



**Town Council**  
**Tuesday, September 8, 2020**  
**ON-LINE MEETING**

*This agenda and the meetings can be viewed at [www.Townofeagle.org](http://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](mailto: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.*

**PRESENTATIONS - 6:10 PM** *Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.*

1. Lifesaving Award, Eagle Police
2. Comcast Presentation, Andy Davis

**CONSENT AGENDA - 6:30 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 25, 2020
2. Bill Pay - August 2020
3. Resolution 60, Series 2020, "A Resolution of the Town of Eagle Extending the Declared Local Disaster Emergency"

4. Resolution 53, Series 2020, "A Resolution Approving an Intergovernmental Agreement Between Eagle County and the Town of Eagle for the Collection of Sales Taxes on the Sale of Cigarettes and Tobacco Products"

**STAFF REPORTS - 6:35 PM** *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update
2. Department Update
3. Lower Basin Water Treatment Plant

**BUSINESS ITEMS - 6:45 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. Resolution 61, Series 2020 "A Resolution of the Town Council of the Town of Eagle, Colorado, Appointing \_\_\_\_\_ and \_\_\_\_\_ to Fill Vacancies on the Town of Eagle Planning and Zoning Commission"
2. Ordinance 20, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 13.18 of the Eagle Municipal Code, to Provide for Increased Management of Public Rights-Of-Way"
3. Resolution 58, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Adopting the Strategic Plan that Establishes the Guiding Principles and Priorities of the Town of Eagle, Colorado"
4. Resolution No. 59, Series 2020, "A Reimbursement Resolution of the Town Council, of the Town of Eagle, Colorado to Comply with the Reimbursement Regulations"

**COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 7:25 PM**

1. LERP Sub-Committee Discussion
2. Council Committee Updates

**EXECUTIVE SESSION - 7:40 PM**

1. EXECUTIVE SESSION: Executive Session pursuant to C.R.S. sections 24-6-402(4)(b) and (e) to receive legal advice on specific legal questions, and to develop a strategy and instruct negotiators regarding Red Mountain Ranch annexation agreement.

**ADJOURN - 8:00 PM**

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



Jenny Rakow, CMC  
Town Clerk

**PUBLIC WIFI - TOEG – townofeagle2019**



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## *Lifesaving Award*

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On April 29, 2020, Eagle Police Officer Dominik Sriver responded to a call of a welfare check from a concerned acquaintance for an individual living at home alone. Officer Sriver was able to make contact with the individual and spoke with the individual through the front door. Due to COVID19 temporary procedures, Officer Sriver did not enter the home, due to the individual expressing symptoms of COVID19 and being bedridden.

Officer Sriver summonsed an ambulance and the individual was treated at home. The individual refused to be taken to the hospital and medical staff consulted with a doctor to determine a reasonable course of action. It was determined that medical services would return to the home later that day to evaluate the individual.

On April 30, 2020, Officer Sriver returned to the residence of the welfare check, as he was not provided with any follow-up information from the previous day. He remained concerned about the individual's health. Officer Sriver looked through the window near the front door and discovered the individual on the floor at the bottom of the stairs. It appeared the individual fell down the stairs and was in critical need of medical care.

Officer Sriver summonsed an urgent medical response. The individual was promptly transported to the hospital in critical condition. The outlook for the individual was grim, but the individual survived. After two weeks in the hospital, the individual was transported to a neurological center in the Denver area.

Officer Sriver was subsequently contacted by an estranged family member who thanked him for going back to the home. The family member expressed that he would have not survived if not for the immediate medical care provided. As noted by this family member, "I don't know how much longer [the individual would] make it, but you gave him another chance."

After having received information related to the circumstances of this call for service from Chief J. Stauffer, on June 2, 2020, Clinical Manager Will Dunn provided a Letter of Commendation. The letter noted, "While I'm sure that Officer Sriver would say it was all in a day's work, his actions are commendable, and his dedication to the citizens of Eagle is exemplary." Dunn added, "While nothing is for certain, I believe that Officer Sriver's actions were lifesaving."

As I was with Officer Sriver on his first assessment of this individual, I concur with the thoughts of Will Dunn. I also believe that Officer Sriver worked diligently and thoughtfully (within the confines of COVID19 temporary procedures) and determined a need for medical care. His undirected follow-up the next day demonstrated tact and tenacity in the execution of empathetic care for the community he serves. This approach ultimately resulted in saving the life of this individual.

Officer Sriver is hereby presented with the Eagle Police Department Lifesaving Award.



# Comcast Project Update for Eagle Town Council

Andy Davis, Director of Government Affairs  
September 8, 2020



# COMCAST

## xfinity

### COMCAST BUSINESS

### NBCUniversal

### sky

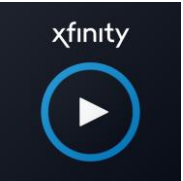
- A **global media and technology company** with three primary businesses, Comcast Cable, NBCUniversal, and Sky.
- **One of the nation's largest video, high-speed internet, and phone providers** to residential customers under the XFINITY brand, and also provides these services to businesses. Comcast also provides **wireless and security and automation services** to residential customers under the XFINITY brand.
- **NBCUniversal** owns and operates a valuable portfolio of news and entertainment television networks, a premier motion picture company, significant television production operations, a leading television stations group, world-renowned theme parks, and a suite of leading Internet-based businesses.
- **Sky** is one of Europe's leading media and entertainment companies. 23 million customers in seven countries get brilliant TV, broadband and mobile from us.



# Our Platforms



Xfinity Internet and xFi



X1 Video Platform



Xfinity Mobile



Xfinity Home



Xfinity Voice



Technology Leader

# Our Platforms

## Comcast Business

Built for business, Comcast Business offers ethernet, Internet, WiFi, voice, TV and managed enterprise solutions to help organizations of all sizes transform their business.

- Powered by an advanced fiber network
- Backed by 24/7 customer support



Technology Leader

# Our Platforms

## Xfinity Communities

- Apartments, Condos, Hospitals, Assisted Living facilities
- Right of Entry Agreement and Grant of Easement with property owner to allow Comcast to build out and provide services to the residents
- Xfinity products and services at bulk rates
- Xfinity Communities Center of Excellence provides dedicated support to bulk customers
- Community Account Representative works with property management and residents to enhance the customer experience



# Internet» essentials

FROM COMCAST

Internet Essentials has connected more than eight million low-income Americans – and over 300,000 in Colorado – to low-cost, high-speed Internet at home so that everyone can be ready for anything.



## Affordable Internet Service

Speeds of 25/3 Mbps for \$9.95/month + tax.

- No contract or credit check
- No installation fee
- In-Home WiFi included
- Access to 40 1-hour sessions of Xfinity WiFi hotspots outside the home every 30 days



## Low-Cost Computer

Customers can purchase a low-cost computer for \$149.99 + tax.

- Internet-ready laptop or desktop with a 90-day warranty
- Equipped with Windows 10, Microsoft Office, and Norton Security Suite



## Digital Literacy Training

Households may also participate in free digital skills training to better understand the Internet and the many ways it can benefit them.

- Free Internet training available online, in-person, and in-print

# Construction Overview

## Overview

- Building a Hybrid Fiber Coax (HFC) system
- Fiber deep into every neighborhood in the Town
- Building primarily in the Town's ROW and easements
- State of the art of our network technology
  - Multigig capability, full suite of our services
- Construction partner is SEFNCO Communications

## Latest Developments

- Initial construction priority is on underground work
- Network construction began in July
  - Village Homes area of Eagle Ranch
  - The Terrace, Bull Pasture neighborhoods
- Construction will move from neighborhood to neighborhood over the next year and a half



# Node Area Construction Process and What to Expect



NOTIFICATION



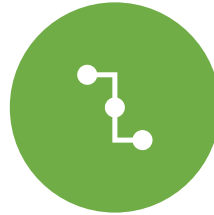
LOCATE WORK



CONSTRUCTION  
BEGINS



POTENTIAL  
CONSTRUCTION  
DELAYS



CONNECTING  
NEIGHBORHOODS  
TO THE NETWORK



INSTALLATION

# Bringing Service to Eagle

## Construction Process



### NOTIFICATION



### Neighborhood construction alert

Good News! Comcast's services are coming to the Gypsum community.



**We're installing our Comcast network in your area soon.**

Our crews will be working in your neighborhood's utility easements, so you may see the local power company and other utilities marking the areas where their lines are installed. These temporary markings help us avoid damaging utility lines when we dig, so please do not remove them.

Some utility easements are located on residents' properties and work may need to be done in your backyard or side yard. If we need access to your property, we'll provide notification of entry. If you have pets, we'll work with you to ensure they are safe during the work window.

We do our best to be respectful of your property while working in your area. If you have any questions, please call our construction business partner directly at (970) 340-3150.

**Additional Dates and Information:**

Learn more about what's coming to the residents and businesses of Gypsum at [colorado.comcast.com/gypsum](https://colorado.comcast.com/gypsum).





### Alerta de construcción en tu barrio

¡Buenas noticias! El servicio Comcast llega a la comunidad de Gypsum.



**Estamos instalando nuestra red de Comcast en su área pronto.**

Nuestros equipos trabajarán en las áreas de los servicios públicos del vecindario, probablemente verás la compañía eléctrica local y otras utilidades que marcan las áreas donde sus líneas están instaladas. Estas marcas temporales nos ayudan a evitar daños en las líneas de servicios públicos cuando cavamos, así que por favor no las quites.

Algunas líneas de servicios públicos se encuentran en las propiedades de los residentes y puede que necesitemos trabajar en tu patio trasero o patio lateral. Si necesitamos acceso a tu propiedad, nosotros proporcionaremos notificación de entrada. Si tienes mascotas, trabajaremos contigo para asegurarnos de que están a salvo durante el tiempo de trabajo.

Hacemos nuestro mejor esfuerzo para ser respetuosos con su propiedad mientras trabajamos en su área. Si tienes alguna pregunta, por favor llama a nuestro socio comercial de construcción directamente al (970) 340-3150.

**Fechas e información adicionales:**

Obten más información sobre lo que les espera a los residentes y negocios de Gypsum en [colorado.comcast.com/gypsum](https://colorado.comcast.com/gypsum).



## Projected Construction Schedule through 2020

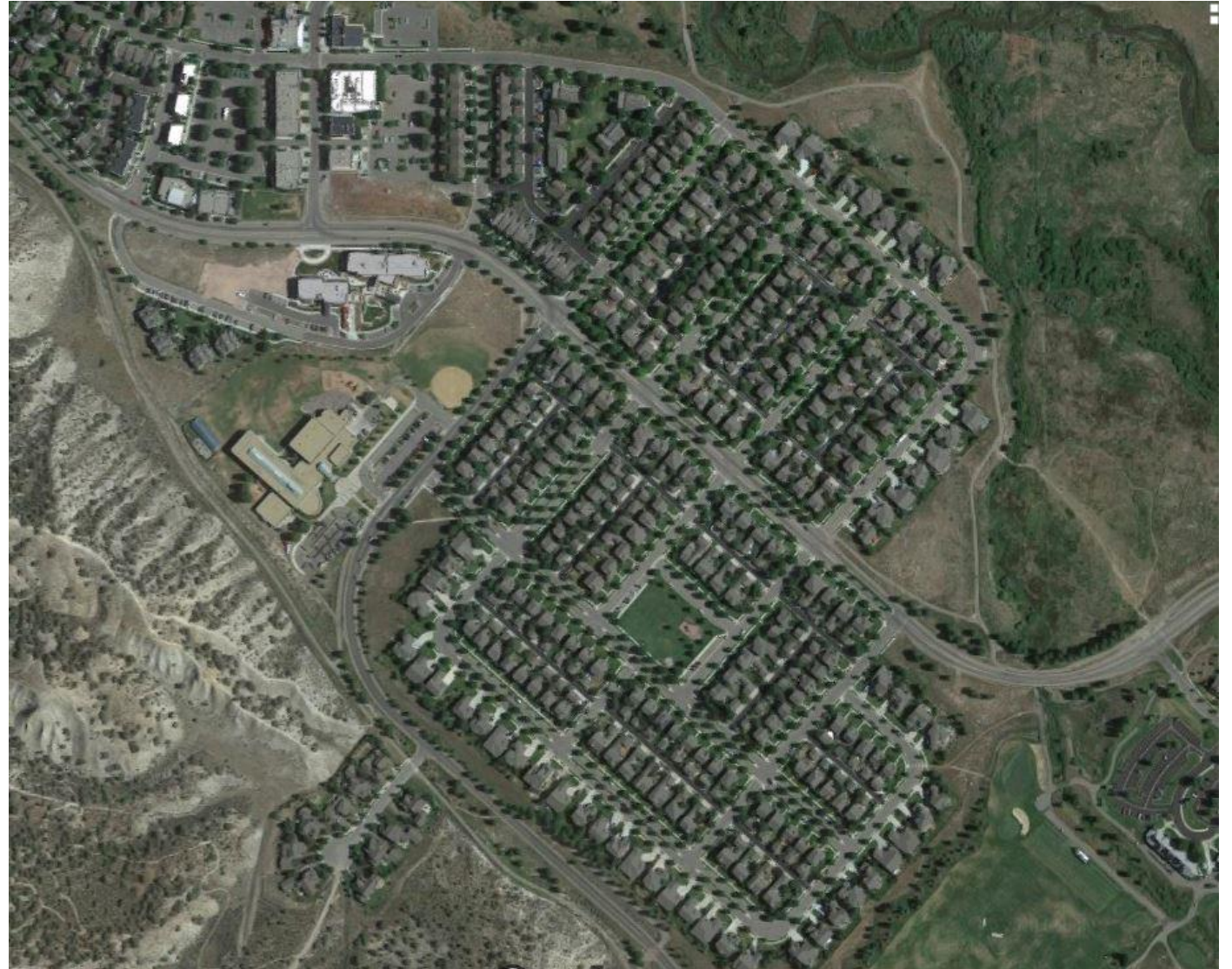
| Construction Phase | Estimated Time Period      | Impacted Neighborhoods/Commercial Areas                                                     |
|--------------------|----------------------------|---------------------------------------------------------------------------------------------|
| Area 1             | July to September 2020     | Eagle Ranch – Village Homes                                                                 |
| Area 2             | August to October 2020     | The Terrace, Bull Pasture, Eagle Ranch                                                      |
| Area 3             | September to November 2020 | Overlook Townhomes, Pinon Valley Townhomes, The Terrace, Brush Creek Townhomes, Eagle Ranch |
| Area 4             | October to December 2020   | The Orchard, Eagle Ranch                                                                    |

Bringing Service to Eagle

# Construction Process



CONSTRUCTION  
BEGINS



Bringing Service to Eagle

# Construction Process



CONSTRUCTION  
BEGINS



Bringing Service to Eagle

# Activating Service



INSTALLATION



Hey Eagle,  
Xfinity is now available!

**Xfinity Internet**  
Xfinity offers the fastest Internet. Plus, with Xfinity xFi, you get the speed, coverage, and control you need for the ultimate in-home WiFi experience.

**Xfinity Mobile**  
Xfinity Internet comes with Xfinity Mobile, so you can switch your wireless carrier and save hundreds of dollars a year.

**Xfinity X1**  
This is TV that gets you. Find what you want faster with the Xfinity Voice Remote, discover new favorites with recommendations, get sports' stats, and more on X1 along with your other entertainment.

**Xfinity Flex**  
Search less and watch more with a better way to stream. A Flex 4K streaming device is now included with your Internet for no additional cost. It's two amazing services for the price of one.

To learn more about what's available,  
visit [colorado.comcast.com/eagle](https://colorado.comcast.com/eagle).

You can also use your  
smartphone to scan the QR  
code for more information!



Interested in learning how Comcast Business  
services can help your business? We're here for  
you! Visit our website to find out more.



Keeping our communities connected to what matters

# Comcast's Network Investment



## Built to handle what's ahead.

Our investment has enabled the network to thrive during the largest sustained traffic spike because we build technology that doesn't just meet our customers' demands, but also anticipates their future needs.



# 33,331



Since 2017, we've built **33,331** new route miles of fiber in our network.



Extended fiber not just in our core network, but further into the neighborhoods we serve.



The Internet grows 30% every year. We've doubled capacity every 2.5 years.

Keeping our communities connected to what matters

# Comcast's Network Investment



KEEPING AMERICANS CONNECTED

## Engineered to expect the unexpected.

Our network teams accelerated their work in March and April to ensure we had even more capacity to support the increased demands caused by the COVID-19 crisis.

## In March and April we added more than:

**+35 Tbps**

Terabits per second of peak capacity to our regional network facilities.

**+340 %**

1,700, 100-gigabit links to the core network, compared to 500 such links in March and April 2019.

Looking toward the future

# Full Duplex DOCSIS Technology



## 10G TECHNOLOGY DOCSIS® 4.0 Technology

DOCSIS 4.0 technology enables the next generation of broadband over cable's hybrid fiber coax (HFC) networks, delivering symmetrical multi-gigabit speeds while supporting high reliability, high security, and low latency.

CableLabs®



## Contact Info

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### **Quinten Bristol**

SEFNCO Communications

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(303) 905-2274



# Appendix

## Anticipated Frequently Asked Questions

- How does Comcast deliver its services?  
Via satellite? Wireless? Wired connection?

Comcast delivers its services via a hard-wired, fiber-based network, which is why the construction project is so significant.

- Does Comcast really have the right to access my backyard?

If there is a utility easement in your backyard, then yes, Comcast does have the right to access it to install its network infrastructure.

## Anticipated Frequently Asked Questions

- When is my neighborhood getting connected?
- Why is my nearby neighbor already connected but I'm not?

Comcast is maintaining the most updated projected schedule on the project website.

The network build has been designed to prioritize underground work first and ensure maximum efficiency. We ask the community's patience in this process.

## Community Partner

# Investing in the Communities We Serve

## Colorado

- Expanding our network and services to the Towns of Gypsum and Eagle - one of the largest projects and capital investments in Comcast's entire western operating area.
- \$12.2 Million in cash and in-kind contributions to Colorado communities in 2019.
- Over 300,000 Coloradans connected to the internet through Internet Essentials (as of Aug 2019).
- In 2019, nearly 5,300 Comcast volunteers participated in over 100 Comcast Cares Day projects across Colorado.



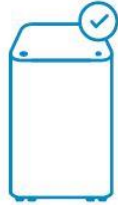
Keeping our communities connected to what matters

# Comcast's COVID-19 Response



## Supporting Our People -

\$500 Million to support our employees impacted by the response.



## Keeping Customers Connected -

No disconnects or data caps, 24/7 network operations ensure reliability and high performance.



## Internet Essentials Free to New

**Customers** - 2 months free for any new IE subscriber if they sign up before Dec 31.



## Increased Access to News

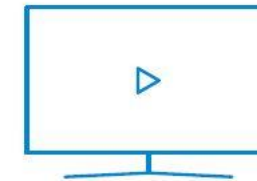
**and Info** - Free access to NBC Universal News Networks



## "Education"

## Free Educational Resources -

Curated thousands of hours of free educational programming to support remote learning.



## Delivering More Entertainment -

Offering movies on demand on the same day as their theatrical releases, more free content.

Creating a more equitable, just and inclusive society

# Comcast Announced \$100M Multiyear Plan to Advance Social Justice and Equality

## Social Justice

Partnering with - and provide significant grants to - organizations working to eradicate injustice and inequity. This includes, but is not limited to, the National Urban League, the Equal Justice Initiative, the NAACP, the National Action Network, and the Community Justice Action Fund.

## Employees

Accelerating our efforts in all areas of Diversity & Inclusion, including advancement, hiring and training. Educating everyone across the company to better understand race-related issues and have the important conversations, including mandatory anti-racism and anti-bias training.

## Awareness and Education

Putting the full weight of our media resources behind highlighting Black voices and Black stories and educating our viewers on diverse and inclusive cultures, perspectives and experiences, by making anti-racism education and inequality awareness a priority across our platforms.

## Digital Equity

Deepening our company's long-standing commitment to addressing digital inequities, which disproportionately impact communities of color. Continued emphasis on Internet Essentials and scaling up digital skills training.



**MEETING MINUTES**  
**Town Council**  
**Tuesday, August 25, 2020**  
**ON-LINE MEETING**  
**200 Broadway Eagle, CO**

*This agenda and the meetings can be viewed at [www.Townofeagle.org](http://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](#)

**CALL TO ORDER**

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

**ROLL CALL - 6:05 PM**

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

None

**STAFF PRESENT**

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

**ADOPTION OF AGENDA**

**MOTION: Council Member David Gaboury motioned to approve the Amended Agenda. The motion was seconded and passed with a vote of 7 in favor and 0 opposed.**

**PUBLIC COMMENT**

Mayor Turnipseed opened public comment, there was no public comment.

Council Member Gaboury commended Keri McDowell for her award.

