



Economic Vitality Committee
Monday, December 19, 2022, 1:00 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 – Eagle Guest

MEETING ACCESS

- a This will be an in-person meeting with access via Teams.

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CALL TO ORDER AND ROLL CALL - 1:00 PM

- a Welcome new Vice-Chair and Secretary

APPROVAL OF MINUTES

- a October 17, 2022, Minutes - Review of Action Items
b Approval of Minutes

COMMUNITY DEVELOPMENT, CHAMBER & DDA UPDATES

- a Community Development Town Council Update
b Chamber and DDA Updates

SUB-COMMITTEE UPDATES

- a Reports from each Sub-Committee (3 minutes, unless written report in packet)
b Discussion

BUSINESS ITEMS & DISCUSSION

- a EPS Comprehensive Affordable Housing Study - status
- b PUC Crossings (see UP resolution in packet) – EVC letter and plan for 2023
- c EPS Economic Development Plan (approved by Council)
 - Economic Vitality Dashboard
 - Community Survey
- d Business Survey – Community Builders, Chamber, DDA, EVC
- e 2023 Goals, Priorities & Plans, including (from 2022):
 - Collaboration with Chamber & DDA: work session?
 - All items from the Discussion above
 - New focus? Priorities? Goals? Plans?

ANY OTHER BUSINESS

ADJOURN - 2:30 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



MEETING MINUTES
Economic Vitality Committee
Monday, November 21, 2022, 1:00 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 – Eagle Guest

APPROVAL OF MINUTES

Motion: Schroeder to change herself to 'present' in minutes. Approved. Post-meeting: Chair Daly had already corrected the previous minutes, so no further action required.

Chair Daly motioned to approve the October 17, 2022 EVC minutes. The motion was seconded and passed unanimously.

COMMUNITY DEVELOPMENT UPDATE

1. Chair Daly referred to Community Development update included in the packet.
 - a. Habitat project had some difficulty with the current Land Use Code language. This is being fixed in the ReCode Eagle update. Two members of the Eagle County Housing Task Force were involved in the application. This is an important first collaboration between Habitat for Humanity and the Eagle County School District.
 - b. Gaboury wants to show impact of the Haymeadow debt service cost to typical homeowner. Sunday updated that Council voted and approved unanimously at the last Council meeting.

DOWNTOWN DEVELOPMENT AUTHORITY (DDA) UPDATE

1. Kat Conner handed out statistics and basic info on Eagle's DDA
 - a. Chair Daly stated that EVC wants to better understand DDA's role
 - b. Conner gave history of DBA and DDA
 - c. DDA was a ballot measure, approved, is now a quasi-government agency.
 - d. Sustainable way to make sure there is funding for downtown projects.
 - e. Conner explained how DDA will use Tax Increment Financing to collect difference in property taxes from Year 2020 base value. Base was captured before 139 Broadway and Broadway Station were improved or constructed.
 - f. DDA is working on 3-5 year budgeting plan.
 - g. Schroeder asked about DDA role in future downtown development. DDA will have application process for future downtown development. Apply online in future. DDA Board reviews. Then goes to Council.
 - h. Kostick cautioned on adding an extra layer of government to development approval process. Conner wants to define clear process and checklist. Kostick wanted to have Council and Staff minimize hurdles as well.

- i. Kostick expressed encouragement that the DDA has funding and ability to be a catalyst in our community.
- j. Chair Daly commented that as every property is improved or redeveloped, additional TIF funds are collected that aid in future economic vitality in downtown Eagle.

DISCUSSION & OTHER BUSINESS

- 2. Subcommittee #1 - Grand Avenue & Eagle River Corridor Future:
 - a. No subcommittee meeting this month.
 - b. Members: Kari, Kevin, Yuri
- 3. Subcommittee #2 - Eagle Open for Business with Optimal Workforce and Diverse Housing:
 - a. No subcommittee meeting this month.
 - b. Members: Christina, Eric, Mick, David
- 4. Subcommittee #3 – Economic Data Dashboard and Community Builders’ involvement
 - a. No subcommittee meeting this month.
 - b. Members: Kari, Mick, Yuri

