



Built On What Matters

Town of Frederick Board of Trustees Agenda

Frederick Town Hall

Board Chambers

401 Locust Street

Tuesday, August 13, 2024

7:00 PM

Work Session 5:30 PM

Agenda

Regular Meeting 7:00 PM

Work Session

- A. Oil and Gas Update
- B. Swearing in of New Police Commander

Call to Order – Roll Call

Pledge of Allegiance

Approval of Agenda

Special Presentations

- C. Rocky Mountain Christian Church - Shine Prom -

Public Comment

This portion of the agenda is provided to allow members of the audience to provide comments to the Board of Trustees. Please sign in and you will be called. 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

- D. Administrative Report -

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.

- E. List of Bills Report -
Kurtis Adams, Finance Director
- F. Approval of Minutes - July 23, 2024

Action Agenda

- G. Ordinance No. 1394 Consideration of the Silverstone Commons Final Development Plan -
Audem Gonzales, Senior Planner
- H. Ordinance No. 1395 Municipal Code Chapter 10 Amendment - Substance Use and Possession -
Christine Francescani, Deputy Town Attorney
- I. Resolution 24-R-49 Grant Administrator's Report -
Traci Garcia Castells, Grants Administrator

Mayor and Trustee Reports

Executive Session

- J. For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; regarding Municipal Judge Interviews.

Adjournment

Print

Community Grant Application - Submission #44738

Date Submitted: 7/8/2024

Town of Frederick Community Grant

Organization Name*

Rocky Mountain Christian Church

Address1*

5860 Majestic St.

Address2

City*

Frederick

State

CO

Zip

80504

Contact First Name*

Matt

Contact Last Name*

Cote

Contact Phone Number*

3033017805

Contact Email Address*

mattcote@rocky.church

Federal/State Tax ID*

98057510000

Please describe your project and the reason for your request.*

For the last seven years, Rocky Mountain Christian Church has hosted a prom for our special needs community. In 2023, over 200 guests and 400 volunteers from our church and the surrounding communities participated in this amazing night of fun, food and dancing.

Each guest enters this complimentary event on a red carpet complete with a warm welcome from a friendly crowd and paparazzi. Once inside, guests receive the royal treatment: professional photography, corsages and boutonnieres, a catered dinner, games, a respite room for parents and caregivers and an awesome dance. This all leads up to the moment when each guest is crowned a king or queen of the prom.

For 2024 we would be honored to partner with you in serving our special needs friends and their caregivers. On September 20, 2024 we will be hosting 2 simultaneous events at our Niwot and Frederick campuses, providing outdoor and indoor activities, dinner, games and a dance for over 350 guests, their families and caregivers. It will be an unforgettable night of laughter, music, fun and connection for some of the most under-served people in our community.

This event is 100% free for our guests. Your donation will help us offer this incredible night to our guests. Any donation, whether monetary or in-kind gifts, will be acknowledged in writing in accordance with Rocky's non-profit status.

Thank you for your consideration in partnering with us again and appreciate all the support the Town of Frederick has shown in previous years.

Have a great week!

Amount Requested*

\$5,000

Number of Frederick residents and/or visitors will participate and/or benefit from the program/project:*

500

In what way will this program enhance the Town of Frederick's positive image, provide opportunity for informal education, community building and/or family entertainment?*

This is a prom where we serve a portion of our community that often times is overlooked. I love how our community comes together to serve at this event.

Have you requested support from other sources? Please provide a list of organizations that you have solicited or will be soliciting:*

BrightSpring, STAPP Toyota, City of Dacono, Town of Firestone, Chick-fil-A, Tiny Tykes

Has your organization applied for a grant from the Town of Frederick before?*

- Yes
- No

If you were awarding funding in the past, how much did you receive?

\$3,000

If you received funding in the past, how did you use the funds?

We use the funds to give our guests an event to remember.

If you received funding in the past, were there funds leftover? If so, how were the funds utilized?

no

Program/Project Budget

Program/Project Name*

Shine Prom 2024

Total Project Budget:

Please provide a complete project budget list including personnel, promotion, supplies, services etc. The budget can be itemized below.

Item/Amount*

Food \$10000

Item/Amount

Decor \$5000

Item/Amount

Vendors \$7000

Item/Amount

Swag Bag/Gifts \$4000

Item/Amount

Background checks \$5000

Item/Amount

Event Supplies \$5000

Item/Amount

Item/Amount

Item/Amount

Item/Amount

Total Project/Program Budget:*

\$35,000

Please List Any Sources of Funding Secured*

Corporations \$12,000

To include any gifts and/or grants pledged or paid. If none received please enter N/A

Request for Additional Funding

The Town of Frederick has generously supported this event in years past. With these funds, as a community, we get to provide the best prom for our special needs community at no cost to the guest.

Thank you for your consideration.

If the request is for funds exceeding \$500.00 please explain why your organization has requested funding beyond the \$500.00 grant award.

Please including the following attachments for inclusion in your application.

Board of Directors and Key Staff noting any paid staff.*

Key Staff.pdf

IRS Determination Letter indicating Tax-Exempt Status of the Organization*

Tax Exempt Form.pdf

By signing below, I certify that all information is true and correct to the best of my knowledge.*

Date*

7/8/2024

Matt Cote

Signature

Rocky Mountain Christian Church

Key Staff

- Matt Cote
- Amanda Rohrbaugh
- Nic Carver
- Mitch Comstedt
- Dane Voorhees
- Josie Dill

Board of Elders

- James Wittler
- Joe Crisman
- Erle Mast
- Mark Birmingham
- Tim Jenkins

DR 0180 (07/92)
COLORADO DEPARTMENT OF REVENUE
1375 SHERMAN STREET
DENVER CO 80261

CERTIFICATE OF EXEMPTION FOR SALES AND USE TAX ONLY

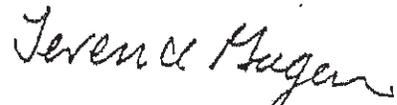
THIS LICENSE IS
NOT TRANSFERABLE

| USE ACCOUNT NUMBER for all references | LIABILITY INFORMATION | ISSUE DATE |
|--|-----------------------|-------------|
| 98-05751-0000 | 07 040 8661 N 080184 | JAN 27 1995 |

9447 NIWOT RD

LONGMONT CO

ROCKY MTN CHRISTIAN
CHURCH
ROCKY MTN CHRISTIAN
840942472
9447 NIWOT RD
LONGMONT CO 80503-8537



Executive Director
Department of Revenue



Town of Frederick Admin Report 8.13.24

Upcoming Board of Trustees Work Sessions:

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

- August 13, 2024 – Regular Meeting
- August 20, 2024 – Work Session (Cancelled)
- August 27, 2024 – Mini Retreat
- September 3, 2024 – Work Session (Cancelled)



Effective, Efficient & Strategic Government Operations

- Juston Marr, Parks and Open Space Specialist I, obtained his Landscape Technician Certification from the National Association of Landscape Professionals. The certification involves three separate courses, spanning nearly 80 hours of online work, along with three interim tests and a final comprehensive test.
- Communications & Engagement training:
 - Ongoing I.T. training
 - Staff attended a DiSC workshop on July 16th
 - 3CMA 60 Ideas in 60 Minutes webinar on July 18th
 - Harassment in the Workplace on July 18th
 - CivicPlus module webinar on July 23rd
 - TextMyGov demonstration on July 23rd
 - Active Shooter Preparedness webinar and certificate on July 25th



Community and Economic Vitality

- The Glow Ball Tournament on July 20th was cancelled due to heavy rain and wet golf course conditions.
- The second session of the beginner junior camp was hosted and had 30 total participants, and the second session of the intermediate junior camp was hosted and had 9 total participants.

Built on What Matters.

- Planning for the Santa Cops Golf Tournament being hosted on October 5th has begun. This tournament is a collaboration of the Carbon Valley police departments to raise money for the Santa Cops program.
- For 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, please follow these links to our [“What’s Developing”](#) map and webpage, [“Development Applications Under Review.”](#)



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
- ADA HB 21-1110 Compliance
 - Compliance – fix broken links on web pages
- Town Event Preparation – monthly meeting
 - Sponsor commitments for 2024 totaling \$83,850
 - 7 entries for the Miners Day Parade
 - 7 entries for the Miners Day Burro Race
 - 61 food vendor applications – food vendor spots are full
 - 130 market vendor applications – spots are full for Miners Day
- Community Tour & Talk on Wednesday, July 17th
 - Coordination with HOAs to distribute information about the event, catering, internal departments
 - Event survey sent to RSVP list
 - Video to share on social media
- Chainsaws & Chuckwagons on July 17th through 20th
 - 8 carvers showed off their talents for fantastic masterpiece carvings and three exciting quick carves
 - Partnership with Arts Committee in carving selection and pre-event meetings
- Preparation of Miners Day on September 21st
 - Recruitment of sponsors and volunteers
 - Burro, food truck, market vendor, entertainment, permits coordination
- Community Partnerships
 - FHS transportation meetings on July 18th and 24th
 - Carbon Valley Cares planning
 - Support IAFC Filming with Town of Frederick branding
 - Weld County LEPC Meeting on July 25th
 - Media
 - Facilitate interviews for Chainsaws and Chuckwagons
 - Field inquiries – Provide photo, video coverage of Chainsaws and Chuckwagons

- Town App
 - Process CRM submissions
- Website Updates:
 - Roadwork and detour project updates
- Interdepartmental Collaboration:
 - Roadwork updates
 - Stormwater projects
 - Water Conservation campaign
 - Open Space concept plan communications
 - Facilities Masterplan communications
 - PW building communications
 - Hiring
 - Roofing and active permit map communications
 - Water Rate Study results campaign
 - Milavec West Pump Station communications
- 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
 - Employee survey result consolidation
 - Process communications to residential neighborhoods



Strategic, Reliable and Sustainable Infrastructure

- The median landscape improvement project on Colorado Boulevard is nearing completion. This project included removal of all dead materials from the median and replacing them with new trees throughout. Irrigation and rock mulch / weed barrier systems were all inspected, repaired, and replaced throughout the area.
- Public Works Updates:
 - Backflow testing compliance continues, with a 99% compliance rate, two failed tests, two overdue tests, and one hydrant meter that has been leased out.
 - Crews are working on a water line lowering project in Prairie Greens. They recently installed a new valve on the north leg of the project after successfully shutting down the existing water line. Water crews also completed a pressure verification for a concerned resident on Saint Street.
 - Facilities staff recently installed a cage for security purposes in the basement of Town Hall.
 - Streets and Stormwater staff removed a downed tree behind Wetlands Drive, then mowed and cleaned up the area.
 - Public Works crews are still working on drainage around the Silverstone area and along Silver Birch.
 - Along with the Police Department, Public Works staff worked early on the morning of July 12th to clean the I-25 and Highway 52 overpass.
 - Due to the storm on July 20th, street sweeping operations are underway throughout Raspberry Hill, Eagle Valley, Summit View, Silverstone, Fox Run, No Name Creek, Moore Farm, the Farm subdivision, and downtown.

- New street signs have been installed in the Coal Ridge subdivision.
- Crews have been assisting the State with flooding on the frontage road just north of Highway 52.
- A new sidewalk and walkway have been installed across the drainage area in the Angel View subdivision along Wisdom Court.
- Asphalt patching has been completed along S. Hawthorne and Pinyon Street.
- A 4-way stop has been installed at the intersection of Wetland Loop and W. Conservation Drive.
- Crews have begun refreshing pavement markings on Tipple Parkway near Frederick High School for the start of the upcoming school year.
- Mosquito spraying operations throughout Town are continuing.



Safe and Secure

- Department directors recently met with Merrie Garner, the Carbon Valley Emergency Management Coordinator, in an effort to build familiarity and increase engagement and connection.
- Communications & Engagement:
 - PD Recruitment video script / footage
 - Attendance at PD Recruitment Fair on July 20th
 - National Night Out planning
 - Neighborhood Watch meeting on July 31st
 - Dog Walker Watch meeting on July 31st



Fiscally Responsible Governance

- Departmental budgets have been completed and submitted to the Finance Department for 2025.



