



**TOWN BOARD AGENDA
REGULAR MEETING**

(All items listed for discussion and possible action)

Virtual Meeting

**Thursday, March 18, 2021
6:30 p.m.**

1. Call to Order
2. Roll Call of Board Members
3. Audience Participation Period (limit 4 minutes per speaker)
4. Consent Agenda
 - a. Approval of Minutes – March 4, 2021
 - b. Treasurer's Report – February 2021
5. For Possible Action
 - a. Ordinance 2021-02 Amending Article 8 of Chapter 11 of the Foxfield Municipal Code by the Addition of a New Section Regarding Destruction of Public Property
 - b. Ordinance 2021-03 Amending Chapter 7 of the Foxfield Municipal Code Concerning Outdoor Storage in the Rural Residential Zone District
 - c. 2021 SEH Engineering Scope of Work Proposal and Fee Estimate for 2021 Pavement Repair and Surface Treatment Program
6. For Discussion
 - a. Ordinance 2021-04 Amending Chapter 16 of the Foxfield Municipal Code Concerning Home Occupations
 - b. Long Range Financial Forecast
7. Reports
 - a. Correspondence
 - b. Mayor
 - c. Members of Town Board
 - d. Staff
8. Future Agenda Items
9. Adjournment



MINUTES

BOARD OF TRUSTEES MEETING

March 4, 2021

Call to Order/Roll Call

The virtual meeting was called to order at 6:30 p.m. via the Ring Central platform.

The following Trustees were present: Amy Snell-Johnson, Debby Farreau, Josie Cockrell, Lori Finch, Pam Thompson and Mayor Jones. A quorum was present.

Audience Participation

Allyson Zoellner, 16915 E. Costilla Avenue, reported that the roads were again plowed with little snow, causing damage to the roadways.

Vanessa Guzman, 18149 E. Hinsdale Avenue, reported that the turn from Easter Way onto E. Fremont, while pulling a trailer to deliver the food donations, was really tight and she suggested widening the asphalt to make that turn safer.

Consent Agenda

Mayor Jones moved, seconded by Trustee Finch, to approve the following item on the Consent Agenda:

- a. Approval of Minutes – February 18, 2021

The motion passed by unanimous roll call vote.

Public Hearing

Mayor Jones opened the hearing at 6:39 pm. Resident Jan Allen, 7231 S. Quintero Street, asked how many live permits would be affected by this ordinance; the answer was none as there are no live permits relative to this clarification. Mayor Jones closed the public hearing at 6:42 pm.

Mayor Jones moved to approve Ordinance 2021-01 Amending Section 16-6-10 of the Foxfield Municipal Code to Clarify the Definition of Accessory Structure. Following a second by Trustee Thompson, the motion passed by unanimous roll call vote.

For Discussion

Ordinance 2021-02 Amending Article 8 of Chapter 11 of the Foxfield Municipal Code by the Addition of a New Section Regarding Destruction of Public Property

The general penalty provision of the Municipal Code would apply to any person who destroys public property in Foxfield.

Reports

Mayor

Mayor Jones noted that Town Attorney Hoffmann is doing research regarding regulations applying to housing of convicted sex offenders for another municipality and will include Foxfield in that research.

Mayor Jones agreed the turn from Easter Way onto Fremont at the gate is quite narrow. Town Administrator Proctor will speak to SEH about this issue.

Mayor Jones asked for suggestions as to how to assess possible road damage from snow plowing. Administrator Proctor will speak to SEH about this as well.

Members of the Town Board

Trustee Thompson suggested a committee to study the feasibility of trail development in Foxfield. Trustee Finch agreed with this suggestion.

Trustee Thompson noted aircraft noise complaints are increasing. She also asked if the emergency declaration should be terminated; Town Attorney Hoffmann replied it should remain in effect until the Board can meet in person again.

Trustee Finch requested a plan for returning to in-person meetings, possibly in September. Town Clerk Gallivan will reach out to Our Lady of Loreto regarding the possibility of meeting space.

Trustee Cockrell suggested uploading the meeting video recordings to You Tube with a link on the Town website. Town Clerk Gallivan will look into this possibility.

Town Staff

Town Administrator Proctor reported that she is working with Terracare regarding getting an estimate for maintenance of the Town easements.

Future Agenda Items

- Ordinance 2021-02
- Mowing of Town easements
- Trail development

Adjournment

Mayor Jones adjourned the meeting at 7:16 p.m.

Study Session

At 7:17 pm, Mayor Jones convened a Study Session to discuss the following:

- Municipal Code Revisions regarding Home Occupations

The Study Session was terminated at 7:38 pm.

Randi Gallivan, Town Clerk

Lisa Jones, Mayor

Treasurer's Report
February 2021

	Credit	Debit	Balance
1st Bank Checkbook Beginning Balance			15,820.02
<u>Deposits</u>			
Colo Interac - building permit	87.00		
Walgreens - business license	35.00		
EVGO Services - business license	50.00		
Arapahoe County	271.79		
IREA	4,809.72		
Colo Interac - building permit	408.96		
Colo Interac - building permit	208.69		
Qdoba- business license	35.00		
ColoTrust - transfer	50,000.00		
Colo Interac - building permit	2,963.68		
Perry Nails - business license	52.50		
Waterway	35.00		
Total Deposits	58,957.34		
<u>Disbursements</u>			
IREA - 6805 S. Lewiston Way lights		39.21	
IREA - 6773 S. Lewiston Cir SP		21.68	
Comcast - clerk internet/phone		132.54	
Microsoft Online - email hosting		41.50	
Microsoft 365 - annual subscription		99.99	
EFTPS -Jan payroll tax deposit		2,557.50	
Villager Legals - legal notices		16.56	
Terracare Assoc - public works		37,175.83	
SafeBuilt - building, zoning, code enforcement		1,816.14	
HPWC, PC - legal services		1,814.28	
CIRSA - 2021 premiums		5,987.06	
ACWWA - irrigation		73.62	
Caselle - march support\		150.00	
IREA - 6806 S Parker Road lights		68.95	
Jeff Briar		300.14	
M. Gallivan		2,758.44	
K. Proctor		4,762.94	
First Bank		2.00	
Total Disbursements		57,818.38	
1st Bank Checkbook Ending Balance			16,958.98

