



Town Council
Tuesday, May 12, 2020
ON-LINE MEETING

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

MEETING ACCESS

1. Register in advance for this meeting:

<https://us02web.zoom.us/meeting/register/tZcvc-qqrj8tG9PAQWFTJIB0VcBiS2aTFcdW>

After registering, you will receive a confirmation email containing information about joining the meeting.

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

All votes will be by roll call. When it's your turn to speak, the moderator will unmute your line and you will have two (2) minutes for public comment.

For technical difficulties please email bill.shrum@townofeagle.org and we will do our best to assist you.

CALL TO ORDER - 6:00 PM

ROLL CALL - 6:05 PM

ADOPTION OF AGENDA - 6:05 PM *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 two (2) minutes per person per topic unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to follow on-line meeting protocols in order to speak.*

VACANCY APPOINTMENT - 6:15 PM

1. Resolution 26, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing a Councilmember to Fill a Vacancy Due to the Resignation of Councilmember Scott Turnipseed "
 - a. Oath of Office

CONSENT AGENDA - 7:00 PM *Consent agenda items are routine Town business, items which 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. (5 Minutes)*

1. Minutes - April 28, 2020
2. Bill Pay - April 2020

3. Resolution No. 28, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Final Plat for Eagle Landing at Brush Creek Townhomes Phase 2b"

STAFF REPORTS - 7:05 PM *The Town Manager and Department Staff prepare and provide internal updates to the council.*

1. Town Manager Update
2. Department Update
3. First Quarter Sales Tax Report
4. Lower Basin Water Treatment Plant Project Report

BUSINESS ITEMS - 7:10 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the council.*

1. **PUBLIC HEARING:** Ordinance 03, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending the Holy Cross Energy Franchise Agreement By Increasing the Franchise Fee from 3% to 4%." *The Town Council will review an ordinance increasing the Holy Cross Franchise Fee by 1% and is required to hold a public hearing on amendments to franchise agreements to collect public input.*
2. Town Council Committee/Board Appointments
 - a. Northwest Colorado Council of Governments Representative Appointment *(Annual Appointment)*
 - b. Economic Development Advisory Council Appointment *(Vail Valley Partnership - Appointment until vacated)*
 - c. Town of Eagle Economic Vitality Committee Appointment *(Town of Eagle Appointment until vacated)*
 - d. Resolution 18, Series 2020, "A Resolution Of The Town Council Of The Town Of Eagle, Colorado, Accepting The Resignation Of Anne Mckibbin And Appointing _____ To Serve As Town Representative On The Eco Transit Advisory Board"
 - e. Resolution 19, Series 2020, "A Resolution Of The Town Council Of The Town Of Eagle, Colorado, Accepting Resignation Of Anne Mckibbin And Appointing _____ To Serve On The Eagle Ranch Housing Board"
3. Resolution No. 27, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Maren Cerimele and Levi Rozga to the Economic Vitality Committee, and Creating the Position of Alternate to be Filled by Kari McDowell Schroeder",.
4. Proposed Amendments to Title 4 of the Municipal Code, involving uses and standards within the Commercial General (CG) Zone District (Discussion)

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 8:30 PM

1. 2020 COVID-19 Budget Work Session Date Selection
2. Town Council Communications

ADJOURN - 9:00 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 - TOEG – townofeagle2019



To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: May 12, 2020

Agenda Item: Resolution 26, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing a Councilmember to Fill a Vacancy Due to the Resignation of Councilmember Scott Turnipseed "

REQUEST: Staff requests that the Town Council review four applications that have been submitted for consideration of appointment to the Town Council. The applicants are: David Gaboury, Kyle Hoiland, Gabriele Higbie and Charlie Gundlach.

BACKGROUND: Trustee Turnipseed vacated his seat on April 28, 2020 so he could be sworn in as Mayor. The Town Council then adopted Resolution 21, Series 2020 outlining the selection and appointment process for filling vacancies.

ANALYSIS: The vacancy was announced on our webpage, Facebook and in the Eagle Today newsletter. One ad was placed in the Vail Daily. All applicants have completed the Town's official application located on our website and were submitted by the deadline.

The applicants will be interviewed in the following order: 1. Gabriele Higbie; 2. Kyle Hoiland; 3. David Gaboury; and 4. Charlie Gundlach.

Questions and follow up for each applicant will be based upon the information and responses provided in their application.

1. What opportunities does the Town of Eagle have?
2. What challenges currently exist in the Town of Eagle?
3. As a Council Member, how would you approach these challenges?

The Mayor has confirmed that the ballot process will be an email sent by each Council Member to the Town Clerk. The Clerk will then perform a tally and make the announcement at this meeting.

The appointment of the vacancy may take place at this meeting by adoption of the Resolution and appointee taking the Oath provided or the appointment can occur at a future meeting determined by Council.

COMMUNITY INPUT: The public was invited to provide comments to the Town Clerk and to the Town Council via the website, Facebook and email notification. All comments received prior to the packet being published on May 15 were included in the packet, and those received afterwards were updated to the packet prior to this meeting.

Pursuant to Resolution 21-2020, the public shall have an opportunity to comment at the beginning of this discussion with a time limit of two minutes. After completion of public comment the Town Council will discuss the applicants and consider approving a Resolution naming the candidate with the majority vote.

BUDGET / STAFF IMPACT: None.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: The appointment process aligns with the Home Rule Charter and approved resolution.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to approve Resolution 26, Series 2020, “A Resolution of the Town Council of the Town of Eagle, Colorado Appointing a Councilmember to Fill a Vacancy due to the Resignation of Councilmember Scott Turnipseed “

ATTACHMENTS:

1. Reso 26^J 2020 - Council Appointment
2. HOILAND APPLICATION
3. HIGBIE APPLICATION
4. GABOURY APPLICATION
5. GUNDLACH APPLICATION

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 26
(Series of 2020)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
APPOINTING A COUNCILMEMBER TO FILL A VACANCY DUE TO THE RESIGNATION
OF COUNCILMEMBER SCOTT TURNIPSEED

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, on April 28, 2020 the Town Council established the process to fill a Councilmember vacancy as required by the Charter by the adoption of Resolution 21, Series of 2020;

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;

WHEREAS, The Town Council has complied with the process to fill a Councilmember vacancy as set forth in Resolution 21, Series of 2020; 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:

Section 1. The Town Council hereby appoints _____ as Councilmember to fill the vacancy due to the resignation of Scott Turnipseed and to serve until the next regular election.

Section 2. This Resolution shall take effect immediately upon its passage.

Passed and adopted at a regular meeting of the Town Council of the Town of Eagle this 12th day of May 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

From: noreply@civicplus.com
Sent: Wednesday, April 29, 2020 11:44 AM
To: Clerk Group; Brandy Reitter
Subject: Online Form Submittal: Town Council, Planning Commission & Committee Application Form

Town Council, Planning Commission & Committee Application Form

Select the Council, Commission, or Committee applying for Town Council (vacancies only)

PERSONAL INFORMATION

First Name	Kyle
Last Name	Hoiland
Address1	0135 Tanager Circle
Address2	<i>Field not completed.</i>
City	Eagle
State	CO
Zip	81631
Email Address	kyle.hoiland@townofeagle.org
Contact Phone Number	9703904208
Business Address	PO Box 4582
Business Phone Number	9703904208
Occupation	Project Management / Owner's Rep / Cost Estimating Consultant

ELIGIBILITY AND RESIDENCY INFORMATION

Are you a United States citizen?	Yes
Have you been an Eagle resident no less than 12 consecutive months?	Yes

Length of Residency in Eagle	20 years
------------------------------	----------

Are you a registered voter and eligible to vote in the Colorado General Election?	Yes
---	-----

EDUCATION AND HOBBIES

High School	W.F. West High School
-------------	-----------------------

College	Centralia College
---------	-------------------

Trade or Business School	New Mark Vocational Skills Center
--------------------------	-----------------------------------

Hobbies	Hunting, Fishing, Hiking, Camping, Boating, Basketball, Baseball, Coaching
---------	--

ORGANIZATION MEMBERSHIP INFORMATION

Are you or have you served on other Boards, Commissions, or Committees?	Yes
---	-----

If yes, which	Town of Eagle Planning and Zoning 2016 to Present, 2019-2020 Home Rule Charter Commission, Screaming Eagle Scholarship Committee (chairperson) - 2015 to Present, Screaming Eagle Golf Tournament - 2013 to Present, Eagle Chamber Board of Directors 2012-2016
---------------	---

Please list organization memberships and positions held	Eagle County School District District Accountability Committees, Design Team & General Contractor Selection Committees 2017 Eagle Chamber Member (Board of Directors 2012 - 2016 Eagle Valley Home Builders Association 2008-2012 (President) Eagle County ECO Build Committee 2006 - 2009 Junior Achievement 2013-2019 Habitat for Humanity, Building Partner 2008-2009
---	---

Please List Areas of Special Interest	Real Estate, Construction & Development; Small Business; Education / Volunteering with local schools and Denver Public Schools; High School Coaching; Coaching Youth Sports
---------------------------------------	---

(Section Break)

ADDITIONAL QUESTIONS

1. What opportunities does the Town of Eagle have?	Eagle is a great community and we have the opportunity to maintain that status, as well as the lifestyle that we have. We have the opportunity to become a destination that rivals the ski
--	--

resorts, by promoting our outdoors and mountain lifestyle. We can create more events & competitions that will draw people here on a temporary basis and bring in outside revenue.

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

Affordable housing, revenue for the Town government and determining the size & density of developments, as well as the pace of growth.

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

As a Council Member, I would work to promote more events in our Town, to bring in outside people on a temporary basis, who can generate new revenue for the Town coffers. For housing & development, I would like to work more with non-profit organizations like Habitat for Humanity to find locations for affordable housing. I would work with current clients and colleagues on finding ways to develop affordable housing projects in Eagle.

CONFLICT AND DISCLOSURES

Nominations and appointments may require individuals to complete and sign an Affidavit of Acceptance and Conflict of Interest Disclosure forms. The Town Clerk will make these available when appropriate and necessary.

Attach Resume

[2020 Hoiland Kyle - Resume REV 01.00.pdf](#)

Email not displaying correctly? [View it in your browser.](#)

Kyle Hoiland – Principal Owner / Preconstruction Manager

Education

- Associates Degree in Civil Engineering
Centralia College
Centralia, WA

Project Controls Lead

- Construction Cost Estimating
- Quantity Survey
- Plan Reading & Interpretation
- Guaranteed Maximum Price Validation
- Logistics Planning
- Value Engineering
- Life Cycle & Operational Cost Analysis
- Change Order Validation
- GMP Expenditure Validation
- Construction Claims Avoidance
- Construction Management & Accounting
- Project Scheduling
- Owners Representation
- Preconstruction Planning

Certifications & Professional Affiliations

- Associates Degree in Civil Engineering
- Eagle Chamber Board of Directors
- Town of Eagle Planning & Zoning
- Eagle County School District – Design Advisory Group
- Eagle County School District – District Accountability Committee
- Eagle County School District – Insiders Committee
- Eagle County School District – Design Team Selection Committee
- Eagle County School District – CM/GC Selection Committee
- Habitat for Humanity – Building Partner

Kyle has over 27 years of very diverse construction experience, with the past 20 years focused on preconstruction & cost estimating. His attention to detail, involvement in variety of unique projects, and broad knowledge of civil and vertical costs help owners protect quality, budget and schedule.

Kyle specializes in construction costs on the Western Slope, with a database of current unit costs across a wide spectrum of project types and locations.

Residing and working in Eagle, Colorado, with local subcontractors and contractors as clients, and being a member of the local planning board gives Kyle a unique and very valuable perspective on the preconstruction process.

Sample Project Experience:

6900 Layton Office Improvements \$ 25 Million
Nationwide, USA

City of Westminster \$ 75 Million
New Mixed Use Development
Westminster, CO

State of Colorado \$ 180 Million
Renovations & New Buildings
Denver, CO

CDOT \$ 25 Million
Various Projects
Statewide, CO

NPS – Canyon Village \$ 80 Million
Modular Building Construction/Lodging
Yellowstone Park, WY

Roaring Fork School District \$ 48 Million
5 School Renovations & Addition
Basalt, CO

Garfield County School District \$ 52 Million
5 School Renovations & Addition
Basalt, CO

Tom Boni
PO Box 3625
Eagle, Colorado 81631
Tomboni3030@gmail.org

May 8, 2020

Town of Eagle Council
PO Box 609
Eagle, CO 81631

Dear Council Members,

Thank you for the opportunity to make a recommendation for an open position the position on the Town Council.

I strongly support Kyle Hoiland for this position. Kyle is great listener and communicator. He takes the time to understand and think through issues before taking a position. This personality characteristic is hard to find in today's world. As a long term resident of Eagle Kyle understands the Town. His commitment is evidenced in his service to the Town as a Planning and Zoning Commissioner, as a member of the Home Rule Charter Committee and helping our youth in various recreational programs. This experience is valuable for a member of the Town Council.

Sincerely

Tom Boni

Jenny Rakow

From: JUSTIN BRANDT <justin.brandt@eagleschools.net>
Sent: Thursday, April 30, 2020 12:50 PM
To: All Trustees
Subject: town council vacancy

It has been brought to my attention that there is a vacancy on the town council. I can think of no one better for the position than **Kyle Hoiland**. His heart for the community, involvement in our community's youth, and experience in the construction field and business would make him a great fit. Thank you.

.

Justin W. Brandt

Eagle Valley High School

Young Life Teacher Staff - Head Boys Basketball Coach - STUCO Coordinator

Truth - Love - Transparency

(970)331-6914

Jenny Rakow

From: Pamela Brooks <pamelabrooks432@gmail.com>
Sent: Thursday, April 30, 2020 11:52 AM
To: All Trustees
Subject: Kyle Hoiland for town council

Hello!

I am writing this letter in support of Kyle Hoiland to be appointed for town council.

I have known Kyle through mountain rec sports. My son had the good fortune to have Kyle coach his basketball team this winter. We were blown away with his heart for helping kids learn to love the sport and to learn to work as a team. He took a group of 9-11 year old boys with very mixed skill and interest levels and created an awesome and cohesive team. Not only were they very successful with a winning season, but they learned so much individually. Every kid improved their skills and felt important to the success of the team. Not an easy task in little league sports. His emphasis on teamwork and each person being an important part of the group was admirable and much appreciated. He also handled parent dynamics with class and grace and his communication was the best we have experienced with a coach. Kyle Hoiland is already a great asset to the community and I would love to see his leadership on town council.

Thank you for your consideration!

Pamela Brooks

Jenny Rakow

From: Craig Colby <colbycraig@netscape.net>
Sent: Thursday, April 30, 2020 6:54 AM
To: All Trustees
Subject: Kyle Hoiland recommendation

Town of Eagle Trustees,

I strongly recommend Kyle Hoiland to fill the vacancy on the Town of Eagle Trustees. I have known Kyle both professionally and socially for many years and have seen his dedication to the community and family and friends. His involvement with the town and nonprofits in the community reflect his dedication and commitment to what ever task he is confronted with. The Town of Eagle could not have a better individual on its Board of Trustees than Kyle Hoiland and I give him my highest recommendation.

Sincerely,

Craig Colby

Jenny Rakow

From: Chris Fedrizzi <srn1998@gmail.com>
Sent: Monday, May 4, 2020 1:47 PM
To: Scott Turnipseed; Andy Jessen; Pappy Kerst; Matt Solomon; Ellen Bodenhemier; Adam Palmer; Jenny Rakow; Brandy Reitter
Subject: Fwd: Kyle Hoiland for Trustee

Subject: Kyle Hoiland for Trustee
To: <alltrustees@townofeagle.org>

Trustees,

I am writing to you as a 50 year resident of Eagle to encourage you to appoint Kyle Hoiland to the open Trustee seat. As we all know the Town is in uncharted waters with the current pandemic. It is going to take a lot of creative budgeting for the Town to navigate these uncertain times. Kyle's consulting background with construction budgeting will be a priceless asset when dealing with budget shortfalls on Capital Improvement Projects, staff and general expenses moving forward. Kyle's private business acumen will serve him to be the best Trustee he can be to help lead the Town through this recession.

Kyle has also long been involved in the shaping the Town's direction as he has sat on the P & Z, helped with elections and has been a leader with the Chamber. His past civil experience should make him becoming a Trustee seamless. Kyle obviously holds what's best for the Town near and dear to his heart.

I have no doubt should you appoint Kyle, he will not let the Town down!

--

Chris Fedrizzi
Site Resource Management
970-328-5100
970-390-5202 cell
srn1998@gmail.com

Vacancy

Brad Hasley <hasleybr@yahoo.com>

Thu 5/7/2020 1:30 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>

Dear Eagle Town Council,

I would like to recommend **Kyle Hoiland** for the vacant council position.

I've personally known Kyle for many years, and have coached youth sports, and worked with him.

Kyle is of extremely good character, is hard working, pro-business, and open to ideas. As a volunteer high school basketball coach at Eagle Valley High School, he constantly goes above and beyond what would be expected of anybody in a volunteer coaching position, just because he cares so much about the position, and the players he coaches! This includes driving players to away games, and camps, and chaperoning them on overnight trips, as well as finding and securing former collegiate and NBA players (such as Christian Laetter) to attend EVHS practices.

Additionally Kyle works in the construction industry, and I have worked with him in that capacity before. I believe his background will give him realistic views, input, and expectations related to any and all upcoming town construction projects.

I think Kyle could make an outstanding member of the Eagle Town Council.

Thank you for your consideration.

Sincerely,

Brad Hasley
93 S Penstemon Ln
Eagle, CO
(cell) 970-376-1961

William R. Heicher
PO Box 401
Eagle, CO 81631
970-328-7104

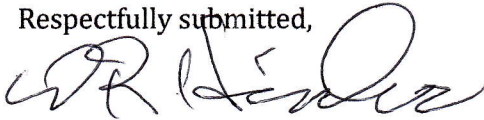
May 4, 2020

To: Eagle Town Council

Subj: Vacancy Appointment for Town Council

I would like to offer my recommendation for the appointment of Kyle Hoiland to the vacant position on the Eagle Town Council. Having served on the Eagle Town Board, Eagle County Planning Commission and the Western Eagle County Metropolitan Recreation District I have a good understanding of what it takes to serve on a local government board. I believe Kyle possesses the qualifications, commitment and understanding to be a welcome addition to the town council. Kyle has shown a true commitment to the town of Eagle with his numerous volunteer undertakings, i.e. serving on the town planning commission, coaching youth sports, holding a leadership position in the Eagle Chamber of Commerce and the town's Home Rule Commission. I have known Kyle since he first moved to Eagle and I have always found him to be a very positive team player and a thoughtful listener. Please give Kyle an opportunity to continue his service to the community as a member of the Eagle Town Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bill Heicher', written in a cursive style.

Bill Heicher

Jenny Rakow

From: Matthew Hood <mhood@jirsahedrick.com>
Sent: Wednesday, May 6, 2020 10:50 AM
To: ALL COUNCIL
Subject: Kyle Hoiland - Letter of Support

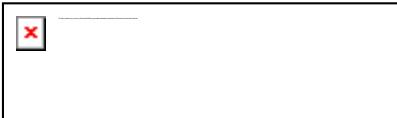
Dear members of the Eagle Town Council,

I am writing to express my support of Kyle Hoiland for the vacant position on the Council. I have worked with him over the past two years on the planning and zoning commission and I believe he would be an asset on the council. He is open minded, willing to listen to others and cares deeply about our town. As much as I will hate to lose his perspective on the P&Z, I know he would like to support our town in a more broad role and I support him in that.

Thanks for your consideration.

Matt Hood - Eagle P&Z Chair

Matthew O. Hood, PE, SE
Associate Principal
303.318.6539 direct



Supporting your vision for over **30** Years

Vacancy

dnudell@vail.net <dnudell@vail.net>

Fri 5/8/2020 12:11 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>

Would love to see Kyle get the position.

Thank you,

David



David Nudell, Broker/Owner

970-445-1766 (direct), 970-390-0492 (cell)

217 Broadway, Eagle, CO 81631

MountainLifestyleProperties.com dnudell@vail.net

Vacancy

Jenna Palmiter <jennapalmiter@yahoo.com>

Thu 5/7/2020 1:20 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>

I vote for Kyle. Great guy! Great family!

Jenna PALMITER

[Sent from Yahoo Mail for iPhone](#)

Vacancy

Charlie Perkins <percharlie@gmail.com>

Thu 5/7/2020 1:04 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>

As a member of the Town of Eagle Planning Commission...I endorse Kyle Hoiland as the new councilman.....Kyle has proven himself to be a very capable and astute member of our Commission....and believe he would be an asset to our community in the role of Councilman....

Thanks

Charlie Perkins
JMP Architects, Inc.
47 E. Beaver Creek Blvd.
Christie Lodge Bldg.
PO Box 2007
Avon, Colorado 81620
214-862-8942



Town Council Vacancy

lani@themercuryalliance.com <lani@themercuryalliance.com>

Thu 5/7/2020 1:38 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>

Town of Eagle,

I writing this letter to voice my support for Kyle Hoiland for the vacant Town Council position. In my work with Kyle on the Planning & Zoning committee he has proven to be an excellent colleague as well as a proven leader. I think given his work on the Planning & Zoning board as well as his long time residency in Eagle that he would be a great addition to Town Council. Thank you for allowing me the opportunity to voice my opinion. Stay Well!

Best Regards,

Lani Webb,

Managing Broker, C-REPS

Mercury Alliance Mountain Properties

Phone: [970-328-6622](tel:970-328-6622)

Cell: [970-331-1258](tel:970-331-1258)

Jenny Rakow

From: Derrick Wiemer <derrickwiemer@gmail.com>
Sent: Wednesday, April 29, 2020 4:57 PM
To: All Trustees
Subject: Town Council Vacancy

Eagle Trustees,

Although I'm no longer an Eagle citizen, I still have a lot of interest in items in Eagle as a family business owner, property owner and interested former citizen. I also have properties up in Fulford so travel in/out of Eagle certainly impacts me as well. I'm writing to express my support for Kyle Hoiland for the vacant trustee position. As you know, Kyle recently ran for council so he has shown his interest in serving. He has a strong interest in supporting Eagle and has shown that through his involvement in the P&Z and in his efforts to work in other community activities--youth sports, High School sports, EVES garden, etc...

Kyle has set his roots in Eagle, is a local business owner, involved in the local schools (both he and his wife), has a very broad range of interests and social groups, loves to learn, and loves to recreate in the valley.

I've known Kyle for ~10 years and found him to be an involved business owner, advocate for good, a listener, and someone that is willing to disagree with people around him---we disagree on things all the time.. :-)) I hope that you will consider Kyle for the vacant position as I'm certain that he will serve the town well.

Thank you all for your service.

Hope you and your families are all well.

Derrick Wiemer
(970)343-2208
derrickwiemer@gmail.com

Town Council, Planning Commission & Committee Application Form - Submission #1620

Date Submitted: 5/1/2020



Select the Council, Commission, or Committee applying for*

Town Council (vacancies only) ▼

PERSONAL INFORMATION

First Name*

Gabrie

Last Name*

Higbie

Address1*

40 Bunker Way

Address2

City*

Eagle

State*

CO

Zip*

81631

Email Address*

ghigbie1@gmail.com

Contact Phone Number*

9703893709

Business Address

PO Box 368 Edwards

Business Phone Number

9703893709

Occupation

Consultant

ELIGIBILITY AND RESIDENCY INFORMATION**Are you a United States citizen?***

☒ Yes

☐ No

Have you been an Eagle resident no less than 12 consecutive months?*

☒ Yes

☐ No

Length of Residency in Eagle

12 years

Are you a registered voter and eligible to vote in the Colorado General Election?*

☒ Yes

☐ No

EDUCATION AND HOBBIES**High School**

Cherry Creek High School

College

University of Massachusetts

Trade or Business School

calyxcommunications.com

Hobbies

All outdoor recreation, reading, art, being busy

ORGANIZATION MEMBERSHIP INFORMATION

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

☒ Yes

☐ No

If yes, which

Red Ribbon Project, Vail Lacrosse Club, B'Nai Vail, Children's Garden of Learning

Please list organization memberships and positions held

Vail Board of Realtors

Please List Areas of Special Interest

Real Estate, Business, Recreation, Marketing and Communications

ADDITIONAL QUESTIONS

1. What opportunities does the Town of Eagle have?

The town has a tremendous amount of possibility. We have the fortune of having World Class mountain bike trails, a river park, a regional airport close by and a viable downtown corridor. With the rapid growth and development occurring around the town, Eagle has the opportunity to provide exciting businesses to residences moving in through the new developments, but also to create business to generate tourism into the town. We have some anchor businesses in place and need to encourage up and coming entrepreneurs that Eagle is a town that is worth opening. Additionally, we have opportunities to create more events on Broadway to revitalize this area of town. Unlike our neighboring towns, Eagle has an actual, historic "Main Street". Walking down it at night makes it obvious that the right things are not being done. The Art Walk is a great idea! We need to make it bigger and better. We need to work with the Chamber to help develop community marketing approaches that bring people to town. When the right thing presents itself, Broadway is hopping and businesses thrive. It's imperative to take what has worked and revisit these initiatives. Developing a Revitalize Broadway Fund that could incentivize new businesses to the area would be a great way to help. Offering to subsidize marketing and Events outside of the MEAC that focuses solely on Broadway would be something to consider.

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

Having spearheaded and managed several events in town, I am all too familiar with the challenges Eagle faces. We are a fickle bedroom community that is frugally minded. After taking over the flailing Farmers Market, while putting great marketing force behind it, I learned quickly how price point makes a huge difference to this community. We brought in live music, had amazing vendors and even included a beer garden. People wouldn't come back and shop because of pricing. Ultimately the town wasn't behind the success of the event so the event had to cease. There is also a separation between the residents of Eagle Ranch and the other neighborhoods in Eagle. With Capitol and the area business in Eagle Ranch functioning like the downtown hub, we are missing the opportunity to enable the Broadway corridor to thrive. We need to also seriously up the social media game for community engagement. I believe another challenge is how disconnected the business hubs are. The stores on the north side of I-70 often feel forgotten. And how amazing is the park behind Pazzos? Bringing life to the visitors center- and connecting the river park are all challenges that the town faces.

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

I would want to work very closely with the Chamber in recruitment of new business to the area. Engaging current business owners and understanding their challenges via focus groups, or digital survey platforms would be ideal. Additionally, working with business owners to further understand their needs is critical to the economic growth and development of the town. I think it's important to talk to towns similar to ours that have seen growth in business as well as community and find out what is working and what is not working. Developing incentives for new businesses to take a chance on Eagle. Create events that speak to the community both old and new. Tying in the rich ranching history of the town with the new direction the town is going. Creating the "Urban Cowboy" sort of feel.

CONFLICT AND DISCLOSURES

Nominations and appointments may require individuals to complete and sign an Affidavit of Acceptance and Conflict of Interest Disclosure forms. The Town Clerk will make these available when appropriate and necessary.

Attach Resume

Gabrie Higbie Resume.pdf

Please attach resume in .pdf format.

