



Town Council
Tuesday, November 9, 2021
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access for the public to attend in person or via the Zoom link below.

[ACCESS THE ONLINE MEETING HERE](#)

Please note: All participants are automatically muted. In order to be called upon and unmuted, you will need to use the "raise hand."

When it's your turn to speak, the moderator will unmute your line and you will have three (3) minutes for public comment.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to Jenny Rakow, Town Clerk, and will be included as part of the record.

For technical difficulties, please email jenny.rakow@townofeagle.org and we will do our best to assist you.

CALL TO ORDER - 6:00 PM

ROLL CALL

ADOPTION OF AGENDA *Opportunity for amendment or deletions to the agenda.*

PUBLIC COMMENT *Citizens are invited to comment on any item, not on the Agenda subject to a public hearing. Please limit your comments to three (3) minutes per person per topic unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.*

PRESENTATIONS - 6:10 PM *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

1. Eagle County Gives Proclamation, Sarah Heredia
2. Community Impact Award Winner

CONSENT AGENDA - 6:20 PM *Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.*

1. Minutes - October 26, 2021

2. Bill Pay - October 2021
3. Resolution 75, Series 2021 "A Resolution Approving a Contract with Snowbridge Inc. for Sanitary Sewer System Cleaning"

STAFF REPORTS - 6:25 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update
2. Department Update

BUSINESS ITEMS - 6:30 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. PUBLIC HEARING: PUDA21-02 Haymeadow PUD Amendment
 - a. Ordinance No. 13, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Approving a Major PUD Amendment to Swap Approximately 6.5 Acres of the Recreational Land Portion of Tract E for Multi Family Development and to Dedicate an 8 Acre Parcel for Future Recreational Uses for the Haymeadow PUD"
2. Municipal Broadband Project Update
3. EXECUTIVE SESSION: Executive Session pursuant to C.R.S. Section 24-6-402(4)(b) - to have a conference with the Town Attorney to receive legal advice on specific legal questions, regarding the East Eagle Sub Area Plan.
4. Resolution 73, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado to Ratify the Adopted East Eagle Sub Area Plan (EESAP)"
5. Discussion to consider amending Section 4.04.100.N concerning Accessory Dwelling Units
6. PUBLIC HEARING: 2022 Proposed Budget
7. Marketing and Events Committee (MEAC) Funding Review
8. 2022 Community Request Grants Review
9. Town Manager Performance Review 2021

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 8:45 PM

1. Council Committee Updates
2. Future Agenda Items
3. Regional Transportation Authority (RTA) Council Member Appointment

EXECUTIVE SESSION - 8:55 PM

1. Executive Session pursuant to C.R.S. § 24-6-402(4)(f) – Personnel Matters, regarding performance review of the Town Manager and request to adjourn the regular meeting at its conclusion.

ADJOURN - 9:15 PM

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.



Jenny Rakow, CMC
Town Clerk



OFFICIAL PROCLAMATION TOWN OF EAGLE COLORADO GIVES DAY

WHEREAS, charitable giving in Eagle County, Colorado is critical to providing support that local nonprofit organizations need to make our community a desirable place to live; and

WHEREAS, research shows an increase in online giving both locally and nationally, and many believe it is the future of philanthropy; and

WHEREAS, Community First Foundation and FirstBank have partnered in an effort to increase charitable giving in our community through the online giving initiative Colorado Gives Day; and

WHEREAS, Colorado Gives Day in 2020 raised \$50 million in a single 24-hour period via online donations, \$1.5 million to Eagle County nonprofits, at eaglecogives.org, a website allowing donors to direct their contributions to one or more of the 50+ local, Eagle County, charities featured on the site, making it an ideal resource for facilitating charitable giving to our locally-based nonprofit organizations.

WHEREAS, Colorado Gives Day is Tuesday, December 7th this year, and all citizens are encouraged to participate because all donations, large or small, can make a difference to nonprofits in need.

NOW, THEREFORE, BE IT PROCLAIMED BY Mayor Scott Turnipseed and the Town Council of the Town of Eagle, Colorado THAT: Tuesday, December 7, 2021, will be known as Colorado Gives Day in our community.

TOWN OF EAGLE, COLORADO

ATTEST:

Jenny Rakow, Town Clerk

Scott Turnipseed, Mayor



To: Mayor and Town Council
From: Jenny Rakow, Town Clerk
Date: November 9, 2021

Agenda Item: Community Impact Award Winner

REQUEST: The Mayor and Town Council are requested to announce and honor this year's 2021 Community Impact Award winner.

BACKGROUND: The Town has been awarding the Community Impact Award to community members since 2014 in an effort to recognize those that have a positive impact on our community.

ANALYSIS: Solicitations for nominations took place in September of this year and we received four nominations. The individuals nominated were: Jennifer Filipowski, Kyle Foster, Matt Solomon, and August Wittenberg. The Council was provided the nominations and asked to make their selections via a ranked-choice ballot poll. The Mayor has been given the winner's name to announce during the meeting tonight. All nominees and their sponsors were invited to attend tonight's meeting.

COMMUNITY INPUT: A request for nominations was made on our website, via social media, and through various partner agencies seeking nominations.

BUDGET / STAFF IMPACT: This is a budgeted item and planned annual activity for staff.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This program was developed prior to the adoption of the Strategic Plan. However, the intent of the Community Impact Award does highlight the Foundation of the Town's values of integrity, respect, commitment, responsibility, collaboration, and leadership.

RECOMMENDED ACTION OR PROPOSED MOTION: The Mayor is requested to honor all nominees and announce the 2021 Community Impact Award winner.

ATTACHMENTS: None



MEETING MINUTES
Town Council
Tuesday, October 26, 2021
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an in-person meeting with access for the public to attend in person or via Zoom.

CALL TO ORDER - 6:00 PM

Mayor Turnipseed called the meeting to order at 6:00 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT

Mikel Kerst (via Zoom), Scott Turnipseed, Ellen
Bodenhemier, David Gaboury, Janet Bartnik, Geoffrey
Grimmer

COUNCILMEMBERS ABSENT

None

STAFF PRESENT

Brandy Reitter, Town Manager
Matt Mire, Town Attorney
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Chad Phillips, Comm Dev Director/Town Planner
Tom Gosiorowski, Public Works Director
Joey Stauffer, Police Chief
Lynette Horan, Human Resources Manager
Carrie Buhlman, Sergeant
Dennis Wike, Town Engineer
Kelly Huitt, Senior Accountant
Kevin Aoki, Information Technology Manager
Peyton Heitzman, Planner I

ADOPTION OF AGENDA

Mayor Turnipseed acknowledged that the agenda had been previously amended to move an item from the Consent Agenda. The amended agenda was republished for this meeting.

PUBLIC COMMENT

Jay Lucas - 47 Polar Star, Eagle County BMX is interested in making improvements to the BMX track and will return with request on how much funding is needed.

PRESENTATIONS

1. Eagle Police Department, Lifesaving Award
Chief Stauffer presented the award to Officer Callan.

CONSENT AGENDA

MOTION: Councilmember Janet Bartnik motioned to approve the Consent Agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

1. Minutes October 12, 2021

2. Resolution No. 74, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Granting a Non-Exclusive Utility Easement to Black Hills Energy for Relocation of Two Gas Lines for the Reserve at Hockett Gulch Development"

STAFF REPORTS

1. Town Manager Update
Inquiry regarding using NV5 in 2022 for assistance in coordinating the pavilion.

LIQUOR LICENSE AUTHORITY

1. PUBLIC HEARING: Mauka Poke Bar LLC dba Mauka Poke Bar - New Beer & Wine Liquor License
Mayor Turnipseed convened as the Liquor License Authority. Applicants were present.

MOTION: Councilmember Ellen Bodenhemier motioned to approve the Findings and Order approving a new Beer & Wine License for Mauka Poke Bar LLC located at 700 Chambers Avenue Unit A4 and direct the Mayor and Town Clerk to sign and submit the application to the State of Colorado. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

BUSINESS ITEMS

1. Municipal Broadband Project Update
Brandy Reitter presented this item. Neil Shaw, Dave Stockton, and Michael Gardner were present via Zoom.

Troy Bernberg presented the financing proposal with Alpine Bank.

Neil Shaw and Dave Stockton from Uptown Services gave a presentation and update on the construction of the THOR broadband project.

Council comments: discussion about the ARPA grant funds, how the town qualifies, and whether they should be used for other projects. Discussion on IT staffing for the Meet Me Center. Discussion and clarification on the costs of the refinance and effect on the wastewater enterprise fund in event of default. Discussion on the benefit of the town pursuing this project with Glenwood Springs doing it at the same time.

Andy Davis from Comcast provided information regarding services and capacities in the Town of Eagle.

Mayor Scott Turnipseed opened public comment.

Brian Lewis – expressed support for the town to pursue THOR and broadband as a utility.

Council comments: discussion on financial risk and necessity for the town to compete with other providers of broadband. Concern that current providers are filling the void of broadband access. Further discussion on opportunity for the town to attract businesses to town, reference to other towns that are going ahead with providing broadband as a utility and maintaining high customer service standards. Council agreed they needed more time to consider the proposals.

MOTION: Councilmember Janet Bartnik motioned to continue the discussion regarding the Municipal

Broadband Project and financing. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

2. LBWTP Change Order No. 13 and 14
Tom Gosiorowski presented this item.

MOTION: Councilmember Janet Bartnik motioned to approve amending the contract with MWH Constructors Inc. with Change Orders #13 and #14 and authorizing the Town Manager to execute the same. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

3. Brush Creek Management Plan Discussion
Tom Gosiorowski presented this item.

Council comments: confirmation that stream monitoring will be requested in the 2022 budget. Clarification on the entities that are part of the management plan. Request to have the State Water Commissioner assist if necessary to ensure other entities not part of the management plan adhere to property water uses. Solutions will include installing new gauges for real-time monitoring of stream flows.

4. Resolution 72, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Ratifying the Planning and Zoning Commission's Adoption of the 2021 Amendment to the Elevate Eagle Comprehensive Plan"
Peyton Heitzman presented this item.

MOTION: Councilmember Janet Bartnik motioned to approve Resolution 72, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Ratifying the Planning and Zoning Commission's Adoption of the 2021 Amendment to the Elevate Eagle Comprehensive Plan". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

5. Resolution 73, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado to Ratify the Adopted East Eagle Sub Area Plan (EESAP)"
Peyton Heitman presented this item.

Mayor Scott Turnipseed opened public comment. There was no public comment.

Town Attorney Matt Mire provided that his office received a letter from Red Development relating to this item. Matt is requesting the Council continue this item until November 9, 2021, and is also requesting an executive session before this item on November 9, 2021, as it relates to this letter.

MOTION: Councilmember Geoffrey Grimmer motioned to continue Resolution 72, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Ratifying the Planning and Zoning Commission's Adoption of the 2021 Amendment to the Elevate Eagle Comprehensive Plan" until November 9, 2021, Town Council Meeting. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

6. 2022 Proposed Budget Review and Discussion
Brandy Reitter presented this item.

The staff is requesting an additional position for the police department. Also requested clarification on the economic development budget and a review of the line items for the DDA to ensure there were no duplicates. Additional funding discussion for the Haymaker Trailhead Site Plan to ensure it can be planned along with Mountain Recreation's plan for that area. Discussion on a succession plan for Building Official and additional staff for Community Development.

7. Eagle River Park Conveyance and Annexation Request Letter
Brandy Reitter presented this item.

Council approved the letter and for Brandy to send it to Eagle County.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items
Councilmember Geoffrey Grimmer requested a work session relating to diversity and inclusion for March 2022.
2. Council Committee Updates
Councilmember Ellen Bodenhemeir updated that the Open Space open house went really well. An online survey is available for those who are interested.

Mayor Scott Turnipseed updated that he presented to Park City on sustainability.

EXECUTIVE SESSION - 9:05 PM

MOTION: Councilmember Scott Turnipseed motioned to enter into Executive Sessions pursuant to C.R.S § 24-6-402(4)(f) – Personnel Matters, regarding performance review of the Town Manager and request to adjourn the regular meeting at its conclusion. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Gaboury, Bartnik, and Grimmer) and 0 opposed.

1. Executive Sessions pursuant to C.R.S § 24-6-402(4)(f) – Personnel Matters, regarding performance review of the Town Manager and request to adjourn the regular meeting at its conclusion.

ADJOURN - 10:05 PM

approved:

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

**BILL SCHEDULE
OCTOBER 2021**

GENERAL FUND

Town Council

CEBT	Health & Insurance Benefits	\$	18.00
Executech Utah LLC	Computer Support		68.13
Forward Tech Solutions, LLC	Computer Support		119.50
Alzheimer's Association	Community Requests		640.00
Total Town Council			845.63

General Government

CEBT	Health & Insurance Benefits		786.95
Rocky Mountain Reserve LLC	Health & Insurance Benefits		3.24
Standard Insurance Company	Disability Insurance		35.55
Cintas Corporation	Office Supplies		13.71
Hoffman, Parker, Wilson, & Carberry, P.C.	Legal		3,990.09
Executech Utah LLC	Computer Support		102.19
Forward Tech Solutions, LLC	Computer Support		89.25
Insight Public Sector Inc.	Computer Support		48.23
Mammoth Networks	Computer Support		375.00
Sprout Social	Computer Support		265.90
Mountain Lifestyle LLC	Public Relations		948.00
Total General Government		\$	6,658.11

General Administration

Furtado, Kevin & Molly	Utility Overpayment Refund	\$	24.89
Second And Broadway Ltd	Utility Overpayment Refund		478.74
Eagle County Clerk & Recorder	Other Prepaid Expenses		1,200.00
Wagner Equipment Co	Other Prepaid Expenses		32,795.84
Colorado State Treasurer	State Unemployment Payable		2,649.07
Colorado Department Of Revenue	Misc. Deductions Payable		600.00
Alzheimer's Association	Facility Usage Deposit Payable		750.00
Bernal, Eduardo	Facility Usage Deposit Refund		375.00
Bolton, Denise	Facility Usage Deposit Refund		50.00
Eagle Cub Scouts Pac 229	Facility Usage Deposit Refund		1,125.00
Hernandez, Gabriela	Facility Usage Deposit Refund		650.00
Kingz Trucking LLC	Facility Usage Deposit Refund		625.00
Koffenberger, Mackenzie	Facility Usage Deposit Refund		750.00
Loera, Greg	Facility Usage Deposit Refund		750.00
O'Connor, Darcelle	Facility Usage Deposit Refund		375.00
Wolf, Elaine	Facility Usage Deposit Refund		750.00
Sunsense Inc	Electrical Permits		250.00
Slifer Smith & Frampton/Vare	Sign Permits		50.00
East West Resorts	Facility Usage Fees Refund		300.00
CEBT	Health & Insurance Benefits		5,567.48
Rocky Mountain Reserve LLC	Health & Insurance Benefits		28.72
Standard Insurance Company	Disability Insurance		285.82
Cintas Corporation	Office Supplies		77.67
Insight Public Sector Inc.	Office Supplies		180.26
Executech Utah LLC	Equipment (Non-Capital)		477.37
Insight Public Sector Inc.	Equipment (Non-Capital)		61.99

General Administration (Cont.)

Color Coffee Roasters	Employee Appreciation	13.72
Omaha Steaks	Employee Appreciation	237.68
GoDaddy	Dues & Subscriptions	86.77
Mail Chimp	Dues & Subscriptions	74.33
Century Link	Utility Services	1,074.65
Chase Paymentech	C.C. Transaction Fees	35.07
Forte Payments	C.C. Transaction Fees	5.00
Forte Payments	C.C. Transaction Fees	5.10
Xpress Bill Pay	C.C. Transaction Fees	17.29
Hoffman, Parker, Wilson, & Carberry, P.C.	Legal	3,120.00
Caselle, Inc.	Computer Support	3,144.98
Executech Utah LLC	Computer Support	317.46
Forward Tech Solutions, LLC	Computer Support	827.21
Insight Public Sector Inc.	Computer Support	1,113.01
TEC Integration, Inc.	Computer Support	100.00
Lewan & Associates	Contract Payments	204.00
US Bank Equipment Finance	Contract Payments	417.92
Cirsa	Insurance - Pavilion	1,249.27
Total General Administration		\$ 63,271.31

Community Development

CEBT	Health & Insurance Benefits	\$ 6,840.68
Rocky Mountain Reserve LLC	Health & Insurance Benefits	45.39
Standard Insurance Company	Disability Insurance	292.45
Amazon	Office Supplies	188.68
Fleet Services	Gas & Oil	52.23
Executech Utah LLC	Communication & Transportation	38.46
U.S. Post Office	Communication & Transportation	265.00
Zoom.us	Dues & Subscriptions	142.86
Century Link	Utility Services	176.73
McCool Development Solutions, LLC	Professional Services	1,162.50
Hoffman, Parker, Wilson, & Carberry, P.C.	Legal	2,425.00
McCool Development Solutions, LLC	Planning Reimbursable	1,218.00
Hoffman, Parker, Wilson, & Carberry, P.C.	Legal	526.50
Executech Utah LLC	Computer Support	476.88
Forward Tech Solutions, LLC	Computer Support	508.50
Insight Public Sector Inc.	Computer Support	1,407.96
Davis, Anna Dominique L.	Travel Expense	109.54
Heitzman, Peyton	Travel Expense	112.52
Keystone Reservations	Travel Expense	615.36
Red Canyon Café	Meeting Expense	50.14
Town Of Gypsum	Contract Services	1,955.00
US Bank Equipment Finance	Contract Payments	417.91
Total Community Development		\$ 19,028.29

Municipal Court

CEBT	Health & Insurance Benefits	\$ 233.04
Rocky Mountain Reserve LLC	Health & Insurance Benefits	0.97
Standard Insurance Company	Disability Insurance	6.11
Carlson, Edwards & O'Connor P.C.	Legal	1,500.00
Hoffman, Parker, Wilson, & Carberry, P.C.	Legal	526.50
Caselle, Inc.	Computer Support	512.78

Municipal Court (Cont.)

Executech Utah LLC	Computer Support	74.94
Forward Tech Solutions, LLC	Computer Support	66.55
Insight Public Sector Inc.	Computer Support	113.47
CAMCA	Tuition & Books	95.30
High Country Copiers	Contract Payments	41.12
Johnson, Erik A.	Contract Payments	750.00
Total Municipal Court	\$	3,920.78

Streets

CEBT	Health & Insurance Benefits	\$ 6,796.77
Rocky Mountain Reserve LLC	Health & Insurance Benefits	38.25
Standard Insurance Company	Disability Insurance	157.04
Quill Corporation	Office Supplies	11.50
All State Communications	Repair & Maintenance Supplies	29.00
Alpine Lumber Co.	Repair & Maintenance Supplies	133.53
Colorado Barricade	Repair & Maintenance Supplies	150.00
Diamond Mowers	Street Repair & Mtn Supplies	304.69
Display Sales	Repair & Maintenance Supplies	2,844.44
Grand Junction Pipe & Supply	Repair & Maintenance Supplies	115.38
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	73.95
Paint Bucket	Repair & Maintenance Supplies	35.95
Quill Corporation	Repair & Maintenance Supplies	51.49
Wagner Equipment Co	Repair & Maintenance Supplies	4,148.47
Wylaco Supply Co	Repair & Maintenance Supplies	1,137.32
Century Equipment Company, Inc.	Vehicle Repair & Maintenance Supplies	1,168.20
McCandless Truck Center	Vehicle Repair & Maintenance Supplies	519.86
Collett Enterprises	Gas & Oil	866.30
Fleet Services	Gas & Oil	516.17
Century Equipment Company, Inc.	Communication & Transportation	541.86
Colorado Barricade	Communication & Transportation	16.41
Diamond Mowers	Communication & Transportation	15.36
Display Sales	Communication & Transportation	72.00
Colorado Motor Vehicle Services	Dues & Subscriptions	31.76
Century Link	Utility Services	809.00
Holy Cross Energy	Utility Services	2,173.66
Info Cubic	Recruitment	4.74
Mountain Careers	Recruitment	35.36
All State Communications	Repair & Maintenance Services	325.00
Safety-Kleen Systems, Inc.	Repair & Maintenance Services	172.75
Caselle, Inc.	Computer Support	106.74
Executech Utah LLC	Computer Support	320.19
Forward Tech Solutions, LLC	Computer Support	281.07
Insight Public Sector Inc.	Computer Support	73.09
Wagner Equipment Co	Winter Snow Equipment Rental	13,504.16
Total Streets	\$	37,581.46

Public Safety

CEBT	Health & Insurance Benefits	\$ 18,679.65
Rocky Mountain Reserve LLC	Health & Insurance Benefits	77.48
Standard Insurance Company	Disability Insurance	476.76
Amazon	Office Supplies	43.64
Vista Print	Office Supplies	34.31

Public Safety (Cont.)

Alpine Lumber Co.	Operating Supplies	5.99
Amazon	Operating Supplies	63.36
Pye-Barker Fire & Safety LLC	Operating Supplies	61.00
Webstaurant	Operating Supplies	(16.22)
Amazon	Uniforms	60.99
Auto Zone, Inc	Vehicle Repair & Maintenance Supplies	348.98
Performance Automotive Center	Vehicle Repair & Maintenance Supplies	274.57
Fleet Services	Gas & Oil	2,846.70
Performance Automotive Center	Gas & Oil	34.00
4 Imprint	School Res Officer Supplies	715.92
4 Imprint	Communication & Transportation	28.60
Vista Print	Communication & Transportation	8.57
NAFTO	Dues & Subscriptions	38.12
Rocky Mountain Info. Network, Inc	Dues & Subscriptions	50.00
At&T Mobility	Utility Services	617.34
Century Link	Utility Services	648.97
Mountain Careers	Recruitment	12.63
Hoffman, Parker, Wilson, & Carberry, P.C.	Legal	253.50
Eagle County Paramedic Services	Repair & Maintenance Services	375.00
Performance Automotive Center	Repair & Maintenance Services	180.00
Pye-Barker Fire & Safety LLC	Repair & Maintenance Services	70.00
White Water Express Carwash	Repair & Maintenance Services	81.91
Executech Utah LLC	Computer Support	17.03
Forward Tech Solutions, LLC	Computer Support	203.78
Insight Public Sector Inc.	Computer Support	341.83
Technovia Consulting	Computer Support	2,431.00
Domino's	Travel	25.99
Hacienda	Travel	31.45
Huebner, Joseph	Travel	136.40
Marriott	Travel	844.02
McDonald's	Travel	4.74
Olive Garden	Travel	38.89
Outback	Travel	40.43
Yard House	Travel	39.24
ESPIO	Tuition & Books	338.33
Rocky Mountain Chapter FBI NAA	Tuition & Books	400.00
Eagle County Animal Control	Animal Control	5,112.00
High Country Copiers	Contract Payments	52.07
Xerox Financial Services LLC	Contract Payments	190.53
Total Public Safety		\$ 36,319.50

Buildings & Grounds

CEBT	Health & Insurance Benefits	\$ 5,162.98
Rocky Mountain Reserve LLC	Health & Insurance Benefits	21.40
Standard Insurance Company	Disability Insurance	110.87
Quill Corporation	Office Supplies	62.99
Alpine Lumber Co.	Repair & Maintenance Supplies	157.80
Eagle Lock & Key	Repair & Maintenance Supplies	88.00
Ferguson Enterprises, Inc.	Repair & Maintenance Supplies	21.97
Grainger	Repair & Maintenance Supplies	196.70
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	90.58
Mid-American Research Chemical	Repair & Maintenance Supplies	2,374.00

Buildings & Grounds (Cont.)

Paint Bucket	Repair & Maintenance Supplies	6.38
Skyline Mechanical, Inc.	Repair & Maintenance Supplies	965.00
Wylaco Supply Co	Repair & Maintenance Supplies	(25.35)
Collett Enterprises	Gas & Oil	866.29
Fleet Services	Gas & Oil	612.40
Home Depot Pro	Janitorial Supplies	1,836.29
Mid-American Research Chemical	Communication & Transportation	286.18
Black Hills Energy	Utility Services	740.87
Century Link	Utility Services	132.16
Holy Cross Energy	Utility Services	2,485.52
Info Cubic	Recruitment	2.37
Mountain Careers	Recruitment	20.21
Jerry-master Janitorial	Janitorial Maintenance Contracts	4,316.00
Eagle Lock & Key	Repair & Maintenance Services	167.50
Mountain Pest Control, Inc.	Repair & Maintenance Services	80.00
Skyline Mechanical, Inc.	Repair & Maintenance Services	1,045.00
Sno-White Linen Rental	Repair & Maintenance Services	119.76
Caselle, Inc.	Computer Support	106.74
Executech Utah LLC	Computer Support	255.47
Forward Tech Solutions, LLC	Computer Support	198.84
Insight Public Sector Inc.	Computer Support	154.70
G H Daniels III Associates	Contract Payments	4,000.00
TK Elevator Corp.	Contract Payments	681.50
Total Buildings & Grounds		\$ 27,341.12

Information Center

CEBT	Health & Insurance Benefits	\$ 6.00
Century Link	Utility Services	217.36
Executech Utah LLC	Computer Support	68.13
Forward Tech Solutions, LLC	Computer Support	103.50
Total Information Center		\$ 394.99

Marketing & Events

CEBT	Health & Insurance Benefits	\$ 2,047.37
Rocky Mountain Reserve LLC	Health & Insurance Benefits	7.46
Standard Insurance Company	Disability Insurance	51.21
U-Line	Promotional Materials	(8.14)
Fleet Services	Gas & Oil	58.96
Spotify	Dues & Subscriptions	10.37
Executech Utah LLC	Computer Support	78.34
FormStack	Computer Support	1,134.12
Forward Tech Solutions, LLC	Computer Support	68.43
Google Storage	Computer Support	1.90
Insight Public Sector Inc.	Computer Support	843.73
Colorado Logos	Media	360.00
Boggs, Sean F	Design & Production	2,000.00
Color Coffee Roasters LLC	Events	4,000.00
City Market	Event Production	104.04
U-Line	Event Production	(17.81)
Vail Honeywagon	Event Production	126.75
Total Marketing & Events		\$ 10,866.73

Engineering

CEBT	Health & Insurance Benefits	\$	2,577.51
Rocky Mountain Reserve LLC	Health & Insurance Benefits		9.94
Standard Insurance Company	Disability Insurance		75.20
Amazon	Office Supplies		11.44
Quill Corporation	Office Supplies		63.00
Fleet Services	Gas & Oil		189.87
Amazon	Communication & Transportation		5.71
Mountain Careers	Recruitment		10.10
Hoffman, Parker, Wilson, & Carberry, P.C.	Legal		97.50
Executech Utah LLC	Computer Support		81.75
Forward Tech Solutions, LLC	Computer Support		88.73
Insight Public Sector Inc.	Computer Support		147.89
Total Engineering		\$	3,358.64
Total GENERAL FUND		\$	209,586.56

CAPITAL IMPROVEMENTS FUND

Skyline Mechanical, Inc.	Town Hall Improvements	\$	31,914.50
Zehren And Associates, Inc	Grand Avenue Improvements		77,307.12
Wylaco Supply Co	Multi Purpose Truck		3,198.40
Total CAPITAL IMPROVEMENTS FUND		\$	112,420.02

WASTE WATER FUND

CEBT	Health & Insurance Benefits	\$	6,570.38
Rocky Mountain Reserve LLC	Health & Insurance Benefits		25.44
Standard Insurance Company	Disability Insurance		197.06
Western Slope Supplies Inc	Office Supplies		44.70
Polydyne Inc.	Operating Supplies		8,418.00
USA Blue Book	Operating Supplies		229.50
Water Technology Group	Operating Supplies		330.00
Browns Hill Engineering	Repair & Maintenance Supplies		4,778.00
Fastenal Company	Repair & Maintenance Supplies		271.95
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies		39.98
USA Blue Book	Repair & Maintenance Supplies		196.18
Water Technology Group	Repair & Maintenance Supplies		800.12
Fleet Services	Gas & Oil		290.51
Executech Utah LLC	Equipment (Non-Capital)		49.60
Insight Public Sector Inc.	Equipment (Non-Capital)		6.44
Nextrust Inc	Communication & Transportation		349.45
USA Blue Book	Communication & Transportation		35.92
Western Slope Supplies Inc	Communication & Transportation		5.55
Black Hills Energy	Utility Services		200.99
Century Link	Utility Services		539.72
Holy Cross Energy	Utility Services		9,540.25
Info Cubic	Recruitment		11.84
Mountain Careers	Recruitment		35.35
Chase Paymentech	C.C. Transaction Fees		800.34
Xpress Bill Pay	C.C. Transaction Fees		302.49
Denali Water Solutions LLC	Sludge Disposal		4,962.73
American Mechanical Services	Repair & Maintenance Services		380.00
Browns Hill Engineering	Repair & Maintenance Services		2,160.00
Caselle, Inc.	Computer Support		514.26
Executech Utah LLC	Computer Support		344.71

WASTE WATER FUND (Cont.)

Forward Tech Solutions, LLC	Computer Support	274.71
Insight Public Sector Inc.	Computer Support	379.29
Eagle River Water & Sanitation District	Testing & Permits	2,125.00
SGS North America Inc	Testing & Permits	2,297.30
American Mechanical Services	Contract Payments	808.00
Colorado Water Resource & Power Dev Auth	CWRPDA Loan Payment	31,964.56
Colorado Water Resource & Power Dev Auth	Service Interest	7,428.30
Total WASTE WATER FUND	\$	87,708.62

WATER FUND

Rocky Mountain GC, LLC	Water Materials & Other	\$ 990.00
CEBT	Health & Insurance Benefits	9,823.53
Rocky Mountain Reserve LLC	Health & Insurance Benefits	34.06
Standard Insurance Company	Disability Insurance	266.53
Quill Corporation	Office Supplies	62.98
Chemtrade Chemicals Corporation	Operating Supplies	5,476.94
DPC Industries, Inc.	Operating Supplies	2,295.35
Gypsum Eagle Ace Hardware	Operating Supplies	830.34
Allwater Supply LLC	Repair & Maintenance Supplies	16,478.05
Amazon	Repair & Maintenance Supplies	416.05
Eagle Lock & Key	Repair & Maintenance Supplies	9,425.35
Grand Junction Pipe & Supply	Repair & Maintenance Supplies	509.36
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	122.67
Fleet Services	Gas & Oil	447.60
Executech Utah LLC	Equipment (Non-Capital)	74.40
Insight Public Sector Inc.	Equipment (Non-Capital)	9.66
Core & Main LP	Meters & Related Items/Resale	47,057.08
Allwater Supply LLC	Communication & Transportation	520.00
Amazon	Communication & Transportation	4.28
Federal Express Corp.	Communication & Transportation	580.76
Nextrust Inc	Communication & Transportation	349.46
AmeriGas	Utility Services	32.61
Black Hills Energy	Utility Services	25.52
Century Link	Utility Services	2,098.12
Holy Cross Energy	Utility Services	12,678.54
Info Cubic	Recruitment	28.42
Mountain Careers	Recruitment	37.88
Chase Paymentech	C.C. Transaction Fees	1,244.97
Xpress Bill Pay	C.C. Transaction Fees	475.35
Garfield & Hecht, P.C.	Legal	483.00
LRE Water	Engineering	262.50
DPC Industries, Inc.	Repair & Maintenance Services	20.00
Eagle Lock & Key	Repair & Maintenance Services	2,025.00
Vail Honeywagon	Repair & Maintenance Services	139.78
Colo Dept Of Public Health & Environment	Testing & Permits	16.50
Eagle River Water & Sanitation District	Testing & Permits	250.00
SGS North America Inc	Testing & Permits	795.30
Caselle, Inc.	Computer Support	514.26
Executech Utah LLC	Computer Support	459.84
Forward Tech Solutions, LLC	Computer Support	368.11
Insight Public Sector Inc.	Computer Support	627.01
Lewan & Associates	Contract Payments	133.42

WATER FUND (Cont.)

US Bank Equipment Finance	Contract Payments	417.91
Flowpoint Environmental Systems Inc	Capital Expenditures-Water Fill Station	47,485.01
Taylor Fence Company	Capital Expenditure-Water Tank Fencing	49,276.00
Mott MacDonald	Tank Replacement	18,475.59
MWH Constructors Inc.	Lower Basin Water Treatment	264,273.00
Schmueser, Gordon, Meyer Inc.	Lower Basin Water Treatment	107,177.57
Total WATER FUND	\$	605,595.66

REFUSE FUND

CEBT	Health & Insurance Benefits	\$ 2.00
Nextrust Inc	Communication & Transportation	349.46
Chase Paymentech	C.C. Transaction Fees	177.85
Xpress Bill Pay	C.C. Transaction Fees	69.14
Caselle, Inc.	Computer Support	514.24
Vail Honeywagon	Contract Services	50,537.50
Total REFUSE FUND	\$	51,650.19

SALES TAX CAPITAL IMPROVEMENTS FUND

Garfield & Hecht, P.C.	Legal	\$ 357.00
Hoffman, Parker, Wilson, & Carberry, P.C.	Legal	1,400.00
Signature Signs Inc	Construction	376.00
Total SALES TAX CAPITAL IMPROVEMENTS FUND	\$	2,133.00

CONSERVATION FUND

SE Group	Professional Services	\$ 3,175.07
Total CONSERVATION FUND	\$	3,175.07

OPEN SPACE FUND

CEBT	Health & Insurance Benefits	\$ 713.50
Rocky Mountain Reserve LLC	Health & Insurance Benefits	5.90
Standard Insurance Company	Disability Insurance	45.55
Alpine Lumber Co.	Repair & Maintenance Supplies	88.33
Copy Plus	Repair & Maintenance Supplies	7.50
Wylaco Supply Co	Repair & Maintenance Supplies	168.00
Thompson Welding	Vehicle Repair & Maintenance Supplies	243.00
Fleet Services	Gas & Oil	151.10
Executech Utah LLC	Equipment (Non-Capital)	18.60
Insight Public Sector Inc.	Equipment (Non-Capital)	2.42
Vail Honeywagon	Repair & Maintenance Services	126.00
Executech Utah LLC	Computer Support	59.94
Forward Tech Solutions, LLC	Computer Support	63.01
Insight Public Sector Inc.	Computer Support	110.26
Black Diamond Enterprises Inc	Pool & Ice Campus Improvements-Fence	10,354.00
Total OPEN SPACE FUND	\$	12,157.11

TOTAL	\$	1,084,426.23
PAYROLL	\$	506,925.00
GRAND TOTAL	\$	1,591,351.23



To: Mayor and Town Council

From: Stephan Wilson P.E., Utility Manager

Date: November 9, 2021

Agenda Item: RESOLUTION NO. 75 (Series 2021) A RESOLUTION APPROVING A CONTRACT WITH SNOWBRIDGE INC. FOR SANITARY SEWER SYSTEM CLEANING

REQUEST:

Review and approve of sanitary sewer collections system cleaning and inspection proposal submitted by Snowbridge Inc Nov. 3 2021.

BACKGROUND:

The Town of Eagle has administratively divided the collection system into three separate zones for yearly flushing and inspection purposed. Each Zone is cleaned on a three year rolling cycle. The flushing program is conducted to meet obligations for the Town insurer CIRSA and to proactively maintain the collection system. Zone 2 consists of 85,496 linear feet (LF) of collection system line and is scheduled for cleaning and inspection in 2021.

As a part of the Town's Wastewater Treatment Facility (WWTF) discharge permit the Colorado Department of Public Health and Environment Water Quality Control Division (CDPHE-WQCD) has included an Inflow and Infiltration (I&I) compliance schedule requiring the Town to address I&I through a study of the collection system. To satisfy a portion of this requirement the Town can conduct CCTV inspections of a portion of the collection system Zone being cleaned to assess current condition and identify needed repairs.

ANALYSIS:

Snowbridge Inc. has previously provided this service to the Town including most recently in 2020. DRC Construction Services, Inc. was reached out to, however they had no jetting availability for the remainder of 2021.

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT:

The Town does not have enough budget currently allocated to fully contract out 85,496 LF of collection system maintenance. Town staff are anticipating being able to perform 33,901 LF of cleaning to reduce the burden on the selected contractor. The total cost of work completed under this proposal is anticipated to cost \$132,750.

Cleaned by	Maintenance Proposed	Length - feet
Town of Eagle Staff	Flushing Only	33,901
Contractor	Jetting Only	35,345
	Camera and Jetting	12,198
New Construction	None	4,052
Total Cleaned		81,444

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

1. Town insurer CIRSA obligations met for the maintaining the collection system.
2. A portion of the CHPHE-WQCD I&I compliance schedule commitments met.

RECOMMENDED ACTION OR PROPOSED MOTION:

A motion to approve of or deny adoption of Resolution No. 75 (Series 2021) A Resolution Approving a Contract with Snowbridge Inc. For Sanitary Sewer System Cleaning.

ATTACHMENTS:

- Resolution No. 75, Series 2021
- Agreement for professional services between the Town of Eagle Colorado and Snowbridge Inc.

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT FOR PROFESSIONAL SERVICES (the "Agreement") is made and entered into this 9 day of November, 2021 (the "Effective Date"), by and between the Town of Eagle, a Colorado home rule municipality with an address of P.O. Box 609, Eagle, Colorado 81631 (the "Town") and SNOWBRIDGE INC., a Contractor with an address of PO Box 2917, Breckenridge, CO 80424 ("Contractor") (each a "Party" and collectively the "Parties").

WHEREAS, the Town requires professional services; and

WHEREAS, Contractor has held itself out to the Town as having the requisite expertise and experience to perform the required services.

NOW, THEREFORE, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

I. SCOPE OF SERVICES

A. Contractor shall furnish all labor and materials required for the complete and prompt execution and performance of all duties, obligations, and responsibilities which are described or reasonably implied from the Scope of Services set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

B. A change in the Scope of Services shall not be effective unless authorized as an amendment to this Agreement. If Contractor proceeds without such written authorization, Contractor shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit or implied contract. Except as expressly provided herein, no agent, employee, or representative of the Town is authorized to modify any term of this Agreement, either directly or implied by a course of action.

II. TERM AND TERMINATION

A. This Agreement shall commence on the Effective Date, and shall continue until Contractor completes the Scope of Services to the satisfaction of the Town, or until terminated as provided herein.

B. Either Party may terminate this Agreement upon 30 days' advance written notice. The Town shall pay Contractor for all work previously authorized and completed prior to the date of termination. If, however, Contractor has substantially or materially breached this Agreement, the Town shall have any remedy or right of set-off available at law and equity.

