



**Town Council
WORK SESSION
Tuesday, October 1, 2024
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 WORK SESSION ACCESS INFORMATION AND PUBLIC PARTICIPATION *This will be an in-person work session. Work sessions of the Town Council are not meetings requiring public comment. The public is allowed to attend, however, public comment will not be scheduled and will only be taken at the discretion of the Mayor. The Council shall take no final or official action, vote, nor make any motions.*

1. **Microsoft Teams** [Need help?](#)
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Meeting ID: 272 197 668 298

Passcode: BqfvDr

PRESENTATIONS - 4:00 PM - 5:45 PM

1. Joint Work Session with Marketing & Events Advisory Committee
2. Joint Work Session with Open Space & Recreation Advisory Committee
 - a. Open Space Ranger Position Budget Prioritization Discussion
 - b. Town Council and Open Space and Recreation Advisory (OSRAC) Communication
 - c. Evaluate communication on budget and priority planning
 - d. Committee appointments
 - e. Touch base on Committee roles and responsibilities

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



To: Mayor and Town Council

From: Molly Furtado, Special Events Manager, Town Liaison for the Marketing
Events Advisory Committee (MEAC)
Melissa Daruna, Assistant Town Manager

Date: October 1, 2024

Agenda: MEAC's Purpose, Funding, Budgeting, and Arts & Culture

REQUEST: During the Marketing & Events Advisory Committee ("MEAC") and Town Council Work Session, Staff is seeking clarity and/or direction on:

- (1) MEAC's focus on community centric events versus "heads in beds" events,
- (2) funding and budgeting for MEAC recommended events and programs and
- (3) addition of arts and culture to MEAC's purview in the future.

Furthermore, the Public Works Department supports special events on Town owned property by providing various services including but not limited to:

- (1) road and/or traffic lane closures
- (2) Location of safety lighting, variable message signs
- (3) traffic control (no parking signage, traffic cones, and/or equipment) and
- (4) Town waste services/collection, street cleanup
- (5) Open Space Management (trail maintenance for bike races)

These services, when requested by staff for Town produced events and/or when requested to support a third-party produced event, have associated costs. To that end, staff believes offering these services as in-kind support will aid in efforts to attract new producers, foster current third-party producer relationships and increase efficiencies related to departmental budget transfers and accounting. Staff are seeking direction on offering Public Works Department services as an in-kind value/benefit to special events at the discretion of the Public Works Department Director in collaboration with the Special Events Manager.

BACKGROUND: In November of 2011, the Town of Eagle voters approved an amendment to Ordinance NO. 19 (Series of 2011), Chapter 5.05. Lodging Occupation Tax increasing the \$2.00 tax to \$4.00 per day, per occupied lodging room or accommodation; and declaring an emergency, which is attached and provided as **ATTACHMENT A**, with pertinent sections cited below.

1. **Chapter 5.05.180.** Funds Created defines the use for the Lodging Occupation Tax as provided in part and below:
 - a. One-half of the revenues derived from the occupation tax on the provision of lodging imposed by this chapter shall be placed in such open space preservation fund.

- b. One-half of the revenues derived from the occupation tax on the provision of lodging imposed by this chapter shall be placed in the Town Marketing and Events fund account. All expenditures from such fund shall be used exclusively for the general marketing and promotion of the Town and the marketing and promotion of Eagle events for the purpose of generating additional revenue for existing and future lodging and other Town businesses.

2. **Chapter 5.05.010.** Purpose defines in part, "... The Town Council may, by a resolution of the Council, adopt rules and procedures for the expenditure of funds for the Town marketing and events fund account, including, but not limited to, the following: establishment of an advisory committee, the role and conduct of the advisory committee, the expenditure of funds and any other rules and regulations it deems necessary for the effective use and disposition of the funds."
3. **Ordinance NO. 24 (Series of 2020),** Section 5.05.030 of the Eagle Municipal Code was amended to increase and change the computation method of the Town's Lodging Tax from \$4.00 per day per occupied lodging room or accommodation to 6% of the cost of the rental fee, price or other consideration paid or received for the occupied lodging room or accommodation. **See Attachment B.**
4. **MEAC Bylaws.** On April 28, 2015, the Town Council adopted the Bylaws of the Marketing and Events Advisory Committee (MEAC). The Bylaws define the purpose, membership, process of selection, and so forth. To that end, Article II Purpose of the MEAC Bylaws states, "... Town of Eagle voters approved a lodging and occupation tax dedicated to marketing Town amenities and creating events to improve the Town's economy. The Eagle Town Council formed the MEAC committee to provide advice and consultation to the Events staff on how to best market the Town and spend such tax revenue."

MEAC PURPOSE: To provide excellent judiciary oversight of the funds entrusted to MEAC each year, staff releases a Special Event Funding Request which is open for submissions for approximately 20 days (about 3 weeks). Once the Special Event Funding Request deadline passes, and over the course of two half-days, staff and MEAC review, discuss and score all accepted applications and recommend allocating funds to those applicants whose proposed special event fit the communicated criteria. The criteria were developed by staff in collaboration with MEAC using the above referenced Ordinances and MEAC Bylaws as a guide. These criteria are listed directly below. As one might imagine, there is passionate conversation and debate during this process.

MEAC Funding Criteria:

1. The Event provides positive economic impact through sales tax & lodging tax.
2. The Event provides a sense of community and enhanced quality of life.
3. The Event provides a well-rounded, diverse audience.
4. The Event provides marketing and brand awareness to the town of Eagle.
5. Event growth potential.
6. Event producer demonstrates ability to successfully implement event.

In the most recent three (3) years, MEAC has struggled with criteria number 1. above: "Event provides positive economic impact through sales tax & lodging tax". Specifically, supporting events that drive lodging tax (a.k.a. heads-in-beds) over events that do not have an anticipated positive lodging impact. This routinely results in the question "does our community want more big events that attract thousands of people and fill our hotel rooms..." raised during the application review process.

