



Town Council
Tuesday, February 23, 2021

ONLINE MEETING

Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO

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

TOWN COUNCIL MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an online meeting.

[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."

When it's your turn to speak, the moderator will unmute your line and you will have three (3) minutes for public comment.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to Jenny Rakow, Town Clerk, and will be included as part of the record.

For technical difficulties please email 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. Bird Scooters Pilot Program Proposal, Kate Shoemaker
2. COVID-19 Victims and Survivors Memorial Day Resolution Proclamation

CONSENT AGENDA - 6:25 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 - February 9, 2021

STAFF REPORTS - 6:30 PM *The Town Manager and department staff prepare and provide internal updates to the council.*

1. Town Manager Update
2. December 31, 2020 Budget to Actual Report and Revenue Analysis

BUSINESS ITEMS - 6:40 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. Land Use File Number AN20-02 Base Camp Eagle Annexation
 - a. Resolution 20, Series 2021, "A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (Base Camp Eagle Annexation)"
2. Mountain Recreation Eagle Pool and Ice Rink Improvements Participation Request
3. Resolution 17, Series 2021, "A Resolution of the Town Council of the Town of Eagle Appointing Members to the Downtown Development Authority Board of Directors".
4. West Eagle Sub Area Plan (WESAP) Amendment
5. Resolution No. 21, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Supporting the Application for Grant Funding from the Colorado Department of Local Affairs for a Technology and Outdoor Recreation Economic Assessment and Subsequent Development activity"

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS - 7:55 PM

1. Council Committee Updates
2. Future Agenda Items
3. Town Council Vacancy Appointment Process Review

EXECUTIVE SESSION - 8:10 PM

1. To hold a conference with the Town's attorney to receive legal advice on specific legal questions and to develop a negotiation strategy and instruct negotiators, as it relates to the Intergovernmental Agreement with Mountain Recreation and the Eagle County School District RE50J and request to adjourn the regular meeting at the conclusion, pursuant to C.R.S. § 24-6-402(4)(b) and (e).

ADJOURN - 8:30 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



Hello, Town of Eagle

2020





What is Bird?

Bird is a last-mile, stand-up electric vehicle sharing company dedicated to bringing affordable, environmentally-friendly transportation solutions to communities everywhere.

Our mission is to get people out of cars and:



Solve the last-mile problem and connect more residents to transit options.



Reduce congestion and over-reliance on cars



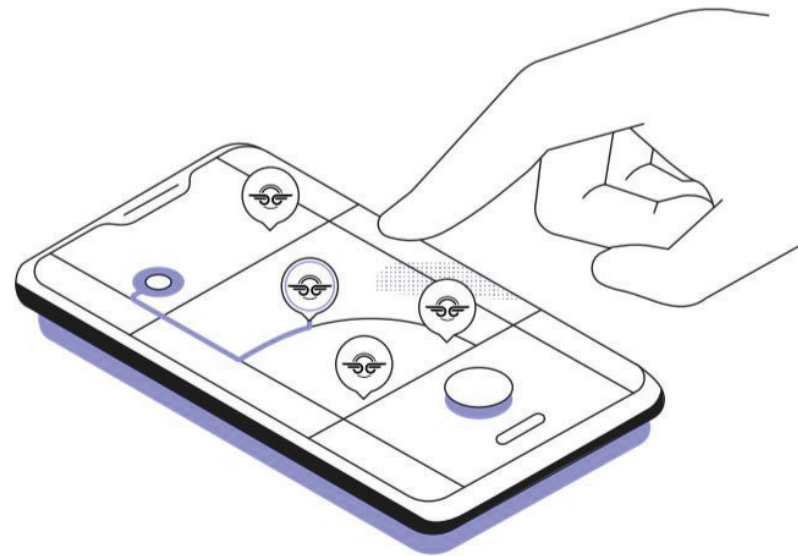
Improve air quality and reduce GHG emissions



Improve the overall quality of life in cities

How it works

Using the Bird smartphone app, riders find the closest Bird scooter on a map, unlock it and complete the safety tutorial to start their ride. It costs \$1 to start, then a per minute fee.



1 FIND BIRDS
ON THE MAP

2 SCAN QR TO
BEGIN RIDE

3 WATCH SAFETY
TUTORIAL

4 ENJOY THE
RIDE!

Our Approach

We partner closely with cities to design solutions that work for your community.

YOUR TEAM



Kate Shoemaker
Account Partner



Adam Blau
Account Manager

Get to know each other:

Understand where Bird fits into the local transportation ecosystem.

Operating Plan:

Decision to move forward and local operational partner outreach started.

Ongoing:

Your dedicated Account Manager will provide ongoing support and serve as your main point of contact for all city requests.

Setting Expectations:

Align on how Bird can best serve your city based on city input and Bird data.

Launch Day:

Introduce a new transportation option to town.

Our Approach

We work with a local entrepreneur from the community to manage the fleet on the ground, and in exchange they earn money on each ride.

How cities benefit:

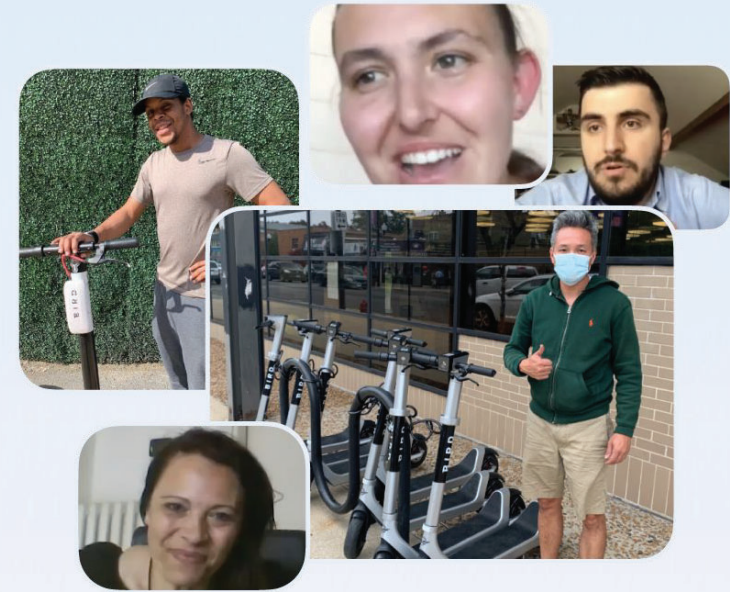
Local Touch:

- ✓ Deep community ties, local pride, and fast issue resolution
- ✓ Nuanced knowledge of where to deploy
- ✓ Economic Opportunity

Back by the Industry Leader:

- ✓ World-class technology & compliance tools
- ✓ Operational know-how
- ✓ Industry's Safest Vehicles

BIRD



“

I like being my own boss, the flexibility of setting my own schedule and being able to hire my nephew because he also needed a job. I also like being part of the growing micromobility industry. It's in line with my values regarding city transportation solutions.

- Mark, Azbri Productions, Nashville

”

The Local Impact



16%

more jobs accessible



56%

of riders visited local businesses on a Bird



\$70K+

average take-home earnings from local entrepreneurs partnering with Bird.



Safety First

SHARED E-SCOOTERS ARE AS SAFE AS BIKING

Across numerous city and 3rd party reports on e-scooter safety, once the injuries were seen in the context of the tens of millions of trips that were taken, shared e-scooters were found to be as safe as, or safer than biking:

KANSAS CITY, MO

“Four months of EMS records show **less than five e-scooter injuries per month**”



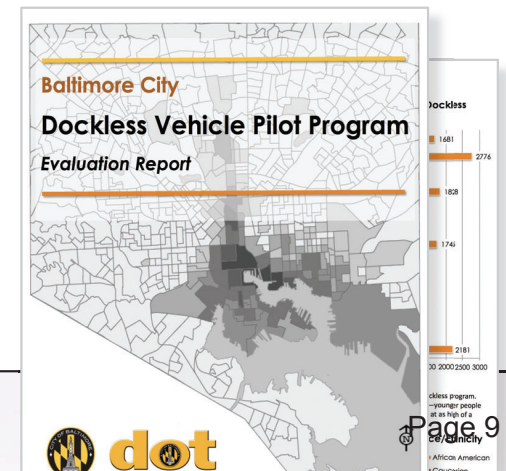
PORTLAND, OR

“e-scooters have risks similar to other parts of the transportation system.”



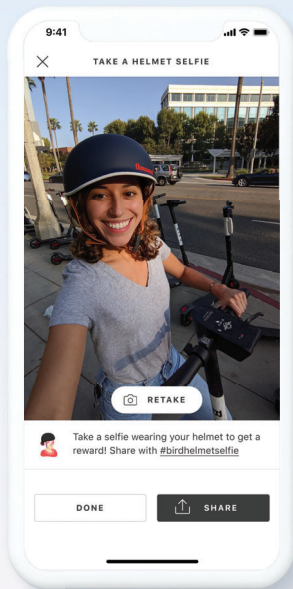
BALTIMORE, MD

“...the **injury rate** requiring an ED visit is **seemingly low** [...] **.66 injuries per 1,000 scooter users each year.**”



Bird Leads on Safety

Innovative offerings like
Helmet Selfie and Warm-Up Mode



Community Engagement
& Education



Industry-leading
Vehicle Design



BIRD

See what communities are saying:

REDDING, CA

“

So awesome to have downtown. Don't have to use my car to go get food! 😊 -

Rider

”



Fleet size: 200*

Pop. 92K

Launch date: November 2019

About: The city sees 8K rides/ month, averaging ~30 minutes.

City is excited about: Close collaboration that has led to high usage and tight operations.

HARTSVILLE, SC

“

We will bend over backwards to help you and welcome you.

- Mayor

”



Fleet size: 50

Pop. 7.7K

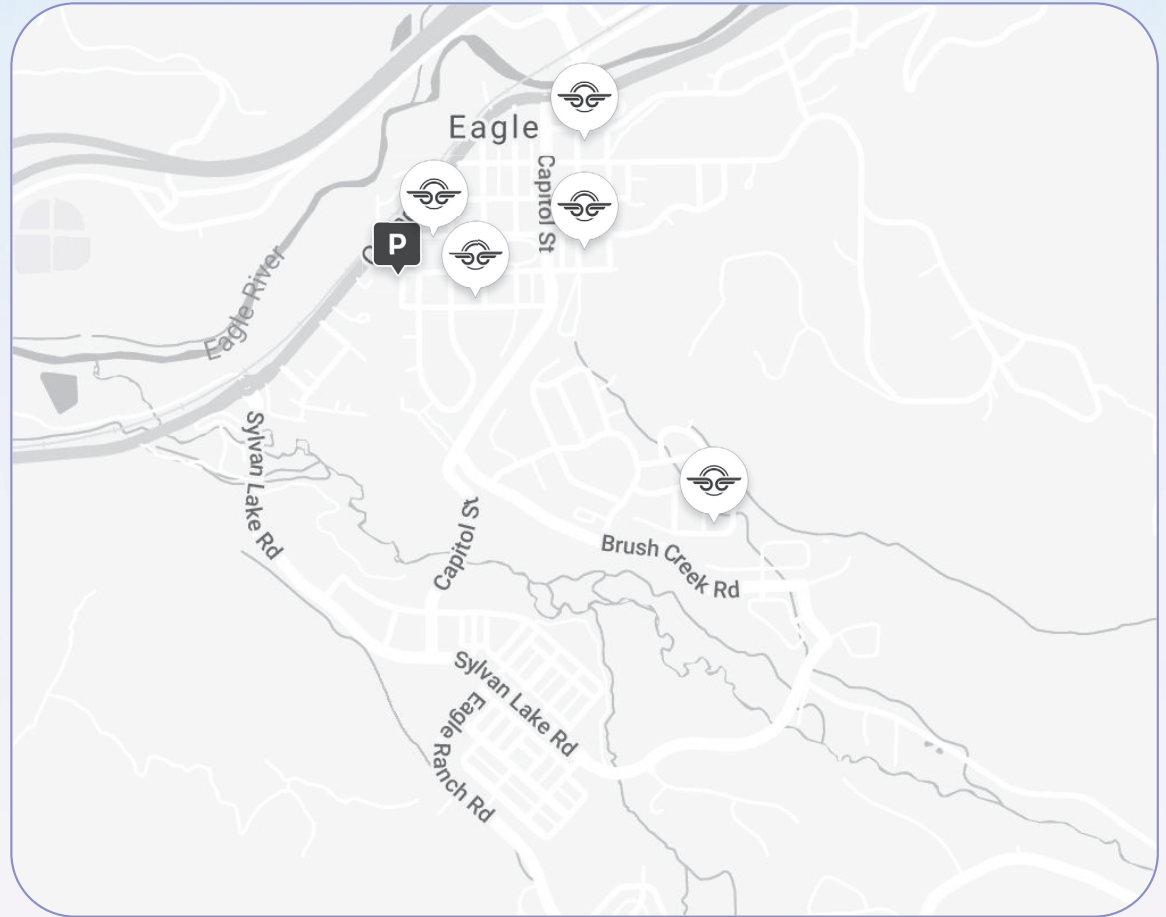
Launch date: January 2021

About: Bird will connect residents to central business district and provide transportation to the Sonoco Campus.

City is excited about: Being a role model for the power of city + tech partnerships in small cities.

Town of Eagle Proposal

- ✓ **Launch Date:** April 15
- ✓ **Local Partner Onboarded:** March 15
- ✓ **# of Vehicles:** 50
- ✓ **Cost to city:** approval, no budget ask



One Bird e-scooter
is one less car ride.





Thank you



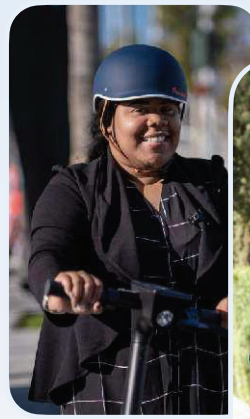
BIRD

Kate Shoemaker, Sr. Account Executive
Kate.shoemaker@bird.co



How Bird Partners with Local Communities

Bird works closely with local government agencies to bring convenient, sustainable transit to communities with stand-up electric scooters, which can be rented for short trips using the Bird Mobile App. Our mission is to get people out of cars, reduce traffic and bring communities together by providing an affordable, environmentally-friendly transit alternative.



Cities who partner with Bird benefit from our Industry-leading approach:



Clean, equitable, transportation options



Safest vehicles with advanced detection



Smart technologies to eliminate concerns



Opportunities for local entrepreneurs

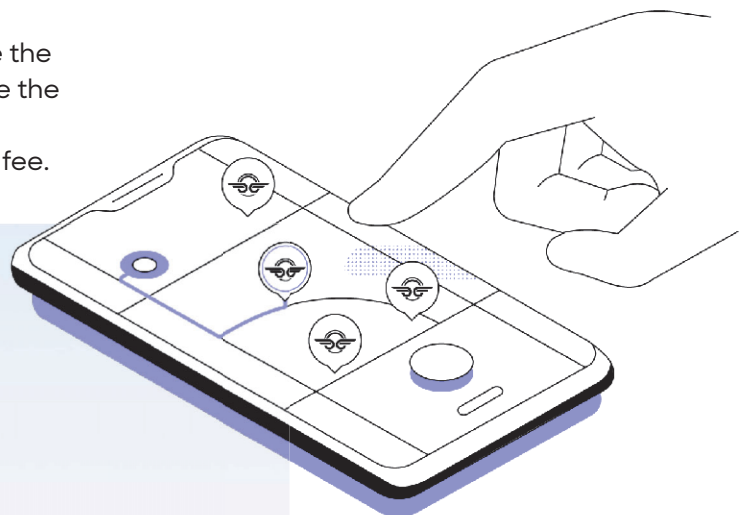


Hyperlocal operations

How it works

Through the Bird smartphone app, riders can see the closest Bird scooter on a map, unlock it, complete the safety tutorial and ride directly to their desired destination. It costs \$1 to start, then a per minute fee.

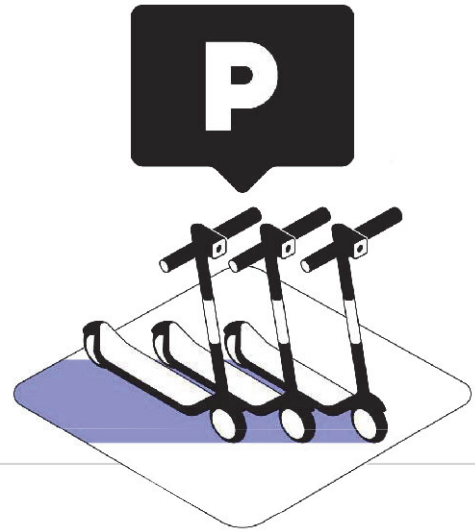
- 1 Find Birds on the map
- 2 Scan QR to begin ride
- 3 Watch safety tutorial
- 4 Enjoy the ride



THE BIRD LOCAL ADVANTAGE:

By Locals, For Locals

When Bird comes to town, we work with a local entrepreneur from the community to manage the fleet on the ground. They make money on every ride taken on the scooters that they manage. We provide the tools, operational experience and technology to help them be successful; and they provide the local pride, knowledge and expertise to cater the program to the community.

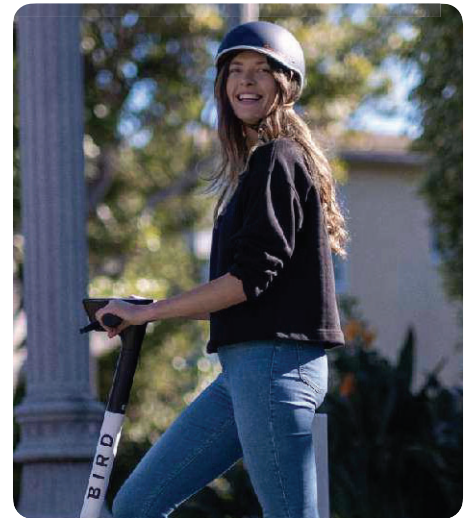


What Cities Are Saying

“We’re a relationship-based city and Bird works with us to understand our unique needs and challenges. With any new technology, we anticipate a steep learning curve. Bird stands out by being responsive, responsible and respectful of our community.”

Virginia Korte

Council Member, Scottsdale



“The Rider Incentives and your fleet managers on the ground seem to be doing a good job managing the devices, fleet rebalancing, and overall user parking performance. Keep up the great work and thank you for the partnership!”

Alyssa Muto

Deputy Director of Environment & Mobility
Planning, San Diego

Memorandum of Understanding

The Town of Eagle Colorado (City/County) will permit Bird Rides, Inc. to provide services under the following terms and limitations. This agreement shall remain in effect until January 2022 unless terminated as set forth below.

