



Town of Frederick Board of Trustees Agenda

Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, April 23, 2024

7:00 PM

Livestreaming of the Board of Trustees regular meetings have been transitioned to the Town of Frederick website. Work Sessions are not livestreamed. The livestream for the regular meeting can be accessed at www.frederickco.gov/civicmedia

Public Comment will only be taken in person unless an accommodation is requested through the Town Clerk's Office. If you require an accommodation or have questions about making public comment please contact the Town Clerk's Office:

Kelly Green, Deputy Town Clerk
kgreen@frederickco.gov
720-382-5500

Or

Emily Nitcher, Assistant Town Clerk
enitcher@frederickco.gov
720-382-5500

Built on What Matters.



Town of Frederick Board of Trustees Agenda

Frederick Town Hall
Board Chambers
401 Locust Street
Tuesday, April 23, 2024

6:30 P.M.

Work Session

7:00 P.M.

Regular Meeting

Call to Order – Roll Call:

Pledge of Allegiance:

Approval of Agenda:

Special Presentations:

Public Comment: This portion of the agenda is provided to allow members of the audience to provide comments to the Town Board. Please sign in and the Mayor will call you. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

Staff Reports:

A. Administrative Report – Bryan Ostler, Town Manager

Consent Agenda: Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

B. List of Bills – Kurtis Adams, Finance Director

C. Resolution 24-R-25 Consideration of CDBG HUD Requirements – Traci Garcia-

Castells, Grant Administrator

Built on What Matters.

- D. Resolution 24-R-26 Lower Boulder Water Use and Delivery Improvements – Sara
Watson, Civil Engineer

Action Agenda:

- E. Ordinance No. 1392 Creating a Temporary Moratorium for Oil and Gas Development – Jason
Meyers, Town Attorney
- F. Swearing In of Newly Elected Board Members
- G. Resolution 24-R-27 Appointing a Mayor Pro Tem and Board Liaisons - Jason Meyers, Town
Attorney

Discussion Agenda:

- H. Appointments to Various Commissions and Committees

Mayor and Trustee Reports:

Executive Session:

Adjournment:



Town of Frederick

Admin Report 4.23.24

Upcoming Board of Trustees Work Sessions:

The following is the schedule for upcoming meetings, though topics are subject to be changed or rescheduled:

- April 30, 2024 – No Meeting (5th Tuesday)
- May 7, 2024 – Work Session
- May 14, 2024 – Regular Meeting
- May 21, 2024 – Work Session



Effective, Efficient & Strategic Government Operations

- The PROST Commission held their April Regular Meeting at the Bella Rosa Golf Course. The group discussed status updates to the Department's 2024 Annual Action Plan, which identified 24 individual improvement projects throughout the system for this year, the Skate Park lights, upcoming Town events and Parks outreach opportunities, as well as upcoming Commission appointment and officer elections.
- Juston Marr, Parks Technician II, received his Playground Maintenance Technician Certification through Indiana University. Matthew Dell, Parks and Golf Equipment Technician finished Level 2 of the Certified Turf Equipment Manager Program through the Golf Course Superintendent's Association. Colby completed a certification in Inclusive Playground Design through Playworld, Inc. All Parks Technicians have now completed their Pesticide Safety and Application Training through Colorado State University.
- Communications & Engagement training:
 - Ongoing I.T. training
 - New BOT agenda recording process



Community and Economic Vitality

- The Town's Tree Program launched on April 10th. The program's budget in 2024 was \$10,000 and allowed the purchase of 70 vouchers, each with a \$150 face value at The Tree Farm. All vouchers were obtained by residents in less than an hour. Staff are tracking who obtained the voucher, whether it was redeemed and will GIS map the

Built on What Matters.

program for historical reference. Staff will work to identify additional dollars to expand the program in 2025.

- Junior golf programs have begun at Bella Rosa. The Spring Break class had 11 participants and the weekly Saturday class has 8 participants
- The ladies instructional weekly class began on April 2. This class will run weekly throughout the 2024 golf season.
- The Learn to Golf classes will begin on April 19 (Ladies Learn to Golf) and April 20 (Group Learn to Golf). These classes run for five consecutive weeks and teach the fundamentals of golf with on-course instruction the final week. There are 25 participants between the two sessions.
- The first golf tournament of 2024 is the Spring Scramble. This will be held on Saturday, May 4; it's 18-holes and includes lunch after play. This event is very popular and is nearly full. There is more information on bellarosa.com.
- The following is a list of all active development applications currently under review by the Town's Planning Department, Engineering Department, Legal Counsel, Frederick-Firestone Fire Protection District, and external review agencies.

<i>Project Name (Date of Application)</i>	<i>General Location</i>	<i>Brief Description</i>	<i>Project Type</i>
Bear Industrial Business Park, Replat 4, Lot 12A (1/2/24)	4109 Bruin Boulevard	Proposed warehouse/office building for construction contracting company with outdoor storage component.	Site Plan
Carriage Hills Filing 1, Replat A, Block 6, Lot 1 – 10 (3/6/23)	6500 – 6554 11 th Street	Building design review for single-family detached and attached housing.	Construction Document Review
Clearview Villages (10/31/23)	Southwest corner of Godding Hollow and Silver Birch	Water demand analysis for the subdivision.	Water Demand Analysis
CWCWD 30" Waterline Easement (9/29/22)	Between Tipple Parkway and Highway 52 from Colorado Boulevard to Wheatland Boulevard.	30" waterline easement proposed.	
Dreamers Ridge Phase 1, Replat A (7/3/23)	Southwest of Godding Hollow and Colorado 5.	Proposed new tracts B, C and a new Lot 1. Lot 1 proposed as a 70-acre residential estate lot.	Minor Subdivision
Eagle Business Park Filing 4C, Lot 1 (1/16/24)	7200 Eagle Boulevard	Create a site plan document that reflects changes already made to the site such as the lot expansion.	Site Plan Amendment
Eagle Business Park Filing 5, Lot 3&4 (10/16/23)	4609 & 4701 Falcon Place	Proposed St Vrain Sanitation District administration maintenance facility.	Subdivision Amendment; Site Plan

<i>Project Name (Date of Application)</i>	<i>General Location</i>	<i>Brief Description</i>	<i>Project Type</i>
Evezich Amendment 2, Lot 3A (10/23/23)	131 Aspen Drive	Proposed “Brigit’s Village” 40-unit affordable mixed-use residential building.	Site Plan
Frederick West Business Center, Filing 2., Block 2, Lot 6 (1/2/24)	7701 Miller Drive	Proposed building addition to the west side of an existing building.	Site Plan Amendment
Frederick West Business Center, Replat F, Block 9, Lot 6 (2/16/24)	7300 Miller Dr	Proposed division subdivision of existing lot into two lots.	Subdivision Amendment
Glacier Business Park, Amendment 1, Block 4, Lot 5 (2/5/24)	3771 Monarch St. Suite E	Proposed dog daycare and kenneling facility.	Conditional Use
Indian Peaks, Filing 12, Lot 1 (7/17/23)	8123 Indian Peaks Avenue	Proposed replacement of aboveground extended detention basin with an underground detention facility and the modification of right-of-way landscaping with a waterwise design.	Site Plan Amendment
Columbine Heights (8/9/23)	Currently “Johnson Farms/Sindle Hill Energy Minor”	Proposed single-family detached residential community.	Preliminary Development Plan; Preliminary Plat
Meadowlark Business Park, Filing 3, Replat B, Block 1, Lot 1 (12/15/23)	5681 Iris Parkway	Proposed 6,000 sf storage warehouse addition.	Site Plan Amendment
Meadowlark Business Park, Replat A, Block 1, Lot 2 (8/21/23)	5978 Iris Parkway	Proposed 20,250 sf industrial building as phase 1. Phase 2 to include the addition of an outdoor storage area. Phase 3 to include removal or storage to be replaced with a 20,500 sf building and additional parking.	Site Plan
Miners Park Town Centre (3/6/23)	Northeast corner of Colorado Boulevard and Highway 52.	Planned development directly south of downtown Frederick.	Construction Document Review; Final Plat; Rezone
Silverstone Filing 7	Currently “Miner’s Village Filing 1”	Proposed development of 581 single-home residential lots.	Preliminary Plat, Preliminary Development Plan
Nelson Farms	Northeast corner of I-25 and Highway 52.	Proposed development of 236 acres as single-family detached, duplex, and townhome lots.	Preliminary Plat; Preliminary Development Plan; Subdivision Amendment
No Name Creek Estates, Filing 1, Replat C, Block 14, Lot 1-3	Eastern part of No Name Creek	Water demand analysis for the three lots listed.	Water Demand Analysis