Gabrielle E Higbie

970.389.3709 | ghigbie1@gmail.com

Calyx Communications

May 2016- Present

Principal of Marketing and Communications Company

- Calyx Communications specializes in sales, marketing and communications concepts for a multitude of clients. I have developed digital assets, graphic design, operations management as well as full scale marketing strategies and loyalty program development and implementation. Calyx Communications offers all digital aspects to a variety of business including social media and SEO.

Mary's Medicinals

August 2015- April 2016

Western Slope Account Manager Responsible for sales growth and development in Western Slope region

- Host Meet & Greet events within dispensaries to interface directly with patients and customers
- Train all bud tenders and managers to be fully equipped for successful sales of Mary's Medicinals

GEM Media- Vail, CO

November 2013-December 2014

Founder, Publisher, Producer of Media company including online magazine, weekly radio show and subscriber newsletter

- Produced weekly radio programming for syndicated radio show GEM Radio
- Published weekly newspaper articles and blogs at gogem.co.
- Created, strategized and sold all advertising and revenue streams
- Designed and implemented all social media marketing

SOL Media- Vail, CO

May 2013- August 2015

Principal of Sales & Marketing Agency

Marketing		Sales	
Bookworm of Edwards		Highline Sports	
Resortia, LLC		Vail Rentals by Owner	
KZYR Radio		TIGA Advertising	
Conversations With My Mother		Taste of Vail	

Cool Radio, LLC- Vail, CO

November 2005- May 2013

Director Sales, Promotions and Events for a 4-station regional radio group servicing Vail, Aspen and Steamboat Springs, CO

- Developed and managed all aspects of daily advertising sales on KZYR and in sister markets, in addition to 5 staff
- Created Special Events division at Cool Radio through the development and implementation of over 8 financially successful local events
- Proven sales skills through both advertising sales on-air as well as large sponsorship agreements

Colorado Mountain News Media- Vail, CO**June 2004-August 2005**

Marketing Manager for Regional Newspaper Group including Vail, Aspen, Summit County and Grand Junction, and newly launched magazine division

- Compiled all market data to present to Publishers and Advertising Directors
- Developed Media Kits based on market research
- Launched Aspen Philanthropist and House to Home Magazines

Vail Daily- Vail, CO**October 2001- June 2004**

Advertising Sales Account Executive for local Vail Newspaper

- Grew sales territory over 55%
- Consulted local businesses on marketing options

I-70 Productions, LLC- New York, NY**October 2000-September 2001**

Founder of small film production company based in New York, NY

- Solicited funding, locations and permitting to produce film
 - Producer/ Editor of the Award winning Short Film "The Talking Richard Wilson Blues"
- Tribeca Film Festival | Houston Film Festival | Minnesota Film Festival*

Internet Partnership Group/ Cedric Kushner Productions- New York, NY**1999-2000**

VP, Internet Development for Boxing and lifestyle related programming

Delphi Forums- Boston, MA**1998-1999**

Business Development and Project Manager of Boston based online forum developer

Healthology.com- New York, NY**1997-1998**

Project Manager for health related video programming site.

Whowhere.com- New York, NY**1997**

Advertising account executive to online search engine

GORP.com- New York, NY**1997**

Business Development for newly launched outdoor recreation site

Miller Freeman- New York, NY**1994-1997**

Advertising Account Executive for newly launched publication NT Systems, a spin off of UNIX Review

Education**University of Massachusetts, Amherst****1990-1994**

Bachelor Degree Social Thought & Political Economy , Minor Anthropology

Community**B'Nai Vail**

Board Member, Hebrew teacher

Buddy Werner League

Youth ski coach

WECMRD

Youth soccer coach

Red Ribbon Project

Board Member

Jenny Rakow

From: Jill Bossow <jill@bhhscoloradoproperties.com>
Sent: Thursday, May 7, 2020 5:22 PM
To: ALL COUNCIL; Clerk Group
Subject: Vacancy position for Gabriele Higbie

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom This May Concern – I just found out that Gabriele Higbie has submitted her name for the open council seat. I work with Gabriele at Berkshire Hathaway HomeServices Colorado Properties and find her to be professional, mature and able to diplomatically handle situations. She is thoughtful and sincere with her communication and is a forward thinking individual. We are proud to have her on our team and I think you would be as well. I recommend Gabriele for the town council.

Kind Regards,
Jill Bossow

Jill Bossow, Vice President
Berkshire Hathaway HomeServices Colorado Properties
(970)471-5830 | <http://www.bhhscoloradoproperties.com>
[Schedule a meeting with me](#)

One Day Forward | One Day
STRONGER
#doingmypartcolorado

*Wire Fraud Alert: You will never receive wiring instructions from me.
All wire instructions will be emailed from the title company via an encrypted email system.*

Council opening

Mickey Werner <rmw1157@gmail.com>

Fri 5/8/2020 12:43 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>

I would like to voice my support for Gabriele Higbie. I've known Garbrie for almost 16-17 years from her days at KZYR. I think her background in Communications and Marketing would be of great benefit to the town. I recommend her selection.

Mickey Werner

President, Village Homes of Eagle Ranch HOA

Sent from my iPhone

Town Council, Planning Commission & Committee Application Form - Submission #1621

Date Submitted: 5/4/2020



Select the Council, Commission, or Committee applying for*

Town Council (vacancies only) ▼

PERSONAL INFORMATION

First Name*

david

Last Name*

gaboury

Address1*

916 Hernage Creek Road

Address2

PO Box 1794

City*

Eagle

State*

CO

Zip*

81631

Email Address*

dgaboury1@gmail.com

Contact Phone Number*

9136450558

Business Address**Business Phone Number****Occupation**

Engineer

ELIGIBILITY AND RESIDENCY INFORMATION**Are you a United States citizen?***

☒ Yes

☐ No

Have you been an Eagle resident no less than 12 consecutive months?*

☒ Yes

☐ No

Length of Residency in Eagle

28 months full time plus 12 years part time

Are you a registered voter and eligible to vote in the Colorado General Election?*

☒ Yes

☐ No

EDUCATION AND HOBBIES**High School**

Bishop Feehan High School

College

BS UMASS Amherst; MS Massachusetts Institute of Technology

Trade or Business School

Graduate of Advanced Management Program Harvard Business School

Hobbies

All things outdoors, particularly fly fishing and downhill skiing

ORGANIZATION MEMBERSHIP INFORMATION

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

- ☒ Yes
☐ No

If yes, which

Board of Directors of three national engineering companies-- Chair of Board Terracon; Director RS&H; Director SSR

Please list organization memberships and positions held

Previously held leadership positions in numerous civic and national professional organizations (see resume).

Please List Areas of Special Interest

Community development; business vitality; excellence in customer service

ADDITIONAL QUESTIONS

1. What opportunities does the Town of Eagle have?

Background

As a candidate for the Town Council, I bring a fresh, open-minded perspective for the future of the Town – both our opportunities and challenges. My successful business background combined with strong experience in community and professional service makes me a unique candidate to join the Council (see attached resume).

My wife Beth and I have enjoyed being residents of Eagle for nearly 15 years, and two years ago we made Eagle our permanent home. We have grown very fond of and are committed to Eagle's long-term prosperity. I was recently elected and served on the Charter Commission that prepared the Home Rule Charter, which was strongly supported by the voters in our April election. It was an honor and a privilege to serve on the Commission. That experience inspired me to seek a long-term role on the Council so that I may continue to contribute to our community.

Opportunities

For any organization (business or civic), opportunity starts with building on its strengths. Broadly speaking, Eagle's strengths are well captured in its 2019 draft Comprehensive Plan -- "The Town of Eagle is a diverse, inclusive, and unique mountain community surrounded by beautiful recreation destinations" This statement perfectly speaks to what I think is great about the Town of Eagle today and is a strong vision of our future opportunities.

More specifically, the Town's current needs and priorities include growing our tax base, improved environmental sustainability, enhanced broadband service, and expanded recreational tourism – all while promoting workforce housing and making sure we are taking care of wildlife. My particular focus, strength, and contribution would be in three areas:

1. Stewardship of the Town's financial health and economic growth;
2. Growing a vibrant business community
3. Providing Town services and spending that are effective and highly responsive to the needs and desires of the community

I am excited to continue serving our community. You will have my full dedication and commitment to carry out the duties of this position.

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

The most fundamental need and challenge for the Town is to continue to grow our tax base by supporting business and residential vitality. More revenue from an expanding economic base allows financial flexibility to tackle the other needs and desires of the community, as well as addressing our ever-present infrastructure requirements.

We need to grow our business community and make our economic base more resilient. Currently we are heavily dependent on tourism and the up-valley resorts. The COVID19 pandemic has underscored this vulnerability. We have real potential to expand opportunities to work and live in Eagle. For example, there are a number of great businesses based in Eagle that sell their products and services regional, statewide, and beyond. How do we attract and encourage more of these types of companies and their employees to make Eagle their home?

As a practical matter, sales tax receipts are a critical component of the Town's financial health. Sales taxes makes up about 85% of the Town's budgeted 2020 tax receipts. There is currently (prior to COVID19) a trend of double-digit annual growth in sales taxes receipts, with a very positive trend in internet retail sales receipts in particular. We need to support actions that continue and enhance this trend. Certainly, the prior Board of Trustees' action related to tobacco tax receipts, approved by the voters, was a very positive step.

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

My view on approaches are included in the responses to Opportunities and Challenges above. To further illustrate approaches, the topic of growth is addressed below.

Our community needs to support growth that enhances the lives of our citizens while being responsible stewards of our land and resources. This is particularly challenging for Eagle, as there is a real constraint to the available, buildable land that limits ultimate growth. We must grow because with it comes opportunity and vitality, at the same time it must occur wisely.

As part of being a growing and vibrant community, Eagle must support a full mix of housing options – both owner-occupied and rental; single and multi-family -- housing that is attainable by a diverse population. This approach is needed as a practical matter so more people can live and work in our community. This is also an opportunity, as diversity brings a range of demographics that adds energy, ideas and vitality to the Town.

Certainly, higher density residential areas will have to be part of the mix. Some such projects would be beneficial to the community and should be approved and some harmful and should not be approved. Each project should be evaluated on its own merits. Critical to these projects is for them to fund related infrastructure improvements (particularly roads) and bring to the Town more public amenities. The Town Council has a critical role in shaping the attractiveness of projects and ultimately making the decision on their approval.

More broadly, through land use planning, annexation, and working with the development community the Town Council needs to have a vision and attract the types of projects that are desirable to the community. For example, bringing more density to the housing options in and adjacent to the core of downtown Eagle is one piece of the housing solution. This has the added benefit of bring people and vitality to the downtown.

The path forward in one word this involves balance – expanding both our business and residential base; supporting diverse, attainable residential options; encouraging vibrant neighborhoods and a strong downtown core; more sustainable energy and water use that is cost effective; and supporting a strong town staff.

My experience is that to be a thriving business or community, there are multiple areas that need to all work together. When they do, great things can be accomplished.

CONFLICT AND DISCLOSURES

Nominations and appointments may require individuals to complete and sign an Affidavit of Acceptance and Conflict of Interest Disclosure forms. The Town Clerk will make these available when appropriate and necessary.

Attach Resume

Resume.docx

Please attach resume in .pdf format.

Resume

David Gaboury

A summary of my background and experience is provided below. I am a civil engineer by education with a bachelor's degree from the University of Massachusetts Amherst, a master's degree from MIT, and mid-career I graduated from Harvard Business School's Advance Management Program. For 17 years I was CEO of Terracon, a national consulting engineering firm dedicated to improving the built and natural environment. During my tenure as CEO, we grew the firm from 30 offices and 500 people to 150 offices and nearly 5,000 people nationwide. My particular passion was improving the prosperity of our enterprise while working together to serve the needs and wants of our employees and clients. I noted "we grew" because Terracon is the 25th largest broad-based employee owned firm in the US. Being CEO of a firm where all employees are owners required strong leadership and listening skills very applicable to the Town Council. Like Terracon employee owners, citizens need to be heard, understood, and comfortable that their needs are being addressed. This is very much what my role as member of the Council will encompass.

During my career, I have been committed to and gained valuable experience through community and professional service. I served on the Board of Directors of the Olathe, Kansas (population 140,000) Chamber of Commerce and its Economic Development Council. I also served on the Board of Trustees, and subsequently as Chair of the Board, of Olathe Regional Medical Center (now called Olathe Health), a not-for-profit full-service hospital and doctor clinics. I have served on the Board and in leadership positions for numerous national professional and not-for-profit organizations. Examples of national organizations served include Board of Directors of the Construction Industry Round Table; Board of Directors and president of the Geo-professional Business Association; and Board of Directors of the ACE (Architects, Construction, Engineering) Mentor Program (high school).

Today I continue to serve as Chair of the Board of Directors of Terracon and on the Board of Directors of two other national engineering companies. This diversity of private and public service brings a valued perspective and skillset to the Town Council.

Input for Council Vacancy

Kim Bradley <kbradley@slifer.net>

Thu 5/7/2020 2:46 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>; Clerk Group <clerk@townofeagle.org>

Cc: Kim Bradley <kbradley@slifer.net>

Dear Trustees-

I hope this email finds you all doing well! Congratulations to Ellen & Adam on being newly elected to the Town Council, and to Pappy on being a glutton for punishment and taking a seat again 😊 Scott – It's about time you are Mayor of Eagle and I couldn't be happier! In all seriousness, the different perspectives represented on the current council is valuable to all of us as citizens.

One perspective niche that I see that can still be filled given Scott's vacated seat, are the eyes of someone that hasn't lived here in Eagle or Eagle County for over 20 years. A fresh set of eyes and ears on the Council should be strongly considered.

With Eagle being such a wonderful place to live, we are fortunate to attract many individuals with diverse business & personal backgrounds which add positively to our town. I've been fortunate to get to know David Gaboury and his family over the past 7 years. In business transactions I have worked with him on, he has proven to be methodical and detail-oriented. This totally makes sense once you learn that he's a civil engineer by trade and was CEO of a large engineering firm. David is consistently thoughtful in his responses on any topic and has an empathy for all people that is demonstrated in his decision making.

For these reasons, I would LOVE to see David be appointed to Eagle Town Council.

I look forward to supporting all of you in your roles and being a part of the conversation on how to continue to make Eagle better for all.

With much respect,

Kim



KIM BRADLEY | Branch Broker
Soleil Homes at Brush Creek & Upper Buckhorn Valley
Slifer Smith & Frampton Real Estate – Eagle/Gypsum, CO

970.376.5814 (m) | 970.328.2160 (o)

kbradley@slifer.net | k2@slifer.net

www.K2VailValleyRealEstate.com

TEAM K2 – KIM BRADLEY, KELLY MOSER & TJ DAVIS



Please Note: We will never email you wire instructions, please call me if you are asked to wire money.

Jenny Rakow

From: Will Comerford <will.comerford.bu53@statefarm.com>
Sent: Wednesday, May 6, 2020 1:23 PM
To: Scott Turnipseed; Pappy Kerst; Adam Palmer; Andy Jessen; Matt Solomon; Ellen Bodenhemier
Cc: Jenny Rakow
Subject: Vacancy Candidate David Gaboury

Hello Mayor Turnipseed and Council Members,

I am writing to encourage you to appoint David Gaboury to the recent vacancy to the town council.

I believe David will bring a sound and reasoned perspective to our community. Plus his engineering background will be especially helpful in evaluating future construction and public works projects.

David has successfully held several important business and civic leadership positions. His experience will be invaluable to you and your constituents.

Thank you all for serving this wonderful community.
Respectfully,

Will Comerford

Will Comerford, Agent
PO Box 4079
Eagle, CO 81631
Ph: (970)328-4000
Fax: (970)328-4956

PROVIDING INSURANCE AND FINANCIAL SERVICES



[Please leave us a review on Google!](#)

If this communication is securities related, click [here](#) for additional [disclosures](#)

Vacancy

Kat Conner <kat@katchstudio.com>

Thu 5/7/2020 2:41 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>; Clerk Group <clerk@townofeagle.org>

David Gaboury would be an excellent addition to the Eagle Town Council. He is a highly educated individual with an impressive professional resumé as well as extensive experience in community service. Please consider him for the next Council member.

Thank you!

Kat Conner

Katch of the Day | Owner
katchoftheday.com **IG:** [_katch_oftheday](https://www.instagram.com/_katch_oftheday)
714.721.8573

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

Jenny Rakow

From: Roxie Deane <roxiedeane@hotmail.com>
Sent: Wednesday, May 6, 2020 9:15 PM
To: Matt Solomon; Scott Turnipseed; Adam Palmer; Matt Solomon;
ellen.bodenheimer@townofeagle.org; Pappy Kerst; Jenny Rakow
Subject: Town Council Appointment

Congratulations to Adam, Ellen,Pappy and Scott. I know you all are involved and care about Eagle! You are appointing someone to fill Scott's position on the council.. I would like to recommend David Gaboury. I have talked to him a few times and was impressed with his background and also his love for Eagle. He can bring a strong financial background to the council. I think it is good to have people, that bring a different perspective, but will work with everyone and do what's best for Eagle. I believe David is that person! Thank you. Roxie Deane

Sent from [Outlook](#)

Vacancy

Brent McFall <jbmac5@msn.com>

Fri 5/8/2020 9:35 AM

To: ALL COUNCIL <allcouncil@townofeagle.org>

Mayor and Town Councilmembers:

I have already written to you regarding the impressive qualifications of David Gaboury so I won't repeat all that here. However, I wanted to take this opportunity to, once again, express my opinion that there is no better person to fill the vacancy on the Town Council than David.

I served with David on the Home Rule Charter Commission, and found him to be most impressive indeed; all in a humble, team oriented manner. As some of you know, I worked with hundreds of elected officials over a 42 year career in local government management. Safe to say that I know what makes a good Councilmember. If I was still a practicing City Manager, I'd want David on my Council. I can't give a stronger endorsement than that.

Please select David Gaboury to fill the current vacancy on the Eagle Town Council.

Thank you for your consideration and for the work you do for our community.

Brent McFall

703 Founders Ave.

jbmac5@msn.com

303-880-2243

Town council vacancy

Yvonne Schwartz <yogaoffbroadway@gmail.com>

Thu 5/7/2020 12:52 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>

Hi!

I just wanted to take a moment and let you all know that David has my full support for the Eagle Town Board opening. He is fully qualified and having helped write the Home Rule Charter I believe is the most qualified person for the task at hand. As a small business owner in town that is counting on the leadership of our board to help our town recover from COVID-19 he has my full support.

Thanks

Yvonne Schwartz

--

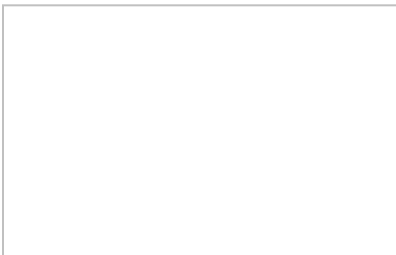


Yvonne Schwartz

Owner/Instructor Yoga Off Broadway

(970) 328-YOGA

www.yogaoffbroadway.com



www.yogaandbeats.com

Jenny Rakow

From: Holli Snyder <hsnyder@vaildaily.com>
Sent: Thursday, May 7, 2020 5:14 PM
To: ALL COUNCIL; Clerk Group
Subject: Vacancy-My support for David Gaboury

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

I would like to extend my support and recommendation of David Gaboury for the Eagle Town Council position left vacant by Scott Turnipseed's move to Mayor. I believe that the Town would benefit greatly from David's extensive background in business as well as his leadership capabilities. He brings a wealth of knowledge to the board.

I had the privilege of working with David on the Home Rule Charter and found him to be a good listener, a team player and an educated voice on decisions. He was very thoughtful and respectful of the entire team and his input was valuable. Let's extend that positivity to the Town Council and reap the rewards.

Please reach out with any questions.

Best,

—

[Holli Snyder](#)

ADVERTISING DIRECTOR

m: 970.390.2556 | d: 970.748.2923

—

THE VAIL DAILY, REACHING 57,000 PEOPLE DAILY

Jenny Rakow

From: Charlie Wick <charlie.wick53@gmail.com>
Sent: Thursday, May 7, 2020 7:55 PM
To: Scott Turnipseed; pappy.kurst@townofeagle.org; Adam Palmer; Andy Jessen; Matt Solomon; Ellen Bodenhemier
Cc: Jenny Rakow; Brandy Reitter; Brent McFall
Subject: David Gaboury, potential Town Council appointee

Follow Up Flag: Follow up
Flag Status: Flagged

May 7, 2020

Town of Eagle Mayor and Town Council members

This email enthusiastically and without reservation supports David for the vacant and open seat for Town Council member of the Town of Eagle.

David recently served on the Home Rule Charter Commission. I sat next to him in meetings for nearly three months.

David was always most well organized, prepared, ask pertinent and relevant questions, took in depth notes and looked for the right answer 100% of the time. He was poised and calm and humorous and had no drama but always remained focused and on task. He adhered to our meetings rules of order and would seek (and welcome) staff's input and probe with follow-up questioning from any other commission or staff member to fully understand and provide more clarity to the issues.

I could sense right away from his demeanor and studiousness he had been in a leadership and business environment. So I asked David more of his background. After he told me of his MIT degree in civil engineering and being the CEO for over two decades of a civil engineering firm, growing from several hundred associates to several thousand, I then understood his attention to detail and his leadership characteristics and wonderful organizational behaviors I observed and witnessed. His intelligence and grasps of the issues and his humbleness, with this background, stood out to me.

Knowing he could live anywhere he desired in retirement, I ask David, "Why Eagle?" Virtually the same answer most of us have been asked. Because he loves the community and wants to see it prosper!

David told me he wants to see Eagle be the best it can be and he very much wants to be involved in the Town, and in the continuation of our implementation of the Home Rule Charter provisions.

This last point is very important, to myself and other charter members I would believe. There are a lot of nuances, subtleties, constructs and variables to the Home Rule Charter the commission did not include but instead complied information for ordinances, resolutions and policies. Although staff made detailed notes of these, it is, again, important, in my opinion, a sitting member of the Commission be on the Town Council for the accurate intent and meaning of the Charter Commission be implemented over the next several years through these more appropriate measures than expanding upon the details within the written Home Rule Charter itself.

There would be no better person than David, to fairly, accurately and concisely explain any situations, of "What did the Commission mean by this?" when implementing legally and administratively the various and multiplicity of potential

issues and decisions. David will save the Council a lot of time and overall allow for a more smooth transition from a statutory community to a home rule community.

Thank you for reading and understanding my endorsement of David Gaboury of this important Council member appointment.

And, thank you and staff for all of your hard work you have ahead of you. Good luck and Godspeed to all of you.

Most Respectfully,

Charlie Wick
Eagle area resident since 1990 and Eagle resident since 2001

--

Charlie Wick
H: 970-328-6558
W:970-328-4959

Town Council, Planning Commission & Committee Application Form - Submission #1622

Date Submitted: 5/4/2020



Select the Council, Commission, or Committee applying for*

Town Council (vacancies only) ▼

PERSONAL INFORMATION

First Name*

Charles

Last Name*

Gundlach

Address1*

530 Founders Place #f103

Address2

B1

City*

Eagle

State*

Boulder

Zip*

81631

Email Address*

charlie@colorroasters.com

Contact Phone Number*

8023247985

Business Address

717 Sylvan Lake Rd X4806

Business Phone Number

9703900437

Occupation

Business Owner

ELIGIBILITY AND RESIDENCY INFORMATION**Are you a United States citizen?***

☒ Yes

☐ No

Have you been an Eagle resident no less than 12 consecutive months?*

☒ Yes

☐ No

Length of Residency in Eagle

4 Years

Are you a registered voter and eligible to vote in the Colorado General Election?*

☒ Yes

☐ No

EDUCATION AND HOBBIES**High School**

Champlain Valley Union, Hinesburg, Vermont

College

CU Boulder

Trade or Business School

Leeds School of Business

Hobbies

Running, Snowboarding, Gardening, Traveling

ORGANIZATION MEMBERSHIP INFORMATION

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

☐ Yes

☒ No

If yes, which

Please list organization memberships and positions held

Please List Areas of Special Interest

ADDITIONAL QUESTIONS**1. What opportunities does the Town of Eagle have?**

Eagle is being discovered as a great place to live, work, and raise a family. Amazing schools, unparalleled outdoor access, great restaurants (and coffee shops), and a tight knit community make this place the envy of many. My vision for Eagle is to strengthen already existing assets, while further diversifying and growing our town's economic base and demographics. If we are to get to the next step and attract more restaurants, nightlife, innovative companies, and entrepreneurs, we need to grow. Both from a demographic standpoint, but also from a revenue standpoint. We can't accomplish all of the things that people want here (i.e. more restaurants, more shopping, 'facelift' projects, land conservation) without raising the town's revenue.

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

The current Covid health crisis is clearly the most immediate challenge we are facing. Sales taxes revenues will surely fall. The question is how much and how to plan accordingly. Navigating this situation will require creativity, perseverance, and selflessness.

Additionally, we need to get creative to raise revenue once the dust has settled. There are many projects and ideas on the horizon. We need to come up with sustainable revenue streams to pay for them all.

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

With an open mind, a passion for progression, and a deep respect for our constituents.

My experience building and growing Color Coffee Roasters from the ground up, right here in Eagle, give me the grit and local know-how to make this job a perfect fit. Specifically in the area of Marketing and Branding, I hope to bring the Town beyond covid challenges and to the next level.

CONFLICT AND DISCLOSURES

Nominations and appointments may require individuals to complete and sign an Affidavit of Acceptance and Conflict of Interest Disclosure forms. The Town Clerk will make these available when appropriate and necessary.

Attach Resume

No file chosen

Please attach resume in .pdf format.

Vacancy

Cody O'Kelly <codyokelly@gmail.com>

Thu 5/7/2020 1:23 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>

Charlie would make a great member, please consider him for the position.

O C G: design. construct. manage.

Cody O'Kelly principal

cody@ocgdesignmanage.com

970.470.9139

Jenny Rakow

From: Molly Ansfield <skimore55@gmail.com>
Sent: Thursday, May 7, 2020 4:40 PM
To: ALL COUNCIL
Subject: Vacancy

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I would like to speak to you regarding Charlie Gundlach.

He is great asset to the town of Eagle. He has proven to be a leading businessman providing a gathering (pre-covid) place for young and old alike at Color Coffee. He also sponsors athletic and musical events that create a cohesive and warm small town feel. He is a bright and hardworking young man and truly makes our town a better place to be.

We could certainly use more people like him to be involved in the town of Eagle. He is our future. It seems only fair that since he finished 4th in the voting he should assume the seat vacated by Turnipseed.

Warm regards,
Molly Ansfield

Jenny Rakow

From: Greg Asselin <asselifamily@icloud.com>
Sent: Thursday, May 7, 2020 3:39 PM
To: ALL COUNCIL
Subject: Vacancy

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Charlie should be selected as he was voted in fourth place and had the seat been available he would have been the people's choice. Thanks for all you do and your consideration.