**CONSENT AGENDA**

**MOTION: Council Member Andy Jessen motioned to approve the Consent Agenda. The motion was seconded and passed with a vote of 7 in favor and 0 opposed.**

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**

1. Town Manager Update  
Council Comments: Brandy will continue to work with Comcast on schedule and issues in Eagle. Brandy will also work with Chad Phillips on the LERP.
2. Financial Report: YTD Budget to Actual Report with Projected YE Revenues  
Council Comments: Discussion on locations of specific taxes in the budget and confirmation that revised expenditures and updated revenues will be presented at the budget work session.

#### **BUSINESS ITEMS**

1. CARES Act Funding for Non-Profits  
Council Comments: discussion on the \$2700.00 remaining in the fund after averages were given to all that requested funding. Council determined to split the remaining balance with the Community Food Bank and the Bright Future Foundation.

**MOTION: Council Member Matt Solomon motioned to approve the CARES Act Funding for Non-profits as voted on by Council and presented by staff and distribute the remaining funds equally between the Community Food Bank and the Bright Future Foundation. The motion was seconded and passed with a vote of 7 in favor and 0 opposed.**

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"  
Council Comments: Discussion on the rationale for the lowest bidder and concerns regarding change orders. Staff confirmed they reviewed the bids, and all were submitted equally. Additionally, the Town has worked with Schofield in the past and are comfortable with this contractor and their bid.

**MOTION: Council Member Adam Palmer motioned to approve 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". The motion was seconded and passed with a vote of 7 in favor (Solomon, Jessen, Palmer, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.**

3. 2020 Proposed Ballot Questions

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

- a. 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"

**MOTION: Council Member Andy Jessen motioned to approve 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". The motion was seconded and passed with a vote of 6 in favor and 1 opposed.**

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%"

- b.

Council Comments: Discussion on postponing this question until more information can be reviewed. Additional discussion on removing the use tax altogether.

Public Comment:

Merv Lapin: request to keep the use tax similar to other towns to stay competitive.

**MOTION: Council Member Matt Solomon motioned to Deny 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%". The motion was seconded and passed with a vote of 6 in favor and 1 opposed.**

- 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"

Brandy Reitter presented this item. The intent is for this Gallagher Amendment ballot issue to be a regional effort in Eagle County. The intent is to maintain property tax at a reasonable rate. Currently, the State is also considering a reassessment that would reduce property tax revenue for the Town. There is a statewide ballot question relating to repeal the Gallagher Amendment.

Council Comments: discussed potential ramifications if the state ballot passes and whether passing this locally could have the reverse effect and further reduce revenues.

**MOTION: Council Member Andy Jessen motioned to approve 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". The motion was seconded and passed with a vote of 6 in favor and 1 opposed.**

#### **COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS**

1. Town Council Strategic Plan Draft Review

Council Comments: a review of the updated plan took place. Request changes to include the same population estimates throughout the document, removing the demographic page entirely, include investment in broadband as a strategic goal. Discussion on removing “complete bike and pedestrian audit.” Discussion on whether to include goals and objectives in the plan. Request to not alphabetize the objectives as they appear in priority order. Mayor Turnipseed will continue to work with staff and bring the final plan to the Council for adoption.

#### **EXECUTIVE SESSION**

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).

**MOTION: Council Member Andy Jessen motioned to adjourn the regular meeting and enter into executive session 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).COMMENT. The motion was seconded and with a vote of 7 in favor and 0 opposed. (7:13 P.M.)**

Mayor Turnipseed reconvened the meeting at 7:24 p.m.

**MOTION: Council Member Matt Solomon motioned to authorize Hoffman, Parker, Wilson & Carberry P.C. to enter into mediation with the Eagle County School District and Mountain Recreation regarding the Intergovernmental Agreement dated July 25, 1995 as it relates to the noon ball program. The motion was seconded and with a vote of 7 in favor and 0 opposed.**

#### **ADJOURN - 7:30 PM**

approved:

Date:

---

Scott Turnipseed, Mayor

---

Jenny Rakow, CMC Town Clerk

**BILL SCHEDULE  
AUGUST 2020**

**GENERAL FUND**

**Town Council**

|                             |                       |           |               |
|-----------------------------|-----------------------|-----------|---------------|
| SBrand Consulting           | Professional Services | \$        | 600.00        |
| Forward Tech Solutions, LLC | Computer Support      |           | 82.00         |
| <b>Total Town Council</b>   |                       | <b>\$</b> | <b>682.00</b> |

**General Government**

|                                       |                         |           |                  |
|---------------------------------------|-------------------------|-----------|------------------|
| Meritain Health                       | Health Insurance Claims | \$        | 733.19           |
| Cintas Corporation                    | Office Supplies         |           | 14.16            |
| Zoom.us                               | Dues & Subscriptions    |           | 154.25           |
| Verizon Wireless, Bellevue            | Utility Services        |           | 159.20           |
| Hoffman, Parker, Wilson & Carberry PC | Legal - General         |           | 7,995.00         |
| Kissinger & Fellman, P.C.             | Legal - General         |           | 915.00           |
| Executech Utah LLC                    | Computer Support        |           | 84.75            |
| Forward Tech Solutions, LLC           | Computer Support        |           | 1,610.72         |
| Mammoth Networks                      | Computer Support        |           | 410.00           |
| <b>Total General Government</b>       |                         | <b>\$</b> | <b>12,076.27</b> |

**General Administration**

|                                 |                                       |    |          |
|---------------------------------|---------------------------------------|----|----------|
| Bridges, William Or Meagan      | Utility Refund                        | \$ | 55.87    |
| Engle, Patrick Or Janet         | Utility Refund                        |    | 163.37   |
| Foster, Geoffrey Or Meredith    | Utility Refund                        |    | 534.07   |
| Jones, Natasha Or Stephen       | Utility Refund                        |    | 17.81    |
| Mcgough, Matt Or Mallie         | Utility Refund                        |    | 101.34   |
| Rawlings, Michael Or Heather    | Utility Refund                        |    | 4.02     |
| Russell, Lori                   | Utility Refund                        |    | 233.40   |
| Hartford, The                   | Disability Insurance                  |    | 1,573.52 |
| MetLife                         | Vision Insurance Payable              |    | 624.77   |
| Andrews, Christina              | Facility Usage Deposit Payable Refund |    | 750.00   |
| Duran, Yesenia                  | Facility Usage Deposit Payable Refund |    | 750.00   |
| Emily Files                     | Facility Usage Deposit Payable Refund |    | 750.00   |
| Fransen, Neil                   | Facility Usage Deposit Payable Refund |    | 1,125.00 |
| Garduno, Maria                  | Facility Usage Deposit Payable Refund |    | 750.00   |
| Martin Dunning                  | Facility Usage Deposit Payable Refund |    | 1,125.00 |
| Phillips, Skylar                | Facility Usage Deposit Payable Refund |    | 750.00   |
| Porchlight Players              | Facility Usage Deposit Payable Refund |    | 750.00   |
| Velasco-Gonzalez, Leticia       | Facility Usage Deposit Payable Refund |    | 750.00   |
| Andrews, Christina              | Facility Usage Fees Refund            |    | 748.45   |
| Martin Dunning                  | Facility Usage Fees Refund            |    | 863.90   |
| Meritain Health                 | Health Insurance Claims               |    | 1,788.98 |
| Cintas Corporation              | Office Supplies                       |    | 80.25    |
| Computer Forms Inc              | Office Supplies                       |    | 189.00   |
| Costco                          | Office Supplies                       |    | 7.99     |
| Glenwood Springs Auto Parts Inc | Vehicle Repair & Maintenance Supplies |    | 143.89   |

**General Administration (Cont.)**

|                                     |                                |                     |
|-------------------------------------|--------------------------------|---------------------|
| Glenwood Springs Auto Parts Inc     | Gas & Oil                      | 11.95               |
| City Market                         | Employee Appreciation          | 50.95               |
| Computer Forms Inc                  | Communication & Transportation | 20.03               |
| Mail Chimp                          | Dues & Subscriptions           | 74.99               |
| Survey Monkey                       | Dues & Subscriptions           | 384.00              |
| Vimeo PRO                           | Dues & Subscriptions           | 199.00              |
| Century Link                        | Utility Services               | 1,035.66            |
| Chase Paymentech                    | C.C. Transaction Fees          | 1,891.65            |
| Xpress Bill Pay                     | C.C. Transaction Fees          | 714.82              |
| Caselle, Inc.                       | Computer Support               | 4,380.00            |
| Executech Utah LLC                  | Computer Support               | 1,068.58            |
| Forward Tech Solutions, LLC         | Computer Support               | 713.39              |
| CGFOA                               | Tuition & Books                | 70.00               |
| Colorado Municipal Clerks Assoc.    | Tuition & Books                | 300.00              |
| US Bank Equipment Finance           | Contract Payments              | 394.80              |
| <b>Total General Administration</b> |                                | <b>\$ 25,940.45</b> |

**Community Development**

|                                          |                         |                     |
|------------------------------------------|-------------------------|---------------------|
| Colorado Mountain Medical, LLC           | Health Benefits         | \$ 26.00            |
| Meritain Health                          | Health Insurance Claims | 2,443.96            |
| Fleet Services                           | Gas & Oil               | 37.91               |
| International Code Council               | Dues & Subscriptions    | 135.00              |
| Century Link                             | Utility Services        | 176.83              |
| Verizon Wireless, Bellevue               | Utility Services        | 570.61              |
| Mountain Careers                         | Recruitment             | 79.00               |
| Logan Simpson                            | Professional Services   | 545.04              |
| Logan Simpson                            | Professional Services   | 995.92              |
| McCool Development Solutions, LLC        | Professional Services   | 5,186.50            |
| Advanced Engineering & Environmental Svc | Planning Reimbursable   | 1,602.25            |
| Alperstein & Covell, P.C.                | Planning Reimbursable   | 27.50               |
| Garfield & Hecht, P.C.                   | Planning Reimbursable   | 2,254.00            |
| Hoffman, Parker, Wilson & Carberry Pc    | Planning Reimbursable   | 2,675.00            |
| Kumar & Associates Inc                   | Planning Reimbursable   | 2,582.90            |
| Quenon Engineering And Surveying         | Planning Reimbursable   | 475.00              |
| Resource Engineering Inc                 | Planning Reimbursable   | 534.00              |
| Hoffman, Parker, Wilson & Carberry Pc    | Legal                   | 1,228.50            |
| Executech Utah LLC                       | Computer Support        | 275.00              |
| Forward Tech Solutions, LLC              | Computer Support        | 1,733.87            |
| JHW Plan Review Services                 | Contract Services       | 7,221.42            |
| Town Of Gypsum                           | Contract Services       | 2,000.00            |
| US Bank Equipment Finance                | Contract Payments       | 394.80              |
| <b>Total Community Development</b>       |                         | <b>\$ 33,201.01</b> |

**Municipal Court**

|                                      |                         |                    |
|--------------------------------------|-------------------------|--------------------|
| Meritain Health                      | Health Insurance Claims | \$ 73.32           |
| Carlson, Edwards & O'Connor P.C.     | Legal                   | 1,500.00           |
| <b>Municipal Court (Cont.)</b>       |                         |                    |
| Executech Utah LLC                   | Computer Support        | 64.60              |
| Forward Tech Solutions, LLC          | Computer Support        | 41.34              |
| Ace Security And Safety Services LLC | Contract Payments       | 128.00             |
| Johnson, Erik A.                     | Contract Payments       | 750.00             |
| <b>Total Municipal Court</b>         |                         | <b>\$ 2,557.26</b> |

**Streets**

|                                    |                                       |                      |
|------------------------------------|---------------------------------------|----------------------|
| Meritain Health                    | Health Insurance                      | \$ 2,786.12          |
| Cintas Corporation                 | Office Supplies                       | 49.53                |
| Quill Corporation                  | Office Supplies                       | 32.98                |
| G & S Tool Clinic, LLC             | Repair & Maintenance Supplies         | 202.60               |
| Glenwood Springs Auto Parts Inc    | Repair & Maintenance Supplies         | 313.14               |
| Grainger                           | Repair & Maintenance Supplies         | 217.32               |
| Lawson Products                    | Repair & Maintenance Supplies         | 1,477.53             |
| Mid-American Research Chemical     | Repair & Maintenance Supplies         | 775.50               |
| New Electric, Inc.                 | Repair & Maintenance Supplies         | 6,496.00             |
| Signature Signs Inc                | Repair & Maintenance Supplies         | 491.00               |
| Thompson Welding                   | Repair & Maintenance Supplies         | 34.20                |
| United Rentals (North America) Inc | Repair & Maintenance Supplies         | 180.44               |
| Wylaco Supply Co                   | Repair & Maintenance Supplies         | 152.29               |
| Glenwood Springs Auto Parts Inc    | Vehicle Repair & Maintenance Supplies | 256.82               |
| Signature Signs Inc                | Vehicle Repair & Maintenance Supplies | 120.00               |
| Collett Enterprises                | Gas & Oil                             | 221.13               |
| Fleet Services                     | Gas & Oil                             | 1,091.24             |
| Glenwood Springs Auto Parts Inc    | Gas & Oil                             | 41.36                |
| G & S Tool Clinic, LLC             | Communication & Transportation        | 19.99                |
| Lawson Products                    | Communication & Transportation        | 91.53                |
| Century Link                       | Utility Services                      | 804.56               |
| Signature Signs Inc                | Repair & Maintenance Services         | 112.50               |
| United Companies                   | Street Resurfacing                    | 95,640.82            |
| Executech Utah LLC                 | Computer Support                      | 249.30               |
| Forward Tech Solutions, LLC        | Computer Support                      | 202.07               |
| The Compliance Alliance, Inc       | CDL Testing                           | 260.00               |
| <b>Total Streets</b>               |                                       | <b>\$ 112,319.97</b> |

**Public Safety**

|                               |                         |             |
|-------------------------------|-------------------------|-------------|
| Meritain Health               | Health Insurance Claims | \$ 6,452.07 |
| Amazon                        | Office Supplies         | 8.84        |
| Sportsman's Internet Store    | Office Supplies         | 26.39       |
| Amazon Marketplace            | Operating Supplies      | 38.74       |
| King Soopers Customer Charges | Operating Supplies      | 95.43       |
| Pye-Barker Fire & Safety LLC  | Operating Supplies      | 66.00       |
| Tri-Tech Forensics Inc        | Operating Supplies      | 54.00       |

**Public Safety (Cont.)**

|                                       |                                       |                     |
|---------------------------------------|---------------------------------------|---------------------|
| Creative Culture Insignia, LLC        | Uniforms                              | 170.00              |
| Amazon Marketplace                    | Vehicle Repair & Maintenance Supplies | 35.09               |
| Eagle Valley Autobody                 | Vehicle Repair & Maintenance Supplies | 267.20              |
| Valley Electric Supply Inc            | Vehicle Repair & Maintenance Supplies | 81.00               |
| Fleet Services                        | Gas & Oil                             | 2,356.69            |
| Creative Culture Insignia, LLC        | Communication & Transportation        | 25.10               |
| Federal Express Corp.                 | Communication & Transportation        | 46.66               |
| Sportsman's Internet Store            | Communication & Transportation        | 8.95                |
| National Assoc Field Training         | Dues & Subscriptions                  | 40.00               |
| AT&T Mobility                         | Utility Services                      | 361.20              |
| Century Link                          | Utility Services                      | 645.63              |
| Hoffman, Parker, Wilson & Carberry PC | Legal                                 | 566.00              |
| Colorado Depart. Of Agriculture       | Repair & Maintenance Services         | 56.00               |
| Eagle Valley Autobody                 | Repair & Maintenance Services         | 1,218.00            |
| Pye-Barker Fire & Safety LLC          | Repair & Maintenance Services         | 70.00               |
| White Water Express Carwash           | Repair & Maintenance Services         | 57.30               |
| Executech Utah LLC                    | Computer Support                      | 60.69               |
| Forward Tech Solutions, LLC           | Computer Support                      | 509.62              |
| Police Technical                      | Tuition & Books                       | 250.00              |
| Aspen Hope Center                     | Detox Center                          | 4,500.00            |
| High Country Copiers                  | Contract Payments                     | 53.81               |
| <b>Total Public Safety</b>            |                                       | <b>\$ 18,120.41</b> |

**Buildings & Grounds**

|                                 |                                       |             |
|---------------------------------|---------------------------------------|-------------|
| Buildings & Grounds             | Health Insurance Claims               | \$ 1,832.97 |
| Cintas Corporation              | Office Supplies                       | 49.53       |
| Quill Corporation               | Office Supplies                       | 32.98       |
| Costco                          | Repair & Maintenance Supplies         | 14.99       |
| Eagle Lock & Key                | Repair & Maintenance Supplies         | 561.00      |
| G & S Tool Clinic, LLC          | Repair & Maintenance Supplies         | 61.68       |
| Glenwood Springs Auto Parts Inc | Repair & Maintenance Supplies         | 68.98       |
| Grand Junction Pipe & Supply    | Repair & Maintenance Supplies         | 456.44      |
| Gypsum Eagle Ace Hardware       | Repair & Maintenance Supplies         | 148.54      |
| Paint Bucket                    | Repair & Maintenance Supplies         | 29.96       |
| Pet Pick-Ups                    | Repair & Maintenance Supplies         | 720.00      |
| Skyline Mechanical, Inc.        | Repair & Maintenance Supplies         | 663.70      |
| Glenwood Springs Auto Parts Inc | Vehicle Repair & Maintenance Supplies | 559.68      |
| Glenwood Springs Ford           | Vehicle Repair & Maintenance Supplies | 579.77      |
| Collett Enterprises             | Gas & Oil                             | 221.13      |
| Fleet Services                  | Gas & Oil                             | 677.11      |
| Home Depot Pro                  | Janitorial Supplies                   | 945.58      |
| Pet Pick-Ups                    | Communication & Transportation        | 81.48       |
| Black Hills Energy              | Utility Services                      | 136.25      |
| Century Link                    | Utility Services                      | 1,154.93    |
| Holy Cross Energy               | Utility Services                      | 427.62      |
| Eagle Lock & Key                | Repair & Maintenance Services         | 334.50      |

**Buildings & Grounds (Cont.)**

|                                      |                               |                     |
|--------------------------------------|-------------------------------|---------------------|
| Skyline Mechanical, Inc.             | Repair & Maintenance Services | 720.22              |
| Sno-White Linen Rental               | Repair & Maintenance Services | 110.88              |
| Executech Utah LLC                   | Computer Support              | 196.89              |
| Forward Tech Solutions, LLC          | Computer Support              | 303.89              |
| Best Electric                        | Contract Payments             | 324.00              |
| G H Daniels III & Associates         | Contract Payments             | 4,000.00            |
| Forward Tech Solutions, LLC          | Equipment Purchase            | 4,386.00            |
| <b>Total Buildings &amp; Grounds</b> |                               | <b>\$ 19,800.70</b> |

**Information Center**

|                                 |                    |                  |
|---------------------------------|--------------------|------------------|
| Garden Center of Gypsum         | Operating Supplies | \$ 179.98        |
| Century Link                    | Utility Services   | 204.77           |
| Executech Utah LLC              | Computer Support   | 56.50            |
| Forward Tech Solutions, LLC     | Computer Support   | 54.00            |
| <b>Total Information Center</b> |                    | <b>\$ 495.25</b> |

**Marketing & Events**

|                                     |                         |                    |
|-------------------------------------|-------------------------|--------------------|
| Meritain Health                     | Health Insurance Claims | \$ 488.79          |
| Eagle Sinclair                      | Gas & Oil               | 47.26              |
| Signature Signs Inc                 | Equipment - Supplies    | 390.00             |
| Formstack                           | Dues & Subscriptions    | 38.25              |
| Google Storage                      | Dues & Subscriptions    | 1.99               |
| Verizon Wireless, Bellevue          | Utility Services        | 158.44             |
| Executech Utah LLC                  | Computer Support        | 64.61              |
| Forward Tech Solutions, LLC         | Computer Support        | 915.45             |
| Revolution Enduro, LLC              | Events                  | 2,000.00           |
| <b>Total Marketing &amp; Events</b> |                         | <b>\$ 4,104.79</b> |

**Engineering**

|                             |                         |                    |
|-----------------------------|-------------------------|--------------------|
| Meritain Health             | Health Insurance Claims | \$ 749.48          |
| Cintas Corporation          | Office Supplies         | 49.53              |
| Quill Corporation           | Office Supplies         | 32.98              |
| Fleet Services              | Gas & Oil               | 33.09              |
| Executech Utah LLC          | Computer Support        | 65.30              |
| Forward Tech Solutions, LLC | Computer Support        | 282.06             |
| <b>Total Engineering</b>    |                         | <b>\$ 1,212.44</b> |

**TOTAL GENERAL FUND****\$ 230,510.55****CAPITAL IMPROVMENTS**

|                                   |                |                    |
|-----------------------------------|----------------|--------------------|
| Bedrock Construction Of Colorado  | Use Tax Refund | \$ 148.15          |
| Menke, David                      | Use Tax Refund | 830.36             |
| Ryan, Pat Or Sandy                | Use Tax Refund | 2,880.49           |
| <b>Total CAPITAL IMPROVEMENTS</b> |                | <b>\$ 3,859.00</b> |