AGREEMENT

- 1) Scope: This Agreement and its terms apply to any proposed deployment of Stand-up electric scooter sharing systems within City / County's jurisdictional boundaries. No person shall deploy a Stand-up electric scooter sharing system in the City / County in violation of this Agreement.
- 2) Stand-up electric scooters shall be governed by the rules applying to bicycles and are to be ridden on streets, and where available, in bike lanes and bike paths. Stand-up electric scooters are to stay to the right of street lanes and to offer the right of way to bicycles in bike lanes and on bike paths. Users of Stand-up electric scooters shall be 18 or older. Users of Stand-up electric scooters who violate these provisions may be fined by City / County consistent with fines for cyclists.
- 3) Bird Rides, Inc. shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each Stand-up electric scooter for members of the public to make relocation requests or to report other issues with devices.
- 4) Hours of operation: Stand-up electric scooters will be made available to rent from 4 a.m. to midnight (local time)
- 5) Bird Rides, Inc. shall provide a minimum of 100 vehicles at launch.
- 6) Safety Education: Bird Rides will provide materials, videos, signage to promote safe riding and educate riders on rider responsibilities and encourage safe and courteous riding and parking.
- 7) Data sharing: Bird Rides, Inc. will provide data to the City/County as necessary to assist with monitoring program usage.
- 8) Indemnification: Bird Rides, Inc. agrees to indemnify, defend and hold harmless City / County (and City's/ County's employees, agents and affiliates) from and against all actions, damages or claims brought against City / County arising out of Bird Rides, Inc.'s negligence or willful misconduct, except that Bird Rides, Inc.'s indemnification obligation shall not extend to claims of City's / County's (or City's / County's employees', agents' or affiliates') negligence or willful misconduct. City / County expressly acknowledges that in no event shall Bird Rides, Inc. be liable for any special, indirect, consequential or punitive damages. Bird Rides, Inc.'s indemnification obligations shall survive for a period of one (1) year after expiration of this Agreement. Bird Rides, Inc. shall be released from its indemnification obligations under this section if the loss or damage was caused by the City's / County's negligent construction or maintenance of public infrastructure. City's / County's right to indemnification shall be contingent on City / County notifying Bird

Rides, Inc. promptly following receipt or notice of any claim; Bird Ride, Inc. shall have sole control of any defense; City / County shall not consent to the entry of a judgment or enter into any settlement without the prior written consent of Bird Ride, Inc.

9) Insurance: Bird Rides, Inc. shall provide City / County with proof of insurance coverage exclusively for the operation of Stand-up electric scooters including: (a) Commercial General Liability insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$2,000,000.00 aggregate; (b) Automobile Insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$1,000,000.00 aggregate; and (c) where Bird Rides, Inc. employs persons within the City / County, Workers' Compensation coverage of no less than the statutory requirement.

10) Notices: All notices and communications to the City/County from Bird Rides, Inc. shall be made in writing (includes electronic communications) and sent to the address below.

11) Either party may terminate this agreement at any time and without cause upon (30) days prior written notice.

12) In carrying out their responsibilities, the parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship.

13) The parties acknowledge that Bird Rides, Inc. may utilize independent business logistics providers to facilitate local operations. Bird's use of these logistics providers does not constitute a transfer or assignment of this Agreement, and Bird Rides, Inc. remains responsible for all obligations and requirements under this Agreement.

14) This agreement shall be governed by and construed in accordance with the laws of the Colorado.

**The Town of Eagle, Colorado
Inc.**

Bird Rides,

Signed By:

Signature: _____

Print Name: _____

Title: _____

Signature: _____

Print Name: _____

Title: _____



Model Regulatory Framework & Ordinance towards effective local policy

I. Regulatory Goals: Bird's regulatory model for successful implementation of micro-mobility programs reflect the best local practices and policy innovations that have demonstrated the most success in servicing demand, ensuring safety, and delivering on various local and regional needs. The following policy principles have shown to advance goals across effective transportation planning, investments, and regulatory requirements across all levels of government - local, state, and federal. Cities should maximize local ordinances towards the following principles of public need:

- a. **Support Transportation Mode Shift** - Alleviate automobile/car traffic and congestion in cities and regions across the globe by replacing short car trips with micro-mobility options
- b. **Reduce city traffic casualties** - Attain Vision Zero goals and reduce pedestrian fatalities by replacing urban car trips and realizing the safety in numbers effect whereby increasing non-car travel sensitizes motorists and reduces crash risk for all vulnerable road users. As the International Transport Forum and other leading researchers have reported, the crash risk associated with shared e-scooter use is similar to bicycling.
- c. **Support Climate Action Goals** - Align transportation investments, carbon reduction investments, and other existing public incentives towards cities and providers that implement flexible programs that demonstrate reduced carbon emissions, replace gas-powered car trips, and promote micro-mobility utilization for short distances.
- d. **Maximize Incentives** - Provide incentives for *cities and private providers* to test various models addressing unique local conditions, such as: pricing, parking requirements, geographic deployment requirements, sidewalk regulations, and others areas concerning the public right of way.

- e. **Enhance Transit and First Last Mile Connectivity** - Support operator's demonstrated ability to service existing local public transportation services/providers (buses, trains, light rail and other modes) by helping residents use public transit while integrating shared EVs (ie, scooters) for last mile connectivity. Public entities should incentivize cities and providers to target micro-mobility programs in densely populated areas with existing infrastructure to support multi-modal travel options. Long term investments in public infrastructure should guide when and how first/last mile micro-mobility options are useful for short trips to/from transit, low speed corridors with commercial density, existing bike lanes, and other factors.
- f. **Support Equitable Access & Inclusion** - Tailor approaches within existing public efforts to service underserved areas by following the results of local needs assessment in historically disinvested zones that lack multi-modal transportation options. Cities should be incentivized to gather input from community stakeholders and residents to guide local policy and program implementation
- g. **Rider Engagement and Education** - Educating riders on safety is core to our service, and key to successful local implementation.
- h. **Encourage Regional Approaches** - For state and federal governments, offer incentives (via public funding streams in 1 and 2) to localities to plan collaboratively and regionally to ensure consistent and fluid experience for riders, local governance, and the general public to achieve seamless integration of shared regional transportation and development goals.

II.

Model City Ordinance

CHAPTER ____

ARTICLE _____. – SHARED ELECTRIC SCOOTER PROGRAM

I. Policy Statement and Purpose

The purpose of this ordinance is to establish rules and regulations governing the operation of shared electric scooters providers within the City of [REDACTED] (the "City") and to ensure that such mobility sharing systems are consistent with the safety and well-being of bicyclists, pedestrians, and other riders of the public rights-of-way.

II. Scope

This ordinance applies to any proposed deployment of electric scooter sharing systems within the City's jurisdictional boundaries.

III. Procedures

Any entity seeking to operate a shared electric scooter program within the City shall first obtain an Electric Scooter Share License ("License") from the City conditioned on compliance with the provisions of this ordinance and any other conditions (including insurance, indemnity, and performance bond) established by the issuing official. No entity shall operate a shared electric scooter sharing program within the City except pursuant to such License and provisions (each such operator, a "Licensee"). The business License shall last two years, have an initial annual cost of \$500, have a renewal cost of \$200 per year thereafter, and require payment of \$0.05 per ride completed, provided that the total fees collected shall not exceed the reasonable and necessary cost to the City of administering the Licenses and Licensees. City shall limit the number of Licenses issued to three or fewer.

Before seeking fees from shared scooter providers, City shall make concerted efforts to identify existing public funds across in federal, state, county and city budgets that align with the goals of micro-mobility to effectively administer a shared scooter program. These funds shall be administered towards proper management and reasonable costs of administering a shared scooter program, while furthering current goals pertaining to transportation planning and other regulatory goals such as: [carbon emission reduction](#), [resilience planning](#), [transit connectivity](#), [alleviating transportation deserts](#), [community and economic development](#), and [affordable housing/transit planning efforts](#), amongst others.

IV. Operating Regulations

1. Shared electric scooters shall mean a device weighing less than 150 pounds, that has (i) has handlebars and an electric motor, (ii) is solely powered by the electric motor and/or human power, and (iii) has a maximum speed of no more than 20 mph on a paved level surface when powered solely by the electric motor. Vehicles shall be limited at no less than 15 mph.
2. Except as otherwise provided herein, City shall regulate the operation of shared electric scooters in a manner no more restrictive than its regulation of shared bicycles.
3. Shared electric scooters are to be ridden on streets, and where available, in bike lanes and bike paths. Shared electric scooters are to stay to the right of street lanes and to offer the right of way to bicycles in bike lanes and on bike paths. riders of shared electric scooters shall be 18 or older. Riders of shared electric scooters who violate these provisions may be fined by the City consistent with fines for cyclists.

4. Licensees shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each shared electric scooter for City employees and/or members of the public to make relocation requests or to report other issues with devices.
5. **Fleet Size/Caps** - Licensees shall target an initial fleet size of an amount similar to other cities with comparable population. The City shall allow Licensees to increase their fleet size on a weekly/monthly basis in the event that Licensees provide data that supports increases in certain areas to meet rider demand for service.
6. **Penalties** - The City reserves the right to revoke a license for cause or woefully negligent practices that cannot be remedied after providing such Licensee with a 30 day notice of alleged negligence, and after providing such Licensee a right for a public hearing or to otherwise cure such deficiency. Upon completion of the aforementioned, the City can require that a Licensee's fleet of shared electric scooters be removed from the City's right-of-way within 30 days.
7. **Force Majeure** - Bird recommends including a force majeure clause in light of COVID-19. Below are several examples from other types of agreements.
 - a. "Vendor will not be liable for any failure to perform under this Agreement caused by severe weather, civil or military emergencies, or acts of legislative or judicial bodies." or
 - b. "Neither Party shall be liable to the other Party for failure or delay in the performance of a required obligation if such failure or delay is caused by strike, riot, fire, natural disaster, health pandemic, utilities and communications failures, governmental acts or orders or restrictions, failure of suppliers, or any other reason where failure to perform is beyond the reasonable control of and is not caused by the negligence of the non-performing Party, provided that such Party gives prompt written notice of such condition and promptly recommences performance whenever and to whatever extent possible without delay. Either Party may terminate this Agreement if the force majeure event prevents the non-performing Party's ability to perform in accordance with the terms and conditions of this Agreement for greater than three (3) months."

V. Parking

1. Riders of shared electric scooters shall park devices upright on hard surfaces in the furniture zone of the sidewalk, beside a bicycle rack or in another area specifically designated for bicycle parking, or on the street next to an unmarked curb.
2. Licensee will take reasonable steps to ensure that all riders understand the requirements of ADA accessibility and the importance of leaving ADA paths of travel clear and accessible
3. Riders shall not park shared electric scooters in such a manner as to block the pedestrian clear zone area of the sidewalk; ADA paths of travel including accessible ramps, any fire hydrant, call box, or other emergency facility; bus bench; or utility pole or box.

4. Riders shall not park shared electric scooters in such a manner as to impede or interfere with the reasonable use of any commercial window display or access to or from any building entrance/exit doorway.
5. Riders shall not park shared electric scooters in such a manner as to impede or interfere with the reasonable use of any bicycle rack or news rack.
6. Riders may park shared electric scooters in on-street parking spaces in the following circumstances:
 - a. When marked parking spaces are officially designated stations for such devices ;
 - b. Where the furniture zone is less than three feet wide;
 - c. Where there is no furniture zone;
 - d. In neighborhoods with rolled curbs, or with inadequate sidewalk space;
 - e. In marked parking spaces designated for motorcycles.
7. Riders may park shared electric scooters on blocks without sidewalks only if the travel lane(s) and 6-foot pedestrian clear zone are not impeded.
8. Riders shall not park shared electric scooters in the landscape/furniture zone directly adjacent to or within the following areas, such that access is impeded:
 - a. Transit zones, including bus stops, shelters, passenger waiting areas and bus layover and staging zones, except at existing bicycle racks;
 - b. Loading zones;
 - c. Disabled parking zone;
 - d. Street furniture that requires pedestrian access (e.g., benches, parking pay stations, bus shelters, transit information signs, etc.);
 - e. Curb ramps;
 - f. Entryways; and
 - g. Driveways.
9. Riders of shared electric scooters who violate these provisions may be fined by City consistent with fines for cyclists.
10. A Licensee may stage its shared electric scooters in permitted parking areas described in this section. To the extent a Licensee desires to stage shared electric scooters in areas other than the public right-of-way, the Licensee must first obtain the right to do so from the appropriate City department, property owner, or public agency.

VI. Operations

1. Licensees shall maintain 24-hour customer service for customers to report safety concerns, complaints, or to ask questions. Licensees shall maintain a multilingual website, call center, and/or mobile app customer interface that is available twenty-four hours a day, seven days a week. The aforementioned shall be compliant with the Americans with Disabilities Act.
2. In the event a safety or maintenance issue is reported for a specific device, that shared electric scooter shall be made unavailable to riders and shall be removed within the

timeframes provided herein. Any inoperable or unsafe device shall be repaired before it is put back into service.

3. Within Licensees' zone of operation, Licensees shall respond to reports of incorrectly parked shared electric scooters, shared electric scooters continuously parked in one location for more than 72 hours, or unsafe/inoperable shared electric scooters by relocating, re-parking, or removing the shared electric scooters, as appropriate, within 24 hours of receiving notice, except that Licensees shall respond within 4 hours of receiving notice in emergency situations.
4. In the event a Licensee does not timely respond, and the condition of the shared electric scooter cannot be easily remedied, such shared electric scooters may be removed by City crews with notice to Licensee and taken to a City facility for storage at the expense of the licensee, not to exceed \$20 per shared electric scooter.
5. Licensees shall provide notice to all riders that:
 - i. shared electric scooters are to be ridden on streets, and where available, in bike lanes and bike paths;
 - ii. shared electric scooters are to stay to the right of street lanes and to offer the right of way to bicycles on bike lanes and bike paths;
 - iii. Helmets are encouraged for all riders; and
 - iv. Riding responsibly is encouraged, and Licensee will notify riders if repeated irresponsible riding is reported and recorded with identifying rider information.
6. Shared electric scooter riders are required to take a photo whenever they park their scooter at the end of a ride.
7. Licensees shall provide education to shared electric scooter riders on the City's existing rules and regulations, safe and courteous riding, and proper parking.
8. Any minimum geographic deployment requirements shall reflect measurable and documented input from local community members, businesses, and community-based stakeholders and organizations. Licensees will ensure service meets rider demand, and shall not be required to deploy in areas or zones where average ridership is below 1.5 rides/day.

VII. Data Sharing

City may require Licensees to provide anonymized fleet and ride activity data for all trips starting or ending within the jurisdiction of City on any vehicle of Licensee or of any person or company controlled by, controlling, or under common control with Licensee, provided that, to ensure individual privacy:

1. such data is provided via an application programming interface, subject to Licensee's license agreement for such interface, in compliance with a national data format specification such as the Mobility Data Specification;

2. such data shall be safely and securely stored by City which shall implement administrative, physical, and technical safeguards to protect, secure, and, where appropriate, encrypt or limit access to the data;
3. such data shall be subject to publicly-available aggregation, retention, and privacy policies of Licensee and City;
4. any such data provided shall be treated as trade secret and proprietary business information, and shall be exempt from public records requests and requests by third parties except with the consent of Licensee; and
5. such data shall not be shared with law enforcement except pursuant to valid legal process.

VIII. Indemnification

Company agrees to indemnify, defend and hold harmless City (and its officials, employees, and agents) from and against all actions, damages or claims, including reasonable attorneys' fees, (collectively, "Claims") brought against City for personal or bodily injury or death to any person, or damage or destruction of any property, arising out of or resulting from performance or breach of the [permit/license] provided that such claim, damage, loss, or expense is: (1) attributable to personal injury, bodily injury, sickness, death, or destruction of property, including the loss of use resulting therefrom, or breach of contract, and (2) not caused by the negligent act or omission or willful misconduct of the City or its elected and appointed officials and employees acting within the scope of their employment. City expressly acknowledges that in no event shall Company be liable for any special, indirect, consequential or punitive damages. City's right to indemnification shall be contingent on City notifying Company promptly following receipt or notice of any Claims; Company shall have sole control of any defense, including the ability to choose counsel; and City shall not consent to the entry of a judgment or enter into any settlement without the prior written consent of Company.

IX. Insurance

Licensees shall provide City with proof of insurance coverage exclusively for the operation of shared electric scooters including: (a) Commercial General Liability insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$2,000,000.00 aggregate; (b) Automobile Insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$1,000,000.00 aggregate; and (c) where Licensee employs persons within the City, Workers' Compensation coverage of no less than the statutory requirement.

COVID-19 Victims and Survivors Memorial Day Resolution

WHEREAS, the first Monday in March, has been designated as COVID-19 Victims and Survivors Memorial Day; and

WHEREAS, COVID-19 (SARS-CoV-2) is an illness caused by a virus that can transmit from person to person and has spread across the world, creating a global pandemic that is having catastrophic effects on human life, our community, and our economy; and

WHEREAS, Local and state governments, health departments, and public servants have taken bold actions to protect residents, support struggling local economies, and find innovative ways to provide services; and

WHEREAS, In response to rapid spread of COVID-19 and stay-at-home orders, essential workers have stepped up to provide critical services to help protect our communities and save lives, sacrificing their own health and safety; and

WHEREAS, COVID-19 has had a disproportionate impact on low-income communities and communities of color, exacerbating inequities already prevalent in our systems that we must address as a nation; and

WHEREAS, Public health guidance and policies targeted at prevention, such as social distancing, wearing masks in public, and staying home help mitigate the spread of COVID-19, prevent illness, and lessen the burden on individuals and society,

WHEREAS, The symptoms and severity of COVID-19 can vary dramatically by individual and the long-term health implications for survivors is largely unknown, as many survivors suffer with lingering side-effects of the disease long after they no longer test positive; and

WHEREAS, More than 2,456,217 people worldwide and 505,474 in the United States have lost their lives due to COVID-19, and, in Eagle County alone, more than 20 lives have been lost to this deadly virus; and

WHEREAS, Each life lost to COVID-19 mattered and leaves a hole in the hearts of loved ones, family members, and surrounding community; and

NOW, THEREFORE, BE IT RESOLVED The Town of Eagle supports the designation of the first Monday in March as “COVID-19 Memorial Day”, in remembrance of those who have lost their lives and in honor of those who are forever Marked By COVID and continue to suffer from the impact of this virus,

ATTEST:

TOWN OF EAGLE, COLORADO

Jenny Rakow, Town Clerk

Scott Turnipseed, Mayor

From: [Brandy Reitter](#)
To: [ALL COUNCIL](#)
Cc: [Bill Shrum](#)
Subject: FW: COVID Memorial Day - Local Proclamation and support?
Date: Monday, February 8, 2021 1:17:00 PM
Attachments: [COVID Memorial Day Proc Template \(2\).docx](#)
[Marked by Covid USCM Resolution Updated Jan 25 2021 \(2\).docx](#)
[COVID-19 Victims and Survivors Memorial Day 2021.pdf](#)
[COVID Memorial Day North Chicago.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good Afternoon,

The Mayor asked me to share this with you to see if there is any interest by the Town Council to consider a COVID Memorial Day Proclamation. Please review the attachments and email and let us know what you think tomorrow night.

Thanks,

Brandy Reitter

Town Manager

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-9628, Fax: 970-328-5203

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Matt Curtis <matt@smartcitypolicygroup.com>

Sent: Sunday, February 7, 2021 6:28 AM

To: Scott Turnipseed <scott.turnipseed@townofeagle.org>

Subject: COVID Memorial Day - Local Proclamation and support?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mayor Turnipseed!

