



**TOWN BOARD AGENDA
REGULAR MEETING**

(All items listed for discussion and possible action)

Virtual Meeting

**Thursday, May 19, 2022
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 – May 5, 2022
 - b. Financial Reports – April 2022
5. For Possible Action
 - a. Appointment of Town Clerk/Treasurer and Deputy Town Clerk/Treasurer
 - b. Resolution 2022-03 Approving the Intergovernmental Agreement-Opioid Abatement, Establishing the Arapahoe County Regional Council for the Administration of Regional Opioid Abatement Funds
6. For Discussion
 - a. Long Range Financial Forecast
 - b. Warranty Road Work Update
7. Reports
 - a. Mayor
 - b. Members of Town Board
 - c. Staff
8. Future Agenda Items
9. Adjournment



MINUTES

BOARD OF TRUSTEES MEETING

May 5, 2022

Call to Order/Roll Call

The virtual meeting was called to order at 6.30 p.m. via Zoom.

The following Trustees were present: Debby Farreau, Josie Cockrell, Tim Schultz, Pam Thompson, Dave Goddard, Joe 'Hark' Herold, and Mayor Lisa Jones. A quorum was present.

Consent Agenda

Trustee Cockrell requested a minor change regarding the Metro Area's attainment of carbon monoxide emission standards in her report from the DRCOG meeting.

Mayor Jones moved, seconded by Trustee Cockrell, to approve the minutes of April 21, 2022 as amended. The motion passed by unanimous roll call vote.

For Possible Action

Approval of Vance Brothers Bid for 2022 Pavement Repair and Surface Treatment Program

Town Administrator Proctor noted the cost of the project would include the SEH administration costs approved by the Board on April 7, for a total cost of \$296,859. The budgeted amount is \$300,000. Trustee Herold moved to accept the bid, sign it and get the work scheduled. Following a second by Trustee Goddard, the motion passed by unanimous roll call vote.

For Discussion

Gate Working Group Report

The Working Group recommends building seven new receivers at a cost of approximately \$60/each for the existing speed radar signs rather than spending hundreds of dollars on new traffic counters. Installation can be done by volunteers. The Board approved this approach.

Four gate cameras will be installed, one at each gate. Town Attorney Hoffmann told the committee signs noting video surveillance is not required, but is recommended. Town Administrator Proctor will check with SEH regarding optimal size and placement of the signs.

4th of July Event

The picnic will be held at the Johnson's barn, 17117 E. Davies Avenue. The Board agreed to accept the catering bid from Chef in a Box in the amount of \$2,600. So far, there has been no response to the Volunteer Sign-Up sheet.

Introduction of Town Clerk/Treasurer Finalist

Town Administrator Proctor introduced Kathleen Schmitz as the finalist for the Town Clerk/Treasurer position. Ms. Schmitz told the Board she is excited about coming to work for the Town of Foxfield. The Board will formally appoint her to the position at the May 19th meeting.

Reports

Members of the Town Board

Trustee Thompson reported that Centennial Airport is the 19th busiest in the nation among all airports, not just general aviation.

Staff Reports

Town Administrator Proctor noted the ARP Small Grant fund has been posted and there is one applicant to date. The deadline is May 20th.

Future Agenda Items

- Appointment of Town/Clerk Treasurer
- Update on warranty road work

Adjournment

Mayor Jones adjourned the meeting at 7:42 p.m.

Randi Gallivan, Acting Town Clerk

Lisa Jones, Mayor

Treasurer's Report
April 2022

	Credit	Debit	Balance
1st Bank Checkbook Beginning Balance			25,812.48
<u>Deposits</u>			
Gate tags	40.00		
Colo Interac - gate tags	33.00		
Colo Interac - building permits	22,289.01		
Arapahoe County MV Tax	270.36		
Pinnacol Assurance Dividend	104.00		
CORE - Q1 franchise fee	5,769.69		
Total Deposits	28,506.06		
<u>Disbursements</u>			
CORE - 6805 S. Lewiston Way lights		42.28	
CORE - 6773 S. Lewiston Cir SP		21.61	
CORE - Fremont Ave gate		29.57	
CORE - Richfield gate		28.88	
Microsoft Online email hosting		41.50	
EFTPS - Feb payroll tax deposit		2,970.38	
CO Dept of Revenue - Q1 payroll tax		1309	
Intermedia - clerk phone, setup		71.18	
USPS - PO box annual rental		332.00	
ACWWA - irrigation		75.03	
Caselle - monthly support		150.00	
CORE - 6806 S Parker Road lights		77.75	
T-Mobile - internet, returned		27.50	
Terracare Assoc - public works		13,750.33	
SEH - engineering		931.00	
SafeBuilt - building, CE, P&Z		10,703.41	
John Cutler & Assoc - final 2021 audit		2,000.00	
HPWC, PC - legal services		340.00	
D. Farreau - gate keys		14.94	
ACSO - off-duty officers		1,950.00	
Arapahoe County		553.72	
Ryan Tiraschi - gate repair		46.17	
Sarah Staal - gate repair		138.52	
Jeff Briar		300.14	
M. Gallivan		3,040.95	
K. Proctor		4,898.27	
First Bank		2.00	
Total Disbursements		43,846.13	
1st Bank Checkbook Ending Balance			10,472.41

Treasurer's Report
April 2022

	Credit	Debit	Balance
ColoTrust General Fund Beginning Balance			
			\$ 987,649.64
Deposits			
Cigarette Tax			
Sales Tax	42,090.74		
Arapahoe County	13,749.31		
Mineral Lease Distribution	0.00		
Severance Tax	0.00		
HUTF	3,449.32		
Public Service	1,555.40		
Interest Income	380.77		
Total Deposits	61,225.54		
Disbursements			
Transfer to CTF to correct error		2,602.22	
Total Disbursements		2,602.22	
ColoTrust General Fund Ending Balance			\$ 1,046,272.96
ColoTrust CTF Fund Beginning Balance (Lottery Money)			
			\$ 27,604.63
Deposits			
CTF Funds	2,602.55		
Interest Income	10.96		
Total CTF Deposits	2,613.51		
Disbursements			
Transfer to General Fund		0.00	
Total CTF Disbursements		0.00	
ColoTrust CTF Fund Ending Balance			\$ 30,218.14
ColoTrust Open Space - Beginning Balance			
			\$ 182,361.00
Deposits			
Arapahoe County Shareback	0.00		
Interest Income	67.33		
Total Deposits	67.33		
Disbursements			
Transfer to General Fund		0.00	
Total Disbursements		0.00	
ColoTrust Open Space Ending Balance			\$ 182,428.33

Treasurer's Report
April 2022

	Credit	Debit	Balance
ColoTrust Amer Rescue Plan - Beginning Balance			
			\$ 85,070.60
Deposits			
State of Colorado	0.00		
Interest Income	31.41		
Total Deposits	31.41		
Disbursements			
Transfer to General Fund			
Total Disbursements		0.00	
		0.00	
ColoTrust Amer Rescue Plan Ending Balance			
			\$ 85,102.01

TOWN OF FOXFIELD

BALANCE SHEET

APRIL 30, 2022

GENERAL FUND

ASSETS

10-10220	CASH ON DEPOSIT - 1ST BANK	10,401.50	
10-10310	CASH - COUNTY TREASURER	17,420.71	
10-10410	INVESTMENT ACCOUNT - COLOTRUST	1,046,272.63	
10-11500	PROPERTY TAX RECEIVABLE	50,287.13	
10-13110	DUE FROM CTF	3,559.47	
10-13190	DUE FROM ARP FUNDS	5,387.58	
TOTAL ASSETS			1,133,329.02

LIABILITIES AND EQUITYLIABILITIES

10-20100	ACCOUNTS PAYABLE	(70.91)	
10-21100	PAYROLL PAYABLES	(.05)	
10-21110	PAYROLL TAXES PAYABLE		3,098.71	
10-22000	A.C. USE TAX PAYABLE		1,066.27	
10-22210	DEFERRED PROPERTY TAX		50,287.13	
10-22420	LAND USE ESCROW - WORSHAM GRAD		61.87	
10-22470	LAND USE ESCROW - OLOL		191.84	
10-22590	LAND USE ESCROW - MILLER		260.19	
10-22700	LAND USE ESCROW - GARRETT		198.43	
10-22720	LAND USE ESCROW - B. JOHNSON	(403.50)	
10-22730	LAND USE ESCROW - JIN PAK		3,500.00	
10-22765	LAND USE ESCROW - SEEVERS		441.76	
10-22770	LAND USE ESCROW - JACKSON		2,537.00	
10-22780	LAND USE ESCROW - NORDELL		977.45	
10-22785	LAND USE ESCROW - VAUTIER		373.39	
10-22800	LAND USE ESCROW - HEARTLAND	(287.94)	
10-22815	LAND USE ESCROW - QDOBA		226.87	
10-22820	LAND USE ESCROW - SANITKHUM	(460.86)	
10-22830	LAND USE ESCROW - MILLER LOT C		187.09	
10-22840	LAND USE ESCROW - MILLER GUEST		196.06	
10-22850	LAND USE ESCROW - GONZALES		2,718.63	
10-22860	LAND USE ESCROW - MOR/FURBERG		50.85	
10-22870	LAND USE ESCROW - WAMBSGANSS	(177.50)	
10-22880	LAND USE ESCROW- C. JONES		717.77	
10-22890	LAND USE ESCROW - KAPPA CONSUL		195.65	
10-22900	LAND USE ESCROW - BEHR		255.50	
10-22910	LAND USE ESCROW-WAMBSGANSS NEW		883.38	
10-22920	LAND USE ESCROW - KUBALA	(590.15)	
10-22930	LAND USE ESCROW - MONTANO		200.00	
10-22940	LAND USE ESCROW - ALKAYALI		109.75	
TOTAL LIABILITIES				66,744.68

FUND EQUITY

TOWN OF FOXFIELD
BALANCE SHEET
APRIL 30, 2022

GENERAL FUND

10-28970	FUND BAL RESRVD-LAW ENFORCEMNT		21,000.00	
	UNAPPROPRIATED FUND BALANCE:			
10-29800	FUND BALANCE - UNRESTRICTED	1,011,171.55		
	REVENUE OVER EXPENDITURES - YTD	34,412.79		
	BALANCE - CURRENT DATE		1,045,584.34	
	TOTAL FUND EQUITY			1,066,584.34
	TOTAL LIABILITIES AND EQUITY			1,133,329.02

