications, Zoning Ordinance, and all other applicable ordinances of the City. All public improvements shall be installed/constructed in accordance with the engineering plans filed with and conditionally approved by the City Engineer or appointed representative on May 17, 2022 and according to revised engineering plans as may be received and approved by the City Engineer or appointed representative.



- c. To obtain, place, and keep current with the City, a surety bond, letter of credit, or other acceptable assurance, for the purpose of guaranteeing to the City, the installation, interim maintenance and final acceptance by the City of all public improvements in accordance with the Subdivision Regulations, Engineering specifications, Zoning Ordinance, and all other applicable ordinances of the City. The amount of the collateral shall be equal to one hundred and fifty percent (150%) of the construction cost as estimated by the Developer and approved by the City Engineer or appointed representative. The amount of this collateral is hereby set at \$518,422.04 as shown by Exhibit A attached. The Developer shall remain liable for all costs of completion of the required public improvements in excess of this amount.
 - d. The Developer agrees that after initial acceptance by the City Engineer or appointed representative of all public improvements, said improvements shall become the sole and exclusive property of the City free and clear from any liens, claims, restrictions or encumbrances. The Developer shall furnish the City lien waivers and/or satisfactory proof that all claims and payments to be made in connection with installation/construction of said public improvements have been satisfied.
 - e. The Developer SHALL FURTHER: Maintain all public improvements in the subdivision until these improvements have received initial acceptance by the City for maintenance. The Developer agrees to warrant workmanship and material for one (1) year from date of initial acceptance by the City.
2. All improvements shall be completed by April 20, 2024 unless an extension is granted as outlined in Section 17.28.030 of the Municipal Code. Street paving shall not be completed until all water, sanitary sewer, drainage, and other utilities are installed and accepted by the City unless otherwise approved by the City Engineer or appointed representative.
3. The City and the Developer agree and understand as follows:
 - a. All construction installation shall be done and accomplished in accordance with City Ordinances, Engineering Specifications, rules, regulations, and standards in effect at the time of the execution of this Agreement and under the observation of the City.
 - b. The construction cost for all public improvements shall be borne by Developer.
 - c. Any costs for engineering, construction staking, and right of way acquisition shall be borne by Developer.
 - d. If desired by the City, portions of the improvements may be placed in service when completed, but such use and occupation shall not constitute an acceptance of said portions. However and notwithstanding the preceding sentence, any portion of the improvements placed into service by the City for a period of twelve (12) months shall constitute an initial acceptance by the City of such portions of the improvements, as applicable, unless the



Developer is notified in writing by the City during said period of service of specified deficiencies for correction by the Developer.

- f. The City will issue building permits for construction on lots only when the final grade within the right-of-way, at least the first lift of paving, curb and gutter, cable, phone, electrical, gas, water, wastewater, stormwater, fire hydrants, street name, and traffic control signs installed and erosion control are in place and functionally complete as determined by the City Engineer or appointed representative.
- g. Public improvements installed/constructed pursuant to this Agreement are eligible for initial acceptance in accordance with the Subdivision Regulations, Engineering Specifications, Zoning Ordinance, and all other applicable ordinances of the City, which initial acceptance upon written request of the Developer shall not be unreasonably withheld, conditioned or delayed by the City Engineer or appointed representative. Request for final acceptance, in writing, may be received by the City no sooner than twelve (12) months following initial acceptance. After inspection the City will identify and provide a written list of deficiencies based on physical inspection of the public improvements. The Developer shall correct all said deficiencies to the City Engineer or appointed representative's satisfaction within six (6) months from the date said deficiency list was issued. When all said deficiencies have been corrected, the City will grant a final acceptance to the Developer.
- h. From time to time, as work to be performed and public improvements to be installed/constructed progresses, the Developer may request in writing that the City inspect such work and improvements as are completed and that corresponding reductions of the collateral be granted. These requests will be processed in a manner similar to a request for initial acceptance. When the City is satisfied that such work and improvements as are specified by the Developer have been completed in accordance with the terms hereof, the City Engineer or appointed representative will submit his statement that he has no objection to the partial reduction of so much of the above specified collateral as is necessary to pay the cost of the work performed and improvements installed/constructed pursuant to this Agreement. In no event shall the amount of any collateral which remains subsequent to any request and approval of a partial release be less than one hundred fifty percent (150 percent) of the established construction cost of the required public improvements for which no release has been made. Also in the event partial releases have been requested and approved, the City and the Developer agree that upon satisfactory completion of all required public improvements, all remaining collateral shall be released by the City to the Developer.
- i. In order to obtain any releases of the collateral, the Developer shall be required to submit to the City satisfactory documentation confirming proof of payment for contractor services, materials, professional services and other



expenditures related to the installation/construction of the applicable public improvements.