Nicole Asselin
127 Callie Clark Court

Next Highest Vote Getter in election should be appointed to Town Council

carolinebradfordeagle@gmail.com <carolinebradfordeagle@gmail.com>

Fri 5/8/2020 9:44 AM

To: ALL COUNCIL <allcouncil@townofeagle.org>; Clerk Group <clerk@townofeagle.org>

Eagle Town Council Members:

I was mystified when I received my ballot last month and realized voters were only being asked to select four candidates even though there were clearly five seats to fill due to Mr. Turnipseed running for mayor (unopposed).

You should appoint the next highest vote getter in the 2020 election, Charlie Gundlach, to the open seat. The most important input to consider when deciding who to appoint to the current vacancy on the town council is the collective input of the registered voters who voted in the most recent election. There is no need for you to replace the open election process with an appointment process that may substitute the people's choice with your own. Given that you opened the process, only those candidates that submitted their names for the ballot in April should even be considered in this (less fair) appointment process.

You have the opportunity to put thought into new election guidelines that would prevent this odd process from happening in the future. Thank you for your consideration.

Caroline Bradford

PO Box 930 Eagle, CO 81631 49 Hockett Street, Eagle, CO

Vacancy

Steve Debbie <steve.deb.eagle@gmail.com>

Fri 5/8/2020 10:57 AM

To: ALL COUNCIL <allcouncil@townofeagle.org>

Dear Council Members,

I support Charlie for the open seat. He was the 4th place in the elections, with 3 spots posted, he is next to fill the position. Let the people's elected vote determine the vacancy seat.

Regards,

Debra Earl

Jenny Rakow

From: Dominic Mauriello <dominic@mpgvail.com>
Sent: Thursday, May 7, 2020 4:39 PM
To: ALL COUNCIL
Subject: Vacancy

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I think Charlie would make an excellent Town Council member.

Dominic F. Mauriello, AICP
Mauriello Planning Group, LLC
PO Box 4777
2205 Eagle Ranch Road
Eagle, Colorado 81631
970-376-3318 cell
www.mpgvail.com

Jenny Rakow

From: Diane Mauriello <dhmauriello@gmail.com>
Sent: Thursday, May 7, 2020 7:00 PM
To: ALL COUNCIL
Subject: Vacancy

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing to express that I believe Charlie Gundlach would be an excellent council member.

Thank you.

Diane Mauriello

Vacancy

Cody O'Kelly <codyokelly@gmail.com>

Thu 5/7/2020 1:23 PM

To: ALL COUNCIL <allcouncil@townofeagle.org>

Charlie would make a great member, please consider him for the position.

O C G: design. construct. manage.

Cody O'Kelly principal

cody@ocgdesignmanage.com

970.470.9139

Jenny Rakow

From: H K <coolcorain@hotmail.com>
Sent: Thursday, May 7, 2020 3:11 PM
To: Clerk Group; ALL COUNCIL
Subject: Vacancy

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Honorable Councilpersons and Ms. Rakow:

I recall that three of the four folks on the list were also candidates in the most recent election. Logically, it seems that the number of votes cast for the candidates should provide the guidance as to whom the Council should appoint to the open seat.

The election results described the will of the voters. Whomever received the next most votes after the 3 top votes should be the person who fills the vacancy. Then the seat would be filled appropriately by the will of the voters.

Thanks for your consideration
Holly Strablizky

Holly Kirsner Strablizky
coolcorain@hotmail.com



OATH

I, _____, swear, that I will support the Constitution of the United States, the Constitution of the State of Colorado, the Charter, and the ordinances of this Town, and will faithfully perform the duties of my office.

Sworn to this 12th day of May 2020.

ATTEST

Town Clerk



MEETING MINUTES
Town Council
Tuesday, April 28, 2020
ON-LINE MEETING

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

MEETING INSTRUCTIONS

1. All participants registered in advance for this meeting:
<https://us02web.zoom.us/join/ztYrd-yqqjlpHdUTiryO7KNP4HeuCTq4TooW>

CALL TO ORDER

Mayor McKibbin called the meeting to order at 6:05 p.m.

ROLL CALL - 6:05 PM

COUNCIL MEMBERS PRESENT

Anne McKibbin, Kevin Brubeck, Matt Solomon, Andy
Jessen, Mikel, Kerst, Scott Turnipseed, Paul Witt, Ellen
Bodenhemier, Adam Palmer (6:25 p.m.)

COUNCIL MEMBERS ABSENT

None

STAFF PRESENT

Brandy Reitter, Town Manager
Matt Mire, Town Attorney
Bill Shrum, Assistant to the Town Manager
Jenny Rakow, Town Clerk
Jill Kane, Finance Director/Treasurer
Chad Phillips, Comm Dev Director/Town Planner
Bryon McGinnis, Public Works Director
Joey Stauffer, Police Chief
Lynette Horan, Human Resources Manager

ADOPTION OF AGENDA

There were no changes to the agenda.

CONSENT AGENDA

MOTION: Council Member Matt Solomon motioned to Approve the Consent Agenda. The Motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Brubeck, Kerst, McKibbin, Turnipseed, and Witt) and 0 opposed.

1. Minutes - April 14, 2020
2. Acceptance of Resignation of Trustee Turnipseed
3. Resolution No. 23, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing

Release of Funds in Escrow due to Completion of Public Improvements (Haymeadow)"

4. Resolution No. 24, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Authorizing the Temporary Removal of the Yard Waste Fee"
5. Resolution 25, Series 2020, "A Resolution Of The Town Council Members Of The Town Of Eagle, Colorado Extending The Declared Local Disaster Emergency"

NEW COUNCIL IS SEATED

1. Oaths of Office for new Council Members & Mayor

Town Clerk Jenny Rakow received the Oaths of Office for Scott Turnipseed, Ellen Bodenhemier, and Mikel "Pappy" Kerst for the record. The Oaths will be filed with the Eagle County Clerk and Recorder and kept on file in Town records. *Council Member Adam Palmer read his Oath of Office into the record at 6.25 p.m.*

Anne McKibbin, Kevin Brubeck, and Paul Witt thanked all members and staff and left the meeting as members.

PUBLIC COMMENT

Mayor Turnipseed opened public comment.

Charlie Gundlach: stated that he sent a letter seeking the open Town Council position and expressed his interest in the appointment. Mayor Turnipseed provided that the vacancy policy will be discussed later in this meeting.

PRESENTATIONS

1. Resolution No. 20, Series 2020, "A Resolution Expressing the Appreciation of the Eagle Town Council for the Services of Anne McKibbin, Paul Witt, and Kevin Brubeck as Mayor, Mayor Pro Tem and Council Member of the Town Of Eagle"

Mayor Turnipseed opened this item and thanked outgoing members.

MOTION: Council Member Andy Jessen motioned to Approve Resolution No. 20, Series 2020, "A Resolution Expressing the Appreciation of the Eagle Town Council for the Services of Anne McKibbin, Paul Witt and Kevin Brubeck as Mayor, Mayor Pro Tem and Council Member of the Town Of Eagle". The Motion was seconded and passed with a vote of 5 in favor (Solomon, Jessen, Kerst, Bodenhemier, and Turnipseed) and 0 opposed.

TOWN OF EAGLE RESOLUTION NO. 20 SERIES OF 2020 A RESOLUTION EXPRESSING THE APPRECIATION OF THE EAGLE TOWN COUNCIL FOR THE SERVICES OF ANNE MCKIBBIN, PAUL WITT AND KEVIN BRUBECK AS MAYOR, MAYOR PRO TEM AND TRUSTEE OF THE TOWN OF EAGLE

WHEREAS, Anne McKibbin was elected as Trustee in 2012 and elected as Mayor in 2016 serving through April 2020; and

WHEREAS, Kevin Brubeck was appointed as Trustee in 2014 and again in 2016 serving as Mayor Pro Tem until April 2020; and

WHEREAS, Paul Witt was elected as Trustee in 2002 and again in 2016 serving through April 2020; and

WHEREAS, Anne McKibbin, Kevin Brubeck and Paul Witt have served as Mayor, Mayor Pro Tem and Trustee with diligence and loyalty and have made significant and lasting contributions to the Town in that capacity; and

WHEREAS, Anne McKibbin, Kevin Brubeck and Paul Witt will all be missed by this Board and the residents of the Town of Eagle in their capacity as board members;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Eagle, Colorado, as follows:

1. The sincere thanks from the Town Council and residents of the Town of Eagle are extended to Anne McKibbin, Kevin Brubeck and Paul Witt for their service to the Town.
2. Anne McKibbin, Kevin Brubeck and Paul Witt are wished the very best of success and happiness in their future endeavors.
3. This Resolution shall be included in full in the minutes of this meeting, and a certified copy thereof shall be delivered to said Anne McKibbin, Kevin Brubeck and Paul Witt.

INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado on the 28th day of April 2020.

STAFF REPORTS

1. Town Manager Update

BUSINESS ITEMS

1. Resolution 16, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing a Town Manager, Town Attorney and Municipal Court Judge" (*Oaths of Office to follow*)
Mayor Turnipseed opened this item.

MOTION: Council Member Matt Solomon motioned to Approve Resolution 16, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing a Town Manager, Town Attorney, and Municipal Court Judge. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenheimier, and Palmer) and 0 opposed.

Town Clerk Jenny Rakow received the Oaths of Office for Town Manager Brandy Reitter and Municipal Court Judge Erik Johnson.

2. Application for Retail Marijuana Store License, Tumbleweed Eagle LLC
Mayor Turnipseed opened this item.

Town Clerk Jenny Rakow noted that applicant Mark Smith was in attendance if there were questions for the applicant.

There were no Council comments.

MOTION: Council Member Matt Solomon motioned to Approve the Notice of Findings and Order Approving Retail Marijuana Store License for Tumbleweed Eagle LLC located at 12 Eagle Park East and direct the Mayor to sign. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

3. Resolution No. 21, Series 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"

Mayor Turnipseed opened this item.

Council Comments: This policy will be added to the Council binder. The deadline for applicants was set for May 6, 2020, at 5:00 p.m.

MOTION: Council Member Mikel Kerst motioned to Approve Resolution No. 21, Series 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". The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

4. Resolution No. 22, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Suspending Compensation Paid to the Town Council Until August 1, 2020"

Mayor Turnipseed opened this item.

Town Attorney Matt Mire stated there was a miscommunication on the necessity of this Resolution. Council Members cannot forgo their pay, the compensation will need to be processed. Each member will need to contact Jill Kane if they desire for the Town to keep their net pay. Compensation will be taxed and can be donated and considered a charitable contribution.

5. Ordinance 08, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending the Eagle Municipal Code to Replace all References to "Board Of Trustees" with "Town Council"

Mayor Turnipseed opened this item.

MOTION: Council Member Matt Solomon motioned to Approve Ordinance 08, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending the Eagle Municipal Code to Replace all References to "Board of Trustees" with "Town Council". The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

6. Ordinance 11, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado, Establishing the Method of Official Publication for all Ordinances of the Town Council"

Mayor Turnipseed opened this item.

MOTION: Council Member Mikel Kerst motioned to Approve Ordinance 11, Series 2020, "An Ordinance Of The Town Council of the Town of Eagle, Colorado, Establishing the Method of Official Publication for all Ordinances of the Town Council". The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenhemier, and Palmer) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

MOTION: Council Member Matt Solomon motioned to appoint Andy Jessen as Mayor Pro Tem. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenheimier, and Palmer) and 0 opposed.

MOTION: Council Member Scott Turnipseed motioned to appoint Matt Solomon backup Pro Tem. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenheimier, and Palmer) and 0 opposed.

Council Member Solomon stated he is working on the ethics policy required by the Charter. He requested another member to assist with completing the Council policy book. Council Member Jessen volunteered.

Council Member Solomon requested for items provided to the Council, all changes not made by the Council to be highlighted and noted who made the changes and why.

Council Members Bodenheimier and Palmer were both welcomed to the Council.

1. Town of Eagle CARES Act Letter of Support

Brandy Reitter presented this item.

Council Comments: Brandy will set up a time to come in and sign.

MOTION: Council Member Matt Solomon motioned to Approve the CARES Act Letter of Support. The Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenheimier, and Palmer) and 0 opposed.

2. 2020 Budget COVID-19 Financial Impacts Presentation

Mayor Turnipseed opened this item. This will be a dedicated worksession after the last Council Member is appointed. The meeting will be held mid-May and date determined by a poll.

Council Comments: Requested that Jill Kane provide the list of options and scenarios on one page. Discussion on methodology for revenue projections.

EXECUTIVE SESSION 7:15 PM

1. To hold a conference with the Town's attorney to receive legal advice on specific legal questions and to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the Red Mountain Ranch Annexation Agreement and the Eagle River Park and request to adjourn the regular meeting at the conclusion, pursuant to C.R.S. § 24-6-402(4)(b) and (e).

MOTION: Mayor Scott Turnipseed motioned to adjourn into Executive Session to hold a conference with the Town's attorney to receive legal advice on specific legal questions and to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the Red Mountain Ranch Annexation Agreement and the Eagle River Park and request to adjourn the regular meeting at the conclusion, pursuant to C.R.S. § 24-6-402(4)(b) and (e) and adjourn the regular meeting at the conclusion. Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenheimier

and Palmer) and 0 opposed.

MOTION: Mayor Scott Turnipseed motioned to adjourn the Executive Session. Motion was seconded and passed with a vote of 6 in favor (Solomon, Jessen, Kerst, Turnipseed, Bodenheimier and Palmer) and 0 opposed.

ADJOURN - 7:45 PM

Approved:

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk

**BILL SCHEDULE
APRIL 2020**

GENERAL FUND

Town Board

CrowdCast	Computer Support	\$	195.00
Executech Utah LLC	Computer Support		49.00
Forward Tech Solutions, LLC	Computer Support		82.00
Total Town Board		\$	326.00

General Government

Meritain Health	Health Benefits	\$	348.73
Costco	Office Supplies		6.09
Sandy's Office Supply	Office Supplies		4.93
Amazon	Election Expense		33.25
Gran Farnum Printing	Election Expense		1,566.09
Colorado Mtn. News Media	Legal Notices		116.48
Downtown Colorado Inc	Dues & Subscriptions		350.00
PMI Membership	Dues & Subscriptions		129.00
Executech Utah LLC	Computer Support		73.50
Forward Tech Solutions, LLC	Computer Support		2,097.00
Keystone Reservations	Travel Expense		-
Grand Avenue Grill	Meeting Expense		38.76
Beth Levine, Architect, Inc.	Public Relations		200.00
Cengage Learning	Tuition & Books		135.00
Mountain Connect	Tuition & Books		329.00
Total General Government		\$	5,427.83

General Administration

Moravec Family Trust	Utility Refund	\$	51.39
Colorado State Treasurer	State Unemployment Payable		2,202.66
Hartford, The	Disability Insurance		1,330.18
Meritain Health	Health & Life Ins. Payable		28,994.49
Colorado Department Of Revenue	Misc Deductions Payable		1,340.40
Barela, Stephen	Facility Usage Deposit Refund		1,125.00
Claire Lenz	Facility Usage Deposit Refund		750.00
Gonzalez, Francisca	Facility Usage Deposit Refund		375.00
Landeros, Diana	Facility Usage Deposit Refund		375.00
Landeros, Rocio	Facility Usage Deposit Payable		750.00
Macias, Enrique	Facility Usage Deposit Refund		750.00
Martinez-Johnson, Terri	Facility Usage Deposit Refund		750.00
Nedra Bonta	Facility Usage Deposit Refund		375.00
Papadopoulos, Rebecca	Facility Usage Deposit Payable		750.00
Colo High School Cycling League	Facility Usage Fee Refund		600.00
Meritain Health	Health & Life Insurance		853.90
Amazon	Office Supplies		40.82
Costco	Office Supplies		34.50
Gran Farnum Printing	Office Supplies		357.00

General Administration (Cont.)

Sandy's Office Supply	Office Supplies	27.94
Amazon	Minor Equipment	152.05
Amazon	Communication & Transportation	8.95
Gran Farnum Printing	Communication & Transportation	22.00
USPS	Communication & Transportation	7.40
Colorado Mtn. News Media	Legal Notices	155.74
CGFOA	Dues & Subscriptions	50.00
Mail Chimp	Dues & Subscriptions	74.99
Chase Paymentech	C.C. Transaction Fees	1,371.48
Xpress Bill Pay	C.C. Transaction Fees	666.09
Caselle, Inc.	Computer Support	2,089.00
Executech Utah LLC	Computer Support	470.14
Forward Tech Solutions, LLC	Computer Support	1,484.53
Antler's Hotel - CO Springs	Travel Expense	14.00
Lewan & Associates	Contract Payments	479.75
US Bank Equipment Finance	Contract Payments	394.80
Cirsa	Insurance - Pavilion	327.80
Total General Administration		\$ 49,602.00

Community Development

Meritain Health	Health Benefits	\$ 929.95
Costco	Office Supplies	40.59
Fleet Services	Gas & Oil	58.42
Forward Tech Solutions, LLC	Equipment (Non-Capital)	1,768.00
Colorado Mtn. News Media	Recruitment	749.80
Lyle Sumek Associates Inc	Recruitment	1,050.00
Mountain Careers	Recruitment	199.00
Logan Simpson	Professional Services	13,390.60
Certified Mail Envelopes	Planning Reimbursable	250.00
Garfield & Hecht, P.C.	Planning Reimbursable	1,151.50
Hoffman, Parker, Wilson & Carberry PC	Planning Reimbursable	2,790.50
Quenon Engineering And Surveying	Planning Reimbursable	250.00
Resource Engineering Inc	Planning Reimbursable	1,869.00
Hoffman, Parker, Wilson & Carberry PC	Legal	1,189.50
Executech Utah LLC	Computer Support	245.00
Flywheel Web Hosting	Computer Support	150.00
Forward Tech Solutions, LLC	Computer Support	232.00
Hampton Inns	Travel Expense	490.73
Costco	Meeting Expense	35.16
King Soopers Customer Charges	Meeting Expense	33.21
Red Canyon Café	Meeting Expense	35.00
Town Of Gypsum	Contract Services	1,659.78
Lewan & Associates	Contract Payments	(30.92)
US Bank Equipment Finance	Contract Payments	394.80
Total Community Development		\$ 28,931.62

Municipal Court

Meritain Health	Health Benefits	\$	34.87
Carlson, Edwards & O'Connor P.C.	Legal		1,500.00
Executech Utah LLC	Computer Support		53.90
Forward Tech Solutions, LLC	Computer Support		28.45
Johnson, Erik A.	Contract Payments		2,250.00
Ace Security And Safety Services LLC	Contract Payments		64.00
Total Municipal Court		\$	3,931.22

Streets

Meritain Health	Health & Life Insurance	\$	1,325.18
Amazon	Office Supplies		30.23
Costco	Office Supplies		10.15
King Soopers Customer Charges	Office Supplies		9.64
Alpine Lumber Co.	Repair & Maintenance Supplies		5.82
Glenwood Springs Auto Parts Inc	Repair & Maintenance Supplies		1,955.75
McCandless Truck Center	Repair & Maintenance Supplies		117.18
United Rentals (North America) Inc	Repair & Maintenance Supplies		13.80
Valley Electric Supply Inc	Repair & Maintenance Supplies		925.34
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies		53.60
McCandless Truck Center	Vehicle Repair & Maintenance Supplies		499.70
Two Valley Tire LLC	Vehicle Repair & Maintenance Supplies		1,454.50
Fleet Services	Gas & Oil		811.57
Glenwood Springs Auto Parts Inc	Communication & Transportation		50.00
McCandless Truck Center	Communication & Transportation		20.43
McCandless Truck Center	Communication & Transportation		90.94
Holy Cross Energy	Utility Services		2,702.51
Executech Utah LLC	Computer Support		230.30
Forward Tech Solutions, LLC	Computer Support		103.25
Dircksen, Deron	Travel Expense		27.24
Warwick Denver	Travel Expense		529.38
Total Streets		\$	10,966.51

Public Safety

Meritain Health	Health & Life Insurance	\$	3,068.84
Amazon	Office Supplies		52.69
Lowe's	Office Supplies		79.00
MedEx Supply	Office Supplies		204.36
Vista Print	Office Supplies		50.57
Amazon	Operating Supplies		213.29
Law Enforcement Supply	Operating Supplies		132.00
Pro Force Law Enforcement	Operating Supplies		1,816.36
Traf-O-Teria System	Operating Supplies		208.00
5.11 Tactical	Uniforms		249.99
Auto Zone, Inc	Vehicle Repair & Maintenance Supplies		32.46
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies		341.99
Fleet Services	Gas & Oil		1,873.71
Glenwood Springs Auto Parts Inc	Gas & Oil		45.85

Public Safety (Cont.)

King Soopers Customer Charges	Equipment & Supplies - Grants	164.57
Glenwood Springs Auto Parts Inc	Communication & Transportation	64.40
Law Enforcement Supply	Communication & Transportation	14.99
Traf-O-Teria System	Communication & Transportation	28.84
Vista Print	Communication & Transportation	8.99
Hoffman, Parker, Wilson & Carberry PC	Legal	78.00
Big Steve's Towing & Recovery LLC	Repair & Maintenance Services	330.00
White Water Express Carwash	Repair & Maintenance Services	105.05
Executech Utah LLC	Computer Support	12.25
Forward Tech Solutions, LLC	Computer Support	276.50
Tyler Technologies, Inc	Computer Support	491.73
Limelight Aspen	Travel Expense	(431.14)
Casa Mexico	Meeting Expense	26.99
Pickup's Pizza	Meeting Expense	75.90
FBI-LEEDA	Training & Travel - Grants	7,645.00
Mindful Badge LLC	Training & Travel - Grants	5,500.00
Law Enforcement Training	Tuition & Books	58.00
Eagle County Animal Control	Animal Control	5,270.00
Paper Wise	Contract Payments	120.00
Xerox Financial Services LLC	Contract Payments	190.53
Total Public Safety		\$ 28,399.71

Buildings and Grounds

Meritain Health	Health & Life Insurance	\$ 871.83
Amazon	Office Supplies	30.23
Costco	Office Supplies	10.15
King Soopers Customer Charges	Office Supplies	9.65
Alpine Lumber Co.	Repair & Maintenance Supplies	467.10
Glenwood Springs Auto Parts Inc	Repair & Maintenance Supplies	16.54
Native Electric	Repair & Maintenance Supplies	60.25
Paint Bucket	Repair & Maintenance Supplies	232.27
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies	116.67
Fleet Services	Gas & Oil	266.29
Black Hills Energy	Utility Services	2,059.76
Century Link	Utility Services	451.44
Holy Cross Energy	Utility Services	2,907.71
Jerry-master Janitorial	Janitorial Maintenance Contracts	2,158.00
Native Electric	Repair & Maintenance Services	98.00
Vail Honeywagon	Repair & Maintenance Services	141.00
Vail Honeywagon	Repair & Maintenance Services	141.00
Executech Utah LLC	Computer Support	183.75
Forward Tech Solutions, LLC	Computer Support	122.95
Dirksen, Deron	Travel Expense	13.62
Warwick Denver	Travel Expense	191.41
Thyssenkrupp Elevator Corp.	Contract Payments	659.85
Total Buildings and Grounds		\$ 11,209.47

Information Center

Executech Utah LLC	Computer Support	\$	49.00
Forward Tech Solutions, LLC	Computer Support		42.00
Total Information Center		\$	91.00

Marketing and Events

Meritain Health	Health & Life Insurance	\$	232.49
Amazon	Office & Supplies		160.06
Glenwood Springs Auto Parts Inc	Vehicle Repair & Maintenance Supplies		120.60
Glenwood Springs Auto Parts Inc	Gas & Oil		26.03
Adobe AcroPro Subscriptions	Dues & Subscriptions		24.99
Google	Dues & Subscriptions		1.99
Executech Utah LLC	Computer Support		56.35
Forward Tech Solutions, LLC	Computer Support		25.30
Further Faster Media, LLC	Media		4,510.00
Yeti's Grind	Meeting Expense		12.16
GoDaddy.com	Website		15.00
Amazon	Tuition & Books		10.60
Further Faster Media, LLC	Contract Services		2,500.00
Eagle Climbing + Fitness, LLC	Events		3,000.00
American Carnival Mart	Event Production		1,166.00
Total Marketing and Events		\$	11,861.57

Engineering

Meritain Health	Health Benefits	\$	123.99
Amazon	Office Supplies		30.23
Costco	Office Supplies		10.15
King Soopers Customer Charges	Office Supplies		9.65
Fleet Services	Gas & Oil		27.37
Executech Utah LLC	Computer Support		58.80
Forward Tech Solutions, LLC	Computer Support		96.73
Total Engineering		\$	356.92

CAPITAL IMPROVEMENTS FUND

K A Chambers	Use Tax Refund	\$	15,366.98
Wolf, Elaine	Use Tax Refund		262.81
O'Neill, Susan	Use Tax Refund		2,779.55
Ostmeyer, Adam	Use Tax Refund		563.76
Espenel, Robert	Use Tax Refund		5,731.21
Uptown Services LLC	Project THOR		5,000.00
PCS Mobile	Patrol Vehicles		282.00
Total CAPITAL IMPROVEMENTS FUND		\$	29,986.31

TOTAL GENERAL FUND		\$	181,090.16
---------------------------	--	-----------	-------------------

WASTE WATER FUND

Meritain Health	Health & Life Insurance	\$	1,021.40
Amazon	Office Supplies		30.23
Western Slope Supplies Inc	Office Supplies		29.80
Mid-American Research Chemical	Operating Supplies		363.00
American Mechanical Services	Repair & Maintenance Supplies		1,182.00
USA Blue Book	Repair & Maintenance Supplies		273.30
Fleet Services	Gas & Oil		103.37
American Mechanical Services	Communication & Transportation		100.00
Federal Express Corp.	Communication & Transportation		72.51
Mid-American Research Chemical	Communication & Transportation		25.15
Nextrust Inc	Communication & Transportation		511.32
USA Blue Book	Communication & Transportation		28.24
Western Slope Supplies Inc	Communication & Transportation		1.75
Black Hills Energy	Utility Services		4,667.19
Holy Cross Energy	Utility Services		12,190.57
Veris Environmental LLC	Sludge Disposal		8,296.07
American Mechanical Services	Repair & Maintenance Services		1,969.00
Executech Utah LLC	Computer Support		223.44
Forward Tech Solutions, LLC	Computer Support		139.55
Eagle River Water & Sanitation District	Testing & Permits		1,950.00
SGS North America Inc	Testing & Permits		1,036.83
Dircksen, Deron	Travel Expense		68.10
Rocky Mtn Water Environment Assoc	Travel Expense		175.00
Warwick Denver	Travel Expense		419.67
Rocky Mtn Water Environment Assoc	Tuition & Books		400.00
American Mechanical Services	Contract Payments		808.00
B.A. Lawrence LLC	Contract Payments		4,431.72
CRWCD	2011 WW Loan Payment		31,024.48
CRWCD	Debt Service Interest		8,368.38
Total WASTE WATER FUND		\$	79,910.07

WATER FUND

Meritain Health	Health & Life Insurance	\$	1,414.30
Amazon	Office Supplies		30.24
Costco	Office Supplies		10.15
King Soopers Customer Charges	Office Supplies		9.65
Manley Brothers	Operating Supplies		440.28
Grand Junction Pipe & Supply	Repair & Maintenance Supplies		175.75
King Soopers Customer Charges	Repair & Maintenance Supplies		9.13
Fleet Services	Gas & Oil		274.84
Manley Brothers	Communication & Transportation		2,385.00
Nextrust Inc	Communication & Transportation		511.33
Holy Cross Energy	Utility Services		5,476.89
CRWCD - Enterprise Fund	Wolford Mtn. Reservoir-CRWCD		22,830.00
CRWCD - Enterprise Fund	Water Storage CRWCD - HBE		10,332.00
Eagle River Water & Sanitation District	Testing & Permits		175.00
Dircksen, Deron	Travel Expense		163.43

WATER FUND (Cont.)