TOWN OF FOXFIELD
BALANCE SHEET
APRIL 30, 2022

OPEN SPACE FUND

ASSETS

22-10410	INVESTMENT ACCOUNT - COLOTRUST		182,428.33	
	TOTAL ASSETS			182,428.33

LIABILITIES AND EQUITY

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:			
22-29800	FUND BALANCE	182,296.26		
	REVENUE OVER EXPENDITURES - YTD	132.07		
	BALANCE - CURRENT DATE		182,428.33	
	TOTAL FUND EQUITY			182,428.33
	TOTAL LIABILITIES AND EQUITY			182,428.33

TOWN OF FOXFIELD
BALANCE SHEET
APRIL 30, 2022

AMERICAN RESCUE PLAN FUND

ASSETS

23-10410	INVESTMENT ACCOUNT - COLOTRUST	85,102.01	
23-13120	DUE TO GENERAL FUND	(5,387.58)	
	TOTAL ASSETS		79,714.43

LIABILITIES AND EQUITY

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
23-29800	FUND BALANCE	85,039.10	
	REVENUE OVER EXPENDITURES - YTD	(5,324.67)	
	BALANCE - CURRENT DATE	79,714.43	
	TOTAL FUND EQUITY		79,714.43
	TOTAL LIABILITIES AND EQUITY		79,714.43

TOWN OF FOXFIELD
BALANCE SHEET
APRIL 30, 2022

CTF

ASSETS

31-10410	INVESTMENT ACCOUNT - COLOTRUST		30,218.14	
	TOTAL ASSETS			30,218.14

LIABILITIES AND EQUITY

LIABILITIES

31-23110	DUE TO GENERAL FUND		1,853.17	
	TOTAL LIABILITIES			1,853.17

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:			
31-29800	FUND BALANCE	27,183.16		
	REVENUE OVER EXPENDITURES - YTD	1,181.81		
	BALANCE - CURRENT DATE		28,364.97	
	TOTAL FUND EQUITY			28,364.97
	TOTAL LIABILITIES AND EQUITY			30,218.14

TOWN OF FOXFIELD
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAXES AND FRANCHISE FEES</u>					
10-31-111 CURRENT PROPERTY TAX	17,768.32	69,352.67	119,640.00	50,287.33	58.0
10-31-121 SPECIFIC OWNERSHIP TAX	580.67	2,528.10	7,000.00	4,471.90	36.1
10-31-161 XCEL FRANCHISE FEE	1,555.40	6,076.34	7,000.00	923.66	86.8
10-31-162 IREA FRANCHISE FEE	5,769.69	5,769.69	22,000.00	16,230.31	26.2
10-31-163 CABLE TELEVISION FEES	.00	125.59	4,800.00	4,674.41	2.6
10-31-191 CURRENT PROPERTY TAX INTEREST	3.44	7.42	100.00	92.58	7.4
10-31-311 SALES TAX	42,361.10	165,975.25	450,000.00	284,024.75	36.9
10-31-312 USE TAX	10,425.00	15,225.00	20,000.00	4,775.00	76.1
TOTAL TAXES AND FRANCHISE FEES	78,463.62	265,060.06	630,540.00	365,479.94	42.0
<u>LICENSES AND PERMITS</u>					
10-32-211 LIQUOR LICENSES	.00	.00	300.00	300.00	.0
10-32-215 BUSINESS LICENSES	.00	210.00	350.00	140.00	60.0
10-32-219 COMMUNIQUE ADS	.00	.00	200.00	200.00	.0
10-32-221 BUILDING PERMITS	10,898.73	19,884.00	35,000.00	15,116.00	56.8
10-32-222 STREET CUT PERMITS/ROW	.00	.00	300.00	300.00	.0
10-32-223 GRADING PERMITS	.00	.00	150.00	150.00	.0
10-32-224 ZONING REVIEW REVENUE	.00	.00	100.00	100.00	.0
10-32-225 ENGINEERING REVIEW REVENUE	.00	148.00	500.00	352.00	29.6
10-32-226 DRIVEWAY PERMITS	.00	600.00	250.00	(350.00)	240.0
TOTAL LICENSES AND PERMITS	10,898.73	20,842.00	37,150.00	16,308.00	56.1

TOWN OF FOXFIELD
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>INTERGOVERNMENTAL</u>					
10-33-321 MOTOR VEHICLE REGISTRATN FEES	460.87	1,305.38	3,500.00	2,194.62	37.3
10-33-342 CIGARETTE TAX	.00	338.24	1,200.00	861.76	28.2
10-33-350 SEVERANCE TAX	.00	.00	400.00	400.00	.0
10-33-352 HIGHWAY USER TAX	3,449.32	11,357.91	30,000.00	18,642.09	37.9
10-33-360 MINERAL LEASE	.00	.00	133.00	133.00	.0
10-33-371 COUNTY ROAD/BRIDGE LEVY	.00	.00	6,724.00	6,724.00	.0
TOTAL INTERGOVERNMENTAL	3,910.19	13,001.53	41,957.00	28,955.47	31.0
<u>CHARGES FOR SERVICES</u>					
10-35-510 TRAFFIC COURT REVENUES	.00	268.60	500.00	231.40	53.7
10-35-540 CHARGEBACK ADMINISTRATION FEE	.00	.00	100.00	100.00	.0
TOTAL CHARGES FOR SERVICES	.00	268.60	600.00	331.40	44.8
<u>MISCELLANEOUS</u>					
10-36-611 INTEREST EARNINGS	380.77	713.98	600.00	(113.98)	119.0
10-36-680 MISCELLANEOUS/OTHER INCOME	177.00	334.00	1,000.00	666.00	33.4
TOTAL MISCELLANEOUS	557.77	1,047.98	1,600.00	552.02	65.5
TOTAL FUND REVENUE	93,830.31	300,220.17	711,847.00	411,626.83	42.2

TOWN OF FOXFIELD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
10-41-110 PERSONNEL EXPENSES	10,700.34	44,089.19	138,273.00	94,183.81	31.9
10-41-116 PAYROLL TAXES	818.58	3,372.82	10,578.00	7,205.18	31.9
10-41-118 WORKERS COMPENSATION INS.	.00	472.00	800.00	328.00	59.0
10-41-120 SUPPLIES/MATERIALS	.00	60.48	700.00	639.52	8.6
10-41-130 POSTAGE/BULK MAIL CHARGES	332.00	390.00	450.00	60.00	86.7
10-41-140 PRINTING	.00	.00	50.00	50.00	.0
10-41-141 NEWSLETTER	.00	.00	50.00	50.00	.0
10-41-143 MUNICIPAL CODE SUPPLEMENTS	.00	1,929.78	1,500.00	(429.78)	128.7
10-41-145 LEGAL NOTICES	.00	32.42	250.00	217.58	13.0
10-41-148 RECORDING FEES	.00	.00	50.00	50.00	.0
10-41-151 AUDIT	2,000.00	7,000.00	7,000.00	.00	100.0
10-41-152 LEGAL	340.00	7,280.00	15,000.00	7,720.00	48.5
10-41-160 COUNTY TREASURER FEES	175.23	691.11	1,196.00	504.89	57.8
10-41-170 COMMUNICATIONS/IT	150.00	757.50	2,800.00	2,042.50	27.1
10-41-171 TELEPHONE/INTERNET	98.68	584.04	1,500.00	915.96	38.9
10-41-172 E-MAIL SERVER	41.50	166.00	500.00	334.00	33.2
10-41-180 INSURANCE	.00	7,082.38	7,080.00	(2.38)	100.0
10-41-182 MEMBERSHIP/DUES/TRAINING	.00	1,267.00	4,000.00	2,733.00	31.7
10-41-190 MISCELLANEOUS EXPENSE	.00	415.64	25,000.00	24,584.36	1.7
10-41-192 BANK SERVICE CHARGES	4.00	8.00	24.00	16.00	33.3
TOTAL ADMINISTRATION	14,660.33	75,598.36	216,801.00	141,202.64	34.9
<u>ELECTIONS</u>					
10-42-121 ELECTIONS - JUDGES	.00	.00	300.00	300.00	.0
10-42-131 ELECTION EXPENSES	.00	.00	400.00	400.00	.0
TOTAL ELECTIONS	.00	.00	700.00	700.00	.0

TOWN OF FOXFIELD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2022

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>JUDICIAL</u>					
10-44-211	MUNICIPAL JUDGE	.00	750.00	3,000.00	2,250.00	25.0
10-44-220	COURT RELATED EXPENSES	.00	.00	5,000.00	5,000.00	.0
	TOTAL JUDICIAL	.00	750.00	8,000.00	7,250.00	9.4
	<u>PUBLIC SAFETY</u>					
10-46-311	LAW ENFORCEMENT	.00	119,662.70	119,640.00	(22.70)	100.0
10-46-314	OFF DUTY OFFICER PATROLS	1,950.00	4,875.00	5,000.00	125.00	97.5
10-46-400	ANIMAL CONTROL	.00	260.00	500.00	240.00	52.0
	TOTAL PUBLIC SAFETY	1,950.00	124,797.70	125,140.00	342.30	99.7

TOWN OF FOXFIELD
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS</u>					
10-48-451 PLANNING	157.50	335.50	5,000.00	4,664.50	6.7
10-48-452 ENGINEERING	931.00	2,950.00	17,000.00	14,050.00	17.4
10-48-453 CODE ENFORCEMENT	547.50	1,916.25	10,000.00	8,083.75	19.2
10-48-454 SNOW REMOVAL	.00	28,818.00	25,000.00	(3,818.00)	115.3
10-48-455 ROW AND ISLAND MAINTENANCE	4,232.60	12,697.80	52,000.00	39,302.20	24.4
10-48-456 TRAFFIC CONTROL/SIGNAGE	.00	915.00	1,500.00	585.00	61.0
10-48-457 BUILDING PERMIT EXPENSES	9,998.41	11,696.25	25,000.00	13,303.75	46.8
10-48-458 ST. CUT/ROW PERMIT EXPENSES	.00	.00	300.00	300.00	.0
10-48-459 STREET LIGHTS	120.03	484.44	1,200.00	715.56	40.4
10-48-460 ENGINEERING ROAD MAINTENANCE	.00	.00	17,000.00	17,000.00	.0
10-48-461 GATE ELECTRICITY & MAINTENANCE	3,145.39	4,671.08	6,000.00	1,328.92	77.9
10-48-500 COMM EVENTS (PARADE,DIRECTORY)	.00	.00	6,000.00	6,000.00	.0
10-48-600 STORAGE UNIT	.00	177.00	675.00	498.00	26.2
TOTAL PUBLIC WORKS	19,132.43	64,661.32	166,675.00	102,013.68	38.8
<u>CAPITAL EXPENDITURES</u>					
10-58-800 CAPITAL EXP > \$5,000.00	.00	.00	302,000.00	302,000.00	.0
TOTAL CAPITAL EXPENDITURES	.00	.00	302,000.00	302,000.00	.0
TOTAL FUND EXPENDITURES	35,742.76	265,807.38	819,316.00	553,508.62	32.4
NET REVENUE OVER EXPENDITURES	58,087.55	34,412.79	(107,469.00)	(141,881.79)	32.0

