



Town Council
Tuesday, March 28, 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: 214 745 464 231

Passcode: nYZFaf

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[+1 469-770-0416,,660937816#](#) United States, Dallas

Phone Conference ID: 660 937 816#

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.*

CONSENT AGENDA - 6:10 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 - March 14, 2023

2. Liquor License Permanent Modification of Premises, Kum & Go LC at 18 Market Street Eagle CO
3. Grant Consulting Services Recommended Proposal

STAFF REPORTS - 6:15 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update

BUSINESS ITEMS - 6:20 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. DISCUSSION: ReCode Eagle Overview
2. DISCUSSION: Request by 7 Hermits for Discount on Water PIF and Interpretation of Same in the Fee Schedule
3. PUBLIC HEARING: File LURA23-02, Amendment to Chapter 4.04
 - a. Ordinance 02, Series 2023, "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 4.04.060 of the Eagle Municipal Code to Permit Two-Family and Multi-Family Dwellings as Uses by Right in the Residential Single Family Zone District"
4. Ordinance 03 Series 2023 "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 5.10.070 of the Eagle Municipal Code to Permit Tastings at Fermented Malt Beverage and Wine Retailers"
5. Resolution 21, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Declaring a Vacancy on the Town Council as of March 28, 2023, and Establishing the Procedures for Filling Such Vacancy"

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 8:00 PM

1. Draft Letter to EVRTA Board of Directors
2. Future Agenda Items
3. 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



MEETING MINUTES
Town Council
Tuesday, March 14, 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

ROLL CALL

COUNCILMEMBERS PRESENT

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

COUNCILMEMBERS ABSENT

None

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
Martha Miller, Engineer
Jessica Lake, Planner
Molly Furtado, Special Events & Marketing Manager
Nikki Davis, Community Development Administration
Lynette Horan, Human Resources Manager

ADOPTION OF AGENDA

There were no changes to the agenda.

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

PUBLIC COMMENT

Bert Christianson 2448 E Haystacker Drive – expressed concern regarding Second Gulch trail use and urged council to consider impacts of a change to the municipal code and introducing new user group to the town street system.

Kate Sheldon 2809 E Haystacker Drive - Expressed concern regarding Second Gulch trail use and referenced studies from other areas showing negative impacts of OHV's in numerous other areas.

Tony Tvarkunas 536 Golden Eagle – expressed concern regarding Eagle County Animal Control and requested the town reduce funding to them and narrow the scope of their authority. Requested that responsible pet owners be left alone and animal control focus on loose and unsupervised pets.

Susan Christianson Mt Jackson Ct. - expressed concern with increasing vehicle width for Second Gulch.

PRESENTATIONS

1. Mike Pisciotta, David Muruato & Omar Muruato - Mean Street Boxing Club
Mike Pisciotta presented this item.
2. Greater Eagle Fire Protection District - 2023 Wildfire Mitigation Projects - Hugh Fairfield-Smith GEFPD Wildland Coordinator
Hugh Fairfield Smith Eagle Valley Wildland Fire presented this item.
3. George Ruther, Town of Vail Housing Director
Mayor Scott Turnipseed stated that he requested this presentation.

George Ruther gave his presentation.

Council comments: inquired about InDeed Program funding, impact fees, and sales tax increase for housing.
Discussion on deed restriction buy down process, local work requirements and bank lending issues.

CONSENT AGENDA

MOTION: Councilmember Janet Bartnik motioned to approve the consent agenda. The motion was seconded and passed with a vote of 7 in favor (Kerst, Turnipseed, Bodenheimier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

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

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

BUSINESS ITEMS -

1. PUBLIC HEARING: File RZ23-01 Eagle Meadows Rezone
Mayor Scott Turnipseed opened the Public Hearing for File RZ23-01 Eagle Meadows Rezone.

Council comments: discussion on ReCode process reviewing this zoning. Concern regarding this area looking like East Avon. I70 interchange was discussed and the limitations on development in this area until it is built. Staff reiterated there is no development application at this time, this is only dealing with zoning.

Mayor Scott Turnipseed opened public comment.

Crystal Young 388 Ring Neck – inquired about the residential requirement in this area. Staff reiterated this is a zone district and not a plan for development and specifics like this would be reviewed when an application is submitted.

Mayor Scott Turnipseed closed public comment.

Council comments: a concern was expressed that the attachment related to this item was received late and would like consideration to table this item to give more time for review. Comment that deed restrictions to be considered as a use by right in certain areas.

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)"

MOTION: Councilmember Geoffrey Grimmer motioned to table 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)" until the next meeting. The motion was seconded and failed with a vote of 3 in favor (Grimmer, Bodenhemier, and Kerst) and 4 opposed (Turnipseed, Parrish, Bartnik, and Sunday).

a.

MOTION: Councilmember Janet Bartnik motion to approve 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)". The motion was seconded and passed with a vote of 6 in favor (Kerst, Turnipseed, Bodenhemier, Bartnik, Parrish, and Sunday) and 1 opposed (Grimmer).

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"
Jill Kane presented this item.

Council Member Mikel "Pappy" Kerst stepped down from the dais and abstained from voting on this item.

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

3.

Sylvan Lake Road Conceptual Design Concepts
Martha Miller presented this item.

Hannah Polow and Sarah Rachal-Dormand presented the designs.

Council comments: discussion on four way stop on Sylvan Lake Road. Staff responded that evaluation process for stop signs would likely find one is not warranted at that location. Discussion on funding with ECO Trails, EVTA, and Eagle Ranch HOA for improvements. Comments on adding a pedestrian oasis / refuge and having a raised median. Staff responded there was not room for a raised median in that area. Staff also stated they are recommending the lowest cost version of the proposal and can break the project up into segments if grant funding is not obtained. Current plan is to design this project in 2023 and build in 2024.

MOTION: Councilmember Ellen Bodenhemier motioned to direct staff to advance with Alternative 1 of the Sylvan Lake Road Conceptual Design. The motion was seconded and passed with a vote of 7 in favor (Kerst,

Turnipseed, Bodenheimier, Bartnik, Grimmer, Parrish, and Sunday) and 0 opposed.

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”

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

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Future Agenda Items

Council Member Grimmer would like to see an in-town circulator for Eagle. Council Member Sunday will bring up again at a future RTA meeting.

Council Member Sunday stated the RTA is looking at the fare free zone and hiring a consultant to determine costs. They have also approved an agreement to hire executive director, marketing and branding, and accounting services.

Council Member Grimmer had an inquiry about the Eagle Ranch Metro mil levy and its upcoming sunset clause and concern about the golf course. Mayor Turnipseed explained the mil levy bond process as he understood it. Staff stated we should keep an eye on the finances there. Further discussion on mil levy strategy was suggested.

2. Council Committee Updates

Council Member Bodenheimier stated that current feedback on Second Gulch is 3 to 1 opposed. It is currently with OSRAC for further discussion.

Larry Pardee announced that the town staff has secured a DOLA grant for the Third Street Housing project.

Council Member Bartnik submitted her resignation effective after tonight’s meeting.

ADJOURN - 8:30 PM

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

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk



To: Mayor and Town Council
From: Jenny Rakow, Town Clerk
Date: March 28, 2023

Agenda Item: Liquor License Permanent Modification of Premises, Kum & Go LC at 18 Market Street Eagle CO

REQUEST: The Town Council acting as the Liquor License Authority is requested to approve the Permanent Modification for Kum & Go LC to create an area for wine sales.

BACKGROUND: In November 2022 voters in the state approved Proposition 125, which established a new fermented malt beverage and wine retailer license for grocery stores and convenience stores. Grocers and convenience stores that are licensed to sell beer can add wine to their shelves beginning March 1, 2023.

ANALYSIS: Upon review of the application and statutory requirements, staff has approved the requirements for request. The review and approval are outlined in the attached Findings and Order Approving Permanent Modification, based upon the following:

1. A Public Hearing is not required for this application.
2. There has not been a denial of an application at the same location by either the State or Local Licensing Authority within two (2) years preceding the date of the application.
3. The Applicant has submitted evidence that they are entitled to possession of the premises where the license is proposed to be exercised.
4. The premises where the Applicant proposes to sell alcohol is not in violation of the 500-foot limitation from any public or parochial school or the principal campus of any college, university or seminary.
5. The premises are properly zoned for the activity which will occur therein. Approval has been provided by the Building Official and Planning Department.
6. The location has been previously decided by a preponderance of the evidence that the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood are not currently being met by existing outlets.
7. No undue concentration has been determined with the current class of license and does not require additional law enforcement resources as presented.

COMMUNITY INPUT: A public hearing is not required.

BUDGET / STAFF IMPACT: There is no staff or budget impact for this request.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This item does not have a direct link to a Major Objective. However, it does support "Stimulating Economic Vitality and Development." A denial of this application would limit the area where beer and wine is sold at this location.

RECOMMENDED ACTION OR PROPOSED MOTION: MOTION TO APPROVE THE CONSENT AGENDA; or pull this item for discussion and consideration.

ATTACHMENTS:

1. 2023 MODIFICATION OF PREMISES - WINE
2. NOTICE OF FINDINGS AND ORDER

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a ☐ Corporation ☐ Individual ☐ Partnership ☒ Limited Liability Company				License Number 12-40424-0032	
2. Name of Licensee Kum & Go LC			3. Trade Name of Establishment (DBA) Kum & Go #978		
4. Address of Premises (specify exact location of premises) 18 Market St			5. Business Email Address licenses@kumandgo.com		
City Eagle	County Eagle	State CO	ZIP 81631	Business Phone Number 515-274-7793	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.					
Section A – Manager Reg/Change			Section C		
☐ Manager's Registration (Hotel & Restr.) \$30.00 ☐ Manager's Registration (Tavern) \$30.00 ☐ Manager's Registration (Lodging & Entertainment) \$30.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE <i>Please note that Manager's Registration for Hotel & Restaurant, Lodging & Entertainment, and Tavern licenses requires a local fee with submission to the local licensing authority as well. Please reach out to local licensing authorities directly regarding local processing and fees.</i>			☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x Total Fee: 150.00 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: _____ ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: _____ ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00		
Section B – Duplicate License					
☐ Duplicate License \$50.00					

Do Not Write in This Space – For Department of Revenue Use Only		
Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$ 150.00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☒ **Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change	8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change Select the option that applies to your situation: ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2). (a) Address of Location 1: _____ City _____ County _____ ZIP _____ (b) Address of Location 2: _____ City _____ County _____ ZIP _____
Change of Manager	9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S. (a) Change of Manager Former manager's name _____ New manager's name _____ (b) Date of Employment _____ Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ No Does manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No If yes, give name and location of establishment _____ _____
Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>Removing 3 feet of non-alcohol product and replacing with 3 feet of wine product</u> _____ _____ (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature 	Print name and Title Camille Hayes - Compliance Analyst	Date 3/1/2023
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County)		Date filed with Local Authority
Signature	Title	Date
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date





infection rate. In the 1970s, the first studies on the effect of the use of condoms on the transmission of HIV were conducted in high-risk populations, such as intravenous drug users and men who have sex with men. The first study was conducted in San Francisco, California, in 1977, by Dr. David Ho. It was a case-control study that compared the risk of HIV infection between men who used condoms and men who did not. The study found that men who used condoms had a significantly lower risk of HIV infection than men who did not. This study was one of the first to provide evidence that the use of condoms can reduce the risk of HIV infection. Since then, many other studies have been conducted, and the evidence has become increasingly strong. The use of condoms is now widely recommended as a way to reduce the risk of HIV infection. In addition to the use of condoms, other strategies such as pre-exposure prophylaxis (PrEP) and post-exposure prophylaxis (PEP) have been developed to further reduce the risk of HIV infection. PrEP is a daily pill that can prevent HIV infection if taken correctly. PEP is a course of medication that can prevent HIV infection if taken within 72 hours of a potential exposure. Both PrEP and PEP are highly effective when used correctly. The use of condoms, PrEP, and PEP are all important tools in the fight against HIV infection. By using these tools, individuals can significantly reduce their risk of HIV infection and protect their health and the health of others.



NORTH

PLANS





KUM & GO - STORE 978
18 Market Street Eagle
Eagle County COLORADO





BEFORE THE TOWN OF EAGLE LIQUOR LICENSING AUTHORITY

200 BROADWAY
PO BOX 609
EAGLE CO 81631

FINDINGS AND ORDER APPROVING PERMANENT MODIFICATION

IN THE MATTER OF

Permanent Modification of Premises

Kum & Go LC

Address: 18 Market Street, Eagle CO 81631

Having considered the application of Kum & Go LC for a Permanent Modification of Premises of a Fermented Malt Beverage and Wine Off Premises License, and all attachments submitted therewith (the "Application"), on the Application on January 24 2023, with no public notice required, all in accordance with the Colorado Liquor Code, 44-3-101 et seq., C.R.S., and having considered all relevant and competent evidence admitted by the Town Clerk; the Local Licensing Authority FINDS AS FOLLOWS:

1. A Public Hearing is not required for this application.
2. There has not been a denial of an application at the same location by either the State or Local Licensing Authority within two (2) years preceding the date of the application.
3. The Applicant has submitted evidence that they are entitled to possession of the premises where the license is proposed to be exercised.
4. The premises where the Applicant proposes to sell alcohol is not in violation of the 500-foot limitation from any public or parochial school or the principal campus of any college, university or seminary.
5. The premises are properly zoned for the activity which will occur therein. Approval has been provided by the Building Official and Planning Department.
6. The location has been previously decided by a preponderance of evidence that the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood are not currently being met by existing outlets.
7. No undue concentration has been determined with the current class of license and does not require additional law enforcement resources as presented.

BASED UPON THE FOREGOING, THE LOCAL LICENSING AUTHORITY HEREBY ORDERS that the application of Kum & Go LC for a Permanent Modification of Premises of a Fermented Malt Beverage and Wine Off Premises License is hereby GRANTED.

DATED this 28th day of March 2023

LOCAL LIQUOR LICENSING AUTHORITY
TOWN OF EAGLE

Scott Turnipseed, Chair

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Larry Pardee, Town Manager

Date: March 28, 2023

Agenda Item: Grant Consulting Services Recommended Proposal

REQUEST: Staff requests Council review the staff's recommended proposal for strategic consulting and grant writing specialist services from KLJ for approval.

BACKGROUND: During the planning and drafting of the 2023 Budget, the Town identified the need for Grant Consulting Services support. As a result, staff prepared and sent a Request for Proposals (RFP) for Strategic Consulting and Grant Writing Services in January 2023.

Our goal was to seek and hire a consultant specializing in strategic consulting, grant writing, and advocacy services to assist the Town of Eagle in organizing and pursuing Federal, State, and Philanthropic grant funding resources and opportunities. The purpose of the Town is to invest in critical infrastructure, assets, and program improvements that increase our residents' quality of life and add to our vibrant economy without creating an undue burden on the residents of the Town.

ANALYSIS: The Town received eight proposals in response to the RFP from well-qualified firms. The staff committee comprised Larry Pardee, Kevin Aoki, and Jill Kane, who reviewed and ranked the proposals separately. In addition, staff conducted a brief phone interview with the top three firms. After the phone interviews, it was agreed that KLJ would be the best firm and an excellent partner to assist the Town with strategic consulting and grant-writing services.

The recommended firm, KLJ, has demonstrated its ability to provide the services and expertise the Town requires. This firm has extensive experience working with similar organizations and has a proven track record of successful grant applications. Although KLJ has a wealth of local municipal government grant writing experience, KLJ excels in Infrastructure funding, including water and wastewater. They have also been successful in achieving Broadband grants. The proposed contract will include a scope of services, a timeline, and a budget that aligns with the Town's needs and objectives.

COMMUNITY INPUT: To date, we have not received any public comments.

BUDGET / STAFF IMPACT: The Town budgeted \$45,000 in 2023 to hire a grant consultant professional to support the Town in our pursuit of finding and applying for grants that advance our community goals and needs currently and into the future. The RFP included two phases: Strategic Roadmap and Grant Development. KLJ is projecting \$34,728 for the strategic road mapping process and then has a tiered expense approach for grant development. Once the strategic roadmap is completed, staff may come back to the Council to request additional funds for additional grant writing services based on identified opportunities.

Project Cost: Strategic Roadmap	
Task	Fee
Project Management/Coordination	\$4,932
Department Diagnostic Meetings	\$6,360
Planning/Programming Review	\$9,924
Suitability Analysis/Project Prioritization	\$14,052
Grant Development Services	TBD
Total	\$34,728

Grant Development Costs	
TIER	COST
Tier 1	\$500-\$2,000
Tier 2	\$2,000-\$3,000
Tier 3 – Level 1 State or Foundation Grant	\$5,000-\$10,000
Tier 3 – Level 2 Federal Grant	\$15,000-\$50,000

During the strategic roadmap phase, staff time will be required to help KJL understand the Town's needs and develop a priority matrix. In addition, once grant applications are developed and awarded; staff time will be required for assistance with administering the grants.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This opportunity aligns with our Strategic Plan and will touch on most Major Objectives. However, it will depend on what grants are applied for, most explicitly affecting:

- **Match Infrastructure to Quality of Life** – As the Town continues to invest in infrastructure improvements, obtaining grants for infrastructure projects will allow us to lessen any potential burden on our residents.
- **Enhance the Economic Resiliency of the Town Government** – The more grants that the Town can obtain for projects that are already identified as needs for the Town will increase the Town's economic resiliency.
- **Invest in Environmental and Energy Sustainability** – If the Town successfully obtains sustainability grants, the Town may more fully invest in sustainability and meeting our energy reduction goals for the Town and our Community.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **Approve** or **Deny** the staff recommendation for Grant Consulting Service from KJL and direct staff to prepare a contract for services to bring back to Council for review and approval at the April 11 Council meeting.