**WASTE WATER FUND**

|                                |                         |    |          |
|--------------------------------|-------------------------|----|----------|
| Meritain Health                | Health Insurance Claims | \$ | 2,147.43 |
| Western Slope Supplies Inc     | Office Supplies         |    | 37.25    |
| Mid-American Research Chemical | Operating Supplies      |    | 270.00   |

**WASTE WATER FUND (Cont.)**

|                                          |                                  |           |                  |
|------------------------------------------|----------------------------------|-----------|------------------|
| Costco                                   | Repair & Maintenance Supplies    |           | 56.94            |
| Fastenal Company                         | Repair & Maintenance Supplies    |           | 370.23           |
| Gypsum Eagle Ace Hardware                | Repair & Maintenance Supplies    |           | 13.98            |
| Water Technology Group                   | Repair & Maintenance Supplies    |           | 3,505.00         |
| Fleet Services                           | Gas & Oil                        |           | 150.25           |
| Federal Express Corp.                    | Communication & Transportation   |           | 191.48           |
| Nexttrust Inc                            | Communication & Transportation   |           | 336.76           |
| Western Slope Supplies Inc               | Communication & Transportation   |           | 1.75             |
| Century Link                             | Utility Services                 |           | 1,102.33         |
| Veris Environmental LLC                  | Sludge Disposal                  |           | 5,063.69         |
| Executech Utah LLC                       | Computer Support                 |           | 257.64           |
| Forward Tech Solutions, LLC              | Computer Support                 |           | 665.30           |
| Colo Dept Of Public Health & Environment | Testing & Permits                |           | 7,430.00         |
| Eagle River Water & Sanitation District  | Testing & Permits                |           | 2,325.00         |
| SGS North America Inc                    | Testing & Permits                |           | 1,012.34         |
| Rodeway Inn                              | Travel Expense                   |           | 97.16            |
| Best Electric                            | Contract Payments                |           | 324.00           |
| Hoffman, Parker, Wilson & Carberry Pc    | Capitol St Sewer Main 5th-6th St |           | 214.50           |
| <b>Total WASTEWATER FUND</b>             |                                  | <b>\$</b> | <b>25,573.03</b> |

**WATER FUND**

|                                       |                                      |    |          |
|---------------------------------------|--------------------------------------|----|----------|
| Meritain Health                       | Health Insurance Claims              | \$ | 2,484.70 |
| Eagle County Government               | A/R 2-yr Collateral Nielson Gulch Rd |    | 100.00   |
| Cintas Corporation                    | Office Supplies                      |    | 49.52    |
| Quill Corporation                     | Office Supplies                      |    | 33.00    |
| Chemtrade Chemicals Corporation       | Operating Supplies                   |    | 5,510.24 |
| DPC Industries, Inc.                  | Operating Supplies                   |    | 2,175.13 |
| Kubwater Resources, Inc.              | Operating Supplies                   |    | 4,302.00 |
| Foxcroft Equipment & Services Co Inc. | Repair & Maintenance Supplies        |    | 3,870.00 |
| Glenwood Springs Auto Parts Inc       | Repair & Maintenance Supplies        |    | (14.99)  |
| Grainger                              | Repair & Maintenance Supplies        |    | 662.72   |
| Grand Junction Pipe & Supply          | Repair & Maintenance Supplies        |    | 2,553.43 |
| Valley Electric Supply Inc            | Repair & Maintenance Supplies        |    | 1,215.00 |
| Water Technology Group                | Repair & Maintenance Supplies        |    | 457.00   |
| Wylaco Supply Co                      | Repair & Maintenance Supplies        |    | 217.15   |
| Fleet Services                        | Gas & Oil                            |    | 234.87   |
| Federal Express Corp.                 | Communication & Transportation       |    | 27.67    |
| Foxcroft Equipment & Services Co Inc. | Communication & Transportation       |    | 66.18    |
| Grand Junction Pipe & Supply          | Communication & Transportation       |    | 100.00   |
| Kubwater Resources, Inc.              | Communication & Transportation       |    | 373.78   |
| Nexttrust Inc                         | Communication & Transportation       |    | 336.76   |
| AmeriGas                              | Utility Services                     |    | 997.14   |

**WATER FUND (Cont.)**

|                                          |                                      |                        |
|------------------------------------------|--------------------------------------|------------------------|
| Century Link                             | Utility Services                     | 2,589.83               |
| Holy Cross Energy                        | Utility Services                     | 2,118.85               |
| American Public Works                    | Recruitment                          | 325.00                 |
| Indeed                                   | Recruitment                          | 18.17                  |
| Mountain Careers                         | Recruitment                          | 79.00                  |
| Garfield & Hecht, P.C.                   | Legal                                | 3,229.95               |
| Hoffman, Parker, Wilson & Carberry Pc    | Legal                                | 97.50                  |
| Resource Engineering Inc                 | Engineering                          | 2,489.00               |
| Vail Honeywagon                          | Repair & Maintenance Services        | 136.00                 |
| Colo Dept Of Public Health & Environment | Testing & Permits                    | 1,737.00               |
| Eagle County Government                  | ROW Permit 377 Nielson Gulch Rd      | 75.00                  |
| Eagle River Water & Sanitation District  | Testing & Permits                    | 275.00                 |
| SGS North America Inc                    | Testing & Permits                    | 190.45                 |
| Executech Utah LLC                       | Computer Support                     | 295.33                 |
| Forward Tech Solutions, LLC              | Computer Support                     | 903.45                 |
| Best Electric                            | Contract Payments                    | 1,944.00               |
| US Bank Equipment Finance                | Contract Payments                    | 394.81                 |
| Colorado Underground Detection LLC       | CIP-Sewer Detection-1st Half         | 9,876.00               |
| Hoffman, Parker, Wilson & Carberry PC    | Water Line - Distribution Capitol St | 136.50                 |
| Resource Engineering Inc                 | Tank Replacement                     | 400.50                 |
| Grand Junction Pipe & Supply             | Violet Lane Water Line               | 92.43                  |
| MWH Constructors Inc.                    | Lower Basin Water Treatment          | 2,606,384.00           |
| Sturgeon Electric Company Inc            | Upper Basin Water Treatment          | 245,252.00             |
| <b>Total WATER FUND</b>                  |                                      | <b>\$ 2,904,791.07</b> |

**REFUSE FUND**

|                          |                                |                  |
|--------------------------|--------------------------------|------------------|
| Nexttrust Inc            | Communication & Transportation | \$ 336.76        |
| <b>Total REFUSE FUND</b> |                                | <b>\$ 336.76</b> |

**SALES TAX CAPITAL IMPROVEMENTS FUND**

|                                                  |                       |                    |
|--------------------------------------------------|-----------------------|--------------------|
| Timberline Aquatics Inc.                         | Professional Services | \$ 5,144.50        |
| Buchanan Sperline & Holleman Pc                  | Legal                 | 25.00              |
| Garfield & Hecht, P.C.                           | Legal                 | 2,593.50           |
| S2O Design & Engineering                         | Design                | 862.50             |
| <b>Total SALES TAX CAPITAL IMPROVEMENTS FUND</b> |                       | <b>\$ 8,625.50</b> |

**OPEN SPACE FUND**

|                                 |                                       |          |
|---------------------------------|---------------------------------------|----------|
| Meritain Health                 | Health Insurance Claims               | \$ 14.66 |
| Signature Signs Inc             | Repair & Maintenance Supplies         | 125.00   |
| Auto Zone, Inc                  | Vehicle Repair & Maintenance Supplies | 97.49    |
| Glenwood Springs Auto Parts Inc | Vehicle Repair & Maintenance Supplies | 135.99   |
| Fleet Services                  | Gas & Oil                             | 31.10    |
| Vail Honeywagon                 | Repair & Maintenance Services         | 124.63   |
| Executech Utah LLC              | Computer Support                      | 47.60    |
| Forward Tech Solutions, LLC     | Computer Support                      | 34.03    |
| Birch Ecology LLC               | Weed & Pest Control                   | 608.75   |

**OPEN SPACE FUND (Cont.)**

|                               |                     |                     |
|-------------------------------|---------------------|---------------------|
| Mountain Pest Control, Inc.   | Weed & Pest Control | 2,181.00            |
| Outdoor Services Inc          | Weed & Pest Control | 13,955.00           |
| Hardscrabble Trails Coalition | Community Requests  | 5,000.00            |
| <b>Total OPEN SPACE FUND</b>  |                     | <b>\$ 22,355.25</b> |

|              |                        |
|--------------|------------------------|
| <b>TOTAL</b> | <b>\$ 3,196,051.16</b> |
|--------------|------------------------|

|                |                      |
|----------------|----------------------|
| <b>PAYROLL</b> | <b>\$ 291,013.93</b> |
|----------------|----------------------|

|                    |                        |
|--------------------|------------------------|
| <b>GRAND TOTAL</b> | <b>\$ 3,487,065.09</b> |
|--------------------|------------------------|



To: Mayor and Town Council

From: Jenny Rakow, Town Clerk

Date: September 8, 2020

**Agenda Item:** Resolution 60, Series 2020, "A Resolution of the Town of Eagle Extending the Declared Local Disaster Emergency"

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**REQUEST:** Staff is requesting that the Town Council review a proposal to extend the Local Disaster Emergency through October 11, 2020.

**BACKGROUND:** On March 10, 2020, the Governor of the State of Colorado recognized the COVID-19 pandemic and declared a state of emergency by Executive Order D 2020 018 and on March 15, 2020, Mayor McKibbin 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");

**ANALYSIS:** The emergency conditions caused by the COVID-19 pandemic, as defined by C.R.S. § 24-33.5-702, persist and require additional and sustained action by the Town. While still unknown, financial assistance can be sought if a "Local Disaster Emergency" is properly declared and filed. This Resolution is intended to fulfill requirements related to assistance. The declaration has to be extended every 30 days.

**COMMUNITY INPUT:** None required.

**BUDGET / STAFF IMPACT:** Budget impacts of COVID-19 are being provided to the Council.

**STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED:** This policy aligns with the following standards:

Protecting Public Health, Safety, and the Environment – the Town is committed to protecting the well-being of its people and the community using Sound Finances and Increased Efficiency.

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

**ATTACHMENTS:**

1. 60 Emergency Cont-Reso

**TOWN OF EAGLE, COLORADO**  
**RESOLUTION NO. 60**  
**(Series of 2020)**

A RESOLUTION OF THE TOWN OF EAGLE EXTENDING THE DECLARED LOCAL DISASTER EMERGENCY

WHEREAS, on March 10, 2020, the Governor of the State of Colorado recognized the COVID-19 pandemic and declared a state of emergency by Executive Order D 2020 018;

WHEREAS, on March 15, 2020, Mayor McKibbin 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");

WHEREAS, on March 19, 2020, by Resolution No. 12, the Town Council ratified the Mayor's declaration and made a declaration of emergency effective for 30 days;

WHEREAS, by Executive Order D 2020 003, amended by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D 2020 125, D 2020 152 the Governor of the State of Colorado amended and extended the State's emergency declaration until September 4, 2020; and

WHEREAS, the emergency conditions caused by the COVID-19 pandemic, as defined by C.R.S. § 24-33.5-702, persist and require additional and sustained action by the Town.

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

Section 1. Effective September 8th, 2020 the declaration of a disaster emergency in and for the Town of Eagle, a copy of which is attached, is extended to October 11th, 2020.

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 SEPTEMBER 8, 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 an "emergency epidemic" is cases of an illness or condition, communicable or noncommunicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins;

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 Board of Trustees;

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 COVID-19 pandemic, which was recognized by the Governor of the State of Colorado on March 10, 2020, the Town is suffering and has suffered a disaster emergency as defined in the Act.

NOW, THEREFORE, IT IS HEREBY ORDERED, on this 15<sup>th</sup> day of March, 2020, that a disaster emergency is declared in and for the Town of Eagle, Colorado, beginning on this day and ending the March 22, 2020, unless extended by action of the Board of Trustees.

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



Anne McKibbin, Mayor

ATTEST:



Jenny Rakow, Town Clerk





To: Mayor and Town Council  
From: Jill Kane, Finance Director  
Date: September 8, 2020

Agenda Item: Resolution 53-2020 – A Resolution Approving An Intergovernmental Agreement Between Eagle County And The Town Of Eagle For The Collection Of Sales Taxes On The Sale Of Cigarettes And Tobacco Products

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**REQUEST:** Staff requests the Council review resolution 53-2020 for approval.

**BACKGROUND:** On April 7, 2020, voters approved imposing a special sales tax on cigarettes, tobacco products and nicotine products at a rate of \$0.20/cigarette or \$4/pack of 20 cigarettes and 40% on all other tobacco and nicotine products, starting on July 1, 2020. Eagle County had collected this special sales tax from Eagle retailers from January 1, 2020 through the implementation of the Town tax on July 1, 2020. In order to create efficiencies staff is proposing to have the County continue to collect the sale tax on behalf of the Town.

**ANALYSIS:** The Town rolled out a tobacco sales tax collection process to local retailers which included an informational letter, an FAQ, and a tax form for vendors to submit directly to the Town. Staff is anticipating an additional 96 returns annually for tobacco tax collection.

The Town has several options available to collect the tobacco tax moving forward.

1. **County Collection:** Have the County continue to collect the tax on behalf of the Town with a 2.5% fee withheld to pay for the statutorily required 1% treasurers fee and 1.5% to pay for the collection, administration, and enforcement of the Town's Tax. The Town would receive one monthly payment from the County for tobacco tax collected. *(The County uses HDL Companies to administer tobacco tax collection).*

Vendors are already familiar with the County collection process, which would make for a positive transition. Based on the Town's annual anticipated collections of \$330,000, the annual fees paid to the County would be approximately \$8,250.

2. **Other Vendor Collection:** Staff reached out to HDL Companies and MUNIRevs for proposals on the collection of Tobacco Tax on behalf of the Town. HDL Companies is an all-inclusive vendor and Muni Revs would still require the Town to handle reconciliations, compliance and delinquency issues. HDL declined to quote since they said it would not be worth it for the sum we were expecting to collect, however, the quote the County received was \$8,000 for implementation and approximately \$17,100 annually. MuniRevs would be \$2,500 for implementation and approximately \$8,000 annually.
3. **Town of Eagle Collection (Paper and Electronic payment collection via Xpress Billpay):** The Town could continue to transition all vendors to Town collection via paper or electronic submittals. If retailers pay via credit cards the Town is charged a fee based on the type of card used which could be anywhere from 1% to 2.5% and an additional minimal fee from Xpress Billpay, who is the Town online payment vendor. If retailers pay via check then there would be no fee charged. This option would be the least expensive for

the Town, however, would require staff to be responsible for the collection of taxes, penalty and interest, customer service support, education related to tobacco tax, reconciliations, and delinquency notices for failure to file and pay tax. Staff is concerned about follow up on delinquent taxes. For comparison purposes, due to time constraints, staff historically initiates correspondence for lodging tax delinquency notices once per year. This should be completed more timely and we are currently working on improving this for lodging taxes.

**Staff Recommendation:** Staff is recommending entering an IGA with Eagle County for the collection of tobacco sales tax so Town staff will not have to spend any time on tobacco tax collection. Through correspondence with the County during the first six months of 2020 staff was able to see HDL Companies and the County's process for collection of tax and was impressed with their follow-up to retailers for the collection process.

This is something that staff would continue to look at annually to see if it is something that the Town would want to administer directly.

**COMMUNITY INPUT:** No community input was obtained.

**BUDGET / STAFF IMPACT:** Based on Eagle County collection for the first half of 2020, Staff is projecting approximately \$330,000 in annual tobacco and nicotine tax revenue. If the County collects on behalf of the Town it will cost approximately \$8,250.

**STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:**

- Sound Finances and Increasing Efficiency: If tobacco sales taxes are collected through the County it will ensure high quality tax collection services and create efficiencies for Town staff.

**RECOMMENDED ACTION OR PROPOSED MOTION:** Motion to **approve** or **deny** Resolution 53-2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving An Intergovernmental Agreement Between Eagle County And The Town Of Eagle For The Collection Of Sales Taxes On The Sale Of Cigarettes And Tobacco Products."

**ATTACHMENTS:**

- Exhibit "A" - IGA between Eagle County and the Town of Eagle Concerning the Collection of sales taxes on the sale of Cigarettes and Tobacco Products
- Resolution 53-2020

**INTERGOVERNMENTAL AGREEMENT BETWEEN EAGLE COUNTY AND THE TOWN OF  
EAGLE CONCERNING THE COLLECTION OF SALES TAXES ON THE SALE OF  
CIGARETTES AND TOBACCO PRODUCTS**

**THIS INTERGOVERNMENTAL AGREEMENT** (this “Agreement”) is made and entered into this \_\_\_ of August 2020, among EAGLE COUNTY, COLORADO (the “County”), a body corporate and politic and political subdivision of the State of Colorado (the “State”), and THE TOWN OF EAGLE (the “Town”), a municipality and political subdivision of the State. The County and the Town are referred to collectively herein as “the Parties” or individually as “a Party.”

**WHEREAS**, pursuant to title 29, article 1, part 2, section 203, Colorado Revised Statutes, as amended (the "Intergovernmental Relations Statute"), and Article XIV, Section 18 of the State Constitution, governments may contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service or facility; and

**WHEREAS**, tobacco and nicotine use is the leading cause of preventable death in Colorado and in the United States generally; and

**WHEREAS**, in 2019, the Colorado General Assembly passed, and the Governor signed, House Bill No. 19-1033 (the "Act"), which authorizes a county to levy, collect, enforce and administer a county-wide special sales tax upon all sales of cigarettes, tobacco products, or nicotine products within the unincorporated and incorporated areas of the county, but in the event a municipality has passed its own special sales tax upon all sales of cigarettes, tobacco products, or nicotine products, the county may only continue to levy, collect, enforce and administer its special sales tax within the municipal limits of that incorporated area of the county if the county and the municipality enter into an agreement permitting the county to do so; and

**WHEREAS**, in 2019, to combat the upturn in youth tobacco use, the County passed a county-wide special sales tax of four dollars (\$4.00) on each pack of cigarettes, or twenty cents (\$0.20) per cigarette sold, and 40% on the sale of all other tobacco and nicotine products within the incorporated and unincorporated areas of the County; and

**WHEREAS**, in 2020, the Town passed a ballot initiative implementing a sales tax of four dollars (\$4.00) per pack of cigarettes or twenty cents (\$0.20) per cigarette sold within the municipal limits of the Town and a 40% sales tax on the sale of all other tobacco and nicotine products starting on July 1, 2020; and

**WHEREAS**, the County had been collecting the county-wide tax from retailers within the municipal limits of the Town beginning on January 1, 2020 through the implementation of the Town tax on July 1, 2020; and

**WHEREAS,** the Town has requested that the County continue to collect the tax from retailers within the municipal limits of the Town and pass the revenue through to the Town as more fully set forth in this Agreement.

**NOW, THEREFORE,** the Parties agree as follows:

**Section 1. Implementation of the Town Cigarette Sales Tax.** The Parties agree that the Town may levy, collect, enforce and administer its recently enacted municipal sales tax on the sale of cigarettes within the municipal limits of the Town. The County shall no longer be permitted to levy, collect, enforce or administer its county-wide tax within the Town's municipal limits unless the Town decreases or otherwise changes its tax at a future date.

**Section 2. Administration, Powers and Duties.** The County or its authorized designee shall (a) collect and administer the Town's special sales tax on the sale of cigarettes, tobacco and nicotine products and (b) distribute the revenue from the taxes as described in Section 3 of this Agreement. The Town hereby agrees to pay the County a collection fee of 2.5% of the Town's revenues from its special sales tax collected within the municipal limits of the Town. Should additional costs be charged by a 3rd party vendor to the County related to the collection of this sales tax, a portion of the charges will be charged to the Town by the County which amount shall be based upon the relative number of retailers within the Town. County will seek Town's approval prior to executing a contract for additional services.

**Section 3. Distribution of Revenues.** The County or its authorized designee shall collect and distribute the sales tax revenues. The County will remit to the Town the Town's portion of the revenues from the taxes less (a) the 2.5% collection fee and (b) additional sums, if any, for the reimbursement of additional costs as stated in Section 2 of this Agreement no later than the 45<sup>th</sup> day following the month of collection of such revenues. The distribution will include a report showing the total amount of collections by retailer along with the total amount of fees charged by the County to the Town per Section 2.

**Section 4. Licensing, Regulation, Additional Fees or Taxes.** This Agreement shall not limit each Party's authority to independently license each retailer of cigarettes, nicotine products and tobacco products within its jurisdictional boundaries as it deems necessary and appropriate and to impose additional taxes, fees, or fines in excess of the sales tax as may be warranted.

**Section 5. Amendment of Agreement.** This Agreement may be modified or amended only by a duly executed written agreement with the express approval of the governing bodies of the Parties.