TOWN OF FOXFIELD
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2022

OPEN SPACE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUES</u>					
22-30-130 ARAPAHOE CO OPEN SPACE DISTRIB	.00	.00	20,000.00	20,000.00	.0
22-30-611 INTEREST EARNINGS	67.33	132.07	100.00	(32.07)	132.1
TOTAL REVENUES	67.33	132.07	20,100.00	19,967.93	.7
TOTAL FUND REVENUE	67.33	132.07	20,100.00	19,967.93	.7
<u>EXPENDITURES</u>					
22-40-511 MAINTENANCE	.00	.00	4,000.00	4,000.00	.0
TOTAL EXPENDITURES	.00	.00	4,000.00	4,000.00	.0
TOTAL FUND EXPENDITURES	.00	.00	4,000.00	4,000.00	.0
NET REVENUE OVER EXPENDITURES	67.33	132.07	16,100.00	15,967.93	.8

TOWN OF FOXFIELD
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2022

AMERICAN RESCUE PLAN FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>REVENUE</u>					
23-30-150	AMERICAN RESCUE PLAN FUNDS	.00	.00	98,277.00	98,277.00	.0
23-30-611	INTEREST INCOME	31.41	62.91	20.00	(42.91)	314.6
	TOTAL REVENUE	31.41	62.91	98,297.00	98,234.09	.1
	TOTAL FUND REVENUE	31.41	62.91	98,297.00	98,234.09	.1
23-41-140	NEGATIVE ECONOMIC IMPACT EXP	5,387.58	5,387.58	50,000.00	44,612.42	10.8
	TOTAL DEPARTMENT 41	5,387.58	5,387.58	50,000.00	44,612.42	10.8
	TOTAL FUND EXPENDITURES	5,387.58	5,387.58	50,000.00	44,612.42	10.8
	NET REVENUE OVER EXPENDITURES	(5,356.17)	(5,324.67)	48,297.00	53,621.67	(11.0)

TOWN OF FOXFIELD
REVENUES WITH COMPARISON TO BUDGET
FOR THE 4 MONTHS ENDING APRIL 30, 2022

		CTF				
		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>REVENUES</u>						
31-30-611	INTEREST EARNINGS	10.96	22.43	30.00	7.57	74.8
31-30-634	CTF DISTRIBUTION	.00	2,602.55	7,800.00	5,197.45	33.4
TOTAL REVENUES		10.96	2,624.98	7,830.00	5,205.02	33.5
TOTAL FUND REVENUE		10.96	2,624.98	7,830.00	5,205.02	33.5
<u>EXPENDITURES</u>						
31-40-550	MAINTENANCE	96.64	1,443.17	13,000.00	11,556.83	11.1
TOTAL EXPENDITURES		96.64	1,443.17	13,000.00	11,556.83	11.1
TOTAL FUND EXPENDITURES		96.64	1,443.17	13,000.00	11,556.83	11.1
NET REVENUE OVER EXPENDITURES		(85.68)	1,181.81	(5,170.00)	(6,351.81)	22.9

TOWN OF FOXFIELD SALES TAX REVENUE													
2020	Nov Tax (Jan)	Dec Tax (Feb)	Jan Tax (Mar)	Feb Tax (Apr)	Mar Tax (May)	Apr Tax (Jun)	May Tax (Jul)	Jun Tax (Aug)	Jul Tax (Sep)	Aug Tax (Oct)	Sep Tax (Nov)	Oct Tax (Dec)	TOTALS
Colorado	13,681	26,315	17,643	17,656	35,308	15,430	26,397	16,737	6,319	-6,382	-436	16,721	185,389
Remote	16,404	6,953	6,093	7,135	4,827	4,614	3,551	3,996	4,061	4,478	6,356	6,202	74,670
FVC	19,300	15,748	14,843	18,289	13,248	17,539	18,327	19,117	20,894	19,077	15,822	15,153	207,357
Total	49,384	49,016	38,579	43,081	53,383	37,583	48,275	39,850	31,273	17,174	21,742	38,077	467,416
2020 TOTAL \$467,416													
2021	Nov Tax (Jan)	Dec Tax (Feb)	Jan Tax (Mar)	Feb Tax (Apr)	Mar Tax (May)	Apr Tax (Jun)	May Tax (Jul)	Jun Tax (Aug)	Jul Tax (Sep)	Aug Tax (Oct)	Sep Tax (Nov)	Oct Tax (Dec)	TOTALS
Colorado	19,943	17,025	16,719	20,044	15,559	21,199	20,286	19,725	19,348	22,095	21,457	24,208	237,609
Remote	4,914	3,977	4,283	5,609	12,796	13,014	13,231	17,738	9,000	8,451	8,965	10,728	112,705
FVC	19,477	15,331	14,358	15,508	16,878	20,269	19,098	19,375	24,078	21,542	20,796	20,624	227,334
	44,334	36,333	35,360	41,161	45,233	54,482	52,615	56,838	52,426	52,088	51,219	55,560	577,648
2021 TOTAL \$577,648													
2022	Nov Tax (Jan)	Dec Tax (Feb)	Jan Tax (Mar)	Feb Tax (Apr)	Mar Tax (May)	Apr Tax (Jun)	May Tax (Jul)	Jun Tax (Aug)	Jul Tax (Sep)	Aug Tax (Oct)	Sep Tax (Nov)	Oct Tax (Dec)	TOTALS
Colorado	35,322	25,179	18,488	23,894									102,883
Remote	12,097	7,822	8,154	11,229									39,303
FVC	23,767	18,843	15,448	18,191									76,248
	71,185	51,843	42,091	53,314									218,433
	2022 YTD TOTAL \$218,433												



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: May 19, 2022

RE: Appointment of Town Clerk/Treasurer and Deputy Town Clerk/Treasurer

We are excited to present Ms. Kathleen Schmitz to the Board of Trustees for appointment as the new Town Clerk/Treasurer for the Town of Foxfield. In addition, staff recommends that the Board appoint Ms. Randi Gallivan as the Deputy Town Clerk/Treasurer.

RECOMMENDED MOTION:

"I move to approve the appointment of Kathleen Schmitz as Town Clerk/Treasurer contingent upon successfully passing a background and reference check and appointing Randi Gallivan as the Deputy Town Clerk/Treasurer."



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: May 19, 2022

RE: Resolution 2022-03 Approving the Intergovernmental Agreement-Opioid Abatement, Establishing the Arapahoe County Regional Council for the Administration of Regional Opioid Abatement Funds

DISCUSSION:

Many states, including Colorado, and some Colorado local governments pursued litigation against various pharmaceutical companies for their role in causing the opioid crisis. On Wednesday, July 21, 2021, several state attorney generals, and the largest pharmaceutical distributors and manufacturers of opioids, Purdue Pharma, McKinsey & Co., Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson ("Settling Defendants"), agreed to terms proposed as part of nationwide settlement agreements. The settlements provide funds to states and political subdivisions for abatement of the opioid epidemic and change the way that Settling Defendants conduct their business, including safeguards for distribution of opioids. The settlement agreements are available at the following link:

<https://nationalopioidsettlement.com/>

To participate in the disbursement of funds, local governments had to opt in by approving the MOU. In November 2021, the Town of Foxfield Board of Trustees approved the Opioid MOU. The MOU established a framework for distributing and sharing the nearly \$400 million in opioids settlement proceeds throughout Colorado, specifically through a General Abatement Fund Council (as defined in the MOU), comprised of persons appointed by the State of Colorado and participating local governments. The Town of Foxfield agreed to allocate their share of the funds to the Regional Share for Arapahoe County as Arapahoe County has established prevention, education, and recovery programs in place. This allows the Town of Foxfield to forego otherwise-applicable reporting requirements, and the Region can then expend the funds for Approved Purposes pursuant to this intergovernmental agreement.

The proposed resolution approves the Intergovernmental Agreement regarding the opioid abatement and establishes the Arapahoe County Regional Council for the administration of the regional abatement funds.

RECOMMENDED MOTION:

"I move to approve Resolution 2022-03 Approving the Intergovernmental Agreement-Opioid Abatement, Establishing the Arapahoe County Regional Council for the Administration of Regional Abatement Funds"

ATTACHMENT:

Exhibit A: Resolution 2022-03 Approving the Intergovernmental Agreement-Opioid Abatement, Establishing the Arapahoe County Regional Council for the Administration of Regional Abatement Funds

Trustee's Resolution

Resolution No. 03, Series 2022

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FOXFIELD
APPROVING THE INTERGOVERNMENTAL AGREEMENT – OPIOID ABATEMENT,
ESTABLISHING THE ARAPAHOE COUNTY REGIONAL COUNCIL FOR THE
ADMINISTRATION OF REGIONAL OPIOID ABATEMENT FUNDS**

WHEREAS, the State of Colorado and participating local governments, including the Town of Foxfield, executed the Colorado Opioids Summary Memorandum of Understanding (“MOU”) in 2021, establishing the manner in which opioid funds shall be divided and distributed within the State of Colorado; and

WHEREAS, the jurisdictions of Arapahoe County and municipalities within Arapahoe County have agreed in principle to form the Arapahoe County Regional Council to administer the Arapahoe County Regional Share of Opioid Funds, in accordance with the terms of the MOU; and

WHEREAS, the Town Board believes it is in the best interest of the Town to approve the Intergovernmental Agreement – Opioid Abatement, establishing the Arapahoe County Regional Council for the administration of regional Opioid Abatement Funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE TOWN OF FOXFIELD, COLORADO THAT:

Section 1. The Board of Trustees hereby approves the Intergovernmental Agreement in substantially the form attached hereto as **Attachment A**.

Section 2. This Resolution shall be effective immediately.

Introduced, passed and adopted at the
regular meeting of Board of Trustees this _____ day
of _____, 2022, by a vote of _____ yes _____ no.

(SEAL)

Lisa Jones, Mayor

ATTEST:

APPROVED AS TO FORM:

Randi Gallivan, Acting Town Clerk

Corey Y. Hoffmann, City Attorney

**INTERGOVERNMENTAL AGREEMENT –
OPIOID ABATEMENT**

This intergovernmental agreement (the “Regional Agreement”) is entered into and effective as of this ____ day of _____, 2022 and is made between Arapahoe County, a Participating Local Government, as defined in the Colorado MOU, in the Arapahoe County Region (“AC Region”) and the municipalities listed on the attached **Exhibit A**, all of which are Participating Local Governments in the Arapahoe County Region, individually herein a “Regional PLG” and collectively the “Regional PLGs.”