Quality Inn & Suites	Travel Expense	80.84
Warwick Denver	Travel Expense	733.64
Executech Utah LLC	Computer Support	257.25
Forward Tech Solutions, LLC	Computer Support	197.38
ABC-NV	Tuition & Books	100.00
Colo Rural Water Association	Tuition & Books	30.00
Colorado CWP	Tuition & Books	50.00
Browns Hill Engineering	Contract Payments	2,972.00
Lewan & Associates	Contract Payments	(60.31)
US Bank Equipment Finance	Contract Payments	394.81
Mott Macdonald	Tank Replacement	42,708.50
Ground Engineering Consultants	Lower Basin Water Treatment	3,840.00
MWH Constructors Inc.	Lower Basin Water Treatment	1,407,558.00
Total WATER FUND		\$ 1,503,100.10

REFUSE FUND

Nextrust Inc	Communication & Transportation	\$ 511.32
Total REFUSE FUND		\$ 511.32

OPEN SPACE FUND

Meritain Health	Health Benefits	\$ 6.97
Executech Utah LLC	Computer Support	43.12
Forward Tech Solutions, LLC	Computer Support	29.36
Total OPEN SPACE FUND		\$ 79.45

Total	\$ 1,764,691.10
Payroll	\$ 274,974.41
Grand Total	\$ 2,039,665.51



To: Mayor and Town Council

From: Jennifer Woods, Consultant for McCool Development Solutions through Chad Phillips,
Community Development Director – Town Planner

Date: May 12, 2020

Agenda Item: Eagle Landing at Brush Creek Townhomes, Phase 2b Townhome Plat

REQUEST:

The applicant, Gold Dust Capital Partners, LLC is requesting approval of a Townhome Plat to re-subdivide Tract B1 of Eagle Landing at Brush Creek Townhomes to create 7 townhome units, including 4 Local Employee Residency Program (LERP) units, and approximately 0.22 acres of common space. In addition, numerous easements are included.

BACKGROUND:

In February of 2018, the Town Board of Trustees approved a Major Development Permit and executed a Development Improvements Agreement for the Eagle Landing at Brush Creek Townhome project located at 58 Sylvan Lake Rd. The project was approved for 42 townhome units comprised of 38 two-bedrooms and 4 one-bedrooms. The project was to be constructed in three phases; Phase 1 and a portion of Phase 2 have already been completed (see attached Phasing Plan).

The subject Plat is for the *final portion* of Phase 2 as identified in the Development Permit and Development Improvements Agreement (DIA) for the project, including building A (4 LERP units) and building J, as well as the remainder of the buildings and improvements in Phase 2, including Highway 6 full access.

ANALYSIS:

The plat has been reviewed by Public Works, Engineering, Planning, Town Attorney, and a third-party surveyor to ensure that the document has been prepared accordingly. All comments provided to the applicant have been adequately addressed. The letter of credit securing the required development improvements per the DIA is current and adequate. The master deed restrictions are required to be filed prior to the plat and recording information provided on the plat. Staff finds the application complies with the Town's subdivision and zoning regulations.

PUBLIC COMMENT:

Per the Land Use and Development Code, an Administrative Hearing was noticed and held on May 4, 2020. There were no members of the public present and there have been no comments submitted for the project.

BUDGET:

None.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This project supports Major Objective 5 (Stimulate Economic Vitality, Development) and Major Objective 8 (Housing Availability and Affordability). The project began a couple years ago and staff has worked with the owner/developer to continue build-out of the original proposal as previously approved.

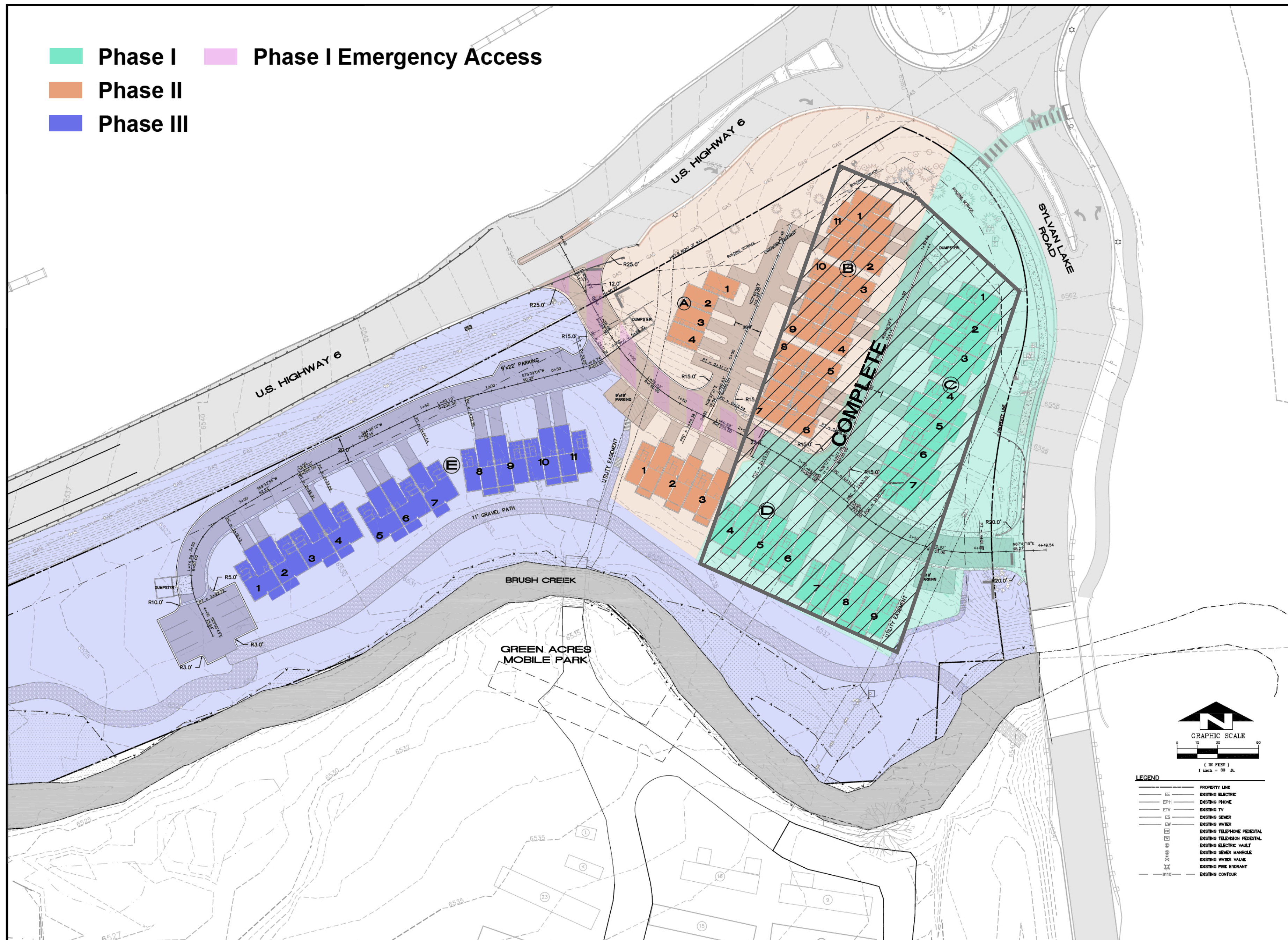
STAFF RECOMMENDATION:

Approval of the Final Plat for Eagle Landing at Brush Creek, Phase 2b.

ATTACHMENTS:

1. Approved Phasing Plan
2. Final Plat Eagle Landing at Brush Creek Townhomes, Phase 2b
3. Resolution No. 28

- Phase I
- Phase I Emergency Access
- Phase II
- Phase III



Eagle Landing at Brush Creek

Phasing Plan



1) DATE OF SURVEY: FEBRUARY, 2020.

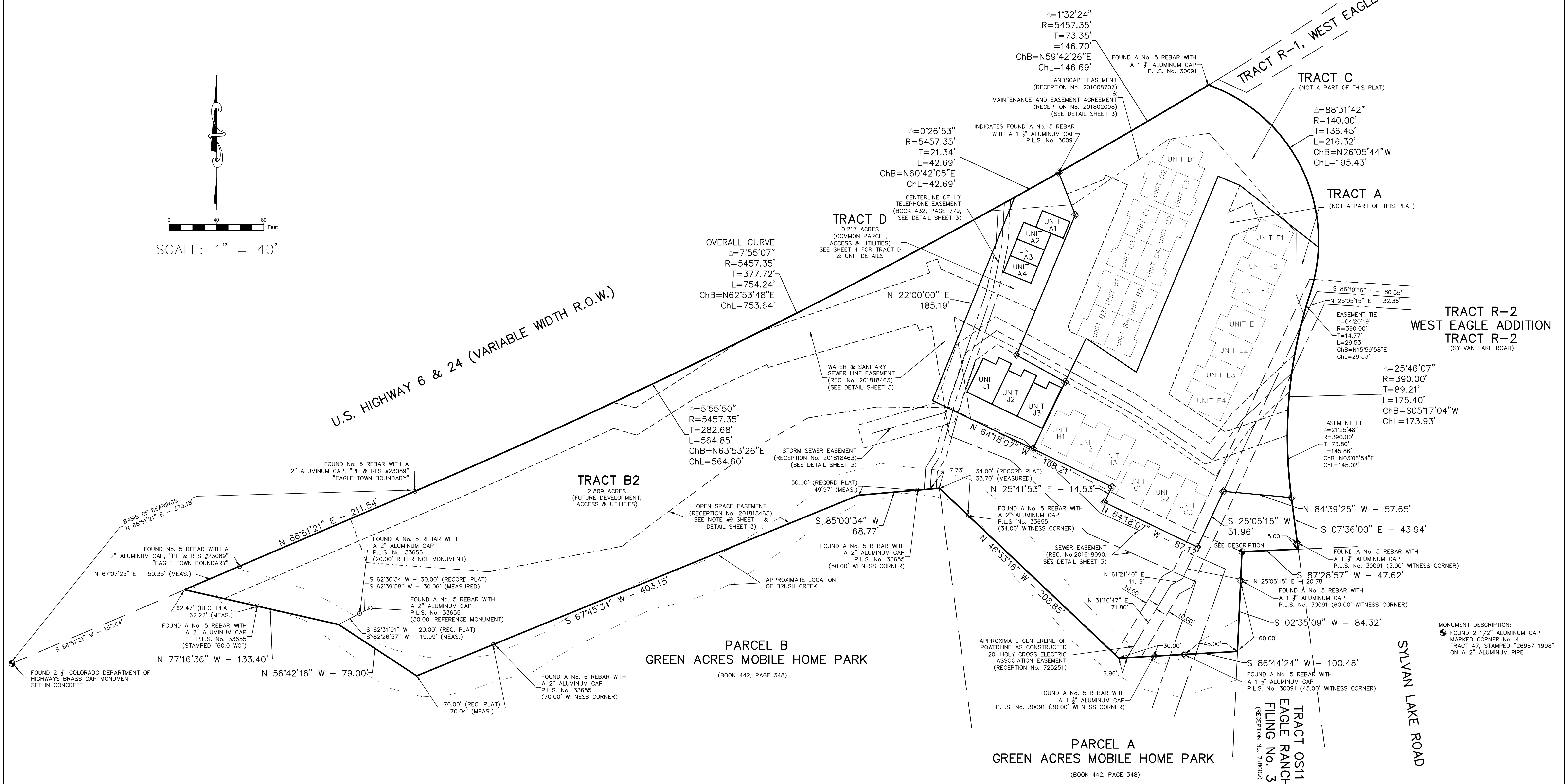
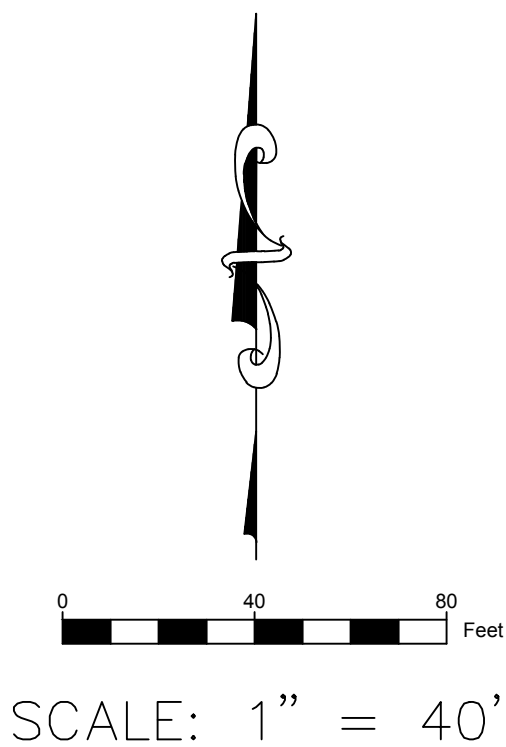
- PER SAID TITLE COMMITMENT PREPARED BY LAND TITLE GUARANTEE COMPANY, EAGLE LANDING AT BRUSH CREEK TOWNHOMES ARE SUBJECT TO THE FOLLOWING

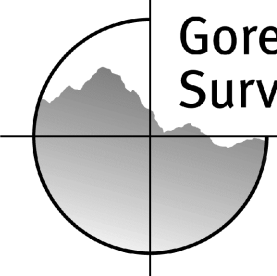
- 
- Gore Range
Surveying, LLC**
- P.O. Box 15
Avon, CO 81620
(970) 479-8698 • fax (970) 479-0055

DRAWN BY: SE	DATE: 5/7/2020
CHECKED BY: SE	DRAWING NO.: 18-1037 2B
JOB NO.: 18-1037	SHEET 1 OF 4

Declarations or Protective Covenants are filed at Reception No. _____

FINAL PLAT
EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2B
A RESUBDIVISION OF TRACT B1, EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO





**Gore Range
Surveying, LLC**

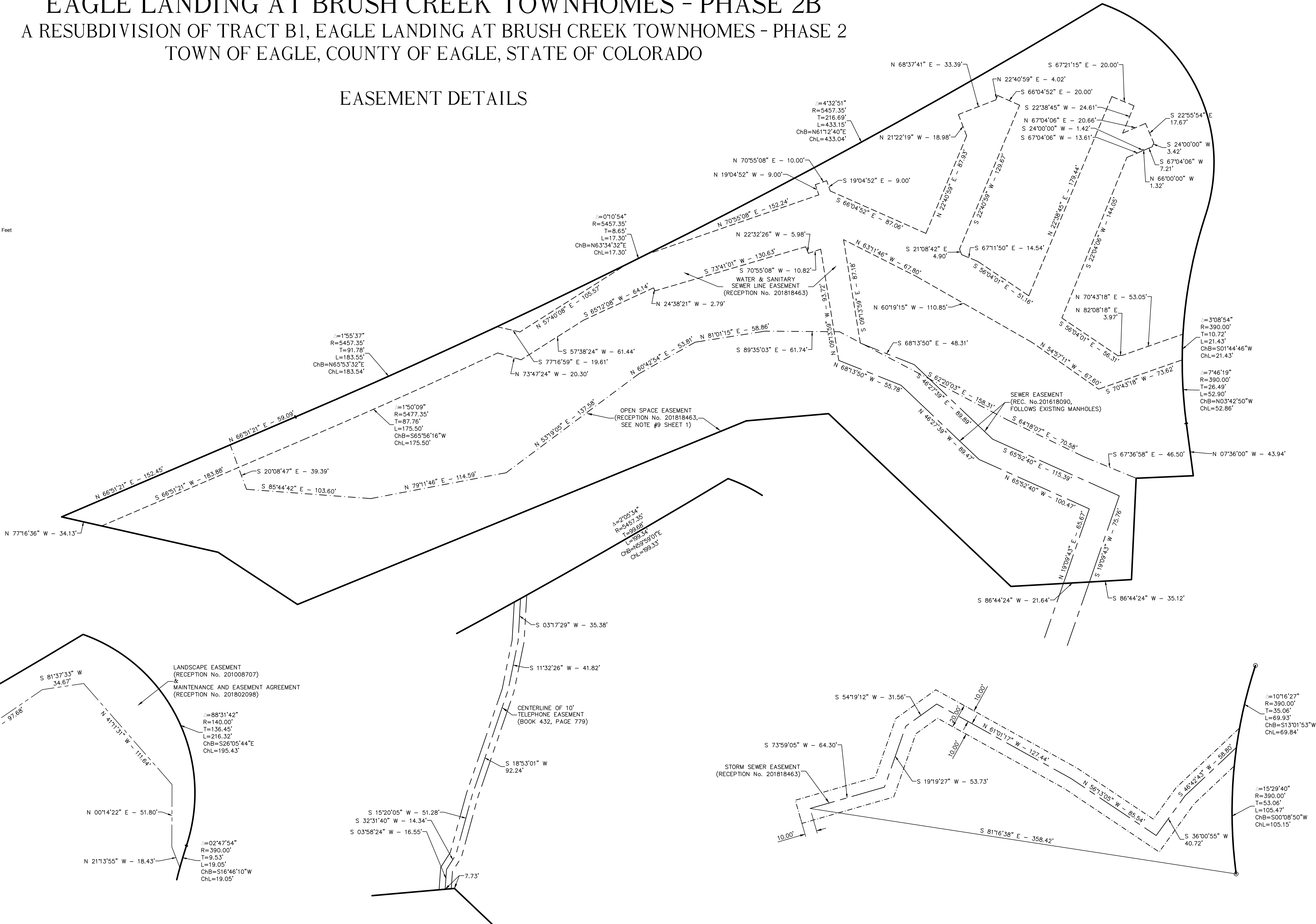
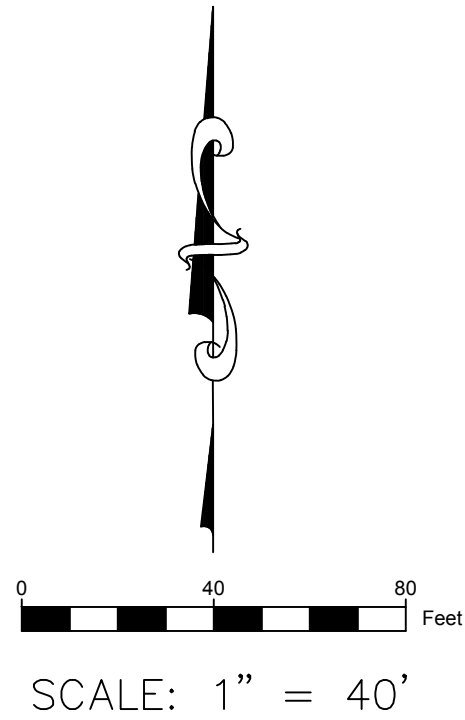
P.O. Box 15
Avon, CO 81620
(970) 479-8698 • fax (970) 479-0055

FINAL PLAT
EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2B
A RESUBDIVISION OF TRACT B1, EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO

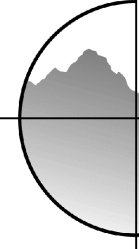
DRAWN BY:	SE	DATE:	5/7/2020
CHECKED BY:	SE	DRAWING NO.:	18-1037 2B
JOB NO.:	18-1037	SHEET	2 OF 4

FINAL PLAT
EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2B
A RESUBDIVISION OF TRACT B1, EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO

EASEMENT DETAILS



FINAL PLAT
EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2B
A RESUBDIVISION OF TRACT B1, EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO

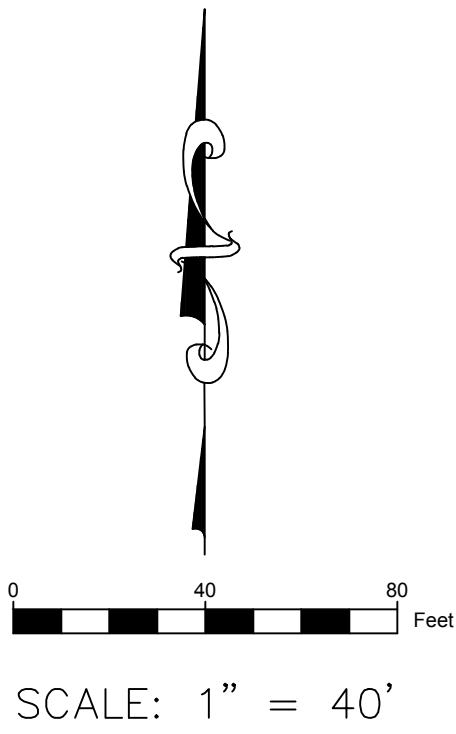


**Gore Range
Surveying, LLC**
P.O. Box 15
Avon, CO 81620
(970) 479-8698 • fax (970) 479-0055

DRAWN BY:	SE	DATE:	5/7/2020
CHECKED BY:	SE	DRAWING NO.:	18-1037 2B
JOB NO.:	18-1037	SHEET	3 OF 4

FINAL PLAT
EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2B
A RESUBDIVISION OF TRACT B1, EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO

UNIT AND TRACT D DETAILS

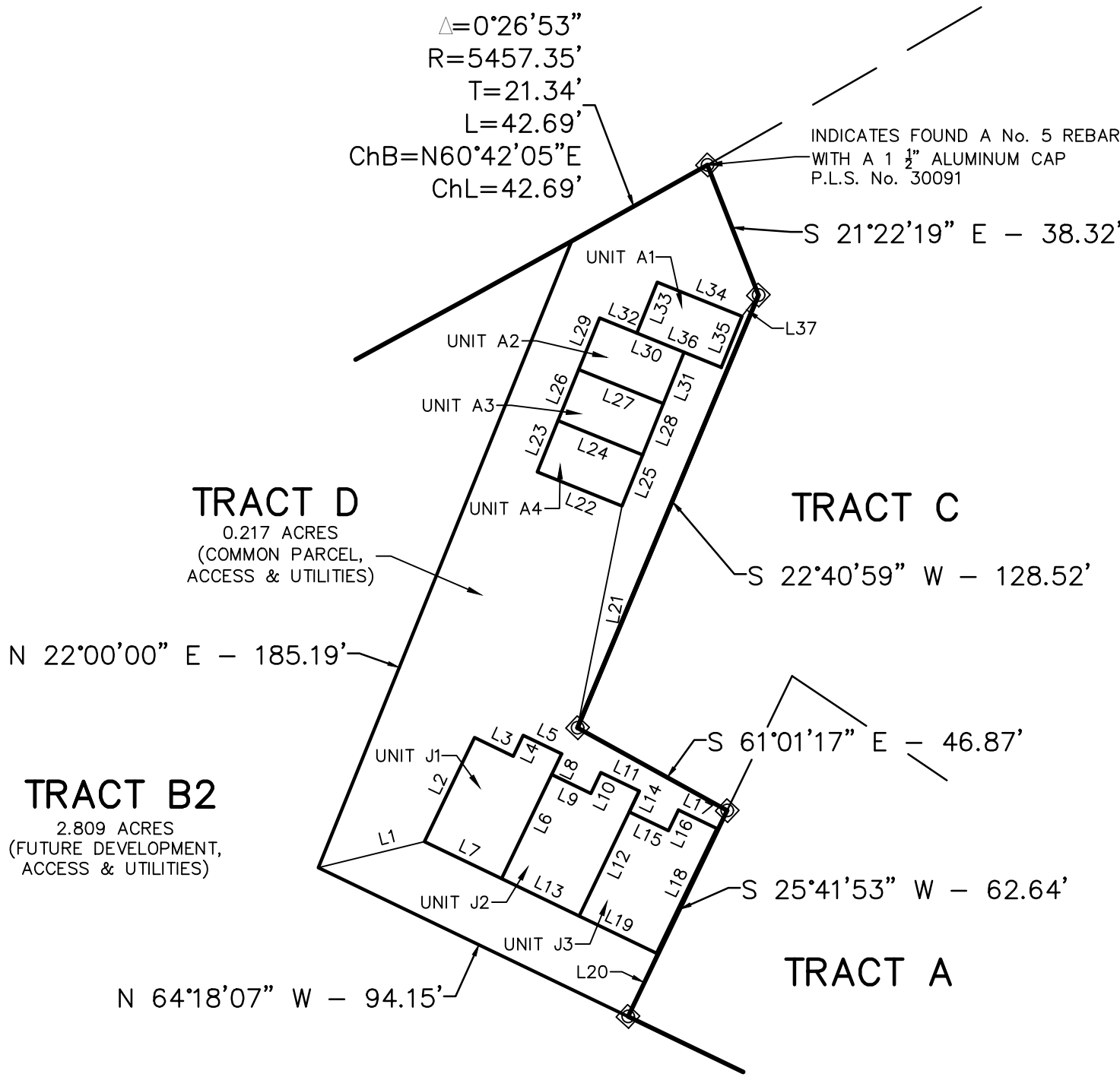


LAND USE SUMMARY:

PARCEL	AREA	USE	ADDRESS
UNIT A1	0.009 ACRES	TOWNHOUSE UNIT	17 UNEVA COURT
UNIT A2	0.009 ACRES	TOWNHOUSE UNIT	15 UNEVA COURT
UNIT A3	0.009 ACRES	TOWNHOUSE UNIT	13 UNEVA COURT
UNIT A4	0.009 ACRES	TOWNHOUSE UNIT	11 UNEVA COURT
UNIT J1	0.019 ACRES	TOWNHOUSE UNIT	32 EAGLE LANDING WAY
UNIT J2	0.019 ACRES	TOWNHOUSE UNIT	34 EAGLE LANDING WAY
UNIT J3	0.019 ACRES	TOWNHOUSE UNIT	36 EAGLE LANDING WAY
TRACT B2	2.809 ACRES	FUTURE DEVELOPMENT, ACCESS & UTILITIES	
TRACT D	0.217 ACRES	COMMON AREA, ACCESS & UTILITIES	
TOTAL =		3.119 ACRES	

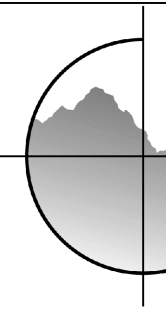
LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N76°17'12"E	29.92
L2	N25°41'53"E	31.67
L3	S64°18'07"E	11.75
L4	N25°41'53"E	6.33
L5	S64°18'07"E	11.67
L6	S25°41'53"W	38.00
L7	N64°18'07"W	23.42
L8	S25°41'53"W	6.33
L9	S64°18'07"E	11.92
L10	N25°41'53"E	6.33
L11	S64°18'07"E	11.67
L12	S25°41'53"W	38.00
L13	N64°18'07"W	23.58
L14	S25°41'53"W	6.33
L15	S64°18'07"E	11.92
L16	N25°41'53"E	6.33
L17	S64°18'07"E	11.67
L18	S25°41'53"W	38.00
L19	N64°18'07"W	23.58
L20	S24°20'13"W	19.00

LINE TABLE		
LINE #	BEARING	DISTANCE
L21	S11°19'57"W	61.98
L22	N68°00'00"W	25.00
L23	N22°00'00"E	15.12
L24	S68°00'00"E	25.00
L25	S22°00'00"W	15.12
L26	N22°00'00"E	15.13
L27	S68°00'00"E	25.00
L28	S22°00'00"W	15.13
L29	N22°00'00"E	15.21
L30	S68°00'00"E	25.00
L31	S22°00'00"W	15.21
L32	S68°00'00"E	11.00
L33	N22°00'00"E	15.04
L34	S68°00'00"E	25.00
L35	S22°00'00"W	15.04
L36	S68°00'00"E	25.00
L37	N37°45'53"E	7.38



FINAL PLAT
EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2B
A RESUBDIVISION OF TRACT B1, EAGLE LANDING AT BRUSH CREEK TOWNHOMES - PHASE 2
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO

DRAWN BY:	SE	DATE:	5/7/2020
CHECKED BY:	SE	DRAWING NO.:	18-1037 2B
JOB NO.:	18-1037	SHEET	4 OF 4



Gore Range
Surveying, LLC

P.O. Box 15
Avon, CO 81620
(970) 479-8698 • fax (970) 479-0055

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 28
(Series of 2020)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
APPROVING THE FINAL PLAT FOR EAGLE LANDING AT BRUSH CREEK TOWNHOMES
PHASE 2b

WHEREAS, Gold Dust Partners, LLC owns the real property located at 58 Sylvan Lake Road,
Town of Eagle, Eagle County, Colorado (the "Property");

WHEREAS, on April 2, 2020, Brad Hagedorn (the "Applicant") submitted an application to
plat 7 residential units, including 4 Local Employment Residency Program units, into townhouse
lots and define common and limited common elements (the "Application");

WHEREAS, Town staff has determined that the Application complies with the Town's
subdivision and zoning regulations; and

WHEREAS, the Town held a properly-noticed public hearing on May 4, 2020 and
recommended that the Town Council approve the Application; and

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

Section 1. The Town Council finds that the Application complies with all applicable
provisions of the Eagle Municipal Code and that approval of the Application is in the best interest
of the public health, safety and welfare.