**Treasurer's Report
February 2021**

ColoTrust General Fund Beginning Balance			\$ 1,017,028.99
Deposits			
Cigarette Tax	494.86		
Sales Tax	44,334.14		
Motor Vehicle Sales Tax	0.00		
Transfer from CTF	6,572.42		
Arapahoe County	1,851.55		
Arapahoe County	106.32		
HUTF	2,725.19		
Public Service	1,282.61		
Interest Income	68.25		
Total Deposits	57,435.34		
Disbursements			
Transfer to First Bank		50,000.00	
Total Disbursements		50,000.00	
ColoTrust General Fund Ending Balance			\$ 1,024,464.33
ColoTrust CTF Fund Beginning Balance (Lottery Money)			\$ 36,561.70
Deposits			
CTF Funds	0.00		
Interest Income	2.19		
Total CTF Deposits	2.19		
Disbursements			
Transfer to General Fund		6,572.42	
Total CTF Disbursements		6,572.42	
ColoTrust CTF Fund Ending Balance			\$ 29,991.47
ColoTrust Open Space - Beginning Balance			\$ 163,781.32
Deposits			
Arapahoe County Shareback	0.00		
Interest Income	10.82		
Total Deposits	10.82		
Disbursements			
Transfer to General Fund		0.00	
Total Disbursements		0.00	
ColoTrust Open Space Ending Balance			\$ 163,792.14



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: March 18, 2021

RE: Ordinance 2021-02 Amending Article 8 of Chapter 11 of the Foxfield Municipal Code by the Addition of a New Section Regarding Destruction of Public Property

DISCUSSION:

Ordinance 2021-02 adds a new section to Article 8 of Chapter 11 of the Foxfield Municipal Code regarding destruction of public property. This addition states that if Town property is damaged a penalty may be assessed.

RECOMMENDED MOTION:

"I move to approve Ordinance 2021-02 Amending Article 8 of Chapter 11 of the Foxfield Municipal Code by the Addition of a New Section Regarding Destruction of Public Property."

ATTACHMENT:

Exhibit A: Ordinance 2021-02 Amending Article 8 of Chapter 11 of the Foxfield Municipal Code by the Addition of a New Section Regarding Destruction of Public Property

Trustee Bill No. 02
Series of 2021
Town of Foxfield

Introduced by Trustee

**A BILL FOR AN ORDINANCE AMENDING ARTICLE 8 OF CHAPTER 11 OF THE
FOXFIELD MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION
REGARDING DESTRUCTION OF PUBLIC PROPERTY**

WHEREAS, the Board of Trustees determines it is necessary to ensure that property owned by the Town is not subject to destruction or damage without penalty;

WHEREAS, the Board of Trustees invests Town funds into necessary public property and desires to ensure its preservation; and

WHEREAS, the Board of Trustees finds that this ordinance is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF FOXFIELD, COLORADO:

Section 1. Article 8, of Chapter 11, of the Foxfield Municipal Code is hereby amended by the addition of a new Section 11-8-20 to read as follows:

Sec. 11-8-20 Destruction or damage to public property.

A. It shall be unlawful for any person knowingly to damage, deface, destroy or injure the real or personal property of the Town, including, by way of example, any street sign, traffic control or warning device erected or placed in or adjacent to any street.

Section 2. The Town Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police powers of the Town of Foxfield, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare.

Section 3. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This ordinance shall become effective thirty (30) days after final publication.

3/11/2021

[HTTPS://D.DOCS.LIVE.NET/63D8B8F846219921/00 TOWN OF FOXFIELD/00 MEETING PACKET/2021/03 MARCH/03-18-2021/ORDINANCE 2021-02 DESTRUCTION OF PUBLIC PROPERTY.DOCX](https://d.docs.live.net/63d8b8f846219921/00%20TOWN%20OF%20FOXFIELD/00%20MEETING%20PACKET/2021/03%20MARCH/03-18-2021/ORDINANCE%2021-02%20DESTRUCTION%20OF%20PUBLIC%20PROPERTY.DOCX)

Adopted as Ordinance No. 02 Series of 2021, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this _____ day of _____, 2021.

Lisa Jones, Mayor

ATTEST:

Miranda Gallivan, Town Clerk

Town Seal

Corey Y. Hoffmann, Town Attorney
(Approved as to Form)



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: March 18, 2021

RE: Ordinance 2021-03 Amending Chapter 7 of the Foxfield Municipal Code
Concerning Outdoor Storage in the Rural Residential Zone District

DISCUSSION:

Ordinance 2021-03 amends Chapter 7 of the Foxfield Municipal Code concerning outdoor storage in the rural residential zone district. The Ordinance reflects the changes discussed by the Board. A public hearing is not required to adopt this ordinance.