I hope you're having a wonderful Sunday morning!

We are working with local governments across the Country to declare the **first Monday in March at**

COVID Memorial Day.

My team has worked with MarkedByCovid.com to secure 60 mayors to sponsor a United States Conference of Mayors Resolutions naming **the first Monday in March as COVID Memorial Day.**

Many of these local leaders are already passing local proclamations **declaring this March 1st** as COVID Memorial Day in their community.

Would the Town of Eagle create a local proclamation or add your names to support this effort?

Please let us know if we can answer any questions or help in any way!

Thank you!

Matt

Social Media suggestion:

Our community supports the creation of COVID Memorial Day. The victims, survivors, volunteers, first responders and front-line workers should be remembered and honored.

#CovidMemorialMonday #MarkedByCovid #SmartCityPolicy @SmartCityPolicyGroup

***Attached and pasted information**

- 1: A list of Mayors sponsoring the US Conference of Mayors Resolution (pasted)
- 2: The US Conference of Mayors Resolution (pasted and attached)
- 3: A proclamation template to be used as a helpful guide (attached)
- 4: Copies of the North Chicago, IL, and Carmel, IN local proclamations for example (attached)

Mayors supporting the USCM Resolution and local proclamations, include;

City of Mesa, AZ
City of Little Rock, AR
City of Alhambra, CA
City of Calabasas, CA
City of Fremont, CA
City of Oakland, CA
City of Richmond, CA
City of San Bernadino, CA
City of Santa Monica, CA
City of Torrance, CA
City of Lauder Hill, FL
City of Miami, FL
City of Miramar, FL
City of North Miami, FL
City of Pembroke Pines, FL
City of Port St.Lucie, FL

City of St. Petersburg, FL
City of West Palm Beach, FL
City of Augusta, GA
Kauai County, HI
City of Hanover Park, IL
City of North Chicago, IL
Village of Hoffman Estates, IL
City of Carmel, IN
City of Dubuque, IA
City of College Park, MD
City of Cambridge, MA
City of Detroit, MI
City of Flint, MI
City of Grand Rapids, MI
City of Lansing, MI
City of Burnsville, MN
City of Eden Prairie, MN
City of Minneapolis, MN
City of Saint Paul, MN
City of Jackson, MS
City of Henderson, NV
City of Reno, NV
City of Hamilton, NJ
City of Santa Fe, NM
City of Rochester, NY
City of Schenectady, NY
City of Winston-Salem, NC
City of Fargo, ND
City of Akron, OH
City of Dayton, OH
City of Portland, OR
City of Pittsburgh, PA
City of Myrtle Beach, SC
City of Chattanooga, TN
City of Arlington, TX
City of Austin, TX
City of Brownsville, TX
City of Dallas, TX
City of McKinney, TX
City of Port Arthur, TX
City of Burlington, VT
City of Alexandria, VA
City of Tacoma, WA
City of Milwaukee, WI

□

Updated: January 25, 2021

Resolution No:

Submitted By:

COVID-19 Victims and Survivors Memorial Day Resolution

WHEREAS, the first Monday in March, has been designated as COVID-19 Victims and Survivors Memorial Day; and

WHEREAS, COVID-19 (SARS-CoV-2) is an illness caused by a virus that can transmit from person to person and has spread across the world, creating a global pandemic that is having catastrophic effects on human life, our community, and our economy; and

WHEREAS, To mitigate the spread of COVID-19, observance of public health orders to social distance and stay at home have created challenges for small businesses, workers, and schools which are working to comply with limited resources; and

WHEREAS, School districts, teachers, students, and parents are grappling with the challenges of distance learning and working to prevent any potential learning loss due to not being in-person; and

WHEREAS, Local and state governments, health departments, and public servants have taken bold actions to protect residents, support struggling local economies, and find innovative ways to provide services; and

WHEREAS, In response to rapid spread of COVID-19 and stay-at-home orders, essential workers have stepped up to provide critical services to help protect our communities and save lives, sacrificing their own health and safety; and

WHEREAS, COVID-19 has had a disproportionate impact on low-income communities and communities of color, exacerbating inequities already prevalent in our systems that we must address as a nation; and

WHEREAS, The symptoms and severity of COVID-19 can vary dramatically by individual and the long-term health implications for survivors is largely unknown, as many survivors suffer with lingering side-effects of the disease long after they no longer test positive; and

WHEREAS, More than number at time of adoption people worldwide and number at time of adoption in the United States have lost their lives due to COVID-19, and, in jurisdiction/city/state alone, more than number at time of adoption lives have been lost to this deadly virus; and

WHEREAS, Each life lost to COVID-19 mattered and leaves a hole in the hearts of loved ones, family members, and surrounding community; and

WHEREAS, Public health guidance and policies targeted at prevention, such as social distancing, wearing masks in public, and staying home help mitigate the spread of COVID-19, prevent illness, and lessen the burden on individuals and society,

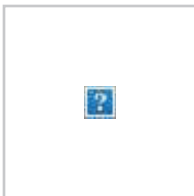
NOW, THEREFORE, BE IT RESOLVED the United States Conference of Mayors supports the designation of the first Monday in March as “COVID-19 Memorial Day”, in remembrance of those who have lost their lives and in honor of those who continue to suffer from the impact of this virus,

BE IT FURTHER RESOLVED the United States Conference of Mayors urges cities to individually designate the first Monday in March as “COVID-19 Memorial Day”, in remembrance of those who have lost their lives and in honor of those who continue to suffer from the impact of this virus and to commemorate them in an appropriate manner each year on that day.

BE IT FURTHER RESOLVED the United States Conference of Mayors urges cities to continue taking preventative measures such as social distancing and following public health orders to mitigate spread of this virus, in tribute to essential workers and those who rose in service to protect the public.

Projected Cost: None

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Matt Curtis
Founder
Smart City Policy Group
Cell: 512-983-5347

P.O. Box 650108
Austin, Texas 78765
www.SmartCityPolicyGroup.com
Work: 512-982-1990

About Matt Curtis:

A former right hand to the immediate past two Austin mayors, Matt has decades of experience working on municipal initiatives and best practices in a rapidly-changing city.

Most recently, Matt served as Head of Global Affairs and Public Policy for HomeAway and Expedia where he collaborated with government officials and community leaders around the world to create best practices and broadly beneficial regulatory and compliance policies for short-term rentals.

In 2017 he formed Smart City Policy Group with other former policy makers to bridge the divide between the innovation economy and local government. From short-term rentals to ride-hailing apps, people are working and traveling in fundamentally new ways, and local and state governments are struggling to adapt regulations. Smart City Policy Group works closely with both corporate and community leaders to collaborate on systems that deliver the broadest benefit to all stakeholders.

Matt has served on the United States Conference of Mayors Business Council, the National League of Cities Corporate Council, the Sharing Economy Advisory Network, the Travel Technology Association board and the Vacation Rental Management Association board.

Matt also is a trained facilitator with 15 years of experience helping to connect and resolve potentially conflicting interests.

Smart City Policy Group is the culmination of Matt's experience, skills and passion.



MEETING MINUTES

ONLINE MEETING

Town Council

Tuesday, February 9, 2021

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

The times listed are approximate and are subject to change.

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This was an online meeting.

CALL TO ORDER - 6:00 PM

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

MOMENT OF SILENCE

ROLL CALL

COUNCIL MEMBERS PRESENT

Matt Solomon, Mikel Kerst, Scott Turnipseed, Ellen Bodenhemier, David Gaboury

COUNCIL MEMBERS ABSENT

STAFF PRESENT

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

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Council Member Matt Solomon motioned to adopt the agenda. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

PUBLIC COMMENT

Bruce Norring expressed his condolences.

CONSENT AGENDA

Council Comments: inquiry on language for Eagle Bucks and request for clarification on alcohol purchases with Eagle Bucks in the program notes. Additional request to have Finance inform the Council if the proposed audit will go over budget.

MOTION: Council Member Matt Solomon motioned to approve the Consent Agenda with amendments to be made to the Eagle Bucks program description as it relates to purchasing alcohol. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

1. Minutes - January 26, 2021
2. Bill Pay - January 2021

3. 2020 Audit Engagement Letter with Maggard & Hood PC
4. Resolution No. 15, Series, 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Approving the Revision to the Eagle Bucks Program"
5. Resolution No. 16, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado, Adopting a Fee Schedule Pursuant to 2.34 of the Eagle Municipal Code"
6. Resolution No. 18, Series 2021, "A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Brian Lieberman to Serve as the Town Representative on the Eagle Ranch Wildlife Committee for the Town of Eagle"

STAFF REPORTS

1. Town Manager Update
Brandy Reitter requested direction from the Council on the Front Country Ranger Program. Council reached a consensus to keep the donation to the 2021 budgeted amount. The Salvation Army request will be discussed at later date to ensure adequate town funds are available.
2. Department Update
 - a. 2020 Sales Tax Summary

BUSINESS ITEMS.

1. PUBLIC HEARING/SECOND READING: Ordinance 01, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 5.03 of the Eagle Municipal Code to Grant to Black Hills Colorado Gas, Inc. D/B/a Black Hills Energy, Its Lessees, Successors and Assigns, a Natural Gas Franchise and the Authority to Construct, Operate, Maintain, and Extend a Natural Gas Distribution Plant and System, and Granting the Right to Use the Streets, Alleys, and Other Public Places Within the Present or Future Corporate Limits of the Town of Eagle, Colorado"
Mayor Turnipseed opened the Public Hearing for this item. Carly West from Black Hills Energy was present for this item. Bill Shrum stated there have been no public comments submitted.

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

MOTION: Council Member Ellen Bodenhemier motioned to approve on second reading Ordinance 01, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Amending Chapter 5.03 of the Eagle Municipal Code to Grant to Black Hills Colorado Gas, Inc. D/B/a Black Hills Energy, Its Lessees, Successors, and Assigns, a Natural Gas Franchise and the Authority to Construct, Operate, Maintain, and Extend a Natural Gas Distribution Plant and System, and Granting the Right to Use the Streets, Alleys, and Other Public Places Within the Present or Future Corporate Limits of the Town of Eagle, Colorado". The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.
2. Community Requests Grant Review
Council Discussion: Council discussed the Castle Lodge request, proportionally splitting the remaining amounts among the requestors and keeping \$5,000 in reserve. Council also discussed donating \$2000 directly to the San Juan Search and Rescue group.

MOTION: Council Member Matt Solomon motioned to approve allocating \$2000 directly to the San Juan Search and Rescue group. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

MOTION: Council Member Matt Solomon motioned to approve the Community Requests Grants as presented and to proportionally split the remaining funds while keeping \$5000 in reserve. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

3. Town Council Vacancy Process Review

Matt Mire presented this item. Council discussed the options and reached a consensus on declaring the vacancies now and to begin the appointment process.

MOTION: Council Member Matt Solomon motioned to declare two vacancies on the Town Council. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

MOTION: Council Member David Gaboury motioned to use the established appointment process to fulfill the vacancies. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

MOTION: Council Member Matt Solomon motioned to appoint Mikel “Pappy” Kerst as Mayor Pro Tem until the November 2, 2021 election. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

COUNCIL DISCUSSION AND FUTURE AGENDA ITEMS 6:45 PM

Mayor Turnipseed thanked the community and staff for support during this time.

1. Council Committee Update

Council Member Bodenhemier stated the County is seeking input on the management plan for the Ridgeway parcel.

2. Future Agenda Items

Council Member Bodenhemier inquired on the status of the Council Policy Manual and Code of Ethics. Brandy stated she will set up a meeting with Council Members Bodenhenhemier, Solomon, and Gaboury to review the current draft.

ADJOURN - 7:15 PM

MOTION: Council Member Matt Solomon motioned to adjourn. The motion was seconded and passed with a vote of 5 in favor (Solomon, Kerst, Turnipseed, Bodenhemier, and Gaboury) and 0 opposed.

Approved:

Date:

Scott Turnipseed, Mayor

Jenny Rakow, CMC Town Clerk



To: Mayor and Town Council
From: Brandy Reitter, Town Manager
Date: February 23, 2021
Re: Town Manager Report

Administration & Organization

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

- Broadband Update
- Public Art Mural Agreement
- Wastewater Tap and Fee Study
- Town Council Appointments
- Town Council Handbook

COVID-19 Regional Updates – The pandemic continues to require a lot of resources of the Town. Below are a few updates on the impacts to the organization:

- As of February 19, Eagle County is classified as yellow on the COVID-19 meter.
- On March 1, Town Hall will open to the public again and staff will operate at 50% capacity.
- All events must follow current public health orders and have approval by Eagle County.
- The County is still vaccinating group 1A and has started on group 1B.
- The Town has not announced a vaccination policy yet.

As part of the municipal broadband proposal, staff recommended refinancing existing debt in the Wastewater Fund last year. After more analysis, this step is no longer required and doesn't produce the savings that staff anticipated. This proposal is no longer something that the Town Council needs to consider.

The Town published the Land Use Code rewrite on February 19. We must restart the project because staff wanted to go in a different direction. The Town still has some grant funds available to assist with the completion of the project.

The organization has initiated two new communication strategies for the public to receive information. The Mayor and Town Manager will record videos on various subjects and projects related to the Town.

In addition to videos, Town will record podcasts featuring staff, guests, and people who are related to the subject of the podcast.

Economic Development & Planning

Economic Development

- More than 65 businesses have signed up for Eagle Bucks. Brian Hall is spearheading a campaign to feature local businesses participating in the program on social media and through our communication partners.
- The Town is meeting with CU and Office of Economic Development and International Trade the week of February 22 to finalize a scope of work for the CU Technology and Outdoor Recreation Economic Assessment. The document will be shared with the Town Council via email when it is available.
- The Eagle Chamber of Commerce is hosting a business development series of workshops by Skillful, a Markle Initiative. The first workshop is 4-8pm on February 28. Registration is required.

West Eagle Housing Project

- The process for this project has begun. Eagle County will issue the RFQ on February 22 and is due April 2. The development partner will be selected on April 30 and a contract will be awarded on May 21.
- Eagle County has assured staff that they will include us in all the steps outlined for this project. Town will share the revised subarea plan with Eagle County and partner as soon as it is completed.

Project THOR and Broadband

- The Town met with Comcast on February 17 and had a productive meeting regarding joint trenching and potential shared aerial usage. Dennis Wike, the Town Engineer, is heading up a process that should speed up the deployment for all interested subsurface utility work and save money for the Town and our partners.
- The City of Glenwood Springs and the Town of Eagle have a four-page outline for a draft intergovernmental agreement for shared broadband services. An internal review of the proposal is underway.
- Project THOR held a stakeholder meeting February 17. The City of Aspen is leading a project to utilize potential DOLA funds to expand broadband access in the Roaring Fork Valley while helping Project Thor stakeholders save money on our monthly costs.
- Mammoth completed a system-wide reassessment and the wholesale cost of bandwidth to the Town will come down nearly 25%.
- Grand County has created a local loop for service to communities without high-speed broadband access.
- A larger statewide network connection is planned to help connect DOLA region 10 to the front range via Project THOR. THOR may become a bandwidth provider for the region, and the additional revenues will further lower THOR stakeholder monthly recurring costs.
- The Town has received a draft IRU from Eagle County for the sale of broadband service. Service is expected to be installed and made available by the end of March.
- The Town received credit approval from Alpine Bank to finance municipal broadband services. Staff will present ordinances and loan documents to Town Council in March for review.

Community Survey

- The Eagle Chamber has been a tremendous help advertising for the Community Survey. Unsolicited, Beveridge Real Estate and Hood Insurance Agency have both contributed \$100 to provide two awards to random survey participants, and a third will be awarded a \$100 gift certificate to the Boneyard restaurant. The Town will help coordinate these awards.
- More than 550 responses have been gathered as of Friday, February 19.
- The Vail Valley Community Foundation is translating the survey into Spanish. Print copies of English and Spanish versions will be distributed through a variety of channels when available. An online version of the Spanish language survey will be linked on the Town's website when available.
- Additional outreach and marketing of the survey will begin after we have print and online versions in both English and Spanish.
- Currently, the survey is over-representative of high-income earners and homeowners. Eagle Ranch has the highest engagement among community neighborhoods.

Grand Avenue Corridor Study

- 12 different property owners have inquired about potential redevelopment and their engagement with the Grand Avenue Corridor Study.
- The next Stakeholder meeting is scheduled for February 25.
- Community outreach events initially planned for late February will be pushed to late March.
- The public-facing project site with self-directed engagement opportunities will launch in March.

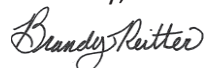
Downtown Broadway

- Several properties along Broadway are newly under contract or have transferred ownership.
- ArtWalk is planning an Eagle Bucks themed event in March.
- Downtown Colorado, Inc. will begin their workshops to create the Downtown Plan once the DDA Board is selected. The first meeting will take place in March.

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

- February 8 – Regional Transportation Optimization Plan meeting
- February 10 – COVID-19 Managers Taskforce meeting
- February 12 – Mayors Roundtable at 9 AM
- February 15 – President's Day

Sincerely,



Brandy Reitter
Town Manager
Town of Eagle, CO

Town Council Requests – Once items are completed; they are deleted from the list		
Request Date	Request	Status
N/A	Strategy for STR memo	Not Scheduled
N/A	Plan for Mobile vending communication	Not Scheduled
N/A	Set up a LERP sub-committee	Not Scheduled
N/A	Agenda Item: Plastic Bag and TREX discussion	Scheduled TBD
N/A	Agenda Item: PRV/Hydro	Scheduled TBD
N/A	Agenda Item: Fairgrounds annexation	Scheduled TBD
N/A	Agenda Item: E-bike policies	Not Scheduled
10/13/2020	10% of tobacco funding for mitigation - policy	Not Scheduled
10/27/2020	Schedule Jacob Smith to come to a Town Council Meeting	Not scheduled
10/27/2020	Invite GEFPD to a meeting	Not scheduled
11/10/2020	Be Our Guest: Make it look less like a construction site	In progress
11/10/2020	Be our Guest: Talk to Kari about one-way traffic on 2 nd St.	In progress
1/12/2021	Work session on sustainability and the CAC	Not Scheduled
1/12/2021	Tally of grants of 3 years	Completed
2/9/2021	COVID Proclamations scheduled for 2/23	Completed
2/9/2021	Community Request amount revisions	Completed
2/9/2021	Donate \$2k to San Juan Search and Rescue	Completed
2/9/2021	Town Council Handbook meeting	Completed
2/9/2021	Keep Front Country Ranger amount same communication	Completed



To: Mayor and Town Council

From: Jill Kane, Finance Director

Date: February 23, 2021

Re: December 31, 2020 Budget to Actual Report and Revenue Analysis

This report is a revenue analysis for fiscal year ending December 31, 2020. Attached to this revenue analysis is the corresponding *Budget to Actual Report*. This analysis provides a narrative for all revenues that had significant changes from 2019 to 2020.

