

Critical to our success is an engaged community and knowledgeable and experienced staff.

Town Council Values

- *Support Crested Butte's quality of life*
- *Promote resource efficiency and environmental stewardship*
- *Encourage a sustainable and healthy business climate*
- *Maintain an authentic and unique community*
- *Remain fiscally responsible*
- *Continue thoughtful management of our historic character*
- *Seek collaborative solutions to regional and local issues*

AGENDA
Town of Crested Butte
Regular Town Council Meeting
Monday, May 20, 2019
Council Chambers, Crested Butte Town Hall

The times are approximate. The meeting may move faster or slower than expected.

6:00 WORK SESSION

1) 1Q19 Financial Update by Finance Director Rob Zillioux.

7:00 REGULAR COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM

7:02 APPROVAL OF AGENDA

7:04 CONSENT AGENDA

- 1) May 6, 2019 Regular Town Council Meeting Minutes.
- 2) Consultant Selection for Climate Action Plan.
- 3) Crested Butte Farmers Market Special Event Application Closing Elk Avenue, from 1st to 2nd Street, May 26th through October 6th, Except During Arts Festival in Which the Event will be Held at Big Mine.
- 4) Crested Butte Farmers Market - Evening Market Special Event Application for Thursday Evenings from July 11th to August 29th in Crank's Plaza.
- 5) Gunnison Car Show Breakfast Cruise Special Event Application Closing Elk Avenue on Sunday, August 18th from 2nd Street to 4th Street.
- 6) Resolution No. 7, Series 2019 - A Resolution of the Crested Butte Town Council Approving the Owen Minor Subdivision, East Half of Lot 26- Lot 30, Block 34, Town of Crested Butte.

The listing under Consent Agenda is a group of items to be acted on with a single motion. The Consent Agenda is designed to expedite Council business. The Mayor will ask if any citizen or council member wishes to have any specific item discussed. You may request that an item be removed from Consent Agenda at that time, prior to the Council's vote. Items removed from the Consent Agenda will be considered under New Business.

7:06 PUBLIC COMMENT

Citizens may make comments on item not scheduled on the agenda. Those commenting should state their name and physical address for the record. Comments may be limited to five minutes.

7:12 STAFF UPDATES

7:30 NEW BUSINESS

1) Ordinance No. 23, Series 2019 - An Ordinance of the Crested Butte Town Council for an Amendment of Zoning Conditions and the Restrictive Covenant Agreement for 405 Fifth Street, Klinker Condominiums Unit #C, Town of Crested Butte.

7:40 2) Update and Possible Direction on the Creative District Restructuring.

8:10 LEGAL MATTERS

8:15 COUNCIL REPORTS AND COMMITTEE UPDATES

8:30 OTHER BUSINESS TO COME BEFORE THE COUNCIL

8:40 DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS

AND

COUNCIL MEETING SCHEDULE

- Monday, June 3, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, June 17, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, July 1, 2019 - 6:00PM Work Session - 7:00PM Regular Council

8:45 EXECUTIVE SESSION

For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b).

9:30 ADJOURNMENT



Staff Report May 20, 2019

To: Mayor and Town Council
From: Rob Zillioux, Finance and HR Director
Subject: 1Q19 Financial Update

Attached is the 1Q19 financial summary for your review and discussion during the May 20th work session.

General Fund:

- Revenue overall is \$6,433 below budget.
- Sales tax is up 7% versus 2018, ostensibly due to a strong ski season.
- Building Department revenues are behind budget. Building permits, BOZAR fees, tap fees and related are all below budget. This may be due to the long snow season.
- Recreation fees are generally on budget or slightly ahead.
- Expenditures overall are well under budget, largely due to Department Head discipline and some project delays. I expect some of this good guy to carry forward through the year.

Water & Wastewater Fund:

- Service revenues are on budget. Tap fees are well behind budget and last year at this same time. Again, this is likely due to the late start of construction season.
- Operating expenditures are all under budget. Capital expenditures, associated primarily with the WTP project, are well under budget, but this is timing and we will catch up to budget during the course of 2019.

General Capital Fund:

- Revenue overall below budget, driven largely by use tax (building). RETT, however, is above budget.
- Capital expenditures overall are over budget by \$43k YTD. This is largely snow related, as well as expenses (timing) for Rainbow Park resurfacing.

Street & Alley Fund:

- Revenue and expense largely on budget.

Affordable Housing Fund:

- Revenue is well above budget due to RETT and Excise Tax.
- Expenditures are over budget, but is timing related, and associated with the High Mountain Concepts build.

The deck for working session is attached. Also attached is a position request for an 8th Marshal.