**Section 6. Term and Termination of the Agreement.**

a. Effective Date. The term of this Agreement shall begin upon execution.

b. Termination. The term of this Agreement shall end upon the written request of either party.

**Section 7. Execution and Performance of Agreement in Accordance with Law.** Each Party hereby represents to the other Party that it has adopted and executed this Agreement in accordance with applicable law. Each Party shall perform their respective obligations and expend any revenues derived hereunder in accordance with all applicable laws, rules, and regulations, including but not limited to the

Act, this Agreement, and a voter-approved ballot measure.

**Section 8. No Waiver of Immunity.** All actions or omissions by any Party, including their respective representatives, employees, agents, volunteers or officials, shall be the sole responsibility of the respective Party. The Parties understand and agree that liability for claims for injuries to persons or property arising out of the actions or omissions of any Party is controlled and limited by the provisions of the Colorado Governmental Immunity Act ("Immunity Act") title 24, article 10, Colorado Revised Statutes, as now or hereafter amended and that the Parties do not intend to waive by any provision of this Agreement the liability limitations or any other right, immunity or protection afforded by the Immunity Act or as may otherwise be afforded by law.

**Section 91. Confidentiality.** For purposes of ensuring proper distribution of the sales tax revenues, the County and the Town shall share and exchange confidential information obtained by the Parties or provided by the State subject to any limitations of the State and all statutes and local ordinances controlling the same while maintaining taxpayer confidentiality. All such information exchanged shall remain strictly confidential and shall be used only for the purposes designated herein.

**Section 10. Parties in Interest.** Nothing expressed or implied herein is intended or shall be construed to confer upon any person other than the Parties any right, remedy or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the Parties.

**Section 11. No Personal Liability.** No covenant or agreement contained in this Agreement shall be deemed to be the covenant or agreement of an elected or appointed official, officer, agent, servant or employee of any Party in his or her individual capacity.

**Section 12. Notices.** Except as otherwise provided in this Agreement, all notices or other communications by either Party shall be in writing, shall be given in a reasonable time and shall be deemed given when actually received.

**Section 13. Severability.** If any clause, provision, subsection, or Section of this Agreement shall be held to be invalid, illegal or unenforceable for any reason, the Agreement shall be reformed to the extent necessary to reflect the intent and purpose of the original agreement or the Parties may terminate this Agreement.

**Section 14. Interpretation.** Because this Agreement is the result of mutual negotiation and drafting, in the event this Agreement is deemed to be ambiguous or vague, the Parties agree that the rule of construction that "ambiguities shall be construed against the drafter" shall not apply. In the event of any conflict between the Act, the Intergovernmental Relations Statute or any other law with respect to the exercise of any such power, the provision that permits the broadest exercise of the power consistent with the limitations set forth in this Agreement shall control. The laws of the State shall govern the construction and enforcement of this Agreement.

**Section 15. Counterparts.** This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same Agreement. Electronic or scanned signatures shall be valid and acceptable for all purposes.



**IN WITNESS WHEREOF**, this Agreement has been executed by the Parties effective as of the date set forth above.

**EAGLE COUNTY, COLORADO**

By: \_\_\_\_\_

Kathy Chandler-Henry,

Chair **ATTEST:**

By: \_\_\_\_\_

Regina O'Brien, Clerk and  
Recorder

**TOWN OF EAGLE**

By: \_\_\_\_\_

Scott Turnipseed, Mayor

**ATTEST:**

By: \_\_\_\_\_

Jenny Rakow, Town Clerk

**RESOLUTION NO. 53**

**(Series 2020)**

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN EAGLE COUNTY AND THE TOWN OF EAGLE FOR THE COLLECTION OF SALES TAXES ON THE SALE OF CIGARETTES AND TOBACCO PRODUCTS**

WHEREAS, the Town desires to contract with the County for the performance of the described Services in the Intergovernmental Agreement attached as Exhibit "A" on the terms and conditions set forth therein; and

WHEREAS, the County agrees to perform such Services on the terms and conditions set forth in Exhibit "A"; and

WHEREAS, this Intergovernmental Agreement is authorized pursuant to Section 29-1-201 and 30-11-101, Colorado Revised Statutes, as amended, and Article XIV, Section 18, of the Colorado Constitution.

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

SECTION 1. The Council approves an Intergovernmental Agreement with Eagle County for the collection of sales taxes on the sale of cigarettes and tobacco products attached as Exhibit "A" and the Mayor is authorized to execute the Intergovernmental Agreement on behalf of the Town.

INTRODUCED, READ, PASSED AND ADOPTED THIS 8TH DAY OF SEPTEMBER 2020.

TOWN OF EAGLE, COLORADO

BY: \_\_\_\_\_  
Mayor, Scott Turnipseed

ATTEST:

\_\_\_\_\_  
Town Clerk, Jenny Rakow



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: September 8, 2020

Re: Town Manager Report

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### **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 – **Complete**
- Draft Water PIF Timing Revision Ordinance – September 22
- Red Mountain Ranch PUD, Annexation and Development Agreement – September 22
- Draft Broadband Wastewater Combined Enterprise Ordinance – September 22

### **Council Follow Up Status and Running List**

- Meet with Scott/Ellen on Eagle Ranch Housing Corp partnership – **In progress**
- Frost Creek Wildlife meeting – **In progress**
- Strategy for STR memo – **In progress**
- Plan for Mobile vending communication – **In progress**
- Send Town Council Comcast call summary on ongoing issues – **Complete**
- Set up a LERP sub-committee – **In progress**
- Research Use Tax – **Scheduled for 2021**
- Budget follow up on public safety variance – **Complete**
- Strategic Plan edits - **Complete**

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

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 a downward trend for cases which is very positive.
- Kids are back in school.
- Most schools have one person out for testing but no major outbreaks.
- Other illnesses are circulating besides COVID-19.
- The volume of testing has decreased over the last 2 weeks which is good news.
- We are probably looking at not calling COVID-19 a crisis now, but rather something we will live with for a while.
- The message needs to change from there is an endpoint to helping our communities deal with it over the next few years – Eagle County is starting that transition.
- The Eagle County marketing campaign is working with the Town's to remind people of the 5 commitments of containment.

As of September 2, the Grizzly Creek Fire is seeing positive containment. The fire is about 75% contained with 600 personnel involved. No Name is the only community on pre-evaluation notices. Incident management is still based in Eagle. The EOC is starting to support flooding and debris flow mitigation efforts on or near the burn scars. There are very few drainages impacted in Eagle County. The current cost of the fire is over \$28 million. The cost-share breakout includes the USFS at 80%, BLM at 8%, and the state at 6%.

Now that the ballots are set, staff is updating the website with election information under the Fair Campaign Practices Act. This information will be posted by September 25 before ballots are delivered in October.

The Open Space and Recreation Advisory Committee applications closed on September 3. The Town received 8 applications. The Open Space and Recreation Advisory Committee will take the next few weeks to review the applications and make a recommendation to the Town Council for an appointment at the next meeting or in early October.

## **Economic Development & Planning**

### Regional Transportation Sub-Committee

At the last Mayors Roundtable, Eagle volunteered to serve on this committee to represent Western Eagle County. The first meeting was held on September 3. The following items are discussed and will be shared with the Mayors Roundtable:

Look at a comp set for regional transportation authorities as a model.

Explore putting together a comprehensive transportation plan that does the following:

- Looks at phasing transportation improvements and priorities.
- The plan needs to be holistic and focuses on incorporating existing plans.

- The plan needs to include trails, air, rail, and busing strategies.
- A survey is required to assess the needs of business owners.
- The group needs to develop an RFP to procure a consultant to help develop the plan with stakeholders
- The County will take the lead in coordinating the effort.
- The Towns and County will need an IGA that outlines cost-sharing responsibilities for the project.
- The group will apply for a DOLA grant to defray the costs of plan development.

#### 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 scheduled for September 14 now that the canyon is open. Staff will provide an update at the end of the month.

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

- September 9 – COVID-19 Managers Taskforce meeting
- September 14 – Eagle River Park site visit meeting
- September 11 – Eagle Chamber Business Roundup

Sincerely,



Brandy Reitter  
Town Manager



To: Mayor and Town Council

From: Brandy Reitter, Town Manager, and Department Leads

Date: September 8, 2020

Re: Department Updates for August 2020

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## **ASSISTANT TO THE TOWN MANAGER**

### Downtown Broadway

- Asbestos abatement of 410 Broadway has started. Questions from residents should be directed to the Town Building Inspector, Charlie Davis. CDPHE has been involved from the beginning and is the licensing authority for the work. All work conducted so far has been found to meet their standards.
- The Eagle Chamber will co-host the Second Friday ArtWalk on Sept 12 as they hold their annual Eagle Business Round-Up concurrently. Nearly 50 total business and artists are expected to participate.
- The Downtown Business Alliance will work to reposition their name as the Downtown Alliance to mitigate confusion between the DBA and the Downtown Development Authority (DDA).
- The Downtown Alliance has begun work on a Downtown Plan, with assistance from Downtown Colorado Inc. and drawing on other models from successful DDA's around the state.

### Eagle Ranch Merchants

- The Eagle Ranch Merchant's Association is hosting their second "First Friday" on Sept 4. Many vendors are participating, and activities include live music, yoga in the park, puppy adoption, a free cycle class, themed events at the Assembly, and food/ drink specials at restaurants and coffee shops throughout Eagle Ranch. MEAC is helping to fund the First Friday events.

### Highway 6 Corridor Master Plan

- Zehren and Associates and their team were selected for the project
- Initial timetable for events in 2020 includes:
  - Scope of Work clarification/ contracting/ onboarding – Sept 2020
  - Initial Kick-off meeting week of Oct 12
  - Stakeholder committee applications accepted through October

### Municipal Projects

- We will apply for a \$25,000 EIAF Planning Grant to use towards the Town's Facilities Capital Needs Assessment. This application is due Oct 1.

### Tourism Grant

- Worked with Town staff and Further Faster Media to develop a marketing campaign for the Town of Eagle.
  - Photography will take place Sept 7-8
  - Copy writing will be complete by Sept 20
  - Campaign strategy and placement complete by Sept 25
  - Final report submitted to State of Colorado by Oct 1

#### Census

- Increased Census outreach across all Town of Eagle channels
- Assisted local organizations to apply for Census Instagrams to improve outreach in September

## **PUBLIC WORKS**

### **LBWTP Construction**

#### **PROJECT UPDATE SUMMARY**

- HVAC Ductwork Installed Lower Level
- Drying Bed and Lagoon Liners material delivered and Install began
- Conduit installed in basement from Cable Tray to Control Panels
- Main Wire Runs Pulled from ATS into Electrical Room
- Process Mechanical Install
- Overhead Door Install

#### **PLANNED ACTIVITIES FOR THE NEXT 4 WEEKS:**

- Finish Install of Liner System in Drying Bed and Lagoons
- Finish Install of Overhead Doors, Man Doors, and Windows
- Pull wire from Electrical Room to all control Panel and Devices
- Transfer Power from Temp. To Permanent

### **Pavement Management**

- Paving of Church Street completed.
- Paving of the Terrace Subdivision to be completed September 18<sup>th</sup>.

### **Capitol Street Water & Sanitary Sewer**

- Construction starting Tuesday September 8<sup>th</sup>. Work to be completed by Schofield Excavation, Inc.
- Approximately two months of construction.

### **Wastewater Rate and Tap Fee Study**

- Public Works is gathering information for the Rate and Tap Fee Study for Raftelis.

### **Wastewater Nutrient Study**

- Public Works is working with Mott MacDonald for the Wastewater Nutrient Study Phase 1.

### **Cemetery Tank**

- Construction documents are being developed.

### **Water Efficiency Plan**

- Draft plan review completed by Colorado Water Conservation Board and 60-day public review completed. Draft plan will be presented to Town Council Tuesday September 22<sup>nd</sup>.

### **THOR Project**

- Grant application to bring THOR to the Public Works facility on Chambers Rd from the existing Eby Creek handhole was successful. Finalizing plans and specifications to proceed with purchasing and installing the Communications Pre-Fab structure at PW and the alignment to install the fiber from the handhole to the structure.

### **Comcast ROW Infrastructure**

- Comcast will perform work for its second Service Area (EMUX003 which includes the Bull Pasture, The Terraces, Brush Creek Village Townhomes, and Soleil Homes).

### **Public Works Employee Status**

- The vacant Water Operator position has been filled by Ruben Salas.
- The vacant Streets position has been filled by Travis Berglund.

### **Public Works Operations & Maintenance**

- Tree City USA signs are installed.
- Old Growth has been contracted and tree trimming is being completed.
- Locating existing utilities for Comcast.
- Water Leak Detection scheduled for October 5 – October 16.
- Sanitary sewer main flushing has started. To be completed September 30<sup>th</sup>.
- Sanitary sewer main camera starting September 14<sup>th</sup> - September 25<sup>th</sup>.
- Setting up for special events in town.
- Pavement crack filling to be postponed due to staffing shortage.
- Mowing and weed eating operations in the right of way in progress.
- Yard Waste Facility is open for the season.
- Town parks irrigation is up and running and mowing and weed eating has begun.
- Spraying for weeds in the parks and around town buildings.
- Crews are sweeping the streets.
- Repair of water meters and remotes now that Covid-19 has allowed access.
- Replacement of street signs.

### **Public Works Budget**

- Public Works is completing Budget Narratives and CIP's cost estimating for:
  - Streets
  - Engineering
  - Buildings and Grounds
  - Water
  - Wastewater
  - Refuse
  - Open Space

## FINANCE DEPARTMENT

### Budget:

- Held 2021 proposed operating budgets meeting with Department Heads/Managers in August.
- Operating Budget Department Narratives – Due to Finance on September 4th
- Council CIP Budget Work session – Scheduled September 24<sup>th</sup>
- Council Operating Budget Work session – Scheduled September 29<sup>th</sup>

### Audit:

- Staff was finally able to complete and send a majority of the audit request items to our Auditor to complete the Audit. Maggard, Hood & Associates is going to be coordinating their staff to meet the 2019 Audit extension deadline (September 30<sup>th</sup>). Staff will get the remaining outstanding items to them in the early part of September.
- Since the Audit is not completed, the first draft of the budget that the Council will review (on September 29<sup>th</sup>) will include unaudited 2019 financials, once staff receives our audit the budget will be adjusted accordingly. There should not be a significant discrepancy between the two, however staff wanted to make sure Council was aware.

### Accounts Payable:

| ACCOUNTS PAYABLE: INVOICES PAID |       |       |       |       |                  |      |
|---------------------------------|-------|-------|-------|-------|------------------|------|
|                                 | 2017  | 2018  | 2019  | 2020  | VARIANCE FROM PY |      |
| JANUARY                         | 289   | 258   | 303   | 205   | (98)             | -32% |
| FEBRUARY                        | 245   | 272   | 254   | 237   | (17)             | -7%  |
| MARCH                           | 340   | 304   | 326   | 234   | (92)             | -28% |
| APRIL                           | 267   | 299   | 215   | 137   | (78)             | -36% |
| MAY                             | 277   | 260   | 275   | 162   | (113)            | -41% |
| JUNE                            | 319   | 151   | 298   | 221   | (77)             | -26% |
| JULY                            | 256   | 460   | 414   | 314   | (100)            | -24% |
| AUGUST                          | 281   | 415   | 220   | 241   | 21               | 10%  |
| YEAR TO DATE                    | 2,274 | 2,419 | 2,305 | 1,751 | (554)            | -16% |

- Decrease in 2020 invoices is mainly due to removing the info center retail and the COVID budget freeze.

### Other Miscellaneous Financial items:

- Completed Financial Risk Assessment for CDPHE Asbestos Abatement Grant

### Training

- CGFOA Training – Data Analytics: Finding the Value within the Hype (8/10)
- CGFOA Training – AP Processing and Fraud Prevention (8/24)
- CGFOA Training – Year End Closing Process (8/26)

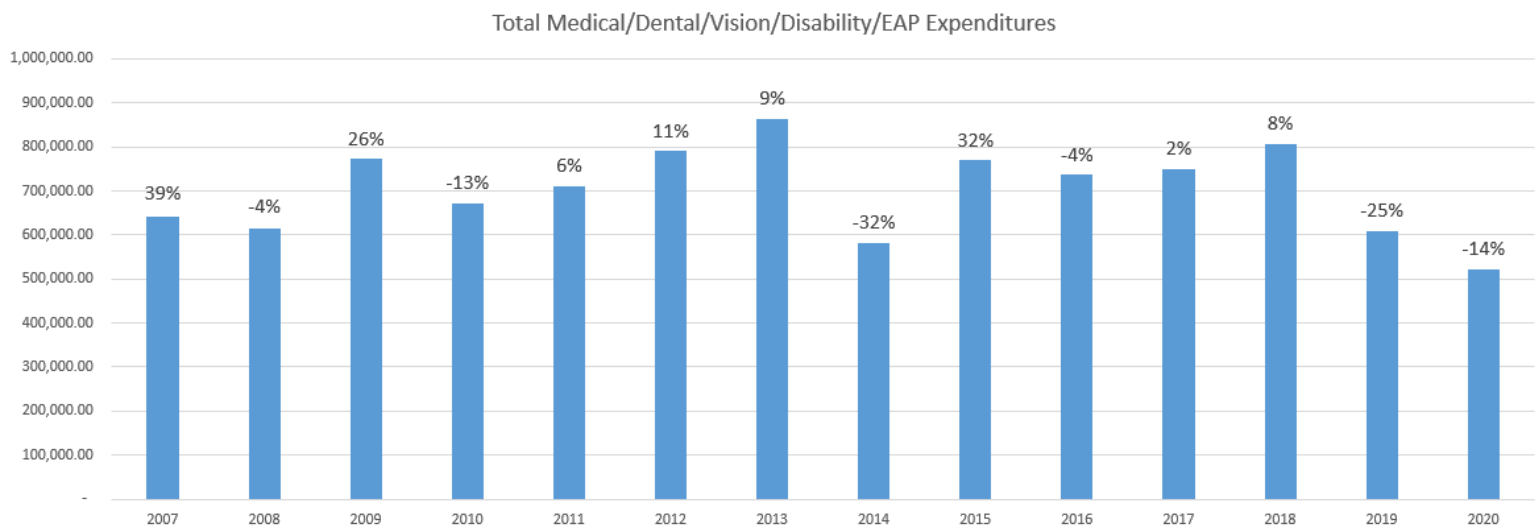
### Payroll/HR:

- Finance started initial setup of Timekeeping module into our Caselle Software in August for electronic submission of bi-weekly timesheets. Staff is postponing additional set up until budget the first draft of the budget is completed. We will get back to the rollout process and scheduling in October.
- Positions – No new hires in August

### Health Benefits:

- Mid-year Health Insurance Meeting – Reports through 8/31/20
  - Year to Date Review and 2021 Proposal

**Year over year total employee health benefit costs:** Please note percentages are variances from prior year. The Town provides employees health insurance that is self-funded up to \$30,000 per member. 2019 was a very low claims year and the Town is currently doing better in 2020. When COVID initially hit, analysts expected health insurance costs to increase, however due to delays in elective surgeries, stay at home orders and pleas to be more risk averse to not overcrowd hospitals with non-Covid related issues, the Town has seen fewer claims in 2020 compared to prior years. Staff is expecting low claims for the remainder of the year.