During the end of the first quarter and into the second quarter of 2020, Council and Staff were concerned about what the effects a global pandemic would have on our local economy and Town revenues. The Town took immediate measures by halting unnecessary spending and projecting a revenue decrease for the remainder of the year. As the Town moved forward in 2020, we soon realized that the Town's revenues would not only be okay, but we would surpass our original budgeted revenue projections. Six of the Town's eight funds finished 2020 with net revenues exceeding net expenditures. The only two funds that did not have net revenues exceeding expenditures were the Water and Refuse Funds, which was anticipated. Water Fund expenses which were greater than the revenues by \$8,193,827 was completely due to capital projects and specifically the lower basin water treatment plant. The Refuse fund expenses which were \$3,026 higher than revenues was due to the decision to waive the yard waste fee for the remainder of 2020 for COVID-19 relief purposes, beginning in April.

Please review the attached *Budget to Actual Report* in conjunction with the analysis below. For the year end (YE) 2020 *Budget To Actual Report*, staff included 2019 actuals for comparison purposes. The report also includes only the final 2020 budgeted amounts; Staff has removed the original 2020 budget projections. The column that calculates the *unearned* or *unexpended* amount and percentage compared to budget are for collections/spending for the entire year compared to the final budget amounts.

Please note this is a preliminary report as staff will continue to receive 2020 revenues and expenses through the end of February. Staff will also be working on audit preparation adjustments that may increase or decrease expenses as shown.

A significant change is considered to be a variance that is greater than \$15,000 AND 10% over the prior year.

General Fund Revenues – Budget to Actual - In 2020 the General Fund finished the year with net revenues exceeding expenditures by \$595,896.

- **Tax Revenue**

- **Sales Tax:** Regular, marijuana, and tobacco sales tax collections are \$1,403,526 (28%) over prior year (PY). The Town ended 2020 with \$347,304 (6%) over budget for the year. The YE projection was conservative and staff expected to easily reach the target budget.

Regular sales tax finished \$959,052 (19%) over PY due to increased spending in Eagle. Since residents stayed home more during 2020 compared to normal years, it has significantly increased our retail and liquor sales. Building construction is also significantly up for the year. Both retail and building sales have a component of online sales tax collection. Online sales tax collection began in July of 2019 and we have been receiving online sales tax in 2020 for the entire year, which has had a very positive effect on the Town sales tax.

Tobacco Tax collection began in July of 2020 and we ended the year with \$404,830 in tobacco tax revenue. The Town did not exceed the ballot tabor notice estimate collection of \$600,000 through the end of the 2020. *(Regular/Marijuana/tobacco sales taxes will be shown together until there are a few years of history and marijuana sales tax (sweet leaf sales tax) is not presented alone)*

- **Marketing Lodging Tax:** There is a year over year decrease in lodging tax revenues of \$41,368 (29%), due to the economic impacts of COVID-19. There has been a good increase since July's financial report which showed lodging tax down 51% from PY. The 2020 YE lodging taxes finished \$29,298 over budget.

- **Intergovernmental Revenues**

- **Highway User Tax:** There is a year over year decrease of \$71,973 (25%). The decreased highway user taxes collected in 2020 is partially due to the pandemic and decreased driving. However, the other reason for the decrease is due to Senate Bill 18-001 enacted in 2018 for the 2019 and 2020 fiscal years. The State contributed \$74.25M in 2019 and \$22.5M in 2020 to counties and municipalities through the highway user tax fund. The Town's portion of the distribution was approximately \$60,000 in 2019 and 29,000 in 2020.
- **Grants:** Currently the Town has collected \$147,726 in grants for 2020, Staff is expecting \$354,001 in general fund grants for 2020. Most grant collections are received closer to year-end or just after year end. If the grant proceeds are not received until after February 2021, then they will be accrued in 2021 grant proceeds. See awarded grants below for 2020:

	Organization	Grant Name	Grant Amount
1	DOLA	Best & Brightest (EIAF08837)	\$ 42,000
2	Colorado Tourism Office	OEDIT Tourism Grant	15,000
3	DOLA	Energy and Mineral Impact Assistance Program (EIAF08709): Land Use Code Update	120,138
4	DOLA	Coronavirus Relief Funding	99,188
5	CO Dept of Public Health & Environment	Brownsfield Grant	77,675
Total			\$ 354,001

- **Charges for Service**

- **Facility Usage Fees:** The Town ending the year with \$7,250 in facility usage fees, which is a year over year decrease of \$60,541 (90%). This is due to the facilities being closed for most of the year or open with significant restrictions on occupancy, which discouraged citizens from utilizing the Pavilion and Studio.
- **Sponsorship & Event Revenues:** This revenue is normally collected entirely in the first and second quarter of every year and is collected to fund Town produced events. The Town did not collect any sponsorship or event revenues, which was expected with the cancelation of all Town produced events. In 2019 the Town collected \$28,571.

- **Fines & Forfeitures**

- **Special Duty Reimbursable:** Special duty revenue is collected when officers work a special duty shift. A special duty shift could be for Click it or Ticket duty, DUI duty, Vail Pass Chain Law duty or special events contracted through other local organizations. When they work these shifts the Town is reimbursed for most of the wages paid to officers. The Town collected \$6,194 compared to \$23,335 in 2019, a \$17,141 (73%) decrease. Due to COVID there were far less special duty opportunities for officers in 2020. Staff reduced the original revenue projection from \$40,000 to \$35,000 which was still significantly higher than what will be received by \$28,806. However, this is a revenue that is offset by an expense, thus if we are not collecting the revenues, we will also not be paying out the expenses.

- **Miscellaneous Revenue**

- **Interest & Penalties:** Most of the Town's funds are held in COLOTRUST. In 2019 the interest rate on investments was approximately 2.5%. In 2020 the interest rate reduced significantly month over month, ending the year at 0.12%. There is a year over year decrease of \$106,708 (72%) in interest & penalties.
- **Information Center Revenues:** Since the Town discontinued the retail side of the information center, we are down approximately \$133,000 in information center revenues, which was expected. This amount was partially offset by the Town reducing our info center expenses by \$115,000 for the Year.
- **Sales of Fixed Assets:** The Town did not have any sales of fixed assets in 2019 and have sold several vehicles for a total of \$35,751 in 2020.
- **Insurance Proceeds:** The Town has collected \$68,326 in insurance proceed for a couple different accidents this year in which cross walks, light poles, roundabouts, and guard rails have been damaged. The Town repairs the damage and we are then reimbursed by CIRSA or another insurance company. The Town must budget for both the revenue and the expense.

- **Transfers from Other Funds:**

- **Capital Improvements Fund (Devolution):** There was a transfer of \$95,641 from devolution proceeds in the capital improvements fund to the general fund. The general fund paid for the repaving of 50% of a section of Grand Avenue, west of Town, in connection with a Black Hills project, in which they were replacing a pipe and then repaving the other half. For best practices the Town wanted the entire road repaved at one time. Since it was for a section of Highway 6 that was taken over from the State in 2017, the Town was able to use devolution proceeds for the project.

Enterprise Fund Revenues – Budget to Actual

- **Water Fund** - In 2020 the Water Fund finished the year with expenses exceeding net revenues by \$8,193,827, which is due to the LBWTP construction.
 - **Water Sales (In/out of Town):** The Town collected approximately \$559,593 (16%) over PY. Over the last couple years, although we have been increasing rates the Town has not seen significant increases in revenues due to conservation and summers that are not as dry as the summer of 2020.

This was extremely dry year and our revenues are up because of it. The Town finished 2020 with collections of \$32,638 over budget.

- **Water Materials & Other:** These fees are mainly meter fees collected for new or redeveloped construction. The Town ended the year \$41,446 (75%) over 2019 collections. This increase is due to the construction in general in 2020 compared to 2019.
- **Plant Investment Fees:** YTD water plant investment fees are up \$176,579 (30%) over 2019. This is mainly due to the collection of fees for Broadway Station, Talon Flats, and 700 chambers which were approximately \$319,000 for the three projects. The Town ended the year \$141,593 over budget.
- **Water Rights:** The Town received \$993,335 for fee in lieu of water rights in 2020 for Hocket Gulch (\$953,750) and Red Mountain Ranch (\$39,585). There were not any fees in lieu of water rights received in 2019.
- **Water Fund Interest (all acct):** In 2019 the interest rate on investments was approximately 2.5%. In 2020 the interest rate has reduced significantly month over month and ended the year at 0.12%. We have also significantly decreased our fund balance due to the spending on the LBWTP. The Town's water fund interest collection is down \$211,000 (74%) over PY.
- **Wastewater Fund** - In 2020 the Wastewater Fund finished the year with net revenues exceeding expenses by \$865,575.
 - **Wastewater Fund Interest:** In 2019 the interest rate on investments was approximately 2.5%. In 2020 the interest rate has reduced significantly month over month and ended the year at 0.12%. The Town's Wastewater fund interest collection is down \$21,784 (36%) over PY.
 - **Insurance Proceeds:** In 2019 the Town collected \$314,444 to assist paying for replacing the wastewater plant roof which cost approximately \$373,000. Staff is not expecting any insurance proceeds for 2020 in the Wastewater Fund.

Capital Improvement Fund Revenue– Budget to Actual - In 2020 the Capital Improvements Fund finished the year with revenues exceeding expenses by \$1,917,493, which is due to the \$2,230,000 General Fund transfer.

- **Capital Improvement Interest (all interest accounts):** In 2019 the interest rate on investments was approximately 2.5%. In 2020 the interest rate has reduced significantly month over month and ended the year at 0.12%. There is a year over year decrease of \$73,834 (66%) in interest.
- **Community Enhancement Fund:** The Town receives community enhancement proceeds from Holy Cross Energy annually after the end of the year. The Town is expecting to receive it by the end of the February and has it budgeted at \$47,000. Staff does not know what the actual amount until received.
- **Public Safety Impact Fees:** The Town has collected \$27,112 in public safety impact fees in 2020. This is a fee that was implemented in the Fall of 2019. Impact fees increased \$19,609 in 2020 from the 2019 collection of \$7,503.
- **Street Impact Fees:** The Town collected \$39,625 in street impact fees in 2020, which is a decrease of \$23,525 (37%) from 2019. These fees rely on what projects are going on each year and is not a consistent source of income. 2020 collections are from the Second & Broadway, Talon Flats, and 700 Chambers projects.

- **Use Tax:** The Town collected \$396,477 in use tax for 2020 which is \$79,224 (25%) over PY and exceeds the 2020 budget by \$96,477. Contractors continued to move forward on projects and homeowners took 2020 on as time to work on home projects, which has had positive impact on Town revenues. This is another revenue that is not consistent year over year and is dependent on projects completed each year.
- **Transfer from General Fund:** Annually the Town transfers an amount of funds from the general fund to the Capital Improvement fund. These annual transfers allow the Town to fund current and future capital improvement projects. The amount transferred is calculated by retaining 25% of general fund operating expenses in the general fund and transferring the remainder to the Capital Improvements fund. In 2019 the Town transferred \$350,000 and in 2020 the transfer was \$2,230,000. This transfer is significant as the Town prepares for the Grand Avenue Project.
- **Grants:** In 2019 the Town received \$29,000 in two separate grants for the Town's work with HR Green to conduct a Cash Flow Analysis and Broadband Feasibility Study. The Town was not expecting any capital improvement fund grants in 2020.

Sales Tax Capital Improvement Fund (STCIF) – Budget to Actual - In 2020 the STCIF finished the year with revenues exceeding expenses by \$387,582.

- **Sales Tax:** The STCIF 0.5% 2020 sales tax collections are \$119,882 (19%) over PY and \$43,105 over YE budget. Sales tax has increased since residents have stayed home during 2020 compared to normal years, which has significantly increased our retail and liquor sales. Also, building construction is significantly up for the year. Both retail and building sales have a component of online sales tax collection. Online sales tax collection began in July of 2019 and we have been receiving online sales tax in 2020 for the entire year, which has had a very positive effect on sales tax.
- **Grants:** The Town collected a one-time \$350,000 GOCO grant in 2019 for the River Park and we did not expect any STCIF grants in 2020.
- **Interest (all STCIF accounts):** In 2019 the interest rate on investments was approximately 2.5%. In 2020 the interest rate has reduced significantly month over month and ended the year at 0.12%. There is a year over year decrease of \$21,310 (77%) in interest. The Project fund interest account, which was for the river park project fund, was completely spent down in 2019, thus no interest was accrued after 2019.

Open Space Fund Revenues – Budget to Actual - In 2020 the Open Space Fund finished the year with revenues exceeding expenses by \$37,561.

- **Lodging Tax:** There is a year over year decrease in lodging tax revenues of \$41,368 (29%), due to the economic impacts of COVID-19. There has been a good increase since July's financial report which showed lodging tax down 51% from PY. The 2020 YE lodging taxes finished \$29,298 over budget which is great news for the Town's open space fund balance.

TOWN OF EAGLE - GENERAL FUND
REVENUES & EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE YEAR ENDING DECEMBER 31, 2020

	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEARNED	% TO BUDGET
TAX REVENUE						
General Property	\$ 311,639	\$ 335,665	108%	\$ 336,326	\$ 661	100%
Specific Ownership	16,811	16,701	99%	16,500	(201)	101%
Sales Tax /Special Marijuana & Tobacco Sales Tax	5,053,778	6,457,304	128%	6,110,000	(347,304)	106%
Severance Tax	344	516	150%	516	(0)	100%
Federal Mineral Tax	241	261	108%	200	(61)	131%
Franchise Tax	207,654	201,165	97%	210,000	8,835	96%
Marketing Lodging Tax	143,666	102,298	71%	73,000	(29,298)	140%
TOTAL TAX REVENUE	\$ 5,734,133	\$ 7,113,911	124%	\$ 6,746,542	(367,369)	105%
LICENSE & PERMIT REVENUE						
Business Licenses	\$ 38,885	\$ 31,810	82%	\$ 31,500	\$ (310)	101%
Liquor Licenses	7,226	5,500	76%	4,800	(700)	115%
Tobacco & Marijuana Licenses	4,150	9,750	235%	9,750	-	100%
Marketing Fee - License	10,290	3,480	34%	3,860	380	90%
Building Permits	314,893	305,252	97%	275,000	(30,252)	111%
Electrical Permits	29,319	33,541	114%	30,000	(3,541)	112%
Road Cut Permits	965	7,900	819%	6,850	(1,050)	115%
Sign Permits	150	1,000	667%	300	(700)	333%
Special Event Permits	100	100	100%	100	-	100%
TOTAL LICENSE & PERMIT REVENUE	\$ 405,978	\$ 398,333	98%	\$ 362,160	\$ (36,173)	110%
INTERGOVERNMENTAL REVENUE						
Motor Vehicle License Fee	\$ 31,851	\$ 32,391	102%	\$ 30,000	\$ (2,391)	108%
Highway Users Tax	293,236	221,263	75%	215,303	(5,961)	103%
Cigarette Tax	11,056	6,283	57%	6,283	0	100%
Road & Bridge Fund	87,275	100,648	115%	97,800	(2,848)	103%
County Sales Tax	177,117	189,790	107%	193,000	3,210	98%
Grants	40,940	147,726	361%	354,000	206,274	42%
Intergovernmental Contributions	24,918	-	0%	-	-	-
TOTAL INTERGOVERNMENTAL REVENUE	\$ 666,394	\$ 698,102	105%	\$ 896,386	\$ 198,284	78%
CHARGES FOR SERVICES						
Planning & Zoning Fees	\$ 14,518	\$ 19,738	136%	\$ 20,000	\$ 262	99%
Planning & Zoning Reimbursable	170,875	173,560	102%	150,000	(23,560)	116%
Facility Usage Fees	67,529	6,988	10%	7,250	262	96%
Facility Usage Deposits	4,968	-	0%	-	-	-
Sponsorship & Event Revenue	28,571	-	0%	-	-	-
TOTAL CHARGES FOR SERVICES	\$ 286,461	\$ 200,286	70%	\$ 177,250	\$ (23,036)	113%
FINES & FORFEITURES						
Fines & Forfeits	\$ 43,493	\$ 40,405	93%	\$ 42,800	\$ 2,395	94%
Police Surcharge	3,960	3,002	76%	3,000	(2)	100%
Police Miscellaneous	3,643	1,497	41%	1,200	(297)	125%
Police Grants	24,585	20,156	82%	22,000	1,844	92%
Special Duty Reimbursable	23,335	6,194	27%	35,000	28,806	18%
Charitable Organization Fee	135	-	0%	-	-	-
TOTAL FINES & FORFEITURES	\$ 99,151	\$ 71,255	72%	\$ 104,000	\$ 32,745	69%
MISCELLANEOUS REVENUE						
Interest & Penalties Total	\$ 147,816	\$ 41,108	28%	\$ 41,105	\$ (3)	100%
Contributions & Donations	\$ -	\$ 10,166	-	\$ 10,166	-	-
Information Center Total	140,942	7,800	6%	7,800	(0)	100%
Rental Income	14,901	20,748	139%	15,600	(5,148)	133%
Sales of Fixed Assets	-	35,751	-	35,650	(101)	100%
Insurance Proceeds	3,870	68,326	1766%	53,129	(15,197)	129%
Fee in Lieu - LERP	-	375,000	-	375,000	-	-
Other Miscellaneous Revenue Total	22,468	21,401	95%	19,566	(1,835)	109%
TOTAL MISCELLANEOUS REVENUE	\$ 329,998	\$ 580,301	176%	\$ 558,016	\$ (22,285)	104%

TOWN OF EAGLE - GENERAL FUND
REVENUES & EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE YEAR ENDING DECEMBER 31, 2020

	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEARNED	% TO BUDGET
TRANSFERS FROM OTHER FUNDS						
Capital Improvements Fund (Devolution)	\$ -	\$ 95,641	-	\$ 95,641	\$ -	100%
Refuse Fund	16,120	20,000	124%	20,000	-	100%
TOTAL TRANSFERS FROM OTHER FUNDS	<u>\$ 16,120</u>	<u>\$ 115,641</u>	<u>717%</u>	<u>\$ 115,641</u>	<u>\$ -</u>	<u>100%</u>
TOTAL GENERAL FUND REVENUES	<u>\$ 7,538,235</u>	<u>\$ 9,177,829</u>	<u>122%</u>	<u>\$ 8,959,995</u>	<u>\$ (217,834)</u>	<u>102%</u>
EXPENDITURES						
	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEXPENDED	% TO BUDGET
TOWN COUNCIL	\$ -	\$ 138,929	-	\$ 141,622	\$ 2,693	98%
GENERAL GOVERNMENT	442,036	408,484	92%	425,589	17,106	96%
GENERAL ADMINISTRATION	589,478	588,565	100%	638,913	50,348	92%
COMMUNITY DEVELOPMENT	836,103	802,464	96%	903,587	101,123	89%
STREETS	1,187,519	1,454,724	123%	1,603,529	148,805	91%
ENGINEERING	238,149	202,180	85%	224,841	22,661	90%
BUILDINGS & GROUNDS	676,880	677,669	100%	785,634	107,965	86%
PUBLIC SAFETY	1,642,487	1,813,833	110%	2,068,448	254,615	88%
MUNICIPAL COURT	64,011	67,961	106%	82,942	14,981	82%
INFORMATION CENTER	144,954	29,690	20%	36,906	7,216	80%
MARKETING & EVENTS	292,221	167,434	57%	210,655	43,221	79%
TRANSFERS TO OTHER FUNDS	350,000	2,230,000	637%	2,230,000	-	100%
TOTAL GENERAL FUND EXPENDITURES	<u>\$ 6,463,838</u>	<u>\$ 8,581,933</u>	<u>133%</u>	<u>\$ 9,352,666</u>	<u>\$ 770,734</u>	<u>92%</u>
NET REVENUES OVER(UNDER) EXPENDITURES	<u>\$ 1,074,397</u>	<u>\$ 595,896</u>	<u>55%</u>	<u>\$ (392,671)</u>	<u>\$ (988,567)</u>	<u>-152%</u>