ATTACHMENTS:

- Town of Eagle: RFP – Strategic Consulting and Grant Writing Specialist Services
- KJL Proposal – Staff Recommended Proposal



Request for Proposals

Town of Eagle, Colorado

Strategic Consulting and Grant Writing Specialist Services

Published: January 18, 2023

Submittal Deadline:

February 22, 2023, @ 5:00 P.M.

INTRODUCTION

The Town of Eagle Municipal Government Organization seeks to hire a consulting specialist specializing in strategic consulting, grant writing, and advocacy services to assist the Town of Eagle in organizing and pursuing Federal, State, and Philanthropic grant funding resources and opportunities.

The Town's purpose is to invest in critical infrastructure, assets, and program improvements that increase our residents' quality of life and add to our vibrant economy without creating an undue burden on the residents of the Town.

BACKGROUND

The Town of Eagle Community - Located on the western slope of the Rockies, halfway between Denver and Grand Junction, the Town of Eagle has a population of approximately 7,500. It is one of Colorado's best-kept secrets. Eagle offers access to epic mountain biking, trail running and hiking, golf, kayaking, snowmobiling, hunting, and gold medal fly fishing. In addition to a variety of public parks, there are over 1,000 acres of Town-owned public open space. Located a short drive from Vail and Beaver Creek, residents also enjoy world-class amenities provided by these resorts. The Eagle County Regional Airport is five miles west of Town and serves commercial and private aviation. Eagle is a thriving community and a beautiful place to live, work, and play.

The Town's Organization - Established in 1887 and incorporated in 1905, the Town of Eagle became the County seat in 1921 and adopted a home rule charter in 2020. The Town is a council-managed form of government led by a 7-member Town Council elected for four-year terms. The Town Council appoints the Town Manager, Town Attorney, and Municipal Court Judge. The Town has approximately 70 dedicated employees with an average longevity of 4 years. Eagle provides a full range of services, including police protection, water, wastewater, stormwater, refuse services, street and park maintenance, community and economic development, open space management, and event planning. In addition, the Town is working on developing and implementing broadband solutions for the Eagle community. The Greater Eagle Fire Protection District provides fire services.

The Mayor, Town Council members, and employees are committed to achieving our Mission - **Maintaining and Enhancing the Quality of Life for Everyone in the Community**. The following significant objectives reaffirm the Town's commitment to Quality of Life and are designed to guide the Town's current and future endeavors.

Stimulate Economic vitality and development.	Improve Community Responsive Services.	Match Infrastructure to Quality of Life.
Attract Visitors.	Focus on Recreation Events and Open Space.	Strengthen Town organization and culture.
Enhance the economic resiliency of the Town government.	Invest in environmental and energy sustainability.	Diversify the attainable housing stock.

SCOPE OF WORK

The consultant shall provide strategic consulting, funding strategies, grant writing services, and advocacy to secure financial resources and promote progress toward achieving our critical strategic community goals.

The strategic consulting shall lead our efforts to create a prioritized "Strategic Roadmap,"; a detailed strategic game plan for identifying and pursuing the financial resource opportunities needed for the Town of Eagle to implement our top priority projects.

The "Strategic Roadmap" will enable the Town of Eagle to identify our short, mid, and long-term opportunities for funding, public-private partnerships, Federal and State support, best practices, and other resources to implement community priorities. The "Strategic Roadmap" approach is designed for our community's needs and should include, at a minimum, the following:

- A prioritized developed matrix of Federal, State, Philanthropic, Public, and Private sector opportunities for funding and other identified resources. The prioritized matrix will include options for which the consultant team believes our community is both eligible and competitive, projections of likely funding ranges, matching requirements, discussion of critical strategic approaches to make Eagle successful for these financial resources, identification of required personnel, deadlines, necessary preliminary steps, and recommendations on following vital actions.
- A shorter, more concise Funding Agenda that will identify the best and highest priorities for funding, all of which can be used to build support with funding agencies.
- An accompanying memorandum on Effective Funding Advocacy Strategies provides the Town with recommendations, approaches, and tactics for effective advocacy for the funds identified in the matrix and funding agenda.
- A Public PowerPoint presentation to Town Council that summarizes the materials in the matrix, funding agenda, memo on advocacy strategies, and message on key support organizations. This Public PowerPoint is an easily digestible form of your work for community leaders, task force members, and the general public who might not want to read the more detailed materials.

The consultant shall provide a brief philosophy and approach to grant writing and advocacy services in areas relating to Federal, State, Philanthropic, and Private sector funding sources for local Town government.

Once the Strategic Roadmap is completed, the selected consultant will provide general grant writing services associated with the completion and submission of grant applications on behalf of the Town, including data collection, preparation, and submittal of grant materials by grant requirements. In addition, the consultant will provide a copy of each grant application package submitted for funding, in its entirety, to the Town of Eagle.

Regularly (frequency to be negotiated within the scope of the contract), the consultant shall provide the Town with summaries and updates of potential funding opportunities that align with

the Strategic Roadmap. Summaries should include but are not limited to the name of the agency, due dates for applications, eligibility, a brief program summary, matching requirements, and the level of funding available.

Consultant shall submit detailed monthly reports to the Town of Eagle summarizing the amount of time expended and describe activities undertaken during the previous month.

COMPENSATION

The Town of Eagle expects to retain strategic consulting, grant writing, and advocacy services on an agreed-upon fixed base Professional Services Agreement based on the scope of services to be rendered.

SUBMISSION REQUIREMENTS

Responders are requested to write a proposal highlighting the understanding of the services required and sufficient information about related experience in similar roles. At a minimum, please be sure to include the following information in your proposal:

- Description of Firm Background and Philosophy.
- Description of Engagement and Approach.
- Examples of local government experience specializing in strategic consulting, grant writing, and advocacy services to assist the Town of Eagle in pursuing Federal, State, and Philanthropic grant funding resources.
- Proposed scheduling.
- Staffing resources. List all team members assigned to provide services for the Town of Eagle, their qualifications, and the experiences each member brings.
- Fees for services.
- Additional services and programs your firm provides.
- Two professional references that we may contact.

SELECTION PROCESS

Responses to this Request for Proposal will be based on the proposed budget for services rendered by, but not limited to, the results of the Town's evaluation of the following criteria:

- **Completeness:** The proposal includes all required items outlined in the RFP.
- **Experience:** The consultant demonstrated capability, qualifications, expertise, and experience on similar or related projects as a team and individually.
- **Timeline:** The consultant's proposed timeline is realistic and includes all assumptions outlined in the RFP.
- **Scope of Work:** The consultant's anticipated work product as it relates to the Scope of Work is comprehensive and presents an appropriate approach to the work outlined.
- **References:** References were relevant to the project and worked directly with members of the proposing team.

MISCELLANEOUS

- The Town will provide the consultants with our Strategic Plan and 5-year Capital Improvement Plan, and other community strategy documents.
- Explain what the Town should expect as a return on investment in your proposal.
 - Example: For every \$1.00 the Town expenses through your services, we should expect a \$_____ return in grant dollar awards.

TERMS AND CONDITIONS

- The Town may choose to republish this RFP at the Town's sole discretion.
- The Town reserves the right to accept or reject any proposals and waive any informalities or irregularities. The RFP does not bind the Town to hire a consultant when, at the Town's sole discretion, the Town determines not to do so.
- Until the Professional Services Agreement is executed, there are no expressed or implied obligations or commitments on the Town's or the consultant's part concerning this RFP or any proposal associated with it.
- By submitting materials for the Town's consideration according to this RFP, the consultant waives any claim of confidentiality, trade secrets, or privilege concerning the materials submitted. All submittal materials are subject to disclosure under the Colorado Open Records Act.
- No oral questions will be answered. However, if additional information or clarification is desired, email requests should be made to the Town at the above email address.
- The selected firm or individual will work under a Professional Services Agreement. Once an Agreement is negotiated, the following documents will be required by the assigned consultant before the commencement of any work:
 - Signed contract by both the Town and the consultant(s).
 - Proof of insurance per Professional Services Agreement.
 - Most current W-9.

SUBMITTAL PROCESS

PLEASE RESPOND TO THIS RFP NO LATER THAN 5 P.M. ON WEDNESDAY, FEBRUARY 22, 2023.

- Proposals shall not exceed ten pages, front and back, on an 8.5" x 11" sheet of paper, single-spaced sentences, font size 11-point, and a cover letter.
- SUBMITTALS SHOULD BE SENT TO
Town of Eagle, Colorado
200 Broadway, P.O. Box 609, Eagle, Colorado 81631 or
send via email to larry.pardee@townofeagle.org
- All questions about this proposal must be submitted in writing via email to the following:
Larry Pardee
Town Manager
larry.pardee@townofeagle.org



PROPOSAL FOR

Strategic Consulting and Grant Writing Specialist Services

TOWN OF EAGLE

FEBRUARY 2023



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February 22, 2023

Larry Pardee
Town of Eagle, CO
200 Broadway
Eagle, CO 81631
larry.pardee@townofeagle.org

400 Inverness Parkway, #425
Englewood, CO 80112
303-643-3877
KLJENG.COM



RE: Proposal for Strategic Consulting and Grant Writing Specialist Services

Dear Mr. Pardee and Selection Committee:

KLJ is excited to submit our qualifications and approach to assisting the Town of Eagle in developing a Strategic Roadmap for funding the community's infrastructure vision. Since coming to Colorado in 2018, KLJ has developed a track record of working with communities across the state to plan, design, and construct critical community infrastructure. Under the Infrastructure Investment and Jobs Act (IIJA) and Colorado Department of Transportation's (CDOT) recent 10 year transportation plan, opportunities are greater now than ever for funding local infrastructure and community development priorities.

KLJ's approach is supported through strategic and proactive infrastructure planning and engineering services. KLJ's funding strategies are led by our government relations team who bring a diverse set of skills to meet the needs facing the Town of Eagle. Since 2010, KLJ has delivered nearly \$400 million in federal and state funding for our clients to support a wide range of community infrastructure and economic development needs. Developing the Strategic Roadmap also involves KLJ's Long Range Planning and Programming team to first vet and prioritize your existing infrastructure needs.

In 2022 alone, KLJ authored five successful federal discretionary grants under both the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) and Rural programs. These grants will bring nearly \$100 million in new transportation funding to four clients through new dollars provided in the IIJA. These projects and our references are listed in this proposal. The \$100 million in funds secured by KLJ will support Tribal transportation needs in south central Montana, a municipal infrastructure and mobility project in northwest Montana, a railroad grade separation in west central Minnesota, and a large state highway project in central Minnesota.

Seeking funding through grants can be tedious and, if not done thoughtfully, is often a fruitless effort. KLJ has developed a winning strategy that identifies the right project, then finds and secures the funding needed to assist you in meeting your infrastructure and quality of life goals.

KLJ's approach to grant writing stands on the following three principles:

- ✓ **Forward the Right Project** – This starts with understanding community needs and level of support, as well as readiness for a range of potential funding resources.
- ✓ **Pick the Right Funding** – Through advance vetting and staging, we work to match your project(s) with the appropriate funding that best aligns with your needs.
- ✓ **Build a Strong Project** – KLJ builds a competitive application through a combination of technical expertise and demonstrating a compelling story.

Thank you in advance for your consideration and for the opportunity to work with the Town of Eagle to identify and fund transformational projects. Please feel free to contact Project Manager Wade Kline at wade.kline@kljeng.com or 701-271-5009 with any questions.

Sincerely,
Your KLJ Team

A handwritten signature in black ink that reads 'Wade S. Kline'.

Wade Kline, PTP
Project Manager

A handwritten signature in black ink that reads 'Mark Anderson'.

Mark Anderson
Senior VP Transportation and Public Works

Firm Information and Services Provided

AN EXCEPTIONAL EXPERIENCE

EVERY PROJECT | EVERY TIME

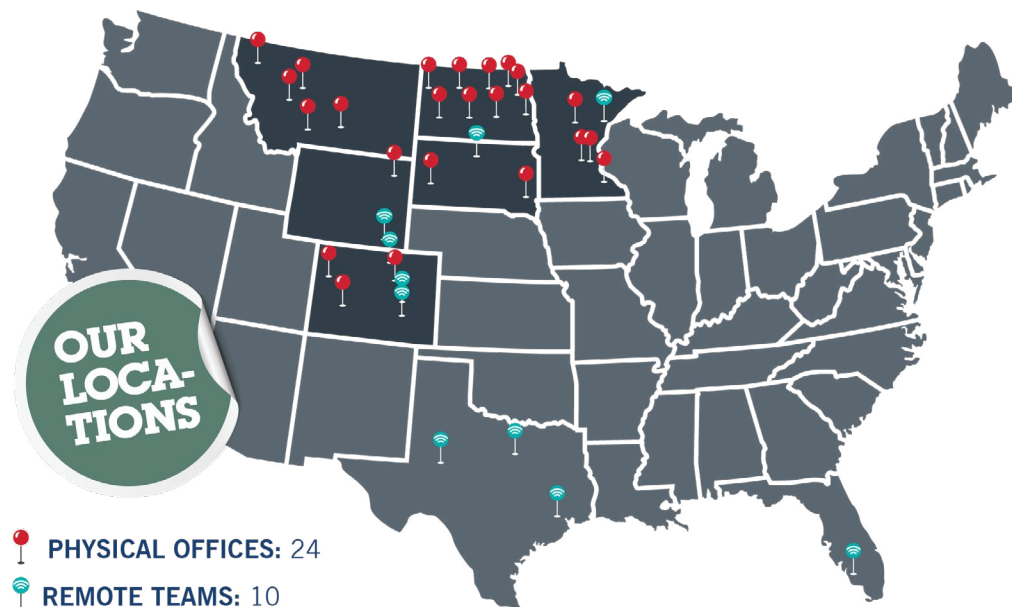
KLJ is a multi-discipline engineering consulting firm specializing in the municipal and transportation markets. For 85 years, KLJ has served city, county, state, federal, DOTs, Tribal, and private clients, providing planning, design, and construction engineering services for infrastructure projects. We are an employee-owned firm with a staff of 500 in 24 offices across Colorado, North Dakota, South Dakota, Minnesota, Montana, and Wyoming.

KLJ expanded to the Colorado market in mid-2018 with an office in Denver and has since opened offices in Grand Junction and Montrose – growing to nearly 40 team members in Colorado. Several of our key team leads have spent most of their careers serving the Colorado market bringing familiarity with the region and relationships with local municipalities, utilities, and contractors. Since opening offices in Colorado, KLJ has worked with the cities of Montrose, Delta, Arvada, Grand Junction, and Fort Lupton; towns of Collbran, Silt, and Bayfield; and counties of Mesa, Montrose, Ouray, Clear Creek, and Huerfano.

We mean it when we say there is no community too small, or project too big. Our team is committed to planning, designing, and supporting infrastructure projects of all shapes and sizes. From pipelines and roads, to runways and parks, we do all the sophisticated engineering you expect, along with the support and technical expertise you need.



CORRIDOR SERVICES



This project will be led by **Wade Kline, PTP**, a professional transportation planner with more than 22 years of experience working in infrastructure planning and programming. He currently serves as KLJ's Government Relations and Public Engagement Manager and oversees a broad range of specialized grant identification development. Wade excels at the identification, prioritization, and programming of financial resources to develop and implement community infrastructure. He has led and supported planning, programming, and implementation efforts on countless infrastructure projects across the upper Midwest and Rocky Mountain Region.