<i>Project Name (Date of Application)</i>	<i>General Location</i>	<i>Brief Description</i>	<i>Project Type</i>
(11/27/23)			
Park n Ride Annexation (12/26/23)	Northwest corner of I-25 and Highway 52	Proposed QuikTrip	MOAPI Amendment; Site Plan; Variance
Prosperity (12/8/23)	Southeast of Tipple Parkway and Ridgeway Boulevard	Water demand analysis for the subdivision	Water Demand Analysis
Raspberry Hill Business Park Lot 13	8274 Raspberry Way	Proposed changes to materials and drainage from the original site plan.	Site Plan Amendment
Raspberry Hill Business Park Lot 15 (12/15/23)	8360 Raspberry Way	Proposed facility for an HVAC contractor to include a warehouse/shop, office space, and an outdoor storage component.	Site Plan
Shores on Plum Creek (6/20/22)	Northwest of Highway 52 and Colorado 3 ¼	Proposed master-planned community with retail/commercial opportunities and a wide range of housing types.	Minor Subdivision; Preliminary Plat; Preliminary Development Plan; Rezone
Silverstone Commons (9/29/23)	Currently “Silverstone Filing 1, Block 8, Lot 1”. Northwest of Highway 52 and William Bailey Avenue	Proposed development of a commercial/retail project that is cohesive with the adjacent commercial/mixed-use property to the east.	Final Development Plan
Silverstone Marketplace (3/6/23)	Northwest of Colorado Boulevard and Highway 52.	Proposed commercial development centered around the new King Soopers grocer.	Final Development Plan; Final Plat; Site Plan
Wheatlands (4/4/22)	Currently “Brunemeier Annexation”	Proposed high-quality residential neighborhood that will include single- family detached and attached housing.	Preliminary Development Plan; Preliminary Plat
Wildflower Filing 1, Amendment 1, Block 27, Lot 2 (1/2/24)	3833 Tipple Parkway	Proposed United Power battery energy storage system.	Site Plan
Wyndham Hill Filing 10 (11/16/20)	Currently “6855 Aggregate Boulevard”	Proposed single-family detached housing.	Final Development Plan; Final Plat



Dynamic, Inclusive & Connected Community

- Monthly Newsletter:
 - Electronic and mailer
- Weekly Flash, featuring four articles weekly
- Daily postings on social media platforms

- Communication and Campaign Planners
- FRED Culture
 - Wellness walks – 1-on-1 interactions
 - Listening Tour completion
 - Finalization of action plan to integrate culture into daily operations
- ADA HB 21-21110 Compliance
 - Continued research and planning
 - Meeting with Allyant as a resource for PDF compliance
 - Applied for a grant through the State Internet Portal Authority seeking funding for a software solution for PDF remediation
- Town Event Preparation
 - Sponsor commitments for 2024 totaling \$47,800
 - 16 chainsaw carver applications (carver spots are full – accepting applications for waitlist)
 - 48 food vendor applications (spots are nearly full)
 - 58 market vendor applications
 - Met with FIF pilot coordinator for pilot recruitment
 - Burro race meeting with Western Pack Burro Association
 - Met with Frederick Arts Committee for event engagement opportunities
 - Met with Parks to assist with Tree Voucher distribution
 - Collaboration with FPD to coordinate Honor Guard at Town events
 - Coordination for upcoming 3rd grade Tours on April 19 and 25
 - Planning of the Memorial Day Ceremony Friday May 24
 - Drone license updated
- Community Partnerships
 - Stapp Toyota Community support rally
 - Carbon Valley Cares Meeting
 - Comm & Engagement Internship – 2nd round interviews
- Website Updates
 - Upcoming scheduled roadwork page
- Town App
 - Monthly Analytics Report
- Interdepartmental Collaboration
 - Strategic Plan meeting
 - Pre-construction meeting for speed radar project
 - Departmental project support
 - Community Outreach, Education:
 - Frederick Forward survey
 - Roadwork updates
 - New Tree Program
 - Election
- Board Meetings:
 - Comms attendance at Board meetings to ensure Town communications align with Board's vision and work in progress
 - Closed captioning on Board meeting recordings



Strategic, Reliable and Sustainable Infrastructure

- Parks and Open Space maintenance staff have finalized most winter projects and are transitioning to growing season maintenance.
- Golf maintenance staff are gearing up for another busy season and have begun most normal growing season tasks. Spring aeration schedules have been set and are available for public notice throughout the golf shop.
- Fleet is receiving a few of the new Police vehicles, albeit slowly. They are also busy going through the equipment that gets an annual service before the spring rush happens to help ensure a smooth and productive spring.
- Water valve maintenance is continuing through Town. 93 water valves have been exercised, with work in Eagle Valley and Summit View Estates complete, and crews now entering the Fox Run subdivision.
- The Police Department remodel has been completed and ready for offices to be set up and occupied. Thank you to our Facilities staff for all their hard work on this project!
- Town-wide spring HVAC maintenance has been completed.
- Streets & Stormwater:
 - The damaged crosswalk signs in Wyndham Hill have been replaced.
 - The tree limb drop-off event was held on March 30; 26 residents participated in the event.
 - The 2024 street sweeping season has begun.
 - As springtime approaches, the crew has been busy proactively filling potholes across Town.
 - Investigation is ongoing with Public Works as to the sinking asphalt discovered along Ridgeway Blvd.
 - Crews assisted Frederick-Firestone Fire with cleanup from a fire along Dunmire on April 7.
- Public Works welcomed a new team member, Trey Ward, on April 8. Although Trey may be new to Public Works life, we believe he will be a great asset to the team, and he is very excited for this opportunity. Welcome, Trey!
- Public Works team members Damon Jones, Bryce Shirley, and Heath Moody attended Colorado L Tap drainage class.



Safe and Secure

- Communications & Engagement:
 - Recorded a Police Department video as an introduction to Axon My90, a post-contact survey software.
 - Prepared communications for National Night Out planning.
 - Prepared communications and graphics for the Dog Walker Watch program.
- The Police Department recently completed five separate audits for the Colorado Bureau of Investigation (CBI). The audits cover both the Police Department and Municipal Court

and encompass everything from agency access to state and national databases, cybersecurity policies and procedures in place, and our sex offender registry program. In total there were approximately 300 questions to be answered, including uploading countless procedural documents for review. These audits are conducted on a three-year cycle, and this week the CBI deemed us compliant in all areas as outlined in the FBI's CJIS (criminal justice information systems) Security Policy. Lack of compliance could have resulted in loss of access to criminal justice databases, among other sanctions.

- The old Municipal Court has officially become part of the Police Department, with construction wrapping up on the west side of the building. The existing space was divided into two sections, including four new offices to accommodate recent personnel growth like the Victim's Advocacy Program and the addition of an Executive Administrator. The remaining portion is now a scaled down training/conference room. Many thanks to Facilities and all others who worked on the project!