TOWN OF EAGLE - WATER FUND
REVENUES & EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE YEAR ENDING DECEMBER 31, 2020

	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEARNED/ UNEXPENDED	% TO BUDGET
REVENUES						
Debt Service Surcharge	\$ 461,042	\$ 463,616	101%	\$ 461,900	\$ (1,716)	100%
Water Sales - In Town	3,035,294	3,524,112	116%	3,500,000	(24,112)	101%
Water Sales - Out Of Town	450,751	521,526	116%	513,000	(8,526)	102%
Water Materials & Other	55,574	97,020	175%	75,000	(22,020)	129%
Plant Investment Fees (Tap Fees)	581,014	757,593	130%	616,000	(141,593)	123%
Water Rights	-	993,335	-	953,750	(39,585)	104%
Water Fund Interest	283,990	73,688	26%	75,000	1,312	98%
Water Rights Interest	1,624	901	55%	520	(381)	173%
Grants	15,740	14,222	90%	-	(14,222)	-
Service Charge	19,036	11,365	60%	10,000	(1,365)	114%
Reimbursable Income	-	1,256	-	-	(1,256)	-
WATER MISCELLANEOUS	72	-	0%	-	\$ -	#DIV/0!
TOTAL WATER FUND REVENUE	\$ 4,904,137	\$ 6,458,634	132%	\$ 6,205,170	\$ (253,464)	104%
EXPENDITURES						
TOTAL WATER FUND EXPENDITURES	\$ 12,903,043	\$ 14,652,460	114%	\$ 17,320,134	\$ 2,667,674	85%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ (7,998,906)	\$ (8,193,827)	102%	\$ (11,114,964)	\$ (2,921,137)	74%

TOWN OF EAGLE - WASTEWATER FUND
REVENUES & EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE YEAR ENDING DECEMBER 31, 2020

	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEARNED/ UNEXPENDED	% TO BUDGET
REVENUES						
Wastewater Sales	\$ 2,572,655	\$ 2,742,060	107%	\$ 2,716,000	\$ (26,060)	101%
Wastewater Plant Investment Fees (Tap Fees)	601,750	584,000	97%	550,000	(34,000)	106%
Wastewater Interest	61,061	39,277	64%	40,755	1,478	96%
Miscellaneous	-	61	-	60	(1)	101%
Insurance Proceeds	314,444	-	0%	-	-	-
TOTAL WASTEWATER FUND REVENUE	\$ 3,549,909	\$ 3,365,398	95%	\$ 3,306,815	\$ (58,583)	102%
EXPENDITURES						
TOTAL WASTEWATER FUND EXPENDITURES	\$ 2,390,083	\$ 2,499,823	105%	\$ 2,801,376	\$ 301,553	89%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 1,159,826	\$ 865,575	75%	\$ 505,439	\$ (360,136)	171%

TOWN OF EAGLE - REFUSE FUND
REVENUES & EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE YEAR ENDING DECEMBER 31, 2020

	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEARNED/ UNEXPENDED	% TO BUDGET
REVENUES						
Trash Fees	\$ 568,893	\$ 582,111	102%	\$ 583,478	\$ 1,367	100%
Yardwaste Fees	40,385	10,162	25%	10,125	(37)	100%
Admin Fee	20,121	25,591	127%	25,500	(91)	100%
Interest	5,764	1,707	30%	1,725	18	99%
TOTAL REFUSE FUND REVENUE	\$ 635,163	\$ 619,570	98%	\$ 620,828	\$ 1,258	100%
EXPENDITURES						
TOTAL REFUSE FUND EXPENDITURES	\$ 604,583	\$ 622,596	103%	\$ 643,091	\$ 20,495	97%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 30,580	\$ (3,026)	-10%	\$ (22,263)	\$ (19,237)	14%

**TOWN OF EAGLE - CAPITAL IMPROVEMENTS FUND
REVENUES & EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING DECEMBER 31, 2020**

	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEARNED/ UNEXPENDED	% TO BUDGET
REVENUES						
Capital Improvements Interest	\$ 66,629	\$ 23,135	35%	\$ 23,000	\$ (135)	101%
Community Enhancement Interest	4,011	1,270	32%	1,100	(170)	115%
Devolution & Transportation Interest	40,389	12,790	32%	11,500	(1,290)	111%
Community Enhancement Fund	46,056	-	0%	47,000	47,000	0%
Public Safety Impact Fees	7,503	27,112	361%	34,830	7,718	78%
Street Impact Fees	63,150	39,625	63%	44,454	4,829	89%
Use Tax	317,253	396,477	125%	300,000	(96,477)	132%
Grants	29,000	-	0%	-	-	-
Transfer From General Fund	350,000	2,230,000	637%	2,230,000	-	100%
TOTAL CAPITAL IMPROVEMENTS FUND REVENUE	\$ 923,991	\$ 2,730,409	296%	\$ 2,691,884	(38,525)	101%
EXPENDITURES						
TOTAL CAPITAL IMPROVEMENT FUND EXPENDITURES	\$ 612,612	\$ 812,916	133%	\$ 862,328	49,412	94%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 311,379	\$ 1,917,493	616%	\$ 1,829,556	(87,937)	105%

**TOWN OF EAGLE - SALES TAX CAPITAL IMPROVEMENTS FUND (STCIF)
REVENUES & EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING DECEMBER 31, 2020**

	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEARNED/ UNEXPENDED	% TO BUDGET
REVENUES						
SALES TAX	\$ 623,223	\$ 743,105	119%	\$ 700,000	\$ (43,105)	106%
GRANTS	350,000	-	0%	-	-	-
INTEREST - COLOTRUST	25,600	6,350	25%	6,250	(100)	102%
INTEREST - PROJECT FUND	8,410	-	0%	-	-	-
TOTAL STCIF REVENUE	\$ 1,007,233	\$ 749,455	74%	\$ 706,250	(43,205)	106%
EXPENDITURES						
TOTAL STCIF EXPENDITURES	\$ 1,617,317	\$ 361,873	22%	\$ 374,460	12,587	97%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ (610,084)	\$ 387,582	-64%	\$ 331,790	(55,792)	117%

TOWN OF EAGLE - OPEN SPACE FUND
REVENUES & EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING DECEMBER 31, 2020

	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEARNED/ UNEXPENDED	% TO BUDGET
REVENUES						
LODGING TAX	\$ 143,666	\$ 102,298	71%	\$ 73,000	\$ (29,298)	140%
PENALTY & INTEREST	10	1,085	10849%	-	(1,085)	-
OPEN SPACE INTEREST	7,191	2,406	33%	2,500	94	96%
OTHER GRANTS	-	7,662	-	-	(7,662)	-
MISCELLANEOUS	1,000	500	50%	500	-	100%
TOTAL OPEN SPACE FUND REVENUE	\$ 151,867	\$ 113,951	75%	\$ 76,000	\$ (37,951)	150%
EXPENDITURES						
TOTAL OPEN SPACE FUND EXPENDITURES	\$ 89,745	\$ 76,390	85%	\$ 107,113	\$ 30,723	71%
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 62,122	\$ 37,561	60%	\$ (31,113)	\$ (68,674)	-121%

TOWN OF EAGLE - CONSERVATION TRUST FUND
REVENUES & EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE PERIOD ENDING DECEMBER 31, 2020

	PY ACTUAL	YTD ACTUAL	% TO PY	BUDGET	UNEARNED/ UNEXPENDED	% TO BUDGET
REVENUES						
LOTTERY PROCEEDS	\$ 39,232	\$ 35,753	91%	\$ 33,785	\$ (1,968)	106%
CONSERVATION TRUST INTEREST	1,781	595	33%	640	45	93%
TOTAL CONSERVATION TRUST FUND REVENUE	\$ 41,013	\$ 36,348	89%	\$ 34,425	\$ (1,923)	106%
EXPENDITURES						
TOTAL CONSERVATION TRUST FUND EXPENDITURES	\$ 25,000	\$ -	0%	\$ -	\$ -	-
NET REVENUES OVER(UNDER) EXPENDITURES	\$ 16,013	\$ 36,348	227%	\$ 34,425	\$ (1,923)	106%



To: Mayor Turnipseed and Town Council

From: Chad Phillips, Community Development Director
Peyton Heitzman, Planner I

Date: February 23, 2021

Agenda Items: Resolution 20, Series 2021, A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (Base Camp Eagle Annexation)

REQUESTS: Determine if the Annexation application of 13.5 acres known as Base Camp Eagle, located at 3220 Brush Creek Road, is in substantial compliance with statutory annexation requirements and set a public hearing for the application on April 13, 2021.

BACKGROUND: The proposed Base Camp Eagle Annexation is located east of the Haymeadow Planned Unit Development (PUD) and is accessible from Brush Creek Road. The property is owned by Shawn and Marci Colby.

The applicants are requesting to zone the Rural Resource (RR) and apply for a Special Use Permit for a Recreational Vehicle Park. These applications will be processed concurrently with the Annexation application. If Town Council determines the application to be in substantial compliance, staff will present the application with proposed zoning to the Planning Commission on March 16, 2021 for consideration and recommendation.

The attached resolution initiates the public notice requirement for annexations, which will be conducted by Town staff. The Community Development Department will also notice the associated land use applications (e.g., zoning) according to the provisions of the Town of Eagle Land Use and Development Code.

ANALYSIS: Town staff, including the Town Attorney, finds the Annexation Petition for Base Camp Eagle to be in substantial compliance with Section 31-12-107(1) C.R.S.

COMMUNITY INPUT: None.

BUDGET: None. The applicants have agreed to reimburse the Town for expenses and fees incurred by the Town in reviewing and processing the land use applications.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED: Town Council is only considering whether the petition is in substantial compliance. Analysis of this application against the Strategic Plan will take place during the public hearing.

RECOMMENDED ACTION OR PROPOSED MOTION: A motion to **APPROVE** Resolution 20, Series 2021, “A Resolution of the Town Council of Eagle, Colorado Accepting a Petition for Annexation of a Parcel of Land Located in Unincorporated Eagle County and Setting a Public Hearing on the Annexation (Base Camp Eagle Annexation).”

ATTACHMENTS:

- Land Use and Development Application
- Annexation Petition
- Annexation Process Flowchart
- Resolution 20, Series 2021



TOWN OF EAGLE
COMMUNITY DEVELOPMENT
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www.townofeagle.org

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
☐ Special Use Permit	☐ Minor Development Permit	☐ Concept Plan
☐ Zoning Variance	☐ Major Development Permit	☐ Preliminary Plan
☐ Rezoning		☐ Final Plat
☐ Temporary Use Permit	PLANNED UNIT DEVELOPMENT (PUD) REVIEW	☐ Lot Line Adjustment
☐ Amendment to Zone District Regulations	☐ PUD Zoning Plan	☐ Condominium / Townhouse
☐ Encroachment Permit	☐ PUD Development Plan	☐ Minor Subdivision

PROJECT NAME Basecamp Eagle

PRESENT ZONE DISTRICT RESOURCE PROPOSED ZONE DISTRICT RURAL RESIDENTIAL
(if applicable) RESOURCE

LOCATION

STREET ADDRESS 3220 Brush Creek Road, PO Box 442, Eagle, CO 81631

PROPERTY DESCRIPTION

SUBDIVISION See Legal Description LOT(S) BLOCK
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE Annexation and zoning for a special review use
to operate a seasonal RV Park and campground
on 13.5 acres adjacent to Town boundaries.

APPLICANT NAME Shawn & Marci Colby PHONE
ADDRESS PO BOX 442, Eagle, CO 81632 EMAIL shawncolby1@gmail.com
OWNER OF RECORD (Same) PHONE marcicolby1@gmail.com
ADDRESS EMAIL
REPRESENTATIVE* Tambi Katieb PHONE 970.401.3861
ADDRESS LPC Inc, PO Box 3722, Eagle, CO 81631 EMAIL tambi@landplanco.com

*A representative must submit an affidavit or power of attorney signed by the property owner of record authorizing the representation.

APPLICATION SUBMITTAL ITEMS:

The following submittal materials must be submitted in full before the application will be deemed complete (please check all items that are being submitted):

- ☒ Applicable fees and deposits.
- ☒ Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.
- ☒ Surrounding and interested Property Ownership Report (see project specific checklist for more information).
- ☒ Proof of Ownership (ownership & encumbrance report) for subject property.
- ☒ Site Plan, drawn to scale and depicting the locations and boundaries of existing and proposed lots and structures.
- ☒ Project specific checklist.

FEES AND DEPOSITS:

See Eagle Municipal Code Section 4.03.080

1. Application fees shall be paid in full at the time of the filing of the application and unless paid, the application shall not be deemed complete. All fees are nonrefundable.
2. As described in Eagle Municipal Code § 4.03.080, third-party consultants may be necessary for the review and processing of applications. These costs ("pass-through costs") must be paid by the applicant. If pass-through costs are expected, the applicant must pay a deposit at the time the application is filed. If at any time the deposit does not fully cover the pass-through costs, the applicant must pay another subsequent deposit before the Town will continue processing the application.
3. The Town may withhold the recording of any Subdivision Final Plat or Development Plan or the signing of any Resolution or Ordinance until all pass-through fees are paid in full.
4. Within 30 days of approval or denial of an application, any remaining deposit shall be returned to the applicant. If an application is withdrawn, any remaining deposit shall be returned to the applicant within 60 days.

I have read the application form and certify that the information contained herein is correct and accurate to the best of my knowledge. I understand that it is my responsibility to provide the Town with accurate information related to this application. I UNDERSTAND THAT FILING AN APPLICATION IS NOT A GUARANTEE THAT THE APPLICATION WILL BE APPROVED.

Signature Shirley L. McCoy Date 03/03/2020

FOR OFFICE USE ONLY

DATE RECEIVED _____ BY _____ FILE NUMBER _____
REVIEW FEE _____ DATE PAID _____ RECEIVED BY _____
DATE CERTIFIED COMPLETE _____ BY _____
P&Z HEARING DATE _____ DECISION _____
BOT HEARING DATE _____ DECISION _____

PETITION FOR ANNEXATION

COLBY PARCEL

TO THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO:

The undersigned ("**Petitioner**"), in accordance with the Municipal Annexation Act of 1965 as set forth in Article 12, Title 31, Colorado Revised Statutes, as amended and as in effect on the submission date set forth below ("**Annexation Act**"), hereby petitions the Town Council of the Town of Eagle, Colorado ("**Board**"), to annex to the Town of Eagle ("**Town**") the unincorporated territory located in the County of Eagle, State of Colorado, which property is more particularly described by its legal description in Exhibit A attached hereto and incorporated herein by reference ("**Property**"). In support of this Petition for Annexation ("**Petition**") the Petitioner states that:

1. It is desirable and necessary that the Property be annexed to the Town.
2. The requirements of C.R.S. §§ 31-12-104 and 31-12-105, as amended, exist or have been met in that:
 - (a) Not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the Town.
 - (b) A community of interest exists between the Property and the Town.
 - (c) The Property is urban or will be urbanized in the near future.
 - (d) The Property is integrated with or is capable of being integrated with the Town.
 - (e) In establishing the boundaries of the Property, no land which is held in identical ownership, whether consisting of a single tract or parcel of real estate or two (2) or more contiguous tracts or parcels of real estate:
 - (i) is being divided into separate parts or parcels without the written consent of the landowner or landowners thereof unless such tracts or parcels are separated by a dedicated street, road or other public way; or
 - (ii) comprising twenty (20) acres or more and together with buildings and improvements situate thereon having a valuation for assessment in excess of Two Hundred Thousand and 0/100 Dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the proposed annexation, is included in the Property without the written consent of the landowner or landowners.
 - (f) The Property is not presently a part of any incorporated city, city and county, or town; nor have any proceedings been commenced for incorporation or annexation of an area that is part or all of the Property; nor has any election for annexation of the Property or substantially the same territory to the Town been held within the twelve (12) months immediately preceding the filing of this Petition.

- (g) The proposed annexation will not result in detachment of area from any school district or attachment of same to another school district.
 - (h) The annexation of the Property will not have the effect of extending the municipal boundary of the Town more than three (3) miles in any direction from any point of the current municipal boundary.
 - (i) Prior to completion of the annexation of the Property, the Town will have in place a plan for that area, which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the Town; and the proposed land uses for the area; such plan to be updated at least once annually.
 - (j) If a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the territory to be annexed.
 - (k) The proposed annexation will not result in the denial of reasonable access to any landowner, owner of an easement, or owner of a franchise adjoining a platted street or alley which has been annexed by the Town but is not bounded on both sides by the Town.
3. Petition is the landowner of the entirety of the Property and, thus, Petitioner comprises more than fifty percent (50%) of the landowners in the Property owning more than fifty percent (50%) of the Property, excluding public streets, and alleys and any land owned by the annexing municipality, and the Petitioner hereby consents to the establishment of the boundaries of the Property as shown in the annexation maps submitted herewith.
 4. This Petition is accompanied by four (4) copies of the annexation map (Colby Annexation Map) containing, among other things, the following information:
 - (a) A written legal description of the boundaries of the Property;
 - (b) A map showing the boundary of the Property, which has been prepared by a professional surveyor as evidenced by the surveyor seal;
 - (c) Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks; and
 - (d) Next to the boundary of the Property, a drawing of the contiguous boundary of the Town and the contiguous boundary of any other municipality abutting the Property, and a showing of the dimensions of such contiguous boundaries.
 5. The affidavit of the circulator of this Petition certifying that the signature on this Petition is the signature of the person whose name it purports to be and certifying the accuracy of the date of such signature is attached hereto as **Exhibit B** and is incorporated herein by this reference.