BUSINESS AND DISCUSSION ITEMS

- 1. Changes to EVC Officers
 - a. Chair Daly stated that Brubeck wants to play a less active role on the committee. Gaboury motioned to nominate Schroeder as Vice Chair. The motion was seconded and passed unanimously. Role change is effective at the next meeting.
 - b. Kostick motioned to nominate Hofman as Secretary. The motion was seconded and passed unanimously. Role change is effective at the next meeting.
- 2. Joint Work Session with Chamber and DDA
 - a. Pardee wants to help Council address their goals and have joint DDA, DBA, EVC, Chamber meeting to maximize our time and energy.
 - b. The intent is to collaborate on goals, plans, ideas.
 - c. Follow up: **Work with DDA and Chamber to schedule this meeting for early 2023.**
- 3. CIRSA Training
 - a. Chair Daly commented that we are all public appointed officials. Take our role and position with great responsibility.
- 4. PUC Crossings – Letter of Support to Council/Staff
 - a. Schroeder submitted the EVC support letter to the Council earlier this month.
 - b. Pardee updated that the Town is looking to expand the Grand Avenue ROW footprint. This is different than the access crossing permit.
 - c. Case property application has been officially submitted to the Town for development review.
 - d. Pardee is unsure on how to engage Ping and Johnson properties if they do not have current development applications.
 - e. Kostick stated that we are asking to undergo PUC process, not just easements or ROW acquisition. This is a policy level recommendation to Council.
 - f. Kostick asked if there was Council discussion. Pardee said it was received by Council but not discussed.
 - g. Schroeder agreed that this is a policy level recommendation for the Town. If GACP is adopted, future development would have to comply. Attorneys that deal only with this process. Why get easement or ROW if cannot cross the railroad.

- h. Sunday stated that it is 0.3 acre ROW need. Can we get Eagle County Fairgrounds to pay for part of this with bridge over the Eagle River?
- i. Eves shared that Town of Gypsum approached PUC approvals as a Town Master Plan not individual developers.
- j. Gaboury stated this is a policy decision and actual project that requires financial support. This will make the properties impacted much more valuable and landowners should have an interest in the process and approvals.
- k. Kostick questioned if it was Town policy to approach the landowners and be proactive to meet these goals. There could potentially be DDA partnership in this work.
- l. Kostick would like to also push an actual project forward as well, not just policy.
- m. Phillips said the properties were mostly annexed. One small portion is still in Eagle County.
- n. Conner wanted to ask if a governmental agency can have leverage over the Railroad approvals more than a private landowner.
- o. Chair Daly stated that Avon Town Manager, Eric Heil, had experience with PUC crossings when he was Avon Town Attorney; Pardee is in touch.
- p. Follow up: **Pardee will request that the letter is included in the Council packet and added to a future agenda.**

5. Community Survey and Economic Data Dashboard

- a. Pardee is waiting on proposal from Community Builders
- b. Follow Up: **Schroeder to follow up with Community Builders on status.**
- c. Contract for 2022 has been approved by EVC.

6. Community Survey or Business Survey

- a. Pardee is waiting on proposal from Community Builders
- b. Chair Daly discussed only having a business survey, not a community wide survey. Send out via Chamber, DDA, Eagle Ranch Merchants' Association, etc. EVC to review data.
- c. Gaboury suggested using Town Business License holders to access all businesses. Have the survey identify Eagle Ranch, DDA, etc. member/location.
- d. Kostick said historically community survey was done every two years. It was a good way to track changes and needs. Perhaps the Chamber could conduct the Business survey. The community survey is really important.
- e. Sunday said Council's draft budget includes a 2023 Community Survey.
- f. Conner said that not every business in Town has an Eagle business license. She also said that the School District is asking housing and other survey questions that we could include.
- g. Kostick, Schroeder, and Eves would like both a business and community survey.
- h. Gaboury only sees the need for a business survey this year. The community survey could be every three years.
- i. Schroeder shared info on previous survey by Community Builders and the EVC. Feedback was the survey was very long.
- j. Gaboury would like to advocate to continue surveys.
- k. Chair Daly asked that we separate out the Community Survey and the Business Survey.
- l. Sunday said there is \$10k in 2023 budget.
- m. Sunday stated that previous summary and feedback of survey to Council was good.
- n. Follow Up: **Schroeder to follow up with Pardee and Community Builders on status.**

7. EPS Economic Development Plan. \$65k for 2023 EPS study

- a. Chair Daly stated that we can add CU Boulder's previous outdoor recreation plan to EPS's analysis and work.
- b. Chair Daly proposed that we have Bill Shrum (via DCI) assist with merging CU Boulder's and EPS's work together.