Fiscally Responsible Governance

- Finance staff is working on the conclusion of the Project Accounting module setup for our Capital Improvement Program, as well as preliminary audit work for FY2023.
- The Town Manager's Office is in the process of conducting an impact fee study with an outside firm. Goals of the study include, but may not be limited to:
 - Analysis and recommendation of methodologies to determine the assessment of impact fees. This includes current methodology and any recommended alternatives.
 - Analysis and recommendation of appropriate impact fees to fund the Town's Capital Improvement needs as it relates to growth and development.
 - Analysis and recommendation of an annual escalator to apply to all fees between impact fee studies to offset the cost of constructing infrastructure assets.
 - Obtaining impact fee rate comparisons with surrounding public entities.
- Project timeline:

1/12/24	Request for Proposals (RFP) posted
2/16/24	Proposals from firms due (received RFPs from three firms)
3/12/24	RFPs were reviewed and the most responsible bidder was selected
3/12/24	BBC Research & Consulting was selected, with a project cost of \$30,000
4/16/24	Kick-off meeting between BBC and Town Staff
7/31/24	Project completion expected in June or July

List of Bills - Town of Frederick
February 23, 2024 - March 28, 2024

1800DRYCLEAN NORTH METRO DENVER	Uniform cleaning services	213.60
AAA PEST PROS LLC	Pest control	270.00
ACE HARDWARE OF FIRESTONE	Supplies	455.32
ACUSHNET COMPANY	Golf shop merchandise	595.85
ADAMSON POLICE PRODUCTS	Police uniforms	155.54
AFTERMATH SERVICES LLC	Bio-Hazardous cleaning	300.00
AGFINITY	Fuel and lubricants	18,860.80
ALTITUDE AWARDS AND APPAREL	PW uniforms	712.50
AMERICAN EAGLE DISTRIBUTING	Beverage order for restaurant	244.22
AUXILIUM RESPONDER	Counseling Services Contract	5,000.00
AVI PC	Colorado Blvd & Bella Rosa Drainage Projects	1,037.00
B & L REPAIR	Parts for equipment maintenance	225.00
BAILEY ARVIZU	Reimbursement for Black Belt training expenses	222.51
BERMUDA SANDS APPAREL LLC	Golf shop merchandise	3,509.36
BETTER BUSINESS CLEANING	Monthly cleaning service	5,856.00
BK TIRE, INC.	Tire repair and replacement	3,537.31
BLACK HILLS ENERGY	Natural gas utility	5,103.65
BOBCAT OF THE ROCKIES	Equipment purchase	28,706.93
BOWDITCH & CASELL PUBLIC AFFAIRS LLC	Legislative lobbying services	7,000.00
BRYCE SHIRLEY	Boot reimbursement	200.00
CACP	Membership renewal/Conference registration	745.00
CAPITAL BUSINESS SYSTEMS INC	Town copier lease program	1,541.07
CARAHSOFT TECHNOLOGY CORPORATION	WaterGEMS 2000 Pipes/StormCAD	5,411.00
CARD AND FORM SOLUTIONS INC	Golf shop supplies	132.07
CENTRAL WELD COUNTY WATER DIST	Water purchased	73,019.64
CENTRAL WELD CTY WATER DIST	Plant Investment fee reimbursement	66,000.00
CERTIFIED BALANCE SERVICE INC	Balance scale service	125.00
CERVANTES CONCRETE	Fence installation - Bella Rosa Pkwy	6,900.00
CHRIS NICKELBERRY	Reimbursement for employee dinner	53.17
CINTAS CORPORATION	PW Mat service	677.87
CODE PUBLISHING INC	Municipal code - Web update	470.00
COLORADO MATERIALS INC	Landscape materials	480.00
COLORADO TECHNOLOGY CO	Site visit to troubleshoot AV system	280.00
COMCAST CABLE	Monthly internet, tv and phone service	524.51
COMCAST PHONE	Town wide internet service	5,310.00
COMMUNITY COUNSELOR INC	Counseling services	500.00
CORE & MAIN LP	Water maintenance supplies	3,713.24
COREN PRINTING INC	Police printed forms	192.00
CORKAT DATA SOLUTIONS LLC	Adobe Pro for Teams/SSL domain renewal	19,142.57
COSTAR REALTY INFORMATION INC	Monthly subscription	616.55
CURALINC HEALTHCARE	SupportLinc Employee Assistance Program	931.50
CUSTOM FLAG COMPANY	Flags	1,980.00
DAMON JONES	Reimbursement for CDL Physical	75.00
DANA KEPNER CO	Water meters/maintenance supplies	59,669.46
DANIELLE M CRAWFORD	Municipal Clerk services & mileage reimbursement	1,146.28
DATASHIELD CORPORATION	Document shredding	35.00
DBC IRRIGATION SUPPLY	Irrigation repair supplies	589.17
DEFENSIVE EDGE TRAINING & CONSULTING INC	Course training	300.00
DES PIPELINE MAINTENANCE LLC	Stormwater pipe inspections	865.00
DESIGN CONCEPTS CLA INC	Community Parks Master Plan	12,195.32
DETECTACHEM INC	Police equipment	90.22
DUNAKILLY MANAGEMENT GROUP CORP	Owner's representation services	5,670.00
E & G TERMINAL INC	Supplies	826.73
ECONOMIC DEVELOPMENT COUNCIL OF COLORADO	Membership dues	600.00
ELDORADO ARTESIAN SPRINGS INC	Water Delivery service	167.20
ELEMENT WATER CONSULTING INC	Water Engineering Services	56,911.75
ELEVATED FIRE SUPPLY	Town vehicle safety system/parts	9,626.10

