



Town Council
AMENDED AGENDA
Tuesday, August 25, 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 INFORMATION AND PUBLIC PARTICIPATION

1. [ACCESS THE ON-LINE MEETING HERE](#)

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 three (3) minutes per person per topic unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to sign in.*

CONSENT AGENDA - 6:10 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 - August 11, 2020
2. Medical Marijuana License Renewal: Sweet Leaf Pioneer LLC Medical Marijuana Cultivation/Optional Premises License at 0245 Marmot Lane #5 and Medical Marijuana Center License for 825 "A" Chambers Ave.
3. Resolution No. 54, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Declaring a Local Disaster Emergency"
4. First Amendment to Intergovernmental Agreement Between the Eagle County Clerk and Recorder and The Town of Eagle, Colorado Concerning Tuesday, November 3, 2020 General Election

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

1. Town Manager Update
2. Financial Report: YTD Budget to Actual Report with Projected YE Revenues

BUSINESS ITEMS - 6:25 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. CARES Act Funding for Non-Profits
2. Resolution No. 55, Series 2020, "Resolution of the Town Council of the Town of Eagle, Colorado Approving a Construction Contract With Schofield Excavating, Inc. for the Construction of the Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project"
3. 2020 Proposed Ballot Questions
 - a. Resolution No. 50, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle At the November 3, 2020 Coordinated Election, to Change the Lodging Occupation Tax From \$4.00 Per Day Per Occupied Lodging Room or Accommodation to 6% of the Cost of the Rental Fee Paid"
 - b. Resolution No. 56, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle At the November 3, 2020 Coordinated Election, to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%"
 - c. Resolution No. 57, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle at the November 3, 2020 Coordinated Election"

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 7:45 PM

1. Town Council Strategic Plan Draft Review

EXECUTIVE SESSION - 7:55 PM

1. To hold a conference with the Town's attorney to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the IGA dated July 25, 1995 with Mountain Recreation and the Eagle County School District, pursuant to C.R.S. § 24-6-402(4)(b) and (e).

ADJOURN - 8:15 PM

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.



Jenny Rakow, CMC
Town Clerk

PUBLIC WIFI - TOEG – townofeagle2019



MEETING MINUTES
Town Council
Tuesday, August 11, 2020
ON-LINE MEETING

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MEETING ACCESS

1. [ACCESS THE ON-LINE MEETING HERE](#)

CALL TO ORDER - 6:00 PM

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

ROLL CALL

COUNCIL MEMBERS PRESENT

Matt Solomon, Andy Jessen, Mikel Kerst, Scott
Turnipseed, Adam Palmer, David Gaboury

COUNCIL MEMBERS ABSENT

Ellen Bodenhemier

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

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Council Member Matt Solomon motioned to approve the agenda. The motion was seconded and passed with a vote of 6 in favor and 0 opposed.

PUBLIC COMMENT

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

PRESENTATIONS

1. Eagle Business Presentation - The Assembly, Caleb and Jaimie Mackey
This was moved to after the Liquor License Authority hearing.

CONSENT AGENDA

Council Comments: Corrections to minutes for vote on Lodging tax and wording in consent agenda approval.

MOTION: Council Member Matt Solomon motioned to approve the consent agenda with corrections as noted. The

motion was seconded and passed with a vote of 6 in favor and 0 opposed.

1. Minutes - July 28, 2020
2. Bill Pay - July 2020
3. Resolution 48, Series 2020, "A Resolution of the Town of Eagle Extending the Declared Local Disaster Emergency"
4. Resolution 49, 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 for 700 Chambers Avenue Subdivision"
5. Resolution 51, Series 2020, "A Resolution Approving an Intergovernmental Agreement Between Eagle County and the Town of Eagle for the Coordinated November 3, 2020 General Election"
6. Resolution 52, Series 2020 "A Resolution of Town Council of the Town of Eagle, Colorado, Authorizing Release of Funds in Escrow Due to Completion of Public Improvements (Haymeadow)"

STAFF REPORTS

Council Comments: request for update on LERP in next manager report.

1. Town Manager Update
2. Department Update
Council Comments: request for review of court balances. Brandy Reitter provided that staff is working on a financial policy to address this.
- a. Second Quarter Sales Tax Report
Council Comments: discussion on use tax and sales tax and logic surrounding having those match at 4.5%. Finance Director Jill Kane provided that collecting the tax is either or and the Town will continue with the exemption certificate for purchases by contractors.
3. Lower Basin Water Treatment Plant

BUSINESS ITEMS

1. LIQUOR LICENSE AUTHORITY - PUBLIC HEARING The Assembly, LLC Modification of Licensed Premises
Mayor Turnipseed clarified his relationship with the remodel of The Assembly to ensure there was no conflict of interest. Town Attorney Matt Mire provided that it was not a financial interest and okay to vote on this item.

Town Clerk Jenny Rakow provided overview of the modification request.

Applicant Jaimie Mackey – provided overview of expanded location.

Council Comments: inquiry on duration of use of outdoor area. Jamie Mackey provided heaters will be used if needed, Eagle Ranch Downtown Commercial Association allowed use until November 30th.

MOTION: Council Member Andy Jessen motioned to approve the Findings and Order Approving Modification of Licensed Premises for The Assembly LLC Located at 1143 Capitol Street Unit 104 A&B. The motion was seconded and passed with a vote of 6 in favor and 0 opposed.

2. Resolution 46, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Three Members to Serve on the Eagle Ranch Housing Board"

MOTION: Council Member Matt Solomon motioned to approve Resolution 46, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing Three Members to Serve on the Eagle Ranch Housing Board appointing Scott Turnipseed, Ellen Bodenhemier and Grant Murphy. The motion was seconded and passed with a vote of 6 in favor and 0 opposed.

3. 2020 Proposed Ballot Questions

Council Comments: Town Attorney Matt Mire provided direction on Council comments on ballot issues once ballot titles are set and suggested consideration of a Resolution urging support.

- a. Ordinance 21, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado Calling a Special Election for November 3, 2020, to be Coordinated With Eagle County, and Submitting Ballot Questions and Issues to Qualified Electors at the Special Election to Create a Downtown Development Authority" *Draft First Reading*

MOTION: Council Member David Gaboury motioned to approve Ordinance 21, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado Calling a Special Election for November 3, 2020, to be Coordinated With Eagle County, and Submitting Ballot Questions and Issues to Qualified Electors at the Special Election to Create a Downtown Development Authority". The motion was seconded and passed with a vote of 6 in favor and 0 opposed.

- b. Resolution 50, Series 2020 "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting Two Ballot Issues to the Registered Electors of the Town of Eagle At the November 3, 2020 Coordinated Election, to Change the Lodging Occupation Tax From \$4.00 Per Day Per Occupied Lodging Room or Accommodation to 6% of the Cost of the Rental Fee Paid, and to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%" *Draft First Reading*

Council Comments: discussion on use tax and necessity of increasing this tax to match current sales tax at 4.5%. Finance Director Jill Kane provided overview of use tax collection process and state recommendation that the state collect this tax on behalf of the town. Discussion on valuation methods, items purchased out of Eagle, and consideration of capping the use tax valuation amounts.

Public Comment: Dave Dantas provided his experience with use tax and difficulties for builders and financing the town fees up front.

MOTION: Council Member Andy Jessen motioned to approve Resolution 50, Series 2020 "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting Two Ballot Issues to the Registered Electors of the Town of Eagle At the November 3, 2020 Coordinated Election, to Change the Lodging Occupation Tax From \$4.00 Per Day Per Occupied Lodging Room or Accommodation to 6% of the Cost of the Rental Fee Paid, and to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%".

Council Comments: Town Attorney Matt Mire provided that that financial information for TABOR is not included in this Resolution and suggested waiting for that information before voting. Further council discussion to separate the ballot titles and voting on them individually.

The motion was not seconded, and the motion failed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS

1. Broadway Street Repairs & Maintenance

Council Comments: discussion on planters in front of the Brush Creek on Broadway and removing them to use for repairs. Public Works Director Bryon McGinnis provided that the Town has materials to make repairs and did not need additional materials from planters. Town Manager Brandy Reitter provided that this work was budgeted, and no motion was necessary. Council confirmed that staff would move forward with these repairs.

2. Council Committee Updates

Mayor Turnipseed suggested reaching out to Frost Creek on their wildlife fund for partnership opportunities.

3. Castle Lodge #122 Request for Donation

Town Manager Brandy Reitter provided that this request was included in the budget for community funding requests and council will opportunities to vote on this at the next meeting.

ADJOURN - 7:02 PM

Approved:

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk



To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: August 25, 2020

Agenda Item: Medical Marijuana License Renewal: Sweet Leaf Pioneer LLC Medical Marijuana Cultivation/Optional Premises License at 0245 Marmot Lane #5 and Medical Marijuana Center License for 825 "A" Chambers Ave.

REQUEST: Sweet Leaf Pioneer LLC has requested approval of their local renewal applications for Medical Marijuana Center License located at 825 "A" Chambers Avenue and Medical Marijuana Optional Premises/Cultivation located 0245 Marmot Lane Unit 5.

BACKGROUND: Sweet Leaf has submitted their annual renewals for their Medical Licenses that are dually approved locally and by the State. This was a timely renewal already mailed to the state and all application and all fees have been paid. The Town Clerk has reviewed the renewal application and finds documents are in order.

ANALYSIS: With dual licensing, the local review includes confirming the State application has been submitted, which was done on August 13, 2020. Town staff has reviewed the application and has determined that it is sufficient for the licensing operations applied for.

The Renewal application for 0245 Marmot Lane is the Medical Cultivation (Grow) and is authorized by Special Use Permit SU10-08 for Medical Marijuana Satellite Cultivation Facility and SU14-14 for Medical Infused Products Manufacturing.

The Renewal application for 825 Chambers "A" is replacing the 1286 Chambers avenue location which was authorized by a Report of Changes filed with the State of Colorado on February 4, 2019 and authorized by Town of Eagle Special Use Permit 18-09 to Relocate Retail and Medical Stores to that location.

Of note: the retail licenses for Sweet Leaf are renewed in April.

COMMUNITY INPUT: Pursuant to EMC 5.15.150 D this renewal does not require a public hearing, as there were no issues raised by the applicant regarding changes to their license, there were no violations reported to finance staff for tax payments, no issues have been raised or reported to community development staff regarding their building, the Special Use Permit 18-09 and no issues have been reported by or raised by the Eagle Town Police Department after review.

BUDGET / STAFF IMPACT: Budget impact is for staff review by Administration, Police and Community Development. The revenue is \$500 per license type which has not changed since established in 2013.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: Licensing is referenced in Major Objective No. 2. Enhance the Financial Health of the Town, which is accomplished by funding operational costs and providing service standards with the revenue we receive from licensing.

RECOMMENDED ACTION OR PROPOSED MOTION: Staff Recommends Approval of the Licenses for Sweet Leaf Pioneer LLC that include: Medical Marijuana Center License located at 825 "A" Chambers Avenue and Medical Marijuana Optional Premises/Cultivation located at 0245 Marmot Lane Unit 5. Consent Agenda approval will authorize Mayor to sign the Findings of Fact and authorize issuance of both local licenses bearing the Mayor and Town Clerk signatures.

ATTACHMENTS:

1. FOR COUNCIL 2020 MEDICAL MARIJUANA CENTER AND CULTIVATION
2. SUP for Sweet Leaf
3. Licenses for 8.25.2020 Meeting
4. FINDINGS OF FACT MEDICAL LICENSES 2020



**LOCAL LICENSE NEW AND RENEWAL APPLICATION FOR
MARIJUANA ESTABLISHMENT AND/OR MEDICAL MARIJUANA BUSINESS**

BUSINESS AND TRADE NAME IN FULL

Sweet Leaf Pioneer LLC

TYPE OF OWNERSHIP:

☐ Corporation ☒ Limited Liability Company ☐ Partnership ☐ Sole Proprietorship ☐ Franchise ☐ Non-Profit ☐ Other

APPLICANT NAME

David Manzanares

DATE OF BIRTH

3/14/71

MAILING ADDRESS

PO Box 2225 Eagle, CO 81631

PHONE

(970) 904-7277

MANAGER NAME

Christopher J Kuchler

DATE OF BIRTH

6/10/76

MANAGER ADDRESS

PO Box 3966 Eagle, CO 81631

PHONE

970-471-1765 cell

PROPERTY OWNER NAME

825 Chambers Ave George Roberts / 245 Marmot Ln #5

PHONE

BUSINESS CONTACT EMAIL ADDRESS

dieneka@sweetleafpioneer.com

Susie Bartlett 328-5405

Submit local application with a copy of the following completed forms:

MEDICAL MARIJUANA

State License Application DR 8530 Colorado Business Medical Marijuana License Application

State License Application DR 8520 Colorado Associated Key Marijuana License Application

State Form DR 8544 Appendix A Optional Premise Cultivation License

State Form DR 8524 Colorado Medical Marijuana License Bond

IRS Form 8821 Tax Information Authorization

Review: MED Medical Marijuana New Application Checklist, State License Fee Schedule and Town of Eagle Fee Schedule

RETAIL MARIJUANA

State License Application DR 8548 Colorado Business Retail Marijuana License Application

State License Application DR 8520 Colorado Associated Key Marijuana License Application

State Form DR 8524 Colorado Medical Marijuana License Bond

IRS Form 8821 Tax Information Authorization

TYPE OF LOCAL LICENSE(S) Choose all applying for

☐ MEDICAL MARIJUANA APPLICATION FEE
\$1000.00

☐ RETAIL MARIJUANA APPLICATION FEE
\$1000.00

☐ LATE RENEWAL FEE
\$500.00

☐ RETAIL MARIJUANA STORE
New/Renewal \$1500.00

☐ RETAIL MARIJUANA CULTIVATION
New/Renewal \$1500.00

☐ RETAIL MARIJUANA PRODUCTS
MANUFACTURER New/Renew \$1500.00

☐ DUALY LICENSED RETAIL AND MARIJUANA
PRODUCTS MANUFACTURER
New/Renew \$2000.00

☐ DUALY LICENSED MEDICAL
MARIJUANA CENTER & RETAIL
MARIJUANA STORE
New/Renew \$2000.00

☐ DUALY LICENSED RETAIL AND MEDICAL
MARIJUANA CULTIVATION
New/Renew \$2000.00

☐ MEDICAL MARIJUANA PRODUCTS
MANUFACTURER New/Renew \$500.00

☒ MEDICAL MARIJUANA CENTER
New/Renew \$500.00

☒ MEDICAL MARIJUANA CENTER CULTIVATION
/Optional Premises New/Renew \$500.00

STATE OF COLORADO LICENSE NO. STORE: 402-00614 GROW 403-00912	EXPIRATION DATE 9/7/20
TOWN OF EAGLE LICENSE NO. No number on licence.	EXPIRATION DATE 9/7/20
STATE OF COLORADO SALES TAX LICENSE NO. 27658268-0000	FEIN NO. 37-169-5151

SUPPLEMENTAL INFORMATION

☐ TOWN OF EAGLE SPECIAL USE PERMIT NO.
 ☒ LANDLORD AUTHORIZATION TO USE PROPERTY FOR A MARIJUANA BUSINESS ATTACHED
 ☐ PROOF OF OWNERSHIP IF NOT LEASED ATTACHED

EXPIRATION/REVIEW DATE:

EMC 5.15.100 Personal Requirements for the Licensee, Principals, Business Manager, Persons Holding a Financial Interest and Employees.

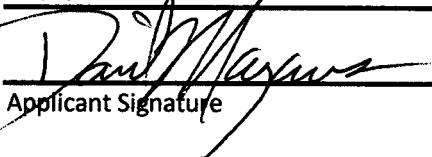
In order to be eligible to apply for a Marijuana Enforcement Division (MED) Retail Marijuana Business License all owners must meet *each* of the following statutory requirements (C.R.S. 12-43.4-306):

	True or False
1. Applicant has received a special use permit to operate the proposed Medical Marijuana Business in accordance with the Town's Land Use and Development Code contained in Title 4 of the Eagle Municipal Code;	T
2. May not be a sheriff, deputy sheriff, police officer, prosecuting officer or be an employee of a local or State Licensing Authority, and	T
3. May not be financed in whole or in part by any other person whose criminal history indicates he or she is not a good moral character after considering the factors in section C.R.S. 24-5-101 (2) and reputation satisfactory to the respective licensing authority	T
4. May not employ any person at the Retail Marijuana business that has not passed a criminal history record check (obtained an MED Occupational License)	T
5. May not employ, be assisted by or financed in whole in in part by any other person whose criminal history indicates he or she is not of good character and reputation;	T
6. May not have a criminal history that indicates that he or she is not of good moral character after considering the factors in C.R.S. 24-5-101 (2)	T
7. May not have any other felony convictions that have not been fully discharged for five years immediately preceding his or her application date	T
8. Must be resident of state for two years prior to application,	T
9. No fraudulent, misrepresented or false statement of material or relevant fact is contained within the application or was made to the Local Licensing Authority.	T
10. The applicant and Principals are not in default on any student loan.	T
11. The applicant and Principals are not licensed physicians who recommend Medical Marijuana to Patients.	T

12. The applicant and Principals are not peace officers or prosecuting attorneys. T
13. The applicant and Principals do not have any orders or judgments against them for child support in default or in arrears. T
14. The applicant is not in arrears in regard to any administrative fines, court fines, assessments, sales tax reporting and/or payment obligations, or fees owed to the Town of Eagle; and T
15. The applicant, Principals, and Business Manager are not in default on any municipal, county, State, or federal taxes, fees, fines or charges, do not have any outstanding warrants for their arrest, and do not have any outstanding liens or judgments payable to the Town of Eagle. T
16. The applicant, Principals, Business Manager and employees shall all be over the age of twenty-one (21) years. T
17. The applicant, Principals, Business Manager, persons holding a financial interest in the business, and employees have not been determined by any Medical Marijuana licensing authority, any other licensing board within the State, or the State Licensing Authority to not be persons of good Character and Record within the preceding three (3) years. T
18. The applicant, Principals, Business Manager, persons holding a financial interest in the Medical Marijuana Business and employees are persons of good Character and Record. T
19. The applicant, Principals, Business Manager, persons holding a financial interest in the Medical Marijuana Business and employees have not discharged a sentence for any felony in the five (5) years immediately preceding the filing of a license application. T
20. The applicant, Principals, Business Manager, persons holding a financial interest in the Medical Marijuana Business and employees have never been convicted of a felony or received a deferred judgment and sentence pursuant to State or federal law regarding the possession, distribution, or use of a controlled substance. T
21. The applicant, Principals, Business Manager, persons holding a financial interest in the Medical Marijuana Business have not held an interest in any liquor license, Medical Marijuana license or other license issued by any municipality, county, or the State of Colorado that has been revoked, suspended, or fined within the preceding two (2) years. T
22. The applicant, Principals, Business Manager, persons holding any financial interest in the Medical Marijuana Business, and employees have not had their authority, if any, to act as a Primary Caregiver revoked by the State of Colorado within the preceding two (2) years. T

**The Licensing Authority may grant a license to a person if the person has a state felony conviction based on possession or use of marijuana or marijuana concentrate that would not be a felony if the person were convicted of the offense on the date he or she applied.*

Any questions with the answer of "False" will stop the application process until resolved.


