



Town Council
Tuesday, March 14, 2023
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.*

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

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

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 293 000 618 757

Passcode: us8DoX

[Download Teams](#) | [Join on the web](#)

- **Please note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions to the meeting attendees.**
- **When it's your turn to speak, 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 - 6:05 PM *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. Mike Pisciotta, David Muruato & Omar Muruato - Mean Street Boxing Club
2. Greater Eagle Fire Protection District - 2023 Wildfire Mitigation Projects - Hugh Fairfield-Smith GEFPD Wildland Coordinator
3. George Ruther, Town of Vail Housing Director

CONSENT AGENDA - 6:40 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 - February 28, 2023
2. Bill Pay - February 2023
3. 2022 Audit Engagement Letter
4. Resolution 15, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Release of the Remaining Performance Guarantee for the Eagle Landing at Brush Creek Development"
5. Resolution 17, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Finance Director to "Opt In" to National Opioid Settlements to Resolve Opioid Litigation Against Teva, Allergan, CVS, Walgreens, and Walmart and to Complete Participation Forms For Each Settlement"

STAFF REPORTS - 6:45 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update
2. Department Update for February Activities

BUSINESS ITEMS - 6:55 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: File RZ23-01 Eagle Meadows Rezone
 - a. Ordinance 05, Series 2023 "An Ordinance of the Town Council of the Town of Eagle, Colorado, Rezoning the Property formerly known as Eagle River Station from Resource (R) to Commercial General East (CGE)"
2. Resolution 14, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Amending and Adopting a New Fee Schedule Pursuant to 2.34 of the Eagle Municipal Code"
3. Sylvan Lake Road Conceptual Design Concepts
4. Resolution No. 18 Series of 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Supporting a Financial Match for the Colorado Department of Transportation's (CDOT) Transportation Alternative Program (Tap) Grant Request for the Sylvan Lake Road (SLR) Improvements"

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 8:00 PM

1. Future Agenda Items
2. Council Committee Updates

ADJOURN - 8:15 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

PUBLIC WIFI – Eagle Guest

Eagle boxer David Muruato wins National Silver Gloves title

Eagle Valley Middle School student trains at Mean Street Boxing Club in Eagle

Sports [FOLLOW SPORTS](#) | Feb 16, 2023

Ryan Sederquist [FOLLOW](#)
rsederquist@vaildaily.com



David Muruato, age 12, practices combination punches in preparation for the National Silver Gloves Tournament.
Ben Roof/Courtesy photo

David Muruato: national champion. It has a nice ring to it.

The last time the 12-year-old Eagle Valley Middle School boxer stepped into the ring — Feb. 11 in Independence, Missouri, for the 11-12-year-old, 114-pound National Silver Gloves championship bout — there was nothing capable of thwarting his ambition.

“I got a bloody nose in the first round,” Muruato said after a three-round victory over Region 2 representative Sloan Olbeter. “But I didn’t let that stop me, you know, from getting that belt.”

Mike Pisciotta, who has coached Muruato at Mean Street Boxing Club in Eagle for the last four years, said Olbeter “threw some good, hard punches.”

“But David was really countering with beautiful right hooks and straight punches from a distance,” he continued. “And then sliding — when they got inside, David let his hands go and won the battles on the inside.”

Similar to Thursday’s semifinal win over the defending national champion, Dayton Eagle Bull, the Eagle boxer opened the title bout in a southpaw stance.

“We knew he hadn’t fought a southpaw yet,” Muruato explained of his strategy. “So we went out in the first round like we’d planne



Born and raised in Pueblo, Pisciotta won a Nebraska state title as an amateur before his own 10-fight pro career. In 1990, while working as a Nebraska correctional officer, [he opened a gym with the](#) goal of reaching at-risk youth. After stints in eastern and western Nebraska and South Dakota, he eventually moved to Eagle in 2014 and opened Mean Street Boxing Club in 2016.

“When I went in front of the Town Council and brought my idea of using the space for youth, they were very open for that,” he said. “Also, to engage a lot of the Hispanic youth because a lot of my kids are Hispanic and boxing is very popular in the Hispanic culture.”

For someone well-versed in training experienced amateurs and pros, the prospect of teaching beginners again renewed Pisciotta’s passion. “I was starting from scratch, kind of like I did in 1990, with brand new kids that had never boxed before,” he said.

“Teaching them basic boxing fundamentals and getting them all the way to compete in a national tournament. David is the first one.”

The youngster started at 8 — the youngest age for USA boxing competitions — with no experience. He progressed quickly, winning three straight Golden Glove titles at 8, 9 and 10-years-old. Pisciotta said Saturday’s national championship is the biggest accomplishment for any athlete in his gym, which had 53 athletes in its competitive program last year.



David Muruato, age 12, spars with Robert Castillo to prepare for the National Silver Gloves Tournament.
Ben Roof/Courtesy photo

“He’s got a natural propensity for boxing,” Pisciotta said. “He’s a good athlete with good rhythm and coordination. He also really works hard. He’s got a great work ethic and that’s one of the reasons he’s progressed so quickly.”

Muruato’s parents have supported his progression, too, even erecting a small gym in the family’s garage. Along with his teachers, they’ve watched boxing positively focus their son’s abundant energy.

“I’m really proud of him,” Muruato’s mom said via translation. “It’s helped him overall. He had a lot of energy as a little kid and this is a sport that can help calm him down.”

“We said, if you want to participate in the boxing, you have to do what the teachers tell you and get good grades,” Pisciotta added.

“I think it helps me to relieve a lot of stress,” Muruato said. “It’s helped me make a lot of new friends at all the tournaments and stuff and at the gym also.”

Pisciotta said of Muruato’s presence and progression have benefited the entire gym.



role in Muruato’s development.

“Robert has been one of the biggest sparring partners for David getting him ready for these nationals,” he said.



David Muruato, age 12, stands surrounded by the members of the Mean Street Boxing Gym in Eagle.
Ben Roof/Courtesy photo

Even though Pisciotta acknowledges the physical nature of boxing, he believes injuries can be mitigated by proper equipment, conditioning and coaching.

“The key is to be very careful with how you match the boxers, putting the kids in with the right level of experience,” he explained.

“When you control the sparring and bring things along, you start getting boxers that are better and better and then they can go at a higher level. They aren’t hurt because they are learning how to block punches, slip punches, throw punches and how to absorb the punch and take the steam off of it.”

Still, he said he usually doesn’t like to train athletes that are too young.

“Most don’t take it seriously,” he said. “They’re not mature enough. Boxing is a lot different than other sports. You’ve got nobody but you.” Muruato, however, is an exception — he’s able to handle the fear of the unknown and exposure to the spotlight.

“Everyone can see that you’re exposed for who you are and what you can do,” Pisciotta said of the atmosphere inside the ring. “David’s got tenacity and drive. I think I knew from his very first fight that he has what it takes to succeed as a boxer.”

That first fight was a Junior Olympic tournament in Longmont four years ago. Moments before weigh-in, Muruato found out his opponent had significantly more experience than previously thought.

“He could have complained or gotten nervous about it, but he didn’t say anything. He went in and chased this guy all over the ring,” Pisciotta recalled.

David lost the decision, but his opponent appeared to be the one being hunted. “David was just really tenacious,” the coach continued. “That showed me right there that this kid has a lot of heart, drive and courage — he wasn’t intimidated — and that he could go a long way.”

Only the beginning





David Muruato, poses with John Brown, the founder of Ringside Products, at the National Silver Gloves tournament in Independence, Missouri. John Brown started Ringside Products in the mid-1980s and the company became one of the largest distributors of boxing equipment in the world and the official sponsor of the National Silver Gloves.

Michael Pisciotta/Courtesy photo

Muruato said he was nervous going into the championship fight. “But you know, I fought through it,” he said. “I was also really excited to see what it was like and get the experience.” His eyes are set on winning the state Golden Gloves tournament in March (Golden Gloves are the highest amateur boxing tournaments, but its national event, unlike the state event, is only open to athletes 16 and older) and the National Junior Olympics in Lubbock, Texas, in June.

“He went from starting at 8 years old with zero experience to being a national champion at 12, so he really has come a long way,” Pisciotta said, adding that Muruato is the first national champion he’s coached in 32 years.

“And it’s just the beginning for this young man. He has so much potential.”



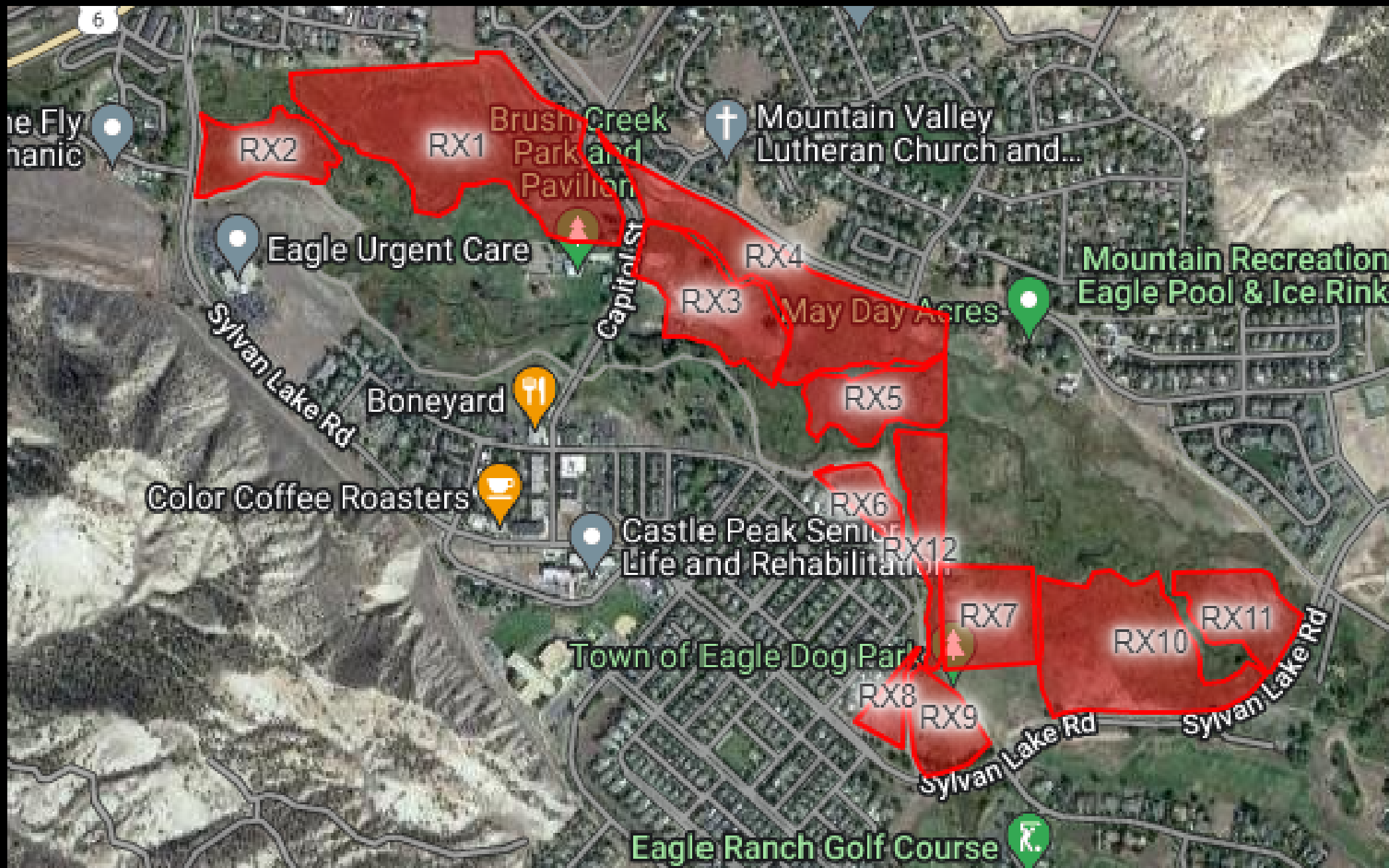
David Muruato, age 12, poses for the camera wearing the Mean Street Boxing Gym's Legacy tournament robe.
Ben Roof/Courtesy photo

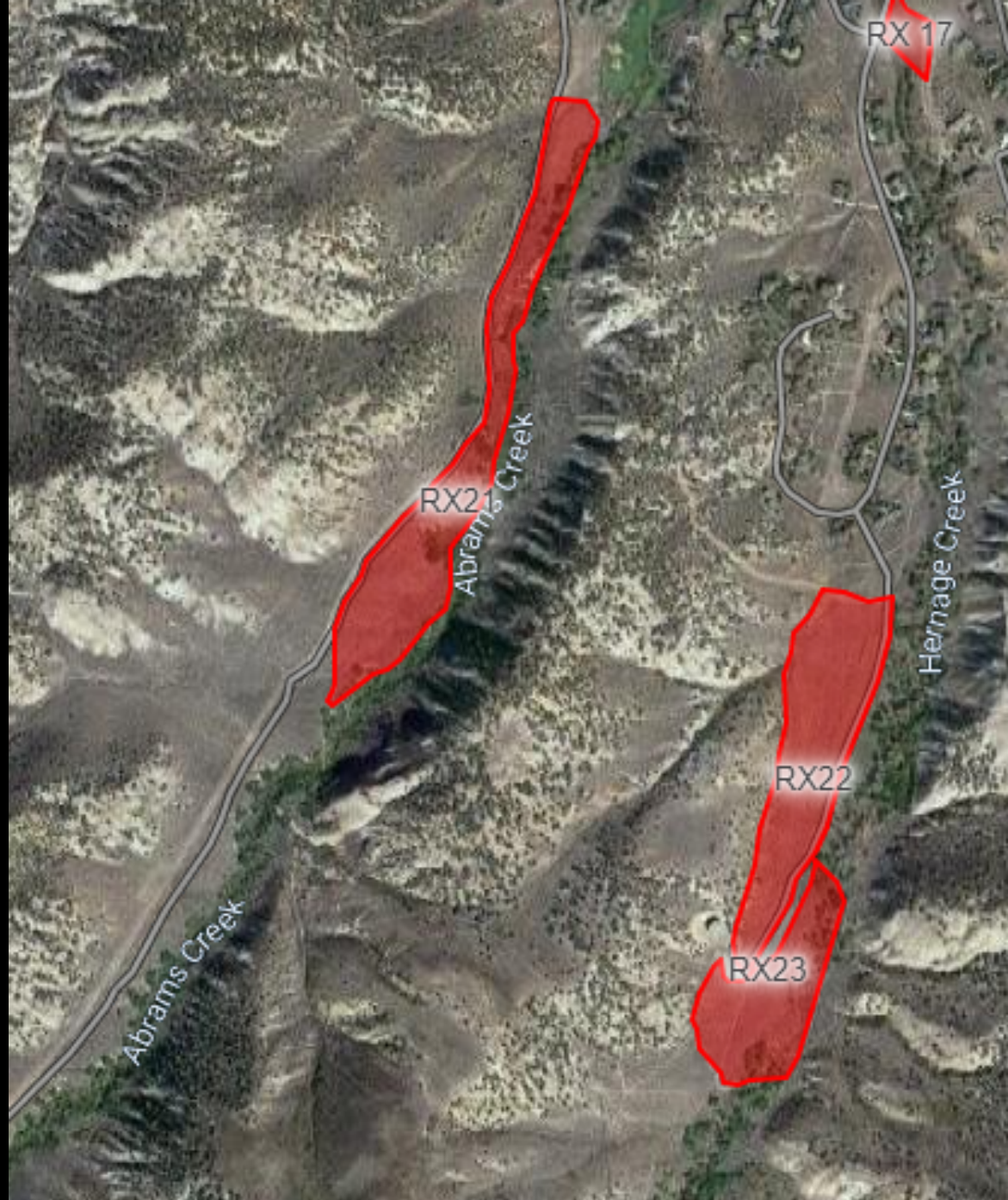


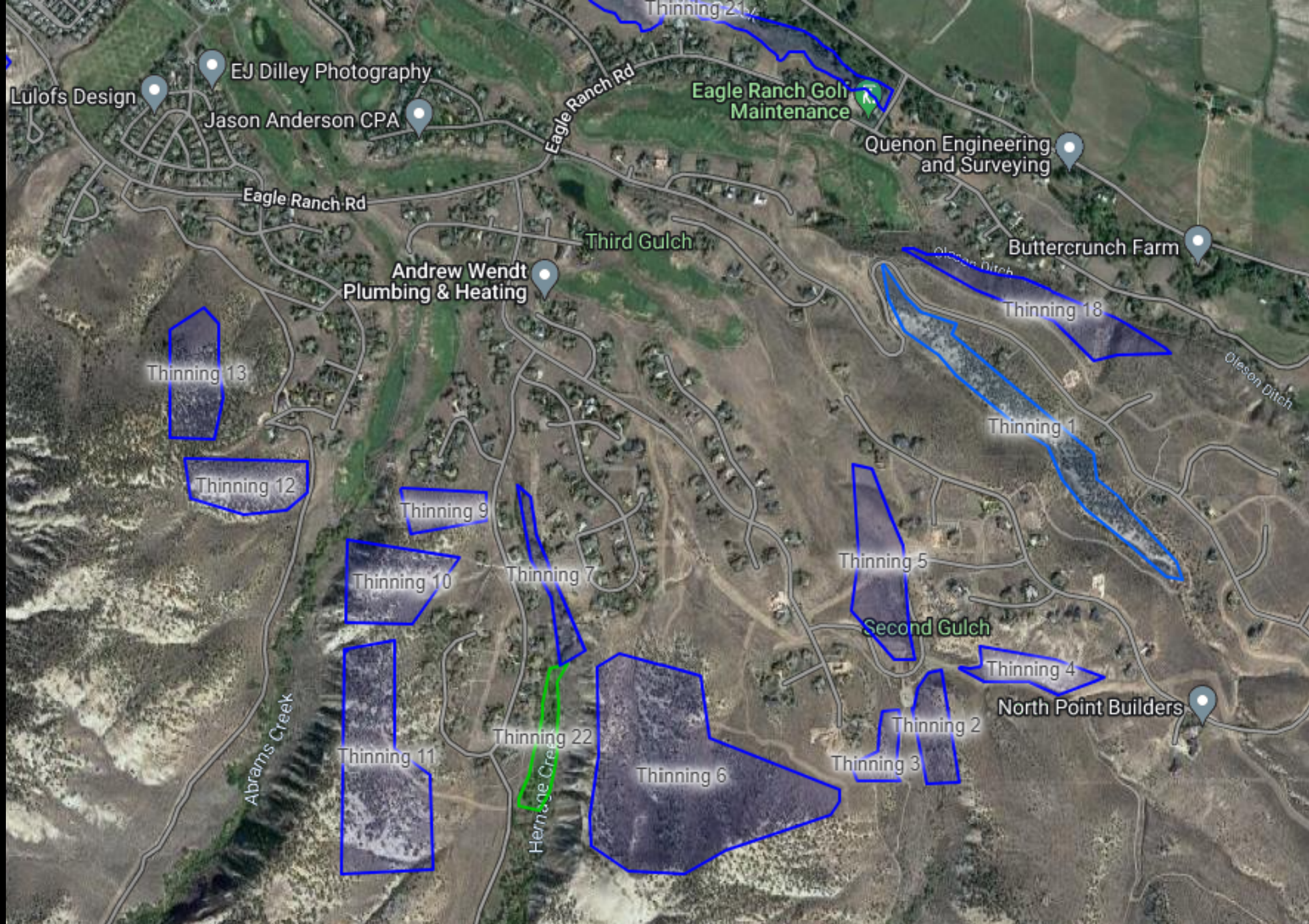
Town of Eagle Prescribed Fire 2023

Colorado State Funding

- EVW Received \$146,000.00 for mitigation in the Eagle Area.
- Matching Grant
- EVW Plans to continue thinning units, fuel breaks and prescribed fire.









MEETING MINUTES
Town Council
Tuesday, February 28, 2023
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an in-person meeting with access via Teams.

CALL TO ORDER - 6:00 PM

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

ROLL CALL

COUNCILMEMBERS PRESENT

Mikel Kerst, Scott Turnipseed, Ellen Bodenhemier, Janet Bartnik, Geoffrey Grimmer, Sarah Parrish, Nick Sunday

COUNCILMEMBERS ABSENT

STAFF PRESENT

Larry Pardee, 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
Derek Bos, Police Chief
Cliff Simonton, Senior Planner
Dennis Wike, Engineer
Peyton Heitzman, Planner
Nikki Davis, Community Development
Tez Hawkins, Planner
Thomas Rich, Sergeant
Brian Lieberman, Open Space and Trails Manager

ADOPTION OF AGENDA

Mayor Scott Turnipseed asked for a moment of silence for Kellen Collins.

PUBLIC COMMENT

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

PRESENTATIONS

1. Yearout 60% IGA update
Tom Gosiorowski and Paul Engle presented this item.

Council comments: discussion on water smart grant application and water monitoring options. Funding of meter replacement would be town financed and paid for through savings realized for accurate billing.

2. One Book One Valley Proclamation, Lori Barnes Vail Library
Lori Barnes presented this item.

Mayor Scott Turnipseed read the proclamation into the record.

CONSENT AGENDA

MOTION: Councilmember Sarah Parrish motioned to approve the consent agenda. The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, and Sunday), 0 opposed, and 1 abstain (Bartnik)

1. Minutes - February 14, 2023
2. Resolution 12, Series 2023 "A Resolution Approving a Contract with DRC Construction Services Inc. for Sanitary Sewer System Cleaning"

STAFF REPORTS

1. Town Manager Update
Council comments: discussion on timeline for block party logistics. EVTA request submitted for free bus services for the block party event. Discussion on software testing for community analysis and an EV plaza grant.
2. December 31, 2022 - Budget to Actual Report and Revenue Analysis
Jill Kane, Finance Director presented this item.

Council comments: river park donations, short-term rental compliance, refuse fund minimum balance requirement. Jill stated staff is working on a policy for fund balances. Continuing to work on closing out Centurylink billing for services. Discussion on reduced lodging revenue and increases in Chambers sector. Option to use the federal covid grant funds for the pool repairs.

BUSINESS ITEMS

1. Resolution 11, Series 2023 " A Resolution of the Town Council of the Town of Eagle, Colorado Appointing _____ and _____ to Fill Two Vacancies on the Town of Eagle Planning and Zoning Commission"
Nikki Davis presented this item. Both nominees were in the audience.

Introductions were made by Weston Arbogast and Keith Montag.

MOTION: Councilmember Janet Bartnik motioned to approve Resolution 11, Series 2023 " A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Weston Arbogast and Keith Montage to Fill Two Vacancies on the Town of Eagle Planning and Zoning Commission". The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Bartnik, and Sunday) and 0 opposed.

2. Resolution 13, Series 2023 "A Resolution Of The Town Council Of The Town Of Eagle, Colorado Approving An Agreement For Refuse Collection And Disposal Services With Vail Honeywagon Enterprises, LLC"
Larry Pardee Town Manager presented this item.

Jennifer Collins representative from Vail Honeywagon was present and supported approval of the Resolution and Agreement.

Mayor Scott Turnipseed opened public comment for this item.

Public comment:

Laura Hartman representing the Adam Palmer Sustainability Fund supported approval of the Resolution and

Agreement.

Kristen Hartel representing the Adama Palm Sustainability Fund supported approval of the Resolution and Agreement.

Mayor Scott Turnipseed closed public comment.

MOTION: Councilmember Nick Sunday motioned to Approve Resolution 13, Series 2023 "A Resolution Of The Town Council Of The Town Of Eagle, Colorado Approving An Agreement For Refuse Collection And Disposal Services With Vail Honeywagon Enterprises, LLC". The motion was seconded and with a vote of 7 in favor (Kerst, Turnipseed, Bodenheimier, Grimmer, Parrish, Bartnik, and Sunday)and 0 opposed.

3. Proposed Second Gulch Motorized Width Access Change from 50-inches to 72-inches
Brian Lieberman Open Space and Trails Manager presented this item.

Council comments: discussion on how the width of 72 inches was arrived at. Discussion on not creating a destination access point at this location for off-road vehicles. Staff provided information that costs to implement currently include expanding the cattle guard. BLM has approved the access and the options presented.

Mayor Scott Turnipseed opened public comment for this item.

David Christian 0680 4th of July Road. Stated opposition to the proposed change.

Brett Hooper 78 N Penstemon lane. Stated opposition to the proposed change.

Weston Arbogast - 101 Shorthorn Drive. Stated opposition to the proposed change.

Tom Olden 1864 Eagle Ranch Road. Stated opposition to the proposed change.

Celena Olden 1864 Eagle Ranch Road. Stated opposition to the proposed change.

Dan Lambert 22 N Penstemon lane. Stated support to the proposed change.

Craig Mangone 272 N Penstemon. Stated support to the proposed change.

Lee Merkel 847 4th of July Road. Stated opposition to the proposed change.

John Ives 356 harrier circle. Stated opposition to the proposed change.

Mayor Scott Turnipseed closed public comment.

Council comments - discussed access to areas above this access point. Town Attorney Matt Mire stated the request tonight is to give administrative direction to staff to create an Ordinance for consideration. Statements were made regarding reducing the access and not wanting it too wide. Further discussion on equal access to open space and public areas.

Brian Lieberman stated that staff has no recommendation and is asking for clarity on what to bring back.

Council agreed staff will prepare an Ordinance based on the input received tonight.

4. Comprehensive Affordable Housing Assessment (CAHA) Final Report
Peyton Heitzman presented this item.

Council comments: would like clarification on school employment numbers.

MOTION: Councilmember Janet Bartnik motioned to accept the Comprehensive Affordable Housing Assessment Final Report as presented. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Bartnik, and Sunday) and 0 opposed.

5. Grand Avenue Corridor Final Design
Martha Miller Town Engineer presented this item.

The Stolfus firm was determined to be the choice by the selection committee to perform this work.

Elizabeth Stolfus was present on Teams and introduced herself and her firm.

Mayor Scott Turnipseed thanked everyone for their work so far.

MOTION: Councilmember Janet Bartnik motioned to direct staff to work with Stolfus & Associates to develop a Scope of Work and fee proposal for the next phase of work. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Bartnik, and Sunday) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items
Council Member Bodenhemier inquired about ReCode Eagle and when a draft would be ready. Chad stated March with the goal to approve in May.
2. Council Committee Updates
Council Member Bodenhemier updated on Grand Avenue bus shelter requests, free bus for the block party event, and more signage for the Eagle Valley Trail in Eagle.

Council Member Grimmer updated on the EVTA and proposal for an in-town circulator transit system.

ADJOURN - 8:35 PM

MOTION: Councilmember Mikel Kerst motioned to adjourn. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenhemier, Grimmer, Parrish, Bartnik, and Sunday) and 0 opposed.

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

**BILL SCHEDULE
FEBRUARY 2023**

GENERAL FUND

Town Council

Pinnacol Assurance	Workers Compensation	36.95
Elected Leaders Collective	Meeting Expense	2,499.00
Cirsa	Insurance	276.66
Eagle County Historical Society	Community Requests	2,357.00
Small Champions, Inc.	Community Requests	2,857.00
Total Town Council		\$ 8,026.61

General Government

Pinnacol Assurance	Workers Compensation	364.44
CEBT	Health & Life Ins. Payable	824.48
Rocky Mountain Reserve LLC	Health & Insurance Benefits	39.53
Amazon	Office Supplies	37.82
Cintas Corporation	Office Supplies	19.56
ECO Transit	Professional Services	2,031.66
Hoffman, Parker, Wilson & Carberry Pc	Legal - General	1,312.00
Cirsa	Insurance	17,702.71
Total General Government		\$ 22,332.20

General Administration

Daianu-Anghel, Alexandru	Utility Overpayment Refund	13.38
Eagle County Housing & Dev. Authority	Utility Overpayment Refund	25.90
Pooley, Christopher	Utility Overpayment Refund	26.98
Pinnacol Assurance	Other Prepaid Expenses	(5,119.69)
Family Support Registry	Misc. Deductions Payable	146.76
Heelan, Sandra	Facility Usage Deposit Refund	640.69
Woods, Rita	Facility Usage Deposit Refund	750.00
Pinnacol Assurance	Worker's Compensation	377.20
CEBT	Health & Life Ins. Payable	13,986.90
Rocky Mountain Reserve LLC	Health & Insurance Benefits	350.22
Amazon	Office Supplies	399.49
Cintas Corporation	Office Supplies	110.82
Employer's Council Services, Inc.	Office Supplies	180.00
Amazon	Equipment (Non-Capital)	39.59
Versa Desk	Equipment (Non-Capital)	520.91
An Exquisite Design	Employee Appreciation	77.27
Pitney Bowes Global Financial Services	Communication & Shipping	65.82
USPS	Communication & Shipping	1,826.64
Colorado Mtn. News Media	Legal Notices	424.90
Government Finance Officers Association	Dues & Subscriptions	170.00
Hootsuite	Dues & Subscriptions	588.00
Impact Development Fund	Dues & Subscriptions	1,500.00
Mail Chimp	Dues & Subscriptions	101.00
Mountain Careers	Dues & Subscriptions	159.00
Ewing, Glen	Employee Housing Rental Expense	277.62
Chase Paymentech	C.C. Transaction Fees	190.96
Forte Payments	C.C. Transaction Fees	66.08

General Administration (Cont.)

Xpress Bill Pay	C.C. Transaction Fees	29.48
Employer's Council Services, Inc.	Professional Services	10,570.00
Civic Plus	Computer Support	3,150.00
Gov Os, Inc.	Computer Support	833.34
Xpress Bill Pay	Computer Support	50.00
Checkpoint Learning	Tuition & Books	519.00
Wells Fargo	Miscellaneous	39.00
Cirsa	Insurance - Pavilion	1,738.44
Total General Administration		\$ 34,825.70

Community Development

Pinnacol Assurance	Worker's Compensation	2,559.51
CEBT	Health & Life Ins. Payable	8,120.36
Rocky Mountain Reserve LLC	Health & Insurance Benefits	553.40
Fleet Services	Gas & Oil	110.56
Certified Mail Envelopes	Legal Notices	5.80
Column Software, PBC	Legal Notices	89.76
Info Cubic	Recruitment	49.70
Baseline Engineering Corporation	Professional Services	1,236.25
JHW Plan Review Services	Professional Services	2,260.00
Garfield & Hecht, P.C.	Planning Reimbursable	2,791.00
Hoffman, Parker, Wilson & Carberry PC	Planning Reimbursable	770.00
LRE Water	Planning Reimbursable	900.00
Hoffman, Parker, Wilson & Carberry PC	Legal	2,296.00
Embassy Suites	Travel Expense	15.99
Red Canyon Café	Meeting Expense	80.82
Colorado Chapter ICC	Tuition & Books	741.60
Cirsa	Insurance	1,476.25
Total Community Development		\$ 24,057.00

Municipal Court

Pinnacol Assurance	Worker's Compensation	38.27
CEBT	Health & Life Ins. Payable	243.23
Rocky Mountain Reserve LLC	Health & Insurance Benefits	11.86
Amazon	Office Supplies	117.25
CAMCA	Dues & Subscriptions	104.00
Hoffman, Parker, Wilson & Carberry Pc	Legal	430.50
Johnson, Erik A.	Tuition & Books	260.00
Johnson, Erik A.	Contract Payments	375.00
Cirsa	Insurance	88.53
Total Municipal Court		\$ 1,668.64

Streets

Pinnacol Assurance	Worker's Compensation	13,108.75
CEBT	Health & Life Ins. Payable	7,014.13
Rocky Mountain Reserve LLC	Health & Insurance Benefits	523.84
Tractor Supply Co	Uniforms	(8.90)
Colorado Barricade	Repair & Maintenance Supplies	438.48
Ewing Trucking And Construction LLC	Repair & Maintenance Supplies	9,185.61
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	44.99

Streets (Cont.)

Lawson Products	Repair & Maintenance Supplies	4,193.71
Titan Machinery	Repair & Maintenance Supplies	62.50
Transwest Trucks	Street Repair & Mtn Supplies	59.76
Wagner Equipment Co	Repair & Maintenance Supplies	2,275.95
Wear Parts & Equip Co, Inc	Repair & Maintenance Supplies	5,848.63
Collett Enterprises	Gas & Oil	969.98
Fleet Services	Gas & Oil	4,877.65
Holy Cross Energy	Utility Services	6,189.49
Thompson Welding	Repair & Maintenance Services	260.00
Transwest Trucks	Repair & Maintenance Services	1,254.00
Utility Notification Center Of Colorado	Repair & Maintenance Services	32.25
Caterpillar Financial Services	Winter Snow Equipment Rental	103.90
Casa Mexico	Meeting Expense	68.31
King Soopers Customer Charges	Meeting Expense	23.00
Cirsa	Insurance	16,514.17
Total Streets		\$ 73,040.20

Public Safety

Pinnacol Assurance	Worker's Compensation	33,123.80
CEBT	Health & Life Ins. Payable	23,090.97
Rocky Mountain Reserve LLC	Health & Insurance Benefits	1,181.91
Amazon	Office Supplies	264.89
Costco	Office Supplies	86.73
Heil, Megan	Office Supplies	10.69
L-Tron Corporation	Office Supplies	36.20
Signature Signs Inc	Office Supplies	7.00
Zazzle	Office Supplies	(3.55)
Amazon	Operating Supplies	52.36
Heil, Megan	Operating Supplies	41.32
Galls, LLC	Uniforms	26.89
Heil, Megan	Uniforms	115.99
Skaggs Companies, Inc	Uniforms	294.00
Fleet Services	Gas & Oil	3,239.72
Say No More! Promotions	Equipment (Non-Capital)	1,315.11
Federal Express Corp.	Communication & Shipping	44.84
Colo Assn Chiefs Of Police	Dues & Subscriptions	405.00
Int'l Assoc. For Property & Evidence Inc	Dues & Subscriptions	130.00
NASRO	Dues & Subscriptions	40.00
National Tactical	Dues & Subscriptions	35.00
RMTTA Membership	Dues & Subscriptions	20.00
AT&T Mobility	Utility Services	719.12
Indeed	Recruitment	284.29
Skaggs Companies, Inc	Professional Services	20.00
Hoffman, Parker, Wilson & Carberry Pc	Legal	164.00
Performance Auto	Repair & Maintenance Services	110.00
Whitewater Express Carwash	Repair & Maintenance Services	46.20
Progressive Microtechnology, Inc.	Computer Support	695.00
Holiday Inn	Travel	(30.46)
Sanders, Joshua	Travel	159.74
Color Coffee Roasters	Meeting Expense	24.50

Public Safety (Cont.)

Yeti's Grind	Meeting Expense	14.40
Colo Assn Chiefs Of Police	Tuition & Books	330.00
Force Science Institute	Tuition & Books	495.00
National Tactical	Tuition & Books	249.00
Eagle County 800 MHz Operations	Radio Access	24,089.86
Paper Wise	Contract Payments	80.00
Transunion Risk & Alternative Data Solution	Contract Payments	105.00
Cirsa	Insurance	36,792.02
Total Public Safety		\$ 127,906.54

Buildings & Grounds

Pinnacol Assurance	Worker's Compensation	9,012.49
CEBT	Health & Life Ins. Payable	5,983.27
Rocky Mountain Reserve LLC	Health & Insurance Benefits	363.67
Tractor Supply Co	Uniforms	(8.91)
Gypsum Eagle Ace Hardware	Repair & Maintenance Supplies	130.45
Paint Bucket	Repair & Maintenance Supplies	206.67
S&S Automatics & Door Service LLC	Repair & Maintenance Supplies	916.00
State Industrial Products	Repair & Maintenance Supplies	275.66
The Sherwin-Williams Company	Repair & Maintenance Supplies	178.91
U-Line	Repair & Maintenance Supplies	610.93
Collett Enterprises	Gas & Oil	969.99
Fleet Services	Gas & Oil	879.64
Black Hills Energy	Utility Services	7,362.94
Holy Cross Energy	Utility Services	6,696.20
Eagle Lock & Key	Repair & Maintenance Services	295.00
Rod's Painting Inc	Repair & Maintenance Services	750.00
S&S Automatics & Door Service LLC	Repair & Maintenance Services	680.00
Vail Honeywagon	Repair & Maintenance Services	212.42
Casa Mexico	Meeting Expense	68.31
King Soopers Customer Charges	Meeting Expense	23.00
Cirsa	Insurance	48,110.81
Total Buildings & Grounds		\$ 83,717.45

Information Center

Pinnacol Assurance	Worker's Compensation	17.99
Cirsa	Insurance	23.08
Total Information Center		\$ 41.07

Marketing & Events

Pinnacol Assurance	Worker's Compensation	2,547.87
CEBT	Health & Life Ins. Payable	2,243.72
Rocky Mountain Reserve LLC	Health & Insurance Benefits	130.76
Signature Signs Inc	Office Supplies	7.00
National Velvet	Repair & Maintenance Services	85.70
Apple.Com	Computer Support	12.02
Canva	Computer Support	27.98
Colorado Mtn. News Media	Media	430.50
Mountain Lifestyle LLC	Media	2,500.00
Vail Valley Live	Media	375.00

Marketing & Events (Cont.)

Color Coffee Roasters	Meeting Expense	32.23
El Segundo	Meeting Expense	62.53
Everyday Outfitters	Meeting Expense	42.10
Mauka Poke Bar	Meeting Expense	18.00
Yeti's Grind	Meeting Expense	6.60
Dot Zero Multimedia	Marketing - Website	1,349.33
Scott Bellow Photography LLC	Marketing - Website	1,800.00
Shane McComber Photography	Marketing - Website	2,000.00
Eagle Climbing + Fitness, LLC	Events	6,000.00
Eagle River Watershed Council	Events	1,000.00
Cirsa	Insurance	927.73
Total Marketing & Events		\$ 21,599.07

Engineering

Pinnacol Assurance	Workers Compensation	3,039.09
CEBT	Health & Life Ins. Payable	3,783.73
Rocky Mountain Reserve LLC	Health & Insurance Benefits	176.56
Tractor Supply Co	Uniforms	(8.91)
Fleet Services	Gas & Oil	86.93
Casa Mexico	Meeting Expense	68.31
King Soopers Customer Charges	Meeting Expense	23.01
Cirsa	Insurance	1,547.09
Total Engineering		\$ 8,715.81

Information Technology

Pinnacol Assurance	Workers Compensation	115.28
CEBT	Health & Life Ins. Payable	631.29
Rocky Mountain Reserve LLC	Health & Insurance Benefits	60.87
Amazon	Office Supplies	40.44
Forward Tech Solutions, LLC	Equipment (Non-Capital)	1,194.00
Century Link	Utility Services	8,240.30
ArcGIS Solutions, Inc.	Computer Support	1,178.75
Aspen Wireless Technologies, Inc.	Computer Support	4,851.50
Performance Enhancements, Inc.	Computer Support	21,446.01
TEC Integration, Inc.	Computer Support	100.00
Moe's Original BBQ	Meeting Expense	(20.55)
ESRI	Tuition & Books	2,075.00
Professional Document Solutions, Inc.	Contract Payments	360.36
Cirsa	Insurance	1,384.93
Total Information Technology		\$ 41,658.18

Total GENERAL FUND**\$ 447,588.47****CAPITAL IMPROVEMENTS FUND**

Eagle Recreation Facility Advisory Corp	Pool & Ice Maintenance Fund	175,000.00
Aspen Wireless Technologies, Inc.	Town Hall Improvements	7,592.63
Office Furniture EZ	Town Hall Improvements	9,156.79
Aspen Wireless Technologies, Inc.	Town Shop Improvements	2,990.00
Aspen Wireless Technologies, Inc.	IT Improvements	3,822.23
David Evans & Associates, Inc.	Traffic Control Improvements	4,278.00

CAPITAL IMPROVEMENTS FUND (Cont.)

Aspen Wireless Technologies, Inc.

Project Thor

11,602.00

Total CAPITAL IMPROVEMENTS FUND**\$ 214,441.65****WASTE WATER FUND**

Pinnacol Assurance

Worker's Compensation

5,492.90

CEBT

Health & Life Ins. Payable

5,725.44

Rocky Mountain Reserve LLC

Health & Insurance Benefits

422.44

USA Blue Book

Operating Supplies

2,096.10

Tractor Supply Co

Uniforms

(8.91)

Gypsum Eagle Ace Hardware

Repair & Maintenance Supplies

31.10

USA Blue Book

Repair & Maintenance Supplies

570.19

Water Technology Group

Repair & Maintenance Supplies

14,481.00

Westech

Repair & Maintenance Supplies

7,530.00

Fleet Services

Gas & Oil

322.65

Federal Express Corp.

Communication & Shipping

185.66

Nextrust Inc

Communication & Shipping

307.50

USA Blue Book

Communication & Shipping

22.21

Westech

Communication & Shipping

200.68

Black Hills Energy

Utility Services

12,984.23

Holy Cross Energy

Utility Services

21,694.52

Chase Paymentech

C.C. Transaction Fees

568.54

Xpress Bill Pay

C.C. Transaction Fees

324.23

Eagle Embroidery Inc.

Professional Services

60.00

LRE Water

Engineering

4,567.50

Mott Macdonald

Engineering

18,443.75

Denali Water Solutions LLC

Sludge Disposal

2,088.59

Utility Notification Center Of Colorado

Repair & Maintenance Services

32.25

Water Technology Group

Repair & Maintenance Services

8,528.13

SGS North America Inc

Testing & Permits

225.93

Casa Mexico

Meeting Expense

68.31

King Soopers Customer Charges

Meeting Expense

23.01

Indigo Water Group

Tuition & Books

600.00

Cirsa

Insurance

36,809.60

Aspen Wireless Technologies, Inc.

Capital Expenditures

2,990.00

Total WASTE WATER FUND**\$ 147,387.55****WATER FUND**

Pinnacol Assurance

Worker's Compensation

11,468.05

CEBT

Health & Life Ins. Payable

6,782.27

Rocky Mountain Reserve LLC

Health & Insurance Benefits

449.31

Amazon

Operating Supplies

158.68

Core & Main LP

Operating Supplies

163.69

Gypsum Eagle Ace Hardware

Operating Supplies

991.71

Tractor Supply Co

Uniforms

(8.90)

Amazon

Repair & Maintenance Supplies

40.00

Core & Main LP

Repair & Maintenance Supplies

15.00

Ferguson Enterprises, Inc.

Repair & Maintenance Supplies

432.00

Ferguson Enterprises, Inc.

Repair & Maintenance Supplies

129.27

Gypsum Eagle Ace Hardware

Repair & Maintenance Supplies

14.99

IFM Efector

Repair & Maintenance Supplies

457.04

WATER FUND (Cont.)