List of Bills - Town of Frederick
February 23, 2024 - March 28, 2024

ELITE HOOD CLEANING & FIRE PROTECTION CO	Fire suppression testing/Kitchen hood cleaning	1,480.00
EMILY C JOHNSON PLLC	Counseling services	230.00
EMPLOYERS COUNCIL SERVICES INC	Membership dues	13,450.00
EMPLOYMENT LAW SOLUTIONS INC	Training services	700.00
ENGLAND THIMS & MILLER INC	Esri GIS & Cartegraph AM Support	1,422.50
ENTENMANN-ROVIN CO	Police badge	395.00
ENTERPRISE FM TRUST	Vehicle lease program	73,166.04
ENVIROSERVE INC	Chemical remediation	1,851.36
ENVIROTECH SERVICES, INC.	Ice slicer	13,777.22
FACTORY MOTOR PARTS CO	Vehicle maintenance supplies	786.59
FAIRFIELD AND WOODS PC	General Matters/Plan and code work	13,683.50
FARNSWORTH GROUP INC	Architectural Planning Services	4,793.50
FASTENAL COMPANY	Shop supplies	5.47
FERTECH INDUSTRIES LLC	Equipment repair	885.60
FORSGREN ASSOCIATES INC	Non & Potable Water Infrastructure Master Plan	20,907.65
FREDERICK FIRESTONE FIRE PROTECTION DIST	Q3 & Q4 2023 Eagle Revenue Sharing	37.84
FRONT RANGE METALWORKS LLC	Equipment maintenance	380.00
G & G EQUIPMENT INC	Equipment maintenance supplies	618.31
GENERAL AIR	Shop supplies	71.30
GEOTAB USA INC	Membership & support	2,101.97
GOLF ASSOCIATES SCORECARD COMPANY	Golf course comment cards	316.79
GREEN MILL SPORTMAN'S CLUB	Range use	300.00
GUS'S GOODIES	Snacks for restaurant	341.50
HAIL PRO COLLISION LLC	Pre & post scan/sensor calibration	7,840.00
HARDLINE EQUIPMENT	Equipment maintenance supplies - brooms	5,118.00
HIGH PLAINS LIBRARY DISTRICT	Q3 & Q4 2023 Eagle Revenue Sharing	11.18
HOME DEPOT CREDIT SERVICES	Supplies	2,511.36
HOT SHOT SUPPLY CO	Street maintenance - Asphalt patch	1,176.00
IMAGEFIRST HOSPITALITY	Linen service	62.82
INFOSEND INC	Utility billing statements & notices/Postage	3,751.94
INTERNATIONAL ASSOCIATION OF	IACPnet Subscription	875.00
INTERSTATE FORD	Vehicle maintenance and repairs	2,523.30
JC GOLF ACCESSORIES	Golf shop merchandise	1,412.06
JOHN DEERE FINANCIAL	PW uniforms	539.91
JUAN HERRERA	Restitution payment	200.00
JUB ENGINEERS INC	Silver Birch & Bella Rosa Intersection Design	20,483.24
K9 REC CENTER LLC	Animal impound fees	1,200.00
KING SURVEYORS INC	Topographic survey	4,187.00
KP & ASSOCIATES	Retail Consulting Services	2,400.00
KUMAR & ASSOCIATES INC	Geotechnical Engineering Study	7,185.00
KYLE A RICHARDS	Livestream BOT	150.00
L & M ENTERPRISES INC	Irrigation clock and flow meter replacement	8,757.65
L.L. JOHNSON DISTRIBUTING COMPANY	Golf irrigation upgrades & equipment	118,662.18
MATT LIEBING	Tool reimbursement	345.68
MATTHEW BENDER & CO INC	Revised Statute Supplement	268.86
MAX DAFFRON	Mileage reimbursement	53.60
MCGEE COMPANY	Equipment installation and supplies	38,608.50
METRO CITY ATTORNEYS ASSOCIATION INC	MCAA Dues	320.00
MIKE MAROONE CHEVROLET BUICK GMC LONGMONT	Vehicle supplies	220.00
MIKE MAROONE FORD LONGMONT	Tire replacement & alignment	149.95
MIKE RICHMOND	CDL physical reimbursement	75.00
MOSES WITTEMYER HARRISON & WOODRUFF PC	Legal services	29,945.30
MY GUY HEATING AND AIR	HVAC service	5,243.50
NATIONAL BUSINESS FURNITURE LLC	Office furniture	4,991.90
NEXBELT LLC	Golf shop merchandise	197.10
NORTHERN CO. WATER CONSERVANCY DISTRICT	Windy Gap Annual Assessments/Eagle Revenue Sharing	49,646.88
O.J. WATSON COMPANY INC	Equipment maintenance	439.11

List of Bills - Town of Frederick
February 23, 2024 - March 28, 2024

OCCUPATIONAL HEALTH CENTERS	Employment screening and physicals	786.00
O'KEEFE PUBLISHING INC	Advertising in Divot magazine	325.00
O'REILLY AUTOMOTIVE INC	Vehicle maintenance supplies	280.32
PAUL C BENEDETTI	Legal Services - FURA	6,270.00
PAUL DIKES GLASS INC	Window replacement	275.00
POLICE AND SHERIFFS PRESS INC	Photo IDs	32.60
PRE ACTION FIRE INC	AES Quarterly Monitoring	525.00
PRINT EXPERTS	FRED Flip book printing/Landfill vouchers	1,057.49
PROFESSIONAL DEVELOPMENT ACADEMY LLC	High Performance Leadership/Webinars	3,895.00
PSYCHOLOGICAL DIMENSIONS	FFDE - Duty evaluation	6,393.00
R & R PRODUCTS	Parts for equipment repair	1,689.40
RAFTELIS	Core services business plan	48,707.00
RAMEY ENVIRONMENTAL COMPLIANCE	ORC Services Distribution System	115.56
RANGE SERVANT AMERICA INC	Parts for equipment repair	110.70
REDEMPTION ROAD COFFEE	Market vendor refund	25.00
REIF & HUNSAKER PC	Legal services	196.00
RELIABLE TOWING & REPAIR	Towing services	185.00
REPUBLIC NATIONAL DISTRIBUTING CO LLC	Restaurant supplies	228.20
RESOURCE CENTRAL	Water Conservancy Programs	12,370.00
RICK ENGINEERING COMPANY - COLORADO	Frederick comprehensive plan/Crist Park MP	28,622.24
RINGCENTRAL INC	Town phone system	3,798.52
SAFEBUILT COLORADO LLC	Building Inspection Services	6,775.00
SAFEWAY	Supplies	222.84
SEALMASTER	Street repair supplies	365.96
SECUREIT TACTICAL INC	Equipment cabinets	9,454.85
SHAMES CONSTRUCTION	Hydrant Meter Deposit refund	2,200.00
SIERRA FEDDER	Mileage reimbursement	95.07
SRIXON CLEVELAND GOLF XXIO	Golf shop merchandise	3,362.32
ST VRAIN SANITATION DISTRICT	Q3 & Q4 2023 Eagle Revenue Sharing	1.49
ST VRAIN VALLEY SCHOOL DISTRICT	Q3 & Q4 2023 Eagle Revenue Sharing	111.14
SWIRE COCA-COLA USA	Beverage supplies for restaurant	754.85
TAYLOR MADE GOLF COMPANY	Golf shop merchandise	1,351.74
TELOS ONLINE INC	Back-up link	75.00
TEO J. MARTINEZ	Reimbursement for training	50.00
THE SHERWIN-WILLIAMS CO	Building supplies	24.84
THE SJS OLSON GROUP LLC	Renogize - Team Development Workshop	15,887.87
TIFFANY WEED	Reimbursement for mileage	76.65
TLO LLC	Investigation fees	111.20
TLTC DISTRIBUTING LLC	Tools	27.50
TODD NORRIS	Police Equipment Loan Program	2,000.00
TOUR EDGE	Golf shop merchandise	808.50
TRACTOR SUPPLY CREDIT PLAN	Supplies	789.15
TRANSWEST TRUCK	Maintenance equipment supplies	212.10
TRT CONSTRUCTION	PD Remodel - Phase 2	37,200.00
TRUEPOINT SOLUTIONS LLC	System Configuration and support	789.69
TYLER TECHNOLOGIES	Incode - MyCivic - Web Hosting fees	98,878.00
UNITED POWER	Electric utility	7,390.71
UNIVERSITY AUTO PARTS INC	Maintenance parts and supplies	1,223.99
UTILITY NOTIFICATION CENTER OF COLORADO	Water locates	326.37
VERIZON WIRELESS	Town cell phone service	3,542.84
VIA MOBILITY SERVICES	Transportation	5,670.00
VICE SPORTING GOODS INC	Golf shop merchandise	214.32
WASTE CONNECTIONS OF COLO INC	Monthly trash & recycle service	1,334.09
WELD COUNTY	Q3 & Q4 2023 Eagle Revenue Sharing	13.06
WELD COUNTY DEPARTMENT OF PUBLIC	Water testing	1,668.00
WEX BANK	Fuel - Police Department	1,272.55
WEX HEALTH INC	Funding mechanism shift to cont. based funding	6,600.00

List of Bills - Town of Frederick
February 23, 2024 - March 28, 2024

WILLDAN FINANCIAL SERVICES

Water Rate Study

Total:

<u>2,730.00</u>
1,220,470.89



TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Kevin Brown, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee
Chad teVelde, Trustee

Consideration of CDBG HUD Requirements Resolution

Agenda Date: Town Board Meeting – April 23, 2024

Attachments:

- a. Draft Plan
- b. Resolution 24-R-25

Finance Review: Kurtis Adams
Finance Director

Submitted by: Traci Garcia-Castells
Grant Administrator

Approved for Presentation: Bryan Ostler
Town Manager

☐ Quasi-Judicial

☒ Legislative

☐ Administrative

Strategic Plan Alignment:

Fiscally Responsible Governance- The Town of Frederick plans for, identifies, leverages, and utilizes resources that reflect exemplary stewardship for those who live in Frederick and those who will seek out Frederick in the future.