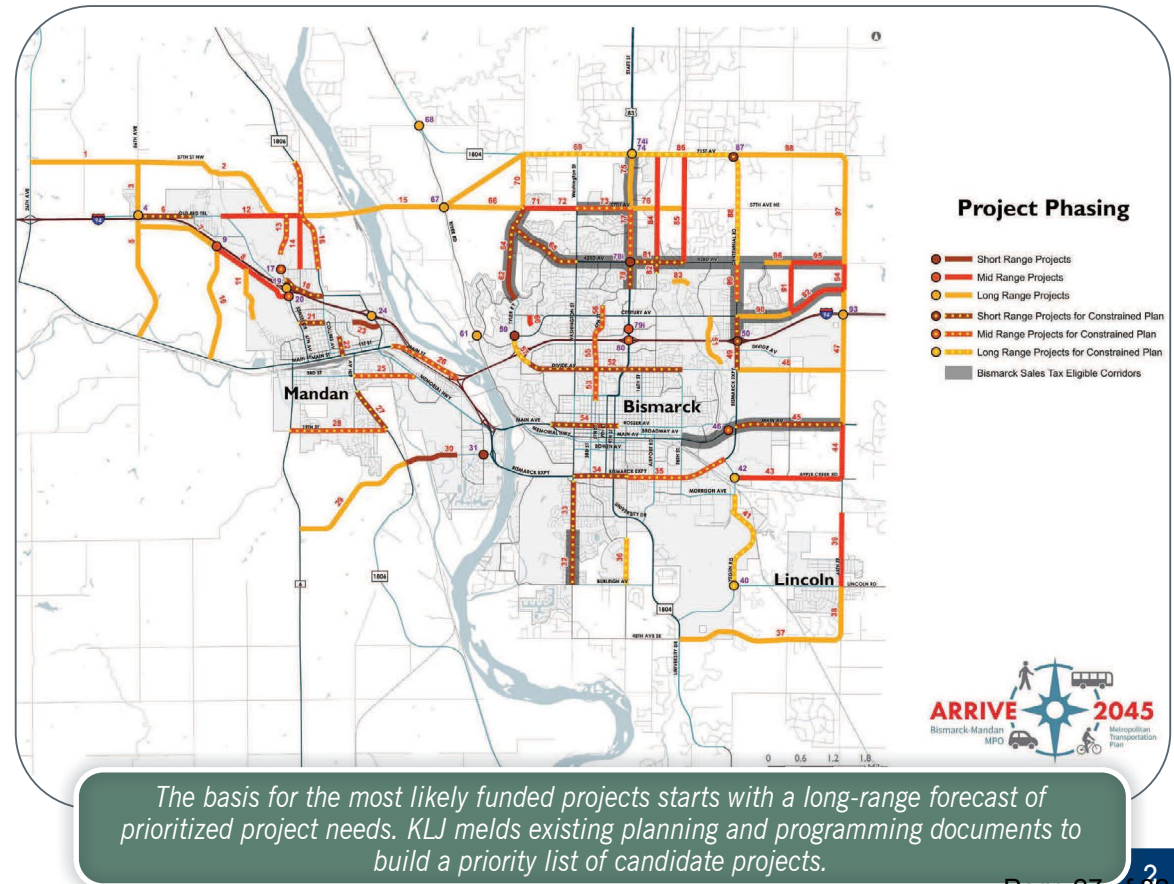
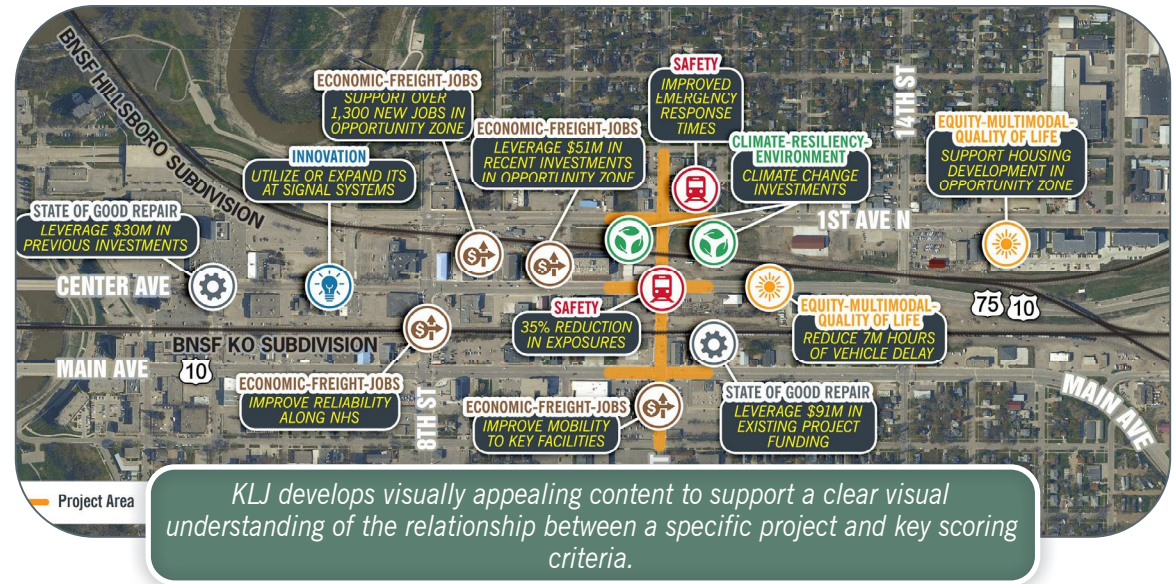
Project Understanding

The Town of Eagle has continued to grow and thrive over the last 10 years, with a population now climbing to nearly 8,000. With a growing community comes an expanded need for infrastructure improvements. Both the Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA) provide significant new grant funding opportunities for Eagle. The Colorado Department of Transportation (CDOT) and several other state agencies will be working with communities across Colorado to solicit and fund community infrastructure. The Town of Eagle has a solid foundation to apply for these new programs, but more work is needed.

The recently adopted Elevate Eagle Comprehensive Master Plan (2022), as well as several other supporting area plans identify a preliminary set of critical community needs and project concepts. The community is set up perfectly to begin matching your existing community goals with new and expanded state and federal infrastructure initiatives. Significant new federal funding will be available for climate initiatives and green energy investments. The Town's Climate Action Plan (2016) has set a priority on green energy, recognizing it as way to cut costs and utilize renewable energy. There are several grant and funding opportunities for communities, such as the Rural Energy for America Program, that are investing in green infrastructure and provide the opportunity to create more resilient communities.

Recent corridor level and sub area studies, such as the Grand Avenue Corridor Plan and East Eagle Sub Area Plan (2021), appear to present potentially near shovel ready projects and site feasibility studies, that include significant public and agency collaboration. This kind of initial planning is a step in the right direction to be competitive for state and federal funding.

Several of your locally adopted plans embrace walkability, recreation, open space, and neighborhood access as key components to both safety and economic development within the Town. Several existing and new federal programs focus specifically on walkability, connectivity, and Americans with Disabilities Act (ADA) compliance. Past planning completed by the Town supports continued exploration of new programs, such as Safe Streets and Roads for All (SS4A), which support transportation safety and mobility outcomes. Eagle's proximity to I-70 also supports investigation of the EV Charging and Fueling Infrastructure Program, Bridge Investment Program, and the Reconnecting Communities Pilot Program, all of which may also increase interest from CDOT.



Project Approach and Work Plan

PROJECT MANAGEMENT

KLJ anticipates several project management-related tasks and activities needed to support grant writing services for the Town of Eagle.

Monthly Invoicing and Progress Reporting

KLJ will invoice the Town of Eagle monthly and include a detailed progress report highlighting efforts of the KLJ team.

Monthly Update/Check-In Meetings

KLJ proposes monthly meetings with core Town staff. Meetings may be more frequent as Notices of Funding Opportunity (NOFO) are posted. KLJ staff receive daily updates from grants.gov and additional funding agencies. Regular check-in meetings with key leadership will be critical to stay ahead of the curve on potential funding opportunities available to the Town.

Schedule

KLJ anticipates the duration for the tasks outline as part of our initial work plan to take between 8 to 10 weeks from notice to proceed.

STRATEGIC ROADMAP DEVELOPMENT

Development of funding needs/opportunities and grant readiness is key. This task serves to establish a successful ongoing program of grant identification for the Town of Eagle. The following three efforts are critical to our work for the Town:

1. Department Level Diagnostic Meeting (Project Kick-Off)

This kick-off meeting is anticipated to be a half-day “workshop” style meeting with key department leadership throughout the Town. This will help the KLJ team to identify potential/proposed projects for consideration and project status/readiness. Grant funding is becoming increasingly competitive. It is important for the community to identify projects that are most important, able to be completed in the limited obligation time, and will provide the highest return on investment in the next four to five years.

2. Planning and Programming Review

Prior to the kick-off meeting, KLJ will review existing planning, programming, and engineering documents completed by the Town. This starts with an exhaustive review and prioritization of projects within existing planning and programming documents prepared by the Town of Eagle, including:

- » 2021 Elevate Eagle Comprehensive Plan
- » Downtown Assessment (2019)
- » East Eagle Sub Area Plan
- » Housing Needs and Solutions (2018)
- » Town of Eagle Strategic Plan
- » Downtown Parking (2017)
- » Open Space and Trails Plan (2022)
- » Climate Action Plan (2016)

This review will give us a better understanding of your community’s priorities. KLJ anticipates delivering a formal report/evaluation of high priority infrastructure projects and a demonstrated alignment with a range of state and Federal funding programs, most notably funding through IJA or IRA.

3. Suitability Analysis/Matrix Based on Selected Projects and/or Anticipated Projects

As a deliverable of the first two subtasks, KLJ will prepare a Suitability Analysis/Matrix for a range of high-priority community needs that appear to be both a high community priority and a good fit to submit for either planning or construction/implementation dollars. This analysis should provide a framework of “candidate” projects for which to solicit grant funds.

IDENTIFICATION OF CANDIDATE PROJECTS

High Priority Candidate Projects: Identify which projects are shovel-ready and will score well among a range of state and federal funding programs. These projects should be early front runners for submitting funding applications.

Medium Priority Candidate Projects: Identify projects, which potentially score well, but that need additional study and analysis to get them closer to shovel-ready.

Low Priority Projects: The Town will get an understanding of projects that may appear as “local” priorities but may not score well against state and/or federal merit criteria.

Risk Matrix			
Potential Risk Area	Risk Type	Current Status/Proposed Mitigation	Risk Level
TECHNICAL FEASIBILITY	FEASIBILITY	This project has been deemed technically feasible by multiple groups including MnDOT, City of Moorhead, Clay County, and BNSF. Project vetted through MnDOT Major Project Leadership Team (MPLT).	Low
PARTNER APPROVALS	SCHEDULE	Coordination has occurred with the City of Moorhead, Federal Highway Administration (FHWA), Clay County, and BNSF, including local economic development and community organizations.	Low
LOCAL JURISDICTION APPROVALS	SCHEDULE	City of Moorhead and Clay County have agreed on project specifics, including local match and cost share elements.	Low
ENVIRONMENTAL APPROVALS	COST, SCHEDULE	NEPA documentation pending completion for October 2022.	Low

KLJ completes project-specific risk registers for high priority projects to determine preliminary project readiness prior to moving projects forward for funding consideration. The process saves time and effort to ensure you are submitting the right project for the right funding.

GRANT SUPPORT AND DEVELOPMENT SERVICES (ON-CALL)

KLJ provides three tiers of grant writing services. This starts with basic grant research (Tier 1), can expand to application staging and support (Tier 2), and then move to full grant proposal development (Tier 3). These services are scoped individually and are outside of the fees we have with our cost proposal shown on the next page. Based on the scope of work we have proposed, we anticipate being able to prepare the Town of Eagle to move directly to Tier 2 and Tier 3 services by summer 2023. Our scope of work would already have provided the Town with Tier 1 services.

Each tier of service is developed on an on-call basis, and we anticipate negotiating a specific scope and fee on a project-by-project basis. This ensures you get the product you want at a price you are comfortable with. Our general fee structure for each is included in the Fee section of our proposal.



KLJ team leaders Wade Kline and Becky Bey excel in facilitating needs discussions and identifying funding opportunities.

Tier 1 Grant Service – Research

These efforts help gather more information about one or more potential programs which might fit a specific project need. Key activities include:

- » Information gathering
- » Strategic advice and recommendations
- » Basic funding opportunity research

Tier 1 work will typically occur if a new project need is identified or if a new funding opportunity is announced by a funding agency.



RETURN ON INVESTMENT

For the \$100 million in Federal grant funding KLJ secured for our clients in FY 22, we received nearly \$400,000 in fees. This equates to \$250:\$1 ratio of grant dollars for every dollar invested in grant pursuits.

Tier 2 Grant Services – Application Staging and Support

Tier 2 work typically occurs once a grant development process has started. In the case of Tier 2, the Town of Eagle is likely leading the grant development process. KLJ is playing a support role in several areas to strengthen the submittal and help augment Town staff. Key activities include:

- » Inclusion of Tier 1 activities
- » Providing application scoring criteria and application templates from granting agencies
- » Professional guidance during application development
- » Application review and editing
- » Application submittal guidance

Tier 3 Grant Proposal Development – Small and Large-Scale Grants/Proposals

In Tier 3, KLJ is leading the overall grant development process from start to finish building grant elements as shown below. We view Tier 3 efforts as potentially small or large scale depending on level of effort/time. As shown in the Fee section, costs are generally scalable based on the type of grant being prepared.

- » Inclusion of Tier 1 and 2 activities
- » Grant writing
- » Engaging stakeholders
- » Researching previously funded projects and grantees for additional insight
- » Maintaining contact with granting agencies/program managers for application assistance and full understanding of scoring criteria
- » Follow-up with granting agency as needed (debriefing)
- » Monitoring application review process and awards announcements

Grant Experience and References



KNOWLEDGE OF FUNDING OPPORTUNITIES

KLJ has worked with a host of state and federal programs across a range of states, including Colorado, Minnesota, North Dakota, South Dakota, Montana, and Wyoming. While programmatic elements vary by state, win themes and funding criteria are often symmetrical across geographies for public infrastructure and community development funding. Given KLJ's diverse geographic resume, we can tailor strategic win themes and approaches that bring innovative and groundbreaking techniques to getting you to the win.



STRATEGIC PLANNING/ LOBBYING

KLJ specializes in strategic planning and programming, specifically feasibility analysis to identify needs, develop solutions, and prioritize project concepts. We have created countless strategic planning documents. Getting your project to shovel ready is key. Prerequisites to a successful request for state or federal funding start with long-range planning, short-range feasibility, and programmatic analysis. KLJ delivers a range of planning services from long-range/area-wide to corridor-specific planning. While KLJ does not directly lobby legislative bodies, we do specialize in developing the content your team needs to communicate with decision makers and legislators to highlight your projects' needs and support pending requests for funding.



GRANT WRITING

KLJ brings a team of grant writers and benefit cost specialists to support your project. Every idea and problem is unique and KLJ's team takes time to listen and customize a funding approach with measurable benchmarks to meet your individual needs. Our team offers enhanced professional grant services, providing a more comprehensive approach to funding development. KLJ's team includes experienced

professionals and graduates of the Grantsmanship Training program who have empowered our clients to obtain more than \$420 million in grants in the past 20 years.

Our grant writers have worked with a variety of client types and communities of all sizes for grant amounts ranging from \$2,000 to \$27 million. We help communities understand the pros and cons of each funding program to make the most informed, right-fit decision for their community and project. We assist our clients in identifying available grants, writing grant applications, and assisting with contract completion between the granting agency and the client. We can also serve as the grant administrator, overseeing compliance related to grant commitments, including National Environmental Policy Act (NEPA) completion, utility relocation, and ROW acquisitions; certifying pay estimates; managing the grant reimbursement process; and generating pre-project, quarterly, and annual reports to meet grant requirements. Following is a partial list of grants in which we have experience in writing/winning:

- » TIGER/BUILD/RAISE Grant
- » Federal Transit (FTA) Grant
- » INFRA/MEGA/RURAL Grants
- » Community Development Block Grant (CDBG)
- » Rural Opportunities to Use Transportation for Economic Success (ROUTES) Grant
- » Renewable Resource Grant and Loan (RRGL) Grant
- » Clean Water State Revolving Fund (CWSRF) Grant
- » Transportation Alternatives Program (TAP)
- » Economic Development Administration (EDA) Grants
- » FEMA/USACE Grants



NETWORK AND CONNECTIONS

KLJ works closely with several division offices of the US Department of Transportation (DOT), including the Federal Highway Administration (FHWA) and Federal Transit

Administration (FTA). We work closely with several CDOT Districts and have connections in small towns and cities across Colorado. We will leverage our full range of contacts to assist and support the Town of Eagle not in only identifying the right project, but to be competitive in securing funding to build your project.



TECHNICAL EXPERTISE

KLJ is a full-service engineering firm. As such, we blend the right amount of engineering to every request for funding. In Colorado, we have several experienced engineering project managers who understand Colorado infrastructure. Both Marc Kenney, located in Grand Junction, and Dean Cooper, located in Montrose, will serve as Infrastructure Analyst/ Local Support for every project.

References

Keith Haskins.....406-758-7727
Deputy Public Works Director, City of Kalispell, MT
khaskins@kalispell.com

Thomas J. Lundberg218-846-3634
Assistant District Engineer, MnDOT District 4
thomas.lundberg@state.mn.us

Janis Spear406-477-8979
Director, Northern Cheyenne Department of Transportation
jspear@cheyennation.com

Robert A. Zimmerman.....218-299-5383
City Engineer, City of Moorhead, MN
robert.zimmerman@ci.moorhead.mn.us

Jon Mason218-407-1917
Planning Director, MnDOT District 2
jon.mason@state.mn.us

Grant Development Profiles

Kalispell (MT) Rails to Trails (TIGER)

In 2013, KLJ worked in partnership with the City of Kalispell to write the initial Transportation Investment Generating Economic Recovery (TIGER) grant for the Kalispell Rails to Trails project. KLJ provided initial research, coordination of technical information and letters of support, draft writing, benefit cost analysis, and submission direction. The total project cost was estimated at \$14.5 million with an \$8.7 million grant request. TIGER Grants were awarded in 2015 and 2017.



Northern Cheyenne (MT) (RAISE)

Working with the Tribe, KLJ assisted in development of a grant template and then in determining what planning/development work needed to be completed prior to grant application for construction to ensure maximum competitiveness. A 2021 BUILD application was written and submitted in partnership with the Tribe, but was not awarded. KLJ assisted the Tribe in arranging and participating in a debrief with the United States Department of Transportation (USDOT). Information from that debrief was utilized to rewrite and submit a RAISE (previously BUILD) application in 2022. This grant was awarded in the amount of \$15.9 million.