Section 2. Based on the foregoing findings, the Town Council hereby approves the
Application and the Final Plat for Eagle Landing at Brush Creek Townhomes Phase 2b.

INTRODUCED, READ, PASSED AND ADOPTED ON May 12, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Board of Trustees

From: Brandy Reitter, Town Manager

Date: May 12, 2020

Re: Town Manager Report

Administration & Organization

Staff continues to work on follow up from the Town Council meetings. Included are a list of items that that staff is tracking in May.

- Short-term rentals – Work Session - TBD
- Mobile Vendor Policy – May 26
- COVID-19 Budget Work Session – May 14
- Noonball Discussion – May 26

Now that the Town Council has moved forward with their 7th member on Tuesday, staff is scheduling the retreat and orientation for the Town Council.

There are three options for the retreat:

1. Split the retreat up for two weekday nights 4 – 8 PM on a Wednesday or Thursday
2. Schedule the retreat for Friday, June 26 in the evening 4 PM – 8 PM and finish Saturday, June 27 8 AM – 12 PM.
3. Conduct the retreat on Saturday, June 27 8 AM – 5 PM.

Staff will send out a doodle poll for the orientation this week. That will take one evening and the orientation will cover the introduction to departments, initiatives, and cover how to interact with the Town.

Event staff will make a presentation on the status of special events on May 26.

COVID-19 Regional Updates – The pandemic continues to take up a lot of time for the entire organization. Below are a few updates on the impacts to the organization:

- The Town of Eagle will officially open the doors to the public on May 11. Access will be limited, and staff is scheduled on rotation to maintain social distancing.
- The staff and public are required to wear masks while accessing shared areas. Town will continue to follow all sanitation protocols.

- Town will open the Haymaker Trailhead parking lot the week of May 11. Staff is still evaluating opening the BMX track.
- Town will host the Town Council and P&Z meetings starting in June. Staff is evaluating the logistics over the next few weeks and will communicate the details.
- Include is a link to a presentation from Vail Health outlining the status of healthcare in the valley: https://docs.google.com/presentation/d/1EBdZ3FcGa8iDorJDCRFzeMwFqUiLwPMKuBdbTguafBQ/edit#slide=id.g6eb22723d9_2_78
- Nothing has changed in the public health orders that Eagle County prepares.

Economic Development, & Planning

Grand Avenue Corridor Plan

- Staff has asked the Haymeadow team if they would be interested in letting the Town utilize some of the funds that are required to mitigate impacts to Highway 6 to help pay for the plan.
- The County swept the funds for the plan and staff is trying to be creative until the financial forecast supports additional funding for the plan.
- Staff has put together an RFP development team that will meet this week to develop the proposal. The estimated time for completion of the RFP is 30 days. Once the proposal is completed, staff will present the draft to P&Z and the Town Council for feedback before the document is published.

River Park

- There are a few outstanding issues that the Executive Committee (EC) is working on. Those items are below:
 - The EC met with special counsel on the USACE permit and is prepared to respond to the agency by May 18.
 - Staff sent Eagle County's Use Agreement to the water attorney and engineer to review the legalities of maintaining 3rd party water infrastructure.
 - Staff informed the County that because of the complexity of their request it will take longer to review their amendment. Staff requested that they avoid shutting down the River Park.
 - Staff is still waiting for CDOT to send us the access permit to the Kensingers.

Broadband

THOR:

- The project team met with 3 banks to present the Town's broadband initiative for funding. Staff gave a presentation to Key Bank, Alpline Bank, and ANB Bank who will submit funding proposals to the Town.
- Once the proposals are collected, staff will present these to the Town Council in June. At that time the Town Council will decide which funding partner to move forward with.
- Staff is in the process of developing the Broadband Enterprise Ordinance and will present a draft in June.

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

- May 11 – Eagle River Park Use Agreement legal meeting with Mary Elizabeth Geiger and Michael Erion
- May 13 – COVID-19 recovery meeting
- May 18 – Eagle County Wildlife Roundtable

Sincerely,

A handwritten signature in cursive script that reads "Brandy Reitter".

Brandy Reitter
Town Manager



To: Mayor and Town Council

From: Brandy Reitter, Town Manager and Department Leads

Date: May 12, 2020

Re: Department Updates for April 2020

ASSISTANT TO THE TOWN MANAGER

- We have completed our Wastewater Rate and Tap Fee Study RFP and will publish the RFP in May. The process is expected to take 4-5 months and should be complete in October.
- I am working with the Finance Department and Peyton Heitzman to draft a purchasing policy module for the larger Financial Procedures Manual for the Town. The purchasing policy should be complete by the end of May.

Economic Vitality and Development Work

- Economic Vitality Committee has recommended two new members and an alternate member.
- I am working with the Economic Vitality Committee to review and recommend economic recovery tools for the Town of Eagle.
- Community Survey RFP is written and ready to publish.

Downtown Broadway

- The Downtown Business Alliance (DBA) is hosting a DDA information session Wed, May 13th at 6pm.
- I have been working with the DBA to gather property valuation data for budget modeling a potential Tax Increment Financing district.
- Businesses on Broadway are reopening or expanding their hours closer to normal. Recently expanded hours mentioned at the last DBA meeting include:
 - Everyday Outfitters Mon-Sat 11-5
 - Bonfire Brewing Mon-Sun 4-7pm for curbside pickup
 - Katch of the Day built a website and is open 1-4pm for curbside pickup
 - Batson's Corner is open Mon-Fri
 - Yeti's Grind is open Mon-Sun 8-4pm
 - Artspace Workshop also built a new website and is open Mon-Fri 12-4pm
 - Red Canyon Café is back to normal hours

Project THOR / Broadband

- Project THOR had a service outage in Georgetown on Monday and the redundant circuits switched to service from Glenwood Springs for the duration of the outage.
- The Town is preparing a Letter of Intent for the upcoming Inter-Governmental Agreement with Glenwood Springs. This LOI will assist our meetings with financial partners.
- Visionary Networks and Pathfinder Internet are two fixed wireless Internet Service Providers that have reached out to the Town to secure middle-mile transport with Project THOR.

PUBLIC WORKS

LBWTP Construction

PROJECT UPDATE SUMMARY

- Veneer install around WTP
- Damp proofing on structural CMU
- Structural steel Install
- Process mechanical pipe install
- Process mechanical equipment

PLANNED ACTIVITIES FOR THE NEXT 4 WEEKS:

- Roof drain installation
- Site grading around WTP building
- Continue process mechanical pipe and equipment install
- Begin TPO Roofing Installation
- Chemical room coating install

Cemetery Tank

- Construction documents are being developed

Capitol Street Water & Sanitary Sewer

- Construction documents are being developed

Source Water Protection Plan

- Plan is being finalized; Staff is creating a public version

Water Efficiency Plan

- Draft plan review should be completed by Colorado Water Conservation Board this week

THOR Project

- Grant application was submitted with route along Chambers from Eby Creek handhole; additional study will be needed to optimize route if grant is approved

Comcast ROW Infrastructure

- Meeting with Comcast at least weekly to review proposed power supplies & node build-out in ROW. Permit application submitted for 20 proposed power supplies as a part of the Eagle build-out and approval expected by May 8

Black Hills Gas Line Along Highway 6

- Project will begin on May 18

Public Works Operations & Maintenance

- Trash/Recycle containers distributed at buildings and parks, but still needs signage.
- Crew are sweeping the cinders from the street.

- Crew is in the process of filling potholes.
- Crew is in the process of repairing the streetlights.
- Buildings and Grounds is cleaning the Town Hall and Public Works as a COVID-19 procedure.
- The mechanic is keeping up with the repairs of vehicles as needed.

Public Works Staff

- Most staff were at full operations starting Monday, May 4 and all staff will be at full operations starting Monday, May 11

Upper Basin Water Treatment Plants

- Installation of generators at both Pre-Treatment and Treatment Water Plants are completed; final startup is scheduled for week of May 11

FINANCE DEPARTMENT

Financial:

- Audit - Staff is working with Maggard, Hood & Associates on the 2019 Audit, due to the work related the COVID Response the Audit has been delayed until mid-May
- Debt Service: Paid 2011 Waste Water Loan Payment - \$39,393 (Last Payment 2031)
- Use Tax Refunds and Process:
 - Staff completed the 19 outstanding use tax refunds since transitioning the refund process from community development to Finance that were outstanding from 2019
 - Finance has received additional refund requests and currently has 10 outstanding
 - Finance will ensure that use tax refunds will be processed within 45 days moving forward
 - Staff is rolling out sales tax exemption certificate process for building community in June
- Pavilion & Studio - Staff extended cancelations for Pavilion and Studio events through May 31st and continue to accept other cancellations for future dates without charging a cancellation fee – YTD \$8,050 in lost Pavilion/Studio Revenue from cancelations
- Closed Information Center Bank Account – April 7th
- Policies:
 - Board Approved Policies:
 - Fund Balance/Reserve Policy – To be completed 2nd Qrt
 - Procurement Policies – To begin in March will not be completed until fall or YE
 - General Revenue Management Policy – To be completed 3rd Qrt
 - Revised Travel and Employee Reimbursement Policy – To be completed in 2nd Qrt
 - Credit Card Policy – Reduced credit card limits to \$2,500 for budget freeze

Accounts Payable:

ACCOUNTS PAYABLE: INVOICES PAID						
	2017	2018	2019	2020	VARIANCE FROM PY	
JANUARY	289	258	303	205	(98)	-32%
FEBRUARY	245	272	254	237	(17)	-7%
MARCH	340	304	326	234	(92)	-28%
APRIL	267	299	215	137	(78)	-36%
YEAR TO DATE	1,141	1,133	1,098	813	(285)	-26%

- Staff is adopting the remote AP process and procedures well and continue to make modifications to improve the process. The decrease in invoices in 2020 has much to do with removing the info center retail and the current budget freeze.

Budget:

- Staff will be initiating planning for the 2021 budget process in Late May or early June
- Staff is currently continuing the budget freeze (only spending on necessary or required items) until the budget work session with Council and once the Town receives March and April Sales tax numbers in order to better project potential decrease in sales tax.

Training

- Caselle Webinar for General Ledger Activity Codes for Covid 19 Expense Tracking
- FEMA Reimbursement Training

Payroll/HR:

- Completed 1st Quarter Unemployment Tax Report
- Completed 1st quarter 941 Report
- Positions – 1 new hire

Utilities:

- New Accounts Setup – 3
- Property Transfers – 6
- Water Usage – Although communities up valley have seen a significant decline in water usage which has been requiring budget cuts, Eagle usage has shown an increase over average of 18% and 3% for March and April, respectively.

MONTH	2017	2018	2019	AVERAGE	2020	INCREASE OVER AVERAGE
MARCH	N/A	13,179	14,808	13,994	16,488	18%
APRIL	14,713	14,567	15,917	15,066	15,502	3%

- Accounts Receivable (A/R) – In April Staff communicated to customers that the Town would not be charging late fees or initiating water shut offs for unpaid bills until July. For cash flow purposes staff will be monitoring our Enterprise A/R closely. Thus far it appears that customers are currently continuing to make utility payments as normal, although that may change in the coming months.
 - Water Fund A/R – Decreased by (\$19,135)
 - Waste Water Fund A/R – Increase by \$5,478
 - Refuse Fund A/R – Decreased by (\$2,165)
- Reviewed and commented on RFP for Waste Water Study

Town Board Department – Budget to Actual:

SPECIAL EVENTS

- Reviewing what events cannot be executed and which ones may be able to take place.
- Most Special Events scheduled for April, May and June have been cancelled or postponed to a date in the late Summer or Fall.
- Working with event producers to review their adjusted plans for executing their events under current health orders and restrictions. We will evaluate these plans for feasibility.
- We have decided to cancel the Eagle Flight Days 2020.
- We are proceeding with plans to execute the Eagle July 4th Fireworks with a modified plan in regard to the current health orders and restrictions.
- Eagle Kids July 4th Bike Parade for July 4th, 2020 will probably need to be cancelled.
- the "Our Community Table" event has been cancelled for this year.
- Bonfire Brewery currently scheduled to August 28-30, 2020.
- Eagle Outside Fest - currently scheduled Aug. 28-30, 2020.

**A more complete special events review will be presented during the Town Council meeting on May 12, 2020.*

MEAC:

- MEAC meetings continue in the Zoom platform.
- All current MEAC & Community Funding is on hold currently.
- Reviewing TOE events calendar to identify what events cannot be produced and which events might be able to be executed under current health orders and restrictions in regards to the Covid 19 situation.
- Events schedule will be reviewed and updated as health orders and restrictions are updated.

Eagle Info Center:

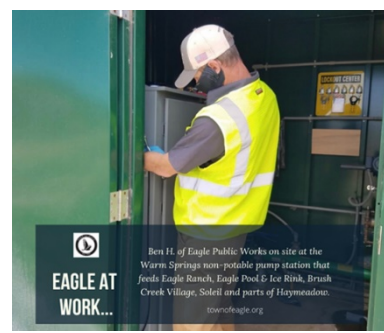
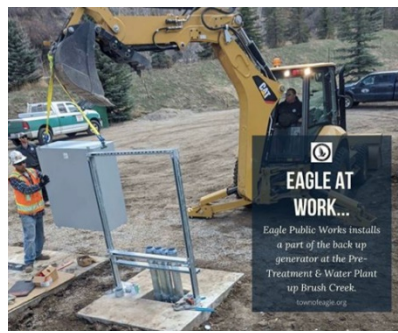
- Eagle Info Center will remain closed until End of June. Will review the situation as we look at summer plans for the Info Center beyond June 30th.
- Info Center staff have been furloughed as of May 9, 2020.
- List of physical improvements to the building inside and out are on hold.
- Plans for future inside enhancements, repairs and upgrades to décor and exhibits are on hold.
- Working with Eagle Historical Society to discuss Summer 2020 operations plan for our Info Center and their Historical Museum in regard to current health orders and restrictions.
- Discussed EHS providing list of historical exhibits to fit into exhibit schedule at Info center Historical room over the summer – continuing.

Digital Sign:

- Updated regularly with current info.

Eagle at Work – Social Media Promotion

- Have been working with Eagle PD and Eagle Public works to collect photos of TOE staff working in the field and using those photos for an "Eagle at Work" social media promotion.



HUMAN RESOURCES

Benefits

- Enroll 1 new hire in benefit plans, process benefits changes for 5 staff members
- Continued collaboration with legal and Finance Director on updating and interpreting leave policies to comply with Families First Coronavirus Response Act-FFCRA due to COVID-19 crisis

Recruiting - Onboarding

- Conducted new hire orientation for Community Development Director-Town Planner and 2 new council members
- Set up remote new hire documents for payroll

Risk Management, Safety and Work Comp

- Manage 3 General Liability & PC claims, research 1 hit and run incident with PD for street light destroyed, no leads
- Manage 5 work comp claims
- Research Cadet pay implications due to COVID-19
- Post updated Public Health Order posters for phased re-opening
- Continued collaboration with Town Hall contractors to ensure cleaning and social distancing protocol compliance with Public Health Orders
- Serve as contact for Town Hall access self-identifying protocol required by Public Health Order
- Collaborate with other municipalities and government resources on best practices for COVID-19 policies
- Assist with operational policies for COVID-19, research and order Personal Protective Equipment
- Assist supervisors with absence management, return to work eligibility due to COVID guidelines
- FEMA tracking spreadsheet

Other

- Respond to 2 verifications of employment
- Furlough preparation and meetings with information Center staff
- Training, attended 5 educational webinars to ensure COVID-19 compliance and best practices

TOWN CLERK

Communications Committee

- Communications Committee: Weekly and daily COVID meetings through April as directed by Town Manager.
- Town Hall Zoom with Community on Thursdays from 12-1
- Eagle Today was sent April 29th and May 1st
 - Operational Updates
 - Coordinated with CC and Town Manager for COVID-19 Operations Update Page
 - Message from Mayor Turnipseed

Licenses

- BUSINESS: License Renewals 5 in March and 348 total licenses issued for 2020
- LIQUOR:
 - Brush Creek Saloon Application for Modification of Premises
- MARIJUANA:
 - Sweet Leaf Pioneer LLC Renewal of Retail Store and Grow/Cultivation

Website – www.townofeagle.org

- Ask the Town questions: 8
 - Yard Waste Opening Inquiry
 - Utility Question
 - Small Business Assistance inquiry
 - Yard Waste Opening Inquiry
 - Utility Question
 - Contractor License Inquiry

2020 Election

- Coordinated with Eagle County for ballot pickup
- Worked with Election Judges pre-sorting returned Ballots
- Processed Replacement Ballot requests and met voters throughout Town
- April 7th Election Day, finalized returns and posted results
- Filed election results with DOLA

Training

- CML Election Training 4/21

Sales Tax

- 887 Remote Sellers submitted Sales Tax in March
- O/U is percentage over (under) last year's receipts

2020				
Month	Filing Period	Revenue Period	4% to General Fund	O/U
Jan	\$ 367,071.14	\$ 578,686.45	\$ 514,387.96	35%
Feb	\$ 577,583.12	\$ 480,407.70	\$ 427,029.07	24%
Mar	\$ 410,688.96	\$ 463,471.24	\$ 411,974.44	16%
1 Q	\$ 1,355,343.22	\$ 1,522,565.39	\$ 1,353,391.46	25%
Apr		\$ 553,180.68	\$ 491,716.16	31%

MUNICIPAL COURT

- Court has been postponed until June 17th
- Cases are still being processed and court staff is working with all defendants who wish to reach plea arrangements prior to June 17th.

April Fines and Fees Assessed:

Animal Control	0
Misdemeanor	0
Parking	9
Traffic	10
Total	19

April Fines and Fees Collected (includes collections for previous months)

Court Costs	175.00
Criminal Police Equipment and Training Surcharge	0
Deferred Judgment Fee	0
Fines	410.00
Outstanding Judgement Fee	0
Police and Equipment Surcharge Traffic	110.00
Stay of Execution Fee	
Victim Restitution Fee	
Total	\$695.00

April Dispositions (Payments or Court Appearances)

Animal Control	0
Misdemeanor	2
Parking	6
Traffic	5
Total	13

Outstanding Fines and Fees by Date:

Current (One Restitution Case is this amount)	1768.25
1-30 Days Past Due	90.00
31-60 Days Past Due	0
61-90 Days Past Due	390.00
91-180 Days Past Due	1175.00
Over 180 Days Past Due	24983.28
Total	\$28,406.53

COMMUNITY DEVELOPMENT

DEVELOPMENT REVIEW UPDATE -

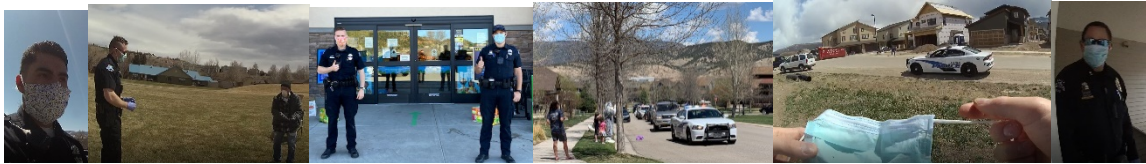
- Applications in Progress
 - AN17-01/ PUD18-01/ PPFP19-01 Red Mtn Ranch –
 - No updates – waiting on details of Metro District
 - AN20-01 Powell Park Annexation –
 - No updates- waiting on application
 - Site visit 5/14
 - AN20-02 Basecamp Eagle
 - Site visit 5/7
 - DR20-01 1203 Capitol Talon Flats –
 - No updates
 - Carrie put together LU decision, Jess to send to Bryan
 - Design changes – to avoid elevator
 - V20-01 446 Washington Street –
 - P&Z Denied app
 - Tracie contacted Charlie, Chad and Jess to keep the existing walls and still build an ADU on the existing garage
 - Ongoing
 - 263 & 483 Sawatch –
 - DR20-02 233 Broadway –
 - No update
 - CT20-01 Eagle Landing Phase 2 (b)
 - Sending memo to Jenny for TC on 5/12
 - Verizon Wireless Telecom Agreement request in Eagle Ranch –
 - Eagle Ranch DRB has all docs needed for approval
- Application(s) for Pre-App Meeting
 - none
- PUD Updates – Jess, Peyton, and Angie are working on these
 - Haymeadow
 - Rec Path connection from Solei homes
 - Reserve at Hockett Gulch – Brue Capital Group (Dan Metzger)
- Other Planning Projects
 - 306 Howard St. –
 - Chad updated Rick on the simple process of rerecording the deed.
 - Subdivision process should be for a lot line adjustment
 - complete
 - Bill Nutkins Chambers Project (775 Sawatch Cleaners Addition) –
 - No updates
 - Broadway Station –
 - Reach out to record new deed
 - Impact Fee Ordinance Update –
 - No update
 - Encroachment Permits -
 - Broadway Station – awnings and sidewalk seating, no response from Bryan Desmond as of 4/27/2020.
 - Brush Creek Saloon – need to issue this! Still need to issue this 4/27/2020
 - Katch of the Day – waiting to hear back from Kat (she is upset about the \$250)

- Cotton & Co – on hold (awaiting payment)
- Notice of Land Use Decision (only for P&Z decisions)–
 - DR20-01 Talon Flats – Carrie drafted, Jess to review and issue to applicant.
 - DR19-01 / DR19-02 – 700 Chambers Lots 3 & 4
 - DR19-03 – 410 Broadway
 - DR19-04 – 106 Broadway
 - V19-02 – 306 Howard Street
- Eagle Ranch –
 - Need to review Erin Vega’s emails from last week regarding request to amend the PUD.
 - Meeting 5/7 – discuss option of fixing issues with the 6th PUD Amendment in the new PUD Amendment with Erin. Discuss who and how the Amendment is submitted.
- Follow-up Concerns -
 - LLA19-02 1088/1092 Fourth of July Rd – Record Plat
 - DR19-02 700 Chambers Lot 4 – Record Plat
 - Peyton to connect with Dave
- Addressing -
 - Quiet Kat building – 1393 Chambers Ave (this is what the address needs to be) (3 tenants in this building as well)
 - Tenant Addresses – 1353 Chambers (each tenant needs an address designation)
 - Follow up with Jenny on if this was recorded to move forward
- Sign Permits – Fire District Sign Permit off Hwy 6
- Historic Lot Lines -
 - Have we ignored these or have we re-platted – if re-platting occurred, what type of subdivision was it?
 - Looking for any consistencies in process.
 - Wall Street Townhomes as potential case study.

BUILDING UPDATES–

- OutWest Drywall Project Update
- 700 Chambers Bldg D Review
 - Paving issues - questions.
 - C/O can’t be issued until all is complete
- Broadway Station Permit Submittal
 - Due at permit application
 - Plan Review Fees
 - Due at permit issuance
 - PIF Fees
 - Permit Fees
 - Impact Fees

PUBLIC SAFETY



Calls for Service-

March 2019: 965

April 2019: 1,155

March 2020: 578

April 2020: 856

“Events”- Regular assists with Senior Hour at City Market and assist with a “birthday drive-by parade” for a child who couldn’t have friends over due to COVID19

Notes- Your Eagle Police Department initiated COVID19 temporary procedures in an effort to protect our staff and to safely serve our community, while continuing to operate within the confines of our Eagle County and Town of Eagle public health directives. A majority of these procedures mirrored other local law enforcement agency COVID19 response plans, which provided for uniformity in various operations across Eagle County. Chief Staufer attended March and April on-line emergency operations meetings, as well as other agency meetings, which provided critical updates and data to further our temporary operational planning and response. These regular meetings are scheduled to continue into the summer months.

As Eagle County began implementing restrictions at the beginning of March, calls for service (CFS) with your Eagle Police Department began to decline. Following school closures, the number of juvenile incidents, school resource-based activities and police interventions declined significantly. As businesses closed mid-March, CFS declined significantly. Patrol operations during nighttime hours were insignificant: no bar fights, no impaired driving arrests and no injury traffic accidents. Officers used the time to catch-up with on-line training requirements as well as performing extra patrols and foot patrols around closed businesses.

The initial stay at home phase made our community look like some eerie vacant western scene, with tumbleweeds blowing across vacant parking lots and streets. Staffing issues began to plague EPD (a total of five team members were on isolation monitoring for related symptoms). Patrol and sergeant staff quickly filled the vacant shifts. There were occasions when one PD member was working at night and one during the day with Chief helping the daytime overlap. As we progressed through the strict stay at home phase, first responders began to discover the issues associated with the orders, as CFS related to civil requests, suspicious circumstances, welfare checks, public health inquiries and mental health reports began to increase.