Summary Statement:

To receive pass through CDBG funding from Weld County, the Town must be in compliance with 41 CFR 60-2 of the Uniform Guidance. 41 CFR 60-2 of the Uniform Guidance is about affirmative action programs for government contractors. The requirements of this part apply to non-construction contractors, and every employee in the contractor's workforce must be included in an affirmative action program. The town developed the attached plan to meet the requirements to be in compliance with a focus that Town is committed to being an equal opportunity employer and that this action will not create a quota system. Further, that the Town is committed to hiring the best-suited candidate for the position and does not intend this plan to show favoritism to any group of persons.

Detail of Issue/Request:

Built on What Matters.

In February 2024, the Town entered into agreement with Weld County to receive CDBG funding for facility fees to include water dedication fees, water tap installation fees, and non-potable irrigation fees for Brigit's Village, a 40-unit new construction apartment in the Town of Frederick with income restricted rents serving low to moderate income. A requirement of the contract is the submittal to the Town's Affirmative Action Plan to the county. Attached is Town's broad plan to be in compliance with the county and with HUD.

Legal Comments:

The Town's Attorney Office has reviewed the resolution.

Financial Considerations:

Not approving the plan would leave the town in non-compliance for receiving the funds.

Staff Recommendation:

Staff recommends approving the Resolution authorizing the approval of the Town of Frederick HUD Requirements Plan.



TOWN OF FREDERICK

Affirmative Action Plan

Effective April 2024
Approved BOTResolution

Human Resources Dept

EQUAL OPPORTUNITY STATEMENT

In compliance with 41 CFR 60-2, the Town of Frederick is dedicated to the principles of equal employment opportunity (EEO). We prohibit unlawful discrimination against applicants or employees based on age (40 and over), race, sex, color, religion, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by applicable federal, state, or local law.

The Town of Frederick prohibits unlawful discrimination as it applies to all aspects of the relationship between the Town and its employees, including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc., including and not limited to recruitment, employment, promotion, compensation, transfer, training, working conditions, benefits, lay-offs, terminations, and application of policies.

Purpose:

An Affirmative Action Plan is a tool to manage and ensure equal employment opportunities.

Affirmative Action Policy Statement

The Town of Frederick (Town) is fully committed to the concept of affirmative action as a means of assuring equal employment opportunity within the Town government for all citizens. It will be the policy of the Town to actively seek out qualified applicants for all positions based on skills and criteria set forth in posted job descriptions.

It is not the policy of the Town to establish a quota system.

The Town is committed to hiring the best-suited candidate for the position and does not intend this plan to show favoritism to any group of people.

The demographics of Weld County will be the region utilized to guide recruiting practices.

The Town will actively recruit applicants, including members of protected classes, through proper posting and publication as part of our commitment to equal employment opportunity.

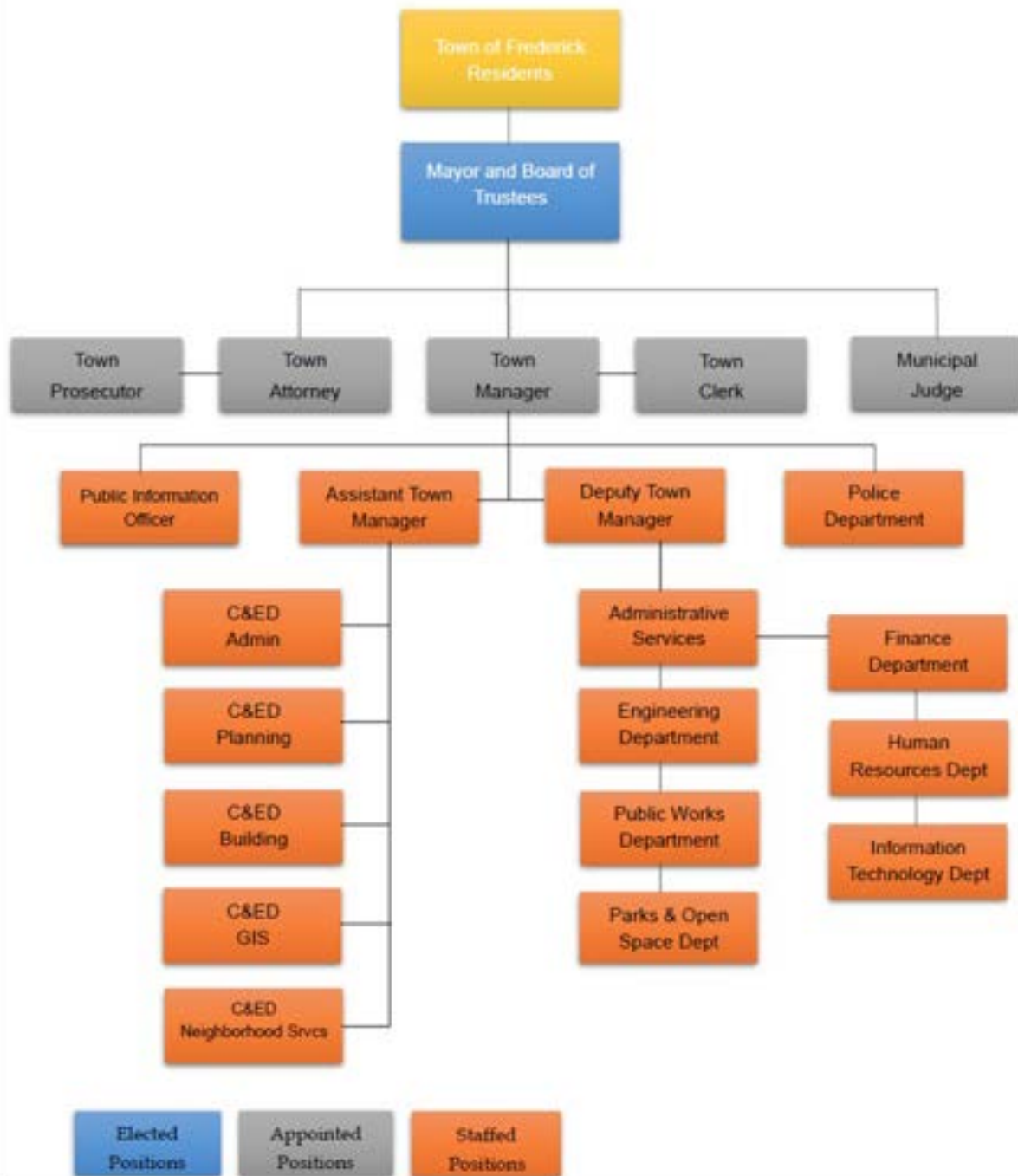
The commitment to affirmative action and equal employment opportunity is not limited to the recruitment process but also to the ongoing employment practices of the organization including but not limited to employee training.

Management Responsibility and Policy Dissemination

Department directors and Elected Officials will be responsible for complying with the procedures contained in this affirmative action program.

Human Resources shall have overall responsibility for compliance with all federal and state equal employment opportunity laws and regulations such as the Americans with Disabilities Act and for implementation of the policy of equal employment opportunity. Each department head shall have day-to-day operational responsibility for such compliance and the implementation of this policy. Human Resources shall provide for an internal reporting and monitoring procedure governing employment and personnel practices. All questions, complaints, and suggestions concerning the equal employment opportunity policy, or the affirmative action program, shall be directed to Human Resources.