And while there is not a mechanism in place which tracks lodging occupancy and tax revenue generated by events for lodging, anecdotally staff and MEAC believe the lodging properties in the Town are near capacity during the event season (May – September) mainly with construction workers (road, commercial and residential). And should there be an event requiring large room blocks, these would be filled outside Town boundaries.

While the question raised by MEAC is potentially better answered by Town Council and/or a public process, MEAC humbly recommends removing the “...lodging tax” language from the Funding Criteria. And that MEAC’s Purpose of “...marketing Town amenities and creating events to improve the Town's economy”, can be accomplished by focusing on creating a portfolio of community-centric events. Community-centric events engage with the “spirit” of Eagle, and enrich the lives of our residents, build the fabric of community, create meaningful and shareable memories, and expand opportunities to gather and celebrate tradition.

MEAC FUNDING:

Town municipal code and Chapter 5.05.180. Funds Created states, “One-half of the revenues derived from the occupation tax on the provision of lodging imposed by this chapter shall be placed in the Town Marketing and Events fund account.”

In the years 2022, 2023 and 2024, the Lodging Tax has generated \$499,101; \$551,037 and \$302,680 respectively and is illustrated in **Table 1** below and includes hotels and short-term rental tax revenue.

Table 1

TOWN OF EAGLE - LODGING TAX COLLECTIONS													
2022													
HOTELS	22-Jan	22-Feb	22-Mar	22-Apr	22-May	22-Jun	22-Jul	22-Aug	22-Sep	22-Oct	22-Nov	22-Dec	Annual Lodging Tax
Totals	44,777	50,471	52,033	22,806	23,119	42,568	61,593	47,736	45,291	37,308	27,633	43,765	\$499,101
2023													
HOTELS	23-Jan	23-Feb	23-Mar	23-Apr	23-May	23-Jun	23-Jul	23-Aug	23-Sep	23-Oct	23-Nov	23-Dec	Annual Lodging Tax
Totals	55,967	53,439	57,427	23,397	29,595	43,754	60,496	60,914	51,953	40,432	32,859	40,806	\$551,037
2024													
HOTELS	24-Jan	24-Feb	24-Mar	24-Apr	24-May	24-Jun	24-Jul	24-Aug	24-Sep	24-Oct	24-Nov	24-Dec	Annual Lodging Tax
Totals	47,653	47,464	50,706	20,462	35,336	43,194	57,865						\$302,680

Based on **Table 1** the Marketing and Event fund appropriated one-half of the revenues generated in years 2022 through 2024 respectively, equaled \$249,550, \$275,518, and \$151,340.

These revenues contribute to the total Marketing and Events (now just called Events) program budget which includes Town personnel, operating costs and Town produced events. The entirety of the Events budget can be seen below in **Table 2**.

Table 2

Events & Marketing Historical Revenues vs. Expenditures	Actual 2015	Actual 2016	Actual 2017	Actual 2018	Actual 2019	Actual 2020	Actual 2021	Actual 2022	Actual 2023	Budget 2024	Budget 2025
Revenues											
Lodging Tax	121,625	134,127	140,609	149,612	146,666	102,298	230,678	249,550	275,518	256,000	254,000
Special Event Permits	200	300	-	325	100	100	225	1,050	125	1,000	800
Sponsorship & Event Revenue	-	-	27,238	29,057	28,571	-	6,290	14,371	11,105	15,000	15,000
Total Revenue	\$121,825	\$ 134,427	\$ 167,847	\$ 178,994	\$ 175,337	\$ 102,398	\$ 237,193	\$ 264,971	\$ 286,748	\$ 272,000	\$ 269,800
Expenditures											
Marketing & Events Budget	192,225	216,726	284,972	296,473	292,221	170,271	240,440	365,535			
Events Budget									427,204	443,456	447,648
Communication and Marketing Budget									67,418	176,054	178,724
Total Expenditures	\$192,225	\$ 216,726	\$ 284,972	\$ 296,473	\$ 292,221	\$ 170,271	\$ 240,440	\$ 365,535	\$ 494,622	\$ 619,510	\$ 626,372
Expenditures Covered by Sales Tax	\$ 70,400	\$ 82,299	\$ 117,125	\$ 117,479	\$ 116,884	\$ 67,873	\$ 3,247	\$ 100,564	\$ 207,874	\$ 347,510	\$ 356,572
Sales Tax Coverage of Expenditures	37%	38%	41%	40%	40%	40%	1%	28%	42%	56%	57%

As lodging tax revenues have fluctuated, event costs have steadily increased year over year. Staff have recommended budgets that ensure funding for the staffing necessary for both outside vendor produced events as well as Town produced events. Community support and interest in events like Flight Days, Community Table and Christmas on Broadway have also led staff to increase recommended allocations for those events to meet the community's expectations.

In the years 2015 through 2022, \$65,000 were appropriated to the MEAC Events fund. In 2023, the MEAC Events fund was increased to \$95,000 and Town Council appropriated an additional \$30,000 to support the Vail Valley Foundation production of the Show Downtown concert series. In 2024 the MEAC Events budget was \$120,000.

In addition to the funding allocated for MEAC awards, the events program budget also includes costs for personnel, equipment and Town-produced events. Town-produced events received \$99,500 in 2024 and is budgeted at \$100,000 for 2025.

In addition to direction on desired outcome from events, staff and MEAC seek the Council's insights on the prioritization of current revenues across MEAC award funds, Town produced event costs and general Town or event marketing.

ARTS & CULTURE: During the January 2024 MEAC meeting, staff requested MEAC discuss adding arts and culture offerings to its purview which would entail developing purpose, duties, policies, frame process, and create proposed budgets. Also, this would entail conducting peer community research, community engagement and awareness, identifying and prioritizing projects to implement temporary and/or permanent art installations, and cultural offerings. MEAC was enthusiastic about the opportunities to enrich the community through the arts and overall felt it was worth exploring and researching.