1Q19 Financial Update

(modified accrual basis)

May 20, 2019



Discussion Topics

- Council 2019 Goals / Priorities
- Sales Tax Collection
- General Fund Summary
- Sewer & Water Fund Summary
- Capital Fund Summary
- Streets & Alley Fund Summary
- Affordable Housing Fund Summary
- Debt Schedule
- Cash Schedule
- Amendments
- Discussion Points

Council 2019 Goals / Priorities

Green = completed or on track, Yellow = behind schedule or off track, Red = not begun or halted

- Block 76 Paradise Park housing project under construction (*Phase 1 has begun*)
- Long Lake conservation project funded and closed (*Funded and on track*)
- Greenhouse Gas Emissions Action Plan implemented toward five year greenhouse gas reduction goals (*CAP Consultant recommendation made*)
- Water Plant upgrade funded and under construction (*Loan approved and project underway*)
- Implement ban on new formula / franchise retail and restaurant businesses on Elk Ave (*Ordinance implemented*)
- Town Park playground completed (*on track for July opening*)
- Architectural plans and cost estimates completed for Marshal's facility (*future discussion*)
- Capital planning begun for carbon neutral Big Mine / Warming House expansion and refrigerated ice arena (*halted due to lack of community financial operating support*)

2019 Full Budget

2019 Budget

Summary of all Revenue, Expenditures and Fund Balances

	General Fund	Enterprise Fund			General Capital Fund			Conservation Trust Fund	Street & Alley Fund	Affordable Housing Fund	Total	
		Water	Wastewater	Trash	Capital	Open Space	Parks					
Revenue												
Taxes	4,434,899				255,000	600,000	432,615		851,274	805,000	7,378,787	
Service Charges	177,960	650,940	851,785	271,347			47,600			44,555	2,044,187	
Licenses & Permits	176,500										176,500	
Housing Payments in Lieu										60,000	60,000	
Fines & forfeitures	62,000										62,000	
Grants / fundraising		800,000					349,241				1,149,241	
Interest Income	48,000											
Misc	39,550	8,500	8,500		33,000		-	11,820	3,737	1,690,000	1,795,107	
Total Operating Revenue	4,938,909	1,459,440	860,285	271,347	288,000	600,000	829,456	11,820	855,011	2,599,555	12,713,823	
Tap Fees		250,000	350,000								600,000	
Other		1,225,000									1,225,000	
Total Capital Revenue	-	1,475,000	350,000	-	-	-	-	-	-	-	1,825,000	
Total Revenue	4,938,909	2,934,440	1,210,285	271,347	288,000	600,000	829,456	11,820	855,011	2,599,555	14,538,823	
Operating Expenses												
Enterprise Fund		503,065	856,753	268,869							1,628,687	
Affordable Housing										160,500	160,500	
Streets & Alley								588,178			588,178	
Conservation Trust												
Parks							555,662				555,662	
Open Space						22,000					22,000	
Misc Capital					128,275						128,275	
Mountain Express	826,036										826,036	
General Government	311,221										311,221	
Court	7,362										7,362	
Council	72,018										72,018	
Elections	11,600										11,600	
Legal	193,100										193,100	
Clerk	193,488										193,488	
Manager	176,290										176,290	
Finance / HR / IT	399,893										399,893	
Marshals	908,708										908,708	
Planning	381,726										381,726	
Facilities	232,143										232,143	
Shop	258,861										258,861	
Public Works	270,522										270,522	
Building	278,726										278,726	
Recreation	353,550										353,550	
Total Operating Expense	4,875,244	503,065	856,753	268,869	128,275	22,000	555,662	-	588,178	-	7,958,546	
Capital Expenses		2,311,000	253,000		661,000	1,000,000	575,000		305,000	2,148,000	7,253,000	
Total Expense	4,875,244	2,814,065	1,109,753	268,869	789,275	1,022,000	1,130,662	-	893,178	2,308,500	15,211,546	
Net Surplus / (Deficit)	63,664	120,375	100,532	2,478	(501,275)	(422,000)	(301,206)	11,820	(38,167)	291,056	(672,724)	
	General Fund	Enterprise Fund			General Capital Fund			Conservation Trust Fund	Street & Alley Fund	Affordable Housing Fund		
2017 Fund Reserves	4,067,322	4,847,438			3,867,206			1,512,448	41,450	1,414,934	244,284	15,995,082
Budget Fund Reserve 2018	3,708,660	3,892,013			2,566,434			1,022,748	53,270	1,111,305	25,504	12,379,934
Budget Fund Reserve 2019	3,772,324	4,115,398			1,763,953			600,748	65,090	1,073,138	316,560	11,707,210
	77%				92%							