RECOMMENDED MOTION:

"I move to approve Ordinance 2021-03 Amending Chapter 7 of the Foxfield Municipal Code Concerning Outdoor Storage in the Rural Residential Zone District."

ATTACHMENT:

Exhibit A: Ordinance 2021-03 Chapter 7 of the Foxfield Municipal Code Concerning Outdoor Storage in the Rural Residential Zone District

Trustee Bill No. 03
Series of 2021
Town of Foxfield

Introduced by

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 7 OF THE FOXFIELD
MUNICIPAL CODE CONCERNING OUTDOOR STORAGE IN THE RURAL
RESIDENTIAL ZONE DISTRICT**

WHEREAS, the Board of Trustees desires to amend certain provisions of Chapter 7 of the Town of Foxfield Municipal Code concerning outdoor storage in the Rural Residential Zone District;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF FOXFIELD, COLORADO:

Section 1. The definitions of “Litter” and “Vehicle” contained within Section 7-1-10 of the Foxfield Municipal Code are hereby deleted in their entirety.

Section 2. The definition of “Trash” contained within Section 7-1-10 of the Foxfield Municipal Code is hereby amended to read as follows:

Trash means that which is worthless or useless and includes but is not limited to any and every refuse, rubbish, garbage, debris, waste material, paper, cartons, bottles, boxes, crates, barrels, plastic object, wooden object: wood (except stacked firewood and stacked construction materials),; wood or upholstered furniture or bedding; rubber, metals, tin or aluminum cans, metal furniture; chemical compound, petroleum product or compound, paint; automobile part or accessory, tire, wheel; food or food product; solvent, dye, beverage; offal composed of animal matter or vegetable matter or both; dirt, rock, pieces of concrete, bricks, glass, crockery or other minerals or mineral wastes; or any noxious or offensive matter whatsoever. However, such does not include earth and waste from building construction during the period in which a valid building permit issued by the Town is applicable.

Section 3. Section 7-1-10 of the Foxfield Municipal Code is hereby amended by the addition thereto of the following definitions:

Other Vehicles means class 4-5 (14,000-19,500 pounds) and Recreational Vehicle classes A,B and C. Other vehicles also include licensed trailers (with or without vehicles on them), ATVs, jet skis and boats.

Passenger Vehicle means Class 1-3 (weighing under 14,000 pounds). Including, but not limited to, automobiles and motorcycles.

Section 4. Section 7-1-20 (7)a. of the Foxfield Municipal Code is hereby repealed and reenacted to read as follows:

Sec. 7-1-20. Nuisance defined.

Nuisance includes:

* * *

(7) The existence, without limitation, of any of the following conditions:

a. Outdoor storage.

1. No person shall be permitted to store items or materials in a public right-of-way.

2. The accumulation of junk, trash, stale or odorous matter, including improperly maintained compost or manure piles that emit odor or similar materials that constitute a threat to the health or safety of any person, or that contribute to blight and land degradation, is prohibited.

3. Attractive nuisances generally considered dangerous to children, including abandoned, broken or neglected vehicles, equipment, machinery, refrigerators and freezers, hazardous pools or excavations related to construction sites.

4. The outdoor storage or accumulation of the following items on private property, other than in a fully enclosed structure or properly screened from view from the public right of way and neighboring properties is prohibited:

a) Tools, equipment, inventory and other supplies; however, on properties with current, valid building permits, these items may be stored in small quantities of required supplies during the term of the building permit.

b) The parking or storage of any unlicensed or inoperable vehicle. This Subparagraph is not meant to prohibit outside storage of bona fide collector's items when stored in compliance with Section 42-12-101, et seq., C.R.S., and other applicable ordinances.

c) The parking or storage of any passenger vehicle, other vehicle or other articles of personal property, not owned by the occupant of the property upon which it is parked, stored or used, for longer than a period of ten (10) days.

d) The unscreened parking or storage of more than a total of ten (10) vehicles so long as no more than five (5) of the ten (10) vehicles are "other vehicles" as defined by this Article 1 of Chapter 7. Any additional vehicles, beyond the ten (10) vehicle limit in this section must be parked in an enclosed structure or properly screened from view from the public right of way and neighboring properties.

e) The parking or storage of any Class 6-9 vehicle (weight exceeding 19,501 pounds).

Section 5. Section 7-1-20(7)f of the Foxfield Municipal Code is hereby repealed and reenacted to read as follows:

- f. Streets, streams and water supply. No person shall throw or deposit or cause or permit to be thrown or deposited trash, junk or other offensive matter upon any street, avenue, alley, sidewalk or public or private grounds. No person shall throw or deposit or cause or permit to be thrown or deposited trash, junk or any other substance that would tend to have a polluting effect, into the water of any stream, ditch, pond, well, cistern, trough or other body of water, whether artificially or naturally created or so near any such place as to be liable to pollute the water.

Section 6. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police powers of the Town of Foxfield, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 7. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 8. This ordinance shall become effective thirty (30) days after final publication.

Adopted as Ordinance No. 03 Series of 2021, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this ____ day of _____, 2021.

Lisa Jones, Mayor

ATTEST:

Miranda Gallivan, Town Clerk

Town Seal

Corey Y. Hoffmann, Town Attorney
(Approved as to Form)



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: March 18, 2021

RE: Engineering Scope of Work Proposal and Fee Estimate for 2021 Pavement Repair and Surface Treatment Program

DISCUSSION:

Attached is a scope of work and fee proposal from SEH for the 2021 pavement repair and surface treatment program. The total cost not-to-exceed in SEH's proposal is \$16,546. In the approved 2021 budget there is \$331,000 for the roads in the capital account.