III. COMPENSATION

In consideration for the completion of the Scope of Services by Contractor, the Town shall pay Contractor per the unit prices outlined in Exhibit A not to exceed \$ 122,000.00. This amount shall include all fees, costs and expenses incurred by Contractor, and no additional amounts shall

be paid by the Town for such fees, costs and expenses. Contractor may submit periodic invoices, which shall be paid by the Town within 30 days of receipt.

IV. RESPONSIBILITY

A. Contractor hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and professional licenses in good standing, required by law. The work performed by Contractor shall be in accordance with generally accepted professional practices and the level of competency presently maintained by other practicing professional firms in the same or similar type of work in the applicable community. The work and services to be performed by Contractor hereunder shall be done in compliance with applicable laws, ordinances, rules and regulations.

B. The Town's review, approval or acceptance of, or payment for any services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

C. Because the Town has hired Contractor for its professional expertise, Contractor agrees not to employ subcontractors to perform any work except as expressly set forth in the Scope of Services.

V. OWNERSHIP

Any materials, items, and work specified in the Scope of Services, and any and all related documentation and materials provided or developed by Contractor shall be exclusively owned by the Town. Contractor expressly acknowledges and agrees that all work performed under the Scope of Services constitutes a "work made for hire." To the extent, if at all, that it does not constitute a "work made for hire," Contractor hereby transfers, sells, and assigns to the Town all of its right, title, and interest in such work. The Town may, with respect to all or any portion of such work, use, publish, display, reproduce, distribute, destroy, alter, retouch, modify, adapt, translate, or change such work without providing notice to or receiving consent from Contractor.

VI. INDEPENDENT CONTRACTOR

Contractor is an independent contractor. Notwithstanding any other provision of this Agreement, all personnel assigned by Contractor to perform work under the terms of this Agreement shall be, and remain at all times, employees or agents of Contractor for all purposes. Contractor shall make no representation that it is a Town employee for any purposes.

VII. INSURANCE

A. Contractor agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Contractor pursuant to this Agreement. At a minimum, Contractor shall procure and maintain,

and shall cause any subcontractor to procure and maintain, the insurance coverages listed below, with forms and insurers acceptable to the Town.

1. Workers' Compensation insurance as required by law.
2. Commercial General Liability insurance with minimum combined single limits of \$1,000,000 each occurrence and \$2,000,000 general aggregate. The policy shall be applicable to all premises and operations, and shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations. The policy shall contain a severability of interests provision, and shall include the Town and the Town's officers, employees, and contractors as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.
3. Professional liability insurance with minimum limits of \$1,000,000 each claim and \$2,000,000 general aggregate.

B. Such insurance shall be in addition to any other insurance requirements imposed by law. The coverages afforded under the policies shall not be cancelled, terminated or materially changed without at least 30 days' prior written notice to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage. Any insurance carried by the Town, its officers, its employees, or its contractors shall be excess and not contributory insurance to that provided by Contractor. Contractor shall be solely responsible for any deductible losses under any policy.

C. Contractor shall provide to the Town a certificate of insurance showing the required policies are in full force and effect. The certificate shall identify this Agreement.

VIII. INDEMNIFICATION

A. Contractor agrees to indemnify and hold harmless the Town and its officers, insurers, volunteers, representative, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses and demands, including attorney fees, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Agreement if such injury, loss, or damage is caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor, or which arise out of a worker's compensation claim of any employee of Contractor or of any employee of any subcontractor of Contractor. Contractor's liability under this indemnification provision shall be to the fullest extent of, but shall not exceed, that amount represented by the degree or percentage of negligence or fault attributable to

Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor or of any subcontractor of Contractor.

B. If Contractor is providing architectural, engineering, surveying or other design services under this Agreement, the extent of Contractor's obligation to indemnify and hold harmless the Town may be determined only after Contractor's liability or fault has been determined by adjudication, alternative dispute resolution or otherwise resolved by mutual agreement between the Parties, as provided by C.R.S. § 13-50.5-102(8)(c).

IX. WORKERS WITHOUT AUTHORIZATION

A. *Certification.* By entering into this Agreement, Contractor hereby certifies that at the time of this certification, it does not knowingly employ or contract with a worker without authorization who will perform work under this Agreement and that Contractor will participate in either the E-Verify Program administered by the United States Department of Homeland Security and Social Security Administration or the Department Program administered by the Colorado Department of Labor and Employment to confirm the employment eligibility of all employees who are newly hired to perform work under this Agreement.

B. *Prohibited Acts.* Contractor shall not knowingly employ or contract with a worker without authorization to perform work under this Agreement or enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with a worker without authorization to perform work under this Agreement.

C. *Verification.*

1. If Contractor has employees, Contractor has confirmed the employment eligibility of all employees who are newly hired to perform work under this Agreement through participation in either the E-Verify Program or the Department Program.

2. Contractor shall not use the E-Verify Program or Department Program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed.

3. If Contractor obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with a worker without authorization who is performing work under this Agreement, Contractor shall: notify the subcontractor and the Town within 3 days that Contractor has actual knowledge that the subcontractor is employing or contracting with a worker without authorization who is performing work under this Agreement; and terminate the subcontract with the subcontractor if within 3 days of receiving the notice required pursuant to subsection 1 hereof, the subcontractor does not stop employing or contracting with the worker without authorization who is performing work under this Agreement; except that Contractor shall not terminate the subcontract if during such 3 days the subcontractor provides information to establish that the subcontractor has not knowingly employed or

contracted with a worker without authorization who is performing work under this Agreement.

D. *Duty to Comply with Investigations.* Contractor shall comply with any reasonable request by the Colorado Department of Labor and Employment made in the course of an investigation conducted pursuant to C.R.S. § 8-17.5-102(5)(a) to ensure that Contractor is complying with the terms of this Agreement.

E. *Affidavits.* If Contractor does not have employees, Contractor shall sign the "No Employee Affidavit" attached hereto. If Contractor wishes to verify the lawful presence of newly hired employees who perform work under the Agreement via the Department Program, Contractor shall sign the "Department Program Affidavit" attached hereto.

X. MISCELLANEOUS

A. *Governing Law and Venue.* This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Eagle County, Colorado.

B. *No Waiver.* Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

C. *Integration.* This Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

D. *Third Parties.* There are no intended third-party beneficiaries to this Agreement.

E. *Notice.* Any notice under this Agreement shall be in writing and shall be deemed sufficient when directly presented or sent prepaid, first-class United States Mail to the Party at the address set forth on the first page of this Agreement.

F. *Severability.* If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

G. *Modification.* This Agreement may only be modified upon written agreement of the Parties.

H. *Assignment.* Neither this Agreement nor any of the rights or obligations of the Parties hereto, shall be assigned by either Party without the written consent of the other.

I. *Governmental Immunity.* The Town and its officers, attorneys and employees are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado

Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers, attorneys or employees.

J. *Rights and Remedies.* The rights and remedies of the Town under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

K. *Subject to Annual Appropriation.* Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

L. *Force Majeure.* No Party shall be in breach of this Agreement if such Party's failure to perform any of the duties under this Agreement is due to Force Majeure, which shall be defined as the inability to undertake or perform any of the duties under this Agreement due to acts of God, floods, storms, fires, sabotage, terrorist attack, strikes, riots, war, labor disputes, forces of nature, the authority and orders of government or pandemics.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

TOWN OF EAGLE

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

Snowbridge Inc.

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Subscribed, sworn to and acknowledged before me this _____ day of _____,
2021, by _____ as _____ of _____.

My Commission expires:

(SEAL)

Notary Public

Attachments:

- Snowbridge Inc. proposal date November 3, 2021

NO EMPLOYEE AFFIDAVIT

[To be completed only if Contractor has no employees]

1. Check and complete one:

☐ I, _____, am a sole proprietor doing business as _____. I do not currently employ any individuals. Should I employ any employees during the term of my Agreement with the Town of Eagle (the "Town"), I certify that I will comply with the lawful presence verification requirements outlined in that Agreement.

OR

☐ I, _____, am the sole owner/member/shareholder of _____, a _____ [specify type of entity – i.e., corporation, limited liability company], that does not currently employ any individuals. Should I employ any individuals during the term of my Agreement with the Town, I certify that I will comply with the lawful presence verification requirements outlined in that Agreement.

2. Check one.

☐ I am a United States citizen or legal permanent resident.

The Town must verify this statement by reviewing one of the following items:

- *A valid Colorado driver's license or a Colorado identification card;*
- *A United States military card or a military dependent's identification card;*
- *A United States Coast Guard Merchant Mariner card;*
- *A Native American tribal document;*
- *In the case of a resident of another state, the driver's license or state-issued identification card from the state of residence, if that state requires the applicant to prove lawful presence prior to the issuance of the identification card; or*
- *Any other documents or combination of documents listed in the Town's "Acceptable Documents for Lawful Presence Verification" chart that prove both Contractor's citizenship/lawful presence and identity.*

OR

☐ I am otherwise lawfully present in the United States pursuant to federal law.

Contractor must verify this statement through the federal Systematic Alien Verification of Entitlement ("SAVE") program, and provide such verification to the Town.

Signature

Date

DEPARTMENT PROGRAM AFFIDAVIT

*[To be completed only if Contractor participates in the
Department of Labor Lawful Presence Verification Program]*

I, _____, as a public contractor under contract with Town of Eagle (the "Town"), hereby affirm that:

1. I have examined or will examine the legal work status of all employees who are newly hired for employment to perform work under this public contract for services ("Agreement") with the Town within 20 days after such hiring date;

2. I have retained or will retain file copies of all documents required by 8 U.S.C. § 1324a, which verify the employment eligibility and identity of newly hired employees who perform work under this Agreement; and

3. I have not and will not alter or falsify the identification documents for my newly hired employees who perform work under this Agreement.

Signature

Date

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was subscribed, sworn to and acknowledged before me this ____ day of _____, 2021, by _____ as _____ of _____.

My commission expires:

(S E A L)

Notary Public

EXHIBIT A
SCOPE OF SERVICES

Contractor's Duties

During the term of this Agreement, Contractor shall perform the following duties, as directed by the Town on a unit cost not to exceed basis:

- Contractor shall conduct a single pass clean; screen/vacuum debris and CCTV inspect PVC pipe at a unit price of \$3.00 per linear foot (LF) not to exceed 12,200 LF.
- Contractor shall conduct a single pass clean, screen/vacuum debris only at a unit price of \$1.90 per LF not to exceed 35,345 LF.
- Contractor mobilization cost shall be paid at a rate of \$2,250 per week per crew not to exceed 4 weeks.

Contractor's Deliverables

In performance of the duties described above, Contractor shall deliver the following items to the Town, during the timeframes established by the Town:

- Completed CCTV and flushing log from template provided by the Town.
- Inspection records including CCTV footage in a digital format.

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 75
(Series of 2021)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
GRANTING APPROVING A CONTRACT WITH SNOWBRIDGE INC. FOR SANITARY
SEWER SYSTEM CLEANING

WHEREAS, the Town desires to contract with Snowbridge Inc. for the performance of the described Services in the attached Exhibit "A" on the terms and conditions set forth therein; and

WHEREAS, Snowbridge Inc. agrees to perform such Services on the terms and conditions set forth in Exhibit "A"; and

WHEREAS, pursuant to the 2021 Financial and Budget Policy adopted by the Town requiring all contracts in excess of \$50,000 for professional services must be reviewed by the Town Council prior to commencement of work or signing the contract.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AS FOLLOWS:

The Council approves the contract with Snowbridge Inc. for sanitary sewer system cleaning attached as Exhibit "A" and directs the Town Manager to sign as on behalf of the Town.

RESOLVED, APPROVED AND ADOPTED THIS 9TH DAY OF NOVEMBER 2021.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council
From: Brandy Reitter, Town Manager
Date: November 9, 2021
Re: Town Manager Report

Administration & Organization

Staff continues to work on follow-up from the Town Council meetings. Included is a list of policy items that staff is tracking in December:

- Wastewater Rate and Tap Fee Study Presentation
- School Resource Officer IGA
- State of Colorado Energy Office IGA
- 2020 Audit presentation
- EVCF Memorandum of Understanding (MOU)
- Economic Development Strategy Contract
- Community Survey

2022 Budget Development Schedule:

- December 14, 2021 – Adoption of the 2022 Budget

The interviews for the Special Events Manager are scheduled for November 17. Staff hopes to include MEAC in the process to receive feedback before the town decides.

Since there is a break between the November and December meetings, I will be on vacation the week of November 22 – 26. The plan for this time is to catch up on items that are on the back burner, mostly state compliance, IGAs, MOUs, and various other documents. At that time, staff will initiate the Assistant Town Manager position. I only can facilitate one recruitment at a time, and the Special Events Position was a higher priority in preparing for the next season.

Staff was asked to investigate an IT security assessment and report back to the Town Council. Assessments range from \$6,000 - \$60,000. The staff's recommendation is to fund and implement as many known security threats as possible before performing this work so that the assessment provides more value to the organization.

The organization is on track to launch the short-term rental program at the end of the year. Additionally, the staff is preparing to launch CivicRec that will automate facility rentals for the Town of Eagle. This will free up staff to focus on other projects and provide better customer service to the community.

Staff will receive the audit the week of November 8 and submit it to the state so that the Town is compliant. A copy will go to the Town Council before December 14 for review and solicit input for adoption on December 14. Staff will update the budget to reflect the audited financials so there is no need for an amendment to the budget later to include this information. With the current schedule, staff will complete 2021 financial reporting in compliance with the State of Colorado before the end of the year.

To help the Town Council keep track of upcoming work sessions, provided below is a table of topics to be discussed over the next 6 months. Since it takes planning to successfully execute a work session, preparing in advance is helpful. Staff will keep this table in this report going forward and make changes as needed. The topics are subject to change:

Date	Topic
December 7, 2021	Grand Avenue Phase 2 Review
January 4, 2022	Affordable Housing Strategies
February 1, 2022	Sustainability Building Codes Discussion
March 1, 2022	Diversity Equity and Inclusion (DEI)
April 12, 2022	TBD
May 3, 2022	TBD

Grand Avenue Corridor Study

- Staff met with the consultant and determined that a work session on December 7 is too soon because of various outstanding planning items that the team needs to work through. The team needs to meet with some property owners regarding the recent proposal. The team would also like to meet with the stakeholder committee to discuss access control. The Town must communicate with property owners before access control is presented to the public.
- The new proposal for a work session is February 1, 2022, so the Town Council needs to provide feedback on the schedule above. Staff is targeting the week of November 8 for landowner outreach.
- The Town needs to approve a contract with Rail Pros to begin the review of the plan and receive feedback. Staff will present this on December 14.

Economic Development

- The EVC hosted a special meeting on November 5 to discuss the Town's proposed municipal broadband. The group will make a presentation during the discussion item on November 9.
- The Downtown Development Authority executed a successful campaign on November 2 and is authorized to issue up to \$27 million in revenue bonds. The next steps are to finalize the work plan and work on the communication strategy. The Partnership Summit on November 3 was successful, and the community participated in a listening session to help develop the DDA's work plan.

- The CU Assessment is underway and members from the EVC and staff met with the project team. So far, the team is looking into comparisons, best practices, reviewed the Town's plans, and has started collecting economic data on the Town. The group is working on an analysis that will include an overlay of the Town's commercial districts that will include a market competitive approach. The next steps are to set up a meeting with community leaders who are looking at redevelopment and solicit input.
- Staff received a grant from DOLA for \$45,000 for the housing assessment and strategy project. This is great news. The goal is to work on this starting in January of 2022. The work session that is scheduled on housing is to brainstorm ideas as well as review what other communities are doing. There will be opportunities to discuss the Town's strategy over the next several months.

Sustainability

- Staff met with Dan and Molina from the EVCF on November 3 to discuss roles and responsibilities. The goal is to make sure everyone is on the same page. The meeting ended with both parties feeling confident in the Adam Palmer Fund.

Outreach & Meetings – Updates on participation in community outreach opportunities, regional/community meetings, and project-specific meetings.

- November 8 – Grand Avenue Property Owner Outreach
- November 11 – Grand Avenue Stakeholder meeting
- November 12 – Eagle River Park project meeting
- November 12 – Adam Palmer Fund Committee kickoff
- November 18 – Eagle County RTA meeting
- November 19 – Land Use Code project meeting

Sincerely,



Brandy Reitter
Town Manager
Town of Eagle, CO

Town Council Requests – Once items are completed; they are deleted from the list Items in Red are new requests.		
Request Date	Request	Status
3/9/2021	Bring back land donation proposal	Not Scheduled
3/9/2021	EQR Ordinance	Not Scheduled
5/11/2021	Reach out to Eagle Ranch Housing Corp. on partnering	Not Scheduled
5/11/2021	Look into vacancy housing tax	Not Scheduled
5/11/2021	Include final community survey in packet	Not Scheduled
5/25/2021	Evaluate Bird Scooter proposal and bring it back	Not Scheduled
8/10/2021	Schedule TOE housing strategy work session	January 2022
8/24/2021	Establish incentives for ADUs	Not Scheduled
9/14/2021	Fee waivers for town projects policy	Not Scheduled
9/14/2021	Follow up on Broadway tree grate maintenance	Not Scheduled
9/28/2021	ADU policy change ordinance	January 2022
10/5/2021	Create a policy for eBikes on recreation paths in Town and reach out to BLM to let them know what the plans are	Not Scheduled
10/12/2021	Look into IT security assessment	Completed
10/26/2021	Bring broadband back on November 9	Completed
10/26/2021	Bring community development staffing proposal back	Completed
10/26/2021	Budget for Haymaker Trailhead site plan	Completed
10/26/2021	Schedule work session for DEI in March 2022	Completed
10/26/2021	Follow up with HCE Chair on sustainability	Not Scheduled



To: Mayor and Town Council

From: Brandy Reitter, Town Manager, and Department Leads

Date: November 9, 2021

Re: Department Updates for October 2021

FINANCE DEPARTMENT

October 2021

Administration/Financial:

- Staff continued work on the 2020 Financial Audit which will be brought to the Council for approval at the first meeting in December
- Continued work CivicRec Software Implementation – For Pavilion and Event Permits – *Finance took implementation over from Assistant Town Manager and Marketing and Events.*
 - o Schedule:
 - Training with Finance Team – weekly 11/2 through 11/30; 2 hrs each training session
 - They will optimize everything we create, which is due to be completed by 12/10
 - We will have a final closeout meeting 12/8
 - They will certify everything is good to launch on 12/13
 - We can then pull the trigger any time after the 13th, Go Live 1/1
 - o Will advertise CivicRec process for Customers on Website, Eagle Today, and Social Media
- Continued work on MuniRevs Software Implementation – For Short Term Rental licensing and Lodging Tax payment Process – *Finance took implementation over from Assistant Town Manager*
 - o Schedule:
 - Training with Finance Team – 10/29 & 11/1
 - Staff will be finalizing the communication that will be put out on the website, Eagle Today, and Social Media – By 11/15/21
 - Staff will also be finalizing the specific communication that will be sent out to properties that have already been identified at short term rentals – 11/15/21
 - Will be testing batch payments and tax forms – 11/15/21
 - We will launch by 12/15 to begin accepting permit applications and lodging tax for January 2022.
- Staff completed a draft Fixed Asset Management Policy – Finance will send out to other departments and managers for their review in November
- Assisted Town Clerk with DDA ballot language and Fiscal Year Spending Amounts

Accounts Payable:

ACCOUNTS PAYABLE: INVOICES PAID							
	2017	2018	2019	2020	2021	VARIANCE FROM PY	
JANUARY	289	258	303	205	230	25	12%
FEBRUARY	245	272	254	237	217	(20)	-8%
MARCH	340	304	326	234	247	13	6%
APRIL	267	299	215	137	214	77	56%
MAY	277	260	275	162	260	98	60%
JUNE	319	151	298	221	400	179	81%
JULY	256	460	414	314	239	(75)	-24%
AUGUST	281	415	220	241	243	2	1%
SEPTEMBER	279	257	306	92	218	126	137%
OCTOBER	245	241	296	371	234	(137)	-37%
YEAR TO DATE	2,798	2,917	2,907	2,214	2,502	288	13%

- The 13% increase in invoices between 2021 and 2020 is primarily due to the 2020 budget freeze.

Debt Service:

- Scheduled 11/1/2020 – 2011 Wastewater Loan Payment - \$39,393 (Last Pmt 2031)

Budget:

- Staff continued work on finalizing the budget
- Staff will be continuing work on the creation of an IT Department budget in November
- Staff will be finalizing fee schedule revisions in November
- 1st Public Hearing – 11/9
- Department budget narratives are due to Finance – 11/12
- Budget Adoption – 12/14

Training:

- Caselle Virtual Conference – October 12-14
- Miscellaneous Xpress BillPay Update Trainings – Sept 30th – Oct 28th

Payroll/HR:

- Completed 3rd Quarter Unemployment Tax Report
- Completed 3rd Quarter 941 Report
- Positions changes in Payroll
 - o 1 Term – Police Officer

Utilities:

- New Accounts Setup – 2
- Property Transfers – 17
- Red Tags – 31
- Shut Offs – 1

Town Council Department – Budget to Actual:

TOWN OF EAGLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 10 MONTHS ENDING OCTOBER 31, 2021

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TOWN COUNCIL</u>					
10-49-110 SALARIES & WAGES	3,300.00	33,000.00	39,600.00	6,600.00	83.3
10-49-142 WORKERS COMPENSATION	.00	38.31	51.00	12.69	75.1
10-49-143 HEALTH & INSURANCE BENEFITS	18.00	172.00	168.00	(4.00)	102.4
10-49-144 FICA - EMPLOYER'S	252.45	2,524.55	3,029.00	504.45	83.4
10-49-210 OFFICE SUPPLIES	.00	154.82	200.00	45.18	77.4
10-49-310 COMMUNICATION & TRANSPORTATION	.00	5.67	.00	(5.67)	.0
10-49-320 LEGAL NOTICES	.00	325.50	325.00	(.50)	100.2
10-49-340 UTILITY SERVICES	.00	1,930.24	1,930.00	(.24)	100.0
10-49-347 PROFESSIONAL SERVICES	.00	19,789.84	29,047.00	9,257.16	68.1
10-49-362 COMPUTER SUPPORT	187.63	1,801.57	3,048.00	1,246.43	59.1
10-49-371 TRAVEL EXPENSE	.00	.00	1,000.00	1,000.00	.0
10-49-372 MEETING EXPENSE	.00	1,402.07	2,000.00	597.93	70.1
10-49-380 TUITION & BOOKS	.00	125.20	1,750.00	1,623.80	7.2
10-49-450 SPECIAL COUNCIL FUNDING	.00	114,939.89	211,113.00	96,173.11	54.4
10-49-510 INSURANCE	.00	724.32	724.00	(.32)	100.0
10-49-915 COMMUNITY REQUESTS	640.00	25,162.34	54,000.00	28,837.66	48.6
TOTAL TOWN COUNCIL	4,398.08	202,097.32	347,985.00	145,887.68	58.1

SPECIAL EVENTS & MARKETING

October 2021

Town of Eagle – Marketing & Special Events:

- Closed out and processed the TOE 2022 MEAC Funding program applications. Worked with MEAC Committee to review and vote on allocations of funding for the 2022 event season. Prepared MEAC allocations for Town Council review and confirmations on November 9, 2021.
- Closed out and processed the TOE 2022 Community Events & Programs Funding program applications. Prepared Community Funding applications for Town Council review and confirmations on November 9, 2021.
- Received photo/video stock gallery from contracted photographer. Creating staff accessible galleries.
- Updated eagleoutside.com events calendar & 6th Ave Digital Sign
- 8 Review CIVICRec operations for kickoff.
- Executed Trick or Treat Street event at Eagle Ranch.

October – Events Executed

October	
10/2/2021	Eagle Ranch Road Block Party
10/2 3/21	Vail Cup Soccer
10/8/21	Race #4 Haymaker Classic - South Conference Championships
10/8/2021	ArtWalk
10/23/2021	All Terrain Games - Cancelled
10/27/2021	Trick or Treat Street at Eagle Ranch

MEAC:

- Closed 2022 MEAC & Community Funding Program process for on September 30th, 2021.
- Processed 25 applications. Conducted application reviews by committee and prepared allocation presentation for Town Council review.

Be Our Guest Program:

- Program has concluded.

Eagle Info Center:

- Operating Info Center on Winter 2021-2022 Days and Hours - Info Center open Wednesdays through Sundays, 10:00am to 3:00pm. All staff has been vaccinated
- Promoted one staffer to Lead Host position.
- Hired new regular host person – Pat Prill.

Digital Sign:

- Created more intermittent scheduled messages.
- Promoting message for Eagle Downtown businesses

- Trained Kevin/IT on operation of the Digital Sign.

Social Channel Post Examples:



COMMUNITY DEVELOPMENT

October 2021

BUILDING DEPARTMENT UPDATES:

Activity:	Status:
Code Adoption Process (2021 International Building Codes) The 2021 Code is set to adopt in the Spring of 2022. The Building Department plans to create a board of interested stakeholders, contractors, designers, council members. This stakeholder group will focus on reviewing current adoption ordinance and amendments as well as the 2021 Code editions for changes and how they impact Eagle. The Building Department will also review with local agencies for consistency of amendments. The first Adoption meeting is aimed for Spring 2022. If you are interested in joining the stakeholder group, please email the Building Official, Charlie Davis.	Ongoing
Work with the Town of Gypsum Building Department for Electrical Inspection Services. October – (23) inspections.	Ongoing
CTIX - Construction Trades Information Exchange CTIX is a way for the Community Development Department to communicate with the Contractor & Developer community. 2021 Quarter 4 Newsletter was published in October. The next issue will be 2022 Quarter 1 Newsletter to be published in January.	

The chart below shows the number of inspections conducted and building permits issued for the current month, the previous month, and the year to date.

Building Department Activity 2021					
	August 2021	September 2021	October 2021	YTD 2020	YTD 2021
Number of Inspections	138	120	112	1,970	1,112
Number of Permits Requiring Plan Review	9	19	19	*	134
Number of Building Permits	23	37	35	498	240
Building	10	23	12	160	112
Electrical	7	5	5	137	47
Plumbing	2	1	0	69	15
Mechanical	4	3	1	107	37
Demo	0	1	1	3	3
Out of Town Water/Sewer Taps	0	3	5	22	12
ALL Commercial*	3	2	1	24	19
SF Detached Residential*	3	4	5	11	17

<i>Multi-Family & Attached SF Residential*</i>	0	0	0	16	0
<i>Residential Remodel/Addition/ Basement Finish</i>	4	4	1	49	29
<i>PV</i>	4	9	11	46	39
<i>One Stop</i>	9	18	11	102	99

**YTD Plan Review Data Unavailable*

- **Major Construction Projects Under Review and Oversight:**
 - **Broadway Station** – Developer team continues to work with Building Official and Public Works on revised plans and addressing comments. Work on exterior finishes has begun.
 - **410 Broadway** – Third-party plan review comments have been assembled and sent to applicant. Awaiting applicant feedback.
- **Upcoming Activities for November 2021:**
 - Continue procedure for code updates to 2021 Codes, set to be adopted Spring of 2022.
 - Continue customizing Community Core Solutions, specifically building permit applications.
 - Continue electronic archiving of permit files and plans.

PLANNING DEPARTMENT UPDATES:

PLANNING ACTIVE APPLICATIONS	STATUS
DR21-02 & PPFP21-01: Reserve at Hockett Gulch – Subdivision & Major Development Permit	• Post referral meeting was held on 10/20/21. • Building height determination required prior to issuing final review comments.
PUDA21-02: Haymeadow 2nd PUD Amendment	• Amended conditions of approval to address Town Council's requests to establish a firm construction timeline and increase the number of locals' housing units. • Public hearing scheduled: ○ Town Council public hearing 11/9/21
PUDA21-01: Eagle Ranch 6th PUD Amendment	• Staff working with Town Attorney to determine when water fees need to be paid (at time of approval or at time of building permit issuance). • Public hearings scheduled: ○ Planning Commission 11/16/21 ○ Town Council 12/14/21
SU21-05: 332 Grand Ave. AG Roofing	• Special Use Permit application submitted for outdoor storage, but applicant also needs to apply for shop use. • Application is not deemed complete for processing, no new information to report (11/3/21).
SU21-04: 263 Sawatch	• Application deemed complete: Special Use Permit application for contractor yard. • Public hearings scheduled: ○ Planning Commission 1/4/22 ○ Town Council 1/25/22
RZ21-02 & S21-01: Eagle County School District (ECSD) 3 rd Street Housing	• Proposing 16 units. • Planning Commission voted to approve both the rezone and sketch plan applications.

	- Public hearing scheduled: - Town Council 12/14/21
446 Broadway	- Staff received application for a development permit. - Application not deemed complete for processing, no new information to report (11/3/21).
341 Broadway Mountain Animal Hospital Center	- Staff received partial submission for a minor development permit. - Application not deemed complete for processing, no new information to report (11/3/21).
Haymeadow – Design Guidelines	- Application is specific to design guidelines for all of the Haymeadow development. - Pre-application meeting was held on 10/25/21 and submittal received 11/1/21.
PRE-APPLICATIONS	STATUS
295 Eby Creek Rd. (Previously Burger King)	- Application for SUP for Rapid Care Clinic forthcoming, fall/winter 2021. - Reviewing parking easement concerns. - No new information to report (11/3/21).
1215 Chambers Ave. Innovation Station	- PUD application forthcoming, fall/winter 2021. - No new information to report (11/3/21).
295 Rule Road	Pre-application meeting scheduled for 11/9/21.
LONG RANGE PLANNING	STATUS
Elevate Eagle Comprehensive Plan (Comp Plan)	- Appendix A – connect with Eagle County Housing for housing report – temporarily on hold. - State Demographer report for Appendix A – in progress. - Amendments ratified by Town Council on 10/26/21, staff updating documents and website.
Title 4 Land Use Code Update	- Code Assessment Report received, and initial staff review complete. Comments submitted to Clarion on 11/2/21. - Staff awaiting Sign Code draft. - Land Use Code Committee fully formed and anticipating first meeting after November election.
Grand Ave Corridor Plan	- Project now in Phase 2 (April 2021 – November 2021). - Summary from July Phase 2 Design Charette and graphics from October Progress Meeting now available on project site. - Stakeholder group meeting was held on 10/21/21. - Future meetings scheduled: - Stakeholder group meeting 11/11/21 - Town Council work session 2/1/22
East Eagle Sub Area Plan (EESAP)	- Staff continues to refine adoption draft, now available to the public. - Town Council ratification hearing continued to 11/9/21
County West Eagle Property	4 RFQ's received. Consultant teams interviewed in September. - No new information to report (11/3/21).
SolSmart – Bronze Designation	Clarion has provided additional comments on baseline zoning assessment.

	• Permit Tech will assume lead role with Clarion's assistance. • No new information to report (11/3/21).
OTHER	STATUS
Code Updates (ahead of comprehensive Title 4 Update)	• Parking Fee in-lieu: Staff working to establish new code regulations with the help of Carrie McCool. • Public hearings scheduled: ○ Planning Commission 12/7/21 ○ Town Council adoption hearing 1/11/22 • Accessory Dwelling Units (ADUs): Section language update • Public hearings scheduled: ○ Town Council presentation 11/9/21 ○ Planning Commission 11/16/21 ○ Town Council adoption hearing 12/14/21
ORDINANCES	• Impact Fee Ordinance Update • Review of Public Safety and Fire District Nexus studies ongoing. • No new information to report (11/3/21).

SCHEDULE OF UPCOMING MEETINGS:

November 2021
November 9 th Town Council • ADU Presentation • Haymeadow 2nd PUD Amendment (tabled from 10/21/21) • EESAP Ratification / Executive Session • Community Development Department Update
November 16 th Planning & Zoning Commission • ADU Recommendation Public Hearing • Eagle Ranch 6th PUD Amendment • Sinclair Station Development Permit / Zoning Variance • Department & Council Update
November 23 rd Town Council • Meeting Cancelled – Thanksgiving
December 2021
December 7 th Planning & Zoning Commission • Parking Fee in-lieu Recommendation Public Hearing • 706 Chambers Ave – SUP/Condo Plat • 3-Mile Plan • Department & Council Update
December 7 th Town Council Special Meeting and Work Session • No land use file scheduled at this time.
December 14 th Town Council • ADU Adoption • ECSD Rezone & Sketch Plan • Eagle Ranch 6th PUD Amendment • Three-Mile Plan (Consent Agenda) • Community Development Department Update
December 21 st Planning & Zoning Commission

• Meeting Cancelled – Christmas
December 28 th Town Council • Meeting Cancelled – Christmas / New Year

POLICE DEPARTMENT

October 2021



October 2021 Calls for Service: **756**

Calls for Service January – October 2021: 8,820

October 2020 Calls for Service: 869

Calls for Service January – October 2020: 9,142

Agency Assist 19

Assault 2

Burglary 1

Child Abuse Investigation 0

Citizen Assist 57

Civil 8

Code Violation 4

Crash 18

Damage/Vandalism 7

Death 1

Disturbance 10

Dogs Leash, Welfare or Noise (EPD and not A.C.) 6

Domestic/Disturbance- Harassment or Assault 4

DUI/D 3

DUR 2

Fire/Medical 10

Fraud 2

Harassment 10

Juvenile/Family Incident 11

Missing/Recovered Juvenile – Adult 1 - 0

Noise 2

Protection Order Violation 1

Sex Assault/Misconduct Investigations 3

Sex Offender Check/Registration 5

SRO Related 21

Suicidal/Welfare 12

Suspicious Person/Vehicle/Occurrence 31

Theft 9

Trespassing 1

Warrant Arrest 5

Although short-staffed, your Eagle Police Department continues to find opportunities to engage with our citizens and guests at local events and while on community patrol. Your Eagle Police Department also continues to remain busy with routine calls for service and investigations.

Your EPD officers assisted with several community events this month, including Trick or Treat Street, Coffee With A Cop, Drug Take-Back and Halloween. Your school liaison officers have also been working to set up our annual Shop With A Cop Christmas program. Several local businesses have already offered to help sponsor Eagle families!

School liaison officers have been stopping into areas schools when time permits for lunch breaks, training, and assisting with juvenile behavioral issues. One liaison assisted with direction regarding a student found consuming liquor. Both have been helpful with special events.

Incidents regarding intoxicated adults continued this month. Some examples included finding resources for intoxicated bar patrons, a civil intervention before a patron from the same liquor establishment started his vehicle, and two medical transports for two individuals who were highly intoxicated (one who fell off a scooter and the other one found passed out at a local restaurant).

Gremlins! Prior to the end of the month, EPD officers were called to a report of an intoxicated person at a local convenience store. The manager reported that a male stumbled into the store, grabbed a shopping cart, walked down several aisles, and showed up at the checkout stand demanding for someone to check him out. When the manager asked what he wanted to purchase, the intoxicated person pointed to the cart. The manager was confused, as there were no items in the cart. The intoxicated person responded with vulgar comments and stated someone or something took the items from the cart, yelling, "It always happens." The intoxicated person left the checkout area and began pounding on the glass doors inside the store, which resulted in an EPD contact. The intoxicated person stumbled outside where he fell and was transported to the medical center. EPD was unable to find the gremlins taking things out of shopping carts that night.

EPD officers responded to a motor vehicle crash involving a car that drove down the hillside near Eagle River Lodge. The driver was found to be intoxicated and was arrested for DUI. On Halloween night, thankfully, a Colorado State Patrol Trooper was in the right place and stopped a vehicle for 20 MPH over the speed limit on Capitol Street, before it entered the residential area of Eagle Ranch. The driver was intoxicated and arrested.

EPD responded to several reports of assaults. Two of these incidents took place at licensed liquor establishments, involving impaired patrons. Those involved have been summonsed.

EPD is investigating a string of thefts that occurred at a local business establishment. EPD is establishing leads. Value of items exceeds \$2,000.

Dispatch aired a road-rage and subsequent shooting call on I-70 near Gypsum, which resulted in an all-area response from multiple law enforcement agencies. Dispatch described a male driver shooting a firearm at vehicles while driving eastbound towards Eagle. Two observant EPD officers observed the suspect vehicle and initiated a high-risk traffic stop with ECSO backing them up. I-70 was temporarily closed by other responding units. Fortunately, the suspect gave up immediately and was taken into custody. A firearm was found in the suspect's vehicle. Another vehicle with two occupants pulled over onto the I-70 median. Officers noted that was riddled with apparent bullet holes. We were all lucky that no one was injured or killed by this suspect. ECSO assumed the role of the primary investigating agency.

Crime of Opportunity. A driver pulled into an area just off of I-70, parked his vehicle, and left it unsecured with the vehicle's ignition key on the seat. A short time later, the driver discovered his vehicle was missing. EPD began an investigation and canvassed local areas. Unfortunately, there were no witnesses or cameras in the area where the driver parked. A state-wide bulletin was aired and the vehicle was located several days later in the Denver area. EPD reminds our citizens and guests to remove valuables from their vehicles and to lock their vehicles when unattended.

EPD received two reports of a person who had a confirmed felony warrant for failure to register as a sex offender, who was spotted near a local apartment complex. It was reported the suspect may have been trying to hide out with other family members, who recently located Eagle. Officers cautiously set up a perimeter, as information was shared that the suspect may resist arrest. Officers spotted the suspect in a common area of the building and moved in from different sides. The suspect was taken into custody without incident.

No One Got Screwed. A box of screws fell out of a vehicle and spilled across the Eby Creek and Grand Avenue roundabout. FTO Scriver and a good Samaritan stopped and cleaned up all of the screws. Our good Samaritan was given a Community Service Appreciation pamphlet with a gift card. On a separate day, the Chief was found to have closed Grand Avenue to clean up a box of drywall screws that were scattered down the roadway.

One of our school liaisons continues with investigative follow-up into the firearms burglary case. Several additional warrants were executed this month.

EPD is investigating the circumstances involving two subjects who were reportedly fighting in a parking lot. One subject reported that a knife was pulled out and he was threatened.

A report of a male with confirmed outstanding warrants led to a foot chase of a suspect near the Eagle Diner. The foot chase continued at the Visitor Center and back to Chambers, where he was eventually taken into custody for the warrants and charged with additional crimes for fleeing from the police.

A juvenile was caught blowing flames from a hairspray can into a pre-existing hole of a bathroom door at one of the Town's parks. The observant public works employee called the police and remained at the location with the juvenile. The case is proceeding through EPD diversion channels with a directive for restitution.

Lucky to be Alive: EPD was called to a subject seen on top of the crossbar to the I-70 pedestrian overpass. The male explained he was suicidal and was going to jump. I-70 was shut down and additional resources were called in. The vehicle overpass was

subsequently shut down after someone was heard screaming to officers to “Jump.” With the assistance of two ECSO negotiators, the subject elected to climb back down to the bridge deck. Medical services were immediately provided. More to come on this incident in the future.