The first research step included staff, along with the MEAC Chair, attending the [Colorado Creative Industries](#) ("CCI") Summit in Pueblo, Colorado. The CCI Summit is attended by arts organizations, artists, educators, State, regional and local governments. Several peer mountain communities were present including a contingency of 14 representing the Town of Avon Culture, Arts, & Special Events division, Avon's CASE Committee and members of the Vail Valley Art Guild.

Additionally, staff and MEAC discussed launching an art program slowly and one which overtime nurtures the caring support of the arts. MEAC discussed not having to create programs from scratch and learning from peer communities who already have programs, processes and policies in place. Moreover, MEAC discussed

involving the community in the process via curating community members to participate on a jury panel to select artists, design concepts, and/or art for installation.

The enhancement of public places by integrating the creative work of artists improves the pedestrian experience and promotes vibrancy, creativity and livelihood in the community. The presence of and access to public art enlivens public areas and their grounds and makes them more welcoming. It creates a deeper interaction with the places where we live, work, and visit. Public art illuminates the diversity and history of a community, and points to its aspirations for the future.

Staff understands the need to secure additional funding or revenue to support added programming or arts initiatives. If adding arts and culture to MEAC's purview in the future is of interest to the Council, staff will continue to research grant and funding opportunities, peer communities, art organizations, and fully develop a work plan and strategies for success and report back.

STRATEGIC PLAN ALIGNMENT: Community-centric events, arts and cultural offerings align with the Town of Eagle Strategic plan by promoting and driving awareness to our vibrant mountain community, fostering diversity, inclusivity and embracing the unique "spirit" of Eagle. Specifically, events, arts and culture support the strategic goals of *Stimulating Economic Vitality, Attracting Visitors, and Focusing on Recreation, Events and Open Space*. Through events, arts and cultural offerings we can enrich the quality of our community, and the visitor experience, ultimately encouraging repeat visitation while reinforcing the active and outgoing culture of our Town,

ATTACHMENTS:

Attachment A – Ordinance No. 19 Series 2011

Attachment B – Ordinance No. 24 Series 2020

Attachment C – MEAC Bylaws

ORDINANCE NO. 19
(Series of 2011)

AN ORDINANCE OF THE TOWN OF EAGLE, COLORADO, AMENDING CHAPTER 5.05 OF THE EAGLE MUNICIPAL CODE BY INCREASING THE AMOUNT OF THE LODGING OCCUPATION TAX FROM \$2.00 PER DAY TO \$4.00 PER DAY, PER OCCUPIED LODGING ROOM OR ACCOMMODATION; AND DECLARING AN EMERGENCY.

WHEREAS, the registered electors of the Town of Eagle approved the adoption of an occupation tax on the provision of lodging at the rate of two dollars (\$2.00) per day on the short term rental of any hotel room, motel room, lodging room, motor hotel room, guest house room or other similar accommodation located in the Town; and that all revenues derived from such occupation tax be used exclusively for the preservation of agricultural lands and for the acquisition, maintenance and management of land and easements in and around the Town of Eagle for open space buffer zones, trails within open space areas, wildlife habitats and wetland preservation, at the regular Municipal Election held on April 2, 1996; and

WHEREAS, in order to establish procedures for the imposition and collection of such occupation tax on the provision of lodging, the Board of Trustees of the Town of Eagle enacted Chapter 5.05 of the Eagle Municipal Code, entitled "Lodging Occupation Tax"; and

WHEREAS, the registered electors of the Town of Eagle at the coordinated general election held on November 1, 2011, approved an increase in the occupation tax on the short term rental of any hotel room, motel room, lodging room, motor hotel room, guest house room or other similar accommodation from \$2.00 to \$4.00; and that all revenues derived from the increase in such occupation tax be used exclusively for the general marketing and promotion of the Town of Eagle and the marketing and promotion of Eagle events for the purpose of generating additional revenue for existing and future lodging and other Town of Eagle businesses; and

WHEREAS, it is necessary to amend certain provisions of Chapter 5.05 of the Eagle Municipal Code in order to implement the increase in the lodging occupation tax approved by the registered electors of the Town of Eagle at the November 1, 2011 coordinated general election.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO:

Section 1. That Chapter 5.05 of the Eagle Municipal Code, concerning the purpose of the lodging occupation tax, is hereby amended to read as follows:

5.05.010 Purpose. The Board of Trustees hereby finds, determines and declares:

(a) For the purposes of this Chapter, every person that furnishes a lodging room or accommodation for consideration in the Town of Eagle is exercising a taxable privilege. The purpose of this Chapter is to impose a tax that will be paid by every vendor providing such lodging room or accommodation in the Town of Eagle, which tax will provide revenues for the preservation of agricultural lands and for the acquisition, maintenance and management of land and easements in and around the Town for open space buffer zones, trails within open space areas, wildlife habitats and wetland preservation, as well as for the general marketing and promotion of the Town of Eagle and the marketing and promotion of Eagle events for the purpose of generating additional revenue for existing and future lodging and other Town of Eagle businesses; and

(b) The Town of Eagle desires to maintain a small Town, not a resort, atmosphere, desires to preserve open space and provide access to public lands, desires to protect wildlife habitat and corridors, and desires to protect riparian corridors, all of which serves to attract tourists, the traveling public and others to the Eagle area, who use lodging rooms and accommodations; and

(c) The Eagle Area Community Plan (2010) endorses the following economic actions by the Town: use environmentally appropriate strategies to promote organized and disbursed recreation tourism in the area, pursue opportunities provided through the operation of facilities for organized sports and events, promote businesses and activities that benefit from Eagle's proximity to the I-70 corridor, generate new sales tax dollars, encourage diversification of the local economy, and optimize

commercial development to create more jobs and provide additional outlets for goods and services within the five (5) existing commercial centers; and

(d) The provision of lodging rooms and accommodations to the traveling public results in the increased use of Town streets and rights-of-way, increased traffic, increased demands upon municipal services such as police protection and has a substantial effect upon the health, safety and welfare of the citizens of the Town of Eagle and upon the expenditures budgeted by the Town which is a matter of local concern; and

(e) The classification of the provision of lodging as separate businesses and occupations is reasonable, proper, uniform and nondiscriminatory; and the taxable amount hereby levied is reasonable, proper, uniform, nondiscriminatory, and necessary.