RECOMMENDED MOTION:

"I move to approve the SEH Scope of Work Proposal and Fee Estimate for 2021 Pavement Repair and Surface Treatment Program."

ATTACHMENTS:

Exhibit A – SEH Supplemental Letter Agreement
Exhibit B – SEH Fee Estimate

Supplemental Letter Agreement

In accordance with the Master Agreement for Professional Services between Town of Foxfield (“Client”), and Short Elliott Hendrickson Inc. (“Consultant”), effective January 1, 2015, and the 2021 Contract Amendment, this Supplemental Letter Agreement dated March 12, 2021 authorizes and describes the scope, schedule, and payment conditions for the Consultant’s work on the Project described as: **2021 Pavement Repair and Surface Treatment Program**

Client’s Authorized Representative: Karen Proctor, Town Administrator

Address: P.O. Box 461450
Foxfield, Colorado 80046-1450

Telephone: 303.905.9339 **e-mail:** kproctor@townoffoxfield.com

Project Manager: Erica Olsen

Address: 2000 S. Colorado Blvd. Suite 6000
Denver, CO 80222

Telephone: 303.586.5828 **e-mail:** eolsen@sehinc.com

The Basic Services to be provided by the Consultant as set forth herein is provided subject to the General Conditions and Exhibits attached to this Agreement.

Understanding: Per the request of the Town Board, SEH was asked to provide a scope and fee proposal to you for development of your surface treatment program and bidding and construction observation services for the 2021 program.

SEH’s project team will consist of Erica Olsen, P.E., who will serve as Project Manager, along with Rick Coldsnow, P.E., as Senior Advisor (QA/QC) and Graduate Engineer/Field Representative Gavin Macwilliam.

Project History: In 2020, SEH developed a proposed surface treatment program for the Town of Foxfield to be implemented over a 2-4 year span. The first phase of surface treatments was completed in 2020.

Scope of Services:

Proposed services include the following:

Task 1 – Administration

- **Project task set up and close-out**
- **Miscellaneous task coordination with Town staff.**

Task 2– Program Development

- Review plan for 2021 with Town budget
 - Adjust 2021 plan to meet budget.
 - Field observation of 2020 completed streets for warranty work.
 - Field observation of proposed 2021 streets for patching, crack patching or other necessary prework prior to surface treatment. This includes, but is not limited to asphalt, concrete, and aggregate shoulders.

Task 3 - Bid Document Preparation and Assistance (after Town Board Acceptance)

- Update specifications for proposed repairs and treatments.
- Update typical details for patching and crack sealing.
- Develop street map for the 2021 program based on Town budget.
- Prepare bid forms.
- Work with the Town Attorney and Administrator to develop contract documents for the Project Manual.
- Conduct pre-bid meeting and site visit with contractors.
- Answer questions and prepare addenda as required.
- Receive bids and conduct bid opening.
- Prepare bid tabulation and review bids for accuracy and completeness.

Task 4 – Construction Services

- Conduct pre-construction meeting with contractor.
- Review material submittals within three business days of receipt.
- Mark patching areas prior to work.
- Coordinate with ACWWA for any valve box adjustments required.
- During patching and surface treatment placement our field inspector will be on site at least four hours per day to monitor placement procedures, traffic control and cleanup. We have estimated that the contractor will be on site no more than ten days. The inspector will prepare a daily log with photographs.
- At the completion of work the inspector will measure quantities and meet with the contractor to confirm.
- SEH will conduct a substantial completion walk through with the contractor and develop a punch-list of items to be completed.
- When the punch-list has been completed, SEH will field verify punch-list items have been addressed, and we will prepare a notice of final acceptance.
- SEH will review the contractor's pay requests.

Scope Exclusions

The proposed work does not include:

- Field Survey
- Utility Locates
- Fees for posting or advertising
- Material testing
- Preparation of construction traffic control or MHT plans
- Services include no more than two reviews of contractor submittals
- Construction observation in excess of ten days
- Title commitments
- Legal descriptions and exhibits
- Construction survey staking

Schedule:

SEH has made initial contact with the 2020 contractor and confirmed they will be working in a neighboring jurisdiction for 2021. The program development documentation and memo would be provided to the Town by April 1, 2021 for Board review. If authorization to proceed to bidding is received by April 2, bid packages would be completed by April 9. Bids could then be received by the end of April. Work schedule to be coordinated with contractor for summer 2021.

Payment:

Attached is a spreadsheet with estimated hours for each task based on the hourly rates in our 2021 on-call contract amendment. The total, not-to-exceed, fee for this proposal is **\$16,546.00**. These fees include all labor, expenses, mileage and materials. Additional work, if requested, shall be compensated in accordance with the rates provided.

Other Terms and Conditions:

Other or additional terms contrary to the Master Agreement for Professional Services that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein:

1. An item of work that is not specifically included and identified as a "Task" within the Scope of Work is specifically excluded from the Scope of Work.

SEH will not proceed with this work without prior approval from the Town of Foxfield. If this proposal is accepted, please sign below and return a pdf copy to SEH. Please feel free to call Erica Olsen or Rick Coldsnow with any questions.

Thank you for providing SEH this opportunity to assist you with this important project.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.