Applicant Signature

David Manzanares
Printed Name

8/17/20
Date

Town Clerk

Date

The Local Licensing Authority shall approve, deny or conditionally approve a pending application within 45 days from the receipt of the application.

DEPARTMENT APPROVALS

EAGLE PD	SIGNATURE	DATE
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PLANNING DEPARTMENT	SIGNATURE	DATE
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SALES TAX	SIGNATURE	DATE
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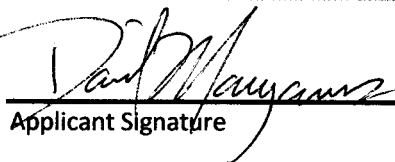
BUSINESS LICENSE	SIGNATURE	DATE
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APPLICATION APPROVED ☐

APPLICATION DENIED ☐

PUBLIC HEARING/MEETING DATE

PUBLIC NOTICE POSTED DATE


Applicant Signature

David Manzanares
Printed Name

8/11/20
Date

Town Clerk

Date

FINGERPRINT/BACKGROUND CHECK NOTICES TO FOLLOW



The Town of Eagle

Box 609 • Eagle, Colorado 81631
(970) 328-6354 • Fax 328-5203

Meetings:
2nd and 4th Tuesdays

TOWN OF EAGLE NOTIFICATION OF LAND USE DECISION

PERMIT INFO. SU14-14

This form represents a notification of decisions rendered by the Town of Eagle Board of Trustees and/or the Planning and Zoning Commission in response to the application for land use action described below and pursuant to Title IV of the Eagle Municipal Code.

APPLICANT: David Manzanares

OWNER OF RECORD: Susan Bartlett

DATE OF APPLICATION: December 4, 2014

LOCATION: 0245 Marmot Lane, Unit #5

DESCRIPTION OF REQUEST: Special Use Permit for a Medical Marijuana Infused Products Manufacturing Business.

PLANNING COMMISSION ACTION: Recommended approval with conditions.

DATE: January 6, 2015

BOARD OF TRUSTEES ACTION: Approval of the Special Use Permit for a Medical Marijuana Infused Products Manufacturing Business subject to the following conditions:

- A. No operation of the medical marijuana infused products manufacturing business shall occur until the following items have been addressed:
 - i. Issuance by the Town of Eagle to applicant of a license to operate a medical marijuana infused products manufacturing business.
 - ii. The State of Colorado issues applicant a license to operate a medical marijuana infused products manufacturing business and copies of the license and any associated drawings are submitted to the Town and added to the record of this special use permit.

- iii. The Town of Eagle Building Official reviews and approves the occupancy of this portion of the building for the proposed medical marijuana infused products manufacturing business. Ventilation improvements may be necessary to comply with the operational requirements contained in Chapter 5.15 of the Eagle Municipal Code.
 - iv. Applicant shall provide documentation to the Town that the carbon-dioxide extraction equipment for the manufacture of medical marijuana products is in full compliance with any applicable State of Colorado regulations and any such documentation shall be added to the record of this special use permit.
- B. The medical marijuana infused products manufacturing business shall be operated in full compliance with all requirements contained in the Colorado Medical Marijuana Code, Sections 12-43.3-101 *et. seq.*, C.R.S., and all regulations promulgated thereunder, all requirements contained in Chapter 5.15 of the Eagle Municipal Code, and all requirements contained in Section 4.04.100(P) of the Eagle Municipal Code.
- C. The Town Planner shall conduct an annual review of the medical marijuana infused products manufacturing business and the special use permit to insure compliance.

DATE: February 10, 2015

DATE OF COMMENCEMENT: February 10, 2015

ATTACHMENT: Resolution No.7 (Series of 2015)



Tom Boni
Town Planner

May 20, 2015
Date

RESOLUTION NO. 7
(SERIES OF 2015)

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO
GRANTING A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT 0245 MARMOT LANE,
UNIT #5, FOR A MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURING
BUSINESS.

WHEREAS, by Title 4 of the Eagle Municipal Code, the Town of Eagle enacted a comprehensive zoning ordinance for the Town; and

WHEREAS, The Board of Trustees of the Town of Eagle has received an application by David Manzanares ("Applicant"), the lessee of the Property hereinafter described, for a special use permit for a medical marijuana infused products manufacturing business; and

WHEREAS, Susan Bartlett, is the owner of said property and has consented to the Applicant using the subject Property for such medical marijuana infused products manufacturing business; and

WHEREAS, the Eagle Town Planner determined that the application for the above referenced special use permit was complete on December 4, 2014; and

WHEREAS, public hearings were held before the Town of Eagle Planning and Zoning Commission on December 16, 2014 and January 6, 2015, and the Planning and Zoning Commission recommended approval of the above referenced special use permit application with conditions; and

WHEREAS, public hearings on said special use permit application were held before the Board of Trustees on January 13, 2015 and January 27, 2015, as required by Section 4.05.010 (A)(5) of the Eagle Municipal Code; and

WHEREAS, public notice was given as required by Section 4.03.060 of the Eagle Municipal Code; and

WHEREAS, the Board of Trustees finds and determines that the Applicant has provided sufficient evidence that the proposed special use permit is desirable, based on the criteria set forth in Section 4.05.010 of the Eagle Municipal Code.

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

Section 1. That a special use permit for a medical marijuana infused products manufacturing business located in the Industrial (I) Zone District east of Nogal Gulch, for property located at 0245 Marmot Lane, Unit #5, Town of Eagle, County of Eagle, State of Colorado ("Property"), is hereby approved subject to the following conditions:

- A. No operation of the medical marijuana infused products manufacturing business shall occur until the following items have been addressed:
 - i. Issuance by the Town of Eagle to Applicant of a license to operate a medical marijuana infused products manufacturing business.
 - ii. The State of Colorado issues Applicant a license to operate a medical marijuana infused products manufacturing business and copies of the license and any associated drawings are submitted to the Town and added to the record of this special use permit.
 - iii. The Town of Eagle Building Official reviews and approves the occupancy of this portion of the building for the proposed medical marijuana infused products manufacturing business. Ventilation improvements may be necessary to comply with the operational requirements contained in Chapter 5.15 of the Eagle Municipal Code.
 - iv. Applicant shall provide documentation to the Town that the carbon-dioxide extraction equipment for the manufacture of medical marijuana products is in full compliance with any applicable State of Colorado regulations and any such documentation shall be added to the record of this special use permit.

- B. The medical marijuana infused products manufacturing business shall be operated in full compliance with all requirements contained in the Colorado Medical Marijuana Code, Sections 12-43.3-101 *et. seq.*, C.R.S., and all regulations promulgated thereunder, all requirements contained in Chapter 5.15 of the Eagle Municipal Code, and all requirements contained in Section 4.04.100(P) of the Eagle Municipal Code.
- C. The Town Planner shall conduct an annual review of the medical marijuana infused products manufacturing business and the special use permit to insure compliance.

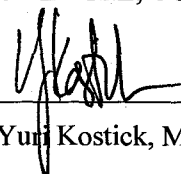
Section 2. Pursuant to Section 4.05.010 (A)(1)(b) of the Eagle Municipal Code, the Board of Trustees finds and determines that no street improvement fee pursuant to Section 4.13.185 of the Eagle Municipal Code shall be required to be paid. Pursuant to Section 4.05.010 (A)(1)(c) of the Eagle Municipal Code, the Board of Trustees finds and determines that no fire protection services impact fee pursuant to Section 4.13.186 of the Eagle Municipal Code shall be required to be paid.

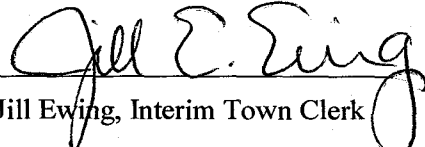
INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Eagle, Colorado, held on February 10, 2015.

TOWN OF EAGLE, COLORADO

ATTEST:

By: _____


Yuri Kostick, Mayor


Jill Ewing, Interim Town Clerk



NOTIFICATION OF LAND USE DECISION

FILE NUMBER: SU18-09

This form represents a notification of decisions rendered by the Town of Eagle Board of Trustees and/or the Planning and Zoning Commission in response to the application for land use action described below and pursuant to Title IV of the Eagle Municipal Code.

APPLICANT: Dave Manzanares, Sweet Leaf Pioneer

OWNER OF RECORD: Dave Young

DATE OF APPLICATION: August 29th, 2018

LOCATION: 825 Chambers Ave, Eagle, CO 81631

DESCRIPTION OF REQUEST: Special Use Permit to relocate existing medical and retail marijuana stores, retail marijuana cultivation, and establish a medical and retail marijuana infused products manufacturer to 825 Chambers Ave within the Commercial General (CG) Zone District.

PLANNING COMMISSION ACTION:

Approval of file SU18-09 with the following conditions:

1. Occupancy of the property for the approved use shall not be permitted prior to the issuance of State of Colorado Licenses for the references uses.
2. Upon Occupancy, Special Use Permits 09-05, 13-09, and 13-10 shall become void.
3. Relocation of the ADA parking space in the diagonal center parking area to the diagonal parking stall adjacent to the building.
4. Addition of one ADA parking space to meet minimum requirements for ADA accessibility.
5. Removal of the parallel parking spots at the building entrance to provide for better site distance when diagonal parking users are backing out.

DATE: December 18, 2018

BOARD OF TRUSTEES ACTION: Approval of file SU18-09 with the following conditions:

1. Occupancy of the property for the approved use shall not be permitted prior to the issuance of State of Colorado Licenses for the references uses.
2. Upon Occupancy, Special Use Permits 09-05, 13-09, and 13-10 shall become void.
3. Relocation of the ADA parking space in the diagonal center parking area to the diagonal parking stall adjacent to the building.
4. Addition of one ADA parking space to meet minimum requirements for ADA accessibility.
5. Removal of the parallel parking spots at the building entrance to provide for better site distance when diagonal parking users are backing out.

DATE: January 8, 2019

DATE OF COMMENCEMENT: January 8, 2019 (via Resolution 03-2019)

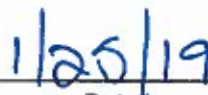
TERM: Special Use permit shall expire upon the first occurrence of the following events:

1. In the event no building permit has been applied for or the special use has not been established within three years of the approval date, the special use permit shall be null and void per Section 4.05.010(5)(c) of the Land Use & Development Code.

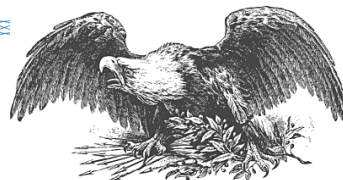


Morgan Landers

Community Development Director-Town Planner



Date



FEE: \$500.00

STATE OF COLORADO

TOWN OF EAGLE

BY AUTHORITY OF THE BOARD OF TRUSTEES

MEDICAL MARIJUANA CONDITIONAL LICENSE

CENTER—TYPE 1

**SWEET LEAF PIONEER, LLC
825A CHAMBERS AVENUE, EAGLE CO 81631**

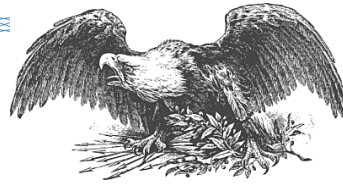
EFFECTIVE DATE OF LICENSE: SEPTEMBER 7, 2019
LICENSE EXPIRES: SEPTEMBER 7, 2020

Town of Eagle Board of Trustees

Attest

Anne McKibbin, Mayor

Jenny Rakow, Town Clerk



FEE: \$1500.00

STATE OF COLORADO

TOWN OF EAGLE

BY AUTHORITY OF THE BOARD OF TRUSTEES

RETAIL MARIJUANA CULTIVATION FACILITY

STATE LICENSE# 403R-00277

SWEET LEAF PIONEER, LLC

245 MARMOT LANE UNIT 5, EAGLE CO 81631

EFFECTIVE DATE OF LICENSE: APRIL 14, 2019

LICENSE EXPIRES: APRIL 14, 2020

THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO

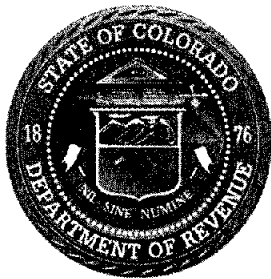
ATTEST:

Anne McKibbin, Mayor

Jenny Rakow, Town Clerk

STATE OF COLORADO

DEPARTMENT OF REVENUE



Marijuana Enforcement Division



Medical Marijuana Conditional License

SWEET LEAF PIONEER, LLC

825 A Chambers Avenue, Eagle, CO 81631

Center - Type 1 - 402-00614

License Issue Date: 09/07/2019

License Valid Through: 09/07/2020

This license is conditioned upon Local Authority approval, pursuant to section 44-11-304(2) C.R.S.

This conditional license is issued subject to the laws of the State of Colorado and especially under the provisions of Title 44, Article 11, as amended. This conditional license is nontransferable and shall be conspicuously posted in the place above described.

This conditional license is only valid through the expiration date shown above. Any questions concerning this conditional license should be addressed to: Colorado Marijuana Enforcement Division, 1707 Cole Blvd., Suite 300, Lakewood, CO 80401. In testimony whereof, I have hereunto set my hand.

A handwritten signature in black ink, appearing to read "James Burack".

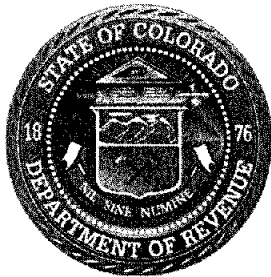
James Burack, Division Director

A handwritten signature in black ink, appearing to read "Lu Cordova".

Lu Cordova, Executive Director

STATE OF COLORADO

DEPARTMENT OF REVENUE



Marijuana Enforcement Division



Medical Marijuana Conditional License

SWEET LEAF PIONEER, LLC

0245 Marmot Lane, #5, Eagle, CO 81631

Optional Premises - Class 1 (500 Plants) - 403-00912

License Issue Date: 09/07/2019

License Valid Through: 09/07/2020

This license is conditioned upon Local Authority approval, pursuant to section 44-11-304(2) C.R.S.

This conditional license is issued subject to the laws of the State of Colorado and especially under the provisions of Title 44, Article 11, as amended. This conditional license is nontransferable and shall be conspicuously posted in the place above described.

This conditional license is only valid through the expiration date shown above. Any questions concerning this conditional license should be addressed to: Colorado Marijuana Enforcement Division, 1707 Cole Blvd., Suite 300, Lakewood, CO 80401. In testimony whereof, I have hereunto set my hand.

A handwritten signature in black ink, appearing to read "James Burack".

James Burack, Division Director

A handwritten signature in black ink, appearing to read "Lu Cordova".

Lu Cordova, Executive Director



BEFORE THE TOWN OF EAGLE LICENSING AUTHORITY

200 BROADWAY
PO BOX 609
EAGLE CO 81631

FINDINGS AND ORDER APPROVING RENEWAL OF MEDICAL MARIJUANA CENTER TYPE 1 AND CULTIVATION

IN THE MATTER OF

Medical Marijuana License Renewal

Sweet Leaf Pioneer LLC

Address: 0245 Marmot Lane #5 (Cultivation) and 825 A Chambers Avenue (Center Type 1)

Having considered the application of David and Dienkea Manzanres, owners of Sweet Leaf Pioneer LLC for a Renewal of Medical Marijuana Center Type 1 and Cultivation, and all attachments submitted therewith (the "Application"), having reviewed the application pursuant to Section 5.15.150 EMC a public hearing is not required. The Local Licensing Authority FINDS THE RENEWAL WILL MEET THE FOLLOWING:

1. All applicable requirements of Chapter 5.15 EMC have been satisfied;
2. All applicable requirements of the Colorado Medical Marijuana Code have been satisfied;
3. All required licensee fees and associated costs have been paid by the applicant;
4. Applicant has received a special use permit to operate the proposed medical marijuana business in accordance with the Town's Land Use and Development Code contained in Title 4;
5. All other applicable requirements of this Code have been met;
6. The applicant has obtained a State sales tax license, Town sales tax license, if required, and paid the general occupation tax pursuant to Chapter 5.02;
7. The applicant is not in arrears in regard to any administrative fines, Court fines, assessments, sales tax reporting and/or payment obligations, or fees owed to the Town; and
8. No fraudulent, misrepresented or false statement of material or relevant fact is contained within the application or was made to the Local Licensing Authority.

BASED UPON THE FOREGOING, THE LOCAL LICENSING AUTHORITY HEREBY ORDERS that the application of David and Dienkea Manzanres, owners of Sweet Leaf Pioneer LLC for a Renewal of Medical Marijuana Center Type 1 and Cultivation is hereby GRANTED.

DATED this 25^h day of August 2020

LOCAL LICENSING AUTHORITY
TOWN OF EAGLE

Scott Turnipseed, Chair

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: August 25, 2020

Agenda Item: Resolution No. 54, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Declaring a Local Disaster Emergency"

REQUEST:

Staff requests that the Town Council review a resolution ratifying the Grizzly Creek Fire Emergency Declaration declared by Mayor Turnipseed on August 16, 2020.

INTRODUCTION:

As a result of the Grizzly Creek fire that started the week of August 10, the Town was asked for resources to support the fire fighting efforts. That triggered a need to declare an emergency, so that the Town could move quickly to make resources available. A declaration also allows the Town to seek reimbursements from FEMA if need be later. A resolution and declaration are attached to this memo.

ANALYSIS:

Emergency Declaration Action:

- The Town made available an equipment list to Eagle County for resources
- The emergency triggered overtime that could be reimbursed later
- The Emergency Operations Center recommended Eagle and Gypsum pass declarations just in case resources are needed
- The declaration aligns with statutory requirements

COMMUNITY INPUT:

Community input is not required.