Section 2. That Section 5.05.030 of the Eagle Municipal Code, concerning the levy of the lodging occupation tax, is hereby amended to read as follows:

5.05.030 Levy of Tax. Effective January 1, 2012, there is hereby levied by the Town of Eagle an occupation tax on the provision of lodging upon every person or business that furnishes any hotel room, motel room, lodging room, motor hotel room, guest house room or other similar accommodation for consideration for less than one (1) month or thirty (30) consecutive days within the Town of Eagle in the amount of four dollars (\$4.00) per day, per occupied lodging room or accommodation.

Section 3. That subsection (e) of Section 5.05.060 of the Eagle Municipal Code, concerning collection of the tax, is hereby amended to read as follows:

(e) The tax to be paid by a vendor shall not be stated and charged separately from the sales price of lodging on any record thereof at the time when the sale is made or at the time when evidence of the sale is issued, provided, vendor may indicate the total sales price "includes \$4.00 Town of Eagle Lodging Occupation Tax."

Section 4. That subsection (a) of Section 5.05.110 of the Eagle Municipal Code, concerning enforcement of the lodging occupation tax, is hereby amended to read as follows:

5.05.110 Enforcement and Penalties. (a) It shall be unlawful for any person to intentionally, knowingly, or recklessly fail to pay the tax imposed by this Chapter, or to make any false or fraudulent return, or for any person to otherwise violate any provisions of this Chapter. Any person convicted of a violation of this Chapter shall be deemed guilty of a Class A municipal offense. Each day, or portion thereof, that any violation of this Chapter continues shall constitute a separate offense.

Section 5. That Section 5.05.180 of the Eagle Municipal Code, concerning the expenditure of revenues derived from the lodging occupation tax, is hereby amended to read as follows:

5.05.180 Funds Created. (a) There is hereby created a fund to be known as the "Open Space Preservation Fund". One-half (1/2) of the revenues derived from the occupation tax on the provision of lodging imposed by this Chapter shall be placed in such Open Space Preservation Fund. All expenditures from such funds shall be used exclusively for the preservation of agricultural lands and for the acquisition, maintenance and management of lands and easements in and around the Town for open space buffer zones, trails within open space areas, wildlife habitats and wet land preservation.

(b) There is hereby created a fund to be known as the "Town Marketing and Promotion Fund". One-half (1/2) of the revenues derived from the occupation tax on the provision of lodging imposed by this Chapter shall be placed in the Town Marketing and Promotion Fund. All expenditures from such fund shall be used exclusively for the general marketing and promotion of the Town of Eagle and the marketing and promotion of Eagle events for the purpose of generating additional revenue for existing and future lodging and other Town of Eagle businesses.

Section 6. That Section 5.05.190 of the Eagle Municipal Code, concerning exemption from revenue limitations, is hereby amended to read as follows:

5.05.190 Exemption From Revenue Limitation. The occupation tax on the provision of lodging imposed by this Chapter and the use of revenues derived from said tax for open space preservation and marketing and promotion of the Town of Eagle and the marketing and promotion of Eagle events as set out herein was approved by the electors of the Town of Eagle on April 2, 1996 and November 1, 2011. As a part of said approvals, the revenues are to be collected and spent as a voter approved revenue change, notwithstanding any revenue or expenditure limitations contained in Article X, Section 20, of the Colorado Constitution.

Section 7. The tax imposed by this Ordinance shall be effective as of January 1, 2012.

Section 8. Declaration of Emergency. The Board of Trustees of the Town of Eagle hereby finds and declares that this Ordinance is necessary to the immediate preservation of the public health or safety because revenues generated from the increase in the amount of the lodging occupation tax are included in the 2012 Town of Eagle budget approved by the Board of Trustees which affects all municipal services. Therefore, if this Ordinance is adopted by an affirmative vote of three-fourths (3/4) of the members of the Board of Trustees, this Ordinance shall become effective upon adoption. If this Ordinance is not adopted by an affirmative vote of three-fourths (3/4) of the members of the Board of Trustees but is adopted by a majority of the Board, this Ordinance shall become effective thirty (30) days following publication in accordance with law.

INTRODUCED, READ, PASSED, ADOPTED BY AT LEAST THREE-FOURTHS (3/4) OF THE MEMBERS OF THE BOARD OF TRUSTEES, AND ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Eagle, Colorado held on December 13, 2011.

TOWN OF EAGLE, COLORADO

By:


Ed Woodland, Mayor

ATTEST:


Marilene M. Miller, Town Clerk

Publication Date:

December 22, 2011

Trustee Kostick introduced, read and moved the adoption of the ordinance titled,

AN ORDINANCE OF THE TOWN OF EAGLE, COLORADO, AMENDING CHAPTER 5.05 OF THE EAGLE MUNICIPAL CODE BY INCREASING THE AMOUNT OF THE LODGING OCCUPATION TAX FROM \$2.00 PER DAY TO \$4.00 PER DAY, PER OCCUPIED LODGING ROOM OR ACCOMMODATION; AND DECLARING AN EMERGENCY.

and upon adoption that it be published pursuant to law and recorded in the Book of Ordinances.

