



TOWN BOARD WORK SESSION

February 3, 2020 - 6:00 PM

1st Floor Conference Room, 301 Walnut Street, Windsor, CO 80550

GOAL of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.

Members of the Public in attendance are asked to be recognized by the Mayor before participating in any discussions of the Town Board

AGENDA

1. Entertainment District Discussion
2. Solicitation Ordinance Discussion
3. Bulk Water Rate Discussion
4. Cash Handling and Investing
5. Outside Agency Funding 2020 Requests
6. Future Meetings Agenda

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.



MEMORANDUM

Date: February 3, 2020
To: Mayor and Town Board
Via: Shane Hale, Town Manager
From: Kim Emil & Krystal Eucker
Re: Entertainment District Ordinance Discussion
Item #: 1.

Background / Discussion:

In the fall of 2017, Town Board approved Ordinance No. 2017-1542, now codified in Chapter 6, Article V of the *Windsor Municipal Code*. This presentation is to discuss your role and the procedures when an application for an Entertainment District is presented.

These Districts, authorized by the state General Assembly in 2011, can be created to allow alcohol to be consumed in "common consumption areas" bordered by existing licensees. Under Colorado law, two or more licensed liquor premises may share a common consumption area inside an approved entertainment district. The common consumption area is a defined space where alcohol sold by any of the participating licensed premises may be carried and consumed anywhere in the common consumption area, instead of being confined to the licensed premises from which the beverage was purchased by the consumer.

Financial Impact:

None

Relationship to Strategic Plan:

Safe Well-Planned Community with Spirit and Pride

ATTACHMENTS:

- ❑ Windsor Municipal Code Article V, Chapter 6 re Entertainment Districts
- ❑ Power Point presentation

ARTICLE V - Entertainment Districts

Sec. 6-5-10. - Purpose and intent.

The purpose of this Article is to authorize the creation of entertainment districts, and establish procedures, and guidelines, for the Local Licensing Authority to certify/decertify Promotional Associations, and regulate the establishment of Common Consumption Areas as provided for in C.R.S. §12-47-301(11), as amended.

(Ord. [2017-1542](#), §1)

Sec. 6-5-20. - Application.

The provisions herein shall apply to all Entertainment Districts established under this Article. The Town Board shall review each application for an Entertainment District, and authorize its creation by Resolution, which shall be subject to annual review, and revocable at the will of the Town Board.

(Ord. [2017-1542](#), §1)

Sec. 6-5-30. - Authority.

The Town Board shall expressly delegate to its Local Licensing Authority, all decisions relating to: certifying and decertifying Promotional Associations; designating the location, size, security and hours of operation of Common Consumption Areas; and the regulation of attached licensed premises to Common Consumption Areas, retaining for the Town Board's sole and absolute discretion, the authority to revoke an Entertainment District by Resolution.

(Ord. [2017-1542](#), §1)

Sec. 6-5-40. - Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Common Consumption Area shall mean an area designed as a common area located within a designated Entertainment District and approved by the Local Licensing Authority that uses physical barriers to close the areas to motor vehicle traffic and limit pedestrian access.

Entertainment District shall mean an area within the Town of Windsor that is designated as an Entertainment District of a size no more than one hundred (100) acres and containing at least twenty thousand (20,000) square feet of premises licensed as a tavern, hotel and restaurant, brew pub, distillery, distillery pub, or vintner's restaurant, beer and wine licensee, manufacturer that operates a salesroom or beer wholesaler that operates a sales room, limited winery, or a lodging and entertainment facility licensee at the time the district is created.

Local licensing authority shall mean the individual(s) appointed by resolution by the Town Board from time to time who shall be responsible for all purposes under the Colorado Liquor Code, Section 12-47-101, et seq., C.R.S. The Local Licensing Authority reviews new and renewal applications for liquor licenses and Common Consumption Areas, as well as is responsible for certifying and decertifying Promotional Associations, conducts public hearings on new licenses, reviews alleged violations of state and local regulations, and, if necessary, conducts show cause hearings.

Promotional Association shall mean an association that is incorporated within Colorado that organizes and promotes entertainment activities within a Common Consumption Area and is organized or authorized by two (2) or more people who own or lease property within an Entertainment District.

(Ord. [2017-1542](#), §1)

Sec. 6-5-50. - General Provisions.

- (a) Entertainment Districts may be established by Town Board Resolution, from time to time, as determined to be in the best interest of the public and the specific geographic area to be served, subject to demonstration that the proposed district is consistent with the definition and purpose of an Entertainment District as set forth in this Article V.
- (b) The Town Board may repeal and revoke an established Entertainment District, in its sole and absolute discretion, if the Town Board concludes the continued operation of the Entertainment District is no longer in the best interest of the public.
- (c) Each Common Consumption Area shall be approved and each Promotional Association shall be certified by the local licensing Authority, consistent with its authority provided in Sections 6-1-10 and 6-5-30 of this Code and pursuant to the provisions of C.R.S. § 12-47-301(11).

(Ord. [2017-1542](#), §1)

Sec. 6-5-60. - Promotional Associations.

- (a) Promotional Associations may be certified so long as the related Entertainment District is valid. The Town Board, pursuant to Section 6-5-30 above, retains the authority to revoke an Entertainment District, in its sole and absolute discretion. Should an Entertainment District become revoked during a certification period, the certification is no longer valid.
- (b) Applications for certification of a Promotional Association shall be consistent with Section 12-47-301(11) C.R.S. and applicable provisions of the Colorado Liquor Code and Chapter 6 of the Windsor Municipal Code. Applications shall be submitted to the Town Clerk on forms prepared and furnished by the Town Clerk. The information required shall include, but not be limited to:
 - (1) A copy of the articles of incorporation and bylaws and a list of all directors and officers of the Promotional Association. The board of directors shall include one (1) person from each licensed premises attached to the proposed Common Consumption Area to serve as director.
 - (2) A detailed map of the proposed Common Consumption Area including:
 - a. Location of physical barriers, entrances and exits;
 - b. Location of additional restrooms/sanitary facilities to be provided if necessary;
 - c. Location of attached licensed premises, including documentation showing possession of the Common Consumption Area; and
 - d. Identification of licensed premises that are adjacent but not to be attached to the Common Consumption Area;
 - (3) A detailed description of security arrangements within the Common Consumption Area;
 - (4) A list of the attached licensees listing the following information: liquor license number, a list of any past liquor violations, and a copy of any operational agreements;
 - (5) Documentation of the reasonable requirements of the neighborhood, the desires of the adult inhabitants as evidenced by petitions, remonstrances, or otherwise;
 - (6) A list of the dates and beginning and ending hours of operation of the Common Consumption Area;
 - (7) Payment of the application fee established pursuant to Section 6-5-70 below; and
 - (8) Any further information requested by the Local Licensing Authority.

- (c) Upon Approval of a Certification by the Local Licensing Authority, the terms and conditions of the approval shall remain effective until and unless a revised or amended application is submitted to the Local Licensing Authority and approved using the same procedures applied to the original application.
- (d) After certification, each Promotional Association shall abide by the following operational requirements in addition to any specific requirements imposed by the Town upon creation of the Entertainment District, or by the Local Licensing Authority upon certification of the Promotional Association:
 - (1) The size of the Common Consumption Area shall not exceed the area approved by the Local Licensing Authority for the particular Entertainment District and is wholly contained within the Entertainment District, and clearly delineated using physical barriers to close the area to motor vehicle traffic and limit pedestrian access;
 - (2) The Promotional Association may make such area smaller at any time, provided the new area is clearly delineated using physical barriers to close the area to motor vehicle traffic and limit pedestrian access.
 - (3) The Promotional Association shall provide an appropriate amount of security to ensure compliance with the liquor code and prevent a safety risk to the neighborhood and the general public patronizing the Entertainment District. All security within the Common Consumption Area or its attached licensed premises shall complete the server and seller training program established by the Director of the Liquor Enforcement Division of the Department of Revenue and be approved by the Chief of Police.
 - (4) The Promotional Association governing the Common Consumption Area shall obtain and maintain a properly endorsed general liability and liquor liability insurance policy that is reasonably acceptable to the Local Licensing Authority of at least one million dollars (\$1,000,000.00) per incident and names the Town of Windsor, Colorado as an additional insured.
- (e) The Local Licensing Authority has the power to refuse to certify, or to decertify a Promotional Association. After consideration of the merits of the application by the Local Licensing Authority, a Promotional Association may be decertified, or not certified if it:
 - (1) Fails to submit an annual report by January 31 of each year;
 - (2) Fails to establish that the licensed premises and Common Consumption Area can be operated without violating this Article, any provision of the Colorado Liquor Code or Regulations, or without creating a safety risk to the neighborhood;
 - (3) Fails to have at least two (2) licensed premises attached to the Common Consumption Area;
 - (4) Fails to obtain or maintain a properly endorsed general liability and liquor liability insurance policy that is reasonably acceptable to the Local Licensing Authority and names the city as an additional insured;
 - (5) Fails to demonstrate that the use is compatible with the reasonable requirements of the neighborhood or the desires of the adult inhabitants; or
 - (6) Is in violation of either C.R.S. §§ 12-47-301(11) or 12-47-909, as may be amended from time to time, related to Common Consumption Area operations;
 - (7) The Local Licensing Authority may authorize the Town Clerk to decertify a Promotional Association pursuant to the provisions of this Article and applicable provisions of the Colorado Liquor Code, as amended.
- (f) The Local Licensing Authority may authorize the Town Clerk to administratively certify or recertify a Promotional Association pursuant to the provisions of this Chapter and applicable provisions of the Colorado Liquor Code, as amended.

- (g) Applications for recertification of a Promotional Association must be made by January 31 of each year in a manner consistent with the provisions of this Section, upon applications furnished by the Town Clerk. Review of applications for certification, recertification or attachment shall be considered within sixty (60) days of receipt by the Town Clerk of the complete application and payment of application fees. The Local Licensing Authority shall review the application for compliance with this Chapter, Colorado liquor laws and any additional requirements imposed, and may either approve the application with or without conditions or deny the application.

(Ord. [2017-1542](#), §1)

Sec. 6-5-70. - Application fees.

The application fee for certification of a Promotional Association shall be \$500.00 for the initial application, and \$100.00 for recertification applications, as amended from time to time by Town Board by resolution.

(Ord. [2017-1542](#), §1)



Entertainment Districts

Kim Emil, Town Prosecutor/Assistant Town Attorney
Town Board Work Session, February 3, 2020



Background

- Senate Bill 11-273 (effective August 11, 2011)
 - Summary: Under Colorado law, two or more licensed liquor premises may share a common consumption area inside an approved entertainment district. The common consumption area is a defined space where alcohol sold by any of the participating licensed premises may be carried and consumed anywhere in the common consumption area, instead of being confined to the licensed premises from which the beverage was purchased by the consumer.
- Ordinance 2017-1542
 - The Town of Windsor approved Ordinance 2017-1542 which added a new Article to Chapter VI, Business Licenses and Regulations. Ordinance 2017-1542 authorizes the Town Board to establish an Entertainment District by Resolution upon application by any person or association.