BUDGET / STAFF IMPACT:

Adopting the resolution doesn't have an impact on budget or staffing.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal is statutory and doesn't align with the specific policies of the Town Council.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** the adoption of Resolution No. 54, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Declaring a Local Disaster Emergency:

ATTACHMENTS:

- Resolution No. 54
- Grizzly Creek Fire Emergency Declaration

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 54
(Series of 2020)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
DECLARING A LOCAL DISASTER EMERGENCY

WHEREAS, on August 16, 2020, Mayor Turnipseed declared a disaster emergency in and for the Town of Eagle, Colorado, pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.* (the "Act") due to conditions caused by the Grizzly Creek wildfire;

WHEREAS, pursuant to the Act, the Mayor's unilateral declaration is only effective for a period of 7 days and formal action of the Town Council is required to extend the declaration beyond 7 days; and

WHEREAS, the emergency conditions caused by the Grizzly Creek wildfire persist and require additional and sustained action by the Town in accordance with the purposes and limitations of C.R.S. § 24-33.5-702.

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

Section 1. Mayor Turnipseed's August 16, 2020, declaration of a disaster emergency in and for the Town of Eagle, a copy of which is attached hereto, is hereby ratified. The declaration shall be effective for 30 days and may be extended or terminated by additional action of the Town Council.

Section 2. Pursuant to C.R.S. § 24-33.5-709(1), this Resolution shall be given prompt and general publicity and shall be filed promptly with the Town Clerk, the Eagle County Clerk and Recorder and the Colorado Office of Emergency Management.

INTRODUCED, READ, PASSED AND ADOPTED ON AUGUST 25, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

ORDER DECLARING A LOCAL DISASTER EMERGENCY IN AND FOR
THE TOWN OF EAGLE, COLORADO

WHEREAS, the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.* (the "Act"), provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters and emergencies;

WHEREAS, pursuant to the Act, an "emergency" is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures, and a "disaster" is the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to fire requiring emergency action to avert danger or damage;

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster emergency may be declared unilaterally by the principal executive officer of a political subdivision, here the Mayor;

WHEREAS, pursuant to C.R.S. § 24-33.5-709, the declaration activates the response and recovery aspects of any applicable disaster emergency plans and authorizes the furnishing of aid and assistance under such plans;

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1) the declaration of a local emergency shall not be continued beyond a period of 7 days or removed except by action of the Town Council;

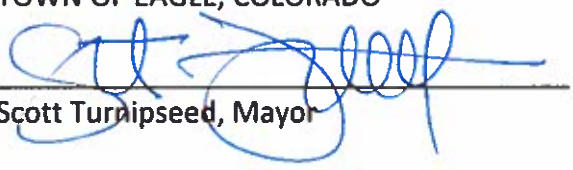
WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster "shall be given prompt and general publicity and shall be filed promptly with the shall be filed promptly with the county clerk and recorder, the clerk...and with the office of emergency management"; and

WHEREAS, because of the Grizzly Creek wildfire, the Town is suffering and has suffered a disaster emergency as defined in the Act.

NOW, THEREFORE, IT IS HEREBY ORDERED, on this 16th day of August, 2020, that a disaster emergency is declared in and for the Town of Eagle, Colorado, beginning on this day and ending the 16st of September, 2020, unless extended by action of the Town Council.

IT IS FURTHER ORDERED that this Order shall be given prompt and general publicity, filed immediately with the Town Clerk, and a copy of it shall be sent to the Eagle County Clerk and Recorder and the Colorado Office of Emergency Management.

TOWN OF EAGLE, COLORADO



Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: August 25, 2020

Agenda Item: First Amendment to Intergovernmental Agreement Between the Eagle County Clerk and Recorder and The Town of Eagle, Colorado Concerning Tuesday, November 3, 2020 General Election

REQUEST: Staff is requesting approval of the First Amendment to IGA for the coordinated November 3, 2020 Election.

BACKGROUND: The Town has notified Eagle County of its desire to participate in a coordinated election on November 3, 2020. The Council approved the original IGA by adopting Resolution 51, Series 2020 on August 11, 2020 and notice was given to the the Eagle County Clerk. After further review, the Downtown Development Authority ("DDA") ballot question required additional roles and responsibilities and requires payment for election services no later than February 26, 2021 as requested by the Eagle County Clerk Regina O'Brien.

ANALYSIS: This amendment has been reviewed by town's attorney and this amendment has been deemed acceptable.

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT: This amendment is part of our original intent to coordinate an election as directed by the Town Council.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This amendment shall further the original intent of placing the question of a Downtown Development Authority on the ballot meets the Town's stated business values of Transparency and Community Engagement. This is a community proposed policy borne of sound planning and substantive dialogue.

RECOMMENDED ACTION OR PROPOSED MOTION: MOTION TO APPROVE THE CONSENT AGENDA.

ATTACHMENTS:

1. 2020 _Amendment to IGA for Downtown Development District Election PDF

**FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT
Between the Eagle County Clerk and Recorder and The Town of Eagle, Colorado
Concerning Tuesday, November 3, 2020 General Election**

This First Amendment to the Intergovernmental Agreement between the Eagle County Clerk and Recorder and the Town of Eagle (hereinafter the “Town of Eagle” or “Political Subdivision”) concerning the Tuesday, November 3, 2020 General Election is made this 24th day of August, 2020.

Recitals

Whereas, on August 11, 2020, the Town of Eagle and the Eagle County Clerk and Recorder entered into the Intergovernmental Agreement concerning the Tuesday, November 3, 2020 General Election (“Election IGA”); and

Whereas, the Town of Eagle, by ordinance, has also opted to submit the question of the establishment of a downtown development authority (“DDA”) pursuant to C.R.S. § 31-25-801, *et. seq.*, to the qualified electors within the proposed DDA boundaries; and

Whereas, the Town of Eagle desires to contract with the Eagle County Clerk and Recorder to serve as the coordinated election official, pursuant to the general terms of the IGA, for conduct of its DDA election; and

Whereas, the coordination of a DDA election was not expressly contemplated in the Election IGA, and therefore the parties wish to clarify, by this First Amendment, roles and responsibilities in connection with the DDA election; and

Whereas, the parties also wish to amend the deadline by which payment must be made for the Clerk and Recorder’s election services.

NOW THEREFORE, in consideration of the above premises and the promises contained herein, the parties agree as follows:

A. Responsibilities of the Coordinating Political Subdivision

Street Locator Report

1. Review the Street Locator Report provided from the County Clerk and Recorder's Office (Appendix B).
2. Verify and certify all addresses listed in the Street Locator Report are within the Downtown Development District and are accurate and complete (with no omissions). All changes or inaccuracies must be identified by the Political Subdivision, the list certified by the Political Subdivision (Appendix C), and returned to the Clerk no later than 4:30 PM on **Tuesday, August 25, 2020** (70 days before the election). Please submit sooner if possible. The Political Subdivision is responsible for the accuracy of the Street Locator Report.

Overseas and Military Voter List

1. Secure the Colorado Statewide Overseas and Military Voter (UOCAVA) list from the Clerk.

Property Owner List

1. Secure the Development District Property Owner list from the Eagle County Assessor's Office.
2. Cross-reference the state-wide Overseas and Military voter (UOCAVA) list with the property owner list to determine if there are any eligible Downtown Development District voters on the UOCAVA list who are not residents of the district (e.g. who will not already have the Downtown Development District question on their comprehensive General Eagle County ballot). **NOTE:** UOCAVA ballots must be sent by **Saturday, September 19, 2020** (1-8.3-110(1) C.R.S). It is the responsibility of the Political Subdivision to certify the list of any eligible Downtown Development District UOCAVA voters who are not residents of the district to the Clerk by **Monday, September 7, 2020** to ensure statutory delivery of UOCAVA Downtown Development District ballots.
3. Secure the supplemental Downtown Development Property Owner list from the Eagle County Assessor's Office no later than **Wednesday, October 14, 2020** (20 days before the election). This supplemental list shall contain the names and addresses of all recorded owners who became owners no later than **Monday, October 12, 2020** (22 days prior to the election).

Create and Send Affidavit of Qualified Elector and Designation of Elector Forms

1. Create, send, and receive qualified elector forms and designation forms for qualified electors pursuant to C.R.S. 31-25-802 who are not already residents of the Downtown Development District; Eagle County voters who reside in the proposed District will be sent Coordinated Election ballots with the Downtown Development District question on their ballot.
2. If applicable, ensure voter eligibility by cross-referencing the Statewide Voter Registration Database (SCORE) to determine if the individual is a registered voter in the State of Colorado but does not reside in the Downtown Development District.
3. Communicate daily via email to elections@eaglecounty.us with the name, residential address, ballot mailing address, and date of birth of each newly discovered qualified elector pursuant to C.R.S. 31-25-802, who is not otherwise a registered voter in Eagle County, but should receive a ballot to vote in the Downtown Development District election.

B. Responsibilities of the County Clerk and Recorder

The Clerk and Recorder will conduct all election processes and procedures under the Uniform Election Code, C.R.S. Title 1, and Colorado Secretary of State rules. All Downtown Development District voter eligibility requirements, determinations, and communications to the Clerk and Recorder are the sole responsibility of the Political Subdivision

1. Prepare and timely send or issue Downtown Development District ballots to qualified electors entitled to vote by virtue the eligibility requirements verified, certified, and communicated to the Clerk and Recorder by the Political Subdivision.
2. Record each ballot returned and signature verified.
3. Process ballots in the counting room.
4. Tabulate and certify results.

C. Termination for Non-Compliance With Deadlines

The parties acknowledge and agree that the dates and deadlines contained herein are mandatory. In the event the Political Subdivision is unable to, or fails to complete the tasks and responsibilities identified herein, the additional terms contained in this First Amendment shall be deemed cancelled and terminated, with the Clerk having no further responsibilities with respect to the Town of Eagle's DDA ballot issue. In the event of such termination, the Political Subdivision shall remain responsible for all expenses and costs pursuant to Section III E of the Election IGA.

D. Section IV.A.9 is hereby amended to require payment to the County no later than February 26, 2021.

E. Except as expressly altered, modified and changed in this First Amendment, all terms and provisions of the Election IGA shall remain in full force and effect, and are hereby ratified and confirmed in all respects as of the date hereof.

The Parties hereto have executed this First Amendment on the date first written above.

AUGUST 25, 2020

(Date)

Jenny Rakow

Designated Election Official

Date 8.25.2020

For TOWN OF EAGLE

(TOE)

Regina O'Brien
Eagle County Clerk and Recorder

Date



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: August 25, 2020

Re: Town Manager Report

Administration & Organization

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

- Joint Trench Ordinance – September 8
- Draft Water PIF Timing Revision Ordinance – September 22

Council Follow Up Status and Running List

- Schedule joint work session on Elevate Eagle – **Completed**
- Standing work session schedule – **Completed**
- Meet with Scott/Ellen on Eagle Ranch Housing Corp partnership – **In progress**
- Ask CDOT about the ROW by Alpine to beautify – **Completed**
- Frost Creek Wildlife meeting – **In progress**
- LERP update in manager report - **Completed**
- Strategy for STR memo – **In progress**
- Plan for Mobile vending communication – **In progress**
- Schedule broadband work session - **Completed**

The 2021 Budget development process has started and below is a calendar of where staff is in the process. This list serves as a reminder for the Town Council through the end of the year:

- SAVE THE DATE: September 24 & 29 – CIP and operating budget work sessions with Town Council
- October 13 – 2021 Budget presentation
- October 27 – Public Hearing
- November 10 – Public hearing
- November 24 – Public hearing
- December 8 – Adopt 2021 Budget

Staff held a project kick-off meeting with Raftelis on August 20 for the Wastewater Rate and Tap Fee Study. The plan is to present to the Town Council on or near October and for work to be completed in November.

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 operations for the Town of Eagle remain the same with no changes.
- Eagle County is on downward trend for cases which is very positive.
- Vail Health is working on rapid testing to help deal with the spread and contact tracing.
- Town of Eagle leads the county in number of cases.

Mayor's Roundtable Meeting Summary

- Vail, Avon, Eagle County are wanting to run a joint Gallagher question.
- The School District is going to open next week on August 25. They have an in person and online option to be flexible.
- Tennessee Pass rail is on CDOT's list of potential projects – it would take collective community interest:
 - The region needs to start a conversation with Union Pacific and send them a letter expressing interest.
 - Might need a resolution from communities along the rail in support of a project.
- Transportation
 - A proposal was presented on a regional transportation entity to support vision around transportation and phased planning would be the idea.
 - Initial thoughts:
 - Free busing like Summit County.
 - Electric buses even though they are expensive.
 - More frequent schedule for buses.
 - Set up a working group to start the process.
 - Looking at RAFTA, Telluride, and Summit County as models.
 - Town of Eagle volunteered to be on the committee for Western Eagle County.
- Eagle County Trails
 - The County wants to set aside money in CIP as a matter of policy to connect the trails in Eagle County.
 - They will identify partners to help fund missing connections.
 - The County wants to finish all sections in 4 - 5 years, they don't want to wait 20 years to get it all done.
- Fire Update
 - Good news - more containment north, east, and south east on Grizzly Creek.
 - Addressed the small fires as a result of lightening the last few days - they slammed Ruby Ranch to keep it from spreading, they Murphy firebombed with slurry, they were also able to contain the Camp Hale Fire as well.
 - Bair Ranch is a big focus and protecting structures.
 - Benchmarks for I70 opening:
 - CDOT needs two days just to assess rockfall mitigation.
 - Over the next several years the canyon will be challenging for rockslides.

- They must move retardant and type one helicopters out of the canyon - can't fly them over cars.
- Excel Energy must replace poles with helicopters - it's a two-week project and can't have vehicles in the canyon.
- No more smoke or fire activity - too many distracted drivers.
- Working on economic recovery for the recreation industry in the canyon.
- Cottonwood Pass
 - Might be able to open it up to local traffic on Monday.
 - They need to clear the Amazon Truck at the bottom.

Economic Development & Planning

LERP Summary

Staff met with council member Solomon to discuss LERP. Provided below is a summary of the conversation:

- Response times are slow from Eagle County and the Town for information regarding the program.
- Give buyers a choice to have their own agent/realtor.
- Form a LERP subcommittee to make improvements to the program.
- Create a webpage dedicated to LERP on the Town website and include the following:
 - Provide external links
 - Audit documents for LERP for consistency
 - Keep information simple
 - Show current assessment calculator for selling and buying homes
 - Email each LERP unit valuation to owners every year

Town Council Strategic Plan

Included in the packet is a draft of the Strategic Plan with for the Town Council to review. The plan includes implementation ideas that were provided at the retreat in June. Instead of prioritizing now, staff recommends that this activity be included as part of the 2021 budget development process.

River Park

There are a few outstanding issues that the Executive Committee (EC) is working on. Those items are below:

- The UACE site visit is delayed until September because Glenwood Canyon is closed.
- The Town has not heard from Eagle County on the Use Agreement.

Downtown Broadway

- Asbestos abatement of 410 Broadway will begin August 31. The building is scheduled to be demolished after abatement.

Project THOR / Broadband

- Colorado Parks and Wildlife has requested proposals for providing broadband internet service to Sylvan Lake State Park. The Town of Eagle has worked with Pathfinder Internet and Holy Cross Energy to submit a proposal August 18th.
- Visionary Broadband has applied for a permit to install a fixed wireless broadband tower east of Town to increase their available coverage in the area.

- The Town is working on a contract to provide Eagle County access to Project THOR through the Town Meet-Me Center.

Tourism Grant

- Staff held multiple meetings with Further Faster Media to refine the direction of our branding and outreach campaign. A rough proposal will be presented by the end of the month to staff.
- A planned photoshoot for the Town has been delayed due to the fire. It is rescheduled for September 7-8.