Trustee Deane seconded the motion. On roll call, the following Trustees

voted "Aye":

<u>Kostick</u>	<u>Deane</u>
<u>Woodland</u>	<u>Webster</u>
<u>Turnipseed</u>	<u>Kinney</u>
<u></u>	<u></u>

Trustees voted "Nay":

Absent: Kerst

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 24
(Series of 2020)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AMENDING SECTION 5.05.030 OF THE EAGLE MUNICIPAL CODE TO INCREASE AND CHANGE THE COMPUTATION METHOD OF THE TOWN'S LODGING TAX FROM \$4.00 PER DAY PER OCCUPIED LODGING ROOM OR ACCOMMODATION TO 6% OF THE COST OF THE RENTAL FEE, PRICE OR OTHER CONSIDERATION PAID OR RECEIVED FOR THE OCCUPIED LODGING ROOM OR ACCOMMODATION

WHEREAS, at the coordinated election held on November 3, 2020, the Town's electors approved Ballot Issue 2A, which permits the Town to increase and change the computation method of the Town's lodging tax from \$4.00 per day per occupied lodging room or accommodation to 6% of the cost of the rental fee, price or other consideration paid or received for the occupied lodging room or accommodation, commencing on January 1, 2021; and

WHEREAS, the Town Council wishes to amend Section 5.05.030 to allow for the changes authorized by Ballot Issue 2A.

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

Section 1. Section 5.05.030 of the Eagle Municipal Code is hereby repealed and reenacted to read as follows:

Section 5.05.030. – Levy of tax.

There is hereby levied an occupation on the provision of lodging upon every person or business that furnishes any hotel room, motel room, lodging room, motor hotel room, guesthouse room or other similar accommodation for monetary consideration for less than one month or thirty (30) consecutive days within the Town in the amount of six percent (6%) of the cost of the rental fee, price or other consideration paid or received for the lodging on each full dollar of said rental fee, cost, or other consideration paid per day, per occupied lodging room or accommodation.

Section 2. Section 5.05.190 of the Eagle Municipal Code is hereby amended as follows:

Section 5.05.190. – Exemption from revenue limitation.

The occupation tax on the provision of lodging imposed by this chapter and the use of revenues derived from said tax for open space preservation and marketing and promotion of the Town and the marketing and promotion of Eagle events as set out herein was approved by the electors of the Town on April 2, 1996, ~~and~~

November 1, 2011, and November 3, 2020. As a part of said approvals, the revenues are to be collected and spent as a voter-approved revenue change, notwithstanding any revenue or expenditure limitations contained in Article X, Section 20, of the State Constitution.

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

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

Section 5. Effective date. This Ordinance shall become effective on January 1, 2021.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON DECEMBER 8, 2020.

ATTEST:

Jenny Rakow, Town Clerk



TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

BYLAWS OF THE TOWN OF EAGLE MARKETING AND EVENTS ADVISORY COMMITTEE (MEAC)

AS ADOPTED ON April 28, 2015

In accordance with a Resolution duly adopted by the Board of Trustees of the Town of Eagle, Colorado, at a regularly held meeting on April 28, 2015, the following are adopted as

the Bylaws of the Town of Eagle Marketing and Events Advisory Committee (MEAC):

ARTICLE I NAME

SECTION 1. The name of the organization shall be the Town of Eagle Marketing and Events Advisory Committee (MEAC).

ARTICLE II PURPOSE

In November 2011, the Town of Eagle voters approved a lodging occupation tax dedicated to market Town amenities and create events to improve the Town's economy. The Town of Eagle Board of Trustees formed the MEAC committee to provide advice and consultation to the Marketing and Events staff on how to best market the Town and spend such tax revenue. The committee's actions are advisory. The Town Board has final budgetary authority over the fund.

ARTICLE III MEMBERS

SECTION 1. Membership. The Marketing and Events Committee shall consist of nine (9) Voting Members appointed by the Board of Trustees of the Town of Eagle to two (2) year terms. Other non-voting ex-officio members of the Committee shall consist of a Town Trustee, the MEAC Coordinator and other appropriate Town staff. Voting members of the Committee shall be residents of the Town, own real property, own a business or be employed within the Town limits in order to be eligible for appointment. Members may reapply for appointment at the end of their term and may be reappointed by the Board of Trustees, but shall serve no more than two (2) successive two (2) year terms (with the exception of the non-voting ex-officio members.) To the extent possible, the nine (9) voting member Committee should consist of at least one (1) hotel/lodging industry representative, one (1) member of the retail sector and one (1) restaurant industry representative. Voting Members shall be considered "local government officials" for purposes of applicability of the Standards of Conduct contained in Article 18, of Title 24, C.R.S. Voting Members shall also be considered "local government officials" for purposes of applicability of Article XXIX of the Colorado Constitution entitled "Ethics in Government", also known as Amendment 41.

ARTICLE IV PARTNERS

In order to encourage collaboration, the Committee shall have partner organizations whose representatives shall also participate in Committee meetings. Partners are not voting members of the Committee. There shall be no limit to the number of partner organizations invited to attend and participate in MEAC meetings. Partner organizations and representatives shall not be considered "local government officials" for purposes of applicability of the Standards of Conduct, Article 18 of Title 24, C.R.S. or Article XXIX of the Colorado Constitution.

SECTION 2. Process for Selection of Members. The MEAC Coordinator annually shall establish an application (or letter of interest) process, including public notice in accordance with the Town of Eagle's requirements for public notice, and in consultation with the Town Manager, in order to propose a slate of candidates to the Board of trustees from applicants submitting an application or letter of interest. If there are more applicants than open positions on the Committee, the MEAC Coordinator may establish a process in consultation with the Town Manager and interested members of the Board of Trustees to make recommendations to the entire Board of Trustees regarding the selection of members.