Sgt. Stonum announced his retirement from Public Safety and as a Sergeant with the Town of Eagle Police Department. With his previous military and firefighter experience, he leaves EPD with 40 years of public service. We appreciate his service and wish him well!

County Court – Available upon request. ***Local and Regional Calls for Service*** – Available at Dispatch

HUMAN RESOURCES

October 2021

Benefits

- 2022 Open Enrollment & Benefits Orientation, onsite wellness and flu shots planned for November

Recruiting – Onboarding

- Hired and onboarded PW Operations Manager, Information Center Host and Seasonal B & G Maintenance Worker
- Engineer initial screens conducted, one finalist
- Police Sergeant and Police Officer positions posted, scheduling interviews
- Posted Special Events Manager position, reviewing candidates, interviews anticipated in November

Risk Management, Safety and Work Comp

- Managing 10 General Liability & PC Open claims, 5 carry over, 5 new
- Managing 2 work comp claims
- Administering 3 Medical Leave of Absence Requests, 1 Disability claim, 3 light duty accommodations
- Facilitating CIRSA Annual Audit, pending administrative items due in November

Other

- Respond to 3 verifications of employment
- Attended 3 educational webinars
- Continued budget market research for 2022 compensation
- Scheduling Police Department recognition dinner
- Annual Performance Evaluation Process initiated

TOWN CLERK

Communications

- Communications Committee September and October 2021:
- Eagle Today was sent September 30th to 3173 subscribers

IN THIS EDITION 9/30:

- Message from Town Council
- [Water Restrictions - Stage 3](#)
- Town Park Restrooms Closed
- Halloween Safety
- [Position Openings](#)
- Eagle Partnership Summit
- [Elevate Eagle Comp Plan Update](#)
- [Grand Avenue Open House](#)
- [2021 Election Information](#)
- Haymaker Trail Update
- Be our Guest Program
- Pumpkin Patch
- Eagle Today was sent November 1st to 3155 subscribers

IN THIS EDITION 11/1:

- [Position Openings](#)
- [Open Space Survey](#)
- Parking Fee In-Lieu Update
- Eagle Partnership Summit/DDA
- Accessory Apartments Update
- [2021 Election Information](#)
- Lifesaving Award
- Welcome New Staff

Licenses

- BUSINESS:
 - 10 Licenses Issued in September and October – 444 licenses issued for 2021
 - 11 Mobile Licenses have been issued in 2021
 - 75 Home Business Licenses have been issued in 2021
- LIQUOR:
 - Garduno's Hotel & Restaurant Renewal
 - Katch of the Day Beer & Wine Renewal
 - Mauka Poke Bar New Beer & Wine
 - Social Oak Wine New Hotel & Restaurant
 - Project 1901 LLC/Grand Avenue Grill Transfer of Ownership Hotel & Restaurant
 - City Market FMB Off Premises
- MARIJUANA:
 - No activity

Website – www.townofeagle.org

- Ask the Town questions: 9
 - Political sign inquiry x 2
 - Eagle Villas trash inquiry
 - Yard Waste inquiry
 - Tree removal inquiry
 - Park reservation inquiry
 - Fire system inquiry

Election

- Reviewed and approved 52 DDA Affidavits
- Requested and filed candidate FCPA forms

Other

- RFP Posting for On-Call Municipal Planning Services on October 26th
- Attended the Colorado Municipal Clerk's Masters Academy and Annual Conference in Greeley October 19-22, thank you for the opportunity to attend.
- Finalized the Community Impact Award with Brian Hall for the November 9th Council Meeting

Sales Tax

Third Quarter Update will be next month.

We currently have 4,274 unique retailers remitting 33,529 individual tax transactions in 2021.

Filing Period: this indicates sales tax for the actual month sales occurred. These numbers will fluctuate throughout the year as it is reflecting late payments by the retailer or customer retail returns (deductions). Filing Period numbers are updated quarterly. This is the most accurate picture of sales tax collections for that month.

Revenue Period: this amount indicates the month revenue is received by the Town. Revenue period is all money collected by the state for the previous month and any additional months a retailer remits. This amount is what is deposited in the Town's bank account. These returns also get categorized into a "filing period" and are reflected in the sales tax report. This total amount will not change.

2021				Revenue from online sales is included in the Retail sector and OOA. Total retailers includes individual returns and can be duplicate sellers.	
	Month	Filing Period	Revenue Period	O/U	Online Sales Online Retailers
	Jan	\$ 553,056.65	\$ 688,558.97	19%	\$67,050.62 1443
	Feb	\$ 520,395.97	\$ 576,588.68	20%	\$81,832.64 1311
	Mar	\$ 615,405.42	\$ 525,690.74	13%	\$51,489.75 1270
	1 Q	\$ 1,688,858.04	\$ 1,790,838.39	18%	\$ 200,373.01
	Apr	\$ 588,325.41	\$ 623,363.57	13%	\$67,089.31 1429
	May	\$ 622,183.21	\$ 575,664.72	17%	\$70,368.59 1264
	Jun	\$ 684,039.40	\$ 629,801.19	24%	\$61,561.99 1416
	2 Q	\$ 1,894,548.02	\$ 1,828,829.48	18%	\$ 199,019.89
	Jul	\$ 680,328.44	\$ 686,861.36	23%	\$76,562.82 1418
	Aug	\$ 655,893.71	\$ 703,257.97	23%	\$75,027.61 1509
	Sep		\$ 662,179.98	12%	\$80,601.68 1600
	3 Q	\$ 1,336,222.15	\$ 2,052,299.31	19%	\$232,192.11
	Oct			-100%	
	Nov			-100%	
	Dec			-100%	
	4 Q			-100%	
	Revenue	\$ 4,919,628.21	\$ 5,671,967.18	-15%	\$ 631,585.01

MUNICIPAL COURT

- Court held September 1st and 15th / October 6th and 20th

August Citations Issued	Current	YTD	2020
Animal Control	8	25	29
Juvenile	4	15	
Misdemeanor/Ordinance	4	14	29
Parking	39	119	97
Traffic	22	178	160
Total	77	351	315

August Fines and Fees Collected (includes collections for previous months)	Current	YTD	2020
Court Costs	175.00	1180.00	1,450.00
Criminal Police Equipment and Training Surcharge	60.00	170.00	601.00
Traffic Surcharge	607.50	3080.00	0
Deferred Judgment Fee	150.00	160.00	665.00
Fines	4775.00	29375.00	21,651.66
Outstanding Judgement Fee	00.00	330.00	370.00
Stay of Execution Fee	0	0	25.00
Charitable Contribution (discontinued 2019)	0	0	10.00
Bad Check Fee	60.00	120.00	0
Warrant Fee	0	140.00	0
Failure to Appear	945.00	2555.00	35.00
Victim Restitution Fee	0	0	371.02
Total	\$6,772.50	\$37,100.00	\$25,178.68

August Dispositions (Payments or Court Appearances)	Current	YTD	2020
Animal Control	3	12	110
Juvenile	1	12	0
Misdemeanor/Ordinance	2	6	72
Parking	33	124	443
Traffic	26	177	205
Total	65	331	830

Outstanding Fines and Fees by Date	
Current	1,405.00
1-30 Days Past Due	197.00
31-60 Days Past Due	405.00
61-90 Days Past Due	260.00
91-180 Days Past Due	7,439.00
Total	\$9,706.00



To: Mayor and Town Council

From: Chad Phillips, A.I.C.P., Community Development Director

Date: November 9, 2021 (tabled from 10/12/2021)

Agenda Item: An Ordinance of the Town Council of the Town of Eagle, Colorado Approving a Major PUD Amendment to Swap Approximately 6.5 Acres of the Recreational Land Portion of Tract E for Multi Family Development and to Dedicate an 8 Acre Parcel for Future Recreational Uses for the Haymeadow PUD.

REQUEST: File #PUDA21-02 involves 1) the exchange or swap of approximately 6.5 acres of Tract E for 8 acres of land within Neighborhood C, 2) Transference of 72 multifamily units from Neighborhoods B and C to Neighborhood A1, and 3) the 72 transferred units shall include an additional 10% deed restricted units limiting them to occupancy by Town of Eagle residents.

BACKGROUND: The current application involves the exchange or swap of approximately 6.5 acres of Tract E for 8 acres of land within Neighborhood C. Tract E was accepted by the Town of Eagle during the original Haymeadow approvals for school and recreational purposes. The portion of Neighborhood C proposed for amendment was approved through the PUD process as Multi-Family Residential. The amendment relocates the recreational Town-owned land to the approved Multi-Family area and vice-versa. The proposal would not add additional density or approve any new uses. The outcome would be to relocate uses already approved through the PUD process.

A thorough background and analysis is part of the September 21, 2021 Planning and Zoning (P&Z) Commission staff report ([LINK](#)).

On September 21, 2021, the Planning and Zoning (P&Z) Commission voted to recommend *denial* of the Haymeadow PUD amendment by a 4-2 vote.

On October 12, 2021, the Town Council moved to table the application to November 9, 2021. Minutes of this meeting can be viewed here ([LINK](#)).

ANALYSIS: Please refer to pages 3-9 of the staff report submitted for the P&Z Commission meeting on September 21, 2021 for staff comments on compliance with the Elevate Eagle Comprehensive Plan and the Town of Eagle Development Code. ([LINK](#)) In summary, with the conditions of approval listed below, it is staff's opinion that the application is in compliance. The P&Z Commission's discussion/roundtable comments are included in the attached minutes.

From the October 12, 2021 Town Council meeting, the application was tabled to November 9, 2021. Reason for this continuance was so that the applicant could work with staff to create or clarify conditions that address:

- Completion of the Sylvan Lake/Brush Creek roundabout
- Timing of vertical construction
- Inclusion of locals housing

- For sale vs for rent
- Timing of improvements to the 8-acre parcel

The following conditions (same as those depicted in the ordinance) reflect the language recommended by staff:

Conditions of Approval:

1. The PUD amendment shall include:
 - a. The applicant obtaining 6.5 acres of Tract E in exchange for the dedication of 8 acres to the Town of Eagle in Neighborhood C for recreational purposes as described in the Haymeadow PUD Guide.
 - b. Transference of 72 multifamily units from Neighborhoods B and C to Neighborhood A1.
 - c. The 72 transferred units shall include an additional 10% deed restricted units limiting them to occupancy by Town of Eagle residents.
 - d. Other approved elements as described in the applicant's narrative or as reflected in the Town Council minutes.
2. Prior to conveyance of the 6.5-acre portion of Tract E from the Town of Eagle to Abrika, the 8-acre tract in Neighborhood C shall be platted and dedicated accordingly.
3. Prior to submittal of the Final Plat application or a Development Permit application (or the next step in the PUD approval process), the applicant shall work with Town Staff and Attorneys to determine whether the Annexation and Development Agreement is required to be amended to maintain consistency with this PUD amendment.
4. Prior to submittal of a Final Plat application or a Development Permit application (or the next step in the PUD approval process), the applicant shall work with Colorado Parks and Wildlife and create a Wildlife Mitigation Plan.
5. All additional details associated with the LERP units shall be evaluated at the time of the Major Development Permit review (or the next step in the PUD approval process).
6. Included with the application for a Development Permit (or the next step in the PUD approval process), developer shall submit a Joint Excavation Plan to comply with the Town's recently passed Joint Excavation Ordinance, identifying the steps taken to install conduits and their dedication for future broadband utilities planning to serve the development.
7. Included with the application for a Development Permit (or the next step in the PUD approval process), developer shall submit documentation detailing potable water and non-potable water changes in use, quantity, pressure, etc. expected from the proposed use changes, especially as it relates to irrigation.
8. Included in the application for the Final Plat, the applicant shall document the age of all reports referenced in the PUD amendment application, disclose what assumptions of these studies are no longer accurate, include new data (if available), and submit new or updated reports if needed.
9. In the application for Development Permit (or the next step in the PUD approval process) the applicant shall provide documentation that the existing on and off-site stormwater system of pipes, ditches, basins, etc. are capable of accommodating the flow for any new development.
10. Developer will complete the Sylvan Lake Rd & Brush Creek Rd roundabout within three (3) years following approval of this PUD Amendment or, if earlier, before the first Certificate of Occupancy is issued on the 6.5-acre portion of Tract E. An administrative extension may be approved without notice for a period up to an additional 12 months if it is proven that the improvements have been substantially complete, hardships have occurred, and additional time is required for completion. The ADA and/or PUD Guide shall be amended to reflect this condition.
11. The application for the Development Plan for the RMF-1 portion of Neighborhood A1 shall include the following timing for the construction of dwelling units: the developer will start construction of at least 24 units within 12 months following approval of RMF-1, at least 48 units (cumulatively) within 24 months following approval of RMF-1, and at least 72 units (cumulatively) within 36 months following approval of RMF-1. Start of construction of a unit shall mean the actual, physical, vertical construction of dwelling units, not simply civil infrastructure. The ADA and/or PUD Guide shall be amended to reflect this condition.
12. The developer will commit to selling thirty (30) Resident Occupied (RO) deed restricted units within

Haymeadow over and above the existing LERP requirements. The thirty (30) RO units will be offered for sale for twenty (20) days prior to the listing for sale of the 150th unit within Haymeadow. After the twenty (20) days, the units may be offered for sale without the RO deed restriction but Developer will still be obligated to sell the thirty (30) RO units before full buildout of Haymeadow. The RO deed restriction will require that any unit offered for sale first be offered for sale to Town of Eagle Residents for twenty (20) days, after which the unit may be offered for sale to any Eagle County Resident.

13. The first seventy-two (72) units within Haymeadow will all be offered for sale by the Developer. If any unit is not sold within sixty (60) days of listing, the Developer may rent that unit for no more than a two (2) year period.
14. Prior to conveyance of the 6.5-acre portion of Tract E from the Town of Eagle to Abrika; The Town of Eagle and Abrika shall enter into an agreement outlining Abrika's timing and commitment to extend road and utility improvements to the proposed 8-acre recreation site as generally described below:
 - a. The developer will submit engineering plans for the Access & Utilities to the 8-acre parcel within twelve (12) months following approval of this PUD Amendment. TOE agrees to review and approve those plans but withhold issuance of any permits until issuance is requested by the Developer to meet its obligations below. "Access & Utilities" - Shall refer to (1) a turn lane off Brush Creek Road and the extension of Ouzel lane along the western border of the 8-acre parcel to the base of the future roundabout, (2) an extension of the Filing 1 sanitary sewer main as shown in exhibit __, (3) an extension of electric, phone, broadband, and gas (if required by the TOE) from Brush Creek Road as shown in exhibit __, and (4) if required by the proposed use, installation of the water tank at the alternate location with a water main extension from the tank to the existing water main at the intersection of Ouzel Lane and Sylvan Lake Road as shown in exhibit __
 - b. The developer will begin construction of the Access & Utilities by May 15th of the next calendar year following receipt of Notice from the Town of the filing of a Major Development Permit to develop the 8-acre parcel. Developer will substantially complete the work by November 15th of the year in which construction begins. I.e., if the Town provides Notice of filing of a Major Development Permit in 2023, construction would begin by May 15, 2024 and be done by November 15, 2024.

COMMUNITY INPUT: Staff has received one new public comment regarding this application. All previously provided written comments can be accessed through this ([LINK](#)). A summary of public comments made during the September 21, 2021, P&Z Commission meeting is reflected in the attached meeting minutes. The minutes from the October 12, 2021 Town Council meeting can be seen here ([LINK](#)).

BUDGET / STAFF IMPACT:

No impact to the budget.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

2020 Town of Eagle Strategic Plan:

8.) Major Objective: Diversify the Attainable Housing Stock

- a. The Town creates opportunities for a diversified, attainable housing stock for a variety of rental and purchase options.*

Staff Comment – The proposed swap would allow for 72 multi-family for-sale units to be constructed sooner than as currently phased.

RECOMMENDED ACTION OR PROPOSED MOTION:

DENIAL

As seen in the P&Z Commission minutes from September 9, 2021, the motion passed was for recommending denial. That motion was stated as:

Motion: To deny file #PUDA21-02 Haymeadow PUD Amendment based on the application's inability to meet Condition #2 of Section 4.11.050 which reads, "Does not affect in a substantially adverse manner either the enjoyment of land abutting upon, adjoining or across a street from the Planned Unit Development or the public interest."

No finding was given as part of the motion that clarified how 4.11.050 Condition #2 was not met.

APPROVAL

I move to APPROVE Ordinance No. 13, Series 2021, An Ordinance of the Town Council of the Town of Eagle, Colorado Approving a Major PUD Amendment to Swap Approximately 6.5 Acres of the Recreational Land Portion of Tract E for Multi Family Development and to Dedicate an 8 Acre Parcel for Future Recreational Uses for the Haymeadow PUD.

ATTACHMENTS:

- P&Z Commission Minutes from 9/21/2021 ([LINK](#))
- Applicant's Narrative/Application Information ([LINK](#))
- Public Comment Since the 10/12/2021 Meeting
- Agency Referral Responses Summary ([LINK](#))
- Ordinance No. 13, Series 2021

Dear Mr. Phillips,

I understand that after the planning commission denied the most recent proposal of Abrika and once again they come to the City Council to reconsider the denial. I further understand that at the last hearing, the council rescheduled the matter until November 9, 2021 because of the poor presentation by the developer and for it to answer certain questions.

I understand the council questions were:

When will the already approved multi-family units in neighborhood A1 start construction (meaning vertical build up not parking lots)?

When will the roundabout would be built?

How many LERP (Local Employee Residency Program) units would be available

When will the road and utilities would be built that would serve the proposed 8 acre parcel in neighborhood C?

A guarantee of some sort that the 72-units would be for sale vs. rental

Regardless of the answers provided, this proposed amendment is ill-advised and should be denied for a host of reasons.

My wife and I oppose the second Haymeadow land swap proposal for the reasons below.

1. First and foremost, the land that Abrika seeks is much more valuable than the offered site. It has utilities available. If the City wants, it could see those acres at market value if it has no plans for its use at present.
2. Abrika wants to swap a parcel that has no utilities now for one that does to save IT considerable funds now so it can make money to pay for the development they promised to provide years ago when the entire subdivision was approved.,

1. According to the developer, construction of the 72 multi-family units in this proposal won't be started for several years because they are planning to start building the multi-family units in neighborhood A1 in the spring of 2022. If there is a benefit to anyone besides the developer, which is highly questionable, it could only be the existence of more multi-family units. However, it would be at least 5 years before the units would be available. Therefore, this proposal does not benefit anyone except the developer. There are already other multi-family units planned which could be started without this questionable swap.

2.. The development will look like these 72 multi-family units were an add-on and an afterthought. This development will look like it was not well thought out nor cohesive. It will look cobbled together and very ad hoc.

3. There is no benefit to the TOE to giving up 6.5 acres of open space right next to the Mtn Rec facilities, the BMX track, the future bike park, and the future school in exchange for 8 acres of park space $\frac{3}{4}$ of a mile away.
4. The only reason the developer is proposing this land swap is so that the sales of these 72 units can fund the cost of building a water tank. That is the developer's problem to solve and not the Town of Eagle's problem.
5. It makes sense to use the 6.5 acres for recreational purposes because it is immediately adjacent to Mtn Rec and the school.
6. This developer has demonstrated poor planning and follow through as evidenced by their untimely completion of the road, their failure to maintain the property as it is overrun with weeds throughout the project and their failure to take down a silt fence that is equally an eyesore as the noxious weeds.
7. They claim they are concerned about providing housing to the Eagle community yet they have not started one home on one lot since their completion of the infrastructure. As any resident can see or confirm, every home that has been constructed in Eagle Ranch has sold. Abrika could have started homes over a year ago yet even today has not started one residence.
8. I would appreciate the council inquiring if Abrika has a contract with any contractor to build any home on any site at present.

This plan benefits no-one but the developer. What do they think the City will do with an 8-acre parcel down the road? They have presented no proposed use to the City because they only care about avoiding the cost of a water tank. As others have expressed to you, the land is contiguous to the rec district and the planning commission and the City Council should hold Abrika to its bargain and stop these self-serving attempts to modify the existing PUD

Thank you for your consideration

Michael and Doron Kleinman 98 Soleil Circle Eagle Co 81631

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 13
(Series of 2021)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPROVING A MAJOR PUD AMENDMENT TO SWAP APPROXIMATELY 6.5 ACRES OF THE RECREATIONAL LAND PORTION OF TRACT E FOR MULTI-FAMILY DEVELOPMENT AND TO DEDICATE AN 8 ACRE PARCEL FOR FUTURE RECREATIONAL USES FOR THE HAYMEADOW PUD

WHEREAS, ABRIKA Properties, LLC and the Town own the real property located in Tracts E, 37, 38, 44, 55, 59, 61, 62 and 63, Town of Eagle, Eagle County, Colorado (the "Property");

WHEREAS, on August 26, 2021, Rick Pylman (the "Applicant") submitted an application for a major amendment to the PUD to exchange or swap approximately 6.5 acres of Tract E for 8 acres of land within Neighborhood C (the "Application");

WHEREAS, on September 21, 2021, the Planning and Zoning Commission held a properly-noticed public hearing on the Application and recommended that the Town Council deny the application;

WHEREAS, on October 12, 2021 and November 9, 2021, the Town Council held properly-noticed public hearings on the Application; and

WHEREAS, the Town Council, upon reviewing the recommendation of the Planning and Zoning Commission, and upon hearing the statements of staff and the public, and giving due consideration to the matter, determines as provided below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AS FOLLOWS:

Section 1. The Town Council finds that the Application complies with 4.11 of the Land Use and Development Code and the 2020 Elevate Eagle Comprehensive Plan.

Section 2. Based on the foregoing findings, the Town Council hereby approves the major PUD amendment to swap 6.5 acres of the recreational site for 8 acres of land in Neighborhood C, subject to the following conditions:

1. The PUD amendment shall include:

a. The applicant obtaining 6.5 acres of Tract E in exchange for the dedication of 8 acres to the Town of Eagle in Neighborhood C for recreational purposes as described in the Haymeadow PUD Guide.

b. Transference of 72 multifamily units from Neighborhoods B and C to Neighborhood A1.

c. The 72 transferred units shall include an additional 10% deed restricted units limiting them to occupancy by Town of Eagle residents.

d. Other approved elements as described in the applicant's narrative or as reflected in the Town Council minutes.

2. Prior to conveyance of the 6.5-acre portion of Tract E from the Town of Eagle to Abrika, the 8-acre tract in Neighborhood C shall be platted and dedicated accordingly.

3. Prior to submittal of the Final Plat application or a Development Permit application (or the next step in the PUD approval process), the applicant shall work with Town Staff and Attorneys to determine whether the Annexation and Development Agreement is required to be amended to maintain consistency with this PUD amendment.

4. Prior to submittal of a Final Plat application or a Development Permit application (or the next step in the PUD approval process), the applicant shall work with Colorado Parks and Wildlife and create a Wildlife Mitigation Plan.

5. All additional details associated with the LERP units shall be evaluated at the time of the Major Development Permit review (or the next step in the PUD approval process).

6. Included with the application for a Development Permit (or the next step in the PUD approval process), developer shall submit a Joint Excavation Plan to comply with the Town's recently passed Joint Excavation Ordinance, identifying the steps taken to install conduits and their dedication for future broadband utilities planning to serve the development.

7. Included with the application for a Development Permit (or the next step in the PUD approval process), developer shall submit documentation detailing potable water and non-potable water changes in use, quantity, pressure, etc. expected from the proposed use changes, especially as it relates to irrigation.

8. Included in the application for the Final Plat, the applicant shall document the age of all reports referenced in the PUD amendment application, disclose what assumptions of these studies are no longer accurate, include new data (if available), and submit new or updated reports if needed.

9. In the application for Development Permit (or the next step in the PUD approval process) the applicant shall provide documentation that the existing on and off-site stormwater system of pipes, ditches, basins, etc. are capable of accommodating the flow for any new development.

10. Developer will complete the Sylvan Lake Rd & Brush Creek Rd roundabout within three (3) years following approval of this PUD Amendment or, if earlier, before the first Certificate of Occupancy is issued on the 6.5-acre portion of Tract E. An

administrative extension may be approved without notice for a period up to an additional 12 months if it is proven that the improvements have been substantially complete, hardships have occurred, and additional time is required for completion. The ADA and/or PUD Guide shall be amended to reflect this condition.

11. The application for the Development Plan for the RMF-1 portion of Neighborhood A1 shall include the following timing for the construction of dwelling units: the developer will start construction of at least 24 units within 12 months following approval of RMF-1, at least 48 units (cumulatively) within 24 months following approval of RMF-1, and at least 72 units (cumulatively) within 36 months following approval of RMF-1. Start of construction of a unit shall mean the actual, physical, vertical construction of dwelling units, not simply civil infrastructure. The ADA and/or PUD Guide shall be amended to reflect this condition.

12. The developer will commit to selling thirty (30) Resident Occupied (RO) deed restricted units within Haymeadow over and above the existing LERP requirements. The thirty (30) RO units will be offered for sale for twenty (20) days prior to the listing for sale of the 150th unit within Haymeadow. After the twenty (20) days, the units may be offered for sale without the RO deed restriction but Developer will still be obligated to sell the thirty (30) RO units before full buildout of Haymeadow. The RO deed restriction will require that any unit offered for sale first be offered for sale to Town of Eagle Residents for twenty (20) days, after which the unit may be offered for sale to any Eagle County Resident.

13. The first seventy-two (72) units within Haymeadow will all be offered for sale by the Developer. If any unit is not sold within sixty (60) days of listing, the Developer may rent that unit for no more than a two (2) year period.

14. Prior to conveyance of the 6.5-acre portion of Tract E from the Town of Eagle to Abrika; The Town of Eagle and Abrika shall enter into an agreement outlining Abrika's timing and commitment to extend road and utility improvements to the proposed 8-acre recreation site as generally described below:

a. The developer will submit engineering plans for the Access & Utilities to the 8-acre parcel within twelve (12) months following approval of this PUD Amendment. TOE agrees to review and approve those plans but withhold issuance of any permits until issuance is requested by the Developer to meet its obligations below. "Access & Utilities" - Shall refer to (1) a turn lane off Brush Creek Road and the extension of Ouzel lane along the western border of the 8-acre parcel to the base of the future roundabout, (2) an extension of the Filing 1 sanitary sewer main as shown in exhibit __, (3) an extension of electric, phone, broadband, and gas (if required by the TOE) from Brush Creek Road as shown in exhibit __, and (4) if required by the proposed use, installation of the water tank at the alternate location with a water main extension from the tank to the existing water main at the intersection of Ouzel Lane and Sylvan Lake Road as shown in exhibit __

b. The developer will begin construction of the Access & Utilities by May 15th of the next calendar year following receipt of Notice from the Town of the filing of a Major Development Permit to develop the 8-acre parcel. Developer will substantially complete the work by November 15th of the year in which construction begins. I.e., if the Town provides Notice of filing of a Major Development Permit in 2023, construction would begin by May 15, 2024 and be done by November 15, 2024.

INTRODUCED, READ, PASSED AND ADOPTED ON NOVEMBER 9, 2021.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: November 14, 2021

Agenda Item: Municipal Broadband Project Update

REQUEST:

Staff is requesting that the Town Council review follow up from the broadband discussion on October 26, 2021.

INTRODUCTION:

The Town's municipal broadband project has been ongoing since 2018 when the NWCCOG proposed THOR, a middle-mile fiber ring that has since served several communities in the region. The Town Council reviewed the final project package on October 26 that included credit approval, revised financials, and a construction update. After review, the Town Council decided to bring this item back for discussion on November 9. There were a few follow-up requests made by councilmembers between meetings and those are included in the analysis section below. Even though this isn't a public hearing, staff included emails that were sent by the public regarding the subject. The staff has also attached additional analysis to provide further clarification on points that were made on October 26.

ANALYSIS:

As a point of reference, included in this memo is a link to the materials presented on October 26. That information can be found here: [\[LINK\]](#)

In between meetings staff was asked to provide the following from councilmembers:

- Provide a list of projects that the Town can initiate if the Town Council decides to select Option Two. This list is provided below. The list is a suggestion, and more time is required to properly scope projects and provide a phasing plan.
 - a. Connect town-owned facilities
 - b. Provide public wifi in parks and downtown areas
 - c. Implement Smart City initiatives – video surveillance, digital signage, parking enforcement, traffic control, meter reads, and early alerts
 - d. Public-private partnerships – make meet-me-center available for providers
 - e. Make meet-me-center available to community anchors – special districts and government entities

- Confirm that the Municipal Broadband plan to each customer would have a direct hook up to the fiber (fiber running directly into their home or business) and that the muni fiber design is not a fiber build-out with a coax cable connection from the fiber into the home or business.
 - a. The plan calls for the Town to build an all-fiber network that passes all the homes and businesses in the Town. Then anyone that signs up for service would be connected with a fiber drop that would run from the fiber in the street to their dwelling. The network would be deployed using a 10 Gig pipe that would be shared across 32 to 64 subscribers for standard 1 Gig service. However, this capacity will allow the Town to offer multi-Gig service, up to 10 Gig to any subscriber in the system. There's no coax in this design.
- How has municipal broadband impacted small and medium-sized businesses in communities that participate? Staff provided the following links as a resource:
 - <https://cogs.us/149/Community-Broadband>
 - <https://www.vailgov.com/government/departments/information-technology>
 - <https://www.townofbreckenridge.com/live/town-projects-and-issues/breckenridge-broadband-project>
 - <https://muninetworks.org/communitymap>
 - <https://coloradosun.com/2018/09/13/municipal-broadband-cities-colorado/>
 - <https://www.cml.org/search-results?Keywords=Broadband>
- The staff was asked about the integrity of the proforma developed.
 - The response was that staff relies on consultants to develop proformas for the Town's enterprises and bases business decisions on their analysis. The town can't develop proformas for enterprise funds. The Town always contracts with consultants to complete analysis and studies.
- Staff was asked about the payment structure for the consultants if the Town moves forward with broadband.
 - Financial advisors and bond counsel only get paid if a financing proposal is executed. This is typical of all debt financing and is an arrangement that the Town has facilitated on the expansion of the UBWTP and wastewater treatment plant, and the new LBWTP and Eagle River Park. It's a model that will be used for the Grand Avenue improvements as well.
 - Uptown Consulting is under contract as our technical consultant for the Town's broadband project. If the Town moves forward with broadband, Uptown Consulting could get paid if the Town contracts with their firm to provide services during construction which is typical of major capital projects.

Based on the conversation on October 26, staff has provided additional analysis to assist with the Town Council's discussion. This information is attached to this memo.

The options below were provided to the Town Council.

Option One – Move forward with the financing terms and work with Alpine Bank and bond counsel to finalize the financing so that staff can begin construction with the firm that was approved this year.

Option Two – Do not move forward with the financing terms and only provide middle-mile THOR access to ISPs and invest in utilizing THOR for the organization’s needs and smaller one-time projects.

COMMUNITY INPUT:

Community input is not required with this presentation.

BUDGET / STAFF IMPACT:

This proposal does have a financial and staffing impact and that summary is provided in the supporting documents.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal aligns with the strategic goals provided below:

Match Infrastructure to the Quality of Life – Developing and implementing broadband solutions is an action item identified that accomplished this strategic goal. The financing for the project is the last milestone in the planning process for the project. Financing facilitates construction and services. Broadband is essential to the health, life, and public safety of the community.

Stimulate Economic Vitality and Development – Broadband supports local businesses and the Zoom economy that is present in the Town of Eagle. Additional ISPs create competition and give residents more options. Broadband is an important factor when businesses look at investing in a community. Broadband will make the Town of Eagle economically more competitive over the long term.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to direct staff to proceed with option one or two.

Or bring the proposal back if the Town Council needs more information or time.

ATTACHMENTS:

- Additional Staff Analysis
- Public Comments

Additional Staff Analysis

Introduction: Based on the discussion on October 26, staff wanted to provide additional information on points that were made that might need clarification. Further clarification is intended for informational purposes.

I. Middle-Mile Versus Last-Mile Fiber Strategy

Through affiliation and financial participation with the THOR regional fiber backbone (along with about 10 other regional communities), the Town is providing middle-mile services to both governmental and private sector entities. These fiber connections involve transport onto and off of the THOR backbone at other regional Meet Me Centers and a major data center in Denver. The Town's financial investment allows it to recoup member fees by billing recurring fees to connected entities such as the County and local ISP's such as Pathfinder and Visionary. We anticipate that Town would continue its participation with THOR and the provision of middle-mile services regardless of the outcome of the last mile fiber project.

The last mile project involves an expansion and investment to construct fiber to pass every home (excluding about 50 homes in the Highlands) and business in the Town. The Town would operate the system as the retail service provider (similar to Longmont, Fort Collins, and Glenwood Springs). With the increased organizational demand from this expansion, the Town has entered into an agreement with the City of Glenwood Springs to serve as its operating partner – thereby offloading a significant amount of operational activity and reducing the required staffing level for the Town.

II. Potential Demand and Take Rate Was Verified

When the feasibility study was completed in late 2019 a franchise agreement with Comcast was under discussion. Accordingly, a scenario where both Comcast and the Town offered Internet to the community was tested in the research. The key findings include:

- When compared to Comcast and CenturyLink, the Town was the preferred provider by a factor of 2-1 over Comcast and 9-1 over CenturyLink
- 77% of survey participants indicated they would either 'definitely' or 'probably switch' to the Town for Internet service if priced at \$70/month for 1Gbps.
- The study uses a 46% anticipated take rate. Longmont, which launched in late 2014 with Comcast already serving as a legacy incumbent has achieved 55% penetration.
- Finally, the survey asked which service the participant would subscribe to if the Town offered 1Gbps for \$70 and Comcast offered 1Gbps for \$110 with an outcome of:
 - 80% selected the Town
 - 3% selected Comcast
 - 9% retain current service (likely CenturyLink)
 - 8% did not know

III. The Town of Eagle Service is Improved Compared to Comcast

The proposed residential Internet service offering for the fiber project is not a “me too” offering compared to what Comcast is deploying for several reasons:

- The technology is 100% fiber-optic with more robust capacity enhancement options over time through upgrades to electronics without revising the fiber itself. This is apparent in the difference in upload speed which is becoming a much more important attribute of residential Internet service.
- The pricing to the resident is of greater value, through both lower ongoing monthly fees and no promotional proposals with significant price increases after 12 months.
- The Town’s Internet service would not have data caps, nor early termination fees and would embrace net neutrality. Comcast does not offer these benefits.

	Eagle	Comcast with Data Cap	Comcast without Data Cap
Monthly Price*	\$70	\$100	\$130
Download Speed	2Gbps	1.2Gbps	1.2Gbps
Upload Speed	1Gbps	35Mbps	35Mbps
Data Cap?	NO	YES – Extra \$	NO
Early Termination Fees?	NO	YES	YES

**After short-term promotional offers end.*

Comcast Internet: 1.2Gbps (was 1Gbps)

- The introductory price is \$84.99/month for 1st 12 months
- Autopay and paperless billing required – otherwise add \$10/month
- Termination fees if service canceled during the 1st year
- The regular rate is **\$100/month after 12 months**
- Upload speed is 35Mbps

1.2 Terabyte Internet Data Usage Plan

The 1.2 Terabyte Internet Data Usage Plan includes 1.2 terabytes (TB) of Internet data usage each month as part of your monthly Xfinity Internet service. If you are not on an Unlimited Data plan and choose to use more than 1.2 TB in a month, you will automatically incur an additional charge of **\$10 plus tax for each block of 50 GB**. Maximum monthly overage charges will not exceed \$100, no matter how much data a customer uses each month. In January 2021 and February 2021, customers in select markets will receive complimentary credits for any overage charges. Beginning in March 2021, those customers who are not on an Unlimited Data plan and

choose to use more than 1.2 TB in a month will receive a one-time courtesy month credit that will waive any overage charges.

Billing for the Unlimited Data Option

The Unlimited Data Option is available for non-Internet Essentials and non-Internet Essentials Partnership Program customers and costs an **additional \$30 per month**. This fee is independent of your actual data usage. The 1.2 Terabyte Internet Data Usage Plan will not apply to customers who enroll in the Unlimited Data Option.

Sources (as of August 2021)

- <https://www.xfinity.com/support/articles/exp-unlimited-enroll>
- <https://www.xfinity.com/support/articles/data-usage-plan>
- <https://www.xfinity.com/learn/offers/details?offerId=9626101307>
- <https://www.lightreading.com/cablevideo/docsis/comcast-downstream-upgrade-shifts-1-gig-to-12-gbits/d/d-id/768003#:~:text=The%20max%20downstream%20speeds%20for%20Comcast%27s%20Extreme%20Pro,max%20upstream%20speed%20will%20stay%20at%2020%20Mbit%2FS.>

Eagle Municipal Fiber vs Comcast

Comparing each “Gigabit” tier offering

- Head-to-head comparison after intro rate expiration. Assuming Comcast automatic payment discount applies.

	Town	Comcast
Download	1024Mbps	1200Mbps
Upload	1024Mbps	35Mbps
Data cap	Unlimited	1.2TB. \$30 fee for unlimited
Fiber location	To the house	Shared with neighbors
Customer service	Local	Internationally sourced
Price	\$70	\$100 with a data cap \$130 without a cap

What will \$70/month buy me?

- Assuming Comcast automatic payment discount applies, and pre-purchased equipment.

	Town	Comcast
Download	1024Mbps	300Mbps
Upload	1024Mbps	10Mbps
Data cap	Unlimited	1.2TB

Noteworthy points

- The town will run a fiber optic line directly to every residence that subscribes. This is your dedicated link.
- Comcast only runs fiber to the neighborhood. It runs coaxial cable to residence. You share that fiber line with your neighbors which can create a bottleneck.
- Town will offer choice of 1G (\$70), 2G (\$100), or 4G (\$150) service. Equal upload and download rates. Unlimited data for all services.
- Comcast offers speed up to 1.2G download. Upload varies from 5-35M. At the “Gigabit” service tier, **uploads are 30-200x faster on town fiber.**
- Comcast has a 1.2TB data cap. Unlimited data costs an additional \$30/month.
- Comcast intro gigabit rate is \$80 with automatic payment. Increases to \$100 after 12 months.
- Comcast tries to rent your equipment for \$15-25/month. This is a big profit center. You have to buy on your own to avoid the fee.
- Offering wired 1G access point purchase for \$112. Wireless for \$199. 2G and 4G access points \$385. No monthly rental fee.
- Town customer service will be local and run jointly with Glenwood Springs. The city of Glenwood Springs is currently building out their service, so we’ll be going live with an already experience staff.