Columbia Falls (RAISE)

Since 2020, the City of Columbia Falls has been working to transform their community for residents and tourists by expanding non-motorized transportation opportunities and creating a more complete streets model. KLJ began contracting with Columbia Falls to discuss funding opportunities, settling on a BUILD grant in 2020 and again in 2021. As with Northern Cheyenne, KLJ assisted Columbia Falls in preparing the grant and connecting with USDOT to get post-application information, improving the application based on feedback each year. KLJ worked with Columbia Falls on a 2022 rewrite that resulted in an award of nearly \$11 million. <https://columbiafalls.raisegrant.net/wp-content/uploads/2022/04/Narrative.pdf>

MnDOT Trunk Highway (TH) 197 (RAISE)

TH 197 is the most heavily traveled east-west route in Bemidji and has had a critical crash rate for more than 15 years. The existing five-lane design discouraged multimodal movements in areas due to Americans with Disabilities Act (ADA) non-compliance, holes in regional connections, and inadequate access spacing. KLJ has been partnering with the Minnesota Department of Transportation (MnDOT), Headwaters Regional Development Commission (HRDC), and the City of Bemidji throughout the past four years to identify operations and safety improvements, achieve community and city council support, and submit a RAISE grant to solicit federal funding. KLJ has worked with area stakeholders, the public, and businesses to recommend the proposed roundabouts on Highway 197 that will substantially improve safety, multimodal movements, and traffic operations of the corridor for the next 50 years. A RAISE grant was awarded in 2022 for \$18 million to support the identified project.

Lincoln County (MT) Port Authority Economic Development

In 2016-2017, KLJ worked with the Lincoln County Port Authority to write and submit an application to the Economic Development Administration (EDA) for development of the Kootenai Business Park. Grant dollars in the amount of \$1.1 million were requested and awarded to redevelop rail in the Park. KLJ continued to work with the Authority for the next two years to assist in grant administration and with infrastructure planning within the Park.

Moorhead (MN) Grade Separation (Rural)

For several years, the City of Moorhead and MnDOT have been pursuing funding for a \$120 million grade separation in Downtown Moorhead, MN. KLJ led the development of a \$26 million dollar grant award from the USDOT for FY 22 discretionary funding under the IJA to fund a portion of the project. KLJ assisted in securing nearly \$70 million in Minnesota State Bonding funds to support the project. Wade has also led ongoing coordination between project partners to clarify a funding strategy for remaining unfunded elements of the project, which is set for construction in 2025. The grant can be viewed at http://moorhead.raisegrant.net/wp-content/uploads/2022/05/MPDG-Grant-narrative_2022_Moorhead.pdf.



Strategic Infrastructure Planning Profiles

Arrive 2045 Bismarck-Mandan (ND) Metropolitan Transportation Plan

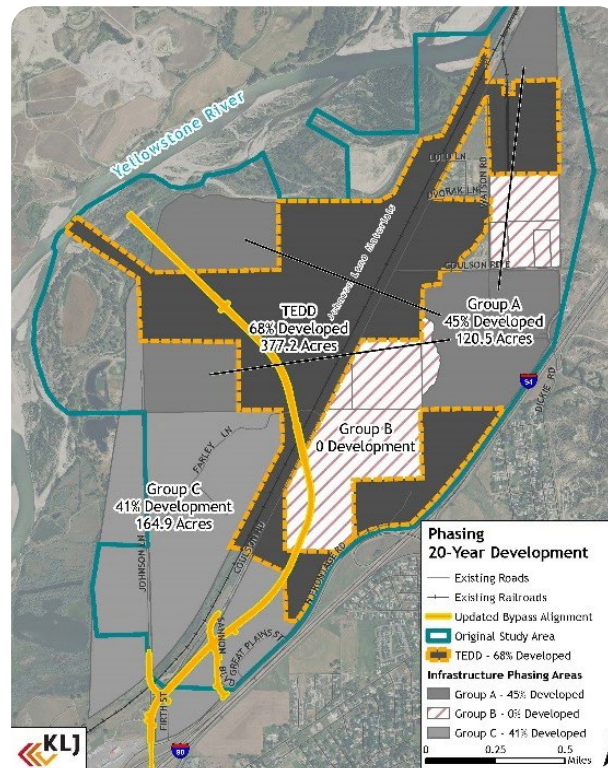
KLJ completed development of the Metropolitan Transportation Plan (Arrive 2045) for the Bismarck-Mandan MPO. Through both technical analysis and community workshops, KLJ has worked to arrive at and evaluate a range of larger regional visions to address desired regional mobility. Through a detailed alternatives evaluation process, Arrive 2045 is moving towards a fiscally constrained set of transportation improvements for the Bismarck-Mandan Metropolitan area. The financial plan for Arrive 2045 was developed in harmony with the North Dakota of Transportation (NDDOT) to ensure linkages between both statewide transportation needs and investment priorities in the area. Arrive 2045 has been developed through an interactive and community engagement planning process. Arrive 2045 is one of the first MAP-21/FAST Act compliant performance-based transportation plans in North Dakota.

Whitefish (MT) Transportation Plan Update

The City of Whitefish hired KLJ to provide updates to their existing transportation plan, which was last updated in 2010. KLJ reviewed numerous existing plans and initiatives, developed to address a range of transportation, land use, and sustainability issues within the Whitefish community. It was evident that transportation demands placed on the community outpaced existing and projected capacity. For the Whitefish 2040 Transportation Plan, the project team developed a baseline conditions report, provided travel demand modeling, and provided alternatives analysis. Other factors of consideration included multimodal opportunities and active transportation gaps to assure that the Whitefish 2040 Transportation Plan addresses the needs of all users. The final plan outlines short-range (1 to 5 years), mid-range (6 to 10 years), and long-range (11 to 20 years) plans for the community to prioritize.

Lockwood (MT) TEDD Master Infrastructure Plan

The Lockwood Targeted Economic Development District (TEDD) had been the subject of various recent studies; however, significant detail was needed to drive transportation and infrastructure investment to the area, which is adjacent to Billings, MT. In cooperation with Yellowstone County, the Big Sky Economic Development Authority (BSEDA), the City of Billings, and key stakeholders from the community of Lockwood, KLJ developed an overall long-range infrastructure master plan for the Lockwood TEDD. This plan outlines both a long-range (20-year) and short-range (5-year) set of system-wide infrastructure needs and high-priority investments.



Dell Rapids (SD) Master Transportation Plan (MTP)

KLJ completed an MTP for the City of Dell Rapids. The MTP is a 20-year planning document prepared to address a series of long-range transportation needs facing the bedroom community north of Sioux Falls metropolitan area. KLJ evaluated existing pedestrian and ADA needs in the community to prepare a long-range program of needed improvements that will address pedestrian mobility throughout the community. The Dell Rapids MTP was supported with a comprehensive public engagement process, including the development of interactive online survey tools and a thoughtful social media campaign.

Beadle County (SD) MTP

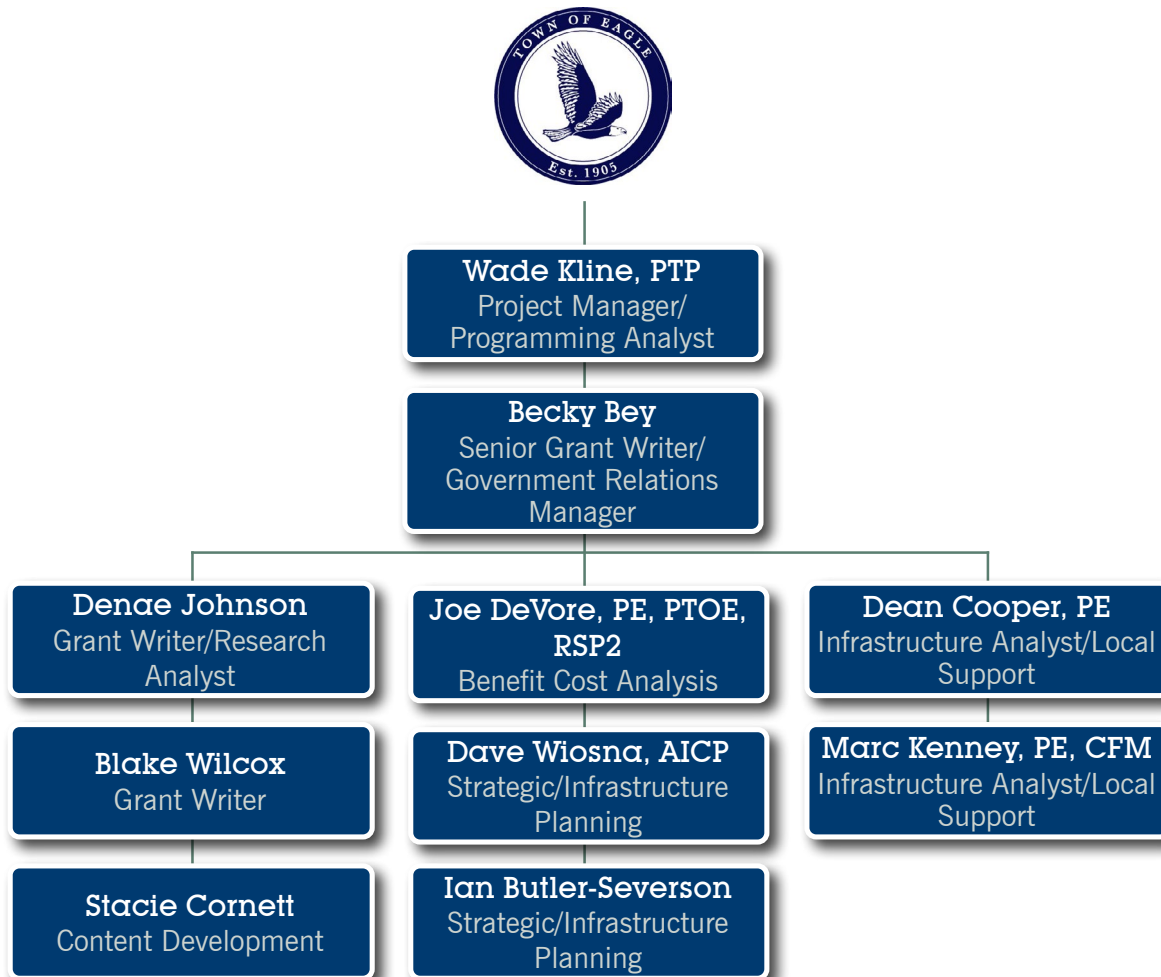
The Beadle County MTP provides a 20-year planning framework for addressing future transportation needs within the county and focused on maintenance and preservation of road and bridge assets. The MTP developed and refined a set of identified needs and issues into a strategic listing of short and long-term transportation infrastructure investments. Public involvement techniques were used to ensure political, technical, and stakeholder input was considered during development.

Colstrip Economic Diversification Plan

In partnership with Southeastern Montana Development Corporation (SEMDC), KLJ completed a comprehensive diversification plan for Colstrip. KLJ conducted extensive research to establish both baseline data and market trends, facilitated public engagement and stakeholder input, held regular communication with SEMDC through weekly progress calls and project updates, and researched/analyzed funding for identified infrastructure and community development needs. **The finished plan won a 2017 Montana American Council of Engineering Companies award in the category of Studies, Research, and Consulting Engineering Services.**

Staffing Resources

KLJ is proposing a hand-picked team with a deep understanding of grant solicitations. We believe this team can help you manage the overall grant process and help the Town of Eagle maximize benefits of new and expanded grant funding. Project Manager Wade Kline, PTP will serve as the Town's main point of contact and lead all project aspects. He has more than 22 years of experience working with municipalities to fund infrastructure and related projects. Short bios of each of our designated team members follow.



Wade Kline, PTP | Project Manager and Programming Analyst
22 Years of Experience | Professional Transportation Planner | BA Urban Planning

Wade currently serves as Government Relations Manager for KLJ and oversees a broad range of specialized client services for KLJ. He has more than 20 years of experience working in the field of infrastructure planning and programming. Wade excels at the identification, prioritization, and programming of financial resources to develop and implement community infrastructure. As the former Director of the Fargo-Moorhead Metropolitan Council of Governments (Metro COG), Wade worked for more than a decade on Metro COG's Transportation Improvement Program (TIP), which was developed annually and prioritized and programmed local, state, and federal aid to support the funding of critical infrastructure projects. At Metro COG, Wade developed a deep understanding of federal funding programs across a number of departments and is particularly adept with the federal surface transportation programs administered in cooperation with Departments of Transportation (DOT).



Becky Bey | Senior Grant Manager/ Government Relations Manager
34 Years of Experience | BA English Literature/Creative Writing

Becky has been a government relations specialist with KLJ for eight years. She is a professional grant writer who has been writing grants for more than 30 years. Becky has assisted communities in successfully writing for and receiving grants for infrastructure, planning, economic development, and community services/facilities projects. She is well-versed in state and federal grant resources and has been paying special attention to the recent influx of federal money through ARPA and IIJA to ensure she can assist communities in fully capturing those resources.

Becky is a trained group facilitator and mediator, becoming a certified Professional Facilitator in 2020. She has used these skills in conjunction with knowledge of funding resources and community planning to identify stakeholders and develop partnerships that aid communities in accessing critical funding, conducting successful planning, identifying/securing partnership resources, and gaining public support for critical community infrastructure and development projects.



Denae Johnson | Grant Writer/Research Analyst
15 Years of Experience | Graduate Certificate in Public Administration, BS Criminal Justice, and BS Psychology

Denae has more than 15 years of experience focusing on project success and developing positive partnerships. She is a solid communicator with a deep commitment to public interest. Denae serves as a government specialist at KLJ and focuses on grant writing, analysis, funding, and public engagement. She is experienced at successfully managing multiple projects from start to finish by implementing solid objectives, tracking contract progress, and meeting and exceeding deliverables, all while staying within budget and on time.



Blake Wilcox | Grant Writer
3 Years of Experience | BA Political Science

Blake is a highly-motivated and dedicated public servant who brings more than three years of experience as a committee legislative assistant for the Minnesota House of Representatives. While with the House of Representatives, he assisted in bill authoring, tracking, planning, and researching. Blake also prepared for and assisted in the management of the Capital Investment Committee and the Housing and Finance Policy Committee. He interacted daily with constituents and elected officials and has an in-depth knowledge of housing and investment policy.



Stacie Cornett | Content Development
21 Years of Experience | AAS Information Technology

Stacie has 21 years of experience providing graphic and layout services for KLJ's individual groups. She assists project managers with compiling, formatting, and displaying information in a format that is easy to comprehend and is visually-appealing, including creation of custom graphics. She has assisted with the layout and design of various report types, including

transportation plans, grants, environmental documents, and various survey reports. Coordinating with GIS staff, Stacie has implemented a process for map graphic design that conforms to specifications of our clients. Her graphic design ability coupled with her understanding and familiarity with KLJ's multiple work groups provides our clients with a professional final product catered specifically to their needs.



Joe DeVore, PE, PTOE, RSP2 | Benefit Cost Analysis
11 Years of Experience | Professional Engineer – ND, MN, MT, SD, CO, FL, WY | Professional Traffic Operations Engineer | Road Safety Professional 2 – Infrastructure | BS Civil Engineering

Joe provides 11 years of experience analyzing traffic operations, quantifying traffic safety, and providing visualization and leadership for stakeholder engagement to identify and recommend technically-supported improvements. He specializes in quantifying and presenting the traffic operations and safety trade-offs making a technical process customized to specific project values.



Dave Wiosna, AICP | Strategic/Infrastructure Planning
5 Years of Experience | American Institute of Certified Planners | MA and BA Geography

Dave is a planner with more than five years of experience in transportation and community planning. He has worked on corridor studies, county transportation plans, long-range transportation plans, transit plans, land use analysis, city and county comprehensive plans, hazard mitigation plans, Tribal transportation plans, and various GIS projects. Dave has extensive experience performing GIS analysis and has contributed to subsequent planning documents.



Ian Butler-Severson | Strategic/Infrastructure Planning
9 Years of Experience | American Institute of Certified Planners (candidate) | MS Transportation Planning

Ian has worked as a planner for public agencies, firms, and private consultants where he has served as a planner with a regional planning commission, worked as a military/federal facility planner, and as a parks and trails planner/designer. He has experience conducting land use analysis, subdivision planning, and roadway, multimodal transportation, and comprehensive plan projects and studies.



Dean Cooper, PE | Infrastructure Analysis/Local Support
33 Years of Experience | Professional Engineer – CO, SC |

Dean has 33 years of engineering experience covering a broad range of services, including design, survey, permitting, construction, and project management of numerous city streetscapes (ADA-accessible routes, drainage, irrigation, landscaping, parks); residential, commercial, and industrial subdivisions; CDOT highway intersection and access; and county road and bridge rehabilitation, maintenance, and replacement.