ARTICLE V COMMITTEE MEETINGS

SECTION 1. Time. MEAC meetings shall be held at 8:30 a.m. on the first Thursday of each month at the Eagle Town Hall for approximately one and one-half (1 ½) hours, unless otherwise determined by a majority vote of the Committee. When posted as such, meetings may be held at other in-town venues. Meetings may be rescheduled by the MEAC Coordinator staff who shall also establish the agenda and facilitate the meeting. Meetings shall be held in an informal, "roundtable" open format and shall be open to the general public, non-voting members, Partners and other interested parties.

SECTION 2. Notice. Meeting times and agendas shall be posted in accordance with the Town of Eagle's requirements for public notice.

SECTION 3. Minutes. Minutes shall be kept for all Committee meetings in which formal action is taken by the Committee in the form of an annotated agenda which shall include a list of Committee attendees present, the member who made a motion and the name of the member who seconded the motion, the motion itself and the result of the vote. Upcoming agendas as well as all past minutes of meetings of the Committee shall be posted on the Town's website.

ARTICLE VI MEAC COORDINATOR

The MEAC Coordinator is hired by the Town of Eagle, and reports directly to the Eagle Town Manager. The MEAC Coordinator shall work with the Town Manager to propose an annual MEAC budget to the Town's Board of Trustees in a similar format as other Town Departments as part of the Town's annual budget cycle. The Marketing & Events Coordinator is the liaison between the committee and the Town Manager and Town Board.

ARTICLE VII FUNDING AND BUDGETING FOR COMMITTEE ACTIVITIES

SECTION 1. Approval by Board of Trustees. Marketing and other use of funds budgeted by the Town's Board of Trustees may be reviewed and discussed by the Committee. No formal action is required by the Committee regarding budgeting or use of such funds. Within such categories, the MEAC Coordinator shall operate similarly to other Town department heads in relation to the Board of Trustees and the Town Manager.

SECTION 2. Allocation of Event Funds. The Town Board shall budget a portion of funds for the purpose of funding events. The proportional allocation of event funds within that budget (and any contingency fund specifically allocated by the Board of Trustees to events) shall be within the purview of the Committee to allocate by majority vote of the nine (9) members of the Committee throughout the year. The annual allocated slate of events shall be presented to the Town Board by the MEAC Coordinator within 30 days of the Committee's recommendations for final approval. Formal action may only be taken

a regularly scheduled meeting at which a quorum of seven (7) voting members are present. Minor adjustments to already allocated events, such as rescheduling or minor adjustments in allocations (within 10% of approved funding, or cancellation of funding if a request is withdrawn by the applicant) may be made via email approval of Committee members at the request of the MEAC Coordinator. E-mail votes shall be reflected in the minutes of an upcoming regularly scheduled meeting. Unspent or fund from cancelled events may be reallocated by the Committee per processes outlined above. No new allocations for previously unbudgeted events may be made other than at a regularly scheduled meeting.

ARTICLE VIII RECIPIENTS OF EVENT FUNDING

SECTION 1. Applicants for event funding shall make formal application to the MEAC Coordinator through the use of a form, and pursuant to the format and schedule established, and published on the Town's website, by the MEAC Coordinator and shall include an anticipated budget for the event. Recipients of event funding shall be required to present a recap of the event to the Committee within sixty (60) days following the day of the event. Event recap requirements shall be listed on the RFP form distributed to prospective applicants. Final payment of event funding is contingent upon review and approval of the event recap by the Committee.

SECTION 2. Retention of Records. Files for events that have received funding from MEAC shall be open and available to members of the public upon request in accordance with the Colorado Open Records Act, Article 72 of Title 24, C.R.S. and shall be retained by the Town of Eagle for at least five (5) years. It is anticipated that the Committee will review a proposed slate of events for the upcoming year within sixty (60) days of the December meeting at which the Board of Trustees approves the annual Town budget, including funding for MEAC.

ARTICLE IX INDEMNIFICATION

The Town of Eagle shall indemnify any member of MEAC in regard to a claim of damages or liability as a result of such person performing his or her duties with MEAC when such person conducted himself or herself in good faith and such person reasonably believed that his or her conduct was in MEAC's best interests.

ARTICLE X AMENDMENTS

The Board of Trustees of the Town of Eagle may amend these Bylaws at any public meeting of the Board of Trustees.

ARTICLE XI DISSOLUTION

Following notice to Committee members, and posting of notice, the Board of Trustees of the Town of Eagle may vote to dissolve the Committee at any regular meeting of the Board of Trustees based on its sole discretion.



To: Town Council and Open Space and Recreation Advisory Committee (OSRAC)

From: Brian Lieberman, Open Space and Trails Manager

Date: October 1, 2024

Agenda Item: Joint Work Session with the Open Space & Recreation Advisory Committee and the Town Council

REQUEST: Staff request that the Town Council and the Open Space and Recreation Advisory Committee (OSRAC) discuss overlapping goals, communication methods, projects, and other topics at a joint work session with OSRAC.

BACKGROUND: This summer, the Open Space and Recreation Advisory Committee (OSRAC) requested that staff organize a Joint OSRAC/ Town Council work session to discuss overlapping goals, communication methods, and projects.

The Committee expressed several overarching objectives from the work session, including discussing communication methods between the two groups, the process for evaluating new committee members, and considerations for taking on new agenda items.

This will be the first joint work session since OSRAC was formed in late 2020.

ANALYSIS: Staff and OSRAC would like to consider the following topics with the Council:

1. Town Council and Open Space and Recreation Advisory (OSRAC) Communication
 - a. Approaches to increase collaboration on potential agenda items/ new business
 - i. EXAMPLE: Should OSRAC evaluate winter use of the Hockett Gulch Open Space property at a future meeting and recommend any necessary changes to the Council?
 - b. Evaluate communication on budget planning
2. Committee appointments
 - a. Solidify the role of OSRAC in evaluating new committee members
3. Touch base on Committee roles and responsibilities

COMMUNITY INPUT: At OSRAC meetings, community members have expressed support for the Council and OSRAC to discuss overlapping goals, processes, and communication methods.