Entertainment District Approval

- An Entertainment District must first be established by Resolution of the Town Board
 - Must be **between 20,000 sq. ft. and no more than 100 acres in size**
 - Subject to demonstration that the proposed district is consistent with the definition and purpose of an Entertainment District as set forth in Article V, Chapter 6 of the Windsor Municipal Code.
 - Town Board **may impose stricter limits** than state law related to size, security or hours of operation of the Common Consumption Area that is proposed for the Entertainment District
 - Determined to be in the **best interest of the public and the specific geographic area to be served**
 - Entertainment Districts are subject to **annual review**
 - The Entertainment District is revocable at the will of the Town Board - if determined the continued operation of the Entertainment District is no longer in the ***best interest of the public.***



Local Licensing Authority

- The Town Board has delegated to its Local Licensing Authority all decisions relating to:
 - Certifying and decertifying promotional associations
 - Designating the location, size, security and hours of operation of a Common Consumption Area
 - Regulation of attached liquor licensed premises to common consumption areas
 - Town Board RETAINS authority to revoke an Entertainment District by Resolution.



Common Consumption Area

A Common Consumption Area is a defined area located inside an approved Entertainment District that is approved by the local licensing authority and uses physical barriers to close the area to motor vehicle traffic and limit pedestrian access. The boundaries of the Entertainment District and Common Consumption Area need not be coextensive, but the Common Consumption Area's boundaries must be inside the Entertainment District.

There may be multiple Common Consumption Areas within an Entertainment District



Promotional Association

- A Promotional Association is an association that is incorporated within Colorado that organizes and promotes entertainment activities within a Common Consumption Area, and is organized or authorized by two (2) or more people who own or lease property within an Entertainment District. Promotional Associations must:
 - Have a Board of Directors
 - Have at least one director from each licensed premises attached to the Common Consumption Area on the Board of Directors
 - Agree to submit annual reports to the liquor licensing authority by January 31st every year
 - Maintain liability insurance, naming Windsor as an additional insured
 - Be compatible with reasonable requirements of the neighborhood or desires of the adult inhabitants



Summary of Steps

- Resolution presented to the Town Board establishing an Entertainment District (legislative action)
- Town Board may hear presentation of proposed Entertainment District by Applicant.
- Town Board Approves Resolution creating Entertainment District if it finds:
- The proposed Entertainment District area is at least 20,000 sq. ft. of licensed premises; and no more than 100 acres in size
- The Town Board finds is in best interests of the public and specific geographic area
- Town Board may impose stricter limits than state law related to size, security or hours of operation of the Common Consumption Area that is proposed for the Entertainment District

After approval by Town Board – the Local Licensing Authority takes over – having delegated all decisions relating to the Common Consumption Area and Promotional Associations

- Quasi-judicial hearing before the Liquor Licensing Authority to assure compliance with Promotional Association and certifying a Common Consumption Area.





MEMORANDUM

Date: February 3, 2020
To: Mayor and Town Board
Via: Shane Hale, Town Manager
From: Kim Emil
Re: Door to Door Solicitations
Item #: 2.

Background / Discussion:

It appears we may have a "typo" in the Windsor Municipal Code section 10-4-107 concerning Hours for Solicitation.

Sec. 10-4-170. - Hours for solicitation.

All persons **exempted** by the provisions of the ordinance codified herein shall conduct solicitations only between the hours of 9:00 a.m. and 7:00 p.m.

This means that only those organizations "exempted" under 10-4-140 has to abide by the hours. This was not the intent of the ordinance. The ordinance, should say *not exempted*, so that commercial sales people, magazine sales people, etc. must comply with the restricted hours. Other forms of protected speech would not be subject to the restricted hours.

The resulting effect of this amendment would be to apply the limiting hours to those going door to door "for the purpose of soliciting the immediate or future purchase or sale of goods, services or any other thing of value. The provisions of the ordinance codified herein shall apply to, but shall not be limited to, books, pictures and periodicals."

As to all other forms of protected speech, there would be no hourly limitations, but ALL door to door contacts would have to honor "No Solicitation" or "No Trespassing" signs if posted at or near the entrance to each individual residence.

Relationship to Strategic Plan:

Small-town feel

Recommendation:

Discuss amendment to the Door to Door solicitation ordinance to distinguish between commercial speech and non-commercial speech.

CC:

Rick Klimek
Shane Hale

ATTACHMENTS:

- ▢ Power Point presentation



Door to Door Solicitation

*Kim Emil, Town Prosecutor/ Assistant Town Attorney
Town Board Work Session, February 3, 2020*

Sec. 10-4-140. - Door-to-door solicitation.

(a) It shall be unlawful for any person to enter or remain upon any public or private premises in the Town, not having been requested or invited by the occupant or occupants thereof, for the purpose of soliciting the immediate or future purchase or sale of goods, services or any other thing of value. The provisions of the ordinance codified herein shall apply to, but shall not be limited to, books, pictures and periodicals.

(b) Nothing in the ordinance codified herein shall be deemed to apply to solicitations by nonprofit organizations exempt from federal income tax under 26 U.S.C. § 501(c)(3).

(c) Nothing in the ordinance codified herein shall be deemed to apply to any person engaged in the business of selling and delivering goods or services directly to residents of the Town, who regularly delivers on a schedule or usually employs a vehicle for such deliveries over a regularly defined route and ordinarily sells from orders previously placed by such residents.

(d) Nothing in the ordinance codified herein shall be deemed to apply to any person engaged in the distribution of information in the exercise of such person's rights under the constitutions of the United States and the State of Colorado.



10-4-150 & 10-4-160

- **10-4-150 Attempt to obtain invitation prohibited.** No person shall attempt to obtain, by telephone or otherwise, an invitation to visit any private residence for the purpose of soliciting the purchase or sale of goods, services or any other thing of value, by knowingly making a false or deceptive representation or statement.
- **10-4-160 Signs prohibiting solicitation.** With the exception of solicitations permitted by Subsection 10-4-140(d), no person shall enter or remain upon any public or private premises in the Town, having not been requested or invited by the occupant or occupants thereof, for the purpose of soliciting the immediate or future purchase or sale of goods, services or any other thing of value when a "No Solicitation" or "No Trespassing" sign is posted at or near the entrance to such premises.



10-4-170

Sec. 10-4-170. - Hours for solicitation.

- All persons exempted by the provisions of the ordinance codified herein shall conduct solicitations only between the hours of 9:00 a.m. and 7:00 p.m.

Denver – 8 am – ½ hour after sunset

Fort Collins – 9 am – sunset

Cherry Hills – 9 am to the earlier of sunset or 8 pm

Greenwood Village before 7:00 a.m. or after the later of 7:00 p.m. or sunset as announced and published by the National Weather Service.



OPTION 1 and OPTION 2

Based upon current case law, it appears that in order for this ordinance to remain valid, we need to insert the word “not” so as to not infringe upon the “exempted” people, and this ordinance should be upheld if challenged.

The revised ordinance would read:

Option 1. Sec. 10-4-170 – Hours for solicitation. All persons **not** exempted by the provisions of the ordinance codified herein shall conduct solicitations only between the hours of 9:00 a.m. and 7:00 p.m.

Option 2. Internal discussions among staff also suggested that instead of 7:00 pm, that it be changed to sunset. As spring and summer approach, this timeframe would give canvassers additional time beyond 7 pm for canvassing.

Sec. 10-4-170 – Hours for solicitation. All persons **not** exempted by the provisions of the ordinance codified herein shall conduct solicitations only between the hours of 9:00 a.m. and **sunset, as announced and published by the National Weather Service daily.**



Content-Neutral Approach

Repeal 10-4-140 and 10-4-170 and Amend 10-4-150 and 10-4-160

Sec. 10-4-150. - Attempt to obtain invitation prohibited.

No person shall attempt to obtain, by telephone or otherwise, an invitation to visit any private residence ~~for the purpose of soliciting the purchase or sale of goods, services or any other thing of value~~, by knowingly making a false or deceptive representation or statement.

Sec. 10-4-160. - Signs prohibiting solicitation.

~~With the exception of solicitations permitted by Subsection 10-4-140(d),~~ No person shall enter or remain upon any public or private premises in the Town, having not been requested or invited by the occupant or occupants thereof, ~~for the purpose of soliciting the immediate or future purchase or sale of goods, services or any other thing of value~~ when a "No Solicitation" or "No Trespassing" sign is posted at or near the entrance to such premises.

- Loveland, Louisville, Boulder, Lafayette – all repealed/suspended their door to door solicitation ordinances, keeping the "No Solicitation/No Trespassing" signs and the false/deceptive practices to gain entrance.



Potential issues

Strict scrutiny applies to content-based laws, that is, those that target speech based on its communicative content, are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests. (*Reed v. Town of Gilbert, Ariz.*, 2015, 135 S.Ct. 2218, 192 L.Ed.2d 236.)

Reed doesn't apply to commercial speech at this time.- commercial speech – intermediate scrutiny.

Imposing a time restriction on a public interest group protected by First Amendment rights (from 6 pm to 9 am), (prohibiting all door-to door canvassing and soliciting) is unconstitutional, where the ordinance allowed residents to avoid being inconvenienced by door-to-door canvassers at dinnertime by posting “No Soliciting” sign on their property or by placing their names on city's do-not-solicit list, and there was no evidence that residents were particularly protective of their privacy after 6 P.M., that curfews prevented crimes by door-to-door canvassers, or that excessive amount of police time was consumed by solicitation-related calls after 6 P.M. (*Ohio Citizen Action v. City of Englewood*, 671 F.3d 564 (6th Cir. 2012)).



Time, place & manner restrictions ok for commercial activities only.

The text of the Village's ordinance prohibits “canvassers” from going on private property for the purpose of explaining or promoting any “cause,” unless they receive a permit and the residents visited have not opted for a “no solicitation” sign. **Had this provision been construed to apply only to commercial activities and the solicitation of funds, arguably the ordinance would have been tailored to the Village's interest in protecting the privacy of its residents and preventing fraud.**

Watchtower Bible & Tract Soc'y of New York, Inc. v. Vill. of Stratton, 536 U.S. 150, 165, 122 S. Ct. 2080, 2089, 153 L. Ed. 2d 205 (2002)



Post Sign or Don't Answer Door – content-neutral alternative

- it seems clear that § 107 of the ordinance, which provides for the posting of “No Solicitation” signs and which is not challenged in this case, coupled with **the resident's unquestioned right to refuse to engage in conversation with unwelcome visitors, provides ample protection for the unwilling listener.** *Schaumburg*, 444 U.S., at 639, 100 S.Ct. 826 (“[T]he provision permitting homeowners to bar solicitors from their property by posting [no solicitation] signs ... suggest[s] the availability of less intrusive and more effective measures to protect privacy”). The annoyance caused by an uninvited knock on the front door is the same whether or not the visitor is armed with a permit.
- *Watchtower Bible & Tract Soc'y of New York, Inc. v. Vill. of Stratton*, 536 U.S. 150, 168–69, 122 S. Ct. 2080, 2091, 153 L. Ed. 2d 205 (2002)



MEMORANDUM

Date: February 3, 2020
To: Mayor and Town Board
Via: Shane Hale, Town Manager
From: Jessica Humphries, Administrative Services Director
Re: Bulk Water Rate Discussion
Item #: 3.