Built On What Matters

TOWN OF FREDERICK

Board of Trustees

Staff Report

Tracie Crites, Mayor

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

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

List of Bills Report

Agenda Date: 08/13/2024 BOT Meeting

Attachments: 1. List of Bills Report

Reviewed By: Jason Leslie, Deputy Town Manager

Action Type

2) Administrative: Actions of routine nature that implement policies/directions or effectuate the functioning of government; such as contract approvals/granting of licenses and permits/etc.

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:

A monthly list of bills report is provided to the Board of Trustees for approval.

Detail of Issue/Request:

In an effort to provide the Board of Trustees, along with community members, with a transparent and fiscally responsible approach to expenditures, the Finance department generates a monthly list of bills reported from our financial system. This report provides the monthly expenditures related to operations and maintenance and capital improvement projects.

Legal Comments:

Not Applicable

Alternatives/Options

The Board of Trustees can approve or deny approval of the list of bills report.

Financial Considerations

Expenditures listed in the list of bills report are within budgeted appropriated funds for operations and maintenance or capital improvement projects.

Staff Recommendation

Staff recommends approval of the list of bills report.

Community Impact

Provides community transparency and fiscal responsibility with use of taxpayer dollars.

Town of Frederick - List of Bills
June 21, 2024 - July 25, 2024

| | | |
|--|--|------------|
| 1800DRYCLEAN NORTH METRO DENVER | Uniform cleaning services | 217.23 |
| 3CMA | Annual Conference registration | 760.00 |
| 4 RIVERS EQUIPMENT LLC | Equipment maintenance supplies | 805.84 |
| 7-ELEVEN INC | Restitution | 17.00 |
| A FAST PATCH INC | Asphalt patching supplies | 7,872.30 |
| AAA PEST PROS LLC | Pest control | 270.00 |
| ABLAO LAW LLC | Frederick Municipal Court Services | 460.00 |
| ACE HARDWARE OF FIRESTONE | Supplies | 457.26 |
| ACUSHNET COMPANY | Golf shop merchandise | 2,350.16 |
| ADAM MARCOVICH | Debris disposal | 500.00 |
| ADAMS COUNTY REGIONAL ECONOMICAL | Annual Membership Dues/State of the Region | 2,625.00 |
| ADAMSON POLICE PRODUCTS | Police uniforms | 5,497.80 |
| ADIDAS AMERICA INC | Golf shop merchandise | 167.86 |
| AGFINITY | Fuel - PW Onsite Diesel | 16,049.33 |
| AIRBOUND INC | Chainsaws and Chuckwagons inflatables | 1,754.00 |
| ALL IN ONE PROFESSIONAL SERVICES LLC | Interpreting services | 301.75 |
| AMERICAN ARBORIST SERVICE | Tree removal - FRA | 900.00 |
| AMERICAN EAGLE DISTRIBUTING | Beverage order for restaurant | 608.28 |
| AVI PC | Colorado Blvd & Bella Rosa Drainage Projects | 1,703.00 |
| BANNER NORTH COLORADO MED CTR | SANE exam | 311.00 |
| BARNARD STRUCTURES INC | 2024 Milavec Lake West Pump Station Addition | 91,673.87 |
| BBC RESEARCH & CONSULTING | Impact Fee Study | 1,402.00 |
| BETTER BUSINESS CLEANING | Monthly cleaning service | 6,356.00 |
| BIG M JANITORIAL INC | Frederick Way property maintenance | 600.00 |
| BLACK HILLS ENERGY | Natural gas utility | 417.36 |
| BMI GENERAL LICENSING | Annual music license fee | 435.00 |
| BRIAN R CHASE | Frederick in Flight pilot travel money | 150.00 |
| CAIN ARMS | Police equipment | 153.90 |
| CALEB SHARP | Cash bond return | 250.00 |
| CAPITAL BUSINESS SYSTEMS INC | Town copier lease program | 3,007.91 |
| CARBON VALLEY CHAMBER OF COMM. | Annual Golf Tournament | 1,360.00 |
| CARD AND FORM SOLUTIONS INC | Golf shop supplies | 223.73 |
| CARRIAGE HILLS DEVELOPMENT INC | Public improvements - Maple Street | 192,839.75 |
| CENTRAL WELD COUNTY WATER DIST | Water purchased | 266,533.75 |
| CENTRAL WELD CTY WATER DIST | Plant Investment fee reimbursement | 144,000.00 |
| CERVANTES CONCRETE | Concrete work - walkway and curb repair | 24,500.00 |
| CHARLES SANDIFER | Mileage reimbursement | 230.48 |
| CHRIS FOLTZ | Chainsaws & Chuckwagons carver payout | 5,225.00 |
| CINTAS CORPORATION | PW mat service and uniforms | 569.52 |
| CLARITY MATTERS CONSULTING LLC | DiSC Workshops | 5,000.00 |
| COLORADO BARRICADE CO | Street signs | 975.00 |
| COLORADO MATERIALS INC | Landscape materials | 2,533.20 |
| COLORADO TECHNOLOGY CO | Technology upgrade to board chambers | 7,787.00 |
| COMCAST CABLE | Internet service for Town facilities | 924.54 |
| COMCAST PHONE | Town wide internet service | 2,655.00 |
| COMMUNITY COUNSELOR INC | Counseling services | 500.00 |
| CORKAT DATA SOLUTIONS LLC | Computer equipment & IT services | 14,763.00 |
| COSTAR REALTY INFORMATION INC | Monthly subscription | 616.55 |
| CUTTER & BUCK INC | Golf shop merchandise | 152.01 |
| DANA KEPNER CO | Water meter supplies | 28,104.29 |
| DATASHIELD CORPORATION | Document Shredding | 103.50 |
| DENVER REGIONAL COUNCIL OF GOVERNMENTS | Membership Contribution | 7,100.00 |
| DOOLEY ENTERPRISES INC | Police supplies | 15,899.93 |
| DUNAKILLY MANAGEMENT GROUP CORP | Owner's representation services | 5,400.00 |
| E & G TERMINAL INC | Equipment maintenance supplies | 1,551.96 |
| ELDORADO ARTESIAN SPRINGS INC | Water delivery service | 230.80 |
| ELEMENT WATER CONSULTING INC | Water Engineering Services | 45,754.50 |

Town of Frederick - List of Bills
June 21, 2024 - July 25, 2024

| | | |
|-----------------------------------|---|-----------|
| ELEVATED FIRE SUPPLY | Town vehicle safety system | 4,031.67 |
| EMPLOYMENT LAW SOLUTIONS INC | Harassment Prevention training | 700.00 |
| ENGLAND THIMS & MILLER INC | GIS & Asset Management Services | 930.00 |
| ENTERPRISE FM TRUST | Vehicle lease program | 60,040.57 |
| ENVIRO GAS LLC | Frederick in Flight propane | 3,392.15 |
| ERIC PETERSON | Chainsaws & Chuckwagons musician | 375.00 |
| EXPRESS SERVICES INC | Golf Shop Associate - Temp employee | 10,810.53 |
| EXXON MOBIL | Restitution | 40.00 |
| FACTORY MOTOR PARTS CO | Vehicle maintenance supplies | 245.72 |
| FAIRFIELD AND WOODS PC | Legal services | 10,720.00 |
| FARNSWORTH GROUP INC | Architectural Planning Services | 32,497.93 |
| FBI-LEEDA | Master PIO Training | 795.00 |
| FERTECH INDUSTRIES LLC | Equipment maintenance | 408.55 |
| FLEXX PRODUCTIONS LLC | Chainsaws & Chuckwagons event rentals | 4,609.64 |
| FOOD TRUCK AVENUE | Employee event catering/FIF meal voucher reimbursement | 2,886.83 |
| FORSGREN ASSOCIATES INC | Non-Potable Water Infrastructure Master Plan | 43,925.65 |
| FREEDOM MAILING SERVICES LLC | Water Quality Report mailing | 1,821.12 |
| FUTURELINK INC | Camera system maintenance | 177.25 |
| G & G EQUIPMENT INC | Stormwater supplies | 290.65 |
| GARRETSONS SPORTS CENTER | Police name tags | 234.00 |
| GENERAL AIR | Shop supplies | 23.51 |
| GEORGIA BOYS BBQ INC | Frederick in Flight meal voucher reimbursement | 28.56 |
| GEORGIA BOYS SMOKEHOUSE | Community Tour & Talk catering | 1,524.09 |
| GEOTAB USA INC | Membership & support | 1,578.50 |
| GOLF & SPORT SOLUTIONS LLC | Gold course maintenance supplies | 1,975.50 |
| GOLF ASSOCIATES SCORECARD COMPANY | Golf course scorecards | 1,223.27 |
| GREEN MILL SPORTMAN'S CLUB | Range use | 600.00 |
| GREEN MOUNTAIN PROMOTIONS | Frederick in Flight pilot and sponsor gifts/name plates | 850.34 |
| GUS'S GOODIES | Snacks for restaurant | 340.00 |
| HEADSTRONG COUNSELING LLC | Counseling services | 100.00 |
| HELENA AGRI ENTERPRISES LLC | Golf course fertilizer application | 11,480.12 |
| HIGH COUNTRY BEVERAGE | Beverage order for restaurant | 1,880.45 |
| HIGHER GROUND CONSULTING INC | Executive Level/Leadership Coaching | 3,500.00 |
| HOME DEPOT CREDIT SERVICES | Supplies | 852.37 |
| HR ADVANTAGE GROUP | HR Professional Services | 5,625.00 |
| IMAGEFIRST HOSPITALITY | Linen service for restaurant | 351.31 |
| INFOSEND INC | Utility billing statements and notices/Newsletters | 7,896.59 |
| INNOVATE! INC | GIS Support | 7,079.74 |
| INTERSTATE FORD | Vehicle maintenance supplies | 249.58 |
| JAMES L ABRAMS LLC | Legal services | 17,771.61 |
| JAMES MATTHEW OUNSWORTH | Chainsaws & Chuckwagons carver payout | 3,460.00 |
| JAMIN KATZER | Frederick in Flight skydiving fee and jumps | 3,000.00 |
| JASON ALGER | Chainsaws & Chuckwagons carver payout | 2,687.50 |
| JC GOLF ACCESSORIES | Golf shop merchandise | 1,122.47 |
| JOE KNIGHT | Chainsaws & Chuckwagons auctioneer | 600.00 |
| JOHN CUTLER & ASSOCIATES | Final billing for audit year ending Dec 2023 | 2,000.00 |
| JOHN DEERE FINANCIAL | PW uniforms | 519.99 |
| JOHN S. WEEKS | Chainsaws & Chuckwagons musician | 500.00 |
| JOSE SERRANO | Hydrant Meter Deposit refund | 4,500.00 |
| JOSEPH ELLIOTT USA LLC | Golf shop merchandise | 493.14 |
| JUAN HERRERA | Restitution | 200.00 |
| JUB ENGINEERS INC | Silver Birch & Bella Rosa Intersection Design | 3,001.70 |
| JUSTIN DRIVER | Chainsaws & Chuckwagons carver payout | 4,937.50 |
| KATY PRESS | Retail Consulting Services | 2,400.00 |
| KEVIN BROWN | Reimbursement for apparel | 187.77 |
| KINSCO LLC | Police uniforms | 368.99 |
| KYLE A RICHARDS | Livestream BOT meetings | 150.00 |