Erica Olsen, P.E. CO
Project Manager
720.280.3695



Rick Coldsnow, P.E. CO, NM, WY
Principal
720.540.6806

Accepted for the Town of Foxfield

By:_____

Title:_____

Date:_____

Town of Foxfield

FEE ESTIMATE

Surface Treatment Program Update and 2021 Bid and Construction Assistance						
March 12, 2021						
		Senior Advisor	Snr. Proj.	Staff	Senior	
Task	Description	Engineer	Engineer I	Accountant		Task Subtotal
	2021 Hourly Rates	\$227.00	\$157.00	\$107.00	\$129.00	
		RC	EO	GM	SO	
1	Administration	1	4		4	\$1,371.00
2	Program Development					
2.1	Review and adjust 2021 plan per Town budget		1	4		\$585.00
2.2	Field inspection of streets		1	8		\$1,013.00
3	Bid Assistance					
3.1	Update specifications	0.5	1	1		\$377.50
3.2	Update typical details		0.5	0.5		\$132.00
3.3	Street map		1	2		\$371.00
3.4	Bid forms		0.5	1		\$185.50
3.5	Contract documents	0.5	2	1		\$534.50
3.6	Coordinate with potential bidder (does not include public bid process)	0.5	0.5			\$192.00
3.7	Bid review		0.5			\$78.50
4	Construction Services					
4.1	Conduct pre-construction meeting		2	2		\$528.00
4.2	Review submittals		0.5	2		\$292.50
4.3	Mark patching areas			4		\$428.00
4.4	Coordinate with ACWWA		0.5	1		\$185.50
4.5	On-site observation (7 days)	3	3	60		\$7,572.00
4.6	Measure quantities and prepare substantial completion punch-list		2	8		\$1,170.00
4.7	Final walk through		3	3		\$792.00
4.8	Notice of acceptance		1			\$157.00
4.9	Review pay request		1	2		\$371.00
	Subtotal Hours	5.5	25	99.5	4	
	Subtotal Fees	\$1,248.50	\$3,925.00	\$10,646.50	\$516.00	
	Total Project Estimated Labor					\$16,336.00
	Expenses 300 miles @ \$0.56/miles					\$210.00
	Total Time & Materials Not-to-Exceed Fee					\$16,546.00





MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: March 18, 2021

RE: Ordinance 2021-04 Amending Chapter 16 of the Foxfield Municipal Code
Concerning Home Occupations

DISCUSSION:

Ordinance 2021-04 amends Chapter 16 of the Foxfield Municipal Code concerning home occupations. The Ordinance reflects the changes discussed by the Board. Should the Board approve of the wording, a public hearing will be scheduled for April 15th, 2021.

ATTACHMENT:

Exhibit A: Ordinance 2021-04 Amending Chapter 16 of the Foxfield Municipal Code Concerning Home Occupations

Trustee Bill No. 04
Series of 2021
Town of Foxfield

Introduced by

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 16 OF THE FOXFIELD
MUNICIPAL CODE CONCERNING HOME OCCUPATIONS**

WHEREAS, the Board of Trustees desires to amend certain provisions of Chapter 16 of the Town of Foxfield Municipal Code concerning Home Occupations;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF FOXFIELD, COLORADO:

Section 1. Section. 16-4-10 (3) of the Foxfield Municipal Code is hereby amended to read as follows:

Sec. 16-4-10. Home occupations.

(3) The home occupation business shall be conducted by the persons residing in the home and up to two (2) additional employees.

Section 2. The definition of “Home occupation” in Section 16-6-10 of the Foxfield Municipal Code is hereby amended to read as follows:

Home occupation. Any occupation or activity which is clearly incidental to and conducted wholly within a dwelling unit or in an accessory building on the premises by residents of the dwelling unit as more particularly described in Section 16-4-10 of the Foxfield Municipal Code.

Section 3. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police powers of the Town of Foxfield, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. This ordinance shall become effective thirty (30) days after final publication.

Adopted as Ordinance No. 04 Series of 2021, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this ____ day of _____, 2021.

Lisa Jones, Mayor

ATTEST:

Miranda Gallivan, Town Clerk

Town Seal

Corey Y. Hoffmann, Town Attorney
(Approved as to Form)



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: March 18, 2021

RE: 2021 Financial Forecast Update

DISCUSSION:

The Long-Range Financial Forecast is attached as Exhibit A. There have been no changes to the forecast. The 2020 financial audit took place the week of February 22nd, however staff has not yet received the final report.

The gate expense worksheet and the breakout of sales tax revenue are attached for your review.

ATTACHMENT:

Exhibit A – Long Range Financial Forecast
Exhibit B – Gate Expense Worksheet
Exhibit C – Sales Tax Revenue