- j. Water and sewer improvements shall be considered as individual entities and shall be inspected and accepted separately as such. Streets and drainage improvements shall be considered together and shall be accepted together as such.

B. UTILITY REIMBURSEMENT: Not Applicable

C. SPECIAL REQUIREMENTS: As Required

- 1. Developer shall pay a Water Development Fee for each single-family residential lot (a total of \$21,600 for Filing No. 5)
- 2. The **Developer** shall provide "as built" construction drawings of the public improvements prior to initial acceptance.

D. IT IS FURTHER AGREED between the parties that this Agreement shall be recorded in the records of Teller County at Developer expense; and further, that this Agreement shall be binding upon the heirs, successors, and assigns of the parties hereto. The parties also agree that upon the satisfactory completion of the obligations and terms of this Agreement, the parties shall cause to be recorded in the records of Teller County a document releasing the subdivided property and the parties, as well as their respective heirs, successors and assigns, from the obligations and covenants imposed herein.

E. IT IS FURTHER AGREED that the rights and remedies of the City provided in this Agreement shall not be exclusive and are in addition to any other rights or remedies provided by law. In the event the City is required to pursue legal action to enforce the terms of this Agreement and prevails, the Developer shall be liable for reimbursement of the City's court costs and attorneys' fees resulting therefrom.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

CITY OF WOODLAND PARK, COLORADO

ATTEST:

BY: _____

Mayor

By: _____

City Clerk

BY: 
Stone Ridge Village, LLC, Dana Duncan, Manager

PO Box 5044 Woodland Park CO 80866
Mailing Address

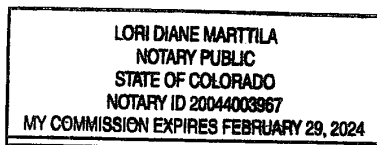
STATE OF COLORADO)
) S.S.
COUNTY OF TELLER)

The foregoing instrument was acknowledged before me this 19 day of
July, 2023 by Dana Duncan.

Witness my hand and official seal.

My commission expires 2-29-2024


Notary Public



Stone Ridge Village Filing 5

EXHIBIT A

Public Improvement Estimates

Updated May 2, 2023

Curb & Gutter

Mobilization	1 LS	\$10,000.00	\$10,000.00
Stone Ridge Drive			
SR Drive - North	287 LF	\$45.00	\$12,915.00
SR Drive - South	293 LF	\$45.00	\$13,185.00
8' Sidewalk	290 LF	\$40.00	\$11,600.00
Cross Pan	550 SF	\$18.89	\$10,389.50

Firestone Drive

West	946 LF	\$45.00	\$42,570.00
East	948 LF	\$45.00	\$42,660.00
5' Sidewalk	946 LF	\$25.00	\$23,650.00
Ada Ramp	1 each	\$3,360.00	\$3,360.00

Subtotal Curb & Gutter \$170,329.50

Paving & Subgrade

Mobilization CTS	1 LS	\$4,500.00	\$4,500.00
CTS Install 3%-10" depth	3537 SY	\$13.50	\$47,749.50
Mobilization Asphalt	1 LS	\$3,500.00	\$3,500.00
Asphalt 4" depth	3537 SY	\$26.80	\$94,791.60

Subtotal Paving \$150,541.10

Hydro Seed Revegetation ROW

Mobilization	1 LS	\$350.00	\$350.00
Stone Ridge Drive			
North - 11'	3157 SF		
South - 11'	3223 SF		
Firestone Drive			
West - 6'	5676 SF		
East - 6'	5688 SF		
	17744 SF	\$0.19	\$3,424.59

Subtotal ROW revegetation \$3,774.59 \$3,774.59

Street Signs

Stop Sign Firestone - in hand		\$0.00	
Install Signs	1 each	\$250.00	

Subtotal Street Signs \$250.00

Site Clean up concrete

Lump sum haul off	1	\$20,719.50	\$20,719.50
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Subtotal Site Clean up \$20,719.50

Total Public Improvement costs \$345,614.69

50% surcharge \$172,807.35

Total guarantee requirement \$518,422.04

LS Lump Sum
SF Sq Ft
LF Lineal Feet
SY Sq Yard