November 1, 2021

To Whom It May Concern:

As town officials consider running fiber through Eagle, please note the potential benefits for the schools in our community. The pandemic has accelerated the reliance on internet service for the delivery of content and instruction. Over the past 18 months teachers have learned to utilize a vast array of online resources to supplement classroom instruction. Many of these resources include video and audio feeds that stress the capacity of cable internet. Additionally, students and staff occasionally teach/learn from home. Instructional materials can be accessed online as long as families have fast and reliable internet service.

A comprehensive fiber network throughout the Town of Eagle would provide outstanding service at a reasonable rate. ECSD supports this proposal and would be interested in connecting schools to the network.

Respectfully,

A handwritten signature in blue ink, appearing to read "Philip Qualman", is placed over a light blue rectangular background.

Philip Qualman
Superintendent
Eagle County Schools

Jenny Rakow

From: Kat Conner <kat@katchstudio.com>
Sent: Friday, October 29, 2021 1:14 PM
To: ALL COUNCIL
Cc: Brandy Reitter; Jenny Rakow
Subject: Town Fiber
Attachments: Eagle Municipal Fiber vs Comcast.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Town council!

Me again. Yep, I'm writing another letter. 😊 It's about being in favor of the municipal fiber on the list. You already know how desperately we need this. But I just want to point one thing out. To those Council members who live in Eagle Ranch... the Century Link internet **in the rest of Eagle** is so incredibly worse than what you guys experience. Our internet is WORSE than dial up. I can not stream music or operate my POS terminal in my store. Or transfer my work files at home. I use the REVER office to transfer files.

This service will pay for itself. It WILL be faster than Comcast. And all the tech professionals in this town (and would be here if we had housing) would choose this fiber service over Comcast. And then Eagle will have another revenue source.

Have you seen the attached comparison? A (very smart) resident put it together so it needs to be fact checked. But if the numbers are even close to this then the town should act.

I hope you please listen to the "Old Eagle" residents. We're the ones hurting the most.

Thank you!

Kat Conner

Katch Studio | Art Director | Designer
katchstudio.com **IG:** [@katchstudio](https://www.instagram.com/katchstudio)
714.721.8573

Jenny Rakow

From: Kenneth Sexton <kenneth.sexton@eaglecounty.us>
Sent: Tuesday, November 2, 2021 9:35 PM
To: ALL COUNCIL
Subject: Project THOR

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Council Members,

I do not support the Town taking on 10 million in debt for project THOR / town funded broadband, especially since it is tied to our waste water enterprise fund. We have options available to us with Centurylink, Comcast and Starlink.

Thank you for considering my opinion.

--

Kenneth Sexton
Assessment GIS Specialist
kenneth.sexton@eaglecounty.us
(970) 328-8650

Jenny Rakow

From: Marci Leith <marci@yetisgrind.com>
Sent: Saturday, October 30, 2021 3:41 PM
To: ALL COUNCIL
Subject: Internet Please

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Eagle Town Council,

I'm writing today to implore you to extend the opportunity for downtown Eagle businesses to tap into the town of Eagle's municipal fiber internet. Our internet at Yeti's Grind is barely workable. It constantly drops tickets from our register to our espresso and kitchen monitor causing us delays, lost tickets and slow put through for our guests. It consistently causes problems, all day long, every day and this creates a hardship for our team members, our guests and our company as a whole. If our orders get dropped, we miss drinks and food which causes delays and frustration to our Eagle community, guests and team members. Ultimately, it inhibits us from being able to take care of our guests with excellence and that totally sucks. We hate not being able to execute with excellence. We have tried our best to improve upon our internet, working with Centurylink and having private companies work on our internal system to no avail. I reached out to Comcast as well and I was told that, due to our Holy Cross utility poles, Comcast will not be available to us until spring of 2022 at the earliest. All this being said, it would really make a difference for us to be able to tap into the town's municipal fiber internet. If there is anything I can do as a business to help make this decision or move things forward, count me in. Also, if you could please let me know when you think a decision on this will be finalized I would greatly appreciate it.

Thanks so much for your compassion and understanding on the difficulty our current internet situation causes and I look forward to the day when we have reliable internet in our awesome little valley.

All my best,

Marci Leith

Marci Leith
marci@yetisgrind.com
303-810-8152

Jenny Rakow

From: Melanie Richmond <twom.mel@gmail.com>
Sent: Thursday, November 4, 2021 8:27 AM
To: ALL COUNCIL
Subject: Thor Project

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Council Members, I am writing to share my opposition to moving forward with the Thor Project. Internet technology changes rapidly and there are plenty of private companies who have years of experience in this arena. Why does the Town want to play in this arena? We have been happy with Century Link in our 13 years in Eagle and now Comcast is coming to town to provide services.

I don't think that the Thor project or internet servicing should be the role of municipal government. Let's stick to water, sewer, streets, police, parks and open space, and snow removal. Setting the town up for debt expenses when private companies are doing this already does not seem a prudent thing to do with tax payer money.

Please vote to stop the Town Of Eagle Participating in this expensive project!

Respectfully,

Melanie Richmond
95 Big Sage Ct, Eagle, CO
303-901-5189

Sent from [Mail](#) for Windows

Jenny Rakow

From: Mitch Hayne <twom.mitch@gmail.com>
Sent: Thursday, November 4, 2021 9:16 AM
To: ALL COUNCIL
Subject: Thor

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My input for your discussion of Project THOR:

- 1) I don't see this as a critical infrastructure responsibility for the town.
- 2) Higher project priorities for town attention: West Eagle infrastructure, affordable housing, transit system improvements, retail and commercial incentives, etc.
- 3) Thor is a solution to a non-existent problem. There is now little merit to the town making this investment. Whether that is a change from a few years ago is debatable.
- 4) Competing with multiple private companies makes no sense. Cable and internet providers are laden with debt and technology obsolescence risk. It is not smart to commit the town to compete in this market.
- 5) Needs and technology in the Internet space evolve extremely rapidly. Payback projections and equipment need to be planned for extremely short lifecycles. Even industry experts get these challenging project costing and revenue durations wrong. This is no place for part time and moderately informed players. My career was in this field. My opinion is that there is very significant risk to the town financially.

If there is a way to cut our losses and exit from this project, I think we should do so.

I will be out of town during the Tuesday council meeting; please feel free to enter this into the meeting record and/or read it to the public.

Thank you for your consideration.

Mitch

Mitch Hayne
95 Big Sage Court
303-443-0076

Jenny Rakow

Subject: FW: THOR project

-----Original Message-----

From: James Harrison <jharrismed@gmail.com>

Sent: Monday, November 1, 2021 10:54 AM

To: Scott Turnipseed <scott.turnipseed@townofeagle.org>; Ellen Bodenheimier <ellen.bodenheimier@townofeagle.org>;

Geoffrey Grimmer <geoffrey.grimmer@townofeagle.org>; Janet Bartnik <janet.bartnik@townofeagle.org>;

david.gboursy@townofeagle.org; Pappy Kerst <pappy.kerst@townofeagle.org>

Cc: Brandy Reitter <brandy.reitter@townofeagle.org>

Subject: THOR project

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings all,

I have grave concerns about the Town proceeding with the financing of the THOR project.

The bond issuance being considered would create a significant indebtedness for the Town that should only be repaid by users of a new broadband system.

I have three principal concerns.

1. This technology is complex and changing. I am not sure that the Town has the expertise to ensure that the system is designed, implemented, and used to maximum efficiency.
2. This is a fast-moving industry, and there is no assurance that over the term of the bond, new technologies won't be implemented that will take traffic away from this system, resulting in insufficient revenue to pay the bonds.
3. We now have two competitors offering broadband service to residents. What is to prevent one or both from drastically reducing prices for a period of time below the cost at which the Town can provide the service? By doing so, they would take users from the Town's system. Either of these companies could incur losses for years without any material impact on its balance sheet until such time as the Town defaults on its bonds. Although there could be antitrust implications of such a move, the Town would not be in a financial position to fight that battle.

I admit that I know little about the technology. Furthermore, I don't have a detailed understanding of the proposal before Council. Therefore, please consider this as a plea that you all seek and receive good answers to these concerns. After that, I trust you will make the right decision.

I would appreciate it if someone could relay my concerns to the new Council members who will be voting on this issue after the election tomorrow.

Thank you for your service to the Town.

Jamie Harrison
797 Fourth of July Rd.

From: Davis, Andy <andy_davis@comcast.com>

Sent: Monday, November 8, 2021 1:32 PM

To: Scott Turnipseed <scott.turnipseed@townofeagle.org>; Pappy Kerst <pappy.kerst@townofeagle.org>; david.gbours@townofeagle.org; Ellen Bodenhemier <ellen.bodenhemier@townofeagle.org>; Janet Bartnik <janet.bartnik@townofeagle.org>; Geoffrey Grimmer <geoffrey.grimmer@townofeagle.org>

Cc: Brandy Reitter <brandy.reitter@townofeagle.org>; Dennis Wike <dennis.wike@townofeagle.org>

Subject: FW: Follow up message to the Mayor and Council...

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Turnipseed, Mayor Pro Tem Kerst and Council Members,

It appears that the email below, which I sent last Thursday, did not make it to you. It includes some information that I think is important for tomorrow night's discussion. Most importantly, we're going to include The Highlands in our build. More info on that in my original message below.

Also, in reading your packet, I found a few other items that need a correction:

- In late 2019, the Town already had a fully executed Franchise Agreement with Comcast. We were in negotiations with the Town for most of 2019. The Franchise was approved by Council on Oct. 8, 2019 and, once fully executed, became effective on Nov. 18, 2019.
- The "Additional Analysis" also contends that we do not support Net Neutrality. That's inaccurate. I refer you to our [Commitment to an Open Internet](#).
- The "Additional Analysis" includes some comparison data that does not accurately capture our pricing. Below is a table that correctly lays out our pricing in Eagle for our 3 highest internet speed tiers:

Speed Tier Name	Speed Level	Promotional Price (price/mo; 1 st 12 mos)	Promo w/ Autopay and Paperless Billing (reduces by \$10/mo)	Every Day Price (pricing after promo ends)	Every Day Price w/ Autopay and Paperless Billing (reduces by \$10/mo)
Gigabit	1.2GB	\$89.99	\$79.99	\$110	\$100
Ultrafast	900MB	\$79.99	\$69.99	\$100	\$90
Superfast	600MB	\$69.99	\$59.99	\$90	\$80

We have 4 additional tiers below these 3, including our Internet Essentials program for low income households at \$9.95/mo for a 50MB connection.

- As for the 1.2TB data cap, about 95% of our customers use less than the 1.2TB data cap each month, and we provide options, including unlimited data, for those who choose to go beyond the cap.
 - For example, if a subscriber chooses to enroll in xFi Complete, they get our wifi Gateway, a Flex 4K streaming box, access to 20 million wifi hotspots nationwide, Advanced Security, the Xfinity App to manage your home network, xFi pods for router signal extension (if needed), and unlimited data all for \$25/mo.
 - Customers can also opt to just use their own wifi router at no additional charge, or they can go with just our wifi Gateway for \$14/mo.
 - Regardless of what option they choose, Xfinity Internet subscribers get a wide variety of speed options, a Flex 4K streaming box, access to 20 million wifi hotspots nationwide, and access to the Xfinity App to manage their account and their network. They're also eligible for [Xfinity Mobile](#).
 - You can get a better understanding of how we approach this topic via our [Data page](#), our rollout of [our nationwide data plan](#), and our [FAQs](#)

Again, please see my message below, and if you have questions or need more information, please let me know and I'd be happy to jump on a call or video conference. Unfortunately, I tested positive for COVID yesterday despite being fully vaccinated, so I won't be able to join you in person tomorrow night. I will, however, plan to join via Zoom.

Andy

From: Davis, Andy

Sent: Thursday, November 4, 2021 12:54 PM

To: Brandy Reitter (brandy.reitter@townofeagle.org) <brandy.reitter@townofeagle.org>

Cc: Dennis Wike <dennis.wike@townofeagle.org>

Subject: Follow up message to the Mayor and Council...

Brandy... per our call last week, I'm passing along the follow up note below for you to share with the Mayor and Council. As you'll see in the note, our team has agreed to include The Highlands in our build, which is great news.

Thanks again, and as noted, if you or anyone on Council has questions or needs more info, please let me know.

Andy

Mayor Turnipseed, Mayor Pro Tem Kerst, and Council Members,

First of all, thanks again to each of you for the opportunity to speak and take your questions at last week's meeting. Hopefully, the information I provided was helpful as you decide how to proceed.

Second, I wanted to share an important development since last week's meeting. As mentioned, I've been advocating internally that we include The Highlands as part of this build. Originally, the area was not part of the build plan because it did not meet standard project economics. However, my colleagues on the Construction team and I have contended that it makes more operational and financial sense to get this work done now during the course of this build as opposed to addressing the area in the future as a separate expansion or infill project.

I'm pleased to report that our team has agreed, and we'll be including The Highlands in our build. This means that our project will serve the entire Town with no exceptions. We are also in communication with new development projects, like Haymeadow and Hockett Gulch, to ensure those neighborhoods are included as those projects develop.

I also want to address the issue of customer service, which was brought up frequently in the discussion. I recognize that the cable industry has had a legacy of prior poor service. However, since 2015, Comcast has undergone an internal and external transformation around improving the customer experience. We changed the system and the metrics we use to measure our performance and our customers' satisfaction. In this transformation, we've seen enormous improvements, which were [reflected in last year's JD Power results](#). The survey found "staggering improvement" and ranked Comcast as the most improved overall. Our customers' feedback is driving our improvements and advances, and our continually improving metrics demonstrate that they're very pleased with the results. We're new to this community, and we believe Eagle residents will be very happy with their first-hand experiences and with who and what Comcast is today. We need to earn Eagle residents' and businesses' trust, and that's what we intend to do. If we ever fall short, I ask that you call on me and my local colleagues so we can address any concerns as quickly as possible.

Last Tuesday's discussion also touched on capabilities like large capacity business connections, smart city and smart community technology, access for low-income households, etc. In the areas of Eagle where we've already turned up service, those capabilities are available right now, and for the parts of the Town not yet serviceable, it's less than a year away. All at no financial risk to the Town or its taxpayers. In fact, it's just the opposite. Per our Franchise agreement, the Town will actually receive revenues from the video service-based Franchise Fees paid to the Town.

Lastly, Comcast is in Eagle for the long haul. We don't make investments like this lightly, and as a result, we're engaged partners in the communities we serve. That partnership comes in a variety of forms: economic development, [digital equity](#) (see my signature below for even more info), [small business](#) and [entrepreneurial support](#), non-profit support, volunteerism, and more. In the last 3 years, we've provided over \$44 million in cash and in-kind contributions to 266 Colorado non-profits, and we've connected nearly half a million low-income Coloradans to the internet at home through our [Internet Essentials program](#). Now, Eagle is a part of our network and the services, capabilities and investments that come with it. We're excited to be a part of this community, and I hope you'll take me up on the invitation to explore collaborations on any and all of the above.

If any of you have additional questions or would like to connect by phone, video conference, or in-person to chat more about any of this, please don't hesitate to reach out. My contact info is included in my signature below.

Thanks again, and I look forward to seeing you on Tuesday.

Andy Davis

Director, Government Affairs

[Comcast | Mountain West Region](#)

E: andy_davis@comcast.com

O: 303.603.2424

M: 720.428.1356

[LinkedIn](#) | [Twitter](#) | [Twitter – Comcast Colorado](#)

INTERNET ESSENTIALS – 10-YEAR ANNIVERSARY | Over the past 10 years, Comcast's [Internet Essentials program](#) has connected 10 million low-income Americans to the tools and resources they need to succeed in an increasingly digital world. **Over the next 10 years, Comcast is committing \$1 billion to reach 50 million low-income Americans.** Learn more about how we'll do this: [Digital Equity](#) | [Internet at home](#) | [Lift Zones](#) | [Internet Essentials Partner Program](#) | [Grant Funding Support](#).

Jenny Rakow

From: Mick Daly <mick@dalys.com>
Sent: Monday, November 8, 2021 3:03 PM
To: ALL COUNCIL
Subject: TOWN OF EAGLE MUNICIPLE BROADBAND

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Council Members,

Ahead of tomorrow's decision, I offer my personal reasons for supporting Staff's recommendation in favor of Municipal Broadband.

1. As much as I am pleased that Comcast is here, they alone will not solve the 'broadband desert' issue we have here. Their pricing and service reputation will be obstacles. Also, CenturyLink is increasingly part of the problem, not part of the solution, in my opinion.
2. The positive effect on the economy and jobs comes from maximizing actual, not just available, broadband. All our businesses need reliable, high-speed internet and increasingly the positive effect of a "zoom economy" is not just an opportunity for us, it's a 'must-have' for Eagle to achieve healthy growth.
3. Few would deny that the internet is a utility, but unlike electricity and water, this utility's end-user needs dependable personal service. The Town of Eagle (backed by Glenwood Springs support) will offer a more reliable and trusted utility than the private sector.
4. For that reason, the criticism that 'government' should not compete with the private sector, does not compute.
5. Is "Debt" a bad thing? For us as individuals? Probably 'yes'. For the Town? 'No'. The \$10 million necessary for this project, would likely be offset by a \$1.7m state grant. The remainder would be paid back over 20 years and can be paid off early. Interest rates range from 2.5-3.5%. Inflation has held at 5.4% since June 2021.
6. Will enough people sign up for Municipal Broadband? Uptown's pro-forma is based on a 46% uptake. The final number will depend on the final rates, with plenty of flexibility there, given the likely rates set by competition. Other towns like ours have Comcast, CenturyLink and Municipal Broadband, with the latter having more than 50% market share.
7. What about Technology? The fear that technological advances will invalidate fiber is unfounded. Fiber was buried under Eagle Ranch more than 20 years ago and it is still the best, most reliable transport medium available today. Full-fiber broadband is now the world-wide "gold standard". Future upgrades will offer speeds in terabits per second (that's 1,000 gigabits) by replacing the equipment at either end of the cables without laying new cables. That's future-proofing; far more likely than some amazing new technology no-one has invented or proven yet. By the way, 5G and similar offerings may not work well in sparsely populated, mountain areas like ours.

Brandy and the Council have together made good progress to improve support for our economy, for existing businesses, helping them thrive, and to attract new businesses with associated jobs and revenue to the Town. Committing to Municipal Broadband is a major step towards signaling once and for all that, truly, "Eagle is Open for Business".

Thanks for all you do,

Mick | www.mickdaly.com
(970) 948-5950



To: Mayor and Town Council

From: Chad Phillips, Community Development Director
Peyton Heitzman, Planner I
Jessica Lake, Planner I

Date: November 9, 2021

Agenda Item: Resolution 73, Series 2021, A Resolution of the Town Council of the Town of Eagle, Colorado to Ratify the Adopted East Eagle Sub Area Plan (EESAP).

REQUEST:

For Town Council to ratify the adopted East Eagle Sub Area Plan.

INTRODUCTION:

This is the ratification for the East Eagle Sub Area Plan (EESAP). The Planning & Zoning (P&Z) Commission adopted the EESAP during the October 19th meeting. The adoption draft was initially presented to Town Council on October 26th but was continued to this November 9th meeting.

ANALYSIS:

The staff report from the October 26th Town Council meeting provides an analysis of direction received from the Town Council and P&Z Commission that has led to this adoption draft. The report can be accessed through this [LINK](#).

COMMUNITY INPUT:

No additional public comments have been received since the October 26th meeting.

BUDGET / STAFF IMPACT:

Staff anticipates budgeted funds to cover all project costs.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

The EESAP supports major objectives in the 2020 Strategic Plan to Improve Community Responsive Services, to Enhance the Economic Resiliency of the Town Government, and to Stimulate Economic Vitality and Development. Additional analysis can be found in the October 26th staff report.

RECOMMENDED ACTION OR PROPOSED MOTION:

Move to **APPROVE** Resolution 73, Series 2021, A Resolution of the Town Council of the Town of Eagle, Colorado to Ratify the Adopted East Eagle Sub Area Plan (EESAP).

ATTACHMENTS:

- Adoption Plan – East Eagle Sub Area Plan (EESAP) – October 2021
- Resolution 73, Series 2021



Town of Eagle

EAST EAGLE SUB AREA PLAN (2021)



Prepared for the Town of Eagle, Colorado

Adopted by the Town of Eagle, Planning & Zoning Commission

Certified by the Chairman of the Commission

Matthew Hood, Planning & Zoning Commission Chairman

Attest

Ratified by the Town of Eagle, Town Council

Scott Turnipseed, Mayor

Attest



ACKNOWLEDGEMENTS

PLANNING & ZONING COMMISSION

Matthew Hood, Chair
Jesse Gregg, Vice-Chair
Charlie Perkins
Kyle Hoiland
Bill Nutkins
Robert Townsend
Lani Webb
Keegan Winkeller

TOWN COUNCIL

Scott Turnipseed, Mayor
Mikel “Pappy” Kerst, Mayor Pro Tem
David Gaboury
Ellen Bodenheimier
Janet Bartnik
Geoffrey Grimmer
Matt Solomon (former Council Member)
Andy Jessen (former Council Member)
Adam Palmer (former Council Member)

TOWN STAFF

Brandy Reitter, Town Manager
Chad Phillips, Community Development Director
Peyton Heitzman, Planner
Jessica Lake, Planner
Nikki Davis, Administrative Tech

CONSULTANTS

Zehren Associates
Pedro Campos
Jesse Gregg

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AREA MAP - EAST EAGLE

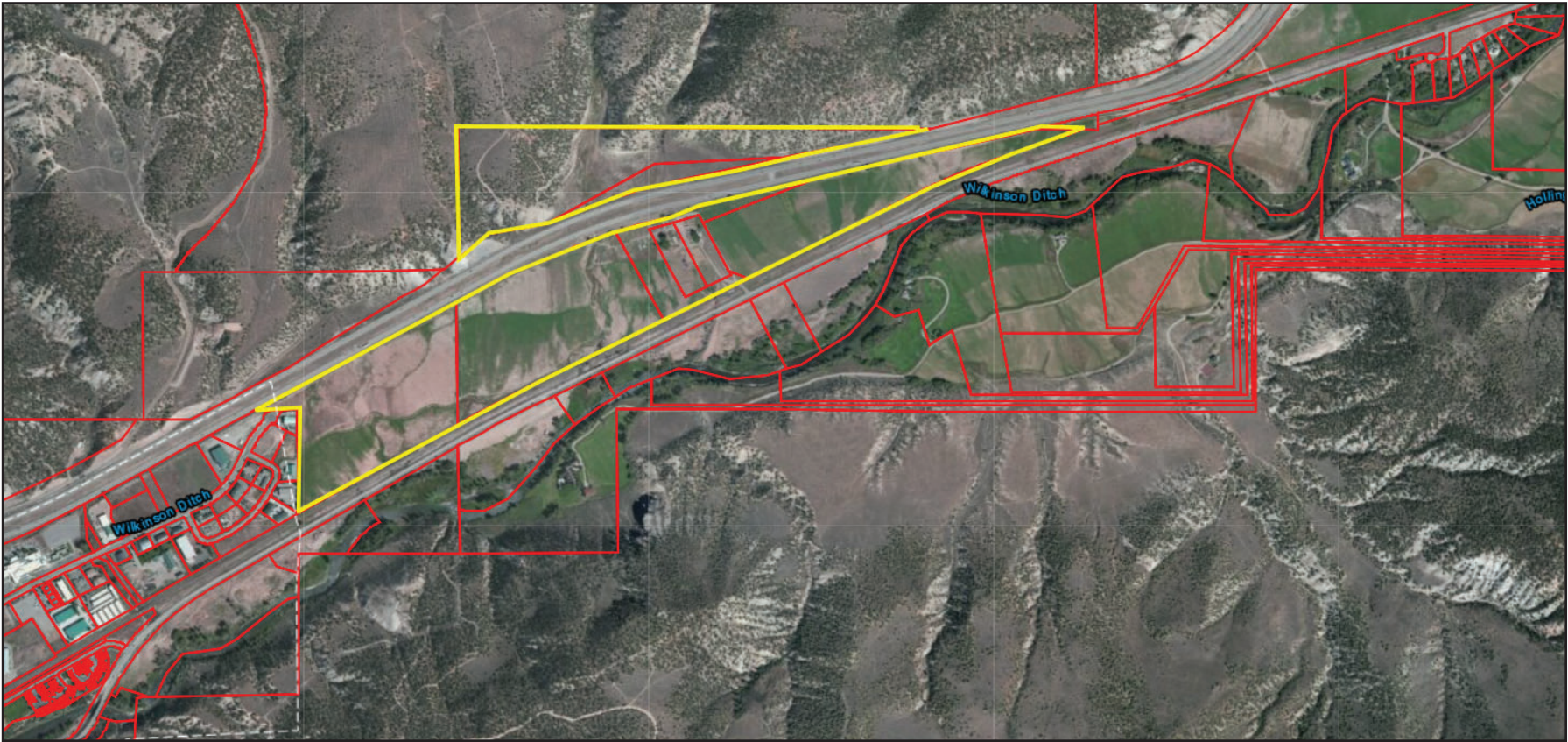
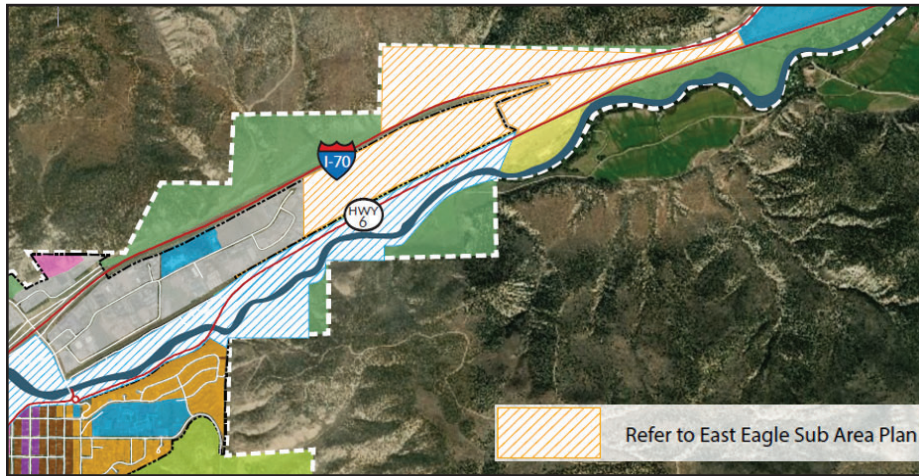


Image A: The 175-acres of the East Eagle planning area is outlined in yellow on this image from Eagle County geographic information system (GIS).

Purpose

The Town of Eagle adopted the 2020 Elevate Eagle Comprehensive Plan (Comprehensive Plan) on December 15, 2020, as a policy document to aid decisions on land use, development, public services, and economic development within the Town's boundary and Urban Growth Boundary. Within the Comprehensive Plan is the Future Land Use Map (FLUM) that provides future land uses within the Town of Eagle. Sections of the FLUM refer to subarea plans for future land use designations. The FLUM refers to this East Eagle Sub Area Plan for the future land use designations of this planning area, known as "East Eagle."

The purpose of this subarea plan is to identify and define desired future land uses and guide future growth that will meet the needs of the community today, and for decades to come.



Graphic B: East Eagle is identified in this snapshot of the Comprehensive Plan's Future Land Use Map (FLUM). A section of East Eagle is identified in the FLUM with orange and white stripes.

The East Eagle property is approximately 175 acres, located in the furthest northeast section of town. The planning area is east of the Chambers Avenue Commercial and Industrial Park, north of Highway 6. Areas north of Interstate 70 are also included in the East Eagle planning area.

Once developed, this property will provide a connection from the east end of Chambers Avenue to Highway 6, enhancing the connectivity to this part of town. Heavy commercial and light industrial development in Eagle has been limited to Chambers Avenue, Eby Creek Road and Market Street, with some light commercial along Highway 6 and in West Eagle. Interstate Commercial is currently limited to Eby Creek Road, Market Street, and the western end of Chambers Avenue. Eagle's downtown is Broadway Street, which connects to Grand Avenue (Highway 6). The East Eagle property is located roughly 1.25 miles from Broadway Street. Walking/running/biking connectivity exists through this property to the Town Center area via the Regional Trail.

East Eagle will be the first development that welcomes westbound visitors as they drive into the Town of Eagle. This plan was designed to include an attractive eastern gateway. Design elements have been incorporated into this plan to create cohesion and encourage high quality development among the different uses in East Eagle.

Introduction

BACKGROUND

While the entire planning area exists within the Town's Urban Growth Boundary, only 100 acres are incorporated into the Town of Eagle. The 100-acres adjacent to Chambers Avenue were annexed into the Town of Eagle in 2006. The current zoning for this portion of East Eagle is Resource (R). The remaining 75 acres to the far east and north of East Eagle are not yet within the Town's boundary, but rather zoned Resource in unincorporated Eagle County. The planning area between I-70 to the north and Highway 6 to the south is currently used as pasture.

Land availability for auto-oriented commercial and industrial uses is limited within the Town. The Chambers Avenue area has few vacant lots remaining. East Eagle provides a large tract of land that can meet the community's future needs for heavier commercial and industrial development. I-70 and Highway 6 both provide locals with ingress and egress

EAST EAGLE SUB AREA PLAN (2021)

to Eagle. This property is uniquely situated and will provide access to both. The size of the property and its proximity to I-70 spurs an opportunity for highway-oriented development unlike what exists at the Eby Creek Road interchange. The East Eagle Sub Area Plan also includes plans for a future highway interchange, further supporting highway-oriented development.

Eagle has changed substantially from 2006 when a portion of the planning area was annexed into the Town. Eagle Ranch is nearly built out and there are several approvals of other large primarily residential

Planned Unit Developments throughout the Town. From 2005 to 2010 the Town of Eagle's population increased by 2,200 people. From 2010 to 2019 Eagle's population increased by roughly another 500 people. While growth certainly slowed over the past 9-10 years, the demand for housing continues to increase and home prices continue to rise. Since 2014, Eagle has annexed an estimated additional 795 acres to the Town. Most of this land is slated for residential development and roughly 1,500 dwelling units are approved (but unbuilt) as of 2021.

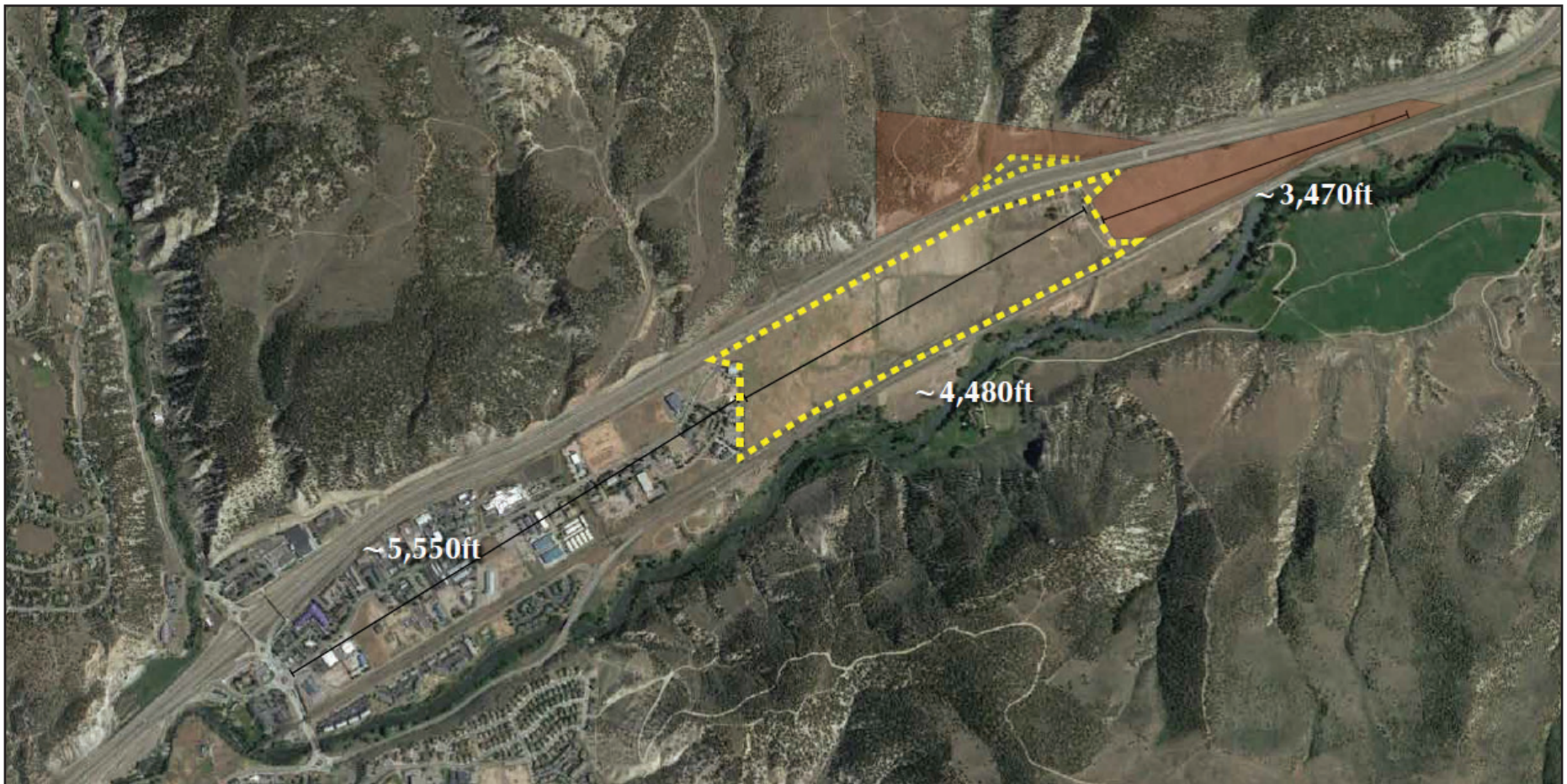


Image C: This Context Map provide the linear feet of different segments of Town including Chambers Avenue (5,550 feet) and the East Eagle area (7,950 feet).

REGIONAL CONTEXT

Commercial businesses in East Eagle will serve the valley with their proximity to the Eagle County Airport that enplaned (origin and destination) 194,905 passengers in 2019. Visitors arriving at the Eagle-Vail Airport drive through Eagle's Grand Avenue (Highway 6) to the Eby Creek / I-70 interchange to get to up-valley destinations. Upon returning to the airport, visitors take the same return trip, as Eagle has one interchange.

The Town of Eagle is within an hour's drive of world class ski resorts that draws in visitors from around the world. The Town of Eagle is surrounded by BLM land and natural attractions such as Sylvan Lake State Park, the White River National Forest and the mining town of Fulford. During the summer, visitors come to the area for access to camping, hiking, mountain biking, fly fishing, rafting, river surfing, etc.

In addition to serving the visitors of the area, East Eagle's commercial and industrial uses will serve nearby communities. The closest municipality to the west is the Town of Gypsum with a population of 7,582 in the year 2019. To the east are unincorporated areas of Wolcott and Edwards. Unincorporated Eagle County had a population of 24,038 in 2019. The total population for Eagle County was 55,070 as of 2019; this population number includes unincorporated Eagle County, Avon, Basalt (partial), Eagle, Gypsum, Minturn, Red Cliff, and Vail.



SITE ANALYSIS

Size

The length of East Eagle along I-70 is greater than the length of Chambers Avenue, as depicted in the Context map (Image C, page 4). East Eagle is approximately 7,800 linear feet while Chambers Avenue is 5,550 linear feet. In terms of depth, the distance from the property boundary abutting I-70 to the north and the southern boundary line ranges from

1,038 linear feet on the west end of East Eagle and gradually reduces in distance heading east. Of the total 175 acres of the planning area, approximately 17 acres is designated for the future highway interchange, leaving 158 acres for other land uses.

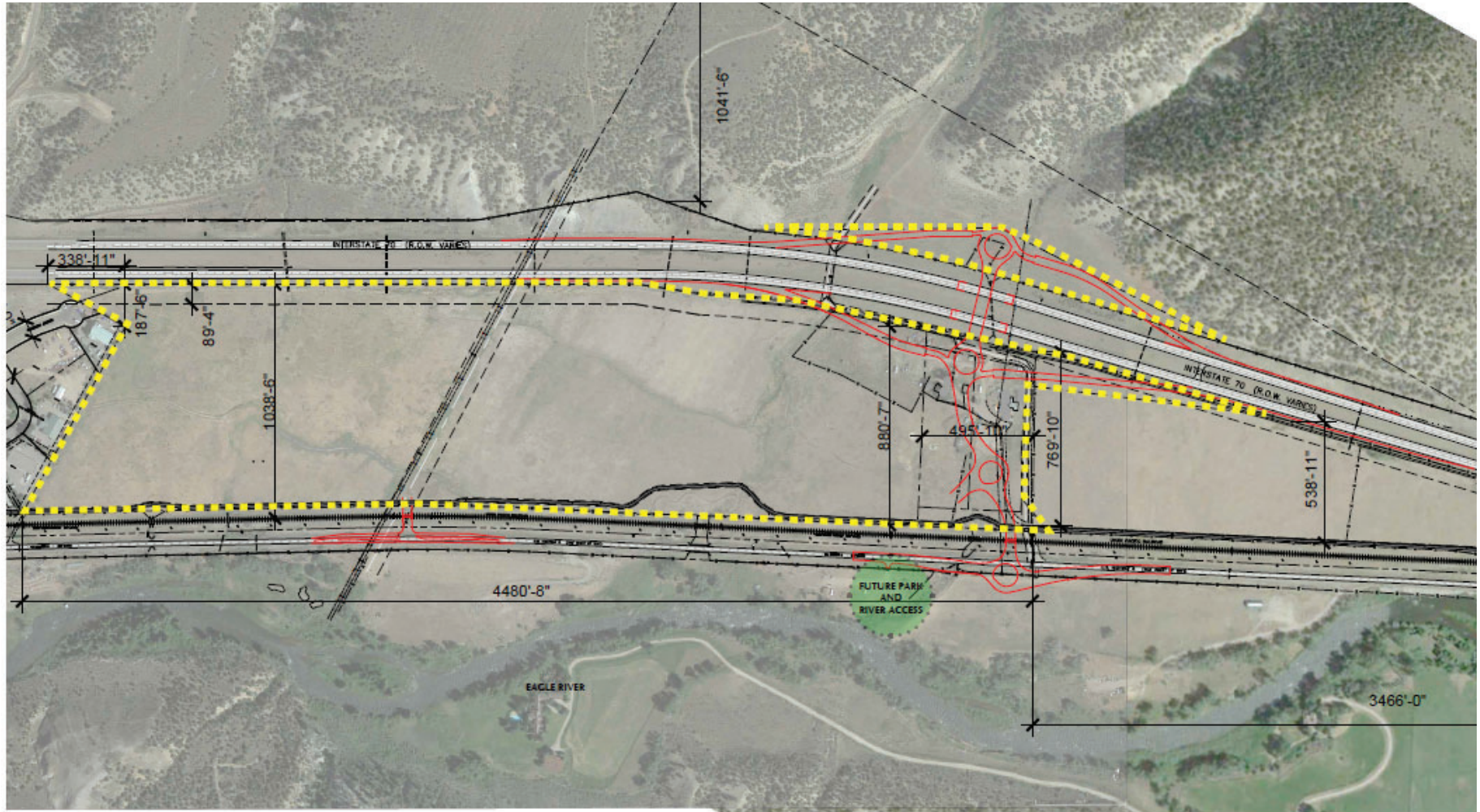


Image D: Site Overlay with Dimensions and Aerial 1:200.