LONG RANGE FINANCIAL FORECAST													
Account	Account Title	2018 Actual	2019 Actual	2020 Estimate	2021 Budget	2022 Forecast	2023 Forecast	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast	2028 Forecast	Description
GENERAL FUND													
	BEGINNING FUND BALANCE	572,989	737,240	929,820	808,148	660,597	660,597	660,597	660,597	667,313	674,150	682,958	
Taxes and Franchise Fees													
	Assessed Value	20,495,097	20,309,298	22,601,884	22,737,996	23,874,896	23,874,896	25,068,641	25,068,641	26,322,073	26,322,073	27,638,176	
	Mill Levy	4.982	4.982	4.982	4.982	4.982	4.982	4.982	4.982	4.982	4.982	4.982	
10-31-111	Current Property Tax	101,683	100,682	112,603	113,281	118,945	118,945	124,892	124,892	131,137	131,137	137,693	Provided by the county
10-31-121	Specific Ownership Tax	7,420	7,939	7,429	7,000	7,070	7,141	7,212	7,284	7,357	7,431	7,505	County collected. Basically property tax on the type of vehicle. The year and taxable value determine these fees. Taxable value is determined by taking 85% of the suggested retail price.
10-31-161	Xcel Franchise Fee	6,955	8,441	6,750	6,750	6,818	6,886	6,955	7,024	7,094	7,165	7,237	
10-31-162	IREA Franchise Fee	23,159	22,321	22,000	22,000	22,220	22,442	22,667	22,893	23,122	23,353	23,587	
10-31-163	Cable Television Fees	5,242	5,114	4,800	4,800	4,848	4,896	4,945	4,995	5,045	5,095	5,146	Comcast
10-31-191	Current Property Tax Interest	137	73	214	100	101	102	103	104	105	106	107	Interest on property tax
10-31-192	Delinquent Property Tax	4,164	(1,170)	0	0	0	0	0	0	0	0	0	
10-31-193	Delinquent Property Tax Intrst	1,262	(165)	0	0	0	0	0	0	0	0	0	
10-31-311	Sales Tax	292,566	338,428	230,936	200,000	205,999	209,566	212,808	214,936	217,085	219,256	221,448	3.75% on purchases made in the town or delivered into the town. ESTIP agreement ended 5/18.
10-31-312	Use Tax	14,023	45,090	17,509	13,500	13,635	13,771	13,909	14,048	14,189	14,331	14,474	Three percent (3%) imposed only for the privilege of storing, using or consuming within the Town any construction and building materials greater than twenty thousand dollars (\$20,000.00)
	Total Taxes and Franchise Fees	456,611	526,754	402,241	367,431	379,635	383,749	393,490	396,176	405,134	407,874	417,199	
Licenses and Permits													
10-32-211	Liquor Licenses	475	398	298	298	400	400	400	400	400	400	400	3 licenses + special events
10-32-215	Business Licenses	420	385	280	385	420	420	420	420	420	420	420	\$35 annual fee
10-32-218	Sign Permits	650	0	0	0	0	0	0	0	0	0	0	FVC and OLOL
10-32-219	Communique Ads	450	500	340	350	350	350	350	350	350	350	350	Increase in the number of newsletters
10-32-221	Building Permits	24,611	49,499	34,337	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	
10-32-222	Street Cut Permits/ROW	1,054	300	450	300	300	300	300	300	300	300	300	
10-32-223	Grading Permits	150	150	0	150	150	150	150	150	150	150	150	
10-32-224	Zoning Review	2,848	1,914	2,611	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	Costs billed through building permit
10-32-225	Engineering Review	2,600	807	3,488	500	500	500	500	500	500	500	500	Costs billed through building permit
10-32-226	Driveway Permits	250	250	1,000	250	250	250	250	250	250	250	250	
	Total Licenses and Permits	33,508	54,203	42,804	28,733	28,870	28,870	28,870	28,870	28,870	28,870	28,870	
Intergovernmental													
10-33-321	Motor Vehicle Registration Fees	4,021	4,224	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	3,500	County collected
10-33-342	Cigarette Tax	1,125	1,222	1,047	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	State derived
10-33-350	Severance Tax	0	0	399	400	400	400	400	400	400	400	400	
10-33-352	Highway User Tax	47,492	52,434	37,816	35,772	40,000	40,000	40,000	40,000	40,000	40,000	40,000	Based on the # of vehicles and street miles in each community relative to the same statistics in other municipalities and the CO Dept of Transportation revenue estimates.
10-33-360	Mineral Lease	0	0	133	133	133	133	133	133	133	133	133	
10-33-371	County Road/Bridge Levy	5,810	5,691	6,329	6,367	6,685	6,685	7,019	7,019	7,370	7,370	7,739	Shareback from Arapahoe County (.560 x Assessed Value X 50%)
	Total Intergovernmental	58,448	63,572	49,224	47,172	51,718	51,718	52,052	52,052	52,403	52,403	52,772	
Charges for Services													
10-35-510	Traffic Court Revenues	8,861	6,310	2,100	2,500	3,000	3,000	3,000	3,000	3,000	3,000	3,000	
10-35-540	Chargeback Administration Fee	1,549	684	250	500	500	500	500	500	500	500	500	SafeBuilt & SEH
	Total Charges for Services	10,410	6,994	2,350	3,000	3,500	3,500	3,500	3,500	3,500	3,500	3,500	
Miscellaneous													
10-36-611	Interest Earnings	10,609	17,972	6,592	1,541	3,363	3,997	4,760	11,082	12,680	14,303	14,303	-.2% 2021, .5% 2022-2024, 1% 2025-2027
10-36-680	Miscellaneous/Other Income	54,447	2,223	469	500	500	500	500	500	500	500	500	
10-36-682	SIPA Grant	0	4,250	0	0	0	0	0	0	0	0	0	
10-36-690	Transfer In	70	0	0	0	0	0	0	0	0	0	0	
	Total Miscellaneous	65,126	24,444	7,061	2,041	3,863	4,497	5,260	11,582	13,180	14,803	14,803	
	TOTAL REVENUES	624,103	675,967	503,680	448,376	467,586	472,334	483,173	492,181	503,087	507,450	517,144	