Sales Tax Collection – Total by Area and Category

Business Area	1Q19	% total	1Q18	% total	\$ YOY	% YOY
In Town	\$915,825.97	85%	\$851,593.29	85%	64,233	7.5%
Out of State	\$72,241.66	7%	\$66,337.79	7%	5,904	8.9%
County	\$67,893.14	6%	\$57,705.69	6%	10,187	17.7%
State	\$24,775.89	2%	\$30,499.47	3%	-5,724	-18.8%
Grand Total	\$1,081,270.75	100%	\$1,007,352.38	100%	73,918	7.3%

Jan	\$328,434
Feb	\$317,232
March	\$435,604
Total	\$1,081,270

Business Type	1Q19	% total	1Q18	% total	\$ YOY	% YOY
BARS/REST	\$374,435.76	35%	\$351,609.95	35%	22,826	6.5%
RETAIL	\$225,049.78	21%	\$222,971.65	22%	2,078	0.9%
LODGING	\$138,009.62	13%	\$116,758.86	12%	21,251	18.2%
GROCERY	\$122,175.10	11%	\$109,657.17	11%	12,518	11.4%
OTHER	\$76,903.66	7%	\$63,078.42	6%	13,825	21.9%
CONST/HRDWR/AUTO	\$67,021.45	6%	\$56,620.72	6%	10,401	18.4%
SERVICE	\$43,156.70	4%	\$48,904.16	5%	-5,747	-11.8%
RETAIL:MMJ	\$34,253.42	3%	\$37,751.45	4%	-3,498	-9.3%
Grand Total	\$1,081,270.75	100%	\$1,007,352.38	100%	73,918	7.3%

Notes:

- Town business revenue generally healthy and solid growth reflective of strong snow season
- Tax collections were ~\$40k above budget
- Mail order business sales tax collection has normalized after 2018
- March is typically the 4th highest sales collection month. Jan and Feb are typically 6th and 7th.

Sales Tax Collection – Top 30 Town Businesses

Business	1Q19	1Q18	\$ growth	% growth
Retail	\$82,031	\$73,423	\$8,608	12%
Restaurant / Bar	\$49,892	\$42,806	\$7,086	17%
Restaurant / Bar	\$26,414	\$28,159	(\$1,745)	-6%
Restaurant / Bar	\$23,777	\$16,611	\$7,166	43%
Retail	\$23,028	\$21,454	\$1,574	7%
Lodging	\$23,016	\$1,684	\$21,332	1267%
Lodging	\$22,412	\$18,637	\$3,774	20%
Retail	\$22,373	\$18,384	\$3,989	22%
Retail	\$21,659	\$18,224	\$3,435	19%
Restaurant / Bar	\$21,616	\$19,858	\$1,758	9%
Retail	\$20,861	\$20,266	\$595	3%
Retail	\$19,057	\$19,051	\$6	0%
Restaurant / Bar	\$17,750	\$14,744	\$3,006	20%
Restaurant / Bar	\$16,153	\$16,203	(\$50)	0%
Restaurant / Bar	\$15,477	\$6,976	\$8,501	122%
Restaurant / Bar	\$14,885	\$14,157	\$728	5%
Restaurant / Bar	\$14,276	\$12,894	\$1,383	11%
Retail	\$14,117	\$11,796	\$2,321	20%
Retail	\$13,393	\$10,995	\$2,398	22%
Restaurant / Bar	\$11,740	\$9,302	\$2,439	26%
Restaurant / Bar	\$11,572	\$10,735	\$837	8%
Restaurant / Bar	\$11,512	\$8,519	\$2,993	35%
Lodging	\$11,076	\$8,083	\$2,993	37%
Restaurant / Bar	\$11,042	\$10,115	\$927	9%
Restaurant / Bar	\$10,682	\$10,089	\$593	6%
Lodging	\$10,237	\$8,144	\$2,094	26%
Retail	\$9,962	\$8,325	\$1,637	20%
Lodging	\$9,951	\$7,138	\$2,814	39%
Retail	\$9,582	\$8,065	\$1,517	19%
Restaurant / Bar	\$9,405	\$9,839	(\$434)	(\$0)
Top 30 Total	\$578,948	\$484,675	\$94,274	19%
Top 30 Normalized for #6	\$555,933	\$482,991	\$72,942	15%

Notes:

- Top 30 Town businesses generally had a very strong 1Q19
- Normalized growth for Top 30 was 15%
- 26 of our top 30 businesses had positive growth
- Top 30 businesses accounted for 53% of total sales tax collection
- Top 5 businesses accounted for 19% of total