Town of Frederick - List of Bills
June 21, 2024 - July 25, 2024

| | | |
|--|---|------------|
| L & M ENTERPRISES INC | Contracted mowing | 1,792.00 |
| L.L. JOHNSON DISTRIBUTING COMPANY | Irrigation heads for golf course | 2,500.56 |
| LAURIE DAMERON | Chainsaws & Chuckwagons musician | 650.00 |
| LETS VAQ CO LLC | Chainsaws & Chuckwagons event beverages | 1,078.92 |
| LIGHTING, ACCESSORY & WARNING SYSTEMS LL | Police vehicle maintenance | 2,665.65 |
| LUKE JOHNSON | Reimbursement for training expenses | 37.50 |
| MADISON BERGMAN | Reimbursement for supplies/Travel per diem | 329.73 |
| MARTIN R ADIE | Frederick in Flight lodging reimbursement | 138.00 |
| MASEK GOLF CAR COMPANY | Parts for equipment repair | 243.63 |
| MBI MEDICINE FOR BUSINESS AND INDUSTRY | DOT - drug and alcohol screening | 136.44 |
| MIKE MAROONE CHEVROLET BUICK GMC LONGMON | Vehicle repairs | 300.95 |
| MILE HIGH GOLF CARS | Event golf cart rental | 468.56 |
| MILE HIGH SHOOTING ACCESSORIES LLC | Police supplies | 6,552.33 |
| MINT GREEN GROUP USA | Golf shop merchandise | 285.35 |
| MIRROR IMAGE BREWING COMPANY | Beverage order for restaurant/Event beer | 2,520.00 |
| MOSES WITTEMYER HARRISON & WOODRUFF PC | Legal services | 34,655.67 |
| MOUNTAIN TRUCK & EQUIPMENT | Vehicle maintenance supplies | 72.00 |
| NARANJO CIVIL CONSTRUCTORS INC | Colo Blvd & Bella Rosa Pkwy Drainage Improvements | 646,853.80 |
| NATHAN H HALL | Chainsaws & Chuckwagons carver payout | 3,800.00 |
| NEOGOV | Government Jobs - 12 month subscription | 2,001.00 |
| NICK SMITH CARVINGS LLC | Chainsaws & Chuckwagons carver payout | 3,300.00 |
| O & O ENTERPRISES | Events meal voucher reimbursement | 311.00 |
| OCCUPATIONAL HEALTH CENTERS | Pre-Employment Screenings/Return to Work testing | 280.00 |
| ORIGINAL BY GREEKS LLC | Event meal voucher reimbursement | 345.87 |
| PAUL C BENEDETTI | Legal Services | 2,820.00 |
| PAUL DIKES GLASS INC | Windshield replacement | 1,240.00 |
| PEEL HANDCRAFTED PIZZA, EDGE GOURMET | Community Tour & Talk catering/Event meal voucher reimbursement | 1,780.85 |
| PETTY CASH | Event start money/Petty cash replenishment | 1,739.00 |
| PHILIP BRYANT | Frederick in Flight - Pilot travel money | 150.00 |
| PHILIP KAJEMUSUK | Chainsaws & Chuckwagons carver payout | 2,175.00 |
| POLICE AND SHERIFFS PRESS INC | Photo ID | 17.60 |
| PORTER FOLTZ | Chainsaws & Chuckwagons carver payout | 1,525.00 |
| PRAIRIE MOUNTAIN MEDIA | Publishing costs | 1,749.02 |
| PREMIUM EVENT STAFFING | Event staffing | 7,379.55 |
| PRINT EXPERTS | Hiring brochures, event posters and ACFR manuals | 990.62 |
| PRO GOLF REPAIR LLC | Pro Golf Services | 3,709.20 |
| PSYCHOLOGICAL DIMENSIONS | Fit for duty evaluation | 4,031.25 |
| RAMEY ENVIRONMENTAL COMPLIANCE | ORC Services Distribution System | 245.56 |
| RB B ARCHITECTS INC | Public Works Facility Project | 171,421.00 |
| RED DOG RADIOS LLC | Equipment maintenance supplies | 295.40 |
| REDI SERVICES LLC | Event porta johns and handwashing stations | 6,025.00 |
| REIF & HUNSAKER PC | Legal services | 168.00 |
| RESOURCE CENTRAL | Lawn Removal Program | 950.00 |
| RICK ENGINEERING COMPANY - COLORADO | Frederick comprehensive plan and engineering services | 69,201.44 |
| RINGCENTRAL INC | Town phone system | 3,876.32 |
| ROCKY MOUNTAIN AWARD & TROPHY | Chainsaws & Chuckwagons carver awards | 131.00 |
| SAFEWAY | Supplies for oral boards | 311.13 |
| SHEILA BRODERICK | Market vendor refund | 50.00 |
| SIGNARAMA | Chainsaws & Chuckwagons event signs | 458.00 |
| SIMPLOT PARTNERS | Golf course maintenance supplies | 630.00 |
| SOIL HORIZONS | Standard irrigation water | 150.00 |
| SOLITUDE LAKE MANAGEMENT LLC | Milavec Water Quality Improvements | 13,384.00 |
| SRIXON CLEVELAND GOLF XXIO | Golf shop merchandise | 1,137.44 |
| STOP STICK LTD | Police equipment | 3,002.00 |
| STUDIO 37 PHOTOGRAPHY LLC | Business branding photography | 1,200.00 |
| STURGEON ELECTRIC COMPANY INC | Traffic signal maintenance | 2,570.63 |
| SWIRE COCA-COLA USA | Beverage supplies for restaurant | 1,220.65 |

Town of Frederick - List of Bills
 June 21, 2024 - July 25, 2024

| | | |
|--|--|----------------------------|
| SYSCO DENVER | Restaurant supplies | 872.70 |
| TELOS ONLINE INC | Back-up link | 75.00 |
| THE SHERWIN-WILLIAMS CO | Supplies | 165.55 |
| THE SJS OLSON GROUP LLC | Renogize Coaching Sessions | 3,000.00 |
| THE TREE FARM | Tree voucher program | 7,878.91 |
| TIM OSTDIEK | Chainsaws & Chuckwagons musician | 300.00 |
| TLO LLC | Investigation fees | 220.40 |
| TRAFFIC SIGNAL CONTROLS INC | Traffic signal supplies | 905.00 |
| TRANSWEST TRUCK | Equipment maintenance supplies | 85.34 |
| TRAVISMATHEW LLC | Golf shop merchandise | 223.52 |
| TRUEPOINT SOLUTIONS LLC | Configuration and Analysis/On-call support | 2,584.33 |
| TWIN PEAKS GARAGE DOORS LLC | Garage door repair | 1,945.00 |
| TYLER TECHNOLOGIES | Insite transaction fees/UB notifications and calls | 16,645.15 |
| U.S. POSTAL SERVICE (CMRS-FP) | Postage for meter machine | 500.00 |
| UMB BANK, NA | Annual Agent fee | 300.00 |
| UME CUSTOM EMBROIDERY & IMPRINTING LLC | Chainsaws & Chuckwagons event shirts | 795.50 |
| UNITED POWER | Electrical relocate/Electric utility | 33,993.95 |
| UNITED STATES TREASURY | Q4 2023 Form 720 - Excise Tax Return | 614.30 |
| UNIVERSITY AUTO PARTS INC | Vehicle and equipment maintenance supplies | 1,599.98 |
| UPPER CASE PRINTING, INK. | Printing services for Water Quality Report | 260.10 |
| UPSTATE COLORADO ECONOMIC DEVELOPMENT | Annual community partners investment | 15,000.00 |
| UTILITY NOTIFICATION CENTER OF COLORADO | Water locates | 703.05 |
| VAN DIEST SUPPLY COMPANY | Maintenance supplies | 1,424.00 |
| VECTOR DISEASE CONTROL INTERNATIONAL LLC | Mosquito Control | 9,140.43 |
| VERIZON WIRELESS | PD MDTs and cell phones | 9,068.08 |
| VIA MOBILITY SERVICES | Transportation | 5,400.00 |
| VOLVIK | Golf shop merchandise | 270.76 |
| VORTEX OPTICS | Police equipment | 6,749.75 |
| WASTE CONNECTIONS OF COLO INC | Monthly trash & recycle service | 1,005.00 |
| WEAR PARTS & EQUIPMENT CO INC | Equipment maintenance supplies | 1,170.23 |
| WELD COUNTY DEPARTMENT OF PUBLIC | Water testing | 755.50 |
| WELD COUNTY INFORMATION TECHNOLOGY | Computer Software - RSA Tokens | 2,325.00 |
| WEX BANK | Fuel | 700.12 |
| WILLDAN FINANCIAL SERVICES | Water Rate Study | 9,240.00 |
| WTC-WICKHAM TRACTOR CO | Equipment maintenance supplies | 273.20 |
| YAMAHA MOTOR FINANCE CORP USA | Golf cart fleet lease/Range picker lease | 5,387.39 |
| | Total | <u>2,356,230.08</u> |



Town of Frederick Board of Trustees

Meeting Minutes

July 23, 2024

Work Session 5:00 PM

- A. Raw Water Master Plan Update
- B. Combined Board of Trustees and PROST Commission 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 Board of Trustees. Please sign in and you will be called. 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.

None

Staff Reports

- C. Administrative Report -
Bryan Ostler, Town Manager

Town Manager Bryan Ostler congratulated on the work the Communications Team did on the Chainsaws and Chuckwagon event, along with staff from all departments and the work with the Arts Committee.

Town Manager Bryan Ostler mentioned the 8/30 board work session as a 5th Tuesday.

Assistant Town Manager Ryan Johnson provided updates on streamlining resources is the Admin report shifting the development table to a link to the GIS map of the current up-to-date information.

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.

No discussion on consent agenda items. None were removed for separate discussion. The board had Brian newly appointed to the Historic Preservation Committee, introducing him following the motion.

- D. Approval of Minutes
- E. Board, Commission, and Committee Appointments - Emily Nitcher, Deputy Town Clerk
- F. Carbon Valley Help Center Community Grant Funding Request - Emily Nitcher, Deputy Town Clerk

Discussion Item

- G. Bella Rosa Construction Project Action Plan Discussion - Bryan Ostler, Town Manager

Engineering Director Kevin Ash provided an update on the project.

Community feedback from the meeting at Bella Rosa with No Name Creek residents. There was the need for additional stop signs, creating a 4-way stop to provide safety and additional advantages in the area. There were some temporary speed bumps but the delay to get ordered and installed, which was not warranted due to the length of the project remaining and cost.

Additional variable message boards on Silver Birch were explored and limited to where ditches and town have right of way access. Put one out near the frontage road stating No Colorado Blvd access. Moved the current on East on Bella Rosa stating No Colorado Blvd access prior to having traffic being forced into the neighborhood.

The volume has decreased from residents and police department patrolling the area.

Staff will routinely continue monitoring signs every day to make sure they are not moved or impacted by weather issues.

Mayor and Trustee Reports

Trustee Lamach - Complement the town on Chainsaws and Chuckwagons along with the Community Tour and Talk events last week.

Mayor Pro Tem Brown - Arts commission is going on a tour this week for the placement of 4 of the carvings from the event.

Trustee March - Thank everyone for the flower arrangement and support from the board and town.

Trustee Padia - DRCOG got a pollution reduction grant. Will meet with the director on how the grant can be applied to the communities within DRCOG. Will bring more details. 2026 USA 250 and Colorado 150 birthday. Looking at grants to celebrate this milestone. The town should jump on that.

Town Attorney Jason Meyers brought forward board discussion and some direction from the request brought up earlier from public comment. National night out is in August. 2025 budget process will be established.

Executive Session

- H. For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding Water Resume Discussion

Opened at 8:44PM

Attorney / Client Privilege recording stops at 8:45PM

Recording starts again at 9:31pm

This executive session ended at 9:31pm

Motion to take direction provided in executive session.

- I. For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding Lower Boulder Change Case Update

Opened at 9:34PM

Attorney / Client Privilege recording stops at 9:35PM

Recording starts again at 10:27PM

This executive session ended at 10:27pm

Adjournment

Approved by the Board of Trustees:

ATTEST:

Tracie Crites, Mayor



Built On What Matters

TOWN OF FREDERICK Board of Trustees Staff Report

Tracie Crites, Mayor

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

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

Ordinance No. 1394 Consideration of the Silverstone Commons Final Development Plan

Agenda Date: 08/13/2024 BOT Meeting

- Attachments:**
1. Letter of Intent
 2. Location Map
 3. Zoning Map
 4. Final Development Plan
 5. PCR-2024-02
 6. Ordinance No. 1394

Reviewed By: Jason Leslie, Deputy Town Manager

Action Type

3) Quasi-Judicial: Actions of a specific nature or impact to a property interest that require an evidentiary hearing; such as land use applications; may be approved by ordinance or resolution as applicable.

Strategic Plan Alignment:

Community and Economic Vitality – Continue implementing our retail attraction strategy to target regional and destination opportunities, traditional and non-traditional grocers, and sit-down eating establishments.