RECITALS

WHEREAS, the State of Colorado and Participating Local Governments executed the Colorado Opioids Summary Memorandum of Understanding in 2021 (the “Colorado MOU”), establishing the manner in which Opioid Funds shall be divided and distributed within the State of Colorado; and

WHEREAS, the Regional Agreement assumes and incorporates the definitions and provisions contained in the Colorado MOU, and the Regional Agreement shall be construed in conformity with the Colorado MOU; and

WHEREAS, all Opioid Funds, regardless of allocation, shall be used for Approved Purposes; and

WHEREAS, Participating Local Governments shall organize themselves into Regions, as further depicted in Exhibit E to the Colorado MOU; and

WHEREAS, Arapahoe County and its municipalities therein are considered the AC Region; and

WHEREAS, there shall be a 60% direct allocation of Opioid Funds to Regions through a Regional Share; and

WHEREAS, each Region shall be eligible to receive a Regional Share according to Exhibit C to the Colorado MOU; and

WHEREAS, the Colorado MOU establishes the procedures by which each Region shall be entitled to Opioid Funds from the Abatement Council and administer its Regional Share allocation; and

WHEREAS, the procedures established by the Colorado MOU include a requirement that each Region shall create its own Regional Council; and

WHEREAS, all aspects of the creation, administration, and operation of the Regional Council shall proceed in accordance with the provisions of the Colorado MOU; and

WHEREAS, each such Regional Council shall designate a fiscal agent from a county or municipal government within that Region; and

WHEREAS, each such Regional Council shall submit a two-year plan to the Abatement Council that identifies the Approved Purposes for which the requested funds will be used, and the Regional Council's fiscal agent shall provide data and a certification to the Abatement Council regarding compliance with its two-year plan on an annual basis; and

WHEREAS, the Regional Agreement pertains to the procedures for the Regional PLGs to establish a Regional Council, designate a fiscal agent, and request and administer Opioid Funds in a manner consistent with the Colorado MOU;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Regional PLGs incorporate the recitals set forth above and agree as follows:

1. **DEFINITIONS.** The defined terms used in this Regional Agreement shall have the same meanings as in the Colorado MOU. Capitalized terms used herein and not otherwise defined within the Regional Agreement or in the Colorado MOU shall have the meanings ascribed to them in the body of the Regional Agreement.
2. **OBLIGATIONS OF THE REGIONAL PLGS.** The Regional PLGs shall perform their respective obligations as set forth in the Regional Agreement, the Colorado MOU and the accompanying exhibits to the Colorado MOU which are each incorporated herein by reference.

3. **REGIONAL COUNCIL**

3.1. Purpose: In accordance with the Colorado MOU, the AC Region has established a Regional Council to oversee the procedures by which the AC Region may request Opioid Funds from the Abatement Council and the procedures by which the allocation of its Region's Share of Opioid Funds will be administered.

3.2. Membership: The Regional Council of the AC Region ("AC Regional Council") shall consist of the following:

- a. **Voting Members.** Voting Members are as follows:
 - i. Two (2) representatives appointed by the Arapahoe County Board of County Commissioners ("BOCC")

- ii. The Public Health Director of the Arapahoe County Public Health Department, or their designee
 - iii. The Director of the Arapahoe County Human Services Department or their designee
 - iv. The Arapahoe County Sheriff or their designee
 - v. 1 representative appointed from a municipal law enforcement agency within the AC Region (to be appointed by majority vote of the municipalities listed in Exhibit A).
 - vi. 1 representative appointed from the County Court system or District Attorney's Office or their designee by the BOCC.
 - vii. Four (4) total representatives appointed by the municipalities listed on **Exhibit A** as follows:
 - 1) 1 representative appointed by the City of Aurora
 - 2) 1 representative appointed by the City of Centennial
 - 3) 1 representative to represent the west side of the County, appointed by majority vote of the Cities of Englewood, Sheridan and Littleton
 - 4) 1 representative to represent the east side/smaller communities of the County, appointed by majority vote of the remainder of the municipalities listed on Exhibit A.
 - viii. For the representatives appointed under a.i and a.vii above, the Board of County Commissioners and the municipalities may also appoint alternates who may attend meetings and vote when their respective primary representative will be absent.
- b. **Non-Voting Members.** Non-voting members of the AC Regional Council shall consist of representatives of all municipalities which do not otherwise have an appointed representative serving on the AC Regional Council. In addition, by majority vote of the AC Regional Council, additional non-voting members may be appointed from time to time. All non-voting members shall receive the same notice of meetings and meeting materials as voting members and shall be entitled to engage in discussion regarding matters discussed during meetings. Non-voting members serve in an advisory role.
- c. **Chair/Other Officers:** At the first meeting of each year, the Voting Members shall appoint one Voting Member to serve as Chair of the AC Regional Council.

The Chair's primary responsibilities shall be to schedule periodic meetings and votes of the Regional Council as needed and to serve as the point of contact for disputes within the Region. The Chair must be either a Voting Member from Arapahoe County, such as a county commissioner or their designee, or a Voting Member from a city or town within a Region, such as a mayor or city or town council member or their designee. The Voting Members may also appoint such other officers, for example a chair elect and/or vice-chair, recording secretary, from the Members as may be desired to conduct the business of the Regional Council.

- d. **Non-Participation:** A Local Government that chooses not to become a Participating Local Government in the Colorado MOU shall not receive any Opioid Funds from the Regional Share or participate in the Regional Council.
- e. **Terms:** Members of the AC Regional Council shall serve for two-year terms. If an appointed Voting Member resigns or is otherwise removed from the Regional Council prior to the expiration of their term, a replacement shall be appointed within sixty (60) days in the same manner as the original appointment, to serve the remainder of the term. The purpose of the two-year term is to allow Regional PLGs an increased opportunity to serve on the AC Regional Council. However, AC Regional Council members who have already served on the Regional Council may be appointed more than once and may serve consecutive terms without term limits.

3.3. Duties: The AC Regional Council is primarily responsible for engaging with the Abatement Council on behalf of the AC Region and following the procedures outlined in the Colorado MOU for requesting Opioid Funds from the Regional Share, which shall include deciding how Opioid Funds from the Regional Share (and any other Opioid Funds that are contributed to the AC Region) are to be expended, developing and submitting 2-year plans, amending those plans as appropriate, monitoring the use of Opioid Funds for compliance with the Colorado MOU, and providing the Abatement Council with data through its fiscal agent regarding Opioid Fund expenditures. The AC Regional Council shall also be responsible for any other duties assigned to it by the Colorado MOU. Upon request from the Abatement Council, the AC Regional Council may also be subject to an accounting from the Abatement Council.

3.4. Governance: The AC Regional Council shall establish its own procedures through the adoption of bylaws, which shall be consistent with the other provisions in this section and the Colorado MOU.

3.5. Authority: The terms of the Colorado MOU control the authority of the AC Regional Council and the AC Regional Council shall not stray outside the bounds of the authority and power vested by the Colorado MOU. Should the AC Regional

Council require legal assistance in determining its authority, it may seek guidance from the legal counsel of the AC Regional Council's fiscal agent at the time the issue arises.

3.6. Collaboration: The AC Regional Council shall facilitate collaboration between the State, Participating Local Governments within the AC Region, the Abatement Council, and other stakeholders within its Region for the purposes of sharing data, outcomes, strategies, and other relevant information related to abating the opioid crisis in Colorado.

3.7. Committees: The AC Regional Council may appoint such advisory committees as may be desirable to assist in conducting its business. Such committees shall include a Technical Advisory Committee, which shall consist of persons who are subject matter experts in fields related to opioid education, treatment, recovery or related fields, for the purpose of providing technical assistance as may be needed, as well as a Staff Planning Committee, which shall consist of staff from one or more Regional PLGs, for the purpose of assisting the Regional Council with operational and planning support.

3.8. Transparency: The AC Regional Council shall operate with all reasonable transparency and abide by all Colorado laws relating to open records and meetings. To the extent the Abatement Council requests outcome-related data from the AC Regional Council, the AC Regional Council shall provide such data in an effort to determine best methods for abating the opioid crisis in Colorado.

3.9. Conflicts of Interest: Voting Members shall abide by the conflict-of-interest rules applicable to local government officials under state law.

3.10. Ethics Laws: Voting Members shall abide by their local ethics laws or, if no such ethics laws exist, by applicable state ethics laws.

3.11. Decision Making: The AC Regional Council will seek to make all decisions by consensus. In the event consensus cannot be achieved, the AC Regional Council shall make decisions by a majority vote of Voting Members present at the meeting, who must constitute at least a quorum

4. REGIONAL FISCAL AGENT

4.1. Purpose: According to the Colorado MOU, the AC Regional Council must designate a fiscal agent for the AC Region prior to the AC Region receiving any Opioid funds from the Regional Share. All funds from the Regional Share shall be distributed to the Regional Council's fiscal agent for the benefit of the entire Region.

4.2. Designation: Arapahoe County (through its Finance Department) shall serve as the fiscal agent. Another PLG can be substituted as the fiscal agent by decision of the AC Regional Council.

4.3. Duties: The Regional fiscal agent shall receive, deposit, and make available Opioid Funds distributed from the Abatement Council and provide expenditure reporting data to the Abatement Council on an annual basis. In addition, the Regional fiscal agent shall perform certain recordkeeping duties outlined below.

- a. **Opioid Funds:** The Regional fiscal agent shall receive all Opioid Funds as distributed by the Abatement Council. Upon direction by the Regional Council, the Regional fiscal agent shall make any such Opioid Funds available to the Regional Council.
- b. **Reporting:** On an annual basis, as determined by the Abatement Council, the Regional fiscal agent shall provide to the Abatement Council the Regional Council's expenditure data from their allocation of the Regional Share and certify to the Abatement Council that the Regional Council's expenditures were for Approved Purposes and complied with its 2-year plan.
- c. **Recordkeeping:** The Regional fiscal agent shall maintain necessary records with regard the Regional Council's meetings, decisions, plans, and expenditure data.

4.4. Authority: The fiscal agent serves at the direction of the Regional Council and in service to the entire Region. The terms of the Colorado MOU control the authority of a Regional Council, and by extension, the Regional fiscal agent. A Regional fiscal agent shall not stray outside the bounds of the authority and power vested by the Colorado MOU.

5. REGIONAL TWO-YEAR PLAN

5.1. Purpose: According to the Colorado MOU, as part of a Regional Council's request to the Abatement Council for Opioid Funds from its Regional Share, the Regional Council must submit a 2-year plan identifying the Approved Purposes for which the requested funds will be used.