During the month of April, CFS increased once stay at home orders eased. While CFS were lower than 2019, the increased trends related to mental health, civil disputes and suspicious incidents continued. Public health violations were more significant in April. Domestic abuse and child abuse CFS (to include crimes in progress, inquiries and assists) were also trending higher in April.

At the end of April, your Eagle Police Department began to resume some of the more traditional operations, while continuing to utilize protective equipment and extra caution on our contacts.

Summary of Investigations and Highlights of Some Priority Calls in March -

Burglary Dispensing machine – no further leads.

Civil Assists & Landlord Tenant X8

Disturbance X3

Domestic Disturbances X2 PO/Harassment- arrested.

DUR X2

Fire Wildland fire

Fraud X2

Harassment X3

Juvenile Codes X8

MIP Drugs – summonsed.

Missing Person Juvenile -located and returned to parents.

Protection Order Violation X1
Sex Offender Registration or Check X3
Suicidal X1
Suspicious Occurrence or Person X10
Trespass X2
Welfare & Mental Health X4

Summary of Investigations and Highlights of Some Priority Calls in April -

Animal Abuse *Two domestic animals seized, under investigation (charges pending)*

Assault X2

Assist X2 *Deputies in gypsum for house party involving drugs and an overdose. Deputies near Eagle suicidal party with gun.*

Child Abuse X2 *1 case under investigation. 2nd case turned over to DHHS.*

Civil Assists & Landlord Tenant X13

Disturbance X2

Domestic Disturbances X3 *2 Protection order violations – arrest. Assault – arrest.*

DUR X2

Fraud

Harassment X2

Juvenile Codes X2

Medical X4

MIP Drugs – summonsed

Missing Person *Transferred to Vail Police*

Public Health Violations - Education X24

Sex Offender Registration or Check X2

Suicidal

Suspicious Occurrence or Person X18

Thefts X4

Welfare & Mental Health X10

Noteworthy Items-

Erin Ivie is doing well with Speak Up Reach Out (SURO). Her last day with EPD was scheduled April 9, 2020. COVID19 derailed our process to transfer some of her knowledge to others for specific tasks, as non-essential staff members were directed to remain at home. As an Executive with SURO, Erin continues to manage the law enforcement mental health grant for local law enforcement agencies. Additionally, Erin has offered, and EPD may contract with her at a later date, if necessary, for Public Information Officer and/or Barcoding (until our new records and information technology member is trained). EPD hopes to have a formal “thank you for your years of service” sendoff for Erin once social distancing restrictions are lifted.

EPD received tremendous support from several community members once the stay at home orders were lifted. Officers received continuous “thank you” and praises while on patrol. Several thank you cards were delivered to the police department (along with some gift cards for food) to our patrol team. Chief Staufer was contacted by telephone, email and while visiting some of his favorite “to go” restaurants, thanking our officers for being on the front lines. Chief also received “thank you” remarks after clarifying police activities as a result of mis-information flowing through social media channels regarding public health orders.

Our two police academy recruits were delayed in their academy programs due to COVID19. Both recruits have resumed their Peace Officer Standards and Training (POST) program. We anticipate an on-line graduation to occur before the end of May and have them enlisted into our 21-week Field Training Officer (FTO) program. If our schedule remains on track, both recruits could become full-time police officers in November, 2020. Additionally, our current Officer in Training, Officer C. Patterson, is scheduled to enter his final phase of training in May.

Due to COVID19 suspending annual training programs and Department-based training programs, police officers completed a significant amount of standardized training using on-line platforms.

As calls for service increased in April, so did the amount of community traffic complaints and extra-watch concerns. EPD began to patrol in the areas denoted as problematic. Traffic stops for safety violations have increased, as well as additional foot patrols.

After a vehicle intentionally hit a Parachute Police Officer's vehicle, a high-speed pursuit by Colorado State Patrol ended in Eagle after the vehicle the suspect was driving ran out of fuel right before the Eagle interchange. Sgt. Stonum, who closed the I-70 off-ramp to prevent the suspect from entering our community, assisted CSP with taking the two suspects into custody.

As EPD members were on the front-lines of this pandemic and due to the staffing concerns, EPD ceased all vacation requests for several weeks. Leave and vacation requests resumed near mid-April.

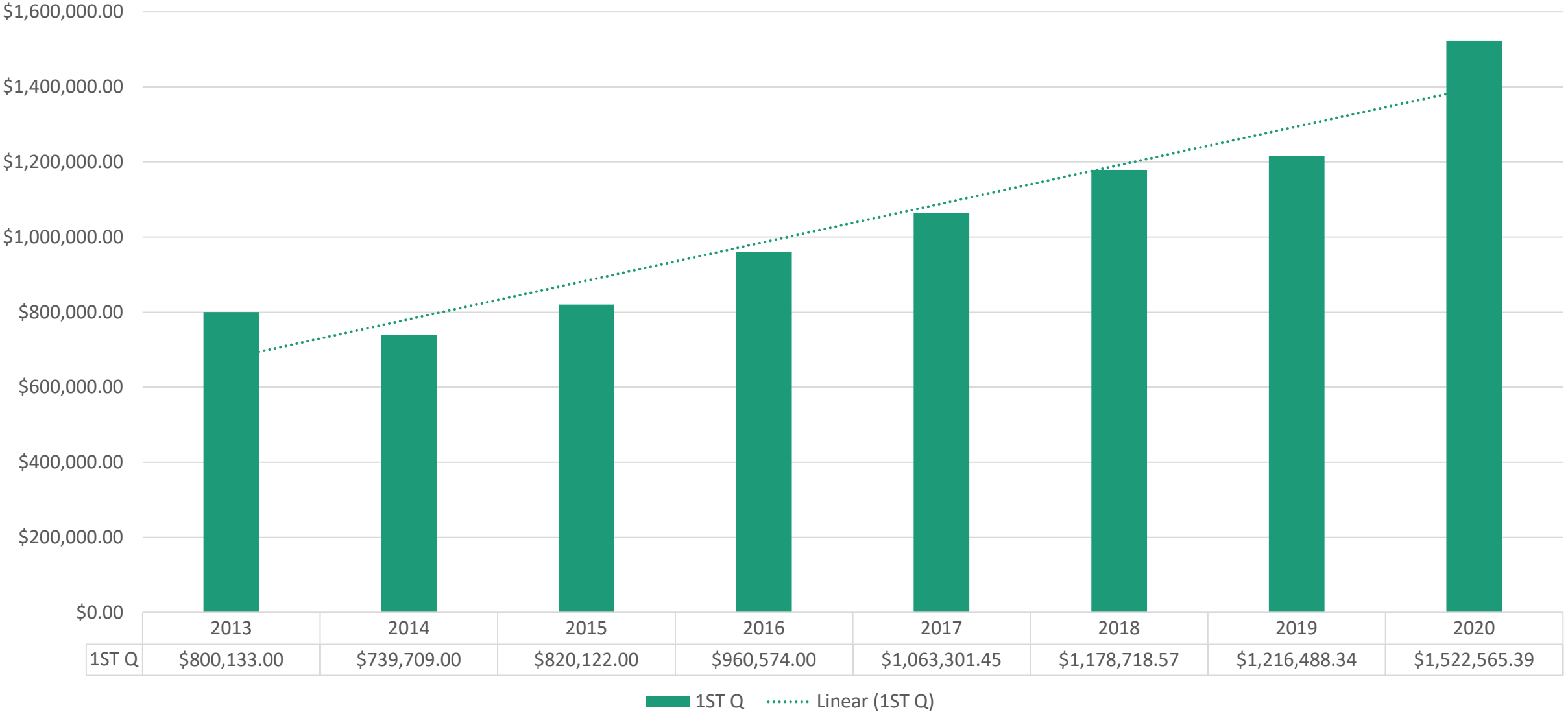
A special "shout out" to JB T-Shirts in Eagle and Coal Creek Distillery in Crested Butte! JB T-Shirt staff provided a cloth facemask to all EPD team members at no charge. Coal Creek dropped off two bottles of homemade hand sanitizer to EPD at no charge.

ECISO covered a 2-hour gap when EPD was pressed for last-minute staffing due to COVID19 isolation of EPD staff. Thank you!

County Court – Available upon request.

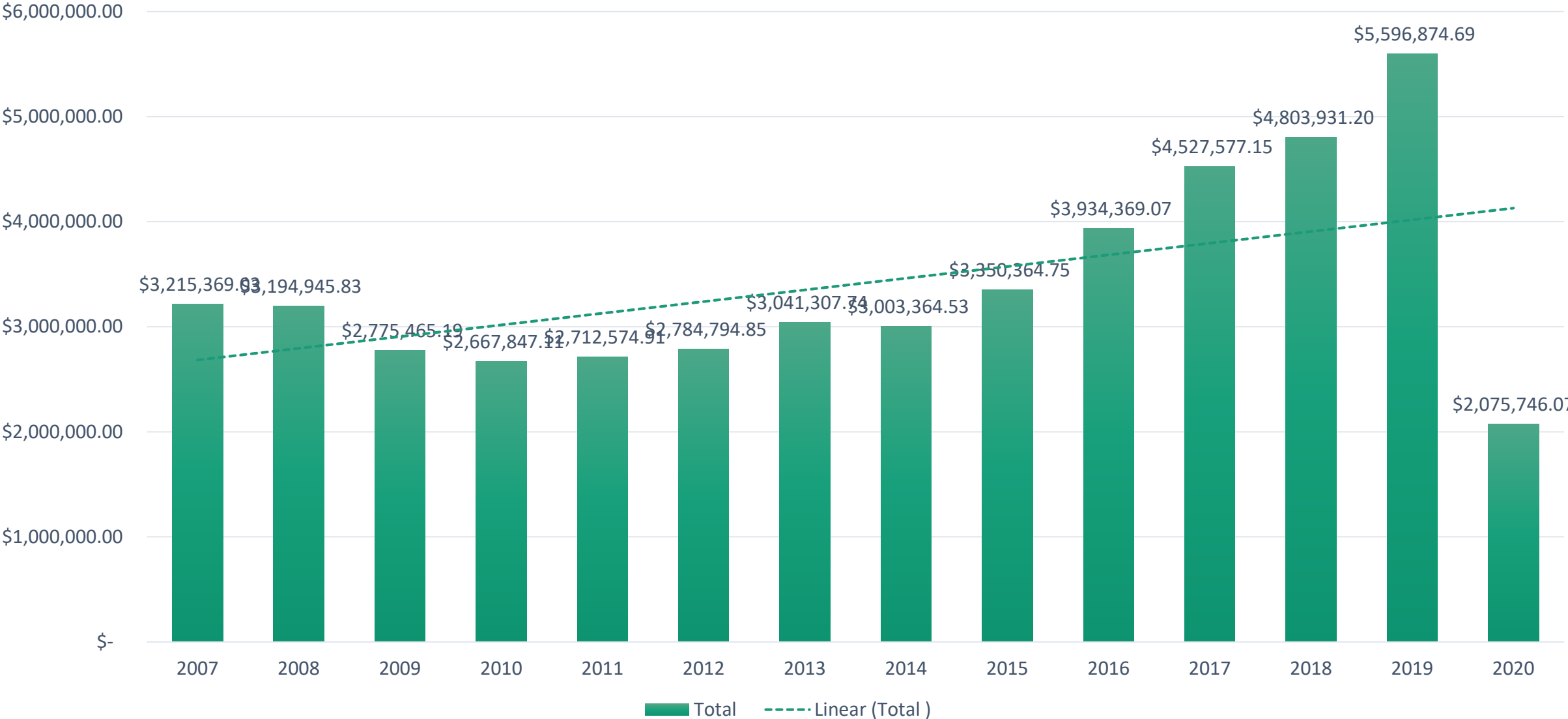
Local and Regional Calls for Service – Available at Dispatch

TOTAL SALES TAX BY QUARTER
2013-2020
REVENUE PERIOD TOTALS



ANNUAL TOTAL SALES TAX
2007-2020
REVENUE PERIOD TOTALS

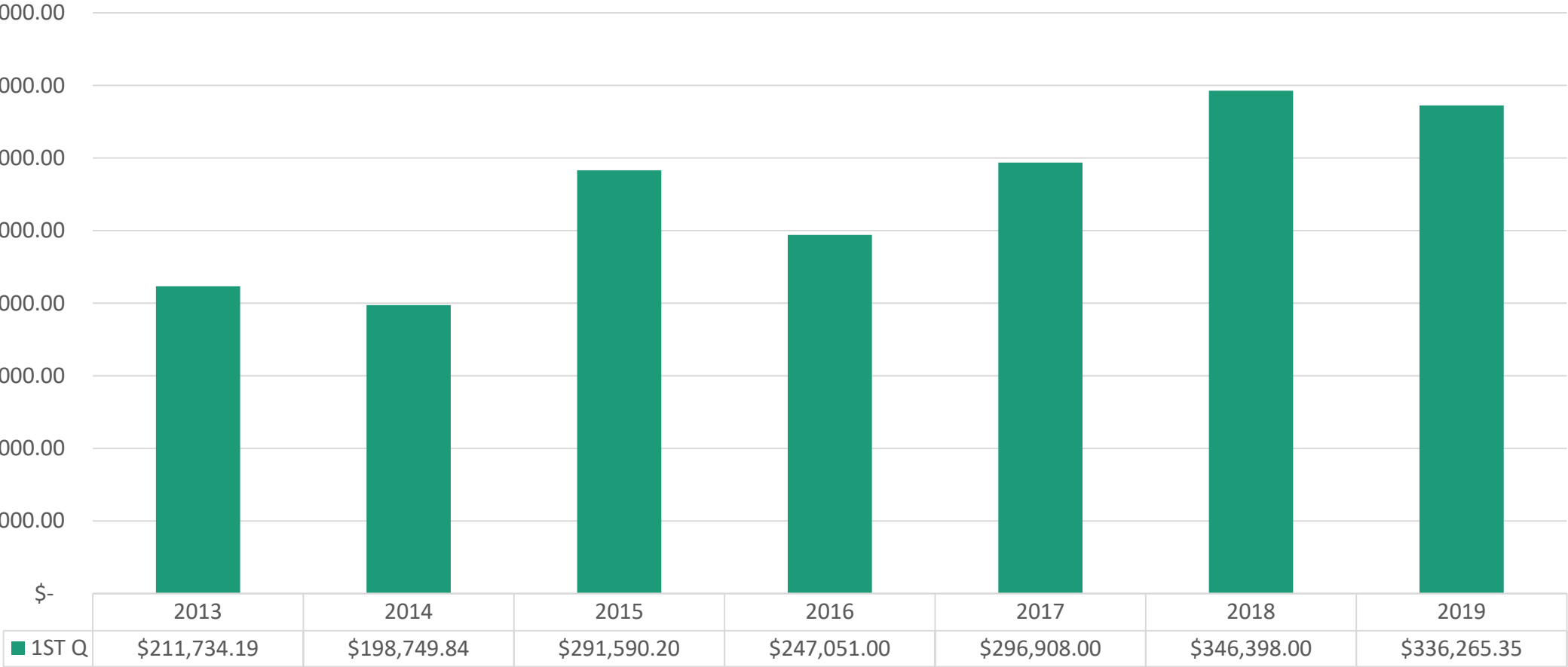
*2016 - PRESENT INCLUDE .5% SALES TAX INCREASE



RETAIL QUARTERLY COLLECTIONS
2013-2020



FOOD QUARTERLY COLLECTIONS
2013-2020



RESTAURANTS & BARS QUARTERLY COLLECTIONS
2013-2020

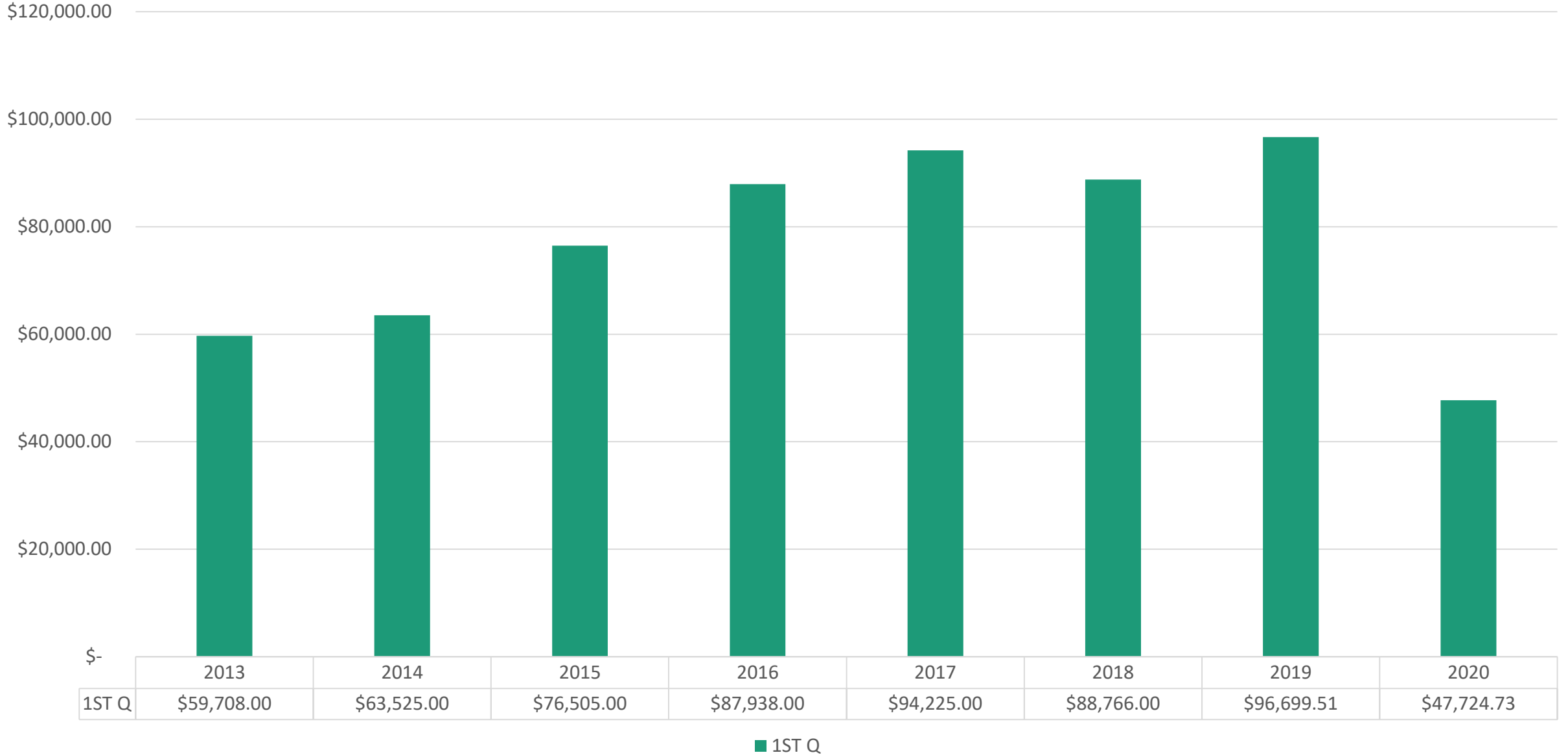


LIQUOR STORES QUARTERLY COLLECTIONS
2013-2020



■ 1ST Q

LODGING QUARTERLY COLLECTIONS 2013-2020



UTILITIES QUARTERLY COLLECTIONS
2013-2020



AUTOMOTIVE QUARTERLY COLLECTIONS
2013-2020



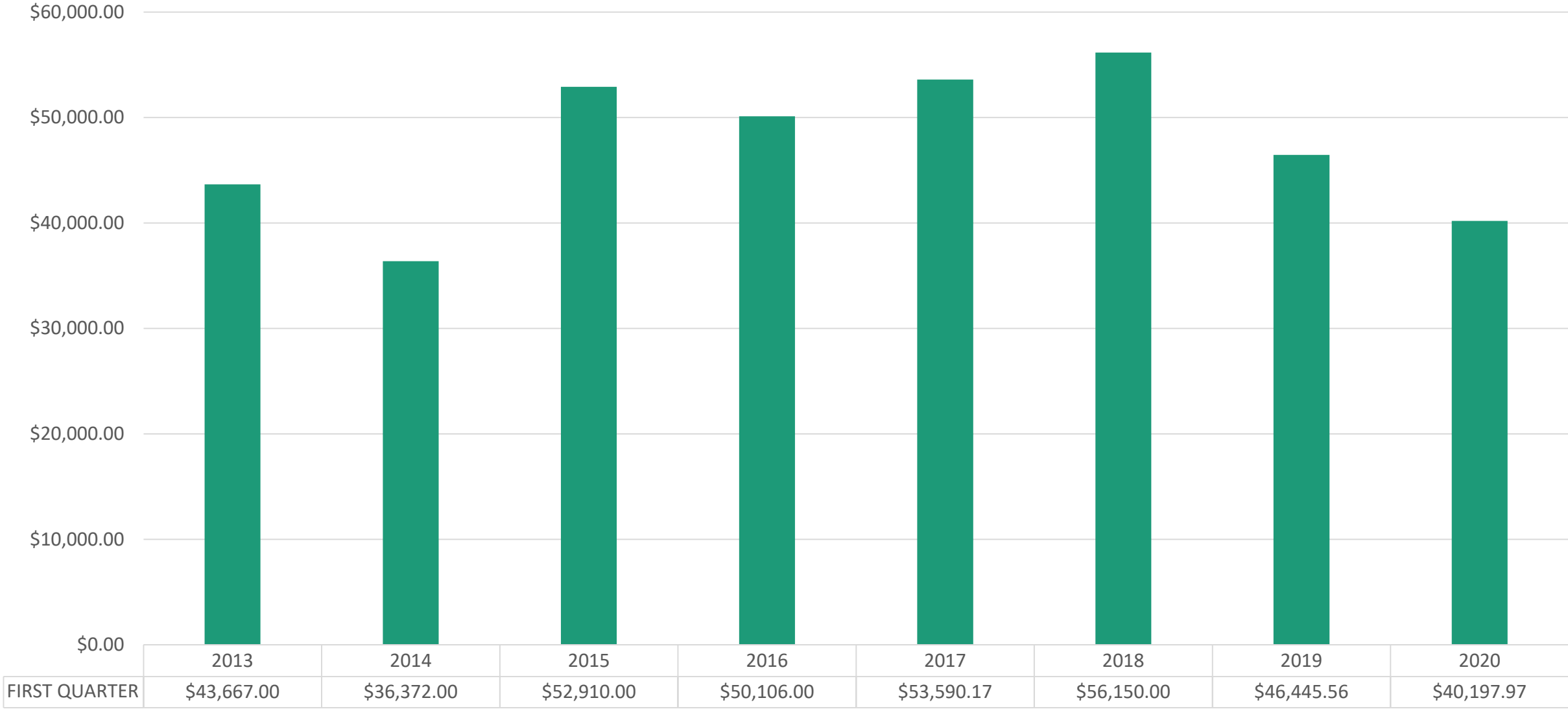
MISCELLANEOUS QUARTERLY COLLECTIONS
2013-2020



BUILDING/CONSTRUCTION QUARTERLY COLLECTIONS
2013-2020

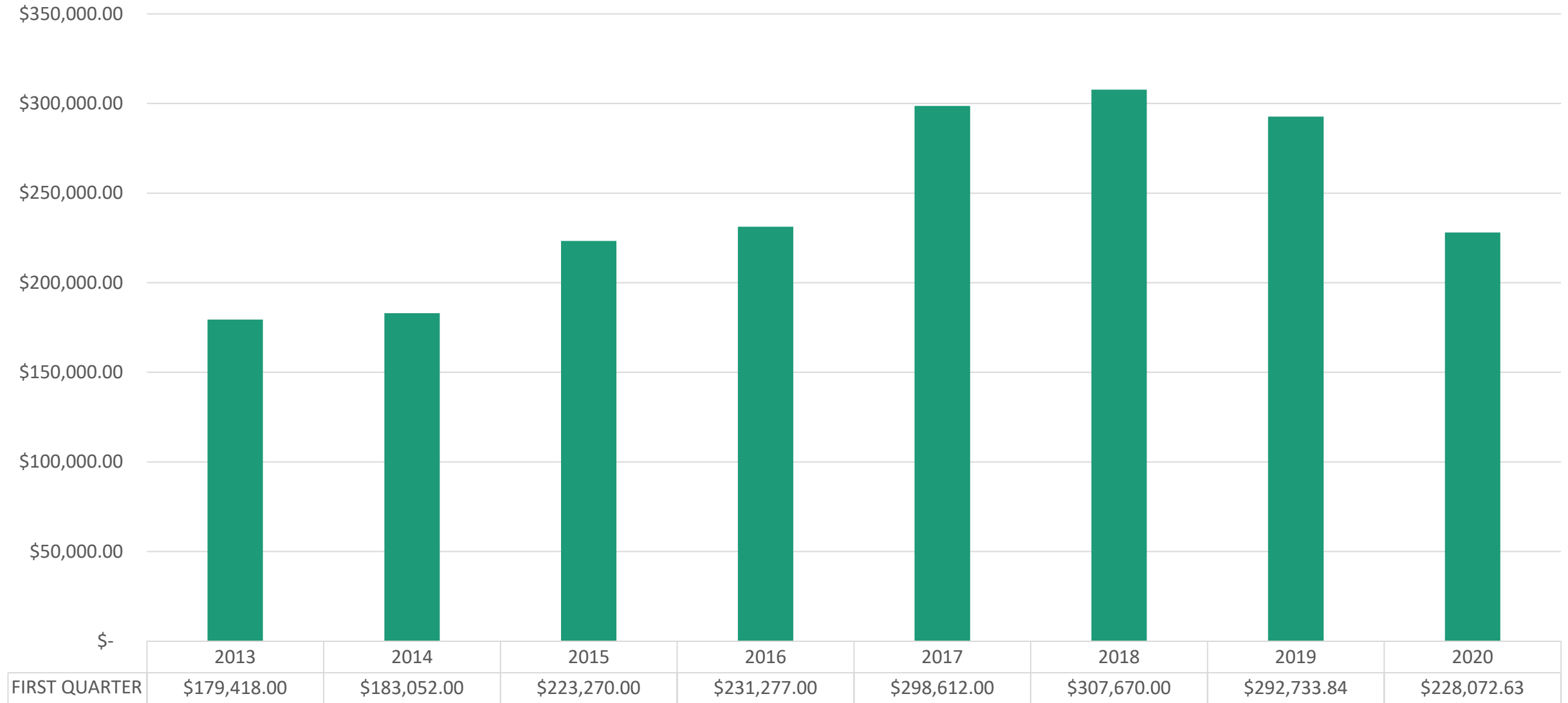


DOWNTOWN DISTRICT QUARTERLY
2013-2020



■ FIRST QUARTER

CHAMBERS AVENUE QUARTERLY 2013-2020



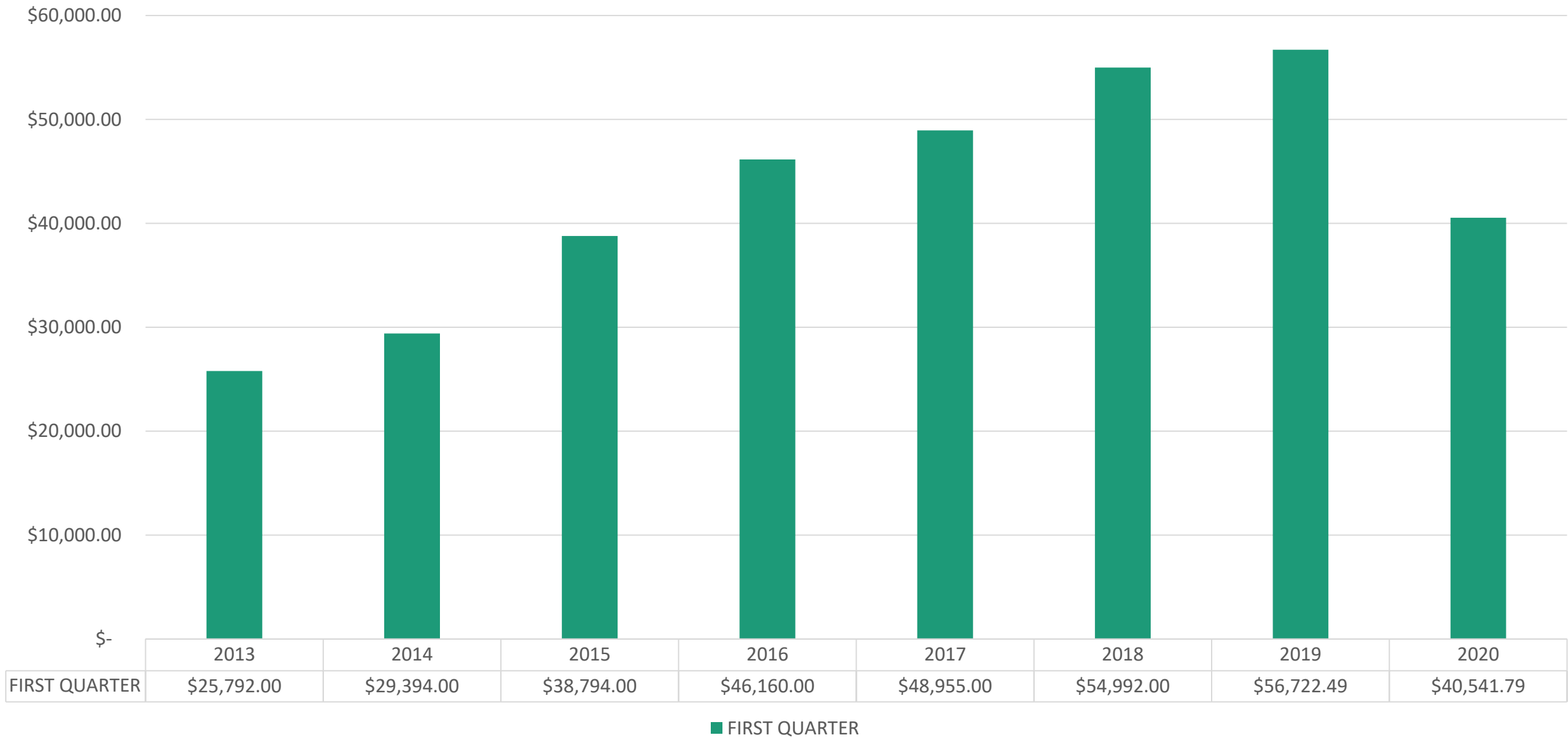
■ FIRST QUARTER

MARKET STREET QUARTERLY
2013-2020



■ FIRST QUARTER

HIGHWAY 6/GRAND AVE. QUARTERLY 2013-2020



EAGLE RANCH QUARTERLY
2013-2020



■ FIRST QUARTER

OTHER AREAS QUARTERLY 2013-2020



Lower Basin Water Treatment Plant

Project Progress Report – May 12th, 2020

SAFETY

Total manhours worked to date = 100,000+

Health, Safety, and Environmental Incidents			
Incident Type	Details	Total Incidents in the Period	Total To Date
Health & Safety	None for reporting period	0	1
Environmental	None for reporting period	0	0
Community	None for reporting period	0	0