Summary Statement:

The applicant is proposing a final development plan, which establishes the development standards for the Silverstone Commons project area.

Detail of Issue/Request:

Applicant: Evergreen Devco, Inc.

Owner: Evergreen-HWY 52 & William Bailey LLC

Location and Zoning: The property is generally located at the Northwest intersection of Colorado State Highway 52 and William Bailey Avenue. The property is zoned C-H52 (Mixed Use Highway 52 District) with PUD Overlay. The project area is ~4.5 acres in size. See *Figure 1 for Location Map.*

Surrounding Land Uses and Zoning:

North:

- *Land use: Neighborhood Park*
- *Zoning: R-1 (Residential Low Density) with PUD overlay (Planned Unit Development)*

South:

- *Land use: Weld County Household Hazardous Waste Disposal Facility and vacant commercial building*
- *Zoning: AG-agricultural in Weld County and PUD – Planned Unit Development in the City of Dacono*

West:

- *Land use: Single-family homes (Silverstone Filing No. 1)*
- *Zoning: Zoning: R-1 (Residential Low Density) with PUD overlay (Planned Unit Development)*

East:

- *Land use: Vacant property and Circle K gas station*
- *Zoning: C-H52 (Mixed Use Highway 52 District) with PUD overlay – Planned Unit Development*

Historic Background Information:

- The subject property was annexed into the Town of Frederick in 1990 as part of the Dacono Investment CO Property Annexation.

- The Silverstone Preliminary Development Plan (formally the Miner’s Village preliminary development plan) was approved in 2008 and included a large commercial component which is where the subject property is located.
- The subject property was platted in 2010 as part of Tract A of the Miner’s Village Filing No. 1 Subdivision Amendment Plat and re-platted in 2018 as Lot 1 of the Silverstone Filing No. 1 subdivision.
- This project area is not part of an urban renewal area.

Request:

Silverstone Commons is a proposed retail center located at the northwest corner of Colorado State Highway 52 and William Bailey Avenue. The final development plan application area is approximately 4.5 acres in size. This project is located directly west of Silverstone Marketplace which was platted in 2023. A final development plan and the King Soopers site plan have been approved for Silverstone Marketplace. Silverstone Commons is a separate development area with a similar entitlement process.

The applicant is proposing a final development plan, which establishes the development standards for the Silverstone Commons project area. There are no plats or site plans submitted at this time. Any subsequent applications will need to meet the standards contained in any approved final development plan for Silverstone Commons.

Final Development Plan:

The PDP (preliminary development plan) for Silverstone was approved in 2008. The subject property was included in that plan as Planning Area VI, which anticipated more than 300,000 SF of commercial uses and potential residential. This FDP (Final Development Plan) application proposes to carry over most of the development standards from the PDP while also creating new standards. This FDP contains the following provisions:

1. General development standards
2. Parking standards
3. Landscaping standards
4. Buffering and screening standards
5. Easement and utility standards
6. Building design and character standards
7. Lighting standards
8. Use standards
9. Dimensional standards
10. Sign standards

Preliminary and final development plans are common planning processes used when the strict application of a land use code prohibits specific types of development from occurring. In this case, large commercial retail centers require tailored development standards that the Town of Frederick Land Use Code does not currently provide. Town Staff worked closely with the applicant as the applicant created a final development

plan that has been determined to meet the needs of the project and that Town Staff has determined will, in general, result in high quality development that advances the goals of the community.

This final development plan is similar to the Silverstone Marketplace Final Development but does propose stricter requirements for parking and buffering uses. The Silverstone Commons FDP proposes to permit all automotive uses which are listed in the Land Use Code and approved PDP. This includes uses such as Light Motor Vehicle Repairs/Service and Motor Vehicle Wash. The Land Use Code contains “Residential Protection Standards” which prohibit automotive uses from developing within this project area. The current Code standards require a 250 or 500 foot buffer between automotive uses and residential zones. There are six existing single-family homes abutting this area to the west.

The applicant is proposing alternative buffering standards for any potential automotive use in the project area. The applicant is proposing a required 20-foot landscape buffer between any automotive use and residential use which shall include trees and shrubs. 50% of the trees and shrubs shall be evergreens. The existing residential protection buffer requirements do not require any landscaping, they are simply a distance requirement. The applicant is also proposing a 10-foot landscape buffer between all other uses and residential uses.

The final development plan also contains provisions for enhanced setbacks for the Motor Vehicle Wash use. The applicant is proposing a 50-foot setback from residential uses for car wash parking and equipment and a 60-foot setback for car wash buildings. The applicant is anticipating a car wash to develop within this project area and has proposed specific buffering standards for such use.

Review Criteria:

Section 4.9.2.c of the Town of Frederick Land Use Code sets forth the following review criteria for the proposed Final Development Plan:

1. The Final Development Plan is substantially consistent with the preliminary development plan as approved by the Board of Trustees.

Staff comment: The FDP is substantially consistent with the approved PDP. The applicant has amended many provisions from the PDP, but each amendment is in line with the original intent of providing a high-quality development.

2. All preliminary development plan conditions of approval have been adequately addressed on the final development plan.

N/A

Legal Comments:

The application has been reviewed by the Town Attorney and no outstanding comments or concerns have been identified.

Alternatives/Options

Approval:

I move to approve Ordinance No. 1394, which approves the Silverstone Commons Final Development Plan.

Approval with Conditions:

I move to approve Ordinance No. 1394, which approves the Silverstone Commons Final Development Plan with the following conditions: (list conditions)

Denial:

I move to approve Ordinance No. 1394, which denies the Silverstone Commons Final Development Plan.

Financial Considerations

N/A

Staff Recommendation

Staff recommends the Town Board of Trustees approve the Silverstone Commons Final Development Plan.

Planning Commission Recommendation: On June 20, 2024, the Planning Commission held a public hearing and voted to recommend approval with conditions to the Board of Trustees with a vote of 4 yes, 0 no. The condition of approval is "The applicant shall work with staff to add additional buffering and screening". The Planning Commission expressed they would like to see landscaping placed in strategic areas to help buffer future commercial uses from existing residential uses.

Community Impact

This project was properly noticed according to the requirements found in C.R.S. §24-6-402(2)(c). A properly noticed neighborhood meeting was held on February 21, 2023. Several residents from Silverstone attended. There were more questions than comments. Questions included what users were moving in, where is access coming from, what is the timeframe for development, etc. There were no comments in opposition to the overall commercial concept for Silverstone.

At the time of writing this staff report, no written or verbal public comment has been submitted to staff. During the Planning Commission public hearing, one resident did provide public comment. Their concerns were centered around traffic and vehicular speed on surrounding streets and not specific to the Silverstone Commons Final Development Plan.

August 23, 2023
Town of Frederick - Community Planning and Development
401 Locust St.
Frederick, CO 80530

Re: Silverstone Commons – Final Development Plan

Request:

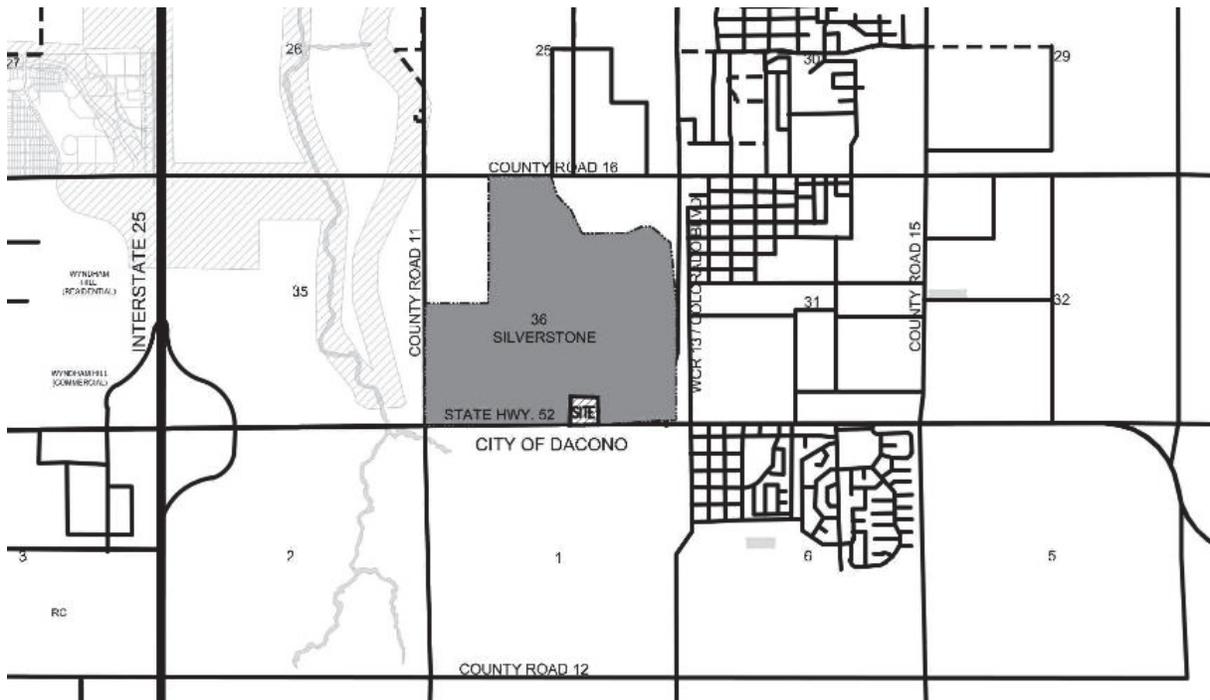
Galloway on behalf of Evergreen Development requests approval of a Final Development Plan for approximately 4.579 acres within the Silverstone Site PDP.

Site Details:

TSN: 131336409001
Address: 5351 Highway 52
Acreage: Approx. 4.579
Current Zoning: Mixed Use – Highway 52 (C-H52) with PUD Overlay
Current Use: Vacant

Location

The approximately 4.579-acre site is located on the northwest corner of Highway 52 and William Bailey Ave. The site is part of the approved Silverstone Preliminary Development Plan Amendment #3 and Silverstone Filing No. 1 site within the Town of Frederick, Colorado.



Project Description & Context:

The Applicant seeks to develop the property as a commercial/retail project that is cohesive with the adjacent commercial / mixed use property to the east. The following responds to the requirements for a Letter of Intent and Review Criteria Analysis as identified within Table A-3 of Appendix A in the Town of Frederick Land Use Code for Final Development Plan Review.

The project proposes a commercial retail development complimentary to the proposed commercial center to the east and will be subordinate to the residential uses to the west. The project is in general conformance with the approved Silverstone Preliminary Development Plan proposing commercial uses along Highway 52 within PA VI. The proposed development will generate sales tax and jobs. The commercial development will provide complementary and support services for existing developments within the Town of Frederick and surrounding communities.

The following sections provide the written descriptions in conformance with Subsection (2)(b) of Section 4.9 for Final Development Plans:

Subdivision Regulation Exceptions

The Final Development Plan is in general conformance with existing subdivision regulations and as identified in the recently approved Silverstone Preliminary Development Plan. All additional standards and land use criteria modifications for the development is included as part of the proposed application.

Modifications and/or Restrictions

The Final Development Plan proposes minor modifications to the existing approved Silverstone Preliminary Development Plan Amendment #3 and are noted in red in the attached plan set. These modifications are in large alignment with Article 2 of the Community Design Principles and Development Standards identified in the Town Land Use Code. These modifications seek to provide a consistent design approach through the mixed use site that provides consistent site and landscape improvements for a successful and thoughtful development approach. The proposed land uses within the Final Development Plan support the intent and standards of the Mixed Use Highway (C-H52) District by providing a diverse range of regional and local commercial services, and a transition from the adjacent highway to lower density residential to the north. The proposed Final Development Plan incorporates safe and convenient multi-modal circulation supporting design that accommodates pedestrians through comprehensive sidewalk network and trail connections. An existing 8 foot sidewalk meanders along Highway 52 connecting to sidewalk along William Bailey Ave. The sidewalk along William Bailey Ave adjacent to the site provides connection to the park to the north.