### Average monthly health insurance cost per employee – including premiums and claims.

| Average Monthly MEDICAL Cost to Town           |             |             |             |             |             |             |
|------------------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
|                                                | 2015        | 2016        | 2017        | 2018        | 2019        | 2020        |
| Single                                         | \$ 789.33   | \$ 734.74   | \$ 756.69   | \$ 637.52   | \$ 664.22   | 633.31      |
| %Change from PY                                | 17%         | -7%         | 3%          | -16%        | 4%          | -5%         |
| Family *                                       | \$ 2,052.26 | \$ 1,910.34 | \$ 1,967.40 | \$ 1,657.56 | \$ 1,726.97 | \$ 1,646.60 |
| %Change from PY                                | 17%         | -7%         | 3%          | -16%        | 4%          | -5%         |
| * assuming Family at 2.6 Times the Single cost |             |             |             |             |             |             |

**% of Claims Paid by Employee** – The Town has been able to keep the percentage employees pay for claims down due to plan design. Over the last seven years the Town has slowly been adjusting the plan design in efforts to increase this percentage and redirect spending to increased wages and new positions. Per Benefit Health Advisors, on average, organizations see this percentage between 20% – 25%.

| EMPLOYEE % OF CLAIMS PAID                                                                                                                                                                                                       |         |         |         |         |         |         |                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------|---------|---------|---------|---------|-------------------|
| YEAR                                                                                                                                                                                                                            | YE 2014 | YE 2015 | YE 2016 | YE 2017 | YE 2018 | YE 2019 | 2019 through 8/31 |
| %                                                                                                                                                                                                                               | 10.1%   | 8.3%    | 9.2%    | 12.6%   | 3.9%    | 12.5%   | 13.4%             |
| * Percentage will decrease toward the end of the year as employees hit deductibles and stop loss amounts                                                                                                                        |         |         |         |         |         |         |                   |
| ** Note that 2018 was a significant claims year for our stop loss provider (\$1,390,000 in claims compared to an average of \$175,000 over a 10 year period) which is why the percentage of employees claims is so low in 2018. |         |         |         |         |         |         |                   |

**Utilities:**

- New Accounts Setup – 5
- Property Transfers – 24

**Town Council Department – Budget to Actual:**

TOWN OF EAGLE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 8 MONTHS ENDING AUGUST 31, 2020

GENERAL FUND

|                                 | PERIOD ACTUAL | YTD ACTUAL | BUDGET     | UNEXPENDED | PCNT  |
|---------------------------------|---------------|------------|------------|------------|-------|
| <u>TOWN BOARD</u>               |               |            |            |            |       |
| 10-49-110 SALARIES & WAGES      | 3,300.00      | 20,800.00  | 22,800.00  | 2,000.00   | 91.2  |
| 10-49-142 WORKERS COMPENSATION  | .00           | .00        | 30.00      | 30.00      | .0    |
| 10-49-144 FICA - EMPLOYER'S     | 252.46        | 1,591.34   | 1,745.00   | 153.66     | 91.2  |
| 10-49-210 OFFICE SUPPLIES       | .00           | 124.28     | 200.00     | 75.72      | 62.1  |
| 10-49-320 LEGAL NOTICES         | .00           | 217.00     | .00        | ( 217.00)  | .0    |
| 10-49-347 PROFESSIONAL SERVICES | 600.00        | 600.00     | 18,000.00  | 17,400.00  | 3.3   |
| 10-49-362 COMPUTER SUPPORT      | 49.00         | 632.00     | 756.00     | 124.00     | 83.6  |
| 10-49-371 TRAVEL EXPENSE        | .00           | .00        | 1,000.00   | 1,000.00   | .0    |
| 10-49-372 MEETING EXPENSE       | 791.52        | 832.99     | 2,000.00   | 1,167.01   | 41.7  |
| 10-49-380 TUITION & BOOKS       | .00           | .00        | 1,750.00   | 1,750.00   | .0    |
| 10-49-450 SPECIAL BOARD FUNDING | .00           | 10,000.00  | 10,000.00  | .00        | 100.0 |
| 10-49-510 INSURANCE             | .00           | 232.95     | .00        | ( 232.95)  | .0    |
| 10-49-915 COMMUNITY REQUESTS    | .00           | 5,350.00   | 53,000.00  | 47,650.00  | 10.1  |
| TOTAL TOWN BOARD                | 4,992.98      | 40,380.56  | 111,281.00 | 70,900.44  | 36.3  |

## **SPECIAL EVENTS**

### **Town of Eagle - Special Events:**

- Updated budgets with Jill to show adjustments made for newly approved event funding with 2nd Push for 2020 MEAC Funding Program with available funding.
- Working with producers to who have events scheduled for September and October to finalize organizational plans. All plans are being reviewed by Eagle County Health to demonstrate how the producers will execute their event under current safety and health guideline and restrictions.
- Continued work on with Bill Shrum on the Town of Eagle Branding project made available through the Tourism grant. Photographer schedule for September 7 & 8, 2020 to shoot stick photos in Eagle. Grant.
- Executed Eagle Outside Fest (Mike McCormack) - scheduled Sept. 5&6, 2020. Info available online at [eagleoutsidefest.com](http://eagleoutsidefest.com).

### **August - Executed Events**

- Episcopal church gathering at Chambers Park Outside Learning Zone. (8/2/20)
- First Friday at Eagle Ranch, at local bars, (8/7/20)
- Yoga +Beats at Eagle River Park, Friday, (8/13/20)
- Endorphin Yoga classes at Chambers Park Outside Learning Zone. (on-going)
- Yoga in the Park, (8/2, 9, 16, 23 & 30/20)
- ArtWalk Fest (8/14/20, Broadway Closure)

### **-Special events permit under development**

- Eagle Ranch Amazing Race (9/19/20) Approved.
- Mountain Rats Ultra Race, (9/19/20) Approved.
- Eagle 5K Mtn Bike Race (9/20/20) Approved.
- Eagle Ranch First Fridays - Music Series (Dates TBD)
- ArtWalk Fest (9/11/20, Broadway Closure) Approved.
- BMX Championships, (9/13/20) Under review.
- Walk to End Alzheimer's Art Installation (No live event this year)

### **-Events at Chambers Park – Outdoor Learning Park**

We are using Chambers Park as an Outdoor Learning Park for these groups and their classes. This helps avoid conflicts with public use of the main parks. These groups include Endorphin, Yoga on Broadway, Violet Light Hands Meditation, Youth Orchestra Group.

### **MEAC:**

- MEAC meetings continue in the Zoom platform.
- Concluding the 2<sup>nd</sup> Round of Funding by MEAC using unused dollars from original funding budgets. Should be closed by October 1<sup>st</sup>, 2020.
- Preparing for the launch of the 2021 TOE - MEAC Funding Program. Planning to be open for applications on September 9, 2020.

### Eagle Info Center:

- Extended Summer 2020 operations dates to September 27, 2020.
- Info Center open Wednesdays through Sundays, 10:00am to 3:00pm.
- Reviewing options to keep open in the Fall during Fall viewing and Hunting season.
- Evaluating possible plan to be open part time in the 2020 Winter.
- List of physical improvements and renovations to the building inside and out are on hold at this time.
- Plans for future inside enhancements, repairs and upgrades to décor and exhibits are on hold.

### Digital Sign:

- Updated regularly with current info. We continue to update Census 2020 information.
- Drive Slow – Back to school message
- Promoting message for Eagle Downtown businesses
- Promoting upcoming events

### Eagle at Work & Eagle at Play - Social Media Promotion:



## **HUMAN RESOURCES**

### **Benefits**

- Continued work on health insurance renewal quotes and retirement options for 2021 budget, working with Benefit Health Advisors and CEBT on our 2021 Health Insurance Renewal options, staff will be bringing a proposal to the Council during the 2021 budget discussion.

### **Recruiting - Onboarding**

- Water Operator position, filled: Ruben Salas started 08/31/20
- Streets Maintenance Technician position filled: Travis Berglund started 08/31/20
- Permit Technician position filled: Tammi Calhoun starts mid – late September pending housing availability
- Open Space & Trails Manager Posted 09/02/20

### **Risk Management, Safety and Work Comp**

- Manage 5 General Liability & PC Open claims, 2 carry over, 3 new
- 3 work comp claims open, 2 carry over, 1 new
- Quarterly Safety Committee meeting held 09/01
- Pending CIRSA Safety Audit conducted 07/30

### **Other**

- Respond to 3 verifications of employment
- Training: attended 2 educational webinars
- Researching compensation market data and pay plan update for budget inclusion
- Policy research, current and pending legislation

## TOWN CLERK

### Communications

- Communications Committee:
  - Eagle Today, Sent August 28<sup>th</sup> to 2,936 subscribers
  - 32 Facebook Posts
  - Special Topics: Grizzly Creek Fire, Open Space Advisory Committee, Planning Commission Vacancies, Community Impact Award, 2020 Census.

### Licenses

- BUSINESS: New License and Renewals 3 in August and 364 total licenses issued for 2020
- LIQUOR:
  - Casa Mexico Renewal
  - Pastatively Renewal
  - The Assembly – Modification, Sidewalk Service Area
- MARIJUANA:
  - Sweet Leaf Medical Center and Optional Premises
- PUBLIC RIGHT OF WAY/TEMPORARY LICENSE:
  - Rands Art Design – Eagle River Park

### Website – [www.townofeagle.org](http://www.townofeagle.org)

- Ask the Town questions: 7
  - Water Shut Off Inquiry
  - Broadband Service Inquiry
  - Electrical Cover Inquiry
  - Grizzly Creek Fire Road Closure Inquiry
  - Banner Placement Inquiry
  - Utility Billing Inquiry x 2
  - Haymeadow Inquiry

### Training

- Casselle Court – Software Training 8/26/2020

### Election

- Finalize Election IGA
- Finalize DDA property list
- Create Affidavits for DDA property owners and mail
- Finalize ballot questions

## Sales Tax

- 1137 remote sellers in August totaling \$46,503.37

**Filing Period:** this indicates sales tax for the **actual month** sales occurred. These numbers will fluctuate throughout the year as it is reflecting late payments by the retailer or customer retail returns (deductions). Filing Period numbers are updated quarterly. This is the most accurate picture of sales tax collections for that month.

**Revenue Period:** this amount indicates the month revenue is **received** by the Town. Revenue period is all money collected by the state for the previous month and any additional months a retailer remits. This amount is what is deposited in the Town's bank account. These returns also get categorized into a "filing period" and are reflected in the sales tax report. This total amount will not change.

| <b>2020</b> |                        |                        |                      |     |
|-------------|------------------------|------------------------|----------------------|-----|
| Month       | Filing Period          | Revenue Period         | .5% to River Park    | O/U |
| Jan         | \$ 371,510.98          | \$ 578,686.45          | \$ 64,298.49         | 35% |
| Feb         | \$ 596,319.43          | \$ 480,407.70          | \$ 53,378.63         | 24% |
| Mar         | \$ 480,295.67          | \$ 463,471.24          | \$ 51,496.80         | 16% |
| 1 Q         | <b>\$ 1,448,126.08</b> | <b>\$ 1,522,565.39</b> | <b>\$ 169,173.93</b> | 25% |
| Apr         | \$ 418,166.36          | \$ 553,180.68          | \$ 61,464.52         | 31% |
| May         | \$ 499,095.38          | \$ 492,253.55          | \$ 54,694.84         | 20% |
| Jun         | \$ 534,332.43          | \$ 508,611.57          | \$ 56,512.40         | 18% |
| 2 Q         | <b>\$ 1,451,594.17</b> | <b>\$ 1,554,045.80</b> | <b>\$ 172,671.76</b> | 23% |
| Jul         | \$ 538,812.21          | \$ 558,775.30          | \$ 62,086.14         | 12% |
| Aug         |                        | \$ 573,345.77          | \$ 63,705.09         | 12% |
| <b>2019</b> |                        |                        |                      |     |
| Month       | Filing Period          | Revenue Period         | .5% to River Park    | O/U |
| Jan         | \$ 284,066.89          | \$ 428,973.53          | \$ 47,663.73         | 8%  |
| Feb         | \$ 390,661.27          | \$ 387,365.41          | \$ 43,040.60         | -5% |
| Mar         | \$ 542,066.05          | \$ 400,149.40          | \$ 44,461.04         | 7%  |
| 1 Q         | <b>\$ 1,216,794.21</b> | <b>\$ 1,216,488.34</b> | <b>\$ 135,165.37</b> | 3%  |
| Apr         | \$ 401,941.71          | \$ 422,439.91          | \$ 46,937.77         | 7%  |
| May         | \$ 425,980.87          | \$ 409,836.28          | \$ 45,537.36         | 10% |
| Jun         | \$ 509,238.05          | \$ 431,900.56          | \$ 47,988.95         | 9%  |
| 2 Q         | <b>\$ 1,337,160.63</b> | <b>\$ 1,264,176.75</b> | <b>\$ 140,464.08</b> | 9%  |
| Jul         | \$ 510,271.20          | \$ 499,537.57          | \$ 55,504.17         | 20% |
| Aug         | \$ 490,025.74          | \$ 509,692.59          | <b>\$ 56,632.51</b>  | 24% |

## MUNICIPAL COURT

- Court August 5<sup>th</sup> and 19<sup>th</sup>
- Court staff is working with all defendants who wish to reach plea arrangements before all court dates.

| August Citations Issued | Current   | YTD        | 2019       |
|-------------------------|-----------|------------|------------|
| Animal Control          | 4         | 30         | 96         |
| Misdemeanor             | 2         | 26         | 66         |
| Parking                 | 2         | 65         | 208        |
| Traffic                 | 21        | 141        | 199        |
| <b>Total</b>            | <b>29</b> | <b>262</b> | <b>569</b> |

| August Fines and Fees Collected (includes collections for previous months) | Current           | YTD                | 2019               |
|----------------------------------------------------------------------------|-------------------|--------------------|--------------------|
| Court Costs                                                                | 330.00            | 1685.00            | 3,225.00           |
| Criminal Police Equipment and Training Surcharge                           | 420.00            | 2300.00            | 3,580.00           |
| Deferred Judgment Fee                                                      | 75.00             | 740.00             | 600.00             |
| Fines                                                                      | 3980.00           | 19966.66           | 32,425.00          |
| Outstanding Judgement Fee                                                  | 30.00             | 150.00             | 120.00             |
| Stay of Execution Fee                                                      | 00.00             | 25.00              | 125.00             |
| Charitable Contribution                                                    | 0.00              | 10.00              | 108.00             |
| Failure to Appear                                                          | 40.00             | 75.00              | 35.00              |
| Victim Restitution Fee                                                     | 00.00             | 371.02             | 4,475.00           |
| <b>Total</b>                                                               | <b>\$4,875.00</b> | <b>\$25,922.68</b> | <b>\$44,693.00</b> |

| August Dispositions (Payments or Court Appearances) | Current   | YTD        | 2019       |
|-----------------------------------------------------|-----------|------------|------------|
| Animal Control                                      | 18        | 31         | 110        |
| Misdemeanor                                         | 5         | 32         | 72         |
| Parking                                             | 4         | 70         | 443        |
| Traffic                                             | 33        | 144        | 205        |
| <b>Total</b>                                        | <b>60</b> | <b>277</b> | <b>830</b> |

### Outstanding Fines and Fees by Date:

|                      |                    |
|----------------------|--------------------|
| Current              | 0                  |
| 1-30 Days Past Due   | 660.00             |
| 31-60 Days Past Due  | 0                  |
| 61-90 Days Past Due  | 3038.25            |
| 91-180 Days Past Due | 0                  |
| <b>Collections</b>   | <b>25,048.28</b>   |
| <b>Total</b>         | <b>\$28,146.53</b> |

## COMMUNITY DEVELOPMENT

### COMMUNITY DEVELOPMENT

#### BUILDING UPDATES

##### Comprehensive Plan / Land Use Code Update

- Staff has bi-monthly meetings with Logan Simpson to discuss updates and progress with Elevate Eagle and the
- Land Use Code Update.
- Chapter 5 of the Comprehensive Plan was reviewed at the July 21st and August 4th Planning & Zoning

##### Commission meetings.

- Staff is presenting Chapter 6 Action Items during the September 1st P&Z Commission meeting.
- Staff is scheduling a joint session between Town Council and the P&Z Commission to discuss the draft

##### Comprehensive Plan on November 5th.

- Logan Simpson has drafted the Administrative Chapter of the Land Use Code, which staff has reviewed and will be discussing with Logan Simpson on August 31st.

##### Sub Area Planning

- Hwy 6 Corridor Study
  - The RFP closed August 8th.
  - A team of 3 staff members and 2 council members interviewed 4 of the 6 groups that submitted proposals the week of August 17th.
  - Internal discussion is still taking place to determine the RFP finalist.
- Red Development / Chambers East Sub Area Plan
  - The contract for this sub area plan should be finalized within the next week or two.

##### P&Z appointments

- The advertisement period has closed, and staff is scheduling interviews/appointments at the upcoming Town Council meeting September 8th.
- Community Core Software
  - Planning staff is working on migrating land use files to the Community Core software. This software is currently used for building permits.
  - This work will be ongoing for the foreseeable future.

A Planner of the Day schedule has been implemented to field zoning questions from the public. Staff received (20) questions in August; many of these questions require ongoing conversations.

##### APPLICATIONS IN PROGRESS:

- Pre-Application Meetings:
  - (2) pre-application meetings took place in August
  - Red Mountain Ranch
  - Town Council approved a revised Petition for Annexation on July 28, 2020; the hearing date for Annexation,
  - PUD and Final Plat has been set for September 22, 2020.
  - The application has been publicly noticed for the Annexation, PUD and Final Plat.

##### Annexations

- (2) petitions for annexation are currently in various stages of the process, hearing dates for these annexations have not been set yet.

#### Noticed Files

- file was publicly noticed in August
- applications are anticipated to be received in September

#### Zoning Reviews – Building Permit Applications

- (2) residential zoning reviews in August
- commercial zoning re-review in August

#### Code Enforcement

- Planning staff has (3) active Code Enforcement cases.
- Building staff has (1) active Code Enforcement cases.
- Staff has created an online complaint form that is available on the Town website.

## Lower Basin Water Treatment Plant

### Project Progress Report – September 8<sup>th</sup>, 2020

#### **SAFETY**

Total manhours worked to date = 100,000+

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

#### **SCHEDULE**

Project schedule update provided to team on August 19<sup>th</sup>, 2020

| Notice to Proceed: 17 August 2018 | <u>Original Contract</u> | <u>Current Contract</u> | <u>Forecast</u> |
|-----------------------------------|--------------------------|-------------------------|-----------------|
| Total Contract Time               | 731 Days                 | 874 Days                |                 |
| Substantial Completion Date       | 11 July 2020             | 01 December 2020        | 26 January 2021 |
| Final Completion Date             | 11 September 2020        | 01 February 2021        | 26 March 2021   |

#### **PROJECT FINANCIALS**

Payment Application #26 submitted and approved.

|                                            |                 |
|--------------------------------------------|-----------------|
| Preconstruction Contract Amount            | \$638,062       |
| Original Construction Contract Amount      | \$22,938,752    |
| Change Orders Approved to Date (CO's 1-11) | \$1,349,646     |
| Overall GMP Including Approved CO's        | \$24,288,398    |
| Change Orders Approved to Date             | 1-11            |
| Payment Applications Submitted             | 26              |
| Amount Billed to Date                      | \$18,241,539.00 |

#### **PROJECT UPDATE SUMMARY**

- HVAC Ductwork Installed Lower Level
- Drying Bed and Lagoon Liners material delivered and Install began
- Conduit installed in basement from Cable Tray to Control Panels
- Main Wire Runs Pulled from ATS into Electrical Room
- Process Mechanical Install
- Overhead Door Install

#### **PLANNED ACTIVITIES FOR THE NEXT 4 WEEKS:**

- Finish Install of Liner System in Drying Bed and Lagoons
- Finish Install of Overhead Doors, Man Doors, and Windows
- Pull wire from Electrical Room to all control Panel and Devices
- Transfer Power from Temp. To Permanent

#### **PROJECT PHOTOS – SEE NEXT PAGE**

**PROJECT PHOTOS**

Membrane Control Panels Installed 08-28-20



Main Wire Runs pulled into Electrical Room 08-28-20





To: Town Council

From: Chad Philips, Director, Community Development Department  
Angie Kyle, Administrative Technician II, Community Development Department

Date: September 8, 2020

Agenda Item: Planning and Zoning Commission Appointments

---

**REQUEST:**

Staff has scheduled four interviews for the purpose of filling vacancies on the Planning and Zoning Commission. Staff is recommending the two appointed terms expire on February 28, 2023 instead of the standard four-year term identified in Section 2.24.020 (A) which will result in the intended staggering of terms in the Commission expiring at the same day of the year.

**INTRODUCTION:**

Charlie Perkins and Kyle Hoiland have expiring terms as of June 12, 2020 (Perkins) and Sept 27, 2020 (Hoiland). Charlie Perkins and Kyle Hoiland are seeking reappointment to the Town of Eagle Planning and Zoning Commission.

The two positions on the Planning and Zoning Commission of regular members have been advertised in the Vail Daily, on the Town's website and social media. Two applications were received for the positions by Gary Scanlon and Benjamin Winkeller.

If Town Council decides not to reappoint, the practice is that the current Alternate Member of the Commission replaces a Regular Member when there is an opening. If the Town Council continues this tradition, Robert Townsend would replace one of the departing members leaving one Regular Position and one Alternate Position to be filled.

Please see the attached letters of interest and resumes from the two current Commissioners and two candidates that responded to our advertisements in August 2020 regarding openings on the Commission.

1. Charlie Perkins
2. Kyle Hoiland
3. Gary Scanlon
4. Benjamin "Keegan" Winkeller

Current Commissioner Attendance as of August 2019 out of a total of 18 meetings: Kyle Hoiland was absent six of those meetings and Charlie Perkins was absent six of those meetings.

**ANALYSIS:**

The terms of the existing Planning and Zoning Commission members are:

|                             |                                   |
|-----------------------------|-----------------------------------|
| Matthew Hood, Chair:        | term expires 7/22/2022            |
| Jesse Gregg:                | term expires 7/22/2022            |
| Vacant                      | term expires 2/28/2023 - proposed |
| Vacant                      | term expires 2/28/2023 - proposed |
| Brent McFall, Vice Chair:   | term expires 2/28/2024            |
| Bill Nutkins:               | term expires 2/28/2024            |
| Lani Webb:                  | term expires 2/28/2024            |
| Robert Townsend, Alternate: | term expires 2/28/2024            |

The attached resolution is in draft form. The final version will be presented for the Mayor's signature following the decision made by the Town Council.