Administration													
10-41-110	Personnel Expenses	115,284	127,008	131,614	134,246	136,931	139,670	142,463	145,312	148,219	151,183	154,207	
10-41-116	Payroll Taxes (7.65%)	8,819	9,716	10,068	10,270	10,475	10,685	10,898	11,116	11,339	11,566	11,797	
10-41-118	Workers Compensation Ins.	826	715	724	750	950	1,000	1,000	1,000	1,000	1,000	1,000	Pinnacol
10-41-120	Supplies/Materials	1,445	461	500	500	500	500	500	500	500	500	500	Server and equipment upgrades
10-41-130	Postage/Bulk Mail Charges	537	330	400	400	400	400	400	400	400	400	400	PO Box Rental
10-41-140	Printing	1,044	0	50	50	100	100	100	100	100	100	100	
10-41-141	Newsletter	195	35	50	50	50	50	50	50	50	50	50	Hard copies of newsletter
10-41-143	Municipal Code Supplements	2,056	211	646	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	
10-41-145	Legal Notices	312	266	250	250	250	250	250	250	250	250	250	
10-41-148	Recording Fees	26	26	50	50	50	50	50	50	50	50	50	
10-41-151	Audit	7,500	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	John Cutler and Associates
10-41-152	Legal	11,397	16,345	20,475	25,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	HPWC
10-41-160	County Treasurer Fees	1,072	1,042	1,200	1,133	1,189	1,189	1,249	1,249	1,311	1,311	1,377	1% of current property tax revenue
10-41-170	Communications/IT	2,155	11,861	2,800	2,800	3,000	3,000	3,000	3,000	3,000	3,000	3,000	Caselle (AP & Payroll added), Carbonite, Laserfiche
10-41-171	Telephone/Internet	2,298	1,518	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	Clerk's office
10-41-172	E-mail Server	521	498	500	500	540	540	540	540	540	540	540	
10-41-173	Web Site Dev/Mgmt	240	4,412	0	0	0	0	0	0	0	0	0	
10-41-180	Insurance	4,759	4,500	4,995	5,957	6,000	6,000	6,000	6,000	6,000	6,000	6,000	CIRSA Property/Casualty and volunteer medical
10-41-182	Membership/Dues/Training	2,342	2,832	2,500	3,000	3,500	4,000	4,000	4,000	4,000	4,000	4,000	DRCOG, CGFOA, CMCA, CML, IIMC, Conferences and training
10-41-190	Miscellaneous Expense	38	99	746	150	150	150	150	150	150	150	150	
10-41-192	Bank Service Charges	36	24	24	24	30	30	30	30	30	30	30	
	Total Administration	162,902	188,900	186,192	195,230	184,216	187,714	190,781	193,848	197,039	200,230	203,551	
Elections													
10-42-121	Elections - Judges	325	0	300	0	350	0	350	0	350	0	350	
10-42-131	Election Expenses	128	0	376	0	400	0	425	0	450	0	450	
	Total Elections	453	0	676	0	750	0	775	0	800	0	800	
Judicial													
10-44-211	Judge	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	\$250/month
10-44-220	Court Related Expenses	6,117	5,864	5,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	Approximately \$1250/qrt
	Total Judicial	9,117	8,864	8,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	
Public Safety													
10-46-311	Law Enforcement	102,056	101,181	112,830	113,281	118,945	118,945	124,892	124,892	131,137	131,137	137,693	IGA with Arapahoe County Sherriff
10-46-314	Off Duty Officer Patrols	14,152	5,138	4,000	10,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	
10-46-400	Animal Control	390	260	325	325	325	325	325	325	325	325	325	
	Total Public Safety	116,598	106,579	117,155	123,606	132,270	132,270	138,217	138,217	144,462	144,462	151,018	
Public Works													
10-48-451	Planning	5,110	3,850	5,000	5,000	6,000	6,000	6,500	6,500	7,000	7,000	7,000	SafeBuilt
10-48-452	Engineering	15,739	16,934	22,509	16,960	15,000	15,000	15,500	15,500	15,500	15,500	15,500	SEH
10-48-453	Code Enforcement	7,939	9,308	10,500	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	SafeBuilt
10-48-454	Snow Removal	8,036	26,244	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	Terracare
10-48-455	ROW and Island Maintenance	37,827	37,421	40,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000	45,000	Terracare
10-48-456	Traffic Control/Signage	2,759	2,468	441	1,500	2,000	2,000	2,000	2,000	2,000	2,000	2,000	Sign placement and repair, gates maintenance
10-48-457	Building Permit Expenses	18,444	35,788	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	SafeBuilt
10-48-458	St. Cut/ROW Permit Expenses	0	175	300	300	350	350	400	400	450	450	450	
10-48-459	Street Lights	1,272	1,279	1,200	1,200	1,300	1,300	1,300	1,300	1,300	1,300	1,300	Lewiston Way and Parker Road
10-48-460	Engineering Pavement Management	9,022	6,800	9,059	6,000	6,000	8,000	8,000	8,000	8,000	8,000	8,000	Misc Terracare charges, SEH pavement management
10-48-461	Gates Electricity & Maintenance	0	0	0	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	\$4,000 Maintenance, \$1,000 electricity
10-48-500	Comm Events (Parade,Directory)	4,706	5,614	1,755	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	4th of July, Parade, Chili Fest, Trunk or Treat
10-48-600	Storage Unit	637	529	529	675	700	700	700	700	700	700	700	
	Total Public Works	111,491	146,410	136,293	141,635	141,350	143,350	144,400	144,400	144,950	144,950	144,950	
ESTIP													
10-52-620	ESTIP	25,250	0	0	0	0	0	0	0	0	0	0	Last payment made in May 2018
	Total ESTIP	25,250	0	0	0	0	0	0	0	0	0	0	
Capital													
10-58-800	Capital Exp > \$5,000.00	32,165	32,634	177,035	126,457	0	0	0	0	0	0	0	Roads & Gates
10-58-801	Capital Exp < \$5,000.00	1,876		0	0	0	0	0	0	0	0	0	Bulletin boards/dog waste stations/libraries
10-58-804	Improvements - Ring Road	0	0	0	0	0	0	0	0	0	0	0	
	Total Capital	34,041	32,634	177,035	126,457	0	0	0	0	0	0	0	
	TOTAL EXPENDITURES	459,852	483,387	625,351	595,928	467,586	472,334	483,173	485,465	496,250	498,642	509,319	
	REVENUES LESS EXPENDITURES	164,251	192,579	(121,671)	(147,552)	0	0	0	6,716	6,837	8,808	7,825	