Benefits

The benefits of existing modifications and restrictions are discussed in the approved Silverstone Preliminary Development Plan Amendment #3. The modifications listed with the noted application for a Final Development Plan propose changes in alignment with the current Article 2 of the Community Design Principles and Development Standards identified in the Town Land Use Code and approved Silverstone Preliminary Development Plan Amendment #3. These modifications provide flexibility and consistency for the project in support of a unified overall development.

Compatibility with Existing and Proposed Adjacent Neighborhoods

The site is compatible with the land uses proposed in the Silverstone Preliminary Development Plan Amendment #3 and those found on adjacent properties. The properties to the west are medium density residential developments. The properties to the north include parkland, planned mixed use residential, community commercial and low density residential development. The property to the east includes downtown Frederick, parks and open space, planned downtown commercial and Highway 52 commercial. The property to the south is the City of Dacono and includes existing single family development and planned commercial.

The proposed commercial uses will be a supporting land use type to the surrounding Single-Family Detached Residential and compliment the proposed commercial to the east. The proposed commercial uses will be subordinate to the surrounding single-family residential uses, compliment existing and proposed commercial uses and acts as a buffer and transition from William Bailey Ave and Highway 52 to the residential neighborhoods and park. The site layout and architectural design will provide visual appeal and consistency with the Silverstone Marketplace creating a cohesive commercial frontage along Highway 52.

Review Criteria:

The Final Development Plan request is consistent with the criteria in Subsection (2)c of Section 4.9 as follows:

1. The final development plan is substantially consistent with the preliminary development plan as approved by the Board of Trustees.

The final development plan proposes a mix of commercial/retail uses that support the intent of the approved Silverstone Preliminary Development Plan amendment #3 as approved by the Board of Trustees.

2. All preliminary development plan conditions of approval have been adequately addressed on the final development plan.

The final development plan addresses all preliminary development plan conditions of approval.

Project Contact(s):

Consultant:

Galloway & Company Inc.
5500 Greenwood Plaza Blvd, Suite 200,
Greenwood Village, CO 80111
(719) 900-7220

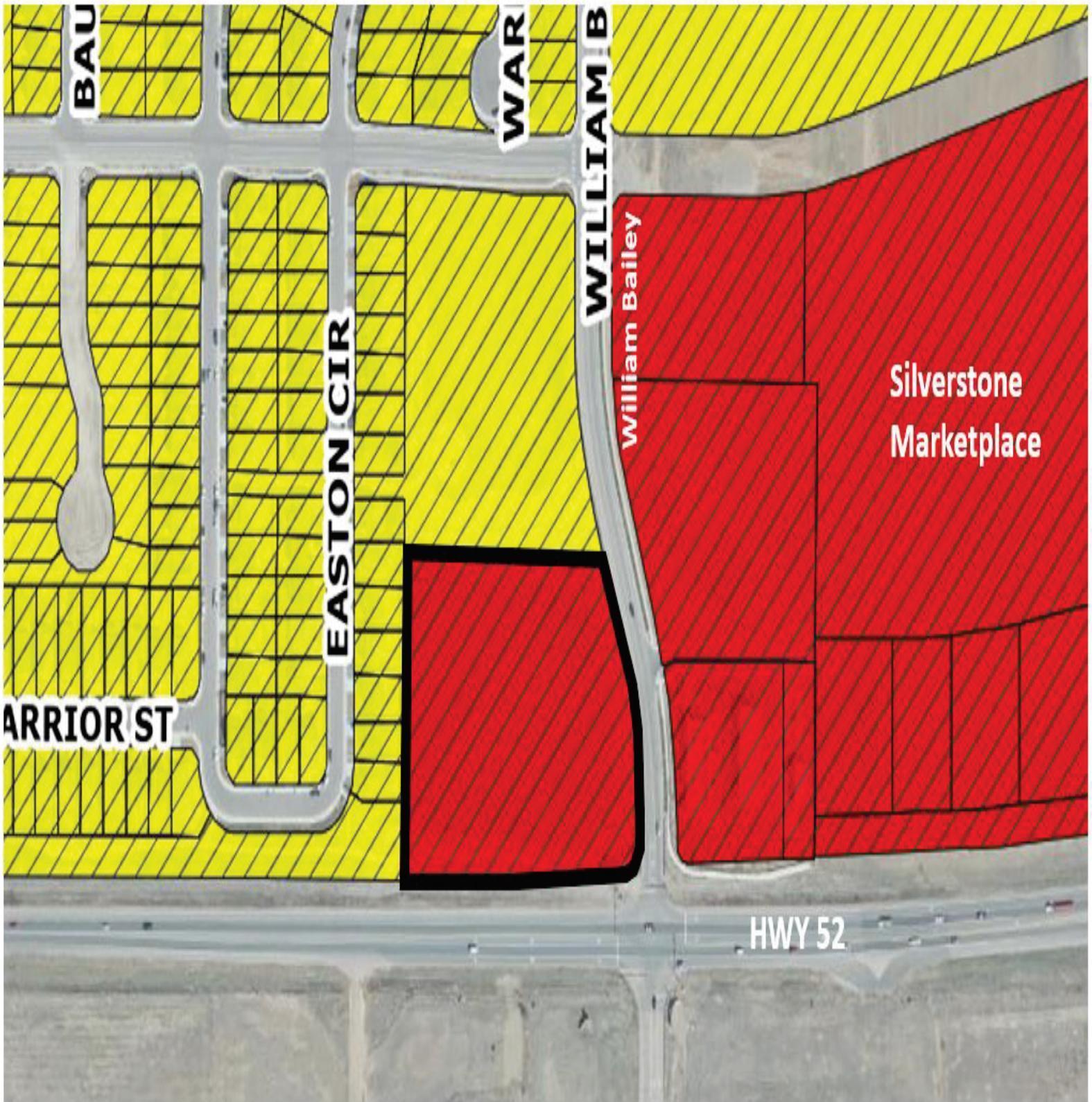
Owner /Applicant:

Zach Lauterbach
Vice President
Evergreen Devco Inc.
2390 East Camelback Rd, Suite 410
Phoenix, AZ 85016
(602) 808-8600

LOCATION MAP



Zoning Map



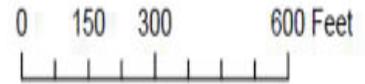
Legend

Project Area

PUD-O Planned Unit Development Overlay District*

Zoning Code C-H52 R-3

C-C R-1

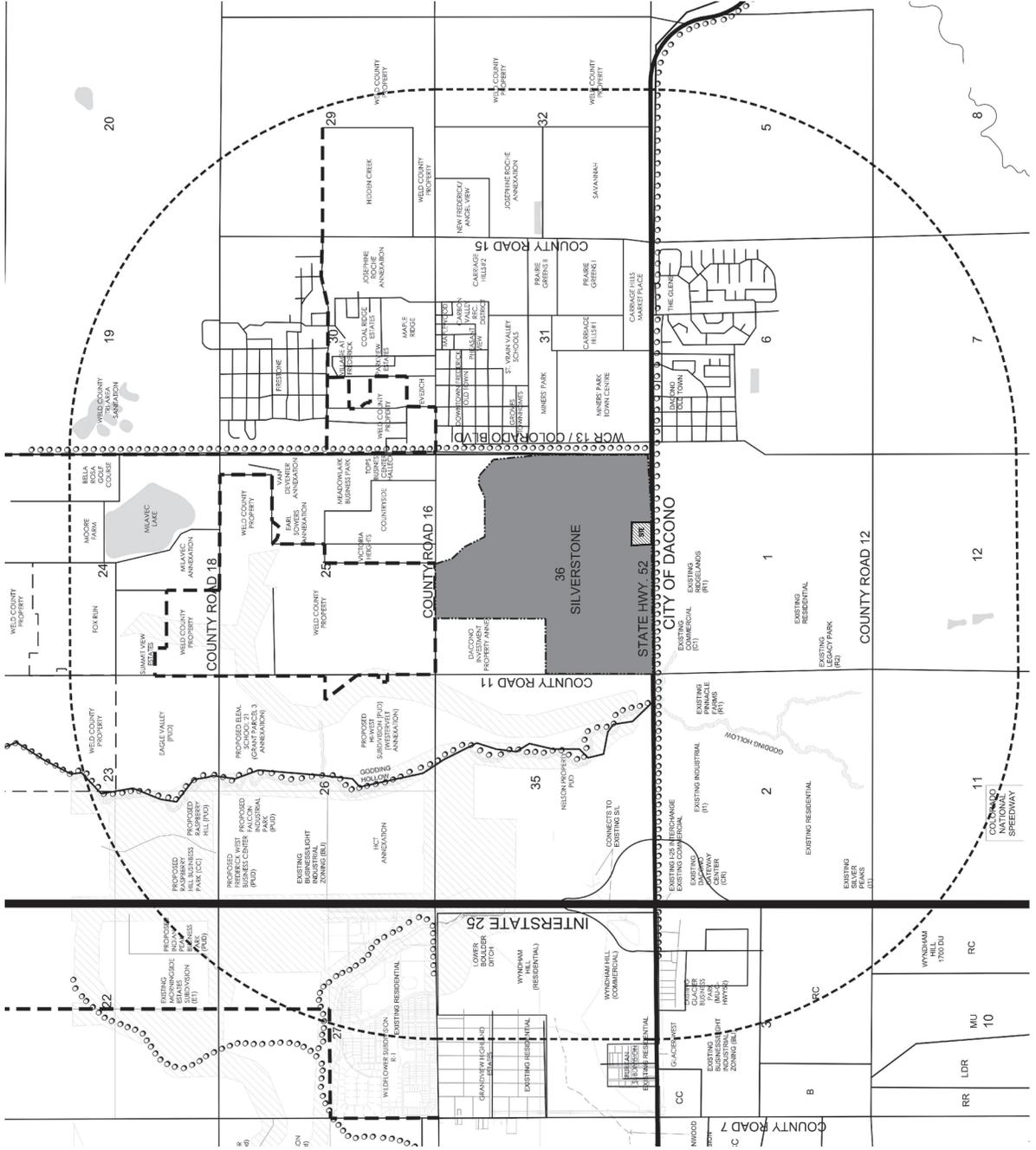


<https://www.frederickco.gov/TermsOfUse>



SILVERSTONE COMMONS FINAL DEVELOPMENT PLAN
 LOCATED IN THE SE 1/4, SEC. 36, T. 2 N., R. 68 W. OF THE 6TH P.M.,
 TOWN OF FREDERICK, COUNTY OF WELD, COLORADO
 FDP: 2023-020 4.579 ACRES

- Legend:**
- Silverstone Site PPP
 - Regional Open Space
 - 1.5 Mile Property Radius
 - Off-Site Regional Open Space / Trail Network
 - On-Site Regional Open Space / Trail Network
 - Major Rivers / Bodies of Water
 - Major Ditches
 - Town of Frederick Boundary
 - Property Line
 - Silverstone Commons FDP



DISCLAIMER
 THESE PLANS ARE AN INSTRUMENT OF SERVICE.
 THEY ARE PREPARED BY THE ENGINEER OR ARCHITECT
 AND ARE NOT TO BE USED FOR ANY OTHER PROJECT
 WITHOUT THE WRITTEN CONSENT OF THE ENGINEER OR ARCHITECT.
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Galloway
 800 Greenwood Plaza Blvd., Suite 200
 Greenwood Village, CO 80111
 www.gallowayinc.com
 303.755.8800

PRELIMINARY
 NOT FOR CONSTRUCTION

FINAL DEVELOPMENT PLAN
 LOT 1, BLOCK 8, SILVERSTONE FILING NO. 1
 EVERGREEN DEVELOPMENT
 FDP: 2023-020
 S.H. 52 & WILLIAM BAILEY AVE
 FREDERICK, COLORADO

1. DATE: 08/21/2023
2. BY: J. BAILEY
3. FOR: EVERGREEN DEVELOPMENT
4. PROJECT: SILVERSTONE COMMONS FDP
5. SHEET: 2 OF 2

| | |
|-------------|------------|
| Project No. | 20230101 |
| Sheet No. | 2 OF 2 |
| Client No. | 20230101 |
| Date | 08/21/2023 |