Marc Kenney, PE, CFM | Infrastructure Analysis/Local Support
25 Years of Experience | Professional Engineer – CO, WY, UT, NM, ND | Certified Floodplain Manager

Marc is a licensed civil professional engineer in Grand Junction, CO with 25 years of experience in hydrology, hydraulics, transportation, and environmental engineering. His focus over the past 15 years has been projects located in the Western Slope and he has been a part of several successful infrastructure projects.

Fees

Project Cost: Strategic Roadmap	
Task	Fee
Project Management/Coordination	\$4,932
Department Diagnostic Meetings	\$6,360
Planning/Programming Review	\$9,924
Suitability Analysis/Project Prioritization	\$14,052
Grant Development Services	TBD
Total	\$34,728

Grant Development Costs	
TIER	COST
Tier 1	\$500-\$2,000
Tier 2	\$2,000-\$3,000
Tier 3 – Level 1 State or Foundation Grant	\$5,000-\$10,000
Tier 3 – Level 2 Federal Grant	\$15,000-\$50,000

Standard Hourly Rate Table	
STAFF	2022 RATES
Wade Kline	\$210.00
Becky Bey	\$129.00
Denae Johnson	\$129.00
Blake Wilcox	\$129.00
Stacie Cornett	\$122.00
Joe DeVore	\$177.00
Dave Wiosna	\$119.00
Ian Butler-Severson	\$120.00
Dean Cooper	\$210.00
Marc Kenney	\$210.00



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EOE / M/F / Vet / Disability



Engineering, Reimagined



To: Mayor and Town Council
From: Larry Pardee, Town Manager
Date: March 28, 2023
Re: Town Manager Report

Administration & Organization

- 2023 is shaping up to be a busy year for our Town as we strive to fill several key positions to ensure the smooth running of our community. We are excited to announce that we have successfully filled six positions: Building & Grounds, Assistant Town Manager, IT Applications administrator, Water Operator, and two Street Operators. Each of these roles is critical to the day-to-day operations of our Town, and we are confident that our new hires will bring valuable skills and experience to their respective positions. Their contributions will undoubtedly help us maintain the high standards of service that our residents have come to expect.

Our hiring efforts continue beyond there. We are extending conditional job offers to a Police Officer and a Code Enforcement Officer candidate. These positions are particularly crucial in serving our community, and we are looking forward to having these positions join our team. While we are thrilled to have made progress in filling these positions, we still have 16 vacancies in 2023. We understand this can be concerning for our residents, but we are committed to finding suitable candidates for each role.

- The Town of Eagle's staff is currently engaged in a vital project that involves the development of a comprehensive database for energy and carbon usage as it relates to community and government operations. This project is a joint initiative between the Adam Palmer Fund and the Town, with Kristen Hartel leading the charge. To facilitate this ambitious undertaking, the team is utilizing ICLEI's advanced software program, which will allow for the accurate and efficient tracking of our current and future community inventory.

The initial draft of the project is already proving to be quite intriguing, and while it is still in the early stages of development, it holds great promise for the future. In the coming months, we can expect to see a wealth of valuable information and insights emerge from this project as the team continues to refine and expand upon its scope. Focusing on sustainability and responsible resource management, the Town of Eagle is taking a step forward in its ongoing efforts to build a greener, more environmentally conscious community.

- The Colorado Transformational Affordable and Workforce Housing Grant program is an initiative that provides grants to eligible applicants to support the development of affordable and workforce housing in Colorado. However, the program was paused until May, when the application process reopens. The Town has been working diligently with the local DOLA representative to ensure they can compete effectively for this grant opportunity. To increase their chances of success, the Town's staff team has been negotiating with Haymeadow and Eagle County to strengthen their application. The grant program requires that the applicant agrees to certain obligations, including awarding a contractor to perform the work by the end of 2024 and using all awarded funds by the end of 2026. These obligations ensure that the grant money is used effectively and efficiently to achieve the intended

goals. The grant program is an excellent opportunity for the Town to develop affordable and workforce housing and improve the quality of life for its residents. By partnering with local entities and meeting the grant's obligations, the Town can present a competitive application and increase its chances of being awarded the grant. The staff's hard work and diligence demonstrate their commitment to providing better housing options for their residents and improving the Town's overall livability.

Outreach & Meetings – This report will provide an overview of recent participation in community outreach opportunities, regional and project-specific meetings. These events offer valuable opportunities to collaborate with stakeholders, stay informed on the latest developments, and contribute to the local community.

- Meeting with Nichole Robillard (Thursday, March 16), I had the opportunity to meet with Nichole Robillard, the Regional Assistant for Field Services at DOLA (Department of Local Affairs). During our meeting, Nichole introduced herself and discussed her role in supporting Kate McIntire, our Regional Manager for the northern mountains. Nichole also explained her responsibilities in overseeing grants awarded to the Town of Eagle and emphasized her commitment to providing direct oversight in this capacity. Our meeting was informative, and I appreciated Nichole's willingness to answer my questions about her new role.
- The Eagle Valley Transportation Authority Board of Directors will have a retreat on (Wednesday, March 22) from 11:30 to 5 o'clock. The retreat will be at the Grand View Room, 395 E. Lionshead Circle, Vail, CO 81657. Given the agenda's short time and intensity/focus, the facilitator recommends keeping the staff footprint small to avoid distraction. The public may attend this meeting to observe.
- Hole Cross Electric Meeting (Thursday, March 23) was held to review and discuss the proposed new rate structure for the Town of Eagle. Key discussion points included the impact of the new rate structure on customers, the rationale behind the changes, and any potential challenges or concerns. The meeting was productive, and attendees had the opportunity to provide feedback and ask questions. Following the meeting, decisions were made to move forward with the proposed rate structure, and actions were taken to communicate the changes to customers.
- On (Friday, March 24), the Mayors, Commissioners, and Managers Partner Meeting was held to discuss various topics of importance to the local governments.

Eagle County Wildfire Collaborative: The Eagle County Wildfire Collaborative was discussed, and the project's progress was reviewed. The Collaborative is an effort by local governments, community groups, and stakeholders to reduce the wildfire risk in Eagle County. The meeting reviewed the progress made since the last meeting and discussed potential future actions.

Wildlife Roundtable Update: The Wildlife Roundtable is a collaborative effort between local governments and wildlife groups to address the issue of human-wildlife interactions in the area. The meeting reviewed the progress made since the last meeting, discussed challenges, and proposed future action plans.

Transit Authority: The meeting discussed the Transit Authority 2023 public transportation initiatives.

Economic Development

- On (Monday, March 20), EVC held its monthly meeting. The items discussed include the EPS Economic Development Plan, Business Survey, which to date we have fifty-five surveys filled out, the status of the Economic Vitality Dashboard, which staff received a draft proposal from Chris Cares at RRC, and the progress to be made for the next month's meeting. Also, Chad Phillips and Nikki Davis

provided overs and helped answer questions on Recode Eagle and Comprehensive Affordable Housing Assessment Report. These items directly link Economic Vitality Committee (EVC) and their meeting to our Town's Major Objectives - Stimulate Economic Vitality and 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 the team with RRC 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.

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

Date: March 28, 2023

Agenda Item: ReCode Introductory Presentation and Update Discussion

REQUEST: To participate in the presentation and update discussion presented by Clarion Associates and Community Development staff regarding the status and future of the ReCode (Land Use and Development Code) process.

BACKGROUND: As we get closer to the public release of the ReCode draft, we have scheduled this presentation to bring the Town Council up-to-speed. Staff and Clarion are planning on releasing the working draft to the public on April 14th. Since this draft will be more than 300 pages, we felt that a summary and status presentation was in order. This presentation will focus on the draft's big departures from the existing Title 4 of the Municipal Code (Land Use and Development Code). This discussion with the Town Council (and last week with the P&Z Commission) will begin the formal process leading to the adoption of the new development code, presently projected for the end of June.

As seen in the attached summary table, staff and Clarion have been busy collecting community comments and direction resulting in a draft code that not only supports the Elevate Eagle Comprehensive Plan but modernizes the code with clarity and current best practices. Clarion will be presenting information that will serve as an introduction to the new draft and provide document highlights.

ANALYSIS: This agenda item will include a PowerPoint presentation that will summarize the ReCode process and highlight matters like project goals, public outreach, key issues/major changes, and remaining schedule.

COMMUNITY INPUT: None for this agenda item. All comments collected will be shared Council at a later date.

BUDGET / STAFF IMPACT: None specific to this presentation.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: None specific to this presentation. Strategic alignment will be summarized with the adoption consideration.

RECOMMENDED ACTION OR PROPOSED MOTION: While most of this agenda item will be presentation from staff and Clarion, questions and direction from Council will be encouraged.

ATTACHMENTS: Eagle LUDC Key Changes Chart

ReCode Eagle: Major Changes to the Land Use and Development Code (2023)			Source of Change						LUDC Update Goal			
			Elevate Eagle	Sub Area Plan	Climate Plan	Affordable Housing	Best Practice	Code Cleanup	Implement Plans	Complete & Consist. Regulations	Address Local Priorities	User-Friendly Code
Chapter	Section	Change										
4.03	Neighborhood Districts											
	All	Formatted to include intent, graphic, and dimensional standards					◆	◆		◆		◆
	All	Single unit and duplex allowed in low density districts	◆			◆	◆		◆		◆	
	All	Dimensional standards to clarify how to incorporate more housing types	◆	◆	◆	◆	◆		◆	◆	◆	
4.03.090	New Downtown residential district added to describe scale	◆				◆		◆	◆	◆		
4.04	Mixed-Use Districts											
	4.04.030	Neighborhood protection standards address "good neighbor" scale issues					◆			◆		◆
	All	Formatted to include intent, graphic, and dimensional standards					◆	◆		◆		◆
	All	Linked to appropriate residential district to provide standards	◆	◆			◆	◆		◆	◆	
	All	Allow mixed-use residential development	◆	◆	◆		◆	◆		◆	◆	
	4.04.050	New MU district for commercial corridors		◆		◆			◆		◆	
4.04.060	CBD renamed Broadway, design standards converted to zone dimensions	◆				◆	◆	◆	◆		◆	
4.05	Commercial and Industrial Districts											
	4.05.030	Neighborhood protection standards address "good neighbor" issues					◆			◆		◆
	All	Formatted to include intent, graphic, and dimensional standards										
4.05.050	Commercial General East (CGE) district added for East Eagle		◆		○			◆	◆	◆		
4.06	Public and Civic Districts											
	4.06.020	New district created to allow housing on civic campuses (e.g., health care, school, church)			◆	◆	◆		◆		◆	
4.07	Rural Districts											
	Both	Carried forward and reformatted						◆		◆		◆
4.08	Planned Unit Development											
	4.08.020	Community benefits clarified to include affordable housing, sustainability, open space	◆	◆		◆	◆	◆	◆	◆	◆	◆
	4.08.030	Review process streamlined to two PUD steps - conceptual and final					◆	◆		◆		◆
4.09	Use Standards											
	4.09.020	Use category descriptions added to help interpretation of future uses					◆	◆		◆		◆
	4.09.040	Use table updated to better describe current range of uses					◆			◆		◆
	4.09.040	Uses changed from Special Use Permit to Permitted or Conditional Use Permit (P&Z)					◆	◆		◆	◆	◆
	4.09.060	Use-specific standards updated and added as needed to help administrative review					◆	◆		◆		◆
	4.09.060	Solar standards added	◆		◆		◆		◆	◆	◆	
4.10	Site Layout and Structure Design Standards											
	All	Current design standards revised to establish more objective standards	◆	◆			◆	◆	◆	◆	◆	◆
	All	Repetitive sections consolidated, topic specific sections (parking) moved to that topic					◆	◆		◆		◆
	All	Graphics added to help describe preferred design elements					◆	◆		◆		◆
	4.10.030	Town design intent updated to reflect Elevate Eagle priorities	◆	◆			◆	◆	◆	◆	◆	◆
	4.10.030	Standards added for attached and multifamily development	◆	◆		◆	◆	◆	◆	◆	◆	◆
	4.10.050	Mixed-use and commercial standards updated and made more objective				◆	◆	◆		◆		◆
	4.10.070	Structural screening standards updated and clarified					◆	◆		◆		◆
	4.10.080	Erosion and sedimentation control requirements and design standards enhanced					◆	◆		◆	◆	◆
4.11	Landscaping and Buffering Standards											
	All	Current requirements clarified and illustrated	◆	◆			◆	◆	◆	◆	◆	◆
	4.11.050	Wildfire protection buffer standards added	◆	◆			◆	◆	◆	◆	◆	◆
	4.11.060	Parking lot landscaping requirements updated and clarified					◆	◆		◆		◆
	4.11.100	Landscaping irrigation made optional, standards added for low water use systems	◆		◆		◆	◆	◆	◆	◆	◆
	4.11.110	Water-wise and FireWise landscaping materials requirement/turf grass limitation added	◆	◆	◆		◆		◆		◆	
4.12	Parking and Loading Standards											
	4.12.020	Applicability to expansion and redevelopment clarified in favor of new uses	◆				◆	◆	◆		◆	
	Table 4.12-2	Off-street parking requirements clarified, updated, and reduced				◆	◆	◆		◆		◆
	4.12.050	Bicycle parking standards added	◆		◆		◆	◆	◆	◆	◆	◆
	4.12.060	Parking reduction added for transit proximity and provision of active transportation route	◆		◆		◆	◆	◆		◆	◆
4.13	Outdoor Lighting											
	All	Current approach revised and streamlined to reflect Town lighting priorities					◆	◆		◆		◆
	4.13.040	Color temperature standard added to align lighting levels with humans and wildlife					◆	◆		◆	◆	◆
4.14	Sustainability, Resilience, and Hazards											
	4.14.010	New standards for review of potential geologic hazards added					◆	◆		◆		
	4.14.010	New standards for consideration of impacts to wildlife habitat added					◆	◆		◆	◆	
	4.14.020	Stream setback standards updated to designate 2 buffer zones with different impacts					◆	◆		◆		
4.15	Subdivision Design and Improvement Standards											
	4.15.010	Many current design standards integrated into Ch. 4.10, applicability instructions added	◆				◆	◆	◆	◆	◆	◆
4.16	Signs											
	all	Updated in February 2022, carried forward	◆				◆	◆	◆	◆	◆	◆
4.17	Administration and Procedures											
	4.17.010	Complete set of common procedures created to describe application review basics					◆	◆		◆	◆	◆
	4.17.050	Notice added for administrative review					◆	◆		◆		◆
	4.17.070	Full set of post-decision actions and limitations standards added (modification, expiration)					◆	◆		◆		◆
	4.17.080	Specific application types consolidated into one section and updated for clarity					◆	◆		◆	◆	◆
	4.17.080	Review criteria tailored to different types of specific applications					◆	◆		◆		◆
	4.17.080.B	Comprehensive plan amendment process added					◆	◆		◆		◆
	4.17.080.C	Conditional use permit with P&Z review added					◆	◆		◆	◆	◆
	4.17.080.D	Development plan (was permit) revised with emphasis on admin and P&Z approval					◆	◆		◆	◆	◆
	4.17.080.I	Vested rights revised for readability and understanding					◆	◆		◆		◆
	4.17.090	Historic preservation processed added for Town consideration	◆					◆	◆		◆	
	4.17.100.C	Minor subdivision changed to administrative review					◆	◆		◆	◆	◆
	4.17.100.E	Subdivision final plat changed to administrative review					◆	◆		◆		◆
	4.17.100.G	Process for vacation of public right-of-way and easements added					◆	◆		◆		◆
	4.17.110.A	Administrative adjustments of 15% to specific standards added					◆	◆		◆		◆
	4.17.110.B	Code interpretation instructions added					◆	◆		◆		◆
	4.17.110.D	Process to determine applicability of LUDC standards to redevelopment added					◆	◆		◆	◆	◆
	4.17.130	Application submission requirements collected in one location and updated					◆	◆		◆		◆
	4.17.140	Required development improvements moved from subdivision for general applicability	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
	4.17.140	Standards for cost-sharing agreements added for consideration	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
	4.18	Nonconformities										
All		Complete set of standards for nonconformities added					◆	◆		◆	◆	◆
4.19	Violations and Enforcement											
	All	Carried forward, reformatted, clarified as needed					◆	◆		◆		
4.20	Measurements and Definitions											
	4.20.040	Measurements consolidated in one location, updated, and illustrated					◆	◆		◆		◆
	4.20.050	General definitions reviewed, updated, and added as needed					◆	◆		◆		◆



To: Mayor and Town Council

From: Tom Gosiorowski, Director, Public Works Department
Chad Phillips, Director, Community Development Department
Jessica Lake, Planner, Community Development Department

Date: March 28, 2023

Agenda Item: Request by 7 Hermits for Discount on Water PIF and Interpretation of Same in the Fee Schedule

REQUEST:

Brandon Cohen of Abrika Properties and owner of the Haymeadow development, has submitted a request for a discount of the Plant Investment Fee-Water as listed in the 2023 fee schedule for all 76 units to be constructed in 7 Hermits, the first phase of development at Haymeadow.

