



## MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

**TO: MAYOR AND TOWN COUNCIL**  
**FROM: JEFF GOBLE, PUBLIC WORKS DIRECTOR**  
**RE: RESOLUTION 23-33; A RESOLUTION APPROVING A REVOCABLE LICENSE  
AGREEMENT FOR THE USE OF A PUBLIC PLACE**  
**DATE: SEPTEMBER 12, 2023**

**Summary and Background:** A few weeks ago, Public Works was approached by Bruce Luberski of 317 Granite Street Unit #6 asking permission to place several trees and shrubs in the Granite Street Right of Way in front of his residence. I informed Mr. Luberski, that this could be done through the Revocable License Agreement procedure and explained the procedure and requirements to him. After explaining the process, he indicated that he desired to enter into a Revocable License Agreement with the Town.

**Analysis:** Public Works staff has reviewed this request as well as the sketch provided by Mr. Luberski's landscape architect and find it to be in compliance with the requirements of a Revocable License Agreement. He is requesting a strip of land that will encroach into the right of way approximately 5 feet from the property line on the Granite Street side of his property.

Additionally, staff has made it very clear to Mr. Luberski that when the Granite Street project is constructed all improvements that he has placed in the right of way will more than likely have to be removed at his expense. Mr. Luberski understands this and wishes to continue with the process. Staff also instructed Mr. Luberski that he will need to procure and present an insurance policy for \$1,000,000.00 and have the Town listed as an additionally insured party on the policy. Mr. Luberski understands this and will obtain this policy should the agreement be approved.

**Financial Impact:** This agreement will not result in any expense or revenue to the Town.

**Alignment with Strategic Plan:** This agreement has no relation to the Strategic Plan

**Environmental Sustainability:** This agreement has no relation to the Council's Environmental Sustainability Goals.

**Staff Recommendation:** Staff recommends Council approve Resolution 23-33 and enter into a Revocable License Agreement with Bruce Luberski.

**Approved By:**

Tom Fisher, Town Manager  
Diane McBride, Assistant Town Manager  
Leslie Edwards, Finance Director  
Chris McGinnis, Town Engineer  
Thad Renaud, Town Attorney

**Attachments:**

Attachment 1 – Resolution 23-33

Attachment 2 – Revocable License Agreement

Attachment 3 – Exhibit "A" to the Agreement