5.2 Development of 2-Year Plan: In developing a 2-year plan, the AC Regional Council shall solicit recommendations and information from all Regional PLGs and other stakeholders within the AC Region for the purposes of sharing data, outcomes, strategies, and other relevant information related to abating the opioid crisis in Colorado. At its discretion, the AC Regional Council may seek assistance from the Abatement Council for purposes of developing a 2-year plan.

5.3 Amendment: At any point, the AC Regional Council's 2-year plan may be amended so long as such amendments comply with the terms of the Colorado MOU and any Settlement.

- 6. DISPUTES WITHIN REGION.** In the event that a Regional PLG disagrees with a decision of the AC Regional Council, or there is a dispute regarding the appointment of Voting or Non-Voting Members to the AC Regional Council, that Regional PLG shall inform the Chair of its dispute at the earliest possible opportunity. In Response, the AC Regional Council shall gather any information necessary to resolve the dispute. Within fourteen (14) days of the Regional PLG informing the Chair of its dispute, the AC Regional Council shall issue a decision with respect to the dispute. In reaching its decision, the AC Regional Council may hold a vote of Voting Members, with the Chair serving as the tiebreaker, or the AC Regional Council may devise its own dispute resolution process. However, in any disputes regarding the appointment of a Voting Member, that Voting Member will be recused from voting on the dispute. The decision of the AC Regional Council is a final decision.
- 7. DISPUTES WITH ABATEMENT COUNCIL.** If the AC Regional Council disputes the amount of Opioid Funds it receives from its allocation of the Regional Share, the Regional Council shall alert the Abatement Council within sixty (60) days of discovering the information underlying the dispute. However, the failure to alert the Abatement Council within this time frame shall not constitute a waiver of the AC Regional Council's right to seek recoupment of any deficiency in its Regional Share.
- 8. ALLOCATION OF LG SHARES.** Section E.3. of the Colorado MOU allows for Regional PLGs to agree to a different allocation formula for the LG Shares within a Region than the default allocation provided in the Colorado MOU, Exhibit G. The Regional PLGs hereby agree to modify the allocation formula for the LG Shares within the AC Region as set forth in the attached **Exhibit B**.
- 9. RECORDKEEPING.** The AC Region's fiscal agent shall be responsible for maintaining records consistent with the Regional Agreement.
- 10. AUTHORIZED REPRESENTATIVES.** Each Regional PLG shall designate a representative who is the point of contact for purposes of helping to coordinate the obligations as provided herein. Such designation and the person's contact information shall be provided to the Chair of the AC Regional Council and shall be updated promptly when there are changes.
- 11. OBLIGATIONS OF THE REGIONAL PLGS.** The Regional PLGs shall perform their respective obligations as set forth in the Regional Agreement, the Colorado MOU and the accompanying exhibits to the Colorado MOU, which are incorporated herein by reference.
- 12. TERM.** The Regional Agreement will commence on the date when the final Regional PLG executes the Agreement and shall expire on the date the last action is taken by the

Region, consistent with the terms of the Colorado MOU and any Settlement (the “Term”).

- 13. INFORMATIONAL OBLIGATIONS.** Each Regional PLG hereto will meet its obligations as set forth in § 29-1-205, C.R.S., as amended, to include information about this Regional Agreement in a filing with the Colorado Division of Local Government; however, failure to do so shall in no way affect the validity of this Regional Agreement or any remedies available to the Regional PLGs hereunder.
- 14. CONFIDENTIALITY.** The Regional PLGs, for themselves, their agents, employees and representatives, agree that they will not divulge any confidential or proprietary information they receive from another Regional PLG or otherwise have access to, except as may be required by law. Nothing in this Regional Agreement shall in any way limit the ability of the Regional PLGs to comply with any laws or legal process concerning disclosures by public entities. The Regional PLGs understand that all materials exchanged under this Regional Agreement, including confidential information or proprietary information, may be subject to the Colorado Open Records Act., § 24-72-201, *et seq.*, C.R.S., (the “Act”). In the event of a request to a Regional PLG for disclosure of confidential materials, the Regional PLG shall advise the Regional PLGs of such request in order to give the Regional PLGs the opportunity to object within the time frame for delivery of the documents under the Act to the disclosure of any of its materials which it marked as, or otherwise asserts is, proprietary or confidential. If a Regional PLG objects to disclosure of any of its material, the Regional PLG shall identify the legal basis under the Act for any right to withhold. In the event of any action or the filing of a lawsuit to compel disclosure, the Regional PLG agrees to intervene in such action or lawsuit to protect and assert its claims of privilege against disclosure of such material or waive the same. If the matter is not resolved, the Regional PLGs may tender all material to the court for judicial determination of the issue of disclosure.
- 15. GOVERNING LAW; VENUE.** This Regional Agreement shall be governed by the laws of the State of Colorado. Venue for any legal action relating solely to this Regional Agreement will be in the applicable District Court of the State of Colorado for the county of AC Region’s fiscal agent. Venue for any legal action relating to the Colorado MOU shall be in a court of competent jurisdiction where a Settlement or consent decree was entered, as those terms are described or defined in the Colorado MOU. If a legal action relates to both a Regional Agreement and the Colorado MOU, venue shall also be in a court of competent jurisdiction where a Settlement or consent decree was entered.
- 16. TERMINATION.** The Regional PLGs enter into this Regional Agreement to serve the public interest. If this Regional Agreement ceases to further the public interest, a Regional PLG, in its discretion, may terminate their participation in the Regional Agreement, in whole or in part, upon written notice to the other Regional PLGs. Each

Regional PLG also has the right to terminate the Regional Agreement with cause upon written notice effective immediately, and without cause upon thirty (30) days prior written notice to the other Regional PLGs. A Regional PLG's decision to terminate this Regional Agreement, with or without cause, shall have no impact on the other Regional PLGs present or future administration of its Opioid Funds and the other procedures outlined in this Regional Agreement. Rather, a Regional PLG's decision to terminate this Regional Agreement shall have the same effect as non-participation, as outlined in Section 3.2(d).

17. NOTICES. "Key Notices" under this Regional Agreement are notices regarding default, disputes, or termination of the Regional Agreement. Key Notices shall be given in writing and shall be deemed received if given by confirmed electronic transmission that creates a record that may be retained, retrieved and reviewed by a recipient thereof, and that may be directly reproduced in paper form by such a recipient through an automated process, but specifically excluding facsimile transmissions and texts when transmitted, if transmitted on a business day and during normal business hours of the recipient, and otherwise on the next business day following transmission; certified mail, return receipt requested, postage prepaid, three business days after being deposited in the United States mail; or overnight carrier service or personal delivery, when received. For Key Notices, the Regional PLGs will follow up any electronic transmission with a hard copy of the communication by the means described above. All other communications or notices between the Regional PLGs that are not Key Notices may be done via electronic transmission. The Regional PLGs agree that any notice or communication transmitted by electronic transmission shall be treated in all manner and respects as an original written document; any such notice or communication shall be considered to have the same binding and legal effect as an original document. All Key Notices shall include a reference to the Regional Agreement, and Key Notices shall be given to the Regional PLGs at the addresses shown on the attached Exhibit A for the municipalities, and the following address for Arapahoe County:

Arapahoe County Attorney
Administration Building
5334 S. Prince St.
Littleton, CO 80120-1136

18. GENERAL TERMS AND CONDITIONS

18.1. Independent Entities. The Regional PLGs enter into this Regional Agreement as separate, independent governmental entities and shall maintain such status throughout.

18.2. Assignment. This Regional Agreement shall not be assigned by any Regional PLG without the prior written consent of all Regional PLGs. Any assignment or

subcontracting without such consent will be ineffective and void and will be cause for termination of this Regional Agreement.

18.3. Integration and Amendment. This Regional Agreement represents the entire agreement between the Regional PLGs and terminates any oral or collateral agreement or understandings. This Regional Agreement may be amended only by a writing signed by the Regional PLGs. If any provision of this Regional Agreement is held invalid or unenforceable, no other provision shall be affected by such holding, and the remaining provision of this Regional Agreement shall continue in full force and effect.

18.4. No Construction Against Drafting Party. The Regional PLGs and their respective counsel have had the opportunity to review the Regional Agreement, and the Regional Agreement will not be construed against any Regional PLG merely because any provisions of the Regional Agreement were prepared by a particular Regional PLG.

18.5. Captions and References. The captions and headings in this Regional Agreement are for convenience of reference only and shall not be used to interpret, define, or limit its provisions. All references in this Regional Agreement to sections (whether spelled out or using the § symbol), subsections, exhibits or other attachments, are references to sections, subsections, exhibits or other attachments contained herein or incorporated as a part hereof, unless otherwise noted.

18.6. Statutes, Regulations, and Other Authority. Any reference in this Regional Agreement to a statute, regulation, policy or other authority shall be interpreted to refer to such authority then current, as may have been changed or amended since the execution of this Regional Agreement.

18.7. Conflict of Interest. No Regional PLG shall knowingly perform any act that would conflict in any manner with said Regional PLG's obligations hereunder. Each Regional PLG certifies that it is not engaged in any current project or business transaction, directly or indirectly, nor has it any interest, direct or indirect, with any person or business that might result in a conflict of interest in the performance of its obligations hereunder. No elected or employed member of any Regional PLG shall be paid or receive, directly or indirectly, any share or part of this Regional Agreement or any benefit that may arise therefrom.

18.8. Inurement. The rights and obligations of the Regional PLGs to the Regional Agreement inure to the benefit of and shall be binding upon the Regional PLGs and their respective successors and assigns, provided assignments are consented to in accordance with the terms of the Regional Agreement.

18.9. Survival. Notwithstanding anything to the contrary, the Regional PLGs understand and agree that all terms and conditions of this Regional Agreement and any exhibits that require continued performance or compliance beyond the termination or expiration of this

Regional Agreement shall survive such termination or expiration and shall be enforceable against a Regional PLG if such Regional PLG fails to perform or comply with such term or condition.

18.10. Waiver of Rights and Remedies. This Regional Agreement or any of its provisions may not be waived except in writing by a Regional PLG's authorized representative. The failure of a Regional PLG to enforce any right arising under this Regional Agreement on one or more occasions will not operate as a waiver of that or any other right on that or any other occasion.

18.11. No Third-Party Beneficiaries. Enforcement of the terms of the Regional Agreement and all rights of action relating to enforcement are strictly reserved to the Regional PLGs. Nothing contained in the Regional Agreement gives or allows any claim or right of action to any third person or entity. Any person or entity other than the Regional PLGs receiving services or benefits pursuant to the Regional Agreement is an incidental beneficiary only.

18.12. Records Retention. The Regional PLGs shall maintain all records, including working papers, notes, and financial records in accordance with their applicable record retention schedules and policies. Copies of such records shall be furnished to the Parties upon their request.