Surrounding Properties

To the north and east of the East Eagle planning area, are properties in unincorporated Eagle County with Resource zoning. Across Highway 6 to the south is the Red Mountain Ranch (RMR) development, which is zoned Planned Unit Development within the Town of Eagle. The Red Mountain Ranch development is currently undeveloped but has received approvals for up to 153 residential units; this development will include both multi-family and single family residential. A future river access and park is planned in RMR and will provide active recreation within close proximity to the East Eagle planning area. To the west is the Chambers Avenue Commercial and Industrial Park with mixed Commercial General and Industrial Town of Eagle zoning. The Eagle Valley Trail and Railroad run parallel between the East Eagle property and Highway 6.

CONSTRAINTS AND PARAMETERS

Though the sub area plan focuses on the area identified as East Eagle, this plan accounts for the regional context and its potential impacts on the development of East Eagle. There is recognition that the Town of Eagle has limited options for expansion, especially expansion and/or annexation of land for commercial and industrial uses. The Bureau of Land Management (BLM) owns land surrounding the Town in every direction, limiting future expansion. BLM land is depicted in pale yellow in Image E.

Aside from the surrounding terrain, East Eagle has its own set of constraints that have impacted this planning process and the conceptual planning design of the property. These constraints include:

- Utility Easement
- Railroad Crossing
- Highway 6 Access Permits
- Drainage
- Future I-70 Interchange
- Regional Trail (ECO Trail)

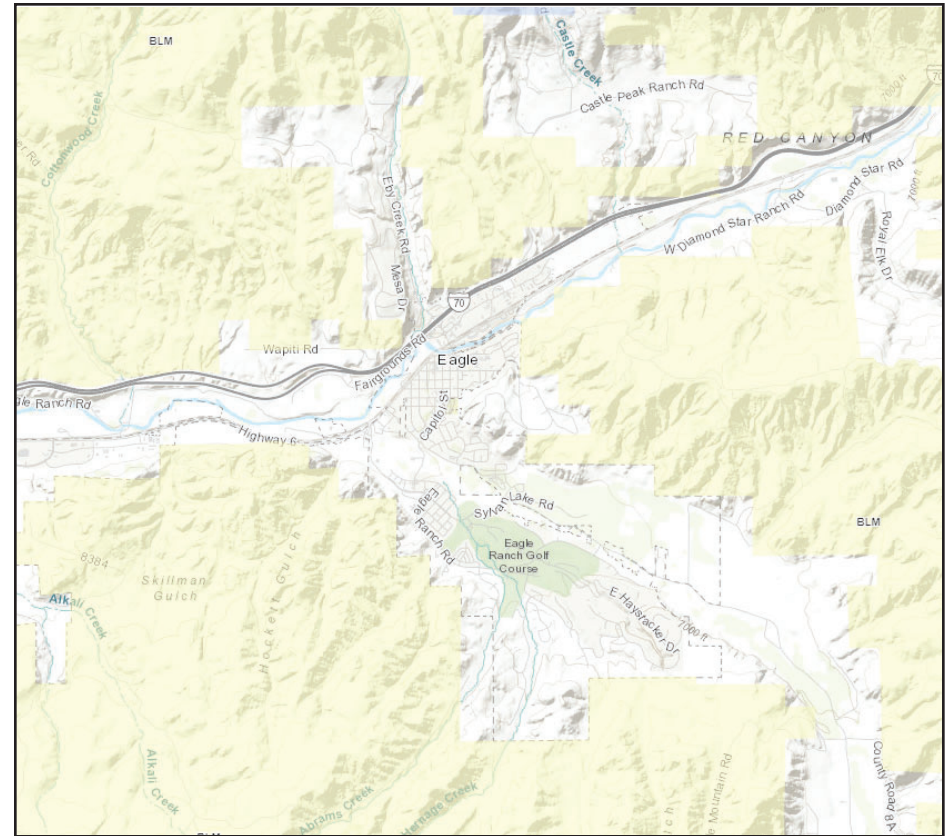


Image E: The pale yellow overlay depicts land owned by the Bureau of Land Management (BLM). Image from Eagle County GIS.

- Visibility from I-70
- Topography
- Market Influences
- Wildlife
- Water Resources

Utility Easement

There is a 100 foot utility easement passing through the planning area from north to south. The easement is approximately 1800 linear feet from the western boundary of the planning area. The easement is used by a Holy Cross Energy powerline running through the property. The

powerline is shown in Image D on page 6.

Railroad Crossing

While presently inactive, there has been community effort to revive the Tennessee Pass rail line for freight and/or passenger use. The rail line stretches from Eagle to Cañon City. If the rail line becomes operational, the community may want to consider a location for a future transit center for the loading and unloading of freight and passengers.

Highway 6 Access Permits

Access permits allowing entrance onto the property from Highway 6 have already been issued by the Colorado Department of Transportation (CDOT). There are two points of access from Highway 6 that are depicted in the Site Overlay with Dimensions and Aerial (Image D, page 6). Not shown on the Site Overlay is another access permit located to east end of the property that may impact the location of a third entrance off Highway 6. The existing CDOT Access Permits can be accessed through this [LINK](#).

Drainage

A drainage feature runs through the property. The drainage is located just west of the future highway interchange and runs from north to south. This EESAP preserves the drainage by encouraging development to the west and east. The drainage also serves as a wildlife movement corridor.

Future I-70 Interchange

The Town has identified a need for a future highway interchange that will provide additional access points to the property. The future interchange is intended to address problems with congestion, safety, and facilitate the flow of traffic on Chambers Avenue. The location of the highway interchange is restricted to the east end of the property due to the slope to the north of I-70, that limits the location of the highway on/off ramp. The highway interchange is a large capital investment that may not be constructed in the near future.

Regional Trail

The Eagle County ECO Trail is located along the southern border of East Eagle and follows the railroad track moving east and west. The ECO Trail is a popular public trail system that provides multi-modal access throughout the Eagle Valley.

Visibility from I-70

With tens of thousands of vehicles driving on I-70 each day, East Eagle is highly visible to locals and visitors alike. This visibility has shaped various elements of this planning document such as the eastern gateway, the need for design standards, and importance of landscaping.

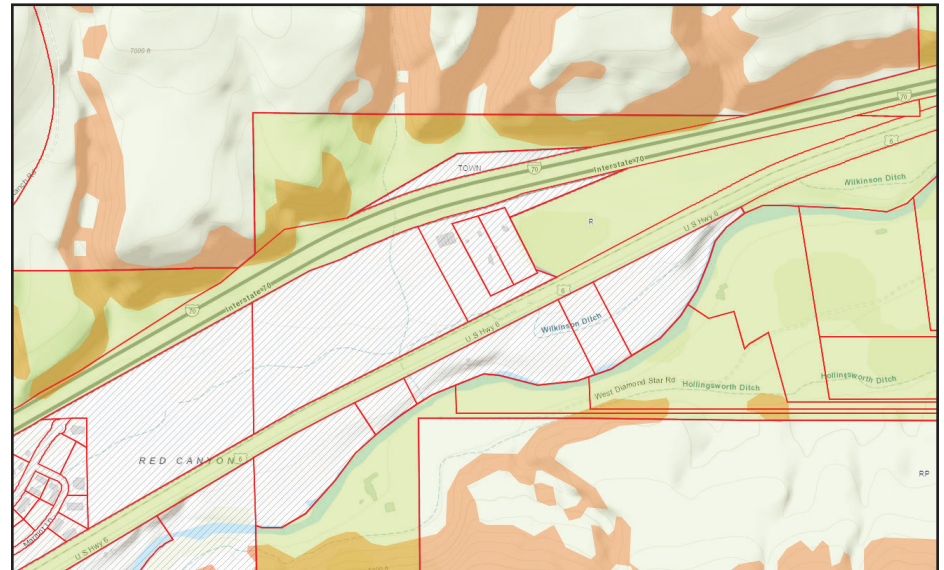


Image F: The pale red overlay depicts where there are slopes greater than or equal to 30%. Image from Eagle County GIS.

Topography

North of the East Eagle planning area are steep slopes that limit the developability of the northernmost property. These steep slopes are depicted in red in Image F.

Market Influences

Other constraints taken into consideration during this planning process were changes to markets resulting from a shift to online shopping, only accelerated by the recent COVID-19 pandemic. The shift to online shopping begged the question; will big box be profitable in the future? This question comes with the recognition that the markets change and predicting the future can be an impossible task. The East Eagle Subarea Plan provides flexibility to future commercial land uses by allowing for a variety of commercial uses, rather than restricting the area to large lots for big box/chains.

Wildlife

A vision of the community is to celebrate and preserve its unique connection with the environment by minimizing growth impacts to water and wildlife resources. Numerous goals in the 2020 Elevate Eagle Comprehensive Plan focus on preserving and protecting critical habitat for wildlife as well as riparian areas. Through this planning process, potential impacts to water and wildlife resources were identified and addressed in the Goals/Policies section of the plan.

The local Elk population use the East Eagle area during the winter months. The graphic shows that the southern section of the property is used as Elk winter range.

The Mule Deer population are also active in East Eagle. Mule Deer use a significant portion of the property as a concentration area and the southern portion as a winter range.

Wildlife utilize the underpass at mile markers 147 and 150. The community recognizes that development of East Eagle will disrupt wildlife movement through the property, however efforts can be made to minimize any negative impacts. The EESAP incorporates wildlife friendly goals and policies to mitigate adverse impacts to wildlife throughout several stages of development.

Water Resources

Eagle River is south of East Eagle across Highway 6. Mapping provided by the Colorado Wetland Inventory depicts riparian zones and other water resources. While East Eagle has three streams feeding into the water sources to the south, there are no riparian zones within the planning area.



Image G: The graphic shows the Elk winter range overlay.

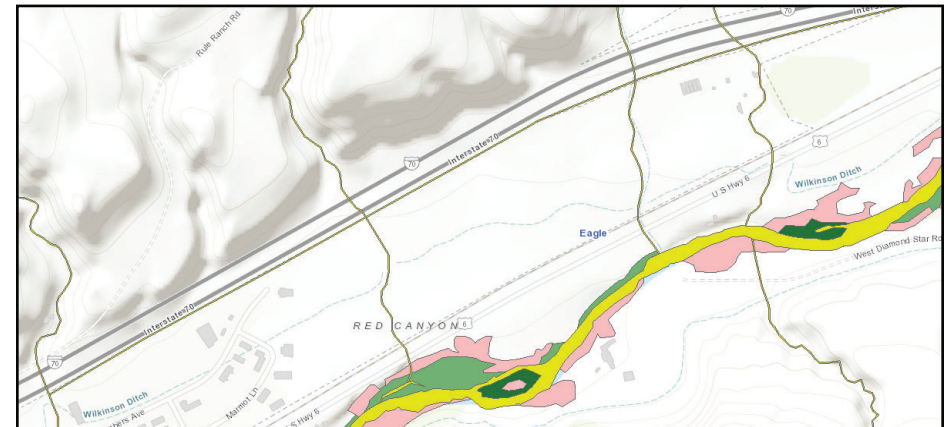


Image H: Colorado Wetland Inventory depicts water resources in East Eagle, including the three streams feeding into the Eagle River. Sensitive wetlands are south of East Eagle along Eagle River.

Goals and Policy Topics

The goals and policies in this section support and advance the Town's vision for East Eagle. Goals articulate a desired ideal and a value to pursue. Supporting strategies are specific policies and action items (under Implementation) that provide a means of implementation for each goal.

DEVELOPMENT

1) Goal: The EESAP shall provide direction for future land use development but shall also include flexibility to accommodate minor modifications that address community or market changes.

Policy 1.1. Land use areas shown on the Future Land Use Map (FLUM) (see page 14) may be slightly enlarged or reduced if it is deemed by the Town that such modification is other wise in conformance with the goals and policies of the EESAP and the Comprehensive Plan.

Policy 1.2. While future development should be in conformance with the EESAP goals, policies, and the FLUM, the Town will only support development within the Urban Growth Area after annexation.

Policy 1.3. Major streets and intersections shown on the FLUM are intended to be flexible in terms of location.

Policy 1.4. Flexible interpretation of the boundaries of each land use may be granted by the Town Planning staff, Planning and Zoning Commission, and Town Council; provided the proposed change is consistent with the vision, goals and policies contained in EESAP.

TRANSPORTATION

2) Goal: Within the planning area, transportation infrastructure shall be located and sized to achieve excellent circulation, avoid congestion, and promote visual qualities.

Policy 2.1. Streets should provide for free-flowing circulation and allow for access to Chambers Avenue, Highway 6, and I-70.

Policy 2.2. Final determination of street locations should take into account best practices for circulation in an auto-intensive commercial area.

Policy 2.3. Streets that access commercial and industrial properties should be wide enough to accommodate large semi-trucks.

Policy 2.4. Commercial lots should accommodate onsite deliveries and large semi-trucks and trailers without impacting public rights-of-way.

Policy 2.5. New development should include elements that address current and future public transportation such as buses, multi-use trails, and trains/rail.

Policy 2.6. Where feasible, the EESAP area should include a frontage road along I-70.

Policy 2.7. Encourage connection from Chambers Avenue to Highway 6 in the early phases of development prior to adding uses to the extension of Chambers.

Policy 2.8. To the greatest extent practicable, new development should provide convenient multi-modal linkage to the local and regional trail system.

COMPATIBILITY

3) Goal: To help support Broadway Street and Capitol Street businesses, avoid the creation of a new town center.

- Policy 3.1. Promote commercial development that fits the desired character of the community and focuses on businesses that rely primarily on vehicular rather than pedestrian access.
- Policy 3.2. Pedestrian amenities should focus on utilizing the ECO Trail and access to Broadway Street rather than creating a walkable shopping area within the EESAP.
- Policy 3.3. The EESAP area should provide lots that can accommodate mid-size to large-size services and retailers.
- Policy 3.4. Landscaping should be utilized to reduce large areas of asphalt with a naturalistic element, as a buffer between incompatible uses, and to create more attractive streetscapes between I-70 and other roads or developments.
- Policy 3.5. Avoid developments that create the downtown feel (e.g. zero lot line allowance from the front yard).

OUTDOOR LIFESTYLE

- 4) Goal: The EESAP area shall contribute to the Town's outdoor/active lifestyle by encouraging recreation and tourism-based opportunities.
 - Policy 4.1. Larger scale commercial recreation uses and businesses should be encouraged.
 - Policy 4.2. Development should be planned to provide easy access to the ECO path and a thoroughfare to the river.
 - Policy 4.3. Development should provide opportunities for recreational amenities to support local businesses, employees, residents, and visitors.
 - Policy 4.4. Encourage new development to provide adequate parks, trails, other recreational facilities, and connections to pedestrian/bicycle-oriented amenities such as the River Access and Park proposed for the Red Mountain Ranch Development.

WILDLIFE

- 5) Goal: Protect and preserve wildlife habitat, movement corridors, and other sensitive lands.
 - Policy 5.1. Remove unnecessary fencing, minimize the use of fencing where possible, and if fencing is necessary, encourage the use of wild life-friendly fencing according to Colorado Parks and Wildlife standards.
 - Policy 5.2. Vegetation screening should be used to buffer the wildlife movement corridor from future development.
 - Policy 5.3. The wildlife movement corridor should be of sufficient width to effectively funnel wildlife movement through existing wildlife under passes.
 - Policy 5.4. Cluster development where possible to preserve open space for wildlife movement.
 - Policy 5.5. New development should be phased to limit disturbance.
 - Policy 5.6. Encourage and support wildlife mitigation plans approved by Colorado Parks and Wildlife.
 - Policy 5.7. Locate parks to take advantage of wildlife areas.
 - Policy 5.8. Traffic calming measures should be considered to reduce driver/wildlife encounters and traffic casualties.
 - Policy 5.9. Encourage the incorporation of bear proof trash cans and domestic predator controls with future development.

SUSTAINABILITY

6) Goal: New development in the EESAP area supports environmental and sustainability efforts.

Policy 6.1. Tree species should be native, drought-resistant, and consistent with the Town's alpine and high desert landscape.

Policy 6.2. Xeriscaping is highly encouraged.

Policy 6.3. Future development should pay special attention to, and avoid, development hazards such as steep slopes and drainages.

Policy 6.4. Encourage green building techniques including but not limited to LEED certifications, the installation of solar panels and other renewable energy solutions.

Policy 6.5 Utilize non-potable systems for irrigation where possible.

COMMERCIAL OPPORTUNITIES

7) Goal: Provide opportunities for the expansion of commercial and light industrial uses.

Policy 7.1. Accessory on-site employee housing is encouraged throughout the planning area to support business opportunities.

Policy 7.2. Avoid "strip" commercial development along Highway 6. Use clusters of compact development set back from the highway where practicable.

PARKING

8) Goal: The EESAP area will include adequate parking areas located and buffered to avoid visual blights as seen from I-70 and Highway 6.

Policy 8.1. Portions of parking lots should be encouraged to be located to the rear of buildings with buildings situated closer to the street frontage. Look for opportunities for consolidated parking lots with shared parking and internal connections within parking lots.

Policy 8.2. Parking lots should provide sufficient landscaping for shade coverage.

Policy 8.3. Developments that provide employee housing units shall provide on-site parking and shall avoid dependence on on-street parking for employees and guests.

CHARACTER AND IDENTITY

9) Goal: Enhance the community's identity and quality of life by promoting the Town's visual character.

Policy 9.1. New development should support design elements that reflect the western slope mountain town appearance (historic mountain west/mountain modern)

Policy 9.2. Discourage proposals that include architectural styles inconsistent with that of Colorado's Western Slope mountain towns and high

desert.

Policy 9.3. Strongly encourage new development to include native, drought-resistant landscaping species and/or xeriscaping.

Policy 9.4. The EESAP area shall provide open spaces that benefit trail users, wildlife, and provide quality visual buffers adjacent to development.

EASTERN GATEWAY

10) Goal: Create a quality, welcoming Eastern Gateway that reflects the image of the Town.

Policy 10.1. Enhance the Eastern Gateway through landscaping, streetscape character, and design aesthetics.

Policy 10.2. The gateway design elements should integrate features associated with the Colorado's Western Slope Mountains/high desert and may include items that reflect active outdoor recreation.

Policy 10.3. The area between the frontage road and I-70 should include landscape buffers to support the aesthetics of the area.

Policy 10.4. If frontage road is not feasible or appropriate, landscaping or buffering should be integrated so that the rear of the building is screened from I-70. Colorado Department of Transportation requirements should not impede the goal of screening.

Policy 10.5. Locate entryway features at the future I-70 interchange and at the EESAP land furthest east between I-70 and Highway 6.

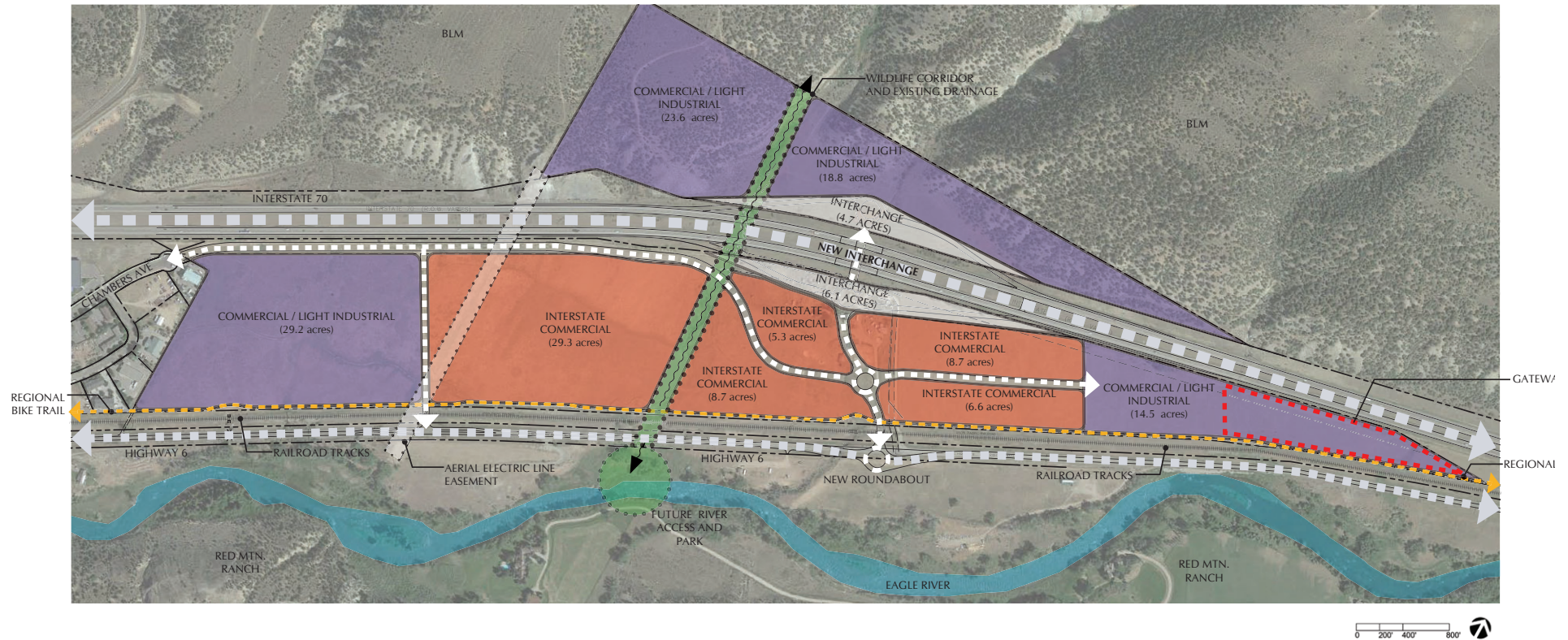
Policy 10.6. Ensure that the rear of buildings are not the dominant features for development abutting and as seen from I-70.

Policy 10.7. Ensure that development located on the eastern edge of East Eagle between I-70 and Highway 6 is appropriately spaced to blend with agricultural and County Resource zoning. Uses in this area should transition from low impact uses to the furthest east to gradually higher impact uses as the development moves west towards the I-70 interchange.

Future Land Use Map / Circulation Plan

The Future Land Use Map (FLUM) portrays the study area's desired future. It is a tool to guide zoning decisions in East Eagle. The FLUM identifies locations of anticipated, and community-supported land uses over the next 10 to 20 years.

Division between land use categories generally follows parcel lines, roadways, and other geographic boundaries. Future land use and zoning category changes shall generally adhere to the FLUM but may vary due to development constraints or other factors that would make strict adherence difficult or impossible. Flexible interpretation of the boundaries may be granted by the Town Planning staff, Planning & Zoning Commission, and Town Council, provided the proposed change is consistent with the overall vision, goals, and strategies contained in this Plan.



LAND USE CATEGORIES

COMMERCIAL/LIGHT INDUSTRIAL

This area will include uses common to those that exist in the Chambers Avenue area but with larger lots that are more accessible to delivery trucks. Such uses include those typically seen in light industrial areas such as manufacturing, assembly, storage, distribution, repair, service, contractor's yards, outdoor retail, and kennels, AND commercial/retail uses typically not found on Broadway Street such as restaurants with drive up windows, grocery stores, gas stations, service establishments, storage facilities, and recreation establishments. Residential uses are limited and will mainly include accessory employee units.

INTERSTATE COMMERCIAL

This area should take advantage of the vehicular traffic present at interstate interchanges and provide the Town's citizens with alternatives to driving out of town for goods and service. This area shall primarily include lodging, regional retail, large-format restaurant, convenience stores/gas stations, and may include other service and recreation establishments. Because this will also be the eastern gateway to the Town of Eagle, uses should reflect the character of the Town's active/outdoor branding in addition to maintaining high quality design elements. Residential uses are limited and will mainly include accessory employee units.

Conceptual Design Direction

Feedback received from the elected and appointed officials as well as the general public has stressed the importance of the aesthetics of East Eagle. This section of the EESAP provides design direction to help this area achieve high-quality aesthetics. The design direction is intended to aid developers by providing general parameters for the future design of East Eagle.

ARCHITECTURAL DESIGN

Eagle is an eclectic mix of architectural styles and residents prefer a mix of styles throughout Town and our various neighborhoods. In East Eagle, the architectural style should be reflective of the Town's Outdoor Recreation Brand and should pay tribute to the Historic Mountain West as well as incorporate a Mountain Modern aesthetic where appropriate.



Examples of the Historic Mountain West architectural style.



Examples of the Mountain Modern architectural style.



LANDSCAPING

Landscaping serves as a critical element of the EESAP. Landscape buffers should be used to visually screen commercial and industrial buildings from drivers on the highway. Massing in landscaping will be used to provide visual appeal through a variety of plant material.

Plant selection should be intentional to achieve the goals of this plan. Types of trees should include evergreen and trees appropriate for the Colorado environment. Xeriscape landscaping should be utilized whenever possible. High desert landscaping reflects the character of Eagle and should be incorporated into any landscape design. Xeriscape encourages water conservation, especially in our arid, dry landscape. The use of xeriscape design does not mean the elimination of plantings and should not result in large areas of gravel or dirt without plantings.

WATER-WISE/XERISCAPE LANDSCAPING



All photographs of xeriscape gardens were provided by Plant Select (plantselect.org).

The image below shows Achnatherum calamagrostis (common name UNDAUNTED Alpine Plum Grass). Photo by Scott Skogerboe.



The image below shows a Penstemon rostratus. Photo by D. Winger Smaller.



STREETSCAPE CHARACTER

A mix of trees and shrubs should be incorporated into the streetscape in East Eagle. Evergreen trees or large shrubs should be limited to the I-70 buffer zone and for screening and shade in commercial properties and parking lots. Low rocks, grasses, and flowers should be utilized along streets and roadways. Streets and roadways should be constructed to handle large semi-trucks and trailers (and other vehicles with large turning radius).



Examples of high alpine streetscapes.



EASTERN GATEWAY

Direction from this portion of the plan came directly from the public through public meetings and surveys and from guidance in the Eastern Gateway Character Area is defined in the Elevate Eagle Comprehensive Plan. A strong landscape buffer should be incorporated along I-70 and at the planned eastern interchange in order to screen commercial and industrial uses, reduce noise impact of the interstate and provide a visually appealing eastern gateway to visitors and residents.



The image above shows an example of a strong landscape buffer to screen the commercial use.

Implementation

Action Items

This section provides a list of action items. Action items provide the Town and community partners specific steps to implement the goals provided in the East Eagle Subarea Plan. The implementation of action items can take time, necessitating regular, even annual, re-assessment and re-prioritization of these action items.

ITEM NO.	ACTION	TIME FRAME	RESPONSIBILITY / POTENTIAL PARTNERS
1	Regularly review goals and policies to ensure alignment with goals and policies from the Elevate Eagle Comprehensive Plan.	ST, MT, LT	Town (Community Development)
2	Explore funding/partnership opportunities for development of the I-70 interchange.	ST, MT, LT	Town, CDOT, Grants
3	Obtain a traffic study to understand circulation and traffic patterns to be generated by new development in East Eagle.	ST, MT	Town (Public Works/Community Development), Developer
4	Incorporate design and landscape standards into the updated land use code.	ST	Town (Community Development)
5	Coordinate with Red Mountain Ranch and Colorado Department of Transportation for actual locations of access points on Highway 6.	ST, MT	Town, Developer, CDOT, RMR
6	Create zone districts through the updated land use code that avoid inappropriate uses that would result in a new town center.	ST	Town (Community Development)
7	Explore PIF options to have new development pay its own way.	ST, MT	Town, Developer
8	Explore the opportunity for a pedestrian connection under Hwy 6 to the future river access & park.	ST, MT	Town, Developer, Developer of RMR PUD
9	Consider Colorado Parks and Wildlife best practices in land use code update to mitigate adverse impacts to wildlife.	ST	Town, CPW
10	Commission feasibility study for a wildlife overpass (rather than underpass) to help facilitate wildlife movement across I-70. Consider opportunities to improve existing underpass.	ST, MT	Town, CPW, CDOT, Eagle County
11	Review ECO trail location throughout development to ensure connectivity and public safety.	ST, MT, LT	Town, Developer, Eagle County

EAST EAGLE SUB AREA PLAN (2021)

12	Inform future residences and businesses about cohabitating with wildlife.	ST	Town, Residents, Developer, Businesses, CPW
13	Conduct feasibility study of the Town's ability to provide water and wastewater services to the far eastern and northern areas within East Eagle.	ST, MT	Town (Public Works)
14	Create standards as part of the development code update to increase the quality of storm water runoff from development sites. The standards should utilize solutions such as rain gardens, bioswales, and naturalistic basins.	ST	Town (Community Development/Public Works)
Key: ST = Short Term (1-5 years) MT = Mid Term (5-10 years) LT = Long Term (10-20 years)		Town = Town of Eagle CPW = Colorado Parks & Wildlife CDOT = Colorado Department of Transportation	

RELATED PLANS

The 2020 Elevate Eagle Comprehensive Plan and the 2018 Eagle County Housing Study are long range planning documents used to assist the development of the EESAP. The planning area may be affected by policies in other long-range planning efforts that are ongoing. All adopted long-range planning projects can be accessed on the Town of Eagle website and through this [LINK](#).

2020 Elevate Eagle Comprehensive Plan

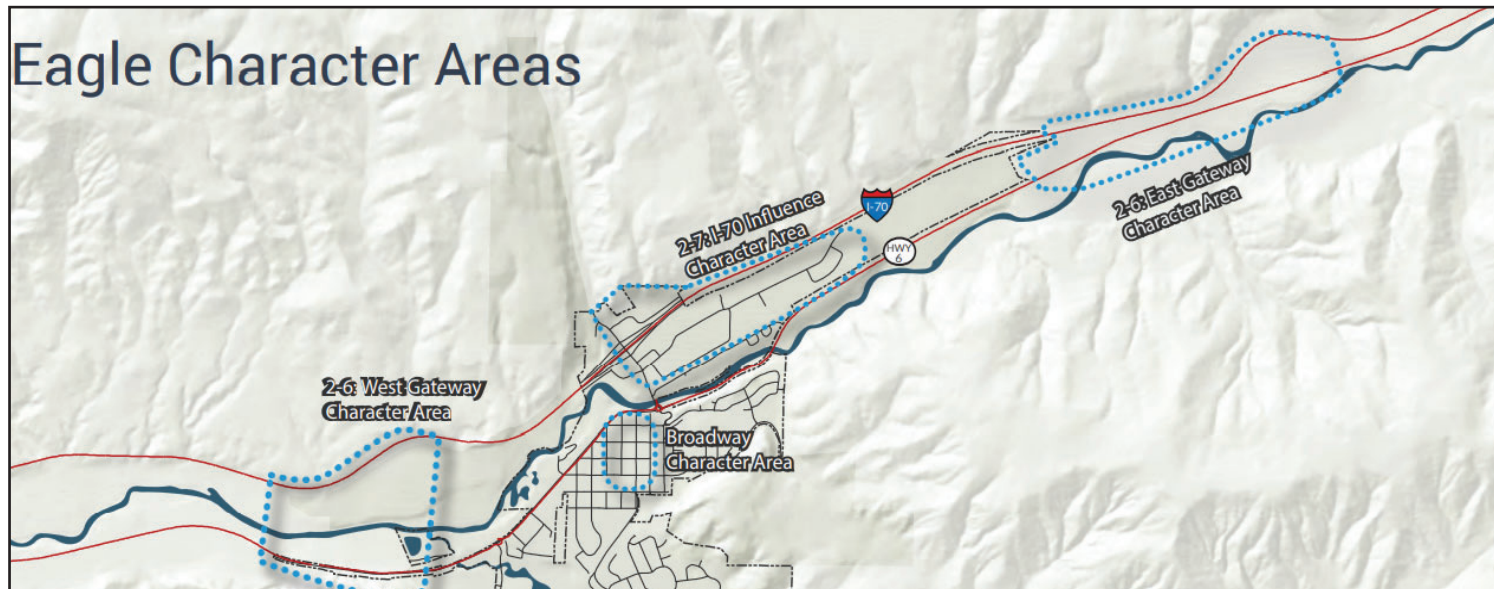
The 2020 Elevate Eagle Comprehensive Plan (Comprehensive Plan) is the primary document used by the Town of Eagle to guide future growth and development. The Comprehensive Plan identifies Character Areas in Eagle to provide guidance to specific tracts of land. A portion of the East Gateway Character Area is included in the East Eagle planning area. The East Gateway Character Area provides policies that support attractive, well-maintained landscaping as well as aesthetic architecture at the community's gateways. These same policies inform and support the Goal #11 and supporting policies in the EESAP. Landscaping and aesthetics are important components of the Comprehensive Plan in general, and this sub area plan seeks to incorporate design standards for this highly

visible land.

The importance of locating highway-oriented businesses in the vicinity of Eby Creek Road is documented in the Elevate Eagle Comprehensive Plan. The East Eagle Sub Area Plan will also include plans for a future highway interchange and should also include a land use category for highway-oriented businesses.

2018 Eagle County Housing Study

The community and its elected/appointed officials recognize the desperate need for attainable housing valley wide. A question considered with the assemblage of the Future Land Use Map (page 14) is what the appropriate amount of housing is for East Eagle. The Eagle County Housing Study (2018) was used as a tool for this determination, as well as for the formation of Goals/Policies for the EESAP. Relevant takeaways from the Eagle County Housing Study include the need for a diversity of housing products. The study noted the high importance of character, affordability and residential amenities for residents in the valley. Eagle is largely made up of families. When the study came out, it found that almost half (48%) of down valley households included children.



APPENDIX

- A PUBLIC ENGAGEMENT OVERVIEW
- B PUBLIC SURVEY AND RESULTS
- C HOUSING SNAPSHOT (2021)
- D ZEHREN AND ASSOCIATES PACKET
- E PLAN GRAPHICS



APPENDIX A - Public Outreach

Public Outreach

Summary

The East Eagle Subarea Plan is the result of community collaboration. At the time of these planning efforts, East Eagle was under the ownership of two entities. The planning area is owned by two entities. Throughout the planning process, these owners met with staff to provide input on future land uses in East Eagle. Public participation was encouraged through numerous formats including a Public Open House on March 31st. Public input was received through live polling during the a Planning Commission work session and through a public survey. The survey questions and results are available in Appendix B.

The Planning Commission and Town Council held nine public meetings collectively to provide input on the plan and receive public feedback.

Challenges

Public engagement efforts transformed throughout the process. The Public Open House and the first Planning Commission work session were held virtually due to emergency restrictions in place from COVID-19. The live polling at the Planning Commission work session was conducted through the Zoom platform. The public survey was made available online, and advertised through the Town’s website and the Town of Eagle Facebook page. The first in-person discussion on EESAP was held June 1st during a Town Council work session. The remaining public meetings to discuss EESAP were available to the public through a hybrid meeting that allowed in-person and virtual attendance.

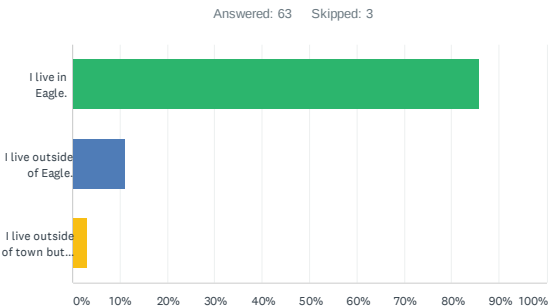
Public Meetings

Public Open House	March 31st
Planning Commission	May 4th
Town Council	June 1st
Town Council	June 8th
Planning Commission	June 15th
Town Council	July 13th
Town Council & Planning Commission Joint Work Session	September 7th
Planning Commission Adoption Hearing	October 19th
Town Council Ratification Hearing	October 26th

APPENDIX B - Public Survey and Results

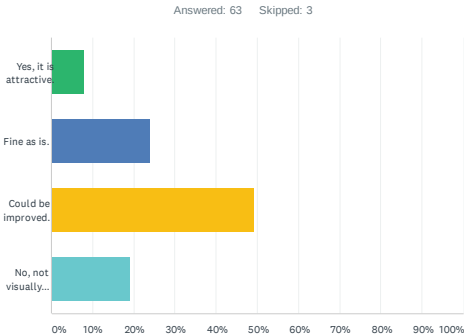
Public input was also solicited through live Zoom polling during a Planning Commission work session on May 4, 2021 and through a survey made available from May 7th - May 21st. The questions in the Zoom poll and survey were substantially the same. The combined results can be found on the following pages.

Q1 Do you live in Eagle?



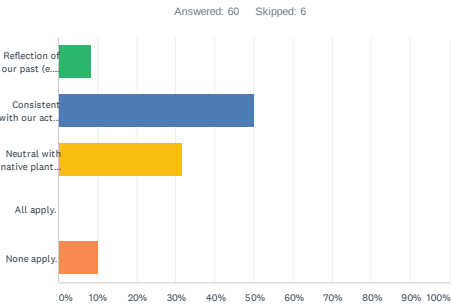
ANSWER CHOICES	RESPONSES	
I live in Eagle.	85.71%	54
I live outside of Eagle.	11.11%	7
I live outside of town but would like to move to Eagle in the future.	3.17%	2
TOTAL		63

Q2 Are you happy with the appearance of Town driving west on I-70?