- c. Chair Daly motioned to approve the EPS contract for the Economic Development Plan. The motion was seconded and passed unanimously.
 - d. Follow Up: **Pardee will relay to Council and execute EPS contract.**
8. 2023 EVC Goals/Priorities/Plans - Subcommittees
- a. Chair Daly requested that we have subcommittees meet before our next meeting.
 - b. Follow Up: **Subcommittees meet or email before our next meeting.**
 - c. Follow Up: **EVC Christmas Gathering in December to be coordinated by Chair Daly.**

ADJOURN – 2:50PM

Motion: Kostick motioned to adjourn. The motion was seconded and passed unanimously.

COMMUNITY DEVELOPMENT

November 2022

LONG RANGE PLANNING

- **ReCode Eagle – The Land Use and Development Code (LUDC) Update**
 - The Code committee's next meeting is scheduled for 12/12/22.
 - As public drafts of sections of the new Code become available, community members can view these resources at www.Townofeagle.org/ReCodeEagle.
- **Comprehensive Affordable Housing Assessment (CAHA) by Economic & Planning Systems (EPS)**
 - Preparation of the CAHA final report is still in progress. Staff is anticipating a draft by the end of December and the final deliverables in early 2023.

LAND USE APPLICATIONS IN PROGRESS

For more information and to access project documents, visit the Town's [Active Land Use Applications Page](#).

- **DR22-06: Haymeadow Cabin Major Development Permit**
 - An application for a Major Development Permit to renovate the existing Haymeadow Cabin including grading and landscaping the surrounding area for an outdoor event space.
 - Per the applicant's request, the application will be rescheduled to a date to be determined.
 - Public hearing schedule:
 - Planning & Zoning Commission: ~~11/15/2022~~ Cancelled
 - Town Council: ~~12/13/2022~~ Continued
- **DR22-07: 1200 Capitol Minor Development Permit**
 - An application for a Minor Development Permit to construct a mixed-use building, including 1,222 sq.ft. of retail/office space and 11,175 sq.ft. of residential.
 - Approved by the Planning & Zoning Commission with two conditions.
 - Public hearing notice:
 - Town Council: 12/13/2022
- **SS22-01: 101 Ping Lane**
 - A Subdivision Sketch Plan for a mixed-use Planned Unit Development (PUD) between Grand Avenue and the Eagle River north of Broadway.
 - Public hearing schedule:
 - Planning & Zoning Commission: 12/20/2022
 - Town Council: 1/4/2023

BUILDING DEPARTMENT UPDATE

- Interviews are underway for the Building Inspector position.
- Staff is presenting a resolution requesting Town Council support for the Eagle County Code Cohort and its initiatives to implement the 2021 International Energy Conservation Code (IECC).

MAJOR CONSTRUCTION PROJECTS

- **435 Eby Creek Apartments: 30-unit apartment building**
 - Most of the foundation has been poured and framing is anticipated to begin in January.
- **775 Sawatch Road: Expansion of Western Slope Laundry**
 - Pending Fire Department, Engineering, and Planning approvals.
- **410 Broadway: Mixed-use building on Broadway**
 - Framing and window installment are nearly complete. Sub-contractors will be installing mechanical, electrical, and plumbing beginning in January.
- **Eagle River Park Pavilion**
 - Construction schedule pending.

- Reserve at Hockett Gulch: Phase 1a (Grading, Access, Clubhouse, Apartment Buildings)
 - Plans review for the 6x full building permits is underway; 5x-multi family unit buildings and the clubhouse.
- 404 Broadway, Vail Valley Wellness
 - Building permit applications submitted for interior tenant finish. Operations are changing from office to clinical use.
- 1143 Capitol Street, Social Oak
 - TCO has been issued. Final CO pending installation of exterior signage and ADA compliance.
- 425 E 3rd Street, Greater Eagle Fire Protection District (GEFPD)
 - Permit issued for interior remodel.

The figures below show general activity levels not broken down by permit type (building, electrical, plumbing, mechanical, etc.)