SCHEDULE

Project schedule update provided to team on April 14, 2020

Notice to Proceed: 17 August 2018	<u>Original Contract</u>	<u>Current Contract</u>	<u>Forecast</u>
Total Contract Time	731 Days	874 Days	874 Days
Substantial Completion Date	11 July 2020	01 December 2020	01 December 2020
Final Completion Date	11 September 2020	01 February 2021	01 February 2021

PROJECT FINANCIALS

Payment Application #22 submitted and approved.

Preconstruction Contract Amount	\$638,062
Original Construction Contract Amount	\$22,938,752
Change Orders Approved to Date (CO's 1-11)	\$1,349,646
Overall GMP Including Approved CO's	\$24,288,398
Change Orders Approved to Date	1-11
Payment Applications Submitted	22
Amount Billed to Date	\$12,675,493.00

PROJECT UPDATE SUMMARY

- Veneer Install around WTP
- Damp proofing on Structural CMU
- Structural Steel Install
- Process Mechanical Pipe Install
- Process Mechanical Equipment

PLANNED ACTIVITIES FOR THE NEXT 4 WEEKS:

- Begin TPO Roofing Installation
- Site Grading around WTP Building
- Continue Process Mechanical Pipe and Equipment Install
- Roof Drain Installation
- Chemical Room Coating Install

PROJECT PHOTOS – SEE NEXT PAGE

PROJECT PHOTOS

Sludge Line 05-05-20



Overflow Line 5-05-20





To: Mayor and Board of Trustees

From: Brandy Reitter, Town Manager

Date: May 7, 2020

Agenda Item: Ordinance No. 3, "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending the Holy Cross Energy Franchise Agreement by Increasing the Franchise Fee from 3% to 4%."

REQUEST:

Staff requests that the Town Council review an ordinance amending the current franchise agreement with Holy Cross Energy to increase the fee by 1% to support the Town's broadband initiatives.

INTRODUCTION:

The Town completed a feasibility study for broadband in 2019. Part of the funding options included an increase to the franchise fee for Holy Cross. The BOT approved a funding scenario that included a 1% increase to the fee. The funds that are generated will support the buildout of broadband, especially as it relates to aerial fiber on utility poles. As staff seeks proposals from local banks to raise money for broadband, this revenue stream is included in the Town's presentations. On March 10, 2020 the BOT continued the public hearing on the franchise fee to May 7, 2020. This memo and attachment were presented on March 10, 2020.

ANALYSIS:

The franchise agreement allows Holy Cross to locate and maintain their utility infrastructure in the Town's rights of way. The rationale for the fee is because the Town will use some of this infrastructure in the buildout of broadband. This ordinance will provide approximately \$60,000 in revenue dedicated to broadband. The pros and cons of the ordinance are below:

Pros:

- The fee will generate revenues so that when the Town does establish a municipal broadband, it will ensure that rates stay competitive
- The revenue will offset the cost associated with broadband, therefore, reducing the amount of funding that the Town will need to borrow
- Consistent dedicated revenue streams are favorable to lenders and might save the Town money over the long-term with better interest rates
- Fees are a good way to fund infrastructure and do not require TABOR elections

Cons:

- An increase in fees can place a burden on the residents and businesses in Eagle
- Some people who decide not to use Eagle broadband might see an increase as not equitable
- Until recently, most communities in Eagle County have a 3% franchise fee except for Vail, which could make Eagle less competitive as far as place to locate compared to towns with less fees
- Raising fees to fund infrastructure might be perceived as less transparent to some residents

COMMUNITY INPUT:

Community input was solicited in the Town's feasibility study and polling conducted in 2019.

BUDGET / STAFF IMPACT:

This request does have an impact on the budget. The revenue generated from the increase is approximately \$60,000. This proposal does not have an impact on staff time. The Town already accounts for the franchise fee therefore, this does not require a change in process or impact operations.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal aligns with the following values, policies and standards:

Economic Development – The increase in fees supports the buildout of broadband. Successful implementation of broadband will lead to positive economic development outcomes.

Sound Planning and Appropriate Investment – The Town is investing in important broadband infrastructure. Diversifying the funding mechanisms for infrastructure could decrease the need to borrow more money and will hopefully result in better interest rates. The franchise fee will provide some relief to future rate payers because it will keep the rates below market according to the feasibility study that was completed in 2019.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** the adoption of Ordinance No. 3, "An Ordinance of the Town Council of the Town of Eagle, Colorado, Amending the Holy Cross Energy Franchise Agreement by Increasing the Franchise Fee from 3% to 4%."

ATTACHMENTS:

- Ordinance No. 3

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 03
(Series of 2020)

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
AMENDING THE HOLY CROSS ENERGY FRANCHISE AGREEMENT BY INCREASING
THE FRANCHISE FEE FROM 3% TO 4%**

WHEREAS, on December 14, 2010, the Town and Holy Cross Energy, a Colorado corporation, entered into a Franchise Agreement (the "Franchise Agreement") by Ordinance No. 2010-19;

WHEREAS, the Franchise Agreement allows Holy Cross Energy to locate, build, install, construct, acquire, purchase, extend, maintain, repair and operate within and through the Town of Eagle, all necessary and convenient facilities for the purchase, generation, transmission and distribution of electrical energy, and to furnish, sell and distribute said electrical energy to the residents of the Town of Eagle for light, heat and power and other purposes by means of conduits, cables, poles and wires strung thereon, or otherwise on, over, under, along, across and through all public easements and all streets and other public ways in the Town;

WHEREAS, pursuant to Section 8.1 of the Franchise Agreement, the Town receives 3% of Holy Cross Energy's quarterly revenue as a Franchise Fee, which is to be surcharged to the residents of the Town of Eagle;

WHEREAS, pursuant to Section 9.2, the Town Council may decide that the Franchise Fee percentage shall be changed, and shall provide for such by ordinance;

WHEREAS, Holy Cross Energy provided notice for three (3) consecutive weeks on February 6, 2020, February 13, 2020 and February 20, 2020 by publication in the Eagle Valley Enterprise of the passage of such ordinance, which affidavit of publication has been provided to the Town Clerk; and

WHEREAS, on May 12, 2020, a public hearing was held before the Town Council to consider the adoption of the amendments set forth herein, following public notice as required by law.

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

Section 1. Section 8.1 of the Franchise Agreement is hereby amended as follows:

A. Franchise Fee. As a further consideration for this Franchise, and accepted by the Town in lieu of all occupancy and license taxes and all other special taxes, assessments, fees, or excises upon the Facilities or other property of the Company, or other levies that might be imposed, either as a franchise tax, occupation tax, occupancy tax, license tax, permit charge, or for the inspection of the Facilities or

other property of the Company, and charges which would otherwise be chargeable to the Company, or otherwise, the Company shall pay to the Town a sum equal to ~~three~~ FOUR percent (~~3~~ 4%) of its quarterly Revenues collected from the sale of electricity within the boundaries of the Town for electrical energy furnished for light, heat, power and other purposes. This ~~three~~ FOUR percent (~~3~~ 4%) fee shall be surcharged to the Residents within the Town and is in addition to any charges specified in the Company's Electric Service Tariffs, Rules and Regulations and any applicable taxes. Payment of the franchise fee does not exempt the Company from payment of property or sales taxes which are not directly related to the franchise or the occupation of the Streets and Other Public Ways. Revenues received from the Town facilities will not be assessed a ~~three~~ FOUR percent (~~3~~ 4%) fee under this section nor will the Town be paid the ~~three~~ FOUR percent (~~3~~ 4%) fee from such revenues collected from Town facilities.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON MAY 12, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

I hereby attest that introduction and first reading of this ordinance took place on MAY 12, 2020. This ordinance was published in full on the Town of Eagle website, www.townofeagle.org.

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: May 12, 2020

Agenda Item: Town Council Committee/Board Appointments

REQUEST: Staff requests that the Town Council appoint members to various local and regional committees and boards.

BACKGROUND: After every election, the Town Council has to make appointments to fill seats vacated by outgoing council members. The purpose of appointments is to ensure that Eagle has a voice in regional matters, serve as a liaison to citizen committees, and to report out to the Council as needed. The participation of a council member on committees and boards results in better policy outcomes for the Town of Eagle.

ANALYSIS: Staff has included the committees that need appointments. Included with this agenda item are resolutions or supporting information for the Council to take action on. In the future we will use resolutions for each appointment.

This committees/boards are:

- The Northwest Colorado Council of Governments (NWCCOG)
- Economic Development Advisory Council through the Vail Valley Partnership
- Town of Eagle Economic Vitality Committee
- The Eco Transit Advisory Board
- The Eagle Ranch Housing Board

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT: Appointments do not have an impact to budget or staff.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Appointments on committees and boards supports transparency and community engagement. The more council members participate in the community beyond meetings, the more feedback the Town receives to make informed policy decisions.

RECOMMENDED ACTION OR PROPOSED MOTION: Select a council member for each board and committee and motion to appoint that individual to fill the vacancy.

ATTACHMENTS: None



To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: May 12, 2020

Agenda Item: Northwest Colorado Council of Governments Representative Appointment (*Annual Appointment*)

REQUEST: Staff requests that the Town Council appoint a member to serve as representative on the Northwest Colorado Council of Governments (NWCCOG) board.

BACKGROUND: As part of the Town's participation and membership with the NWCCOG, we have a representative from the governing body serve on their board. Anne McKibbin was the elected representative to the NWCCOG and the Town Manager is the alternate. Since Anne is no longer on the Town Council, there is a vacancy that needs to be filled by an existing or new council member.

ANALYSIS: This is an annual appointment which occurs in January of each year. The newly appointed member will finish serving the remainder of 2020. Then the Town Council will review the appointment for 20201.

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT: None

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This is an administrative process. It does align with the desire by the Council to improve community engagement. By actively participating in the NWCCOG, the Town Council is more aware of regional issues and policies.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to appoint _____ the Northwest Colorado Council of Governments.

ATTACHMENTS:

1. NWCCOG-Bylaws

**AMENDED AND RESTATED
BYLAWS OF THE
NORTHWEST COLORADO COUNCIL OF GOVERNMENTS**

Colorado Planning and Management Region XII

**ARTICLE I
Adoption and Effect**

These Bylaws shall become effective upon the adoption thereof by a majority of the voting representatives of the Northwest Colorado Council of Governments (hereinafter, the "Council" or "NWCCOG") at any regular meeting, and according to the procedure established for voting by the Articles of Association and shall not be construed to operate in contravention of any provision of said Articles of Association. Any provision herein determined to be contrary to or in violation of said Articles of Association shall be null, void, and of no effect.

**ARTICLE II
Representation and Voting of Member Jurisdictions**

1. Representatives

Elected Officials as Representatives. "Member Jurisdictions" shall be entitled to voting representatives as set forth in these Articles. The voting representative shall be a member of the elected governing body of the Member Jurisdiction appointed by vote of such governing body to be the NWCCOG representative. The governing body of the Member Jurisdiction may also appoint an alternate who shall meet the same qualifications as the representative.

In the event of the absence of the elected representative or alternate for any jurisdiction, an administrative representative may participate as a representative of that jurisdiction at the pleasure of the Council, however, that administrative representative shall not be permitted to cast a vote on any issue.

Appointed Administrative Representative: A Member Jurisdiction may, by resolution of its governing body and subject to the approval of the Executive Committee, appoint a senior administrative official in lieu of an elected official to be the designated voting representative to the Council. The Member Jurisdiction shall grant to the administrative representative the authority to vote and otherwise participate fully in all matters that come before the Council.

2. Term

Representatives to the Council shall be designated by each Member Jurisdiction annually prior to the regular Council meeting in January. Each representative shall serve from the January meeting to the following January unless sooner replaced by the Member Jurisdiction.

3. Allocation of Voting Rights

A maximum of twelve (12) full votes may be cast upon any matter before the Council. Each County shall be entitled to one (1) full vote. The aggregate of all Municipal Corporations within each County shall be entitled to one (1) full vote on all matters before the Council. At each meeting of the Council, the Municipal representatives present from each County shall be allocated the following voting rights:

One Municipal Corporation present: casts 1 vote.
Two Municipal Corporations present: each casts 1/2 vote.
Three Municipal Corporations present: each casts 1/3 vote.
Four Municipal Corporations present: each casts 1/4 vote.
Five Municipal Corporations present: each casts 1/5 vote.
(etc.)

Only representatives of those members whose dues payments are current, in accordance with the Bylaws, Article IV.6 are entitled to cast a vote at a meeting of the Council.

4. Vacancies

If any NWCCOG representative shall cease to hold office on the governing board or appointed position of its Member Jurisdiction, a vacancy shall exist and the appointing government shall fill the vacancy.

5. Quorum

A quorum shall consist of at least seven County and/or Municipal representatives or their alternates. In no event, however, shall a quorum consist of less than seven full votes, considering the fractional voting for Municipalities from the same County.

6. Telephone Polling

In order to achieve a quorum, the Council may poll by telephone, not more than two of its members, with respect to a specific matter before the Council on motion or resolution. Such telephone polling shall constitute the equivalent of a physical presence at the meeting of the representative(s) so polled, shall be carried out by the Chairman, and the results of the poll reported to the Council by him. The minutes for the meeting shall reflect that a telephone poll was taken, the results thereof, and the representative(s) polled. Further, a memorandum of the poll shall be approved and signed by the polled member. If the representative(s) do not approve and sign the memorandum, the action upon which the vote, including the poll, was taken shall be null, void and of no effect.

7. Proxy Voting

Proxy voting is not permitted.

8. Vote

A majority of full votes cast at any meeting shall be required to adopt any matter before the Council.

ARTICLE III
Executive Committee

1. Creation

There is hereby created an Executive Committee which shall consist of nine voting representatives of the Council. There shall be one member from each of the five Boards of County Commissioners in Region XII. Each representative of the Boards of County Commissioners shall designate an alternate. There shall be four members from Municipalities within the NWCCOG membership. Each representative of Municipalities shall designate an alternate.

The Executive Committee members and alternates shall be elected at the annual meeting in January and shall serve until the following January. The Executive Committee shall select the Chairman, Vice Chairman and Secretary-Treasurer from among its members.

No representative may be a member of the Executive Committee unless its Member Jurisdiction is current, as required by the Bylaws Article IV.6, in its dues payments.

A. **Chairman**: The Chairman shall preside at all meetings of the Council and shall be the chief officer of the Council.

B. **Vice Chairman**: The Vice Chairman shall exercise the functions of the Chairman in the Chairman's absence or incapacity.

C. **Secretary-Treasurer**: The Secretary-Treasurer shall exercise the functions of the Vice Chairman in the absence or incapacity of the Vice Chairman and shall perform such other duties as may be consistent with his office or as may be required by the Chairman.

2. Election of Members: Term of Office

Members of the Executive Committee shall be elected by majority of the voting representatives of the Council. Members shall serve for a term of one (1) year from the date of their election.

3. Meetings

The Executive Committee shall meet monthly except in June and November. Special meetings may be called by a member of the Executive Committee upon the concurrence of at least four (4) additional members of the Committee, which may include the member calling for the meeting. Special meetings may be held by telephone provided, however, that in that event, the Executive Staff shall poll the members of the Executive Committee and shall immediately send a written memorandum of the results of the poll to each member of the Executive Committee within five (5) days of the special meeting.

4. Quorum: Action

A quorum shall consist of five (5) members of the Executive Committee. In order to be effective, any action of the Executive Committee must receive an affirmative vote from the majority of those present. Action taken at a special meeting held by telephone is effective upon the day

that the members of the Executive Committee are polled by the Executive Staff provided, however, that unless a written memorandum of the results of the poll is sent by the Executive Staff to all members of the Committee within five (5) days of the poll, the action taken at the special meeting shall be null, void, and of no effect. Every such written memorandum shall be circulated to all of the members of the Executive Committee for their review, approval and signature. Signatures on individual copies of such memorandum are hereby authorized. Unless at least four (4) members of the Executive Committee approve and sign a memorandum issued subsequent to a telephone poll of the Committee, the action taken at the special meeting described by the memorandum shall be rendered null, void, and of no effect. All formal actions of the Executive Committee, whether taken at regular or special meetings, shall be recorded in such manner as the Committee shall direct, and shall be incorporated into the formal records of the Council.

5. Powers

The Executive Committee shall have the following powers:

- a. The Committee shall review the Executive Staff's evaluations of professional staff.
- b. The Committee shall review the performance of the Membership and General Counsel annually and shall report to the Council.
- c. The Committee shall review all payments.

6. Duties

The Committee shall have the following duties:

- a. At least one member of the Committee shall participate in the conduct of interviews for the purpose of hiring new professional staff of the Council, and to this end, all nine members of the Executive Committee may serve on the Hiring Committee.
- b. The Committee shall act as an appeal board for grievances of employees on personnel actions.

ARTICLE IV

Annual Dues Assessment Policies

1. DUES ASSESSMENT

Members of the Northwest Colorado Council of Governments shall pay an annual dues assessment for services. In recognition of the mandatory nature of regional delivery of many of NWCCOG's services and the matching fund requirements for these services the NWCCOG has created dues assessment policies that serve to ensure the equitable distribution of member assessment obligations.

2. CALCULATION AND APPROVAL OF TOTAL ANNUAL AND INDIVIDUAL MEMBER JURISDICTION DUES ASSESSMENT

The base year for calculating the total annual dues to be collected shall be 2002. In each subsequent year the proposed total annual dues assessment will be adjusted by multiplying each individual member's population, as estimated by the State Demographer's Office in the Department of Local Affairs by a per capita monetary amount approved by the Council and the annual assessed valuation, as reported by each member jurisdiction for the previous year, by a mil levy amount approved by the Council. The total of the two amounts for each member jurisdiction will serve as that jurisdiction's membership dues for the next year. The proposed total annual dues assessment will be the total of the combined dues of the member jurisdictions and will be presented to the membership for approval at the July Council meeting.

3. REEVALUATION OF BASE YEAR

The base year for calculating the total annual dues to be collected shall be reevaluated by the NWCCOG Executive Committee in 2006 for the 2007 budget year and thenceforth every five years. The Council shall make a determination, based on a recommendation of the Executive Committee whether or not to recalculate the total amount necessary to conduct NWCCOG business by establishing per capita and assessed valuation mil levy assessment amounts.

4. ANNUAL CONFIRMATION OF DUES ASSESSMENT

By August 31st, the Council shall send notices to each Member Jurisdiction stating the amount of the next calendar year's annual assessment for services, including a confirmation of that annual assessment. The confirmation of intention to pay the assessment must be received by the Council by October 31st. If the confirmation is not received the Council shall contact the non-responding member to remind them of their obligation to respond. If the members(s) has not responded by December 31st, the Council may deem it appropriate to discontinue services to the Member Jurisdiction(s).

5. PAYMENT OF DUES ASSESSMENT

Dues Assessments are due and payable on an annual basis by February 28th. All members who have fulfilled their dues assessment responsibilities by this date will be considered "current" and thereby eligible for all Council rights, privileges and services for the calendar year.

6. NON-PAYMENT OF DUES ASSESSMENT

If any members' dues payment is more than 20 days delinquent, the Chairman of the Council shall send written notice to each Member Jurisdiction within the county where such delinquent member is located, setting forth in detail the amount of said delinquency and permitting all Member Jurisdictions within that county to collectively contribute the amount of the delinquency. If, at the next regular meeting following said notice, it is determined that the amount of the delinquency will be contributed by the other members, then the delinquent member shall be deemed to be current with respect to its dues assessment. If the amount of the delinquency will not be covered by the other members, then the delinquent member will not be eligible for any membership rights, privileges and services.

7. REQUIRED WITHDRAWAL FROM NWCCOG

In the event of a member's non-payment of dues the Council may by majority vote require that the non-paying member withdraw from NWCCOG in accordance with the procedures set forth in Article III, 303 of the Articles of Incorporation. Failure to comply with Article III, 303 of the Articles of Incorporation and Article IV, 5 and 6 of the Bylaws may result in the Council taking action to discontinue services and all other rights and privileges of membership to the delinquent Member Jurisdiction.

ARTICLE V Financial Management

1. Annual Budget

Each year between October 1 and October 15, the Chairman shall submit, by mail, to the Council an estimate of the budget required for the operation of the Council during the ensuing calendar year.

2. Funding Sources

The Council is specifically empowered to contract or otherwise participate in and to accept grants, funds, gifts or services from any Federal, State or local government or its agencies or instrumentality thereof, and from private and civic sources, and to expend funds received therefrom, under provisions as may be required of and agreed to by the Council, in connection with any program or purpose for which the Council exists.

3. Accounting

The Council shall arrange for a systematic and continuous record of its financial affairs and transactions and shall obtain an annual audit of its financial transactions and expenditures.

4. Cash Reserve Accounts

The Council shall maintain a Restricted Emergency Cash Reserve Account balance equal to ten percent (10%) of the current year budget's projected revenues for internal programs. The purpose of the Restricted Emergency Cash Reserve Account is to provide readily available funds to meet financial emergencies experienced by the Council. Access to the funds can only occur following a two-thirds majority vote by the Executive Committee for a specific use to which the funds will be applied.

The Council shall maintain excess unrestricted funds in an Unreserved Fund. The purpose of the Unreserved Fund is to provide available cash to be applied to any purposes to be determined by the Executive Committee on an as needed basis. Access to the funds can only occur following a two-thirds majority vote of the Executive Committee for a specific use to which the funds will be applied.

In addition, the Council shall maintain cash reserves in an Accrued Leave Payable Account equal to the total amount of accrued annual leave of eligible employees. The purpose of the Accrued Leave Payable Account is to purchase unused annual leave from employees in case of employment separation from the Council.

ARTICLE VI

Executive Staff

1. Hiring and Termination

The Executive Committee shall appoint professional Executive Staff who shall serve at the pleasure of the Council, and may be hired and/ or terminated only by a Policy Vote of the Council, as provided at Article II Section 3 of the Bylaws of Association of the Council. Executive positions shall have such authority, reporting relationships and titles as may be described in documents approved by the Executive Committee.

2. Duties

The Executive Staff shall serve as the general administrators of the Council and shall oversee the daily affairs in a manner that carries out the will of the Council, including but not limited to the following authority:

a. The Executive Staff shall implement personnel policies, and shall hire, supervise and terminate employment for the staff of the Council.

b. The Executive Staff designated by the Executive Committee shall have the authority to enter into contracts for services and materials on behalf of the Council provided, however, that the Council has previously approved budget items encompassing such services and materials, and the contracts implement items in the Work Program approved by the Board of Directors. In no event may the Executive Staff enter into contracts in excess of \$20,000. The Executive Staff shall have the authority to dispose of, by sale or exchange, property and equipment of the Council up to and including a value of \$1,000 per unit or market lot, as appropriate, without prior approval of the Council. Upon approval of the Council or Executive Committee, as appropriate, the Executive Staff may dispose of Council property or equipment valued in excess of \$1,000.

c. The Executive Staff shall have the authority to bind the Council during the course of contract negotiations with present or future contractors with the Council provided, however, that the specific contract under negotiation has previously been approved by the Council. The Executive Staff shall have the authority to implement change orders and contract amendments consistent with the intent and purpose of previously approved contracts.