Municipal Treatment Equip. Inc
Columbine Ford
Fleet Services
Federal Express Corp.
Nextrust Inc
Colorado Rural Water Association
Roaring Fork Conservancy
AmeriGas
Black Hills Energy
Holy Cross Energy
Chase Paymentech
Xpress Bill Pay
Garfield & Hecht, P.C.
LRE Water
Mott Macdonald
Utility Notification Center Of Colorado
Vail Honeywagon
Raftelis
Casa Mexico
King Soopers Customer Charges
American Water Works Assn
Indigo Water Group
Cirsa
Aspen Wireless Technologies, Inc.
Mott Macdonald

Total WATER FUND

Repair & Maintenance Supplies 2,509.96
Vehicle Repair & Maintenance Supplies 959.32
Gas & Oil 198.43
Communication & Shipping 0.95
Communication & Shipping 1,060.06
Dues & Subscriptions 450.00
Dues & Subscriptions 900.00
Utility Services 1,412.35
Utility Services 293.43
Utility Services 14,119.60
C.C. Transaction Fees 953.14
C.C. Transaction Fees 540.38
Legal 92.00
Engineering 3,221.56
Engineering 3,990.00
Repair & Maintenance Services 32.25
Repair & Maintenance Services 187.72
Tap Fee And Rate Study 2,950.00
Meeting Expense 68.31
Meeting Expense 23.01
Tuition & Books 73.50
Tuition & Books 600.00
Insurance 78,830.22
Capital Expenditures 2,990.00
Tank Replacement 13,195.25

\$ 150,744.55**REFUSE FUND**

Pinnacol Assurance
Nextrust Inc
Chase Paymentech
Xpress Bill Pay
Hoffman, Parker, Wilson & Carberry Pc
Safety-Kleen Systems, Inc.
Vail Honeywagon
Vail Honeywagon
Cirsa

Total REFUSE FUND

Worker's Compensation 227.90
Communication & Shipping 307.51
C.C. Transaction Fees 133.77
C.C. Transaction Fees 78.60
Legal 143.50
Repair & Maintenance Service 301.04
Repair & Maintenance Service 193.47
Contract Services 801.89
Insurance 664.10

\$ 2,851.78**STORMWATER FUND**

Nextrust Inc
Chase Paymentech
Xpress Bill Pay
Cirsa

Total STORMWATER FUND

Communication & Shipping 307.50
C.C. Transaction Fees 16.72
C.C. Transaction Fees 9.82
Insurance 79.79

\$ 413.83**OPEN SPACE FUND**

Pinnacol Assurance
CEBT
Rocky Mountain Reserve LLC

Worker's Compensation 2,161.51
Health & Life Ins. Payable 1,093.41
Health & Insurance Benefits 90.13

OPEN SPACE FUND (Cont.)

Signature Signs Inc	Office Supplies	63.00
Vail Honeywagon	Repair & Maintenance Services	155.74
Eagle County Treasurer	Property Taxes & Treasurer Fee	263.64
Cirsa	Insurance	1,073.14
Total OPEN SPACE FUND		\$ 4,900.57

DOWNTOWN DEVELOPMENT FUND

Downtown Colorado Inc.,	Professional Services	5,000.00
Cirsa	Insurance	34.68
Total DOWNTOWN DEVELOPMENT FUND		\$ 5,034.68

Total	\$ 973,363.08
Payroll	\$ 453,782.14
Grand Total	\$ 1,427,145.22



To: Mayor and Town Council

From: Jill Kane, Finance Director

Date: March 14, 2023

Agenda Item: 2022 Audit Engagement Letter with Maggard & Hood PC

REQUEST: Review the Audit Engagement Letter between the Town and Maggard & Hood, P.C. for the year ending December 31, 2022.

INTRODUCTION: An annual independent audit is required by the Town Charter and CRS 29-1-601. The Town's 2022 annual audit will be remote this year and is scheduled to begin April 19th. Prior to commencement of the audit, the Town Manager and Council need to review and approve an Engagement Letter. The Engagement Letter defines the scope of work, the responsibilities, and obligations of the Auditor as well as the Town, and audit fees. The Town's annual audit is due to the State on July 31, 2023.

ANALYSIS: The Engagement Letter includes standard language in accordance with Generally Accepted Auditing Standards (GAAS). The 2022 audit will not require a Single Audit (since the Town did not receive over \$750,000 in federal funds) as was required in 2021, thus that language has been removed from this year's audit engagement letter.

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT: The 2023 budget includes \$39,000 for auditing and accounting services. This includes services for the annual audit as well as any additional accounting, auditing, or actuarial services required. In 2022 the Town spent \$36,924 on the 2021 annual audit compared to \$39,331 in 2021. Maggard & Hood's hourly rates have increased by approximately 7% since last year. This is the first increase in rates in several years:

MAGGARD AND HOOD - HOURLY BILLING RATES			
POSITION	HOURLY RATE		NOTES
Year	2022	2023	
Partner 1	\$ 176	\$ 188	Regular Rate is \$225; discounted for the Town
Partner 2	175	187	Regular Rate is \$219; discounted for the Town
Staff 1	135	144	
Staff 2	90	96	
Admin	69	74	

STRATEGIC PLAN ALIGNMENT: Conducting the Town's annual audit is aligned with two of our guiding principles: *Sustainable Finances and Transparency* – Ensuring accuracy of financial records, compliance with accounting standards, and soundness of financial practices, including internal controls ensures the Town's financial strength and provides records for our customers which encourages public trust.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** the Maggard & Hood, P.C. 2022 Audit Engagement Letter.

ATTACHMENTS: 2022 Audit Engagement Letter

March 3, 2023

The Town of Eagle
Town Manager & Members of Town Council
Eagle, CO 81631

We are pleased to confirm our understanding of the services we are to provide for the Town of Eagle for the year ended December 31, 2022. We will audit the financial statements of the governmental activities, the business-type activities, each major fund and any aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the Town of Eagle as of and for the year ended December 31, 2022.

Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A) and certain budgetary comparison schedules, to accompany the Town of Eagle's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Town of Eagle's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist principally of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis.
2. Statement of Revenues, Expenditures & Changes in Fund Balances--Budget & Actual--General Fund.

We have also been engaged to report on supplementary information other than RSI that accompanies the Town of Eagle's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

1. Combining and Individual Fund Financial Statements.
2. Annual Statement of Receipts and Expenditures for Roads, Bridges and Streets.

Audit Objective

The objectives of our audit are to obtain reasonable assurance as to whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; issue an auditor's report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles (GAAP); and report on the fairness of the supplementary information referred to in the third paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards (GAAS) will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements.

Auditor's Responsibilities for the Audit of the Financial Statements

We will conduct our audit in accordance with GAAS and will include tests of your accounting records and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and may include tests of the physical existence of inventories and direct confirmation of receivables and certain assets and liabilities by correspondence with selected customers, creditors, and financial institutions. We may also request written representations from your attorneys as part of the engagement.

Our audit of the financial statements does not relieve you of your responsibilities.

Audit Procedures–Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

We have identified the following significant risk(s) of material misstatement as part of our audit planning:

None noted

Audit Procedures–Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town's compliance with the provisions of applicable laws, regulations, contracts, agreements and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Other Services

We will also assist in preparing the financial statements and related notes in conformity with U.S. generally accepted accounting principles based on information provided by you. We will perform the services in accordance with applicable professional standards.

The other services are limited to the financial statements and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities for the financial statement and related notes preparation services and any other nonattest services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for designing, implementing, and maintaining internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with accounting principles generally accepted in the United States of America with the oversight of those charged with governance.

Management is responsible for making drafts of financial statements, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Responsibilities of Management for the Financial Statements - *continued*

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information in conformity with accounting principles generally accepted in the United States of America (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Audit Administration, Fees & Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

The audit documentation for this engagement is the property of Maggard & Hood, P.C. and constitutes confidential information. However, we may be requested to make certain workpapers available any of your respective oversight agencies pursuant to authority given to it by law or regulation. If requested, access to such workpapers will be provided under the supervision of Maggard & Hood, P.C. personnel. Furthermore, upon request, we may provide photocopies of selected workpapers to such oversight agency. The oversight agency may intend, or decide, to distribute the photocopies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date. If we are aware that a grant awarding agency, pass-through entity, or auditee is contesting and audit finding, we will contact the party(ies) contesting the finding for guidance prior to destroying the audit documentation after the applicable retention period.

We will provide copies of our reports to the Town of Eagle; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

Audit Administration, Fees & Other - *continued*

With regard to using the auditor's report, you understand that you must obtain our prior written consent to reproduce or use our report in bond offering official statements or other documents. With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

We anticipate beginning our audit fieldwork by April 2023 and issuing our reports no later than June 2023, provided no unanticipated circumstances are encountered.

Roger Maggard is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Our fees for these services will be based on the actual time spent at our standard hourly rates, plus other out-of-pocket costs such as report production, typing, postage, etc. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for services will be rendered each month as work progresses and are payable on presentation. At this time we expect our fees to approximate those of the prior year's annual audit. If unexpected circumstances or delays are encountered during the audit and significant additional time is necessary, or should you request additional procedures to be performed that are beyond the scope of our planned engagement, we will discuss it with you before we incur the additional costs.

We appreciate the opportunity to be of service to the Town of Eagle and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Maggard & Hood, P.C.", written over a horizontal line.

MAGGARD & HOOD, P.C.

Roger D. Maggard

Partner-in-Charge

RESPONSE:

This letter dated March 3, 2023, correctly sets forth the understanding of the Town of Eagle.

By: Scott Turnipseed

Title: Mayor

Date: 03/14/2023



To: Mayor and Town Council

From: Peyton Heitzman, Planner, Community Development
Dennis Wike, Town Engineer, Public Works

Date: March 14, 2023

Agenda Item: Resolution 15, Series 2023, A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Release of the Remaining Performance Guarantee for the Eagle Landing at Brush Creek Development.

REQUEST:

Staff is requesting Town Council review and approve Resolution 15, Series 2023 authorizing the full release of security for improvements at Eagle Landing at Brush Creek following a 2-year warranty period.

INTRODUCTION:

On January 10, 2017, the Town entered into a Development Improvements Agreement ("Development Agreement") with Gold Dust Capital Partners, LLC ("Developer") for the development of Eagle Landing at Brush Creek. The Agreement required the Developer provide a performance guarantee for public improvements in the amount of \$281,112.

Through Resolution 24, Series 2019 and Resolution 23, Series 2021, the Town Council approved partial releases of the performance guarantee. The most recent resolution, Resolution 23, Series 2021 required 10% of the performance guarantee be held for a 2-year warranty period. That warranty period has now expired.

ANALYSIS:

Public Works has inspected the public improvements and has authorized the full release through the attached Town Engineer Certificate of Final Acceptance.

COMMUNITY INPUT:

None required.

BUDGET / STAFF IMPACT:

The request has no budget impact as it is a liability to the Town and not a revenue or expense.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

Not applicable to this request.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** the adoption of Resolution 15, Series 2023, A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Release of the Remaining Performance Guarantee for the Eagle Landing at Brush Creek Development.

ATTACHMENTS:

- Town Engineer Certificate of Final Acceptance
- Resolution 15, Series 2023



CERTIFICATION OF FINAL ACCEPTANCE AND COMPLETION OF THE 24 MONTH
WARRANTY PERIOD OF PUBLIC IMPROVEMENTS AND OTHER REQUIRED DEVELOPMENT
IMPROVEMENTS FOR LOT 1 of the WEST EAGLE ADDITION, FILLING 2, KEMP SUBDIVISION
(AKA Eagle Landing at Brush Creek & Sylvan Lake Round-About PUD), TOWN OF EAGLE,
COUNTY OF EAGLE, STATE OF COLORADO

Dennis C. Wike, Town Engineer, on behalf of the Town of Eagle, hereby certifies the following:

1. All public and other development improvements have been completed in accordance with the Development Improvements Agreement in Ordinance No. 05 (Series 2018) dated February 13, 2018. The public improvements have been re-inspected and hereby approved.
2. The prior Final Acceptance allowed the Town Council in Resolution No. 23 (Series 2021) adopted March 9, 2021 to authorize the reduction of the performance guarantee from \$126,429.65 to \$42,442.17 of the total actual cost for construction and installation of the required improvements in accordance with the Development Improvements Agreement.
3. The 24-month warranty period after Final Acceptance has concluded for all of the Public Improvements and release of the remaining security funds in the amount of \$42,442.17 is recommended since final acceptance of the Public Improvements was previously accepted in accordance with the Development Improvements Agreement and the Eagle Municipal Code.

Dated this 9th day of March, 2023.

TOWN OF EAGLE, COLORADO, a
municipal corporation

By

Dennis C. Wike, Town Engineer

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 15
(Series of 2023)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
AUTHORIZING THE RELEASE OF THE REMAINING PERFORMANCE GUARANTEE FOR
THE EAGLE LANDING AT BRUSH CREEK DEVELOPMENT

WHEREAS, on January 10, 2017 the Town entered into a Development Agreement (the "DA") with Gold Dust Capital Partners, LLC ("Developer"), which required a letter of credit to guarantee the completion of certain public improvements for the development;

WHEREAS, on March 9, 2021, by Resolution 23, Series 2021, the Town authorized the release of the performance guarantee to Developer except \$42,442.17, an amount equal to 10% of the total actual cost for construction and installation of the required public improvements, with the remaining funds to be held for 2 years, to secure the warranty on such public improvements; and

WHEREAS, the warranty period has expired; and

WHEREAS, the Town Engineer has issued final acceptance of the public improvements, and has recommended that the Town Council authorize the release of remaining performance guarantee.

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

Section 1. The Town Council hereby authorizes the release of \$42,442.17 of the performance guarantee to Developer.

INTRODUCED, READ, PASSED AND ADOPTED ON MARCH 14, 2023.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Jill Kane, Finance Director

Date: March 14, 2023

Agenda Item: Resolution 17, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Finance Director to "Opt In" to National Opioid Settlements to Resolve Opioid Litigation Against Teva, Allergan, CVS, Walgreens, and Walmart and to Complete Participation Forms For Each Settlement"

REQUEST: Staff requests that Council review Resolution 17, series 2023 which authorizes the Finance Director to "Opt In" to national opioid settlements to resolve opioid litigation against two pharmaceutical manufactures, Teva and Allergan, and three pharmacies, CVS, Walgreens, and Walmart and to complete participation forms for each settlement.

INTRODUCTION/ANALYSIS: At the October 12, 2021 Council meeting, Council approved Resolution 69-2021. The resolution approved the "Colorado opioids settlement memorandum of understanding ([MOU](#)) and the associated Colorado subdivision escrow agreement and subdivision participation forms". At that time, the Town was approving participation in settlements obtained from the "Big 3" opioid distributors (McKesson, Cardinal Health, and AmerisourceBergen) and opioid manufacturer Johnson & Johnson to resolve claims by state and local government that these companies contributed to the opioid epidemic.

The MOU was created to provide an effective means of distributing any potential current and future settlement funds obtained under the MOU between the State of Colorado and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Colorado, as well as to permit collaboration and explore potentially earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants.

The Town has been notified by the State that Colorado has reached settlement agreements with five additional opioid companies, Teva, Allergan, CVS, Walgreens, and Walmart. For Colorado to maximize its share of the settlement proceeds, these opioid settlements (like prior opioid settlements) require that Colorado's Local Governments participate in the settlements by releasing their opioid-related legal claims against the settling Defendants. Eagle cannot receive funds from any opioid settlement it does not join.

The terms of the Colorado Opioid MOU, which governs the distribution of opioid settlement funds in Colorado, will also apply to the recent opioid settlements.

COMMUNITY INPUT: None received.

BUDGET / STAFF IMPACT: There is no budget/staff impact with this current resolution.

The Town was allocated a total of \$13,440 over the course of 18 years (averaging \$747/year), for the first round of settlement funds. The settlement funds must be used only for "Approved Purposes" which focus

on opioid abatement strategies including prevention, treatment, and harm reduction. Due to the minimal amounts received annually, the annual administrative reporting requirements, and the intended purpose of the funds to abate the opioid epidemic and provide treatment, the Town decided to opt out and redirect these funds to the region so they could make a greater impact combined with other settlement funds.

The Town will receive information at a later date regarding how much the Town may potentially receive from these new settlements. At that time the Town may again decide to receive the funds directly or redirect the local share to the Region.

STRATEGIC PLAN ALIGNMENT: N/A

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to **approve** or **deny** adoption of Resolution 17, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Finance Director to "Opt In" to National Opioid Settlements to Resolve Opioid Litigation Against Teva, Allergan, CVS, Walgreens, and Walmart and to Complete Participation Forms For Each Settlement"

ATTACHMENTS:

- Resolution 17-2023
- National Opioid Settlement Notice Overview

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 17
(Series of 2023)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AUTHORIZING THE FINANCE DIRECTOR TO “OPT IN” TO NATIONAL OPIOID SETTLEMENTS TO RESOLVE OPIOID LITIGATION AGAINST TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART AND TO COMPLETE PARTICIPATION FORMS FOR EACH SETTLEMENT

WHEREAS, at it’s meeting on October 12, 2021, the Town Council adopted Resolution No. 69-2021 to adopt the Colorado Memorandum of Understanding (MOU) to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Colorado and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Colorado, as well as to permit collaboration and explore potentially earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, National Opioid Settlements have been reached that would resolve opioid litigation brought by states, local political subdivisions, and special districts against two pharmaceutical manufactures, Teva and Allergan, and three pharmacies, CVS, Walgreens, and Walmart; and

WHEREAS, the Town of Eagle wishes to authorize the Finance Director to “opt in” to the settlements and complete Participation Forms for each settlement.

WHEREAS, the Town Council finds it in the best interest of the public health, safety and welfare to approve the Teva, Allergan, CVS, Walgreens, and Walmart Participation Forms .

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

Section 1. The Finance Director is hereby authorized to “opt in” to the National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart and to complete a required Participation Form for each settlement attached hereto as Exhibit A.

INTRODUCED, READ, PASSED, AND ADOPTED by the Town Council of the Town of Eagle, Colorado
at a regular meeting held on the 14th day of March 2023.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, CMC
Town Clerk

Colorado Local Government Opioid Participation Forms:

Please review, complete & sign **the five** Participation Forms and either:

- 1) **Upload with this Google Form**
<https://forms.gle/2qVN2xxkVXsg3mvi7>
- 2) **Or send to Opioids@coag.gov**

Participation Forms are due by no later than April 7th, 2023

Attachment A: Teva Settlement Participation Form

Attachment B: Allergan Settlement Participation Form

Attachment C: Walmart Settlement Participation Form

Attachment D: CVS Settlement Participation Form

Attachment E: Walgreens Settlement Participation Form

Please reach out to Opioids@coag.gov if you have any questions or need assistance.

Exhibit K
Subdivision and Special District Settlement Participation Form

Governmental Entity:	State:
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Agreement dated November 22, 2022 (“*Teva Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Teva Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Teva Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Teva Settlement as provided therein.
2. Following the execution of this Settlement Participation Form, the Governmental Entity shall comply with Section III.B of the Teva Settlement regarding Cessation of Litigation Activities.
3. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, file a request to dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in In re National Prescription Opiate Litigation, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
4. The Governmental Entity agrees to the terms of the Teva Settlement pertaining to Subdivisions as defined therein.
5. By agreeing to the terms of the Teva Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Teva Settlement solely for the purposes provided therein.
7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity’s state where the Consent Judgment is filed for purposes limited to that court’s role as provided in, and for resolving disputes to the extent provided in, the Teva Settlement.



8. The Governmental Entity has the right to enforce the Teva Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision or Participating Special District, hereby becomes a Releasor for all purposes in the Teva Settlement, including but not limited to all provisions of Section V (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Teva Settlement are intended by Released Entities and the Governmental Entity to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Teva Settlement shall be a complete bar to any Released Claim.
10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision or Participating Special District as set forth in the Teva Settlement.
11. In connection with the releases provided for in the Teva Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Teva Settlement.

12. Nothing herein is intended to modify in any way the terms of the Teva Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Teva Settlement in any respect, the Teva Settlement controls.



EXHIBIT A

I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT K**Subdivision and Special District Settlement Participation Form**

Governmental Entity:	State:
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Agreement dated November 22, 2022 (“*Allergan Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Allergan Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Allergan Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Allergan Settlement as provided therein.
2. Following the execution of this Settlement Participation Form, the Governmental Entity shall comply with Section III.B of the Allergan Settlement regarding Cessation of Litigation Activities.
3. The Governmental Entity shall, within fourteen (14) days of the Reference Date and prior to the filing of the Consent Judgment, file a request to dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the MDL Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
4. The Governmental Entity agrees to the terms of the Allergan Settlement pertaining to Subdivisions and Special Districts as defined therein.
5. By agreeing to the terms of the Allergan Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Allergan Settlement solely for the purposes provided therein.



7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Allergan Settlement.
8. The Governmental Entity has the right to enforce the Allergan Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision or Participating Special District, hereby becomes a Releasor for all purposes in the Allergan Settlement, including, but not limited to, all provisions of **Section V (Release)**, and along with all departments, agencies, divisions, boards, commissions, Subdivisions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist in bringing, or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Allergan Settlement are intended to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Allergan Settlement shall be a complete bar to any Released Claim.
10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision or Participating Special District as set forth in the Allergan Settlement.
11. In connection with the releases provided for in the Allergan Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Allergan Settlement.

12. Nothing herein is intended to modify in any way the terms of the Allergan Settlement, to which the Governmental Entity hereby agrees. To the extent this Settlement Participation Form is interpreted differently from the Allergan Settlement in any respect, the Allergan Settlement controls.



EXHIBIT A

I have all necessary power and authorization to execute this Settlement Participation Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT K**Subdivision Participation Form**

Governmental Entity:	State:
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“Governmental Entity”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated November 14, 2022 (“Walmart Settlement”), and acting through the undersigned authorized official, hereby elects to participate in the Walmart Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Walmart Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Walmart Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event within 14 days of the Effective Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in In re National Prescription Opiate Litigation, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal With Prejudice substantially in the form found at <https://nationalopiodsettlement.com/>.
3. The Governmental Entity agrees to the terms of the Walmart Settlement pertaining to Subdivisions as defined therein.
4. By agreeing to the terms of the Walmart Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Walmart Settlement solely for the purposes provided therein.



6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Walmart Settlement.
7. The Governmental Entity has the right to enforce the Walmart Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Walmart Settlement, including but not limited to all provisions of Section X (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Walmart Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Walmart Settlement shall be a complete bar to any Released Claim.
9. In connection with the releases provided for in the Walmart Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Walmart Settlement.

10. Nothing herein is intended to modify in any way the terms of the Walmart Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Walmart Settlement in any respect, the Walmart Settlement controls.



EXHIBIT A

I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT K**Subdivision Participation and Release Form**

Governmental Entity:	State:
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated December 9, 2022 (“*CVS Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the CVS Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the CVS Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the CVS Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
3. The Governmental Entity agrees to the terms of the CVS Settlement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the CVS Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the CVS Settlement solely for the purposes provided therein.



6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the CVS Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the CVS Settlement.
7. The Governmental Entity has the right to enforce the CVS Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the CVS Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the CVS Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The CVS Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the CVS Settlement.
10. In connection with the releases provided for in the CVS Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the CVS Settlement.



EXHIBIT A

11. Nothing herein is intended to modify in any way the terms of the CVS Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the CVS Settlement in any respect, the CVS Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



EXHIBIT K**Subdivision Participation and Release Form**

Governmental Entity:	State:
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated December 9, 2022 (“*Walgreens Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Walgreens Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Walgreens Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Walgreens Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopioidsettlement.com>.
3. The Governmental Entity agrees to the terms of the Walgreens Settlement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the Walgreens Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Walgreens Settlement solely for the purposes provided therein.



6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Walgreens Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Walgreens Settlement.
7. The Governmental Entity has the right to enforce the Walgreens Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Walgreens Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Walgreens Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Walgreens Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Walgreens Settlement.
10. In connection with the releases provided for in the Walgreens Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Walgreens Settlement.



EXHIBIT A

11. Nothing herein is intended to modify in any way the terms of the Walgreens Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the Walgreens Settlement in any respect, the Walgreens Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



National Opioid Settlements: Teva, Allergan, CVS, Walgreens, and Walmart

Eagle town, CO

Reference Number: CL-393782

***TO LOCAL POLITICAL SUBDIVISIONS AND SPECIAL DISTRICTS:
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT NATIONAL OPIOID SETTLEMENTS.***

SETTLEMENT OVERVIEW

Proposed nationwide settlement agreements (“Settlements”) have been reached that would resolve opioid litigation brought by states, local political subdivisions, and special districts against two pharmaceutical manufacturers, Teva and Allergan (“Manufacturers”), and three pharmacies, CVS, Walgreens, and Walmart (“Pharmacies”). Local political subdivisions and special districts are referred to as “subdivisions.”

The Settlements require the settling Manufacturers and Pharmacies to pay billions of dollars to abate the opioid epidemic. The Settlements total over \$20 billion. Of this amount, approximately \$17 billion will be used by participating states and subdivisions to remediate and abate the impacts of the opioid crisis. Depending on participation by states and subdivisions, the Settlements require:

- Teva to pay up to \$3.34 billion over 13 years and to provide either \$1.2 billion of its generic version of the drug Narcan over 10 years or an agreed upon cash equivalent over 13 years;
- Allergan to pay up to \$2.02 billion over 7 years;
- CVS to pay up to \$4.90 billion over 10 years;
- Walgreens to pay up to \$5.52 billion over 15 years; and
- Walmart to pay up to \$2.74 billion in 2023, and all payments to be made within 6 years.

As provided under the Agreements, these figures are net of amounts attributable to prior settlements between the Defendants and certain states/subdivisions, and include amounts for attorneys’ fees and costs.

The Settlements also contain injunctive relief governing opioid marketing, sale, distribution, and/or dispensing practices.

Each of the proposed settlements has two key participation steps.

First, each eligible state decides whether to participate in each Settlement. A list of participating states for each settlement can be found at <https://nationalopioidsettlement.com>.

Second, eligible subdivisions within each participating state decide whether to participate in each Settlement. The more subdivisions that participate, the more funds flow to that state and its subdivisions. Any subdivision that does not participate cannot directly share in any of the settlement funds, even if the subdivision’s state is settling and other participating subdivisions are sharing in settlement funds. If the state does not participate in a particular Settlement, the subdivisions in that state are not eligible to participate in that Settlement.

WHO IS RUBRIS INC. AND WHAT IS THE IMPLEMENTATION ADMINISTRATOR?

The Settlements provide that an Implementation Administrator will provide notice and manage the collection of participation forms. Rubris Inc. is the Implementation Administrator for these new Settlements and was also retained for the 2021 national opioid settlements.

WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?

Your state has elected to participate in one or more of the Settlements with the Manufacturers and/or the Pharmacies, and your subdivision may participate in those Settlements in which your state has elected to participate. This notice is also sent directly to counsel for such subdivisions if the Implementation Administrator has their information.

If you are represented by an attorney with respect to opioid claims, please contact them. **Subdivisions can participate in the Settlements whether or not they filed a lawsuit or are represented.**

WHERE CAN YOU FIND MORE INFORMATION?

Detailed information about the Settlements, including each settlement agreement, may be found at: <https://nationalopioidsettlement.com>. This website also includes information about how the Settlements are being implemented in most states and how funds will be allocated within your state.

You are encouraged to review the settlement agreement terms and discuss the terms and benefits with your counsel, your Attorney General's Office, and other contacts within your state. Information and documents regarding the Settlements and your state allocation can be found on the settlement website at <https://nationalopioidsettlement.com>.

Your subdivision will need to decide whether to participate in the proposed Settlements, and subdivisions are encouraged to work through this process before the **April 18, 2023** deadline.

HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?

The Settlements require that you take affirmative steps to "opt in" to the Settlements.

In the next few weeks, you will receive documentation and instructions from the Implementation Administrator or, in some cases, your Attorney General's Office. In order to participate in a settlement, a subdivision must sign and return the required Participation Form for that settlement.

Please add the following email addresses to your "safe" list so emails do not go to spam / junk folders: dse_na3@docusign.net and opioidsparticipation@rubris.com. Please monitor your email for the Participation Forms and instructions.

All required documentation must be signed and returned on or before **April 18, 2023**.



To: Mayor and Town Council
From: Larry Pardee, Town Manager
Date: March 14, 2023
Re: Town Manager Report

Administration & Organization

- We received eight RFP grant consultant proposals. Staff is working through them and will present our recommendation to Council for review and approval on March 28.
- We filled five positions in 2023: Assistant Town Manager, IT Applications administrator, Water Operator, and two Street Operators. We currently have conditional job offers out to a Police Officer and a Code Enforcement Officer candidates. We have 16 vacancies yet to fill in 2023.
- We have installed six new cubical workstations in Town Hall. Also, we repainted the office next door to Manager's office and prepared it for the arrival of Melissa Daruna.
- The Town staff is working on a draft Town of Eagle community and government operations energy and carbon database. The joint project between the Adam Palmer Fund and Town, Kristen Hartel, is working with ICLEI's comprehensive software program to track our current and future Community inventory. The first draft is quite interesting; it's in the early stages, so more information to come from this work in the next few months.
- The Colorado Transformational Affordable and Workforce Housing Grant program, was paused until May, when applications may be submitted. The Staff has been working with the local DOLA representative to ensure that the Town would be competitive should a letter of intent and subsequent application be made. In addition, our staff team has begun negotiations with Haymeadow and Eagle County to ensure we present the best possible application to the State. To qualify for this grant, the Town must agree to certain obligations, mainly awarding a contractor to perform the work by the end of 2024 and expending all awarded funds by the end of 2026.

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

- On Thursday, March 2, Jon Stavney with the Northwest Colorado Council of Governments (NWCCOG) interviewed me. Jon is in the process of interviewing all of the managers in his jurisdiction and asked a wide range of questions from how the Town of Eagle is doing, our priorities from climate to housing, our FY23 Budget, the number of FTEs, how well all of the Towns and Eagle County are working together throughout the valley Wednesday.
- On Tuesday, March 7, Staff met with Alexis and Stan Kensinger, and several other members to discuss Ping Lane access and development opportunities.
- On Wednesday, March 8, Town staff and Laura Bohannon, District Manager of Eagle County Conservation District, and Denyse Schrenker, Extension Agent with Colorado State University, all met to discuss strategies and potential project ideas for Carbon Sequestration and Agrovoltatics on Town properties and open space. An interesting article to read on agrovoltatics: <https://coloradosun.com/2023/01/22/colorado-solar-agriculture-agrioltaics-lawmakers/>
- Wednesday, March 8, I met with the Walking Mountains Team at their campus in Avon, toured their facilities, and discussed future collaborative opportunities.

- Wednesday, March 8, EVTA Monthly Board Meeting in Avon Town Hall. The tech committee did not formally meet only exchanged emails on the draft EVTA Board meeting packet. Short meeting.
- Wednesday, March 9, via zoom, we hosted our monthly Eagle County managers meeting. A brief discussion on creating a county-wide regional housing authority, looking at the zip car and other car share programs. The next Mayors and Managers meeting is scheduled for March 24.
- On Thursday, March 9 I participated in a Zoom: Walking, Biking, and the Bipartisan Infrastructure Law: What You and Your Community Need to Know webinar. Looking to build safer streets, better bike lanes, and walkable routes that connect people to where they need and want to go? New federal funding allows communities to layer over existing state and local sources. In addition, the Bipartisan Infrastructure Law provides billions of dollars for investments in active transportation infrastructure that promotes regular physical activity, keeps families safer, and connects people to where they live, work, learn, and play.
- On Thursday, March 9, via Zoom, check in with Brittany Dixon, Interim Executive Director, Club 20. They have contacted the Town, encouraging our participation in their organization. Club 20 Mission:
 - The Mission of Club 20 is to provide education, advocacy, support, networking opportunities, and policy-maker access to our members throughout Western Colorado so they can thrive in resilient, economically healthy communities.
 - Club 20 is an organization of counties, communities, businesses, individuals, and associations in Western Colorado. The group is organized to speak with a single unified voice on issues of mutual concern. Its activities include marketing, advertising, public education, meetings, events, and political action. Club 20 is the "Voice of the Western Slope."
 - Founded in 1953 by Western Slope business leaders, Club 20 was initially organized to get rural roads paved. At the time, the State of Colorado had been spending only 10 percent of its highway funds west of the Continental Divide, even though more than half the roads were there. With each community lobbying for its streets, small towns were drowning each other out. It finally became clear that all the counties could be heard only by agreeing on a single priority list. The process worked. Within a few years, the State was spending 37 percent of its highway funds west of the divide and, by the end of the 1950s, finally had paved most of the major highways on the Western Slope.

I will report back to the Mayor on our discussions, and we might bring this group forward shortly to present to all of the Council.

Economic Development

- Downtown Development Authority (DDA) held its monthly meeting on March 1. In addition, the new DDA website is updated and operating.
- Economic & Planning Systems (EPS) and Town staff met Monday, March 6, via Zoom check-in to continue working on the Economic Development Plan. We discussed the need to keep pushing out the business survey to all our local businesses. To date, we only received 20 survey responses. Also, we are working on setting up stakeholder meetings for the end of March and early April. We continue to supply them with community data etc., per their requests.
- Chris Cares and team with RRC, we met via zoom on Wednesday, March 9. RRC is the firm that currently provides mobility data to EPS for our economic development plan. In addition, RRC provides a diverse quantitative and qualitative research background for public sector clients. Chris, his team, and I met via zoom to discuss two potential project ideas to create an Economic Dashboard and if we wish to perform another communitywide survey. They will prepare a draft proposal and get it over to us, and we will share it with EVC for review and discussion.
- Economic Vitality Committee (EVC) Mick Daly and I plan to meet on Wednesday March 15, to review the draft agenda for EVC's next meeting on Monday, March 20. These items directly link to our Town's Major Objectives - Stimulate Economic Vitality and development.

WORK SESSIONS:

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

Date	Topic
October 11, 2022 (COMPLETED)	Public Hearing: 2023 budget presentation – Operating
October 25, 2022 (COMPLETED)	Public Hearing: 2023 budget presentation – Capital Plan
November 1 st , 2022	Economic Planning Systems Final Housing Assessment Report
November 8 th , 2022	Final Public Hearing – Adoption of the 2023 Budget
November 22, 2022 (Meeting Cancelled)	
December 6, 2022 (DELIVERED)	Sylvan Lake Road Traffic Calming and Improvement Project
December 27, 2022 (Meeting Cancelled)	
Date	Topic
January 3, 2023 (Meeting Cancelled)	
February 7, 2023 (COMPLETED)	Eagle River Park Discussion
February 21, 2023 (COMPLETED)	Mnt. Rec Board/Council - Eagle Outdoor Pool Discussion
March 7, 2023 (Meeting Cancelled)	
March 13 th , 2023	Retreat/Work Session at Frost Creek.
April 4 th , 2023	JOINT Meeting P&Z and Council ReCode.
May 2 nd , 2023	
June 6 th , 2023	
Request for Additional Work Sessions	Topic



To: Mayor and Town Council
 From: Larry Pardee, Town Manager, and Department Leads
 Date: March 14, 2023
 Re: Department Updates for February 2023

FINANCE DEPARTMENT

February 2023

Administration/Financial:

- **Grants:**
 - **Revitalizing Main Street Grant:** 2022 reimbursement request - \$25,808.18 (Overhead Lighting on Broadway) –
 - Finance submitted a request for an extension of the grant to 10/31/22. Although CDOT informed the Town has the reimbursement request was unlikely, they submitted a Statutory Violation on our behalf and it was approved by the State! We should be receiving payment in early March.

Accounts Payable:

ACCOUNTS PAYABLE: INVOICES PAID							
	2019	2020	2021	2022	2023	VARIANCE FROM PY	
JANUARY	303	205	230	249	285	36	14%
FEBRUARY	254	237	217	254	212	(42)	-17%
YEAR TO DATE	557	442	447	503	497	(6)	-1%

Payroll/HR:

- **Workers Comp Audit:** Submitted all information for 2022 workers compensation audit and will be finalized in March.
- Positions changes in payroll
 - 1 New Hire: IT Applications Analyst II
 - 1 Terminations: Streets Maintenance Tech
- Assisted HR with pulling reporting for annual reporting for Nondiscriminatory testing

Utilities:

- **New Refuse contract with Vail Honeywagon** - Finance met with Town Clerk and PR Studios to begin discussions regarding:
 1. Transition Plan
 2. Engagement/Outreach Plan
 3. Marketing Plan
- Property Transfers – 4
- New Account Set Up – 1
- Utility Red Tags – 30

- Water Shut Offs – 0

Water Usage (In Thousands)								
MONTH	2019	2020	2021	2022	PRIOR 4 YEAR AVERAGE	2023	CHANGE OVER AVERAGE	
JANUARY	18,569	17,925	16,564	16,602	17,415	15,660	(1,755)	-10%
FEBRUARY	15,554	15,981	15,538	14,503	15,394	18,016	2,622	17%
TOTAL YTD	34,123	33,906	32,102	31,105	32,809	33,676	867	3%

Training:

- Secure 2.0 Act (Jill – It's Here (Jill – 02/06/2023)
- Strategic Influencing: Getting Results with Impact and Integrity (Jill – 02/07/23)
- Federal Tax Update (Jill – 02/16/23)

Town Council Department

Budget to Actual:

TOWN OF EAGLE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TOWN COUNCIL</u>					
10-49-110 SALARIES & WAGES	3,800.00	7,600.00	45,800.00	38,000.00	16.7
10-49-142 WORKERS COMPENSATION	36.95	36.95	59.00	22.05	62.6
10-49-143 HEALTH & INSURANCE BENEFITS	.00	.00	168.00	168.00	.0
10-49-144 FICA - EMPLOYER'S	290.70	581.40	3,488.00	2,906.60	16.7
10-49-225 UNIFORMS	.00	.00	300.00	300.00	.0
10-49-320 LEGAL NOTICES	.00	.00	500.00	500.00	.0
10-49-347 PROFESSIONAL SERVICES	.00	.00	5,000.00	5,000.00	.0
10-49-371 TRAVEL EXPENSE	.00	.00	3,000.00	3,000.00	.0
10-49-372 MEETING EXPENSE	2,499.00	2,499.00	5,250.00	2,751.00	47.6
10-49-380 TUITION & BOOKS	.00	.00	2,600.00	2,600.00	.0
10-49-450 SPECIAL COUNCIL FUNDING	.00	.00	141,500.00	141,500.00	.0
10-49-510 INSURANCE	276.66	276.66	831.10	554.44	33.3
10-49-915 COMMUNITY REQUESTS	5,214.00	34,215.00	40,000.00	5,785.00	85.5
TOTAL TOWN COUNCIL	12,117.31	45,209.01	248,296.10	203,087.09	18.2

SPECIAL EVENTS & MARKETING

FEBRUARY EVENTS

- 2nd Friday ARTwalk, February 10

Marketing & Events Advisory Committee (MEAC)

- Reviewed MEAC Bylaws and will present recommended changes to Council next month
- MEAC member terms expiring

MARKETING

- EagleOutside.com REFRESH - COMPLETED. Next focus is to update the calendar of events.
- Partnering with Markit Creative on 2023 Events Calendar, Flight Days, Kids Bike Parade, Whitewater Wednesday and the Community Table
- Partnering with Cheyenne Richardson Design on creation of summer promotions / stickers
- Designed in-house creative for Cleanup & Hard2Recycle, Chamber Mixer, Flight Days sponsorship
- Daily Social Media posts on Facebook and Instagram
- Member of the Communications Committee that creates Eagle Today and Eagle Spirit (TOE employee newsletter)

ADMINISTRATIVE DUTIES

- Ensure all invoices are properly coded, routed and submitted to finance in a timely manner
- Funding agreements for MEAC events, community events, and community programs

MEETINGS

- Met with Ted, from Block Party, to discuss his request to extend end time on Sunday until 8pm.
- Met with Mike Mather from Swift Water Rescue to discuss possible whitewater safety event
- Met with Holli Synder with Comcast to discuss Chamber Event ideas, confirmed April 20 at El Segundo.
- Met with Shelley Bellm with Eagle Ranch HOA to discuss collaborating in the Town's Community Clean-up Day / Hard2Recycle Event, in conjunction with Honeywagon. Event will be held May 20 at the Brush Creek Pavilion parking lot.
- Met with Shelley to discuss sponsoring Flight Days, Bike Parade and Community Table.
- Met with Tipi Raisers to discuss Flight Days and collaboration with the Indigenous Wisdom Summit/Four Directions Ride. This year's theme is Sound of Music.

UPCOMING EVENTS

MARCH	
3/10/2023	Murder on Broadway / ARTwalk
APRIL	
4/8/23	Easter Egg Hunt
4/14/23	ARTwalk
4/20/23	Eagle Chamber Mixer – hosted by Town of Eagle
4/29/23	LAX Jam

June 23-24, 2023

Eagle Flight Days

SOUND OF MUSIC

MUSIC IS THE UNIVERSAL LANGUAGE OF MANKIND.

This year's Eagle signature summertime event, Flight Days, will be one to remember! The Town is collaborating with the Indigenous Wisdom Summit & Four Directions Ride.

Friday, we welcome the Riders with a drum ceremony as they arrive from the four cardinal directions, followed by a Tipi Raising ceremony.

Saturday's color fun run will finish just in time for the parade, then enjoy a day full of festivities: live music, dancing, indigenous art, craft vendors, food trucks, toddler-zone, mechanical bull, climbing wall & more!



COMMUNITY DEVELOPMENT

February 2023

LONG RANGE PLANNING

- **ReCode Eagle – The Land Use and Development Code (LUDC) Update**
 - o The Code committee met 3/6/23 to discuss design standards and the consolidated draft. Meeting materials can be accessed here [Microsoft Word - Eagle LUDC Update Committee March 6 Design Standards and Consolidated Draft LUDC \(townofeagle.org\)](https://www.townofeagle.org/ReCodeEagle).
 - o Staff received the consolidate draft 3/2/23. The draft will be released to the public in April.
 - o A schedule of public outreach events is being finalized along with a robust awareness campaign, including social media, print, and radio advertisement. Staff anticipates outreach to take place at the end of April into early May.
 - o Adoption schedule (modified since January 2023 update):
 - Joint Planning & Zoning Commission-Town Council work session: 4/4/23
 - Planning & Zoning Commission Recommendation hearing: 6/6/23
 - Town Council Adoption hearing: 6/27/23
 - o As public drafts of sections of the new Code become available, community members can view these resources at www.Townofeagle.org/ReCodeEagle.