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

- August 24 – Eagle Community Wildlife Roundtable meeting
- August 26 – Manager’s Taskforce meeting
- August 27 – Colorado Employer Benefit Trust meeting to discuss healthcare
- August 28 – Benefit Health Advisors meeting to discuss current healthcare plans
- August 28 – DOLA Best & Brightest feedback meeting
- August 31 – Climate Action Collaborative
- September 1 – Council Work Session: Broadband
- September 11 – Eagle Chamber Business Roundup

Sincerely,



Brandy Reitter
Town Manager

TOWN OF EAGLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING JULY 31, 2020

	GENERAL FUND					
	2019 ACTUAL	YTD ACTUAL	BUDGET	REVISED BUDGET	UNEARNED	% TO REVISED BUDGET
TAX REVENUE						
General Property	\$ 301,305	\$ 319,762	\$ 336,326	\$ 336,326	\$ 16,564	95%
Specific Ownership	8,103	7,727	14,700	14,700	6,973	53%
Sales Tax /Special Marijuana Sales Tax	2,682,975	3,282,718	4,733,613	5,677,081	2,394,363	58%
Severance Tax	-	382	200	382	0	100%
Federal Mineral Tax	-	-	200	200	200	0%
Franchise Tax	29,074	75,574	220,000	210,000	134,426	36%
Marketing Tax	83,520	40,826	143,820	63,000	22,174	65%
TOTAL TAX REVENUE	\$ 3,104,976	\$ 3,726,989	\$ 5,448,859	\$ 6,301,689	2,574,700	59%
LICENSE & PERMIT REVENUE						
Business Licenses	\$ 34,005	\$ 22,810	\$ 28,000	\$ 28,000	\$ 5,190	81%
Liquor Licenses	5,073	3,500	6,000	4,800	1,300	73%
Tobacco & Marijuana Licenses	3,000	8,750	4,000	4,000	(4,750)	219%
Marketing Fee - License	4,610	1,687	8,000	8,000	6,313	21%
Building Permits	153,304	191,800	223,000	223,000	31,200	86%
Electrical Permits	18,400	19,185	25,000	25,000	5,815	77%
Road Cut Permits	765	3,990	500	4,000	10	100%
Sign Permits	150	-	300	300	300	0%
Special Event Permits	100	100	500	500	400	20%
TOTAL LICENSE & PERMIT REVENUE	\$ 219,407	\$ 251,822	\$ 295,300	\$ 297,600	\$ 45,778	85%
INTERGOVERNMENTAL REVENUE						
Motor Vehicle License Fee	\$ 15,213	\$ 15,670	\$ 30,000	\$ 30,000	\$ 14,330	52%
Highway Users Tax	118,296	103,639	234,305	215,303	111,664	48%
Cigarette Tax	5,204	6,410	11,000	6,410	0	100%
Road & Bridge Fund	84,472	95,896	83,000	98,000	2,104	98%
County Sales Tax	73,233	87,547	149,247	165,547	78,000	53%
Grants	-	52,190	95,000	74,500	22,310	70%
Intergovernmental Contributions	-	-	150,000	-	-	-
TOTAL INTERGOVERNMENTAL REVENUE	\$ 296,417	\$ 361,351	\$ 752,552	\$ 589,759	\$ 228,408	61%
CHARGES FOR SERVICES						
Planning & Zoning Fees	\$ 9,318	\$ 13,760	\$ 15,000	\$ 15,000	\$ 1,240	92%
Planning & Zoning Reimbursable	64,372	56,191	100,000	100,000	43,809	56%
Facility Usage Fees	39,863	6,153	53,550	10,000	3,848	62%
Facility Usage Deposits	2,607	-	-	-	-	-
Planning Contributions-Developers	-	-	100,000	-	-	-
Sponsorship & Event Revenue	28,446	-	22,000	5,000	5,000	0%
TOTAL CHARGES FOR SERVICES	\$ 144,605	\$ 76,104	\$ 290,550	\$ 130,000	\$ 53,896	59%
FINES & FORFEITURES						
Fines & Forfeits	\$ 25,150	\$ 26,751	\$ 45,000	\$ 35,000	\$ 8,249	76%
Police Surcharge	1,440	-	3,000	2,340	2,340	0%
Police Miscellaneous	2,538	844	2,000	1,000	156	84%
Police Grants	19,869	21,481	35,862	11,737	(9,744)	183%
Special Duty Reimbursable	10,955	-	40,000	32,000	32,000	0%
Charitable Organization Fee	135	-	400	-	-	-
TOTAL FINES & FORFEITURES	\$ 60,087	\$ 49,076	\$ 126,262	\$ 82,077	\$ 33,001	60%

**TOWN OF EAGLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING JULY 31, 2020**

GENERAL FUND

	2019 ACTUAL	YTD ACTUAL	BUDGET	REVISED BUDGET	UNEARNED	% TO REVISED BUDGET
MISCELLANEOUS REVENUE						
Interest & Penalties Total	\$ 76,088	\$ 30,876	\$ 100,000	\$ 50,155	\$ 19,279	62%
Information Center Total	67,626	7,800	-	7,801	1	100%
Rental Income	7,520	11,264	15,600	15,600	4,336	72%
Sales of Fixed Assets	-	24,651	-	24,651	0	100%
Insurance Proceeds	-	39,688	-	40,000	312	99%
Grants	-	-	-	-	-	-
Other Miscellaneous Revenue Total	15,911	86,264	75,000	91,736	5,472	94%
TOTAL MISCELLANEOUS REVENUE	\$ 167,146	\$ 200,543	\$ 190,600	\$ 229,943	\$ 29,400	87%
TRANSFERS FROM OTHER FUNDS						
General Admin. Water	\$ -	\$ -	\$ -	\$ -	\$ -	-
General Admin. Wastewater	-	-	-	-	-	-
General Admin. Refuse	-	-	16,281	16,281	16,281	0%
TOTAL TRANSFERS FROM OTHER FUNDS	\$ -	\$ -	\$ 16,281	\$ 16,281	\$ 16,281	0%
TOTAL GENERAL FUND REVENUES	\$ 3,992,638	\$ 4,665,886	\$ 7,120,404	\$ 7,647,350	\$ 2,981,464	61%
EXPENDITURES						
	2019 ACTUAL	YTD ACTUAL	BUDGET	REVISED BUDGET	UNEXPENDED	% TO BUDGET
TOWN BOARD	\$ -	\$ 35,388	\$ 111,281	\$ 111,281	\$ 75,893	32%
GENERAL GOVERNMENT	228,551	202,039	433,328	433,328	231,289	47%
GENERAL ADMINISTRATION	350,353	321,668	1,412,373	1,412,373	1,090,705	23%
COMMUNITY DEVELOPMENT	466,239	419,978	1,025,330	1,025,330	605,352	41%
STREETS	413,627	497,606	1,550,839	1,550,839	1,053,233	32%
ENGINEERING	146,445	94,422	255,724	255,724	161,302	37%
BUILDINGS & GROUNDS	371,896	418,900	763,681	763,681	344,781	55%
PUBLIC SAFETY	863,711	965,725	2,061,530	2,061,530	1,095,805	47%
MUNICIPAL COURT	34,834	39,418	84,110	84,110	44,692	47%
INFORMATION CENTER	70,500	17,373	43,739	43,739	26,366	40%
MARKETING & EVENTS	170,980	73,745	345,953	345,953	272,208	21%
TRANSFERS TO OTHER FUNDS	-	-	-	-	-	-
TOTAL GENERAL FUND EXPENDITURES	\$ 3,117,136	\$ 3,086,262	\$ 8,087,888	\$ 8,087,888	\$ 5,001,626	38%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 875,502	\$ 1,579,623	\$ (967,484)	\$ (440,538)	\$ (2,020,162)	-163%

TOWN OF EAGLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING JULY 31, 2020

WATER FUND

	2019 ACTUAL	YTD ACTUAL	BUDGET	REVISED BUDGET	UNEARNED/ UNEXPENDED	% TO REVISED BUDGET
REVENUES						
Debt Service Surcharge	\$ 268,887	\$ 269,492	\$ 471,600	\$ 462,000	\$ 192,508	58%
Water Sales - In Town	1,601,285	1,920,922	3,136,102	3,136,102	1,215,180	61%
Water Sales - Out Of Town	221,555	291,296	471,097	471,097	179,801	62%
Water Materials & Other	28,964	43,910	30,000	45,000	1,090	98%
Plant Investment Fees (Tap Fees)	303,883	178,992	275,000	500,000	321,008	36%
Water Rights	-	-	950,000	-	-	#DIV/0!
Water Fund Interest	175,733	68,167	120,000	74,500	6,333	91%
Water Rights Interest	1,018	433	900	560	127	77%
Service Charge	11,131	4,805	8,000	10,805	6,000	44%
Reimbursable Income	-	1,256	-	-	(1,256)	-
TOTAL WATER FUND REVENUE	\$ 2,612,455	\$ 2,779,273	\$ 5,462,699	\$ 4,700,064	\$ 1,920,791	59%
EXPENDITURES						
TOTAL WATER FUND EXPENDITURES	\$ 5,386,004	\$ 7,066,925	\$ 20,924,183	\$ 20,924,183	\$ 13,857,258	34%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ (2,773,549)	\$ (4,287,652)	\$ (15,461,484)	\$ (16,224,119)	\$ (11,936,467)	26%

TOWN OF EAGLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING JULY 31, 2020

WASTEWATER FUND

	2019 ACTUAL	YTD ACTUAL	BUDGET	REVISED BUDGET	UNEARNED/ UNEXPENDED	% TO REVISED BUDGET
REVENUES						
Wastewater Sales	\$ 1,509,577	\$ 1,596,069	\$ 2,593,080	\$ 2,730,000	\$ 1,133,931	58%
Wastewater Tap Fees	338,250	168,000	300,000	300,000	132,000	56%
Wastewater Interest	41,231	33,501	20,000	35,000	1,499	96%
Insurance Proceeds	229,956	-	-	-	-	-
TOTAL WASTEWATER FUND REVENUE	\$ 2,119,014	\$ 1,797,571	\$ 2,913,080	\$ 3,065,000	\$ 1,267,429	59%
EXPENDITURES						
TOTAL WASTEWATER FUND EXPENDITURES	\$ 1,711,742	\$ 1,436,549	\$ 2,980,748	\$ 2,980,748	\$ 1,544,199	48%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 407,272	\$ 361,022	\$ (67,668)	\$ 84,252	\$ (276,770)	429%

TOWN OF EAGLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING JULY 31, 2020

REFUSE FUND						
	2019 ACTUAL	YTD ACTUAL	BUDGET	REVISED BUDGET	UNEARNED/ UNEXPENDED	% TO REVISED BUDGET
REVENUES						
Trash Fees	\$ 332,237	\$ 339,946	\$ 583,478	\$ 583,478	\$ 243,532	58%
Yardwaste Fees	23,493	10,160	39,481	10,160	(0)	100%
Admin Fee	11,705	14,916	20,509	25,524	10,608	58%
Interest	3,615	1,517	3,000	1,850	333	82%
Eagle County Reimbursable	-	-	-	-	-	-
Miscellaneous	-	-	-	-	-	-
Service Charge	-	-	-	-	-	-
Gain/Loss On Equip Disp	-	-	-	-	-	-
TOTAL REFUSE FUND REVENUE	\$ 371,050	\$ 366,539	\$ 646,468	\$ 621,012	\$ 254,473	59%
EXPENDITURES						
TOTAL REFUSE FUND EXPENDITURES	\$ 292,909	\$ 299,682	\$ 638,414	\$ 638,414	\$ 338,732	47%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 78,141	\$ 66,857	\$ 8,054	\$ (17,402)	\$ (84,259)	-384%

TOWN OF EAGLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING JULY 31, 2020

CAPITAL IMPROVEMENTS FUND

	2019 ACTUAL	YTD ACTUAL	BUDGET	REVISED BUDGET	UNEARNED/ UNEXPENDED	% TO REVISED BUDGET
REVENUES						
Capital Improvements Interest	\$ 41,690	\$ 20,392	\$ 60,000	\$ 25,000	\$ 4,608	82%
Community Enhancement Interest	2,514	1,127	2,000	1,340	213	84%
Devolution & Transportation Interest	25,311	11,350	32,000	13,500	2,150	84%
Community Enhancement Fund	-	-	44,500	46,000	46,000	0%
Public Safety Impact Fees	-	-	668,000	534,400	534,400	0%
Street Impact Fees	32,498	-	1,316,465	1,053,172	1,053,172	0%
Use Tax	113,997	173,134	250,000	200,000	26,866	87%
Transfer From General Fund	-	-	730,000	-	-	-
TOTAL CAPITAL IMPROVEMENTS FUND REVENUE	\$ 216,009	\$ 206,003	\$ 3,102,965	\$ 1,873,412	1,667,409	11%
EXPENDITURES						
TOTAL CAPITAL IMPROVEMENT FUND EXPENDITURES	\$ 270,567	\$ 378,324	\$ 643,284	\$ 643,284	264,960	59%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ (54,558)	\$ (172,321)	\$ 2,459,681	\$ 1,230,128	1,402,449	-14%

TOWN OF EAGLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING JULY 31, 2020

SALES TAX CAPITAL IMPROVEMENTS FUND (STCIF)

	2019 ACTUAL	YTD ACTUAL	BUDGET	REVISED BUDGET	UNEARNED/ UNEXPENDED	% TO REVISED BUDGET
REVENUES						
SALES TAX	\$ 331,493	\$ 404,307	\$ 585,836	\$ 696,000	\$ 291,693	58%
GRANTS	350,000	-	11,000	-	-	-
INTEREST - COLOTRUST	13,440	5,414	8,000	6,250	836	87%
INTEREST - PROJECT FUND	8,410	-	10,000	-	-	-
TOTAL STCIF REVENUE	\$ 703,342	\$ 409,721	\$ 614,836	\$ 702,250	292,529	58%
EXPENDITURES						
TOTAL STCIF EXPENDITURES	\$ 1,306,622	\$ 123,528	\$ 551,774	\$ 349,274	225,746	35%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ (603,280)	\$ 286,193	\$ 63,062	\$ 352,976	66,783	81%

**TOWN OF EAGLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING JULY 31, 2020**

OPEN SPACE FUND						
	2019 ACTUAL	YTD ACTUAL	BUDGET	REVISED BUDGET	UNEARNED/ UNEXPENDED	% TO REVISED BUDGET
REVENUES						
LODGING TAX	\$ 83,520	\$ 40,826	\$ 143,820	\$ 63,000	\$ 22,174	65%
PENALTY & INTEREST	741	-	-	-	-	-
OPEN SPACE INTEREST	4,342	2,143	3,000	2,500	357	86%
TOTAL OPEN SPACE FUND REVENUE	\$ 88,603	\$ 42,969	\$ 146,820	\$ 65,500	\$ 22,531	66%
EXPENDITURES						
TOTAL OPEN SPACE FUND EXPENDITURES	\$ 34,764	\$ 62,105	\$ 205,527	\$ 135,527	\$ 73,422	46%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 53,839	\$ (19,136)	\$ (58,707)	\$ (70,027)	\$ (50,891)	27%

**TOWN OF EAGLE
REVENUES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING JULY 31, 2020**

CONSERVATION TRUST FUND						
	2019 ACTUAL	YTD ACTUAL	ORIGINAL 2020 BUDGET	REVISED 2020 BUDGET	UNEARNED/ UNEXPENDED	% TO REVISED BUDGET
REVENUES						
LOTTERY PROCEEDS	\$ 22,331	\$ 17,062	\$ 33,785	\$ 32,062	\$ 15,000	53%
CONSERVATION TRUST INTEREST	1,032	484	1,200	641	157	76%
TOTAL CONSERVATION TRUST FUND REVENUE	\$ 23,363	\$ 17,546	\$ 34,985	\$ 32,703	\$ 15,157	54%
EXPENDITURES						
TOTAL CONSERVATION TRUST FUND EXPENDITURES	\$ 11,738	\$ -	\$ 35,000	\$ -	\$ -	-
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 11,625	\$ 17,546	\$ (15)	\$ 32,703	\$ 15,157	54%



To: Mayor and Town Council

From: Bill Shrum, Assistant to the Town Manager

Date: August 25, 2020

Agenda Item: CARES Act Funding for Non-Profits

REQUEST:

Staff requests that the Council review the allocation poll submitted by councilmembers and make determinations on the CARES Act funding to be offered to local non-profit organizations.

BACKGROUND:

During the July 14, 2020 Town Council meeting, the Council deliberated on the allocation of CARES Act funding received by the Town. At this meeting, it was decided that \$46,000 would be made eligible for area non-profit organizations to apply for, to assist them in serving Eagle residents impacted by COVID-19. Town staff issued a press release and advertised on all media channels that qualified non-profit organizations could be considered for this funding by providing a one-page letter describing their request and planned use of the funds. The deadline for submissions was Aug 19, and the 19 letters received by the Town are included in the packet.

ANALYSIS:

To facilitate the decision, a matrix was created to list the name of the organization, the amount requested, the 2019 revenues, expenses, and net revenues, locale of operation, and a brief description of the intended purpose of the funds. This matrix was distributed to Councilmembers to poll individual interest in distributing the funds. An average of all seven responses will be made available to the Council prior to the meeting to assist the deliberation.

Of the 19 responses received by the Town, 9 were in Eagle and all had experience serving Eagle residents. The total amount requested from all applicants was \$111,070, and the average request was for \$5,845.

COMMUNITY INPUT:

The Economic Vitality Committee has written a letter to the Council indicating their support for applications that provide business assistance for local businesses, including the application presented by the Downtown Business Alliance.

Pam Boyd wrote an article in the Vail Daily describing the process that the Town is using to allocate the funds and requesting applicants. As of Aug 20, there were no public comments on the article's webpage.

Town staff has not received any addition comments from the public.

BUDGET / STAFF IMPACT:

There was a nominal impact to staff time to facilitate the application process. The Town budget will be

impacted slightly if the Council decides not to allocate all \$46,000 set aside for this process, as any remaining funds may be reallocated back to cover COVID expenses incurred by the Town.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

This effort is in line with the Town's Business Values of Transparency and Community Engagement, and meets strategic objective #12, Initiate and Maintain Community Building Efforts.

RECOMMENDED ACTION OR PROPOSED MOTION:

The Council will need to direct staff to award recipients funding based on the result of Council deliberation.

ATTACHMENTS:

CARES Funding Community Non-Profit Requests – Combined.pdf

EVC Letter in Support of Business Assistance.pdf

Town of Eagle
Attn: Town Council
200 Broadway
Eagle, CO 81631

August 15, 2020

Re: CARES Act Funding for Eagle Non-Profit Organizations

The Town of Eagle's Economic Vitality Committee would like to express our support for the Town Council's planned distribution of CARES Act funds to local non-profits. Local non-profit organizations have played a key role in helping local businesses through the COVID-19 pandemic. These businesses are vital to the economic health of the Town and in creating the character and sense of place we all enjoy.

As a Committee, we strongly urge the Town Council to consider supporting non-profits that will use their funding to benefit local businesses. The Downtown Business Alliance is one example of an organization dedicated to this effort. Local brick-and-mortar stores have suffered greatly this past year, and this is an excellent opportunity to provide them much-needed business assistance.

Respectfully,

Town of Eagle Economic Vitality Committee

Kevin Brubeck, Chair



To: Mayor and Town Council
From: Deron Dirksen, PE
Date: August 19, 2020
Agenda Item: Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project:
Notice of Award and Construction Contract

REQUEST:

Staff is requesting the Town Council approve the Notice of Award, Construction Contract, and authorization for the Town Manager to execute such Construction Contract for the Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project to Schofield Excavating, Inc. (Schofield) for \$410,099.65.

INTRODUCTION:

The Town's Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project is located along Capitol Street between 5th Street and 6th Street (east of Eagle County campus). The project consists of approximately 500 linear feet of 8-inch diameter water main and 450 linear feet of 8-inch diameter wastewater main. The proposed water main will replace an old under-sized problematic water mains and "loops" the water system which will allow for better fire protection and water quality. The proposed wastewater main will replace an old non-conforming wastewater main which allows for better service and help eliminate back-ups.

The Town has allocated \$525,000 in fiscal year 2020.

ANALYSIS:

The project was designed by staff and was advertised and competitively bid. The town received seven bids from qualified local contractors. The bids were all competitive with four bids within 3%. Schofield was the low bid at **\$410,099.65**. Staff is confident Schofield can complete the project successfully. Town previously worked with Schofield on the Wall Street Water Main project in 2016. Schofield completed that project successfully. It is anticipated the project duration is approximately eight weeks starting early September.