ANSWER CHOICES	RESPONSES	
Yes, it is attractive.	7.94%	5
Fine as is.	23.81%	15
Could be improved.	49.21%	31
No, not visually pleasing.	19.05%	12
TOTAL		63

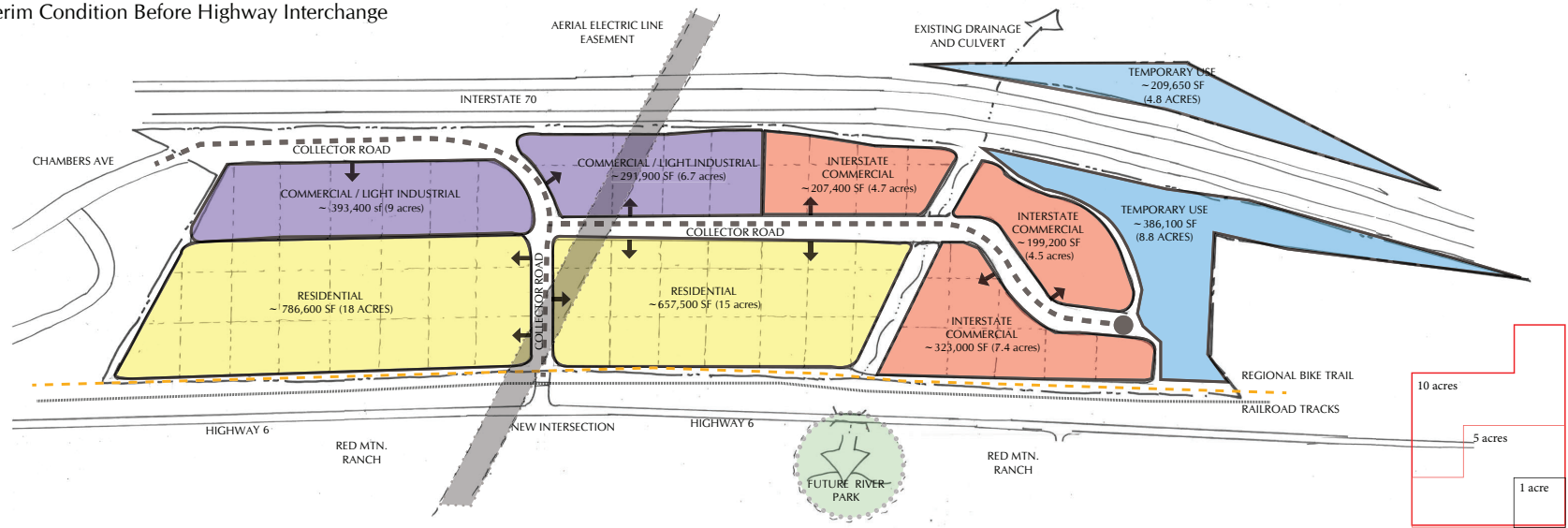
Q3 What should visitor's first impression be driving into Town?



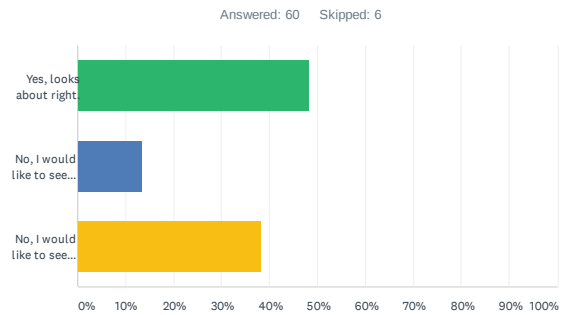
ANSWER CHOICES	RESPONSES	
Reflection of our past (e.g. mining, agriculture).	8.33%	5
Consistent with our active outdoor brand/lifestyle.	50.00%	30
Neutral with native plant landscaping.	31.67%	19
All apply.	0.00%	0
None apply.	10.00%	6
TOTAL		60

APPENDIX B - Public Survey and Results

Conceptual Land Use Diagram
Preferred Concept Interim Condition Before Highway Interchange

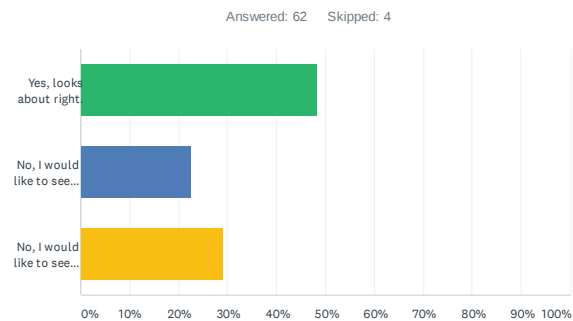


Q4 Does the diagram show the right amount of Interstate Commercial?



ANSWER CHOICES	RESPONSES
Yes, looks about right.	48.33% 29
No, I would like to see MORE Interstate Commercial.	13.33% 8
No, I would like to see LESS Interstate Commercial.	38.33% 23
TOTAL	60

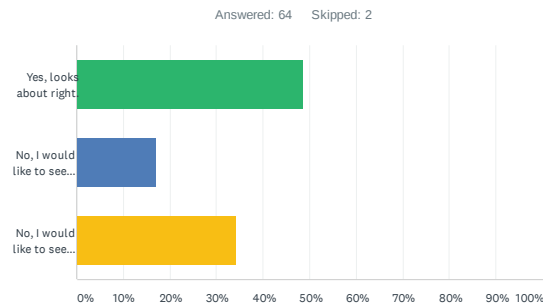
Q5 Does the diagram show the right amount of Commercial/Light Industrial?



ANSWER CHOICES	RESPONSES
Yes, looks about right.	48.39% 30
No, I would like to see MORE Commercial/Light Industrial.	22.58% 14
No, I would like to see LESS Commercial/Light Industrial.	29.03% 18
TOTAL	62

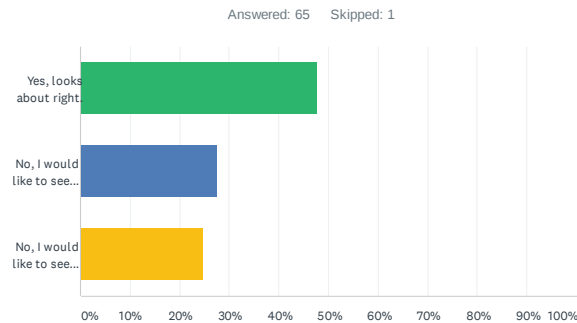
APPENDIX B - Public Survey and Results

Q6 Does the diagram show the right amount of Residential?



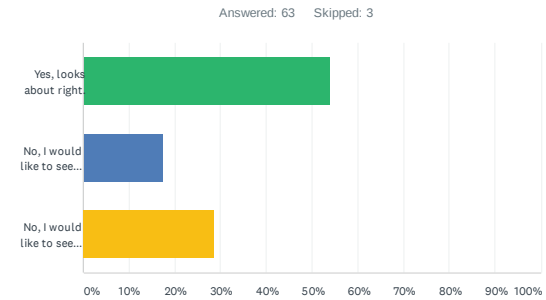
ANSWER CHOICES	RESPONSES
Yes, looks about right.	48.44% 31
No, I would like to see MORE Residential.	17.19% 11
No, I would like to see LESS Residential.	34.38% 22
TOTAL	64

Q7 Is the proposed density in the Residential land use (minimum 10 Dwelling Units/acre) appropriate?



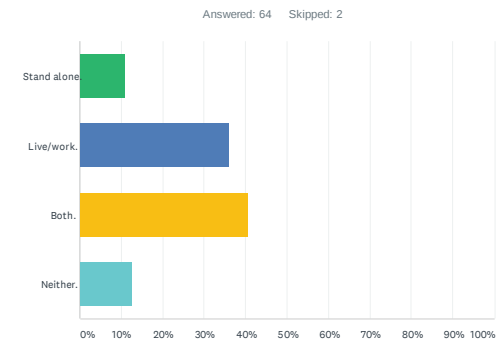
ANSWER CHOICES	RESPONSES
Yes, looks about right.	47.69% 31
No, I would like to see MORE Residential.	27.69% 18
No, I would like to see LESS Residential.	24.62% 16
TOTAL	65

Q8 Should multi-family be allowed in the Commercial/Light Industrial land use (current description allows up to 10% for multi-family)?



ANSWER CHOICES	RESPONSES
Yes, looks about right.	53.97% 34
No, I would like to see MORE density.	17.46% 11
No, I would like to see LESS density.	28.57% 18
TOTAL	63

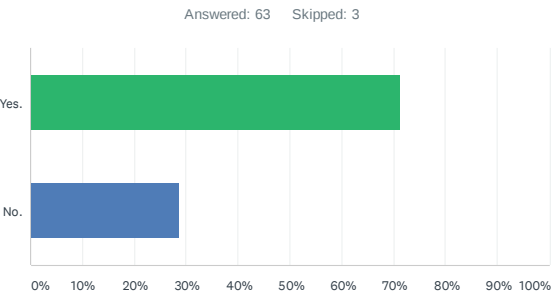
Q9 Should the multi-family residential in the Commercial/Light Industrial land use be stand alone or limited to live/work?



ANSWER CHOICES	RESPONSES
Stand alone.	10.94% 7
Live/work.	35.94% 23
Both.	40.63% 26
Neither.	12.50% 8
TOTAL	64

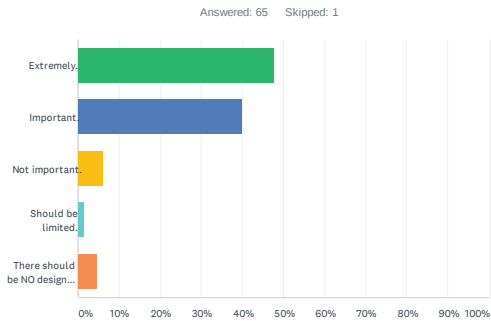
APPENDIX B - Public Survey and Results

Q10 Should projects with secondary residential uses be allowed in the Interstate Commercial land use (e.g. condos above a big box)?



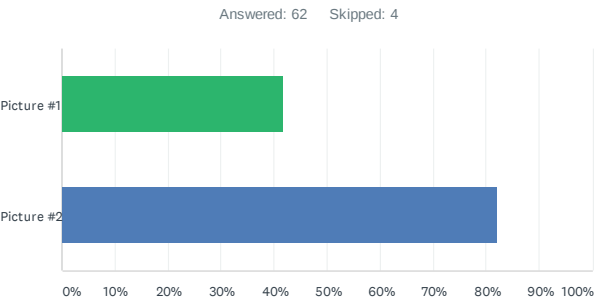
ANSWER CHOICES	RESPONSES
Yes.	71.43%45
No.	28.57%18
TOTAL	63

Q11 How important are design standards for this area?



ANSWER CHOICES	RESPONSES
Extremely.	47.69%31
Important.	40.00%26
Not important.	6.15%4
Should be limited.	1.54%1
There should be NO design standards.	4.62%3
TOTAL	65

Q12 Should the commercial areas look like picture #1 or #2? Or both (you may choose both)?



ANSWER CHOICES	RESPONSES
Picture #1	41.94%26
Picture #2	82.26%51
Total Respondents: 62	



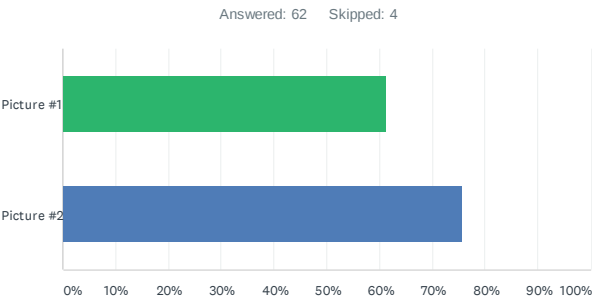
Picture #1



Picture #2

APPENDIX B - Public Survey and Results

Q13 Should the commercial areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES
Picture #1	61.29%38
Picture #2	75.81%47
Total Respondents: 62	

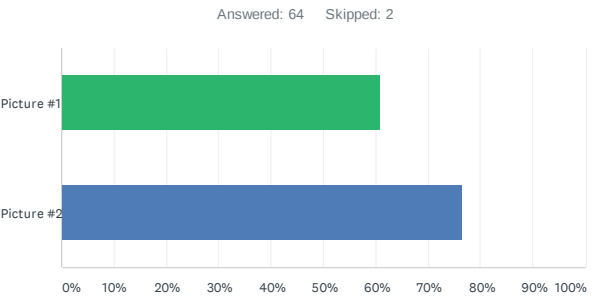


Picture #1



Picture #2

Q14 Should the commercial areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES
Picture #1	60.94%39
Picture #2	76.56%49
Total Respondents: 64	



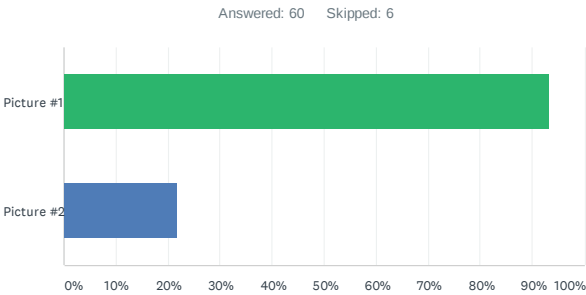
Picture #1



Picture #2

APPENDIX B - Public Survey and Results

Q15 Should the commercial areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES
Picture #1	93.33%56
Picture #2	21.67%13
Total Respondents: 60	

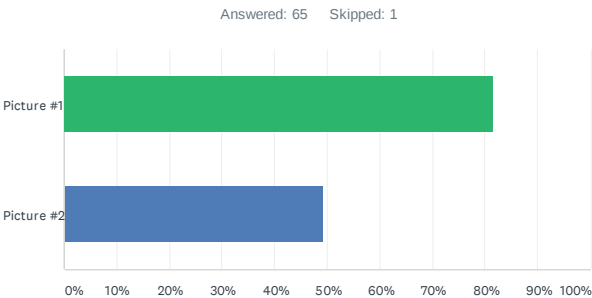


Picture #1



Picture #2

Q16 Should the commercial areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES
Picture #1	81.54%53
Picture #2	49.23%32
Total Respondents: 65	



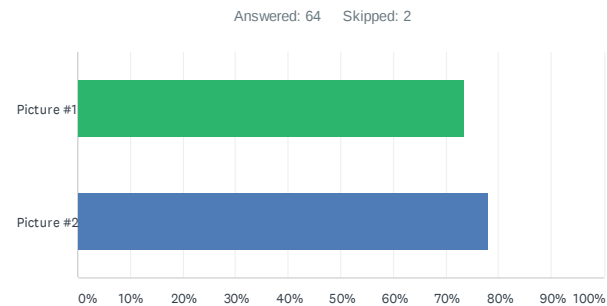
Picture #1



Picture #2

APPENDIX B - Public Survey and Results

Q17 Should the residential areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES	
Picture #1	73.44%	47
Picture #2	78.13%	50
Total Respondents: 64		

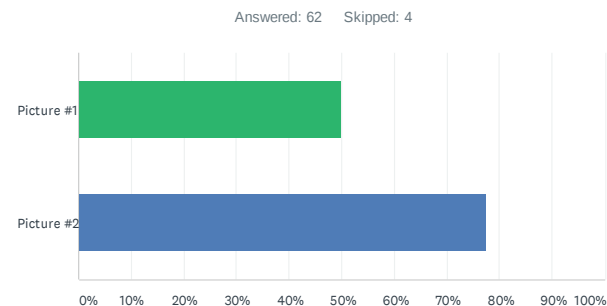


Picture #1



Picture #2

Q18 Should the residential areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES	
Picture #1	50.00%	31
Picture #2	77.42%	48
Total Respondents: 62		



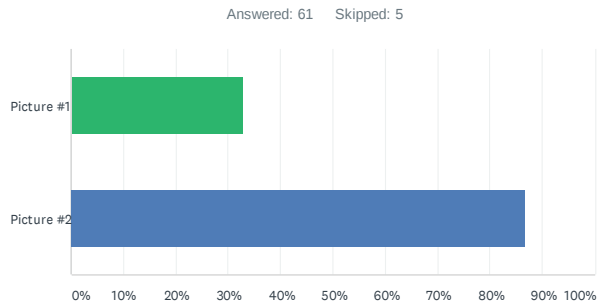
Picture #1



Picture #2

APPENDIX B - Public Survey and Results

Q19 Should the residential areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES	
Picture #1	32.79%	20
Picture #2	86.89%	53
Total Respondents: 61		

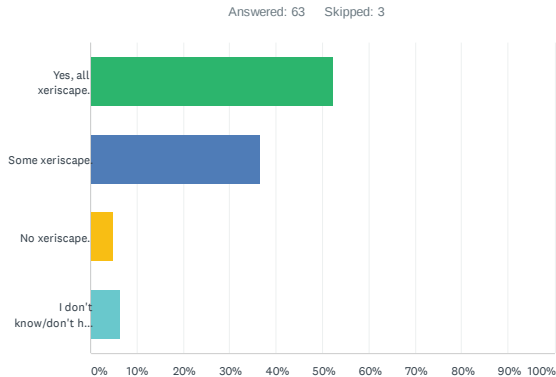


Picture #1



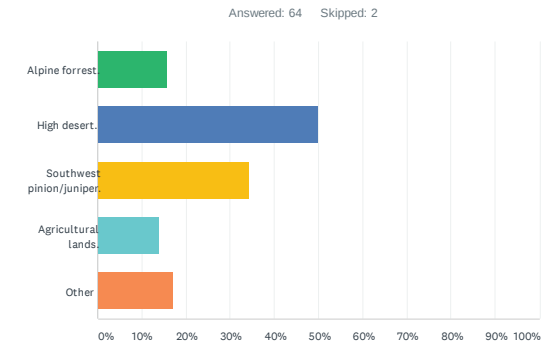
Picture #2

Q20 Should xeriscape be a required element for this area?



ANSWER CHOICES	RESPONSES	
Yes, all xeriscape.	52.38%	33
Some xeriscape.	36.51%	23
No xeriscape.	4.76%	3
I don't know/don't have an opinion.	6.35%	4
TOTAL		63

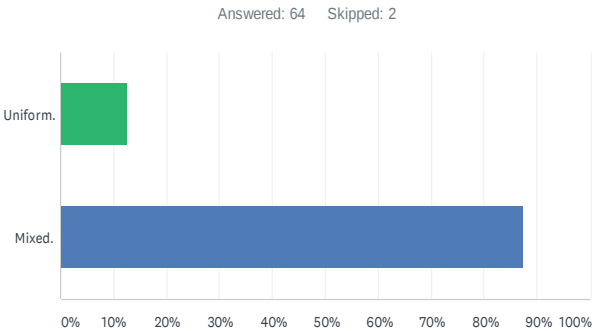
Q21 Which landscape type best reflects the greater Eagle area?



ANSWER CHOICES	RESPONSES	
Alpine forrest.	15.63%	10
High desert.	50.00%	32
Southwest pinion/juniper.	34.38%	22
Agricultural lands.	14.06%	9
Other	17.19%	11
Total Respondents: 64		

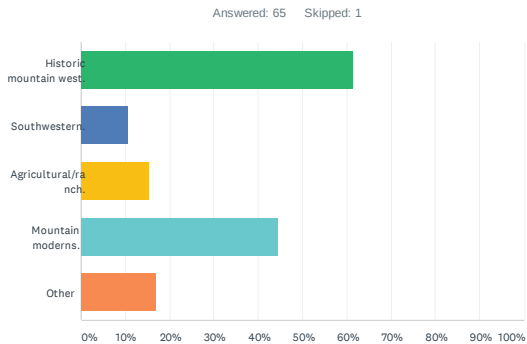
APPENDIX B - Public Survey and Results

Q22 Should the architectural style within the Town of Eagle be uniform throughout or mixed?



ANSWER CHOICES	RESPONSES
Uniform.	12.50%8
Mixed.	87.50%56
TOTAL	64

Q23 What would you prefer the Town of Eagle's architectural style be?



ANSWER CHOICES	RESPONSES
Historic mountain west.	61.54%40
Southwestern.	10.77%7
Agricultural/ranch.	15.38%10
Mountain moderns.	44.62%29
Other	16.92%11
Total Respondents: 65	

APPENDIX B - Public Outreach

Q24 Please share any other comments/questions/ideas you have about the East Eagle Subarea Plan.

- The I-70 interchange should be included in the Conceptual Land Use Diagram.
- Temporary land uses should not be considered in the EESAP.
- Commercial recreation should be a component of the plan and incorporated in the commercial land use categories.
- Would like to know the appropriate width for the wildlife movement corridor. Staff should consult with CPW and/or the Round Table.
- Avoid developments like East Avon and West Glenwood (not ideal entries to the communities or walkable).
- I would like to see residences for a variety of incomes. It would benefit the town to have some homes restricted to county residents and incentives to help families become homeowners (not investors renting out).
- The town of Eagle is the oldest in the Vail Valley and should reflect that history with its architecture. All of Eagle is a bit disjointed. This development will be one of the first things visitors will see. Let's make sure that it is a good introduction to our beautiful historic town. I would also like to see an In N Out and a Trader Joes ;D (No Chilis or Applebees :|).
- This area needs to reflect our Town and not just be the back side of a bunch of big boxes, it should accommodate work and live walking districts that tie in with the residential. It should have highway access and be coordinated, with design standards.
- Great survey. Bring more housing into Eagle to support our growing communities and help our businesses hire and retain a workforce. Mandate deed restriction units on developers to help build more affordable housing down the line. Without it, the housing units will become non-attainable in 10+ yrs for our workforce again. Aspen did a great job years ago creating these housing units and it's a driving factor for the vibrancy of their core downtown. Well done!
- Connecting the heart of the river to the soul of our valley should serve as a lead into future developments. What do the majority of residents or business owners approve of in their own neighborhoods? Can we make commercial areas more attractive with landscape, walking paths, dog parks and other amenities? Look at Stapleton and other areas that blend commercial and residential together well...it's a great vibe! Thanks for the survey!
- Developing all of East Eagle just helps the specialness of this town disappear.
- I really like what they have done with willits in basalt.
- As a local business and property owner please keep in mind the cost to business when imposing restrictions and changes. Small businesses are what pays for our government to operate!
- If there isn't room for yards within the residential area, there should be access to dog parks or areas. Also, please build units with 3 bedroom options. 2 bedrooms are not big enough for families. Also, they need to be affordable and available to only Eagle County residents or those who work exclusively in Eagle. Because, to be honest, anything over \$350K is NOT remotely affordable. These should NOT be second homes for rich people. We've been renting here for almost 2 years, and are still unable to buy anything because everything is too expensive. We would really like to stay, but we might have to move to Grand Junction to find anything remotely in our price range.
- If there's more residential development in this town, there needs to be another grocery store and post office at a minimum. Prefer not much more residential development due to current crowded essentials. But will definitely need another access to I-70, especially for those living in the south eastern part of town.
- I don't want to input additional restrictions on property owners. Part of what makes Eagle Eagle is that we are not Vail, Beaver Creek, or Breckenridge with design standards. We can be ourselves. If HOA's want to have design standards that's fine, but the Town shouldn't have them too. Don't add more regulations.
- This area should not have stand alone residential zones and only allow a slight increase in density to continue what was established

APPENDIX B - Public Outreach

on chambers already limited to employee and live work type multi family. To do otherwise is unjustified and changes the informed and careful direction of long range planning of the last 40 years for the Town.

- the existence of an interchange should be in place before any “digging” starts!
- I would rather the whole area were pastureland, but I know most of you are gung-ho for development -- another Edwards? Have you considered that with climate change and the drought this may not end up where people want to come. Where’s all the water going to come from?
- Zehren’s plan is more of the typical zoning . . . suggest a some “mod” and appropriate “live-work” and community center element/vibe with a designated “restaurant, patio, park . . .

APPENDIX C - Housing Snapshot (2021)

EXISTING HOUSING: Total of 2,252 Dwelling Units in October 2021

Breakdown By Housing Type

- 1,797 single family homes
- 143 accessory dwelling units (ADU's)
- 312 multifamily units

*Information based on TOE utility billing

APPROVED HOUSING: Total of 1,561 Dwelling Units in October 2021

Breakdown By Development

DEVELOPMENT	# OF UNITS	UNIT TYPE
Reserve at Hockett Gulch	500	High-density MF
Haymeadow	837	344 MF; 493 SF/Duplexes
** Red Mountain Ranch	153	Varies
410 Broadway	9	Mixed-use
106 Broadway	20	Mixed-use
Broadway Station	22	Mixed-use
Talon Flats	20	Mixed-use

EAGLE COUNTY HOUSING AUTHORITY DATA



2018 Eagle County Housing Study ([LINK](#))

Valley-wide need for housing estimated at 3,800 for 2020.



January 2019 Regional Workforce Housing Report

([LINK](#))

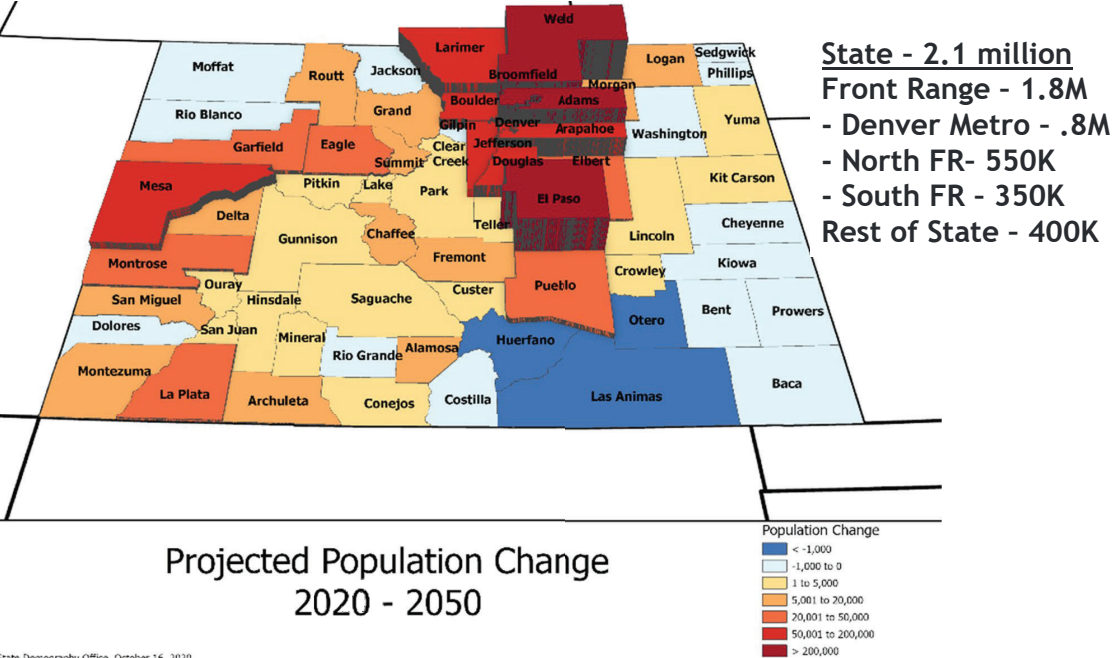
“Housing in the Eagle to Gypsum area is meeting housing demands from other parts of the region. This area contains 1,300 housing units that essentially meet housing demands emanating from other parts of the region. On the basis of affordability, however, the area has a small (200- unit) shortfall for households at 60 percent AMI and a 160-unit shortfall at 140 to 160 percent AMI. Those conditions, however, are likely to change over the next 10 years, when a 1,100-unit shortfall at 60 percent AMI and a 150 unit shortfall at 80 to 100 percent AMI are projected to emerge”.

** Red Mountain Ranch – Densities Per Planning Area (Dwelling Unit/Acre)

Planning Area 1	2.8
Planning Area 2	2
Planning Area 3	0.4
Planning Area 4	3.2
Planning Area 5	1.05
Planning Area 6	1.25

APPENDIX C - Housing Snapshot (2021)

Population Forecast 2050
7.9 million

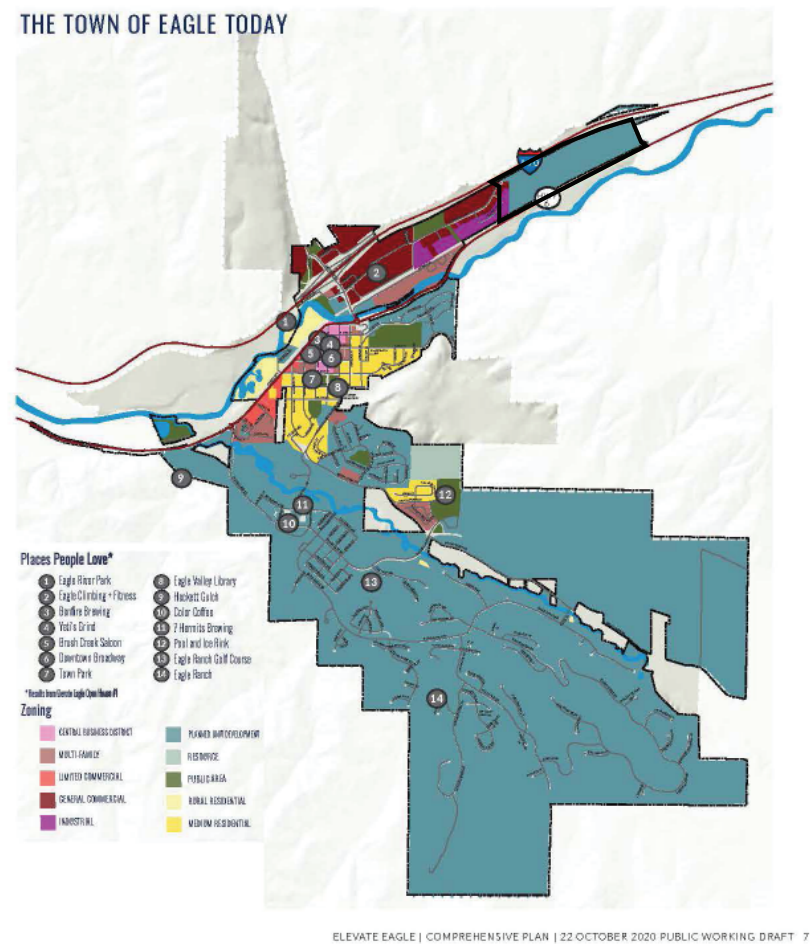


Of the 400k population growth anticipated outside of the Front Range by 2050, an estimated **20,001 – 50,000** will be in Eagle County.

State Demography Office, October 16, 2020

APPENDIX D - Zehren and Associates Packet

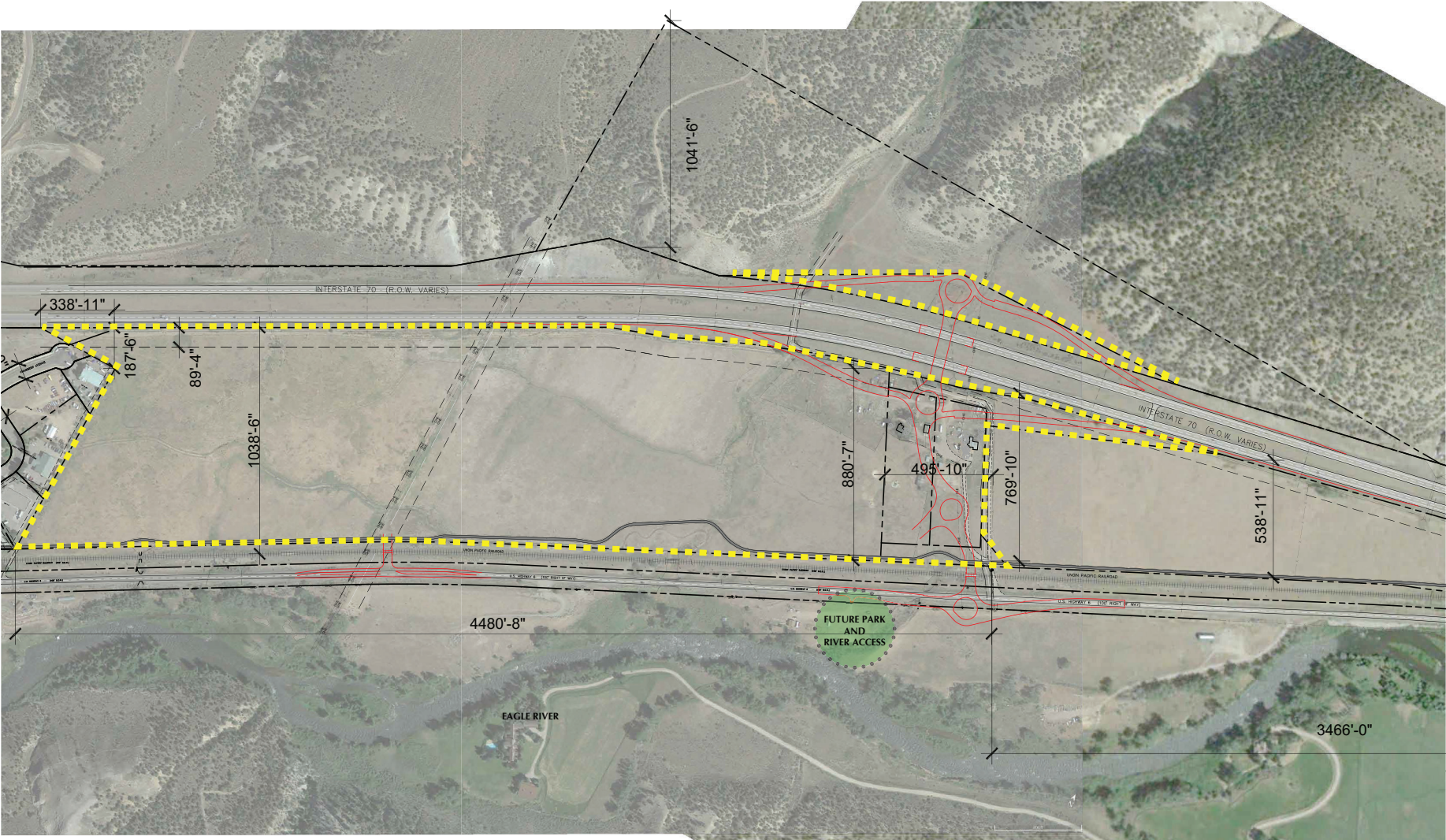
East Eagle Subarea Plan
Planning and Zoning Meeting



Prepared for the Town of Eagle

By Zehren and Associates
June 15, 2021

APPENDIX D - Zehren and Associates Packet

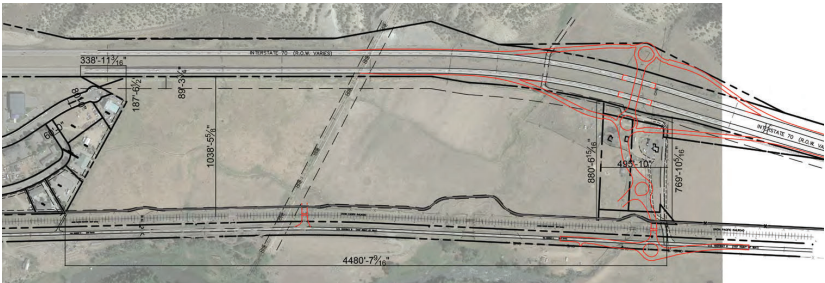


APPENDIX D - Zehren and Associates Packet

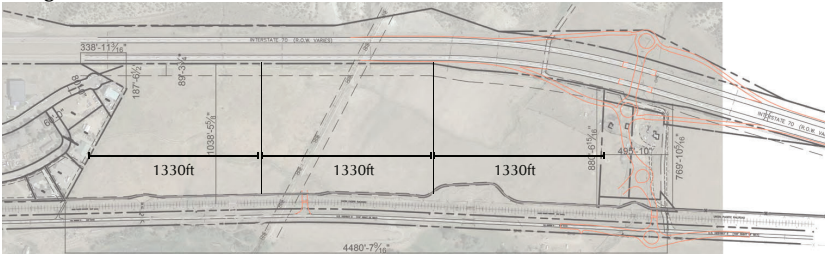


APPENDIX D - Zehren and Associates Packet

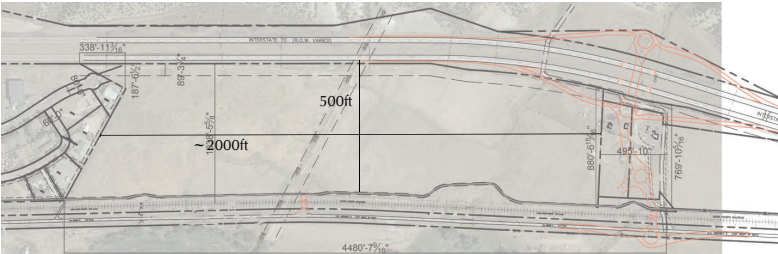
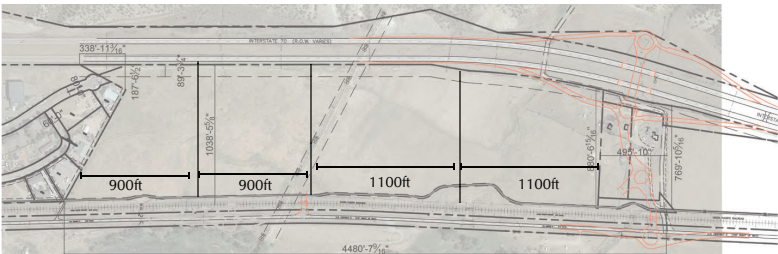
Site Map 1:400 scale 1 Acre