6. In connection with the processing of this Petition, Petitioner requests that the Town approve and execute an annexation and development agreement ("**Annexation and Development Agreement**") which establishes vested property rights for a site specific development plan for the Property for an agreed upon term pursuant to Article 68, Title 24, Colorado Revised Statutes.
7. The Petitioners have filed this Petition subject to the following conditions:
 - a. that the Town approve an Annexation and Development Agreement concurrently with the approval of zoning and special use at the same hearing as and as immediately following the Town Council approval of annexation of the Property;
 - b. that the Annexation and Development Agreement and zoning approval are acceptable to the Petitioners, including any revisions or conditions approved by the Town Council at the hearing, which determination by Petitioners shall be made at the hearing or by the close of business three days (3) days following the hearing;
 - c. that the Town Council approvals become final and uncontested or appealable;
 - d. the annexation shall not become effective, and neither the Petitioners nor the Town shall file the annexation ordinance and map with the Eagle County Clerk and Recorder until after the effective date of both the ordinance approving the annexation and the ordinance approving the zoning and Annexation and Development Agreement; and
 - e. Petitioners reserve the right to withdraw this Petition if object to and reject the Annexation and Development Agreement and/or approval of zoning or special use for the Property; which notice of objection and rejection and withdrawal of this Petition shall be provided in writing to the Town by the close of business three days (3) days following the final action by the Town Council to approve the Annexation and Development Agreement and zoning and special use for the property, and which right of Petitioners to withdraw this Petitioners shall thereafter be waived and released if not exercised timely.
8. Upon the annexation of the Property becoming effective, and subject to the conditions set forth in this Petition and to be set forth in the Annexation and Development Agreement, the Property will become subject to all ordinances, rules and regulations of the Town, except for general property taxes of the Town which shall become effective as the January 1 next ensuing following adoption of the annexation ordinance.
9. Except for the terms and conditions contained or referenced in this Petition, which terms and conditions Petitioner expressly approves and therefore do not constitute an imposition of additional terms and conditions within the meaning of C.R.S. §§ 31-12-107(4) and 31-12-110(2) of the Annexation Act, Petitioner requests that no additional terms and conditions be imposed upon annexation of the Property to the Town.

THEREFORE, Petitioner requests that the Board complete and approve the annexation of the Property pursuant to the provisions of the Annexation Act.

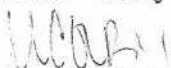
[Signature Page Follows This Page]

Respectfully submitted this 23 day of January, 2021.

Signature of Petitioner:


Shawn Colby

1/23/21
Date of Signature


Marci Colby

01/23/2021
Date of Signature

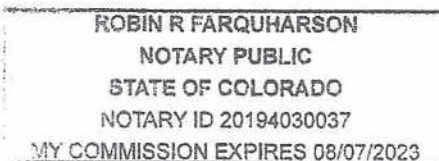
STATE OF Colorado)
COUNTY OF Eagle)

The foregoing instrument was acknowledged before me this 23 day of Jan, 2021, by Shawn Colby and Marci Colby, Owners and Residents of the Property.
this 23 day of January, 2021, by Robin R. Farquharson

My commission expires: 8/27/2023

Witness my hand and official seal.


Notary Public



Mailing Address of the Petitioners:

Shawn & Marci Colby
P.O. Box 442, Eagle, CO 81631

EXHIBIT A
TO PETITION FOR ANNEXATION

Legal Description of Property to be Annexed

A PARCEL OF LAND LOCATED IN TRACT 61, SECTION 10, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN, ACCORDING TO THE INDEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE APPROVED BY THE SURVEYOR GENERAL IN DENVER, COLORADO ON JUNE 20, 1922, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 1 FROM WHICH CORNER NO. 2 OF SAID TRACT 61 BEARS NORTH 0 DEGREES 15 MINUTES 00 SECONDS WEST 3459.19 FEET DISTANT;
THENCE SOUTH 71 DEGREES 57 MINUTES 00 SECONDS EAST 353.20 FEET ALONG THE NORTHERLY BOUNDARY LINE OF EAGLE COUNTY ROAD NO. P-307 TO CORNER NO. 2;
THENCE NORTH 0 DEGREES 15 MINUTES 00 SECONDS WEST 1299.00 FEET TO CORNER NO. 3;
THENCE NORTH 71 DEGREES 57 MINUTES 00 SECONDS WEST 353.20 FEET TO CORNER NO. 4;
THENCE SOUTH 0 DEGREES 15 MINUTES 00 SECONDS EAST 1299.00 FEET TO CORNER NO. 1, THE POINT OF BEGINNING, IDENTIFIED AS THE "KENNETH TRACT",

WITH THE FOLLOWING DESCRIBED LAND JOINED TO THE ABOVE DESCRIBED LAND:

BEGINNING AT CORNER NO. 2 OF TRACT 62 LOCATED IN SECTION 10, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN;
THENCE SOUTH 0 DEGREES 15 MINUTES 00 SECONDS EAST A DISTANCE OF 2168.69 FEET TO THE NORTHWEST CORNER OF THE KENNETH TRACT DESCRIBED IN BOOK 232 AT PAGE 462 OF THE EAGLE COUNTY RECORDS,
THENCE SOUTH 71 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 353. 20 FEET TO THE NORTHEAST CORNER OF THE KENNETH TRACT WHICH IS THE TRUE POINT OF BEGINNING;
THENCE SOUTH 71 DEGREES 57 MINUTES 00 SECONDS EAST A DISTANCE OF 210.59 FEET TO A POINT;
THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST A DISTANCE OF 226.55 FEET TO A POINT;
THENCE NORTH 71 DEGREES 57 MINUTES 00 SECONDS WEST A DISTANCE OF 105.30 FEET TO A POINT;
THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS EAST A DISTANCE OF 1073.27 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAGLE COUNTY ROAD NO. P-307;
THENCE NORTH 71 DEGREES 31 MINUTES 47 SECONDS WEST A DISTANCE OF 105.55 FEET TO THE

SOUTHEAST CORNER OF THE KENNETH TRACT;
THENCE NORTH 00 DEGREES 15 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF THE KENNETH TRACT A DISTANCE OF 1299.00 FEET TO THE TRUE POINT OF BEGINNING.

EXHIBIT B
TO PETITION FOR ANNEXATION

Affidavit of Circulator

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says:

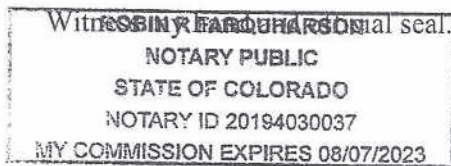
That (s)he was the circulator of the foregoing Petition for Annexation of lands to the Town of Eagle, Colorado, consisting of five (5) pages, including Exhibits A, but excluding the page of this Exhibit B, and that the signature thereon was witnessed by the circulator and is the true and original signature of the person whose name its purports to be, and that the date of the signature is correct.


Circulator

STATE OF Colorado)
COUNTY OF Eagle)

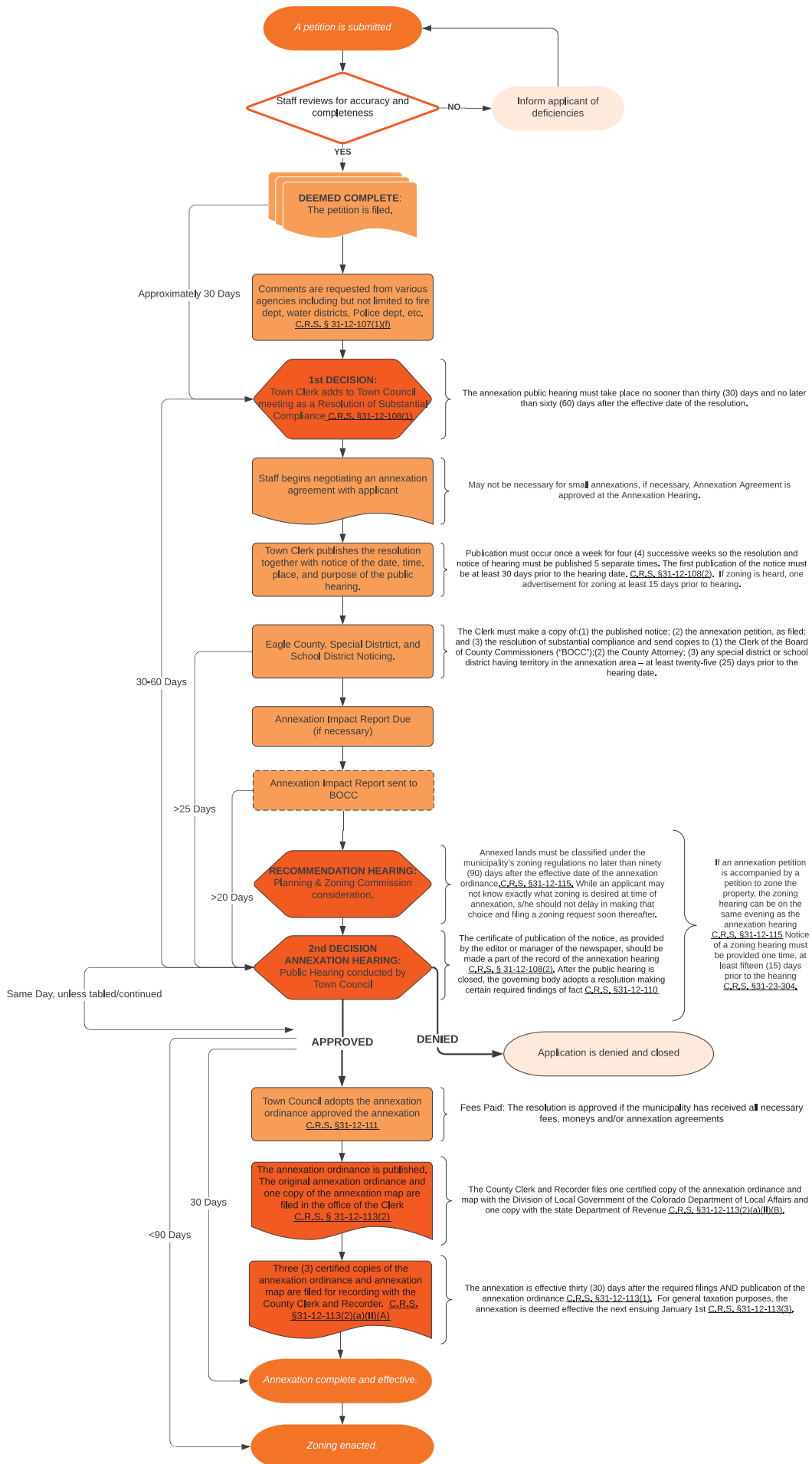
The foregoing AFFIDAVIT OF CIRCULATOR was subscribed and sworn to before me
this 23 day of January, 2021, by Robin R. Farquharson

My commission expires: 8/7/2023




Notary Public

Basic Colorado Annexation Procedures
Landowner Initiated Town of Eagle



TOWN OF EAGLE, COLORADO
RESOLUTION NO. 20
(Series of 2021)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN
UNINCORPORATED EAGLE COUNTY AND SETTING A PUBLIC HEARING ON THE
ANNEXATION (BASE CAMP EAGLE ANNEXATION)

WHEREAS, on January 25, 2021, Shawn and Marci Colby, owners of unincorporated territory comprising more than 50% of the area proposed for annexation pursuant to C.R.S. § 31-12-107, filed a petition for annexation (the "Petition") of certain unincorporated land to the Town, which land is more particularly described in Exhibit A attached to the Petition;

WHEREAS, pursuant to C.R.S. § 31-12-108, the Town may accept the Petition, if complete, and establish a date, time and place that the Town Council will hold a public hearing to consider the annexation and the applicable requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and the Colorado Constitution; and

WHEREAS the Town Council, at its regular meeting on February 23, 2021, reviewed the Petition and various documents submitted in support of the Petition.

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

Section 1. The Petition is hereby accepted as substantially in compliance with the petition requirements set forth under the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*

Section 2. A public hearing is scheduled for Tuesday, April 13, 2021, at 6:00 p.m., at the Eagle Town Hall, 200 Broadway, Eagle, Colorado, at which the Town Council will determine if the proposed annexation complies with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and Article II, § 30 of the Colorado Constitution.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the Town, any resident of a municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Eagle County may appear at such hearing and present evidence upon any matter to be determined by the Town Council.

INTRODUCED, READ, PASSED AND ADOPTED ON FEBRUARY 23, 2021.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN TRACT 61, SECTION 10, TOWNSHIP 5 SOUTH, RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN, ACCORDING TO THE INDEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE APPROVED BY THE SURVEYOR GENERAL IN DENVER, COLORADO ON JUNE 20, 1922, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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February 23, 2021

Town Council, Town of Eagle
via Brandy Reitter, Town Manager

Ms. Reitter and Town Council:

Following a name change and freshly distilled vision and mission for the Mountain Recreation Metropolitan District in 2018, the Mountain Rec Board also approved a strategic plan with seven priorities. One of which is centered around converting recreation centers into community centers and expanding district facilities to meet the community's needs. Following an ASK/LISTEN, PLAN, DELIVER model community engagement process, Mountain Recreation has studied all three major service hubs (Edwards, Eagle, and Gypsum) to create improvement plans for programs and services in each area.

With the pandemic in play in early 2020, progress on bringing these plans to fruition was halted. After a year's hiatus, Mountain Rec is ready to restart work toward ensuring that services and programs meet the needs of the community - *Every Age, Every Season, Every Where, Every One*.

Staff at Mountain Rec presented a joint master plan for the Haymaker Trailhead Area to the Town Council in early 2020 for acceptance and adoption. Any additional feedback on the plans and project presented here are both encouraged and welcomed.

Since that presentation, staff approached the Town Council to affirm amenities desired for inclusion in a first phase of improvements were acceptable to the Town as Mountain Rec began private fundraising. The District is currently engaged in fundraising efforts and will be polling in April to assess the public's appetite for funding projects in 2021. As we approach the polling phase, Mountain Recreation requests that the Town consider partnering to support the improvement of the Eagle Pool and Ice Rink. The Town's support and involvement is critical to the success of the initiative.

COMMUNITY ENGAGEMENT

A joint Town-Mountain Rec concept planning project employed in 2019 to discover community interest in a variety of indoor and outdoor improvements that could be included in a master site plan for the Haymaker Trailhead Area. An online survey was conducted in 2019 and was followed by focus group sessions with a wide array of stakeholders. Open house-style listening sessions held at both the Eagle

Pool and Ice Rink and the Eagle Villas in July. Details of the data collected and resulting concept plan are included in the presentation attached.

PHASE ONE IMPROVEMENTS

Eagle pool and ice rink facility improvements, including the addition of multi-purpose room spaces, fitness center, double gymnasium and locker rooms, outdoor trailhead rest rooms and play area addition, and outdoor pool improvements, are hoped to comprise the first phase of the work on this future recreation campus for the Town. Costs are currently being reviewed and updated to 2022 opinions of probable cost. While we await receipt of those estimates, the projected costs from 2019 anticipate the phase one costs to be about \$34 million.

NEXT STEPS

Mountain Recreation's Board approved the hiring of a Community Engagement Manager responsible for fundraising and grant-writing activities. The District has formed a non-profit foundation, which is currently awaiting formal IRS designation as a public charity with notification due this month. Philanthropic work in the "quiet period" is under way, as is consultation with potential government partners who may consider contributing to assist Mountain Rec in these community facility renovations.

A consultant has been hired to assist with initiative polling in April. Following the results of polling, Mountain Rec will be circling back with partners to finalize and formalize plans for a potential November 2021 ballot ask.

Please consider how the Town might participate in support of the improvements planned. The Town's estimated participation will be used to assist in the design of polling questions for April. Thank you in advance.

Sincerely,



Janet Bartnik, M.S., CPRP
Executive Director
Mountain Recreation Metropolitan District

THE POWER OF TOGETHER

EVERY AGE | EVERY SEASON | EVERY ONE



HAYMAKER TRAILHEAD AREA

PLANNING WAS CONDUCTED IN 2019 - 2020

- A. Bike Trails and Amenities
- B. Park Restrooms
- C. Pool Improvements
- D. Shade Shelter / Gathering Space
- E. Fitness Center
- F. Ice Rink Improvements

WE'VE GROWN SINCE THEN

The Eagle Pool and Ice Rink was built in 2003. The population of the Town has nearly doubled since that time, and more growth is anticipated.



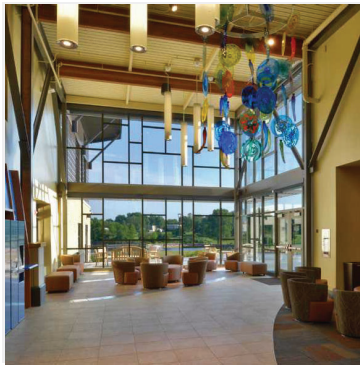
THE VISION:

The Haymaker Trailhead Area is the primary hub and social heart of recreation for the Town of Eagle.

The project aligns with the Eagle Area Community Plan's vision & approaches and offers both the Town and Mountain Rec a master plan for development of the site.

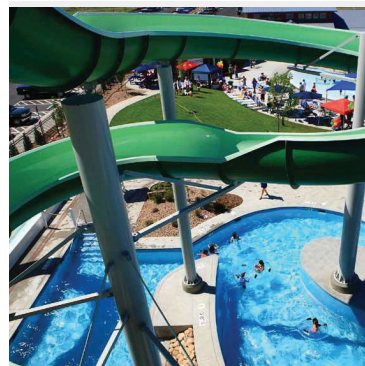
MASTER PLAN PHASING

IMPROVEMENTS WERE SPLIT INTO 3 PHASES



ONE

Indoor facility renovations,
outdoor rest room, shade
pavilion, play amenity,
parking area



TWO

Pool improvement,
woonerf, gateway
gathering area, overflow
parking lot, bike park



THREE

Ice rink addition, multi-
purpose field, sledding hill,
skate park, pickleball
courts



WHAT TO TACKLE?

In fall 2020, Mountain Rec staff approached the Town Council to affirm the first set of projects:

- Outdoor Park Restrooms
- Outdoor Shade and Gathering
- Pool Improvements
- Facility Improvements

THE POWER OF TOGETHER

CONVERTING FACILITIES TO *COMMUNITY*CENTERS



EDWARDS

Proposed is a renovation to the Edwards Field House



EAGLE

Proposed is only the first of three phases, which can be amended following polling



GYPSUM

Proposed is to maintain what we've got, and other renovations



WHAT'S IN IT FOR ME?

Not only will these improvements be accessible and close to home, a District-Wide Pass for all Mountain Rec facilities, each with their own unique amenities, will allow for everyone in our District to be active wherever they live, work, and play.

One pass, three facilities, accessible to all

COST ESTIMATES

DYK CONSTRUCTION IS EXPENSIVE IN THE VALLEY??

Eagle Facility Improvements	\$17,308,000
Trailhead Outdoor Improvements	\$ 2,474,000
Outdoor Pool and Support Building	\$ 9,871,000
Contingency (20% hard costs)	<u>\$ 4,543,000</u>
TOTAL EAGLE AREA	\$34,196,000

MEASURE TWICE, CUT ONCE

With cost estimates from concept planning work conducted in 2019, Mountain Rec has contracted with a construction consultant to review these figures.



OPERATING COST IMPACTS:

The Eagle Pool and Ice Rink operated at about a \$364,000 annual deficit in 2019, with recent years' deficits climbing due to the aging of mechanical systems. Staff has modeled operations after renovation which suggest a reduction in operating deficit.

FUNDING STRATEGY

ENSURING EVERYONE CAN BE HEALTHY & HAPPY



FUNDRAISING

Mountain Rec
Foundation
Grants



PARTNERS

Government and
Nonprofit Partners



BALLOT ASK

Targeting a ballot
ask in November
2021



LOUD AND CLEAR

One thing we heard very clearly in public input collection was interest in public-private partnerships to achieve the vision.

Mountain Rec envisions a mix of private philanthropic funding, grants, and government partner funding will be needed to add to a ballot ask.