Background / Discussion:

Currently, the Town of Windsor allows the purchase of treated water by anyone (resident, non-resident, commercial, or business) via the water tower located at the Public Services facility. Users of the water tower are charged the bulk water rate per the fee schedule. The last time the bulk water rate was reviewed and established was in February of 2000. The rate was and is currently set at \$3.50/1000 gallons. This rate is less than the rate charged by hydrant meter users (\$7.40/1000 gallons).

From the data available from current water tower software, an average of 1,297,394 gallons per year. The data does NOT tell us who is using the water, how often and how much are they purchasing. Together, IT and Public Works have purchased a new software, Flowpoint, to collect more specific and accurate data of users. With the implementation of the new software, users will go through an application process with Public Works to gain an account and PIN access to the water tower. Users will pay via credit card on their account. Public Works will administer the program via the software, monitoring use, denied payment and revoke access if the user is in violation of the program's policies.

Recommendation:

In an effort to not only align bulk water and hydrant water rates but also recoup costs, staff is recommending the bulk water rate to be increased to \$7.40/1000 gallons effective March 1, 2020. A resolution amending the rates as such will be brought to the Board for consideration on February 10, 2020.

ATTACHMENTS:

- ▢ Resolution 2000-13
- ▢ 2017-2019 Water Tower Use Report

TOWN OF WINDSOR

RESOLUTION NO. 2000 - 13

BEING A RESOLUTION ESTABLISHING MONTHLY WATER CHARGES IN THE TOWN OF WINDSOR, COLORADO.

WHEREAS, the Windsor Municipal code authorizes the Board of Trustees to periodically set monthly charges for water usage in the Town; and

WHEREAS, upon the recommendation of the Water and Sewer Board, the Board of Trustees now desires to adopt a modified schedule of water rates; and

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF WINDSOR, COLORADO THAT UPON THE ADOPTION OF THIS RESOLUTION THE FOLLOWING MONTHLY WATER CHARGES SHALL BE ESTABLISHED FOR THE TOWN OF WINDSOR EFFECTIVE MARCH 1, 2000:

Monthly Water Charges

NON-RESIDENTIAL CUSTOMERS:

<u>WATER METER SIZE</u>	<u>BASE FEE</u>	+	<u>COMMODITY CHARGE</u>
¾"	\$ 14.30	+	\$1.58/HCF
1.0"	\$ 23.10	+	\$1.58/HCF
1.5"	\$ 47.30	+	\$1.58/HCF
2.0"	\$ 74.80	+	\$1.58/HCF
3.0"	\$140.80	+	\$1.58/HCF
4.0"	\$234.80	+	\$1.58/HCF
Single family residential	\$ 14.30	+	\$1.58/HCF
Multi-family residential	\$ 9.24 (per unit)	+	\$1.58/HCF

OUT OF TOWN CUSTOMERS: 1.5 x the in-town rates for water.

TANK WATER: \$3.63 PER 1,000 gallons.

3.50 (per unit) 3/1/00 T & H

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14th day of February, 2000.

TOWN OF WINDSOR, COLORADO

By W. Wayne Melt
Mayor

ATTEST:

Cathy M. Kennedy
Town Clerk



Transaction Summary By Station

Page1 of 1

Date Range: 01.Oct.2017 - 11.Dec.2019

Unit: 1000 U.S. Gal

All Stations

All Customer Categories

Station: Bulk Water				
Customer	Quantity	Amount	YTD Quantity	YTD Amount
Credit Card Transactions	2591699.00	\$9076.24	1477767.00	\$5175.36
Windosr	3440.00	\$12.08	2922.00	\$10.22
Bulk Water Total:	2595139.00	\$9088.32	1480689.00	\$5185.58
Report Total:	2595139.00	\$9088.32	1480689.00	\$5185.58



MEMORANDUM

Date: February 3, 2020
To: Mayor and Town Board
Via: Shane Hale, Town Manager
From: Dean Moyer
Re: Cash Handling and Investments
Item #: 4.

Background / Discussion:

In your packet is information regarding our cash handling and investment program. Information enclosed is as follows:

1. This is a diagram showing our internal cash handling and investment operations and decision making process. I will speak more to this on Monday evening.
2. List of our cash balances as of December 31, 2019
3. Schedule of interest earned in 2019 by fund and by month.
4. Information from Department of Local Affairs concerning legal investments for Colorado local governments. I do not plan on covering this document on Monday, it is there more for your reference.

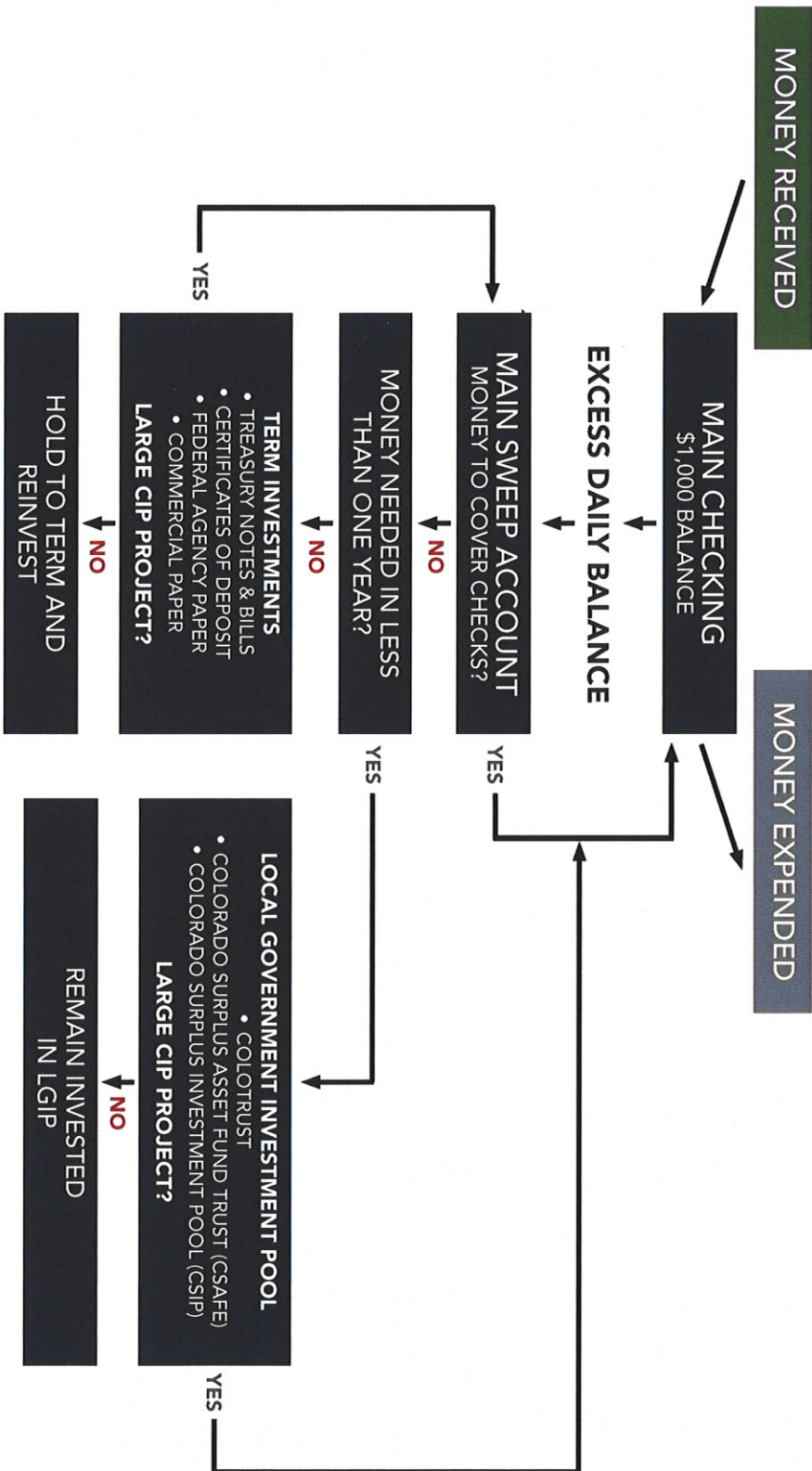
The recent past has allowed us to build up quite a war chest, but as we frequently discuss, we have a long list of major projects to fund in the coming years. I wanted to add that this part of our operation is a large part of our annual audit. Also all of the companies that we do business with have their own legal department that reviews any investments that the dealers offer to be sure that we are allowed to participate in a certain offering.

ATTACHMENTS:

- ▢ Cash Handling and Investments



Cash Handling and Investing



TOWN OF WINDSOR
CASH STATEMENT - Weighted Average Interest
December 31, 2019

<u>CASH IN PORTFOLIOS</u>	<u>INT RATE</u>	<u>Account Balance</u>	
Raymond James & Associates	0.08%	109,069.70	
LPL Financial	0.30%	197,835.94	
RBC Wealth Management	0.00%	454,647.18	
C-Safe	1.90%	10,098,186.40	
Colotrust	1.87%	2,638,559.71	
Sigma Financial Corporation	0.00%	8,118.45	
Multi-Bank Securities	0.00%	255,312.50	
CSIP - Colorado Statewide Investment Program	1.77%	2,040,818.58	
Other (Bank of Colorado, FirstBank, DDA, WBA)	0.19%	4,472,445.41	
Balance - Cash in Portfolios	1.41%		20,274,993.87
<u>CERTIFICATES OF DEPOSIT</u>			
RBC Wealth Management	2.14%	7,251,000.00	
Sigma Financial Corporation	3.01%	665,000.00	
Multi-Bank Securities	2.55%	744,000.00	
Other	0.74%	503,716.93	
Balance - Certificates of Deposit	2.16%		9,163,716.93
<u>Government Securities</u>			
Raymond James & Associates	2.40%	3,133,167.46	
LPL Financial	2.17%	29,073,000.00	
RBC Wealth Management	2.30%	1,820,000.00	
Sigma Financial Corporation	2.09%	25,295,000.00	
Multi-Bank Securities	1.45%	9,950,000.00	
CSIP - Colorado Statewide Investment Program	2.15%	6,039,038.97	
Balance - Government Securities	2.06%		75,310,206.43
<u>Corporate Securities</u>			
Raymond James & Associates	2.73%	666,409.67	
Balance - Corporate Securities	2.73%		666,409.67
<u>U.S. Treasury Notes</u>			
Raymond James & Associates	2.16%	445,000.00	
Balance - U.S. Treasury Notes	2.16%		445,000.00
TOTAL			<u>105,860,326.90</u>
1.68% = Weighted Average Interest Rate			