INTRODUCTION:

On December 6, 2022, the Town of Eagle received building permit applications for the seven buildings in the first phase of development at Haymeadow, 7 Hermits (previously referred to as RMF-1). On January 6, 2023 staff received a letter from Mr. Cohen informing staff that Haymeadow was contesting the water PIF applied to this project based on the wording in the 2023 Fee Schedule, which says:

PLANT INVESTMENT FEE-WATER	Water Per Equivalent Residential Unit (EQR) In Town	\$	14,079.50
PLANT INVESTMENT FEE-WATER	Water Per Equivalent Residential Unit (EQR) Out of Town	\$	21,119.25
PLANT INVESTMENT FEE-WATER	Deed Restricted Affordable Housing or Local Employee residence, per unit		50% Discount
PLANT INVESTMENT FEE-SEWER	Sewer - Per Equivalent Residential Unit (1.0 EQR)	\$	10,000.00

The Public Works Director made an interpretation of the fee schedule after discussing the situation with the Town's water attorney such that the discount only applies to designated LERP units within 7 Hermits. The impact to the Water Enterprise Fund was a primary concern, a determination in favor of extending the interpretation to include all deed restricted units or all affordable units would reduce the amount paid into the fund by over \$200,000.

7 Hermits refers to 76 units in 7 buildings. 18 of these units are designated as LERP units, which according to the Town's Ordinance requires an initial sale price of between 90-100% AMI. 15 units are Resident Occupied (RO) units, as required by the 2021 PUD Amendment swapping land in Tract E for land in Neighborhood C. There is no restriction on the initial or future sale price for these RO units. The remaining 43 units in 7 Hermits are under contract with Eagle County's ECHDA. It is staff's understanding that this agreement with ECHDA requires the County to pay a per unit deposit of \$160,000 to 7 Hermits to jumpstart construction. Each unit will then be sold by 7 Hermits (working in partnership with ECHDA) to individual buyers who meet the screening criteria established by the Valley Home Store. The ECHDA will

average about 120% AMI over all 43 units and the average sale price is estimated at \$440,000. The County units are all two-bedroom units.

Deed Restriction Breakdown			
	Number of Units	Type of Unit	AMI
LERP Units	18	(12) 1-bedroom (6) 2-bedroom	90-100%
ECHDA Deed Restricted Units	43	2-bedroom	120% average
Resident Occupied Units (RO)	15	(6) 1-bedroom (9) 2-bedroom	n/a

Unit Breakdown per Building								
	Bldg A	Bldg B	Bldg C	Bldg D	Bldg E	Bldg F	Bldg G	TOTAL
1-Bedroom	3	3	3		3	3	3	18
2-Bedrooms	8	8	8	10	8	8	8	58

Haymeadow is requesting a determination from Council as to whether or not the wording in the fee schedule would apply to all of the units in 7 Hermits, or to LERP units only.

ANALYSIS:

This request by the Haymeadow development may have implications beyond just this one development and Council's interpretation will clarify for staff how we should apply this fee schedule line item to other developments that apply for building permits in the next few years; however, it is the Town water attorney's recommendation that the Council should take this out of the fee schedule and create a specific section in the Code that allows Council to negotiate Water PIF for affordable housing units on a case by case basis. Staff notes that currently there is no Code language to support or provide guidance for this line item in the fee schedule.

This request has adverse effects on the Water Enterprise Fund and staff has performed the following calculations to show Council what the per unit payment would be with the 50% LERP discount, a partial 50% discount for 61 units and a discount only on the 18 LERP units.

50% Discount for 18 LERP units only, No Discount for 61 units		With 50% Discount for all 76 units		50% Discount for 18 LERP units and 43 ECHDA units	
2022 Water per EQR	\$14,079.50	2022 Water Per EQR	\$14,079.50	2022 Water per EQR	\$14,079.50
1-bedroom (.6 EQR)	\$8,447.70	1-bedroom (.6 EQR)	\$8,447.70	1-bedroom (.6 EQR)	\$8,447.70

2-bedroom (.8 EQR)	\$11,263.60	2-bedroom (.8 EQR)	\$11,263.60	2-bedroom (.8 EQR)	\$11,263.60
50% LERP Discount	\$4,223.85 (per 1 bedroom) \$5,631.80 (per 2 bedroom)	50% LERP Discount	\$4,223.85 (per 1 bedroom) \$5,631.80 (per 2 bedroom)	50% LERP Discount	\$4,223.85 (per 1 bedroom) \$5,631.80 (per 2 bedroom)
Prepayment	Per ADA	Prepayment	Per ADA	Prepayment	Per ADA
Per 1-bed unit Total	\$23.85 / \$4,247.70	Per 1-bed unit Total	\$23.85	Per 1-bed unit Total	\$23.85 / \$4,247.70
Per 2-bed unit Total	\$1,431.80 / \$7,063.60	Per 2-bed unit Total	\$1,431.80	Per 2-bed unit Total	\$1,431.80 / \$7,063.60
Total for All Units	\$401,670.40	Total for All Units	\$83,473.70	Total for All Units	\$159,503.00

The calculations above do not include the Sewer PIF or any raw water irrigation PIF credit as those are not part of this request. This request is only for a reduction in payment of water PIF on the basis of work force housing.

As there is no language in the Code to allow for negotiation of the discount identified in the fee schedule, Council only retains the right to negotiate these rates during an annexation. Staff and the applicant are requesting Council's interpretation of "deed restricted affordable housing" to determine whether the 50% discount should be applied to LERP units only, to all 76 units, or to LERP and ECHDA units.

COMMUNITY INPUT:

None, this is a request to Council for clarity on the fee schedule.

BUDGET / STAFF IMPACT:

This request will impact the amount paid into the Water Enterprise Fund.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

Match Infrastructure to Quality of Life – A determination in favor of discounting all 76 units or the 61 deed restricted affordable units would reduce the amount paid into the Water Enterprise fund by over \$200,000.

Diversify the Attainable Housing Stock – The 7 Hermits phase of development brings 61 deed restricted affordable units and 15 units that are restricted to residents within Eagle County to the market within the next year or two. For reference, according to the housing study, Eagle currently has a total of 102 deed restricted homes (including Eagle Ranch).

RECOMMENDED ACTION OR PROPOSED MOTION:

Staff wants to provide Council with the opportunity to review the submitted documents and to hear from the applicant and from staff.

Staff is requesting direction from Council on how this line item in the fee schedule should be applied to 7 Hermits at Haymeadow and potentially to other projects that submit for building permit application prior to any Title 12 or Fee Schedule updates.

Staff is also requesting direction from Council on whether or not to present a revised fee schedule and either removing this line item or revising to remove “deed restricted affordable housing” and keeping only LERP.

Lastly, staff is requesting direction on how broadly you would like to apply a discount for work force housing, which would include an amendment to Title 12.

Suggested Motions:

Move to direct staff not to bring this request forward for further consideration on April 11, 2023 and to continue with the interpretation that the 50% water PIF discount should only apply to LERP units.

Move to direct staff to bring forward for consideration a revision to the fee schedule and striking the “deed restricted affordable housing” language.

Move to direct staff to bring forward for consideration an amendment to Title 12 of the Municipal Code with the following general elements...

ATTACHMENTS:

- Letter from Brandon Cohen revised March 20, 2023.
- Draft 7 Hermits Condos PIF Calcs based on the latest reviewed Building Permit Plans.



March 20th, 2023

Re: Water Plant Investment Fees for Deed Restricted Units

Town Staff,

As you are aware, we are finalizing terms with the Eagle County Housing and Development Authority (ECHDA) to triple the pace of development of our first phase, deed restrict **all** 76 units, and convert them to all-electric highly efficient energy systems. Through this partnership, we'll be able to break ground in a few weeks and make a major impact on affordability in Eagle with 61 price-capped units and 15 RO units delivered in early 2024.

In negotiating the pricing of that agreement with the ECHDA, we had assumed the 43 units they will contract to buy would be eligible for the 50% reduction in Water Plant Investment Fees as described in the Town's published fee schedule. The fee schedule lists the 50% credit for "Deed Restricted Affordable Housing or Local Employee residence(s)." There is no other reference to this credit in the Town Code or fee schedule.

ECHDA is listed as the buyer of all 43 units in our agreement; however, the agreement obligates us to cooperate with them to directly title units to individual buyers of their choice at each closing and obligates the ECHDA to "use its best efforts to sell the Units at an average price that is affordable to a household earning 120% of the 2024 Area Median Income using Purchaser's standard methodology for determining housing affordability." The Valley Home Store will be screening all offers based on the County standards to determine eligibility and the goal is to have buyers lined up prior to each closing so that the County never has to take possession of the units and they are directly titled to each pre-screened buyer. However, in a worst-case scenario where any unit does not have a buyer ready to purchase at closing, the ECHDA is obligated to purchase the unit. In that unlikely scenario, the Contract states that the ECHDA's intent "is to sell each Unit acquired hereunder to individuals as part of its mission to provide affordable housing within Eagle County." Our per unit net proceeds, including the County subsidy, will be roughly \$125,000 lower than our lowest priced RO unit.

It is our belief that these units meet the definition in the fee schedule of "Deed Restricted Affordable housing" and that this partnership was exactly the type of creative solution to the Town's housing challenges that Town Council intended to encourage when it adopted the fee schedule. The fee schedule does not require that there are no other sources of subsidy to warrant this Water Plant Investment Fee credit. Therefore, we had assumed that this was intended to be one of multiple elements of subsidies to incentivize Deed Restrictions. For reference, the credit we are requesting as listed in the fee schedule amounts to \$5,632 per price-capped, deed restricted unit. That alone would not come close to incentivizing a price-capped Deed Restriction.

Additionally, we are seeking a clarification on the applicability of the credit to our thirty RO Deed Restricted units that we agreed to sell as a condition of approval for the PUD Amendment in 2021, fifteen of which are planned for this first phase. The fee schedule unfortunately does not define “Affordable”, but these units are Deed Restricted, intended for local residents, and will be the most affordable for-sale housing units currently available in Eagle. For reference, the cheapest available for-sale housing option in the Town of Eagle is currently listed at \$800,000.

We would like to request that we be added to the Town Council agenda on March 28th so that the Council can provide us guidance on their interpretation of the language in the Towns published fee schedule. We hope you’ll find that these units meet the intent of the language and look forward to working with the Town, and the ECHDA, to bring the Haymeadow PUD to fruition and address the Towns need for more diverse, affordable housing options.

All the best,

A handwritten signature in black ink, appearing to read 'Brandon Cohen', with a stylized, cursive script.

Brandon Cohen

Haymeadow 7 Hermits Condos Water and Sewer PIF

Water PIF	\$805,347.40
Sewer PIF	\$572,000.00
LERP Credit	-\$84,480.00
Non-Potable Irrigation Credit	-\$167,561.60
Pre-payment Credit	-\$240,240.00
TOTAL DUE	\$885,065.80

7 Hermits Condos PIF Calculations

Building	BP Number	Studio	1 Bedroom	2 bedroom	3 Bedroom	EQRs	Water PIF Cost per EQR	Total Water PIF Cost	Sewer PIF Cost per EQR	Total Sewer PIF Cost
A - Level 1.1	22TEGL-5796		3			1.8	\$14,079.50	\$25,343	\$10,000	\$18,000
A - Level 2.1	22TEGL-5796			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
A - Level 2.2	22TEGL-5796			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
A - Level 3.1	22TEGL-5796			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
A - Level 3.2	22TEGL-5796			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
							\$14,079.50			
B - Level 1.1	22TEGL-5797		3			1.8	\$14,079.50	\$25,343	\$10,000	\$18,000
B - Level 2.1	22TEGL-5797			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
B - Level 2.2	22TEGL-5797			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
B - Level 3.1	22TEGL-5797			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
B - Level 3.2	22TEGL-5797			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
							\$14,079.50			
C - Level 1	22TEGL-5798		3			1.8	\$14,079.50	\$25,343	\$10,000	\$18,000
C - Level 2	22TEGL-5798			4		3.2	\$14,079.50	\$45,054	\$10,000	\$32,000
C - Level 3	22TEGL-5798			4		3.2	\$14,079.50	\$45,054	\$10,000	\$32,000
							\$14,079.50			
D - Level 1	22TEGL-5799			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
D - Level 2	22TEGL-5799			4		3.2	\$14,079.50	\$45,054	\$10,000	\$32,000
D - Level 3	22TEGL-5799			4		3.2	\$14,079.50	\$45,054	\$10,000	\$32,000
							\$14,079.50			
E - Level 1	22TEGL-5800		3			1.8	\$14,079.50	\$25,343	\$10,000	\$18,000
E - Level 2	22TEGL-5800			4		3.2	\$14,079.50	\$45,054	\$10,000	\$32,000
E - Level 3	22TEGL-5800			4		3.2	\$14,079.50	\$45,054	\$10,000	\$32,000
							\$14,079.50			
F - Level 1.1	22TEGL-5801		3			1.8	\$14,079.50	\$25,343	\$10,000	\$18,000
F - Level 2.1	22TEGL-5801			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
F - Level 2.2	22TEGL-5801			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
F - Level 3.1	22TEGL-5801			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000

F - Level 3.2	22TEGL-5801			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
							\$14,079.50			
G - Level 1.1	22TEGL-5802		3			1.8	\$14,079.50	\$25,343	\$10,000	\$18,000
G - Level 2.1	22TEGL-5802			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
G - Level 2.2	22TEGL-5802			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
G - Level 3.1	22TEGL-5802			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
G - Level 3.2	22TEGL-5802			2		1.6	\$14,079.50	\$22,527	\$10,000	\$16,000
Totals		0	18	58	0	57.2		\$805,347		\$572,000

Non-Potable Irrigation Credit

Non-Pot Irrigated . 119006.82
 EQR Credit (0.25
 EQR/2500 SF not
 to exceed 25% of 11.900682
 25% of Total EQR 14.3
 EQR Credit Applied 11.900682
 Non-Potable Irriga **\$ 167,561.60**

						Water PIF	
						Cost per	LERP Credit
LERP Credit		Studio	1 Bedroom	2 bedroom	3 Bedroom	EQR	Amount
LERP Units		0	12	6	0	12	\$84,480

PIF Prepayment Credit

7 Hermits EQR Tot 57.2
 per EQR Credit Ap \$4,200.00 per ADA Section 8.5
Credit applied to : \$240,240.00



To: Mayor Turnipseed and Town Council

From: Peyton Heitzman, Planner, Community Development Department

Date: March 28, 2023

Agenda Item: Ordinance 02, Series 2023, An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Sections 4.04.060 of the Eagle Municipal Code to Permit Two-Family and Multiple-Family Dwellings as Uses by Right in the Residential Single Family Zone District.

REQUEST:

For Town Council to consider amending the residential uses permitted in the Residential Single-Family zone district.

INTRODUCTION:

Staff is proposing to amend the Single Family (R1) zone district to allow two-family and multifamily units as a use by right. Currently, the only residential use permitted in the R1 zone district is single-family units. This code amendment was initially proposed ahead of ReCode, the code rewrite, to increase the Town's competitiveness for a state grant issued through the Department of Local Affairs. Communities were required to adopt a minimum number of regulatory strategies, outlined in HB21-1271, to reduce barriers and assist with the creation of affordable housing units. DOLA staff shared the Town's application would be more competitive if additional qualifying strategies were adopted prior to funds being awarded to communities.

The Town was awarded the Incentive Grant on March 13th. While the grant award is not contingent on the adoption of this code amendment, staff believes tonight's code amendment will demonstrate to DOLA a continued commitment to pursue housing friendly updates to our land use regulations.

Clarion, the consultant group preparing ReCode, has proposed several changes to Title 4 which will qualify as strategies under HB-1271. While it was determined the majority of code amendments should be brought forward in the larger code update, tonight's amendment is a solution easily adopted under the current code and can be carried forward in ReCode.

The Planning & Zoning Commission reviewed and recommended approval of the proposed amendment during their March 7th meeting.

ANALYSIS:

Staff believes this amendment to the code will have little to no impact to the Town prior to the adoption of ReCode. If you study the zoning map, you will notice the R1 zone district is nowhere to be found. The Municipal Code includes the R1 zone district, as shown in Section 4.04.010. ([LINK](#)), but the zone district was never formally established in town.

This amendment departs slightly from the changes proposed in the draft Installment 1 of ReCode. The existing R1 zone district has been renamed the Neighborhood Traditional (N2) zone district in ReCode. The draft use table in ReCode (page 65 – [LINK](#)) allows single and two-family dwelling units within N2. In contrast, the recent housing assessment (page 42 - [LINK](#)) recommends allowing not only duplexes but triplexes and other multifamily units as a use by right in single-family zone districts. This code amendment aligns with the recommendations made in the housing assessment.

Town Council will have the opportunity to revisit this amendment during the adoption of ReCode this summer.

COMMUNITY INPUT:

None received.

BUDGET / STAFF IMPACT:

The amendment to the code does not result in impact to the budget.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

The amendment aligns with the 2020 Strategic Plan’s major objective to ‘Diversify the Attainable Housing Stock’ by allowing more housing types within the R1 zone district.

RECOMMENDED ACTION OR PROPOSED MOTION:

I move to APPROVE Ordinance 02, Series 2023, An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending Sections 4.04.060 of the Eagle Municipal Code to Permit Two-Family and Multiple-Family Dwellings as Uses by Right in the Residential Single Family Zone District.

ATTACHMENTS:

- Planning & Zoning Commission Meeting Minutes March 7, 2023
- Ordinance 2, Series 2023



MEETING MINUTES
Planning & Zoning Commission
Tuesday, March 7, 2023, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

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

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with option for the public to attend via Teams.