LAND USE APPLICATIONS IN PROGRESS

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

- **RZ23-01: Eagle Meadows Rezone**
 - o A request to rezone 126 acres in East Eagle Area (formerly known as the Eagle River Station PUD) from Resource (R) zoning to Commercial General East zoning.
 - o Public hearing schedule:
 - Planning & Zoning Commission: 2/21/23
 - Town Council: 3/14/23
- **LURA23-02: Amendment to Municipal Code**
 - o A request to amend Chapter 4.04 of the Land Use and Development Code to amend uses permitted in Residential Single-Family (R1) zone district and amend zone district requirements in the Residential Medium Density (RM) and Residential Multi-Family (RMF) zone districts.
 - o Public hearing schedule:
 - Planning & Zoning Commission: 3/7/23
 - Town Council: 3/28/23
- **SU23-02: Vibrant Health of Colorado Special Use Permit**
 - o A request to operate a medical clinic in the Commercial Business District. The applicant is moving into a 108 sq ft unit at 217 Broadway #4.
 - o Public hearing schedule:
 - Planning & Zoning Commission: 4/4/23
 - Town Council: 4/11/23

BUILDING DEPARTMENT UPDATE

MAJOR CONSTRUCTION PROJECTS

Business Name	Location	Status
Second Street Tavern	127 W Second St.	Building Dept. Plan review complete. Awaiting authorization from Public Works to release building permit
Foodsmith	318 Broadway	Building Dept. Plan review complete. Awaiting authorization from Public Works to release building permit *Noteworthy: Retail food sales & cooking class.

Eagle Fire Station	425 E Third St.	In progress going through inspections. Approximately 50% complete
Eby Creek Apts.	435 Eby Creek	In progress with all framing almost complete
Hockett Gulch Apts.	16186 Hwy 6	Underground plumbing approved for the fourth of six buildings. Noteworthy: Foundation-only permits issued. Full building permits still pending.
410 Broadway Project	410 Broadway	In progress with exterior front brick wall covering just completed. Trades contractors currently installing mechanical, electrical, and plumbing rough-ins
City Market Remodel	0103 Market St	Interior work almost complete. Parking lot improvements (re-configuration) still pending
Eagle River Park Pavilion	200 Fairgrounds Rd	In progress, framing nearly complete. Waiting on steel installation at roof system
Flower Hound	115 E Second St	Permit issued; no inspections yet.
Wanderlust Dog Ranch	45 Eagle Park East	Permit issued; inspections proceeding on interior
Knapp Ranch	717 Sylvan Lake	Minor kitchen alteration

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

TYPE OF WORK PERFORMED	EOY 2022	YTD 2023
Inspections (n/i Planning, Public Works)	1,308	261
Permits Processed	465	66

TOWN COUNCIL AND PLANNING & ZONING COMMISSION MEETING SCHEDULE:

March 2023
March 7 th (Planning & Zoning Commission) - Seating of New Commissioners - LURA23-02 Amendment to Chapter 4.04
March 14 th (Town Council) RZ23-01 Eagle Meadows Rezone
March 21 st (Planning & Zoning Commission) Intro to ReCode (Clarion remote)
March 28 th (Planning & Zoning Commission) - LURA23-02 Amendment to Chapter 4.04 - Intro to ReCode (Clarion remote)
April 2023
April 4 th (Town Council Work Session) ReCode, TC/PZ joint work session (Clarion in-person)
April 4 th (Planning & Zoning Commission) SU23-01 Vibrant Health SUP
April 11 th (Town Council) SU23-01 Vibrant Health SUP
April 18 th (Planning & Zoning Commission) <i>Currently no land use files.</i>
April 25 th (Town Council) <i>Currently no land use files.</i>
May 2023
May 2 nd (Planning & Zoning Commission) <i>Currently no land use files.</i>

May 9 th (Town Council)
• <i>Currently no land use files.</i>
May 16 th (Planning & Zoning Commission)
• <i>Currently no land use files.</i>
May 23 rd (Town Council)
• <i>Currently no land use files.</i>
June 2023
June 6 th (Planning & Zoning Commission)
• ReCode Recommendation
June 13 th (Town Council)
• <i>Currently no land use files.</i>
June 20 th (Planning & Zoning Commission)
• <i>Currently no land use files.</i>
June 27 th (Town Council)
• ReCode Adoption

POLICE DEPARTMENT

February 2023

2023 February Calls for Service: 835

2023 January-February: 1,841

2022 February Calls for Service: 1,002

2022 January-February: 1,927

<i>Agency Assist -- 8</i>	<i>Fraud -- 2</i>
<i>Assault -- 6</i>	<i>Harassment -- 6</i>
<i>Burglary -- 2</i>	<i>Juvenile/Family Incident -- 4</i>
<i>Burglary False Alarm --1</i>	<i>Missing/Recovered * Juvenile -- Adult- - 3</i>
<i>Child Abuse Investigations -- 1</i>	<i>Motor Vehicle Crash/Assist -- 19</i>
<i>Citizen Assist -- 22</i>	<i>Narcotics -- 0</i>
<i>Civil -- 6</i>	<i>Noise -- 3</i>
<i>Code Violation -- 0</i>	<i>Protection Order Violation -- 3</i>
<i>Damage/Vandalism -- 2</i>	<i>Sex Assault -- 1</i>
<i>Death -- 2</i>	<i>Misconduct Investigations -- 0</i>
<i>Disturbance -- 12</i>	<i>Sex Offender Check/Registration -- 1</i>
<i>Dogs Leash, Welfare or Noise (EPD and not A.C.) 0</i>	<i>SRO Related -- 32</i>
<i>DUI/D -- 2</i>	<i>Suicidal/Welfare -- 5</i>
<i>DUR -- 1</i>	<i>Suspicious Person/Vehicle/Occurrence -- 32</i>
<i>F or M Menace/Assault/Weapons MM- FW- 0</i>	<i>Theft -- 9</i>
<i>Fire/Medical -- 5</i>	<i>Trespassing -- 4</i>
	<i>Warrant Arrest -- 1</i>
	<i>Wildlife Animal --9</i>

Eagle Police hosted February's Coffee with a Cop event at Yeti's Grind. This event was attended by Eagle PD, ECSO and many community members for good coffee and good conversation.

Officers responded to a fight in progress at a local business between two male subjects one evening. After investigation, it was determined that one of the subjects attacked the other. He was arrested and charged with assault 3 and disorderly conduct. No serious injuries were reported. This same offender was later contacted at another local business after he was called in for causing problems and refusing to leave. He was escorted from the property.

One afternoon, a buyer brought in their new trailer for a VIN check. After running the VIN, the trailer came back as stolen. The buyer reported they thought they had legitimately purchased the trailer and was found to have been provided false documentation by the seller. The trailer was recovered and towed.

Officers took a report of a motor vehicle accident after the driver of the first vehicle failed to yield when entering the roundabout and struck a second vehicle. This driver was found not to have a valid driver license and was charged with driving under revocation-alcohol related and failure to yield when entering an intersection. No injuries were reported.

A vigilant driver called in a REDDI (Report Every Drunk Driver Immediately) report after another vehicle ran them off the road and was weaving through the roundabouts. The caller was able to describe the vehicle for officers who later contacted the driver inside a local restaurant clearly intoxicated. After investigation, this driver was charged with driving under the influence and careless driving.

While conducting radar and crosswalk patrol in the BCES school zone, SRO Scriver was approached by a driver who wished to voice his frustration that Scriver was monitoring school zone traffic instead of conducting traffic control to clear up the school drop-off vehicle congestion so that he could get to work on time. School zone patrol and enforcement will continue.

Lock it or lose it! Eagle Police received several calls from residents living within the same neighborhood reporting that their cars had been entered and some personal property had been stolen overnight. All vehicles that had

been entered were reportedly left unlocked. The department Facebook page was utilized, advising residents of the thefts and requesting anyone living nearby to check any home security cameras for footage of the suspect. Please lock your cars and report suspicious activity immediately!

Late one morning, a visitor to a local business called to report that someone had smashed out her driver's side window and stolen her purse. There were no witnesses nor surveillance video available, but Avon PD worked a similar case later that day and were able to obtain vague suspect and vehicle information. The investigation is ongoing.

Eagle Police responded after receiving a report of a teen suicide. Officers continue to work closely with the family and community to navigate this tragic loss. Officers attended the memorial that was held locally in addition to shutting down part of Capitol to allow for traffic control and additional parking.

If you or your child are experiencing mental health crisis or need additional support, reach out to Your Hope Center at 970-306-4673, Colorado Crisis Services at 844-493-8255 or text "TALK" to 38255, or contact Eagle Valley Behavioral Health at vailhealthbh.org or 970-445-2489. Six free virtual therapy sessions are available for Colorado youth 18 and younger, or those 21 and younger if receiving special education services. Some in-person appointments are available, too. Visit IMatterColorado.org to learn more.

We will kick off our March Coffee with a Cop event at Stout House on Monday the 13th from 7am-9am. Can't make the morning Coffee with a Cop events? Stay tuned for meet and greets taking place this summer in the afternoons! Details to be announced at a later date.

Chief Bos and Lieutenant Buhlman will be attending the Colorado Association of Chiefs of Police (CACP) mid-year conference in March. Lieutenant Buhlman will also be attending the two-day CACP Police Executive Leadership training that same week.

County Court – Available upon request.

Local and Regional Calls for Service – Available at Dispatch

HUMAN RESOURCES

Feb 9, 2023 – March 8, 2023

Benefits

- Continued efforts researching local Benefit market analysis per Council Request for total compensation evaluation
- Administering 1 FMLA claim

Risk Management, Safety and Work Comp

- Managing 9 General Liability & PC Open claims, 1 Restitution: 2023 total claims = 5
- Managing 1 work comp claim
- Correcting items from CIRSA Property Audit and planning for 2022 Administrative Audit
- 2 Safety Training Acknowledgements sent to staff

Recruiting – Onboarding

- HR Admin Tech, conducting continued training and onboarding
- New Hire Orientation held for 2 full-time hires and 2 Planning & Zoning Commissioners
- Benefits Orientation held for 1 New Hire
- Preparing for the start of our Assistant Town Manager
- Recently posted Jobs:
 - o Collections and Distributions Maintenance Technician – Reviewing applications
 - o Buildings and Grounds Maintenance Technician – Interviewing
 - o Accounting Specialist: Accounts Payable - Interviewing
- Ongoing recruiting:
 - o Code Enforcement Officer
 - o Police Officer
 - o Water Operator
- 2023 started with a total of 18 total open positions, increased to 21 on Feb 13
 - o 17 full-time open positions, (8 of those positions carried over from the 2022 budget)
 - o 4 seasonal positions (3 - B & G, 1-Open Space)
 - o 6 positions in progress
 - o Will prioritize any positions caused by resignations.
 - o 2023 Filled 5 positions:
 - Assistant Town Manager – Starts 3/20
 - IT Applications Analyst Administrator II – Started 2/20
 - Water Operator – Started 2/11
 - Streets Maintenance Technician I – Started 3/7
 - Streets Maintenance Technician II – Starts 4/3
 - o In 2022 - 25 positions were filled

Administration, Compensation

- Initiating HR Standard Operating Procedures for internal processes & training
- Tuition Reimbursement Policy updated and rolled out to staff

Training/Meetings

- Reviewed Co. Tax guidelines for 2023 new hires

TOWN CLERK

February 2023

Communication Committee (N. Davis, M. Furtado, M. Herota, S. Wilson, B. Liberman, D. Cardoza, J. Rakow)

Eagle Today – 3552 contacts and 2952 Subscribers

IN THIS EDITION MARCH 2023: Sent February 24, 2023

- [March Events](#)
- [New Assistant Town Manager](#)
- Vail Honeywagon
- [Community Development Customer Experience Survey](#)
- [Mobile Vendor Licenses](#)
- [Open Town Staff Positions](#)
- See Something Say Something
- [Ask the Town](#)

EAGLE SPIRIT EMPLOYEE NEWSLETTER: Sent March 1, 2023

Website News Flash

- 2023 Eagle Employer Survey
- Pavilion and Studio Reservation Process
- 2023 Utility Rate Increases
- Upcoming Building Department Closure

Ask the Town – <https://www.townofeagle.org/975/Ask-us-a-question>

- Town Park Rental Inquiry
- Pickle Ball Court Inquiry
- Meter Inquiry
- Rental Assistance Inquiry
- Street Plowing Inquiry (Eagle Wisconsin 😊)
- Tap Fee Inquiry x 2

Records Requests

2018	2019	2020	2021	2022	2023
16	13	16	30	41	8

**Various Town Departments respond to Records Requests*

Business Licenses

- 2023 Business License
 - 62 Renewals Processed in February
- Liquor License 2023 Revenue: \$100.00 – Budget \$4856.00
 - Gourmet China Renewal
 - New License Inquiry for The Assembly location
 - City Market Modification to sell wine
- Marijuana
 - No Activity
- Tobacco
 - Four Renewals for 2023 out of five total licenses issued

Training/Meetings

- Town Council Meeting February 14 & 28
- Eagle Municipal Court February 15
- Out of office February 16-21

Sales Tax – 2023 Sales Tax

2023					
Month	Filing Period	Revenue Period	O/U	Online Sales	Online Retailers
Jan	\$ 718,944.90	\$ 793,838.43	5%	\$97,085.03	2016
Feb		\$ 675,138.60	5%	\$91,521.57	1792
Mar			-100%		
1 Q	\$ 718,944.90	\$ 1,468,977.03	-29%	\$188,606.60	

2022					
Month	Filing Period	Revenue Period	O/U	Online Sales	Online Retailers
Jan	\$ 662,766.62	\$ 756,522.10	10%	\$108,423.99	1700
Feb	\$ 655,302.39	\$ 645,546.63	12%	\$76,896.61	1570
Mar	\$ 741,564.00	\$ 662,102.20	26%	\$78,856.55	1508
1 Q	\$ 2,059,633.01	\$ 2,064,170.93	15%	\$264,177.15	

Post performance - Facebook Pages

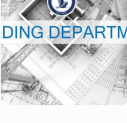
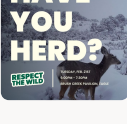
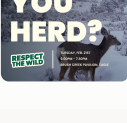
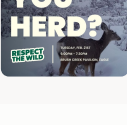
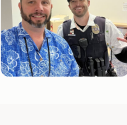
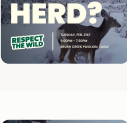
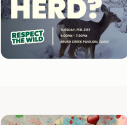
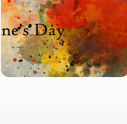
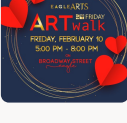
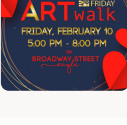
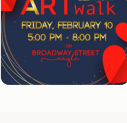
Data from 01 Feb, 2023 to 28 Feb, 2023

Sources

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Eagle Outside
- 

Town of Eagle, CO

DATE ▼	POST	AUTHOR	COMMENTS	ENGAGED USE...	ENGAGEMENT...	REACH	REACTIONS	SHARES	VIDEO VIEWS
 Town of Eagle, CO Feb 28, 23:47	 Attention Trail Users: There is an active mountain lion in the Haymaker Trail area. The lion has killed an elk near the trail and is actively feeding. Until lion activity in the area decreases, it is recommended to avoid the area or use extreme...	Town of Eagle	12	823	10.56%	7,791	69	46	0
 Eagle Outside Feb 28, 23:47	 Attention Trail Users: There is an active mountain lion in the Haymaker Trail area. The lion has killed an elk near the trail and is actively feeding. Until lion activity in the area decreases, it is recommended to avoid the area or use extreme...	Town of Eagle	7	995	12%	8,289	45	40	0
 Town of Eagle, CO Feb 28, 21:38	 Coffee with a Cop (Post with no description)		0	2	0.89%	226	0	0	104
 Eagle Outside Feb 27, 20:15	Our thoughts and prayers are with our entire community. For those in need of support please join us today at the following locations where trained staff will be on hand to help:• Endorphin Gym in Eagle from 1-3 p.m • Battle Mountain High School cafeteria from 1-3 p.m Please take advantage ...	Town of Eagle	0	6	2.74%	219	2	0	0
 Town of Eagle, CO Feb 27, 20:15	Our thoughts and prayers are with our entire community. For those in need of support please join us today at the following locations where trained staff will be on hand to help:• Endorphin Gym in Eagle from 1-3 p.m • Battle Mountain High School cafeteria from 1-3 p.m Please take advantage ...	Town of Eagle	0	24	6.61%	363	5	2	0
 Town of Eagle, CO Feb 27, 20:03	 Olivia's Fund will provide financial assistance to anyone who lives or works in Eagle River Valley to help pay for mental health and/or substance use services for up to six sessions per person per year.		0	20	9.39%	213	2	0	0
 Eagle Outside Feb 24, 19:01	 Fun Friday! Have a great weekend! Eagle County Schools are on Winter Break February 27 - March 3 #getoutside	Town of Eagle	0	2	1.06%	189	1	0	0
 Town of Eagle, CO Feb 24, 19:00	 Fun Friday! Have a great weekend! Eagle County Schools are on Winter Break February 27 - March 3 #getoutside	Town of Eagle	0	6	1.24%	485	3	0	0
 Town of Eagle, CO Feb 21, 18:39	 The Building Department will be fully closed Monday and Tuesday March 6th and 7th to support staff's continued education at the 2023 Colorado Chapter of ICC Education Institute. No permits or inspections will be available at this tim...	Town of Eagle	1	9	2.07%	435	2	0	0
 Eagle Outside Feb 21, 18:03	 Feeling hungry for some nature knowledge about elk and deer? And snacks? We've got the perfect event. Join our expert panel for a discussion on how we can learn to better coexist with wildlife. We'll be discussing the fragility of the...	Town of Eagle	0	0	0%	105	0	0	0
 Town of Eagle, CO Feb 21, 18:02	 Feeling hungry for some nature knowledge about elk and deer? And snacks? We've got the perfect event. Join our expert panel for a discussion on how we can learn to better coexist with wildlife. We'll be discussing the fragility of the...	Town of Eagle	0	4	2.21%	181	2	0	0
 Town of Eagle, CO Feb 17, 22:00	 Town of Eagle administrative offices will be closed Monday, February 20th, in observance of Presidents' Day.	Town of Eagle	0	0	0%	180	0	0	0
 Eagle Outside Feb 16, 17:02	 Feeling hungry for some nature knowledge about elk and deer? And snacks? We've got the perfect event. Join our expert panel for a discussion on how we can learn to better coexist with wildlife. We'll be discussing the fragility of the...	Town of Eagle	1	5	2.48%	202	5	0	0
 Town of Eagle, CO Feb 16, 17:01	 Feeling hungry for some nature knowledge about elk and deer? And snacks? We've got the perfect event. Join our expert panel for a discussion on how we can learn to better coexist with wildlife. We'll be discussing the fragility of the...	Town of Eagle	0	2	1.06%	188	1	0	0
 Town of Eagle, CO Feb 15, 15:51	 Today, February 15th, is School Resource Officer (SRO) Appreciation Day and we'd like to recognize our SRO, Officer Dominik Scriver. SRO Scriver, pictured below with EVMS Principal Eric Mandeville during spirit week, serves Eagle...		6	142	8.98%	1,582	74	1	0
 Eagle Outside Feb 14, 17:02	 Feeling hungry for some nature knowledge about elk and deer? And snacks? We've got the perfect event. Join our expert panel for a discussion on how we can learn to better coexist with wildlife. We'll be discussing the fragility of the...	Town of Eagle	0	2	2.3%	87	2	0	0
 Town of Eagle, CO Feb 14, 17:00	 Feeling hungry for some nature knowledge about elk and deer? And snacks? We've got the perfect event. Join our expert panel for a discussion on how we can learn to better coexist with wildlife. We'll be discussing the fragility of the...	Town of Eagle	0	11	4.6%	239	4	0	0
 Eagle Outside Feb 14, 13:02	 Happy Valentine's Day! #allyouneedislove	Town of Eagle	0	0	0%	141	0	0	0
 Town of Eagle, CO Feb 14, 13:00	 Happy Valentine's Day! #allyouneedislove	Town of Eagle	0	8	2.22%	360	6	0	0
 Eagle Outside Feb 13, 19:01	 Today's Monday is sponsored by coffee #needmorecoffee	Town of Eagle	0	1	0.5%	199	1	0	0
 Town of Eagle, CO Feb 13, 19:00	 Today's Monday is sponsored by coffee #needmorecoffee	Town of Eagle	0	3	0.92%	327	1	0	0
 Town of Eagle, CO Feb 10, 15:20	 We'd like to recognize the actions of one of our officers last month. On January 2nd, Officer Heil was driving her marked patrol car to the Town of Eagle, via Interstate 70. Officer Heil came upon stopped traffic near mile marker 112...		14	516	28.57%	1,806	215	1	0
 Eagle Outside Feb 09, 17:02	 2nd Friday ARTwalk is tomorrow, Friday, February 10 5pm-8pm Broadway Street #loveourlocals	Town of Eagle	0	1	0.4%	249	1	0	0
 Town of Eagle, CO Feb 09, 17:00	 2nd Friday ARTwalk is tomorrow, Friday, February 10 5pm-8pm Broadway Street #loveourlocals	Town of Eagle	0	6	1.68%	357	4	1	0
 Town of Eagle, CO Feb 09, 16:55	(Post with no description)		0	29	3.1%	937	5	3	0
 Eagle Outside Feb 03, 13:01	 2nd Friday ARTwalk Friday, February 10 5pm-8pm Broadway Street in Eagle #loveourlocals	Town of Eagle	0	1	0.53%	187	0	0	0
 Town of Eagle, CO Feb 03, 13:01	 2nd Friday ARTwalk Friday, February 10 5pm-8pm Broadway Street in Eagle #loveourlocals	Town of Eagle	0	3	0.9%	335	3	0	0
 Town of Eagle, CO Feb 01, 18:03	 Are you passionate about Eagle? Would you like to help shape the future of your community and support the needs & goals of the public? Join the Planning & Zoning Commission to participate! The Town is seeking applicants to fill two...	Town of Eagle	0	9	2.97%	303	2	0	0

MUNICIPAL COURT	January Statement		
Court held January 18			
Citations Issued	Current	YTD	2022
Animal Control	3	3	61
Juvenile	1	1	21
Misdemeanor/Ordinance	1	1	12
Parking	24	24	147
Traffic	7	7	215
Total	36	36	456
Fines and Fees Collected (includes collections for previous months)	Current	YTD	2022
Court Costs	\$ 25.00	\$ 25.00	\$ 1,470.00
Criminal Police Equipment and Training Surcharge	\$ -	\$ -	\$ 410.00
Traffic Surcharge	\$ 300.00	\$ 300.00	\$ 3,380.00
Deferred Judgment Fee	\$ -	\$ -	\$ 375.00
Fines	\$ 2,117.50	\$ 2,117.50	\$ 32,062.50
Outstanding Judgement Fee	\$ -	\$ -	\$ 30.00
Stay of Execution Fee	\$ -	\$ -	\$ 65.00
Bad Check Fee	\$ -	\$ -	\$ -
Warrant Fee	\$ -	\$ -	\$ 66.67
Failure to Appear	\$ 280.00	\$ 280.00	\$ 2,893.33
Victim Restitution Fee	\$ -	\$ -	\$ -
Total	\$ 2,722.50	\$ 2,722.50	\$ 40,752.50
Dispositions (Payments or Court Appearances)	Current	YTD	2022
Animal Control	4	4	40
Juvenile	3	3	20
Misdemeanor/Ordinance	0	0	6
Parking	19	19	172
Traffic	10	10	184
Total	36	36	422
Outstanding Fines and Fees At Collections & by Date			
Current	\$ 675.00		
1-30 Days Past Due	\$ 295.00		
31-60 Days Past Due	\$ 255.00		
61-90 Days Past Due	\$ 110.00		
91-180 Days Past Due	\$ 12,029.00		
Total	\$ 13,364.00		

MUNICIPAL COURT	Feburary Statement		
Court held Feburary 1st & 15th			
Citations Issued	Current	YTD	2022
Animal Control	4	7	61
Juvenile	1	2	21
Misdemeanor/Ordinance	0	1	12
Parking	1	25	147
Traffic	6	13	215
Total	12	48	456
Fines and Fees Collected (includes collections for previous months)	Current	YTD	2022
Court Costs	\$ 90.00	\$ 115.00	\$ 1,470.00
Criminal Police Equipment and Training Surcharge	\$ 60.00	\$ 60.00	\$ 410.00
Traffic Surcharge	\$ 170.00	\$ 470.00	\$ 3,380.00
Deferred Judgment Fee	\$ -	\$ -	\$ 375.00
Fines	\$ 1,620.00	\$ 3,737.50	\$ 32,062.50
Outstanding Judgement Fee	\$ -	\$ -	\$ 30.00
Stay of Execution Fee	\$ -	\$ -	\$ 65.00
Bad Check Fee	\$ -	\$ -	\$ -
Warrant Fee	\$ -	\$ -	\$ 66.67
Failure to Appear	\$ 210.00	\$ 490.00	\$ 2,893.33
Victim Restitution Fee	\$ -	\$ -	\$ -
Total	\$ 2,150.00	\$ 4,872.50	\$ 40,752.50
Dispositions (Payments or Court Appearances)	Current	YTD	2022
Animal Control	3	7	40
Juvenile	1	4	20
Misdemeanor/Ordinance	1	1	6
Parking	9	28	172
Traffic	4	14	184
Total	18	54	422
Outstanding Fines and Fees At Collections & by Date			
Current	\$ 685.00		
1-30 Days Past Due	\$ 75.00		
31-60 Days Past Due	\$ 295.00		
61-90 Days Past Due	\$ 255.00		
91-180 Days Past Due	\$ 12,139.00		
Total	\$ 13,449.00		

Public Works

February 2023

Buildings & Grounds

- B&G assisted in relocating the Special Events Coordinator office to the former conference room near the front of Town Hall. The office space that will be utilized by the incoming Assistant Town Manager was given a clean-up and repaint. Finance is procuring office furniture for this space and B&G will be able to assist with any assembly and moving required to make this space move-in ready.

Streets

- Much pothole repair has been occurring. Additionally, Streets has begun to grade gravel shoulder areas adjacent to roadways (particularly in the old Downtown area) to improve drainage. Streets is also clearing ice from storm drain inlets as necessary as we begin the spring melt and contend with surface runoff.

Water

- We have been finalizing scope of service and fee proposals related to hydraulic analysis studies related to developments at West Eagle and Haymeadow. The Haymeadow study involves assessment of a newly proposed water storage tank site on BLM land – the site that had been proposed on the Haymeadow property was very challenging to access, would result in a large visible scar on the landscape, and would be quite costly. We are also evaluating the possibility of connecting the new Haymeadow tank to the same pressure zone as the Hernage Creek water tank in Eagle Ranch, this would provide advantageous redundancy to both areas and may allow the size of the Haymeadow tank to be somewhat reduced. Because of the benefits of these changes to our overall water system I am proposing to share the costs of this analysis 50/50 with Haymeadow.

Wastewater

- We finally received a response from CDPHE regarding our discharge permit modification application. As anticipated, CDPHE continues to propose discharge limits and testing requirements that are not justified based on our wastewater operations and effluent constituents. We are working with engineering consultants and special legal counsel to prepare a response to CDPHE and will likely enter an appeal process. Counsel has advised us that this may take a couple of years to play out....
- We've been working through some maintenance and operation challenges at the wastewater plant. Our centrifuge, which is used to de-water solid material left at the end of the treatment process prior to shipping, was in need of an overhaul and preventative maintenance. It was taken offline and shipped to Texas for this work. A rental centrifuge which had been arranged did not perform adequately and was returned to the vendor after about a week of attempting to improve it's performance. We believe our centrifuge will return from Texas soon, so staff are attempting to hold solid material in the storage we have available until it arrives. Fingers crossed. Plan C is to ship the water containing solids if necessary, which comes at a much higher cost but would be for a very short duration.

River Park Project

- Construction of the pavilion structure is complete short of applying coatings, which will be accomplished as warmer weather arrives in the Spring.
- The USACE has returned initial comments on our RapidBlock 404 permit application. Disturbingly, the Corp has commented that they have just become aware that the river park features and fish bypass are not constructed on property owned by the Town, they have described this as "very concerning". I have begun compiling documents to provide to the Corp that provide evidence that the Town had entered into agreements with the landowners providing us permission to construct and maintain the park. This is pretty straightforward concerning Eagle County as we have a long chain of agreements with them pertaining to the River Park. I am thus far not able to locate an agreement with Everett Case (who owned the property on the south side of the park (he is now deceased, and the property is owned by his heirs). The lack of an agreement with Case is troubling as it prevents the Town from entering the property to perform any maintenance that might be needed on the fish bypass channel. If I am unable to locate an executed agreement with Case I will recommend to Council that we immediately begin work to enter into such an agreement with his heirs. This has not been a happy turn of events in the RapidBlock project. On top of this comment from the Corp, CPW has also made comments opposing some of the RapidBlock installations proposed on the basis of concern over fish passage. More to come on this as I work with S20 to respond to these comments.

Open Space & Trails

- Staff continue with VVMTA on the proposed bike park plan. We have been working with Kendra to draft the necessary agreement with VVMTA and we are aiming to bring this agreement to Council on March 28th if all the legal details can be worked out by then.
- After the February 28, 2023, Town Council meeting, the Open Space and Recreation Advisory Committee discussed the Second Gulch width limit at its meeting on March 7. The Committee voted to gather further data, engage with the community, and coordinate with additional stakeholders before providing an updated recommendation to the Town Council on how to proceed. OSRAC will discuss this issue at its meeting on April 4, 2023, at 9am. Staff will keep the Council updated on the progress of this topic, and once there is a revised recommendation, staff will bring it to Council.

In addition, should the Town vote to change the motorized width limit on Second Gulch, the Bureau of Land Management (BLM) will require that the proposed change is evaluated through its review process as a part of the National Environmental Policy Act (NEPA). In the Staff Memo from the February 28, 2023, Council meeting, Staff said the BLM would “mimic” the Town’s decision to determine if the width limit should be changed. This was an oversimplification on Staff’s part. A change in the width designation on the BLM’s side of the fence will require a review process by the agency. However, the BLM does not anticipate this to be a complicated review. The BLM indicated that they intend to work closely with the Town to ensure that the management of Second Gulch is consistent between the two entities and embodies the direction provided by the community.

The BLM road is currently designated for use by both ATVs and full-sized vehicles (jeeps, SUVs, trucks, etc.). It appears that BLM was contacted by several residents of Eagle Ranch opposed to the width increase, and upon learning of the opposition decided that because UTVs aren’t specifically listed as allowed a NEPA process will be required. This is a head scratcher given that both ATVs and full-sized vehicles are permitted. What this means for Council consideration of the width increase is that the process will likely be delayed for several months while BLM solidifies their position on UTV usage on their road.

Engineering

- Mock-ups of the art wall installation were constructed by our general contractor. The project landscape architect visited the site and discussed the placement of the art panels with staff, some minor adjustments were made and some adjustments to the landscape planting plan are also being made. Details matter, and it was great to view these mockups with our landscape architect and optimize the design. The landscape permit application for CDOT is being finalized and should be submitted very soon.
- We are running a bit of grant application fire drill to prepare and submit two grant applications. The first is a Transportation Alternatives Program application to CDOT for funding of the Sylvan Lake Road pedestrian safety improvement project. We feel that we have a very strong application for this grant and stand a good chance of receiving and award. The second is Congressional Directed Spending application for \$40M in funding for the Grand Avenue Corridor project. This application will be submitted to both Senators Bennet and Hickenlooper. We feel this is more of a long shot as there were thousands of applications submitted through the previous round of CDS, but you can’t win if you don’t play and we have our fingers crossed!



To: Mayor and Town Council

From: Cliff Simonton, Community Development

Date: March 14, 2023

Agenda Item: Ordinance No. 5, Series 2023, An Ordinance of the Town Council of the Town of Eagle, Colorado, Rezoning the Property formerly known as Eagle River Station from Resource (R) to Commercial General East (CGE)

REQUEST:

The applicant, Eagle Meadows Colorado LLC, is requesting to rezone 124.26 acres located in East Eagle from Resource (R) to Commercial General East (CGE). The property is the site of the previously approved Eagle River Station PUD.

INTRODUCTION:

The land subject to rezoning is located east of Chambers Avenue, with I-70 to the north and the Union Pacific Railroad right-of-way and US Highway 6 to the south. The eastern boundary of the property is located just past the headquarter buildings of the old Whittaker Ranch. Further east are private agricultural lands in unincorporated Eagle County, and across Highway 6 to the south is the Red Mountain Ranch PUD, an approved but as-yet undeveloped mixed-use project that fills the space between Highway 6 and the Eagle River. The Eagle County Regional Trail parallels the railroad in a dedicated easement along the southern boundary of the site. The property is otherwise undeveloped, with dry-land grazing the only present-day agricultural use.

The 124 acre property was annexed into the Town of Eagle in 2006 in conjunction with the proposed Eagle River Station PUD. In 2009 the Town approved zoning and a development plan for the PUD, but the project failed to materialize and was withdrawn in 2015. Ownership of the property then changed, and zoning reverted to Resource (R).

Rezoning to CGE is being requested by Eagle Meadows Colorado pursuant to a [pre-development agreement](#) between Eagle Meadows Colorado and the Town, which details activities and responsibilities related to the former Eagle River Station property prior to a new proposal for development. Commercial General East (CGE) zoning has been recently developed by Town staff and Clarion to accommodate uses and layouts consistent with the intents and purposes of the East Eagle Sub-Area Plan, which was adopted by the Town in 2021. Once in place, it is hoped the CGE zone district will improve the marketability of the property to potential investors and/or developers. The zoning, if approved, would be speculative at this time; no plans for subdivision and/or development of the property have been submitted to the Town.

ANALYSIS:

Staff reviewed the application against the four criteria for rezoning outlined in [Section 4.05.030](#) of the Land Use and Development Code. The [staff report](#) for the February 21, 2023 Planning & Zoning Commission meeting provides staff's full analysis of the application against each of the approval criteria.

COMMUNITY INPUT:

No public comment has been received as of March 8, 2023.

BUDGET / STAFF IMPACT:

The application does not impact the budget.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This request aligns with the following 2020 Strategic Plan's major objectives:

- **Stimulate Economic Vitality and Development.** Application of the CGE zone district to this property will open the door to large format retail and commercial development, improving the marketability of the property to potential investors and/or developers.
- **Enhance the Economic Resiliency of the Town Government.** The uses encouraged by the CGE zone district will expand the variety of tax generating activities within the town's municipal boundary.
- **Attract Visitors.** East Eagle is highly visible to travelers on I-70. Attractive development and retail destinations encouraged by CGE zoning will showcase Eagle's unique brand, welcoming both tourists and shoppers from around the region.

PLANNING COMMISSION REVIEW AND ACTION

At their regularly scheduled meeting of February 21, 2023, the Planning & Zoning Commission unanimously recommended approval of the rezone application. Minutes from the P&Z meeting can be found at this [LINK](#).

RECOMMENDED ACTION/PROPOSED MOTION:

Suggested Motion: I move to APPROVE Ordinance No. 5, Series 2023, An Ordinance of the Town Council of the Town of Eagle, Colorado, Rezoning the Property formerly known as Eagle River Station from Resource (R) to Commercial General East (CGE).

ATTACHMENTS:

- Project Application and Narrative
- CGE Zone District Description
- Ordinance No. 5, Series 2023

HUNN

PLANNING & POLICY, LLC.

December 21, 2022

Mr. Chad Phillips, Director
Town of Eagle Community Development Department
200 Broadway
P.O. Box 609
Eagle, CO. 81631

Re: Red Mountain Partnership LLLP and Eagle Meadows Colorado LLC
Rezoning Application Submission and Narrative

Chad,

On behalf of Red Mountain Ranch Partnership LLLP and Eagle Meadows Colorado LLC, and in accordance with Resolution No. 80, Series 2022, I am herewith forwarding the following materials in support of a rezoning request for the following parcels currently located within the Town of Eagle:

- Parcel No. 193928400022
- Parcel No. 193927300034
- Parcel No. 193927300037
- Parcel No. 193927300038
- Parcel No. 193927300039

Full legal descriptions for all affected properties are provided under cover of this memo. Additionally, the following are attached or have already been submitted in response to the Town's annexation petition and rezoning criteria:

1. Notarized Consent Form
2. Zone District Amendment Application Form
3. Narrative responding to Section 4.05.030- *Rezoning* of the Town of Eagle Land Use Regulations

Thank you for your time and efforts to work with us throughout the pre-development process and for your guidance as we prepared our annexation and rezoning requests to meet the Town's requirements and expectations.

Please do not hesitate to contact me if you or Town staff has any questions or if you require additional or different information in this matter.

Kind regards,



Scot Hunn, AICP/MPA

Cc: Mervyn Lapin
Rodrigo Cortina
Spencer Blair
Eric Eves

East Eagle Commercial General Zone District Zone District Amendment Request Narrative

December 21, 2022

Introduction:

The following analysis is provided in support of a proposed zone district amendment for properties already annexed to the Town and located in the East Eagle area. This rezoning request is pursuant to pre-development agreements by and between Red Mountain Ranch Partnership LLLP and Eagle Meadows Colorado LLC (“Applicant”) and the Town of Eagle (“Town”) with regard to planning and development of several parcels owned by the Applicant and located in the East Eagle area (“Properties”). These agreements were entered into on September 27, 2022, and memorialized in the Town of Eagle Resolution No. 80, Series 2022.

Of note in the Applicant’s request are several factors for the Town’s consideration. First, the Applicant has been working in good faith with the Town of Eagle for several months as a participant in the Town’s ReCode Eagle process to evaluate and update the Town’s Land Use Regulations, inclusive of the Town’s zone districts and the Town’s Official Zone District Map.

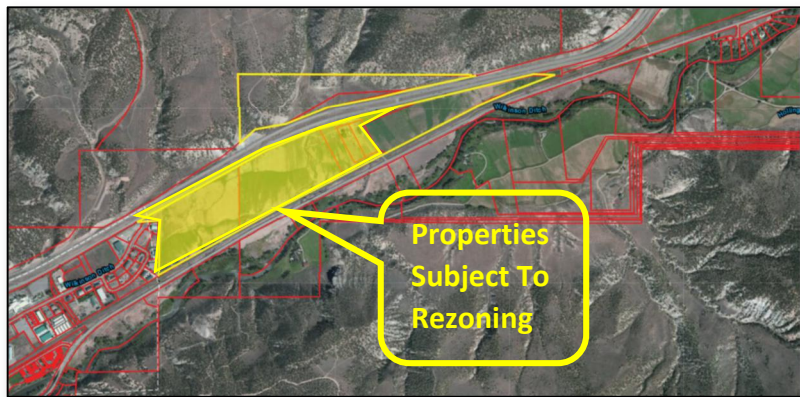


Figure 1: Vicinity Map, Source: Town of Eagle East Eagle Sub-Area Plan p. 2

As an active participant, the Applicant has awaited the establishment of new zone district(s) in the East Eagle area in alignment with the 2021 East Eagle Sub-Area Plan (EESAP) Future Land Use Map (FLUM). For various reasons out of the Applicant’s control, amendments to the Town’s zone districts and, specifically, amendments to the Official Zone District Map have not been completed.

The Properties were formerly zoned PUD as part of the Eagle River Station development. The previous PUD approvals have lapsed, ownership of the Properties changed, and the Properties were subsequently reverted to Resource (R) zoning until such time as new zone districts – tailored to facilitated commercial and/or light-industrial development in line with the EESAP without the need for a new PUD - are created and new site-specific development plans are duly reviewed and approved by the Town during a public process. Originally slated for completion by December 2022, the Applicant is now of the understanding that final adoption of new zone districts and/or the adoption of a new Official Zone District Map will not be completed until summer 2023.

Yet, the Applicant and the Town are in general agreement with regard to the future land use designations outlined in the EESAP's future land use map and, specifically, the commercial and light-industrial intents of any future zone districts to be created in the East Eagle Area.

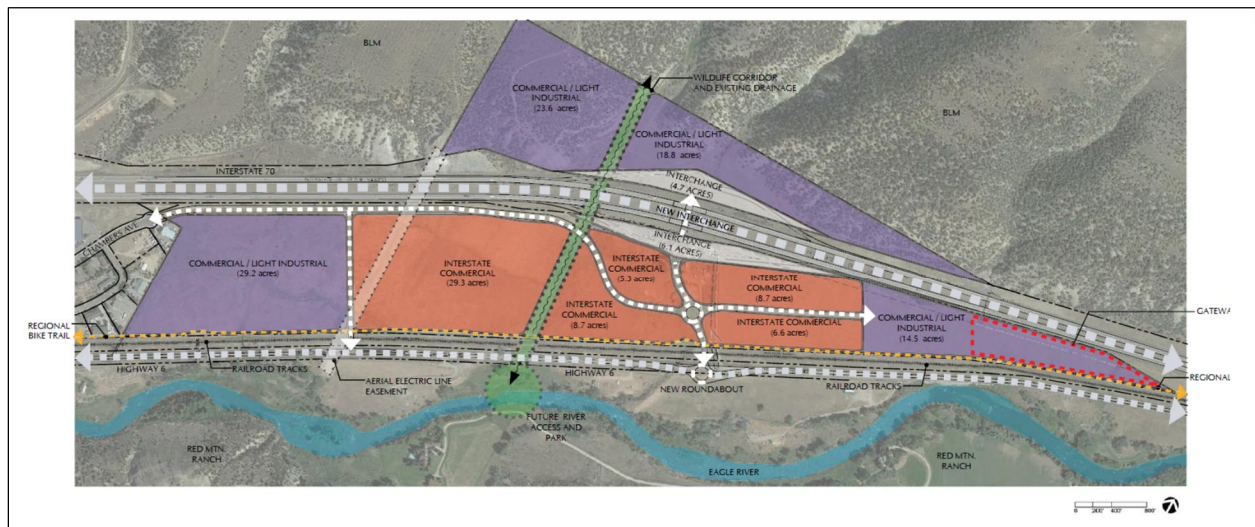


Figure 2: East Eagle Sub-Area Plan Future Land Use Map

The pre-development agreement(s) executed by and between the Town and the Applicant require annexation of certain Properties (Parcels A and F) within 180 days of the effective date of the development agreements, as well as the rezoning of certain Properties prior to January 25, 2023. The Applicant intends to rezone Parcels A and F upon annexation.

Additionally, there is urgency in this situation: the Applicant desires to start the process of contacting prospective commercial tenants and qualified developers and cannot do so without an appropriate commercially oriented zone district in place on the Properties. Simply, potential tenants and developers are already looking at competitive, commercially zoned sites nearby and the Applicant, and the Town, are losing ground while the ReCode process, albeit important for the Town's future, continues.

Therefore, the Applicant has worked with the Town over roughly the past three months to identify a process and a zoning designation that can be applied to the Properties in a temporary manner to 1) comply with the pre-development agreement timeframes; and 2) provide clarity as well as an appropriate amount of flexibility – to the Town and the Applicant – with regard to enacting commercially-oriented zoning on the Properties in conformance with the intents of the East Eagle Sub-Area Plan and the pre-development agreement(s).