2
 2 OF 2

SILVERSTONE COMMONS FINAL DEVELOPMENT PLAN
 LOCATED IN THE SE 1/4, SEC. 36, T. 2 N., R. 68 W. OF THE 6TH P.M.,
 TOWN OF FREDERICK, COUNTY OF WELD, COLORADO
 FDP: 2023-020 4.579 ACRES

PRELIMINARY
 NOT FOR CONSTRUCTION

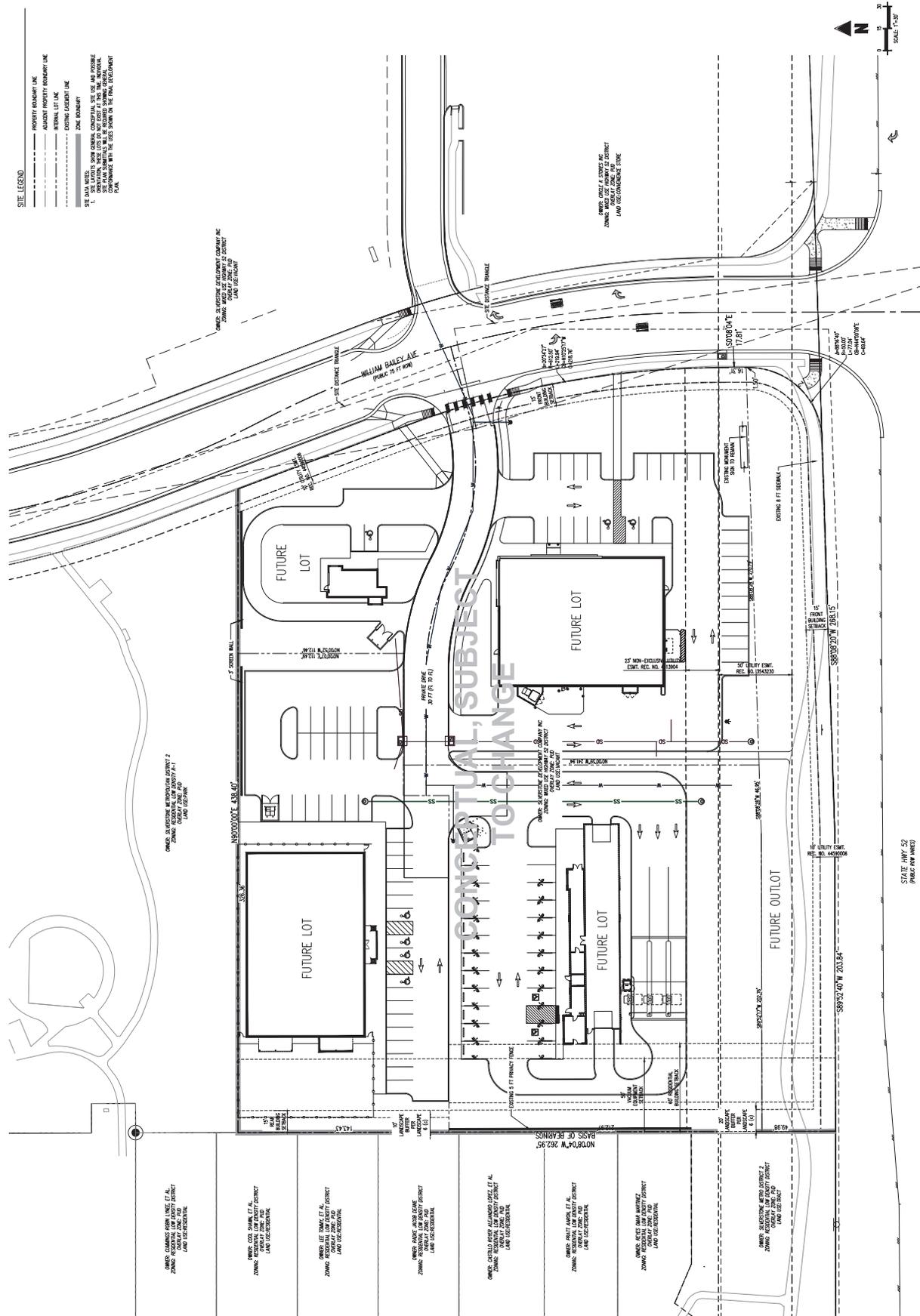
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FINAL DEVELOPMENT PLAN
 LOT 1, BLOCK 8, SILVERSTONE FILING NO. 1
 EVERGREEN DEVELOPMENT
 FDP: 2023-020
 S.H. 52 & WILLIAM BAILEY AVE
 FREDERICK, COLORADO

1. City: **Weld** (jurisdiction)
 2. DATE: **02/27/23** (DATE OF PLAN)
 3. DRAWING NUMBER: **2023-020** (PROJECT NUMBER)
 4. SHEET NUMBER: **4** (TOTAL SHEETS: 4)

| DATE | DESCRIPTION |
|----------|-------------------|
| 02/27/23 | ISSUED FOR PERMIT |
| 02/27/23 | ISSUED FOR PERMIT |
| 02/27/23 | ISSUED FOR PERMIT |



SITE LEGEND

- PROPERTY BOUNDARY LINE
- EXISTING BOUNDARY LINE
- INTERNAL LOT LINE
- EXISTING EASEMENT LINE
- ZONE BOUNDARY

THE DASHED LINES SHOW GENERAL CONCEPTS. USE AND POSITIVE OR NEGATIVE SETBACKS ARE TO BE DETERMINED AT THE DISCRETION OF THE OWNER AND ENGINEER. THE DASHED LINES SHOW THE PROPOSED DEVELOPMENT FOOTPRINT.



- OWNER: SILVERSTONE DEVELOPMENT COMPANY INC. ZONING: RESIDENTIAL LOW DENSITY DISTRICT. LAND USE: RESIDENTIAL.
- OWNER: JONAS, JAMES, ET AL. ZONING: RESIDENTIAL LOW DENSITY DISTRICT. LAND USE: RESIDENTIAL.
- OWNER: JONAS, JAMES, ET AL. ZONING: RESIDENTIAL LOW DENSITY DISTRICT. LAND USE: RESIDENTIAL.
- OWNER: JONAS, JAMES, ET AL. ZONING: RESIDENTIAL LOW DENSITY DISTRICT. LAND USE: RESIDENTIAL.
- OWNER: JONAS, JAMES, ET AL. ZONING: RESIDENTIAL LOW DENSITY DISTRICT. LAND USE: RESIDENTIAL.
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- OWNER: JONAS, JAMES, ET AL. ZONING: RESIDENTIAL LOW DENSITY DISTRICT. LAND USE: RESIDENTIAL.
- OWNER: SILVERSTONE DEVELOPMENT COMPANY INC. ZONING: RESIDENTIAL LOW DENSITY DISTRICT. LAND USE: RESIDENTIAL.

SILVERSTONE COMMONS FINAL DEVELOPMENT PLAN
 LOCATED IN THE SE 1/4, SEC. 36, T. 2 N., R. 68 W. OF THE 6TH P.M.,
 TOWN OF FREDERICK, COUNTY OF WELD, COLORADO
 FDP: 2023-020 4.579 ACRES

PRELIMINARY
 NOT FOR CONSTRUCTION

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FINAL DEVELOPMENT PLAN
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 FDP: 2023-020
 S.H. 52 & WILLIAM BAILEY AVE
 FREDERICK, COLORADO

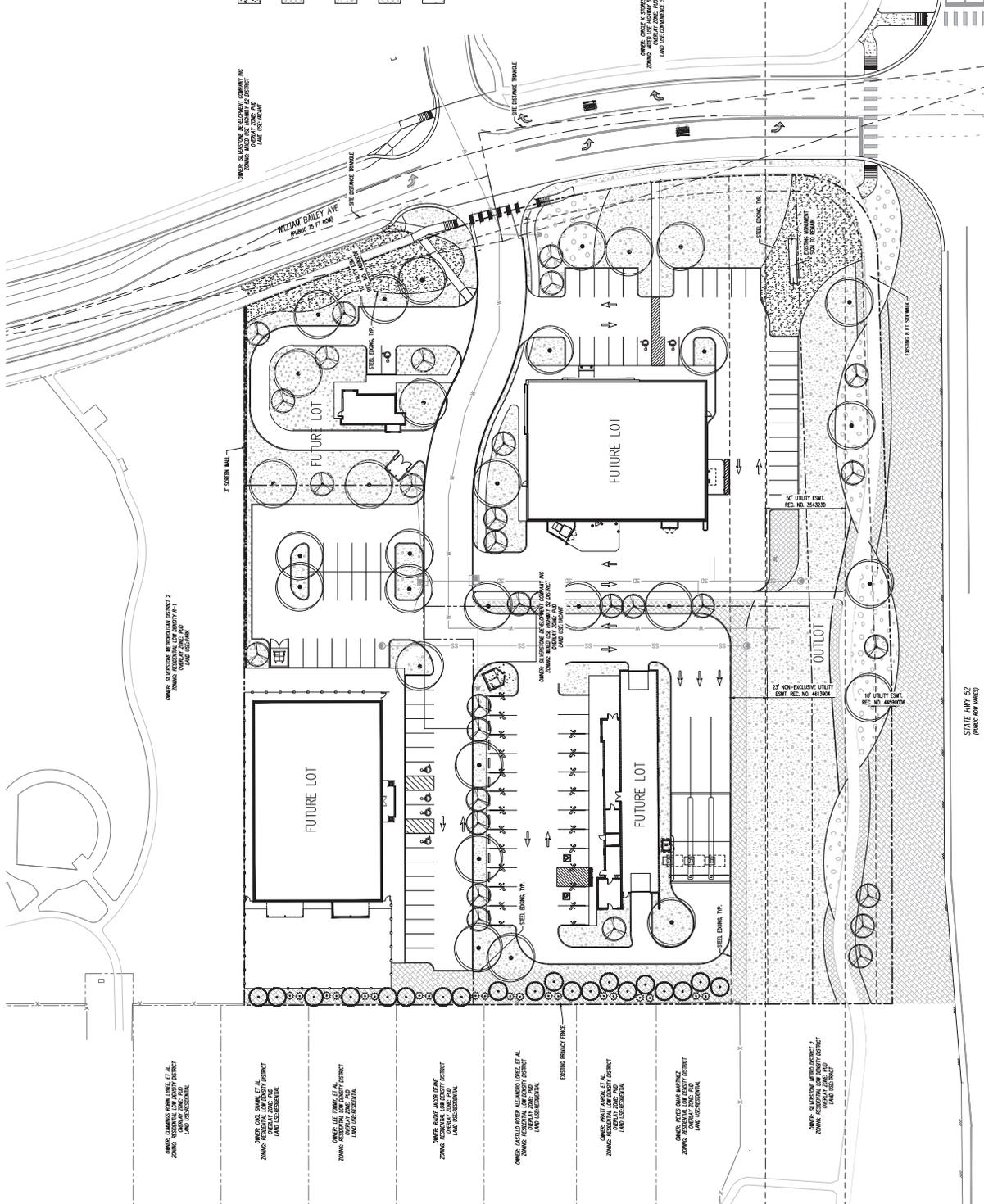
1. City of Frederick, Colorado
 2. CITY/STATE REVIEWED FOR TOWN COMMENTS: NO
 3. CITY/STATE REVIEWED FOR COUNTY COMMENTS: NO
 4. CITY/STATE REVIEWED FOR STATE COMMENTS: NO

Project No.:
 Date:
 Designer:
 Checker:
 Title:

CONCEPTUAL LANDSCAPE SCHEDULE

- DECIDUOUS TREES: KENTUCKY COFFEE TREE, LITTLELEAF LINDEN, KENTUCKY COFFEE TREE
- ORNAMENTAL TREES: BETHOODHAMBLE, FALGOUT MALE, WASHINGTON HAWTHORN
- EVERGREEN TREES: PINYON PINE, COLORADO BLUE SPRUCE, BABY BLUE EYES SPRUCE
- JUNIPER TREES: MOONFLOW JUNIPER
- FESCUE BLEND
- WOOD MULCH WITH PLANTINGS
- 3/4" ROCK MULCH W/ BOULDERS & PLANTINGS
- LOW GROW NATIVE SEED
- 4-FT. ROCK MULCH WITH PLANTINGS

NOTE: PLANS ARE FOR GENERAL LANDSCAPE INTENT. ALL FUTURE LANDSCAPING TO BE FOR THE NEAREST SITE DEVELOPMENT PLAN SUBMITTALS.