6:00 PM - REGULAR MEETING CALLED TO ORDER & ROLL CALL

Hood called the meeting to order.

1. New Member Oath, Keith Montag (Regular Member)
2. New Member Oath, Weston Arbogast (Alternate)
3. Appointment of Vice Chairman – Tabled to March 21, 2023 meeting
4. Appointment of Land Use Code Update Committee Liaison

MOTION: NUTKINS MOTIONED TO KEEP FORMER PLANNING COMMISSIONER KYLE HOILAND AS THE LAND USE CODE UPDATE COMMITTEE LIAISON FOR THE PLANNING & ZONING COMMISSION.

MOTION WAS SECONDED AND APPROVED UNANIMOUSLY.

COMMISSIONERS PRESENT

Matt Hood, Bill Nutkins,
Jennifer Filipowski, Keith Montag,
Weston Arbogast,
Jamie Woodworth Foral (via Teams)

STAFF

Chad Phillips – Community Development Dir.
Cliff Simonton – Senior Planner
Peyton Heitzman – Planner II
Dennis Wike – Town Engineer

COMMISSIONERS ABSENT

Keegan Winkeller, Keith Klesner

APPROVAL OF MINUTES

1. Minutes dated February 21, 2023

The minutes were approved as presented without change.

PUBLIC COMMENT

Hood opened public comment. There was no public comment.

PUBLIC HEARINGS

1. Project: Code Amendment – Amendment to Chapter 4.04
File #: LURA23-02
Applicant: Town of Eagle
Location: Town of Eagle
Staff Contact: Peyton Heitzman, Planner II
Request: To amend uses permitted in the Residential Single-Family (R1) zone district.

Hood opened file #LURA23-02.

Staff Presentation

Heitzman presented this file. The request is to allow duplexes and multi-family as a use by right within the Residential Single Family (R1) zone district. Staff noted there are no other impacts to other general zoning requirements. While an R1 zone district is not part of the Town's current zoning map, it is a recognized zone district in the Municipal Code. This amendment would further support community's efforts to increase affordable housing policies. The method of density increases was also supported by the recently completed Comprehensive Affordable Housing Assessment (CAHA).

Staff recommended the Commission approve the recommendation to amend Chapter 4.04.

Q & A

Nutkins asked why not eliminate R1 instead. Heitzman responded it can be discussed through ReCode but recommended keeping it. The Town must demonstrate efforts toward increasing affordable housing opportunities by adopting qualifying strategies identified by the State. This effort is linked to a grant application.

Hood asked if this amendment is being considered for any PUDs in town. Heitzman verified this amendment would not impact Planned Unit Development (PUD) guidelines at this time.

Montag asked if Clarion has provided input on the requested code amendment. Heitzman responded that Clarion has provided an initial draft and was also waiting for specific recommendations from the CAHA. Montag added that staff might consider a special use permit process to ensure all the criteria are met within a multi-family zone district.

Public Comment

There was no public comment.

Deliberation

Hood expressed the Town needs increased density and flexibility in the straight zoned areas of Eagle to spur redevelopment and ensure a vibrant downtown.

The Commission was supportive of waiting for Clarion's presentation to further discuss the matter.

MOTION: FILIPOWSKI MOTIONED TO APPROVE THE RECOMMENDATION TO AMEND CHAPTER 4.04 AS PROVIDED IN ORDINANCE 2, SERIES 2023 BASED ON CONSISTENCY WITH THE TOWN'S GOALS, POLICIES, AND PLANS.

MOTION WAS SECONDED AND PASSED UNANIMOUSLY.

Hood closed file #LURA23-02.

OPEN DISCUSSION

Phillips provided an update on the department's future hearing schedule, anticipated applications, the Code Enforcement Specialist position, and construction progress at Reserve at Hockett Gulch.

ADJOURN

MOTION: NUTKINS MOTIONED TO ADJOURN. MOTION WAS SECONDED AND PASSED UNANIMOUSLY.



Town Council

March 28, 2023



Amendment to Chapter 4.04
LURA23-02

OVERVIEW

Applicant: Town of Eagle

Location/
Zoning: Residential Single Family (R1) zone district

Requests: Amend use table to allow duplexes and multi-family as a use by right within the Residential Single Family (R1) zone district.

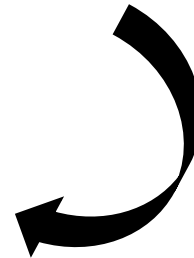
Public Comments: Noticed in newspaper. No public comment received.



Section 4.04.060. – Uses permitted in residential zone districts.

ZONING DISTRICT	RH	RMF	RM	R1	RL	RR	R	MHP/PUD
USE								
Single-family dwelling	P	P	P	P	P	P	P	*
Two-family dwelling	P	P	P	*	S	S	S	*
Multiple-family dwelling	P	P	P	*	*	*	*	*

ZONING DISTRICT	R1
USE	
Single-family dwelling	P
Two-family dwelling	P
Multiple-family dwelling	P



* = prohibited use
P = permitted use

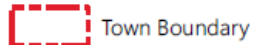
Section 4.04.080. Zoning Requirements in residential districts.

RESIDENTIAL ZONE DISTRICTS TABLE										
ZD	MLA	MLA/DU	MFY		MSY	MRY	MBH	MLC*	MFA	MUO/ DU
R1	6,000 sf	6,000 sf	L	25'	Greater of 12.5' or ½ building height	20'	35'	Building 40%; all other impervious 20%	60%	
			C	25'						
			A	50'						

- No changes to zone district requirements



LEGEND



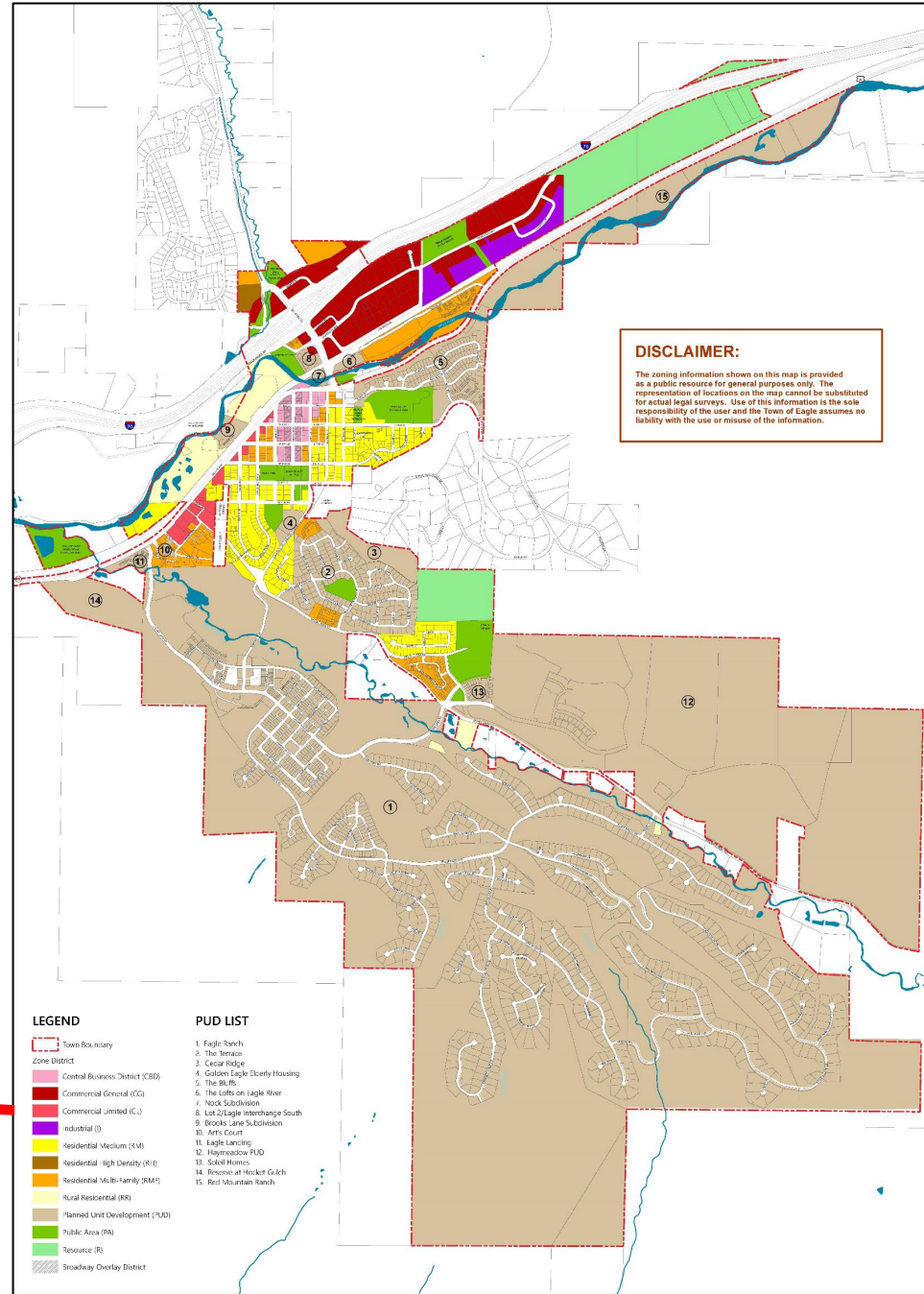
Zone District

-  Central Business District (CBD)
-  Commercial General (CG)
-  Commercial Limited (CL)
-  Industrial (I)
-  Residential Medium (RM)
-  Residential High Density (RH)
-  Residential Multi-Family (RMF)
-  Rural Residential (RR)
-  Planned Unit Development (PUD)
-  Public Area (PA)
-  Resource (R)
-  Broadway Overlay District

PUD LIST

1. Eagle Ranch
2. The Terrace
3. Cedar Ridge
4. Golden Eagle Elderly Housing
5. The Bluffs
6. The Lofts on Eagle River
7. Nock Subdivision
8. Lot 2/Eagle Interchange South
9. Brooks Lane Subdivision
10. Art's Court
11. Eagle Landing
12. Haymeadow PUD
13. Soleil Homes
14. Reserve at Hocket Gulch
15. Red Mountain Ranch

- R1 zone district not included on current Zoning map



Housing Assessment Recommendations

Density Increase

In the updates to Eagle's Land Use Code, it is recommended to permit additional density for single-family zone districts to allow for duplexes, triplexes, and other multiunit as a use by-right. This will increase density in most areas of town without drastically changing the character. Single-family lots will be able to develop with additional units that will increase the housing supply in Eagle as well as diversify the housing stock and potentially offer more affordable units.



Planning Commission Recommendation

The Planning & Zoning Commission recommended **APPROVAL** of Ordinance 2, Series 2023 based on consistency with the Town's goals, policies and plans.



Questions for staff?



TOWN OF EAGLE, COLORADO
ORDINANCE NO. 02
(Series of 2023)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING SECTION 4.04.060 OF THE EAGLE MUNICIPAL CODE TO PERMIT TWO-
FAMILY AND MULTIPLE-FAMILY DWELLINGS AS USES BY RIGHT IN THE
RESIDENTIAL SINGLE FAMILY ZONE DISTRICT

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

Section 1. Section 4.04.060 of the Eagle Municipal Code is hereby amended to allow
Two-Family Dwellings and Multiple-Family Dwellings as uses by right in the Residential Single
Family (R1) Zone District, as shown in the following table excerpt:

Section 4.04.060. Schedule of uses permitted in residential zone districts.

* * *

ZONE DISTRICT	RH	RMF	RM	R1	RL	RR	R	MHP/PUD
USE								
Two-family dwelling	P	P	P	P	S	S	S	*
Multiple-family dwelling	P	P	P	P	*	*	*	*

* * *

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 MARCH 28, 2023.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council
From: Jenny Rakow, Town Clerk
Date: March 28, 2023

Agenda Item: Ordinance 03 Series 2023 “An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 5.10.070 of the Eagle Municipal Code to Permit Tastings at Fermented Malt Beverage and Wine Retailers”

REQUEST: The Town Council is requested to consider an Ordinance amending our Town Code to add fermented malt beverage and wine retailers to the list of licensees that are permitted to conduct tastings.

BACKGROUND: On March 1, 2023, Proposition 125 amended CRS 44-3-301(10)(b) to add fermented malt beverage and wine retailers to the list of licensees that are permitted to conduct tastings. Pursuant to the language of the statute, the local license authority can be more restrictive concerning the tastings, but cannot exclude a class of license.

ANALYSIS: Currently, Section 5.10.070 of the Eagle Municipal Code allows for tastings at retail liquor stores and liquor-licensed drug stores. As a result, the Town Council will determine whether to allow fermented malt beverage and wine retailers to conduct tastings. The only alternative is to revoke permission for tastings altogether.

COMMUNITY INPUT: None is required.

BUDGET / STAFF IMPACT: Impacts on budget and staff if this Ordinance is passed would include processing and accepting fees for tastings applications.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This item does not have a direct link to a Major Objective. However, it does support "Stimulating Economic Vitality and Development." A denial or modification this Ordinance would limit the ability of retailers to conduct tastings in the Town of Eagle.

RECOMMENDED ACTION OR PROPOSED MOTION: MOTION TO APPROVE OR DENY Ordinance 03 Series 2023 “An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Section 5.10.070 of the Eagle Municipal Code to Permit Tastings at Fermented Malt Beverage and Wine Retailers”

ATTACHMENTS:

1. Tastings-O031023

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 03
(Series of 2023)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING SECTION 5.10.070 OF THE EAGLE MUNICIPAL CODE TO PERMIT
TASTINGS AT FERMENTED MALT BEVERAGE AND WINE RETAILERS

WHEREAS, C.R.S. § 44-3-301(10) previously authorized a local licensing authority to receive and approve applications for tastings by a retail liquor store or a liquor-licensed drugstore, or to prohibit tastings altogether;

WHEREAS, on March 1, 2023, Proposition 125 amended the above-mentioned statutory section to add fermented malt beverage and wine retailers to the list of licensees that are permitted to conduct tastings; and

WHEREAS, the Town now desires to amend Section 5.10.070 of the Eagle Municipal Code to include fermented malt beverage and wine retailers as licensees that may apply for tastings.

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

Section 1. Section 5.10.070 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

Section 5.10.070. – Alcohol beverage tastings.

A. In accordance with C.R.S. § 44-3-301(10), as amended, retail liquor store licensees, liquor-licensed drugstore licensees and fermented malt beverage and wine retailer licensees may conduct alcohol beverage tastings subject to the limitations contained in C.R.S. § 44-3-301(10), and subject to approval by the Town Council, acting as the Local Licensing Authority, of an alcohol beverage tastings permit and payment of all requisite fees.

B. A retail licensee that desires to conduct tastings may submit an application to the Town Council, acting as the Local Licensing Authority. The Town Council may reject the application if the applicant fails to establish that it is able to conduct tastings in compliance with C.R.S. § 44-3-301(10) or without creating a safety risk to the neighborhood.

C. The applicant for an alcohol beverage tastings permit shall certify on the application that all persons serving alcohol beverages at tastings have completed a server training program that meets the standards established by the liquor enforcement division of the Colorado Department of Revenue. The applicant shall also state on the application the days and times that tastings will occur. The licensee shall give at least twenty-four (24) hours prior notice to the Eagle Police

Department of any deviations in the tastings schedule as set forth in the application.

D Every application for an alcohol beverage tasting permit or renewal thereof shall be accompanied by an application fee in an amount set forth by resolution of the Town Council.

E. An approved alcohol beverage tastings permit shall have an expiration date concurrent with the establishment's existing license and shall be subject to annual renewals accordingly.

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 MARCH 28, 2023.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council
From: Jenny Rakow, Town Clerk
Date: March 28, 2023

Agenda Item: Resolution 21, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Declaring a Vacancy on the Town Council as of March 28, 2023, and Establishing the Procedures for Filling Such Vacancy"

REQUEST: Staff is requesting the Town Council to officially declare a vacancy per our Charter and give staff direction on the timeline for appointment.

BACKGROUND: cus

On March 14, 2023, Janet Bartnik formally submitted her resignation to the Town Council. This creates a vacancy prior to her term ending with the regular election to be held November 7, 2023.

ANALYSIS: In 2020 the Council adopted Resolution 2020-21 establishing the process for filling a vacancy. Pursuant to that Resolution, the following process was outlined: *(Proposed dates are included for consideration or discussion)*

- Public Notice of vacancy and application process - March 29, 2023
- Deadline for Applications: Proposed - April 20, 2023, @ 4:00 p.m.
- Council votes to determine applicants, seat a candidate or schedule a work session - April 25, 2023
- Initial Interviews - Choices are May 2nd or May 9th (Work Session, Special Meeting, or Regular Meeting -
*reminder this will be determined at the April 25, 2023 meeting, and using a Special or Regular Meeting will allow the Council the ability to make a decision)

Interview and Appointment Process:

- Public input during Initial Interviews
- Council discussion on applicants
- Ballots are cast for the preferred candidate
- Pass Resolution appointing candidate

After a selection is made, the formal swearing-in of the appointed Council Member can occur immediately on May 9th.

Per the Resolution, the Town Council can determine the timeline and make any modifications to this process. The dates listed are proposed only.

This position will serve until the November 7, 2023 election.