TIMELINE

PRIVATE FUNDRAISING IS ALREADY UNDER WAY

WHEN	WHAT
Spring 2020	Concept planning completed
Summer 2020	Mountain Rec Foundation formed
Fall 2020	Fundraising efforts began
Winter 2020-21	Government partners approached
April 2021	Initiative polling
June 2021	Circle back with partners
July 2021	Finalize ballot package
August 2021	Place issue on ballot
November 2021	Election



CIRCLING BACK:

Mountain Rec will be polling to identify public appetite for funding the projects proposed. If polling does not support the projects as proposed, Mountain Rec will work with partners to identify alternative plans from that proposed.

EAGLE FACILITY RENDERING



THE POWER OF TOGETHER

Every Age.

Every Season.

Every One.

THANK YOU!





To: Mayor and Town Council

From: Bill Shrum, Assistant Town Manager

Date: February 23, 2021

Agenda Item: Resolution 17, Series 2021 – “A Resolution of the Town Council of the Town of Eagle Appointing Members to the Downtown Development Authority Board of Directors”.

REQUEST:

Staff requests that the Town Council review the applications and appoint members from the residents interested in joining the Downtown Development Authority Board of Directors.

INTRODUCTION:

The Downtown Development Authority boundaries were proposed by [Ordinance 21, Series 2020](#) with which the Town Council put the question to the voters of the district in the coordinated general election of November 2020. This was the result of nearly a year and a half of community outreach started by the Downtown Eagle Challenge Studio and a recommend objective in the 2019 DCI Community Assessment.

After the ballot measure passed in November 2020, [Ordinance 25, Series 2020](#) outlined the composition of the Board of Directors and detailed the qualifications and tenure of the appointed members. The process of appointment follows this ordinance.

ANALYSIS:

The Town posted that applications were available for the Board of Directors of the Downtown Development Authority on December 8, 2020. Downtown Colorado Inc. has been retained by the Town as consultants to help guide the formation of the DDA and implement a Downtown Plan, and as a part of this work developed a job description for the role based on their experience working with similar DDA's throughout Colorado. The expectations of a board member can be found [HERE](#). This description was posted online January 19, 2021, and the Town has used all available communication channels including direct email to known stakeholders to solicit applicants.

As of the deadline for application, February 17, 2021, the following people have applied and hold the following qualifications:

Kathryn Butters	115 Broadway St	Business Owner
Wayne Hauter	105 Capitol St	Property Owner
Greg Schroeder	241 Broadway St Unit #202	Bus & Prop. Owner
Tara Novak	210 Broadway St	Business Owner

Marci Leith	330 Broadway Unit C	Business Owner
Cody O'Kelly	215 Broadway	Property Owner Rep.
Jake Roach	215 Broadway	Business Owner
Mary Ann Morrison	200 Broadway	Business Owner Rep.
Megan Colby	333 Capitol St	Resident
Kathleen Conner	228 Broadway	Bus & Prop. Owner
Scott Schlosser	308 Broadway	Property Owner Rep.

To note, two additional people had applied for the role but were found to be without the requisite qualification. Each of the representatives have had a letter or statement from the business or property owner submitted to the Town and are found to be qualified representatives for the ownership interest.

Each of the applications have been included in the Council packet but are not published for the public due to the contents of personal information. Not all applicants completed each question or item of the application, and those that did submit a resume or cover letter as requested are also included in the Council packet. Wayne Hauter had a technical issue with his application due to the Town's website host, and it falsely states the application is for the Town Council vacancy. He is in fact applying for the DDA Board of Directors.

A poll has been shared with the Town Council asking for members to rank the candidates listed above. Options for how to proceed with the results of the poll are outlined at the end of the memo.

COMMUNITY INPUT:

The Town has received tremendous support assisting the outreach for qualified candidates by the Downtown Business Alliance, Eagle Chamber, and Economic Vitality Committee.

BUDGET / STAFF IMPACT:

There is no budget or staff impact in appointing the Board of Directors for the DDA.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

The creation of the Downtown Development Authority is an example of the Town's guiding principle of Transparency and Community Engagement, as well as Stimulating Economic Vitality and Development.

RECOMMENDED ACTION OR PROPOSED MOTION:

The Council has three options for how to use the information gained from the poll:

- 1) A ranked average of the Council will determine who is appointed based on the highest average rank, with candidates being placed in the qualifying terms. The highest ranked candidates will be slotted in the positions with the longest tenure.
- 2) The ranked average of the Council can be shared during the meeting and the positions can be adjusted after a discussion of the Council.

3) The poll results will not be used, and the Council will determine the positions after a discussion.

After the discussion and a consensus is reached based on the scenarios outlined above, the recommended action is a motion to **APPROVE** Resolution No. 17, Series 2021 – “A Resolution of the Town Council of the Town of Eagle, Colorado Appointing Members to the Downtown Development Authority Board of Directors to serve in the following positions:

Expires 2021 Property/ Business owner, Resident, or Representative

Expires 2021 Property/Business owner or Resident

Expires 2022 Property/ Business owner, Resident, or Representative

Expires 2022 Property/Business owner or Resident

Expires 2023 Property/Business owner or Resident

Expires 2023 Property/Business owner or Resident

Council Member Appointment _____

ATTACHMENTS:

Resolution 17, Series 2021 – Appointment of DDA Board of Directors.pdf
DDA Board of Directors Applications and Attachments.pdf

TOWN OF EAGLE, COLORADO
RESOLUTION No. 17
(SERIES 2021)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO APPOINTING
MEMBERS TO DOWNTOWN DEVELOPMENT AUTHORITY BOARD OF DIRECTORS

WHEREAS, Ordinance 21, Series 2020 was approved by the Town Council and proposed a ballot measure for the November 2020 election to create a Downtown Development Authority; and

WHEREAS, On November 3, 2020 eligible voters of the proposed Downtown Development Authority passed the ballot measure in the coordinated general election to create the Downtown Development Authority; and

WHEREAS, Section 3 of Ordinance 25, Series 2020 describes the operational structure of the Downtown Development Authority, calling for one member to be a sitting Council member, two members shall be property owners or residents in the district, or representatives of such, and four members shall be property owners or residents within the district; and

WHEREAS, The appointment of such members is for four year terms, and shall be staggered so that with the initial appointments two appointed members serve until June 30, 2021, two members serve until June 30, 2022, and two members serve until June 30, 2023; and

WHEREAS, Appointing the Board of Directors shall fulfill the Town Council requirements of the ordinance creating the Downtown Development Authority;

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

Section 1. The Town Council hereby names the following applicants as members of the Grand Avenue Corridor Study Stakeholder Committee, with the appointment ending June 30, 2021.

Property/Business owner, Resident, or Representative _____
Property/Business owner or Resident _____

Section 2. The Town Council hereby names the following applicants as members of the Grand Avenue Corridor Study Stakeholder Committee, with the appointment ending June 30, 2022.

Property/Business owner, Resident, or Representative _____
Property/Business owner or Resident _____

Section 3. The Town Council hereby names the following applicants as members of the Grand Avenue Corridor Study Stakeholder Committee, with the appointment ending June 30, 2023.

Property/Business owner or Resident _____
Property/Business owner or Resident _____

Section 4. The Town Council hereby names the following member of the Town Council to serve as a member of the Downtown Development Authority Board of Directors, to serve at the pleasure of the Council.

Council Member _____

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado, held on February 23, 2021.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Jessica Lake, Planner I, Community Development Department
Chad Phillips, Director, Community Development Department

Date: February 23, 2021

Agenda Item: Discussion regarding an amendment to the West Eagle Sub Area Plan (WESAP) to update the Future Land Use Map (FLUM) and Land Use Categories.

REQUEST: Staff is requesting direction regarding a proposed amendment to the Future Land Use Map and Land Use Categories in the West Eagle Sub Area Plan.

INTRODUCTION:

Town staff has begun the process of updating the WESAP to better reflect the current needs of the community. WESAP was adopted in September of 2011 and covers roughly 40 acres, extending along Grand Avenue from the Sylvan Lake roundabout to the intersection of 5th Street and south to the Eagle Ranch open space. Through the planning process, future land uses were identified within this defined West Eagle area.

The purpose of this focused update is to modify land designations in the FLUM. After conversations with Eagle County and the Planning & Zoning Commission, staff is seeking public comment and direction from Town Council on changes to the FLUM and Land Use Categories. With the completion of the Castle Peak Senior Care facility, feedback is requested as to the appropriateness of the “Continuing Care Retirement Community” land use category as shown on the FLUM.

It is important to note that in our existing regulations “Nursing home, group home” is a permitted use in all residential zone districts with a Special Use Permit. This proposed change – to modify the FLUM to show the Residential land use category – would expand the County’s options on their West Eagle properties. Now that a retirement home exists in Eagle Ranch, staff is processing this update with the goal of expanding the development options available to the WESAP landowners.

Questions for Discussion:

- Is the existing “Continuing Care Retirement Community” designation the most appropriate for this land in West Eagle?
- Does the Residential description/definition provide enough flexibility for development of this property?
- Do we need to revise the description/definition for Mixed-use or Commercial?

- Are there unintended consequences?

ANALYSIS:

Staff held a worksession with the Planning & Zoning Commission on February 16, 2021. The Commission provided feedback regarding the County owned properties in West Eagle, minor updates to the Future Land Use Map, 546 Grand Ave, rights of way, commercial and mixed-use land use categories, and the area adjoining Eagle Ranch open space that was proposed for open space or a town park in the West Eagle Plan.

County-owned properties: The Commission discussed pros and cons of re-categorizing these properties from “Continuum of Care Retirement Community” and “Public Purpose Mixed Use” to “Residential”. The Residential land use category in the West Eagle Plan is general enough that any of our existing residential zone districts would fit into this category. Tori Franks, from Eagle County, spoke regarding housing needs/trends in Eagle and acknowledged that there is a need for lower income senior housing. There are currently wait lists for both Golden Eagle and Seniors on Broadway. However, changing to the Residential category would allow the County to develop a project that could address housing needs for more than just seniors. It was noted by staff that the use category “nursing home/group home” is a Special Use in all residential zone districts.

546 Grand Avenue property: Joanna Hopkins spoke during public comment as the representative of the seller of this property. This property is in West Eagle and has two land use categories on one parcel; Mixed-use and Residential. The property also has two zone districts: Commercial Limited (CL) and Residential Medium (RM). The first step to be able to develop the property to its full potential would be to consolidate the two land use categories to one; Ms. Hopkins suggested that the mixed-use category would best fit both the West Eagle Plan and the future improvements to the Grand Ave Corridor. The Commission agreed with Ms. Hopkins that this change should be included within the scope of this amendment to the plan.

Other discussion items:

- The area shown as “public park” might not be as suited for development as other County-owned property; it was asked that staff provide further analysis for this site.
- There are two “rights-of-way” shown on the West Eagle Sub Area Plan Map that the Commission requested additional information on. One was Castle Drive, which connects with Grand Avenue to the east of Grand Ave Grill and then curves around to the west between a single-family dwelling and county property and connects to what will eventually be the Brush Creek Road Extension. More than half of this right-of-way is currently not in use; Planning staff will reach out to Public Works to determine what, if any, future plans are for this section of Castle Drive. The other section of “right-of-way” is neither platted nor owned by the Town, but was included in the 2011 West Eagle Plan as a proposed design feature. West End Street is shown on the map as intersecting with a new Seventh Street and then dead ending right before Sixth Street. Staff was asked to look into connecting the proposed West End Street to Sixth Street.
- Lastly, both the “Commercial” and “Mixed-use” land use categories were discussed. One Commissioner felt it made more sense to re-classify the “Commercial” land as “Mixed-

use”. However, the consensus was that “Commercial” provided more flexibility than “Mixed-use” and that portion of the map should stay as is. It was recommended that staff add language to the “Commercial” category for auto-oriented businesses such as restaurants with drive-throughs and lodging/hotels. Such Commercial uses should support, and not compete, with Broadway businesses.

Staff has also put together a process schedule for this amendment. The proposed changes are relatively small, so staff is suggesting a quick turnaround time.

February 2021
February 16th (Planning & Zoning Commission) o Worksession: West Eagle Sub Area Plan (WESAP)
February 23rd (Town Council) o West Eagle Sub Area Plan (WESAP)
March 2021
March 16th (Planning & Zoning Commission) o WESAP Adoption Hearing
March 23rd (Town Council) o WESAP Ratification Hearing

COMMUNITY INPUT:

Staff has noticed the work sessions and the public hearings in the local newspapers, sent notification to property owners within the plan boundaries as well as adjacent properties, and has posted signs on the County’s West Eagle property.

Staff has received public feedback and has provided a summary of the feedback below as well as attachments of all comments received.

Staff received questions from 6 community members. No public comment letters have been received as of February 17, 2021. Questions fielded by staff included providing links to the plan; concerns about how this change may or may not affect property values in the area; concerns about road connections and construction of roads, housing and businesses; narrowness of the existing rights of way and concerns over vehicular and pedestrian traffic; concerns about gentrification of the neighborhood and displacement of families in mobile home parks; and concerns about how the plan supports re-development in West Eagle and if this amendment changes that.

BUDGET / STAFF IMPACT: No impact to the budget.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

2020 Eagle Strategic Plan:

Guiding Principles – Transparency and Community Engagement:

By providing easy access to information and timely responses to customer inquiries, the Town creates an environment that fosters public trust and allows Eagle’s residents and business owners to understand the Town’s values, priorities and strategic plans. The Town is committed to

maintain ongoing, meaningful, and substantive dialogue with the community that is based on clearly defined standards and compelling arguments for proposed policies and investments.

- The change to this plan has been communicated with property owners in West Eagle as well as adjacent property owners. Staff has met with and fielded questions from several residents. Eagle County has presented compelling arguments for this proposed policy change and staff believes that making this update to the West Eagle Sub Area Plan is more in line with future community goals for this area of Eagle.

Major Objectives – Diversify the Attainable Housing Stock:

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

- This proposed change to the West Eagle Sub Area plan will allow for greater flexibility when the County develops this property. Eagle already has the Castle Peak Senior Life and Rehabilitation Center. By amending the plan to reflect “Residential” as the future land use category instead of “Continuum of Care Retirement”, we are expanding the housing options available to the County at time of development of this area of land. Nursing and group homes are available in residential zone districts as a special use, so a senior facility would not be precluded from a residential zone district.

2020 Elevate Eagle Comprehensive Plan:

Policies:

- 1-1.1. Ensure a healthy mix of housing types and densities (e.g. single-family, duplex, multi-family, mixed-use and accessory dwelling units) to allow for greater diversity.
- 1-1.2. Promote and encourage additional senior housing. Utilize the findings from the Eagle County Housing Needs Assessment to determine what regulations are needed, what the demand is, and appropriate locations for senior housing.
- 1-1.3. Stimulate the creation of workforce housing through town policies, incentives, and regulatory procedures. Collaborate with community partners and the private sector to expand the reach of Eagle’s workforce housings efforts.
- 1-2.5. Provide opportunities for a balanced mix of housing and services to support local businesses, employees, residents and visitors.
- 1-2.6. As development occurs, ensure the Town’s overall mix of land uses remains aligned with community goals.
 - Taken all together, the above policies note the importance of a strong mix of housing types, including opportunities for workforce and senior housing. The update to the plan would be consistent with the above as it encourages more flexibility in housing types.

Actions:

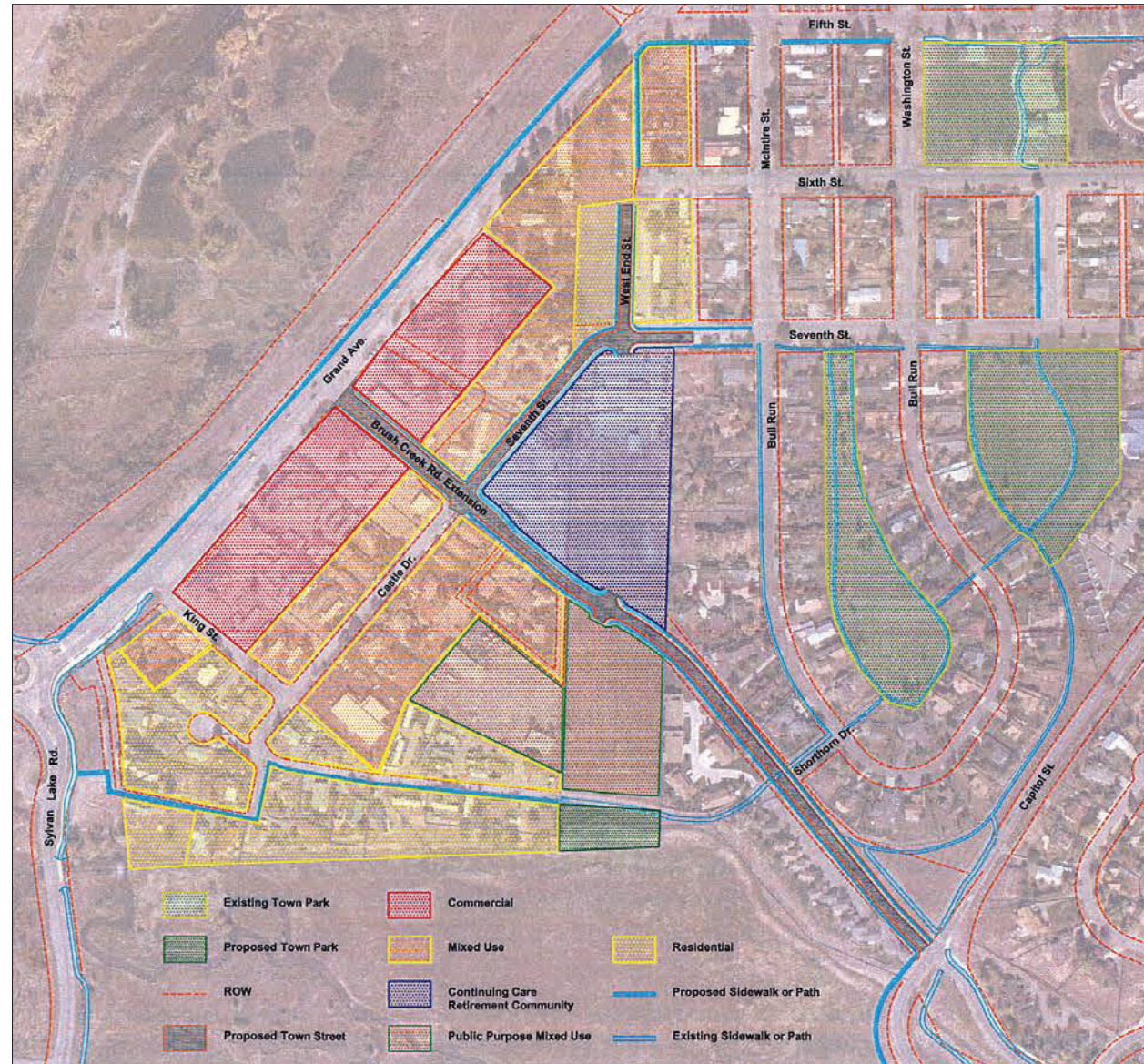
- 1.4. Update/amend the West Eagle Sub Area Plan after the Highway 6 Study and Brush Creek Road Extension.
 - A more comprehensive overhaul of the West Eagle Sub Area plan will come after the Corridor Study and the Brush Creek Road Extension design phase; to integrate what we have learned from those projects into the Sub Area Plan. Public outreach will be a part of this plan update as well. The current amendment is much more narrowly focused to update the FLUM and land use categories for the County properties.