TOWN OF WINDSOR							
Interest Income Verification - 4364							
Summary							
		Park	Conservation	Capital	Community		
	<u>General</u>	<u>Improvement</u>	<u>Trust</u>	<u>Improvement</u>	<u>Rec Center</u>	<u>Water</u>	<u>Sewer</u>
January	\$5,383.98	\$193.69	\$183.20	\$25,945.41	\$21.20	\$45,825.11	\$2,907.02
February	\$7,249.59	\$185.89	\$166.74	\$39,365.93	\$20.61	\$25,329.38	\$2,657.80
March	\$5,243.71	\$241.11	\$183.89	\$52,512.23	\$27.42	\$112,283.09	\$2,963.73
April	\$7,090.68	\$257.40	\$84.43	\$31,665.10	\$25.71	\$111,587.53	\$2,301.04
May	\$5,671.92	\$283.87	\$288.86	\$26,917.03	\$38.34	\$118,329.12	\$3,650.30
June	\$5,525.92	\$265.58	\$181.25	\$70,797.49	\$31.47	\$47,456.28	\$2,871.88
July	\$7,243.80	\$306.69	\$182.89	\$27,876.73	\$37.14	\$67,115.19	\$2,927.79
August	\$8,093.80	\$232.22	\$173.12	\$79,304.56	\$27.34	\$47,811.09	\$2,714.88
September	\$4,861.70	\$220.74	\$161.23	\$61,856.67	\$25.95	\$84,239.89	\$4,950.60
October	\$7,760.63	\$169.93	\$159.50	\$56,271.24	\$19.55	\$149,972.90	\$6,058.78
November	\$5,072.59	\$143.10	\$143.98	\$27,030.73	\$16.21	\$101,111.51	\$5,463.56
December	\$7,790.55	\$128.33	\$142.83	\$105,908.19	\$14.23	\$70,809.41	\$5,422.48
Year-to-Date	\$76,988.87	\$2,628.55	\$2,051.92	\$605,451.31	\$305.17	\$981,870.50	\$44,889.86
	<u>Storm</u>	<u>Self-Fund</u>	<u>Building</u>	<u>Downtown</u>	<u>CRC</u>	<u>Monthly</u>	
	<u>Drainage</u>	<u>Insurance</u>	<u>Authority</u>	<u>Development</u>	<u>Expansion</u>	<u>Totals All</u>	
January	\$958.65	\$258.28	\$0.00	\$0.00	\$739.21	\$82,415.75	
February	\$874.72	\$519.01	\$0.00	\$0.00	\$672.09	\$77,041.76	
March	\$971.32	\$2,700.69	\$0.00	\$0.00	\$739.34	\$177,866.53	
April	\$622.48	\$2,783.78	\$0.00	\$0.00	\$334.32	\$156,752.47	
May	\$1,337.64	\$2,471.75	\$0.00	\$12.30	\$1,162.56	\$160,163.69	
June	\$948.46	\$2,060.94	\$0.00	\$0.00	\$726.60	\$130,865.87	
July	\$963.17	\$2,140.00	\$0.00	\$4.11	\$730.92	\$109,528.43	
August	\$900.32	\$1,444.58	\$0.00	\$5.84	\$695.16	\$141,402.91	
September	\$840.34	\$1,267.61	\$0.00	\$0.00	\$647.02	\$159,071.75	
October	\$818.12	\$909.92	\$0.00	\$0.35	\$642.68	\$222,783.60	
November	\$736.69	\$673.77	\$337.91	\$0.00	\$580.74	\$141,310.79	
December	\$730.37	\$497.14	\$0.00	\$0.00	\$576.84	\$192,020.37	
Year-to-Date	\$10,702.28	\$17,727.47	\$337.91	\$22.60	\$8,247.48	<u>\$1,751,223.92</u>	

LEGAL INVESTMENTS FOR COLORADO LOCAL GOVERNMENTS



FINANCIAL MANAGEMENT ASSISTANCE

Department of Local Affairs
1313 Sherman Street, Room 521
Denver, Colorado 80203
303-866-2156
www.dola.colorado.gov

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INTRODUCTION

LEGAL INVESTMENTS FOR COLORADO LOCAL GOVERNMENTS

Colorado local governments' investment of public money is prescribed by statute. The following information is intended as general guidance on legal investments for Colorado local governments. The Division of Local Government does not represent the information provided below to be a complete review of relevant statutes for every local government entity type. The information provided is not to be considered or construed as legal advice. Any local government considering investment of public moneys should obtain competent legal counsel.

The Colorado Constitution and several statutes govern how public moneys are invested and where public moneys are deposited; statutes also grant exceptions and exemptions for certain local governments. Notably, home-rule cities, towns, counties and the home-rule city and county are exempt from the general investment statute. Home rule entities should review their home-rule charter provisions. Certain special funds, for example, pension plan funds, are also exempt from the general public money investment statute. Limited references to legal investments for special funds are scattered throughout the Colorado revised statutes.

For more information or for more DOLA technical assistance publications see the department's web site at www.dola.colorado.gov and click on Information and Publications.

CONSTITUTIONAL CITATIONS

A specific prohibition against local government investment as a shareholder in a corporation or company is found in Article XI, Section 2, Colorado Constitution. The section prohibits a local government from becoming a shareholder in any public or private corporations or companies, in- or out-of-state. Certain exceptions are stated.

STATUTORY CITATIONS

The authority for local governments to invest funds is found in statute pertaining to the financial powers of specified governmental entities and/or in statutes on legal investment and deposits. The following are enumerated in the local government's enabling legislation:

Statutory Cities and Towns CRS § 31-20-303(1)(b)

- The treasurer shall deposit all funds subject to CRS 24-75-601, et seq., in one or more state banks or national banks having their principal office in Colorado, or in savings and loan associations in compliance with CRS 11-47-101, et seq.
- The governing body, by resolution, may authorize investment of funds in compliance with CRS 24-75-601, et seq., or by any other law of the state.

Counties CRS § 30-10-708(1)

- The county treasurer shall deposit all funds in one or more state banks, national banks, or in savings and loan associations in compliance with CRS 11-47-101, et seq.
- The board of county commissioners, by written resolution, may authorize the county treasurer to invest funds in compliance with CRS 24-75-601, et seq.

Special Districts (Title 32, Article 1 Districts) CRS § 32-1-1001(1)(e) and CRS § 32-1-1101(5)

- The board of directors, for and on behalf of the district, has the power to invest any money of the special district in accordance with CRS 24-75-601, et seq.
- If a district has moneys on hand which are not then needed in the conduct of its affairs, the district may deposit such moneys in any state bank, national bank, or state or federal savings and loan association in Colorado in accordance with state law.
- A special district's moneys may be pooled for investment subject to the requirements of CRS 24-75-701, et seq.

GENERAL PUBLIC MONEYS INVESTMENT (STATUTORY OVERVIEW).

The investment of general revenues of local governments is prescribed in "Funds - Legal Investments," CRS § 24-75-601, et seq. The "Funds - Legal Investments" statute addresses the following:

- definition of "public entity" (CRS § 24-75-601(1))
- definition of "public funds" (CRS § 24-75-601(2))
- definition of "security" (CRS § 24-75-601(3))
- list of eligible securities (CRS § 24-75-601.1(1))

- investment in securities with a fixed coupon rate from settlement to the maturity date (CRS § 24-75-601.1(1.3))
- firms that sell financial instruments which fail to comply (C.R.S. § 24-75-601.1(1.5))
- conformance with “prudent man standard” (CRS § 24-75-601.1(2))
- power to invest in any investment permitted under other valid law (CRS § 24-75-601.1(3)(a))
- exemption of home rule entities (CRS § 24-75-601.1(3)(b))
- exemption of pension plan funds (CRS § 24-75-601.1(4))
- validity of investments made prior to 7/1/89 (CRS § 24-75-601.2)
- divestment of securities not lawful under section (CRS § 24-75-601.3)
- liability of public officials (CRS § 24-75-601.4)
- liability for sale of unlawful investments (CRS § 24-75-601.5)
- bonds of housing authority as legal investments (CRS § 24-75-602)
- local governments may deposit funds in any state bank, national bank, or state or federal savings and loan association (CRS § 24-75-603)
- investment in bonds issued by institutions of the farm credit system (CRS § 24-75-604)
- legal investments - cities of 25,000 or more population - special funds including pension, endowment, and trust funds - limitation in class of investments (CRS § 24-75-605)

LIST OF LEGAL INVESTMENTS OF PUBLIC FUNDS.

The following descriptions are summaries only, current as of 2007. When consulting the Colorado Revised Statutes, be certain to use the most current edition. CRS § 24-75-601.1 lists the following eligible securities:

1. Direct obligations of the United States with a maximum maturity of five years from the settlement date, unless the governing body authorizes a longer maturity period.
2. Obligations of U.S. Government Agencies with a maximum maturity of five years from the settlement date, unless the governing body authorizes a longer maturity period. Specifically mentioned in the law are securities issued by FNMA (federal national mortgage association) “Fannie Mae”; by GNMA (government national mortgage association) “Ginnie Mae”; by FHLMC (federal home loan mortgage corporation) “Freddie Mac”; by the federal farm credit bank; by the federal land bank; by the export-import bank; by the Tennessee valley authority; and by the world bank.
3. Securities of entities or organizations not listed above, but created by, or authorized to be created by legislation of, the U.S. congress where the issuing agency is subject to control by the federal government at least as extensive as that which governs the agencies listed above. All of these securities must be rated in the highest category by two or more nationally recognized rating agencies that regularly rate such obligations and no

such organizations rate the security lower than its highest rated category. The period from the settlement date to its maturity shall be no longer than five years, unless the governing body authorizes a longer maturity period.

4. General obligations of any state of the United States, the District of Columbia, the territorial possessions of the U.S., or political subdivision, institution, department, agency, instrumentality, or authority of any of such governmental entities. These securities must be rated in the highest two rating categories by two or more nationally recognized rating agencies. The period from the settlement date to its maturity shall be no longer than three years, unless the governing body authorizes a longer maturity period.
5. Revenue obligations of any state of the United States, the District of Columbia, the territorial possessions of the U.S., or political subdivision, institution, department, agency, instrumentality, or authority of any of such governmental agencies. These securities must be rated in the highest rating category by two or more nationally recognized rating agencies. The period from the settlement date to its maturity shall be no longer than three years.
6. The investing local government's own securities including certificates of participation and lease obligations.
7. Any interest in a local government investment pool pursuant to CRS § 24-75-701, et seq.
8. Repurchase agreements for any of the U.S. Government and agency securities listed in paragraphs one and two above, under certain conditions, including that the securities must be marketable; that the market value of such securities at all times must be at least equal to the funds invested by the investing public entity; and that the title must be transferred and the securities must actually be delivered versus payment. The securities subject to repurchase agreement may have a maturity in excess of five years, however the period from the settlement date of the repurchase agreement to its maturity shall be no longer than five years unless the governing body authorizes a longer maturity period.
9. Reverse repurchase agreements for any of the U.S. Government and agency securities listed in paragraphs one and two above, subject to several conditions, including that necessary transfer documents must be transferred to the investing public entity; cash must be received by the investing public entity in a delivery versus payment settlement; that the market value of such cash received from such reverse repurchase agreement at all times must be at least equal to the funds invested by the investing public entity; that the repurchase agreement is not greater than ninety days in maturity from the date of settlement unless the governing

body authorizes a longer maturity period; that the counter-party meets the credit conditions of an issuer that would qualify under paragraph thirteen below; that the value of all securities does not exceed eighty percent of the total deposits and investments of the investing public entity; and that no securities are purchased with the proceeds of the reverse repurchase agreement that are greater in maturity than the term of the reverse repurchase agreement.