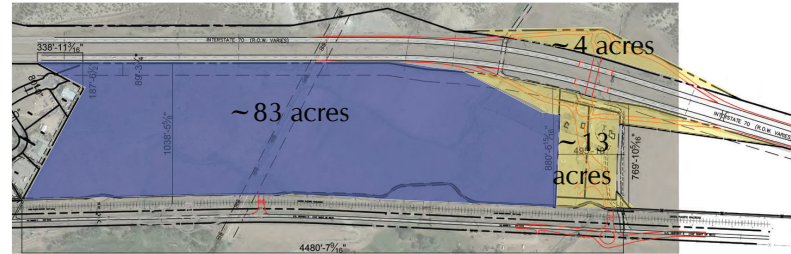
3 Segments



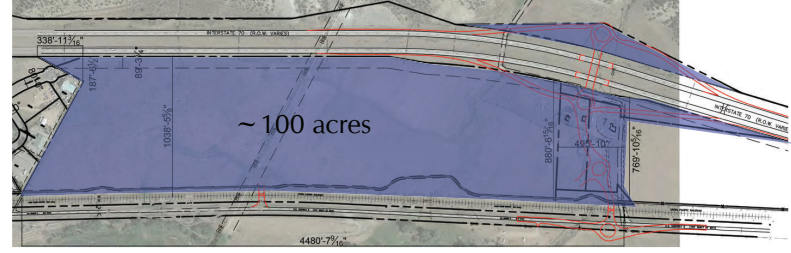
4 Segments



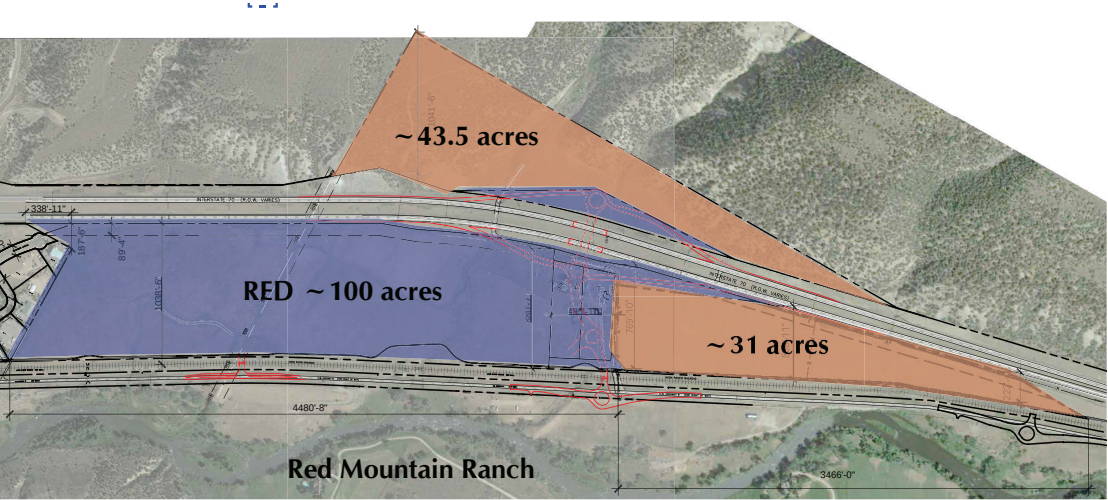
Area With Highway Interchange



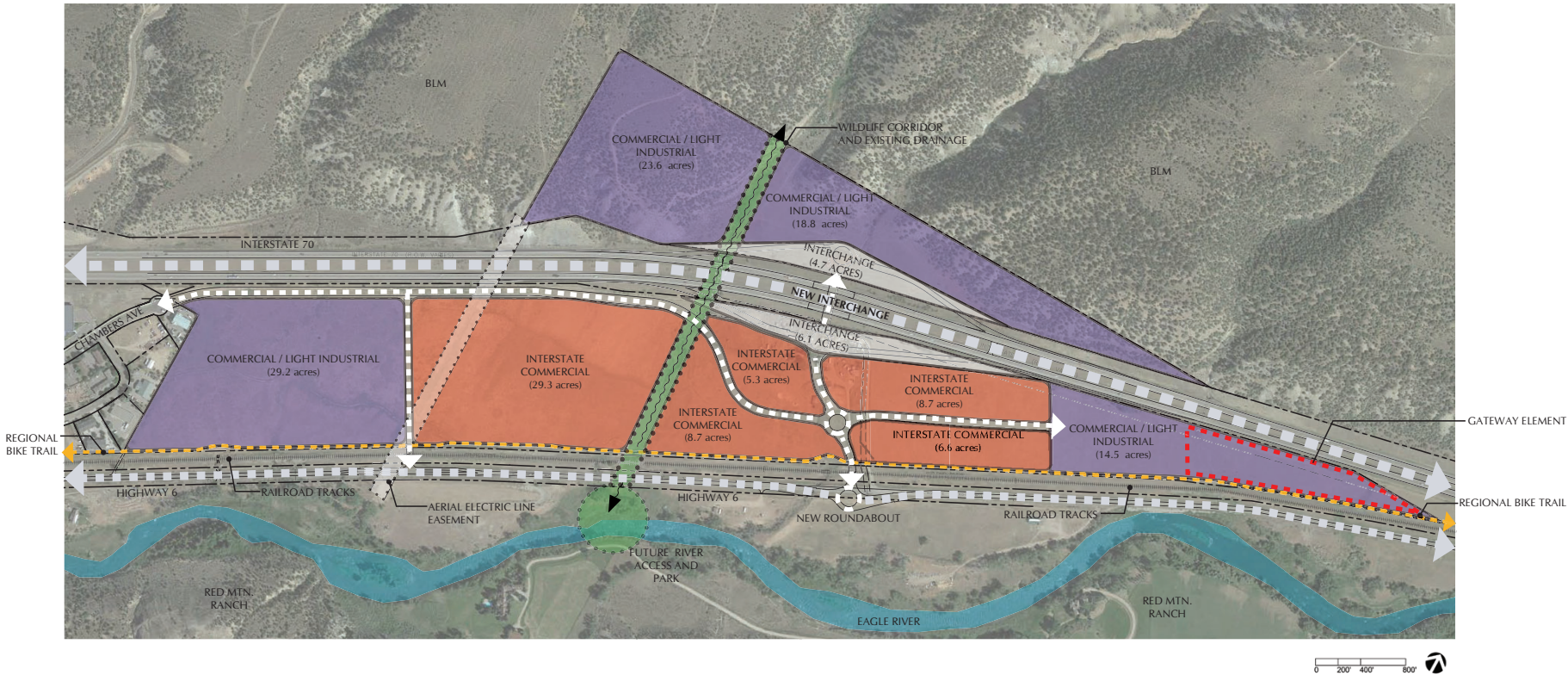
Area Without Highway Interchange



East Eagle Development 1 Acre

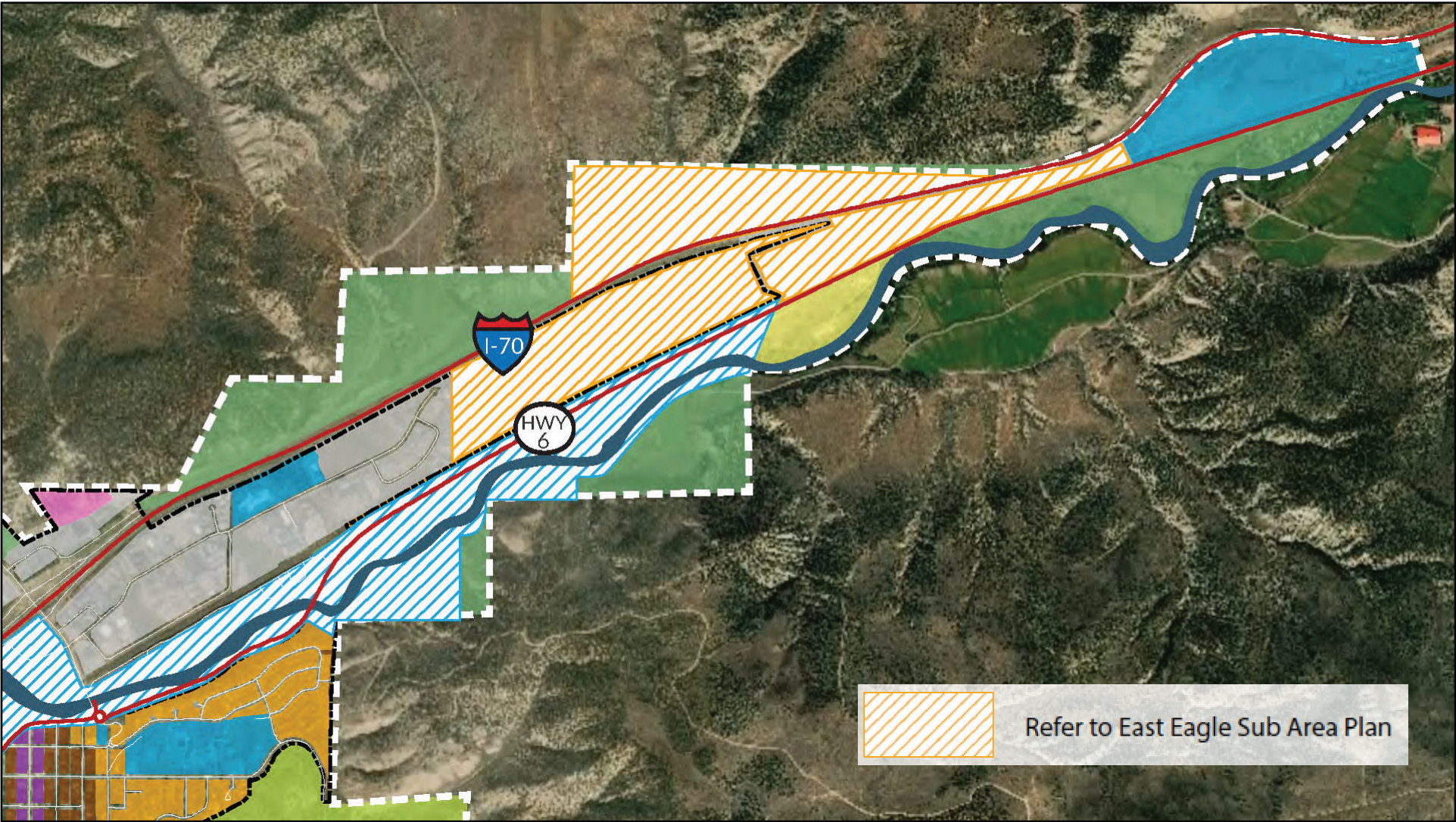


APPENDIX D - Zehren and Associates Packet



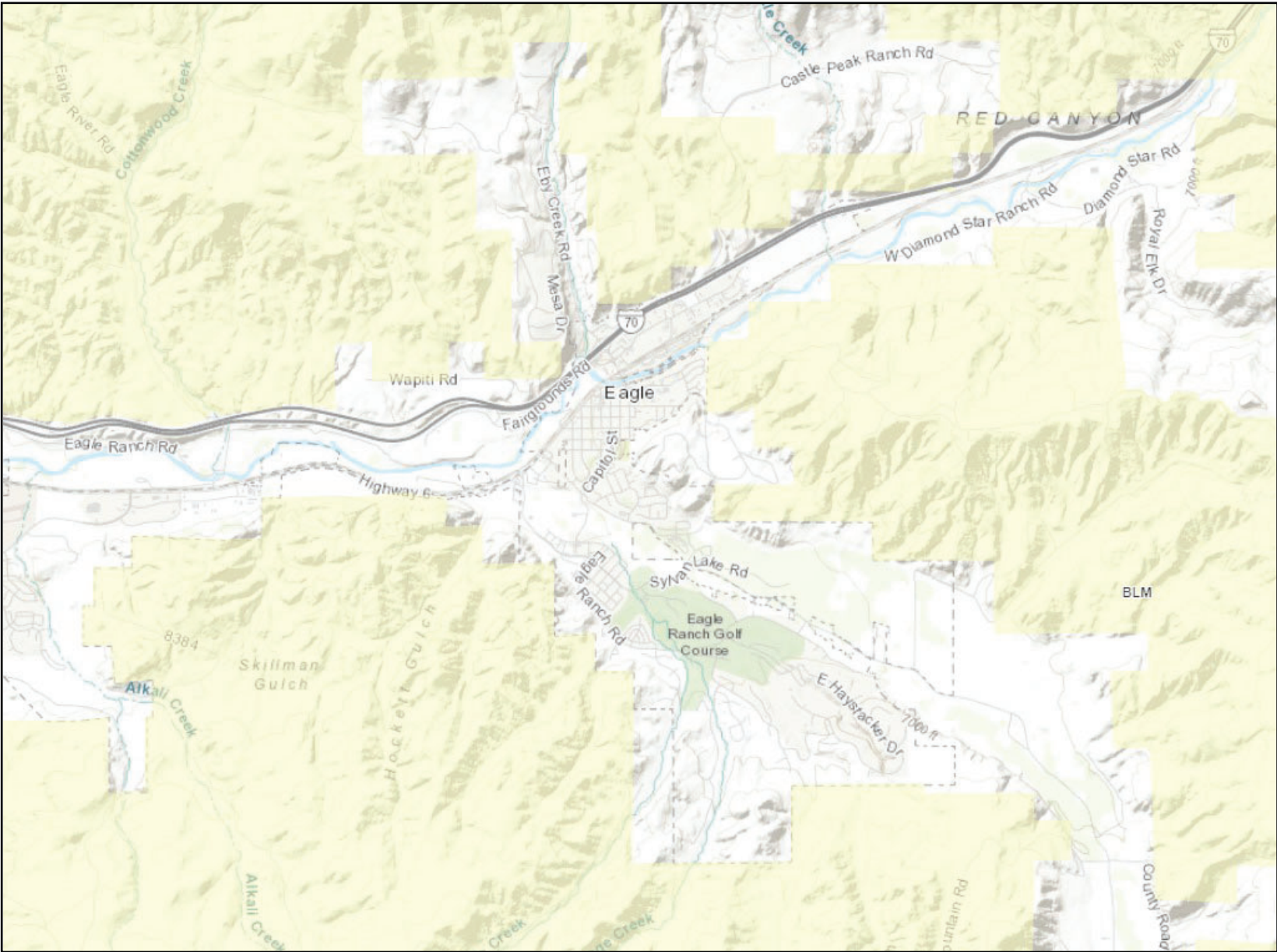
Future Land Use Diagram

APPENDIX E - Plan Graphics



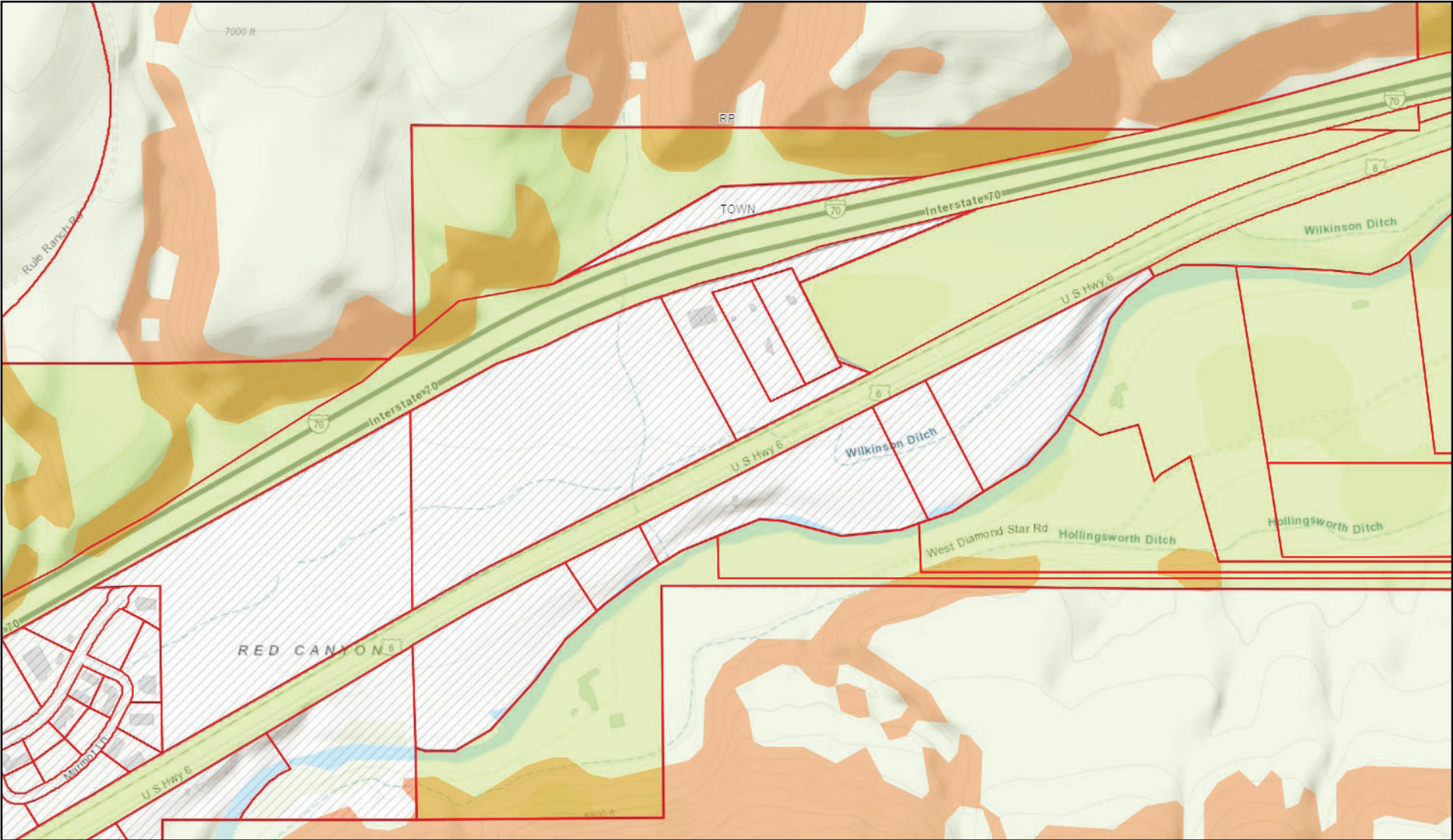
Graphic B

APPENDIX E - Plan Graphics



Graphic E

APPENDIX E - Plan Graphics



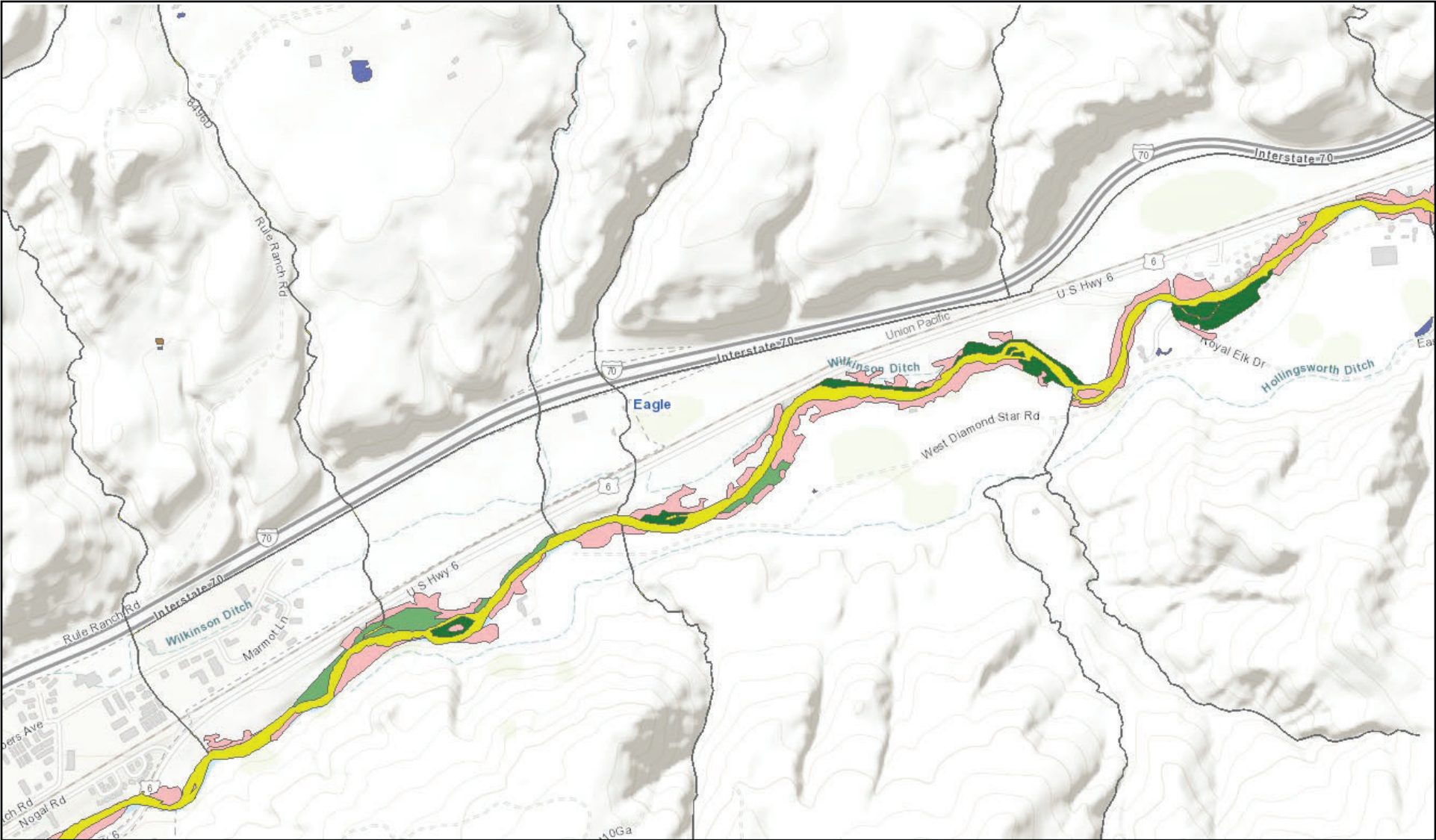
Graphic F

APPENDIX E - Plan Graphics



Graphic G

APPENDIX E - Plan Graphics



Graphic H

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 73
(Series of 2021)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
RATIFYING THE AMENDMENT OF THE EAST EAGLE SUB AREA PLAN

WHEREAS, pursuant to C.R.S. § 31-23-206, it is the duty of the Planning and Zoning Commission (the "Commission") to make and adopt a comprehensive plan, also known as a master plan, for the physical development of the municipality, including any areas outside its boundaries, which in the Commission's judgment bears relation to the planning of the Town;

WHEREAS, the adopted Elevate Eagle Comprehensive Plan (2020) defers to certain Sub Area Plans, such as the East Eagle Sub Area Plan (2021);

WHEREAS, on October 19, 2021, the Commission held a properly-noticed public hearing on the East Eagle Sub Area Plan (2021) and approved the East Eagle Sub Area Plan (2021); and

WHEREAS, on October 26, 2021 and November 9, 2021, the Town Council held a properly-noticed public hearing on the East Eagle Sub Area Plan (2021); and

WHEREAS, the Town Council wishes to ratify the Commission's approval of the East Eagle Sub Area Plan (2021).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. The East Eagle Sub Area Plan (2021) is hereby ratified.

INTRODUCED, READ, PASSED AND RATIFIED ON NOVEMBER 9, 2021.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Chad Phillips, A.I.C.P., Community Development Director

Date: November 9, 2021

Agenda Item: Discussion to consider amending Section 4.04.100.N concerning Accessory Dwelling Units

REQUEST: Staff has scheduled these discussions to get direction from the Planning and Zoning Commission (P&Z Commission) and Town Council and to take public input regarding the draft amendments to Section 4.04.100.N *Accessory apartments in owner-occupied single-family dwellings*. ([LINK](#))

BACKGROUND: Over the years, enforcement and interpretation of the section of the Development Code that includes the parameters for the development of accessory dwelling units (ADU) has been problematic because of the incomplete and unclear language. The areas staff proposes for amendment include 1) allowing ADUs to be detached from the primary dwelling, 2) increasing the size of the ADU from 700 to 800 square feet, and 3) clearly describing how that square footage is measured. If this language is approved, staff anticipated efficiency and consistency in the application of this section as well as having the ADU standards better reflect the needs of the community.

The intent of these amendments is to provide some flexibility and clarity. With the ongoing Development Code update process, these changes are proposed as quick fixes to reflect current citizen concerns. Any lingering issues associated with ADU's can be addressed though the update process being carried out by the Town and Clarion Associates.

ANALYSIS: As the community's need for all types of housing increases, so does the need for modifying the Development Code to meet such demand. Rationale for the changes are as follows:

1. Detached. Staff has interpreted the existing language to exclude the approval of detached ADUs unless it is within an Accessory Structure, such as a detached garage. Staff believes that the requirement was originally drafted like this to limit the proliferation of structures on lots and to hide the ADU either within the primary dwelling or within a detached garage, workshop, etc. Staff now believes that the need for housing, in addition to the community's shift to allowing more density, has resulted in this draft amendment to allow detached ADUs without the requirement that they be located within an Accessory Structure.
2. Increase in square footage. The increase from 700 to 800 square feet allows for more flexibility in design for either a bigger bedroom or even two small bedrooms or bedroom with an office/den. This expansion makes it more accommodating for couples or even a couple with a child.
3. Measuring the square footage of the ADU. Historically, the Town has used the language in the Uniform Building Code (UBC) to measure proposed ADU's. A complaint that staff has heard from architects and landowners is that the UBC's parameters for measurement are too restrictive and should not be used for ADUs. With this in mind, staff has drafted language that is more liberal than the existing. The proposal includes clarification like measuring from interior wall to interior wall and excluding features like stairs and mechanical rooms.

The *existing language* is as follows. Plain font reflects language left as-is. **Bold** font shows new wording. ~~Strikethrough~~ indicated wording removed.

N. Accessory **Dwelling Unit (ADU)** ~~apartments in owner-occupied single-family dwellings. An owner or owners of a single-family dwelling in residential zone districts may construct and/or permit the occupancy of an accessory dwelling unit~~ **An ADU is allowed** in such a single-family dwelling, attached to a single-family dwelling, ~~or in an accessory building,~~ **or detached from the primary dwelling** providing that the following conditions are met:

1. ~~The accessory apartment~~ **ADU** will be a complete, separate housekeeping unit that can be isolated from the ~~primary original unit~~ **or in a location detached from the primary dwelling.**
2. ~~The ADU shall include its own independent access. Separate outside access shall be created; provided, however, one airlock type entry may be used if separate access to the accessory apartment exists following the initial outside entry.~~
3. The owners of the ~~property residence~~ in which the **ADU** ~~accessory unit is created~~ **located** shall occupy at least one of the dwelling units on the premises **as a full-time residence** except for bona fide temporary absences.
4. ~~The ADU accessory apartment~~ shall be designed so that, to the degree reasonably feasible, the appearance of the ~~lot building remains that of~~ **is that of containing just** a single-family residence. In general, ~~new ADU~~ entrances shall be located on the side or the rear of the building.
5. Maximum lot coverage and maximum floor area ratios may not be exceeded.
6. Off-street parking spaces shall be provided pursuant to [Section 4.07.140](#).
7. The design and size of the ~~ADU apartment~~ shall conform to all other applicable standards and requirements.
8. ~~The accessory unit ADU shall not exceed 700 gross~~ **800 square feet, as defined by the currently adopted edition of the Uniform Building Code using the following means of measurement: measure the area within the inside face of the perimeter walls of the ADU, including habitable space in the basement but excluding stairs, typical mechanical rooms, garages, and decks and porches that are not enclosed.**

The schedule for the adoption of the amendments to Section 4.04.100.N is as follows:

- November 2, 2021 - P&Z Commission work session
- November 9, 2021 - Town Council discussion
- November 16, 2021 - P&Z Commission recommendation
- December 14, 2021 – Town Council adoption

Comments from the November 2, 2021 P&Z Commission work session are attached and comments will be summarized during the staff presentation.

COMMUNITY INPUT: One public comment has been received and is included in the packet. Staff anticipates additional public comment throughout this amendment process.

BUDGET / STAFF IMPACT: There should not be any impacts to the budget. It is anticipated that, with the adoption of the suggested revisions, that staff will see a decrease in time spend enforcing/interpreting the ADU requirements.

RECOMMENDED ACTION OR PROPOSED MOTION: No motion is required. Please provide staff comments and direction on the suggested amendments.

ATTACHMENTS:

- Draft P&Z Commission Minutes dated November 2, 2021
- Public Comment



Planning & Zoning Commission Meeting Minutes
Tuesday, November 2, 2021, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI - TOEE – ((TOEEWireless))

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with access for the public to attend via Zoom.

6:00 PM – REGULAR MEETING CALLED TO ORDER

Chair Hood called the meeting to order at 6:00 PM.

COMMISSIONERS PRESENT

Matthew Hood, Kyle Hoiland, Bill Nutkins,
Charlie Perkins, Robert Townsend,
Keegan Winkeller, Lani Webb (via Zoom)

STAFF

Chad Phillips – Community Development Director
Dennis Wike – Town Engineer
Peyton Heitzman – Planner I
Nikki Davis – Administrative Tech II

COMMISSIONERS ABSENT

Jesse Gregg

APPROVAL OF MINUTES *Approval of minutes from the following meeting(s) of the Planning & Zoning Commission.*

1. Minutes dated October 19, 2021

Minutes tabled until November 16, 2021.

PUBLIC COMMENT *Citizens are invited to comment on any item not on the agenda subject to a public hearing. Please limit your comments to three (3) minutes per person. Those who are speaking are requested to state their name & address for the record.*

Public comment opened at 6:01 PM. There was no public comment.

PUBLIC HEARINGS

1. Project: Eagle County Schools Housing
File #: RZ21-02 and S21-01
Applicant: Tom Braun of Braun Associates, Inc. on behalf of Eagle County Schools
Location: 747 E 3rd Street
Staff Contact: Peyton Heitzman, Planner I
Request: Rezoning of a 2.2-acre parcel from Public Area to Residential Medium and a Sketch Plan Subdivision for a residential development (16 units) at the west end of the 3rd Street Campus.

Ms. Heitzman presented this file. There are two parts to this application. There are 4 conditions for rezoning in the Land Use Code: compatibility, was the property previously zoned in error or existing zoning inconsistent with the Town's goals and policies, substantial change to the area to better meet the needs of the community or rezoning incidental to revision of zoning map. Staff recommends denial.

Second portion of this file is for a sketch plan subdivision. Eagle County Schools (ECS) is partnering with Habitat with Humanity (Habitat) to construct 8 duplexes. Sketch plan subdivision is very conceptual, staff and applicant are looking for feedback.

Keegan – where are we in the process of lot lines. Chad anticipates that we'll receive all at the same time.

Applicant, Tom Braun, also presented. Also accompanied by - - - from Habitat. On average, teachers are here for 3 years until they move away due to lack of housing options. The parcel of land already has infrastructure, roads, etc.. ECS and Habitat have collaborated on a housing project before. The project housed 12 district families. Habitat typically identifies families in the 35-80% AMI. Targeting 75% of these units to the 80-100% AMI, 25% will go into general distribution.

(John) Habitat has been in Eagle for 14 years, since the establishment of The Bluffs. Always looking for community partnership opportunities.

In 2020, ECS adopted an employee housing master plan. 120 new housing opportunities between Gypsum and Edwards. Habitat would be more comfortable investing in studies if they knew the rezoning is approved.

The selected 2.2 acres has been selected to not disrupt school and athletics operations. There is a football field next to the parcel. The sketch plan ensures that applicant is pursuing the right designs. Sketch plan is likely going to change once architect and engineers begin to be involved.

The selected 2.2 acres is compatible with the existing housing in the area.

Believes rezoning meets the new Public/Institutional definition that speaks to on-site employee housing. Also flexible interpretation. Supports the vision of the Town: workforce housing, collaborating with community partners, residential infill that blends with surrounding neighborhoods, expand public transportation.

Section 4.04.030. poses a challenge and applicant disagrees with Town attorney's interpretation.

Q & A

Kyle – does this application require noticing to adjacent public owners. Staff confirmed a mailing + notice in the newspaper. We are changing the process for this applicant, are we opening the door for other applicants.

Keegan disagrees that we don't have to accommodate the same variance to future applicants.

Staff confirmed applicant is

Bill – how conceptual is this layout? Looking at proximities to buildings look haphazard. Tom confirmed the nearest school building is further north but the units will likely be moved around based on topography and efficient construction.

Charlie - How do emergency vehicles maneuver down this street. Tom said there is a specific turnaround for this.

Lani – Where is all the parking? Tom commented that the design meets the minimum parking requirements per unit.

Bill – Are they 2 or 3 bedroom units. They are 3 bedroom units.

Bob – Guest parking?

Matt – Compatibility between fire station and residential uses. Tom views this as a positive, there are residential uses down the street from the fire station. What are staff's concerns with approving this with conditions on the final plat. Can't condition a rezoning according to attorney.

Keegan – Without legal description, approving this seems open-ended. How do we approve rezoning if we don't have boundaries for it. Applicants will obtain surveyor stamped. Establish a condition for planning commission to pass to Town Council?

Charlie – Can applicant address ADA provisions in their plan. Chad said this type of project would trigger minor development permit and that's when these details will be addressed.

Public Comment

Rick Beveridge, 306 Howard – This is the type of concept PZ needs to approve before applicant spends thousands of dollars. From applicant's standpoint, this seems short-sided. A two-acre site can handle more than the 16 units proposed, potentially up to 24 units. Why not increase the zoning? Their Gypsum project was well managed and fiscally. Also believes access can be increased.

Brenda S. – Born and raised in Eagle County. Applied to Habitat and ... Works as an advocate for young children and their families.

Public comment closed at 6:52 PM.

Discussion

Chair Hood excused himself during Commission discussion for a family emergency. Chair Hood appointed Commissioner Hoiland to serve as Chair for the remainder of the meeting.

Bill – Referenced the 8/31 meeting. The sentiment of the board for on-site housing was to create it specifically for the teachers. The housing language should be specific to Eagle County school district. Chad commented that the application was submitted before the FLUM amendments were adopted therefore they are applying under the previous plan. Based on the current guidelines, it is compatible.

Kyle – Also in support of this request. Likes the collaboration. Good balance to meet the need of retaining teachers and creating housing opportunities.

Bob – Supports rezoning but applicant needs to meet the code to be rezoned. Technically the application does not meet that criteria at this time. But will follow staff recommendation to deny zone change.

Kyle & Chad -

Keegan – We might be able to provide a condition where they provide a legal description to PZ prior to going to Town Council. Bob agrees this would be satisfactory.

Charlie - Everyone recognizes the necessity for this project. In favor of approval with condition that a legal description for the final plat be submitted and recorded prior to this application going to Council.

Keegan / Bill (prior to Lani) –

Lani – supports this project. Increasing units and parking can be addressed at a later time, we are just in the beginning phases of this project.

Tom Braun – Agrees with Bill’s comment that these units should be for district staff. But Habitat serves the whole community. Feels confident that they can provide the legal description. Asking for positive recommendation to Council.

Keegan –

MOTION: COMMISSIONER CHARLIE PERKINS MOTIONED TO APPROVE FILE # RZ21-02, CONTINGENT UPON THE APPLICANT PROVIDING A RECORDED FINAL PLAT OR LEGAL DESCRIPTION PRIOR TO A TOWN COUNCIL PUBLIC HEARING. MOTION WAS SECONDED BY COMMISSIONER KEEGAN WINKELLER AND PASSED WITH A VOTE OF 6 IN FAVOR (WEBB, TOWNSEND, PERKINS, NUTKINS, HOILAND, WINKELLER) IN FAVOR AND 0 OPPOSED.

MOTION: COMMISSIONER CHARLIE PERKINS MOTIONED TO APPROVE FILE # S21-01 SKETCH PLAN. MOTION WAS SECONDED BY COMMISSIONER ROBERT TOWNSEND AND PASSED WITH A VOTE OF 6 IN FAVOR (WEBB, TOWNSEND, PERKINS, NUTKINS, HOILAND, WINKELLER) IN FAVOR AND 0 OPPOSED.

Commissioner Hoiland closed file RZ21-02 and S21-01.

2. Project: Work Session to amend Section 4.04.100.N concerning Accessory Dwelling Units
 File #: LURA21-06
 Applicant: Town of Eagle
 Location: Town of Eagle
 Staff Contact: Chad Phillips, Community Development Director/Town Planner
 Request: To get direction from the Planning and Zoning Commission and to take public input regarding the draft amendments to Section 4.04.100.N *Accessory apartments in owner-occupied single-family dwellings*.

Mr. Phillips presented this file. He began by stating staff’s primary intention is to complete the amendments quickly for the community, then have Clarion oversee remaining aspects that require further evaluation. Mr. Phillips added there continues to be a difference of interpretation which has been problematic. With the immediate need for affordable housing, there is an increased level of urgency to make accessory dwelling units (ADUs) accessible. Through this work session, staff is seeking direction to amend the section language.

Public Comment

Rick Beveridge, 306 Howard Street – Mr. Beveridge owns several lots in Eagle. He believes the ADU size can be increased from 700 sq. ft. and that lot size as well as setbacks should be considered when determining the new square footage standard. Mr. Beveridge also expressed that measuring an ADU should exclude exterior stairs. Mr. Beveridge's other comments included a request to make exceptions for setbacks on corner lots, consider ADUs both with and without a garage, and to prohibit short-term rentals in ADUs.

Darryl Lundholm, 102 E Seventh Street – Mr. Lundholm asked for a copy of the presentation and provided his email address to staff.

Rick Pylman, 45 Creamery Trail – Mr. Pylman is a representative of the Haymeadow project. Mr. Pylman suggested focusing on condition #4 of the section. He believes it is too subjective.

Commissioner Nutkins asked if these standards only apply to residential areas and Mr. Phillips replied, yes.

Public comment closed at 7:37 PM.

Discussion

Following Public Comment, the Commission examined the 8 amended standards and provided additional feedback. A variety of questions regarding parking, where an ADU should be located on the lot if it is detached, and prohibiting short-term rentals in ADUs was discussed.

Commissioner Perkins commented that detaching the ADU from the primary residence allows the occupant certain liberties and was in favor of units above detached garages.

Commissioner Winkeller asked if the language should include regulations that restrict or prohibit short-term rentals and Mr. Phillips replied by asking if this would get in the way of making units available. Commissioner Webb commented that it would encourage the community to follow the rules. Several Commissioners were in favor of striking condition #3 altogether and drafting new language to prohibit short-term rentals in ADUs.

Commissioner Perkins asked if a homeowners' association (HOA) can supersede these conditions and Mr. Phillips replied an HOA can only provide standards more restrictive than the Town's.

Commissioners Winkeller and Nutkins suggested increasing the 800 square feet standard. And/or, adjusting other aspects of condition #8 that speak to how the area is measured.

The Commission and staff agreed on the following revised language:

N. Accessory Dwelling Unit (ADU). An ADU is allowed in a single-family dwelling, attached to a single-family dwelling, in an accessory building, or detached from the primary dwelling providing that the following conditions are met:

- 1. The ADU will be a complete, separate dwelling unit that can be isolated from the primary unit or in a location detached from the primary dwelling.*
- 2. The ADU shall include its own independent access.*
- 3. [Language will be replaced with a standard that explicitly prohibits short-term rentals in ADUs].*

4. *The primary dwelling unit and ADU shall be designed to have an appearance of a single-family home. In the condition of a detached ADU, the ADU will be situated on the rear half of the lot. [Additional standards should be incorporated to address corner lot homes].*
5. *Maximum lot coverage and maximum floor area ratios may not be exceeded.*
6. *Off-street parking spaces shall be provided pursuant to Section 4.07.140.*
7. *The design and size of the ADU shall conform to all other applicable standards and requirements.*
8. *The ADU shall not exceed 800 square feet using the following means of measurement: measure the area within the inside face of the perimeter walls of the ADU, including habitable space in the basement but excluding stairs, typically mechanical rooms, garages, and decks and porches that are not enclosed.*

Commissioner Hoiland closed file LURA21-06.