RECOMMENDED ACTION OR PROPOSED MOTION: No action or motion is required at this time.

ATTACHMENTS:

- WESAP Future Land Use Map (2011 version)
- WESAP Future Land Use Map from Eagle County (2021)
- WESAP Future Land Use Designations (2011)
- [2011 Adopted West Eagle Sub Area Plan {LINK}](#)

FUTURE LAND USE MAP DESIGNATIONS



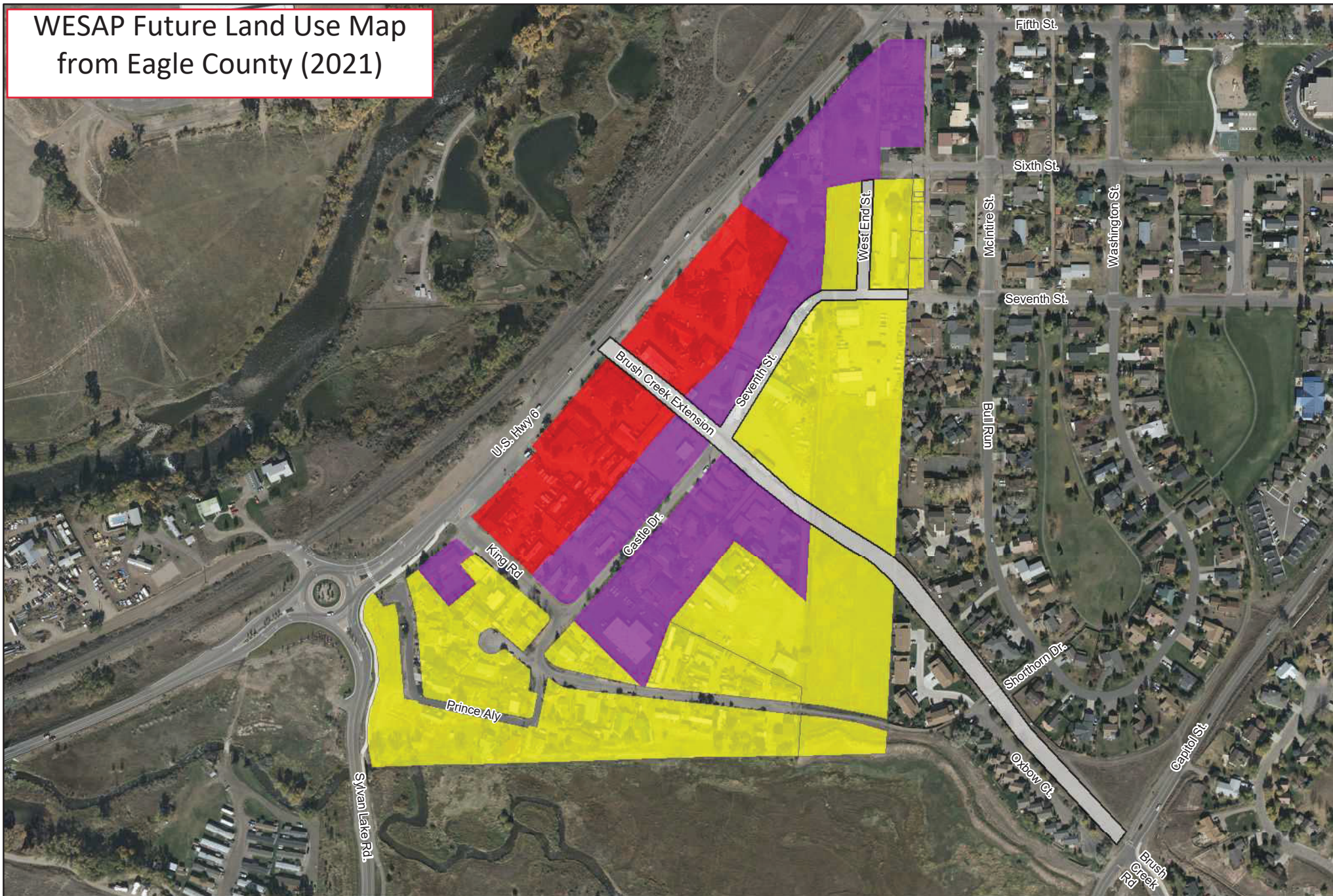
VI. FUTURE LAND USE MAP/ CIRCULATION PLAN

The Future Land Use Map map shows the general distribution of land uses recommended by this plan. Note that these are future land use planning designations and proposed road and pedestrian connections rather than Official Zone Districts and Street Map. Please consult the Town of Eagle Zoning Map for the current zone district designations and street map. Any significant redevelopment of property within the West Eagle Neighborhood is encouraged to use the Planned Unit Development Zone District. This provides flexibility to accommodate a mixture of uses, increased density, flexibility in site design and opportunity for the Town and applicant to agree on a more specific development approval that is beneficial to both applicant/developer and the Town.

See 11x17 Future Land Use Map Designations insert in back.

Figure 19: Land Use Map Designations

WESAP Future Land Use Map from Eagle County (2021)



West Eagle Sub Area Plan Future Land Use Designations



Commerical



Residential



Mixed Use



Proposed Right of Way



1 inch = 350 feet
0 255 510
Feet

This map was created by the Eagle County GIS Department.
Use of this map should be for general purpose only.
Eagle County does not warrant the accuracy of the data
contained herein.



1. COMMERCIAL

This is a corridor where the Town encourages redevelopment that takes advantage of exposure to significant traffic volumes on Highway 6. This area is also located along the ECO regional transit bus route.

Development of land within the Commercial land use designation should have commercial uses on the first floor. Commercial uses encouraged by the Town include retail, restaurant, commercial services, and offices. Use of upper floor(s) can be commercial or residential depending on market demand. Transit Oriented Development, which allows for commercial with higher residential densities, is encouraged along this corridor. Buildings, including those with three story components, with appropriate setbacks and design features that address massing, access, and civic spaces, are viable options to be considered.

Any redevelopment along this corridor shall comply with the Highway 6 Design Guidelines.

2. MIXED USE

Development of land within the Mixed Use designation is permitted to be either commercial or residential. The mixing of uses may be either vertical, in buildings where commercial is on the ground floor and residential is located above, or horizontal, where a residential building and a commercial building are located on the same lot or next to each other on an adjacent lots. Commercial land uses generally allowed include commercial services, and



Figure 20: Then and now. What was previously a gas station and a convenience store in the past has been recently converted into a BBQ restaurant.

offices including medical and professional services. On the northwest side of Castle Drive residential development that also includes working studios and shops for craftspeople is permitted within the Mixed Use designation.

In all proposals for mixed use development, and particularly if artisan/craft uses are requested, mitigation measures must be included in the building design to ensure that impacts such as noise, vibration, dust, and odors are appropriately mitigated.

3. RESIDENTIAL

Residential development on the eastern edge of the West Eagle Neighborhood



Figure 21: There are stable and attractive single-family homes throughout the West Eagle Area.

should generally act as a transition between lower existing residential densities to the east and higher residential densities otherwise permitted within this Residential designation to the west. Building form, type and massing should complement rather than contrast with the existing residential buildings adjacent to the east. Maximum height of buildings located along this boundary should be two stories. Buildings located on lots adjacent to existing residential uses should provide functional yards on their eastern sides to assist in this transition.

On land located within this land use designation adjacent to the Eagle Ranch Open Space, building design should complement rather than contrast with the existing single family units in this area. The design of these buildings should also be integrated into the topography and provide an attractive transition between the natural open space to the south and the higher density development permitted to the north.

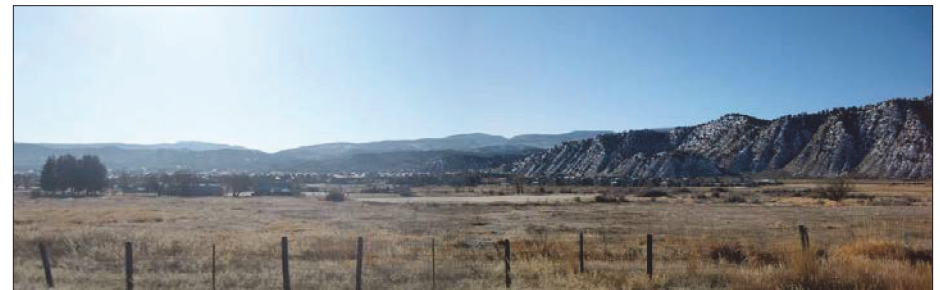
Development of land in the more centrally located portions of this land use category is allowed at higher residential densities typically found in two and three story town house, condominium, or rental apartment buildings. Orientation of these buildings should be to the street with well-screened parking generally located to the rear of the building. Development at these

higher densities should be planned and designed with attention to building massing relationships, the provision of solar access, and the creation of attractive civic spaces.

4. PARK SPACE

This designation is for the creation of a leisure-oriented passive park space designed primarily for sitting and enjoying the spectacular views to the south and southeast.

Grading improvements to this property are encouraged to maximize its usability. A direct extension of the bike path from this new park in the West



Figures 22 and 23: Winter and Summer views of Brush Creek Park is predominant from much of the West Eagle Area.

West Eagle Planning Area

A Joint Partnership Between The Town of Eagle & Eagle County

-  Century Tele Parcel
-  West Eagle Planning Area
38.9 Acres
-  Eagle County Owned Property
-  U.S. Forest Service Owned Property,
-  Future Eagle County Purchase

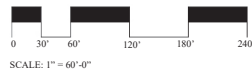
0 95 190 Feet

This map was created by Eagle County GIS Department.
Map data was obtained from the National Map Accuracy
Check, Eagle County, and Eagle County GIS Department.





Z E H R E N AND ASSOCIATES, INC.
 ARCHITECTURE PLANNING INTERIORS LANDSCAPE ARCHITECTURE
 PO BOX 1976, Avon, Colorado (970) 949-0257 F. (970) 949-1080 www.zehren.com



Conceptual Master Plan
 Illustrative Plan / Aerial Image Overlay
 May 31, 2016





DEVELOPMENT SUMMARY:

- (24) Stacked Flats
- (27) Townhomes
- (16) Small Bungalows
- (11) Single Family Lots

78 Dwelling Units Total

Total Area: 8.84 acres
Density: 8.8 d.u. / acre

Parks, Gardens, and Open Space
1.7 Acres (approx 19% of total area)





To: Mayor and Town Council

From: Bill Shrum, Assistant Town Manager

Date: February 23, 2021

Agenda Item: Resolution No. 21, Series 2021 – “A Resolution of the Town Council of the Town of Eagle, Colorado supporting the application for grant funding from the Colorado Department of Local Affairs for a Technology and Outdoor Recreation Economic Assessment and subsequent development activity”.

REQUEST:

Staff requests that the Town Council review the resolution supporting the application for grant funding for a Technology and Outdoor Recreation Economic (TORE) assessment.

INTRODUCTION:

The Colorado Department of Local Affairs has an application period ending March 1, 2021 for Tier 1 Energy/Mineral Impact Assistance Fund (EIAF) requests. The fund seeks to promote sustainable community development, increase livability and resilience of communities through strategic investments in asset-building activities. The proposed scope of work by the University of Colorado – Boulder’s Masters of Outdoor Recreation and Environment (MORE) program can accomplish these goals by laying out a strategic vision for diversifying the Town of Eagle’s economy, developing technology and outdoor recreation businesses currently in the Eagle River Valley, and help direct development for these businesses to expand and relocate to Eagle. This grant proposal was initially denied for a Rural Economic Development Grant in October 2020 and slightly adjusted to reflect additional statewide partnerships.

ANALYSIS:

The Director of the Masters of Outdoor Recreation and the Environment program at CU-Boulder, Dr. Joel Hartter, and three additional faculty (Kimberly Kosmenko, MS, MBA, Brian Lewandowski, MBA, and William Shutkin, JD) proposed an initial scope of work to address four specific deliverables:

- Economic Market Assessment and Peer Community Analysis of Micropolitan Areas with a Technology and Outdoor Recreation manufacturing economy. These communities include Steamboat Springs, CO, Telluride, CO, Montrose, CO, Durango, CO, and Jackson, WY, among others.
- Strategic implementation plan for Eagle to build a Technology and Outdoor Recreation industry cluster.

- Identify and implement local business development programs to assist and grow start-up to medium-sized businesses in the target industries.
- Evaluate existing buildings and sites within Eagle and propose a conceptual design which would meet the particular needs of these industries and allow for businesses to grow and remain in Eagle.

The proposed scope of work would include over 1,000 hours of master's level student engagement and 500 faculty hours over the course of two years. A specific focus of this project is to bring students and faculty to Eagle to work directly on site and with local businesses. The MORE program is uniquely qualified for this assessment having conducted similar work in many peer communities throughout Colorado, the research and applied expertise of the faculty participating in this project, and extensive ties to the State of Colorado Outdoor Recreation industry.

Since the initial grant application, the Town has reached out to private businesses, developers, and the State of Colorado Office of Economic Development and International Trade and received engagement and support for this project partnership between the Town and the University of Colorado.

COMMUNITY INPUT:

The Economic Vitality Committee has been involved in the initial project proposal and will be heavily involved in the execution of this project.

BUDGET / STAFF IMPACT:

The total cost of the two-year project is \$139,865. The EIAF grant application will be for 50%, or \$69,993. Additional partners may be available to reduce the \$69,993 match required by the Town.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This project, if approved, would address the 2020 Comprehensive Plan Goal 1-2: Expand and Diversity the Town's Economic Opportunities by creating a strategic plan to develop the technology and outdoor recreation industries in Eagle. The project would meet Goal 2-7.5: Encourage Development of Underutilized Lots on Chambers Ave. through our partnership with interested developers on Chambers to build a facility to house businesses. Finally, Goal 3-1: Promote the Town's Unique Activities is accomplished with Eagle's outdoor recreation and remote work capacity for these new industries.

RECOMMENDED ACTION OR PROPOSED MOTION:

Recommended action is a motion to **APPROVE** or **DENY** Resolution No. 21, Series 2021 – A resolution of the Town Council of the Town of Eagle, Colorado supporting the application for grant funding from the Colorado Department of Local Affairs for a Technology and Outdoor Recreation Economic Assessment and subsequent development activity.

ATTACHMENTS:

Resolution 21-2021 EIAF technology and outdoor recreation economic assessment.pdf

TOWN OF EAGLE, COLORADO
RESOLUTION No. 21
(SERIES 2021)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO SUPPORTING THE APPLICATION FOR GRANT FUNDING FROM THE COLORADO DEPARTMENT OF LOCAL AFFAIRS FOR A TECHNOLOGY AND OUTDOOR RECREATION ECONOMIC ASSESSMENT AND SUBSEQUENT DEVELOPMENT ACTIVITY

WHEREAS, The 2020 Town Council Strategic Plan identifies Proactive Economic Development as a guiding principle; and

WHEREAS, The 2020 Comprehensive Plan, Elevate Eagle, states as Goal 1-2 to Expand and Diversify the Town's Economic Opportunities; and

WHEREAS, The 2020 Comprehensive Plan, Elevate Eagle, states as Goal 2-7.5 to Encourage the development of vacant or underutilized lots at the western end of Chambers Ave with more intensive uses that would benefit from their accessibility of the interstate corridor; and

WHEREAS, The 2020 Comprehensive Plan, Elevate Eagle, states as Goal 3-1 to Promote the Town's Unique Activities (E.G. Fly Fishing, Rafting, Mountain Biking, OHV Riding, Camping, Skiing, Snowboarding, Snowshoeing, etc.); and

WHEREAS, The University of Colorado Masters of Outdoor Recreation and the Environment program has proposed a scope of work that would fulfill a stated need for economic development in Eagle, and

WHEREAS, The State of Colorado Energy/Mineral Impact Assistance Fund grants funds to promote sustainable community development, increase livability and resilience of communities through strategic investments in asset-building activities

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

Section 1. The Town Council hereby supports the application by the Town of Eagle for \$69,993 in funds from the Department of Local Affairs EIAF Grant, with a contribution from the Town of \$69,993 in matching funds for a total project budget of \$139,865.

Section 2. The project will conduct an economic assessment of the technology and outdoor recreation industries for the Town of Eagle, provide a strategic plan for economic development of these industries to the Town of Eagle, construct business development and support programs for local businesses in these industries, and work with local developers to construct facilities to retain and grow local businesses in these industries.

Section 3. The Town will include the University of Colorado Masters of Outdoor Recreation and Environment faculty and students in addition to other identified partners in the execution of this project.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of Eagle, Colorado, held on February 23, 2021.

TOWN OF EAGLE, COLORADO

By: _____
Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



To: Mayor and Town Council

From: Brandy Reitter, Town Manager

Date: February 23, 2021

Agenda Item: Town Council Vacancy Appointment Process Review

REQUEST:

Staff is requesting that the Town Council review a summary and provide direction to staff on the Town Council vacancy appointment process.

INTRODUCTION:

As result of the loss of Andy Jessen and Adam Palmer, the Town must fill two vacant positions on the Town Council. On February 9, the Town Council declared the vacancies. The Town Attorney presented a memo to the Town Council explaining the legal options available as well as a timeline for appointments. To ensure that the timeline is met, the Town Council needs to decide on the review of applications. In 2020, the Town Council passed a resolution outlining the process for the review and appointment of candidates. That resolution is referenced [here](#).

ANALYSIS:

As of Friday, there were 8 people seeking appointments. Since there are several candidates to consider, and possibly more before the deadline of February 23, the Town Council needs to agree on the initial screening approach before the actions in the resolution can take place. After applications close, the Town Council needs to decide on one of the following options:

1. A vote to determine the pool of applicants to be interviewed, or, alternatively,
2. A vote on the desired candidates to be seated during the current meeting or an upcoming meeting, or
3. Schedule a Work Session for a vote on finalists to be considered at an upcoming meeting.

In 2020, the Town Council selected option 2 to appoint David Gaboury. The group emailed the Town Clerk their choice and at the next meeting the appointment was announced and made. Staff can facilitate the same process, use a Survey Monkey, or some other tool. If the Town Council would like to conduct interviews, the resolution establishes the process.

Once the Town Council decides on the approach, staff will prepare to facilitate the process.

COMMUNITY INPUT:

Community input is not required at this point. The application announcement was advertised to the public.

BUDGET / STAFF IMPACT

There is no impact on the budget.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

This proposal doesn't align with any strategic objectives but supports the Town Council's policies for appointments.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to direct staff to move forward with one of the following options:

1. A vote to determine the pool of applicants to be interviewed, or, alternatively,
2. A vote on the desired candidates to be seated during the current meeting or an upcoming meeting, or
3. Schedule a Work Session for a vote on finalists to be considered at an upcoming meeting.

ATTACHMENTS:

- None