10. Securities lending agreement, subject to certain conditions, including that necessary transfer documents must be transferred to the investing public entity; securities must be received by the investing public entity in a simultaneous settlement; that the market value of such securities at all times must be at least equal to the securities lent by the investing public entity; that the counter-party meets the credit conditions of an issuer that would qualify under paragraph thirteen below; and that in the case of a local government, the securities lending agreement shall be approved and designated by written resolution adopted by a majority vote of the governing body and recorded in its minutes.
11. Certain money market funds. Statutes impose several conditions including: registration of the fund under the federal "Investment Company Act of 1940"; that the fund seeks to maintain a constant share price; the fund charges no sale or load fees unless the governing body of the public entity authorizes such a fee at the time of purchase; the securities have maximum maturity as specified in rule 2a-7 of the federal "Investment Company Act of 1940"; the fund has assets of a certain amount; or has the highest current rating from at least one nationally recognized rating agency; and the dollar-weighted average portfolio maturity meets requirements of rule 2a-7 with additional limitations.
12. Certain guaranteed investment contracts rated in one of the two highest rating categories by two or more nationally recognized securities ratings agencies that regularly issue such ratings; with a maturity not greater than three years; contracts with a maturity of greater than three years shall only be purchased only with debt, certificates of participation, or lease-purchase agreement proceeds, but no refunding proceeds.
13. U.S. dollar denominated corporate or bank security, issued by a corporation or bank organized and operating within the United States; the debt matures within three years; the debt must carry at least two ratings not below "AA- or Aa3" from any nationally recognized rating agencies; if the security is a money market instrument such as commercial paper or bankers' acceptance, then it must carry at least two credit ratings from any nationally recognized credit rating agencies and must not be rated below "A1, P1, or F1"; and the book value of the local government's investment in this type of debt shall at no time exceed 50% of the government's investment portfolio, or five percent of the book value if the debt is issued

by a single corporation or bank unless the governing body authorizes a greater percent.

PRUDENT MAN STANDARD.

Investments made pursuant to CRS § 24-75-601.1 must be made in accordance with the "prudent man (person)" standard of CRS § 15-1-304, (CRS § 24-75-601.1(2)). This requirement states that fiduciaries, such as official custodians who make investments or deposits for local governments, are obligated to exercise

... the judgment and care, under the circumstances then prevailing, which men of prudence, discretion, and intelligence exercise in the management of the property of another, not in regard to speculation but in regard to the permanent disposition of funds, considering the probable income as well as the probable safety of capital. (CRS § 15-1-304)

Another example of specific prudent standard language is found in CRS § 24-75-705 and applies to the board of trustees of local government investment pool trust funds. The board is charged with making legal investments

... with that degree of judgment and care, under the circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital and need for liquidity as well as the probable income to be derived. (CRS § 24-75-705)

Persons or entities responsible for investing funds who are not subject to a standard specifically set forth in another statute, nor subject to section CRS § 15-1-304 by a specific reference in another statute prior to July 1, 1995, must adhere to the standard set forth in the "Uniform Prudent Investor Act," CRS § 15-1.1-101, et seq.

WHAT YOU CAN'T INVEST IN.

The following does not attempt to be a complete listing. Examples of some things a local government cannot invest in are the following: equities -- common or preferred stock of corporations; Certificates of Deposit (CDs) in out-of-state banks unless invested through an eligible public depository in accordance with CRS § 24-75-603(4); real estate; commodity futures; collateralized mortgage obligations (CMOs), except those issued directly by government agencies; unit investment trusts (UIT); art and other collectibles.

Local governments considering investing in "Sallie Mae's," obligations of the Student Loan Marketing Association (SLMA), are strongly urged to obtain a legal opinion as to the legality of these instruments under Colorado local government investment law. Statute permits investment in any security issued

by the Government National Mortgage Association (GNMA), therefore, purchasing GNMA securities from a broker is legitimate. However, derivative securities backed by GNMA securities that have been created by brokers, are not legal investments.

PENSION FUNDS.

As indicated above in the General Public Moneys Investment section, pension funds are specifically exempted from the funds - legal investments section CRS § 24-75-601.1. Pension fund investment (and administration) is a specialized area of knowledge, especially as it relates to police and firefighter pension plans. There are several pension fund investment citations that note exceptions. DLG does not represent the following to be a complete listing.

Fire and Police Pension Plans: The firefighter and police pension plan statutes are frequently amended. In May 1996 legislation amended and relocated parts three through ten of article 30, Title 31, CRS, Fire - Police - Sanitation. The statutes make several distinctions between pension plans for “old hires” and for “new hires” and between paid and volunteer firefighters. Both old hire and new hire employers may elect to affiliate with the Fire and Police Pension Association (FPPA) to administer and manage the plans and funds. The FPPA is located at 5290 DTC Parkway, Suite 100, Greenwood Village, CO 80111 (303)770-3772 (FPPA) or 1-(800) 332-FPPA. Police officers and firemen's pension fund investment is addressed in:

- Fire - Police - Old Hire Pension Plans - Investments - Insurance (CRS § 31-30.5-501) [investment]. This applies to the pension funds created by municipal employers of police officers or firefighters and special district or county improvement district employers of firefighters hired on or before April 7, 1978. Investment restrictions are no longer related to the population of the employing jurisdiction.
- Fire - Police - Old Hire Pension Plans - Exempt Plans (CRS § 31-30.5-803) [investment]. This section applies to any municipality, fire protection district, or county improvement district that established an exempt alternative police officer/firefighter pension benefit program or a combination pension and insurance benefit program prior to January 1, 1980.
- Fire - Police - New Hire Pension Plans - Fire and Police Members' Benefit Fund (CRS § 31-31-302 (1) and (6)) [investment]. The Fire and Police Members' Benefit Fund consists of the assets of fire and police benefit plans including the statewide defined benefit plan (CRS § 31-31-401, et seq.); the old hire plans affiliated with FPPA (CRS § 31-30.5-701, et seq.); exempt plans (see CRS § 31-30.5-803, above) affiliated with FPPA, and volunteer firefighter pension plans affiliated with FPPA (CRS § 31-31-705).
- Fire - Police - Sanitation - Volunteer Firefighter Pension Act (CRS § 31-30-1113) [investment]. This act provides for the creation of a volunteer firefighter pension fund in any municipality or special district or county improvement district that maintains a regularly organized volunteer fire

department. The board of trustees of the pension fund, with the voted concurrence of 65 percent of both active and retired members, may also invest in certain insurance policies (CRS § 31-30-1114).

- State Funds - Funds - Legal Investments (CRS § 24-75-605) [investment]. This section applies to special funds of cities of 25,000 or more population. Moneys in policemen or firemen's pension funds may be invested in limited amounts in certain classes of investments (Class 1 - 6). It is lawful to invest in these classes of investments if this authorization to invest moneys does not affect the administration of or control over these funds.

Local Government Employees and Officers Pension:

- Pension plans for local government employees who are not police or firefighters and local government officers are addressed as follows:
- County, Municipal, and Special District Officers' and Employees' Retirement Systems (CRS § 24-54-101, et. seq.)
- Any county, municipality and special district may, by itself or in conjunction with any other like government, establish and maintain a general plan or system of retirement benefits for its members. Municipalities and special districts may also join with a county to establish a plan. The entities will form an association to purchase, establish or procure a group annuity retirement plan or a non-insured trust retirement plan. (CRS § 24-54-106). When the retirement board of such a joint county, municipal or special district retirement system determines to participate in a non-insured trust retirement plan with a bank or trust company, the plan's trustee will invest only in investments specified in CRS § 24-54-112. (CRS § 24-54-108(2)(b)). If the retirement board determines to participate in a non-insured trust retirement plan, the treasurer of the most populous county, municipality, or district of the association establishing the retirement plan shall be the treasurer ex-officio of the association. That individual shall invest only in securities specified in CRS § 24-5-112. (CRS § 24-54-108(2)(c) and (4)).
- An individual county, municipal or special district retirement plan's board shall select a plan from among the same choices of type of plan as enumerated above for joint retirement plans. The requirement to make investments pursuant to CRS § 24-54-112 also applies to individual entity plans. (CRS § 24-54-108.5) A group association or an individual entity may also select to participate in the public employees' retirement association. (CRS § 24-54-108(1)(d) and CRS § 24-54-108.5 (1)(d)).
- The Colorado County Officials and Employees Retirement Association ("CCOERA") is an association organized under this statute. (303)698-0313 or 1(800)352-0313.
- Public Employees' Retirement Association ("PERA") - Affiliation by Public Entities (CRS § 24-51-309) [investment]. This section permits any political subdivision within the state to apply for affiliation with PERA. If membership through affiliation is approved by the PERA board, the

contributions of the local government membership may be invested pursuant to CRS § 24-51-206. PERA is located at 1300 Logan Street, Denver, CO 80203 (303) 837-6250 or 1(800) 759-PERA.

- State Funds - Funds - Legal Investments (CRS § 24-75-605) [investment]. This section applies to special funds of cities of 25,000 or more population. Moneys in pension funds may be invested in limited amounts in certain classes of investments (Class 1 - 6). It is lawful to invest in these classes of investments if this authorization to invest moneys does not affect the administration of or control over these funds.

SPECIAL FUNDS.

The investment of special funds such as trust funds and endowment funds is cited in CRS § 24-75-605 "Legal investments - cities of twenty-five thousand or more population." Municipalities with populations less than 25,000 persons and other local governments should seek legal advice regarding investment of special fund moneys.

PUBLIC DEPOSIT PROTECTION.

Statute addresses the protection of public moneys deposited in banks and savings and loan associations. The legal requirements provide for the preservation and protection of all public funds on deposit in these institutions which are not insured either by, or in excess of the insured limits of, federal deposit insurance or the federal savings and loan insurance. Further, in the event of a default, statutes provide for the expedited repayment of deposited funds. Local governments, including home rule entities, are subject to these public deposit protection acts:

- Local governments may deposit moneys only at banks which are "eligible public depositories" pursuant to the Public Deposit Protection Act, CRS § 11-10.5-101, et seq.
- Local governments may deposit moneys only at savings and loan associations which are "eligible public depositories" pursuant to the Savings and Loan Association Public Deposit Protection Act, CRS § 11-47-101, et seq.

Any official custodian of public moneys seeking to open a bank account in an eligible depository in Colorado must obtain public deposit account identification numbers from the Colorado Division of Banking. The Division of Banking designates and certifies a bank as an "eligible public depository." A local government seeking to use an eligible public depository should request a copy of the bank's "eligible public depository designation certificate." PDPA questions may be addressed to the Colorado Division of Banking, 1560 Broadway, Suite 975, Denver, CO 80202 (303) 894-7575. Information about PDPA depositories may also be found on the Banking Division's web page: <http://www.dora.state.co.us/banking/index.htm>.

Savings and Loan Association Public Deposit Protection Act questions may be addressed to the Colorado Division of Financial Services, 1560 Broadway, Suite 950, Denver, CO 80202 (303) 894-2336. Information about eligible public fund depositories may also be found on the Financial Services Division's web page:

<http://www.dora.state.co.us/financial-services/index.htm>

Note: Certificates of Deposit ("CDs") and other deposits are permitted only in "eligible public depositories." Out-of-state banks are not "eligible public depositories," however, CRS § 24-75-603(4) allows investment of qualifying amounts in out-of-state bank CDs through "eligible public depositories".

Public Depository Investment on Behalf of Local Governments:

Banks and savings and loan associations which are eligible depositories pursuant to the above referenced public deposit protection statutes may act as agents on behalf of any official custodian of public moneys and invest said moneys.

- A bank which is an eligible public depository may act as an agent and invest public funds pursuant to CRS § 11-10.5-111(5).
- A savings and loan association which is an eligible public depository may act as an agent and invest public funds pursuant to CRS § 11-47-118(3).

Any investments made by these institutions on behalf of local governments must be in securities authorized by CRS § 24-75-601.1. (CRS § 11-10.5-111(6) and CRS § 11-47-118(3)). The banks and savings and loan associations engaged to invest on behalf of local government clients must keep accounting records that clearly distinguish between the investment activity on behalf of local governments and investment activity to meet the public depositories' eligible collateral requirements. **Note:** moneys invested by an eligible public depository acting as an agent for a local government are not insured by the FDIC.

LOCAL GOVERNMENT INVESTMENT POOLS.

Pursuant to CRS § 24-75-701, et seq., local governments may pool moneys they do not immediately need in a "local government investment pool trust fund." The pooling of moneys permits local governments to take advantage of short-term investments for which they individually may not have sufficient minimum capital and to maximize net interest earnings. The pool trust funds may only invest in securities that all participating local governments may individually invest in. (CRS § 24-75-704(1)) The investment pool trust fund is created by resolution, drafted and adopted by each participating government's governing body.

- The resolution must state the investment objectives of the trust.

- The resolution will provide a description of, and credit standards for, eligible trust fund investments; and, indicate allowable maturity ranges of the fund investments.
- Portfolio concentrations for types of securities owned by the fund must be described.

The following must also occur:

- A supervisory board of trustees is created from local officials of participating local governments.
- An administrator is appointed.
- A custodian of the fund is appointed.
- A financial advisor is appointed.

The statute describes the duties and liabilities of the board of trustees. The statute also enumerates “unlawful activities” for the board of trustees, the administrator, the custodian and the financial advisor. (CRS § 24-75-705, 706, 707, and 708, respectively).

The Colorado Commissioner of Securities administers and enforces the requirements of creating and operating a local government investment pool (CRS § 24-75-709). The securities commissioner's office maintains a list of active local government investment pool trust funds. Division of Securities, 1560 Broadway St., Suite 900, Denver, CO 80202 (303) 894-2320. The Securities Division's web page is <http://www.dora.state.co.us/securities/index.htm>.

PUBLIC PORTFOLIO MANAGEMENT

Sound Investment Practices

Sound investment policies and practices will assist a local government in prudent, legal investing. Policies serve to protect public moneys and the organization's staff and elected officials as they carry out their duties. Answering the following questions will help a local government gain an overview of its current investment situation:

- Why do we invest? What is the purpose of our investment?
- What do we invest in? Do our investments reflect our policy and our purpose for investment?
- Do we have an investment policy? Is it a written document? What does it say? Who approved it?
- Who has the authority to invest?
- Who has oversight responsibility before and after investments are made?

Develop a Strategy:

To develop an investment strategy appropriate to its financial size and needs, a local government will want to utilize its financial and cash management resources. Evaluating a government's cash management/investment needs will require, among other activities, a review of the government's operational and financial condition and any existing legal constraints. The local government then will be able to:

- Clarify any legal and other limitations on public money investment including home rule charters, existing ordinances, state constitutional and state and federal statutory restrictions
- Identify preferences for investing locally or out-of-community
- Identify suitable, legal investment instruments
- Determine investment objectives
- Establish policies
- Identify and implement necessary systems of internal control to:
 - segregate duties
 - establish authorization for transactions
 - ensure proper reporting for transactions (a reliable accounting system)
 - establish a purchasing system
 - identify who maintains custody and safekeeping of funds and securities
- Establish bank and broker relationships through a RFP process and with formal agreements
- Monitor, report and analyze investment activity
- Be prepared to respond to internal and market changes

For example, as part of its operational review, the local government should determine its cash flow by examining its funds (the general fund, the capital improvement fund, the debt service fund, the pension fund, the special assessment fund, etc.). To do this, list on a monthly or weekly basis when the cash from each of these sources is received. It is important to identify which revenues come from recurring sources (local taxes, fees, intergovernmental payments) and those that are special, non-recurring revenues (grants, bond and lease proceeds, restricted use revenues, gifts).

Similarly, when expenses are tracked by amount due, type of expense and due dates, the local government can reasonably anticipate how much revenue is needed for disbursement deadlines. From this information the investment portfolio can be structured to have securities mature as disbursement needs occur. For some local governments this information may also identify times when it might become necessary, as a last resort, to borrow funds for the "short-term," in anticipation of a known, future period of revenue collection.

Adopt an Investment Policy: Having thought through and discussed the processes for each of the items listed above (and any others the entity may have discovered as relevant), the governing body is strongly urged to adopt an

investment policy tailored to that entity's specific needs. The policy will guide the investment activities. The above-itemized elements address specific concerns that are recommended to be included in a policy. These include statements as to what the policy applies to, that is, its "scope"; the "objectives" of investment described below by the acronym "SLY"; the standard of care to be used in investment (i.e., the prudent person standard); the safekeeping and custody of the securities; suitable and legal investment types; the portfolio structure -- addressing maximum maturities and diversification; monitoring, evaluating and reporting on the investment portfolio status and performance; and the manner of reviewing and amending the investment policy.

- A sample investment policy to use as a beginning point for drafting your own policy is available from the Government Finance Officers Association (GFOA). (312) 977-9700 or at the GFOA Internet address: <http://www.gfoa.org/downloads/SampleInvestmentPolicy.pdf>.
- Many Colorado local governments are willing to share examples of their policies. These sample/examples can be used as a starting point to ask and answer the questions needed to develop a policy specific to your entity.
- The Municipal Treasurers' Association of the United States and Canada (MTA US&C) offers an Investment Policy Certification Program which recognizes outstanding examples of written policies and provides professional guidance and assistance in developing or improving existing investment policies. (202) 833-1017.

SLY:

The acronym "SLY" should guide local government investment.

1. "S" - Safety - "S" has primary importance. The local government must understand the importance of preserving capital. It must, therefore, define all risk associated with any security by reviewing credit risk (the possible default of the security issuer) and interest rate risk (falling value due to market conditions).
2. "L" - Liquidity - "L" is of secondary importance. The local government must understand investment maturity. It must determine whether the maturity is within legal guidelines and whether the investment maturity will coincide with anticipated, as well as unexpected, cash needs. Securities with active secondary markets and money market mutual funds are useful in order to respond to unanticipated cash needs. Penalties, sometimes large, are usually assessed for early redemption of less liquid securities.
3. "Y" - Yield - "Y" has the least importance. Staff and elected officials must discuss how maximizing return fits into the government's investment plan. While generating income may be a desirable goal of investment, the overarching goal should be to ensure safety and liquidity. An objective of the investment plan should be to attain a market rate of return for the type of investment used. A local government must understand the percentage

rate of interest an investment will yield and track actual rates of returns on investments to compare them with the market rate of return for securities of similar risk. If the monthly, or more frequent, reports of investment returns show earnings higher than the going market rate of return, high-risk investments are probably in the portfolio.

RULES OF THUMB:

- Don't make investments you don't understand.
- Don't allow yourself to be pressured into buying a security. If a salesperson says an investment is "too good to pass up," it should be passed up. Interest rates, even a few percentage points above market rates, may signify speculative, high-risk investments. The security is probably illegal under the above cited statutes.
- Obtain/solicit competitive price and yield quotations from different banks and brokers for the securities you are considering purchasing.
- Take into account any costs related to the transaction(s).
- Thoroughly investigate any broker or dealer offering any securities being considered for purchase. Contact the National Association of Securities Dealers (NASD) Central Registration Depository ("CRD") to obtain work histories on dealers and firms. 1 (800) 289-9999 or the Internet site: <http://www.nasdr.com>.
- You may also contact the Colorado Division of Securities at (303)894-2320. The Division has access to the CRD and can assist you with questions about unfamiliar investments.

ACCOUNTING AND FINANCIAL REPORTING FOR CERTAIN INVESTMENTS AND FOR EXTERNAL INVESTMENT POOLS

GASB No. 31

The Governmental Accounting Standards Board (GASB) released standard number 31 in the spring of 1997. The standard establishes accounting and reporting standards for investments held by local governments. It became effective for accounting periods beginning after June 15, 1997. This standard requires local governments to report investments at "fair value" (formerly known as "market value") on their financial statements' balance sheet. Corresponding increases or decreases in fair value are then reported on the income or revenue statement. The reported gains or losses are unrealized if the investments have not been sold; therefore, local government officials need to be able to inform users of the financial statements of the apparent, but not actual, positive or negative impact of the reported gains or losses on the financial condition of the local government.

GLOSSARY OF CASH MANAGEMENT TERMS

Several published glossaries of cash management terms are available. These include:

- Moody's on Municipals, An Introduction to Issuing Debt [published by Moody's Investors Service].
- Glossary of Municipal Securities Terms, Adapted from the State of Florida's Glossary of Municipal Bond Terms [published by the MSRB (Municipal Securities Rulemaking Board)].

GFOA has a glossary of cash management terms attached as an appendix to its Sample Investment Policy. Most resource documents on municipal bonds and public money investment include glossaries. These resources are available at libraries, bookstores and from securities' rating agencies, GFOA, the MSRB, and most individual brokers.

Summary of Certain Characteristics of Legal Investments Under C.R.S. §24-75-601.1

7/30/2008

	Definitions	Typical Investment	Maturity	Interest Type	Liquidity	Credit Risk
Treasury Securities	Direct Obligation of US Government	\$100K and up	Up to 5 years from settlement unless governing body authorizes longer	Discounted or Interest Bearing	Highly liquid – actively traded	Backed by full faith & credit of US Government
Agencies or Government Sponsored Enterprises (GSEs)	Debt security offered by federally sponsored agency	\$100K and up	Up to 5 years from settlement unless governing body authorizes longer	Discounted or Interest Bearing	Liquid secondary market – trade spread to Treasury	Full faith and credit implied by US Government
Repurchase Agreements ("Repos")	Dealer sells security for stated interest rate and maturity and agrees to repurchase	\$1MM and up	Has a defined termination date. Usually less than 90 days.	Purchase Price + Accrued Interest	Short term investment, typically not traded	Collateral (usually T-Bills) less 2% "haircut"
Reverse Repurchase Agreements	Lender sells security to dealer for stated interest rate and maturity and agrees to repurchase	\$1MM and up	Has a defined termination date. Usually less than 90 days.	Purchase Price + Accrued Interest	Short term investment, typically not traded	Collateral (usually T-Bills) less 2% "haircut"
Money Market Funds or Local Government Investment Pools (LGIPs)	Open end investment company- sells shares	No limit	Subject to Rule 2a-7 of Investment Company Act of 1940. Dollar-weighted maturity<180 days; max maturity<3 years.	NAV=\$1 Net Asset Value / share	Highly liquid; can sell shares back to fund and withdraw moneys at any time	Backed by the investments of the pool. NAV may or may not be insured.
Guaranteed Investment Contracts	Uninsured; not-guaranteed; no collateral.	Negotiated. Statute limits use to investment of bond proceeds if maturity is greater than 3 years.	Negotiated; possibly subject to arbitration limits.	Interest payable as structured to meet needs.	Virtually none – payment structure is the liquidity.	Collateral is pledged to the entity and deposited with a third party.
Corporate or Bank Security	Corporate or bank debt issued by a corporation or bank organized and operated in the US. Includes commercial paper or bankers' acceptance	\$100K and up	Within 3 yrs from date of settlement	Interest Bearing	Liquidity tied to rating and recognition of issuer	Obligation of issuer, not guaranteed, not collateralized
Certificate of Deposit (CD) Only through Colorado "eligible public depositories". Public Deposit Protection Act "PDPA"	Debt instrument issued by a bond that pays interest periodically or at maturity and principal when it reaches maturity	\$95K to \$100K for typical "Jumbo Deposit". Large amounts can be negotiated	Within 5 years from date of settlement	Interest bearing, payable monthly, quarterly or semiannually.	Liquidity limited by maturity; penalty for early withdrawal	Insured to \$100K by FDIC; for deposits > \$100K public depositories must have eligible collateral



MEMORANDUM

Date: February 3, 2020
To: Mayor and Town Board
Via: Shane Hale, Town Manager
From: Tara Fotsch, CPRE, Manager of Recreation
Re: Outside Agency Funding 2020 Requests
Item #: 5.

Background / Discussion:

Historically, the Town Board had groups throughout the year come in front of the Board and request the Board to help them monetarily and provide staff support for their special event. As the number of requests grew, it became burdensome for staff and the Board to coordinate.

In 2017 an Event Process/Review Committee was formed to review and ensure everyone remains in agreement with the process of special events from application through event completion. At that time a plan was made to review sponsored events every three years if the request remained the same. Additionally, this lessened the amount of requests going to Town Board annually.

After much internal discussion a new process has been created for requests of Town Board funds for future events. Staff is proposing that beginning in 2020 all sponsored requests are due to the Event Coordinator prior to the budget deadlines each October. The event organizer will be required to fill out an application request, the detailed list will be shared with the Town Board in a budget meeting and it will not be approved until the budget is passed. All requests will be renewed on an annual basis during the budget cycle. If a request comes after the budget approval process then they will be encouraged to apply in the next budget cycle.

It is our hope that the Board and staff will have adequate time to budget and plan for these requests. In the event an entity still wished to appear before Town Board they could do so, and a small amount of money could be set aside in the budget for this purpose. For example, the local high school band is selected to travel to the Rose Bowl Parade. They would not have known about the selection prior to budget but could appear before Town Board and request funding.

At the work session on January 6th staff reviewed the newly proposed process and the Board, while supportive of the changed requested follow up on the following items:

- Recap of the 2019 events with the event successes and impact
- Breakdown of events and their financial request and if they carry a non profit status or not
- Harvest Festival - Profit and Loss Statement
- Harvest Festival - 3 year look back on what was funded

At the work session, staff present a recap of the proposed changes and answer any questions about the items listed above.

Financial Impact:

2020 Partnered and Sponsored Requests total - \$33,955

Recommendation:

Staff recommends the approval to move forward with the new request process.

ATTACHMENTS:

- ❑ Event Partnership Wrap Up 2019
- ❑ Cost Breakdown 2020 Requests

- ▢ Harvest Festival 2019 Profit and Loss Statement
- ▢ Harvest Festival 3 Year Look Back
- ▢ Town Sponsored Special Event Package Application

Optimist Club Easter Egg HuntFinal Attendance

600

Amount Raised

\$207.50

Notes

Same weather next year please!

Johnnys Community RunFinal Attendance

100

Amount Raised

\$13,500

Notes**Walk MS- Windsor**Final Attendance

1000

Amount Raised

\$14,750

Notes

Thankful for the use of the park and for the great weather! Would like to improve on their recycling next year.

Clearview Library Bookmobile DayFinal Attendance

200

Amount Raised

600

Notes

Would like to use the new pavilion in the future instead of the bandshell.

All Town Ice Cream Social- Windsor ChamberFinal Attendance

299

Amount Raised

\$0

Notes

No report received.

Paws & Sneakers 5k- Weld County Humane SocietyFinal Attendance

299

Amount Raised

\$12,484.61

Notes

Great turnout and no issues!

Optimist Club Duck RaceFinal Attendance

40

Amount Raised

\$2,320

Notes**Taste of Windsor- Greeley Tribune**Final Attendance

1500

Amount Raised

Did not provide

Notes

Would like for the Town to not operate their concessions facility during the event.

Hops for Hunger- Weld Food BankFinal Attendance

600

Amount Raised

\$35,000

Notes

Park staff & Lexie are amazing!

Footsteps to Hope 5kFinal Attendance

100

Amount Raised

\$9,000

Notes

Would like to host in earlier September.

Harvest Festival Cost Breakdown

<u>Final Attendance</u>	<u>Amount Raised</u>	<u>Notes</u>
20,000	\$32,208.43	

Wine Festival Cost Breakdown (LLC)

<u>Final Attendance</u>	<u>Amount Raised</u>	<u>Notes</u>
3000	\$40,000	Thought everything went good this year.

Poudre Pour - Poudre Heritage Alliance

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Show Stage Rental Fee	Non-Profit	1	\$ 750.00
Park Fees (501-3,000) Projected Attendance		1	\$ 900.00
			\$ 1,650.00

Optimist Club Easter Egg Hunt

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Park Rental Fee - \$300	Non-Profit	1	\$ 300.00
\$300= (100-500 Projected Attendance)			\$ 300.00

Johnnys Community Run

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Windsor Lake Trail Race Fee	Non-Profit	1	\$ 350.00
\$350 (less than 300 projected attendance)			\$ 350.00

Walk MS- Windsor

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Park Fees (501-3,000 Projected Attendance)	Non-Profit	2	\$ 1,800.00
Includes 2 days (Set up, event day & tear down)			\$ 1,800.00

Clearview Library Bookmobile Day

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Park Fees (501-3,000 Projected Attendance)	Non-Profit	1	\$ 300.00
Market Pavilion Rental Fee			\$ 250.00
			\$ 550.00

All Town Ice Cream Social- Windsor Chamber

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Park Fees	Non-Profit	1	\$ 900.00
\$900= (501-3000 projected attendees)			
Total			\$ 900.00

Paws & Sneakers 5k- Weld County Humane Society

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Windsor Lake Trail Race Fee	Non-Profit	1	\$ 350.00
\$350= (less than 300 projected attendance)			
Total			\$ 350.00

Optimist Club Duck Race

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
No. 2 Ditch Canal Rental Fee	Non-Profit	1	\$ 150.00
Total			\$ 150.00

Serve Day- Traverse Christian Church

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Park Fees -Main (100-500 projected attendees)	Non-Profit	1	\$ 300.00
Total			\$ 300.00

Taste of Windsor- Greeley Tribune

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Park Fees (501-3000 projected attendees) Includes 2 days (Set up, event day, & tear down)	For Profit	1	\$ 900.00
Total			\$ 900.00

Hops for Hunger- Weld Food Bank

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Park Fees \$300= (501-3000 projected attendees)	Non-Profit	1	\$ 300.00
Market Pavilion Rental Fee		1	\$ 250.00
Total			\$ 550.00

Footsteps to Hope 5k

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Windsor Lake Trail Race Fee \$350= (less than 300 projected attendance)	Non-Profit	1	\$ 350.00
Total			\$ 350.00

Harvest Festival Cost Breakdown

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Band Funding/ Sound Engineer Rental	Non-Profit	3	\$ 14,100.00
Meeting Room Space		3	\$ 180.00
Insurance		3	\$ 4,500.00
Waive Sales Tax Application fee		3	\$ 25.00
Advertisement in Activity Guide		3	\$ 150.00
Creation of event Tri-fold brochure & water bill insert		3	\$ 1,100.00
Rental company set up/tear down fees		3	\$ 300.00
Total			\$ 20,355.00

Wine Festival Cost Breakdown (LLC)

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Show stage Rental fee	For Profit	1	\$ 750.00
1 Parks & 1 Rec staff		1	\$ 500.00
Park Rental fee - \$900		3	\$ 2,700.00
Includes 3 days @ \$900 (set up, event day, & tear down)			\$ 3,950.00

Raindance Pool Grand Opening

<u>Requests</u>	<u>Status</u>	<u># of days-park</u> <u>usage</u>	<u>Sponsored Amount</u>
Show stage Rental fee	For Profit	2	\$ 1,500.00
			\$ 1,500.00

**2020 TOTAL
REQUESTS \$ 33,955.00**

Windsor Harvest Festival Planners

PROFIT AND LOSS

January - December 2019

	TOTAL
Income	
Campaign Income	3,750.00
Arts & Crafts	8,354.00
Attractions	450.00
Commercial Booths	14,130.00
Food Booths	5,284.43
Parade	240.00
Total Campaign Income	32,208.43
City/State Sales Tax Collection Vendor Fee	142.26
Program Fees	-25.00
Sponsorships	35,852.00
Uncategorized Income	-1,749.98
Total Income	\$66,427.71
GROSS PROFIT	\$66,427.71
Expenses	
Bank Service Charges	546.00
Dues and Subscriptions	59.99
Grand Marshall	22.08
Grand Marshals	15.00
Insurance	874.00
Liability Insurance	1,200.00
Total Insurance	2,074.00
Licenses and Permits	216.00
Miscellaneous	100.90
Advertising	1,485.05
Barbecue	769.16
Donation	366.76
Entertainment	20,736.63
Home & Garden	26.00
Hot Air Balloons	352.69
Parade	1,852.23
Total Miscellaneous	25,689.42
Office Supplies	732.71
Park Expenses	795.00
Balloons	1,753.27
Fireworks	8,100.00
Ice	862.50
Power	594.29
Radio Rental	246.83
Seating Rental	2,776.00
Security	1,942.50
Sound	2,100.00
Toilets	3,800.00

	TOTAL
Trash	2,410.00
Total Park Expenses	25,380.39
Postage and Delivery	326.29
Printing and Reproduction	1,473.50
Professional Fees	
Accounting	675.00
Legal Fees	10.00
Total Professional Fees	685.00
QuickBooks Payments Fees	417.60
Scholarship Payout	2,000.00
Travel & Ent	
Fuel	97.75
Total Travel & Ent	97.75
Unapplied Cash Bill Payment Expenditure	288.68
Uncategorized Expenditure	1,321.45
Total Expenses	\$61,345.86
NET OPERATING INCOME	\$5,081.85
Other Income	
Interest Income	0.20
Other Income	
City/State Sales Tax Collection	10,550.19
Total Other Income	10,550.19
Total Other Income	\$10,550.39
Other Expenses	
Other Expenses	
City Sales Tax	6,105.46
State Sales Tax	4,848.24
Total Other Expenses	10,953.70
Total Other Expenses	\$10,953.70
NET OTHER INCOME	\$ -403.31
NET INCOME	\$4,678.54

Harvest Festival Cost Breakdown

<u>Requests</u>	<u>2020</u>		<u>2019</u>		<u>2018</u>		<u>2017</u>		<u>2016</u>	
Band Funding/ Sound Engineer Rental	\$	14,100.00	\$	15,502.00	\$	14,100.00	\$	9,985.00	\$	12,300.00
Sprinkler IssueReimbursements			\$	1,800.00						
Meeting Room Space	\$	180.00	\$	180.00	\$	180.00	\$	180.00	\$	180.00
Insurance	\$	4,500.00	\$	4,500.00	\$	4,500.00	\$	4,500.00	\$	4,500.00
Waive Sales Tax Application fee	\$	25.00	\$	25.00	\$	25.00	\$	25.00	\$	25.00
Advertisement in Activity Guide	\$	150.00	\$	150.00	\$	150.00	\$	150.00	\$	150.00
Creation of event Tri-fold brochure & water bill insert	\$	1,100.00	\$	1,100.00	\$	1,100.00	\$	1,100.00	\$	1,100.00
Rental company set up/tear down fees	\$	300.00	\$	300.00	\$	300.00	\$	300.00	\$	300.00
Total	\$	20,355.00	\$	23,557.00	\$	20,355.00	\$	16,240.00	\$	18,555.00



Town Sponsored Special Event Request Application

Thank you for considering a partnership with the Town of Windsor for your Special Event. Please note the following:

- Submission of an application does not guarantee approval; each town sponsored event will be considered on a case by case basis.
- Applicants requesting the Town of Windsor to sponsor their event must hold the event on Town property.
- All events will pay the \$25 application processing fee and submit the \$250 refundable damage deposit AND all applicable park impact fees prior to the event.
- All events that charge electrical access to vendors will pay the Town of Windsor 50% of each vendor fee.
- Any request above and beyond those detailed below will need to be presented and approved by the Special Events Committee and/or Town Board.
- The Town does not provide any equipment to events (power cords, sound equipment, barricades, etc.).
- Organizations receiving support in the past must submit final reports of previous years financials to the Town of Windsor in order to be eligible for the following year. (SEE PAGE 5 FOR FINAL REPORT FORM)

All Applicants:

- All first time and returning event coordinators must indicate intent to hold their event by October 1st every year and complete a Town Sponsored Special Event Package to be submitted with the completed Special Event Application.
- Applications will be presented to the Town Board every year by town staff

The Town will consider supporting the following for Sponsored Events:

1. Waiving of general Park Fees & Other Fees – Varies by event size – SEE PAGE 2 FOR PRICING (All pricing is per day the park/equipment is being utilized by event coordinator)
2. Use of Electrical Marquee sign on east and west entrance into Windsor on 392. One week prior to the event, based on availability.
3. Community Calendar posting and social media post one week prior on PRC Facebook.

In return for event sponsorship, the approved Town of Windsor logo is required to be present on all print material including, flyers, newspaper ads, press releases and mentioned in any and all broadcast and web media.

I have read, understand and agree to the requirements concerning the Town Sponsored Events.

Applicant Signature

Date



Fee Schedule

Includes right to use Park shelters (not Band Shell or Market Pavilion at Boardwalk Park) and tables. Includes existing trash containers (trash removal by event organizer) and available restrooms. Does not include exclusive playground use. Fees are **per day** unless otherwise noted.

General Park Fees	
Applicants must submit their full application with a \$25 non-refundable application fee and \$250 deposit.	
Park Special Event (100-500 attendees)	\$300
Park Special Event (501-3,000 attendees)	\$900
Park Special Event (3,001-10,000 attendees)	\$1,200
Windsor Lake Trail Race Event less than 300 estimated participants (includes Trail, Band Shell and Boardwalk Park for duration of event only)	\$350
Specialized Facilities	
Band Shell at Boardwalk Park	\$150
Market Pavilion at Boardwalk Park	\$250
Eastman Park Trail (map)	\$150
Windsor Lake Trail (map)	\$150
Belmont Ridge Open Space	\$150
Greeley No. 2 Canal Trail (map)	\$150
Poudre River Trail (map)	Requires additional review
Other Fees	
Windsor PD Officer (if necessary, # of officers needed will be determined by Windsor PD)	\$55/hour per officer
Show Stage Rental Fee	\$750
Windsor Lake	
Windsor Lake outside of swim area (Max of three per year, scheduled prior to February 1 st , athletic/sporting events ONLY)	\$750
Beach at Windsor Lake (includes swim area) – (Max of three per year, scheduled prior to February 1 st , athletic/sporting events ONLY)	May-September - \$400 October-April - \$200

Payment: Fees and deposits are due at the time of application. Cash, check and credit card payment are accepted.

General Park Rules

- Parks are available from 5 a.m. – 10 p.m.
- All glass containers, including beer bottles, are prohibited for public and private events.
- Charcoal grills may not be brought into the parks. Propane grills with 200 square inches of cooking surface or less fuel by a 16.4 ounce bottle are allowed. Large gas grills are prohibited unless authorized.
- Vehicle(s) authorized to be driven in the park must have an Authorized Vehicle Permit displayed in the front window or will be subject to citation.
- Pets must be leashed at all times. Clean up after your pets.
- Stay on designated trails and parkland.
- Lakes, ponds and ditches may be present. Unless otherwise designated, stay out of water and off the ice.
- Irrigation and ditch water is not potable.



Town Sponsored Special Event Request Application

This form must be accompanied by a full completed special event application by Dec. 20th

Purpose

The purpose of the Town of Windsor Event Sponsor Program is to support events through fee waivers and in-kind support that enhance the quality of life of Windsor residents.

Guidelines

1. The Town of Windsor supports organizations that provide events that enhance the quality of life in Windsor. This includes groups that provide events in areas such as arts and culture, community awareness, and amateur sports.
2. The Town of Windsor will support specific events that have measurable results (evidence of productivity, change in numbers, etc.).
3. The events supported must be nondiscriminatory and provided to the citizens of Windsor.

Summary

Explain to The Town Board how your event is benefitting the Windsor Community through the above guidelines:

Event Information

Planner Name: _____

Organization Name: _____

Mailing Address: _____

Primary Contact: _____

Phone Number: _____ **Email:** _____

Website: _____

- ☐ We would like the Town of Windsor to waive \$_____ in park impact fees.
- ☐ We would like the Town of Windsor to waive \$_____ in other fees. (Leave blank if not applicable)
- ☐ We would like our event to be featured on the electronic marquee board one week prior to our event (if available, see below in “Message Information”)
- ☐ We would like our event posted on the community calendar
- ☐ One week prior to the event, we would like our event posted on:
- ☐ Facebook

I, the undersigned, certify that the statements contained herein and attached hereto are true, accurate and complete to the best of my knowledge and belief.

Applicant Signature

Date

Message Information

Message Displayed on the Board (Max 4 Lines by 20 Characters, including spaces):

All requests are reviewed by the Streets and Special Event Supervisors on a case basis and based on availability. Emergencies, public works projects and Town events take priority. The Town reserves the right to change the message and dates requested. Street Supervisor reserves the right to adjust message in order to meet Town policies and guidelines.

Town of Windsor Use Only

Town of Windsor Special Event Recreation Coordinator: _____ Date: _____

Approved: _____ Denied: _____

Town of Windsor Streets Supervisor: _____ Date: _____

Approved: _____ Denied: _____



Special Event Final Report

*Please provide all previous year's event information and financials.

Event Information

Event Name:

Event Date:

Event Time:

Event Location:

Final Attendance (include spectators and participants):

Total Sponsorships (\$ amount):

Total Paid in Sales Tax (\$ amount):

Total Amount Raised (\$ amount):

Notes that would help next year's event:



MEMORANDUM

Date: February 3, 2020
To: Mayor and Town Board
Via: Shane Hale, Town Manager
From:
Re:
Item #: 6.

ATTACHMENTS:

- ▢ Future Meetings Agenda



FUTURE TOWN BOARD MEETINGS

February 10, 2020 5:30 p.m.	Town Board Work Session - Board/Manager/Attorney Monthly Meeting Youth Access to Nicotine Presentation with Larimer County Health and Environment Blue-Green Algae High School Presentation
February 12, 2020 5:30 p.m.	Town Board Special Meeting with Downtown Development Authority
February 10, 2020 7:00 p.m.	Town Board Regular Meeting
February 17, 2020 6:00 p.m.	Town Board Work Session – CANCELLED due to President's Day
February 24, 2020 6:00 p.m.	Town Board Work Session Transportation Master Plan
February 24, 2020 7:00 p.m.	Town Board Regular Meeting
March 2, 2020 6:00 p.m.	Town Board Work Session Parks, Recreation and Culture Strategic Plan Draft Presentation Oil and Gas Location Requirements
March 9, 2020 6:30 p.m.	Town Board Work Session - Board/Manager/Attorney Monthly Meeting
March 9, 2020 7:00 p.m.	Town Board Regular Meeting Kern Board
March 16, 2020 6:00 p.m.	Town Board Work Session Land Use Code Update
March 23, 2020 6:00 p.m.	Town Board Work Session
March 23, 2020 7:00 p.m.	Town Board Regular Meeting
March 30, 2020	No Meeting- Fifth Monday
April 6, 2020 6:00 p.m.	Town Board Work Session

Additional Events

February 15, 2020	Coffee with the Mayor, Community Recreation Center, 250 N. 11 th Street, Windsor, CO, 7:30-9:00a.m. – attending: Melendez, Bennett, Baker, Wilson, Rennemeyer
February 27, 2020	1 st Quarter Joint Regional Elected Officials Meeting, Windsor Public Works, 922 N. 15 th Street, Windsor, CO – attending: Rennemeyer, Jones, Wilson, Melendez
March 17, 2019	Candidate Forum hosted by the League of Women Voters, CRC, 250 11 th Street, Windsor, CO – attending:
March 26, 2020	Dessert and Dish, Windsor Lake Coffee, 430 Main Street, Windsor, CO 7:00-9:00 p.m. – attending: Melendez, Baker, Wilson, Rennemeyer
March 28, 2020	Coffee with the Mayor, Coffee House 29, 1039 Main Street, Windsor, CO, 7:30-9:00a.m. – attending: Melendez, Bennett, Baker, Wilson, Rennemeyer
May 5, 2020	Elected Official Training with Sam Light from CIRSA – Work Session
June 15, 2020	Joint Meeting with Town of Windsor, Town of Severance, Fire District and School District

Future Work Session Topics

- Land Use Code Update meeting with Planning Commission (next code section in series) – Planning
- Economic development/retail needs at 60,000 population
- Parks and Recreation Strategic Plan