ORGANIZATIONAL CHART



Designation of Responsibility for Implementation

Responsibilities of the Equal Employment Opportunity Manager:

Human Resources, under the direction of the Town Manager, has the responsibility for designing and ensuring the effective implementation of Town of Frederick's (Town's) Affirmative Action Policy Program (AAP). These responsibilities include, but are not limited to, the following:

1. Developing Equal Employment Opportunity (EEO) policy statements, affirmative action policies, and internal and external communication procedures.
2. Assisting in the identification of AAP/EEO problem areas.
3. Assisting management in arriving at effective solutions to AAP/EEO problems.
4. Designing and implementing an internal audit and reporting system that:
 - a. Measures the effectiveness of Town's program.
 - b. Determines the degree to which AAP goals and objectives are met; and
 - c. Identifies the need for remedial action.
5. Keeping the Town's Town Manager informed of equal opportunity progress and reporting potential problem areas within the organization through quarterly reports.
- 6.
7. Reviewing the Town's AAP for qualified minorities and women with all managers and supervisors at all levels to ensure that the policy is understood and is followed in all personnel activities.
8. Auditing the contents of the Town's bulletin board to ensure compliance information is posted and up to date; and
9. Serving as liaison between Town and enforcement agencies.
10. Responsibilities of Managers and Supervisors:

It is the responsibility of all managerial and supervisory staff to implement the Town's AAP. These responsibilities include, but are not limited to:

1. Assisting in the identification of problem areas, formulating solutions, and establishing departmental goals and objectives when necessary.
2. Reviewing the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, transfer, and termination actions occur; and
3. Reviewing the job performance of each employee to assess whether personnel actions are justified based on the employee's performance of their duties and responsibilities.

Identification of Problem Areas

<i>Areas of Concern</i>	<i>Corrective Actions</i>
Underutilization of minorities and women in Job Groups 2 is due to skill set for position.	When an opening occurs, if an internal candidate is unavailable for promotion, jobs are posted in several mediums. Town focuses their interest in attracting qualified candidates to apply for open positions.
Underutilization of women and minorities in Job Group 8 maintenance workers and entry level blue-collar jobs. Concern regarding low female applicant flow rate resulting from inadequate recruitment.	When an opening occurs, if an internal candidate is unavailable for promotion, jobs are posted in several mediums. Town focuses their interest in attracting qualified candidates to apply for open position.
Underutilization of minorities in Job Groups 1, 2, 5, 8, and 9 show concern regarding low minority applicants flow rate resulting from inadequate applicant pool. Although the availability shows higher in some categories, factors such as location, distance to drive, position competition, and qualified applicants are other circumstances we have to consider.	When an opening occurs, if an internal candidate is unavailable for promotion, jobs are posted in several mediums. Town focuses their interest in attracting qualified candidates to apply for job openings.

Action-Oriented Programs

The Town of Frederick (Town) will institute the following action programs to eliminate identified problem areas. These programs include:

1. Conducting annual analyses of job descriptions to ensure they accurately reflect job functions.
2. Reviewing job descriptions by department and job title using job performance criteria.
3. Making job descriptions available to recruiting sources and available to all members of management involved in the recruiting, screening, selection, and promotion processes.
4. Evaluating the total selection process to ensure freedom from bias through:
 - a. Reviewing job applications and other pre-employment forms to ensure information requested is job-related.
 - b. Evaluating selection methods that may have a disparate impact to ensure that they are job-related and consistent with business necessity; and
 - c. Training personnel and management staff on proper interview techniques.
5. Ensuring that all employees are given equal opportunity for promotion. This is achieved by:
 - a. Posting / emailing promotional opportunities.
 - b. Offering counseling to assist employees in identifying promotional opportunities, training, and educational programs to enhance promotions and opportunities for job rotation or transfer; and
 - c. Evaluating job requirements for promotion.

Guidelines on Discrimination

Because of Religion or National Origin

Employment practices have been reviewed to determine whether members of the various religions and/or ethnic groups are receiving fair consideration for job opportunities. Attention has been directed toward executive and middle management levels.

1. The policy concerning the Town's obligation to provide equal employment opportunity without regard to religion or national origin is communicated to all employees via employee handbooks, policy statements, and the Affirmative Action Program.
2. Internal procedures have been developed in this program to ensure that the Town's obligation to provide equal employment opportunity without regard to religion or national origin is being fully implemented.
3. Employees are informed at least once a year of the Town's commitment to equal employment opportunity for all people, without regard to religion or national origin.
4. Recruiting sources have been informed of our commitment to provide equal employment opportunity without regard to religion or national origin.
5. Employment records of all employees are reviewed to determine the availability of promotable and transferable employees.
6. Contacts with religious and ethnic organizations will be made for purposes of advice, education, technical assistance, and referral of potential employees as necessary to accomplish the purpose of this program.
7. Town engages in recruitment activities at educational institutions with substantial enrollments of students from various ethnic and religious groups.
8. Ethnic and religious media may be used for employment advertising.

Reasonable accommodations to the religious observances and practices of employees or prospective employees will be made, unless doing so would result in undue hardship. In determining whether undue hardship exists, factors such as the cost to the organization and the impact on the rights of other employees would be considered.

TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 24-R-25

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK,
COLORADO, APPROVING AFFIRMATIVE ACTION PLAN**

WHEREAS, the Town of Frederick is a community that fosters economic, recreational, cultural, and environmental vitality and builds upon and enhances a variety of economic opportunities; and,

WHEREAS, The Town of Frederick plans for, identifies, leverages, and utilizes resources that reflect exemplary stewardship, which includes compliance for seeking grant opportunities to assist in the funding of various Town projects and initiatives; and,

WHEREAS, the Town of Frederick HR Affirmative Action Plan meets the compliance for the 41 CFR 60-2 for federal funding.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:**

- Section 1. Approval of Affirmative Action Plan.** The attached Affirmative Action Plan is approved.
- Section 2. Effective Date.** This resolution shall become effective immediately upon adoption.
- Section 3. Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.
- Section 4. Certification.** The Town Clerk shall certify the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 23RD DAY OF APRIL, 2024.

ATTEST:

TOWN OF FREDERICK

By _____
Kelly Green, Deputy Town Clerk

By _____
Tracie Crites, Mayor



TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Kevin Brown, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee
Chad teVelde, Trustee

Lower Boulder Water Use and Delivery Improvements

Agenda Date: Town Board Meeting – April 23, 2024

Attachments:

- a. Resolution 24-R-26
- b. Map of improvements

Finance Review: Kurtis Adams
Finance Director

Submitted by: Sarah Watson
Civil Engineer

Approved for Presentation: Bryan Ostler
Town Manager

☐ Quasi-Judicial

☐ Legislative

☐ Administrative

Strategic Plan Alignment:



This item aligns with the Strategic, Reliable, and Sustainable Infrastructure goal. Improvements are necessary to make the most use of the Town's changed Lower Boulder water. This item will ratify the Town's intent to complete these improvements.

Summary Statement:

The Town is continuing through the water court process for the change of a portion of the Town's Lower Boulder Ditch shares. As the process has progressed, improvements and agreements that will be needed to take delivery of the Town's water and make the necessary return flow replacements have been identified. To support the Town's water court application, the Town Board will need to clearly identify its intent to enter into agreements and construct improvements.

Built on What Matters.

Detail of Issue/Request:

In February staff talked to the Board about the Lower Boulder Change case and its status and this item is coming in relation to that discussion. As staff works with the Town's consultants to progress the water court application for the change of Lower Boulder shares improvements and agreements that the Town will need including delivery infrastructure, augmentation stations, and agreements for use of existing structures have been identified. These improvements are required for the Town to make use of the Lower Boulder changed water rights. Without these improvements the Town will not be able to make use of all the changed Lower Boulder shares.

The opposers in the water court case have asked that the Town provide a clear intent that the Town will construct these improvements and execute the identified agreements. This resolution will strengthen our response to the opposers by allowing staff and our consultants to say that the Town has officially supported these improvements and agreements and will support staff in progressing the budgeting, design, and construction of the improvements. This action is needed as these improvements are not listed in a Master Plan adopted by the Board like the Drainage Master Plan or recently adopted Potable Water Master Plan.