18.13. Execution by Counterparts; Electronic Signatures and Records. This Regional Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. The Regional PLGs approve the use of electronic signatures for execution of this Regional Agreement. All use of electronic signatures shall be governed by the Uniform Electronic Transactions Act, C.R.S. §§ 24-71.3-101, *et seq.* The Regional PLGs agree not to deny the legal effect or enforceability of the Regional Agreement solely because it is in electronic form or because an electronic record was used in its formation. The Regional PLGs agree not to object to the admissibility of the Regional Agreement in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the ground that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

18.14. Authority to Execute. Each Regional PLG represents that all procedures necessary to authorize such Regional PLG's execution of this Regional Agreement have been performed and that the person signing for such Regional PLG has been authorized to execute the Regional Agreement.

The City of _____

Name:

Title:

Date: _____

ATTEST:

Name, Title: _____

APPROVED AS TO FORM:

Name, Title: _____

Exhibit A

Participating Local Governments in the Arapahoe County Region

City of Aurora
15151 E. Alameda Parkway
Aurora, CO 80012

City of Littleton
2255 W. Berry Ave.
Littleton, CO 80120

Town of Bennett
207 Muegge Way
Bennett CO, 80102

City of Sheridan
4101 S Federal Boulevard
Sheridan, CO 80110

Town of Bow Mar
5395 Lakeshore Drive
Bow Mar, CO 80123

City of Centennial
13133 E. Arapahoe Rd.
Centennial, CO 80112

Cherry Hills Village
2450 East Quincy Avenue
Cherry Hills Village, CO 80113

Town of Columbine Valley
2 Middlefield
Columbine Valley, CO 80123

Town of Deer Trail
555 2nd Ave. / PO Box 217
Deer Trail, CO 80105

City of Englewood
1000 Englewood Pkwy
Englewood, CO 80110

Town of Foxfield
PO Box 461450
Foxfield, CO 80046

City of Glendale
950 S Birch Street
Glendale, CO 80246

Greenwood Village
6060 S Quebec Street
Greenwood Village, CO 80111

Exhibit B

Intracounty Allocations

Arapahoe	37.287%
Aurora	35.600%
Bennett	0.032%
Bow Mar	0.016%
Centennial	5.854%
Cherry Hills Village	0.668%
Columbine Valley	0.160%
Deer Trail	0.000%
Englewood	5.585%
Foxfield	0.037%
Glendale	1.229%
Greenwood Village	2.830%
Littleton	8.565%
Sheridan	2.135%



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: May 19, 2022

RE: 2022 Long Range Financial Forecast Update

DISCUSSION:

The Long-Range Financial Forecast is attached as Exhibit A.

The 2022 estimate is basically the approved budget at this time since we are only 4 months into the year, with a few changes based on current knowledge of revenue and expenditures. The General Fund continues to have a healthy fund balance expected to continue throughout the years in the current long-range forecast. In addition, the Road Maintenance fund balance is projected to grow as we will be completing the 3-year cycle of chip seal and go back to maintenance for the next several years. The Conservation Trust Fund is forecast to deplete its fund balance around 2027. Staff suggests the Board may consider using some ARP funds over the next couple years for the open space maintenance costs currently paid for out of this fund to help maintain the Conservation Trust Funds for a longer period of time.

ATTACHMENT:

Exhibit A – Long Range Financial Forecast

LONG RANGE FINANCIAL FORECAST													Exhibit A
Account	Account Title	2018 Actual	2019 Actual	2020 Actual	2021 Actual	2022 Estimate	2023 Forecast	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast	2028 Forecast	Description
GENERAL FUND													
	BEGINNING FUND BALANCE	572,989	737,240	929,820	855,904	911,359	885,534	903,295	921,000	945,347	969,235	994,981	
Taxes and Franchise Fees													
	Assessed Value	20,495,097	20,309,298	22,601,884	22,737,996	24,014,414	24,014,414	25,215,135	25,215,135	26,475,891	26,475,891	27,799,686	
	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	112,575	113,185	119,640	119,640	125,622	125,622	131,903	131,903	138,498	Provided by the county
10-31-121	Specific Ownership Tax	7,420	7,939	7,980	7,807	7,000	7,070	7,141	7,212	7,284	7,357	7,431	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	6,777	8,831	7,000	7,070	7,141	7,212	7,284	7,357	7,431	
10-31-162	IREA Franchise Fee	23,159	22,321	21,806	22,881	22,000	22,220	22,442	22,667	22,893	23,122	23,353	
10-31-163	Cable Television Fees	5,242	5,114	4,882	5,017	4,800	4,848	4,896	4,945	4,995	5,045	5,095	Comcast
10-31-191	Current Property Tax Interest	137	73	214	128	100	101	102	103	104	105	106	Interest on property tax
10-31-192	Delinquent Property Tax	4,164	(1,170)	1,329	2,101	0	0	0	0	0	0	0	
10-31-193	Delinquent Property Tax Intrst	1,262	(165)	551	512	0	0	0	0	0	0	0	
10-31-311	Sales Tax	292,566	338,428	262,046	346,316	250,000	254,008	257,694	260,271	262,873	265,502	268,157	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	18,634	38,660	20,000	20,200	20,402	20,606	20,812	21,020	21,230	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	436,793	545,436	430,540	435,156	445,439	448,638	458,149	461,411	471,303	
Licenses and Permits													
10-32-211	Liquor Licenses	475	398	298	895	300	400	400	400	400	400	400	3 licenses + special events
10-32-215	Business Licenses	420	385	280	278	350	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	290	0	200	350	350	350	350	350	350	Increase in the number of newsletters
10-32-221	Building Permits	24,611	49,499	36,679	51,853	35,000	25,000	25,000	25,000	25,000	25,000	25,000	
10-32-222	Street Cut Permits/ROW	1,054	300	450	1,636	300	300	300	300	300	300	300	
10-32-223	Grading Permits	150	150	0	0	150	150	150	150	150	150	150	
10-32-224	Zoning Review	2,848	1,914	2,668	50	100	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	618	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	45,152	55,580	37,150	28,870	28,870	28,870	28,870	28,870	28,870	
Intergovernmental													
10-33-321	Motor Vehicle Registration Fees	4,021	4,224	3,782	3,944	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	1,576	1,700	1,200	1,000	1,000	1,000	1,000	1,000	1,000	State derived
10-33-350	Severance Tax	0	0	399	20	400	400	400	400	400	400	400	
10-33-352	Highway User Tax	47,492	52,434	36,143	38,718	20,000	20,000	20,000	20,000	20,000	20,000	20,000	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	157	133	133	133	133	133	133	133	
10-33-371	County Road/Bridge Levy	5,810	5,691	5,436	5,446	6,724	6,724	7,060	7,060	7,413	7,413	7,784	Shareback from Arapahoe County (.560 x Assessed Value X 50%)
	Total Intergovernmental	58,448	63,572	47,469	49,985	31,957	31,757	32,093	32,093	32,446	32,446	32,817	
Charges for Services													
10-35-510	Traffic Court Revenues	8,861	6,310	2,090	0	500	3,000	3,000	3,000	3,000	3,000	3,000	
10-35-540	Chargeback Administration Fee	1,549	684	190	19	100	500	500	500	500	500	500	SafeBuilt & SEH
	Total Charges for Services	10,410	6,994	2,280	19	600	3,500	3,500	3,500	3,500	3,500	3,500	
Miscellaneous													
10-36-611	Interest Earnings	10,609	17,972	6,686	497	1,000	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	2,555	8,263	1,000	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	9,241	8,760	2,000	4,497	5,260	11,582	13,180	14,803	14,803	
	TOTAL REVENUES	624,103	675,967	540,936	659,780	502,247	503,780	515,163	524,683	536,145	541,031	551,292	

Administration													
10-41-110	Personnel Expenses	115,284	127,008	130,262	131,916	138,273	141,038	143,859	146,736	149,671	152,665	155,718	
10-41-116	Payroll Taxes (7.65%)	8,819	9,716	9,965	10,092	10,578	10,789	11,005	11,225	11,450	11,679	11,912	
10-41-118	Workers Compensation Ins.	826	715	724	781	800	1,000	1,000	1,000	1,000	1,000	1,000	Pinnacol
10-41-120	Supplies/Materials	1,445	461	470	271	700	500	500	500	500	500	500	Server and equipment upgrades
10-41-130	Postage/Bulk Mail Charges	537	330	336	495	450	400	400	400	400	400	400	PO Box Rental
10-41-140	Printing	1,044	0	0	0	50	100	100	100	100	100	100	
10-41-141	Newsletter	195	35	0	0	50	50	50	50	50	50	50	Hard copies of newsletter
10-41-143	Municipal Code Supplements	2,056	211	646	0	1,930	1,500	1,500	1,500	1,500	1,500	1,500	
10-41-145	Legal Notices	312	266	255	296	250	250	250	250	250	250	250	
10-41-148	Recording Fees	26	26	0	0	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	20,651	11,841	15,000	10,000	10,000	10,000	10,000	10,000	10,000	HPWC
10-41-160	County Treasurer Fees	1,072	1,042	1,153	1,169	1,196	1,196	1,256	1,256	1,319	1,319	1,385	1% of current property tax revenue
10-41-170	Communications/IT	2,155	11,861	2,689	2,584	2,800	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	1,582	1,707	1,500	1,600	1,600	1,600	1,600	1,600	1,600	Clerk's office
10-41-172	E-mail Server	521	498	505	498	500	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	6,987	7,082	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	1,889	2,021	4,000	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	2,831	7,865	25,000	150	150	150	150	150	150	\$25,000 grant matching funds for code book update
10-41-192	Bank Service Charges	36	24	24	24	24	30	30	30	30	30	30	
	Total Administration	162,902	188,900	185,976	185,546	217,233	189,194	192,291	195,388	198,610	201,832	205,185	
Elections													
10-42-121	Elections - Judges	325	0	300	0	0	0	350	0	350	0	350	
10-42-131	Election Expenses	128	0	376	0	0	0	425	0	450	0	450	
	Total Elections	453	0	676	0	0	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	648	2,301	5,000	6,000	6,000	6,000	6,000	6,000	6,000	Approximately \$1250/qrt
	Total Judicial	9,117	8,864	3,648	5,301	8,000	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	112,935	119,663	119,640	125,622	125,622	131,903	131,903	138,498	IGA with Arapahoe County Sherriff
10-46-314	Off Duty Officer Patrols	14,152	5,138	1,935	3,218	14,000	13,000	13,000	13,000	13,000	13,000	13,000	
10-46-400	Animal Control	390	260	195	455	500	325	325	325	325	325	325	
	Total Public Safety	116,598	106,579	114,960	116,607	134,163	132,965	138,947	138,947	145,228	145,228	151,823	
Public Works													
10-48-451	Planning	5,110	3,850	2,547	3,777	5,000	6,000	6,500	6,500	7,000	7,000	7,000	SafeBuilt
10-48-452	Engineering	15,739	16,934	27,155	19,531	17,000	17,000	17,510	17,525	18,036	18,066	18,578	SEH
10-48-453	Code Enforcement	7,939	9,308	10,129	9,855	10,000	10,000	10,000	10,000	10,000	10,000	10,000	SafeBuilt
10-48-454	Snow Removal	8,036	26,244	18,328	26,894	25,000	20,000	20,000	20,000	20,000	20,000	20,000	Terracare
10-48-455	ROW and Island Maintenance	37,827	37,421	44,811	53,608	52,000	45,000	45,000	45,000	45,000	45,000	45,000	Terracare
10-48-456	Traffic Control/Signage	2,759	2,468	687	5,260	1,500	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	27,194	34,521	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	0	(1,107)	300	350	400	400	450	450	450	
10-48-459	Street Lights	1,272	1,279	1,311	1,243	1,200	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	9,369	9,454	17,000	17,510	18,035	18,576	19,134	19,708	20,299	Misc Terracare charges, SEH pavement management
10-48-461	Gates Electricity & Maintenance	0	0	0	7,721	6,000	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	2,855	7,100	6,000	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	588	675	700	700	700	700	700	700	
	Total Public Works	111,491	146,410	144,913	178,446	166,675	154,860	156,445	157,002	158,619	159,224	160,327	
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	164,679	118,425	2,000	0	0	0	0	0	0	Gates
10-58-801	Capital Exp < \$5,000.00	1,876		0	0	0	0	0	0	0	0	0	
10-58-804	Improvements - Ring Road	0	0	0	0	0	0	0	0	0	0	0	
	Total Capital	34,041	32,634	164,679	118,425	2,000	0	0	0	0	0	0	
	TOTAL EXPENDITURES	459,852	483,387	614,851	604,326	528,071	486,019	497,458	500,336	512,257	515,284	527,135	
	REVENUES LESS EXPENDITURES	164,251	192,579	(73,916)	55,455	(25,824)	17,761	17,705	24,346	23,888	25,746	24,158	