Approximate schedule:

Notice of Award:	Wednesday 8/26/20
Notice to Proceed:	Wednesday 9/9/20
Substantial Completion (45 days):	Saturday 10/24/20
Final Completion (60 days):	Sunday 11/8/20

COMMUNITY INPUT:

None

BUDGET / STAFF IMPACT:

Water Line Enterprise Fund Budget:	\$300,000
Wastewater Line Enterprise Fund Budget:	\$225,000
Total Budget:	\$525,000

Schofield Excavating Inc. Contract:	\$410,099.65
Additional Scope (water line)	\$ 25,000
Services During Construction, Geotech, & Surveying	\$ 20,000 (Approximate)
Town Cost (Approximate):	\$455,099.65

Although the bid came in lower than the amount budgeted, the total costs may exceed the bid due to typical unforeseen conditions and changes that occur on construction projects, but there should be enough money budgeted to cover these changes. There have been and will be other incidental costs through construction such as geotechnical engineer, utility locating services, surveyor, etc.

Impact to staff's time will be significant for 2-months of construction.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

- Major Objective No 7: Implement Priority Infrastructure Improvements: This project will improve the town's water and wastewater infrastructure by improving water quality, improve fire protection, help eliminate water main breaks, help eliminate wastewater back-ups, and protects public health, safety, and the environment.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve or deny the Notice of Award, Construction Contract, and authorization for the Town Manager to execute such Construction Contract for the Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project to Schofield Excavating, Inc. for \$410,099.65.

ATTACHMENTS:

Bid Tabulations, Notice of Award, and Construction Contract

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 55
(Series of 2020)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
APPROVING A CONSTRUCTION CONTRACT WITH SCHOFIELD EXCAVATING, INC.
FOR THE CONSTRUCTION OF THE CAPITOL STREET: 5TH STREET TO 6TH STREET –
WATER AND WASTEWATER REPLACEMENT PROJECT

WHEREAS, the Town needs to construct the project to replace old under-sized problematic water mains and “loop” the water system which allows for better fire protection and water quality;

WHEREAS, the Town needs to construct the project to replace an old non-conforming wastewater main which allows for better service and help eliminate back-ups.

WHEREAS, the Town needs to construct the project this summer/fall due to the construction timeframe limitations;

WHEREAS, the Town’s Strategic Plan Major Objective No 7 is to implement priority infrastructure improvements and protect public health, safety, and the environment;

WHEREAS, the Town budgeted \$525,000.00 for the Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project in 2020 in anticipation of the project and is fully funded;

WHEREAS, staff conducted a bidding process this summer and selected Schofield Excavating, Inc. to perform the work; and

WHEREAS, staff is presenting a Construction Contract to the Board in the amount of \$410,099.65.

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

Section 1. The Town Council hereby approves the attached Construction Contract and authorizes the Town Manager to execute such Construction Contract for the Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project.

INTRODUCED, READ, PASSED, AND ADOPTED on August 25, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

CONSTRUCTION CONTRACT

THIS CONSTRUCTION CONTRACT (the "Contract") is made and entered into this _____ day of _____, 2020 (the "Effective Date"), by and between the Town of Eagle, a municipal corporation with an address of P.O. Box 609, Eagle, Colorado 81631 (the "Town"), and Schofield Excavating, Inc., an independent contractor with a principal place of business at PO Box 612 Gypsum, Colorado 81637 ("Contractor") (each a "Party" and collectively the "Parties").

For the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Scope of Work. Contractor shall furnish all labor and materials required for the complete and prompt execution and performance of all duties, obligations, and responsibilities which are described or reasonably implied from the Scope of Work set forth in **Exhibit A**, attached hereto and incorporated herein by this reference. No change to the Scope of Work, including any additional compensation, shall be effective or paid unless authorized by written amendment executed by the Town.
2. Bonds. Within 10 days of the date of this Contract, Contractor shall furnish a Payment and Performance Bond in the full amount of the Contract Price, as security for the faithful performance and payment of all Contractor's obligations under this Contract, including the warranty. The bond shall remain in effect at least until 2 years after the date of final acceptance.
3. Commencement and Completion of Work. Contractor shall commence the Work within 10 days of date of the Notice to Proceed. Substantial Completion of the Work shall be accomplished within 45 days of the Notice to Proceed unless the period for Substantial Completion is extended otherwise in accordance with the Contract Documents. Final Completion of the Work shall be accomplished within 60 days.
4. Compensation/Contract Price. The Town agrees to pay Contractor, subject to all of the terms and conditions of the Contract Documents, for the Work, an amount not to exceed \$ 410,099.65. The Town shall pay Contractor in the manner and at such times as set forth in the General Provisions such amounts as required by the Contract Documents.
5. Responsibility. Contractor hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and licenses in good standing. The services performed by Contractor shall be in accordance with generally accepted professional practices and the level of competency presently maintained by others in the same or similar type of work, and in compliance with applicable laws, ordinances, rules and regulations. The Town's review, approval or acceptance of, or payment for any work shall not be construed as a waiver of any rights under this Contract or any cause of action arising out of the performance of this Contract.
6. Ownership. Any materials, items, and work specified in the Scope of Work, and any and all related documentation and materials provided or developed by Contractor shall be exclusively owned by the Town. Contractor expressly acknowledges and agrees that all work performed under the Scope of Work constitutes a "work made for hire." To the extent, if at all, that it does not

constitute a "work made for hire," Contractor hereby transfers, sells, and assigns to the Town all of its right, title, and interest in such work. The Town may, with respect to all or any portion of such work, use, publish, display, reproduce, distribute, destroy, alter, retouch, modify, adapt, translate, or change such work without providing notice to or receiving consent from Contractor.

7. Illegal Aliens.

A. Certification. By entering into this Contract, Contractor hereby certifies that, at the time of this certification, it does not knowingly employ or contract with an illegal alien who will perform work under this Contract and that Contractor will participate in either the E-Verify Program administered by the United States Department of Homeland Security and Social Security Administration or the Department Program administered by the Colorado Department of Labor and Employment in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Contract.

B. Prohibited Acts. Contractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract or enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract.

C. Verification.

1. If Contractor has employees, Contractor has confirmed or attempted to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Contract through participation in either the E-Verify Program or the Department Program.

2. Contractor shall not use the E-Verify or Department Program procedures to undertake pre-employment screening of job applicants while this Contract is being performed.

3. If Contractor obtains actual knowledge that a subcontractor performing work under this Contract knowingly employs or contracts with an illegal alien who is performing work under this Contract, Contractor shall: notify the subcontractor and the Town within 3 days that Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien who is performing work under this Contract; and terminate the subcontract with the subcontractor if within 3 days of receiving the notice required pursuant to subsection a hereof, the subcontractor does not stop employing or contracting with the illegal alien who is performing work under this Contract; except that Contractor shall not terminate the contract with the subcontractor if during such 3 days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien who is performing work under this Contract.

D. Duty to Comply with Investigations. Contractor shall comply with any reasonable request by the Colorado Department of Labor and Employment made in the course of an investigation conducted pursuant to C.R.S. § 8-17.5-102(5)(a) to ensure that Contractor is complying with the terms of this Contract.

E. Affidavits. If Contractor does not have employees, Contractor shall sign the attached "No Employee Affidavit." If Contractor wishes to verify the lawful presence of newly hired employees who perform work under the Contract via the Department Program, Contractor shall sign the "Department Program Affidavit" attached hereto.

8. Keep Jobs In Colorado Act. Pursuant to the Keep Jobs in Colorado Act, C.R.S. § 8-17-101, *et seq.* (the "Act"), and the rules adopted by the Division of Labor of the Colorado Department of Labor and Employment implementing the Act (the "Rules"), Contractor shall employ Colorado labor to perform at least 80% of the work under this Contract and shall obtain and maintain the records required by the Act and the Rules. For purposes of this Section, "Colorado labor" means a person who is a resident of the state of Colorado at the time of this Contract, without discrimination as to race, color, creed, sex, sexual orientation, marital status, national origin, ancestry, age, or religion except when sex or age is a *bona fide* qualification. A resident of the state of Colorado is a person with a valid Colorado driver's license, a valid Colorado state-issued photo identification, or documentation that he or she has resided in Colorado for the last 30 days. Contractor represents that it is familiar with the requirements of the Act and the Rules and will fully comply with same. This Section shall not apply to any project for which appropriation or expenditure of moneys may be reasonably expected not to exceed \$500,000 in the aggregate for any fiscal year.

9. Governing Law and Venue. This Contract shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Eagle County, Colorado.

10. No Waiver. Delays in enforcement or the waiver of any one or more defaults or breaches of this Contract by the Town shall not constitute a waiver of any of the other terms or obligation of this Contract.

11. Integration. This Contract and any attached exhibits constitute the entire Contract between Contractor and the Town, superseding all prior oral or written communications.

12. Third Parties. There are no intended third-party beneficiaries to this Contract.

13. Notice. Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first class U.S. Mail to the Party at the address set forth on the first page of this Agreement.

14. Severability. If any provision of this Contract is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

15. Modification. This Contract may only be modified upon written agreement of the Parties.

16. Assignment. Neither this Contract nor any of the rights or obligations of the Parties shall be assigned by either party without the written consent of the other.

17. Governmental Immunity. The Town and its officers, attorneys and employees are relying on, and do not waive or intend to waive by any provision of this Contract, the monetary limitations

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EXHIBIT A

SCOPE OF WORK

The construction of water main replacement and wastewater main replacement, as described in the contract documents. Improvements include water main, gate valves, bends, water services, fire hydrants, wastewater main, manholes, wastewater services, cleanouts, roadbase, asphalt, revegetation, etc. The project is located in downtown Eagle on Capitol Street between 5th Street and 6th Street. The approximate total length of water main improvements are approximately 500 linear feet and wastewater main improvements are approximately 450 linear feet.

NO EMPLOYEE AFFIDAVIT

[To be completed only if Contractor has no employees]

1. Check and complete one:

☐ I, _____, am a sole proprietor doing business as _____. I do not currently employ any individuals. Should I employ any employees during the term of my Contract with the Town of Eagle (the "Town"), I certify that I will comply with the lawful presence verification requirements outlined in that Contract.

OR

☐ I, _____, am the sole owner/member/shareholder of _____, a _____ [specify type of entity – i.e., corporation, limited liability company], that does not currently employ any individuals. Should I employ any individuals during the term of my Contract with the Town, I certify that I will comply with the lawful presence verification requirements outlined in that Contract.

2. Check one.

☐ I am a United States citizen or legal permanent resident.

The Town must verify this statement by reviewing one of the following items:

- *A valid Colorado driver's license or a Colorado identification card;*
- *A United States military card or a military dependent's identification card;*
- *A United States Coast Guard Merchant Mariner card;*
- *A Native American tribal document;*
- *In the case of a resident of another state, the driver's license or state-issued identification card from the state of residence, if that state requires the applicant to prove lawful presence prior to the issuance of the identification card; or*
- *Any other documents or combination of documents listed in the Town's "Acceptable Documents for Lawful Presence Verification" chart that prove both Contractor's citizenship/lawful presence and identity.*

OR

☐ I am otherwise lawfully present in the United States pursuant to federal law.

Contractor must verify this statement through the federal Systematic Alien Verification of Entitlement ("SAVE") program, and provide such verification to the Town.

Signature

Date

DEPARTMENT PROGRAM AFFIDAVIT

***[To be completed only if Contractor participates in the
Department of Labor Lawful Presence Verification Program]***

I, _____, as a public contractor under contract with the Town of Eagle (the "Town"), hereby affirm that:

1. I have examined or will examine the legal work status of all employees who are newly hired for employment to perform work under this public contract for services (the "Contract") with the Town within 20 days after such hiring date;

2. I have retained or will retain file copies of all documents required by 8 U.S.C. § 1324a which verify the employment eligibility and identity of newly hired employees who perform work under the Contract; and

3. I have not and will not alter or falsify the identification documents for my newly hired employees who perform work under the Contract.

Signature

Date

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was subscribed, sworn to and acknowledged before me this _____ day of _____, 2020, by _____ as _____ of _____.

My commission expires:

(S E A L)