STATE HWY. 52
 PUBLIC HIGHWAY

PCR-2024-02

A Resolution of the Planning Commission

Recommending Approval of the Silverstone Commons Final Development Plan

Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

Section 1. The Frederick Planning Commission finds that:

- 1.1 An application for the Silverstone Commons Final Development Plan has been submitted.
- 1.2 Said application was found to be complete through the review process.
- 1.3 Said application was considered during a public meeting held June 20th, 2024 at which time the public was able to provide testimony.
- 1.4 Proper notice was given according to Section 4.5 of the Frederick Land Use Code.
- 1.5 Said application conforms with the applicable requirements of Section 4.9.2 of the Frederick Land Use Code.

Section 2.

- 2.1 The Planning Commission recommendation is based on competent, substantial evidence in the written record and the testimony provided at the public hearing.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends that the Board of Trustees approve the application with the following condition:

1. The applicant shall work with staff to add additional buffering and screening.

This resolution approved this 20th day of June, 2024 by a vote of 4 to 0.



Tracy Moe, Chairperson, Planning Commission

**TOWN OF FREDERICK
ORDINANCE NO. 1394**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO APPROVING THE SILVERSTONE COMMONS
FINAL DEVELOPMENT PLAN**

Whereas, Evergreen-HWY 52 & William Bailey LLC (the “Owner”) owns the real property more particularly described in Exhibit A, attached hereto; and

Whereas, Evergreen Devco, LLC filed an application (the “Application”) for a Final Development Plan for Silverstone Commons (Project Number 2023-020) on behalf of the Owner; and

Whereas, on June 20, 2024, the Town of Frederick Planning Commission held a properly noticed public hearing on the Application and recommended that the Board of Trustees approve the Application with conditions; and

Whereas, on August 13, 2024, the Town of Frederick Board of Trustees held a properly noticed public hearing on the Application and voted to approve the Application; and

Whereas, Town Land Use Code § 4.9.2.e. provides for approval of Final Development Plans by Town ordinance.

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

Section 1. **Approval.** The Final Development Plan for Silverstone Commons, Project Number 2023-020, is hereby approved.

Section 2. **Effective Date.** This ordinance shall be published and become effective as provided by law.

Section 3. **Severability.** If any part, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the Ordinance including each part, section, subsection, sentence, clause, or phrase thereof, regardless of the fact that one or more parts, sections, subsections, sentences, clauses or phrases are declared invalid.

Section 4. **Repealer.** All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof in conflict with this ordinance are, to the extent of such conflict, hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution, or motion, no revive any ordinance, resolution, or motion thereby.

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

**INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED
THIS 13TH DAY OF AUGUST, 2024.**

ATTEST:

TOWN OF FREDERICK

By _____
Tricia David, Town Clerk

By _____
Traci Crites, Mayor

EXHIBIT A

Lot 1, Block 8, Silverstone Filing No. 1



Built On What Matters

TOWN OF FREDERICK Board of Trustees Staff Report

Tracie Crites, Mayor

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

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

Ordinance No. 1395 Municipal Code Chapter 10 Amendment - Substance Use and Possession

Agenda Date: 08/13/2024 BOT Meeting

Attachments: 1. Ch. 10 Art. VI. Offenses Relating to Substances - Final Version for Ordinance

Reviewed By: Jason Leslie, Deputy Town Manager

Action Type

1) Legislative: Actions that relate to subjects of a long term and general applicability; such as the passing of ordinances/resolutions/policies/etc.

Strategic Plan Alignment:



EFFECTIVE, EFFICIENT & STRATEGIC GOVERNMENT OPERATIONS - As an employer of choice, the Town of Frederick will lead the region in a culture of efficiency, innovation, and strategic partnerships in all municipal services to far exceed the community's expectations and exemplify the fact that Frederick is Built on What Matters, its people.

This request aligns with the effective, efficient and strategic government operations element of the Town's Strategic Plan because it provides for

necessary updates to the Town's Municipal Code, which supports the correct and smooth running of Town operations.



SAFE & SECURE– Residents of Frederick experience safety and peace of mind knowing they live in the safest community in Colorado.

This request aligns with the safe and secure element of the Town's Strategic Plan because it provides necessary updates to the Town's criminal regulations within the Municipal Code.

Summary Statement:

A number of state laws have been amended requiring an update to the Town's Municipal Code addressing regulation of substances, in addition to updates necessary to provide for regulation supporting the needs of the community.

Detail of Issue/Request:

This request provides for necessary updates to the regulation of substances by the Town's Municipal Code. This includes amendments to reflect House Bill 20-1001 and Senate Bill 23-290, which amended the way local jurisdictions may regulate certain substances, and SB19-227, which amended the statutory definition of “drug paraphernalia” found in Colorado Revised Statutes § 18-18-426(1).

This update provides for consistency and clarity in regulation of substances within the Town, reflecting changes in statute and the Town's needs.

Legal Comments:

The Town Attorney's Office has drafted the Ordinance contained in this request and performed legal review of all proposed amendments.

Alternatives/Options

The Board of Trustees may:

- Approve the Ordinance
- Deny the Ordinance
- Continue hearing of the Ordinance for further consideration or amendment

Approval of the Ordinance will enable the Town to remain consistent with state law and to support the Police Department in the Town's regulation of substances within the Town.

Financial Considerations

Not Applicable

Staff Recommendation

Staff's recommendation is that the Board of Trustees approve the Ordinance.

Community Impact

As the Town's ordinances are harmonized with state statute, the Police Department will be empowered to address drug-related issues with minors through municipal court. Municipal court is tailored closer to the needs of the community rather than sending these types of cases to district court in Weld County. This assists the community in being safe and encourages proper accountability in our youth.

ORDINANCE NO. 1395

AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING THE TOWN'S MUNICIPAL CODE CHAPTER 10 REGARDING USE AND POSSESSION OF SUBSTANCES

WHEREAS, the Town of Frederick is in the process of updating its criminal code ("code") to reflect current state law and to best serve the needs of the community; and

WHEREAS, House Bill 20-1001 and Senate Bill 23-290 amended the way local jurisdictions may regulate certain substances; and

WHEREAS, SB19-227 amended the statutory definition of "drug paraphernalia" found in Colorado Revised Statutes § 18-18-426(1), requiring an update to the code to remain consistent with state law; and

WHEREAS, this Ordinance provides additional necessary updates regarding use and possession of substances within the Town.

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

Section 1. Chapter 10, Article VI, "Offenses Relating to Drugs," is hereby amended as follows:

Sec. 10-111. Definitions.

As used in this Article, the following words shall have the meanings ascribed hereafter:

Cigarette, tobacco product, or nicotine product means:

(a) A product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual; or

(b) Any device that can be used to deliver tobacco or nicotine to the person inhaling from the device, including an electronic cigarette, cigar, cigarillo, or pipe.

Controlled substance means a ~~drug or an immediate precursor which is declared to be a controlled substance under Section 18-18-101, et seq., C.R.S., and also includes marijuana, marijuana concentrate and cocaine~~ controlled substance, as that term is defined in C.R.S. § 18-18-102(5), and controlled substance analogs, as defined in C.R.S. § 18-18-102(6).

Drug paraphernalia means all equipment, products, and materials of any kind ~~that~~ which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing,

injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the laws of the State. *Drug paraphernalia* includes, but is not limited to:

~~(a) Testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances under circumstances in violations of the laws of the State;~~

~~(ab)~~ Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances;

~~(be)~~ Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from or in otherwise cleaning or refining marijuana;

~~(ed)~~ Blenders, bowls, containers, spoons, and mixing devices used, intended for use, or designed for use in compounding controlled substances;

~~(de)~~ Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances;

~~(fe)~~ Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances; or

~~(fg)~~ Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, as:

(1) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;;

(2) Water pipes;;

(3) Carburetion tubes and devices;;

(4) Smoking and carburetion masks;;

(5) Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette that has become too small or too short to be held in the hand;;

(6) Miniature cocaine spoons and cocaine vials;;

(7) Chamber pipes;;

(8) Carburetor pipes;;

(9) Electric pipes;;

(10) Air-driven pipes;;

(11) Chillums;;

(12) Bongs;; or

(13) Ice pipes or chillers.

Marijuana means all parts of the plant *cannabis sativa L.*, whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds, or its resin, including marijuana concentrate.

Open means observable by the public or a substantial number of the public.

Open and public does not include any activity occurring on private residential property by the occupant or their guests.

Possession means having or holding anywhere on your person or within your immediate presence and control, or owning or having custody of.

Public means a place to which the public or a substantial number of the public has access without restriction, including but not limited to streets and highways, transportation facilities, places of amusement, parks, playgrounds, and the common areas of buildings and other facilities.

Substances releasing toxic vapors means the following products: plastic (styrene) cements containing toluene, acetone, benzene, aliphatic acetates (such as ethyl acetate and methylcellosolve acetate), hexane; model cements containing acetone, toluene, or naphtha of petroleum origin; household cements containing toluene, acetone, isopropanol, methyl ethyl ketone, or methyl isobutyl ketone; fingernail polish removers containing acetone, aliphatic acetates, benzene, or alcohol; lacquer thinners containing toluene, aliphatic acetates, or methyl, ethyl, or propyl alcohol; lighter fluids or cleaning fluids containing naphtha of petroleum origin,; cyclohexane, freons, perchlorethylene, trichloroethane, or carbon tetrachloride, or xylene.

Sec. 10-112. Possession of drug paraphernalia.

(a) A person commits possession of drug paraphernalia if ~~they he or she~~ possesses drug paraphernalia and knows or reasonably should know that the drug paraphernalia could be used under circumstances in violation of the laws of this Town or State.

(b) Except as described by section 14 of article XVIII of the Colorado constitution and C.R.S. § 18-18-406.3, a person under 21 years of age who possesses marijuana paraphernalia anywhere in the state of Colorado and knows or reasonably should know that the drug paraphernalia could be used in circumstances in violation of the laws of this Town or State commits illegal possession of marijuana paraphernalia by an underage person.

(~~b~~c) *Drug paraphernalia, determinations, considerations.* In determining whether an object is drug paraphernalia, the court, in its discretion, may consider, in addition to all other relevant factors, the following:

- (1) Statements by an owner or by anyone in control of the object concerning its use;
- (2) The proximity of the object to controlled substances;
- (3) The existence of any residue of controlled substances on the object; ~~and~~
- (4) Direct or circumstantial evidence of the knowledge of an owner or of anyone in control of the object, or evidence that such person reasonably should know, that it will be delivered to persons who ~~they he or she~~ knows or reasonably should know, could use the object to facilitate a violation of the laws of the Town or State;
- (5) Instructions, oral or written, provided with the object concerning its use;
- (6) Descriptive materials accompanying the object which explain or depict its use;
- (7) National or local advertising concerning its use;
- (8) The manner in which the object is displayed for sale;

(9) Whether the owner, or anyone in control of the object, is a supplier of like or related items to the community for legal purposes, such as an authorized distributor or dealer of tobacco products;

(10) The existence and scope of legal uses for the object in the community; and

(11) Expert testimony concerning its use.

Sec. 10-113. Possession of marijuana.

~~(a)(1) It shall be unlawful for any person twenty-one (21) years of age or older to possess more than two one (1) ounces but less than two (2) ounces of marijuana or more than three ounces of marijuana concentrate. This Section is designated a noncriminal violation, subject to the penalties set forth at Section 1-72(a) of this Code.~~

(b) Except as described by section 14 of article XVIII of the Colorado constitution and C.R.S. section 18-18-406.3, a person under 21 years of age who possesses any amount of marijuana or marijuana concentrate commits illegal possession of marijuana by an underage person.

~~(2) It shall be unlawful for any person under the age of twenty-one (21) years to possess two (2) ounces or less of marijuana. This Section is designated a noncriminal violation, subject to the penalties set forth at Section 1-72(a) of this Code.~~

(c) (3) It shall be unlawful for any person twenty-one (21) years of age or older to openly and publicly display, consume, or use more than one (1) ounce but less than two (2) ounces of marijuana. This Section is designated a noncriminal violation, subject to the penalties set forth at Section 1-72(a) of this Code.