Those improvements and agreements are:

- a) New Boulder Creek Augmentation Station.
- b) New Idaho Creek Augmentation Station.
- c) New Coal Creek Augmentation Station.
- d) New Mayfield Hollow Augmentation Station.
- e) Upgrades to Godding Hollow Augmentation Station.
- f) New connection of Milavec Reservoir to the raw water system for delivery to Godding Hollow.
- g) Agreement for storage capacity in Tiefel Pond.
- h) Agreement for storage capacity in Filly Lake.
- i) Agreement for use of City of Lafayette's infrastructure that releases water from the Goose Haven Reservoir Complex.
- j) Agreement for excess capacity in Rural Ditch.
- k) Agreement for excess capacity in Last Chance Ditch.

Legal Comments:

The resolution was prepared and reviewed by the Town Attorney and Water Attorney counsel.

Alternatives/Options:

The Town Board may decide to revise the language of the resolution to expand or reduce the flexibility for staff to progress budgeting, design, and construction of the improvements. This will impact on the Town's ability to make the most use of the changed Lower Boulder shares.

Financial Considerations:

For any future projects that require budgeting of water funds, staff will request funding during the regular budgeting period or will request a budget amendment as necessary.

Staff Recommendation:

It is the staff's recommendation to approve the proposed resolution.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 24-R-26**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
REGARDING LOWER BOULDER DITCH WATER USE AND DELIVERY
IMPROVEMENTS AND AGREEMENTS**

WHEREAS, the Town has an active water court application for a change of water rights associated with Preferred and Common shares in the New Consolidated Lower Boulder Reservoir and Ditch Company (“Lower Boulder”); and

WHEREAS, The Town has identified certain improvements that the Town intends to make to or support to facilitate the efficient beneficial use of the changed Lower Boulder water rights, and certain agreements the Town will need to enter into for the same purpose; and

WHEREAS, the Town supports and directs staff to move forward with the budgeting, future design, and subsequent construction of the improvements and with negotiation of the agreements to be brought before the Board of Trustees at a later date.

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. Direction for staff to move forward with the budgeting, future design, and subsequent construction of the improvements and with negotiation of the following agreements.

- a. **New Boulder Creek Augmentation Station.**
- b. **New Idaho Creek Augmentation Station.**
- c. **New Coal Creek Augmentation Station.**
- d. **New Mayfield Hollow Augmentation Station.**
- e. **Upgrades to Godding Hollow Augmentation Station.**
- f. **New connection of Milavec Reservoir to the raw water system for delivery to Godding Hollow.**
- g. **Agreement for storage capacity in Tiefel Pond.**
- h. **Agreement for storage capacity in Filly Lake.**
- i. **Agreement for use of City of Lafayette’s infrastructure that releases water from the Goose Haven Reservoir Complex.**
- j. **Agreement for excess capacity in Rural Ditch.**
- k. **Agreement for excess capacity in Last Chance Ditch.**

Section 2. Effective Date. This resolution shall become effective immediately upon adoption.

Section 3. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 4. Certification. The Town Clerk shall certify the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 23rd DAY OF APRIL, 2024.

ATTEST:

TOWN OF FREDERICK

By _____
_____, Town Clerk

By _____
Tracie Crites, Mayor



TOWN OF FREDERICK

Board of Trustees

Action Memorandum

Tracie Crites, Mayor

Dan March, Mayor Pro Tem
Mark Lamach, Trustee
Kevin Brown, Trustee

Adam Mahan, Trustee
Windi Padia, Trustee
Chad teVelde, Trustee

Ordinance Creating a Temporary Moratorium for Oil and Gas Development

Agenda Date: Town Board Meeting – April 23, 2024

Attachments: a. Ordinance No. 1392

Finance Review: **Kurtis Adams**
Finance Director

Submitted by: **Jason Meyers**
Town Attorney

Approved for Presentation: **Bryan Ostler**
Town Manager

☐ Quasi-Judicial

☒ Legislative

☐ Administrative

Strategic Plan Alignment:



This item aligns with the Safe and Secure strategic plan focus area. Allowing time for updated regulations will assist in being proactive in providing adequate safety measures and standards for new oil and gas development within the Town of Frederick.

Summary Statement:

The State of Colorado enacted Senate Bill 19-181 on April 16, 2019, which granted additional authority to the Town of Frederick to regulate oil and gas development and operations within the Town of Frederick. Much of the Town's current oil and gas regulations were developed prior to the passage of Senate Bill 19-181, and while have been updated in part; additional changes are needed to fully implement the Town's authority authorized in Senate Bill 19-181 to ensure the health and safety issues presented by activity are adequately address. A temporary moratorium will ensure that applications are not processed while these updates are made.

Built on What Matters.

Detail of Issue/Request:

Town staff is in the process of updating the land use code, and the oil and gas regulations contained in the code. While there are some state standards that apply to oil and gas operations, with the passage of Senate Bill 19-181 by the State of Colorado, additional authority was provided to local jurisdictions for the regulation of local operations and their related impacts. Some of these regulations involve setback requirements from other structures or uses, other regulations can address dust, off gassing, or other types of impacts. Providing a temporary moratorium for new applications will allow time for staff and the Town Board to review these various matters and create updated standards for development within the Town of Frederick. Staff will work expeditiously to create the updates for approval by the Board via an ordinance updating the code. If the work is completed before the moratorium expires, the Board may repeal the moratorium sooner.

This update process will include work sessions for the Board to discuss various standards and provide feedback to staff on how to appropriately craft the regulations. Further, there will be a final ordinance with the updates to the regulatory framework at the end of the process.

Legal Comments:

The ordinance was prepared and reviewed by the Town Attorney. Providing a moratorium for new applications will provide staff and the Board adequate time to update the regulations required for new oil and gas developments.

Alternatives/Options:

The Town Board may decide to forgo passing the ordinance and move forward with updating regulations without a moratorium in place. This will allow oil and gas developers to submit with the current regulations in place.

Financial Considerations:

Updating the code will require outside counsel resources to assist in the drafting process. However, aside from the publishing requirements which have minimal costs, there are no additional costs associated with this passage of the temporary moratorium.

Staff Recommendation:

It is the staff's recommendation to approve the proposed ordinance.

ORDINANCE NO. 1392

AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, ADOPTING A TEMPORARY MORATORIUM FOR APPLICATIONS FOR OIL AND GAS DEVELOPMENT WITHIN THE TOWN OF FREDERICK

WHEREAS, the Town of Frederick recognizes that the oil and gas industry is important to the community, and also recognizes the important of minimizing, through appropriate regulation, the adverse impacts that oil and gas exploration and extraction or any other industry may have on the health, safety, and welfare of the Town and its citizens; and,

WHEREAS, there has long been operations of the exploration of oil and gas and other natural resources underlying portions of the Town, including property owned by the Town; and

WHEREAS, oil and gas exploration, extraction, production, transportation and related operations and activities may negatively impact the community, the use and integrity of local infrastructure, air quality, water quality, roads and transportation infrastructure, wastewater infrastructure, land resources, wildlife and aesthetic values; and

WHEREAS, the Town of Frederick Land Use Code Article 9 “Oil and Gas Drilling and Production”, which was enacted to protect the health, safety, and welfare of the citizens of the Town of Frederick, contain provisions for the regulation of oil and gas development within the Town of Frederick; and,

WHEREAS, the State of Colorado enacted Senate Bill 19-181 on April 16, 2019, which granted additional authority to the Town of Frederick to regulate oil and gas development and operations within the Town of Frederick; and,