	ENDING FUND BALANCE	737,240	929,820	855,904	911,359	885,534	903,295	921,000	945,347	969,235	994,981	1,019,138	
	ROAD MAINTENANCE FUND												
	Beginning Fund Balance	0	0	0	207,357	120,811	45,811	195,811	369,311	541,266	711,630	586,630	
	Village Center Sales Tax	0	0	207,357	227,334	225,000	225,000	225,000	225,000	225,000	225,000	225,000	
	TOTAL REVENUES			207,357	227,334	225,000	225,000	225,000	225,000	225,000	225,000	225,000	
	Crack Seal/Chip Seal	0	0	0	305,400	300,000	75,000	51,500	53,045	54,636	350,000	350,000	
	Other Road Maintenance	0	0	0	8,480								
	TOTAL EXPENDITURES	0	0	0	313,880	300,000	75,000	51,500	53,045	54,636	350,000	350,000	
	ENDING FUND BALANCE	0	0	207,357	120,811	45,811	195,811	369,311	541,266	711,630	586,630	461,630	
	OPEN SPACE FUND												
	BEGINNING FUND BALANCE	95,993	117,815	140,765	163,766	182,296	198,596	215,696	236,796	257,896	278,996	300,096	
22-30-130	Arapahoe CO Open Space Distrib	19,845	20,282	21,936	23,059	20,000	20,000	20,000	20,000	20,000	20,000	20,000	
22-30-611	Interest Earnings	1,977	3,026	1,066	83	300	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	23,002	23,142	20,300	21,100	21,100	21,100	21,100	21,100	21,100	
22-40-511	Maintenance	0	0	0	4,612	4,000	4,000	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	0	0	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	0	4,612	4,000	4,000	0	0	0	0	0	
	REVENUES LESS EXPENDITURES	21,822	22,950	23,002	18,530	16,300	17,100	21,100	21,100	21,100	21,100	21,100	
	ENDING FUND BALANCE	117,815	140,765	163,766	182,296	198,596	215,696	236,796	257,896	278,996	300,096	321,196	
	CONSERVATION TRUST FUND												
	BEGINNING FUND BALANCE	37,094	32,271	28,259	29,985	27,182	22,042	17,322	12,602	7,882	3,162	(1,558)	
31-30-611	Interest Earnings	757	809	274	17	60	280	280	280	280	280	280	
31-30-634	CTF Distribution	7,898	5,982	8,024	12,310	7,800	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	8,299	12,326	7,860	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	10,803	6,572	15,129	13,000	13,000	13,000	13,000	13,000	13,000	13,000	15% of Terracare contract, ACWWA, IREA
	TOTAL EXPENDITURES	13,478	10,803	6,572	15,129	13,000	13,000	13,000	13,000	13,000	13,000	13,000	
	REVENUES LESS EXPENDITURES	(4,823)	(4,012)	1,726	(2,803)	(5,140)	(4,720)	(4,720)	(4,720)	(4,720)	(4,720)	(4,720)	
	ENDING FUND BALANCE	32,271	28,259	29,985	27,182	22,042	17,322	12,602	7,882	3,162	(1,558)	(6,278)	
	AMERICAN RESCUE PLAN FUND												
	Beginning Fund Balance	0	0	0	0	85,039	133,377	33,427	(0)	(0)	(0)	(0)	
	American Rescue Plan Funds	0	0	0	98,278	98,278	0	0	0	0	0	0	
	Interest Income	0	0	0	14	60	50	50					
	TOTAL REVENUES			0	98,292	98,338	50	50	0	0	0	0	
	Negative Economic Impact	0	0	0	930	50,000	100,000	33,477	0	0	0	0	
	Water Sewer Broadband Exp	0	0	0	12,323								
	TOTAL EXPENDITURES	0	0	0	13,253	50,000	100,000	33,477	0	0	0	0	
	ENDING FUND BALANCE	0	0	0	85,039	133,377	33,427	(0)	(0)	(0)	(0)	(0)	



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Karen Proctor, Town Administrator

DATE: May 19, 2022

RE: 2022 Long Range Financial Forecast Update

DISCUSSION:

The Long-Range Financial Forecast is attached as Exhibit A.

The 2022 estimate is basically the approved budget at this time since we are only 4 months into the year, with a few changes based on current knowledge of revenue and expenditures. The General Fund continues to have a healthy fund balance expected to continue throughout the years in the current long-range forecast. In addition, the Road Maintenance fund balance is projected to grow as we will be completing the 3-year cycle of chip seal and go back to maintenance for the next several years. The Conservation Trust Fund is forecast to deplete its fund balance around 2027. Staff suggests the Board may consider using some ARP funds over the next couple years for the open space maintenance costs currently paid for out of this fund to help maintain the Conservation Trust Funds for a longer period of time.

ATTACHMENT:

Exhibit A – Long Range Financial Forecast

LONG RANGE FINANCIAL FORECAST													Exhibit A
Account	Account Title	2018 Actual	2019 Actual	2020 Actual	2021 Actual	2022 Estimate	2023 Forecast	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast	2028 Forecast	Description
GENERAL FUND													
	BEGINNING FUND BALANCE	572,989	737,240	929,820	855,904	911,359	885,534	903,295	921,000	945,347	969,235	994,981	
Taxes and Franchise Fees													
	Assessed Value	20,495,097	20,309,298	22,601,884	22,737,996	24,014,414	24,014,414	25,215,135	25,215,135	26,475,891	26,475,891	27,799,686	
	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	112,575	113,185	119,640	119,640	125,622	125,622	131,903	131,903	138,498	Provided by the county
10-31-121	Specific Ownership Tax	7,420	7,939	7,980	7,807	7,000	7,070	7,141	7,212	7,284	7,357	7,431	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	6,777	8,831	7,000	7,070	7,141	7,212	7,284	7,357	7,431	
10-31-162	IREA Franchise Fee	23,159	22,321	21,806	22,881	22,000	22,220	22,442	22,667	22,893	23,122	23,353	
10-31-163	Cable Television Fees	5,242	5,114	4,882	5,017	4,800	4,848	4,896	4,945	4,995	5,045	5,095	Comcast
10-31-191	Current Property Tax Interest	137	73	214	128	100	101	102	103	104	105	106	Interest on property tax
10-31-192	Delinquent Property Tax	4,164	(1,170)	1,329	2,101	0	0	0	0	0	0	0	
10-31-193	Delinquent Property Tax Intrst	1,262	(165)	551	512	0	0	0	0	0	0	0	
10-31-311	Sales Tax	292,566	338,428	262,046	346,316	250,000	254,008	257,694	260,271	262,873	265,502	268,157	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	18,634	38,660	20,000	20,200	20,402	20,606	20,812	21,020	21,230	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	436,793	545,436	430,540	435,156	445,439	448,638	458,149	461,411	471,303	
Licenses and Permits													
10-32-211	Liquor Licenses	475	398	298	895	300	400	400	400	400	400	400	3 licenses + special events
10-32-215	Business Licenses	420	385	280	278	350	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	290	0	200	350	350	350	350	350	350	Increase in the number of newsletters
10-32-221	Building Permits	24,611	49,499	36,679	51,853	35,000	25,000	25,000	25,000	25,000	25,000	25,000	
10-32-222	Street Cut Permits/ROW	1,054	300	450	1,636	300	300	300	300	300	300	300	
10-32-223	Grading Permits	150	150	0	0	150	150	150	150	150	150	150	
10-32-224	Zoning Review	2,848	1,914	2,668	50	100	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	618	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	45,152	55,580	37,150	28,870	28,870	28,870	28,870	28,870	28,870	
Intergovernmental													
10-33-321	Motor Vehicle Registration Fees	4,021	4,224	3,782	3,944	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	1,576	1,700	1,200	1,000	1,000	1,000	1,000	1,000	1,000	State derived
10-33-350	Severance Tax	0	0	399	20	400	400	400	400	400	400	400	
10-33-352	Highway User Tax	47,492	52,434	36,143	38,718	20,000	20,000	20,000	20,000	20,000	20,000	20,000	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	157	133	133	133	133	133	133	133	
10-33-371	County Road/Bridge Levy	5,810	5,691	5,436	5,446	6,724	6,724	7,060	7,060	7,413	7,413	7,784	Shareback from Arapahoe County (.560 x Assessed Value X 50%)
	Total Intergovernmental	58,448	63,572	47,469	49,985	31,957	31,757	32,093	32,093	32,446	32,446	32,817	
Charges for Services													
10-35-510	Traffic Court Revenues	8,861	6,310	2,090	0	500	3,000	3,000	3,000	3,000	3,000	3,000	
10-35-540	Chargeback Administration Fee	1,549	684	190	19	100	500	500	500	500	500	500	SafeBuilt & SEH
	Total Charges for Services	10,410	6,994	2,280	19	600	3,500	3,500	3,500	3,500	3,500	3,500	
Miscellaneous													
10-36-611	Interest Earnings	10,609	17,972	6,686	497	1,000	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	2,555	8,263	1,000	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	9,241	8,760	2,000	4,497	5,260	11,582	13,180	14,803	14,803	
	TOTAL REVENUES	624,103	675,967	540,936	659,780	502,247	503,780	515,163	524,683	536,145	541,031	551,292	