BUDGET/ STAFF IMPACT: None.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: The purpose of the Town of Eagle Open Space and Recreation Advisory Committee is to provide additional expertise to the Town Council and the Town Manager necessary to enhance and facilitate open space and recreation in the Town, and to act as a conduit between the Town, residents, relevant stakeholders, and the broader community to expand and improve the Town's internal and adjacent open space and recreation opportunities within the context of the Town's commitment to conservation, social, and environmental objectives.

Taking time to evaluate overlapping goals, communication methods, and projects will significantly enhance OSRAC's capacity to provide well-informed recommendations to the Council on issues that support the Open Space and Trails Master Plan, Management Plans, Eagle Comp plan, and other town goals and initiatives.

RECOMMENDED ACTION OR PROPOSED MOTION: Provide staff with any direction on how to support communication and collaboration between OSRAC and Council.

ATTACHMENTS: OSRAC Committee bylaws and mission statements can be viewed at the bottom of the OSRAC website at this link: <https://www.townofeagle.org/941/Open-Space-Recreation-Advisory-Committee>.



To: Town Council and Open Space and Recreation Advisory Committee (OSRAC)

From: Brian Lieberman, Open Space and Trails Manager

Date: October 1, 2024

Agenda Item: Open Space Ranger Position Budget Prioritization Discussion

REQUEST: Staff request that OSRAC and the Town Council assist in considering what projects should be prioritized to allocate enough funding to develop the proposed Open Space Ranger Position.

BACKGROUND: Staff continue to prepare the 2025 Open Space budget along with the greater budget for the Town. The budget process requires significant time and dedication from both the Staff and the Council. Town wide, staff are facing a fiscal reality where General Fund expenditures are outpacing revenues. The General Fund is closely interconnected with other vital funds, such as the Capital Improvement Fund and Open Space Fund, with decisions affecting each other.

Since 2021, the Open Space Fund has received a transfer from the General Fund to support increased operation, personnel, and capital costs. In addition to the lodging tax, this transfer has been key to supporting recommendations in the Town's 2022 Open Space and Trails Master Plan and the 2023 Open Space Management Plans.

To help address General Fund expenditures that are outpacing revenues, staff have proposed a 5% decrease from this transfer for the 2025 budget season. This decrease is proposed to impact trail maintenance, repair/maintenance supplies and services, and uniform line items.

In addition, The Town Council has expressed strong support for the development of the proposed Open Space Ranger position. Capital projects and ongoing operating expenditures will need to be reduced to sustain this new position and purchase the necessary equipment to support the program.

Staff is requesting assistance from OSRAC and the Town Council in evaluating the priority, cost, timing, and needs of capital projects to help reduce expenditures to support the ranger position.

ANALYSIS: Table 1 below shows the total cost of the ranger position, including personnel, operating, and capital costs. Sources of funds are split out according to commitments from community partners who have agreed to help support this position.

Year	2025	2026	2027	2028	2029		TOTAL	Precent
Source of Funds								
Town of Eagle	\$107,675.00	\$63,473.80	\$66,073.80	\$132,065.00	\$137,065.00		\$506,352.60	71.48%
Eagle Ranch Wildlife Committee	\$62,400.00	\$58,591.20	\$60,991.20				\$181,982.40	25.69%
Eagle Ranch HOA	\$10,000.00						\$10,000.00	1.41%
Eagle Ranch Metro Distric	\$10,000.00						\$10,000.00	1.41%
Total:	\$190,075.00	\$122,065.00	\$127,065.00	\$132,065.00	\$137,065.00		\$708,335.00	

Table 1: Open Space Ranger Position Cost prior to any cuts. Expenditures are broken out by source.

Table 2 shows the Open Space Fund budget projections, with the ranger position included according to revenues and expenditures from the table above. With the addition of the Ranger program, the Open Space Fund will run out of money in 2029. The table below assumes the continuation of a transfer from the General Fund to the Open Space Fund.

OPEN SPACE FUND BUDGET PROJECTIONS THROUGH 2029 (WITH OPEN SPACE RANGER)

	ACTUAL 2022	ACTUAL 2023	PROJECTION 2024	PROJECTION 2025	PROJECTION 2026	PROJECTION 2027	PROJECTION 2028	PROJECTION 2029
FUND BALANCES (Beginning):								
COMMITTED FUND BALANCE	\$ 694,981	\$ 765,933	\$ 845,139	\$ 765,329	\$ 625,584	\$ 420,522	\$ 320,146	\$ 79,428
TOTAL FUND BALANCE (Beginning)	\$ 694,981	\$ 765,933	\$ 845,139	\$ 765,329	\$ 625,584	\$ 420,522	\$ 320,146	\$ 79,428
REVENUES								
81-430-10 Lodging Tax	\$ 249,551	\$ 275,519	\$ 256,000	\$ 254,000	\$ 254,000	\$ 259,080	\$ 264,262	\$ 269,547
81-430-15 Penalty & Interest	657	383	300	300	-	-	-	-
81-430-20 Interest on Investments	11,708	39,933	45,000	25,000	10,000	10,000	10,000	10,000
81-430-30 Usage Fees	-	-	-	-	-	-	-	-
81-433-00 Other Grants	2,062	-	5,000	10,000	-	-	-	-
81-433-00 Intergovernmental Contribution	-	-	35,000	82,400	58,600	61,000	-	-
81-436-70 Miscellaneous	-	-	-	-	-	-	-	-
81-437-10 Transfer from General Fund	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
TOTAL REVENUES	\$ 413,977	\$ 465,835	\$ 491,300	\$ 521,700	\$ 472,600	\$ 480,080	\$ 424,262	\$ 429,547
TOTAL SOURCES	\$ 1,108,958	\$ 1,231,768	\$ 1,336,439	\$ 1,287,029	\$ 1,098,184	\$ 900,602	\$ 744,407	\$ 508,975
EXPENDITURES								
Operating Expenses	\$ 245,897	\$ 344,140	\$ 321,110	\$ 468,945	\$ 467,662	\$ 490,457	\$ 514,980	\$ 540,728
Capital Expenditures	97,128	42,489	250,000	192,500	210,000	90,000	150,000	150,000
Transfers-Out	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	\$ 343,025	\$ 386,629	\$ 571,110	\$ 661,445	\$ 677,662	\$ 580,457	\$ 664,980	\$ 690,728
Net Surplus (Deficit)	\$ 70,952	\$ 79,206	\$ (79,810)	\$ (139,745)	\$ (205,062)	\$ (100,377)	\$ (240,718)	\$ (261,182)
FUND BALANCES (Ending):								
COMMITTED FUND BALANCE	\$ 765,933	\$ 845,139	\$ 765,329	\$ 625,584	\$ 420,522	\$ 320,146	\$ 79,428	\$ (181,754)
TOTAL FUND BALANCE (Ending):	\$ 765,933	\$ 845,139	\$ 765,329	\$ 625,584	\$ 420,522	\$ 320,146	\$ 79,428	\$ (181,754)