TYPE OF WORK PERFORMED	NUMBERS PERFORMED IN 2021	NUMBERS PERFORMED TO-DATE 2022
Inspections (n/i planning/pw)	1,380	1243
Permits Processed	359	418

OTHER NOTABLE UPDATES

- 1271 IHOI Incentives Grant pre-application meeting, 11/30/22.
 - Staff and representatives from Habitat for Humanity Vail Valley attended a virtual call with Colorado Department of Local Affairs (DOLA) to discuss the Habitat / 3rd Street Housing project grant application to identify issues or unanswered questions. Staff will propose a Resolution requesting Town Council's support in early 2023.
 - The grant application window for the first round of funding is open between mid-December through mid-January.
- Planning & Zoning Commission Vacancies
 - Two vacancies will be created on 2/28/23 when terms for Commissioners Kyle Hoiland and Charlie Perkins end. Staff will be preparing advertisements to solicit applications from the community.
- Staff will be presenting a resolution requesting Town Council to approve a Professional Services Agreement for Economic & Planning Systems, Inc. (EPS) to complete an Economic Development Plan study for the Town beginning in 2023. The findings of the study will help inform what actionable items can be engaged in the near term to strengthen and expand Eagle's economic base.

TOWN COUNCIL AND PLANNING & ZONING COMMISSION MEETING SCHEDULE:

December 2022
December 13 th (Town Council) • Haymeadow ADA Amendments & Agreements • Amendment to the Pre-Development Agreement with Eagle Meadows • DR22-07: 1200 Capitol Minor Development Permit
December 20 th (Planning & Zoning Commission) • SS22-01: 101 Ping Lane Subdivision Sketch Plan
December 27 th (Town Council) • <i>Meeting cancelled.</i>

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 27
(Series 2022)

**A RESOLUTION APPROVING A REIMBURSEMENT AGREEMENT BETWEEN THE TOWN OF
EAGLE AND UNION PACIFIC RAILROAD COMPANY**

WHEREAS, the Town of Eagle desires to contract with Union Pacific Railroad Company for engineering services related to a project to modify the road crossings referred to in the agreement, including nearby intersections at Grand Avenue, as well as further investigate a new pedestrian overpass at a location to be determined at a later date, and to investigate the use of Union Pacific Property for the Grand Avenue corridor improvement project pursuant to the agreement attached as Exhibit "A" on the terms and conditions set forth therein; and

WHEREAS, Union Pacific Railroad Company agrees to perform such services on the terms and conditions set forth in Exhibit "A"; and

WHEREAS, this Reimbursement Agreement is authorized pursuant to Section 29-1-201 and 30-11-101, Colorado Revised Statutes, as amended, and Article XIV, Section 18, of the Colorado Constitution.

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

The Town Council approves a Reimbursement Agreement with Union Pacific Railroad Company to engineering services attached as Exhibit "A."

RESOLVED, APPROVED, AND ADOPTED THIS 12TH DAY OF APRIL 2022.

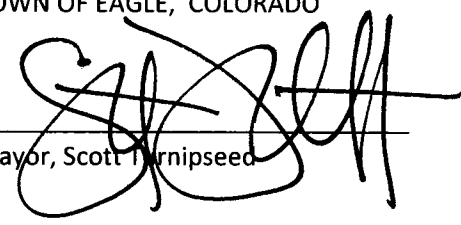
ATTEST:


Town Clerk, Jenny Rakow



TOWN OF EAGLE, COLORADO

BY:


Mayor, Scott Turnipseed

**REIMBURSEMENT AGREEMENT
PRELIMINARY ENGINEERING SERVICES**

Effective Date:

Agency: TOWN OF EAGLE, COLORADO

Estimate: \$100,000.00

THIS REIMBURSEMENT AGREEMENT (**Agreement**) is made and entered into as of the **Effective Date**, by and between UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (**Railroad**), and AGENCY (**Agency**).

RECITALS

A. Agency desires to initiate the project more particularly described on Exhibit A attached hereto (**the Project**).

B. The Project will affect Railroad's track and right of way at or near the Project area more particularly described on Exhibit A.

C. Railroad agrees to collaborate with Agency on the conceptualization and development of the Project in accordance with the terms and conditions of this Agreement.