3. Project: Eagle Sinclair Station Drive Through and Building Addition
 File #: DR21-01 and V21-01
 Applicant: Turnipseed AIA Architecture + Constructions Inc. representing Ed Oyler
 Location: 131 Chambers Avenue
 Staff Contact: Peyton Heitzman, Planner I
 Request: 1) A Minor Development Permit with design variances for a building addition and drive through window on the southeast side of the existing building and 2) a Zoning Variance for increased impervious surface coverage beyond what is allowed for in the Commercial General zone district.

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO CONTINUE FILE # DR21-01 AND V21-01, THE DEVELOPMENT PERMIT AND ZONING VARIANCE FOR 131 CHAMBERS AVENUE TO THE NOVEMBER 16TH, 2021, PLANNING AND ZONING COMMISSION MEETING. MOTION WAS SECONDED BY COMMISSIONER CHARLIE PERKINS AND PASSED WITH A VOTE OF 6 IN FAVOR (WEBB, TOWNSEND, PERKINS, NUTKINS, HOILAND, WINKELLER) AND 0 OPPOSED.

Commissioner Hoiland closed files DR21-01 and V21-01.

OPEN DISCUSSION

There were no further comments or discussion items.

ADJOURN

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO ADJOURN. THE MOTION WAS SECONDED BY COMMISSIONER ROBERT TOWNSEND AND PASSED WITH A VOTE OF 6 IN FAVOR (WEBB, TOWNSEND, PERKINS, NUTKINS, HOILAND, WINKELLER) AND 0 OPPOSED.

MEETING ADJOURNED AT 8:15 PM.

APPROVED:

DATE:

Matthew Hood, Chairman

Nikki Davis, Administrative Tech II

DRAFT

From: [Dominic Mauriello](#)
To: [Chad Phillips](#); [Jessica Lake](#); [Nikki Davis](#)
Cc: [Matt Mire](#); [Kendra Carberry](#); [Scott Turnipseed](#)
Subject: Accessory Dwelling Unit - Worksession
Date: Tuesday, November 2, 2021 3:12:08 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Town Planners:

Please share this email with the Planning and Zoning Commission for the hearing tonight. Since this is legislation it is perfectly acceptable to include or share this email with the P&Z and Town Council.

I think it is great that the Town is addressing the requirements for Accessory Apartments (aka, Accessory Dwelling Units). The current provisions of the code are outdated and somewhat restrictive.

I often have trouble with the notion that a poor staff interpretation of a regulation that is pretty black and white is being relied upon rather than simply changing the interpretation in favor of the clear language of the code.

The code language regarding accessory apartments and accessory buildings is pretty clear that it is allowed to be detached under the current regulations.

The code states in part (Section 4.04.100 N): Accessory apartments in owner-occupied single-family dwellings. An owner or owners of a single-family dwelling in residential zone districts may construct and/or permit the occupancy of an accessory dwelling unit in such a single-family dwelling, attached to a single-family dwelling, **or in an accessory building**, providing that the following conditions are met:

Additionally, the definition of "Accessory apartments in owner-occupied single-family dwellings" is: Accessory apartment to owner-occupied single-family dwelling means an individual dwelling unit subordinate to, and contained within or **adjacent to**, a single-family dwelling.

Further the definition of accessory building is: Accessory building or structure means a **detached subordinate building** located on the same lot as the principal building, the use of which is incidental and subordinate to and customarily associated with the principal building or use of the lot.

The definition of an accessory use is: Accessory use means a use subordinate to and customarily associated with the use of the lot.

Clearly, it must be interpreted today that an accessory apartment can be detached from the single-family home and is an accessory building that is clear subordinate to the primary use of the lot as a single-family house. There is no requirement that an accessory building be a garage or tool shed.

I thought it would be a good idea to understand that what is being proposed is not a departure from what the code allows today, despite it being interpreted differently now or in the past.

In terms of the other changes to standards for an ADU, I believe the list of standards needs to be refined to only those issues that are critical. The Code does not need to repeat the requirements of other sections of the Code. Provisions 4, 5, 6, and 7 should be deleted as they have no real value and are addressed in other sections of the Code.

Provision #3 is trying to get at an issue that is important and that is that there should not be two rental units on the property. So one of the units either needs to be for the use of the owner so that there is only one unit being rented. The provision needs to be open enough so that if the owner is not in occupancy, and the ADU is rented, then the unit intended for the occupancy by the owner must remain not leased.

We also agree that the floor area should be increased. The Eagle Ranch POA has gone through several meetings and discussion on the size of a unit and landed on 850 sq. ft. as a reasonable number for a livable unit.

Below is the most recent language being proposed by Eagle Ranch related to a PUD amendment that the P&Z will hear at the next meeting. I'd like to suggest that the Town use this same language:

Accessory apartment to owner-occupied single-family dwelling means an individual dwelling unit subordinate to, and contained within or adjacent to, a single-family dwelling as may be further regulated in the Eagle Ranch Design Guidelines, subject to the following requirements:

- 1. The accessory apartment will be a complete, separate housekeeping unit.**
- 2. The owners of the residence in which the accessory unit is created shall occupy at least one of the dwelling units on the premises except for temporary absences, during which time the owner-occupied dwelling unit shall remain unoccupied.**
- 3. The accessory unit shall not exceed 850 square feet of floor area (as defined by the Town Code) with a maximum of one-bedroom.**
- 4. The accessory apartment shall not be leased for periods of less than 28 days.**

Thanks,

Dominic F. Mauriello, AICP

Mauriello Planning Group, LLC

PO Box 4777

2205 Eagle Ranch Road

Eagle, Colorado 81631

970-376-3318 cell



To: Mayor and Town Council

From: Brandy Reitter, Town Manager
Kelly Huitt, Senior Accountant

Date: October 26, 2021

Agenda Item: 2022 Proposed Budget Discussion

REQUEST: Staff requests that the Town Council review changes to the 2022 Proposed Budget from October 26 and feedback requested of staff.

BACKGROUND: The Town Manager presented the 2020 Proposed Budget on October 12, 2021. The Town Council gave feedback on changes on October 26 and requested information that is included in this memo. The last steps in the process are provided below on December 14.

December 14 – Public Hearing on the Budget

- Adopt 2020 Audit
- Adopt 2022 Budget
- Adopt Mill Levy
- Approve appropriation of the budget
- Certify the 2022 Budget

ANALYSIS:

Provided in the analysis below are the changes that exceed 10% or \$15,000 that was included in the budget from October 26, 2022.

General Fund Changes:

- \$189,851 increase in 2021 sales tax revenue
- \$201,242 increase in 2022 sales tax revenue
- \$25,000 increase for DDA work plan
- \$15,000 increase for HR recruiting services
- \$102,532 increase for records/evidence specialist for PD
- \$14,964 increase for expenses associated with records/evidence specialist for PD and officers
- \$17,868 increase in CIRS insurance
- \$34,624 increase in tech support for a new contract in 2022
- -\$21,332 decrease in GIS set up due to being allocated to water and wastewater enterprises

With these changes, the General Fund has a net surplus of \$142,957.

Open Space Changes:

- \$60,000 increase for Haymaker Trailhead site plan

With these changes, the General Fund has a net deficit of -\$109,779.

Changes to the STCIF:

- \$265,331 increase in revised construction costs for 2022.

With these changes, the STCIF has a net deficit of -\$153,125.

Based on feedback from the Town Council, staff has attached a staffing plan from community development and a headcount comparison from neighboring communities for informational purposes.

COMMUNITY INPUT: Community input has not been received at this point; however, the community will have a chance to provide feedback during budget hearings.

BUDGET/STAFF IMPACT: N/A

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: The 2022 Proposed Budget reflects all the business values and helps accomplish the major objectives prioritized by the Town Council.

RECOMMENDED ACTION OR PROPOSED MOTION:

Provide staff with feedback on the 2022 Proposed Budget and Fee Schedule.

ATTACHMENTS:

- Community Development Staffing Plan
- Headcount comparisons from other Communities



To: Brandy Reitter, Town Manager

From: Chad Phillips, A.I.C.P., Community Development Director

Date: November 9, 2021

Subject: Community Development Department Staffing

In preparation for the adoption of the 2022 Town of Eagle Budget, along with recent comments from the Town Council regarding the Community Development Department's (ComDev) level of service, I have prepared this memo that reflects current staffing and proposed staff restructuring.

EXISTING

Currently, ComDev staff is made up of:

- Director – Chad Phillips
- Building Official – Charlie Davis
- Admin Tech II – Nikki Davis
- Planner I – Peyton Heitzman
- Planner I – Jessica Lake
- Permit Tech – Jackie VanEyll
- Code Enforcement Specialist – vacant

All of the above positions are full-time except for Jessica Lake, who typically works no more than 30 hours per week and recently much less. As seen in the monthly department reports to Council, Building and Planning are experiencing a high volume of applications and projects. To assist in maintaining a high level of service to the community during such busy times, ComDev has utilized the services of McCool Development Solutions to process applications and work on long-range planning projects such as the parking fee-in-lieu ordinance. Carrie McCool has historically taken on more workload but had to scale back hours spent on Eagle projects because of planner staffing problems at her firm. A consultant was also selected to assist the Town with the recent Wireless Communications Facilities ordinance. These situations have resulted in the staff's recent posting a Request for Proposals (RFP) to search for another consultant who can assist with projects.

With the demand put on ComDev from the construction community, Charlie and Jackie are under stress to complete permits and inspections promptly. While smaller building permit applications can still be issued in approximately one week, larger projects like 410 Broadway can take approximately six weeks to process – and that is with the help of a 3rd party plans examiner. With ongoing projects like Reserve at Hockett Gulch, Grand Avenue redevelopment, East and West Eagle

development, Haymeadow, and Eagle Ranch buildout, any type of slowdown is not anticipated soon.

With the departure of Adrian Loera, Code Enforcement duties will once again fall to other ComDev staff until a replacement is in the office.

PROPOSED

With the current uncertainty associated with consultant support (and additional costs to the applicants and Town), I am proposing modifying/supplementing the ComDev team to get closer to meeting the workload demands placed on us:

Existing

- Director – full time
- Building Official – full time
- Permit Tech – full time
- Planner I – full time
- Admin Tech II – full time
- Code Enforcement Specialist – full time

Proposed

- Existing Planner I – reduced to budgeted part-time
- New Planner III – full time
- New Building Plans Examiner – full time

New Plans Examiner (PE) – Currently, Charlie provides all of the plans examiner duties (except for large projects). Having a staff PE would not only relieve the Town some of the necessity to rely on outside consultants, but it would give Charlie more time to focus on inspections and supervisor duties. The result on the level of service would not only be the ability to more consistently turn applications around quicker, but also focus on other tasks such as updating the building code and providing better communication to the construction community with tools such as the Construction Trades Information Exchange (CTIX). The PE workspace would be located either in a new cubicle in ComDev or possibly the north office (formerly the space occupied by Brian Hall).

New Planner III (P3)– Along with the addition of a Planner III (Senior Planner), the Planner I position would be formally reduced to part-time. This reduction would better reflect the actual work time performed by Jessica. The benefits of having a second full-time planner include 1) increase the ability to process applications and long-range projects with a quicker time to decision, 2) reducing the dependence on planning consultants, and 3) reduce the time that I spend on current planning applications so that I can focus on management duties and training. The benefits of having a senior planner on staff include having a second planner training the junior planners and having a knowledgeable/experienced planner to run ComDev in my absence (sick, vacations, etc.). The P3 workspace will be located in the cubicle next to the director’s office. While this workspace has Jessica’s name on it, she has not worked in this space in the 1 ½ years since I have been in the office. Jessica (the P1) will continue to work remotely.

STATUS QUO

Should Council decide not to increase staffing in ComDev, this would put the Town in the position of relying on consultant support to maintain our expected high level of service. The pressure

placed upon a staff to maintain even the existing level of service (which is not at a level that meets my expectations) could result in the historic pattern of frequent employee turnover. The challenge of meeting expected service levels is made increasingly difficult with necessary time spent on other non-core projects (applications) such as 1) new or expanded permit tracking software, 2) new GIS, 3) the Development Code update, 4) training/continuing education, 5) sub-area planning efforts, and 6) the adoption of the 2021 Building Code and any sustainability or carbon-neutral requirements. To put succinctly, maintaining the status quo could result in employee turnover, inefficiencies, continued citizen complaints, and an increased likelihood of mistakes.

Community Approximate Headcounts 2021

Requested by Town Council

Provided by HR, 11/05/2021

Avon - 2021

Total: 166 total staff authorized, includes open positions

- 96 fulltime
- 70+ parttime, Mostly in Recreation, some bus drivers.

Department breakdown (approximate):

- 7 - General Government: Court, Events, Clerk, Mktg, Town Manager
- 8 - Finance
- 4 - HR, 3.7 FTE's
- 4 - Comm Dev and Building
- 20 - Public Works and Parks
- 8 – fulltime Recreation, approx. 70 seasonal/part time
- 7 - Engineering and Facilities includes one open position
- 23 – Police - 20 sworn, 3 Admin Service Officers

Gypsum - 2021

Total - 43 full time and 6 seasonal (currently), more seasonal in Parks, left in August

Department Breakdown approximate:

- 8 - Administration, Economic Development, Events, Communications, HR & Finance
- 9 - Community Development & Building
- 32 - Public Works, Parks & Rec., Open Space & Engineering: 26 full time + 6 seasonal golf

Basalt (approved for 2022 budget, does not include council)

Total - 47

- 37 Full-time
- 2 Part-time
- 8 Pool Seasonal

Department Breakdown approximate:

- 4 – Administration, 1 Town Manager, 1 Town Clerk, 1 Admin Assistant, 1 Recreation director
- 2 - HR & Finance, 1 Finance/HR Director, 1 Finance Accounting Tech.
- 8 - Community Development, Town Engineer, Econ. Dev., Events & Building, includes 1 part-time
- 12 - Public Works, Parks & Rec., Open Space, Engineering, includes 1 part-time
- 13 - Public Safety

Town of Vail – not yet responded

Town of Eagle – 2021, not including Council or P & Z

66 Total Headcount approved approximate

- 53 Full-time, 4 vacancies: Asst. Town Manager, Mechanic, Engineer I or II, Police Officer
- 5 Part-time – Court, PW Advisor, and Information Center
- 8 Seasonal – B & G, Open Space and Yard Waste

Department Breakdown approximate:

- 8 – Administration: Town Manager, Asst. Town Manager, Town Clerk, HR Manager, Special Events Manager, IT Manager, Court Clerk (part time)
- 4 – Finance: Director, Sr. Accountant, 2 Specialists or Technicians
- 7 - Community Development: Director, Building Official, Code Enforcement, 2 Planners, 2 Technicians
- 31 - Public Works, B & G., Open Space, Engineering, includes seasonal
- 16 - Public Safety, 14 Sworn, 1 Specialist, 1 vacancy



To: Mayor and Town Council

From: Brian Hall, Marketing & Events Manager

Date: November 9, 2021

Agenda Item: Marketing and Events Committee (MEAC) Funding Review

REQUEST:

Staff requests that the Town Council review the 2022 MEAC event funding requests and allocations presented by MEAC.

INTRODUCTION:

Starting on August 2nd of 2021, the Marketing and Events Advisory Committee has solicited and received requests for the funding of special events in the Town of Eagle for 2022. The MEAC committee has reviewed all requests and heard in-person presentations by producers of larger requests. MEAC members then discussed and scored these requests against MEAC's mission and the 2022 budget. What is being presented tonight is the conclusion of their reviews and suggestions for allocating the 2022 MEAC events funding budget.

ANALYSIS:

In reviewing all requests for event programming, MEAC members followed the original intent of this program and created a plan to best accomplish its goals.

COMMUNITY INPUT:

All reviews of funding requests were discussed at regular and one special live public meeting held in the Eagle Town Council Chambers and on ZOOM. Input was given by the event producers requesting funding in proposal form. Producers requesting more than \$5,000 from MEAC for 2022 were asked to present their request to the MEAC committee in person during a live meeting.

BUDGET / STAFF IMPACT:

The budget for funding special events requests under the MEAC funding program is \$65,000.00 for 2022. Breakout of the allocation of the 2021 MEAC budget is in an attached document.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

The implementation of the 2022 MEAC funding program aligns well with the Town of Eagle Strategic Plan. These events will help us attract visitors to our community who will participate in the events or come to be a part of the audience. It will support and stimulate economic development by serving as seed money to drive revenue from visitors and participants of events. It will also support local small businesses. And many of these events help us to build and reinforce the active and outgoing culture of our town.

RECOMMENDED ACTION OR PROPOSED MOTION:

Staff requests approval of the 2022 MEAC Special Event Funding budget suggested allocations.

ATTACHMENTS:

- 1) MEAC 2022 Funding Score Sheet-FINAL.pdf

Score Sheet: MEAC Funding Applications for 2022 Special Events				
2022 Event Funding Available: \$65,000				
Event:	Producing Entity:	Proposed Location(s):	2022 Requests:	MEAC 2022 Suggested Allocations
2nd Friday ARTwalk	EagleARTS, Tara Novak	Broadway, Eagle, CO.	\$15,000	\$10,000.00
ASCL High School Regional Championships & Local Bonfire Block Party	Eagle Climbing & Fitness	Eagle Climbing & Fitness, Eagle CO.	\$6,000	\$6,000.00
Christmas on Broadway	Gore Creek Concessions - DBS Optimum	Broadway, Eagle CO.	\$20,000	\$15,000.00
Colorado High School Cycling League - Haymaker Classic -	Eagle Chamber	Broadway, Eagle CO.	\$5,000	\$1,500.00
Colorado High School Cycling League - Haymaker Classic -	Colorado High School Cycling League	Haymaker Trail/Eagle Ice Rink area	\$7,500	\$5,000.00
2022 Colorado High School Cycling League Annual Coach	Colorado High School Cycling League	Haymaker Trail/Eagle Ice Rink area	\$7,500	\$5,000.00
Dynafit Boneyard Boogie Trail Run	Colorado High School Cycling League	Brush Creek Pavillion	\$2,000	\$0
Eagle Farm to Table	Vail Rec District	Boneyard Trail	\$1,000	\$500.00
Eagle Farmers Market & Art Show	Ren Event Productions	Eagle Town Park	\$3,000	\$0
Eagle Mushroom & Wild Food Fest	Ren Event Productions	Eagle Town Park	\$2,000	\$2,000.00
Eagle Yoga & Art Fest	Eagle Chamber	Around Eagle	\$4,500	\$4,500.00
LG TRI	Yoga Off Broadway, Yvonne deGorter	Eagle, CO.	\$7,500	\$3,000.00
Mountain Rats Festival	Vail Valley Charitable Fund	Eagle Pool & surrounding	\$1,000	\$500.00
Murder on Broadway	Color Coffee Roasters	Eagle Ranch area	\$5,000	\$1,000.00
Music and a Movie	EagleARTS	Broadway, Eagle CO.	\$5,000	\$1,500.00
Revolution Enduro Mountain Bike Race	Kalaidoscope Productions	Eagle Town Park	\$15,000	\$5,000.00
Spring Lax Jam & Fall Lx Jam	Revolution Enduro	Hardscrabble Rd./Sawmill Gulch/	\$2,500	\$500.00
Triple Crown Baseball World Series	Vail Valley Lacrosse Club	Eagle Fairgrounds/Other locations	\$3,000	\$1,000.00
Vail Valley Soccer Tournament	Triple Crown Sports	Eagle Fairgrounds & around valley	\$20,000	\$1,000.00
USA Climbing Qualifying Event	Kerri Thelen, Vail Valley Soccer Club	Eagle Fairgrounds & around valley	\$7,500	\$1,000.00
Walk to End Alzheimer	Eagle Climbing & Fitness	Eagle Climbing & Fitness, Eagle CO.	\$4,000	\$0
	Alzheimers Association Colorado Chapte	Brush Creek Pavillion; Park and surrou	\$1,000	\$1,000.00
				\$65,000.00
(11/5/21, BH)				
		TOTALS		
		MEAC Budget	\$65,000	\$65,000
		Total Requests/Suggested	\$145,000	\$65,000
		Difference	(\$80,000)	\$0
		MEAC Contingency	0	\$0



To: Mayor and Town Council

From: Brandy Reitter, Town Manager
Brian Hall, Special Events Manager

Date: November 9, 2021

Agenda Item: 2022 Community Request Grants Review

REQUEST:

Staff is requesting that the Town Council review the final summary of allocations for community funding request grants.

INTRODUCTION:

Every year the Town Council allocates funding towards the Community Requests Grant program. Applicants are typically local non-profits in Eagle who provide services, programs, and produce small events for the community. In 2022, the Town budgeted \$30,000 for community events and \$20,000 for community programming. Each year requests exceed the amount available. The Town received requests for funding in 2021 for \$73,500. This year the Town has received requests for funding for \$140,000 for 2022. After the introduction to the process on October 22, staff has included the final allocation sheet filled out by each council member.

ANALYSIS:

After a comprehensive promotional period to help local organizations and residents become aware of the opportunity of applying for these funding grants, the Eagle Town Council has worked to allocate these funds for the betterment of the Town of Eagle and its residents as intended by the goals of this program.

COMMUNITY INPUT:

Promotion of the opportunity to request community funding from the Town of Eagle began in the middle of July – prior to the application period opening on August 2, 2021. The active promotion continued through the closing day for applications on September 30, 2021. A strong effort was made to contact past applicants to make sure they were aware of the current funding schedules.

BUDGET / STAFF IMPACT

There is no impact on the budget. The funds have already been approved. Any allocation above the proposed budget will require approval by the Town Council.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal doesn't align with any strategic objectives but supports the Town Council's approach to support the community.

RECOMMENDED ACTION OR PROPOSED MOTION:

Staff is asking for a motion to approve the allocations of funding as decided by the Town Council for 2022.

ATTACHMENTS:

- 2022 Community Request Fund Final Allocation Summary

Town of Eagle - 2022 Community Funding Program Application - Town Council Person Score Sheet

Date: November 2, 2021

Town of Eagle - 2022 Community Funding Applications - EVENTS								
						Non-Profit or For-Profit	2021 Received	2022 Ask
Name (First)	Name (Last)	Business or Group Name	Event or Program Name	Event or (Program	Profit			Town Council 2022 Allocation Vote
Ann	Olin	Town of Eagle	New Year's Eve 2022 Fireworks	Event	Non-profit	10,000	10,000	10,000
		Porchlight Players, Ltd.	Dinner Theatre Production	Event	Non-Profit	\$500	\$1,000	0
Stephanie	Deen	Vail Valley Foundation	2022 ShowDown Town at Eagle Town Park, Thursdays - June 23 to Aug. 18, 2022	Event	Non-Profit	\$10,560	\$15,000	0
		Rocky Mountain Shooters	Colorado High School Rodeo Aug. 19-21, 2022	Event	Non-Profit	0	\$5,000	0
Edegar	Acosta	Friend of Eagle	Our Community Table ? (cancelled in 2021)	Event	Non-Profit	\$3,000	\$3,000	0
Yvonne	deGorter	Yoga In The Park Series (Yoga Off Broadway)	Event Series on Broadway	Event	For-Profit	\$1,240	\$5,000	0
Tanya	Dahlseid	Eagle County Fair and Rodeo	Eagle County Rodeo	Event	Non-Profit	\$1,500	\$1,000	0
Yvonne	deGorter	Downtown Business Alliance	Event Series on Broadway	Event	Non-Profit	0	\$10,500	0
Melanie	Smith	Eagle River Watershed Council	April 30, 2022 - Community Pride Highway Cleanup.	Event	Non-Profit	\$610	\$1,000	0
		Mountain Recreation	September 10, 2022 - Eagle River Cleanup	Event	Non-Profit	0	\$5,000	0
Lizzy	Owens		Little League Opening Day	Event	Non-Profit			0
Carolina	Orr	Cub Scouts Pack 229	Underwriting rental of Brush Creek Pavillion for 2022 Pumpkin Patch event	Event	Non-Profit	0	\$600	0
		Cardona	Quilt & Fiber Fair at Eagle Valley High School	Event	For-Profit	0	\$3,000	0
Hannah	Conoley	United Way of Eagle River Valley	The Rummage Sale of Eagle County	Event	Non-Profit	0	\$4,000	0
12 Applications					TOTAL:		\$4100	10000

Community Events	
Funding Budget	\$30,000
Total Allocated	\$10,000
Difference	\$20,000

Town of Eagle - 2022 Community Funding Applications - PROGRAMS								
						Non-Profit or For-Profit	2021 Received	2022 Ask
Name (First)	Name (Last)	Business or Group Name	Event or Program Name	Event or (Program	Profit			Town Council 2022 Allocation Vote
Andrew	Clark	Eagle Valley Skating Association	Ice Rink at Eagle Town Park Winter 2021-2022	Program	Non-Profit	\$3,000	\$3,000	0
Chris	Romer	EGE Air Alliance	Ongoing Program Support	Program	Non-Profit	\$2,975	\$5,000	0
Chris	Romer	Vail Valley Partnership	Ongoing Program Support	Program	Non-Profit	\$2,270	\$5,000	0
Mikayla	Curtis	Mountain Youth	Ongoing programs	Program	Non-Profit	0	\$3,500	0
Erin	Ivie	SpeakUp-ReachOut	Program	Program	Non-Profit	0	\$1,500	0
Oliver	Skelly	Eagle Valley Land Trust	Ongoing program support	Program	Non-Profit	\$730	\$5,000	0
Mary Ann	Morrison	Eagle Chamber of Commerce	Ongoing program support	Program	Non-Profit	0	\$5,000	0
Mary Ann	Morrison	Eagle Economic Vitality Foundation	Ongoing program support	Program	Non-Profit	0	\$5,000	0
Ronald	Delp	Castle Lodge #122	Ongoing program support	Program	Non-Profit	\$1,275	\$2,000	0
Agnes	Harakal	St Mary's Preschool	Ongoing program support	Program	Non-Profit	\$1,000	\$4,000	0
Kyle	Holland	Vail Valley Eagles Basketball Club	Ongoing program support	Program	Non-Profit	\$1,500	\$2,000	0
Denise	Kipp	Red Ribbon Project	Ongoing program support	Program	Non-Profit	0	\$1,000	0
Ernest	Saeger	Vail Valley Mountain Trails Alliance	Ongoing program support	Program	Non-Profit	\$1,100	\$5,000	0
Hailee	Rustad	Vail Mountain Rescue Group	Ongoing program support	Program	Non-Profit	0	\$2,400	0
Tara	Novak	EagleARTS	Décor painting program for Downtown	Program	Non-Profit	0	\$15,000	0
Larry	Moore	Eagle Climbing + Fitness	Ongoing program support	Program	For-Profit	0	\$1,500	0
Jason	Denhart	Bravo Colorado at Vail-Beaver Creek	Ongoing program support	Program	Non-Profit	\$395	\$5,000	0
Brian	OliverSmith	Vail Children's Choir	Ongoing program support	Program	Non-Profit	0	\$10,000	0
Alan	Himeffarb	Starting Hearts	Youth Educational Program	Program	Non-Profit	0	\$5,000	0
19 Applications					TOTAL:		85900	0

10/29/21, BH

Community Programs	
Funding Budget	\$20,000
Total Allocated	\$0
Difference	\$20,000

Town Council Totals for 2022 Community Program Funding Allocations - EVENTS								
								Town Council 2022 Allocation Vote
Scott Turnipseed	Mikel "Pappy" Kerst	David Gaboury	Janet Bartnik	Geoffrey Grimmer	Ellen Bodenheimer	Blank		
0	10,000	10,000	10,000	10,000	10,000	0		8,333
1,000	500	\$1,000	500	750	650			733
15,000	10,000	10,000	10,150	12,500	11,000			11,442
1,000	1,500	0	0	500	500			583
3,000	3,000	2,000	3,000	500	2,500			2,333
1,500	1,500	1,500	0	1,000	1,800			1,217
1,000	1,000	1,000	1,000	3,000	750			1,292
6,000	0	2,400	2,500	0	0			1,817
500	500	500	500	1,000	700			617
1,000	0	1,000	1,000	0	1,000			667
0	600	600	600	250	100			358
0	1,400	0	250	300	500			408
0	0	0	500	200	500			200
Totals:	30000	30,000	30,000	30,000	30,000	TOTAL:		30000

Community Events	
Funding Budget	\$30,000
Total Allocated	\$30,000
Difference	\$0

Town Council Totals for 2022 Community Program Funding Allocations - PROGRAMS								
								Town Council 2022 Allocation Vote
Scott Turnipseed	Mikel "Pappy" Kerst	David Gaboury	Janet Bartnik	Geoffrey Grimmer	Ellen Bodenhiemer	Blank		
3,000	3,000	3,000	4,000	1,000	3,000			\$2,833
5,000	3,000	2,500	1,500	2,500	3,000			\$2,917
0	2800	2,000	2,000	0	3,000			\$1,633
0	0	0	3,000	0	2,000			\$833
1,500	0	1,500	1,500	500	1,500			\$1,083
0	700	0	0	1,300	1,000			\$500
1,000	0	2,500	0	0	500			\$667
0	0	1,500	0	0	500			\$333
1,000	2,000	1,000	500	0	500			\$833
1,000	1,200	0	3,000	1,500	1,000			\$1,283
1,000	1,500	1,000	500	0	600			\$767
0	1,000	500	0	0	1,000			\$417
5,000	0	1,500	1,500	2,200	600			\$1,800
0	0	500	1,000	2,000	0			\$583
1,000	3,800	2,500	0	5,500	0			\$2,133
0	0	0	500	1,500	200			\$367
0	0	0	1,000	0	500			\$250
0	1,000	0	0	500	100			\$267
500	0	0	0	1,500	1,000			\$500
Totals:	20,000	20,000	20,000	20,000	20,000	Totals:		20000

Community Programs	
Funding Budget	\$20,000
Total Allocated	\$20,000
Difference	\$0



To: Mayor and Town Council

From: Lynette Horan, HR Manager

Date: November 3, 2021

Agenda Item: Town Manager Review 2021

REQUEST:

Staff is requesting the Town Council review and approve or deny the performance evaluation tool template and timeline to provide the Town Manager with her Annual Performance Review for the review period 1/1/2021 – 12/31/2021

BACKGROUND: Per the Town Manager's contract, item #5, the evaluation shall be facilitated by a third-party Human Resources professional. Contract language follows:

*5. **Performance Evaluation.** The Town Council shall provide the Town Manager with a formal evaluation of her performance approximately six (6) months after she has assumed her duties as Town Manager and at least annually thereafter at a time approximate to the anniversary date of her assumption of duties of Town Manager, or as otherwise needed or requested. The evaluation shall be facilitated by a third-party Human Resource professional, and a review of compensation will be considered part of the annual evaluation process. It is understood by the parties that the rating is subject to disclosure under the Open Records Act, C.R.S. Section 24-72-201 et seq.*

ANALYSIS: A member of the Consulting team from Employers Council (formerly MSEC) will be available to facilitate the annual review process. The online tool includes a feedback section specifically for direct reports. Important note: if direct report ratings are collected, they should be kept separate and should not be considered when determining final rating or size of pay increase. Per our consultant from last year, Mr. Rick DelaCastro Ph.D., Senior Consultant, Employers Council:

"Using a multi-rater assessment for the annual Town Manager is considered a best practice to obtain the important performance-related information from various perspectives. Including multiple persons in the review process ensures a more complete analysis of Manager strengths and possible areas for improvement. Many communities consider this approach as an essential step in Council-Manager governance.

The 360 may be a source of information for the Council but should never be determinative of the final rating or size of pay increase".

The suggested timeline is as follows:

- 11/09/2021, Council Motions to approve or deny evaluation tool/Adopt Timeline/Process
- Mid November, if tool/timeline is approved Consultant contact emails template to direct reports and to Town Manager with a deadline to return in 15 working business days, staff to start market pay analysis for this position/grade.
- 11/29/21 – Deadline: Town Manager completed self-evaluation due along with direct report feedback to consultant
- 12/03/21 – Consultant sends completed direct report and self-evaluation to the Town Council, Council inputs their feedback, due 10 business days or 12/13/21
- 12/13/21 – Deadline: all council feedback due to consultant
- 01/07/22 – Executive session packet sent to Council with compensation market analysis for this position/grade
- 01/11/22 – Executive session with Town Manager to review feedback, discuss pay adjustment
- 1/28/22 – Pay Adjustment due to payroll retro-active to 1/1/22 effective date, paid on pay date 2/04/2022

Town Manager Reitter's hire date is 2/5/18, her 4-year anniversary is 2/5/2022.

COMMUNITY INPUT: none

BUDGET / STAFF IMPACT: \$1000 - \$1500 to facilitate the process, cost depends on consultant follow up for questions or reminders to reviewers of pending materials not received by requested timelines. Per the town's annual review and merit increase policy, the Town Managers Pay adjustment should be retroactive to 1/1/2022. Staff will conduct a comprehensive market analysis of Town Manager's pay in our competitive set to be included with the Executive session packet.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: Improve Town Organization, Culture, and Workforce Effectiveness by providing an annual interactive review process that provides council and town manager formal performance related feedback.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to **approve** or **deny** performance review template and direct staff to move forward with review process, timeline, and retroactive pay.

ATTACHMENTS: Eagle Town Manager Annual Performance Evaluation Template

Default Question Block



**Town of Eagle
Multi-Rater Survey
Brandy Reitter, Town Manager**

Thank you for taking the time to participate in the multi-rater feedback survey for Brandy Reitter, Town Manager.

In order to provide the best possible feedback, it is important that you are as accurate and forthright as possible. There are no advantages to presenting an overly positive or negative evaluation.

Instructions

Throughout the survey, select the response that is closest to your opinion. Try to think of how you usually feel about each question/item in reference to the Town Manager. Check the “NA” response only if a question does not apply to you or if you do not have an answer.

You will have the opportunity to participate in a few open-ended items. Please be aware that your comments will be entered in the final report exactly as you write them on the questionnaire. We ask you not to type your name or include any other identifying information.

Once you reach the end, your answers will be submitted, and you will be unable to make any changes. However, should you like to stop before the end and return to the survey at a later time your progress is saved at the end of each page. Please keep track of your progress using the progress bar along the top of each page.

Confidentiality

All administration and reporting will be completed by the Employers Council to maintain strict confidentiality, with data being reported in an aggregated manner. Any group with fewer than five (5) respondents will be combined with a larger group to maintain confidentiality standards. Your individual responses will not be seen by anyone at the Town of Eagle.

Thank you for your time and participation. This process should take approximately 10 minutes.

Block 2

Please rate Brandy Reitter in the area of **Communication**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Clearly communicates the strategic direction	☐	☐	☐	☐	☐	☐
Actively listens to others to gain an understanding of the problems/situations they are facing	☐	☐	☐	☐	☐	☐
Uses effective presentation skills and techniques when delivering information or ideas	☐	☐	☐	☐	☐	☐
Presents ideas simply and clearly	☐	☐	☐	☐	☐	☐

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Communicates directly and honestly	☐	☐	☐	☐	☐	☐

Please rate Brandy Reitter in the area of **Delivering Results**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Follows through on action plans and deliver results	☐	☐	☐	☐	☐	☐
Analyzes financial implications of business decisions	☐	☐	☐	☐	☐	☐
Makes decisions based on business needs rather than personal agenda	☐	☐	☐	☐	☐	☐
Identifies, understands, and responds appropriately to the needs of customers	☐	☐	☐	☐	☐	☐
Promotes the use of best practices that lead to improved departmental fiscal performance	☐	☐	☐	☐	☐	☐

Please rate Brandy Reitter in the area of **Dependability**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Articulates and demonstrates a commitment to the Town's vision and mission	☐	☐	☐	☐	☐	☐
Sets a strong example of integrity, dedication, and fairness	☐	☐	☐	☐	☐	☐
Spends time and energy on the most important priorities	☐	☐	☐	☐	☐	☐

Please rate Brandy Reitter in the area of **Emotional Control/Stability**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Displays a positive attitude and a sense of humor	☐	☐	☐	☐	☐	☐
Exhibits the courage to do what's right when faced with opposition	☐	☐	☐	☐	☐	☐
Communicates optimism regarding organizational issues and challenges	☐	☐	☐	☐	☐	☐

Please rate Brandy Reitter in the area of **Information Management**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Communicates reasons for changes and decisions	☐	☐	☐	☐	☐	☐
Keeps people informed about organizational plans and developments	☐	☐	☐	☐	☐	☐
Supports policies and implements practices which promote government transparency	☐	☐	☐	☐	☐	☐

Please rate Brandy Reitter in the area of **Innovation/Openness**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Challenges conventional ways of doing things to improve the Town's organizational performance	☐	☐	☐	☐	☐	☐
Demonstrates creativity in developing or improving ideas or concepts	☐	☐	☐	☐	☐	☐

Please rate Brandy Reitter in the area of **Job Knowledge**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Demonstrates broad business knowledge and skills	☐	☐	☐	☐	☐	☐
Leverages expertise to get things done in the business	☐	☐	☐	☐	☐	☐

Please rate Brandy Reitter in the area of **Task Orientation**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Balances requests with the Town's business requirements	☐	☐	☐	☐	☐	☐
Knows how to get things done	☐	☐	☐	☐	☐	☐

Please rate Brandy Reitter in the area of **Management Functions**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Effectively manages projects	☐	☐	☐	☐	☐	☐
Confronts conflict situations in an honest and direct manner	☐	☐	☐	☐	☐	☐
Carefully weighs the pros and cons of alternative solutions or courses of action before making decisions	☐	☐	☐	☐	☐	☐
Ensures employees have the resources needed to get the job done	☐	☐	☐	☐	☐	☐
Analyzes relevant data and information in appropriate amounts when making decisions	☐	☐	☐	☐	☐	☐

Please rate Brandy Reitter in the area of **Person Orientation**.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Recognizes people for good performance more often than criticizes them for performance problems	☐	☐	☐	☐	☐	☐
Develops good working relationships with the key people necessary for the accomplishment of the Town's goals	☐	☐	☐	☐	☐	☐

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	NA
Adapts leadership style to influence people with different roles, needs, and styles	☐	☐	☐	☐	☐	☐
Allows others the freedom and authority to do their jobs	☐	☐	☐	☐	☐	☐
Respects the importance of personal and family life	☐	☐	☐	☐	☐	☐

You are now invited to enter feedback on two open-ended items. Your comments will remain confidential and be entered in the final report exactly as you write them. Please do not include identifying information.

Please describe Brandy Reitter's strengths as the Town of Eagle Town Manager.

Please describe where Brandy Reitter could focus on improvements in their role as Town of Eagle Town Manager.

Block 2

You have now answered all of the items. If you wish to go back and change any of your responses, you can do so using the buttons at the bottom of the page. If you are happy with your responses, please click below to submit your survey.

Thank you for your time and participation.