Importantly, this request and the Applicant's ongoing cooperation with the Town directly supports two overarching "major objectives" of the Town of Eagle Town Council's 2020 Strategic Plan – to "Stimulate Economic Vitality and Development," and to "Enhance the Economic Resiliency of the Town Government."

The following section addresses the Town of Eagle's zone district amendment criteria.

Section 4.05.030 – Rezoning:

A. Conditions for rezoning.

The Town Council may amend the number, shape, or boundaries of any zone district, removing any property from one zone district and adding it to another zone district, only after recommendation of the Planning Commission. A rezoning may be granted where the findings are made:

- 1. That the rezoning is compatible with surrounding land uses, and is consistent with the Town's goals, policies and plans;*

Applicant Response:

The proposed East Eagle Commercial General Zone District is in direct alignment with the goals, policies and implementing actions of the 2020 Elevate Eagle Comprehensive Plan, as well as specific recommendations of the 2021 East Eagle Sub-Area Plan (EESAP) inclusive of the Future Land Use Map (FLUM) designations identifying the Properties as being appropriate for Commercial/Light Industrial and/or Interstate Commercial. Yet, after numerous conversations with the Town in recent months, it is apparent that the zone districts identified within the 2021 EESAP have not been developed or adopted as part of the Town's omnibus ReCode Eagle process.

Further, it is the Applicant's understanding that the creation or adoption of specific zone districts (shown in the EESAP as "Commercial/Light Industrial" and "Interstate Commercial") will likely not occur until summer 2023. Therefore, with guidance from the Town, the Applicant proposes to zone the Properties under a "Commercial General East" or "East Eagle Commercial General" zone district, inclusive of similar permitted uses currently available within the Town's Commercial General Zone District, to permit a wide range of commercial uses serving the local population as well as interstate travelers.

Importantly, this temporary zoning designation applied to the Properties will not preclude extension and expansion of the Chambers Avenue area and, specifically, similar small-lot service commercial and/or light industrial uses found within the Eagle Valley Commercial Park subdivision until such time that more specific zone districts are adopted by the Town for the East Eagle area via the ReCode Eagle Process.

- 2. That the land to be rezoned was previously zoned in error or the existing zoning is inconsistent with the Town's goals, policies and plans;*

Applicant Response:

The land to be rezoned was zoned Resource within the Town following the expiration and extinguishment of a previously approved Planned Unit Development (Eagle River Station PUD). Therefore, the current zoning is not in error, but, as a low density residential and agricultural zoning designation, is clearly inconsistent with the goals, policies and future land use mapping for the Town's more recently adopted East Eagle Sub Area Plan (EESAP).

Similar to the intents of both the yet-to-be-adopted "Interstate Commercial" or "Commercial/Light Industrial" zone districts envisioned within the EESAP, the East Eagle Commercial General Zone District should allow an appropriate amount of flexibility for the

landowner and the Town until such time that 1) specific zone district designations are adopted and applied to the Properties via the ReCode Eagle process, and 2) site specific development plans are presented wherein the Town and the Applicant can discuss and contemplate specific retail commercial, service commercial and/or light industrial development plans for the subject properties.

3. *That the area for which rezoning is requested has changed substantially such that the proposed rezoning better meets the needs of the community; or*

Applicant Response:

The area for which rezoning is requested is located within the 2021 East Eagle Sub-Area Plan boundaries and is the subject of several specific goals, policies and implementing actions of the EEACP – all squarely focused on commercially-oriented rezoning, subdivision, and development in furtherance of the Town of Eagle’s land use, quality of life, and economic development strategic planning efforts.

4. *That the rezoning is incidental to a comprehensive revision of the Town's zoning map which recognizes a change in conditions and is consistent with the Town's goals, policies and plans.*

Applicant Response:

But for this rezoning request, the area for which rezoning is requested would be part of a future, comprehensive revision to the Town’s Official Zone District Map as part of the Town’s ongoing ReCode Eagle process. While this (ReCode) process has been ongoing for the past couple years, the applicant is of the understanding that full revision of the Town’s zoning documents will not occur until summer 2023.

However, on September 27, 2022, the Town and the Applicant executed pre-development agreements for the Properties as well as two additional parcels that have not yet been annexed – Parcels A and F at the eastern end of the East Eagle sub-area - setting forth certain time periods within which the Applicant and/or the Town are to initiate annexation of Parcels A and F, as well as time frames for the complimentary rezoning actions of the Properties. In this case, under Section 3 of the agreement(s), the Town is obligated to “*finalize and act on an application to rezone the Property, which zoning shall comply with the East Eagle Sub-area Plan.*”

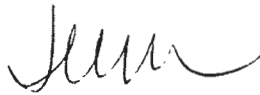
Therefore, this rezoning is being proposed in compliance and in good faith with prior agreements, and at the direction and counsel of Town staff in an effort to provide near term clarity for both the Applicant and the Town as the Applicant continues to work with the Town in a pre-development manner prior to full adoption of any new Town of Eagle zoning code.

PROOF OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF EAGLE)

I, Jenny Rakow, Town Clerk for the Town of Eagle, do solemnly swear and affirm that I published in full a true and correct copy of "ORDINANCE 01, SERIES 2023 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AMENDING VARIOUS SECTIONS OF CHAPTER 4.04 OF THE EAGLE MUNICIPAL CODE TO ACCOMMODATE A NEW COMMERCIAL GENERAL EAST ZONE DISTRICT" on the Town of Eagle's web site, www.townofeagle.org, on the 24th day of January 2023.

Witness my hand and seal this 24th day of January 2023.



Jenny Rakow Town
Clerk



Ordinance Effective Date:

February 4, 2023

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 01
(Series of 2023)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING VARIOUS SECTIONS OF CHAPTER 4.04 OF THE EAGLE MUNICIPAL
CODE TO ACCOMMODATE A NEW COMMERCIAL GENERAL EAST ZONE DISTRICT

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

Section 1. Section 4.04.010 of the Eagle Municipal Code is hereby amended by the addition of the following row, to appear in alphabetical order:

CGE	Commercial General East – For commercial and tourist uses, including lodging, dining recreation facilities and compatible uses, and for heavier commercial activities and compatible uses, and limited residential use on properties located within the East Eagle Sub Area Plan boundary.
-----	--

Section 2. Section 4.04.070 of the Eagle Municipal Code is amended by the addition of the following column:

	CGE
Retail establishment, except mobile home and vehicular services	P
Service establishment, except vehicular service	P
Restaurant	P
Tavern	P
Office	P
Lodging, extended stay	S
Lodging, temporary	P
Dwelling units - above street level	S
High density, multifamily dwelling ¹	S
Park, playground, greenbelt	P
Indoor recreation or theater	S
Public building, auditorium, or other public assembly	S
Church, child care facility, school	S
Hospital, clinic, nursing home, group home	S
Commercial parking lot or garage	S
Vehicular and mobile home service, sales and rental	S
Contractor's yard	S

	CGE
Shop for blacksmith, cabinetry, glazing, machining, off-set printing, publishing, and sheet metal	P
Utility substation	S
Water impoundment	S
Taxidermy shop	S
Dry cleaning plant	S
Gasoline sales	P
Automobile salvage yard	*
Manufacturing, assembly, processing, packaging or preparation of articles or merchandise	S
One single dwelling unit - accessory to a use permitted	*
Restaurant - accessory to use permitted	*
Office - accessory to use permitted	*
Veterinary clinic	S
Extraction and processing of minerals, rocks, sand, gravel, and other earth products	*
Storage of explosives	*
Sawmill or wood milling facility	*
Recreational vehicle park	S
Railroad transfer yard, Motor freight depot	*
Petroleum products bulk plant	S
Theater	P
Shooting range	S
Mobile home	*
Outside storage	S
Self-service storage facility	*
Wholesale or distribution establishment, except mobile home and vehicular sales	P
Retail, except mobile home and vehicular accessory to a principal permitted use	P
Service establishment, except vehicular service—accessory to a principal permitted use	P
Sexually oriented businesses	*
Medical marijuana business ²	S
Retail marijuana cultivation facility ⁴	S
Marijuana testing facility ⁵	S

	CGE
Cultivation of medical marijuana by patients and caregivers in non-residential units (commercial or industrial spaces) ³	*
Cultivation of medical marijuana by patients and caregivers in residential dwelling units (permitted within non-residential zone districts) ³	P
Retail marijuana business (excluding retail marijuana testing facilities)	S
Cultivation of marijuana for personal use in residential units	P
Cultivation of marijuana for personal use in non-residential units or structures	*
Medical marijuana infused products manufacturer ²	S
Optional medical cultivation premises ²	S
Retail marijuana store ⁴	S
Retail marijuana products manufacturing facility ⁴	S
Kennel	S

Section 3. Section 4.04.090 of the Eagle Municipal Code is hereby amended by the addition of the following new row:

ZD	MLA	MLA/DU	MFY		MSY	MRY		MBH	MLC	MFA	MUO/DU
CGE	100,000 sf		L	25'	Greater of 12.5' or ½ building height	com-com	25'	35'	Building 50%; all other impervious 30%	150%	
			C	25'		com-ind	25'				
			A	50'		com-res	75'				

Section 4. Section 4.04.100.O of the Eagle Municipal Code is hereby amended as follows:

4.04.100 Supplementary regulations and standards.

* * *

O. Extended stay temporary lodging facilities. All extended stay temporary lodging facilities permitted in the Commercial General (CG) Zone District or Commercial General East (CGE) Zone District shall comply with the following requirements:

* * *

Section 5. Section 4.07.080 of the Eagle Municipal Code is hereby amended as follows:

4.07.080 North Interchange Area *and East Eagle Area*.

A. General provisions.

1. The North Interchange *and East Eagle Area* contains the following zone districts ~~as per this Title:~~

a. Commercial General "for commercial and tourist uses including lodging, dining, and recreation facilities and compatible uses, and for heavier commercial uses, low-impact manufacturing uses, and compatible uses."

b. *Commercial General East "for commercial and tourist uses including lodging, dining, and recreation facilities and compatible uses, and for heavier commercial activities, compatible use, and limited residential use on properties located within the East Eagle Sub Area Plan boundary."*

~~b.c.~~ Public Area "for any use owned ~~and~~ or operated by a public entity."

2. The North Interchange *and East Eagle Area* incorporates privately owned, commercially zoned land north of the I-70 interchange, *and in between the I-70 corridor and US Highway 6 east of Chambers Avenue*. This area is completely separated physically and visually from the developed Town. Because of its *isolated* location, development *on these lands* would have less of an impact to the community, if treated sensitively, than if these uses occurred downtown. Because larger commercial parcels with municipal service infrastructure are available, there will be considerable pressure for development activity. It is very possible that this area will develop completely independent of other trends in the Town, and be more influenced by county and regional market forces. Commercial activity may, over time, compete with downtown Eagle as the commercial center of the area. Because of its likely development with commercial activities featuring high volumes of user traffic, master planning of large parcels should be strongly encouraged. Careful consideration to the layout of curb cuts along existing public roads should be given. To the extent possible, the preservation of large pieces of indigenous landscape and plant materials should be an important objective. Like the Chambers Avenue Area, architectural design should feature indigenous building materials, styles and details.

* * *

C. Building setbacks.

1. Setback from Eby Creek Road, *the I-70 Right-of-Way, and the I-70 Frontage Road* is twenty-five (25) feet.

* * *

E. Architectural details.

1. *The appearance of buildings in these areas should be of a style similar to that seen in Colorado West Slope mountain towns as described in Section 4.07.040, General architectural standards, and further described in the Elevate Eagle Comprehensive Plan and East Eagle Sub Area Plan. Facades that face public rights-of-way, including the I-70 corridor, shall include variation in the wall plane. Facades that are greater than one hundred (100) feet in length shall include spatial definition in the form of wall projections and/or recesses which must have a depth of at least three (3) percent of the length of the facade. Projections and/or recessions must occupy at least twenty (20) percent of the length of the facade. ~~Group~~ Items such as windows should be grouped to create an interesting composition; these type of features provide visual interest to the pedestrian, reduce monolithic appearance, and add local character to development. Facade projections, recesses, windows, and entrances should be integral parts of the building and must not be superficially applied trim, graphics, or paint.*

* * *

H. Parking.

1. *For parking lots with ten (10) or more parking spaces, one deciduous shade tree shall ~~be required to~~ be planted in the interior of the lot for every ten (10) parking stalls. All required shade trees shall be located within curbed, planted medians and/or islands to provide spatial definition and shade within paved areas.*

2. *Parking lots with fifty (50) or more spaces shall be divided into subsections of no more than twenty-five (25) spaces with landscape divider strips placed between the sections.*

3. *Landscaped areas within parking lots and perimeter landscaping located between a parking lot and a public street shall be protected from vehicular traffic through the use of concrete curbs, extruded asphalt, or other approved permanent barriers. Periodic curb cuts to allow stormwater infiltration are permitted.*

4. *No paving shall be permitted within four (4) feet of the center of a tree.*

* * *

J. *Public Spaces. Mixed-use and nonresidential sites shall contribute to the establishment or enhancement of community and public spaces by providing at least two (2) of the following: patio seating areas; pedestrian plazas with benches; transportation centers; window shopping walkways; outdoor play areas; art features; sheds/areas/facilities for farmers' markets; and architectural elements reflective of rural mountain design on structures with a façade or building wall facing public spaces.*

K. *Pedestrian connections.* Where pedestrian connection can be made from the property, commercial development shall provide safe and convenient pedestrian connection to the Eagle County Regional Trail system as well as other nearby business locations. Sidewalks shall be detached from curb and gutter a minimum distance of five (5) feet to accommodate a planting strip between the curb and sidewalk. Sidewalks linking the pedestrian system of the block to the building are required. Determinations about trail and sidewalk connections shall be made as early in the subdivision or site layout process as possible to avoid lot or site layout decisions that impact the ability to make pedestrian and bicycle connections.

L. *Outdoor uses.*

1. *No areas for outdoor storage, loading, or trash collection or compaction shall be located within twenty (20) feet of any public or street, public sidewalk, or designated internal pedestrian way.*

2. *Trucks, trailers, and outdoor containers used for delivery or maintenance shall only be parked or stored in designated loading and unloading areas that are completely screened from adjacent streets and properties for the duration that they are on the site, and they shall be removed promptly upon the completion of use.*

3. *Exterior display areas shall be clearly depicted on the development plan. All exterior display areas shall have a minimum buffer of ten (10) feet from vehicle lanes or parking areas and shall be permanently screened with walls or fences. Materials, colors and design of screening walls and fences shall conform to the predominant materials and colors of the primary building. If outdoor display areas will be covered, the covering shall conform to the predominant materials and colors of the primary building.*

4. *Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, and trash compactors shall be incorporated into the overall design of the building and the landscaping so that their acoustic impacts are fully contained and their visual impacts are screened from view from adjacent properties and public streets, and the screening materials shall be consistent with the principal materials of the building and landscaping.*

M. *Ongoing maintenance.* The development plan shall include a long-term maintenance plan to ensure that all mixed-use and nonresidential sites are regularly maintained, do not fall into a state of disrepair or neglect, and consistently present a neat and orderly appearance. The maintenance plan shall address, at a minimum, maintenance of the building, parking lot and parking lot surface, landscaping, and signage, including elimination of abandoned signage.

N. *Residential use.*

1. *New multi-family structures shall be oriented with their front façade on the HWY 6 corridor/ECO trail system and shall incorporate safe pedestrian access to nearby recreation and open space amenities.*

2. *Dwelling units within mixed-use structures in the CGE District shall be studio or one bedroom only.*

3. *Applications for mixed-use or multi-family development shall include a residential demand study demonstrating the need for employee units created by nonresidential development within the East Eagle Area. Residential development shall be limited to no more than 120% of the unit demand estimated by the residential demand study. Priority housing status shall be given to local employees.*

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON JANUARY 24, 2023.

TOWN OF EAGLE, COLORADO

Mikel "Pappy" Kerst Mayor Pro Tem

ATTEST:

Jenny Rakow, Town Clerk



TOWN OF EAGLE, COLORADO
ORDINANCE NO. 05
(Series of 2023)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
REZONING THE PROPERTY FORMERLY KNOWN AS EAGLE RIVER STATION FROM
RESOURCE (R) TO COMMERCIAL GENERAL EAST (CGE)

WHEREAS, Eagle Meadows Colorado LLC is the owner of certain real property formerly known as Eagle River Station, and more particularly described in the **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, on December 21, 2022, Scot Hunn, on behalf of Eagle Meadows Colorado LLC (the "Applicant"), submitted an application to rezone the Property from Resource (R) to Commercial General East (CGE);

WHEREAS, on February 21, 2023, the Planning and Zoning Commission held a properly-noticed public hearing on the Application and recommended that the Town Council approve the Application;

WHEREAS, on March 14, 2023, the Town Council held a properly-noticed public hearing on the Application; and

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

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

Section 1. Findings. The Town Council finds that the Application satisfies all applicable criteria in the Eagle Municipal Code.

Section 2. Decision. Based on the foregoing findings, the Town Council hereby rezones the Property from Resource (R) to Commercial General East (CGE). The Town's official zoning map shall be updated accordingly.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON MARCH 14, 2023.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

Exhibit A

PARCEL 1:

EAGLE RIVER STATION ANNEXATION 1

A PARCEL OF LAND LOCATED WITHIN TRACTS 59, 60, 61 AND 62, SECTIONS 27, 28, 33 AND 34, TOWNSHIP 4 SOUTH, RANGE 84 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ACCORDING TO THE SUPPLEMENTAL PLAT OF THE INDEPENDENT RESURVEY THEREOF ACCEPTED IN THE U.S. SURVEYOR GENERAL'S OFFICE, JUNE 20, 1922, EAGLE COUNTY COLORADO, WITH THE BEARINGS DESCRIBED HEREON BASED ON A BEARING OF N00°37'32"W FOR THE WEST LINE OF SAID TRACT 59 BETWEEN CORNER NO. 4 BEING A 2 1/2" ALUMINUM CAP ON 2 1/4" ALUMINUM PIPE, PE/PLS NO. 23089, FOUND IN PLACE AND CORNER NO. 5 BEING A 2 1/2" GLO BRASS CAP ON 1" IRON PIPE, FOUND IN PLACE, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SAID CORNER NO. 4 OF TRACT 59 ALSO BEING CORNER NO. 3 OF SAID TRACT 60, CORNER NO. 4 OF SAID TRACT 61 AND THE NORTHEAST CORNER OF EAGLE VALLEY COMMERCIAL PARK, FILING NO. 2, ACCORDING TO THE FINAL PLAT THEREOF RECORDED IN BOOK 702 AT PAGE 365 AT THE EAGLE COUNTY CLERK AND RECORDER'S OFFICE, EAGLE, COLORADO; THENCE ALONG THE SOUTH LINE OF SAID TRACT 61 ALSO BEING THE NORTHEASTERLY LINE OF SAID EAGLE VALLEY COMMERCIAL PARK, FILING NO. 2, S89°05'16"W, 390.68 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 70; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

- 1) N60°24'00"E, 2611.72 FEET;
- 2) N69°50'12"E, 143.40 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE S24°14'54"W, 1628.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD, BEING 50.00 FEET FROM THE CENTER OF THE EXISTING TRACKS; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY S59°13'37"W, 1554.84 FEET TO THE SOUTHEASTERLY CORNER OF SAID EAGLE VALLEY COMMERCIAL PARK, FILING NO. 2 ALSO BEING A POINT ON THE 4 - 5 LINE OF SAID TRACT 59; THENCE ALONG SAID 4 - 5 LINE ALSO BEING THE EASTERLY LINE OF SAID EAGLE VALLEY COMMERCIAL PARK, FILING NO. 2 N00°37'32"W, 946.69 FEET TO THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.

AND

PARCEL 2:

EAGLE RIVER STATION ANNEXATION 2

A PARCEL OF LAND LOCATED WITHIN TRACTS 58, 59, 60 AND 62, SECTIONS 27 AND 34, TOWNSHIP 4 SOUTH, RANGE 84 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ACCORDING TO THE SUPPLEMENTAL PLAT OF THE INDEPENDENT RESURVEY THEREOF ACCEPTED IN THE U.S. SURVEYOR GENERAL'S OFFICE, JUNE 20, 1922, EAGLE COUNTY, COLORADO, WITH THE BEARINGS DESCRIBED HEREON BASED ON A BEARING OF N00°37'32"W FOR THE WEST LINE OF SAID TRACT 59 BETWEEN CORNER NO. 4 BEING A 2 1/2" ALUMINUM CAP ON 2 1/4" ALUMINUM PIPE, PE/PLS NO. 23089, FOUND IN PLACE AND CORNER NO. 5 BEING A 2 1/2" GLO BRASS CAP ON 1" IRON PIPE, FOUND IN PLACE, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 70 FROM WHICH SAID CORNER NO. 4 OF TRACT 59 ALSO BEING CORNER NO. 3 OF SAID TRACT 60, CORNER NO. 4 OF SAID TRACT 61 AND THE NORTHEAST CORNER OF EAGLE VALLEY COMMERCIAL PARK, FILING NO. 2, ACCORDING TO THE FINAL PLAT THEREOF RECORDED IN BOOK 702 AT PAGE 365 AT THE EAGLE COUNTY CLERK AND RECORDER'S OFFICE, EAGLE, COLORADO, BEARS S56°30'26"W, 2416.03 FEET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 70 THE FOLLOWING FIVE (5) COURSES:

- (1) N69°50'12"E, 143.40 FEET;
- (2) ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A LENGTH OF 1013.48 FEET, A RADIUS OF 5579.60 FEET, A TANGENT OF 508.14 FEET, A DELTA OF 10°24'26" AND A CHORD OF 1012.09 FEET THAT BEARS N68°28'52"E;
- (3) N75°42'18"E, 333.13 FEET;
- (4) N69°59'51"E, 319.78 FEET;
- (5) N76°25'05"E, 926.49 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY S67°31'26"W, 1092.56 FEET TO A POINT ON THE EAST LINE OF LOT 2 OF THE RED MOUNTAIN RANCH EXEMPTION AS DESCRIBED ON THE PLAT THEREOF RECORDED IN BOOK 372 AT PAGE 753 AT SAID CLERK AND RECORDER'S OFFICE; THENCE ALONG SAID EAST LINE S26°52'08"E, 501.89 FEET; THENCE DEPARTING SAID EAST LINE S69°57'11"E, 190.49 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, BEING 50.00 FEET FROM THE CENTER OF THE EXISTING TRACKS; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES:

- 1) S63°04'44"W, 2197.11 FEET;
- 2) ALONG A CURVE TO THE LEFT HAVING A LENGTH OF 806.00 FEET, A RADIUS OF 11988.63 FEET A TANGENT OF 403.15 FEET, A DELTA OF 3°51'07" AND A CHORD OF 805.85 FEET THAT BEARS S61°09'11"W;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY N24°14'54"E, 1628.00 FEET TO THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.

THE FOREGOING PARCEL 2 INCLUDES LOTS 1 AND 2, RED MOUNTAIN RANCH EXEMPTION, ACCORDING TO THE PLAT RECORDED NOVEMBER 14, 1983 IN BOOK 372 AT PAGE 753, COUNTY OF EAGLE, STATE OF COLORADO AND THE FOREGOING CONVEYANCE INCLUDES LOTS 1 AND 2, RED MOUNTAIN RANCH EXEMPTION, ACCORDING TO THE PLAT RECORDED NOVEMBER 14, 1983 IN BOOK 372 AT PAGE 753, COUNTY OF EAGLE, STATE OF COLORADO.

PARCEL 1 AND PARCEL 2 ABOVE ARE ALSO COLLECTIVELY DESCRIBED AS FOLLOWS, WITH THE UNDERSTANDING THAT IT IS NOT THE INTENT OF GRANTOR TO CREATE A LEGAL PARCEL OF REAL ESTATE BY VIRTUE OF INCLUDING SUCH DESCRIPTION, AND NO SUCH PARCEL IS HEREBY CREATED:

A PARCEL OF LAND WITHIN TRACTS 58, 59, 60, 61 AND 62, SECTIONS 27, 28, 33 AND 34, TOWNSHIP 4 SOUTH, RANGE 84 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ACCORDING TO THE SUPPLEMENTAL PLAT OF THE INDEPENDENT RESURVEY THEREOF ACCEPTED IN THE U.S. SURVEYOR GENERAL'S OFFICE, JUNE 20, 1922, EAGLE COUNTY, COLORADO, WITH THE BEARINGS DESCRIBED HEREON BASED ON A BEARING OF N00°37'32"W FOR THE WEST LINE OF SAID TRACT 59 BETWEEN CORNER NO. 4 BEING A 2 1/2" ALUMINUM CAP ON 2 1/4" ALUMINUM PIPE, PE/PLS NO. 23089, FOUND IN PLACE AND CORNER NO. 5 BEING A 2 1/2" GLO BRASS CAP ON 1" IRON PIPE, FOUND IN PLACE, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SAID CORNER NO. 4 OF TRACT 59 ALSO BEING CORNER NO. 3 OF SAID TRACT 60, CORNER NO. 4 OF SAID TRACT 61 AND THE NORTHEAST CORNER OF EAGLE VALLEY COMMERCIAL PARK, FILING NO. 2, ACCORDING TO THE FINAL PLAT THEREOF RECORDED IN BOOK 702 AT PAGE 365 AT THE EAGLE COUNTY CLERK AND RECORDER'S OFFICE, EAGLE, COLORADO; THENCE ALONG THE SOUTH LINE OF SAID TRACT 61 ALSO BEING THE NORTHEASTERLY LINE OF SAID EAGLE VALLEY COMMERCIAL PARK, FILING NO. 2, S89°05'16"W, 390.68 FEET TO POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 70; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES:

- 1) N60°24'00"E, 2611.72 FEET;
- 2) N69°50'12"E, 286.80 FEET;
- 3) ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A LENGTH OF 1013.48 FEET, A RADIUS OF 5579.60 FEET, A TANGENT OF 508.14 FEET, A DELTA OF 10°24'26" AND A CHORD OF 1012.09 FEET THAT BEARS N68°28'52"E;
- 4) N75°42'18"E, 333.13 FEET;
- 5) N69°59'51"E, 319.78 FEET;
- 6) N76°25'05"E, 926.49 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY S67°31'26"W, 1092.56 FEET TO A POINT ON THE EAST LINE OF LOT 2 OF THE RED MOUNTAIN RANCH EXEMPTION AS DESCRIBED ON THE PLAT THEREOF RECORDED IN BOOK 372 AT PAGE 753 AT SAID CLERK AND RECORDER'S OFFICE; THENCE ALONG SAID EAST LINE S26°52'08"E, 501.89 FEET; THENCE DEPARTING SAID EAST LINE S69°57'11"E, 190.49 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, BEING 50.00 FEET FROM THE CENTER OF THE EXISTING TRACKS; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES:

- 1) S63°04'44"W, 2197.11 FEET;
- 2) ALONG A CURVE TO THE LEFT HAVING A LENGTH OF 806.00 FEET, A RADIUS OF 11988.63 FEET, A TANGENT OF 403.15 FEET, A DELTA OF 3°51'07" AND A CHORD OF 805.85 FEET THAT BEARS S61°09'11"W;
- 3) S59°13'37"W, 1554.84 FEET

TO THE SOUTHEASTERLY CORNER OF SAID EAGLE VALLEY COMMERCIAL PARK, FILING NO. 2 ALSO BEING A POINT ON THE 4 - 5 LINE OF SAID TRACT 59; THENCE ALONG SAID 4 - 5 LINE ALSO BEING THE EASTERLY LINE OF SAID EAGLE VALLEY COMMERCIAL PARK, FILING NO. 2 N00°37'32"W, 946.69 FEET TO THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.



To: Mayor and Town Council

From: Jill Kane, Finance Director

Date: March 14, 2023

Agenda Item: Resolution 14, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Amending and Adopting a New Fee Schedule Pursuant to 2.34 of the Eagle Municipal Code"

REQUEST: Staff requests that the Council review Resolution 14, Series 2023 to amend the 2023 fee schedule which provides for an increase to fire impact fees.

BACKGROUND: The Town recently received the Greater Eagle Fire Protection District (GEFPD) 2023 Impact Fee Schedule (GEFPD Resolution attached). Since the Town collects fire impact fees on behalf of the GEFPD an amendment to the Town's fee schedule is necessary.

ANALYSIS: Per section 4.13.230 of the Eagle Municipal Code, the fire protection impact fees shall be adjusted annually for inflation to be effective January 15th of each year. It also states, that the Town Manager shall recommend any further adjustments to the fee imposed, following consultation with the Greater Eagle Fire Protection District. In October 2022, GEFPD completed an updated impact fee study prepared by BBC Research & Consulting (attached). The resolution received by GEFPD requests the following increases to Fire Impact fees based on the impact fee study:

Fire Impact Fees	2019	2020	2021	2022	2023	% Increase
Single Family	\$ 2,270	\$ 2,331	\$ 2,359	\$ 2,482	\$ 2,712	9.27%
Multi Family	\$ 1,037	\$ 1,065	\$ 1,078	\$ 1,134	\$ 1,528	34.74%
Lodging per / 1000 sq ft.	\$ 915	\$ 939	\$ 951	\$ 1,000	\$ 999	-0.12%
Commercial per / 1000 sq ft.	\$ 915	\$ 939	\$ 951	\$ 1,000	\$ 999	-0.12%

COMMUNITY INPUT: None.

BUDGET/STAFF IMPACT: There are no budget or staff impacts with this proposal. Fire Impact Fees are passthrough fees collected by the Town and paid to the GEFPD.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This request does not align with the strategic plan or standards. It is an administrative proposal that requires the Council's review and approval.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to **approve** or **deny** adoption of Resolution 14, Series 2023, "A Resolution of the Town Council of the Town of Eagle, Colorado, Amending and Adopting a New Fee Schedule Pursuant to 2.34 of the Eagle Municipal Code".

ATTACHMENTS:

- Resolution 14-2023 Adopting an Amended 2023 Fee Schedule
- 2023 Amended Fee Schedule – Exhibit A
- GEFPD Resolution 2023-3
- GEFPD Fire Impact Fee Update

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 14
(Series of 2023)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
AMENDING AND ADOPTING A NEW FEE SCHEDULE PURSUANT TO 2.34 OF THE
EAGLE MUNICIPAL CODE

WHEREAS, The Town of Eagle has enacted Chapter 2.34 of the Eagle Municipal Code establishing fees for services; and

WHEREAS, The Town has received resolution 2023-3 from the Greater Eagle Fire Protection District requesting an adjustment of fire impact fees based on a recent updated impact fee study; and

WHEREAS, The Town desires to amend certain of those fees and to adopt a new schedule; and

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

Section 1. The fees set forth on the fee schedule attached hereto as **Exhibit A** are hereby fixed and imposed for the various purposes set forth for them in said Exhibit A.

INTRODUCED, READ, PASSED, AND ADOPTED by the Town Council of the Town of Eagle, Colorado at a regular meeting held on the 14th day of March 2023.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, CMC
Town Clerk

EXHIBIT A

ADMINISTRATIVE FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
ADMINISTRATIVE	Copies Black and White – per copy	\$ 0.25	\$ 0.25	NO CHANGE	
ADMINISTRATIVE	Copies Large – per copy	\$ 1.50	\$ 1.50	NO CHANGE	
ADMINISTRATIVE	Copy of Annual Audit	\$ 25.00	\$ 25.00	NO CHANGE	
ADMINISTRATIVE	Copy of Eagle Municipal Code (Paper Copy)	\$ 100.00	\$ 100.00	NO CHANGE	
ADMINISTRATIVE	Notary Services	\$ 5.00	\$ 5.00	NO CHANGE	
ADMINISTRATIVE	Records USB Flash Drive	\$ 2.00	\$ 3.00	FEE CHANGE	Updated rate to account for bulk pricing changes and to align with PD's new flash drive fee
ADMINISTRATIVE	Research/Records Search (per hour, first hour free)	\$ 30.00	\$ 33.58	FEE CHANGE	Update rate to match State statute which changed from \$30.00 per hour to \$33.58 per hour as of July 2019
ADMINISTRATIVE	Colorado Open Record Act Request - Audio/Video	\$ 5.00	\$ 5.00	NO CHANGE	
ADMINISTRATIVE	Colorado Open Record Act Request	\$0.25/page	\$0.25/page	NO CHANGE	
ADMINISTRATIVE	Returned Check Fee	\$ 25.00	\$ 25.00	NO CHANGE	
ADMINISTRATIVE	Verbatim Transcripts – per page, PLUS HOURLY RATE	\$ 15.00	\$ 15.00	NO CHANGE	

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
BUSINESS LICENSE FEE	Business License - Sales Within Public Right of Way	\$ 25.00 - 250.00	\$ 25.00 - 250.00	NO CHANGE	
BUSINESS LICENSE FEE	Business License/Business Marketing Fee	\$ 20.00	\$ 20.00	NO CHANGE	
BUSINESS LICENSE FEE	Business License/Business Occupation Fee	\$ 55.00	\$ 55.00	NO CHANGE	
BUSINESS LICENSE FEE	Business & Tobacco License Late Fee	\$15/month after January 31st max of \$45	\$15/month after January 31st max of \$45	NO CHANGE	
BUSINESS LICENSE FEE	Business License Peddler and Solicitors: One Day	\$ 50.00	\$ 50.00	NO CHANGE	
BUSINESS LICENSE FEE	Business License Peddler and Solicitors: Two Consecutive Days	\$ 65.00	\$ 65.00	NO CHANGE	
BUSINESS LICENSE FEE	Business License Peddler and Solicitors: Three Consecutive Days	\$ 85.00	\$ 85.00	NO CHANGE	
BUSINESS LICENSE FEE	Business License Peddler and Solicitors: Seven Consecutive Days	\$ 105.00	\$ 105.00	NO CHANGE	
BUSINESS LICENSE FEE	Business License Peddler and Solicitors: Thirty Consecutive Days	\$ 125.00	\$ 125.00	NO CHANGE	
BUSINESS LICENSE FEE	Business License Peddler and Solicitors: One Year	\$ 275.00	\$ 275.00	NO CHANGE	
BUSINESS LICENSE FEE	Communal Outdoor Dining Permit	\$ 75.00	\$ 75.00	NO CHANGE	
BUSINESS LICENSE FEE	Takeout Delivery Permit	\$ 25.00	\$ 25.00	NO CHANGE	
LIQUOR LICENSE FEE	3.2% Beer Off Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	3.2% Beer On Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	3.2% Beer On/Off Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Add Optional Premises to Hotel & Restaurant License	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Art	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Art Gallery Permit	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Background Investigation	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Bed & Breakfast Permit	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Beer & Wine	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Brew Pub	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Campus Liquor Complex	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Change in Financial Interests	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Change of Location	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Change of Trade Name/Corporate Name	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Club	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Corporate/LLC Change (Per Person)	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Distillery Pub	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Duplicate License	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Each Additional OP License	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Hotel & Restaurant	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Hotel & Restaurant (with optional premises)	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Late Renewal	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	License Application Fee	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Licensed Drugstore	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Limited Liability Change	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Lodging & Entertainment	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Manager Registration (Hotel & Restaurant; Tavern; Lodging & Entertainment; Campus Liquor Complex)	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Master File Background	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Mini Bar Permit with Hotel Restaurant License	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Modification of Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Optional Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Retail Gaming Tavern	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Retail Liquor Store	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Special Event Permit Malt, Vinous and Spirituous Liquor	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Tasting Permit	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Tavern	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Temporary License Pending Transfer	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	
LIQUOR LICENSE FEE	Transfer of Ownership	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue, Liquor Licensing Division.	NO CHANGE	

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LIQUOR LICENSE FEE	Entertainment District - New Application	\$ 300.00	\$ 300.00	NO CHANGE	
LIQUOR LICENSE FEE	Entertainment District - Annual Renewal	\$ 100.00	\$ 100.00	NO CHANGE	
LIQUOR LICENSE FEE	Communal Outdoor Dining Area Application Fee	\$ 50.00	\$ 50.00	NO CHANGE	
LIQUOR LICENSE FEE	Festival Permit Application Fee	\$ 100.00	\$ 100.00	NO CHANGE	
TOBACCO LICENSE FEE	Retail Tobacco License Fee	\$ 250.00	\$ 250.00	NO CHANGE	
MARIJUANA LICENSE FEE	Medical and Retail Marijuana Application Fee	\$ 1,000.00	\$ 1,000.00	MISSING FEE	Adding to Fee Schedule for completeness
MARIJUANA LICENSE FEE	Marijuana Late Renewal Fee	\$ 500.00	\$ 500.00	MISSING FEE	Adding to Fee Schedule for completeness
MARIJUANA LICENSE FEE	Marijuana MED Change in Corporate Structure	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	REMOVE	These are State fees set by Statute, but are not fees that the Town of Eagle collects. Staff would like to remove these fees that are not paid to the Town of Eagle.
MARIJUANA LICENSE FEE	Marijuana MED Change in Financial Interests	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	REMOVE	These are State fees set by Statute, but are not fees that the Town of Eagle collects. Staff would like to remove these fees that are not paid to the Town of Eagle.
MARIJUANA LICENSE FEE	Marijuana MED Change of Manager	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	REMOVE	These are State fees set by Statute, but are not fees that the Town of Eagle collects. Staff would like to remove these fees that are not paid to the Town of Eagle.
MARIJUANA LICENSE FEE	Marijuana MED Late Renewal Fee	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	REMOVE	These are State fees set by Statute, but are not fees that the Town of Eagle collects. Staff would like to remove these fees that are not paid to the Town of Eagle.

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
MARIJUANA LICENSE FEE	Marijuana MED License New	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	REMOVE	These are State fees set by Statute, but are not fees that the Town of Eagle collects. Staff would like to remove these fees that are not paid to the Town of Eagle.
MARIJUANA LICENSE FEE	Marijuana MED Modification of Premises	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	REMOVE	These are State fees set by Statute, but are not fees that the Town of Eagle collects. Staff would like to remove these fees that are not paid to the Town of Eagle.
MARIJUANA LICENSE FEE	Marijuana MED Renewal Fee (ANNUAL)	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	REMOVE	These are State fees set by Statute, but are not fees that the Town of Eagle collects. Staff would like to remove these fees that are not paid to the Town of Eagle.
MARIJUANA LICENSE FEE	Marijuana MED Transfer of Location	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	This fee shall be charged as set forth in the fee schedule currently adopted by the State of Colorado Department of Revenue Marijuana Enforcement Division	REMOVE	These are State fees set by Statute, but are not fees that the Town of Eagle collects. Staff would like to remove these fees that are not paid to the Town of Eagle.
MARIJUANA LICENSE FEE	Retail Marijuana Business Operating Fee (ANNUAL)	\$ 1,500.00	\$ 1,500.00	NO CHANGE	
MARIJUANA LICENSE FEE	Retail Marijuana Store New and Renewal	\$ 1,500.00	\$ 1,500.00	MISSING FEE	Adding to Fee Schedule for completeness
MARIJUANA LICENSE FEE	Retail Marijuana Cultivation New and Renewal	\$ 1,500.00	\$ 1,500.00	MISSING FEE	Adding to Fee Schedule for completeness
MARIJUANA LICENSE FEE	Retail Marijuana Products Manufacturer	\$ 1,500.00	\$ 1,500.00	MISSING FEE	Adding to Fee Schedule for completeness
MARIJUANA LICENSE FEE	Dually Licensed Retail and Marijuana Products New and Renewal	\$ 2,000.00	\$ 2,000.00	MISSING FEE	Adding to Fee Schedule for completeness
MARIJUANA LICENSE FEE	Dually Licensed Medical and Retail Marijuana Store New and Renewal	\$ 2,000.00	\$ 2,000.00	MISSING FEE	Adding to Fee Schedule for completeness
MARIJUANA LICENSE FEE	Dually Licensed Retail and Medical Marijuana Cultivation New and Renewal	\$ 2,000.00	\$ 2,000.00	MISSING FEE	Adding to Fee Schedule for completeness

EXHIBIT A

TOWN CLERK FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
MARIJUANA LICENSE FEE	Medical Marijuana Products Manufacturer New and Renewal	\$ 500.00	\$ 500.00	MISSING FEE	Adding to Fee Schedule for completeness
MARIJUANA LICENSE FEE	Medical Marijuana Center New and Renewal	\$ 500.00	\$ 500.00	MISSING FEE	Adding to Fee Schedule for completeness
MARIJUANA LICENSE FEE	Medical Marijuana Center Cultivation/Optional Premises New and Renewal	\$ 500.00	\$ 500.00	MISSING FEE	Adding to Fee Schedule for completeness
MUNICIPAL BAG FEE	Plastic/Paper Bag Fee for Businesses meeting the criteria outlined in HB21-1162	\$ -	\$0.10/Bag (only \$.06/Bag remitted to the Town)	NEW FEE	Per Colorado House Bill HB21-1162, beginning January 01, 2023, businesses meeting the criteria outlined in the bill will be required to collect \$0.10 per recycled paper carryout bag or single-use plastic carryout bag provided to a customer at the point of sale. Of this fee, \$.06 per bag must be remitted to the Town of Eagle on a quarterly basis.
SEXUALLY ORIENTED BUSINESS LI	Sexually Oriented Business License Fee	\$ 100.00	\$ 100.00	NO CHANGE	
SEXUALLY ORIENTED BUSINESS LI	Sexually Oriented Business License Renewal Fee	\$ 100.00	\$ 100.00	NO CHANGE	
SEXUALLY ORIENTED BUSINESS LI	Sexually Oriented Business Manager's Registration Fee	\$ 100.00	\$ 100.00	NO CHANGE	

EXHIBIT A

FACILITY RENTAL					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
OPENSOURCE FEES	Chambers Park Usage for Rafting Disembarkation by Rafting Operators (per paid customer)	\$ 1	\$ 1	NO CHANGE	
FACILITY DEPOSIT	Pavilion Deposit Fees	\$ 750	\$ 750	NO CHANGE	
FACILITY DEPOSIT	Studio Deposit Fees	\$ 375	\$ 375	NO CHANGE	
FACILITY DEPOSIT	Centennial Stage-Key Deposit	\$ 100	\$ 100	NO CHANGE	
PAVILION FEES	Pavilion Friday-Sunday: Eagle Resident	\$ 600	\$ 700	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$350 2. Singletree = \$1150-1550 3. Eagle/Vail = \$1175-2250
PAVILION FEES	Pavilion Friday-Sunday: Non-Resident	\$ 900	\$ 1,000	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$550 2. Singletree = \$1250-1750 3. Eagle/Vail = \$1175-2250
PAVILION FEES	Pavilion Friday-Sunday: Non-Profit	\$ 400	\$ 450	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$250 2. Singletree = \$1150-1550 3. Eagle/Vail = \$395-450
PAVILION FEES	Pavilion Monday-Thursday: Eagle Resident	\$ 300	\$ 350	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$150 2. Singletree = \$800 3. Eagle/Vail = \$357.50-536.25
PAVILION FEES	Pavilion Monday-Thursday: Non-Resident	\$ 400	\$ 450	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$450 2. Singletree = \$950 3. Eagle/Vail = \$357.50-536.25
PAVILION FEES	Pavilion Monday-Thursday: Non-Profit	\$ 200	\$ 250	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$50 2. Singletree = \$800 3. Eagle/Vail = \$395

EXHIBIT A

FACILITY RENTAL					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
STUDIO FEES	Studio Friday-Sunday: Eagle Resident	\$ 250	\$ 300	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$350 2. Singletree = \$1150-1550 3. Eagle/Vail = \$1175-2250
STUDIO FEES	Studio Friday-Sunday: Non Resident	\$ 350	\$ 400	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$550 2. Singletree = \$1250-1750 3. Eagle/Vail = \$1175-2250
STUDIO FEES	Studio Friday-Sunday: Non-Profit	\$ 200	\$ 250	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$250 2. Singletree = \$1150-1550 3. Eagle/Vail = \$395-450
STUDIO FEES	Studio Monday-Thursday: Eagle Resident	\$ 100	\$ 150	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$150 2. Singletree = \$800 3. Eagle/Vail = \$357.50-536.25
STUDIO FEES	Studio Monday-Thursday: Non-Resident	\$ 150	\$ 200	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$450 2. Singletree = \$950 3. Eagle/Vail = \$357.50-536.25
STUDIO FEES	Studio Monday-Thursday: Non-Profit	\$ 100	\$ 150	FEE CHANGE	10% increase in rental fee Comparisons: 1. Eagle County = \$50 2. Singletree = \$800 3. Eagle/Vail = \$395
FACILITY RENTAL FEES	Cancellation fee (less than thirty (30) days prior to the event)	Town will retain the full deposit fee	Town will retain the full rental fee from the deposit	FEE CHANGE	Prior fee amount could mean customers were being charged more than if they'd proceeded with the rental.
FACILITY RENTAL FEES	Cancellation fee (more than thirty (30) days prior to the event)	\$ 100	\$ 100	NO CHANGE	

EXHIBIT A

FACILITY RENTAL					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
FACILITY RENTAL FEES	Pavilion/Studio-Late Check-In Fee	\$ 125	\$ 125	NO CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Late Key Return	\$ 30/Day	\$ 30/Day	NO CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Lost Key	Cost to re-key	Cost to re-key	NO CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Unsecured Facility	\$ 100	\$ 100	NO CHANGE	
		\$ 65 /half hour minimum: half hour	\$ 65 /half hour minimum: half hour		
		Forfeiture of part of the deposit may be assessed if the next lessee is impacted by the condition of the complex and a discount is required for the next lessee	Forfeiture of part of the deposit may be assessed if the next lessee is impacted by the condition of the complex and a discount is required for the next lessee		
FACILITY RENTAL FEES	Pavilion/Studio-Unsatisfactory Cleaning Fee			NO CHANGE	
		\$ 65 / half hour plus 1.25 x Cost of parts minimum: half hour	\$ 65 / half hour plus 1.25 x Cost of parts minimum: half hour		
FACILITY RENTAL FEES	Pavilion/Studio-Repair Fee			NO CHANGE	
FACILITY RENTAL FEES	Pavilion/Studio-Stains on Carpet	\$75 / Stain	\$75 / Stain	NO CHANGE	
		Per Colorado Intergovernmental Risk Sharing Agency's (CIRSA) Special Event liability insurance schedule	Per Colorado Intergovernmental Risk Sharing Agency's (CIRSA) Special Event liability insurance schedule		
FACILITY RENTAL FEES	Pavilion/Studio-Liability Insurance: Low, Medium, and High Hazard Events			NO CHANGE	
TOWN HALL FEES	Town Hall Conference Room	\$ 25	\$ 25	NO CHANGE	
TOWN HALL FEES	Town Hall Council Chambers	\$ 50	\$ 50	NO CHANGE	

EXHIBIT A

SPECIAL EVENT FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
SPECIAL EVENTS	Clean Up Deposits - For events taking place on town property, a deposit for clean up may be charged. The amount returned will be dependent on the amount of staff time spent cleaning the site after the event.	\$ 250.00	\$ 250.00	NO CHANGE	
SPECIAL EVENTS	Fee for Additional Officers - Fee per hour per officer for additional coverage that may be required when a certain number of attendees are expected at an event.	\$60-\$80/hr/officer	\$60-\$80/hr/officer	NO CHANGE	
SPECIAL EVENTS	Special Event Application Fee - Lower cost application fee for all events. Additional review fee will be charged for events that take significant staff time for review.	\$ 25.00	\$ 25.00	NO CHANGE	
SPECIAL EVENTS	Special Event Application Review Fee - For larger public events that need staff review beyond the collection of event information, a \$100 fee will be assessed.	\$ 100.00	\$ 100.00	NO CHANGE	
SPECIAL EVENTS	This fee may be charged when staff are required to assist with an event outside of normal business hours or outside of the standard job duties of the department.	\$50/hr/employee	\$50/hr/employee	NO CHANGE	
SPECIAL EVENTS	Special Event Temporary Use Permit for Using Town Property	\$ 250.00	\$ 250.00	NO CHANGE	

EXHIBIT A

BUILDING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 1-500	\$ 39.40	\$ 39.40	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 500.01-2,000	\$39.40 for the first 500 plus \$3.60 for each add 'l 100 or fraction thereof, to and including 2,000	\$39.40 for the first 500 plus \$3.60 for each add 'l 100 or fraction thereof, to and including 2,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 2,000.01-25,000	\$93.40 for the first 2,000 plus \$16.30 for each add 'l 1,000 or fraction thereof, to and including 25,000	\$93.40 for the first 2,000 plus \$16.30 for each add 'l 1,000 or fraction thereof, to and including 25,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 25,000.01-50,000	\$468.30 for the first 25,000 plus \$11.75 for each add 'l 1,000 or fraction thereof, to and including 50,000	\$468.30 for the first 25,000 plus \$11.75 for each add 'l 1,000 or fraction thereof, to and including 50,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 50,000.01-100,000	\$762.05 for the first 50,000 plus \$8.15 for each add 'l 1,000 or fraction thereof, to and including 100,000	\$762.05 for the first 50,000 plus \$8.15 for each add 'l 1,000 or fraction thereof, to and including 100,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 100,000.01-500,000	\$1,169.55 for the first 100,000 plus \$6.55 for each add 'l 1,000 or fraction thereof, to and including 500,000	\$1,169.55 for the first 100,000 plus \$6.55 for each add 'l 1,000 or fraction thereof, to and including 500,000	NO CHANGE	
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 500,000.01-1,000,000	\$3789.55 for the first 500,000 plus \$5.55 for each add 'l 1,000 or fraction thereof, to and including 1,000,000	\$3789.55 for the first 500,000 plus \$5.55 for each add 'l 1,000 or fraction thereof, to and including 1,000,000	NO CHANGE	
BUILDING PERMIT FEES	Roof Replacement - For single-family structure only	\$ 65.00	\$ 65.00	NO CHANGE	
BUILDING PERMIT FEES	Move or Demolish - Any building or structure	\$ 65.00	\$ 65.00	NO CHANGE	
BUILDING PERMIT FEES	Use Tax	2% of 120% of Total Valuation	2% of 200% of Total Valuation (Use Tax is 4% - the Town assumes building materials are 50% of the valuation)	CHANGE	Modified language based on direction received from Council during the 11/8/22 Council meeting to increase the multiplier from 1.2 to 2.0. Staff also added clarifying language regarding assumption of building materials
BUILDING PERMIT FEES	Building Permit Fee - Performing work without first obtaining a permit	Double the Permit Fee	Double the Permit Fee	NO CHANGE	

EXHIBIT A

BUILDING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
BUILDING PERMIT FEES	Building Permit Fee - Total Valuation 1,000,000.01 and up	\$6,564.55 for the first 1,000,000 plus \$4.30 for each add 'l 1,000	\$6,564.55 for the first 1,000,000 plus \$4.30 for each add 'l 1,000	NO CHANGE	
CONTRACTORS REGISTRATION FEES	Building Contractor's Registration	\$ 50.00	\$ 50.00	NO CHANGE	
CONTRACTORS REGISTRATION FEES	Plumbing Contractor's Registration	\$ 50.00	\$ 50.00	NO CHANGE	
CONTRACTORS REGISTRATION FEES	Special Contractor's Registration	\$ 50.00	\$ 50.00	NO CHANGE	
CONTRACTORS REGISTRATION FEES	General Contractor's Registration	\$ 100.00	\$ 100.00	NO CHANGE	
CONTRACTORS REGISTRATION FEES	Electrical Contractor's Registration	\$ -	\$ -	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Residential - Under 1,000 square feet	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Residential - 1,001-1,500 square feet	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Residential - 1,501-2,000 square feet	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Residential - More than 2,000 sf	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee – Commercial – Total Valuation 1-2,000	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee – Commercial – Total Valuation 2,001 and above	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Permit Fee - Mobile home and travel trailer parks	15% above the fees established by the State Electrical Board	15% above the fees established by the State Electrical Board	NO CHANGE	
ELECTRICAL PERMIT FEES	Electrical Temporary power permits	\$ 57.50	\$ 57.50	NO CHANGE	
ELEVATOR PERMIT FEES	Reinspection fees	\$1,000 per unit	\$1,000 per unit	NO CHANGE	
INSPECTIONS	Reinspection fees	\$50/Hour (Minimum 1 hour)	\$50/Hour (Minimum 1 hour)	NO CHANGE	
INSPECTIONS	Inspections for which no fee is specifically indicated	\$50/Hour (Minimum 1 hour)	\$50/Hour (Minimum 1 hour)	NO CHANGE	
INSPECTIONS	Inspections outside of normal business hours 8am-5pm	\$100/Hour (Minimum 2 Hours)	\$100/Hour (Minimum 2 Hours)	NO CHANGE	

EXHIBIT A

BUILDING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
MANUFACTURED/MOBILE HOME PERMIT FEES	Single-wide Mobile Home	\$ 200.00	\$ 200.00	NO CHANGE	
MANUFACTURED/MOBILE HOME PERMIT FEES	Double-wide Mobile Home	\$ 300.00	\$ 300.00	NO CHANGE	
MANUFACTURED/MOBILE HOME PERMIT FEES	Factory Built/Manufactured Home Double Unit	\$ 500.00	\$ 500.00	NO CHANGE	
MANUFACTURED/MOBILE HOME PERMIT FEES	Factory Build/Manufactured Home Triple Unit	\$ 800.00	\$ 800.00	NO CHANGE	
MECHANICAL PERMIT FEES	Mechanical Permit Fee Total Valuation 1-2,000	\$ 65.00	\$ 65.00	NO CHANGE	
MECHANICAL PERMIT FEES	Mechanical Permit Fee Total Valuation 2,001-25,000	\$65 for the first 2,000 plus \$22 for each additional 1,000 of fraction thereof up to 25,000	\$65 for the first 2,000 plus \$22 for each additional 1,000 of fraction thereof up to 25,000	NO CHANGE	
MECHANICAL PERMIT FEES	Mechanical Permit Fee Total Valuation 25,001 or more	\$571 for the first 25,000 plus \$11 for each additional 1,000 or fraction thereof	\$571 for the first 25,000 plus \$11 for each additional 1,000 or fraction thereof	NO CHANGE	
MECHANICAL PERMIT FEES	Replacement of existing boiler or furnace	\$ 65.00	\$ 65.00	NO CHANGE	
PERMIT ISSUE/TRANSFER	Permit issuance or transfer (Issuance fee does not apply for Electrical Permits)	\$ 25.00	\$ 25.00	NO CHANGE	
PLAN REVIEW	Repetitive Plan Check Fee - Residential (multi-family)	\$75/Hour (Minimum 4 Hours)	\$75/Hour (Minimum 4 Hours)	NO CHANGE	
PLAN REVIEW	Repetitive Plan Check Fee - Commercial/Industrial/Mixed Use	\$75/Hour (Minimum 5 Hours)	\$75/Hour (Minimum 5 Hours)	NO CHANGE	
PLAN REVIEW	Additional Plan Review required by Changes, Additions, Revisions	\$75/Hour (Minimum 1 Hour)	\$75/Hour (Minimum 1 Hour)	NO CHANGE	
PLAN REVIEW	Plan Check Fee	65% of the amount of the Building Permit Fee	65% of the amount of the Building Permit Fee	NO CHANGE	
PLAN REVIEW	Use of an Outside Consultant for plan check and/or inspection	Actual Costs	Actual Costs	NO CHANGE	
PLUMBING PERMIT FEES	Plumbing Permit Fee Total Valuation 1-2,000	\$ 65.00	\$ 65.00	NO CHANGE	
PLUMBING PERMIT FEES	Plumbing Permit Fee Total Valuation 2,001-25,000	\$65 for the first 2,000 plus \$22 for each additional 1,000 of fraction thereof up to 25,000	\$65 for the first 2,000 plus \$22 for each additional 1,000 of fraction thereof up to 25,000	NO CHANGE	
PLUMBING PERMIT FEES	Plumbing Permit Fee Total Valuation 25,001 or more	\$571 for the first 25,000 plus \$11 for each additional 1,000 or fraction thereof	\$571 for the first 25,000 plus \$11 for each additional 1,000 or fraction thereof	NO CHANGE	
PLUMBING PERMIT FEES	Replacement of existing hot water heater	\$ 65.00	\$ 65.00	NO CHANGE	
PV SOLAR PERMIT FEES	Residential PV Installation -	\$ 250.00	\$ 250.00	NO CHANGE	

EXHIBIT A

BUILDING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
PV SOLAR PERMIT FEES	Commercial PV Installation -	\$ 500.00	\$ 500.00	NO CHANGE	
WATER METER FEES	Water Meter Fees - 1" Service	\$ 990.00	\$ 990.00	NO CHANGE	
WATER METER FEES	Water Meter Fees - ¾" Service	\$ 960.00	\$ 960.00	NO CHANGE	
WATER METER FEES	Water Meter Fees - Greater than 1" Service	Meter and all items associated with insallation of meters larger than 1" - actual cost x 2	Meter and all items associated with insallation of meters larger than 1" - actual cost x 2	NO CHANGE	
PLANT INVESTMENT FEE-WATER	Water Per Equivalent Residential Unit (EQR) In Town	\$ 14,079.50	\$ 14,501.89	FEE CHANGE	3% fee increase on proposed increase structure for Plant Investment Fees discussed during 2018 budget season due to rate study recommendation (15% increase 2019-2022 and 3% increase 2023-2027)
PLANT INVESTMENT FEE-WATER	Water Per Equivalent Residential Unit (EQR) Out of Town	\$ 21,119.25	\$ 21,752.83	FEE CHANGE	
PLANT INVESTMENT FEE-WATER	Deed Restricted Affordable Housing or Local Employee residence, per unit	50% Discount	50% Discount	NO CHANGE	
PLANT INVESTMENT FEE-SEWER	Sewer - Per Equivalent Residential Unit (1.0 EQR)	\$ 10,000.00	\$ 10,000.00	NO CHANGE	

EXHIBIT A

PLANNING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
MOBILE VENDING PERMIT	Mobile Vending Permit Fee	\$ 250.00	\$ 250.00	NO CHANGE	
SHORT-TERM RENTAL FEES	Short-Term Rental Registration Fees	\$ -	\$ -	NO CHANGE	
FIRE IMPACT FEES	Residential - Single Family (per unit)	\$ 2,481.90	\$ 2,481.90	FEE CHANGE WILL OCCUR IN FEBRUARY 2023	Per the Town Code, Fire Impact fees are adjusted annually by CPI. GEFPD uses Denver-Aurora-Lakewood Consumer Price Index (CPI) for the 2nd half of each year for this adjustment (i.e. 2023 CPI increases will be based on the annual CPI increase from January 2022 through December 2022). Since CPI information is not yet available at this time, Staff will bring fire impact fees back for an amendment in
FIRE IMPACT FEES	Residential - Multi family (per unit)	\$ 1,134.07	\$ 1,134.07	FEE CHANGE WILL OCCUR IN FEBRUARY 2023	
FIRE IMPACT FEES	Nonresidential, except temporary & extended stay lodging facilities (per 1,000sqft)	\$ 1,000.18	\$ 1,000.18	FEE CHANGE WILL OCCUR IN FEBRUARY 2023	
FIRE IMPACT FEES	Temporary & extended stay lodging facilities (per 1,000sqft)	\$ 1,000.18	\$ 1,000.18	FEE CHANGE WILL OCCUR IN FEBRUARY 2023	
PUBLIC SAFETY IMPACT FEE	Impact fee per dwelling unit for residential land use	\$ 1,407.49	\$ 1,522.90	FEE CHANGE	8.2% CPI increase. Per the municipal code (4.13.250) the public safety impact fee shall be adjusted annually for inflation based on Denver-Aurora-Lakewood CPI. The Town uses the 1st half of the year method for all CPI increases to our fees (i.e. 2023 CPI increases are based on the annual CPI increase from July 2021 through June 2022).
PUBLIC SAFETY IMPACT FEE	Impact fee for commercial land use	\$0.33 / square foot	\$0.36 / square foot	FEE CHANGE	8.2% CPI increase. Per the municipal code (4.13.250) the public safety impact fee shall be adjusted annually for inflation based on Denver-Aurora-Lakewood CPI. The Town uses the 1st half of the year method for all CPI increases to our fees (i.e. 2023 CPI increases are based on the annual CPI increase from July 2021 through June 2022).
LAND USE APPLICATION FEES	Annexation and Initial Zoning (Non PUD <2 acres)	\$1,500 + Deposit of 20% of estimated passthrough costs	\$1,500 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Annexation and Initial Zoning (Non PUD >2 acres)	\$2,500 + Deposit of 20% of estimated passthrough costs	\$2,500 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Annexation and Initial Zoning (PUD any size)	\$2,500 + Deposit of 20% of estimated passthrough costs	\$2,500 + Deposit of 20% of estimated passthrough costs	NO CHANGE	

EXHIBIT A

PLANNING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LAND USE APPLICATION FEES	Rezoning Application Fee	\$600 + \$600 Deposit	\$600 + \$600 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Amendment to Zone District Regulations	\$900 + \$900 Deposit	\$900 + \$900 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Zoning Variance	\$ 500.00	\$ 500.00	NO CHANGE	
LAND USE APPLICATION FEES	Community Plan Exception	\$2,000 + Deposit of 20% of estimated passthrough costs	\$2,000 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Small Area Plan Exception/Amendment	\$1,000 + Deposit of 20% of estimated passthrough costs	\$1,000 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	PUD Residential Zoning Plan	\$750 + \$25 per du + Deposit of 20% of estimated passthrough costs	\$750 + \$25 per du + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	PUD Residential Development Plan	\$1,000 + \$25 per du + Deposit of 20% of estimated passthrough costs	\$1,000 + \$25 per du + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	PUD Commercial & Industrial Zoning Plan	\$800 + Deposit of 20% of estimated passthrough costs	\$800 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	PUD Commercial & Industrial Development Plan	\$1,250 + Deposit of 20% of estimated passthrough costs	\$1,250 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	PUD Multiple Use - Zoning Plan	\$1,000 + Deposit of 20% of estimated passthrough costs	\$1,000 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	PUD Multiple Use - Development Plan	\$2,000 + Deposit of 20% of estimated passthrough costs	\$2,000 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	PUD Zoning Plan and Development Plan Combination	Listed Fee with 15% discount + Deposit of 20% of estimated passthrough costs	Listed Fee with 15% discount + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	PUD Minor Amendment	\$500 + Deposit of 20% of estimated passthrough costs	\$500 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	PUD Major Amendment	\$1,500 + Deposit of 20% of estimated passthrough costs	\$1,500 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Sketch Plan	\$500 Plus \$25 per Lot + Deposit of 20% of estimated passthrough costs	\$500 Plus \$25 per Lot + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Preliminary Plan	\$800 Plus \$25 per Lot + Deposit of 20% of estimated passthrough costs	\$800 Plus \$25 per Lot + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Final Plat	\$800 Plus \$25 per Lot + Deposit of 20% of estimated passthrough costs	\$800 Plus \$25 per Lot + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Lot Line Adjustment	\$450 + \$ 600 Deposit	\$450 + \$ 600 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Condominium/Townhouse Plat	\$450 + Deposit of 20% of estimated passthrough costs	\$450 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision – Minor	\$550 + \$600 Deposit	\$550 + \$600 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Subdivision - Combination Sketch Plan/Prelim Plan	Listed fees with 15% discount + 20% of estimated passthrough costs	Listed fees with 15% discount + 20% of estimated passthrough costs	NO CHANGE	

EXHIBIT A

PLANNING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
LAND USE APPLICATION FEES	Subdivision - Combination Prelim/Final Plat	Listed fees with 15% discount + deposit of 20% of estimated passthrough costs	Listed fees with 15% discount + deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Special Use Permit	\$600 + \$600 Deposit	\$600 + \$600 Deposit	NO CHANGE	
LAND USE APPLICATION FEES	Special Use Permit – Amendment	\$ 350	\$ 350	NO CHANGE	
LAND USE APPLICATION FEES	Sign Permit	\$ 50	\$ 50	NO CHANGE	
LAND USE APPLICATION FEES	Sign Permit - Comprehensive sign program	\$ 100	\$ 100	NO CHANGE	
LAND USE APPLICATION FEES	Design Variance - non DP or Subdivision	\$ 300	\$ 300	NO CHANGE	
LAND USE APPLICATION FEES	Temporary Use Permit - No Hearing	\$ 250	\$ 250	NO CHANGE	
LAND USE APPLICATION FEES	Temporary Use Permit - Public Hearing	\$ 600	\$ 600	NO CHANGE	
LAND USE APPLICATION FEES	Wireless Communication Facility (WCF) Administrative Approval Fee	\$ 450	\$ 450	NO CHANGE	
LAND USE APPLICATION FEES	Address Change Fee	\$ 25	\$ 25	NO CHANGE	
LAND USE APPLICATION FEES	Planner - Hourly Rate	\$ 60	\$ 60	NO CHANGE	
LAND USE APPLICATION FEES	Development Permit - Minor non PUD	\$1,000 + Deposit of 20% of estimated passthrough costs	\$1,000 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Development Permit - Major non PUD	\$2,000 + Deposit of 20% of estimated passthrough costs	\$2,000 + Deposit of 20% of estimated passthrough costs	NO CHANGE	
LAND USE APPLICATION FEES	Encroachment Permit	\$ 250	\$ 250	NO CHANGE	
LAND USE APPLICATION FEES	An Appeal of a Planning Decision	Original application fee (No Deposit)	Original application fee (No Deposit)	NO CHANGE	
PARKING FEE IN-LIEU	Parking Fee In-Lieu (Operating)	\$7,000 / Parking Space within the Parking Fee In-Lieu Program Boundary	\$7,000 / Parking Space within the Parking Fee In-Lieu Program Boundary	NO CHANGE	
PARKING FEE IN-LIEU	Parking Fee In-Lieu (Capital)	\$16,100 / Parking Space within the Parking Fee In-Lieu Program Boundary	\$16,100 / Parking Space within the Parking Fee In-Lieu Program Boundary	NO CHANGE	
STREET IMPROVEMENT FEES	Residential single family	\$1,016 per dwelling unit	\$1,016 per dwelling unit	NO CHANGE	
STREET IMPROVEMENT FEES	Residential multifamily	\$646 per dwelling unit	\$646 per dwelling unit	NO CHANGE	
STREET IMPROVEMENT FEES	Bank	\$7,634 per 1,000 sf	\$7,634 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	Convenience Store w gas	\$10,309 per 1,000 sf	\$10,309 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	High turnover sit down restaurant	\$3,613 per 1,000 sf	\$3,613 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	Fast food restaurant	\$13,681 per 1,000 sf	\$13,681 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	Industrial	\$194 per 1,000 sf	\$194 per 1,000 sf	NO CHANGE	
STREET IMPROVEMENT FEES	Commercial General	\$1,016 per 1,000 sf	\$1,016 per 1,000 sf	NO CHANGE	

EXHIBIT A

ENGINEERING DEPARTMENT FEES

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
ENGINEERING DEPARTMENT	Engineer - Hourly Rate	\$ 60	\$ 60	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 50 cubic yards or less	\$ 65	\$ 65	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 51-100 cubic yards	\$65 for the first 50 cy plus \$15.00 for each add 'l 10 cy or fraction thereof	\$65 for the first 50 cy plus \$15.00 for each add 'l 10 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 101-1,000 cubic yards	\$140 for the first 1,000 cy plus \$10.50 for each add 'l 100 cy or fraction thereof	\$140 for the first 1,000 cy plus \$10.50 for each add 'l 100 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 1,001-10,000 cubic yards	\$234.50 for the first 1,000 cy plus \$9.00 for each add 'l 1,000 cy or fraction thereof	\$234.50 for the first 1,000 cy plus \$9.00 for each add 'l 1,000 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 10,001-100,000 cubic yards	\$315.50 for the first 10,000 cy plus \$40.50 for each add 'l 10,000 cy or fraction thereof	\$315.50 for the first 10,000 cy plus \$40.50 for each add 'l 10,000 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Permit Fee - 100,001 cubic yards or more	\$680 for the first 100,000 cy plus \$22.50 for each add 'l 10,000 cy or fraction thereof	\$680 for the first 100,000 cy plus \$22.50 for each add 'l 10,000 cy or fraction thereof	NO CHANGE	
GRADING PERMIT FEES	Grading Plan Review Fee	Town Engineer Hourly Rate (Minimum 2 Hours)	Town Engineer Hourly Rate (Minimum 2 Hours)	NO CHANGE	

EXHIBIT A

PUBLIC WORKS DEPARTMENT

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
PUBLIC WORKS	Door Tag – Water Notice Shut Off	\$ 25.00	\$ 25.00	NO CHANGE	
PUBLIC WORKS	Meter Check Service Fee	75.00 (Hourly)	75.00 (Hourly)	NO CHANGE	
PUBLIC WORKS	Meter Check Service Fee – After Hours/Holidays	150.00 (Hourly)	150.00 (Hourly)	NO CHANGE	
PUBLIC WORKS	Public Works Engineer - Hourly Rate	\$85-\$90	\$85-\$90	NO CHANGE	
PUBLIC WORKS	Water Shut Off/Turn On After Hours/Holidays	\$ 150.00	\$ 150.00	NO CHANGE	
PUBLIC WORKS	Backflow Device Inspection Fee	75.00 (Hourly)	75.00 (Hourly)	NO CHANGE	
PUBLIC WORKS	Right of Way Construction Permit	\$ 150.00	\$ 150.00	NO CHANGE	
PUBLIC WORKS	Road Cut Permit Annual	\$ 300.00	\$ 300.00	NO CHANGE	
PUBLIC WORKS	Road Cut Permit One Time	\$ 100.00	\$ 100.00	NO CHANGE	
PUBLIC WORKS	Water Shut Off/Turn On	\$ 75.00	\$ 75.00	NO CHANGE	
PUBLIC WORKS	Non-Operational Meter	\$100/month	\$100/month	NO CHANGE	
PUBLIC WORKS	Yard Waste Fee (per month)	\$ 2.00	\$ 2.00	NO CHANGE	
PUBLIC WORKS	Hydrant Meter Fees (Base Fee)	\$ 50.00	\$ 50.00	NO CHANGE	
PUBLIC WORKS	Hydrant Meter Fees (per 1,000 gallons)	\$4.77/1,000 gallons	\$4.77/1,000 gallons	NO CHANGE	
PUBLIC WORKS	Excavation Permit One Time	\$ 50.00	\$ 50.00	NO CHANGE	
PUBLIC WORKS	Excavation Permit Annual	\$ 150.00	\$ 150.00	NO CHANGE	
PUBLIC WORKS	Backflow Assembly Test	N/A	\$ 400.00	NEW FEE	Allow the Town to test backflow devices that are overdue in order to maintain compliance. 1 hr staff time + equipment usage. Comparisons: 1. ERWSD = \$500.00 per month (option to refund up to 3 months) 2. Town of Erie = \$350-500 per test 3. Glenwood Springs = \$300.00
PUBLIC WORKS-FOR EMERGENCY	Public Works Employee Labor - Not For Public	\$38/Hour	\$38/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Tandem Dump Truck -Not For Public	\$70/Hour	\$70/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Backhoe -Not For Public	\$50/Hour	\$50/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Tool Cat -Not For Public	\$50/Hour	\$50/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Loader -Not For Public	\$60/Hour	\$60/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Street Sweeper -Not For Public	\$120/Hour	\$120/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Skid Steer -Not For Public	\$50/Hour	\$50/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Motor Grader -Not For Public	\$65/Hour	\$65/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Lift Truck -Not For Public	\$115/Hour	\$115/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Boom Mower Tractor/Mowing -Not For Public	\$50/Hour	\$50/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	ATV -Not For Public	\$13.20/Hour	\$13.20/Hour	NO CHANGE	

EXHIBIT A

PUBLIC WORKS DEPARTMENT

FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
PUBLIC WORKS-FOR EMERGENCY	Flushing Trailer/Flushing Skid -Not For Public	\$90/Hour	\$90/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Pickup Truck/4x4 Vehicle -Not For Public	\$20.80/Hour	\$20.80/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Water Pump/Trash Pump -Not For Public	\$27.10/Hour	\$27.10/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Chainsaw + Employee Rate -Not For Public	\$3.45 + \$38/Hour	\$3.45 + \$38/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Demo Saw + Employee Rate -Not For Public	\$7.20 + \$38/Hour	\$7.20 + \$38/Hour	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Air Compressor -Not For Public	\$104/Day	\$104/Day	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Traffic Cones -Not For Public	\$1.25/Cone	\$1.25/Cone	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Type 2 barricades -Not For Public	\$2.00/Barricade	\$2.00/Barricade	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Type 3 barricades -Not For Public	\$2.75/Barricade	\$2.75/Barricade	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Traffic Barrels -Not For Public	\$2.50/Barrel	\$2.50/Barrel	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Additional signage -Not For Public	\$1.50 /Sign	\$1.50 /Sign	NO CHANGE	
PUBLIC WORKS-FOR EMERGENCY	Variable Message Sign -Not For Public	\$220/Day	\$220/Day	NO CHANGE	

EXHIBIT A

UTILITY FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
WATER FUND FEE	Rate Class Monthly Base Fee Usage Block (gal) Charge per 1,000 gal				3% ongoing annual increase per water rate model approved in 2018 for base and tier usage rates. No increase for surcharge rates per rate model.
WATER FUND FEE	Residential without accessory dwelling unit	\$ 38.56	\$ 39.72	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 3.28	\$ 3.38	FEE CHANGE	
WATER FUND FEE	6,001-17,000	\$ 7.23	\$ 7.45	FEE CHANGE	
WATER FUND FEE	17,001-28,000	\$ 10.84	\$ 11.17	FEE CHANGE	
WATER FUND FEE	28,000 +	\$ 16.26	\$ 16.75	FEE CHANGE	
WATER FUND FEE	Residential with accessory dwelling unit base fee	\$ 48.38	\$ 49.83	FEE CHANGE	
WATER FUND FEE	0-8,000	\$ 3.28	\$ 3.38	FEE CHANGE	
WATER FUND FEE	8,001-17,000	\$ 7.23	\$ 7.45	FEE CHANGE	
WATER FUND FEE	17,001-28,000	\$ 10.84	\$ 11.17	FEE CHANGE	
WATER FUND FEE	28,000 +	\$ 16.26	\$ 16.75	FEE CHANGE	
WATER FUND FEE	Non-Residential Commercial & Mixed Use Base Fee (per unit)	\$ 38.56	\$ 39.72	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 3.28	\$ 3.38	FEE CHANGE	
WATER FUND FEE	6,000 +	\$ 7.23	\$ 7.45	FEE CHANGE	
WATER FUND FEE	Non-Residential Government, Schools & Churches base fee (per unit)	\$ 38.56	\$ 39.72	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 3.28	\$ 3.38	FEE CHANGE	
WATER FUND FEE	6,000 +	\$ 7.23	\$ 7.45	FEE CHANGE	
WATER FUND FEE	Residential/ Non- Residential Compound Meter High Side base fee (per unit)			FEE CHANGE	
WATER FUND FEE	All Usage	\$ 7.23	\$ 7.45	FEE CHANGE	
WATER FUND FEE	Out of Town Residential without accessory dwelling unit base fee	\$ 57.85	\$ 59.59	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 4.92	\$ 5.07	FEE CHANGE	
WATER FUND FEE	6,001-17,000	\$ 10.81	\$ 11.13	FEE CHANGE	
WATER FUND FEE	17,001-28,000	\$ 16.22	\$ 16.71	FEE CHANGE	
WATER FUND FEE	28,000 +	\$ 24.31	\$ 25.04	FEE CHANGE	
WATER FUND FEE	Out of Town Residential with accessory dwelling unit base fee	\$ 72.61	\$ 74.79	FEE CHANGE	
WATER FUND FEE	0-8,000	\$ 4.92	\$ 5.07	FEE CHANGE	
WATER FUND FEE	8,001-17,000	\$ 10.81	\$ 11.13	FEE CHANGE	
WATER FUND FEE	17,001-28,000	\$ 16.22	\$ 16.71	FEE CHANGE	
WATER FUND FEE	28,000 +	\$ 24.31	\$ 25.04	FEE CHANGE	

EXHIBIT A

UTILITY FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
WATER FUND FEE	Out of Town Non-Residential Commercial & Mixed Use base fee (per unit)	\$ 57.85	\$ 59.59	FEE CHANGE	3% ongoing annual increase per water rate model approved in 2018 for base and tier usage rates. No increase for surcharge rates per rate model.
WATER FUND FEE	0-6,000	\$ 4.92	\$ 5.07	FEE CHANGE	
WATER FUND FEE	6,000 +	\$ 10.81	\$ 11.13	FEE CHANGE	
WATER FUND FEE	Non-Residential Government, Schools & Churches base fee (per unit)	\$ 57.85	\$ 59.59	FEE CHANGE	
WATER FUND FEE	0-6,000	\$ 4.92	\$ 5.07	FEE CHANGE	
WATER FUND FEE	6,000 +	\$ 10.81	\$ 11.13	FEE CHANGE	
WATER FUND FEE	Residential/ Non- Residential Compound Meter High Side base fee(per unit)			FEE CHANGE	
WATER FUND FEE	All Usage	\$ 10.81	\$ 11.13	FEE CHANGE	
WATER FUND FEE	Surcharge Residential (per unit)			NO CHANGE	
WATER FUND FEE	Low Usage - (0 - 4,000 gallons)	\$ 8.15	\$ 8.15	NO CHANGE	
WATER FUND FEE	Average Usage - (4,000 - 14,000)	\$ 12.50	\$ 12.50	NO CHANGE	
WATER FUND FEE	High Usage - (14,000 +)	\$ 17.00	\$ 17.00	NO CHANGE	
WATER FUND FEE	Surcharge Non-Residential (per unit)			NO CHANGE	
WATER FUND FEE	Low Usage - (0 - 4,000 gallons)	\$ 8.15	\$ 8.15	NO CHANGE	
WATER FUND FEE	Average Usage - (4,000 - 46,000)	\$ 12.50	\$ 12.50	NO CHANGE	
WATER FUND FEE	High Usage - (46,000 +)	\$ 17.00	\$ 17.00	NO CHANGE	
WATER FUND FEE	Utility Payment Late Fee (Water/Sewer/Trash)	\$ 5.00	\$ 5.00	NO CHANGE	
WASTE WATER FUND FEE	Residential/Commercial/Mixed Use/Government/Schools - Monthly Sewer Service (per unit)	\$ 63.61	\$ 65.52	FEE CHANGE	3% ongoing annual increase per the 2021 rate study
REFUSE FEE	Residential monthly charges rubbish removal and recycling base fee	\$ 27.72	\$ 29.99	FEE CHANGE	Currently proposing an increase by 'CPI'. Current Denver-Aurora-Lakewood area CPI for July 2022 = 8.2% - This is in accordance with the Town's agreement with Vail Honeywagon
REFUSE FEE	Additional can fee per month	\$ 22.16	\$ 23.98	FEE CHANGE	
REFUSE FEE	Extra Trash Charges: Furniture - couch, sofa, twin or single box springs/mattresses	\$ 15.00	\$ 15.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Furniture - per king/queen mattress or box springs	\$ 20.00	\$ 20.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Appliances - stove, oven, was	\$ 15.00	\$ 15.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Appliances - hot water heater	\$ 30.00	\$ 30.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Carpet: per cubic yard	\$ 18.00	\$ 18.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Construction Materials - per cubic yard	\$ 18.00	\$ 18.00	NO CHANGE	
REFUSE FEE	Extra Trash Charges: Tires (each)	\$ 7.00	\$ 7.00	NO CHANGE	
REFUSE FEE	Trash Can - New	\$ 90.00	\$ 90.00	NO CHANGE	
REFUSE FEE	Trash Can - Used	\$ 50.00	\$ 50.00	NO CHANGE	
REFUSE FEE	Recycle Container	\$ 20.00	\$ 20.00	NO CHANGE	

EXHIBIT A

UTILITY FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
REFUSE FEE	Yardwaste Fee	\$ 2.00	\$ 2.00	NO CHANGE	
REFUSE FEE	Administrative Fee for Refuse Billing	\$ 1.34	\$ 1.45	FEE CHANGE	Current Denver-Aurora-Lakewood area CPI for July 2022 = 8.2%
STORMWATER MANAGEMENT FEE	Residential Monthly Fee	\$ 3.00	\$ 3.00	NO CHANGE	
STORMWATER MANAGEMENT FEE	Commercial Monthly Fee	\$ 6.00	\$ 6.00	NO CHANGE	

EXHIBIT A

BROADBAND FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE	PROPOSED FEE CHANGE	REASONING FOR CHANGE
BROADBAND FEE	Transport Only to 910Telecom (monthly recurring charge)				New Broadband fee schedule per broadband study performed by Uptown Services. Modified to adjust for new THOR bandwidth calculations. ISP pricing adjusted for hybrid fiber/wireless and adjusted for smaller scope.
BROADBAND FEE	1 Gbps (subject to capacity availability)	N/A	\$ 875.00	NEW FEE	
BROADBAND FEE	5 Gbps (subject to capacity availability)	N/A	\$ 3,125.00	NEW FEE	
BROADBAND FEE	10 Gbps (subject to capacity availability)	N/A	\$ 5,000.00	NEW FEE	
BROADBAND FEE	Port fee (monthly recurring charge)	N/A	\$ 250.00	NEW FEE	
BROADBAND FEE	Additional port (each)	N/A	\$ 500.00	NEW FEE	
BROADBAND FEE	Setup fee (one time)	N/A	\$ 2,500.00	NEW FEE	
BROADBAND FEE	Quarter rack colocation space				
BROADBAND FEE	Quarter rack colocation space	N/A	\$ 1,000.00	NEW FEE	
BROADBAND FEE	Setup fee (one time)	N/A	\$ 2,500.00	NEW FEE	The set up fees are higher than industry standard for Transport to 910 Telecom since the the Town does not have any term requirements for purchasers. This is structured in this many to protect the Town for the high cost of connection.
BROADBAND FEE	Business Internet Service (monthly recurring charge)				
BROADBAND FEE	300 Mbps (subject to capacity availability)	N/A	\$ 149.00	NEW FEE	
BROADBAND FEE	1 Gbps (subject to capacity availability)	N/A	\$ 299.00	NEW FEE	
BROADBAND FEE	up to 10 Gbps (subject to capacity availability)	N/A	TBD upon Building Audit	NEW FEE	
BROADBAND FEE	Installation 300 Mbps (one time)	N/A	\$ 129.00	NEW FEE	
BROADBAND FEE	Installation 1Gbps (one time)		\$ 379.00		

EXHIBIT A

COURT FEES					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
COURT	Court Cost	\$ 30	\$ 30	NO CHANGE	
COURT	Surcharge - Criminal Violation	\$ 20	\$ 20	NO CHANGE	
COURT	Surcharge - Traffic Code Violation	\$ 10	\$ 10	NO CHANGE	
COURT	Jury Demand Fee	\$ 25	\$ 25	NO CHANGE	
COURT	Witness Fee	\$ 5/day	\$ 5/day	NO CHANGE	
COURT	Juror Fee-Engaged on Jury	\$6/day	\$6/day	NO CHANGE	
COURT	Juror Fee-Attendance on Panel	\$3/day	\$3/day	NO CHANGE	
COURT	Mileage Fees (witnesses and jurors)	\$0.15/mile	\$0.15/mile	NO CHANGE	
COURT	Deferred Judgement Fee	\$ 75	\$ 75	NO CHANGE	
COURT	Deferred Prosecution Fee	\$ 40	\$ 40	NO CHANGE	
COURT	Insurance Dismissal Fee	\$ 10	\$ 10	NO CHANGE	
COURT	Bench Warrant Fee	\$ 50	\$ 50	NO CHANGE	
COURT	Incarceration Fee	Amount equal to sum charged to the Town by the County for incarceration	Amount equal to sum charged to the Town by the County for incarceration	NO CHANGE	
COURT	Charitable Contribution	\$ 5	\$ 5	NO CHANGE	
COURT	Collections Administration Fee	\$ 50	\$ 50	NO CHANGE	
COURT	Stay of Execution Fee	\$ 25	\$ 25	NO CHANGE	
COURT	Non-Resident Violator Compliance Fee	\$ 30	\$ 30	NO CHANGE	
COURT	Outstanding Judgment Warrant Fee	\$ 30	\$ 30	NO CHANGE	
COURT	Record Sealing Fee	\$ 65	\$ 65	NO CHANGE	

EXHIBIT A

POLICE DEPARTMENT					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
POLICE DEPARTMENT	Abandoned Vehicle Administration Fee	\$ -	\$ -	NO CHANGE	
POLICE DEPARTMENT	Nuisance Alarm Fee	50-150	50-150	NO CHANGE	
POLICE DEPARTMENT	VIN Inspection Fee	\$ 15.00	\$ 15.00	NO CHANGE	
					State Statue Allows to Charge \$75.00 for Initial Registration. This will help offset the cost of staff time to process new registrant, complete the required background investigation, and complete house check as required by statute and in accordance with EPD policy.
					Vail PD - \$40 / \$15 reregistration Avon PD - no itital fee only \$40/annual EC SO - \$25 / \$25 reregistration Edgewater - \$50 / \$25 reregistration
POLICE DEPARTMENT	Initial Sex Offender Registration	N/A	\$ 75.00	NEW FEE	
POLICE DEPARTMENT	Sex Offender Annual Registration	\$ 25.00	\$ 25.00	NO CHANGE	
POLICE DEPARTMENT	Sex Offender Information Update	\$ -	\$ -	NO CHANGE	
POLICE DEPARTMENT	Sex Offender Quarterly Registration	\$ 25.00	\$ 25.00	NO CHANGE	
POLICE DEPARTMENT	Police Report Digital Evidence Disc Fee	\$ 5.00	\$ 5.00	NO CHANGE	

EXHIBIT A

POLICE DEPARTMENT					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
POLICE DEPARTMENT	Police Report Digital Evidence Flash Drive	N/A	8GB-\$3.00 per flash drive 32GB-\$5.00 per flash drive 1TB-\$20.00 per flash drive	NEW FEE	Fee will off set the cost to purchase new flash drives for large records requests that won't fit on discs. Discs will still be offered if practicable. Due to CO legislation that came out in 2020, officers must have their bodycams running throughout the entirety of any contact, whether they are in their vehicle or talking to other law enforcement officers. In addition, bodycams are now in high definition, making file sizes extremely large. Further, in more complex situations, there may be multiple officers on scene, meaning multiple sets of bodycam footage. All of this will contribute to potentially large volumes of data in a evidence report. Comparisons (there are no good comparisons locally for flash drives): 1. Vail PD - \$10 per DVD 2. Garfield County Sheriff's Office - \$5.00 per DVD 3. Loveland PD - \$15 per DVD
POLICE DEPARTMENT	Police Report Fee	.25 per page	\$5.00 for first 10 pages \$0.25 per additional page	FEE CHANGE	In alignment with other agencies, this fee is intended to help offset cost of staff time required to process requests Comparisons: 1. ECSO - charges \$5.00 + \$0.25 per page 2. Basalt PD - \$10.00 search fee + \$0.25 per page 3. Avon PD - \$5.00 accident report; \$0.25 per page incident reports

EXHIBIT A

POLICE DEPARTMENT					
FEE TYPE	FEE TITLE	2022 FEE	2023 FEE - PROPOSED	PROPOSED FEE CHANGE	REASONING FOR CHANGE
POLICE DEPARTMENT	Police Report Research Fee (per hour, first hour free)	\$ 30.00	\$ 33.58	FEE CHANGE	Update rate to match State statute which changed from \$30.00 per hour to \$33.58 per hour as of July 2019
POLICE DEPARTMENT	Sex Offender De- Registration	\$ -	\$ -	NO CHANGE	
POLICE DEPARTMENT	Video Redaction Fee	Cost of Third Party Contract	Cost of Third Party Contract	NO CHANGE	

GREATER EAGLE FIRE PROTECTION DISTRICT

RESOLUTION NO. 2023-3

A RESOLUTION AUTHORIZING THE ADJUSTMENT OF IMPACT FEES

WHEREAS, the Greater Eagle Fire Protection District ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS, the Board of Directors ("Board") of the District has ultimate authority and responsibility over all operations, personnel and affairs of the District, with all rights, duties and powers specially granted to the Board by Title 32, Article 1 of the Colorado Revised Statutes; and

WHEREAS, the District previously entered into intergovernmental agreements concerning the collection, payment and use of fire protection and emergency services impact fees with Eagle County, the Town of Gypsum, and the Town of Eagle (collectively, the "IGAs"), under which impact fees are collected and transferred to the District; and

WHEREAS, the Board has recently conducted a study to ensure that the District adjusts its impact fees to be in accordance with recommendations suggested by the company that conducted the study ; and

WHEREAS, at its January 18, 2023 Board meeting, the Board was presented with a study that suggested impact fees should be increased and decreased to ensure adequate impact fees are assessed; and

WHEREAS, the Board desires to request an adjustment to the amount of the impact fees collected by Eagle County, the Town of Gypsum, and the Town of Eagle pursuant to the IGAs to make such amount consistent with the suggested impact fees, which will assist the District with covering the costs of the District's capital improvement plans; and

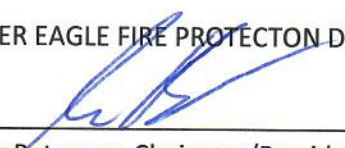
WHEREAS, the Board finds it reasonable, appropriate, and necessary to request such an adjustment to the amount of the District's impact fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Greater Eagle Fire Protection District as follows:

1. The District will request an increase in the amount of the impact fees collected for single-family and multi-family dwellings by Eagle County, the Town of Gypsum, and the Town of Eagle and transferred to the District. The amount of increase will be one hundred percent (100%) of the increase identified in the District study for single-family and multi-family dwellings.
2. The District will request a decrease in the amount of impact fees collected for nonresidential and lodging structures by Eagle County, the Town of Gypsum, and the Town of Eagle and transferred to the District. The amount of decrease will be one hundred percent (100%) of the decrease identified in the District study for nonresidential and lodging structures.
3. This Resolution shall take effect immediately.
4. The Fire Chief and Officers of the District are authorized and directed to take all actions necessary and appropriate to affect the provisions of this Resolution.

RESOLVED by the Board of Directors of the Greater Eagle Fire Protection District, upon a motion duly made, seconded and passed at a regular meeting held on the 15th of February, 2023 by a vote of 4 in favor and 0 against, and x abstentions.

GREATER EAGLE FIRE PROTECTON DISTRICT

By: 
Eric Peterson, Chairman/President

Attest:

By: 
Mikel Kerst, VP Secretary

	2018	2019	2020	2021	2022	2023	Change
Percent increase		study + 2.9%	2.7%	1.2%	5.20%	study	
Single Family	\$ 1,764.80	\$ 2,269.97	\$ 2,331.25	\$ 2,359.23	\$ 2,481.90	\$ 2,712	\$ 230.10
Multi Family	\$ 806.40	\$ 1,037.23	\$ 1,065.23	\$ 1,078.01	\$ 1,134.07	\$ 1,528	\$ 393.93
Lodging per / 1000 sq ft.	\$ 711.20	\$ 914.78	\$ 939.47	\$ 950.74	\$ 1,000.18	\$ 999	\$ (1.18)
Commercial per / 1000 sq ft.	\$ 711.20	\$ 914.78	\$ 939.47	\$ 950.74	\$ 1,000.18	\$ 999	\$ (1.18)



Greater Eagle Fire Protection District Impact Fee Update

Final Report

October 31, 2022

Greater Eagle Fire Protection District Impact Fee Update

Prepared for:

Greater Eagle Fire Protection District
425 E 3rd St
Eagle, CO 81631

Prepared by:

BBC Research & Consulting
1999 Broadway, Suite 2200
Denver, Colorado 80202-9750
303.321.2547 fax 303.399.0448
www.bbcresearch.com
bbc@bbcresearch.com



SECTION I.

Introduction

Greater Eagle Fire Protection District (GEFPD) provides fire, rescue, and emergency medical services in the town of Eagle and its surrounding area in Eagle County. GEFPD services an area of 190 square miles and responds to approximately 900-1,000 calls per year. Because of a heightened interest in development, the District is considering implementing *updated development impact fees* as part of a larger strategy to ensure that future development pays its own way and existing residents and services are not financially burdened by new growth.

Many Colorado communities impose development impact fees for expansion of public infrastructure. Some cities have entire suites of fees with separate charges for multiple infrastructure categories (e.g., streets, parks, and fire protection). Colorado statute and a series of United States Supreme Court decisions dictate the amounts that communities can charge in impact fees and how they can devise, impose, and spend them. Because of those requirements, GEFPD retained BBC Research & Consulting (BBC) to conduct a feasibility assessment and prepare a report documenting the calculation of updated appropriate fees for its services. This report documents BBC's analysis and recommendations for updating GEFPD's impact fee system that will continue to recover the proportional capital costs associated with new development. GEFPD is a mutual aid partner to the Gypsum Fire Protection District (GFPD), as well as Eagle County Paramedic Services (ECPS). In the event that the three mutual aid partners merge as one agency, impact fees will be calculated for the merged agency as a whole.

A. Impact Fee Requirements

Although there is no universally accepted definition of impact fees, most feasibility assessments focus on:

- *One-time application*, meaning that fees are a one-time payment for new development;
- *Restricted use*, meaning that fees are only applicable to infrastructure expansion projects.
- *New development*, meaning that fees are only applicable to new development and not improvements to existing developments; and
- *Proportionality requirements*, meaning that fees must be limited to the proportionate share of the capital costs associated with providing services to the new development.

For example, Juergensmeyer and Thomas (2008) describe impact fees as:

"Fees collected through a set schedule or formula, spelled out in a local ordinance fees are levied only against new development projects as a condition of permit approval to fund

infrastructure needed to serve the proposed development. Impact fees are calculated to cover the proportionate share of the capital costs for that infrastructure...”¹

1. Colorado requirements. Consistent with Juergensmeyer and Thomas’s (2008) description of impact fees, Colorado law specifies the following requirements for impact fees:

- Impact fees are a one-time payment levied on new development;
- Funds can only be used for capital infrastructure projects:
 - Applicable projects must have a five-year life.
 - No funds can be diverted for operations, maintenance, repair, or facility replacement.
- Impact fee revenue must be segregated from other revenue and used for the purposes for which it was collected;
- Fees must be imposed on all forms of development and cannot be limited to one type of land use;
- Impact fee revenue must be used for capital infrastructure expansion. No funds can be used for correcting existing system deficiencies; and
- There must be a reasonable expectation of benefit by the fee payer.

2. Supreme Court decisions. Impact fees must also be in accordance with a series of United States Supreme Court rulings. The two most notable court decisions that speak to impact fee requirements are often referred to as *Nollan* and *Dolan*.² Guidance from those decisions requires that there be an “essential nexus” between the fee and the state’s interest. In *Dolan v. City of Tigard* (1994), the Supreme Court held that, in addition to an “essential nexus,” there must be “rough proportionality” between the proposed fee and the impacts that the fee is intended to mitigate. In *Dolan*, the Court further ruled that “rough proportionality” need not be derived with mathematical exactitude but must demonstrate some relationship to the specific impact of the project:

“We think a term such as ‘rough proportionality’ best encapsulates what we hold to be the requirements of the Fifth Amendment. No precise mathematical calculation is required, but the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the impact of the proposed development.”³

Over the past two decades since *Dolan*, many communities have imposed impact fees, resulting in a broad set of common practices when considering how best to reflect judicial and statutory requirements in designing new fees.

¹ Juergensmeyer, Julian C., and Thomas E. Roberts. *Land Use Planning and Development Regulatory Law*. St. Paul, MN: WestGroup, 2003; and ImpactFees.com, Duncan Associates, 20 February 2008.

² *Nollan v. California Coastal Commission*, 483 U.S. 82; 1987 and *Dolan v. City of Tigard* (1994) 114S.Ct. 2309.

³ *Dolan v. City of Tigard* (1994) 114S.Ct. 2309

B. Fee Applicability

As noted above, communities can only use impact fee revenue to cover the costs of any necessary expansion of public infrastructure that is needed to serve new development. In addition, fee amounts can only be set in a manner that is proportional to the cost of such infrastructure expansion.

1. Public infrastructure. *Public or capital infrastructure* is the physical component of public services. Under Colorado statute, the definition of *infrastructure* can include all equipment that has at least a five-year lifetime. It does not include personnel or any elements of service costs, even in circumstances where new staff is required to operate new facilities. Public infrastructure generally includes buildings, facilities, parking, lighting, ball fields, or other support facilities. Capital infrastructure generally includes streets, parks, administrative facilities, specialized fire or police buildings, and recreational facilities.

2. Nature of infrastructure investments. Not all capital infrastructure costs are associated with community growth or with the expansion of facility capacity. Most communities make many infrastructure investments not because of growth pressures but for the repair and replacement of existing facilities, and it is allowable to account for such investments as part of impact fee calculations. For example, communities often make infrastructure investments related to:

- *Repair and replacement of existing facilities*, such as annual building maintenance or replacing a roof;
- *Betterment of existing facilities*, such as introducing new services or improving existing infrastructure without increasing service capacity; and
- *Facilities expansions*, such as expanding an existing building to accommodate growing personnel requirements.

C. Capital Standards

In designing impact fees, communities must determine the appropriate capital standards applicable to each category of infrastructure. Facility standards, such as library space or recreation facilities per household, can vary widely between communities. Whereas some states have legislation that describes such criteria with great specificity, other states—like Colorado—use more general standards.

1. Replacement value approach. Typically, determining capital standards involves estimating the replacement value of specific capital facilities and the qualified equipment necessary for each category of infrastructure. For example, a city of 2,500 homes with a 20,000 square foot recreation center that has a replacement value of \$5 million would have a recreation center standard of 8 square feet per housing unit (i.e., 20,000 square feet/2,500 homes = 8 square feet per home) and a replacement value of \$250 per square foot (i.e., \$5 million/20,000 square feet = \$250 per square foot). Thus, each existing residence would have an embedded recreational investment of \$2,000 per home (i.e., \$250 x 8 square feet = \$2,000 per home), representing the community's recreational facility standard, which is what a developer could be charged for recreational facilities for each new unit.

If capital standards are defined using a replacement value approach, then calculations of those standards must account for any debt that applies against the relevant infrastructure. Because current residents are already responsible for that debt, it would be duplicative and inappropriate to charge developers impact fees that also include that debt.

2. Plan-based approach. Sometimes, communities use a *plan-based approach* to set capital standards, which relies on capital improvement plans or other specific plans for each department. A plan-based approach requires forecasts of households and commercial growth and detailed data on capital expansion plans. Plan-based approaches must focus on expansion-related projects or the expansion portion of projects rather than betterment or replacement projects.

D. Other Considerations

Over time, some consensus has emerged on how best to ensure that impact fees comply with state statutes and court rulings. Many of the factors that communities must consider in designing fees appropriately are described above, but BBC also presents other considerations that communities must make.

- **Allocation by land use.** The courts have indicated that all forms of development that have facility impacts—that is, residential, industrial, and commercial developments— must pay their fair share of expansion costs. If one type of development is exempted from fees, then fees may not be sufficient to cover the cost of needed expansion that results from new development.
- **Use specificity.** Impact fee calculations vary between different forms and sizes of residential development and different uses of commercial buildings and how they impact demand for public services. When compelling evidence is available that the forms, sizes, or uses of particular types of development will result in substantially different demands for public services, then communities' impact fees should reflect that information.
- **Redevelopment.** The application of impact fees raises questions about how to deal with the redevelopment of existing properties. The redevelopment of a residence—even if it involves full scraping—does not lead to an increase in service demands, because it is still one residential unit with no implications for service delivery costs or capital needs. In contrast, the redevelopment of a larger lot into multiple homes would be assessed an impact fee based on the net number of new residential units, because there would be clear implications for service delivery and capital needs. Commercial redevelopment would be subject to the same considerations.
- **Waivers.** Communities should not waive fees unless the funds are reimbursed from other sources such as the general fund or other contributions by the developer to system expansion that exceed the calculated fees.
- **Timing.** Fees should be assessed at the time that building permits are issued.
- **Updates.** Impact fee calculations should be updated periodically. Most communities update their fees every two or three years.
- **Fee design costs.** The cost of fee design studies can be recovered through impact fees and used to reimburse communities' general funds.

SECTION II.

Impact Fee Derivation

As described in Section I, there are several types of information that communities must consider to appropriately set their development impact fees, including determining capital standards. BBC used data from various sources to make appropriate considerations in developing GEFPD's development impact fees.

- **Capital standards.** BBC used GEFPD's current investment in facilities as the basis for determining capital standards for its new fees. We obtained that information directly from the District. The valuation included estimates of investments in furniture, fixtures, and durable equipment. Calculations of capital standards must account for any debt that exists in connection with relevant infrastructure.
- **Land use allocation.** It is important for communities to determine how impact fees should be allocated according to land use so that all forms of development pay their fair share of expansion costs. Although GEFPD does not maintain a database of relevant land use, data from the Eagle County Assessor's Office indicates that the majority of current development is for residential purposes (79% residential, 21% non-residential). BBC allocated GEFPD's new development impact fees accordingly, because future development in the region is not expected to differ substantially from land use.
- **Use specificity.** To the extent possible, impact fees should reflect the degree to which different forms, sizes, and uses of particular types of development will result in different demand for public services. However, there is no compelling evidence that suggests that larger homes create more demand for public services than smaller homes. As a result, BBC treated all residential units equally and all commercial units equally as they relate to public service demand.
- **Fee design costs.** The cost of fee design studies can be recovered through impact fees, so BBC has included the cost of this report in the fee calculations.
- **Proportionality.** By using GEFPD's current investment in facilities to derive capital standards and then setting fee rates to replace the current standards of facility investment, BBC has ensured that proportionality has been reasonably and fairly derived. New growth is simply replicating its proportional share of an existing facility standard. Existing standards will be the standards to which new growth will be held accountable.

A. GEFPD Budget Overview

Property tax revenues for GEFPD are collected from the District's mill levy. A mill levy is a tax rate used to calculate local property taxes and represents the amount per every \$1,000 of a property's assessed value that a community would charge. The 2022 GEFPD Budget indicates the District will collect revenues of approximately \$3.3M this year, the vast majority of which is tax-related revenue from property taxes. GEFPD projects roughly \$3.1M in capital outlay expenses in 2022, not including debt service. As discussed in Section I, capital investments are generally used for repair and replacement, betterment of facilities and service standards, and facilities expansion.

Additional property tax and specific ownership tax revenue that funds GEFPD's operating budget will continue to be dedicated to ongoing District expenses and will not likely be sufficient to fund the required level of growth-related capital expansion. If GEFPD chooses to continue collecting impact fees of the type presented in this report, it would retain an independent and equitable source of revenue for capital expenditures required to serve new growth. With impact fees, new development pays their equitable share of new infrastructure and existing taxpayers will not be responsible for subsidizing growth. In addition, GEFPD's capital and operating funds can be reserved for other, non-growth-related uses.

B. Impact Fee Calculations

BBC's methodology for calculating GEFPD's impact fee includes the following tasks:

1. Quantify the infrastructure investment needed to maintain current level of service;
2. Develop estimates of GEFPD's current land use pattern; and
3. Calculate the fire protection infrastructure costs per unit of development (per household or per square foot of commercial development).

1. Infrastructure investment. A conservative method of establishing GEFPD's current level of service for fire protection is to quantify its financial investment in infrastructure and capital equipment. Specifically, GEFPD has five types of capital infrastructure-related spending that should be included in a calculation of current infrastructure investment:

- Land and buildings;
- Major apparatus, such as fire engines and specialized vehicles;
- A variety of lifesaving and fire-fighting apparatus;
- Business property, such as furniture, computers, and related durable assets; and
- The cost of this impact fee study.

GEFPD has outstanding debt on one of its vehicles. For that reason, the allocated replacement value for the vehicle has been reduced by the value of that debt. Figure II-1 presents GEFPD's current infrastructure and the value eligible to be included in impact fee calculations. As shown in the last row of Figure II-1, the total replacement value of GEFPD's current infrastructure is approximately \$11 million.

Figure II-1.
GEFPD's Current Assets

Type of Capital Infrastructure	Total Replacement Value	Portion to Include in Impact Fees ⁽¹⁾	Allocated Replacement Value ⁽²⁾
Buildings and Land			
Station #9	\$6,000,000	100%	\$6,000,000
Land (acquired in 2005)	\$90,000	100%	\$90,000
Haymeadow Property	\$225,981	100%	\$225,981
Vehicles			
1937 Fire Engine, Parade Truck	\$6,200	0%	\$0
1999 Aerial Pumper	\$1,600,000	100%	\$1,600,000
2008 F-150	\$45,000	100%	\$45,000
2011 Timberwolf Pumper	\$850,000	100%	\$850,000
2010 Tender Truck	\$700,000	100%	\$700,000
2014 Kawaski Mule	\$15,000	100%	\$15,000
2014 Aero XT Type I Rescue Engine Pumper	\$850,000	73%	\$623,868
2015 Dodge Ram Brush Truck	\$125,000	0%	\$0
2017 Chevy Tahoe	\$52,000	100%	\$52,000
2018 Artic Cat Stamped	\$20,000	100%	\$20,000
2019 Ford F-150	\$45,000	100%	\$45,000
2019 Ford F-250	\$53,000	100%	\$53,000
2020 Artic Cat Tracker UTV	\$20,000	100%	\$20,000
2020 Ford F-350 Super Duty	\$55,000	100%	\$55,000
2020 Type 3 Wildland Truck	\$400,000	0%	\$0
2022 F-350 Crew Cab Truck	\$55,000	100%	\$55,000
2022 Ford F-150	\$45,000	100%	\$45,000
Fire Equipment and Business Property			
Fire Equipment & Business Property	\$537,044	100%	\$537,044
Fee Study			
Cost of study	\$7,500	100%	\$7,500
Total Value of Fire Infrastructure for Fee Calculation			\$11,039,393

Notes:

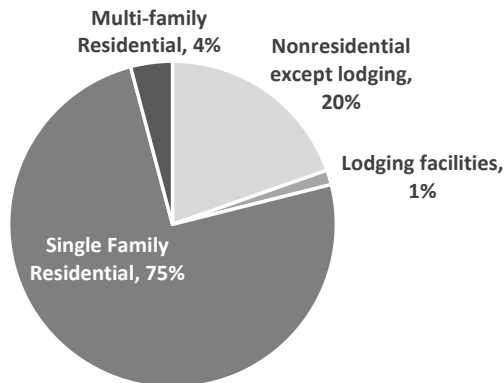
(1) Reflects GEFPD's equity in each piece of capital infrastructure net of any outstanding debt service obligation.

(2) Total replacement value x Portion to include in impact fees = Allocated replacement value.

Source: GEFPD and BBC Research & Consulting.

2. Current land use. BBC used GEFPD's current distribution of development as a basis for allocating certain infrastructure expansion costs over different types of land uses, which is consistent with the Colorado Municipal League's recommendation that cost allocation be based on measures of land use. Figure II-2 presents the distribution of residential and non-residential building square footage, based on data from the Eagle and Garfield County Assessors. As shown in Figure II-2, 19.6 percent of development in the region is non-residential except lodging, 1.5 percent is lodging facilities, and 78.9 percent is residential (single family residences account for 74.8%; multi-family residences account for 4.1%).

Figure II-2.
Distribution of Residential and Non-Residential Square Footage, 2022



Source: GEPD and BBC Research & Consulting.

3. Impact fee calculation. Figure II-3 uses GEPD's current service standards and infrastructure replication costs to determine appropriate household, commercial, and other non-residential fees. BBC used GEPD's existing land use pattern as a proxy for the assignment of costs to particular types of development. Figure II-3 presents fee calculations for each relevant type of development. The value of total fire infrastructure is presented in the top row of Figure II-3 (and is identical to the last row of Figure II-1).

- The first step in calculating impact fees was to allocate the total value proportionally to each type of development, based on GEPD's existing land use pattern. Thus, BBC allocated \$2.2 million to non-residential except lodging development (or, 19.6%), \$161K to lodging development (or, 1.5%), and \$8.7 million to residential development (or, 78.9%). Of the \$8.7 million that was allocated to residential development, \$8.3 million went to single family residences (or, 74.8%), and \$455K (or, 4.1%) went to multi-family residences.
- Next, BBC allocated infrastructure value for each type of development to each unit of existing development within that category—that is, each dwelling unit for residential development and each square foot of non-residential development—to determine the relevant burden of each unit of existing development on current infrastructure.

The result of allocating costs in the manner described above resulted in full cost-recovery impact fees, which, as shown in the last four rows of Figure II-3 are \$999 per 1,000 square feet of non-residential development, including lodging facilities, \$2,712 per single family residential dwelling unit, and \$1,528 per multi-family residential dwelling unit. GEPD can choose to charge less than those amounts but it must apply discounts uniformly to all land use categories.

**Figure II-3.
Full Cost Recovery Impact
Fees for GEFPD**

Source:
GEFPD and BBC Research & Consulting.

Calculation of Impact Fees	
Value of Fire Infrastructure	\$11,039,393
Current Land Use Distribution	
Nonresidential except lodging	19.6%
Lodging facilities	1.5%
Residential	78.9%
Single family	74.8%
Multi-family	4.1%
Costs by Land Use Category	
Nonresidential except lodging	\$2,164,988
Lodging facilities	\$160,943
Residential	\$8,713,462
Single family	\$8,258,256
Multi-family	\$455,206
Existing Development	
Nonresidential except lodging (in ft ²)	2,166,930
Lodging facilities (in ft ²)	161,087
Residential (in dwelling units)	3,343
Single family (in dwelling units)	3,045
Multifamily (in dwelling units)	298
Impact Fee by Land Use	
Nonresidential except lodging (per 1,000 ft ²)	\$999
Lodging facilities (per 1,000 ft ²)	\$999
Single family (per dwelling unit)	\$2,712
Multifamily (per dwelling unit)	\$1,528

SECTION III.

Summary and Recommendations

The development impact fees of \$999 per 1,000 non-residential square feet, \$2,712 per single family residential dwelling unit, and \$1,528 per multi-family residential dwelling unit that BBC recommends for GEFPD's consideration represent maximum defensible amounts, and we recognize that the District may choose not to adopt fees as high as the maximum defensible amounts. BBC also offers the following recommendations:

- GEFPD should maintain its impact fee fund separate and apart from its general fund and make withdrawals from the former only to pay for growth-related infrastructure.
- GEFPD should adhere to a written policy governing its expenditure of monies from its impact fee fund. GEFPD should be prohibited from paying for operational expenses with impact fees, including the repair and replacement of existing infrastructure not necessitated by growth. In cases when GEFPD expects new infrastructure to partially replace existing capacity and to partially serve new growth, cost sharing between its general fund (or capital fund) and its impact fee fund should be allowed on a proportional basis as determined by the District's board.
- GEFPD's impact fees should be updated periodically as it invests in additional infrastructure beyond what is listed in this report or the District's population or inventory of commercial square footage changes substantially.
- GEFPD's fees should be updated annually based on established inflation indices, such as the Consumer Price Index or the Engineering News Record.



To: Mayor Turnipseed and Town Council

From: Martha Miller, Project Manager

Date: March 8, 2023

Agenda Item: Sylvan Lake Road Conceptual Design Concepts

REQUEST:

To update the Town Council on the preliminary design concepts for Sylvan Lake Road (SLR) traffic calming and pedestrian improvements and seek direction on the concept to advance.

BACKGROUND:

In October 2021, the SLR Improvement project kicked off with a pop-up event and public comment period. After gathering field observations and public comments, the team made a presentation to Council at the December 6, 2022 work session to share the public comments and review the screening criteria.

Using the screening criteria, December 6th work session feedback, and public comments, design concepts have been developed for the SLR corridor between Gambel Street and Eagle Ranch Road.

ANALYSIS:

Two conceptual designs have been developed for traffic calming and pedestrian safety improvements along SLR. Both alternatives have raised concrete bulb-outs at the intersections, the addition of a sidewalk between MacDonald and Capitol Streets, a designated bike lane through the commercial core area, future transit stop locations identified, and a concept for a future sidewalk between Freestone Road and the Castle Peak Senior center. The primary difference between the alternatives is a painted versus raised center median.

Both alternatives focus on improving pedestrian safety by reducing the crossing distance at four intersections and providing a raised concrete curb for pedestrians to use before crossing. The raised curb bulb-outs will improve pedestrian and vehicle safety by reducing the crossing distance and preventing cars from parking too close to the intersections which limits sight distance. During the public engagement period, this was a reoccurring comment that we received. With the concrete bulb-outs the crossing distance is reduced by approximately 12' or from 56' or 44'.

Alternatives 1 & 2 show the addition of a sidewalk between MacDonald and Capitol Streets. To avoid the need for an easement or acquisition of private property, the sidewalk is shown in the underutilized lane that was previously used for on-street parking and a right turn lane. Rarely are cars parked in this area and the turning movements do not warrant the need for a designated right turn lane. The area is wide enough to also accommodate snow storage, a bike lane, and a future transit stop for the Eagle/Gypsum commuter route. Locations for future transit stops are identified on both sides of the street. A sidewalk

concept is shown between Freestone Road and Castle Peak Senior center but will not be constructed with this project since it's located outside of the SLR right-of-way.

A bike lane has been added from Gambel Street to Eagle Ranch Road. There's adequate width for the lane in the eastbound direction. The westbound direction is restricted near the Redstone Townhomes which requires the lane width to vary. After leaving this commercial area, bikes would share the shoulder or through lane, as shown on the plans. Having a designated bike lane, addresses the public comment of separating bikes from pedestrians on sidewalks.

The designs will promote traffic calming with the addition of the raised concrete bulb-outs at intersections, narrowing the travel lanes to 11' and the addition of bike lanes. Alternative 2 has a raised center median which would add additional traffic calming but also adds significant cost to the project. The raised median could be constructed later. Both alternatives will bring ADA features to standard which is another comment we received.

The estimated cost of Alternative 1 & 2 is \$789,500 and \$1,299,500, respectively. Staff is currently working on a Transportation Alternatives Program (TAP) grant application for \$750,000. If we are not successful with TAP, there will be a call for Safe Routes to School and Revitalizing Main Streets grants in the later part of the year.

COMMUNITY INPUT:

Additional community input will be gathered during the next phase of the project.

BUDGET / STAFF IMPACT:

In 2023, the Town has budgeted \$350,000 for traffic calming and pedestrian improvements on Sylvan Lake Road. Staff is not asking for additional funding. We will continue to research grant opportunities as the final design is completed.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

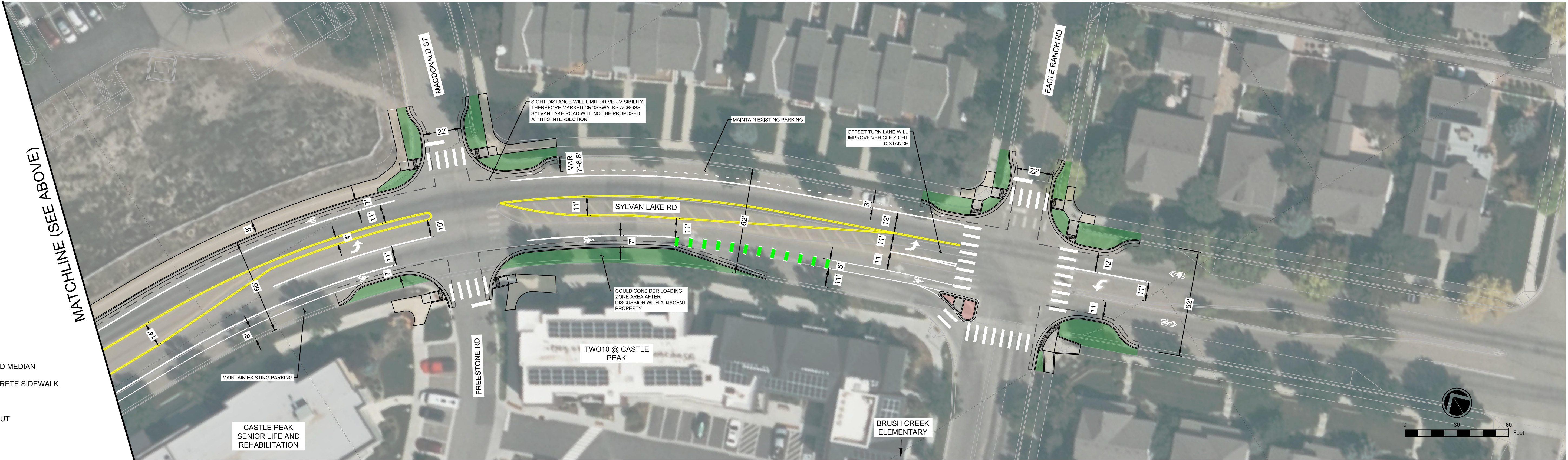
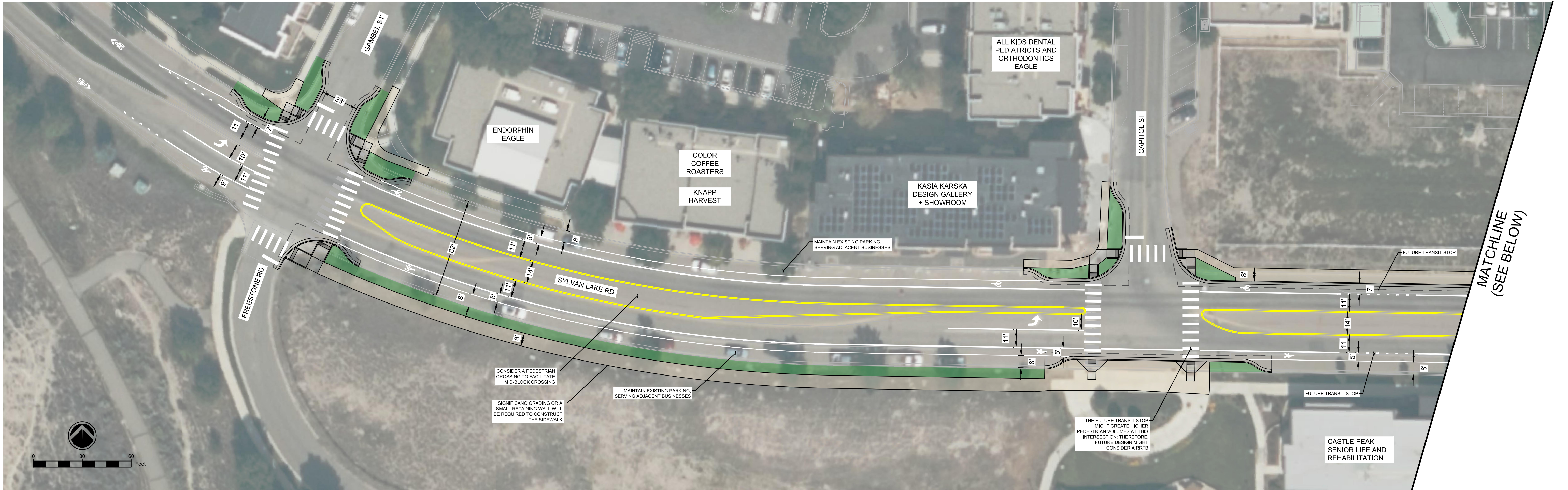
This project aligns with the 2023 Strategic Plan's goal to continue design and engineering work on pedestrian and traffic control improvements for Sylvan Lake Road.

RECOMMENDED ACTION OR PROPOSED MOTION:

A recommendation for staff to advance either Alternative 1 or 2 to final design.

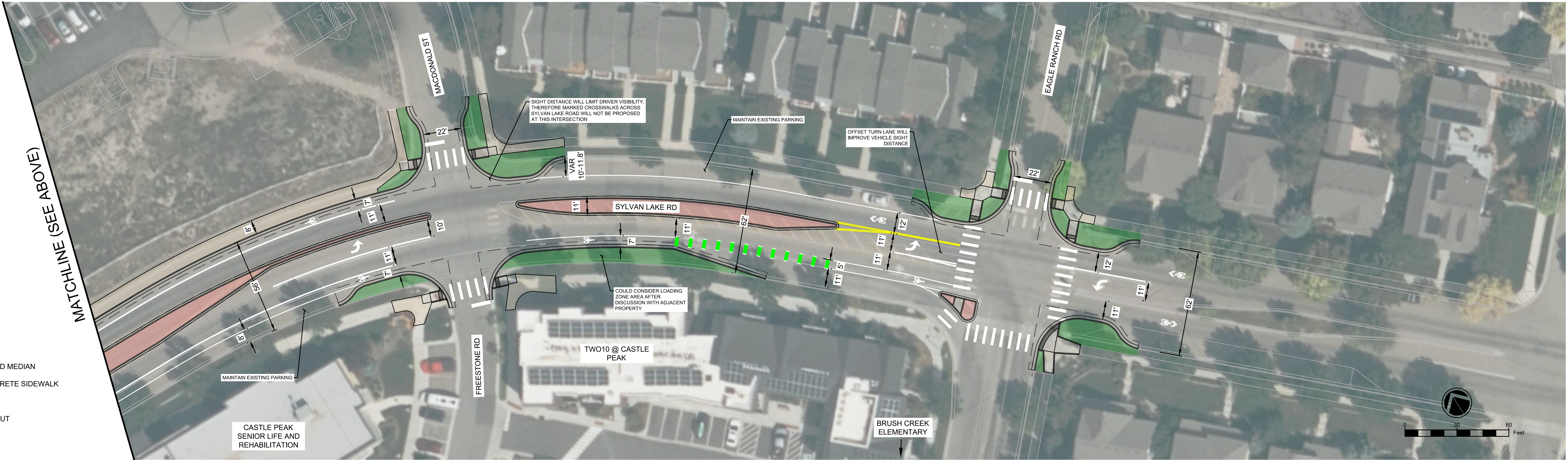
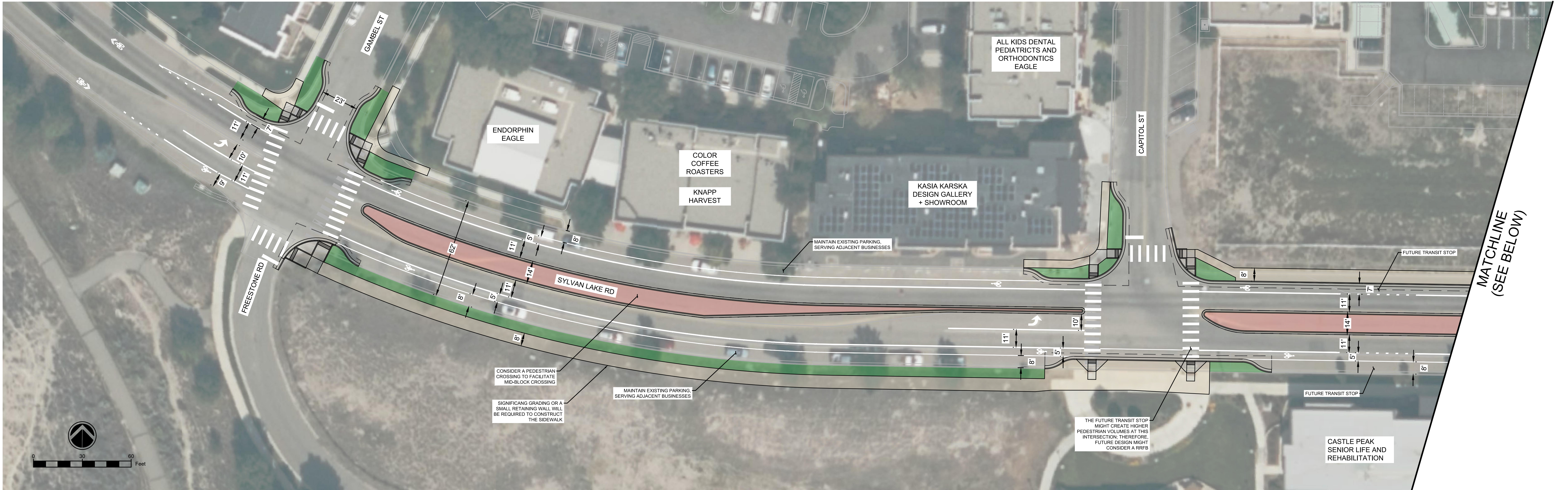
ATTACHMENTS:

SLR Concept Design – Alt 1 & 2
Cost estimates Alt 1 & 2
December 6, 2022, Work session Meeting Minutes
Screening Criteria Spreadsheet
Public Comment Summary



- LEGEND:
- RAISED MEDIAN
 - CONCRETE SIDEWALK
 - SOD
 - SAWCUT

SYLVAN LAKE ROAD CONCEPT DESIGN - ALT 1
MARCH 2023



- LEGEND:
- RAISED MEDIAN
 - CONCRETE SIDEWALK
 - SOD
 - SAWCUT

SYLVAN LAKE ROAD CONCEPT DESIGN - ALT 2
MARCH 2023

OPINION OF PROBABLE CONSTRUCTION COST
CONCEPT DESIGN

PREPARED BY: DAVID EVANS AND ASSOCIATES
PREPARED FOR: TOWN OF EAGLE
DATE: 3/8/2023

SYLVAN LAKE ROAD STREETScape- ALT 1- STRIPED MEDIAN ALTERNATIVE

A - MAJOR CONSTRUCTION ITEMS					
PAY ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	EXTENDED COST
202-00200	Removal of Sidewalk	SY	360	\$ 40.00	\$ 14,400.00
202-00203	Removal of Curb and Gutter	LF	1300	\$ 20.00	\$ 26,000.00
202-00206	Removal of Concrete Curb Ramp	SY	150	\$ 40.00	\$ 6,000.00
202-00220	Removal of Asphalt Mat	SY	1530	\$ 20.00	\$ 30,600.00
212-00050	Sod	SF	9000	\$ 2.00	\$ 18,000.00
403-00721	Hot Mix Asphalt (Patching) (Asphalt)	SY	580	\$ 100.00	\$ 58,000.00
608-00006	Concrete Sidewalk (6 Inch)	SY	1150	\$ 85.00	\$ 97,750.00
608-00010	Concrete Curb Ramp	SY	300	\$ 220.00	\$ 66,000.00
609-21010	Curb and Gutter Type 2 (Section I-B)	LF	50	\$ 40.00	\$ 2,000.00
609-21020	Curb and Gutter Type 2 (Section II-B)	LF	1330	\$ 45.00	\$ 59,850.00
610-00030	Median Cover Material (Concrete)	SF	100	\$ 20.00	\$ 2,000.00
627-00008	Modified Epoxy Pavement Marking	GAL	40	\$ 100.00	\$ 4,000.00
627-30405	Preformed Thermoplastic Pavement Marking (Word- Symbol)	SF	250	\$ 25.00	\$ 6,250.00
627-30410	Preformed Thermoplastic Pavement Marking (Xwalk-Stop Line)	SF	1580	\$ 20.00	\$ 31,600.00
Bid Items Subtotal =					\$ 422,450.00
Contingency = 30% of Bid Items Subtotal					\$ 126,735.00
A - MAJOR CONSTRUCTION ITEMS SUBTOTAL (Bid Items Subtotal + Contingency) =					\$ 549,185.00
B - MINOR CONSTRUCTION ITEMS & UNLISTED ITEMS					
DRAINAGE & WATER QUALITY		4%	of Total Construction Bid Items (A)		\$ 21,967.40
SIGNING AND STRIPING		2%	of Total Construction Bid Items (A)		\$ 10,983.70
SWMP		2%	of Total Construction Bid Items (A)		\$ 10,983.70
B - MINOR CONSTRUCTION ITEMS & UNLISTED ITEMS SUBTOTAL =					\$ 43,934.80
C - MOBILIZATION 8% of Major and Minor Construction Items (A +B)					\$ 47,449.58
D - TOTAL OF CONSTRUCTION BID ITEMS (A + B + C)					\$ 640,569.38
E - FORCE ACCOUNTS					
F/A GENERAL		5%	of Total Construction Bid Items (D)		\$ 32,028.47
F/A MINOR CONTRACT REVISION (MCRs)		5%	of Total Construction Bid Items (D)		\$ 32,028.47
F/A PROJECT COMMUNICATIONS		2%	of Total Construction Bid Items (D)		\$ 12,811.39
TSM&O TRAFFIC OPERATION		3%	of Total Construction Bid Items (D)		\$ 19,217.08
E - FORCE ACCOUNT SUBTOTAL =					\$ 96,085.41
F - TOTAL CONSTRUCTION ITEMS (D + E) =					\$ 736,654.79
ROUNDED PROJECT TOTAL=					\$ 737,000.00
				2024 Dollars	\$ 762,800.00
				2025 Dollars	\$ 789,500.00

ASSUMPTIONS:
- ASSUMED ESCALATION: 3.50%
- COST INCLUDES CONSTRUCTION ONLY AND EXCLUDES DESIGN, CONSTRUCTION ENGINEERING AND ENVIRONMENTAL CLEARANCES
- COST EXCLUDES ROW AND PROPERTY ACQUISITION

OPINION OF PROBABLE CONSTRUCTION COST
CONCEPT DESIGN

PREPARED BY: DAVID EVANS AND ASSOCIATES
PREPARED FOR: TOWN OF EAGLE
DATE: 3/8/2023

SYLVAN LAKE ROAD STREETScape- ALT 2- RAISED MEDIAN ALTERNATIVE

A - MAJOR CONSTRUCTION ITEMS					
PAY ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	EXTENDED COST
202-00200	Removal of Sidewalk	SY	360	\$ 40.00	\$ 14,400.00
202-00203	Removal of Curb and Gutter	LF	1300	\$ 20.00	\$ 26,000.00
202-00206	Removal of Concrete Curb Ramp	SY	150	\$ 40.00	\$ 6,000.00
202-00220	Removal of Asphalt Mat	SY	2700	\$ 20.00	\$ 54,000.00
212-00050	Sod	SF	9000	\$ 2.00	\$ 18,000.00
403-00721	Hot Mix Asphalt (Patching) (Asphalt)	SY	580	\$ 100.00	\$ 58,000.00
608-00006	Concrete Sidewalk	SY	1150	\$ 85.00	\$ 97,750.00
608-00010	Concrete Curb Ramp	SY	300	\$ 220.00	\$ 66,000.00
609-21010	Curb and Gutter Type 2 (Section I-B)	LF	2060	\$ 40.00	\$ 82,400.00
609-21020	Curb and Gutter Type 2 (Section II-B)	LF	1350	\$ 45.00	\$ 60,750.00
610-00030	Median Cover Material (Concrete)	SF	7080	\$ 20.00	\$ 141,600.00
627-00008	Modified Epoxy Pavement Marking	GAL	18	\$ 100.00	\$ 1,800.00
627-30405	Preformed Thermoplastic Pavement Marking (Word- Symbol)	SF	250	\$ 25.00	\$ 6,250.00
627-30410	Preformed Thermoplastic Pavement Marking (Xwalk-Stop Line)	SF	1580	\$ 20.00	\$ 31,600.00
Bid Items Subtotal =					\$ 664,550.00
Contingency =			30% of Bid Items Subtotal		\$ 199,365.00
A - MAJOR CONSTRUCTION ITEMS SUBTOTAL (Bid Items Subtotal + Contingency) =					\$ 863,915.00
B - MINOR CONSTRUCTION ITEMS & UNLISTED ITEMS					
DRAINAGE & WATER QUALITY		8%	of Total Construction Bid Items (A)		\$ 69,113.20
SIGNING AND STRIPING		3%	of Total Construction Bid Items (A)		\$ 25,917.45
SWMP		2%	of Total Construction Bid Items (A)		\$ 17,278.30
B - MINOR CONSTRUCTION ITEMS & UNLISTED ITEMS SUBTOTAL=					\$ 112,308.95
C - MOBILIZATION			8% of Major and Minor Construction Items (A +B)		\$ 78,097.92
D - TOTAL OF CONSTRUCTION BID ITEMS (A + B + C)					\$ 1,054,321.87
E - FORCE ACCOUNTS					
F/A GENERAL		5%	of Total Construction Bid Items (D)		\$ 52,716.09
F/A MINOR CONTRACT REVISION (MCRs)		5%	of Total Construction Bid Items (D)		\$ 52,716.09
F/A PROJECT COMMUNICATIONS		2%	of Total Construction Bid Items (D)		\$ 21,086.44
TSM&O TRAFFIC OPERATION		3%	of Total Construction Bid Items (D)		\$ 31,629.66
E - FORCE ACCOUNT SUBTOTAL =					\$ 158,148.28
F - TOTAL CONSTRUCTION ITEMS (D + E) =					\$ 1,212,470.15
ROUNDED CONSTRUCTION TOTAL=					\$ 1,213,000.00
				2024 Dollars	\$ 1,255,500.00
				2025 Dollars	\$ 1,299,500.00

ASSUMPTIONS:
-ASSUMED ESCALATION: 3.50%
-COST INCLUDES CONSTRUCTION ONLY AND EXCLUDES DESIGN, CONSTRUCTION ENGINEERING AND ENVIRONMENTAL CLEARANCES
-COST EXCLUDES ROW AND PROPERTY ACQUISITION



Sylvan Lake Road Streetscape Meeting Minutes



OBJECTIVE:	Council Meeting #1
DATE:	December 6, 2022
TIME:	4:00 PM – 6:00 PM
LOCATION:	Virtual; Microsoft Teams
ATTENDEES:	<i>Town of Eagle:</i> Martha Miller; Tom Gosiorowski <i>Council Members:</i> Geoff Grimmer; Nick Sunday; Sarah Parrish <i>David Evans and Associates (DEA):</i> Sarah Rachal-Dormand; Hannah Polow

The following information was presented at this meeting: public comments collected thus far, site visit findings, existing conditions, and the evaluation as well as screening criteria (which is driven by the existing conditions and site visit). A summary and the details of the conversation can be found below.

PUBLIC COMMENTS

- A pop-up community engagement event was held on October 18, 2022 outside of Color Coffee and received limited comments but received more feedback after online with the GIS based map.
- Concerns as identified by the public were described at the meeting, and listed below:
 - Concerns when walking across Sylvan Lake Road (SLR) issues included: long crossing distance, speed vehicles, vehicles failing to yield.
 - Concerns when walking along SLR included: sidewalk gaps, un-maintained sidewalks
 - Eagle Ranch Road and SLR intersection concerns included: school children's safety crossing the street.
 - Other areas of concern included: unauthorized mid-block crossings feeling dangerous across Sylvan Lake Road at Color Coffee, winter sidewalk maintenance near the senior center, poor visibility, and high speeds.
- Potential improvements as identified by the public, were then shared with Council, and are described below:
 - Construct sidewalks in gaps (*between MacDonald and Capitol and Gamble and Capitol).
 - Several comments requested a 4-way stop at the Eagle Ranch Road and SLR intersection.
 - At MacDonald Street and Capitol Street intersections, various suggestions were made to create awareness of pedestrians, including signage, blinking lights, raised crosswalk, and methods to improve sight distance and reduce crossing distance.
 - Along Sylvan Lake Road, raised or landscaped medians were suggested to narrow crossing distances. Parking setbacks at intersections were desired by many.
- The Town Council was not surprised by the findings or the suggestions of the public and did not have any follow up questions or concerns based on the data collected.

EXISTING CONDITIONS

- DEA shared the observations collected at each intersection as well as the common behaviors at each intersection as well as along SLR.
- The information shared with Town Council was the following:
 - Gamble Street to Capitol Street:
 - Pedestrians using north sidewalk.
 - Parking on south side and crossing midblock to access commercial businesses.



Sylvan Lake Road Streetscape Meeting Minutes



- A few vehicles made U-turns within this area to access parking for adjacent businesses
- Capitol Street to MacDonald Street
 - Pedestrians utilized areas without sidewalks.
 - Pedestrians crossed at this intersection although there are no marked crosswalks.
- MacDonald Street to Eagle Ranch Road
 - Most popular location for pedestrian and cyclist activity was at Eagle Ranch Road and SLR intersection.
 - Most students utilized the RRFB when crossing the Eagle Ranch Road and SLR intersection and most students un-accompanied by an adult used this

EVALUATION AND SCREENING CRITERIA

- The following ratings will be applied for every alternative and criteria: poor, fair, or good.
- QUESTION: Why isn't a numbered scoring system used? ANSWER: DEA explained a descriptive rating system opposed to a numbered system allows more nuances in the scoring for the qualitative nature of the scoring that will be completed as part of this project. It provides the structure as well as flexibility to arrive at a preferred alternative more easily.
- After understanding the logic in more detail, the Council was in agreeance with the ratings system that will be applied.
- The DEA team went on to describe the proposed criteria:
 - Safety: DEA specified safety will be evaluated for each mode (ped, bike, vehicles)
 - COMMENT: Council thought evaluating each independently is a good approach.
 - COMMENT: Council brought up several things to consider and look at when the project team reviews the potential bike lanes:
 - QUESTION: Does the Eagle Valley Trail come through this corridor? ANSWER: Trail only goes through downtown and does not need to be considered for this project.
 - Striped bike lane considerations
 - QUESTION: Has the project team considered e-bikes? Better for these types of bikes to be on the roadway instead of within the shared used path/sidewalks. ANSWER: We are not thinking about e-bikes as a separate user, but we will think about them as a subset of bicyclists.
 - COMMENT: Council would prefer to have on street bike lane if feasible (buffer not necessary).
 - QUESTION: Where would bike lane go if there was one proposed on street? ANSWER: It would likely be located between the travel lane and parking lane.
 - Impacts to Traffic Conditions: DEA stated this category will address existing traffic patterns as it compares to future traffic patterns.
 - Traffic Calming: DEA explained this category will rate the effectiveness of proposed improvement at traffic calming.
 - COMMENT: Council suggested maybe implementing a raised crossing closer to school.
 - Future flexibility: Accommodating for modified conditions in the future.
 - Mode improvement: Facility improvement to each mode.
 - COMMENT: Appreciate attention to seniors but Council expressed the focus of this project should be on the safety of the elementary school students
 - Right-of-way: DEA discussed how this category would evaluate the improvements in their relation to right of way needs.



Sylvan Lake Road Streetscape Meeting Minutes



- Ease of Maintenance: DEA spoke to the potential maintenance implications as it relates to the future improvements; specifically, the maintenance of the actual infrastructure as well as the snow maintenance.
 - COMMENT: Council has had issues with large speed bumps and would like to avoid this type of improvement, as trailers traversing over them typically bottom out.
 - COMMENT: Council advised that SLR is on the route to get to Sylvan Lake Park; therefore, need to accommodate large vehicles and trailers.
- COMMENT: Overall the Council would like to see the cost associated with each option, but they do not want to make a decision solely on cost since that may prohibit selecting the best design.

NEXT STEPS

- DEA to screen the various alternatives.
- DEA to develop concept exhibits to share at future council meeting.

SYLVAN LAKE ROAD ALTERNATIVES SCREENING MATRIX 12/20/2022																		
	SCREENING CRITERIA			IMPACT TO TRAFFIC CONDITIONS	TRAFFIC CALMING	FUTURE FLEXIBILITY	MODE IMPROVEMENT	ROW	GENERAL	SNOW	Recommendation	NOTES						
	1												2	3	4	5	6	7
	SAFETY																	
PEDESTRIAN	BICYCLIST	VEHICLES																
INTERSECTION EVALUATION																		
Sylvan Lake Road and Gambel																		
	Existing: Crosswalk on north crossing across SLR																	
A l t e r n a t i v e s	Paint and plastic delineators at existing crossing	FAIR Provides paint and post improvement	FAIR Provides paint and post improvement	FAIR Indirect safety improvement of improved sight distance	FAIR Traffic operations not anticipated to be impacted	FAIR Vertical elements of posts will create low traffic calming impact	GOOD Paint improvement allows for future modifications	POOR Meets minimum requirement for only pedestrians	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	Move forward as part of Short Term Alternative						
	Concrete curb extensions at existing crossing	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	FAIR Indirect safety improvement of improved sight distance	FAIR Traffic operations not anticipated to be impacted	GOOD Vertical elements of curb will create a traffic calming impact	GOOD Little modifications necessary for future modifications	GOOD Enhanced facility improvement for pedestrians	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Move forward as part of Long Term Alternative	Curb can be an issue with snow plows because it's harder to plow and potential snow storage. Maybe there's a way to add in striping to provide more buffer before the curb.					
	Pedestrian median refuge at existing crossing	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	FAIR Indirect safety improvement to allow pedestrians crossing a safe location to wait	FAIR Traffic operations not anticipated to be impacted	GOOD Element in the middle of the road will create a traffic calming impact	GOOD Little modifications necessary for future modifications	FAIR Provides improvements for pedestrians but would likely reduce available space for on-street bike lane	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Will be considered as available cross section width allows	Curb can be an issue with snow plows because it's harder to plow and potential snow storage. Maybe there's a way to add in striping to provide more buffer before the curb.					
	Additional crosswalk on east leg	FAIR Paint improvement	FAIR Paint improvement	FAIR Additional crossing to indicate to drivers there could pedestrians crossing, when it happens already with no crosswalk markings	FAIR Traffic operations not anticipated to be impacted	POOR Additional crosswalk is not anticipated to create traffic calming	GOOD Paint improvement allows for future modifications	FAIR Minimum facility improvement for pedestrians and bicyclists	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	Will be considered if shared use path is added on west side of SLR						
SLR and Capitol																		
	Existing: Crosswalks on both crossings across SLR																	
A l t e r n a t i v e s	Paint and plastic delineators at existing crossing	FAIR Provides paint and post improvement	FAIR Provides paint and post improvement	FAIR Indirect safety improvement of improved sight distance	FAIR Traffic operations not anticipated to be impacted	FAIR Vertical elements of posts will create low traffic calming impact	GOOD Paint improvement allows for future modifications	POOR Meets minimum requirement for only pedestrians	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	Move forward as part of Short Term Alternative						
	Concrete curb extensions at existing crossings	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	FAIR Indirect safety improvement of improved sight distance	FAIR Traffic operations not anticipated to be impacted	GOOD Vertical elements of curb will create a traffic calming impact	GOOD Little modifications necessary for future modifications	GOOD Enhanced facility improvement for pedestrians	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Move forward as part of Long Term Alternative						
	Pedestrian median refuge at existing crossings	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	FAIR Indirect safety improvement to allow pedestrians crossing a safe location to wait	FAIR Traffic operations not anticipated to be impacted	GOOD Element in the middle of the road will create a traffic calming impact	GOOD Little modifications necessary for future modifications	FAIR Provides improvements for pedestrians but would likely reduce available space for on-street bike lane	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Will be considered as available cross section width allows						
	RRFB at one crossing	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	GOOD RRFB increases visibility of pedestrians crossing to reduce conflicts with vehicles	FAIR Traffic operations not anticipated to be impacted	GOOD RRFB is high visibility to encourage vehicles to yield to pedestrians crossing	GOOD Little modifications necessary for future modifications	GOOD Enhanced facility improvement for pedestrians and bicyclists	GOOD No ROW modifications anticipated	FAIR Ability to maintain with small increase in resources	GOOD Ability to maintain with current resources	Move forward as part of Long Term Alternative	There are some RRFBs already in the area.					
SLR and MacDonald																		
	Existing: No crossings across SLR																	
A l t e r n a t i v e s	Crosswalk on north crossing across SLR	POOR Sight distance concerns located at this intersection, so want to discourage crossing	POOR Sight distance concerns located at this intersection, so want to discourage crossing	POOR Sight distance concerns located at this intersection, so want to discourage crossing	FAIR Traffic operations not anticipated to be impacted	POOR Additional crosswalk is not anticipated to create traffic calming	GOOD Paint improvement allows for future modifications	FAIR Minimum facility improvement for pedestrians and bicyclists	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	Does not move forward						
	Crosswalk on south crossing across SLR	POOR Sight distance concerns located at this intersection, so want to discourage crossing	POOR Sight distance concerns located at this intersection, so want to discourage crossing	POOR Sight distance concerns located at this intersection, so want to discourage crossing	FAIR Traffic operations not anticipated to be impacted	POOR Additional crosswalk is not anticipated to create traffic calming	GOOD Paint improvement allows for future modifications	FAIR Minimum facility improvement for pedestrians and bicyclists	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	Does not move forward						
	Paint and plastic delineators across MacDonald and Freestone	FAIR Provides paint and post improvement	FAIR Provides paint and post improvement	FAIR Indirect safety improvement of improved sight distance	FAIR Traffic operations not anticipated to be impacted	FAIR Vertical elements of posts will create low traffic calming impact	GOOD Paint improvement allows for future modifications	POOR Meets minimum requirement for only pedestrians	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	Move forward as part of Short Term Alternative	Martha supports this					
	Concrete curb extensions across MacDonald and Freestone	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	FAIR Indirect safety improvement of improved sight distance	FAIR Traffic operations not anticipated to be impacted	GOOD Vertical elements of curb will create a traffic calming impact	GOOD Little modifications necessary for future modifications	GOOD Enhanced facility improvement for pedestrians	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Move forward as part of Long Term Alternative	Martha supports this					
SLR and Eagle Ranch Rd																		
	Existing: RRFB on south crossing across SLR, crosswalk on north crossing across SLR																	
	Paint and plastic delineators at existing crossings	FAIR Provides paint and post improvement	FAIR Provides paint and post improvement	FAIR Indirect safety improvement of improved sight distance	FAIR Traffic operations not anticipated to be impacted	FAIR Vertical elements of posts will create low traffic calming impact	GOOD Paint improvement allows for future modifications	POOR Meets minimum requirement for only pedestrians	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	Does not move forward						
	Concrete curb extensions	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	FAIR Indirect safety improvement of improved sight distance	FAIR Traffic operations not anticipated to be impacted	GOOD Vertical elements of curb will create a traffic calming impact	GOOD Little modifications necessary for future modifications	GOOD Enhanced facility improvement for pedestrians	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Move forward as part of Short Term Alternative and Long Term Alternative	At the other locations, paint and post daylighting is recommended as part o the Short Term Alternative. Given previous striping here and the high usage of this intersection by elementary school students, the concrete curb extensions is recommended to be part of both the Short Term and Long Term Alternatives					

		SCREENING CRITERIA			2	3	4	5	6	7		Recommendation	NOTES	
		1												
		SAFETY												
		PEDESTRIAN	BICYCLIST	VEHICLES										
					IMPACT TO TRAFFIC CONDITIONS	TRAFFIC CALMING	FUTURE FLEXIBILITY	MODE IMPROVEMENT	ROW	GENERAL	SNOW			
A l t e r n a t i v e s	Pedestrian median refuge	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	FAIR Indirect safety improvement to allow pedestrians crossing a safe location to wait	FAIR Traffic operations not anticipated to be impacted	GOOD Element in the middle of the road will create a traffic calming impact	GOOD Little modifications necessary for future modifications	FAIR Provides improvements for pedestrians but would likely reduce available space for on-street bike lane	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Will be considered as available cross section width allows		
	Channelized southbound right turn lane	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	GOOD Channezlied southbound right turn would allow vehicles to separate yielding to vehicles from pedestrians crossing	GOOD Channezlied southbound right turn would allow vehicles to separate yielding to vehicles from pedestrians crossing	GOOD Vertical elements of curb will create a traffic calming impact	POOR Captial improvements required for future modification	GOOD Creates improvements for all modes	GOOD No ROW modifications anticipated	FAIR Ability to maintain with small increase in resources	FAIR Ability to maintain with small increase in resources	Moves forward as part of Short Term Alternative	To be developed more within conceptual design	
	Large curb extension with shared thru and right turn lane	GOOD Concrete and permanent improvement	GOOD Concrete and permanent improvement	FAIR Indirect safety improvement of traffic claming	FAIR Traffic operations not anticipated to be impacted	GOOD Vertical elements of curb and shared thru/right turn lane will create a traffic calming impact	GOOD Little modifications necessary for future modifications	GOOD Enhanced facility improvement for pedestrians	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Moves forward as part of Short Term Alternative	To be developed more within conceptual design	
	Traffic signal	GOOD Formalizes movements through intersection, including crossing movements	GOOD Formalizes movements through intersection, including crossing movements	GOOD Formalizes movements through intersection, including crossing movements	GOOD Anticipated that intersection would have improved traffic operations	POOR Traffic calming not anticipated	POOR Captial improvements required for future modification	GOOD Creates improvements for all modes	GOOD No ROW modifications anticipated	FAIR Ability to maintain with small increase in resources	FAIR Ability to maintain with small increase in resources	Move forward so a traffic signal is not precluded in future	Traffic signal may not be warranted in this condition	
CORRIDOR EVALUATION														
		Existing: One-lane in each direction with on-street parking and turn lanes												
A l t e r n a t i v e s	Bike lane	FAIR Provides additional space between sidewalk and vehicles as well as providing a dedicated space for bicyclists off the sidewalk	GOOD Provides improvement that is separate from pedestrians and vehicles	FAIR Indirect safety benefit of providing dedicated space for bicyclists	GOOD Dedicated space for bicyclists will improve traffic operations	GOOD Striped lanes for bicyclists anticipated to create traffic calming impact	GOOD Paint improvement allows for future modifications	FAIR Meets minimum facility for bicyclists and provides indirect benefit to pedestrians to encourage bicyclists to ride on the road opposed to sidewalk	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	Moves forward as part of Short Term Alternative and Long Term Alternative		
	Shared use path on east side	GOOD Provides separate facility from vehicles	GOOD Provides separate facility from vehicles	FAIR Indirect safety benefit of providing dedicated space for bicyclists	GOOD Dedicated space for bicyclists will improve traffic operations	POOR Traffic calming not anticipated	GOOD Shared use path could be converted to be used only by pedestrians in the future if on-street bike lanes are added	GOOD Creates enhanced improvement for bicyclists and pedestrians and indirect benefit to encourage bicyclists to ride off street	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Moves forward as part of Long Term Alternative	Assumed that no ROW will be needed as part of this recommendation Traffic calming elements can be added by narrowing lane widths and curb extensions	
	Shared use path on west side	GOOD Provides separate facility from vehicles	GOOD Provides separate facility from vehicles	FAIR Indirect safety benefit of providing dedicated space for bicyclists	GOOD Dedicated space for bicyclists will improve traffic operations	POOR Traffic calming not anticipated	GOOD Shared use path could be converted to be used only by pedestrians in the future if on-street bike lanes are added	GOOD Creates enhanced improvement for bicyclists and pedestrians and indirect benefit to encourage bicyclists to ride off street	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Moves forward as part of Long Term Alternative	Assumed that no ROW will be needed as part of this recommendation Traffic calming elements can be added by narrowing lane widths and curb extensions	
	Buffered bike lane	FAIR Provides additional space between sidewalk and vehicles as well as providing a dedicated space for bicyclists off the sidewalk	GOOD Provides improvement that is separate from pedestrians and vehicles	FAIR Indirect safety benefit of providing dedicated space for bicyclists	GOOD Dedicated space for bicyclists will improve traffic operations	GOOD Striped lanes for bicyclists anticipated to create traffic calming impact	GOOD Paint improvement allows for future modifications	GOOD Provides enhanced facility of buffered bike lane and provides ndirect benefit to pedestrians to encourage bicyclists to ride on the road opposed to sidewalk	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	If space allows, can be considered. However, will not move forward if roadway width does not allow.	Buffered bike lane does not feel necessary if there is a shared use path as a facility for bicyclists	
	Two-way cycle track (east and west side)	FAIR Provides additional space between sidewalk and vehicles as well as providing a dedicated space for bicyclists off the sidewalk	GOOD Provides improvement that is separate from pedestrians and vehicles	FAIR Indirect safety benefit of providing dedicated space for bicyclists	GOOD Dedicated space for bicyclists will improve traffic operations	GOOD Vertical elements of curb will create a traffic calming impact	POOR Captial improvements required for future modification	GOOD Provides enhanced facility of two-way cycle track and provides ndirect benefit to pedestrians to encourage bicyclists to ride on the road opposed to sidewalk	GOOD No ROW modifications anticipated	POOR Would require purchase of specific equipment to maintain	POOR Would require purchase of specific equipment to maintain	Does not move forward		
	Concrete median	FAIR Discourages crossing at non-designated areas	FAIR Discourages crossing at non-designated areas	GOOD Concrete median prevents U-turns	POOR Concrete median may remove turn lane opportunities	GOOD Element in the middle of the road will create a traffic calming impact	POOR Captial improvements required for future modification	FAIR Provides improvements for pedestrians but would likely reduce available space for on-street bike lane	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	FAIR Ability to maintain with small increase in resources	Will be considered as available cross section width allows	Could be an alternative to on-street bike lanes	
	Parking on both sides (allows for concrete curb extensions)	FAIR Provides additional space between sidewalk and vehicles	POOR Bike lanes may not be continuous throughout project area	POOR No safety improvement anticipated	POOR Parking on both sides may remove turn lane opportunities	GOOD On-street parking anticipated to create traffic calming impact	GOOD Paint improvement allows for future modifications	POOR Meets minimum requirement for only vehicles	GOOD No ROW modifications anticipated	GOOD Ability to maintain with current resources	GOOD Ability to maintain with current resources	Will be considered as available cross section width allows		

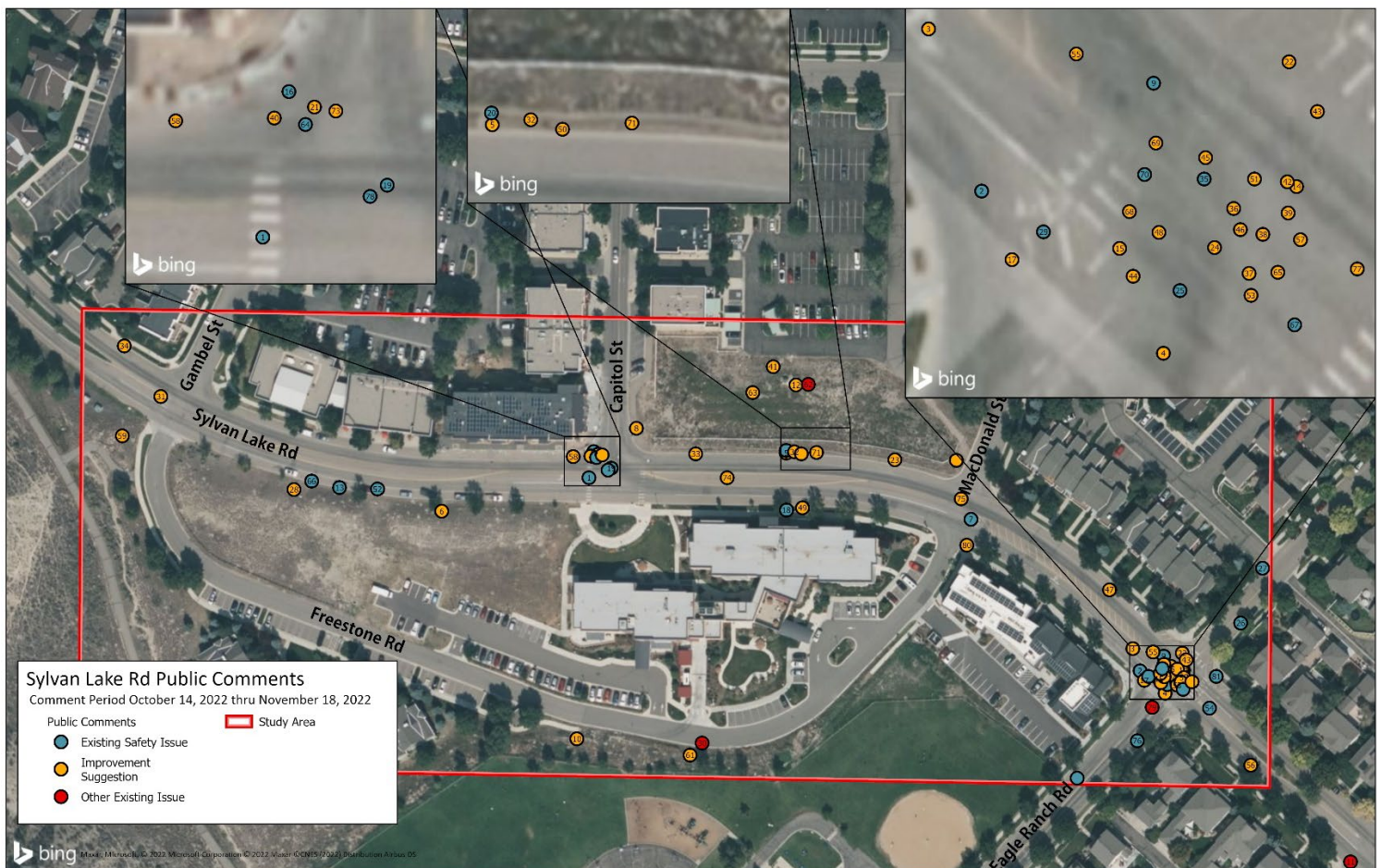


PUBLIC COMMENT SUMMARY

October and November 2022

A pop-up community engagement event was held on October 18, 2022 outside of Color Coffee. A tent and table with project information was staffed by one Town engineer and two members of the consultant project team between 11:00 AM and 1:00 PM. Visitors to the pop-up were informed about the Sylvan Lake Road Improvements project and asked to provide comments regarding existing issues and desired improvements in the area from Gamble Street to Eagle Ranch Road on Sylvan Lake Road.

Comments were accepted during the event and following the event for an additional month (through November 18, 2022) on the project web page: bit.ly/SylvanLakeRd. Online, members of the public were invited to share their comment by placing a pin on a GIS-based map. The map showing locations associated with comments is included below. Eighty-one (81) comments regarding existing safety issues, other existing issues, and improvement suggestions were received through this platform.



Map comments, along with those received on comment forms during the event and emailed following the event, are listed on the following pages.



What are your greatest transportation concerns when walking ACROSS Sylvan Lake Road at an intersection within this study area? (Select up to 3)

- Lack of marked crosswalks (1)
- Curb ramps insufficient (2)
- Turning vehicles (3)
- Vehicles don't yield (3)
- Speeding vehicles (5)
- Long distance to cross the wide roadway (6)
- Other:
 - Can't see vehicles from west to east
 - Can't see from Capital R on Sylvan
 - Curb ramps insufficient – wrote in “winter only , ice/snow”

What are your greatest transportation concerns when walking ALONG Sylvan Lake Rd within this study area? (Select up to 3)

- Snow/ice on sidewalks (1)
- Proximity to roadway (1)
- Speeding vehicles (2)
- Bikes on sidewalks (3)
- Condition of sidewalks (cracked or uneven) (4)
- Missing sidewalks (6)

What transportation system improvements would entice you to walk to your destination more often instead of driving? (Select all that apply)

- Improved crossings (1)
- Marked crosswalks (1)
- Enhanced/raised crosswalks (1)
- Landscaped medians (3)
- No Votes:
- Shorter crossing distance in the roadway
- There is nothing that would entice me to walk in the project area
- Wider sidewalks
- Designated space for bicyclists

Existing Safety Issues

Eagle Ranch Road/Sylvan Lake Road Intersection

- Extremely dangerous for kids going to/from school. Cars do not pay attention to blinking lights and rarely is a crossing guard present.
- I walk this way with my 2 BCES students every morning and afternoon, and I hate to say, but feels like a matter of time until someone is hit at this intersection. Don't wait until then to make changes.



- Cars are traveling too fast on Sylvan Lake Road.
- Why is the MAIN crosswalk to BCES campus NOT RAISED? Both 2nd and 3rd St near Eagle Elementary and Middle School are. So are the bike path crossings on Capital St near the Pavilion.
- Drivers find going straight across Eagle Ranch Rd instead of turning onto Sylvan Lake Road to be an easier traffic movement. The problem is there are cars parked on either side of Eagle Ranch Rd making it too narrow for 2-way traffic.
- When trying to turn left off of Eagle Ranch Road onto Sylvan Lake northbound it is very hard to see traffic on Sylvan Lake because of parked cars along southbound Sylvan Lake. The cars and trucks are allowed to park too close to the corner on Sylvan Lake.
- Northbound drivers cutting across Eagle Ranch Rd turn left onto Back Aly instead of Sylvan Lake. Cars parked on both sides of Eagle Ranch, no sidewalks on Back Aly, many pedestrians, & cars backing from parking make for blind spots & chaotic peak times.
- Why do we make the kids cross a busy street 3x when they could do it once? To make the left turn onto Sylvan Lake Road easier for cars?

Capitol Street/Sylvan Lake Road Intersection

- Southbound drivers who arrive to the intersection with the intention to turn right (east).
- Ped crossing distance is too long.

Color Coffee Crossing

- Close parking on south side of street and have Color Coffee customers use parking lot north of Color.
- This place is dangerous. Someone's gonna get killed jaywalking across the street for coffee.
- Echo the issue of pedestrians crossing for coffee here. That issue is compounded by bad weather and when folks are also getting in/out of cars on the northbound side, there's too much going on for drivers to see everything.

Sidewalk Maintenance

- Can we please get the sidewalk shoveled along Eagle Ranch Road? The snow gets packed down and is slick the entire winter because no one ever shovels here. If this is where all kids are required to cross, please shovel the sidewalk!
- The sidewalk in front of the senior center ices over during the winter creating a safety hazard for all pedestrians.

Sylvan Lake Road/General

- Poor visibility & high traffic/speed.
- An alternate truck route.
- Why are there not more access points into this part of Eagle Ranch that don't require traffic to go past a school???



- General speeding and disregard for pedestrians.
- The distance to cross is a bit much at all intersections.

Which improvements do you think are needed in the project area to make walking and road crossings safer?

Sidewalks

- Along Sylvan Lake Road, between MacDonald and Capitol
 - ✧ Add a sidewalk.
 - ✧ Sidewalk please.
 - ✧ Add a sidewalk already!
 - ✧ Require plowed path in winter even without sidewalk. This would allow pedestrians to stay off road AND off icy sidewalk opposite.
 - ✧ A sidewalk here would be nice.
 - ✧ Please add a sidewalk on the north side of Sylvan Lake Road between Capitol and Macdonald.
 - ✧ It would be helpful to walkers if the sidewalk on the north side of SLR - were extended from McDonald to Capitol. Trying to negotiate that path in summer and winter is treacherous due to the unchecked critter craters which, presently, could swallow a person and their dog.
- Along Sylvan Lake Road, between Gamble and Capitol
 - ✧ Sidewalk connection please!
 - ✧ You know what would be nice here? A sidewalk!
 - ✧ Add a sidewalk already!
- Maintenance
 - ✧ Focus on snowmelt and de-icing on the sidewalk bordering the senior center. These sidewalks never get sun in the winter and are very slick. Especially problematic due to no sidewalk on the opposite side of Sylvan. Especially vulnerable pedestrians are left with no other option.
 - ✧ The sidewalk is not maintained during the winter months. Snow and Ice buildup and make it difficult to use and unsafe. Is the Town of Eagle, Eagle Ranch HOA, or Village Homes HOA, or individual homeowners responsible for clearing it?

Eagle Ranch Road

- Dedicated bike path and dedicated pedestrian area between Brush Creek Elementary and Sylvan Lake Road. Maybe the east side is bikes and the west side is pedestrian, or vice versa.



Eagle Ranch Road/Sylvan Lake Road

- 4-Way Stop
 - ✧ This was supposed to be a 4-way or signal eventually. With construction starting at Haymeadow, it's time to make this intersection a 4-way stop.
 - ✧ Safety issue with the sight distance and volume of traffic and pedestrians. Should be a four-way stop or roundabout if there is space.
 - ✧ This needs to be a 4 way stop, it's amazing how many kids on a daily basis almost get crushed.
 - ✧ I've personally witnessed several incidents where children have almost been struck by a car. The safest solution is a 4 way stop sign but at a minimum this intersection needs to have a raise crosswalk.
 - ✧ 4-way stop or crosswalk.
 - ✧ Seems to me a 4 way stop sign is overdue. If not a flashing cross light at Eagle Ranch Road and raised crosswalk with flashers across Sylvan is a no brainer.
 - ✧ 4 way stop, a roundabout will not make is safer for kids and like it or not, it is by a school so kids need to be put first!
 - ✧ A raised crosswalk at ERR would increase pedestrian awareness, 4 way stop would be better.
 - ✧ 4 way stop or raised crosswalks, roundabout tend to be good for traffic but not pedestrians. need to keep the kids safe crossing this AM busy road.
 - ✧ Echo the many requests for 4-way stop. Please NO roundabout as those are much harder for pedestrians to cross safely, especially when there is heavy traffic or snow.
 - ✧ We need a traffic light or 4-way stop here. Let's keep our kids safe!
 - ✧ 4 way stop. (x3)
 - ✧ There should be a 4 way stop sign at this intersection to slow down traffic. This is a dangerous intersection for pedestrians, especially for children riding or walking to school. EVES/EVM has raised crosswalks near the schools.
 - ✧ I do not like the idea of a traffic circle. I think they make it more dangerous for pedestrians. This is a small enough intersection that a 4-way stop would be sufficient and safer for kids.
 - ✧ Needs a 4 way stop! Cars are traveling so fast where sylvan lake road is wide open (by the dog park) and then it quickly goes to the neighborhood and the Eagle Ranch Rd/Sylvan Lake Road intersection.
 - ✧ There should be a 4 way stop to slow cars down for pedestrians.
 - ✧ I think at the least, a 4 way stop would be helpful.
 - ✧ We need stop signs here. There are so many near-misses for the kids and their adults going to BCES it's simply an incredibly dangerous intersection. Please put stop signs here.



- Roundabout
 - ✧ Adding a roundabout at this corner would help school traffic congestion and improve pedestrian safety at this intersection.
 - ✧ Add a roundabout.
 - ✧ Put in a roundabout!!!
- Raised Crosswalk
 - ✧ This intersection should have a raise crosswalk similar to the ones on 2nd and 3rd Street to access the Eagle Elementary and Middle school.
 - ✧ Raised crosswalk to slow down traffic.
 - ✧ Raised crosswalks would be awesome!
 - ✧ While a 4 way stop would help the safety issue, a raised crosswalk would be better to slow vehicles that speed through this residential area throughout the day and night and put our children and families at high risk.
- Other
 - ✧ A button to activate the pedestrian beacon should be located on all corners of Eagle Ranch Road.

MacDonald Street/Sylvan Lake Road

- 4 way stop sign.
- Can we add signs to MacDonald Street that children live/play here? People use this as a "short cut" so they don't have to go to Capital and sometimes they fly down the street oblivious to the children on the sides of the road.
- Please add a raised crosswalk and blinking pedestrian light at this location. People are going to cross here and this intersection has the best view of traffic on SLR in both directions.
- Narrow crossing distance. Define on street parking and improve sight distance.
- Sight distances aren't great here. A median with a pedestrian refuge would be nice.

Capitol Street/Sylvan Lake Road

- Add a blinking light crosswalk. The sight distance for drivers is not great due to the curve in the road and drivers speeding on this stretch. It's scary crossing the street. A blinking pedestrian crossing would make it safer.
- Add a raised crosswalk with light indicator.
- Parking setback needs to be increased for better visibility of pedestrians and cars.
- Traffic light.
- Extend curb to improve sight distance.



- Please put a stop sign or speed bump to slow people down.
- Please create a better crosswalk for pedestrians trying to get to the coffee shop.

Gamble Street/Sylvan Lake Road

- I think this striping and signage is helpful. I believe it was only temporary when they were constructing the Capitol/Sylvan apartments so hopefully it stays. There is a center island which is helpful too, but may be better if it was wider.
- Ginormous electric transformer and overgrown tree makes this narrow.

Freestone Road

- This looks like a great place to drop kids off for school.
- One way through street to Eagle Ranch Road on where the bike path currently is. it will reduce traffic throughout the area.
- Dedicated road pull out similar to bus stop or with separation curb for school drop off and pick up, would need sidewalk access to school and lighting.
- Is this really a through road? I thought it was parking lot access.

Sylvan Lake Road

- Bike lanes.
- Between Capitol and MacDonald - Construct raised median with landscaping. This would make the road feel narrower and provide traffic calming.
- Please consider landscaping or placement of an island that could narrow the lanes or make them appear to be narrower, rather than speed bumps or other obstacles. Note that there is often heavy truck usage of Sylvan Rd in the referenced section. These trucks are very large and carry dirt and other construction materials. They typically drive very fast in this section; I suppose they have a schedule to keep.
- Parking Setbacks
 - ✧ Further parking setbacks for better visibility at all intersections. (Especially in Village Homes and the Capitol/Sylvan Lake intersection)
 - ✧ Mayer Street - Parking setbacks. Too hard to see around all the cars. Yellow paint has faded so people park right up to the corner.
 - ✧ Thanks for asking to for community input. We have son that bikes and walks this area frequently and we are genuinely concerned about this area. I would like to say how dangerous that corridor can be for pedestrians and drivers. None of the corners have a "No Parking" buffer zone. I do not know if there is a town or county ordinance that has a certain length from curb corner mandate, but people park right up the corners.



Everywhere else I have lived it is illegal to park within 20 or 30 feet of any corner (marked or not). Not having this buffer zone makes it very difficult to see oncoming traffic or pedestrians crossing the street. This is especially true when driving Sylvan Lake, or merging onto it, until the last moment. I have had to slam on the breaks as people walk out from behind parked cars and trucks and have seen others do the same. (I have seen a few people nearly hit at Freestone and Sylvan as the bend in the road coupled with work trucks parked to the corner on the South side made that crossing a blind crossing.) I also have had issues seeing around parked vehicles, especially in our smaller hatchback, and have even pulled out when traffic has been coming. Drivers and pedestrians unable to see oncoming traffic due to the poor sight lines around corners. This is very problematic when large trucks and vans are parked all the way to the corners. I feel that all the corners along Sylvan Lake should have parking setbacks all the way down to Hockett St.

- ✧ There needs to be non-parking zones on Sylvan Lake road at all intersections clearly painted and signed, and enforced. This should already be happening but the town has let the paint deteriorate and does not enforce. People park cars on Sylvan Lake right up to the intersection which makes it impossible to see oncoming traffic when trying to turn on Sylvan Lake Road or cross the road from all feeder streets. This is especially true with the proliferation of Van Lifer vans being parked in the neighborhood. It is a huge hazard and someone will eventually get killed in a T-Bone accident because of the lack of signage, curb painting, and enforcement. Personally, as a major thoroughfare there should not be any parking on Sylvan Lake Road.