COMMUNITY INPUT: None is required.

BUDGET / STAFF IMPACT: There will be nominal costs for doing a public notice in the newspaper.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: A council appointment will serve to uphold the Strategic Plan and its major objectives.

RECOMMENDED ACTION OR PROPOSED MOTION:

MOTION: To APPROVE or DENY Resolution 21, Series 2023 "A Resolution of the Town Council of the Town of Eagle, Colorado Declaring a Vacancy on the Town Council as of March 28, 2023, and Establishing the Procedures for Filling Such Vacancy"

ADDITIONAL OPTIONAL MOTION: Motion to direct staff to begin the appointment process with the following dates - The deadline for applicants to apply will be April 20 and next action will be on April 25, 2023 with a vote to determine applicants for interviews.

ATTACHMENTS:

1. Resolution 21-2023 Vacancy Declaration
2. Exhibit A Resolution 21-2020 Vacancy Process
3. CONFLICT OF INTEREST DISCLOSURE STATEMENT NOTARY
4. Town Council Application
5. Vacancy ad 2023

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 21
(Series of 2023)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
DECLARING A VACANCY ON THE TOWN COUNCIL AS OF MARCH 28, 2023, AND
ESTABLISHING THE PROCEDURES FOR FILLING SUCH VACANCY

WHEREAS, on March 14, 2023, Councilmember Janet Bartnik submitted her letter of resignation;

WHEREAS, Section 3.02(4) of the Town of Eagle Home Rule Charter requires that the Town Council declare a vacancy on the Town Council; and

WHEREAS, on April 28, 2020, the Town Council adopted Resolution No. 21, Series 2020, attached hereto as **Exhibit A** and incorporated herein by this reference, which established procedures for filling a vacancy on the Town Council by appointment (the "Appointment Procedure").

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

Section 1. The Town Council hereby declares a vacancy on the Town Council, as of March 28, 2023.

Section 2. This vacancy on the Town Council shall be filled by the Appointment Procedure. The term of the seat being filled shall extend through first regular Council meeting following the final certification of the November 2023 election.

INTRODUCED, READ, PASSED AND ADOPTED ON March 28, 2023.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 21
(Series of 2020)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
ESTABLISHING A PROCESS FOR THE TOWN COUNCIL SELECTION AND
APPOINTMENT OF COUNCILMEMBERS TO FILL A VACANCY DUE TO THE
RESIGNATION OF A COUNCILMEMBER

WHEREAS, on April 7, 2020 the electorate of the Town of Eagle, CO approved a Home Rule Charter that requires the Town Council to establish a process for appointments to fill vacancies by councilmembers by Resolution;

WHEREAS, Section 2, Article III of the Charter of the Town of Eagle provides for the appointment by the Town Council to fill a vacancy on the Town Council, to serve until the next regular election; and

WHEREAS, in the interest of timely carrying out the duties and responsibilities of the Town Council, the Town Council desires to proceed with the selection and appointment process as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO that the selection and appointment process to fill a vacancy shall be as follows:

Section 1. Public information and application process:

- A. The Town Clerk posts and distributes to various media outlets information regarding the vacancy and application process.
- B. The form of application includes a notarized affidavit and a signed Conflict of Interest form. Per the Town Charter, applicants must meet the following qualifications:
 - 1. A citizen of the United States of America;
 - 2. A registered elector of the Town;
 - 3. A resident of the Town for a period of no less than twelve (12) consecutive months preceding the election; and
 - 4. Currently eligible to vote in the Colorado general elections.
- C. Applications can be submitted online on the Town's website or in person at 200 Broadway Street Eagle, CO 81631. Applications can also be mailed to P.O. Box 609, Eagle, CO 81631. Applications must be received by 4:00 PM on the deadline established by the Town.

- D. All application materials will be posted for public review as part of an upcoming meeting of the of the Town Council.
- E. Upon the closure of the application period, staff will confer with the Mayor to determine, based on the number of applicants, whether to include on the agenda at an upcoming meeting, and one of the following shall apply:
 - 1. A vote to determine the pool of applicants to be interviewed, or, alternatively,
 - 2. A vote on the desired candidate to be seated during the current meeting or an upcoming meeting, or
 - 3. Schedule a Work Session for a vote on finalists to be considered at an upcoming meeting.

Section 2. Initial interview process:

- A. The Council will conduct initial interviews with all applicants at an upcoming meeting at Town Hall on 200 Broadway Street. If the Council is unable to meet physically due to an Emergency Declaration, natural disaster, or some other extenuating circumstance, interviews will be conducted using alternative meeting protocols established by the Council.
- B. If the number of applications received makes interviewing all applicants impracticable, the Council may consider determining which applicants will move forward to the interview stage at an upcoming meeting determined by the Council.
- C. Applicants will be interviewed individually in random order determined by the Town Clerk. Applicants will not be sequestered or required to leave the room during questioning of other applicants.
- D. The Mayor will set a time limit for discussion with each applicant, depending on the number of applicants to be interviewed.
- E. Questioning of each applicant will proceed based on the information and responses provided in the applicant's application and may include follow up questions.
- F. Each applicant will have a time-limited opportunity to respond to the Council's questions.
- G. If a large number of applicants is interviewed, the Council may choose to adjourn its regular meeting until after a Work Session and then reconvene in order to vote to narrow the field to a number of finalists.

- H. If it is in the best interest of the Town, the Council reserves the right to not appoint and have the selection occur during an upcoming election scheduled by the Council.

Section 3. Input and Selection Process:

- A. Members of the public will be invited to provide comments to the Town Council at alltrustees@townofeagle.org or in the care of the Town Clerk at P.O. Box 609, Eagle, CO 81631 or at 200 Broadway Street, regarding the applicants and the Town Council's selection of an appointee.
- B. The Council will take action to select an appointee at a meeting determined by the Council. The public will have an opportunity to comment at the beginning of the discussion, as on all discussion items, with the time limit for comment set by the Mayor based on the number of speakers.
- C. After completion of public comment, the Council will discuss the applicants.
- D. The Council will decide on appointee(s) through a ballot process facilitated by the Town Clerk and the results will be made available to the public. Once the process is completed, the Town Council will provide a resolution with the name of the candidate(s) with the majority vote as part of the Council's agenda materials. After discussion, the Council will then, using motions (and seconds of the motions) propose appointee(s) until the resolution with a proposed appointee(s) receives a majority vote.

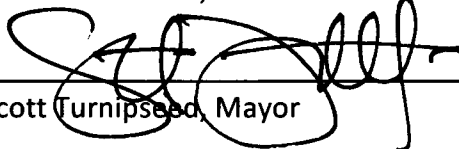
Section 4. Swearing in of Appointee:

- A. Legal swearing in of the appointed Councilmember may take place in the office of the Town Clerk at a mutually convenient time after the Council approves the appointment.
- B. Formal swearing in of the appointed Councilmember will take place at a meeting determined by Council.

Section 5. The Council may make modifications to the procedures or schedule set forth above as it determines appropriate considering the circumstances of the process as it proceeds.

Passed and adopted at a regular meeting of the Town Council of the Town of Eagle this 28th day of April 2020.

TOWN OF EAGLE, COLORADO



Scott Turnipseed, Mayor

ATTEST:



Jenny Rakow, Town Clerk



CONFLICT OF INTEREST DISCLOSURE STATEMENT

TOWN OF EAGLE, COLORADO

The following disclosure statement is submitted to the Town Clerk of the Town of Eagle pursuant to the requirements of Section Article III, Section 3.06 of the Town Charter and, to the extent applicable, Section 24-18-109(3)(a), C.R.S. or pursuant to Town of Eagle Employee Handbook Section 4.14 Ethical Standards; Incompatible Activities	
Name:	
Title:	
Decision(s) or contract affected (give description of item to be addressed by Council, Board, Department Director, etc.):	
Brief statement of interest:	
Date:	Signature:
STATE OF COLORADO)) ss COUNTY OF EAGLE)	
The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____	
Witness my hand and official seal _____ Notary Public My Commission Expires: _____	
REMOVAL OF CONFLICT OF INTEREST I affirm that the above-stated conflict of interest no longer exists.	
Date:	Signature:

Town Council & Planning Commission Application - Vacancies Only

1. Select the Town Council or Planning Commission*

PERSONAL INFORMATION

2. First Name* Last Name*
3. Address1* Address2 City* State* Zip*
4. Email Address* Contact Phone Number*
5. Business Address Business Phone Number Occupation

TOWN COUNCIL ELIGIBILITY AFFIRMATION

By answering these questions for a Town Council vacancy, the applicant is affirming all criteria are met pursuant to the Town's Charter. Those applying for a Planning Commission vacancy are also encouraged to provide the following information.

6. Are you a United States Citizen?
 1. ☐ Yes
 2. ☐ No
7. Are you a registered elector of the Town of Eagle?
 1. ☐ Yes
 2. ☐ No
8. Have you been an Eagle resident no less than 12 consecutive months?
 1. ☐ Yes
 2. ☐ No
9. Length of Residency in Eagle
10. Are you a registered voter and eligible to vote in the Colorado General Election?
 1. ☐ Yes
 2. ☐ No

EDUCATION AND HOBBIES

- 11. High School
- 12. College
- 13. Trade or Business School
- 14. Hobbies

ORGANIZATION MEMBERSHIP INFORMATION

15. Are you or have you served on other Boards, Commissions, or Committees?

- 1. ☐ Yes
- 2. ☐ No

16. If yes, which

17. Please list organization memberships and positions held

18. Please List Areas of Special Interest

19. Why do you want to serve your community in this capacity?

ADDITIONAL QUESTIONS

20. 1. What opportunities does the Town of Eagle have?

21. 2. What challenges currently exist in the Town of Eagle?

22. 3. As a Council/Committee Member, how would you approach these challenges?

Notarized Affidavit Required

Please note that a Town Council appointment requires that you have on a file a notarized affidavit of a Conflict of Interest form. The Town Clerk will send this to you once your application has been received.

23. Please include a letter of interest and resume with your submittal.

Please attach in .pdf format.



TOWN OF EAGLE TOWN COUNCIL VACANCY

The Town Council of Eagle is currently seeking a resident to serve on the Town Council. We have one position available, and the term shall serve until the November 7, 2023, election and appointment of the successful candidate. The Town Council meets on the 2nd and 4th Tuesdays of each month with additional work sessions to be expected.

To be considered for this position, interested candidates must meet the following qualifications:

- A notarized affidavit
- A citizen of the United States of America
- A Town of Eagle resident for no less than 12 consecutive months
- A registered elector of the Town
- Currently eligible to vote in the Colorado general elections
- Completion of application and questionnaire on www.townofeagle.org

If you meet these qualifications and are interested in serving on the Town Council, we encourage you to complete the online application available on the Town of Eagle website or by emailing the Town Clerk, Jenny Rakow, at clerk@townofeagle.org.

Applications must be received by 4:00 p.m. April 20, 2023, and interviews will be held at an upcoming Town Council meeting to be announced. If you have any questions or concerns, please do not hesitate to contact us at 970-328-9623.

Thank you for considering this opportunity to serve the Town of Eagle.



To: Mayor and Town Council

From: Larry Pardee, Town Manager

Date: March 28, 2023

Agenda Item: Review a draft letter from the Town Council to Eagle Valley Transit Authority.

REQUEST:

Staff requests that the Council review the attached draft letter, and if Council supports the draft letter to approve, add the Mayor's signature, and staff will send it to Eagle Valley Transit Authority Board (EVTA).

BACKGROUND: Quick facts overview:

The Eagle Valley Transportation Authority (EVTA) was approved in November 2022 by voters in unincorporated Eagle County, Avon, Eagle, Minturn, Red Cliff, Vail, and Beaver Creek Metro District. The creation of EVTA authorized a half-penny sales tax specifically to fund the operations of future services. Voters in Gypsum disapproved of the EVTA, so the new tax will not be collected in that jurisdiction. Gypsum may consider membership in the EVTA later.

EVTA aims to enhance regional collaboration and cost-sharing, improve transportation and transit systems, and address the needs of the region's workforce, employers, residents, and visitors. In addition, EVTA will support regional transit services, primarily connecting one or more member jurisdictions.

As the county's current regional transportation provider, ECO Transit will form the backbone of the EVTA service. For the immediate future, ECO Transit services and routes will be maintained using existing funding from a previous voter-approved half-penny sales tax that is collected County-wide.

ECO Transit services will not be impacted for communities—not currently EVTA member jurisdictions—including Gypsum, Leadville, and Lake County.

EVTA and ECO Transit have begun transferring existing ECO Transit operations, equipment, and funding into the new authority. This process will happen over the next two years.

New funding generated by the EVTA's sales tax will be earmarked for the enhancements highlighted in the proposal approved by voters. This will include the following:

- Fare-free transit service to reduce traffic congestion and parking demands from Edwards to Vail, including Avon, Beaver Creek, Minturn, and Eagle-Vail.
- New limited-stop express service at peak workforce commute hours.
- Year-round, lower-cost flights at Eagle County Airport to help provide more options for residents and to support the valley's economy.

Longer-term enhancements for the EVTA will include the following:

- Zero-emissions conversion of ECO Transit's Highway 6 bus service to help meet the region's shared climate goals.
- Improved transit facilities, including affordable workforce housing for transit employees.
- Regionwide, long-term planning to address transportation needs 20 to 30 years in the future.

Local services, such as local bus services in Avon, Beaver Creek, and Vail, will continue to be operated by those communities and will not immediately become part of the EVTA. However, local transit providers will benefit from membership in the EVTA by sharing technical expertise, project management, and maintenance resources, coordinating technology and equipment purchases, accessing state and federal grant funding, and leveraging regional route realignments to reduce redundancy and free up local funding for other purposes.

ANALYSIS:

Town staff took a chance and drafted a letter to Eagle Valley Transit Authority on behalf of the Council. Staff wanted this to be a response to Council member Nick Sunday's request for Council to consider writing a letter. We aim to help communicate and request to the EVTA board the importance of a new circulator transit idea for Eagle that integrates with our county-wide transit systems.

COMMUNITY INPUT:

To date, we have not received any public comments.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

This opportunity aligns well with our organization's strategic plan and major objectives. By meeting the daily transportation needs of the community, the organization is taking steps toward achieving our Town goals. Additionally, by creating a more equitable multimodal transit system, the organization is working towards making transportation accessible to all community members.

Achieving these standards is beneficial not only to the organization but also to the community as a whole. By providing reliable and accessible transportation options, individuals can better access employment, healthcare, education, and other essential services. Additionally, a more equitable transportation system can help reduce carbon emissions and improve air quality, leading to a healthier environment and quality of life.

In summary, the opportunity at hand aligns with the organization's strategic plan and major objectives. It has the potential to create a more equitable and sustainable transportation system for the community. By taking advantage of this opportunity, the organization can work towards achieving our Town goals and positively impacting the lives of community members.

RECOMMENDED ACTION OR PROPOSED MOTION:

- **Recommended Action:** I suggest that the Council agrees with the draft letter from Council to the EVTA Board, as presented, and approves it. I recommend that Council directs staff to prepare the final letter for the Mayor's signature and send it to the EVTA Board.
- **Proposed Motion:** I propose the following Motion:
"I move to approve the draft letter to the Eagle Valley Transit Board from the Town Council and direct staff to prepare it for the Mayor's signature and send it to the EVTA Board."

ATTACHMENTS:

Draft Town Council letter to EVTA Board



Dear Eagle Valley Transit Authority Board Members,

We are writing to propose two recommendations for your consideration - a local circulator and a fare-free transit option. We aim to offer clarity, engagement, and effective delivery of these proposals.

Firstly, we suggest expanding the regional transit program to include a circulator service in and around the Town of Eagle. Our request involves integrating electric bikes and micro-electric transit into the Eagle Valley Regional Transit Authority. This program aligns well with our sustainability and climate goals for Eagle County and the surrounding communities. As the Eagle Valley region continues to grow and affordable housing options become scarce, there is an increased need for accessible and sustainable modes of transportation that are flexible, efficient, and affordable. The regional transit authority program aims to address these needs by providing a comprehensive public transportation network for first, and last-mile multi-model transit options that connect communities, support economic growth and help bridge the gap between significant transit hubs and the surrounding neighborhoods and business districts.

Integrating electric bikes and micro-electric transit into our EVTA transit network can reduce traffic congestion, improve air quality, and increase accessibility for all residents and visitors who may not have access to a personal vehicle. We are committed to contributing to the success of the transit circulator system and believe that our organization can provide valuable input and support.

Secondly, we recommend that the EVTA explore implementing fare-free transit for the Town of Eagle. Other parts of the county already participate in this program, and it would be in the best interest of our residents to have access to the same alternative transportation choices. Additionally, this would align Eagle with other parts of the county and help to create a more equitable public transportation system.

Implementing these proposals may require added resources and collaboration between municipalities and transit authorities. However, we are enthusiastic about the benefits to our communities and the environment that make this effort well worth pursuing. Our Eagle County Climate Action Plan, CAC Transportation Working Group, and Adam Palmer Sustainability Fund align with this initiative.

Thank you for your attention to this matter, and we look forward to discussing these proposals further with you.

Sincerely,

TOWN OF EAGLE

Mayor Scott Turnipseed, on behalf of the Eagle Town Council