AGREEMENT

1. NOW THEREFORE, the parties hereto agree as follows:

2. Railroad, and/or its representatives, at Agency's sole cost and expense, agrees to perform (or shall cause a third-party consultant to perform on Railroad's behalf) the preliminary engineering services work described on Exhibit B attached hereto (**PE Work**). Agency acknowledges and agrees that: (a) Railroad's review of any Project designs, plans and/or specifications, as part of the PE Work, is limited exclusively to potential impacts on existing and future Railroad facilities and operations; (b) Railroad makes no representations or warranties as to the validity, accuracy, legal compliance or completeness of the PE Work; and (c) Agency's reliance on the PE Work is at Agency's own risk.

3. Notwithstanding the Estimate (**Estimate**), Agency agrees to reimburse Railroad and/or Railroad's third-party consultant, as applicable, for one hundred percent (100%) of all actual costs and expenses incurred for the PE Work. During the performance of the PE Work, Railroad will provide (and/or will cause its third-party consultant to provide) progressive billing to Agency based on actual costs in connection with the PE Work. Within sixty (60) days after completion of the PE Work, Railroad will submit (and/or will cause its third-party consultant to submit) a final billing to Agency for any balance owed for the PE Work. Agency shall pay Railroad (and/or its third-party consultant, as applicable) within thirty (30) days after Agency's receipt of any progressive and final bills submitted for the PE Work. Bills will be submitted to the Agency using the contact information provided on **Exhibit C**. Agency's obligation hereunder to reimburse Railroad (and/or its third-party consultant, as applicable) for the PE Work shall apply regardless if Agency declines to proceed with the Project or Railroad elects not to approve the Project.

4. Agency acknowledges and agrees that Railroad may withhold its approval for the Project for any reason in its sole discretion, including without limitation, impacts to Railroad's safety, facilities or operations. If Railroad approves the Project, Railroad will continue to work with Agency to develop final plans and specifications and prepare material and force cost estimates for any Project related work performed by Railroad.

5. If the Project is approved by Railroad, Railroad shall prepare and forward to Agency a Construction and Maintenance Agreement (**C&M Agreement**) which shall provide the terms and conditions for the construction and ongoing maintenance of the Project. Unless otherwise expressly set forth in the C&M Agreement, the construction and maintenance of the Project shall be at no cost to Railroad. No construction work on the Project affecting Railroad's property or operations shall commence until the C&M Agreement is finalized and executed by Agency and Railroad.

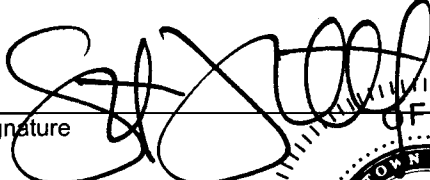
6. Neither party shall assign this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned or delayed.

7. No amendment or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties.

8. This Agreement sets forth the entire agreement between the parties regarding the Project and PE Work. To the extent that any terms or provisions of this Agreement regarding the PE Work are inconsistent with the terms or provisions set forth in any existing agreement related to the Project, such terms and provisions shall be deemed superseded by this Agreement to the extent of such inconsistency.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the Effective Date.

TOWN OF EAGLE, COLORADO

Signature 
Printed Name SCOTT TURNER
Title MAYOR



UNION PACIFIC RAILROAD COMPANY,
a Delaware Corporation

Signature _____
Printed Name Kenneth Tom
Title Manager I, Engineering – Public Projects

Exhibit A

Project Description and Location

Project Description

Town of Eagle, CO proposes to modify the crossings referred to below including nearby intersections at Grand Avenue, as well as further investigate a new pedestrian overpass at a location to be determined at a later date.

Location

Tennessee Pass Subdivision

DOT	Crossing Type	Milepost	Street Name
253547S	Private	328.818	Private – Ping Lane
253548Y	Public	329.15	Brooks Lane
253549F	Private	329.567	Violet Lane

Exhibit B

Scope of Project Services

Scope of work includes, but is not limited to the following

- Field diagnostic(s) and inspections
- Plan, specification and construction review
- Project design
- Preparation of Project estimate for force account or other work performed by the Railroad
- Meetings and travel

Exhibit C

Billing Contact Information

Name	Tom Gosiorowski
Title	
Address	1050 Chambers Avenue, P.O. Box 609, Eagle, CO, 81631
Work Phone	(970) 328-6678
Cell Phone	
Email	tom.gosiorowski@townofeagle.org
Agency Project No.	