Land Use - Eagle Ranch Tract A

- What would be better here? Village Market, Trader Joe's, or a vacant lot for perpetuity?
- Allow someone to build here according to code rather than to the neighbors likes/dislikes, next time buy a house in a full developed neighborhood, massive lost of tax revenue to city due to a few vocal neighbors.
- High density housing with retail at street level, perfect location next to school, close to medical CMM and senior housing.
- Rezone for high density low income housing.
- McDonald to Capitol is, at present, an unsightly empty lot. How about cleaning it up a bit and maintaining it until it's developed? Same goes for the south side of SLR - empty lot past Castle Peak Assisted Living.

General

- Lights/roundabout
- More visible crossings, traffic control
- Measures to slow folks
- Reduce vehicle speed



- Private automobile traffic, for the most part, observes the 25mph speed limit and the pedestrian crosswalks. I've experienced a few speeders distracted not stopping - it would only take one for a disaster to occur. Large commercial vehicles are more apt to disregard the posted speed limit. I've frequently seen them busting thru 25mph on their way to job sites. Very dangerous for seniors and children.
- Landscaped medians only if water efficient!
- Bike lanes would be awesome

Outside the Project Area

- If you are looking at the road just up to Sylvan Lake, I think a physical divider either raised reflectors or divots in the concrete or plastic poles to separate the two lanes. I cannot tell you how many people, straddle the line and you don't know if they are going straight or turning so you have to stand on the corner until you know for sure.



To: Mayor Turnipseed and Town Council

From: Martha Miller, Project Manager

Date: March 8, 2023

Agenda Item: Sylvan Lake Road Transportation Alternative Program (TAP) Match

REQUEST:

To request Town Council support of a financial match for Colorado Department of Transportation's (CDOT) Transportation Alternative Program (TAP) grant request for the Sylvan Lake Road (SLR) improvements.

BACKGROUND:

CDOT recently released a call for TAP applications for fiscal years 2024 through 2026. TAP provides funding for projects defined as transportation alternatives, including on- and off- road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation. The primary intent of TAP is to fund design, planning, and construction of pedestrian or bike facilities.

The improvements on Sylvan Lake Road fit the eligibility criteria of the TAP program since the improvements are focused on pedestrian and bicycle safety. The SLR project should score well since the improvements are within the street right-of-way; improves the safety of pedestrians by connecting the sidewalk network, adds raised concrete bulb-outs for pedestrians to reduce crossing distances and improve sight distance; serves seniors and promotes aging in place; and will be 'shovel ready' at the end of the year.

ANALYSIS:

The TAP program has \$2.5M per year for the next three years (FY '24-'26) and has one call for the next three years of funding. Staff reviewed the project with CDOT during a pre-application meeting. CDOT feels the project is strong candidate for funding since the Town has not received TAP funding for approximately 15 years; has staff to administer the grant in accordance with state and federal requirements; and fits the eligibility criteria. CDOT suggested the Town should request \$750,00; the minimum request is \$300,000. TAP is a federally funded program and requires a 20% local match (\$150,000). There will not be another call for projects until 2026.

COMMUNITY INPUT:

Not required.

BUDGET / STAFF IMPACT:

In 2023, the Town has budgeted \$350,000 for traffic calming and pedestrian improvements on Sylvan Lake Road. The match requirement for a \$750,000 grant request is \$150,000.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This project aligns with the 2023 Strategic Plan's goal to continue design and engineering work on pedestrian and traffic control improvements for Sylvan Lake Road.

RECOMMENDED ACTION OR PROPOSED MOTION:

A resolution of financial support of \$150,000 for the TAP application for Sylvan Lake Road Improvements. A resolution of community financial support is a required attachment for the application.

ATTACHMENTS:

TAP Guidelines



Transportation Alternatives Program Guidelines and Application

For Funding Period Fiscal Years 2024-2026

Updated as of January 28, 2023

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Introduction

Infrastructure Investment and Jobs Act

The **Infrastructure Investment and Jobs Act (IIJA)**, commonly referred to as the **Bipartisan Infrastructure Bill**,^[1] and originally in the House as the **INVEST in America Act (H.R. 3684)**, is a [United States federal statute](#) enacted by the [117th United States Congress](#) and signed into law on November 15, 2021.

[The Infrastructure Investment and Jobs Act \(IIJA\)](#) - commonly referred to as the **Bipartisan Infrastructure Bill**, and originally in the House as the **INVEST in America Act (H.R. 3684)** - is a United States federal statute enacted by the 117th United States Congress and signed into law on November 15, 2021.

[The Transportation Alternatives Program \(TAP\)](#) was first established in 2012 under the previous federal transportation legislation Moving Ahead for Progress in the 21st Century (MAP-21) and has been redefined under the FAST Act of 2015. In the FAST Act and IIJA, this program falls under the Surface Transportation Block Grant (STBG) Program, and TAP has become a set aside of this block grant.¹

IIJA maintains the eligibility requirements for TAP, and provides funding for programs and projects defined as transportation alternatives, including:

- On- and off-road pedestrian and bicycle facilities
- Safe routes for non-drivers
- Vulnerable road user safety assessments
- Conversion of abandoned railway corridors to trails
- Scenic turnouts and overlooks
- Outdoor advertising management
- Historic preservation & rehabilitation of historic transportation facilities
- Vegetation management
- Archaeological activities
- Stormwater mitigation
- Wildlife management
- Projects for planning, designing, or constructing boulevards and other roadways largely in the right-of- way of former Interstate System routes or other divided highways

¹ For this document, CDOT will continue to refer to the TAP program as “TAP” instead of “Surface Transportation Block Grant Set-Aside,” which is how TAP is renamed in the FAST Act of 2015.

Where and When Do I Submit My Application?

While no two state Transportation Alternatives Programs are exactly alike, each state's program has several characteristics with which you will want to be familiar. [The Colorado Department of Transportation \(CDOT\)](#) addresses these characteristics as they apply to Colorado in the following sections:

- 1) Eligibility
- 2) Evaluation process
- 3) Project implementation
- 4) Financing

CDOT is prepared to assist all applicants in understanding the federal requirements of TAP.

[CDOT is divided into five engineering regions throughout the state.](#) A Regional Transportation Director (RTD) oversees each Region and has planning staff that will work with you throughout the application process. **Appendix B** shows a map of the five CDOT Regions and identifies the CDOT contact for TAP in your region. Per the TAP Application Schedule below, there are three important steps in bold that applicants will need to work with their CDOT Region to complete:

1. Attend a mandatory pre-application meeting with your CDOT Region.
2. Submit a draft application to your CDOT Region by March 24th, 2023.
 - This is an opportunity to flag and address any immediate scope and feasibility issues before the final application deadline.
 - Note that **Attachment F** of the application form requires attachment of a cost estimate and a project schedule that has been reviewed and signed by your CDOT region staff.
3. Submit final application to your CDOT Region contact by April 21st.

Communicating with your CDOT Region early and often is crucial in developing and submitting your application.

Please note that if an applicant has received TAP funding in a prior funding cycle, they are still eligible to submit an application for a new project or project phase in this funding cycle.

TAP Application Schedule

February 2023	March 2023		April 2023	May 2023	June 2023	Summer 2023
Call-for-Projects open following the February STAC meeting. Attend mandatory pre-application meeting with your CDOT Region.	Draft application deadline: <u>March 24</u>	Engineer review/ feedback period: <u>March 24-April 7</u>	Final application deadline: <u>April 21</u>	Projects scored	Projects awarded	Projects programmed in TIP/STIP

Section 1: Eligibility

Who May Apply for Transportation Alternatives Funds

The following entities are eligible to receive TAP funds:

- **Local governments:** Any unit of local government below a State government agency, except for MPOs. Examples include city, town, or county agencies.
- **Regional transportation authorities:** A regional transportation authority is a governmental authority formed to address transportation needs within a specific geographic region.
- **Transit agencies:** Any agency responsible for public transportation that is eligible for funds under the Federal Transit Administration (FTA).
- **Natural resource or public land agencies:** Any Federal, Tribal, State, or local agency responsible for natural resources or public land administration. Examples include state or local park or forest agencies; state or local fish and game or wildlife agencies; Department of the Interior Land Management Agencies; U.S. Forest Service.
- **School districts, local education agencies, or schools:** These may include any public or nonprofit private school.
- **Tribal governments:** There are two federally recognized Tribes in Colorado, the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe.
- **Nonprofit organizations:** Nonprofit organizations must apply through a local government agency or quasi-governmental agency for contracting purposes.
- **Metropolitan Planning Organizations** that represent an area with a population of 200,000 or under.
- **Any other local or regional governmental entity with responsibility for oversight of transportation or recreational trails** that the State determines to be eligible, consistent with the goals of subsection (c) of section 213 of title 23, or at the request of another eligible entity.
- **CDOT, Metropolitan Planning Organizations that represent an area with a population of over 200,000, and/or rural Transportation Planning Regions** may also partner with an eligible entity project sponsor to carry out a project at the request of another eligible entity.

Eligible Transportation Alternative Activities and Project Categories

Under [23 U.S.C. 133\(h\)\(3\)](#), eligible activities under the TAP consist of the following categories:

1. Bicycle/pedestrian, non-motorized forms of transportation activities:

- Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, shared micro-mobility, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.).

Examples of these projects can include the following:

- New or reconstructed sidewalks, walkways, or curb ramps;
 - Bike lane striping;
 - Wide paved shoulders;
 - Bike parking and bus racks;
 - New or reconstructed off-road trails; and
 - Bike and pedestrian bridges and underpasses.
- Infrastructure related projects to provide safe routes for non-drivers. Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs. Communities applying for TAP funding in this category should consider ways to improve the ability of non-drivers to access daily needs, such as schools, clinics, libraries, markets, and public transportation.
- Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.

Examples of these projects can include the following:

- Planning, designing, and constructing multi-use trails along a railroad right-of-way;
- Major reconstructions of multi-use trails along a railroad right-of-way;
- Developing rail-with-trail projects; and
- Purchasing unused railroad property for reuse.

2. Environmental mitigation transportation activities:

- Address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in [Sections 133\(b\)\(11\), 328\(a\), and 329 of Title 23](#).

Examples of these projects can include the following:

- Detention and sediment basins;
 - Stream channel stabilization; and
 - Storm drain stenciling and river clean-ups.
- Reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats. Examples of these projects can include the following:
 - Wetlands acquisition and restoration;

- Stream channel stabilization;
 - Wildlife underpasses or overpasses which may include bridge extensions to provide or improve wildlife passage and wildlife habitat connectivity; and
 - Monitoring and data collection on habitat fragmentation and vehicle-caused wildlife mortality.
- Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent invasive species, and provide erosion control.
Examples of these projects can include the following:
 - Clearing of low-hanging branches or other vegetation encroaching on a travel corridor;
 - Landscaping to improve sightlines or other safety considerations;
 - Planting grasses or wildflowers to manage erosion along transportation corridors; and
 - Note TAP funds cannot be used for scenic beautification projects.
 - Archaeological activities relating to impacts from implementation of transportation projects eligible under Title 23. Examples of these projects can include the following:
 - Research, preservation planning, and interpretation;
 - Developing interpretive signs, exhibits, and guides;
 - Inventories and surveys; and
 - Note only projects related to the impacts of implementing a transportation project are eligible for TAP funding under this category.

3. Historic/Scenic transportation activities

- Construction of turnouts, overlooks, and viewing areas.
Note: TAP funds may not be used for the construction of visitor centers. Additionally, funds cannot be used for marketing or promotion not related to the scenic or historic highway program, nor can they be used for the staffing, operating, or maintenance costs of facilities. TAP funds also cannot be used for tourist and welcome centers.
- Inventory, control, or removal of outdoor advertising:
 - Billboard inventories, including those done with GIS/GPS; and
 - Removal of illegal and non-conforming billboards. Non-conforming signs are those signs that were lawfully erected but do not now comply with the Highway Beautification Act of 1965. Please visit http://www.fhwa.dot.gov/real_estate/oac/zoningop.cfm for more information.
- Historic preservation and rehabilitation of historic transportation facilities:
 - Restoration and reuse of historic buildings with strong link to transportation history;
 - Restoration and reuse of historic buildings for transportation-related purposes;
 - Interpretive displays at historic sites;
 - Access improvements to historic sites and buildings;
 - Restoration of railroad depots, bus stations, and lighthouses; and
 - Rehabilitation of rail trestles, tunnels, bridges, and canals.
 Note: TAP funds may not be used for the sole purpose of replicating a historic building and cannot be used for the operation of historic sites.

4. Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways:

Converting an Interstate or Divided Highway to a walkable, low-speed, divided arterial thoroughfare in urban environments designed to carry both through and local traffic.

See [Boulevards from Divided Highways](#) for examples.

Eligible "boulevard" projects should demonstrate some of the following elements:

- Traffic calming measures;
- Context-sensitive bicycle and pedestrian facilities;
- Compliance with accessibility requirements and guidelines;
- Promotion of transit corridor through additional protected stops and routes;
- Environmentally efficient lighting, landscaping, and water-saving systems; and
- Vulnerable Road user safety assessments.

Note: CDOT does not anticipate any projects related to the construction of boulevards from divided highways or former interstates. To this end, if a proposed boulevard project is submitted, CDOT staff will determine the merits of that application on a case-by-case basis.

TAP funds cannot be used for:

- State or MPO administrative purposes
- Grant administration
- Promotional activities
- General recreation and park facilities, playground equipment, sports fields, campgrounds, picnic areas, and pavilions, etc.
- Routine maintenance and operations (except trail maintenance as [permitted under the Recreational Trails Program](#))
- Safety and educational activities for pedestrians and bicyclists. Note that safety and educational activities for K-8 children to safely walk and bike to school are eligible under the CDOT Safe Routes to School Program, which is funded separately from TAP. For more information about the CDOT Safe Routes to School Program, please visit: www.codot.gov/programs/bikeped/safe-routes
- Acquisition of scenic easements and scenic or historic sites (including historic battlefields), and scenic or historic highway programs (including tourist and welcome center facilities).
Exceptions: A few specific activities under this category are eligible for funding as TAP projects, including the construction of turnouts, overlooks, and viewing areas; historic preservation and

rehabilitation of historic transportation facilities; and bicycle and pedestrian facilities.

- Landscaping and other scenic beautification. However, under the "community improvement activities" category, projects such as streetscaping and corridor landscaping may be eligible under TAP if selected through the required competitive process. States may use TAP funds to meet junkyard screening and removal requirements under 23 U.S.C. 136 if selected through the competitive process. Landscaping and scenic enhancement features, including junkyard removal and screening, may be eligible as part of the construction of any Federal-aid highway project under 23 U.S.C. 319, including TAP-funded projects.
- Historic preservation, and rehabilitation and operation of historic buildings, structures, or facilities (including historic railroad facilities and canals) that are NOT defined as a historic transportation facility. The operation of historic transportation facilities is also not eligible under TAP.
- Archaeological planning and research. Under TAP, archaeological activities must relate to impacts from the implementation of a transportation project eligible under title 23.
- Establishment of transportation museums. There is no eligibility for this activity under TAP.

Careful consideration should be given to whether an activity falls within TAP eligibility criteria. For more information on eligible TAP activities, please refer to the Federal Highway Administration TAP Guidance (see **Appendix C**) or contact your CDOT Region Contact (see **Appendix B**).

Section 2 – Evaluation Process

Application and Scoring Criteria

CDOT uses a two-step evaluation method to determine if projects qualify under the TAP.

Applications must first meet all of the following *threshold* criteria:

- Applicant is an eligible entity to receive TAP funding and has the authority to enter into a contract with the State.
- The application form is filled out correctly and includes all required attachments.
- The application is received by CDOT or the agency designated by your CDOT Region prior to the application deadline.
- The applicant demonstrates how the project is eligible and falls into one or more of the Transportation Alternatives project categories.
- Project must demonstrate a relationship to surface transportation.
- The application meets the project match requirements.
- The application must document a commitment for long-term maintenance of the completed project.
- Applicant does not currently have any other projects with CDOT that are on the FHWA inactive projects report.
- The completed project is open to the general public and meets the accessibility standards of the Americans with Disabilities Act.
- The completed application meets applicable federal, state, and local requirements.
- The application demonstrates that the completed project fulfills a public need or benefit related to the State's transportation system.

Applicants who meet the threshold criteria will then be scored and ranked according to the following criteria:

- Enhance safety
- Maximize transportation investment / improve network connectivity / encourage active transportation / reduce greenhouse gas emissions
- Improve or expand state & regional economy, recreation, quality of life, and public health

- Enhanced transportation equity
- Project readiness
- Integration with plans, initiatives, and documented community support
- Built environment / community development policies

Project sponsors are encouraged to submit their applications as soon as possible. Early application submission allows for the expeditious completion of the application evaluation process and provides an opportunity for the Region to resolve any issues discovered during their review.

Application Screening and Scoring Process

There are two key steps in the application screening and scoring process:

1. Initial Region engineer review for fatal flaws/feedback to provide an opportunity to flag and address any immediate scope and feasibility issues before the final application deadline.
2. Projects are scored by five regional interdisciplinary review committees, one for each CDOT Region, and would include:
 - Up to three CDOT regional representatives (e.g. planners, engineers, safety representatives) selected by the CDOT Region Transportation Director;
 - A CDOT Division of Transportation Development (DTD) representative (e.g. bike/ped planner) selected by DTD Director;
 - A CDOT Division of Transit and Rail (DTR) representative (e.g. transit planners) selected by DTR Director;
 - The Transportation Planning Region (TPR) Chair (or designee) from each TPR

Section 3 – Project Implementation

There are two phases involved in project implementation: 1) the project development / engineering phase; and 2) the project construction / completion phase. After a TAP project is approved for funding and incorporated in the Statewide Transportation Improvement Program (STIP), CDOT and the local agency initiate a detailed sequence of events to complete the project. CDOT's main objective is to assist project applicants in successfully completing their project with minimal administrative oversight, while ensuring they satisfy all federal and state requirements. **Please refer to the CDOT Local Agency Manual and contact your CDOT Region (see [Appendix B](#)) for detailed information on this process.**

Local Agency Manual

The main purpose of the CDOT Local Agency Manual is to assist Local Agency personnel (a public agency, local public agency, established public-owned organization, or private interest that can legally enter into an agreement with CDOT for a transportation project) involved in the design, construction and management of State and Federally funded projects. The Manual is also recommended for CDOT personnel who manage Local Agency projects. Please see the [Local Agency Desk Reference](#) web page.

Section 4 – Financing

Funding Available

The next Call-for-Projects will cover fiscal years 2024-2026. Please contact the CDOT representative for your region for application minimums. The maximum request is the **Total Pool Funding limit** for each Region.

CDOT Engineering Region	FY 2023-24	FY 2024-25	FY 2025-26	Total Pool Funding (2023-2026)
Region 1	\$3,718,208	\$3,736,800	\$3,755,483	\$11,210,491
Region 2	\$2,709,185	\$2,722,731	\$2,736,345	\$8,168,261
Region 3	\$2,577,901	\$2,590,791	\$2,603,744	\$7,772,436
Region 4	\$3,921,933	\$3,941,543	\$3,961,251	\$11,824,727
Region 5	\$1,226,532	\$1,232,665	\$1,238,828	\$3,698,025

Federal Funding & Local Match Requirements

TAP is federal funding and requires a 20% local match. The match must be cash or cash equivalent (i.e. design, right of way, and materials). Cash equivalent must be as defined by FHWA and approved by FHWA. CDOT Regions are responsible for the efficient use of TAP funding at the program level, to that end, at the discretion of the regions, project award timing might be adjusted based on project readiness.

Combining TAP with the Multimodal Transportation & Mitigation Options Fund (MMOF), Highway Safety Infrastructure Program (HSIP), and Revitalizing Main Streets (RMS) Funding:

The main project type that is eligible for both TAP and MMOF is the design, planning, and construction of pedestrian or bike facilities. MMOF has different [match requirements](#) based on jurisdiction. TAP funds may be used to satisfy the match requirements of MMOF and vice versa. MMOF is a competitive grant process awarded by Transportation Planning Regions (TPRs). More details are available on the TAP web page <https://codot.gov/programs/planning/grants/tap-fiscal-years-2023-25>.

TAP also allows HSIP funds to be used toward non-Federal shares, and allows the non-Federal share requirements to be met on an aggregate basis instead of by project basis.

For the [Revitalizing Main Street \(RMS\) Opportunity 2 grant program](#), any state or local grants can be used as a match for. Federal funds are not permitted, as they trigger additional requirements outside of the RMS Opportunity 2 process. TAP is federal funding and may not be used as a match. Some MMOF funding is federal and some is state, so applicants should be sure their MMOF funding is state dollars to use it for a match. If the community has received CARES Act or ARPA direct distribution funding, that can count toward the local match requirement. These funds may be used for the match as they are considered local, not federal.

Section 5 – Application Instructions and Form

Application Instructions

Please be sure to fill out the Transportation Alternatives Program Application form completely. Incomplete applications will be returned to the applicant and not considered in the selection process. One digital copy must be submitted with the application. Please indicate if you would like any materials returned at the conclusion of the selection process.

Please note that all applicants are required to submit an initial draft project application by March 24, 2023, prior to submitting a final application. This draft application allows CDOT staff to identify any proposed project issues prior to an application moving forward in the process.

Applicant Information:

1. Indicate whether your agency is part of a Municipality, County, State Agency, Federal Agency, or “Other (*e.g., tribal government, etc.*)”
2. The name of your agency
3. List any other agencies or individuals who are sponsoring/co-sponsoring the project
4. Indicate the name, title, and telephone number of the contact person from your agency who is responsible for overseeing this project
5. Your agency’s mailing address, including city, state, and ZIP code

Project Description:

6. The project name
7. The project location and physical address (*if applicable*)
8. Include information about the project limits (*e.g., mileposts, intersecting roadways, rivers, other*)
9. Name of the county in which the project is located
10. Name of the municipality in which the project is located (*if applicable*)
11. Indicate the project length (*distance, if applicable*)
12. A brief description of this project (*1-2 sentences*)

Eligibility:

13. This project must fall into at least one of the eligible project categories listed

(see Application Section 1: Eligibility)

Funding:

14. Indicate if the project is defined in a regional plan. If yes, please identify the plan.
15. Indicate if the project is defined in a local plan. If yes, please identify the plan.
16. Indicate the total amount of Federal TAP funds requested. Provide the fiscal year for when you are requesting TAP funding in the appropriate fiscal year column. *Note: All TAP projects must pay Davis-Bacon wages regardless of location and proximity to CDOT right-of-way. Please be sure to factor in these costs in the total project cost.*
17. Indicate the total amount of other funding secured (e.g. local match). Provide the fiscal year for when these other funds will be available in the appropriate fiscal year column. Provide the name of the agency or entity that will provide these other funds.
18. Indicate the total project cost.
19. Indicate if your agency has been awarded TAP or Transportation Enhancement (*Transportation Enhancement was the old name for TAP identified in TEA-21 - Transportation Equity Act for the 21st Century*) funds previously. If yes, please provide the award dates and project details.

Required Attachments:

20. Attach all items listed in this section, and label the attachments accordingly. If a particular attachment is not applicable to the project, we recommend attaching an appropriately labeled page and writing "Not Applicable" on the page. This will provide consistency in the application process and ensure there are no missing pages in the application package.

Signature:

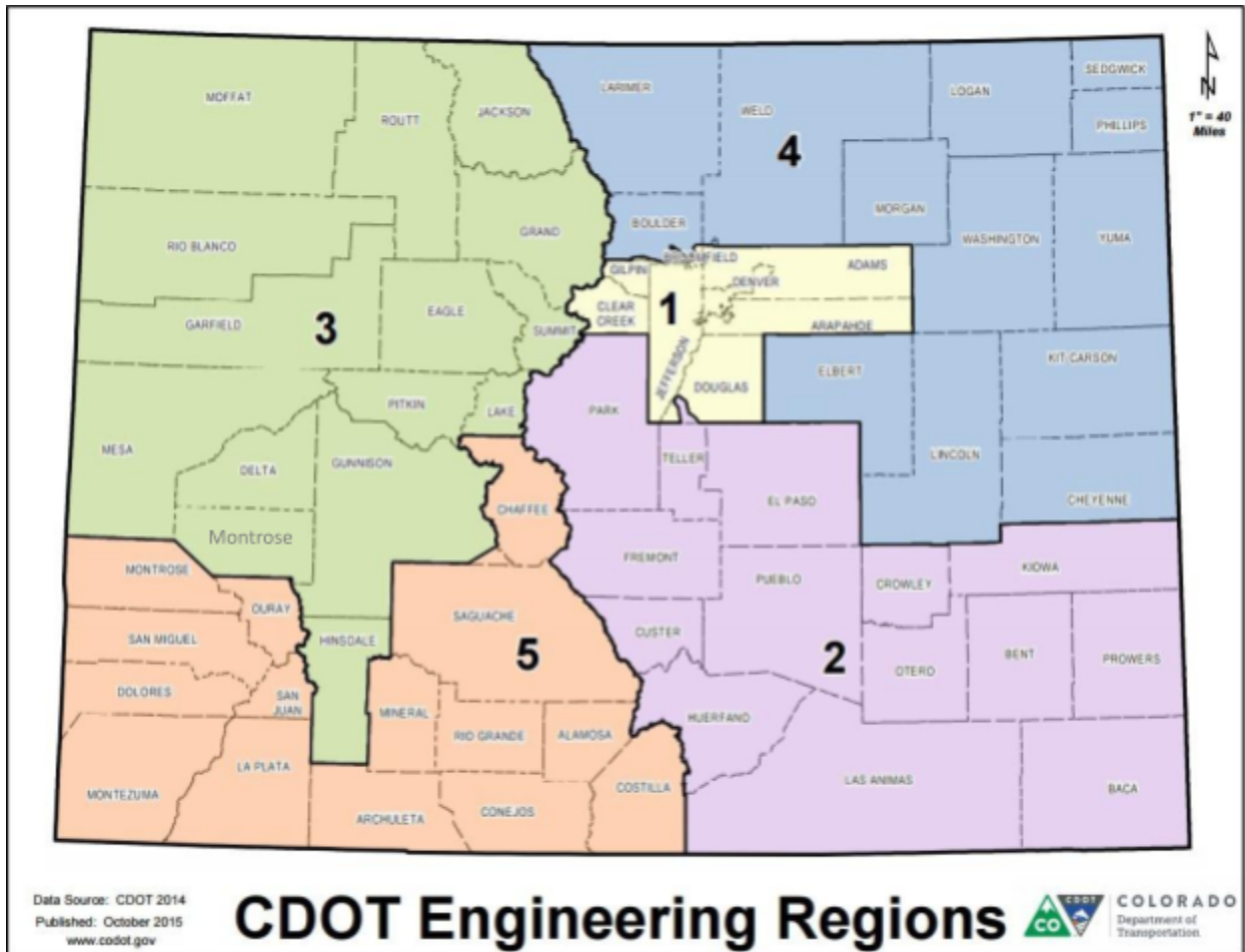
21. Indicate the name and title of the Authorized Representative of your agency who is responsible or authorized to implement the activities of the project.
22. The Authorized Representative must sign and date the application in these fields.

Appendix A – Scoring Criteria

		Points Possible	Score
Project Readiness		PASS / FAIL	
Applicant has worked with CDOT Region on developing an acceptable implementation schedule, project budget and risk assessment. (See #20 of application, Attachment F). <i>This is pass/fail. If an application does not pass the project readiness criteria, it will score an automatic zero and will not advance to be scored according to the subsequent scoring criteria categories below.</i>			
Enhance Safety		30	
Consider the following factors when scoring: • Provides a shared use path or enhanced separation from motorized vehicles; • Provides safe crossing at intersection, railroad, roadway, or waterway; • Eliminates or mitigates roadway hazards (drainage system, pavement edge drop, etc.); • Project is in a high pedestrian and/or bike crash area (Three or more incidents in last five years; "Area" is defined as an intersection or corridor segment not exceeding a quarter mile in length); • Project reduces wildlife-vehicle crashes where patterns exist, addresses public health and environmental safety by improving water quality related to highway construction or due to highway runoff, and/or uses vegetation management practices that improve safety by eliminating obstructions to a driver's view of traffic control devices, approaching vehicles, wildlife and livestock, and/or pedestrians and bicycles • Project constructs turnouts, overlooks, viewing areas, utilizes signage and/or removes non-conforming billboards so the traveling public is directed to safe areas to pull off the road, preventing illegal parking or blockage of roadway facilities and minimizes distracted driving; • Project includes important safety features such as access improvements to historic sites and buildings; • Other substantive safety issues identified by the applicant that are mitigated by the proposed project.			
Maximize Transportation Investment / Improve Network Connectivity / Encourage Active Transportation / Reduce Greenhouse Gas Emissions		25	
Consider the following factors when scoring: • Closes gap between two existing facilities or extends existing facility; • Project will include installation of bike/ped counting device; • Increases access to school, or existing activity center such as employment locations, parks, library, transit station, park and ride, etc.; • Enhances wayfinding (e.g., signage/systems to convey location and directions to non-motorized transportation users; • Project addresses multiple active transportation modes (e.g., bicycle & pedestrian facilities) with "complete streets"; • Project encourages alternative transportation, improves air quality, and reduces Greenhouse Gas emissions; • This project would bring an existing facility into compliance with the Americans with Disabilities Act.			

Improve State & Regional Economy, Recreation, Quality of Life, and Public Health	20	
Consider the following factors when scoring: • Supports tourism activities by improving the travel experience (i.e., constructing turnouts, overlooks, viewing areas, restores or preserves historic buildings or facilities with a strong link to transportation history); • Provides access to public lands (owned by a government entity) and/or is located on or connects to a Scenic Byway; • Project is located in defined downtown or "Main Street" area (preserves or enhances downtown character); • Considers the environment by minimizing transportation system impacts by resorting/ maintaining connectivity among terrestrial or aquatic habitats, addressing sediment control or providing slope stabilization related to stormwater management, and/or through archaeological activities (i.e. interpretive signs, exhibits and guides; research, preservation planning, and interpretation; inventories and surveys).		
Provide Transportation Equity	10	
Points in this category will be awarded as follows: • Project is located in a Disproportionately Impacted Community: ○ <u>6 Points</u> if the project is located in a Disproportionately Impacted Community for one more categories (People of Color, Housing Burden, Low Income); ○ <u>0 Points</u> if the project is not located in a Disproportionately Impacted Community. Applicants can use CDOT's Disproportionately Impacted Communities ArcGIS mapping application to check the location for the proposed project. • Project is located in a county where a high share of the population is 65 years and older: ○ <u>4 Points</u> if the project is located in an area with > 28.9% of the population 65 years and older; ○ <u>3 Points</u> if the project is located in an area with 18.4% to 28.9% of the population 65 years and older; ○ <u>2 Points</u> if the project is located in an area with 10.2% to 18.4% of the population 65 years and older; ○ <u>0 Points</u> if the project is located in an area with less than 10.2% of the population 65 years and older. Applicants can use CDPHE's EnviroScreen mapping application to check the location for the proposed project.		
Integration With Plans, Initiatives, and Documented Community Support	5	
Is the project included in a regional plan (see #14 of the application) or a local plan (see #15 of the application)?		
Built Environment/Community Development Policies	10	
The applicant has implemented, or intends to implement, one or more of the following <u>best practices</u> (list has been developed with DOLA, CEO, CDOT staff and is attached to this guidance). If applicant does not have land use authority, this section is not required and other point categories will be pro-rated to equalize points.		
Total Points:	100	

Appendix B – CDOT Region Map and TAP Contacts



CDOT Contacts:

CDOT Region 1 JoAnn Mattson (303) 757-9866 2829 W. Howard Pl. Denver, CO 80204 joann.mattson@state.co.us	CDOT Region 2 Lachelle Davis (719) 562-5516 5615 Wills Blvd Pueblo, CO 81008 lachelle.davis@state.co.us	CDOT Region 3 Mark Rogers (970) 683-6252 222 S. 6th Street, Room 317 Grand Junction, CO 81501 mark.rogers@state.co.us
CDOT Region 4 Josie Thomas (970) 888-4006 10601 West 10th St Greeley, CO 80634 josie.thomas@state.co.us	CDOT Region 5 Tony Cady (970) 385-1433 3803 N. Main Avenue, Suite 300 Durango, CO 81301 tony.cady@state.co.us	CDOT Headquarters, DTD Aaron Willis (303) 512-4019 2829 W. Howard Ave Denver, CO 80222 2829 aaron.willis@state.co.us

Appendix C – Reference and Source Guides for the Transportation Alternatives Program

US Department of Transportation, FHWA Bipartisan Infrastructure Law

<https://www.fhwa.dot.gov/bipartisan-infrastructure-law/>

US Department of Transportation, FHWA TAP Guidance

https://www.fhwa.dot.gov/environment/transportation_alternatives/guidance/ta_guidance_2022.pdf

US Department of Transportation, FHWA TAP Fact Sheet

<https://www.fhwa.dot.gov/fastact/factsheets/transportationalternativesfs.cfm>

US Department of Transportation, FHWA TAP Questions & Answers

https://www.fhwa.dot.gov/environment/transportation_alternatives/

Colorado Department of Transportation Website

<http://www.codot.gov>

CDOT Transportation Alternatives Program

Built Environment and Community Development Best Practices

OVERVIEW

The Transportation Alternatives Program includes grant criteria for built environment and community development best practices. The following list of best practices are intended as a guide for communities in providing an answer to the grant criteria question. These criteria were developed jointly between the Department of Local Affairs (DOLA), the Colorado Energy Office (CEO), and the Colorado Department of Transportation (CDOT). If applicants have any questions on how to apply these best practices to the TAP application, please contact Nathan Lindquist, CDOT Senior Land Use Planner at nathan.lindquist@state.co.us

Applicants are recommended to consider either **one or both** of the following options when providing answers to this question:

1. **Consider if the proposed TAP project is a benefit to the built environment and community development goals of your community.** For example: a new sidewalk may be part of a downtown revitalization initiative. Or, a bike lane may connect an area with new affordable housing to a school or park. Any information like this can be submitted to provide an answer for this criteria.
2. **If your proposed TAP project is not connected to built environment or community development goals, there are other options to receive points in this category.** For example, a proposal for a wildlife study may be difficult to connect to the guidelines mentioned above. For these kinds of projects, the applicant is recommended to discuss with their community development or planning office whether the jurisdiction is currently involved with, or has an intention to consider, any of the best practices listed below. The applicant may also submit related best practices that are not on the list.

SUGGESTED BEST PRACTICES

INFILL DEVELOPMENT

1. **Higher density mixed use development in core areas.**
Establish higher minimum density mixed use development (by-right) in downtown areas, workforce centers, and around multimodal transportation nodes (or other walkable areas);

RURAL OPTION Higher density near service areas.

Establish higher densities in areas close to jobs and services that are served by public water and sewer. In areas served by well and/or septic systems, reduce allowed densities;

2. **Density bonus program.**

Establish a density bonus program to increase construction of units that meet affordable housing needs within the local community;

3. **Minimum lot size requirements.**

Reduce or eliminate minimum lot size requirements and permit development of small residential unit sizes (e.g. 500–1000 square feet of living space) to increase options for affordable housing development;

RURAL OPTION Minimum lot size.

Increase minimum lot size to avoid and mitigate impacts from development in prime agricultural lands, critical habitat corridors or spaces, and hazard areas in counties (e.g. 70 or 120 acres);

HOUSING TYPES

4. **Multi-family housing options.**

Permit duplexes, triplexes, or other appropriate multi-family housing options as a use by right in single-family residential zoning districts;

5. **Accessory Dwelling Units (ADUs).**

Permit ADUs as a use by right in residential zoning districts;

6. **Alternative building options.**

Remove barriers and/or update zoning to permit alternative housing options, including but not limited to, modular, manufactured, and prefabricated homes;

DISTRICTS & SUBDIVISIONS

7. **Planned Unit Developments (PUDs).**

Require PUDs to include and/or increase percentage of integrated affordable housing units;

8. **Urban Growth Areas/Boundaries.**

Establish Urban Growth area/boundary agreements between neighboring municipalities and/or counties to coordinate future development by directing development toward existing communities. Jurisdictions determine together where it is cost effective to grow, guiding growth where most needed (e.g., infill areas) and away from areas where it can create problems (e.g., high hazard areas, wildlife habitat, prime agricultural land);

9. **Infill incentive district.**

In areas designated as infill, create an infill incentive district that allows mixed uses and prioritizes inclusion of affordable housing units, including the possible use of a property tax abatement program for infill locations;

10. **RURAL OPTION Mixed-use zoning districts.**

Establish flexible, by-right, mixed-use zone districts adjacent to towns and in town influence/growth areas to accommodate large developments that are in accord with town and/or county comprehensive plans;

11. **RURAL OPTION Cluster/conservation subdivisions.**

- a. Require cluster subdivisions at a community's edge to transition to rural areas;
- b. Require conservation subdivisions in rural areas (residential subdivision that devotes at least half of its potentially buildable land area to undivided, permanently protected open space);

MOBILITY

12. **Minimum Parking Standards.**
Reduce minimum parking requirements and/or create parking maximums, principally focused near active transportation nodes and areas in, or adjacent to, job centers and services;
13. **Multi-modal road standards.**
Adopt pedestrian and multi-modal road standards that allow for minimum width roads/streets to reduce construction and maintenance costs, increasing connectivity, multi-modality and walkability (e.g., ADA access, bike lanes, sidewalks, etc.);

AFFORDABLE HOUSING

14. **Affordable housing development as a use by right.**
Classification of affordable housing developments as a use by right;
15. **Inclusionary Zoning Ordinance (IZ).**
IZ programs vary in structure; they can be mandatory or voluntary and have different set-aside requirements, affordability levels, and control periods. Most offer developers incentives such as density bonuses, expedited approval, and fee waivers to offset some of the costs with providing the affordable units. Many programs also include developer opt-outs or alternatives, such as allowing developers to pay fees or donate land in lieu of building affordable units; (C.R.S. 29-20-104(1))
16. **RURAL OPTION—Affordable housing subsidies and/or incentives.**
Create subsidy and/or incentive tools to support affordable housing development (served by public water and sewer) near jobs and services (e.g., fee waivers or reductions, funding source to buy down costs, use of vacant publicly owned land, reduced parking, etc.);

UTILITIES & RESOURCES

17. **Development fee schedule.**
Codify development policies to reduce or remove local development fee/deposit schedules, including but not limited to, building permit fees, planning fees, and water/sewer tap fees for affordable housing developments;
18. **Water conservation.**
Adopt water conservation standards, such as permitting recycled water irrigation systems or providing stormwater management credits to protect agricultural land and greenspaces;
19. **Water rate structure reduction.**
Codify water rate structures with cost percentage reductions for affordable and denser housing;
20. **Energy efficiency codes.**
Adopt energy efficient building codes and design standards that substantially exceed the standards required by HB 22-1362 to ensure lower household utility costs long term;

LAND USE & CONSERVATION

21. **High risk and environmentally sensitive areas.**
Restrict development in high risk, hazard, and environmentally sensitive areas (e.g., floodplains, wildfire, protected wildlife habitat areas, etc.), using overlays and other tools that require mitigation measures;
22. **Land donation, acquisition, banking program, or land trust program.**
Create a land donation, land acquisition, land banking or land trust program for developing affordable housing or create incentives (e.g., reduced property tax) to support such programs;
23. **RURAL OPTION Transfer of Development Rights (TDRs) and Purchase of Development Rights (PDRs).**
Use TDRs and PDRs to incentivize housing development in municipalities while allowing some cost recapture/return on investment for agricultural or other large lot land owners;

GOVERNMENT POLICIES

24. **Update annexation policies.**
Update annexation policies to require or incentivize mixed use development that includes affordable housing and ensures connectivity with roads, transit, trails, parks and schools;
25. **RURAL OPTION—Intergovernmental Agreements (IGAs).**
Use IGAs with municipalities that designate tiers/growth areas where urban and suburban-level growth will be built only if annexed by the municipality and low level density will occur only in the unincorporated county. These IGAs may require development in areas of municipal interest (i.e., likely to be annexed in the future) to develop to the municipality's infrastructure standards in order to reduce future costs.

RESOURCES

Strategies from HB 22-1304
Strategies from HB 21-1271
MT Task Force - Montana Task Force
SDC - Sustainable Development Code
Smart Growth Principles
EPA's Essential Smart Growth Fixes
[Sustainable OKC](#)

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 18
(Series of 2023)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
SUPPORTING A FINANCIAL MATCH FOR THE COLORADO DEPARTMENT OF
TRANSPORTATION'S (CDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP)
GRANT REQUEST FOR THE SYLVAN LAKE ROAD (SLR) IMPROVEMENTS

WHEREAS, CDOT recently released a call for TAP applications for fiscal years 2024 through 2026. TAP provides funding for projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation. The primary intent of TAP is to fund design, planning, and construction of pedestrian or bike facilities; and

WHEREAS, The improvements on Sylvan Lake Road fit the eligibility criteria of the TAP program since the improvements are focused on pedestrian and bicycle safety; and

WHEREAS, this project aligns with the 2023 Strategic Plan's goal to continue design and engineering work on pedestrian and traffic control improvements for Sylvan Lake Road; and

WHEREAS, In 2023, the Town has budgeted \$350,000 for traffic calming and pedestrian improvements on Sylvan Lake Road. The match requirement for a \$750,000 grant request is \$150,000; and

WHEREAS, the draft application is due to CDOT by March 24, 2023.

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

Section 1. The Town Council hereby supports a financial match for the Colorado Department of Transportation's (CDOT) Transportation Alternative Program (TAP) grant request for the Sylvan Lake Road (SLR) improvements in the amount not to exceed \$150,000.00.

INTRODUCED, READ, PASSED AND ADOPTED ON MARCH 14, 2023.

TOWN OF EAGLE TOWN COUNCIL

Scott Turnipseed, Mayor

ATTEST:

Town Clerk, Jenny Rakow

March 13, 2023

Mayor and Town Council
Town of Eagle
c/o Larry Pardee, Town Manager

Dear Mayor and Town Council,

Please accept this letter as formal notice of my resignation from my position as Council Member for the Town of Eagle. My last council meeting will be March 14, 2023.

Thank you for giving me the opportunity to work in this amazing community for the past few years. I have thoroughly enjoyed serving the Town with all of you and appreciate the opportunities you have given me and camaraderie we have shared. I have decided it is time to reconnect with my parents and move on to my next challenge nearer to them.

I would like to do anything I can to help with the transition. If I can be of any assistance during this time, please let me know.

Thank you again for the opportunity to serve the Town of Eagle and its amazing community. I wish you and the team all the best for the future.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Janet Bartnik'.

Janet Bartnik, M.S., CPRP
Council Member