Notary Public

CAPITOL STREET: 5TH STREET TO 6TH STREET - WATER AND WASTEWATER REPLACEMENT				BID DATE: 8/13/2020													
BID ITEM NUMBER	DESCRIPTION	ESTIMATED QUANTITY	UNIT	STAN MILLER, INC.		GOULD CONSTRUCTION		JOHNSON CONSTRUCTION		UNITED COMPANIES		HOBBS EXCAVATING &		EWING TRUCKING &		SCHOFIELD EXCAVATION,	
				UNIT PRICE	PRICE	UNIT PRICE	PRICE	UNIT PRICE	PRICE	UNIT PRICE	PRICE	UNIT PRICE	PRICE	UNIT PRICE	PRICE	UNIT PRICE	PRICE
1	MOBILIZATION	1	L.S.	\$ 25,000.00	\$ 25,000.00	\$ 55,411.22	\$ 55,411.22	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
2	SITE PREPARATION	1	L.S.	\$ 28,026.00	\$ 28,026.00	\$ 8,400.00	\$ 8,400.00	\$ 8,500.00	\$ 8,500.00	\$ 20,000.00	\$ 20,000.00	\$ 15,000.00	\$ 15,000.00	\$ 23,450.00	\$ 23,450.00	\$ 8,500.00	\$ 8,500.00
3	TRAFFIC CONTROL AND MAINTENANCE OF ACCESS	1	L.S.	\$ 12,117.60	\$ 12,117.60	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	\$ 15,000.00	\$ 15,000.00	\$ 6,500.00	\$ 6,500.00	\$ 5,350.00	\$ 5,350.00	\$ 6,325.00	\$ 6,325.00
4	8-INCH DIP, CLASS 52 WITH JOINT RESTRAINED GASKETS	502	L.F.	\$ 227.47	\$ 114,189.94	\$ 169.30	\$ 84,988.60	\$ 170.00	\$ 85,340.00	\$ 190.00	\$ 95,380.00	\$ 175.00	\$ 87,850.00	\$ 183.75	\$ 92,242.50	\$ 140.00	\$ 70,280.00
5	8-INCH GATE VALVE	4	EA	\$ 1,640.00	\$ 6,560.00	\$ 1,840.00	\$ 7,360.00	\$ 2,000.00	\$ 8,000.00	\$ 2,150.00	\$ 8,600.00	\$ 1,500.00	\$ 6,000.00	\$ 2,110.00	\$ 8,440.00	\$ 1,581.00	\$ 6,324.00
6	8-INCH X 8-INCH TEE	1	EA	\$ 514.00	\$ 514.00	\$ 827.00	\$ 827.00	\$ 900.00	\$ 900.00	\$ 1,175.00	\$ 1,175.00	\$ 1,050.00	\$ 1,050.00	\$ 925.00	\$ 925.00	\$ 700.00	\$ 700.00
7	8-INCH X 6-INCH TEE	2	EA	\$ 470.00	\$ 940.00	\$ 754.00	\$ 1,508.00	\$ 875.00	\$ 1,750.00	\$ 1,050.00	\$ 2,100.00	\$ 1,050.00	\$ 2,100.00	\$ 700.00	\$ 1,400.00	\$ 630.00	\$ 1,260.00
8	8-INCH 22.5 DEGREE BEND	2	EA	\$ 340.00	\$ 680.00	\$ 652.00	\$ 1,304.00	\$ 500.00	\$ 1,000.00	\$ 625.00	\$ 1,250.00	\$ 850.00	\$ 1,700.00	\$ 520.00	\$ 1,040.00	\$ 534.00	\$ 1,068.00
9	8-INCH SOLID SLEEVE	2	EA	\$ 296.00	\$ 592.00	\$ 2,685.00	\$ 5,370.00	\$ 475.00	\$ 950.00	\$ 430.00	\$ 860.00	\$ 850.00	\$ 1,700.00	\$ 560.00	\$ 1,120.00	\$ 403.00	\$ 806.00
10	8-INCH X 4-INCH REDUCER	1	EA	\$ 205.00	\$ 205.00	\$ 362.00	\$ 362.00	\$ 575.00	\$ 575.00	\$ 500.00	\$ 500.00	\$ 850.00	\$ 850.00	\$ 500.00	\$ 500.00	\$ 304.00	\$ 304.00
11	4-INCH DIP, CLASS 52 (Restrained Joint)	20	L.F.	\$ 70.00	\$ 1,400.00	\$ 164.40	\$ 3,288.00	\$ 200.00	\$ 4,000.00	\$ 240.00	\$ 4,800.00	\$ 160.00	\$ 3,200.00	\$ 141.00	\$ 2,820.00	\$ 175.00	\$ 3,500.00
12	4-INCH GATE VALVE	1	EA	\$ 928.00	\$ 928.00	\$ 1,290.00	\$ 1,290.00	\$ 1,250.00	\$ 1,250.00	\$ 1,550.00	\$ 1,550.00	\$ 1,200.00	\$ 1,200.00	\$ 1,125.00	\$ 1,125.00	\$ 1,060.00	\$ 1,060.00
13	4-INCH 45 DEGREE BEND	2	EA	\$ 308.00	\$ 616.00	\$ 359.00	\$ 718.00	\$ 400.00	\$ 800.00	\$ 500.00	\$ 1,000.00	\$ 650.00	\$ 1,300.00	\$ 400.00	\$ 800.00	\$ 320.00	\$ 640.00
14	4-INCH SOLID SLEEVE	1	EA	\$ 190.00	\$ 190.00	\$ 2,567.00	\$ 2,567.00	\$ 360.00	\$ 360.00	\$ 1,000.00	\$ 1,000.00	\$ 650.00	\$ 650.00	\$ 400.00	\$ 400.00	\$ 290.00	\$ 290.00
15	FIRE HYDRANT, GUARD VALVE, 6-INCH DIP (RESTRAINED JOINT), & BEND	2	EA	\$ 8,681.00	\$ 17,362.00	\$ 9,852.00	\$ 19,704.00	\$ 10,500.00	\$ 21,000.00	\$ 9,500.00	\$ 19,000.00	\$ 9,500.00	\$ 19,000.00	\$ 7,560.00	\$ 15,120.00	\$ 10,200.00	\$ 20,400.00
16	WATER SERVICE: (1-INCH COPPER)	230	L.F.	\$ 92.37	\$ 21,245.10	\$ 60.00	\$ 13,800.00	\$ 100.00	\$ 23,000.00	\$ 125.00	\$ 28,750.00	\$ 120.00	\$ 27,600.00	\$ 125.00	\$ 28,750.00	\$ 100.00	\$ 23,000.00
17	WATER SERVICE TIE-IN (CURB STOPS, CORP., SADDLE, ETC.)	6	EA	\$ 1,685.00	\$ 10,110.00	\$ 650.00	\$ 3,900.00	\$ 1,150.00	\$ 6,900.00	\$ 1,200.00	\$ 7,200.00	\$ 500.00	\$ 3,000.00	\$ 875.00	\$ 5,250.00	\$ 760.00	\$ 4,560.00
18	CONCRETE TIE-BACK KICKER	3	EA	\$ 4,210.00	\$ 12,630.00	\$ 1,245.00	\$ 3,735.00	\$ 1,200.00	\$ 3,600.00	\$ 1,900.00	\$ 5,700.00	\$ 1,500.00	\$ 4,500.00	\$ 4,300.00	\$ 12,900.00	\$ 1,744.00	\$ 5,232.00
19	SANITARY SEWER MANHOLE, 4-FT	2	EA	\$ 3,610.00	\$ 7,220.00	\$ 5,980.00	\$ 11,960.00	\$ 6,500.00	\$ 13,000.00	\$ 9,000.00	\$ 18,000.00	\$ 4,000.00	\$ 8,000.00	\$ 4,750.00	\$ 9,500.00	\$ 4,660.00	\$ 9,320.00
20	8-INCH C900	454	L.F.	\$ 205.45	\$ 93,274.30	\$ 160.90	\$ 73,048.60	\$ 180.00	\$ 81,720.00	\$ 170.00	\$ 77,180.00	\$ 195.00	\$ 88,530.00	\$ 168.25	\$ 76,385.50	\$ 116.00	\$ 52,664.00
21	4-INCH SDR-35	126	L.F.	\$ 70.54	\$ 8,888.04	\$ 185.00	\$ 23,310.00	\$ 150.00	\$ 18,900.00	\$ 170.00	\$ 21,420.00	\$ 45.00	\$ 5,670.00	\$ 132.25	\$ 16,663.50	\$ 123.50	\$ 15,561.00
22	4-INCH SADDLE	7	EA	\$ 204.00	\$ 1,428.00	\$ 270.00	\$ 1,890.00	\$ 200.00	\$ 1,400.00	\$ 675.00	\$ 4,725.00	\$ 250.00	\$ 1,750.00	\$ 595.00	\$ 4,165.00	\$ 260.00	\$ 1,820.00
23	SEWER SERVICE TIE-IN (CLEANOUT, VALVE BOX, SHEAR GUARD, ETC.)	7	EA	\$ 1,284.00	\$ 8,988.00	\$ 554.00	\$ 3,878.00	\$ 400.00	\$ 2,800.00	\$ 390.00	\$ 2,730.00	\$ 225.00	\$ 1,575.00	\$ 690.00	\$ 4,830.00	\$ 285.00	\$ 1,995.00
24	SAWCUT	457	L.F.	\$ 2.00	\$ 914.00	\$ 4.65	\$ 2,125.05	\$ 3.50	\$ 1,599.50	\$ 2.00	\$ 914.00	\$ 8.00	\$ 3,656.00	\$ 2.00	\$ 914.00	\$ 3.00	\$ 1,371.00
25	ASPHALT REMOVAL (4-INCHES)	2088	S.Y.	\$ 6.32	\$ 13,196.16	\$ 3.65	\$ 7,621.20	\$ 6.00	\$ 12,528.00	\$ 7.50	\$ 15,660.00	\$ 12.00	\$ 25,056.00	\$ 5.10	\$ 10,648.80	\$ 4.15	\$ 8,665.20
26	CONCRETE REMOVAL (CROSS PAN, CURB & GUTTER, SIDEWALK)	700	S.F.	\$ 2.10	\$ 1,470.00	\$ 2.65	\$ 1,855.00	\$ 2.00	\$ 1,400.00	\$ 2.50	\$ 1,750.00	\$ 8.00	\$ 5,600.00	\$ 5.00	\$ 3,500.00	\$ 2.10	\$ 1,470.00
27	ROADBASE/SUBGRADE REMOVAL (6-INCHES)	2454	S.Y.	\$ 2.87	\$ 7,042.98	\$ 3.20	\$ 7,852.80	\$ 4.50	\$ 11,043.00	\$ 5.00	\$ 12,270.00	\$ 8.50	\$ 20,859.00	\$ 3.30	\$ 8,098.20	\$ 2.30	\$ 5,644.20
28	ASPHALT PAVING (4-INCHES, 24-FT WIDE	2088	S.Y.	\$ 37.34	\$ 77,965.92	\$ 36.25	\$ 75,690.00	\$ 36.50	\$ 76,212.00	\$ 30.00	\$ 62,640.00	\$ 35.00	\$ 73,080.00	\$ 31.00	\$ 64,728.00	\$ 31.40	\$ 65,563.20
29	CONCRETE CROSS WALK	870	S.F.	\$ 20.51	\$ 17,843.70	\$ 21.45	\$ 18,661.50	\$ 22.00	\$ 19,140.00	\$ 45.00	\$ 39,150.00	\$ 8.00	\$ 6,960.00	\$ 21.50	\$ 18,705.00	\$ 20.00	\$ 17,400.00
30	CONCRETE CURB & GUTTER	70	L.F.	\$ 46.20	\$ 3,234.00	\$ 59.20	\$ 4,144.00	\$ 33.00	\$ 2,310.00	\$ 60.00	\$ 4,200.00	\$ 30.00	\$ 2,100.00	\$ 34.10	\$ 2,387.00	\$ 30.00	\$ 2,100.00
31	CONCRETE SIDEWALK	153	S.F.	\$ 16.33	\$ 2,498.49	\$ 12.00	\$ 1,836.00	\$ 13.00	\$ 1,989.00	\$ 13.00	\$ 1,989.00	\$ 8.00	\$ 1,224.00	\$ 13.60	\$ 2,080.80	\$ 12.00	\$ 1,836.00
32	CONCRETE ADA RAMP	3	EA	\$ 2,670.00	\$ 8,010.00	\$ 825.00	\$ 2,475.00	\$ 1,600.00	\$ 4,800.00	\$ 3,000.00	\$ 9,000.00	\$ 1,500.00	\$ 4,500.00	\$ 1,640.00	\$ 4,920.00	\$ 1,470.00	\$ 4,410.00
33	ROADBASE (CLASS 6) (6-INCH DEPTH)UNDER ASPHALT, UNDER CONCRETE, 2-FEET WIDE SHOULDERS, AND FINISHED SURFACE AREAS	2454	S.Y.	\$ 14.37	\$ 35,263.98	\$ 11.88	\$ 29,153.52	\$ 14.25	\$ 34,969.50	\$ 20.00	\$ 49,080.00	\$ 12.00	\$ 29,448.00	\$ 12.70	\$ 31,165.80	\$ 11.30	\$ 27,730.20
34	REPLACEMENT OF MATERIAL OUTSIDE OF ASPHALT AND SHOULDER LIMITS (ROADBASE, REVEGETATION, ETC.	361	S.Y.	\$ 21.46	\$ 7,747.06	\$ 12.90	\$ 4,656.90	\$ 25.00	\$ 9,025.00	\$ 25.00	\$ 9,025.00	\$ 15.00	\$ 5,415.00	\$ 15.00	\$ 5,415.00	\$ 17.00	\$ 6,137.00
35	OVER-EXCAVATION OF UNSUITABLE TRENCH SUBGRADE (BELOW PIPE)	532	S.F.	\$ 2.16	\$ 1,149.12	\$ 6.65	\$ 3,537.80	\$ 1.50	\$ 798.00	\$ 5.00	\$ 2,660.00	\$ 3.00	\$ 1,596.00	\$ 3.15	\$ 1,675.80	\$ 1.00	\$ 532.00
36	REPLACEMENT OF SUITABLE TRENCH SUBGRADE (BELOW PIPE)	532	S.F.	\$ 8.14	\$ 4,330.48	\$ 9.15	\$ 4,867.80	\$ 5.50	\$ 2,926.00	\$ 8.50	\$ 4,522.00	\$ 6.00	\$ 3,192.00	\$ 3.50	\$ 1,862.00	\$ 3.70	\$ 1,968.40
37	EXPORT OF UNSUITABLE TRENCH MATERIAL UNDER PAVED SURFACE AREAS	1529	C.F.	\$ 0.21	\$ 321.09	\$ 1.02	\$ 1,559.58	\$ 1.00	\$ 1,529.00	\$ 3.25	\$ 4,969.25	\$ 1.25	\$ 1,911.25	\$ 1.45	\$ 2,217.05	\$ 0.65	\$ 993.85
38	IMPORT OF SUITABLE TRENCH MATERIAL UNDER PAVED SURFACE AREAS	1529	C.F.	\$ 1.46	\$ 2,232.34	\$ 1.55	\$ 2,369.95	\$ 2.50	\$ 3,822.50	\$ 5.25	\$ 8,027.25	\$ 2.00	\$ 3,058.00	\$ 2.75	\$ 4,204.75	\$ 2.40	\$ 3,669.60
				\$ 556,323.30		\$ 507,025.52		\$ 514,836.50		\$ 588,776.50		\$ 501,380.25		\$ 500,698.70		\$ 410,099.65	

NOTICE OF AWARD

Date: August 26, 2020

Contractor Name
Schofield Excavating, Inc.

Address
P.O. Box 612
Gypsum, Colorado 81637

RE: Capitol Street: 5th Street to 6th Street – Water and Wastewater Replacement Project

Dear Schofield Excavating, Inc.:

Thank you for submitting a Bid for the Capitol Street: 5th to 6th Street – Water and Wastewater Replacement Project.

Your firm submitted the most qualified Bid and you have been selected as the successful Contractor. Accordingly, this is your Notice of Award for the Capitol Street: 5th to 6th Street – Water and Wastewater Replacement Project.

Enclosed please find an original and duplicate original Construction Contract. Please review and sign both, then, within 10 days of receipt of this letter, return both to me along with your certification of insurance and payment and performance bond, if applicable, each in the full amount of the Contract Price, and appropriate powers of attorney. When dating the above documents, please make sure that all dates, on all documents, are the same and that the insurance policy reflects the requirements of the Contract Documents. Please return all of the documents at the same time, in the same envelope.

Upon receipt of the signed Contracts, the Town will execute both and return one fully executed original to you.

Should you have any questions, please call me at (970) 328-6678.

Sincerely,

Deron Dirksen
Project Manager
Utility Manager/Sustainability Coordinator



To: Mayor and Town Council

From:

Date: August 25, 2020

Agenda Item: 2020 Proposed Ballot Questions

REQUEST:

BACKGROUND:

ANALYSIS:

COMMUNITY INPUT:

BUDGET / STAFF IMPACT:

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

RECOMMENDED ACTION OR PROPOSED MOTION:

ATTACHMENTS: None



To: Mayor and Town Council

From: Brandy Reitter, Town Manager
Jill Kane, Finance Director

Date: August 25, 2020

Agenda Item: Resolution 50, Series, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle at the November 3, 2020 Coordinated Election, to Change the Lodging Occupation Tax from \$4.00 per day per Occupied Lodging Room of Accommodation to 6% of the Cost of the Rental Fee Paid"

REQUEST:

Staff requests that the Town Council review a final resolution of the ballot question for the 2020 November election regarding the Lodging Occupation Tax.

INTRODUCTION:

Staff presented a draft resolution on August 11 for feedback from the Town Council. While there was no feedback on this question, staff separated the ballot questions to assist with the review of each one. Per TABOR, the ballot question includes a not to exceed amount for the first year of revenue collections. A brief revenue analysis is provided that explains the rationale for the first year of collections.

ANALYSIS:

Lodging Tax Question Summary

As a reference, the original policy analysis was presented at the Town Council meeting on [July 28, 2020](#). The TABOR projection for the first year of revenue collections is \$120,000. The projection is based off the highest year of collections in 2018 which was \$364,980 in revenues. The estimate is conservative and given the economic climate in 2020 - 2021, this is an accurate amount for the first year. Below is a table of the analysis:

Lodging Occupation Tax Projected Scenarios					
	2017	2018	2019	2020 Projected	2021 Projected *
Lodging Occupation Tax Collected	\$ 281,218	\$ 299,226	\$ 287,332	\$ 143,666	\$ 258,599
Lodging Sales Tax Collected	\$ 340,536	\$ 364,980	\$ 347,228	173,614	312,505
Lodging Total Revenues	\$ 7,567,458	\$ 8,110,658	\$ 7,716,170	\$ 3,858,085	\$ 6,944,553
Lodging tax projections if the change is made to a percentage based tax:					
6%	454,047	486,639	462,970	231,485	416,673
Additional Lodging Tax revenue **	172,829	187,413	175,638	87,819	117,447 ***
* 2021 projection is estimated at 90% of 2019 sales tax collections, to ensure a conservative estimate for the ballot language					
** 2017 - 2020 is the additional lodging tax revenue we would have received if the Town collected 6% instead of \$4/night					
*** 2021 additional lodging tax projected to be collected compared to 2018 actual revenues (highest year of collection)					

COMMUNITY INPUT:

The community has given input on the desire to change the Lodging Occupation Tax. It was brought up during MEAC conversations.

BUDGET / STAFF IMPACT:

There is a positive impact from transitioning to a % versus a flat fee. The Town will increase revenues by approximately \$120,000 in 2021. As the economic climate improves, the Town could generate between \$170,000 to \$200,000 in additional revenues for the MEAC and Open Space programs.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal does align with the current strategic plan:

Major Objective No. 2: Enhance the Financial Health of the Town – The proposed tax measure will assist the Town with funding programs and operations that are underfunded. Ongoing revenues are the most sustainable funding sources the Town has to provide reliable services.

Economic Development – If the Town Council increases the revenues from lodging tax and funds the same programs, it would be an investment in economic development activities. Funding for open space, trails, marketing and events typically has a return on the investment made by the Town.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** the adoption of Resolution No. 50, Series 2020, “A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle at the November 3, 2020 Coordinated Election, to Change the Lodging Occupation Tax from \$4.00 per Day per Occupied Lodging Room or Accommodation to 6% of the Cost of the Rental Fee Paid”

ATTACHMENTS:

- Resolution No. 50

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 50
(Series of 2020)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
SUBMITTING A BALLOT ISSUE TO THE REGISTERED ELECTORS OF THE TOWN OF
EAGLE AT THE NOVEMBER 3, 2020 COORDINATED ELECTION, TO CHANGE THE
LODGING OCCUPATION TAX FROM \$4.00 PER DAY PER OCCUPIED LODGING
ROOM OR ACCOMMODATION TO 6% OF THE COST OF THE RENTAL FEE PAID

WHEREAS, in April 1996, Town of Eagle voters approved a lodging occupation tax of \$2.00 per day per any occupied hotel room or other similar accommodation, with all revenues derived to be used exclusively for the preservation of agricultural lands and for the acquisition, maintenance and management of lands and easements in and around the Town for open space buffer zones, trails within open space areas, wildlife habitats and wetland preservation;

WHEREAS, Town of Eagle voters last approved an increase to the lodging tax in November 2011, when the tax increased from \$2.00 to \$4.00 per day per any occupied hotel room or other similar accommodation, with all revenues derived from the \$2.00 increase to be used exclusively for general marketing and promotion of the Town and the marketing and promotion of Town events;

WHEREAS, in April 2014, Town of Eagle voters approved an expansion of the use of the lodging tax revenues to include the construction and maintenance of soft path recreation trails connecting to the existing Eagle area trails system and the construction of facilities such as restrooms, parking areas, and other physical improvements that improve the quality of the user's experience when utilizing Town open space and adjacent lands; and

WHEREAS, the Town Council wishes to submit to the registered electors of the Town at the November 3, 2020 coordinated election the question of whether to change the lodging tax from \$4.00 per day per occupied room to 6% of the rental fee paid, with 50% of revenues derived from this occupation tax to be used for the purpose of the preservation of agricultural lands and for the acquisition, maintenance and management of lands and easements in and around the Town for open space buffer zones, trails within open space areas, wildlife habitats and wetland preservation, construction and maintenance of soft path recreation trails connecting to the existing Eagle area trails system and the construction of facilities such as restrooms, parking area, and other physical improvements that improve the quality of the user's experience when utilizing Town open space and adjacent lands, and the other 50% of revenues derived from this occupation tax to be used for the purpose of general marketing and promotion of the Town and the marketing and promotion of Town events.

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

Section 1. At the November 3, 2020 election, the following ballot issue shall be presented to the registered electors of the Town:

SHALL TOWN OF EAGLE TAXES BE INCREASED \$120,000 IN THE FIRST FISCAL YEAR AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY A CHANGE IN THE TOWN'S LODGING TAX FROM \$4.00 PER DAY PER OCCUPIED LODGING ROOM OR ACCOMMODATION TO 6% OF THE COST OF THE RENTAL FEE, PRICE OR OTHER CONSIDERATION PAID OR RECEIVED FOR THE LODGING ON EACH FULL DOLLAR OF SAID RENTAL FEE, COST OR OTHER CONSIDERATION PAID, WITH THE TAX INCREASE COMMENCING ON JANUARY 1, 2021; WITH 50% OF THE REVENUES FROM SUCH TAX TO BE USED FOR: THE PRESERVATION OF AGRICULTURAL LANDS; THE ACQUISITION, MAINTENANCE AND MANAGEMENT OF OPEN SPACE BUFFER ZONES, TRAILS, WILDLIFE HABITATS AND WETLAND PRESERVATION; CONSTRUCTION AND MAINTENANCE OF SOFT PATH RECREATION TRAILS CONNECTING TO THE EXISTING EAGLE AREA TRAILS SYSTEM; AND THE CONSTRUCTION OF FACILITIES SUCH AS RESTROOMS, PARKING AREAS, AND OTHER PHYSICAL IMPROVEMENTS THAT IMPROVE THE QUALITY OF THE EXPERIENCE FOR USERS OF TOWN OPEN SPACE AND ADJACENT LANDS; AND WITH 50% OF THE REVENUES FROM SUCH TAX TO BE USED FOR THE PURPOSE OF GENERAL MARKETING AND PROMOTION OF THE TOWN OF EAGLE AND THE MARKETING AND PROMOTION OF TOWN OF EAGLE EVENTS; AND SHALL THE REVENUES FROM SUCH TAX AND ANY INVESTMENT EARNINGS THEREON BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

INTRODUCED, READ, PASSED AND ADOPTED ON AUGUST 25, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From:

Date: August 25, 2020

Agenda Item: Resolution No. 56, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle At the November 3, 2020 Coordinated Election, to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%"

REQUEST:

BACKGROUND:

ANALYSIS:

COMMUNITY INPUT:

BUDGET / STAFF IMPACT:

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:

RECOMMENDED ACTION OR PROPOSED MOTION:

ATTACHMENTS:

1. 2020 Ballot Questions Reso 56 Use Tax Memo
2. Use Tax-R082120



To: Mayor and Town Council

From: Brandy Reitter, Town Manager
Jill Kane, Finance Director

Date: August 25, 2020

Agenda Item: Resolution 56, Series, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle at the November 3, 2020, Coordinated Election, to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%"

REQUEST:

Staff requests that the Town Council review a resolution regarding a ballot question increasing the Use Tax from 4% to 4.5%.

INTRODUCTION:

Over the last few months, staff and the Town Council have discussed possible ballot questions. One of the questions includes increasing the Use Tax by .5%. At the meeting on August 11, the Town Council requested that staff bring back a fiscal impact analysis related to Use Tax. The final draft of the resolution also includes a TABOR limit. The next steps are for the Town Council to review the ballot language and fiscal impact and decide on whether to include the proposal on the ballot in November.

ANALYSIS:

Use Tax Question Summary

Provided are links to previous conversations on Use Tax:

- The conversation from the Town Council meeting on [June 9, 2020](#), wanting to proceed with the proposal
- The conversation from the Town Council Meeting on [August 11, 2020](#), asking for follow up information

Fiscal Impact Analysis

Fiscal Impact to Remove Use Tax			
	2018	2019	2020 Budget
Use Tax Collections (4%)	\$ 353,198	\$ 312,200	\$ 250,000
Estimate of 4.5% Sales Tax Collection on Building Material:			
Estimate of Sales Tax that would be collected for Building materials sold in the Town of Eagle or delivered within town limits	\$ 247,239	\$ 218,540	\$ 175,000
Additional .5% Sales tax that would be collected	\$ 18,467	\$ 21,293	\$ 24,402
Total	\$ 265,706	\$ 239,833	\$ 199,402
Variance between Use Tax and Sale Tax Collection	\$ (87,492)	\$ (72,367)	\$ (50,598)
Potential loss of Use Tax: Estimate of building materials that are purchased and picked up outside the Town of eagle (deliveries in the Town would collect sales tax)	\$ (105,960)	\$ (93,660)	\$ (75,000)
Estimate of collection of sales tax when both Sales and Use tax were collected and a refund was not requested	\$ (20,193)	\$ (112,456)	\$ (28,199)

Assumptions:

1. Of total Building/Construction sales tax collected, assuming 50% is collected for Town of Eagle building permits.
2. Staff is assuming that 30% of building materials are purchased and picked up outside the Town of Eagle and 70% are either purchased in the Town of Eagle or delivered within town limits.

Removing Potential Double Taxation:

1. 2018-2019: To estimate the amount of tax that should be reimbursed for permits that we did not receive refund requests for, staff estimated by applying the percentage of refunds that were distributed compared to total Use Tax collections for building permits that requested a refund and applying that percentage to all Use Tax collections that we did not receive a refund request and reducing by 50%.
2. 2020: Exemption certificates started to be distributed in July 2020, used the average of 2018/2019 percentage allocation compared to budget and divided by 2 for 50% of the year.

COMMUNITY INPUT:

Community input on the Lodging Tax wasn't included with this proposal.

BUDGET / STAFF IMPACT:

There is a positive impact from this proposal. The increase in Use Tax generates additional revenue for the Capital Improvement Fund. In 2021 – 2022, the Town will see major development and would benefit from the increase in revenues as a result of Haymeadow, Reserve at Hockett Gulch, Red Mountain Ranch, Talon Flats, and Broadway Station.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal does align with the current strategic plan:

Major Objective No. 2: Enhance the Financial Health of the Town – The proposed tax measure will assist the Town with funding programs and operations that are underfunded. Ongoing revenues are the most sustainable funding sources the Town has to ensure that it can provide reliable services.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve or deny the adoption of Resolution No. 56, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle at the November 3, 2020, Coordinated Election, to Increase the Town's Use Tax on Construction and Building Materials from 4% to 4.5%"

ATTACHMENTS:

- Resolution No. 56

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 56
(Series of 2020)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO SUBMITTING A BALLOT ISSUE TO THE REGISTERED ELECTORS OF THE TOWN OF EAGLE AT THE NOVEMBER 3, 2020 COORDINATED ELECTION, TO INCREASE THE TOWN'S USE TAX ON CONSTRUCTION AND BUILDING MATERIALS FROM 4% TO 4.5%

WHEREAS, the Town imposes a use tax on construction and building materials purchased outside the Town at retail and used or consumed in the Town; and

WHEREAS, the Town Council wishes to submit to the registered electors of the Town at the November 3, 2020 coordinated election the question of whether to increase the use tax from 4% to 4.5%, with all revenues derived from the increase in the use tax to be used for any lawful governmental purpose.

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

Section 1. At the November 3, 2020 election, the following ballot issue shall be presented to the registered electors of the Town:

SHALL TOWN OF EAGLE TAXES BE INCREASED \$200,000 IN THE FIRST FISCAL YEAR AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY AN INCREASE IN THE TOWN'S USE TAX ON CONSTRUCTION AND BUILDING MATERIALS PURCHASED OUTSIDE THE TOWN AND USED OR CONSUMED INSIDE THE TOWN FROM 4.0% TO 4.5%, WITH THE TAX INCREASE COMMENCING ON JANUARY 1, 2021, WITH THE REVENUES FROM SUCH TAX TO BE USED FOR ANY LAWFUL GOVERNMENTAL PURPOSE DETERMINED BY THE TOWN COUNCIL, AND SHALL THE REVENUES FROM SUCH TAX AND ANY INVESTMENT EARNINGS THEREON BE COLLECTED AND SPENT BY THE TOWN AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

INTRODUCED, READ, PASSED AND ADOPTED ON AUGUST 25, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: August 25, 2020

Agenda Item: Resolution 57, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle at the November 3, 2020 Coordinated Election"

REQUEST:

Staff requests that the Town Council review a resolution regarding a ballot question that gives the Town the ability to adjust the mill levy to retain existing property tax revenues.

INTRODUCTION:

Eagle County along with Vail and Avon is proposing a regional effort to align a ballot question that addresses structural issues regarding how mill levies are calculated for property tax. The proposal gives local communities control over how their mill levies are calculated rather than relying on the State of Colorado to set the residential assessment rate. The state is going to propose a question that is like the one attached, however, it is more challenging to see success on a statewide level. The region thinks success is likely at the local level. Several special districts have proposed the same ballot language and have been successful. Included with this memo is communication drafted by the Town Attorney that goes into detail about Gallagher and what the ballot question accomplishes for the Town of Eagle.

ANALYSIS:

Rationale for the Proposal:

- There are significant impacts on town services, including police, public works, community development, and general operations. The Town will see approximately a \$64,000 decrease in revenues when the state reassesses the rates this year.
- Property Tax is a diversified source of revenue for the Town; With less property tax flowing in (even as residential values increase), the Town's dependency on sales tax will grow even larger than it is today.
- The State of Colorado will pose the same question to voters in November. Whether or not the state question passes, the Town of Eagle citizens through the Town Council will have a say in the

amount of property taxes collected. This ballot question would effectively freeze the residential assessment rate at 7.15% (current rate statewide) and not be impacted by increases or decreases set by the state.

- There is large support from county-wide voters to “de-Gallagherize” for other regional special districts such as Vail Recreation District, Colorado Mountain College, Greater Eagle Fire District, Eagle County Paramedic Service and Gypsum Fire District.

Challenges with the Proposal:

- TABOR questions are confusing for voters so education will be important. If the Town participates in the regional effort, staff can use materials the valley develops to help educate voters.
- The community might see this as an attempt to raise taxes which is a perception that the partners will address through the fall. All tax increases still need to be approved by voters.

COMMUNITY INPUT:

In general, similar ballot measures have been successful and the community has support de-Gallagherizing. Asking the electorate for approval is the next step for community input.

BUDGET / STAFF IMPACT:

There is an impact on the budget if the ballot question is not successful. It will decrease the Town’s revenues therefore, impacting core service delivery. This ballot question doesn’t generate staff time as the Town can piggyback of the voter education that regional partners will provide.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal does align with the current strategic plan:

Major Objective No. 2: Enhance the Financial Health of the Town – The proposed tax measure will assist the Town with retaining existing property tax and give the Town Council the ability to adjust property tax as needed. Property tax is an ongoing revenue that is critical in supporting general government operations.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** the adoption of Resolution No. 57, “A Resolution of the Town Council of the Town of Eagle, Colorado Submitting a Ballot Issue to the Registered Electors of the Town of Eagle at the November 3, 2020, Coordinated Election”

ATTACHMENTS:

- Resolution No. 57
- Gallagher Stabilization Ballot Question

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 57
(Series of 2020)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
SUBMITTING A BALLOT ISSUE TO THE REGISTERED ELECTORS OF THE TOWN OF
EAGLE AT THE NOVEMBER 3, 2020 COORDINATED ELECTION

WHEREAS, the Town Council has called a special election to be held on November 3, 2020, and to be coordinated with Eagle County, as part of the state general election to submit one or more ballot issues and questions to the registered electors of the Town.

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

Section 1. At the November 3, 2020 election, the following ballot issue shall be presented to the registered electors of the Town:

WITHOUT RAISING THE MILL LEVY FOR THE 2021 TAX COLLECTION YEAR, SHALL
THE EAGLE TOWN COUNCIL HAVE THE AUTHORITY TO ADJUST THE TOWN OF
EAGLE'S MILL LEVY RATE THEREAFTER AS NEEDED FOR THE SOLE PURPOSE OF
MAINTAINING REVENUES THAT MAY OTHERWISE BE LOST AS A RESULT OF STATE
IMPOSED REDUCTIONS IN THE RATIO OF ASSESSED PROPERTY TAX VALUATIONS
SO THAT THE ACTUAL TAX REVENUES GENERATED BY THE TOWN'S MILL LEVIES
ARE THE SAME AS THE REVENUES THAT WOULD HAVE BEEN GENERATED HAD THE
STATE NOT IMPOSED SUCH REDUCTIONS, IN ORDER TO ALLOW THE TOWN TO
SUSTAIN SERVICES TO THE EAGLE COMMUNITY?

Yes ____ No ____

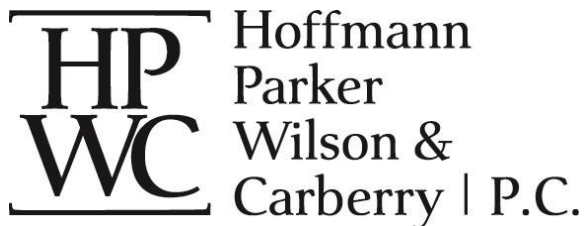
INTRODUCED, READ, PASSED AND ADOPTED ON AUGUST 25, 2020.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



Corey Y. Hoffmann
Kendra L. Carberry
Jefferson H. Parker
M. Patrick Wilson

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Daniel P. Harvey
Ruthanne H. Goff
Evin B. King
Alexandra N. Slaten
Katie J. Vera

TOWN OF EAGLE
MEMORANDUM

TO: MAYOR AND TOWN COUNCIL

FROM: J. MATTHEW MIRE, TOWN ATTORNEY
KENDRA L. CARBERRY, ESQ. *WC*

DATE: AUGUST 20, 2020

RE: GALLAGHER STABILIZATION BALLOT QUESTION

This memorandum provides a background on Sections 3 and 15 of Article X of the Colorado Constitution (the "Gallagher Amendment"), and discusses the Gallagher Amendment's impact on Town finances if a predicted decrease in the residential assessment rate comes to fruition. The memorandum also provides a proposed ballot question that would diminish the impact of the Gallagher Amendment by allowing the Town to increase or decrease its mill levy in order to effectively achieve a permanent residential assessment rate of 7.15%, the rate currently imposed on residential properties in the Town and throughout the State of Colorado.

Background

The Gallagher Amendment was adopted in 1982 as a response to ongoing concern about ever-increasing residential property taxes. The Gallagher Amendment divides the state's total property tax burden between residential and nonresidential property, requiring that 45% of the total amount of state property tax collected must come from residential property and the remaining 55% must come from commercial property. The Gallagher Amendment goes on to provide the assessment rate for commercial properties is permanently fixed at 29%.

Given the assessment rate for commercial properties is set at 29%, the General Assembly must set the residential assessment rate (the "RAR") every odd year in order to maintain the 45%/55% allocation between residential and commercial taxes mandated by Gallagher. In 1982, the RAR was at 21%, but due to significant growth in the residential real estate market in the last

40 years the RAR has decreased significantly over time, and the RAR was most recently set at 7.15% in 2019.

Gallagher Impact

As a general matter, a property tax bill, and the amount ultimately received by the Town, is calculated using the following formula:

$$\text{Property Tax} = (\text{Market Value of Property}) \times (\text{RAR}) \times (\text{Town Mill Levy})$$

The Town is only able to control one of these factors (the mill levy), but control of this factor is limited by Article X, Section 2 of the Colorado Constitution ("TABOR").

In good economic times, increased residential property values should result in an increase in property tax revenues to the Town; however, because increases in residential property values have historically outpaced increases in commercial property values in Colorado, the RAR has decreased. As a result, any significant increase in revenues that could be realized by the Town is diminished or otherwise eliminated. This benefits property owners, because property taxes ultimately do not reflect the true value of their property.

While this general approach would seem not to have a particularly significant impact on the Town, Gallagher is focused on Colorado as a whole rather than regionally or locally. As such, it is often the case that residential property values outside the Denver metro area do not rise as quickly or as significantly as residential properties in and around the Denver metro area. Accordingly, the decrease in the RAR is often disproportionately lower than the increase in property values in mountain and rural communities throughout Colorado. Municipalities in mountain and rural communities therefore lose out on tax revenue as compared to their Front Range counterparts.

2021 Reassessment

As required by the Gallagher Amendment, the General Assembly will again set the RAR in 2021. As is traditionally the case, several weeks ago, the State Property Tax Administrator released an estimate of the RAR for 2021. Given the robust residential real estate market over the last two years, it is currently estimated the 2021 RAR will be set 5.88%, an 18% decrease from the RAR set in 2019. It is estimated this decrease in the RAR would result in a decrease in Town revenues of approximately \$64,000.

The impact of the RAR decrease on the Town could be exacerbated by the COVID-19 pandemic. While residential property sales have slowed, it appears residential properties are retaining their value at the moment. However, it is possible the residential real estate market will experience a downturn at some point in 2021. If a downturn were to occur, the RAR would decrease along with a decrease in property values, thus compounding the overall impact on Town revenues.

TABOR

The impact of the 2021 RAR is further complicated by TABOR. In the event of a loss of revenue, most local jurisdictions throughout the country could offset such a loss with a mill levy increase. However, TABOR requires the Town to seek voter approval prior to any tax increase, including a mill levy increase. If residential property rates are falling, it is likely the overall economy is suffering as well, and it is unlikely a future ballot question seeking a mill levy increase would be approved.

2020 Statewide Ballot Question

Over the last several years many special districts with budgets disproportionately dependent on property tax revenues have asked voters for permission to "de-Gallagherize." That is, they have asked for permission for their mill levies to fluctuate so that the effective RAR is 7.15% no matter the level at which the General Assembly sets the RAR.

Taking note of this trend, a significant number of lawmakers, business leaders and community members from both sides of the political aisle have come to the conclusion that Gallagher has outlived its usefulness. As such, the General Assembly voted to refer a ballot question to the voters in November 2020 asking to repeal the Gallagher Amendment. If the repeal passes, the state will be able to set assessment rates for both residential and commercial properties at any level they deem fit in the future. If the statewide ballot proposal passes, neither the Town nor any other Colorado jurisdictions, would need to worry about the 2021 RAR. However, based on current polling, the statewide ballot proposal may not pass.

Proposed Ballot Question

The Town could wait for the result of the statewide ballot question and risk revenue loss, or the Town could follow the lead of other special districts, and ask Town residents to essentially freeze the RAR at its current level of 7.15%. This would require that a ballot question be presented to voters at the November 2020 election. Below is a draft of a proposed ballot question:

SHALL THE TOWN OF EAGLE BE AUTHORIZED TO INCREASE OR DECREASE ITS CURRENT AND ALL FUTURE MILL LEVIES ONLY IF, ON OR AFTER NOVEMBER 3, 2020, THERE ARE CHANGES IN THE METHOD OF CALCULATING ASSESSED VALUATION, INCLUDING WITHOUT LIMITATION A CHANGE IN THE PERCENTAGE OF ACTUAL VALUATION USED TO DETERMINE RESIDENTIAL ASSESSED VALUATION DUE TO ARTICLE X SECTION 3 OF THE COLORADO CONSTITUTION (OTHERWISE KNOWN AS THE GALLAGHER AMENDMENT), SO THAT, TO THE EXTENT POSSIBLE, THE ACTUAL TAX REVENUES GENERATED BY SUCH MILL LEVY ARE THE SAME AS THE ACTUAL TAX REVENUES THAT WOULD HAVE BEEN GENERATED HAD SUCH CHANGES IN THE METHOD OF CALCULATING ASSESSED VALUATION NOT OCCURRED;

AND SHALL THE PROCEEDS OF SUCH TAXES AND INVESTMENT INCOME THEREON BE COLLECTED AND SPENT BY THE TOWN AS A VOTER APPROVED REVENUE CHANGE IN 2020 AND IN EACH YEAR THEREAFTER, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR SECTION 29-1-301, COLORADO REVISED STATUTES, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE TOWN?

For this question to be included on the November 3, 2020 ballot, the ballot language needs to be submitted to the County Clerk no later than August 25, 2020.

Conclusion

Because the 2021 RAR could have a significant impact on Town revenue, the Town could choose to follow the lead of many special districts throughout the state and ask the voters to allow the Town to increase or decrease its mill levy such that the revenues collected reflect an effective RAR of 7.15%. It is possible, however, that the proposed ballot question will be unnecessary as a statewide vote may eliminate the Gallagher Amendment in its entirety this November.

As always, please let us know if you have any questions or need additional information.



TOWN OF EAGLE STRATEGIC PLAN

Adopted August, 2020

ABOUT THE TOWN OF EAGLE

The Community - Located on the western slope of the Rockies, halfway between Denver and Grand Junction, the Town of Eagle has a population of approximately 6,600 and is one of Colorado's best kept secrets. Eagle offers access to epic mountain biking, trail running and hiking, golf, kayaking, snowmobiling, hunting, and gold-medal fly fishing. In addition to a variety of public parks, there are over 1,000 acres of town owned public open space. Located a short drive from Vail and Beaver Creek, residents also enjoy world-class amenities provided by these resorts. The Eagle County Regional Airport is located just five miles west of Town and serves both commercial and private aviation. Eagle is a thriving community and is a great place to live, work, and visit.

Eagle, the county seat, is a traditional town with a main street lined with shops and cafes. Eagle boasts a variety of great neighborhoods, excellent parks, over 100 miles of single-track trails, concerts in the park, an Arnold Palmer golf course, a county-fair venue, and a variety of restaurants. The community has an authentic western flavor and friendly vibe, attracting top notch events and outdoor adventurers. Its population includes a variety of age groups and income levels. Eagle enjoys a mountain climate with warm dry summers and moderate winters. Average temperatures range from 35 degrees in January and highs up to 85 in July. Typical snowfall is 10-12 inches per month in December through April, yet Eagle boasts over 290 days of sunshine per year.

The Town's Organization - Established in 1887, incorporated in 1905, the Town of Eagle became the County seat in 1921 and adopted a home rule charter in 2020. The Town is a council-manager form of government led by a 7-member Town Council elected for four-year terms. The Town Council appoints the Town Manager, Town Attorney, and Municipal Court Judge. The Town has a staff of approximately 40 dedicated employees with an average longevity of 10 years. Eagle provides a full range of services including police protection, water and wastewater services, street and parks maintenance, community and economic development, and events planning. Fire service is provided by the Greater Eagle Fire Protection District.

The mayor, Town council members, and employees are committed to maintaining and enhancing the quality of life for everyone in the community. The following Strategic Plan reaffirms the values of the Town and outlines the major objectives designed to guide Eagle's future.



PURPOSE OF THE TOWN'S STRATEGIC PLAN

This Strategic Plan has been updated for the community of Eagle by the Town Council and staff during an annual retreat. It establishes a common language and proposes strategies designed to ensure a bright future for Eagle. Specifically, this Plan creates the following outcomes:

- Establishes a 5-year planning horizon, and provides the basis for an ongoing dialogue between the staff, Council, and the community regarding the direction of the Town and specific objectives
- Considers the major challenges and opportunities likely to arise during the planning horizon and proposes specific objectives to address these challenges
- Increases confidence among Eagle's Town Council, community leaders, and residents that the Town is appropriately addressing, opportunities, future risks, and needed investments
- Ensures that proposed strategies and activities are consistent with the Town's mission and values, especially the commitment to enhance quality of life
- Provides sufficient information to allow the Town's staff to develop more specific actions and tasks, and ultimately fulfill Eagle's Vision for the future

It is important to emphasize that this Strategic Plan does not approve or communicate final policy decisions on specific issues or objectives. Rather, it provides a framework for an ongoing dialogue about maintaining and enhancing the quality of life in Eagle. Each of the Major Objectives in this Plan will require additional collaboration by the Town's staff, advice from experts, and input from the community before the Town Council makes final policy or investment decisions. The Town will provide ample opportunities for citizens to be engaged as specific issues are addressed.



ELEMENTS OF THE STRATEGIC PLAN



FOUNDATION

The Town's Vision, Mission and Values establish a foundation for meeting the needs of the community, and defining how the staff of the Town will conduct business.



GUIDING PRINCIPLES

The Town's Guiding Principles describe specific commitments to protect the interests of the residents and businesses in Eagle. These Principles provide the framework for identifying more explicit standards and for engaging with the community on important issues.



MAJOR OBJECTIVES

The Major Objectives outlined in this plan identify significant challenges, opportunities, or investments likely to arise during the planning horizon. In general, these objectives do not address tasks associated with normal daily operations. The information provided in each objective is designed to provide a foundation for future collaborations between the Town Council, staff, community leaders, and the residents of Eagle. These collaborations will likely result in one or more policy decisions by the Town Council to address the stated problem or opportunity.

The Implementation Plan is a separate document, created by staff and approved by the Town Council that captures the strategies and tactics used to accomplish the Major Objectives. The Implementation Plan is consistently updated and the results are captured and reported back to the Town Council. Each implementation step has been linked to the Major Objectives and the Guiding Principles as well as to the Mission and Vision of the Town of Eagle.

FOUNDATION

VISION

The Town of Eagle is a vibrant mountain community that is diverse, inclusive, and unique.

MISSION

Maintain and enhance the quality of life for everyone in our community.

VALUES

We are guided in our daily decisions and activities by these values:

Integrity

We are open, honest, and ethical in all our communications and actions.

Respect

We thoughtfully consider each other's differences and opinions.

Commitment

We give our individual best to get the job done right.

Responsibility

We are accountable for our behaviors, action, and use of public resources.

Collaboration

We listen and openly share our ideas to achieve better decisions and outcomes.

Leadership

We are proactive in advancing the interests of our communities.



GUIDING PRINCIPLES

Guiding Principles describe the Town's commitments to advance the interests of Eagle's residents and businesses. The Town's Guiding Principles establish a framework for developing more detailed standards, assessing risks, identifying issues, and evaluating and implementing solutions. These Guiding Principles also enable the Town to clearly communicate the value of its activities and proposed investments. In addition to the Mission Statement, the Town's commitments to provide value are as follows:



Proactive Economic Development



Progressive Community Based Law Enforcement



Protecting Public Health, Safety, and the Environment



Reliable and Cost Effective Services



Sound Planning and Appropriate Investment



Sustainable Finances and Increasing Efficiency



Transparency and Community Engagement

The following narrative provides more information on the Town's Guiding Principles and articulates some of the Town's specific standards

Appropriate Investment

Providing reliable services requires funding that covers today's financial needs and supports investments in the Town's vision for the future. The Town must also invest in a highly effective, motivated, and well-trained workforce.

Proactive Economic Development

Eagle's economy is the engine for quality of life. Eagle is fortunate to have a variety of natural and developed assets, including its location on Interstate 70, proximity to world class ski resorts and the regional airport, and access to multiple outdoor activities, including hiking, mountain biking, fishing, river rafting, kayaking, snowmobiling, and hunting.

Progressive Community Based Law Enforcement

The Town of Eagle Police Department is defined by transparency, community building, and adaptability. Utilizing a community policing approach as its baseline, the department is committed to evolving thoughtfully to respond to the needs of Eagle and its visitors with a progressive, and sometimes non-traditional approach to law enforcement.

Protecting Public Health, Safety, and the Environment

The Town is committed to protecting the well-being of the community. This means supporting dynamic and diverse neighborhoods, and maintaining a strong framework for business opportunities, being good stewards of the environment.

Reliable and Cost-Effective Services

A key responsibility for the Town is to provide essential services, whether it be reliable water and sewer services, trash and recycling services, or support with respect to permitting, zoning, planning, and other basic needs. Meeting the needs of customers also requires that the Town adopt standards of service that make it easy for people to do business with the Town.

Sound Planning

The foundation for providing reliable services and quality of life is planning. The Town focuses on adequate resources, reliable infrastructure, compliance with regulations, and a local economy that supports a high quality of life for Eagle residents.

Sustainable Finances and Increasing Efficiency

The Town's financial capabilities and standards ensure that it has the financial strength and resources to provide the reliable and high-quality services that residents expect. The Town's finances must be resilient to economic downturns, cover the full cost of operations, provide adequate funding to maintain financial reserves, and support capital investment.

Transparency and Community Engagement:

By providing easy access to information and timely responses to customer inquiries, the Town creates an environment that fosters public trust and allows Eagle's residents and business owners to understand the Town's values, priorities and strategic plans. The Town is committed to maintaining an ongoing, meaningful, and substantive dialogue with the community that is based on clearly defined standards and compelling arguments for proposed policies and investments.



MAJOR OBJECTIVES

Eagle's Strategic Plan employs several criteria for assessing future challenges and opportunities. These criteria include the following:

- Ensuring that the Town is adhering to its mission statement and aggressively pursuing its vision
- Continuing to enhance the Town's workforce and performance
- Anticipating and planning for changes in regulations or legal requirements
- Responding to economic trends and evolving needs of Eagle's residents and businesses

Based on the criteria above, the Town has developed a series of Major Objectives. The following Major Objectives describe the most significant areas, challenges, and opportunities likely to come before Eagle's Town Council within a 5-year planning horizon. As stated above, they do not represent final decisions by the staff or Town Council, rather they provide enough detail for the Town's staff to develop specific action steps, continue clarifying the issues, collaborate with experts, and inform the public. Each Major Objective adheres to Guiding Principles and is designed to align with the Town's vision and mission statement, which is to maintain and enhance the quality of life for everyone in Eagle. These objectives and associated activities may have implications well beyond the planning horizon, consistent with the need to have a long-term view. The following Major Objectives address these fundamental realities in an integrated manner. They are listed in alphabetical order, as they are all equally important to the community.

MAJOR OBJECTIVES



ATTRACT VISITORS

The Town is capitalizing on the unique heritage and outdoor amenities to attract visitors to Eagle. Proximity to I 70 and regional airports along with special events will encourage a wide and diverse range of tourists, bringing an investment which will improve the economy and quality of life for everyone.



DIVERSIFY THE ATTAINABLE HOUSING STOCK

The Town creates opportunities for a diversified, attainable housing stock for a variety of rental and purchase options.



ENHANCE THE ECONOMIC RESILIENCY OF THE TOWN GOVERNMENT

The Town is fiscally responsible, and revenues received are balanced against current and future needs of the community. Diversified sources of revenue are allocated to provide a high quality of life while ensuring ongoing maintenance and operation of current amenities.



FOCUS ON RECREATION, EVENTS AND OPEN SPACE

The Town of Eagle is a destination for outdoor recreation, and residents and visitors participate in a wide range of opportunities and activities. Open space and community buffers will continue to promote a high quality of life and the unique location that is a strong value for the community.



IMPROVE COMMUNITY RESPONSIVE SERVICES

The Town is adopting policies and regulations to be responsive to changes in the business environment, which will encourage thoughtful growth and development. Community interaction and engagement will inform decision making by the Town Council.



INVEST IN ENVIRONMENTAL AND ENERGY SUSTAINABILITY

The Town is focused on environmental impacts of decision making and will ensure that projects and policies reflect a focus on improving and sustaining natural resources for future generations.



MATCH INFRASTRUCTURE TO QUALITY OF LIFE

The Town is investing in and implementing infrastructure improvements that increase the high quality of life and vibrant economy without creating an undue burden on the residents of the Town.



STRENGTHEN TOWN ORGANIZATION AND CULTURE

The Town staff is highly competent, empowered, motivated and collaborative and enjoy working with and for the Town of Eagle. The Town develops this potential by creating a work culture that is inclusive, respects employees, and values contributions at all levels. Training, benefits and pay are competitive and result in attraction and retention of a high quality workforce.



STIMULATE ECONOMIC VITALITY AND DEVELOPMENT

The Town focuses on development that follows the Elevate Eagle Comprehensive Plan to ensure results that maximize the economic benefits. The economic impact of visitors and business investments result in positive benefits in terms of amenities, job creation, increases in wages, infrastructure and the overall quality of life.

STRATEGIC GOALS



Attract Visitors

- Develop the Eagle Brand
- Fund a Wayfinding, Gateway and Entry Signage Plan
- Collaborate with regional tourism & marketing efforts



Diversify the Attainable Housing Stock

- Develop a strategy for housing
- Collaborate on solutions in the West Eagle Area
- Revise the inclusionary zoning standards to be more specific



Enhance the Economic Resiliency of the Town Government

- Adopt policies to ensure value of real property in Town
- Identify partners for revenue sharing
- Identify and implement diverse revenue streams



Focus on Recreation, Events and Open Space

- Adopt a Capital Improvement Plan for open space & parks
- Identify a sustainable revenue source for open space
- Support culturally diverse events in the community



Improve Community Responsive Services

- Revise the existing code
- Review policies and identify areas to simplify for administrative approval
- Adopt zoning or overlay districts that are designed to achieve this outcome



Invest in Environmental and Energy Sustainability

- Research the feasibility of a sew electric utility
- Set goals for energy reduction for Town or community
- Adopt a philosophy and principles for sustainability



Match Infrastructure to Quality of Life

- Complete bike and pedestrian audits to identify improvements
- Implement a system for reporting maintenance issues
- Evaluate impact fees throughout the Town
- Adopt a multi-modal transportation plan



Strengthen Town Organization and Culture

- Build capacity of existing staff through strategic investments
- Establish and fund competitive salary and benefits plan
- Invest in technology and systems to improve performance



Stimulate Economic Vitality and Development

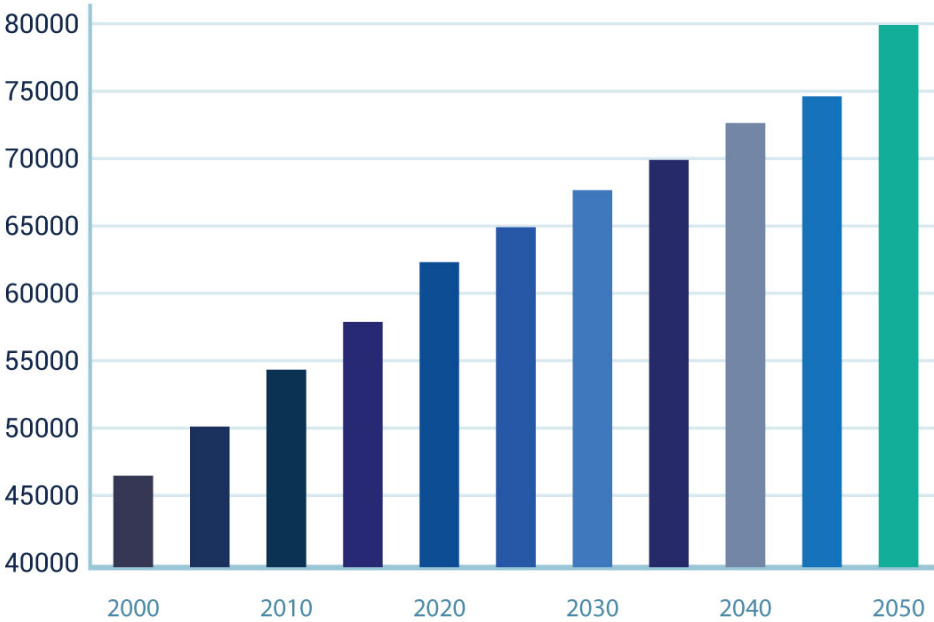
- Support a Business Improvement District or similar approach
- Continue to create opportunities on Highway 6
- Develop a comprehensive strategy for economic vitality

EAGLE DEMOGRAPHICS

PEOPLE

CURRENT POPULATION > **6924**

POPULATION FORECAST (2000-2050) >



HOUSEHOLDS

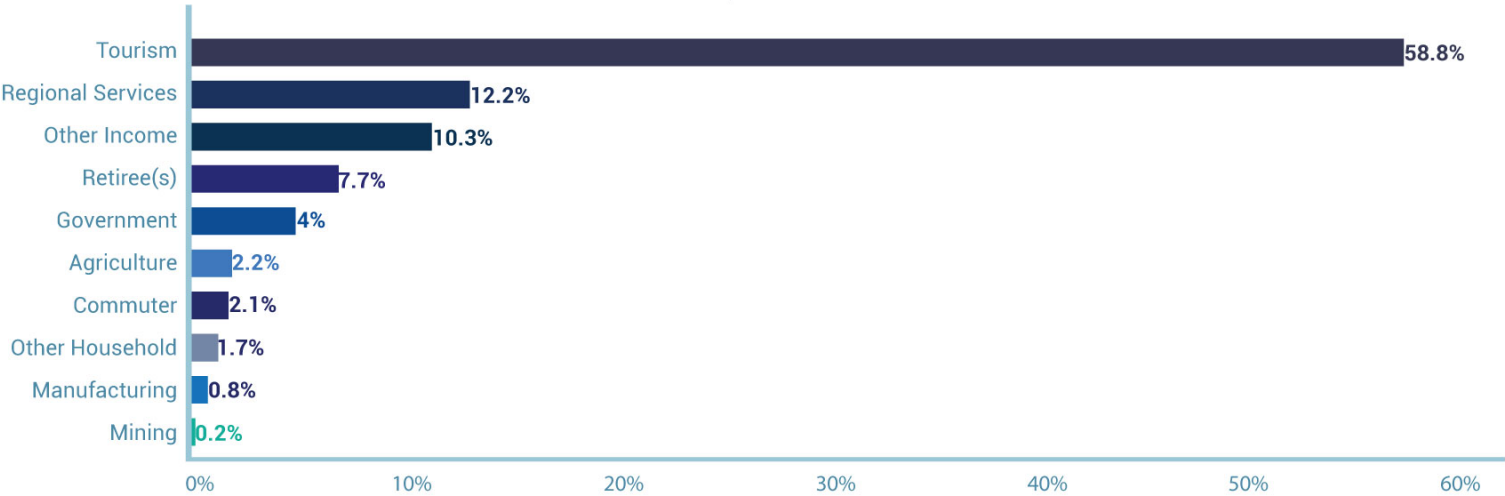
MEDIAN HOUSEHOLD INCOME > **\$121,899**

MEDIAN HOUSE VALUE > **\$503,600**

JOB

TOTAL EMPLOYMENT > **4,239**

BASE INDUSTRIES
▽





CONCLUDING REMARKS

The execution of this plan will begin by assigning the Town staff to research each of the Major Objectives and create specific action steps and implementation items. The staff will return to the Town Council to offer recommendations, present updates, and continue to discuss the Strategic Plan. The financial implications of implementing the Major Objectives will be reflected in specific policy proposals, discussions with the community during outreach efforts, and included in the Town's operating and capital budgets. In addition, as important policy issues come before the Town Council, the supporting information provided by the staff will reference the relevant Major Objective from this Strategic Plan.

The Town is committed to ensuring that the implementation of this plan reflects the mission, vision, and values of the Town as defined by the staff, the Town Council, community leaders, and members of the public who choose to provide input. If at any time the Town's staff or Town Council feel that this Plan is at odds with prevailing sentiments in the community, then the Plan will be altered accordingly. The Town anticipates this Plan will be subjected to a formal update in 2-3 years. This will not be a re-creation of the plan, but an update that reflects progress, new insights, and feedback received during outreach efforts.

For more information about this plan, please visit the Town of Eagle website at www.townofeagle.org or contact the Town Manager at

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📠 **970-328-5203**