**RECOMMENDED ACTION OR PROPOSED MOTION:****FINDING OF FACT:**

The one-time reduction in terms from four years (expiring 10/6/2020) to expiring February, 23 2023 is necessary to realign the staggering of terms originally intended by the Municipal Code and to have annual expiration dates consistent among members.

**REAPPOINTMENT:**

I move that Kyle Hoiland and Charlie Perkins are hereby reappointed to the Town of Eagle Planning and Zoning Commission as regular members with terms expiring on October 6, 2020 and ending February 28, 2023.

OR

**NEW MEMBER(S):**

I move to appoint \_\_\_\_\_ to the Town of Eagle Planning and Zoning Commission as a regular member and \_\_\_\_\_ to serve First Alternate with terms to begin on October 6, 2020 and ending February 28, 2023. Robert Townsend is hereby reclassified from Alternate to Regular member.

OR

**REAPPOINTMENT AND NEW MEMBER:**

I move to reappoint \_\_\_\_\_ to the Town of Eagle Planning and Zoning Commission as a regular member and \_\_\_\_\_ to serve First Alternate with terms to begin on October 6, 2020 and ending February 28, 2023. Robert Townsend is hereby reclassified from Alternate to Regular member.

## Angie Kyle

---

**From:** Charlie Perkins  
**Sent:** Tuesday, September 1, 2020 11:34 AM  
**To:** Angie Kyle  
**Cc:** Charlie Perkins  
**Subject:** Planning and Zoning Commission new term

**Categories:** P&Z Commission

To : Town of Eagle Council Members and Town of Eagle Planning Staff:

I am writing to inform you of my desire to serve one more **final** term as planning commissioner for the Town of Eagle. The reasons and why are as follows:

### Eagle as Community

I have resided in Eagle a little over 6 years, and grew up as a young man in a town of 10,000 people. Eagle and its citizens closely resemble my old home town...where everyone knows you, politeness abounds, and folks are approachable and friendly. This dynamic is what makes Eagle such an enjoyable place to live....and offers me the opportunity to give back to the community through my service as Planning Commissioner.

### Architectural and Planning Experience

My profession is architecture and planning, and I have over 40 years of experience. This provides me with added insight into land use files, planning decisions, and most importantly the recognition that the decisions we make as a collective body...have lasting impact to our community, both aesthetically and economically. I do not take lightly the challenges before us, as Eagle continues through this extraordinary growth cycle.

### Downtown Eagle

Downtown Eagle has always captivated me....the history, the architecture of older buildings, Broadway, Wall, and Capital Streets, and of course the River. After a recent trip to downtown Salida Co....I came away with the observation that there's no reason why downtown Eagle cant capture the same vibrancy, pedestrian activity and economic vitality that Salida enjoys...albeit at a smaller scale.

I support the Downtown Development Authority initiative and certainly hope to be involved in the Highway 6 corridor study...,with a focus on safety, traffic speeds, and the relationship of downtown street ingress/ egress to Highway 6....many opportunities abound for Highway 6 to become something extremely nice for our community.

### Housing

We have made tremendous strides in offering affordable Housing a reality in Eagle County...with more work to be done in Eagle...I support housing for lower income individuals..and would like to see a critical mass of folks in our downtown area...thus supporting retail endeavors in our CBD.

I rent my home...and know personally how hard it is to find affordable housing for single people who wish to not have a room mate....Hockett Gulch and Broadway Station hopefully will alleviate some of the hardships this group of people face.

### **Looking Forward**

Eagle is positioned well for growth, and we have a wonderful asset in the railway that runs through the valley.. I am a proponent of easing traffic congestion and carbon footprint on I-70....and in my lifetime hope to see the railway utilized as efficient transportation for valley residents. Eagle should anticipate this in our planning efforts...although this is something that may not occur for years....

### **Conclusion**

I hope to further the goals and objectives of our community by utilizing my experience and forged relationships with community members, chamber of commerce, and various folks who share an optimistic view of the potential for our town....In short.... I love Eagle and wish to continue giving back.

Thanks to Council, Brandi, Chad and all who strive to make Eagle an enjoyable and prosperous place to live.

Charlie Perkins

## Angie Kyle

---

**To:** Kyle Hoiland  
**Subject:** RE: P&Z Commissioner Interview - Sept 8th Town Council Meeting

**From:** Kyle Hoiland <kyle.hoiland@townofeagle.org>  
**Sent:** Sunday, August 30, 2020 5:45 PM  
**To:** Angie Kyle <angie.kyle@townofeagle.org>  
**Subject:** Re: P&Z Commissioner Interview - Sept 8th Town Council Meeting

Good evening Angie,

Thanks for the email & heads up on the interview. Here's my narrative for re-appointment to the Planning & Zoning Commission:

"I have lived in Eagle for 20 years and for 20 years I have been involved in our community. For the past 4 years I have served our community on the P&Z Commission and am familiar with the processes of the Commission & applications. I have built a rapport with the other Commissioners, as well as the current Comm Dev staff and have really enjoyed working with this group. Additionally, I want to have a positive impact on our community by addressing housing issues and working with staff & applicants to help increase our housing inventory, and preferably, increasing our affordable housing options.

As our community continues to grow, it will be important to balance our housing needs with the expected population growth. I consider myself a balanced & objective Commissioner and would like to continue that perspective for the next 4 years.

Thank you for your consideration of my re-appointment."

Let me know if you need anything else.

Regards,

Kyle

August 18, 2020

Dear Mr. Phillips,

I would like to offer my services for one of the open positions on the Planning and Zoning commission. When I retired from real estate development in 2016 and moved to Colorado, I selected the Town of Eagle as my home because it is a well planned community which offers services, jobs, safety, outdoor activities, and proximity to world class recreation and cultural venues. I was attracted by the quality of the developments which have occurred over the past 20 years and hope to see future planned growth with quality developments.

My education includes a bachelor's degree in civil engineering from the Ohio State University and a Masters in Business Administration from the University of Dayton. My career includes 15 years in the construction industry and 30 years in real estate development. I have obtained approvals and developed projects in over 50 different communities throughout the country, which has given me a vast knowledge of zoning codes and the importance of compliance with the codes. I passionately believe that a zoning variance should not be granted unless it meets the conditions spelled out in the zoning code.

Since moving to Eagle, I have been an active volunteer in the community. I am an Election Judge for Eagle County, an usher at Bravo Vail and at the Vilar PAC, an ambassador at Eagle Ranch Golf Club, a volunteer at the Birds of Prey races and the Go Pro Mountain Games. I believe that I can be an asset to the Town of Eagle by serving on the Planning and Zoning Commission.

Let me know if I can provide further information or schedule a time to meet with you.

Sincerely,

Gary Scanlon

1720 Montgomerie Cir

Eagle, CO 81631

937-673-4751

## Angie Kyle

---

**From:** Jenny Rakow  
**Sent:** Tuesday, August 18, 2020 6:51 PM  
**To:** Chad Phillips; Angie Kyle  
**Subject:** Fwd: Online Form Submittal: Town Council, Planning Commission & Committee Application Form

This appears to be planning commission application.

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**From:** noreply@civicplus.com <noreply@civicplus.com>  
**Sent:** Tuesday, August 18, 2020 5:41:53 PM  
**To:** Clerk Group <clerk@townofeagle.org>; Brandy Reitter <brandy.reitter@townofeagle.org>  
**Subject:** Online Form Submittal: Town Council, Planning Commission & Committee Application Form

### Town Council, Planning Commission & Committee Application Form

Select the Council, Planning & Zoning Commission  
Commission, or Committee  
applying for

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#### PERSONAL INFORMATION

|                       |                             |
|-----------------------|-----------------------------|
| First Name            | Gary                        |
| Last Name             | Scanlon                     |
| Address1              | 1720 Montgomerie Cir        |
| Address2              | PO BOX 2057                 |
| City                  | Eagle                       |
| State                 | CO                          |
| Zip                   | 81631                       |
| Email Address         | gscanlon22@gmail.com        |
| Contact Phone Number  | 937-673-4751                |
| Business Address      | <i>Field not completed.</i> |
| Business Phone Number | <i>Field not completed.</i> |
| Occupation            | <i>Field not completed.</i> |

## ELIGIBILITY AND RESIDENCY INFORMATION

Are you a United States citizen? Yes

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

Length of Residency in Eagle 4 1/2 years

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

## EDUCATION AND HOBBIES

High School McNicholas High School, Cincinnati, OH

College Ohio State University and University of Dayton

Trade or Business School *Field not completed.*

Hobbies Golf, skiing, hiking, snowshoeing, volunteering, activities with children and grandchildren

## ORGANIZATION MEMBERSHIP INFORMATION

Are you or have you served on other Boards, Commissions, or Committees? No

If yes, which have not served on town of Eagle boards, commissions, etc

Please list organization memberships and positions held See cover letter for current activities

Please List Areas of Special Interest I want to see the Town of Eagle grow with well planned quality projects.

(Section Break)

## ADDITIONAL QUESTIONS

1. What opportunities does the Town of Eagle have? The Town can control its destiny with long range planning and good decision making. By well thought out zoning and annexations, the town can become more than a bedroom community to the up valley ski resorts. We should create opportunities for residents to live, work, and play in Eagle.

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

The Town needs more good jobs and services and better infrastructure. I am pleased that we are increasing our water treatment facility to handle growth, but we need to address the increasing traffic congestion and the problems that can come with growth.

The Town's proximity to I-70 is an advantage, but we need to limit the number of highway related businesses such as motels and gas stations and fast food and instead focus on attracting companies with higher paying jobs.

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

Any new development should comply with the land use plan and zoning code and address infrastructure adequacy. Growth of the town is inevitable, so every proposed development must be reviewed with care.

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#### CONFLICT AND DISCLOSURES

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

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Please attach a cover letter or experience information

[Cover letter pdf.pdf](#)

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

## B. KEEGAN WINKELLER, ARCHITECT

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0172 Longview Ave, Eagle, CO 81631 | (970)306-2175 | [keegan@bkwarch.com](mailto:keegan@bkwarch.com)

### DESIGN THEORY

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My passion for design draws from a diverse experience in world travel, art and construction resulting in high-quality, well balanced and cost-effective design solutions. My distinctive projects integrate timeless, bold designs infused with contemporary influences and make people more attuned with their mountain surroundings. I encourage collaboration and carefully curate functional homes that inspire a balanced lifestyle.

### COMPUTER SKILLS

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Proficient in AutoCAD, Revit, 3D Studio Max, Indesign, Photoshop, Acrobat, Word, Excel, and Bluebeam. Capable of self-learning computer programs with minimal learning curve.

### EXPERIENCE

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- |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| July 2019- Present          | <b>Owner/Principle, BKW Architects, LLC</b>                                                                                                                                                                                                                                                                                                                                                                                                                       | <i>Eagle, Colorado</i>                         |
|                             | <ul style="list-style-type: none"><li>· Specializing in high end custom residential homes throughout the US and the Caribbean. Designing luxurious resort homes with a common goal to bring balance to each unique project and site. Utilizing latest technology for better client communication and simplified design process.</li><li>· Creating comprehensive construction documents</li></ul>                                                                 |                                                |
| February 2005-<br>June 2019 | <b>Architect/Project Manager, Berglund Architects, LLC</b>                                                                                                                                                                                                                                                                                                                                                                                                        | <i>Edwards, Colorado</i>                       |
|                             | <ul style="list-style-type: none"><li>· Manage the architectural design process for high end custom residential projects from Conceptual Design to Construction Documents and Construction Observations.</li><li>· Responsible for client relations and design approvals for all levels of local jurisdictions</li><li>· Managed interoffice organization, architectural drafting standards, billing, in-house IT repair and coordination, and training</li></ul> |                                                |
| October 2000- May<br>2007   | <b>Sergeant of Marines, U.S. Marine Corps</b>                                                                                                                                                                                                                                                                                                                                                                                                                     | <i>Buckley Airforce base, Aurora, Colorado</i> |
|                             | <ul style="list-style-type: none"><li>· Deployed to Iraq in 2006-2007 for Operation Iraqi Freedom.</li><li>· Attached to 4<sup>th</sup> Civil Affairs Group (CAG) to work with the Iraqi people to provide them with everything they need to survive and redevelop the Iraqi infrastructure.</li><li>· Worked with local contractors to develop water treatment plants, medical facilities, school, and electrical infrastructure.</li></ul>                      |                                                |
| May 2000 - August<br>2004   | <b>Journeyman Carpenter, Wink Construction</b>                                                                                                                                                                                                                                                                                                                                                                                                                    | <i>Vail, Colorado</i>                          |
|                             | <ul style="list-style-type: none"><li>· Specializing in remodel construction, tasked with foundations, framing, and finish carpentry</li><li>· Always completed projects ahead of schedule or on time</li></ul>                                                                                                                                                                                                                                                   |                                                |

### EDUCATION

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|           |                                                                                               |
|-----------|-----------------------------------------------------------------------------------------------|
| 2001-2005 | Environmental Design with emphasis in Architecture, University of Colorado, Boulder, Colorado |
|-----------|-----------------------------------------------------------------------------------------------|

|      |                                              |
|------|----------------------------------------------|
| 2015 | Licensed Architect, AIA, Colorado            |
| 2018 | Certified Quality Assurance Technician, CQAT |

## REFERENCES

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|                        |                                                                                                                                               |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Stephanie Lord-Johnson | Principle - Berglund Architects, LLC   (970)471-2348   <a href="mailto:stephanie@berglundarchitects.com">stephanie@berglundarchitects.com</a> |
| John Perkins           | Principle - JMP Architects, LLC   (970)471-2348   <a href="mailto:perk.jmparchitect@gmail.com">perk.jmparchitect@gmail.com</a>                |

**Print**

**Town Board (vacancies only), Commission or Committee Application Form -  
Submission #1504**

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**Date Submitted: 2/13/2020**



**Select the Board, Commission, or Committee applying for\***

Planning & Zoning Commission ▼

**PERSONAL INFORMATION**

**First Name\***

Benjamin

**Last Name\***

Winkeller

**Address1\***

172 Longview Ave

**Address2**

PO Box 5874

**City\***

Eagle

**State\***

CO

**Zip\***

81631

**Email Address\***

keegan@bkwarch.com

**Contact Phone Number\***

970-306-2175

**Business Address**

172 Longview Ave

**Business Phone Number**

970-306-2175

**Occupation**

Architects

**RESIDENCY INFORMATION****Length of Residency in Eagle**

8 years

**Are you a registered voter**

☒ Yes

☐ No

**EDUCATION AND HOBBIES****High School**

Battle Mountain

**College**

University of Colorado at Boulder

**Trade or Business School**

## Hobbies

Running, Kayaking, Skiing

## ORGANIZATION MEMBERSHIP INFORMATION

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

☐ Yes

☒ No

If yes, which

Please list organization memberships and positions held

As a new business this is my first opportunity to be part of an organization outside of my full time employment.

Please List Areas of Special Interest

Architecture, Planning and Construction

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## PLANNING COMMISSION QUESTIONS

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

The Town of Eagle is an engaged, family-friendly community that provides an amazing mountain lifestyle. Nearby ski resorts like Vail and Beaver Creek, Eagle also has world class mountain biking, hiking, fishing, camping and even a whitewater park in our back yard. News is spreading providing a huge opportunity for the heart of Eagle to grow.

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

The Town of Eagle is a growing community, however it seems the boundaries (Reserve at Hockett Gulch for example) are developing at a faster rate than the city centers. Capital has too many vacant street-level storefronts and Broadway has buildings that are falling apart. This atmosphere isn't appealing to business owners looking for space. These core centers should be full of retail shops, restaurants and daily visitors.

### 3. As a Commissioner, how would you approach these challenges?

As a Commissioner, my largest goal will be to create a unique downtown atmosphere similar to Salida, Carbondale and Glenwood Springs. I believe this can be done by:

1. I will push for town legislation that provides incentives to developers to improve their buildings in the heart of Eagle creating a unique charm for locals and visitors to enjoy.
  2. Elevate support for existing building owners on Capitol and Broadway to fill their street level storefronts with retail/restaurant spaces that will add energy in the heart of Eagle. I will explore ways in which we can discourage building owners from having vacant storefronts for extended periods of time.
  3. I will explore ways in which local businesses can engage and capitalize on our community events.
- With a strong town core, we will have a greater sense of community and connection. Limiting sprawling development would protect our finite mountain resources that draw people to our community for both short and long-term stays.

### Attach Resume

Keegan Winkeller Resume.pdf

Please attach resume in .pdf format.

**RESOLUTION NO. 61**  
**(Series of 2020)**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,  
APPOINTING \_\_\_\_ AND \_\_\_\_ TO FILL VACANCIES ON THE TOWN OF EAGLE  
PLANNING AND ZONING COMMISSION.**

**WHEREAS**, Charlie Perkins and Kyle Hoiland have expiring terms as of June 12, 2020 (Perkins) and Sept 27, 2020 (Hoiland). Charlie Perkins and Kyle Hoiland are seeking reappointment to the Town of Eagle Planning and Zoning Commission and

**WHEREAS**, the positions of regular members have been advertised in the Vail Daily, on the Town's website and social media seeking applicants; and

**WHEREAS**, two applications were received in interest for the positions by Gary Scanlon and Benjamin Winkeller; along with Charlie Perkins and Kyle Hoiland also seeking interest; and

**WHEREAS**, subsection {A) of Section 2.24.020 of the Eagle Municipal Code provides that the Town Planning and Zoning Commission shall consist of seven members appointed by the Town of Eagle Town Council. The term of the appointed members of the Commission shall expire on **February 28, 2023** or until his successor takes office; and

**WHEREAS**, subsection (D) of Section 2.24.020 of the Eagle Municipal Code provides that if the vacancy is of a regular member, the First Alternate shall fill the remainder of the unexpired term and a new First Alternate shall be appointed by the Town Council.

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

**Section 1.** That \_\_\_\_\_ is hereby appointed to the Town of Eagle Planning and Zoning Commission as a regular member and \_\_\_\_\_ to serve First Alternate with terms to begin on October 6, 2020 and ending February 28, 2023.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado held on September 8, 2020.

TOWN OF EAGLE, COLORADO

By: \_\_\_\_\_  
Scott Turnipseed, Mayor

ATTEST:

\_\_\_\_\_  
Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Bill Shrum, Assistant to the Town Manager

Date: September 8, 2020

**Agenda Item:** Ordinance 20, Series 2020, “An Ordinance of the Town Council of the Town of Eagle, Colorado amending Chapter 13.18 of the Eagle Municipal Code, to provide for increased management of public rights-of-way”.

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#### **REQUEST:**

Staff requests that the Town Council review Ordinance 20, Series 2020 which would allow for increased management and better coordination of the Town’s rights-of-way.

#### **INTRODUCTION:**

This ordinance is the result of legal advice pertaining to two recent occurrences in Town, first is the broad right-of-way use by Comcast for installation of their network, and second was the amendment of the CenturyTel franchise due to a termination of Prism service in Eagle.

Development within the Town right-of-way can be a very disruptive process for residents and coordinating an efficient use of limited easement space is essential. Additional uses by the Town and private utility providers may be more complicated and expensive without management tools beyond what is currently available to the Town within the code. The Town has used the model Right-of-Way ordinance crafted by the Colorado Communications and Utility Alliance (CCUA) as a guide, complimented by extensive work by Hoffman, Parker, Wilson & Carberry, P.C. as well as Kissinger & Fellman, P.C. This proposed ordinance maintains the current municipal code where applicable and compliments the municipal code with increased management tools from the CCUA model for the public rights-of-way. CCUA model legislation is crafted with the participation of legal counsel, local municipal administrators, and the private sector to achieve the best outcome for its municipal partners while working hand in hand with private sector needs.

#### **ANALYSIS:**

The new sections of the ordinance describe the specific areas where the CCUA model ordinance is combined with the existing Town code:

- Updated Insurance requirements
- More specific requirements for Repair and Restoration
- Additional procedures for public right-of-way use and construction
- New joint planning and construction procedures

- New joint excavation protocols
- Updated procedures for the construction of new and resurfaced streets
- Specific attention to minimize impacts of work in the public right-of-way
- Specific language to address the relocation, abandonment, and removal of facilities

Operational changes because of this ordinance would require utility providers and anyone interested in operating in the public right of way to submit a master plan to the Town Engineer no less than once per year. Desired work in a similar path by public, private, or a combination of agencies will be coordinated to be conducted in a shared process. This results in a lower overall cost for all parties, less disruption to the Town, and better management of space within the right of way.

This ordinance also requires the Town to install empty conduit in all road openings, to be used by any agency who requests use of the path after the date of construction for up to three years through a managed lease with the Town. This will allow for new roadwork to remain in place and not be disturbed after a recent construction project.

Franchise agreements with utility providers often use similar language to the model CCUA ordinance to address landscape restoration, impacts from construction, coordination, and shared use. Not all right of way use requires an existing franchise agreement, however. Adopting this language into the Municipal Code requires that all parties using the right of way are held to a similar standard, and summarily can work together to lower costs.