Table 2: Open Space Fund budget projections with the inclusion of the ranger position and without any cuts.

In order to support the ranger positions without any new revenues, expenditures will need to be reduced.

Staff plans to find up to 5% savings in the operating budget annually. In addition, using an existing vehicle rather than purchasing a new one could result in some savings from the Ranger position.

Staff is requesting assistance in evaluating the priority, cost, timing, and needs of capital projects to help reduce expenditures to support the ranger position.

Table 3 below is the proposed Capital Improvements Plan Summary for the open space fund over the next five years. All of the projects were identified in either the Open Space Master Plan or Management Plans. Many of the high-priority/immediate-need projects have already been accomplished, leaving more of the medium-need and mid-term projects on this list.

To support the Ranger program, around \$250,000- \$350,000 needs to be cut from capital projects in the next five years.

Capital Improvement Plan Summary for 2025 - 2029

Department/Fund and Project	2024? In 5 YR CIP?	2024	2024 Revised 05/14/24	2024 Revised Proposed	2025	2026	2027	2028	2029	TOTAL
Open Space Fund										
Wildlife Interpretive/Multilingual/Educational Signage Projects	X	\$ 125,000	\$ 125,000	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 325,000
Open Space and Trails Master Plan Implementation Phase 1 Planning & Implementation Process	X	100,000	100,000	95,000	-	-	-	-	-	295,000
Restoration Project/Habitat Improvements on Open Space Phase 1	X	80,000	80,000	80,000	-	-	-	-	-	240,000
Restoration Project/Habitat Improvements on Open Space Phase 2	X	-	-	-	100,000	-	-	-	-	100,000
Open Space & Trails Master Plan Implementation Phase 2 - Planning & Implementation Process	X	-	-	-	30,000	150,000	-	-	-	180,000
Hockett Gulch Trailhead Signage Infrastructure	X	-	-	-	7,500	-	-	-	-	7,500
Open Space Wayfinding Signage and Information project	X	-	-	-	-	15,000	90,000	-	-	105,000
Haystacker Trailhead (Eagle Ranch TH Access)	X	-	-	-	-	-	-	30,000	-	30,000
Restoration project/habitat improvements on open space Phase 3	X	-	-	-	-	-	-	120,000	-	120,000
Fishing Is Fun Pond Improvements	X	-	-	-	-	-	-	-	150,000	150,000
Eagle River Open Space Trail		-	-	-	-	-	-	-	-	-
Trail Connection Over Brush Creek		-	-	-	-	-	-	-	-	-
Interpretive Signage Phase 2 project		-	-	-	-	-	-	-	-	-
Fleet (Open Space)										
Vehicle Fleet - New for Ranger Position	X	-	-	-	55,000	-	-	-	-	55,000
Vehicle Fleet Replacements	X	-	-	-	-	45,000	-	-	-	45,000
Open Space Total		\$ 305,000	\$ 305,000	\$ 250,000	\$ 192,500	\$ 210,000	\$ 90,000	\$ 150,000	\$ 150,000	\$ 1,502,500

Table 3: Open Space Fund Capital Improvements Plan Summary 2025 – 2029 without any cuts.

Staff requests that the Committee and the Council help determine which projects can be cut, reduced, or pushed back to support the ranger program.

COMMUNITY INPUT: Community input on the current budget proposal has not yet been received. However, opportunities for public feedback will be available during the upcoming budget hearings scheduled for:

- October 8
- October 22
- November 12, 2024

BUDGET/STAFF IMPACT: See Tables 1-3 in the Analysis section above for budget information. The development of the Open Space Ranger program will require significant staff time. Key subjects to address include amending municipal code language, developing program manuals and priorities, coordination with the Eagle Police Department and Eagle County Animal Control, training, and new personnel orientation.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: The 2022 Open Space and Trails Master Plan includes the following goal:

- OS1 – Enforcement Officer/Ranger- Explore the inclusion of wildlife closure enforcement in Town Code Enforcement officer duties or a dedicated open space ranger. This goal was ranked as a high priority in the plan.

In addition, the Master Plan and 2023 Open Space Management Plans assist in prioritizing community-supported projects.

RECOMMENDED ACTION OR PROPOSED MOTION: Staff request that OSRAC and the Town Council provide direction on what projects should be prioritized to allocate enough funding to develop the proposed Open Space Ranger Position.

ATTACHMENTS: The Town of Eagle's Open Space and Trails Master Plan and Open Space Management Plans can be viewed on the Town's website at this link: <https://www.townofeagle.org/113/Open-Space>. Once on the webpage, follow the links on the left to access each document.