ARTICLE VII

Hiring Committee

1. Creation and Membership

There is hereby created a Hiring Committee, which shall consist of a member of the Executive Staff and at least one member of the Executive Committee, and where appropriate, one member of the citizen policy advisory group for the program for which a professional staff vacancy must be filled.

2. Powers

The Hiring Committee shall have the sole authority to conduct interviews for the purpose of filling vacancies in the professional staff of the Council. At the conclusion of the interviews, the Hiring Committee will make recommendations to the Executive Staff concerning filling the personnel vacancy.

3. Quorum, Meetings, Action

The Hiring Committee shall meet upon the call of the Executive Staff. Three members shall constitute a quorum. Action shall be taken by majority vote.

ARTICLE VIII NWCCOG Advisory Councils

1. Authority and Scope

These procedures apply to all requests for reconsideration or review of decisions by all advisory councils to the NWCCOG Board of Directors.

2. Decision Procedure for NWCCOG Advisory Councils

All NWCCOG advisory councils must make required decisions by a majority vote of a quorum of the members of such council. For all NWCCOG advisory councils, a quorum shall be 51% of the membership. No decision may be made without a quorum.

3. Review by the NWCCOG Board of Directors

All decisions of NWCCOG advisory councils are subject to review and approval or veto by the NWCCOG Board of Directors. Actions by the NWCCOG Board of Directors on advisory council decisions shall be binding on such councils.

ARTICLE IX APPEAL OF DECISIONS BY ALPINE AREA AGENCY ON AGING

When the NWCCOG Board of Directors makes a decision in its capacity as the sponsor of the Alpine Area Agency on Aging (AAAA) pursuant to the provisions of the Older Americans Act, such decisions may be appealed in accordance with the following provisions.

1. Any aggrieved agency seeking to appeal a decision of the NWCCOG Board made while acting in its capacity as sponsor of the AAAA may file a Notice of Appeal with the Executive Director of NWCCOG within ten (10) working days of the decision. The Executive Director shall immediately forward a copy of the appeal to the Chairman of NWCCOG. In the event of a conflict of interest by the Chairman, the chair's responsibilities will be taken up by the Vice Chair.

2. The Notice of Appeal shall identify the decision being appealed and shall include a summary of the factual and legal basis for that appeal, a list of any witnesses who will participate in the appeal and a summary of the testimony and evidence that will be presented.
3. Upon receipt of the Notice of Appeal, the Chairman of NWCCOG shall notify all parties that mediation of the dispute is available as an alternative to the appeal process.
4. If any party to the dispute elects not to submit the dispute to mediation, within twenty (20) working days of receipt of the Notice of Appeal by the Chairman of NWCCOG, the Chairman shall appoint an Appeal Panel comprised of three impartial persons, none of whom is a representative of a member of NWCCOG. Within thirty (30) working days of its appointment, the Appeal Panel shall hold a hearing. Written notice of the time and place of the hearing and the matters to be considered on appeal shall be sent to the Appellant, the Chairman of NWCCOG and the Director of AAAA at least twenty (20) working days prior to the hearing.
5. Within ten (10) working days of the hearing, the Director of AAAA shall file a written response to the Notice of Appeal with the Appeal Panel and with the Appellant.
6. At any time prior to the beginning of the hearing, the Appeal Panel may direct the Appellant and the Director of AAAA to engage in formal mediation. The hearing shall be continued until such mediation has been concluded. If the parties are able to resolve their difference through mediation, the hearing shall be vacated upon written request of the Director of AAAA.
7. The hearing shall be limited to a review of the issues raised in the Notice of Appeal and the Appeal Panel shall consider testimony and evidence presented by the Appellant, the Director of AAAA and any interested party. The Appeal Panel shall have the right to limit the amount of time allotted to each of the parties for the presentation of testimony and evidence and may, at its discretion, afford the parties the right to cross-examine witnesses if such cross-examination is deemed necessary for a full understanding of the issues on appeal.
8. The burden shall be on the Appellant to demonstrate that the decision of the NWCCOG Board was based on an improper interpretation of the applicable rules and regulations or otherwise without a reasonable factual or legal basis.
9. Within ten (10) working days from the close of the hearing, the Appeal Panel shall make its written findings and shall send a copy of those findings to the Appellant and NWCCOG.
10. To the extent provided by state regulation, the Appellant may appeal the final decision of the Appeal Panel to the Colorado Department of Human Services/Aging and Adult Services.

ARTICLE X

Amendment

These Bylaws may be amended by the Council, acting by resolution, in either regular or special session.

ARTICLE XI
Rules of Order

Except as otherwise provided in these Articles, Robert's Rules of Order shall prevail for the conduct of business of the Council.

ARTICLE XII
Meetings

The Council shall meet bimonthly beginning each year in January, with the exception of November, and at such other times as the Chairman may direct. All such meetings shall be open to the public.

ARTICLE XIII
Committees

The Council or the Executive Committee may establish advisory committees as may be necessary from time to time.

ARTICLE XIV
Indemnification

The Council shall indemnify, to the extent permitted by law, any person who is an officer, agent, fiduciary or employee of the Council against any claim, liability or expense arising against or incurred by such person as a result of actions reasonably taken by him at the direction of the Council. The Council shall further have the authority to the full extent permitted by the law to indemnify its directors, officers, agents, fiduciaries and employees against any claim, liability or expense arising against or incurred by them in all other circumstances and to maintain insurance providing such indemnification.

Articles of Association & Bylaws
Amendments

Topic	Section	Date
Elimination of Routt County	Articles – Art. II, Sec. 201	1/1/99
Elimination of Routt County	Articles – Art. III, Sec. 301	1/1/99
Elimination of Oak Creek, Steamboat Springs, and Yampa	Articles – Art. III, Sec. 301	1/1/99
Elimination of Blue River and Snowmass Village	Articles – Art. III, Sec. 301	1/1/01
Cash Reserve Policy	Bylaws – Art. V, Sec. 4	5/27/99
Elimination of Executive Committee Meeting in month of June	Bylaws – Art. III, Sec. 3	1/27/00
Makeup of Executive Committee	Bylaws – Art. III, Sec. 1	1/25/01
Quorum requirement for Executive Committee	Bylaws – Art. III, Sec. 4	1/25/01
Calculation of membership dues	Bylaws – Art. IV, Sec. 2	7/26/01
Reevaluation of Base Year	Bylaws – Art. IV, Sec. 3	7/26/01
Municipal Representation on Executive Committee	Bylaws – Art. III, Sec.1	12/13/07
Cash Reserve Accounts Change	Bylaws – Art. V, Sec. 4	12/5/13

RESOLUTION NO. 18
(Series of 2020)

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE,
COLORADO, ACCEPTING THE RESIGNATION OF ANNE MCKIBBIN AND
APPOINTING _____ TO SERVE AS TOWN
REPRESENTATIVE ON THE ECO TRANSIT ADVISORY BOARD**

WHEREAS, The ECO Transit Advisory Board requires a Town of Eagle appointment to its Board pursuant to its Bylaws; and

WHEREAS, Anne McKibbin is no longer able to serve in this capacity and has requested to resign her position on this board and _____ has agreed to serve the remainder of her three-year term, expiring February 2023.

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

Section 1. That Anne McKibbin's resignation is hereby accepted.

Section 2. That _____ is hereby appointed to serve on the ECO Transit Advisory Board as the Town of Eagle representative expiring in February 2023.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado held on April 28, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow,
CMC Town Clerk

RESOLUTION NO. 19
(Series of 2020)

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE,
COLORADO, ACCEPTING RESIGNATION OF ANNE MCKIBBIN AND
APPOINTING _____ TO SERVE ON THE EAGLE RANCH
HOUSING BOARD**

WHEREAS, The Eagle Ranch Housing Board requires three Town of Eagle appointments to its Board serving two-year terms pursuant to its Bylaws; and

WHEREAS, Anne McKibbin is no longer able to serve in this capacity and has requested to resign her position on this board and _____ has agreed to serve the remainder of her term, expiring June 30, 2020.

WHEREAS, Scott Turnipseed and Grant Murphy shall continue to serve until reappointed or replaced on June 30, 2020.

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

Section 1. That Anne McKibbin's resignation is hereby accepted.

Section 2. That _____ is hereby appointed to serve on the Eagle Ranch Housing Board as the third Town of Eagle representative expiring on June 30, 2020.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado held on May 12, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, CMC
Town Clerk



To: Mayor and Town Council

From: Bill Shrum, Assistant to the Town Manager

Date: May 5, 2020

Agenda Item: Resolution 27-2020 "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Maren Cerimele and Levi Rozga to the Economic Vitality Committee, and Creating the Position of Alternate to be Filled by Kari McDowell Schroeder".

REQUEST: Staff is requesting the Council review the recommended appointments to the Economic Vitality Committee.

BACKGROUND: In March 2020, the Economic Vitality Committee (EVC) expressed a desire to expand the sitting membership to seven members. The Town Committee application process was opened for thirty days and three applications were received by the deadline. Each of the applicants attended the April 2020 meeting of the EVC and expressed a desire to be appointed. The sitting members of the EVC voted to recommend the creation of an alternate voting member position so that all three applicants could be placed on the Committee.

ANALYSIS: The Committee looked to the alternate voting member position on the Town Planning and Zoning Commission as an example. After reviewing each application, applicants' resumes, and allowing each applicant to speak at the April 2020 EVC meeting, the five voting members of the Committee cast the following votes:

- Maren Cerimele – 3 votes
- Levi Rozga – 3 votes
- Kari McDowell Schroeder – 2 votes

Based on the outcome of the votes, the Committee recommends Maren Cerimele and Levi Rozga to be appointed to voting membership, and Kari McDowell Schroeder to alternate voting membership.

COMMUNITY INPUT: No additional community input is required at this time.

BUDGET / STAFF IMPACT: There is no additional budget or staff impact at this time.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: The Economic Vitality Committee advises the Town Council and Town Staff of **Economic Development** needs and does so through direct **Community Engagement**.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** adoption of Resolution 27-2020, “A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Maren Cerimele and Levi Rozga to the Economic Vitality Committee, and Creating the Position of Alternate to be Filled by Kari McDowell Schroeder”.

ATTACHMENTS: Resolution 27-2020

**RESOLUTION #27
(SERIES 2020)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
APPOINTING MAREN CERIMELE AND LEVI ROZGA TO THE ECONOMIC VITALITY
COMMITTEE, AND CREATING THE POSITION OF ALTERNATE TO BE FILLED BY
KARI MCDOWELL SCHROEDER

WHEREAS, pursuant to Article II Section B. Of the Bylaws, which provides for membership terms and appointment process by the Town Council; and

WHEREAS, Maren Cerimele, Levi Rozga, and Kari McDowell Schroeder have applied and expressed interest to be appointed for two-year terms; and

WHEREAS, it is the desire of the Economic Vitality Committee to engage and empower all interested members of the community; and

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

Section 1. That Article II Section A. of the Economic Vitality Committee Bylaws be amended to increase the total number of voting members to 7.

Section 2. That Article II Section A. of the Economic Vitality Committee Bylaws be amended to include the position of “alternate”, which will participate fully in meetings, serve in a two-year term, and vote only when there is an absence of a regular member of the committee.

Section 3. That Maren Cerimele and Levi Rozga be appointed to the Economic Vitality Committee for two-year terms that expire in May of 2022.

Section 4. That Kari McDowell Schroeder be appointed as an alternate to the Economic Vitality Committee for a two-year term that expires in May of 2022.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado, held on May 12th, 2020.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Chad Phillips, Director, Community Development Department

Date: May 7, 2020

Agenda Item: Discussion with staff regarding possible amendments to Title 4 of the Municipal Code, involving uses and standards within the Commercial General (CG) Zone District

REQUEST: Staff is requesting direction regarding amendments to the Municipal Code (Code) for the purpose of providing clarity, eliminating possible conflicts, and supporting policies of the Community Plan and other guiding documents.

INTRODUCTION: Upon review of the Code, Town Planning staff and attorneys have noted instances in the language that are unclear at best and at worst a conflict. Although the Town has initiated the update of the whole Code, staff is proposing action to be taken prior to the completion of the update process in this instance.

On May 5th, the Planning and Zoning (P&Z) Commission discussed this issue. In summary, there was a reluctance among the Commissioners to engage in amendments to the CG zone district outside of the process to update the Community Development Code (Code) as a whole. Through the conversation with staff, the Commission agreed that the current CG district regulations were confusing, and that a conflict may exist. With the goal of not revisiting the community vision for the CG district at this time, the P&Z Commission discussed ways to keep the existing intent of the district intact while amending the Code to provide clarity. To provide such clarity within the CD district requirements, the P&Z Commission offered the following direction to staff:

1. That mixed-use developments should be possible, as-long-as residential units are approved through a Special Use Permit. Within the CG district, the emphasis needs to remain commercial and residential is secondary.
2. The use *Dwelling units – above street level* should be allowed through the Special Use Permit process.
3. Any dwellings, primary or accessory, should not be located on the ground floor (ADA required excepted).
4. The use *One Single dwelling unit – accessory to a permitted use* should only be allowed once the primary use and/or size is known (to ensure that the dwelling is actually “accessory”)
5. The use *High density, multifamily dwelling* should continue to be dis-allowed, unless part of a mixed-use project that locates dwelling units above the ground level.

If the Council agrees with the P&Z direction, staff anticipates that amendments to the Code could take place in the following ways:

- The uses in nonresidential districts chart amended to show that *Dwelling units – above street level* will be subject to a Special Use Permit
- Include a definition and/or criteria for the CG district that does not allow ground floor dwellings, unless to accommodate ADA units.
- Add criteria that requires the use *One Single dwelling unit – accessory to a permitted use* can only be applied for if accompanied with information about, or an application for, the primary use.
- Include a definition and/or criteria for the CG district that clarifies that commercial uses are primary and residential are secondary. This could also be added to or clarified in the Elevate Eagle Comprehensive Plan and applied to future applications as a policy.

ANALYSIS: To aid in the decision of amending the Code to accurately reflect the goals of the community, staff has identified several areas of the 2010 Eagle Area Community Plan and the Town of Eagle Strategic Plan for consideration. Although the Elevate Eagle Comprehensive Plan is still in draft form (adoption pending), staff has included relevant excerpts.

2010 Eagle Area Community Plan

Land Use Policy 2.2

New development should be compact, pedestrian friendly and located within or adjacent to existing development to minimize infrastructure and service needs.

Recommended Strategies:

F. Ensure residential infill and redevelopment outcomes blend appropriately with the character and scale of surrounding neighborhoods.

Future Land Use Map – Commercial Areas Description –

Intent D. Commercial uses are generally not compatible with residential units. A limited number of live work arrangements may be appropriate, per zoning.

Interstate 70 Influence Character Area

Narrative: “Portions of the I-70 Influence Character Area are intended to support commercial and industrial sites, exclusive of other uses. Improvements along Chambers Avenue and Market Streets, for example, are generally auto-oriented with limited pedestrian amenities, and while workforce housing may be found to be appropriate on upper levels of some buildings, residential development of any significance in these areas should be avoided.”

Planning Principles: Interstate 70 Influence Character Area

G. Until a sub-area plan for the Chambers Avenue corridor is completed, minimize the inclusion of significant residential use in commercial and industrial areas located along Chambers Avenue, Marmot Lane, Sawatch Road and Market Street.

Housing Policy 1.2

Promote the preservation and/or creation of a wide range of housing units, including single family, duplex, multifamily and mixed-use arrangement units.

Recommended Strategies:

E. Allow and encourage accessory units within single family residential zones and in new development.

Elevate Eagle – Comprehensive Plan (November 2019 draft)

Future Land Use Map.

Staff note: The area of CG zoning around the Chambers/Sawatch area is shown as a “mixed use” land use category. The Plan’s Land Use category “Mixed Use” includes CG as an allowed zone.

Mixed Use:

Description: Areas that include a variety of local entertainment, civic, medical, residential, and retail uses with integrated essential services. Building types may include free-standing, low- to mid-rise buildings with high quality design integrated with urban elements such as pedestrian connectivity, shared parking, and green space.

Primary Uses: Areas designated for commercial, office, civic, and service uses supporting general neighborhood needs.

Secondary Uses: Integrated multifamily residential and commercial, either horizontally or vertically.

Allowed Density: 4 - 10 DU/Acre

Actions: 1.1

Establish a new, mixed-use zoning district and associated standards within the LUDC to encourage residential dwellings within vertical mixed-use buildings.

TOWN OF EAGLE STRATEGIC PLAN

Major Objective No. 8: Improve Housing Availability and Affordability

Solution #4

Explore zoning and other methods to create a more balanced and affordable housing mix that supports young people and young families

COMMUNITY INPUT: Public comment was taken at the P&Z Commission work session as reflected in the draft minutes and recording.

BUDGET / STAFF IMPACT: Minimal. If Code amendments are directed by Council, such work will be done in-house.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: The outcome of this review could be found to support Major Objective No. 8, as shown above.

RECOMMENDED ACTION OR PROPOSED MOTION: Provide direction for staff that would lead to a clarification of the existing Code.

ATTACHMENTS:

- Draft minutes of the May 5th Town of Eagle Planning and Zoning Commission work session focusing on this topic.



Planning & Zoning Commission
Tuesday, May 5, 2020
6:00 PM

COMMISSIONERS PRESENT

Robert Townsend, Lani Webb, Jesse Gregg, Matthew Hood, Charlie Perkins, Kyle Hoiland, Brent McFall, and Bill Nutkins

COMMISSIONERS ABSENT

STAFF

Chad Phillips – Community Development Director
Angie Kyle - Administrative Tech II
Jessica Lake - Planner I
Peyton Heitzman - Planner I

Bill Shrum – Assistant to Town Manager

DISCUSSION

1. Discussion with staff regarding possible amendments to Title 4 of the Municipal Code, involving uses and standards within the Commercial General (CG) Zone District.

Commissioner Hoiland and Commissioner McFall stated that they have been working on Code revisions. Commissioner McFall informed that the code revision committee, is stalled due to COVID-19 and the committee has not addressed this particular issue yet. Staff informed the P&Z that this revision is not in the strategic plan, this was more in regard to discussions between the Town Attorney and Town Manager.

Chair Hood informed that he does not have much background. There was one Accessory Dwelling Unit (ADU) on Chambers when he first started. In terms of precedent, this was before his time

Commissioner McFall informed that this is one of the most contentious discussions on the P&Z Commission. The discussion ended on a split decision to revise the code to change the Town's current practice on how we allow one-to-one residential to commercial on Chambers. The P&Z Commission voted 4 to 3 to recommend to the Town Board of Trustees (at the time) a change to the code. The Town Board of Trustees decided not to pass the change. His understanding is that the Town was just embarking on new comprehensive plan and the code rewrite and any changes we want done will happen through those processes.

Commissioner Hoiland stated that this is a major overhaul of the code and it stalled out with the two previous Town Planners and now because of COVID-19. He does not know if the Commission should make these changes now knowing they will change in the next year or if they should put a "band-aid" on it. He proposed that they do not make a decision now and wait for the change in the code from the committee.

Mr. Phillips informed that through his discussions with the Town Attorney and Town Manager that whoever reads the code, there is a difference of interpretation or possible conflict and it needs addressed. He continued that the potential for conflict amongst the code is what sets this apart from those others that are on the list to be fixed.

Commission Hoiland asked Phillips what his thoughts were for Town Council and P&Z to work through this.

Mr. Phillips informed that a joint work session with Town Council and P&Z on this particular issue might delay it a little further because of scheduling/notice. Staff came up with the bulleted list of questions so that, in answering them, P&Z could provide general direction for staff and a recommendation for the Town Council to determine the next steps.

Chair Hood mentioned that this is a contentious issue and it is because each member feels strongly about their stand on it.

Commissioner McFall informed that the current practice is a way to backdoor an apartment complex. He believes that the purpose of these buildings is not to build commercial space, it is to build residential. His previous argument was that it needs to say what exactly what the Town wants the use to be: is it retail and residential or is it a multifamily project?

Commissioner Nutkins stated that what we started to see is our Commercial General District (CG) turn into a Mixed-Use area of buildings. He agrees with Chair Hood and Commissioner McFall that having an occasional accessory dwelling unit to help with workforce housing is great but having a commercial project where the residential outweighs the commercial three-to-one, that that no longer the way of doing residential.

Commissioner Gregg said that it's good to designate some areas for live-work and mixed use type developments in the CG, but the way we're doing it now is that people show up with the plan strictly based on residential development with commercial being secondary, when in the code, it's the other way around. The residential is supposed to be secondary to the commercial. There is a place for residential in this district. He said that he would like to hear from Phillips on what his assessment is since P&Z has always relied on the Town Planners to provide guidance.

Mr. Phillips informed that this discussion mainly has to do with the Code's lack of clarity if dwelling units above street level are allowed or not. If the Town is concerned about the location of dwelling units above or at street level, that it needs to be called out as a standard for review. When a project comes up, if we make this clear, it will reduce the confusion and complication in these projects. Phillips stated that it all boils down to clarity and based on some of these comments from P&Z as well, the intent of the CG district.

Chair Hood said that P&Z has discussed the Land Use Map's Commercial and Mixed-Use districts' purpose and where the line should be. In his opinion, the Mixed Use should happen in the mixed-use area, if Commercial is the primary use, why do we have residential on the street level?

Public Comment:

Dave Dantas with DW Dantas Construction LLC stated that he and Rick Patriacca, built Eagle Climbing and Fitness, all the projects at 700 Chambers. They have Moontime [Cyclery] and [Dewy] Dabble in their buildings in the CG district. They have got another retailer that just came in. They are waiting to open because of the COVID-19 crisis. The gym is just on opening on a light level. He said that he's been sitting on this land since 2008 when a PUD was not reapproved, the only way to do a project and bring the climbing gym to the town

was to do the mixed live-work project with it. All the apartments in that building are on the second floor. Without including apartments, there would not be a second floor. There would be Commercial on the main level and no office space up on the top floor because there is currently no need in Eagle. He stated that, because of using virtual meetings, there probably will not be a need for big office space in Eagle anytime soon. What is happening now between when they built the gym and his other buildings B, C, and D that included lofts on Chambers on top of commercial units is that there has been a new interpretation of code and a new policy through staff. He is looking for some consistency with how to do his projects. He has attended land use institute meeting years ago and some LEEDS meetings, and what he found work well for those two groups was to put residential in the in walkable areas. He believes 700 Chambers is walkable. It is close to the market, lots of restaurants, downtown, and the bridge that goes to City Market. He said that people in our community are filling these residential units. He has six apartments in the gym, another four in Building B, and six approved for Building D and building C. All the apartments are full, except for one, and the people who live there are local people who work here. He thinks these units are very important for the community and revitalized Chambers Ave from what it was before. He thanked the Commission for taking his comments.

Public Comment Closed

Commissioner McFall thanked Dave for his comments and absolutely agrees that developers and the town want to see consistency so that it's clear what developers can do and what they can't do. There isn't any conflict when we're saying that we don't want residential on street level. McFall could support a Code amendment right now because that situation is certainly not what we would want in the CG district.

Chair Hood said that he did not want to see a rewrite in this section of the code. He would be fine with striking "accessory units at street level."

Commissioner Nutkins said that the confusion is due to a lack of definition. In CG district, dwelling units above street level are not allowed, that is independent of any other use as an ADU. Downtown, they allow Dwelling units as more of a mixed use because they are *independent* of the commercial. He said he does not want residential over commercial independently, they want them in conjunction with each other.

Mr. Philips said dwelling units above street level are allowed in the CBD, a special use in the CL district and not allowed in the CG district.

Chair Hood mentioned that in the commercial zone, single dwelling units are not a use by right; they are not allowed.

Commissioner Nutkins addressed the confusion by stating that the dwellings above street level uses are currently two separate uses even though it says dwelling above street level is not allowed in the CG. The accessory dwelling unit is allowed, and that has to be on the ground floor just because a dwelling unit not associated with the primary use isn't allowed above street level.

Chair Hood agreed that these are independent as shown in the uses chart. Those are two possible uses, there could be a dwelling unit or there could be an accessory dwelling unit and if it's an ADU then you can be above street level in commercial general but it needs to at least be made clear what we think the current reading is but he doesn't want to start striking whole lines from the code.

Commissioner Nutkins said that what's been happening is that the ground floor gets split into these tiny little unusable commercial spaces so that there can be four residential units on the top floor to meet the live-work

intent. Those commercial spaces do not work. The recommendation is that when we rewrite the code for accessory dwelling units, if we want to leave it as one-for-one per commercial, we need to put in a some sort of square footage limit and/or a comparable ratio so there isn't a 2,000 sqft living unit and a 1,000 sqft commercial space. The ratio should be 1000 sqft commercial space and a small 800 sqft living space to be more commercial for this district.

Mr. Phillips said that if an applicant wants to see residential above street level in the CG then that it would be similar to the Talon Flats project. There would be a ground floor retail and not necessarily accessory dwellings above. That would allow applications for regular dwelling units above the first floor.

Summary of discussion:

- There is a reluctance to do a comprehensive analysis and change of the Commercial General District in the P&Z Commission, but they acknowledge that a conflict in this code exists.
- The intent in the regulations as reflected in similar approvals in the past should be maintained.
- The issue is the lack of clarity which creates conflict in keeping the intent of the Commercial General District consistent.



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: May 12, 2020

Agenda Item: 2020 COVID-19 Budget Work Session Date Selection

REQUEST: Staff requests the Town Council select a date for COVID-19 2020 Budget work session with staff.

BACKGROUND: Due to budget impacts related to COVID-19, the Town Council requested a special work session to discuss budget impacts. Staff presented budget scenarios in March and April summarizing different approaches to the 2020 budget due to revenue shortfalls. At the work session, the Council will go into more depth on those approaches.

ANALYSIS: All Council Members responded to a poll on best dates. The dates that work for most members (5 out of 6) are the following:

~~Wednesday, May 13~~ *(Cannot post notice in time)*

Thursday, May 14 at 4:00 p.m. or 6:00 p.m

Wednesday, May 20 at 6:00 p.m.

Thursday May 21 at 6:00 p.m.

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT: None.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Budget review at this time addresses most of the Town's business values and intends to support Major Objective No. 2 Enhance the Financial Health of the Town.

RECOMMENDED ACTION OR PROPOSED MOTION: No motion required. Direct staff to post notice of the work session for date selected by majority.

ATTACHMENTS:

1. COVID Budget Worksession

COVID Budget Worksession

Please select all dates and times you can attend:

Answer Choices	Responses	
Wednesday May 13, at 4:00 p.m.	83.33%	5
Wednesday, May 13, at 6:00 p.m.	83.33%	5
Thursday, May 14 at 4:00 p.m.	83.33%	5
Thursday, May 14, at 6:00 p.m.	83.33%	5
Wednesday May 20, at 4:00 p.m.	66.67%	4
Wednesday May 20, at 6:00 p.m.	83.33%	5
Thursday, May 21, at 4:00 p.m.	66.67%	4
Thursday, May 21, at 6:00 p.m.	83.33%	5
Answered		6
Skipped		0

Please select all dates and times you can attend:

