

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: XI. 1.
Meeting Date: January 20, 2026**

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Aaron Caplan, Utilities & Engineering Director

DATE: January 14, 2026

ITEM: Agenda Request: Amendment to the DRBOP Lease Agreement with The Lyons Community Farm Project for 124 4th Ave.

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** The Lyons Community Farm Project (LCFP) would like to install a yard hydrant at 124 4th Ave. to water their orchard. See attached request.
- II. **RECOMMENDED ACTION / NEXT STEP:** None. This is a public request to the trustees.
- III. **FISCAL IMPACTS:** If a share of town-owned, unallocated water rights were allocated to this property, it would reduce the number of shares the Town has available to offer for other projects that might benefit from them in the future.
- IV. **BACKGROUND INFORMATION:**
There is currently a DRBOP lease agreement for this property by LCFP. LCFP also has a separate DRBOP lease agreement for 315 & 319 5th Ave. The lease agreement for the 5th Ave property includes additional items and services that were previously negotiated with the Town for the use of a Town water tap at that location. For reference, that page of the lease is included in the packet.

LCFP is requesting similar items for the property at 124 4th Ave., including the allocation of a town-owned water share for the tap, the Town Rate for the water charges on the utility bill, and assistance with the construction costs to install a yard hydrant and connect it to the water system.

Of the three water taps allocated to Longmont during development of the DRBOP plan, the Town has one that is not currently in use. These three taps were intended for properties on DRBOP parcels that would be used for gardens or other community purposes. All three taps are owned by the Town, located on Town-owned property, and included in the lease agreements for the DRBOP properties. One tap is assigned to the

property leased by the Lyons Botanic Gardens, another is assigned to the 5th Avenue property leased by LCFP, and the third tap is still available for use.

The Town also has one tap remaining from Flood Damaged Property that has not been reallocated. After the 2013 flood required the removal of 23 properties' water taps, the tap licenses were documented as Flood Damaged Property (FDP) taps, which could be used for other projects as long as they were not used for economic gain. Some were used for Town projects, such as the new Public Works Buildings, and some were used for affordable housing. There is one left that could be used for this lease agreement if the Board desired to keep the tap mentioned in the above paragraph that was specifically designated for a DRBOP property and a garden or community use.

V. LEGAL ISSUES: A similar agreement was agreed to for the Lyons Botanic Gardens and for LCFP at another property in the DRBOP area.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: Neighboring property owners have expressed some concern that allowing a tap for an orchard could lead to the development of a bathroom or other expansion of a park into this property.

VII. SUMMARY AND ALTERNATIVES:

- Deny any amendment to the existing lease agreement and prohibit the installation of a yard hydrant at 124 4th Ave.
- Request staff to draw up an amendment to the existing lease similar to what was done for the other DRBOP community-based parcels.
 - a. Determine if LCFP should pay a tap fee and any water rights dedication or cash in lieu.
 - b. Determine if the last of the three remaining DRBOP public garden taps should be allocated, or if the remaining FDP tap should be allocated, or if another unallocated standard C-BT or Lake MacIntosh share should be allocated.
 - c. Determine if the Town Rate for water utility usage is appropriate.
 - d. Determine if any financial support will be offered for the installation and construction of the yard hydrant on the DRBOP property.

In addition to the request for a water tap, the LCFP would also like permission to plant an additional 14 fruit trees on the property. The current caretaker, Glen Delman, feels that there is sufficient space for another row of trees, and it creates a larger environment for pollinators as well as more fruit for the public when they are established.