Administration													
10-41-110	Personnel Expenses	115,284	127,008	130,262	131,916	138,273	141,038	143,859	146,736	149,671	152,665	155,718	
10-41-116	Payroll Taxes (7.65%)	8,819	9,716	9,965	10,092	10,578	10,789	11,005	11,225	11,450	11,679	11,912	
10-41-118	Workers Compensation Ins.	826	715	724	781	800	1,000	1,000	1,000	1,000	1,000	1,000	Pinnacol
10-41-120	Supplies/Materials	1,445	461	470	271	700	500	500	500	500	500	500	Server and equipment upgrades
10-41-130	Postage/Bulk Mail Charges	537	330	336	495	450	400	400	400	400	400	400	PO Box Rental
10-41-140	Printing	1,044	0	0	0	50	100	100	100	100	100	100	
10-41-141	Newsletter	195	35	0	0	50	50	50	50	50	50	50	Hard copies of newsletter
10-41-143	Municipal Code Supplements	2,056	211	646	0	1,930	1,500	1,500	1,500	1,500	1,500	1,500	
10-41-145	Legal Notices	312	266	255	296	250	250	250	250	250	250	250	
10-41-148	Recording Fees	26	26	0	0	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	20,651	11,841	15,000	10,000	10,000	10,000	10,000	10,000	10,000	HPWC
10-41-160	County Treasurer Fees	1,072	1,042	1,153	1,169	1,196	1,196	1,256	1,256	1,319	1,319	1,385	1% of current property tax revenue
10-41-170	Communications/IT	2,155	11,861	2,689	2,584	2,800	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	1,582	1,707	1,500	1,600	1,600	1,600	1,600	1,600	1,600	Clerk's office
10-41-172	E-mail Server	521	498	505	498	500	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	6,987	7,082	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	1,889	2,021	4,000	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	2,831	7,865	25,000	150	150	150	150	150	150	\$25,000 grant matching funds for code book update
10-41-192	Bank Service Charges	36	24	24	24	24	30	30	30	30	30	30	
	Total Administration	162,902	188,900	185,976	185,546	217,233	189,194	192,291	195,388	198,610	201,832	205,185	
Elections													
10-42-121	Elections - Judges	325	0	300	0	0	0	350	0	350	0	350	
10-42-131	Election Expenses	128	0	376	0	0	0	425	0	450	0	450	
	Total Elections	453	0	676	0	0	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	648	2,301	5,000	6,000	6,000	6,000	6,000	6,000	6,000	Approximately \$1250/qrt
	Total Judicial	9,117	8,864	3,648	5,301	8,000	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	112,935	119,663	119,640	125,622	125,622	131,903	131,903	138,498	IGA with Arapahoe County Sherriff
10-46-314	Off Duty Officer Patrols	14,152	5,138	1,935	3,218	14,000	13,000	13,000	13,000	13,000	13,000	13,000	
10-46-400	Animal Control	390	260	195	455	500	325	325	325	325	325	325	
	Total Public Safety	116,598	106,579	114,960	116,607	134,163	132,965	138,947	138,947	145,228	145,228	151,823	
Public Works													
10-48-451	Planning	5,110	3,850	2,547	3,777	5,000	6,000	6,500	6,500	7,000	7,000	7,000	SafeBuilt
10-48-452	Engineering	15,739	16,934	27,155	19,531	17,000	17,000	17,510	17,525	18,036	18,066	18,578	SEH
10-48-453	Code Enforcement	7,939	9,308	10,129	9,855	10,000	10,000	10,000	10,000	10,000	10,000	10,000	SafeBuilt
10-48-454	Snow Removal	8,036	26,244	18,328	26,894	25,000	20,000	20,000	20,000	20,000	20,000	20,000	Terracare
10-48-455	ROW and Island Maintenance	37,827	37,421	44,811	53,608	52,000	45,000	45,000	45,000	45,000	45,000	45,000	Terracare
10-48-456	Traffic Control/Signage	2,759	2,468	687	5,260	1,500	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	27,194	34,521	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	0	(1,107)	300	350	400	400	450	450	450	
10-48-459	Street Lights	1,272	1,279	1,311	1,243	1,200	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	9,369	9,454	17,000	17,510	18,035	18,576	19,134	19,708	20,299	Misc Terracare charges, SEH pavement management
10-48-461	Gates Electricity & Maintenance	0	0	0	7,721	6,000	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	2,855	7,100	6,000	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	588	675	700	700	700	700	700	700	
	Total Public Works	111,491	146,410	144,913	178,446	166,675	154,860	156,445	157,002	158,619	159,224	160,327	
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	164,679	118,425	2,000	0	0	0	0	0	0	Gates
10-58-801	Capital Exp < \$5,000.00	1,876		0	0	0	0	0	0	0	0	0	
10-58-804	Improvements - Ring Road	0	0	0	0	0	0	0	0	0	0	0	
	Total Capital	34,041	32,634	164,679	118,425	2,000	0	0	0	0	0	0	
	TOTAL EXPENDITURES	459,852	483,387	614,851	604,326	528,071	486,019	497,458	500,336	512,257	515,284	527,135	
	REVENUES LESS EXPENDITURES	164,251	192,579	(73,916)	55,455	(25,824)	17,761	17,705	24,346	23,888	25,746	24,158	

	ENDING FUND BALANCE	737,240	929,820	855,904	911,359	885,534	903,295	921,000	945,347	969,235	994,981	1,019,138	
	ROAD MAINTENANCE FUND												
	Beginning Fund Balance	0	0	0	207,357	120,811	45,811	195,811	369,311	541,266	711,630	586,630	
	Village Center Sales Tax	0	0	207,357	227,334	225,000	225,000	225,000	225,000	225,000	225,000	225,000	
	TOTAL REVENUES			207,357	227,334	225,000	225,000	225,000	225,000	225,000	225,000	225,000	
	Crack Seal/Chip Seal	0	0	0	305,400	300,000	75,000	51,500	53,045	54,636	350,000	350,000	
	Other Road Maintenance	0	0	0	8,480								
	TOTAL EXPENDITURES	0	0	0	313,880	300,000	75,000	51,500	53,045	54,636	350,000	350,000	
	ENDING FUND BALANCE	0	0	207,357	120,811	45,811	195,811	369,311	541,266	711,630	586,630	461,630	
	OPEN SPACE FUND												
	BEGINNING FUND BALANCE	95,993	117,815	140,765	163,766	182,296	198,596	215,696	236,796	257,896	278,996	300,096	
22-30-130	Arapahoe CO Open Space Dtrib	19,845	20,282	21,936	23,059	20,000	20,000	20,000	20,000	20,000	20,000	20,000	
22-30-611	Interest Earnings	1,977	3,026	1,066	83	300	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	23,002	23,142	20,300	21,100	21,100	21,100	21,100	21,100	21,100	
22-40-511	Maintenance	0	0	0	4,612	4,000	4,000	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	0	0	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	0	4,612	4,000	4,000	0	0	0	0	0	
	REVENUES LESS EXPENDITURES	21,822	22,950	23,002	18,530	16,300	17,100	21,100	21,100	21,100	21,100	21,100	
	ENDING FUND BALANCE	117,815	140,765	163,766	182,296	198,596	215,696	236,796	257,896	278,996	300,096	321,196	
	CONSERVATION TRUST FUND												
	BEGINNING FUND BALANCE	37,094	32,271	28,259	29,985	27,182	22,042	17,322	12,602	7,882	3,162	(1,558)	
31-30-611	Interest Earnings	757	809	274	17	60	280	280	280	280	280	280	
31-30-634	CTF Distribution	7,898	5,982	8,024	12,310	7,800	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	8,299	12,326	7,860	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	10,803	6,572	15,129	13,000	13,000	13,000	13,000	13,000	13,000	13,000	15% of Terracare contract, ACWWA, IREA
	TOTAL EXPENDITURES	13,478	10,803	6,572	15,129	13,000	13,000	13,000	13,000	13,000	13,000	13,000	
	REVENUES LESS EXPENDITURES	(4,823)	(4,012)	1,726	(2,803)	(5,140)	(4,720)	(4,720)	(4,720)	(4,720)	(4,720)	(4,720)	
	ENDING FUND BALANCE	32,271	28,259	29,985	27,182	22,042	17,322	12,602	7,882	3,162	(1,558)	(6,278)	
	AMERICAN RESCUE PLAN FUND												
	Beginning Fund Balance	0	0	0	0	85,039	133,377	33,427	(0)	(0)	(0)	(0)	
	American Rescue Plan Funds	0	0	0	98,278	98,278	0	0	0	0	0	0	
	Interest Income	0	0	0	14	60	50	50					
	TOTAL REVENUES			0	98,292	98,338	50	50	0	0	0	0	
	Negative Economic Impact	0	0	0	930	50,000	100,000	33,477	0	0	0	0	
	Water Sewer Broadband Exp	0	0	0	12,323								
	TOTAL EXPENDITURES	0	0	0	13,253	50,000	100,000	33,477	0	0	0	0	
	ENDING FUND BALANCE	0	0	0	85,039	133,377	33,427	(0)	(0)	(0)	(0)	(0)	



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MEMORANDUM

TO: Town Of Foxfield

FROM: Gavin Macwilliam, EI and Erica Olsen, PE (CO)

DATE: May 13, 2022

RE: Foxfield Roadway 2022 Update SEH No. 145229
14.00

This memo summarizes the Town of Foxfield's pavement maintenance program regarding the warranty work to be completed in the summer of 2022.

Recommended 2022 Warranty Work

As requested in the pavement maintenance program, SEH is to outline all warranty work to be replaced and/or repaired due to natural depreciation from the previous year. After SEH was on site for this year's inspection, we observed and noted the specific crack patch locations that require full replacements or crack seal repairs. It was determined that approximately 10 crack patches need to be fully replaced, and a large percentage of crack patches require crack seal along the edges to repair the crack patch to full strength. We will meet with Vance Brothers on site to determine a repair or replacement plan to bring the affected crack patches to meet Town specifications. The intention is that this work is to be completed at the same time as the 2022 work to minimize impacts to residents and maximize efficiency in construction administration.

CC: Scott Jardine