~~(4) It shall be unlawful for any person under the age of twenty-one (21) years of age to openly and publicly display, consume or use two (2) ounces or less of marijuana. This Section is designated a noncriminal violation, subject to the penalties set forth at Section 1-72(a) of this Code.~~

~~(5) It shall be unlawful for any person to possess more than two (2) ounces of marijuana but no more than six (6) ounces of marijuana. This Section is designated a criminal violation, subject to the penalties set forth at Section 1-72(b) of this Code.~~

~~(6) It shall be unlawful for any person to openly and publicly display, consume or use more than two (2) ounces of marijuana. This Section is designated a criminal violation, subject to the penalties set forth at Section 1-72(b) of this Code.~~

(d7) Open and public display, consumption, or use of any amount of marijuana shall be deemed possession thereof. In the event all of the marijuana has been consumed, possession ceases.

(e8) In no case shall a person lawfully possessing and/or using marijuana, allow the odor of marijuana to be detected from any adjoining lot, parcel, or tract of land not owned by the person lawfully possessing and/or using the marijuana, or from any adjoining public right-of-way.

(f9) It shall be unlawful for any person to openly and/or publicly consume marijuana, or in any manner that endangers others. Nothing in this Section or Code shall permit the consumption of marijuana that is conducted openly and publicly, or in a manner that endangers others, regardless of whether a person may lawfully possess or consume marijuana.

Sec. 10-114. Consumption of marijuana by minor.

(a) Except as described by section 14 of article XVIII of the Colorado constitution and C.R.S. section 18-18-406.3, a person under 21 years of age who consumes marijuana commits illegal consumption of marijuana by an underage person.

(b) Prima facie evidence of a violation of this section shall consist of evidence that the defendant was under 21 years of age and manifested any of the characteristics commonly associated with marijuana impairment.

Sec. 10-116 115. Marijuana accessories.

Sec. 10-116. Possession of a controlled substance by a minor.

(a) Except as authorized by part 1 or 3 of article 280 of title 12, Colorado Revised Statutes, part 2 of article 80 of title 27, Colorado Revised Statutes, section 18-1-711, Colorado Revised Statutes, section 18-18-428 (1)(b), Colorado Revised Statutes, part 2 or 3 of article 18, Colorado Revised Statutes, section 18-18-434, Colorado Revised Statutes, article 170 of title 12, Colorado Revised Statutes, or article 50 of title 44, Colorado Revised Statutes, it is unlawful for a person under 21 years of age to knowingly to possess a controlled substance.

(b) Any minuscule, residual, or unusable amount of a controlled substance that may be present in a used hypodermic needle or syringe, or other drug paraphernalia does not constitute a controlled substance for purposes of an arrest, charge, or prosecution for possession of a controlled substance. The circumstances described in this subsection (b) may be used as a factor in a probable cause or reasonable suspicion determination of any criminal offense if the original stop or search was lawful.

(c) Penalties for possession of controlled substances governed by section 18-18-434, Colorado Revised Statutes, and article 50 of title 44, Colorado Revised Statutes, shall be assessed pursuant to section 18-18-434, Colorado Revised Statutes.

Sec. 10-117. Consumption of controlled substance by minor.

(a) A person under 21 years of age who consumes a controlled substance commits illegal consumption of a controlled substance by an underage person.

(b) Penalties for consumption of controlled substances governed by section 18-18-434, Colorado Revised Statutes, and article 50 of title 44, Colorado Revised Statutes, shall be assessed pursuant to section 18-18-434, Colorado Revised Statutes.

Sec. 10-114 118. Substances releasing toxic vapors.

~~(a) *Substances releasing toxic vapors defined.* As used in this Article, the term *substances releasing toxic vapors* means the following products: plastic (styrene) cements containing toluene, acetone, benzene, aliphatic acetates (such as ethyl acetate and methylcellosolve acetate), hexane; model cements containing acetone, toluene, or naphtha of petroleum origin; household cements containing toluene, acetone, isopropanol, methyl ethyl ketone, or methyl isobutyl ketone; fingernail polish removers containing acetone, aliphatic acetates, benzene, or alcohol; lacquer thinners containing toluene, aliphatic acetates, or methyl, ethyl, or propyl alcohol; lighter fluids or cleaning fluids containing naphtha of petroleum origin,; cyclohexane, freons, perchlorethylene, trichloroethane, or carbon tetrachloride.~~

~~(a) *Certain use, possession, or purchase.* No person shall intentionally knowingly smell or inhale the fumes of any substance releasing toxic vapors for the purpose of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled sense of nervous system, or possess, buy, or use any such substance for the purpose of violating or aiding another to violate this Section.~~

(b) *Sale to minors.* No person shall sell or offer for sale, deliver, or give away any substance releasing toxic vapors to any child under the age of 18 years without the personal or written consent of a parent or guardian of such child, except when the sale or provision of one tube of glue is made simultaneously with or as part of a sale, purchase, delivery, or gift of a hobby or model kit.

(c) *Sale limited to bona fide commercial establishments.* No person, except a person who is at the time of such sale actually employed by or engaged in operating a bona fide commercial establishment at a fixed location, shall sell to any other person any substance releasing toxic vapors, and all sales of such substance not made in or from such an establishment are unlawful.

~~(d) *Sale or other provision for intended illegal use.* It is unlawful for any person knowingly to sell or offer for sale, deliver, or give away to any other person any substance releasing toxic vapors, where the seller, offeror, or deliverer knows or has reason to believe that such substance will be used for the purpose of inducing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses or nervous system.~~

~~(e) *Exception – medical or dental use.* This Article shall not apply to the inhalation of anesthesia for medical or dental purposes.~~

Sec. ~~10-115~~ 119. Drug free zones.

Sec. ~~10-117~~ 120. Recreational marijuana.

Section 2. Chapter 10, Article XII, Section 10-251, "Cigarettes, tobacco products and nicotine products," is hereby amended as follows:

Sec. 10-251. Cigarettes, tobacco products, and nicotine products.

(a) It is unlawful for any person to knowingly furnish to any person who is under twenty-one (21) ~~eighteen (18)~~ years of age, by gift, sale, distribution, dispensing, offering for sale, or by any other means, any cigarettes, tobacco products or nicotine products.

(b) It shall be an affirmative defense to a prosecution under this Subsection that the person furnishing the cigarettes, tobacco products, or nicotine products was presented with and reasonably relied upon a document that ~~which~~ identified the person receiving the cigarettes, tobacco product, or nicotine products as being twenty-one (21) ~~eighteen (18)~~ years of age or older.

(c) It is unlawful for any person who is under twenty-one (21) ~~eighteen (18)~~ years of age to purchase or attempt to purchase any cigarettes, tobacco products, or nicotine products.

(d) It is unlawful for any person who is under twenty-one (21) ~~eighteen (18)~~ years of age to possess any cigarettes, tobacco products, or nicotine products.

(e) It is not an offense under Subsections (c) and (d) of this Section if the person under twenty-one (21) ~~eighteen (18)~~ years of age was acting at the direction of an employee of a governmental agency authorized to enforce or ensure compliance with laws relating to the prohibition of the sale of cigarettes, tobacco products or nicotine products to minors.

~~(f) As used in this Section, "cigarette, tobacco product, or nicotine product" means:~~

~~(1) A product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual; or~~

~~(2) Any device that can be used to deliver tobacco or nicotine to the person inhaling from the device, including an electronic cigarette, cigar, cigarillo, or pipe.~~

~~(fg)~~ Notwithstanding any provision of Subsection (f) of this Section to the contrary, "cigarette, tobacco product, or nicotine product" does not mean a product that the food and drug administration of the United States Department of Health and Human Services has approved as a tobacco use cessation product.

~~(gh)~~ Subsections (a), (c), and (d) of this Section are designated as noncriminal violations.

Section 3. Severability. If any part, section, subsection, 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, regardless of the fact that any one part or parts may be declared invalid or unconstitutional.

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

Section 5. Effective date. This ordinance shall be published and become effective as provided by law.

Section 6. Certification. The Town Clerk shall certify the passage of this Ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, PASSED, ADOPTED, AND ORDERED PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK THIS ____ DAY OF ____, 2024.

ATTEST:

TOWN OF FREDERICK

By _____
Tricia David, Town Clerk

By _____
Tracie Crites, Mayor



Built On What Matters

TOWN OF FREDERICK Board of Trustees Staff Report

Tracie Crites, Mayor

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

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

Resolution 24-R-49 Grant Administrator's Report

Agenda Date: 08/13/2024 BOT Meeting

Attachments: 1. Resolution

Reviewed By: Jason Leslie, Deputy Town Manager

Action Type

1) Legislative: Actions that relate to subjects of a long term and general applicability; such as the passing of ordinances/resolutions/policies/etc.

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:

The Town of Frederick Grant Administrator’s Office submitted various grants for the second quarter of 2024 on behalf of the Frederick Police Department and the Communications Department. The submissions support the continued funding of the Carbon Valley & Mead Victim Assistance program and technological accessibility services.

Detail of Issue/Request:

The Grant Administrator collaborated with the Police and Communications departments to identify funding sources for various programs. The Police Department identified a federal source, BJA FY24 Rural and Small Department Violent Crime Reduction Program, to continue the support of advocates for the Carbon Valley, Mead Victim Assistance program. The total amount of the grant submission for three years is \$247,644, with an additional \$147,122 from local funding and municipality reimbursement. In addition to the rural program, the department submitted a grant application for appropriations for JAG funding for salary support, the amount of which is \$56,696.

The Communications Department identified a grant funding source, the Statewide Internet Port Authority (SIPA), to develop a comprehensive training program for Town of Frederick staff to ensure compliance with the technology and accessibility standards established by HB21-1110. The grant amount is \$10,000. Furthermore, the department received \$25,000 in accessibility technology licenses.

Legal Comments:

The Town Attorney's Office has reviewed the resolution and associated contracts.

Alternatives/Options

N/A

Financial Considerations

The Grant Administrator will research other funding sources if not awarded the funding from the grant submissions. The Carbon Valley Mead Victim Assistance Program will seek increased reimbursement from participating municipalities if it is not funded.

Staff Recommendation

The Frederick Grant Administrator's office recommends signing authority for Mayor Crites to approve the 2nd quarter 2024 grant awards if funded.

Community Impact

Fiscal responsibility for exploring grant opportunities to reduce taxpayer dollars for programming efforts leads to expanding levels of service for residents.

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 24-R-49**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK,
COLORADO, APPROVING SECOND QUARTER 2024 GRANT SUBMISSIONS**

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 seeking grant opportunities to assist in the funding of various Town projects and initiatives; and,

WHEREAS, the Town of Frederick Grant Administrator's Office for the 2nd Quarter 2024 submitted various grants on behalf of the Frederick Police and the Communications Department; and,

WHEREAS, the submissions support the continued funding of the Carbon Valley, Mead Victim Assistance program and accessibility technology services to meet the requirements HB21-1110; and,

WHEREAS, The Frederick Grant Administrator's office recommends signing authority for Mayor Crites to approve the 2nd Quarter 2024 grant awards if awarded.

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

Section 1. Applications. The following grant applications are pending:

- **FY 25 Appropriations Community Project- \$56, 696.94- Carbon Valley, Mead Victim Assistance Program (Frederick Police Department)**
- **Statewide Internet Portal Authority (SIPA) - \$25,000 Accessibility PDF Licenses (Communications Department)**
- **DOJ Rural Grant- \$247, 644 Carbon Valley, Mead Victim Assistance (Police Dept)**
- **SIPA- \$10,000 Contracted Services for Training for PDF Accessibility Services (Communications Dept)**

Section 2. Execution. The mayor is hereby authorized to execute necessary documents and agreements to effectuate the second quarter 2024 Grant Awards, if funded, after review by the Town Attorney as applicable.

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

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 13th DAY OF AUGUST 2024.

ATTEST:

TOWN OF FREDERICK

By _____
Tricia David, Town Clerk

By _____
Tracie Crites, Mayor