#### **COMMUNITY INPUT:**

On June 17, 2020, the Town of Eagle hosted a forum of utility, internet service providers, and other contractors that currently work in Town and introduced the plan to adopt the CCUA model ordinance. Public partners, Holy Cross, and private ISP's provided their feedback on the adoption of this ordinance, and where applicable their feedback has been incorporated into the final product.

#### **BUDGET / STAFF IMPACT:**

Adoption of the ordinance will bring a need for the Town to have conduit on hand and available to deploy in future projects. The Public Works staff and Town Engineer will modify the process for reviewing shallow utility permits and maintain a set of master plans on file.

#### **STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:**

The new right-of-way ordinance helps achieve Major Objective No. 7: Implement Priority Infrastructure Improvements, and specific solutions related to a broadband system, street improvements, and supporting economic development initiatives.

#### **RECOMMENDED ACTION OR PROPOSED MOTION:**

Staff recommends the Council make a motion to **approve** or **deny** Ordinance 20, Series 2020, "An Ordinance of the Town Council of the Town of Eagle, Colorado amending Chapter 13.18 of the Eagle Municipal Code, to provide for increased management of public rights-of-way".

**ATTACHMENTS:**

Ordinance 20-2020 ToE Right of Way.pdf

**TOWN OF EAGLE, COLORADO**  
**ORDINANCE NO. 20**  
**(Series of 2020)**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO  
AMENDING CHAPTER 13.18 OF THE EAGLE MUNICIPAL CODE, TO PROVIDE FOR  
INCREASED MANAGEMENT OF PUBLIC RIGHTS-OF-WAY

WHEREAS, the Town desires to update Chapter 13.18 to provide increased management of public rights-of-way in the Town.

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

Section 1. Section 13.18.030 of the Eagle Municipal Code is hereby amended by the addition of the following terms, to appear in alphabetical order, and with the new definitions replacing any existing definitions:

*Appurtenances* means transformers, switching boxes, gas regulator stations, terminal boxes, meter cabinets, pedestals, junction boxes, handholes substations, system amplifiers, power supplies, pump stations, manholes, valves and valve housings and other devices that are necessary to the function of electric, communications, cable television, water, sewer, storm water, natural gas, broadband, and other utilities and services.

*Conduit* means a single enclosed raceway for cables, fiber optics, or other wires.

*Developer* means the person, partnership, corporation, or other legal entity who is improving a parcel of land within the Town and who is legally responsible to the Town for the construction of improvements within a subdivision or as a condition of a building permit or other land use or development authorization.

*Emergency* means any unforeseen circumstance or occurrence which constitutes a clear and immediate danger to persons or property; any event which may results in an interruption in the provision of service, including without limitation damaged plugged, or leaking water, sewer, gas or storm drain systems, and damaged electrical and communications facilities.

*Excavation* means any method of installing facilities in a public right-of-way, including without limitation trenching, boring, drilling and potholing.

*Facilities* means pipes, conduits, wires, cables, amplifiers, transformers, fiber optic lines, antennae, poles, street lights, ducts, fixtures and appurtenances and other like equipment used in connection with transmitting, receiving, distributing, offering, and providing broadband and utility services.

*Infrastructure* means any public facility, system, or improvement, including without limitation water and sewer mains and appurtenances, storm drains and

structures, streets, alleys, traffic signal poles and appurtenances, conduits, signs, landscape improvements, sidewalks, and public safety equipment.

*Landscaping* means materials, including without limitation grass, ground cover, shrubs, vines, hedges, or trees and non-living natural materials commonly used in landscape development, as well as attendant irrigation systems.

*Major work* means any reasonably foreseeable excavation that shall affect the public right-of-way for more than five (5) consecutive days.

*Permittee* means the holder of a valid permit issued pursuant to this Chapter and other applicable provisions of applicable law for excavation in the right-of-way.

*Public right-of-way* means any real property or easement in the Town dedicated or conveyed to the Town, the county, the state or the public for vehicular or pedestrian travel, including without limitation sidewalks and pedestrian paths.

*Routine maintenance* means maintenance of facilities or landscaping in the public right-of-way which does not involve excavation, installation of new facilities, lane closures, sidewalk closures, or damage to any portion of the public right-of-way.

*Structure* means anything constructed or erected with a fixed location below, on, or above grade, including without limitation foundations, fences, retaining walls, awnings, balconies, and canopies.

*Surplus conduits* are conduits other than those occupied by permittee or any prior permittee, or unoccupied conduits held by permittee as emergency use spares, or other unoccupied conduits that permittee reasonably expects to use within three (3) years from the date of a request for use.

Section 2. Section 13.18.100(D) of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

**Section 13.18.100. Insurance.**

\* \* \*

D. Each permittee shall carry and maintain in full effect at all times the following insurance coverage:

1. Commercial general liability insurance, including broad form property damage, completed operations contractual liability, explosion hazard, collapse hazard and underground property damage hazard, with minimum combined limits of one million dollars (\$1,000,000) each occurrence and two million dollars (\$2,000,000) general aggregate; and

2. Workers' compensation insurance as required by law.

Section 3. Section 13.18.430 of the Eagle Municipal Code is hereby renumbered as Section 13.18.530.

Section 4. Section 13.18.300 of the Eagle Municipal Code is hereby repealed in its entirety and reenacted as follows:

**Section 13.18.300 Repair and restoration.**

All excavations shall be backfilled, surfaced, and restored as set forth in this Chapter, at the permittee's cost. Each permittee shall comply with all engineering regulations, specifications, and design standards adopted by the Town. All restoration shall result in a site condition equal to or better than that which existed prior to constructions. The following standards shall also apply:

1. Pavement cuts and openings shall be filled with compacted select material. Either concrete or asphalt patches shall be placed to at least match the existing street cross section. Select material shall include select fill, road base or controlled density (flowable fill).
2. Select fill shall be placed in an excavation to the density and lift thickness required by Town compaction specifications.
3. Flowable fill backfill material, satisfying design and construction standards adopted by the Town, shall be used to restore all excavations in the paved portion of any public street or alley. For trench excavations in excess of five (5) feet in depth, applicant may utilize granular backfill material in lieu of flowable fill backfill material, provided that all of the following conditions are satisfied:
  - a. Prior to the issuance of a permit, the permittee shall request and receive approval for the use of granular backfill material; and
  - b. The type, gradation, placement, compaction, and testing of the granular backfill material shall meet or exceed all requirements specified in design and construction standards adopted by the Town.
4. In cases where it is impossible to achieve the compaction requirements as set forth in this Chapter, the use of controlled density fill or flash fill material shall be used. When controlled density fill type material is used, steel plates shall be placed to cover the opening for the time required to allow the material to set.
5. Once compacted backfill has been placed, an asphalt cutback shall be made. The cutback shall extend twelve (12) inches minimum on each side of the opening and shall be over undisturbed pavement material with a minimum depth of one and one-half (1½) inches. All edges of the opening shall be neatly cut with an asphalt saw at ninety (90) degrees to traffic and uniformly tacked.
6. The new asphalt shall be placed in lifts of three (3) inches maximum and compacted upon placement. Asphalt depths shall be governed by the existing

cross section of the street but not less than four (4) inches of full deep asphalt shall be used to fill a street cut regardless of the existing cross section. Concrete meeting all construction standards of the Town shall be used to replace concrete pavement wherever it occurs.

Section 5. Chapter 13.18 of the Eagle Municipal Code is hereby amended by the addition of the following new sections:

**Section 13.18.430. Public right-of-way use and construction.**

A. Meetings. Each permittee shall make reasonable efforts to attend and participate in meetings of the Town, of which permittee is made aware, regarding public right-of-way issues that may impact its facilities, including without limitation planning meetings to anticipate joint excavations.

B. Minimal interference. Work in public rights-of-way shall be done in a manner that causes the least interference with the rights and reasonable convenience of property owners and residents. Facilities shall be constructed and maintained so as not to interfere with other structures or facilities in the public right-of-way. Facilities shall not endanger or interfere with the lives of persons, or hinder or obstruct the free use of the public right-of-way, and shall not obstruct or impede traffic, except as approved under a traffic control plan or as provided in Section 13.18.230.

C. Underground construction and use of poles.

1. When required by applicable law, facilities shall be placed underground at no cost to the Town. Placing facilities underground does not preclude the use of ground-mounted appurtenances.

2. Where all facilities are installed underground at the time of permittee's construction, or when all such facilities are subsequently placed underground, all facilities that by their nature can function underground shall also be placed underground at no expense to the Town unless funding is generally available for such relocation to all users of the public right-of-way. Related equipment, such as pedestals, must be placed in accordance with the Town's applicable requirements. In areas where existing facilities are aerial, a permittee may install aerial facilities.

3. For above ground facilities, a permittee shall utilize existing poles and conduit wherever possible.

4. Should the Town desire to place its own facilities in trenches or bores opened by a permittee, the permittee shall cooperate with the Town, provided that the Town has first notified the permittee that it is interested in sharing the trenches or bores. In such case, the permittee shall allow the Town to place its facilities in the permittee's trenches and bores, provided the Town incurs any incremental increase in cost of the trenching and boring, based on

documentation provided by the permittee detailing the original cost and the incremental cost. The Town shall be responsible for maintaining its respective facilities buried in the permittee's trenches and bores.

D. Use of conduits by the Town. Unless otherwise restricted by tariff, the Town may install or affix and maintain its own facilities for Town purposes in or upon any permittee's conduits, at a charge to be negotiated, to the extent space is reasonably available, and pursuant to all applicable law. For purposes of this subsection, "Town purposes" includes without limitation Town fire, police, traffic, water, telephone, communication, and signal systems.

E. Common users.

1. The public rights-of-way have a finite capacity for containing facilities. Therefore, whenever the Town determines it is impracticable to permit construction of an underground conduit system by any other entity which may at the time have authority to construct or maintain conduits in the public right-of-way, but excluding entities providing services in competition with a permittee, and unless otherwise prohibited by federal or state law or regulations, the Town may require permittee to afford to such entity the right to use a permittee's surplus conduits in common with the permittee, pursuant to the terms and conditions of an agreement between the permittee and the other entity. Nothing herein shall require any permittee to enter into an agreement with such entity if, in such permittee's reasonable determination, such an agreement could compromise the integrity of such permittee's facilities.

2. Facilities shall meet all applicable local, state, and federal clearance and other safety requirements, be adequately grounded and anchored, and comply with contracts between permittee and the other common user. A permittee may, at its option, correct any attachment deficiencies and charge the common user for its costs. Each common user shall pay the permittee for any fines, fees, damages or other costs the common user's attachments cause the permittee to incur.

**Section 13.18.440. Joint planning and construction.**

A. The purpose of this Section is to reduce disruptions, interference and damage to the public rights-of-way by promoting and incentivizing better coordination among permittees making excavations and the Town. Better coordination will minimize the number of excavations being made wherever feasible, and will ensure that excavations are, to the maximum extent possible, combined or performed before, rather than after, the resurfacing of streets.

B. Any permittee owning, operating or installing facilities in a public right-of-way shall meet at least annually, or more often as directed by the Town, with the Public Works Director, at the Public Works Director's request. At such meetings, the permittee shall submit documentation, in a form required by the Public Works

Director, showing the location of permittee's existing, currently proposed, and future facilities in the public rights-of-way, as well as any facilities that will be abandoned or removed (the "infrastructure master plan"). The Public Works Director may create a map, drawing or other documentation, of each permittee's planned major work in the Town; provided, however, that no such document shall identify a particular entity, or the planned major work of that particular entity.

C. Each permittee shall meet with the Public Works Director to discuss its initial infrastructure master plan no later than sixty (60) days after submitting its first permit application. Thereafter, each permittee shall submit annually, on the first regular business day of January, a revised and updated infrastructure master plan in both hard copy and digital format. As used in this subsection, the term "planned major work" means any future excavations planned by the permittee that will affect any public right-of-way for more than five (5) days, provided that permittee shall not be required to identify future major work planned to occur more than one (1) year after the date that permittee's master plan is discussed. Between the annual meetings to discuss planned major work, permittee shall use its best efforts to inform the Public Works Director of any substantial changes in the planned major work discussed at the annual meeting.

D. The Public Works Director shall review the infrastructure master plan and identify conflicts and opportunities for coordination of excavations. Following receipt of the plan, the Public Works Director may electronically post the information so that it can be reviewed by others to maximize coordination of excavation.

E. The Town may disclose information contained in a permittee's infrastructure master plan to any entity planning excavation in the public right-of-way only on a need-to-know basis, to facilitate coordination and to avoid unnecessary excavation. To the maximum extent permissible under the Colorado Open Records Act, C.R.S. § 24-72-200.1, *et seq.*, as amended, the Town shall not otherwise disclose any information submitted by a permittee that is proprietary, trade secret or is otherwise protected from disclosure, provided that the permittee has identified the record on its face as proprietary, trade secret or otherwise protected from disclosure. The Town shall notify a permittee of any request for inspection of public records that calls for disclosure of any infrastructure master plan on which any information has been identified as proprietary, trade secret or otherwise protected from disclosure.

F. The Public Works Director shall prepare a repaving plan showing the street resurfacing planned by the Town. The repaving plan shall be revised and updated at least annually, and shall be available for public inspection. In addition to any other form of communication, after determining the street resurfacing work that is proposed for each year, the Public Works Director shall post a notice of the proposed work on the Town's website. Prior to applying for a permit, the applicant shall review the Town's repaving plan and shall coordinate, to the extent

practicable, with the utility and street work shown on such plan to minimize damage to, and avoid undue disruption and interference with the public use of such public right-of-way. Without such coordination, future major work within repaved areas may be limited at the discretion of the Public Works Director, to prevent premature disturbance of recently paved surfaces.

G. In performing location of facilities in the public right-of-way in preparation for construction under a permit, each permittee shall compile all information obtained, according to state utility locating rules and parameters, and shall make that information available to the Town in a graphical and verified format acceptable to the Public Works Director. If a permittee fails to provide the location information requested by the Town, the Town may obtain this information and charge permittee the actual costs for obtaining the information.

H. Prior to undertaking any work in the public right-of-way or related landscaping, the Town may notify all permittees of the Town work to be performed. Upon such notification, all permittees shall, within seven (7) days, locate their facilities in the public right-of-way in which the work shall be performed, and provide location documentation in a format acceptable to the Public Works Director.

**Section 13.18.450. Joint excavation.**

A. When two (2) or more permittees propose major work in the same block within a one-year period, such major work shall be performed by one private entity excavator. For purposes of this subsection, the private entity excavators shall coordinate all permits as a single permit applicant and shall submit one application.

B. When a public entity excavator and a private entity excavator propose major work in the same block within a three (3) year period, the Town may condition permits to maximize coordination and minimize the total period of construction.

C. When an applicant seeks a permit for an excavation, and such excavation has not been identified on a major work plan, an applicant may, in the discretion of the Public Works Director, be required to circulate a description of the proposed excavation to other permittees to determine whether any persons have construction requirements or opportunities for coordinating joint excavations along the proposed route.

1. The persons notified should be provided with the applicant's proposed route plan, the target commencement date and the estimated completion date.

2. Within fourteen (14) days after the notification required by this subsection, any interested person must notify the applicant of their requirements so that the applicant may incorporate these requirements, where reasonable, in

its permit application. The applicant should summarize the responses in its application.

3. If the applicant believes that it is not reasonably feasible to entertain the requests made by others for conditions of joint excavation, the applicant shall notify the Town and the other party within fourteen (14) days, providing reasons why it is infeasible. The parties shall endeavor to resolve any technical or commercial concerns among themselves, and the applicant shall report the results of these efforts in its application.

D. Waiver. An applicant may seek a waiver of the joint excavation requirements as follows:

1. Except in cases of emergencies, within thirty (30) days of receipt of a written request for a waiver, the Public Works Director may grant a waiver of the joint excavation requirements for good cause. In making the decision on the request for waiver, the Public Works Director shall consider the impact of the proposed excavation on the neighborhood, the applicant's need to provide services to a property or area, facilitating the deployment of new technology and improved services, and the public health, safety, welfare, and convenience. The Public Works Director shall indicate in writing the basis for granting any waiver pursuant to this subsection.

2. The Public Works Director may waive the requirements for joint excavation in cases where emergency conditions exist.

3. The Public Works Director may place additional conditions on any permit subject to a waiver, including without limitation the charging of additional fees.

4. The Public Works Director's decision regarding waivers shall be final.

#### **Section 13.18.460. Construction of new streets.**

A. Intent. The intent of this Section is to provide for the construction of infrastructure sufficient to allow broadband communications entities desiring to deploy facilities in the future to do so by pulling the same through the conduit and appurtenances installed pursuant to this Section and without additional excavation. This Section is intended to require those constructing streets, including the Town and developers, to provide and install such conduit and appurtenances as may be necessary to accommodate future broadband needs within the public right-of-way without further excavation.

B. Requirements. When a new public street is constructed, whether by the Town, another public entity or a developer, the following shall be required:

1. In all new local streets serving or abutting residential development, a minimum of four (4), two-inch (2") conduit with pull boxes on both sides of every

street crossing/intersection with one pull-box centered mid-block between, or if installations are proposed in public right-of-way with block lengths longer than seven hundred (700) feet, then, at a minimum of five hundred (500) foot intervals or less (and at every ninety (90) degree turn) shall be installed by the party constructing the street; provided, however, that at the discretion of the Public Works Director, the number and size of the conduit and spacing of pull boxes may be modified to address the reasonably known plans or demand for broadband or future technology capacity in these locations.

2. In all new collector or arterial streets serving or abutting residential development, and in all new streets serving or abutting nonresidential development, a minimum of six (6), two-inch (2") conduit with pull boxes on both sides of every street crossing/intersection with one pull-box centered mid-block between, or if installations are proposed in public right-of-way with block lengths longer than seven hundred (700) feet, then, at a minimum of five hundred (500) foot intervals or less (and at every ninety (90) degree turn) shall be installed by the party constructing the street; provided, however, that at the discretion of the Public Works Director, the number and size of the conduit and spacing of pull boxes may be modified to address the reasonably known plans or demand for broadband or future technology capacity in these locations.

3. In addition to installing conduit, the party constructing the street shall be required to install such vaults and other appurtenances as may be necessary to accommodate installation and connection of broadband facilities within the conduit as defined by the Town either before, or during permitting.

4. All construction and installation shall be accomplished according to construction standards adopted by the Town. The construction standards shall be adopted with due consideration given to existing and anticipated technologies and consistent with industry standards.

5. All facilities installed by developers pursuant to this Section shall be conveyed and dedicated to the Town with the dedication and conveyance of the public right-of-way.

6. All installation costs shall be the responsibility of the party constructing the public street.

C. Use of conduit. When conduit becomes available in a newly constructed street or public right-of-way, all broadband service providers or network owners thereafter locating facilities in such street or public right-of-way shall locate their communications lines within such conduit unless it can be demonstrated to the reasonable satisfaction of the Town that such location is not technologically feasible or reasonably practicable. Conduit capacity shall be allocated to broadband service providers or network owners on a first-come, first-served basis; provided, that the Town may reserve capacity within such conduits for its own use; and provided further, that the Public Works Director may adopt additional

rules for conduit allocation in order to ensure that all broadband service providers and network owners have reasonable access to the public right-of-way and that no barriers to entry or competition result from the allocation of conduit space.

D. Fees. The Town reserves the right to charge reasonable fees for the use of conduit installed pursuant to this Section, to the extent consistent with and as limited by federal and state laws. Any such fees shall be established by resolution or ordinance.

**Section 13.18.470. Minimizing the impacts of work in the public right-of-way.**

A. Relocation and Protection of Utilities. Before beginning excavation in any public right-of-way, permittee shall contact the Utility Notification Center of Colorado ("UNCC") and, to the extent required by C.R.S. § 9-1.5-102, *et seq.*, make inquiries of all ditch companies, utility companies, broadband providers, districts, local government departments, and all other agencies that might have facilities in the area of work to determine possible conflicts. Permittee shall contact the UNCC and request field locations of all facilities in the area pursuant to UNCC requirements. Field locations shall be marked prior to commencing work. Permittee shall support and protect all pipes, conduits, poles, wires, or other apparatus which may be affected by the work from damage during construction or settlement subsequent to construction.

B. Noise, dust, debris, hours of work. Each permittee shall conduct work in such a manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property, and shall take appropriate measures to reduce noise, dust, and unsightly debris. Work shall be performed in accordance with Section 13.18.270 and at the expense of the permittee.

C. Trash and construction materials. Trash and construction materials shall be contained so that they are not blown off the construction site. Trash shall be removed site often enough so that it does not become a health, fire, or safety hazard. Trash dumpsters and storage of construction materials shall not be placed in the street without prior approval of the Public Works Director.

D. Material on streets and sidewalks. Each permittee shall utilize its best efforts to eliminate the tracking of mud or debris upon any street or sidewalk. Streets and sidewalks shall be cleaned of mud and debris at the end of each day. All equipment tracking mud and debris shall be cleaned at the end of each day or as directed by the Public Works Director.