WHEREAS, much of the Town’s current oil and gas regulations were developed prior to the passage of Senate Bill 19-181, and while the code has been updated in part; additional changes are needed to fully implement the Town’s authority authorized in Senate Bill 19-181 to ensure the health and safety issues presented by the exploration for and extraction of liquid and gaseous hydrocarbon resources and related activities are adequately addressed in the Town’ s zoning and land use regulations; and,

WHEREAS, the Town of Frederick has experienced impacts of oil and gas development which have had ongoing remediation impacts on the community; and,

WHEREAS, the Town may receive applications for new oil and gas facilities before updates to the Frederick Municipal Code and Frederick Land Use Code can become finalized to incorporate changes resulting from Senate Bill 19-181; and,

WHEREAS, the Town of Frederick is committed to protecting the health, safety, and welfare of its citizens and wants to ensure that Town residents are afforded the benefits of the application of the changes resulting from Senate Bill 19-181; and,

WHEREAS, because the law regarding oil and gas development and the authority of local governments to regulate oil and gas has changed, the Town needs to re-evaluate its oil and gas development regulations and develop regulations that are consistent with the new law in Colorado; and,

WHEREAS, if applications requesting approval of oil and gas development are submitted prior to the Town having adequate time to evaluate and revise its oil and gas development regulations, the Town Board believes irreparable harm may be done to the public health, safety, and welfare which necessitates this ordinance taking effect immediately upon passage; and,

WHEREAS, the Town estimates that it will take approximately 6 months for Town staff to evaluate the implementation of Senate Bill 19-181; develop oil and gas regulations that meet the needs of the Town of Frederick under the applicable law; and hire and train additional staff to implement the updated code with the accompanying site inspections; and,

WHEREAS, the Town believes that a temporary moratorium of 6 months will accomplish the goal of ensuring fair and reasonable regulation of oil and gas regulation while ensuring compliance with changes in the law.

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

Section 1. A temporary moratorium for new Oil and Gas Facilities within the Town of Frederick to include all new applications to: conduct seismic studies within the Town; to place any new pipelines, flow lines and gathering lines within the town limits; drill a well that has not been previously permitted; to place any production equipment within the town; or make a substantial modification to an existing well site or production site. This moratorium shall continue from the effective date of this Ordinance and shall terminate as of midnight November 30, 2024 or on such earlier date as by be established by action of the Board of Trustees.

Section 2. Town staff is directed to stop accepting new applications for Oil and Gas Facilities, as defined in Section 1 above, within the Town of Frederick upon the effective date of this Ordinance, regardless of the form of application, and to inform developers of the passage of this temporary moratorium as soon as possible.

Section 3. Severance Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Frederick, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 4. This Ordinance shall, during the timeframe of the moratorium created hereby, control over any conflicting ordinance of the Town, but only to the extent of the conflict.

Section 5. Effective Date. Pursuant to Section 2-29 of the Frederick Municipal Code, this ordinance shall take effect 30 days after publication.

**INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED IN FULL BY
THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK THIS 23RD DAY OF
APRIL, 2024**

TOWN OF FREDERICK, a Colorado municipal
corporation

By: _____

Tracie Crites, Mayor

ATTEST:

By: _____

Kelly Green, Deputy Town Clerk



TOWN OF FREDERICK

Board of Trustees

Information Memorandum

Tracie Crites, Mayor

Windi Padia, Trustee
Mark Lamach, Trustee
Adam Mahan, Trustee

Dan March, Trustee
Kevin Brown, Trustee
Chad teVelde, Trustee

Selection of Mayor Pro Tem and Board/Commission/Committee Liaison Appointments

Agenda Date: Town Board Meeting – April 23, 2024

Attachments: a. Resolution 24-R-27

Submitted by: **Jason Meyers**
Town Attorney

Approved for Presentation: **Bryan Ostler**
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

Detail of Issue/Request:

After the seating of Board members following an election, the Board of Trustees needs to appoint a Mayor Pro Tem, as well as consider various appointments to the respective boards, committees, and commissions. Below is a list of the boards, committees, and commissions, of which, the Board of Trustees are participants. Staff has prepared a resolution template for action after the Board of Trustees has determined which Board member will be appointed as Mayor Pro Tem, as well as which member will attend the various appointments.

- Building Appeals Board:
 - To hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the Frederick Building Code. Meets only as needed.
- Arts Committee:
 - To advise on acquisitions of works of public art and their placement. Meets on the 2nd Tuesday of each month at 4:30 PM.
- Historic Preservation Committee:

Built on What Matters.

- To advise on the preservation of the history of the Town of Frederick. Mainly handles the Miners Museum. Currently does not meet since until recently a quorum was necessary.
- Parks, Recreation, Open Space, and Trails Commission:
 - To review and recommend to the Board of Trustees in all matters concerning the acquisition, development and maintenance of municipally owned parks, open space, and trails. Meets on the 1st Wednesday of each month at 7:00 PM.
- Miners Day Committee:
 - Advisory group to Community Relations team on the planning and implementation of the annual Miners Day event. Meets on the 2nd Wednesday of each month at 4:30 PM.
- DRCOG: Denver Regional Council of Governments SW Weld County Forum.
 - Meets quarterly on the 2nd Thursday of each month from 2:00 – 3:00 at the SW Weld Annex Building.
- Northern Water Liaison: Attendance at NISP and Windy Gap project update meetings.
- Carbon Valley Seniors Liaison
- Frederick Youth Commission
 - Meets monthly on the 2nd Monday beginning at 6:00 PM at Town Hall.

Legal Comments:

The process to make these appointments is in the discretion of the Board of Trustees. Historically, nominations for Mayor Pro Tem are made and the Board casts ballots. Whomever obtains a majority support (4 votes) of the Board would be appointed. If only one nomination is made, a vote by ballot is not necessary.

Appointments to boards, committees, and commissions has historically been done on a volunteer basis. However, if there are multiple Trustees who desire an appointment, a similar process to the above could occur.

Alternatives/Options:

The Board may choose to delay these discussions to a later date. Additionally, if the Board desires to avoid a ballot process, appointments could be done by casting lots, or similar activity.

Financial Considerations:

None.

Staff Recommendation:

Staff takes no position as appointments are at the discretion of the governing body.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 24-R-27**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,
APPOINTING A MAYOR PRO TEM AND BOARD LIAISONS**

WHEREAS, the Board of Trustees, as contemplated by Chapter 2, Article III, Section 2-25, of the *Frederick Municipal Code*, may appoint a Mayor Pro Tem who shall be entitled to act as Mayor in case the Mayor is absent from the Town, or is for any reason temporarily unable to perform the duties of Mayor; and,

WHEREAS, Chapter 2, Article IX requires appointments of members of the Board of Trustees to participate in various boards, committees, and commissions on behalf of the Town of Frederick.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Frederick, Weld County, Colorado, that:

Section 1. Appointment of Mayor Pro Tem. For the 2024-2026 election cycle the Town of Frederick Mayor Pro Tem is designated to be Trustee _____.

Section 2. Appointment of Board Members to boards, committees, and commissions. For the 2024-2026 election cycle the Town of Frederick designates the following Trustees to the various boards, committees, and commissions:

- a. Denver Regional Council of Governments SW Weld County Forum (“DRCOG”) –

- b. Building Board of Appeals – _____ and _____
- c. Arts Committee – _____
- d. Historic Preservation Committee – _____
- e. Parks, Recreation, Open Space, and Trails Commission (“PROST”) –

- f. Miners Day Committee – _____
- g. Northern Water – _____ and _____
- h. Youth Commission – _____
- i. Carbon Valley Seniors Liaison – _____

Section 3. Effective Date. This resolution shall become effective immediately upon adoption.

Section 4. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 5. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 23RD DAY OF APRIL, 2024.

ATTEST:

TOWN OF FREDERICK

By _____
Kelly Green
Deputy Town Clerk

By _____
Tracie Crites, Mayor