	ENDING FUND BALANCE	737,240	929,820	808,148	660,597	660,597	660,597	660,597	667,313	674,150	682,958	690,783	
	ROAD MAINTENANCE FUND												
	Beginning Fund Balance	0	0	0	207,357	76,357	(23,404)	101,596	250,096	397,051	542,415	392,415	
	Village Center Sales Tax	0	0	207,357	200,000	200,000	200,000	200,000	200,000	200,000	200,000	20,000	
	TOTAL REVENUES			207,357	200,000	200,000	200,000	200,000	200,000	200,000	200,000	20,000	
	Crack Seal/Chip Seal	0	0	0	331,000	299,761	75,000	51,500	53,045	54,636	350,000	350,000	
	Other Road Maintenance	0	0	0									
	TOTAL EXPENDITURES	0	0	0	331,000	299,761	75,000	51,500	53,045	54,636	350,000	350,000	
	ENDING FUND BALANCE	0	0	207,357	76,357	(23,404)	101,596	250,096	397,051	542,415	392,415	62,415	
	OPEN SPACE FUND												
	BEGINNING FUND BALANCE	77,495	99,317	122,267	144,903	161,603	181,703	201,803	221,903	242,003	262,103	282,203	
22-30-130	Arapahoe CO Open Space Distrib	19,845	20,282	21,936	19,000	19,000	19,000	19,000	19,000	19,000	19,000	19,000	
22-30-611	Interest Earnings	1,977	3,026	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	
22-30-680	Miscellaneous/Other Income	0	0	0	0	0	0	0	0	0	0	0	
	TOTAL REVENUES	21,822	23,308	23,036	20,100	20,100	20,100	20,100	20,100	20,100	20,100	20,100	
22-40-511	Maintenance	0	0	0	0	0	0	0	0	0	0	0	
22-40-530	Planning	0	0	0	0	0	0	0	0	0	0	0	
22-40-620	Improvements	0	358	400	3,400	0	0	0	0	0	0	0	
22-40-630	Engineering and Design	0	0	0	0	0	0	0	0	0	0	0	
	TOTAL EXPENDITURES	0	358	400	3,400	0	0	0	0	0	0	0	
	REVENUES LESS EXPENDITURES	21,822	22,950	22,636	16,700	20,100	20,100	20,100	20,100	20,100	20,100	20,100	
	ENDING FUND BALANCE	99,317	122,267	144,903	161,603	181,703	201,803	221,903	242,003	262,103	282,203	302,303	
	CONSERVATION TRUST FUND												
	BEGINNING FUND BALANCE	37,094	32,271	27,831	23,113	18,393	13,673	8,953	4,233	(487)	(5,207)	(9,927)	
31-30-611	Interest Earnings	757	809	282	280	280	280	280	280	280	280	280	
31-30-634	CTF Distribution	7,898	5,982	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	
31-30-680	Miscellaneous/Other Income	0	0	0	0	0	0	0	0	0	0	0	
	TOTAL REVENUES	8,655	6,791	8,282	8,280	8,280	8,280	8,280	8,280	8,280	8,280	8,280	
31-40-520	Improvements	0	0	0	0	0	0	0	0	0	0	0	
31-40-525	Legal	0	0	0	0	0	0	0	0	0	0	0	
31-40-530	Planning & Engineering	0	0	0	0	0	0	0	0	0	0	0	
31-40-550	Maintenance	13,478	11,231	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	15% of Terracare contract, ACWWA, IREA
	TOTAL EXPENDITURES	13,478	11,231	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	
	REVENUES LESS EXPENDITURES	(4,823)	(4,440)	(4,718)	(4,720)	(4,720)	(4,720)	(4,720)	(4,720)	(4,720)	(4,720)	(4,720)	
	ENDING FUND BALANCE	32,271	27,831	23,113	18,393	13,673	8,953	4,233	(487)	(5,207)	(9,927)	(14,647)	

SUMMARY OF GATE EXPENDITURES TO DATE

Contractor	Contract Cost	Paid in 2019	Paid in 2020	Paid to date 2021	Amount Remaining
SEH	\$ 12,753.50	\$ (9,914.75)	\$ (76.00)	\$ (1,424.00)	\$ 1,338.75
Terracare	\$ 86,245.12		\$ (28,748.00)	\$ (28,748.00)	\$ 28,749.12
DGO	\$ 66,712.98			\$ (27,211.64)	\$ 39,501.34
IREA	\$ 10,902.00		\$ (10,902.00)		\$ -
TOTAL	\$ 176,613.60	\$ (9,914.75)	\$ (39,726.00)	\$ (57,383.64)	\$ 69,589.21

TIMELINE

March 2020 Project on hold due to pandemic

June 2020 Move forward with the project, revenue projections are good

July 2020 IREA did site visit to begin design

September 2020 Received design and cost estimate. Required additional work by Terracare and DGO

October 2020 Received final estimate from Terracare

November 2020 Received final estimate from DGO

December 2020 Construction begins

April 2021 Construction completed!