E. Landscaping. Each permittee, at its own expense, shall protect trees, landscape, and landscape features.

F. Paved surfaces. Backhoe equipment outriggers shall be fitted with rubber pads whenever outriggers are placed on any paved surface. Tracked vehicles that damage pavement surfaces are not permitted on paved surface unless specific precautions are taken to protect the surface. A permittee shall be responsible for

any damage caused to the pavement by the operation of such equipment and, shall repair such surfaces.

G. Protection of adjacent property. Each permittee shall, at its own expense, shore up and protect all buildings, walls, fences or other property likely to be damaged during its work, and shall be responsible for any damage to public or private property resulting from its work.

H. Preservation of monuments. A permittee shall not disturb any surface monuments, property marks or survey hubs and points found on the line of work unless approved by the Public Works Director. Any monuments, hubs, and points disturbed shall be replaced by a Colorado Registered Land Surveyor at the permittee's expense.

I. Parking. Each permittee shall make provisions for employee and construction vehicle parking so that neighborhood parking is not impacted.

J. Sidewalks. Each permittee shall maintain an adequate and safe unobstructed walkway around a construction site or blocked sidewalk. Each permittee shall clear all snow and ice hazards from public sidewalks at the work site by noon following a snowfall in conformance with Eagle Municipal Code.

K. Sanitary Facilities. Each permittee shall provide necessary sanitary facilities for workers. The location of such facilities shall be approved by the Town in the permit.

**Section 13.18.480. Newly constructed or resurfaced streets.**

A. Prohibition. No person shall perform an open trench excavation or potholing of utilities in the pavement of any street for a period of three (3) years from the completion of construction or resurfacing of such street, except in compliance with this Section.

B. Application. An application for a permit to excavate in a newly constructed or resurfaced street shall contain the following information:

1. A detailed and dimensional engineering plan that identifies and accurately represents the property that will be impacted by the proposed excavation, as well as adjacent streets, and the method of construction.
2. The street width or alley width including curb and gutter over the total length of each Town block that will be impacted.
3. The location, width, length, and depth of the proposed excavation.
4. The total area of existing street or alley pavement in each individual Town block that will be impacted.
5. A written statement addressing the criteria for approval.

B. Criteria. No permit for excavation in a newly constructed or resurfaced street will be approved unless the Public Works Director finds that all of the following criteria have been met:

1. Boring or jacking without disturbing the pavement is not practical due to physical characteristics of the street or alley or other utility conflicts.

2. Alternative utility alignments that do not involve excavating the street or alley are found to be impracticable.

3. The proposed excavation cannot reasonably be delayed until after the three (3) year period has lapsed.

C. Emergency operations. Those with prior authorization from the Town to perform emergency operations within the public right-of-way shall be exempted from this section. Any person commencing emergency operations shall submit detailed engineering plans, construction methods and remediation plans no later than three (3) working days after initiating the emergency maintenance operation.

D. Public interest exemption. A permittee may apply to the Public Works Director for an exemption when the construction is necessary for the public interest or to provide a public service. If a non-emergency exemption is granted, the Public Works Director may, in their sole discretion, impose additional restoration requirements, including without limitation repaving of a larger area, such as an entire block.

E. Standards. The street shall be restored in accordance with standards adopted by the Town and guaranteed in accordance with Section 13.18.370.

**Section 13.18.490. Relocation of facilities.**

A. If the Town requests a permittee to relocate its facilities to allow the Town to make any public use of a public right-of-way, or if at any time it becomes necessary to improve, repair, construct or maintain any public right-of-way, or due to traffic conditions, public safety or an undergrounding program, to move a permittee's facilities, either temporarily or permanently, the Town shall notify permittee at least ninety (90) days in advance, except in the case of emergencies.

B. The permittee shall, at no cost to the Town, accomplish the necessary relocation within a reasonable time, but in no event later than three (3) days prior to the date the work will commence. If a permittee fails to accomplish such work, the work may be performed at permittee's expense and permittee shall reimburse the Town or other agency within thirty (30) days after receipt of a written invoice.

C. Following relocation, all affected property shall be restored to, at a minimum, the condition which existed prior to construction by the permittee at the permittee's expense.

D. Notwithstanding the requirements of this Section, a permittee may request additional time to complete a relocation project. The Public Works

Director may grant a reasonable extension if the Public Works Director determines that the extension will not adversely affect the pending project.

**Section 13.18.500. Abandonment and removal of facilities.**

A. Notification. A permittee that intends to discontinue use of any facilities in a public right-of-way shall notify the Public Works Director in writing, describing the facilities, the date of discontinuance (which shall not be less than thirty (30) days from the date of the notice), and the method of removal and restoration. After thirty (30) days, permittee shall remove and dispose of such facilities as set forth in the notice, as modified by the Public Works Director, and shall complete such removal and disposal within six (6) months, unless additional time is approved by the Public Works Director.

B. Abandonment. At the discretion of the Town, and upon written notice from the Public Works Director, a permittee may abandon facilities in place, provided that the permittee shall remain responsible for such facilities.

C. Conveyance to the Town. At the Town's direction, which shall be provided within thirty (30) days of the notice of abandonment, the permittee shall convey the abandoned facilities to the Town. The consideration for such conveyance shall be the Town's permission to abandon the facilities in place.

**Section 13.18.510. Stop work orders.**

The Public Works Director may issue a stop work order for:

1. Working without a permit except for routine maintenance or emergency repairs to existing facilities.
2. Performing work in violation of any applicable law.
3. Performing any act, which the Town determines constitutes or causes a condition that either endangers life or property.

Section 6. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 7. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

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

TOWN OF EAGLE, COLORADO

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Scott Turnipseed, Mayor

ATTEST:

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Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: September 8, 2020

Agenda Item: Resolution No. 58, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Adopting the Strategic Plan that Establishes the Guiding Principles and Priorities of the Town of Eagle, Colorado"

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#### REQUEST:

Staff requests that the Town Council review the final draft of the Strategic Plan for adoption.

#### INTRODUCTION:

The Town held a successful election of new council members in 2020. After each major election, it is a best practice to update the Town Council's Strategic Plan. Over the summer the Town Council, staff, and facilitator developed the plan which reflects the strategic priorities of the newly elected governing body. The plan will help inform the work that staff completes over the next few years and communicates to the public what the Town is focused on. Depending on priorities, the plan can always be amended, and the Town Council will review the content annually. The final draft plan is attached to this memo.

#### ANALYSIS:

At the Town Council meeting on August 25, the following feedback was incorporated in the final draft:

- Delete the demographics page
- Strategic goals edits – add broadband language and swap with complete bike and pedestrian audits to identify improvements
- Strategic goals edits – remove alphabetical order and mix up the order

#### COMMUNITY INPUT:

Community input is not required with this proposal.

#### BUDGET / STAFF IMPACT:

The adoption of the Strategic Plan doesn't have an impact on resources. However, priorities in the plan will require funding approval by the Town Council each year.

#### STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

Adopting a new strategic plan incorporates all the business values supported by the Town Council in the old and new plan:

Sound Planning and Appropriate Investment – the Strategic Plan ensures that there is a solid plan for the Town Council to appropriately invest resources to ensure that the vision for the Town is implemented.

Reliable and Cost-Effective Services – Planning and prioritizing service delivery is intentional and ensures that big projects don't overshadow core services, like police, water, wastewater, and building services. The current plan balances core services with projects.

Economic Development – The new plan focuses on economic development and identifies a few strategies to support this objective. The updated Strategic Plan will reflect the current economic environment and identifies strategies to support growth and prosperity in Eagle.

Sound Finances and Increasing Efficiency – The Strategic Plan is specific about ways to increase revenues and supports making investments in technology to improve efficiencies. These strategies are highlighted in the plan.

Protecting Public Health, Safety, and the Environment – The new plan continues to focus on the well-being of the community. The plan specifically lays out a new framework for making investments in environmental and energy sustainability.

Transparency and Community Engagement – Most if not all the guiding principles in the plan touch on transparency, building trust, and taking the time to solicit input from stakeholders. The plan details specific ways to accomplish these goals through long-range planning projects and strengthen the organization and service delivery.

#### RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** the adoption of Resolution No. 58, Series 2020, "A Resolution of the Town Council of the Town of Eagle, Colorado Adopting the Strategic Plan that Establishes the Guiding Principles and Priorities of the Town of Eagle, Colorado"

#### ATTACHMENTS:

- Resolution No. 58
- Strategic Plan – Final Draft

**TOWN OF EAGLE, COLORADO**  
**RESOLUTION NO. 58**  
**(Series of 2020)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO  
ADOPTING THE STRATEGIC PLAN THAT ESTABLISHES THE GUIDING PRINCIPLES  
AND PRIORITIES OF THE TOWN OF EAGLE, COLORADO

**WHEREAS**, the regular election was held on April 7, 2020 and a new Town Council was established;

**WHEREAS**, the new Town Council directed staff to begin the process of updating the 2017 Board of Trustees Strategic Plan to reflect the priorities of the newly elected officials;

**WHEREAS**, after soliciting proposals from consultants, the Town Council selected SBrand Solutions to facilitate the Strategic Plan process;

**WHEREAS**, the Town Council held a retreat that included team building and the development of the Strategic Plan on June 25<sup>th</sup> and 26<sup>th</sup>;

**WHEREAS**, the Town Council reviewed a draft of the Strategic Plan at a work session on August 6, 2020 to provide comments that staff incorporated into the document;

**WHEREAS**, staff presented a revised draft to the Town Council on August 25, 2020 for final revisions before adoption; and

**WHEREAS**, staff incorporated the revisions in the final draft and the document is ready for adoption by the Town Council.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO that the Strategic Plan is adopted as follows:

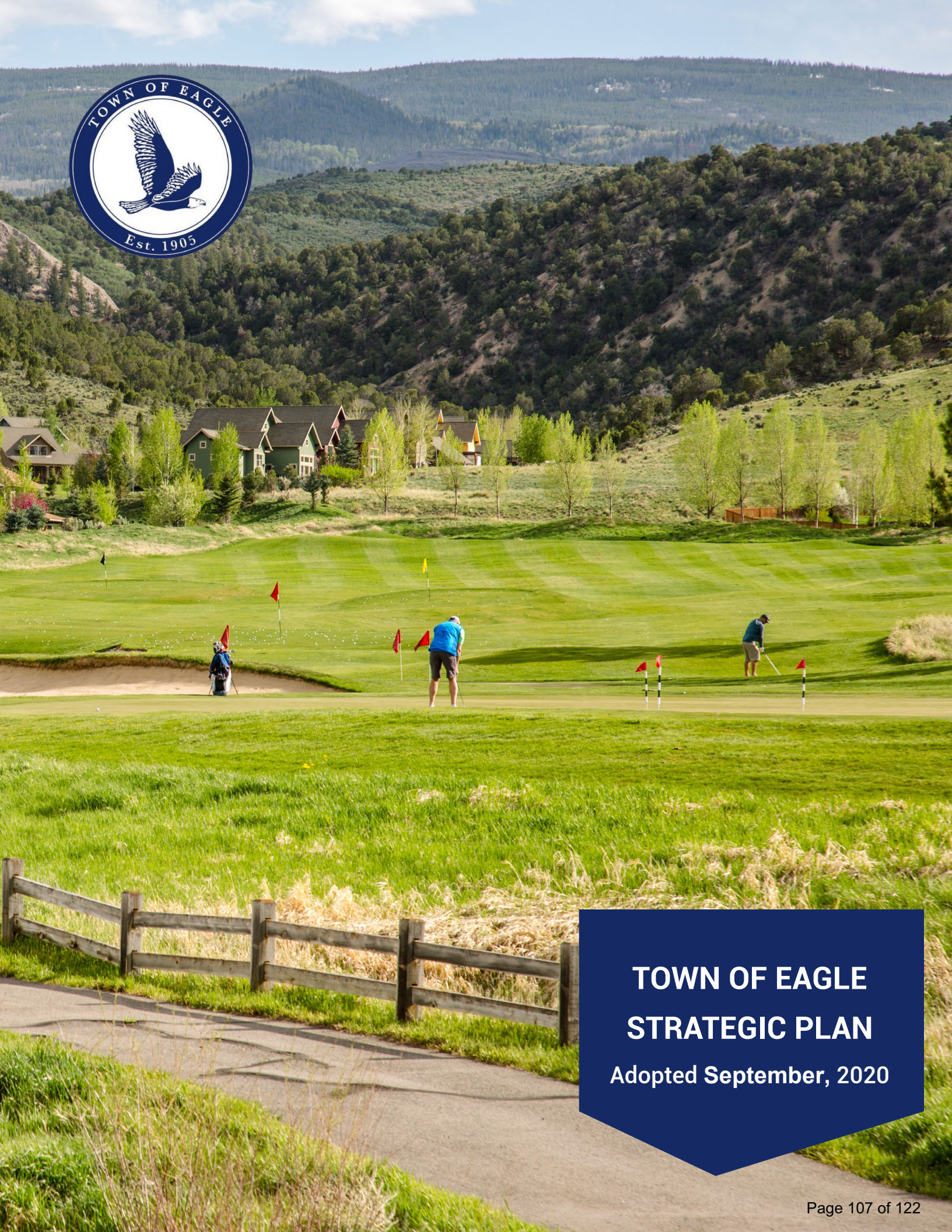
Section 1. The Town Council hereby adopts the Strategic Plan of the Town Council, which is attached hereto, is hereby endorsed by the governing body.

TOWN OF EAGLE, COLORADO

\_\_\_\_\_  
Scott Turnipseed, Mayor

ATTEST:

\_\_\_\_\_  
Jenny Rakow, Town Clerk



**TOWN OF EAGLE  
STRATEGIC PLAN**  
Adopted September, 2020

# ABOUT THE TOWN OF EAGLE

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**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 50 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

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## 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**

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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**

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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**

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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**

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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**

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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**

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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**

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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:**

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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

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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



## 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



## 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



## Match Infrastructure to Quality of Life

- Develop and implement broadband solutions
- Implement a system for reporting maintenance issues
- Evaluate impact fees throughout the Town
- Adopt a multi-modal transportation plan



## Attract Visitors

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



## 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



## 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



## 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



## 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



## 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



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## 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](http://www.townofeagle.org) or contact the Town Manager at**

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Eagle, CO 81631**

📞 **970-328-6354**

📠 **970-328-5203**



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: September 8, 2020

Agenda Item: Resolution No. 59, Series 2020, "A Reimbursement Resolution of the Town Council of the Town of Eagle, Colorado to Comply with the Reimbursement Regulations"

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**REQUEST:**

Staff requests that the Town Council review a resolution allowing reimbursements from bond proceeds for broadband expenses incurred before financing.

**INTRODUCTION:**

The Town Council participated in a work session on September 1 to review the status of the broadband initiative. Staff presented information on financing, construction, and project milestones. Based on the conversation, the first milestone is to review a reimbursement resolution before financing broadband. The Town has and will continue to incur broadband-related expenses before completing the financing package proposed by the consultants. This resolution gives the Town the ability to reimburse the General Fund with bond proceeds once financing is secured. Per the direction of the Town Council at the work session, staff is presenting the reimbursement resolution for review. Attached is a resolution drafted by bond counsel Erich Kennedy from Dinsmore and Shohl, LLP.

**ANALYSIS:**

The regulations allow for the following:

- Reimbursements need to be declared no later than 60 days after payment of capital expenses.
- Reimbursement needs to be allocated within 18 months from the time the payment was made or placed in service.
- Any reimbursement allocations must be made no later than 3 years after the expense is paid.
- The Town can get reimbursed up to \$1,000,000 for capital expenses.
- Preliminary costs like engineering, architecture, surveying, and debt issuing costs are eligible expenses with no limits on reimbursements.
- There is an additional \$100,000 that can be reimbursed for any expenses related to the project.
- For more information on reimbursements, click on the IRS link:  
[https://www.irs.gov/pub/irs-tege/trng\\_phaseiid.pdf](https://www.irs.gov/pub/irs-tege/trng_phaseiid.pdf)

### Reimbursement Regulations Pros

- This policy attempts to make the General Fund whole later while making progress on the broadband initiative.
- The funding thresholds are conservative and give the Town plenty of flexibility to recapture expenses during the financing transition period.
- There is less risk to move forward with expenses in the General Fund because the funds can get reimbursed, therefore preserving the general operating budget.
- Moving forward with the implementation of the broadband plan will save the Town money because there are opportunities to cost-share with ISPs on equipment and joint trenching proposals today.

### Reimbursement Regulations Cons

- The Town hasn't secured financing yet so it is unclear that bond proceeds will be in place to reimburse the General Fund.
- The reimbursement thresholds might not be enough if there are delays in securing financing. The project would stop if thresholds are maxed out.
- Delays in reimbursements might impact the general operating budget.

### COMMUNITY INPUT:

Community input is not required with this proposal.

### BUDGET / STAFF IMPACT:

The review of this resolution does have an impact. The regulations give the Town the ability to spend funds on broadband now, where staff would wait until financing is in place. Waiting for financing would likely cost the Town more later because of present opportunities to cost-share with other entities on equipment and joint trenching. The reimbursement regulations will generate the need to track payments and ensure that the Town is compliant with IRS regulations.

### STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal aligns with the following business values:

Sound Planning and Appropriate Investment – the reimbursement proposal ensures that money spent on a future enterprise is invested back into the General Fund. This policy will result in the broadband enterprise paying its share of the cost of deployment and not the General Fund.

Economic Development – the reimbursement proposal helps the Town continue to move forward with municipal broadband. Businesses in the initial areas of focus have expressed interest in purchasing broadband from the Town. This policy will help Town connect businesses to broadband.

Sound Finances and Increasing Efficiency – the reimbursement proposal helps the Town take advantage of opportunities to reduce the costs of fiber builds for the public and private sector. The efficiencies

gained by collaborating now is a win/win. Delaying the opportunity to collaborate will cost the Town more later.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to **approve** or **deny** the adoption of Resolution No. 59, Series 2020, "A Reimbursement Resolution of the Town Council of the Town of Eagle, Colorado to Comply with the Reimbursement Regulations"

ATTACHMENTS:

- Resolution No. 59

**TOWN OF EAGLE, COLORADO**  
**RESOLUTION NO. 59**  
**(Series 2020)**

A REIMBURSEMENT RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
EAGLE, COLORADO TO COMPLY WITH THE REIMBURSEMENT REGULATIONS.

WHEREAS, the Town of Eagle, Colorado (the "*Town*"), desires to undertake a broadband project as further described herein, through a Town enterprise established or to-be established in accordance with the Constitution of the State of Colorado (and particularly Article X, Section 20, commonly known as the Taxpayer's Bill of Rights or "*TABOR*"), and make further declarations regarding the reimbursement of certain funds expended in furtherance of the same, from the proceeds of revenue obligations to be issued in the future by the Town through such TABOR enterprise; and

WHEREAS, the Town, by and through such TABOR enterprise, desires to undertake a capital project consisting of the construction and buildout of a broadband system to be available on a fee-for-service basis (the "*Project*"); and

WHEREAS, Treasury Regulation § 1.150-2 (the "*Reimbursement Regulations*"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "*Code*") prescribes certain requirements by which the use of proceeds of bonds, notes, certificates or other obligations included in the meaning of "bonds" under Section 150 of the Code ("*Obligations*") to reimburse advances made for capital expenditures paid before the issuance of such Obligations may be deemed expended for purposes of Sections 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code; and

WHEREAS, such Reimbursement Regulations require that the District make a declaration of official intent (as hereinafter defined) to reimburse any capital expenditure paid prior to the issuance of the Obligations intended to fund such capital expenditure and require that such declaration of official intent be made no later than sixty (60) days after payment of the capital expenditure and further require that any reimbursement allocation of the proceeds of such Obligations to reimburse such capital expenditures occur no later than eighteen (18) months after the later of the date such capital expenditure was paid or the date the property acquired with the capital expenditure was placed in service, except that any such reimbursement allocation must be made no later than three (3) years after such capital expenditure was paid; and

WHEREAS, the Town may soon expend certain of its funds for costs of portion of the Project; and

WHEREAS, the Town wishes to ensure compliance with the Reimbursement Regulations.

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

Section 1. Project. The Town hereby acknowledges its intent and desire to undertake the Project, by and through a TABOR enterprise, as defined above.

Section 2. Declaration of Official Intent. The Town hereby declares, pursuant to the Reimbursement Regulations, its official intent, for itself and as the governing body of the TABOR

enterprise to undertake the Project, to reimburse itself with the proceeds of obligations in the reasonably anticipated amount of \$1,000,000 for the purpose of capital expenditures for the Project which may occur prior to the issuance of the obligations.

INTRODUCED, READ, PASSED AND ADOPTED ON SEPTEMBER 8, 2020.

TOWN OF EAGLE, COLORADO

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Scott Turnipseed, Mayor

ATTEST:

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Jenney Rakow, Town Clerk