General Fund Summary

	1Q19 Actual	1Q19 Budget	Variance	Notes:
Total Revenue	1,167,013	1,173,446	(6,433)	
Expenditures				
General Government	70,067	125,966	55,898	
Court	2,265	1,841	(424)	
Council	15,324	18,005	2,680	
Legal	33,469	50,775	17,306	
Clerk	40,952	47,740	6,788	
Manager	38,880	42,103	3,223	
Finance	103,112	97,973	(5,139)	• Employers Council annual membership payment timing.
Marshal	278,069	287,797	9,728	
Planning	76,195	95,431	19,236	• Allocations between Planning and Building need to be corrected. In total Community Development area is \$11k over budget, due to T&E and software maintenance timing.
Building	100,665	69,682	(30,983)	
Facility Maintenance	49,163	59,011	9,847	
Town Shop	43,126	65,165	22,040	
Public Works	32,249	69,355	37,107	
Recreation	81,561	85,870	4,308	
Total Expenditures	965,097	1,116,713	151,616	
Net surplus / (deficit)	201,916	56,733	145,183	

Sewer & Water Fund Summary

	1Q19	1Q19 Budget	Variance	Notes:
<u>REVENUE</u>				
SEWER CHARGES	185,733	185,381	353	← Sewer, Water and Trash generally right on budget. Fees were not increased in 2019, but will need increase for 2020.
WATER CHARGES	150,872	156,643	(5,771)	
SANITATION CHARGES	67,906	67,837	70	
GRANT REVENUE	49,032	0	49,032	← Grant revenue rolled from 2018 to 2019
ATAD CONTRIBUTION-MT CB	21,523	24,000	(2,477)	
INTEREST INCOME	17,548	2,500	15,048	← Interest include increased due to new investment strategy
INTEREST & PENALTIES	1,434	1,250	184	
WATER TAP FEE	0	55,000	(55,000)	← Tap fees historically difficult to predict. However, we believe tap fees will catch up by year end. Water tap fee is \$8,100 per EQR and sewer tap fee is \$9,900 per EQR. Equivalent Residential Usage is the amount of water and sewer used by a standard residential unit of 1,875 sq ft.
SEWER TAP FEE	0	75,000	(75,000)	
TOTAL REVENUE	502,049	577,175	(75,125)	
<u>EXPENSE</u>				
TOTAL ADMINISTRATION	112,304	145,193	32,889	
TOTAL WATER	67,959	82,906	14,947	
TOTAL WASTEWATER	121,463	124,727	3,263	
TOTAL OPERATING EXPENSES	301,727	352,826	51,099	
TOTAL CAPITAL EXPENSES	293,871	661,250	367,379	← WTP project has begun. Snow and LUR process has slightly delayed timeline. As a result, 1Q expenditures are below budgeted. It is possible that some 2019 budgeted project expenses will bleed into early 2020.
TOTAL EXPENSES	595,598	1,014,076	418,478	
Surplus / Deficit	(93,548)	(436,901)	(493,603)	

Capital Fund Summary

	1Q19 Actual	1Q19 Budget	Variance	Notes:
REVENUE				
TOTAL REVENUE	310,577	342,530	(31,953)	<ul style="list-style-type: none"> Use Tax (Building Material and Automobile) are, in total, \$60k behind budget. Likely, the long snow season has limited building use tax. Likely to catch up full year. RETT up \$37k versus Plan. This reflects a multi-year trend of escalating real estate prices. For 2019, RETT is distributed 50/50 to Open Space / Affordable Housing.
EXPENSES				
WAGES-FULL TIME	47,977	52,531	(4,554)	
WAGES-SEASONAL	2,080	1,500	580	
WAGES - TRAILS	2,262	2,121	141	
OVERTIME	3,445	2,666	779	
OTH ADA lift	520	0	520	
PARK MAINT SUPPLIES	2,187	5,811	(3,624)	<ul style="list-style-type: none"> Replacement for end of life Bobcat.
PARK CAPITAL EQUIPMENT	72,215	75,000	(2,785)	<ul style="list-style-type: none"> Rainbow Park resurfacing deposit. The full Rainbow Park project is expected to come in under budget.
PARK MAINT PROJECTS	17,869	0	17,869	
CEMETERY	92	2,500	(2,408)	
BUILDING CAPITAL PROJECTS	480	5,000	(4,520)	
BUILDING MAINT.	10,827	9,000	1,827	
Bldg Snow Removal	20,870	0	20,870	<ul style="list-style-type: none"> Yeah snow!
AVALANCHE MITIGATION	7,500	15,000	(7,500)	<ul style="list-style-type: none"> Our contract with CBAC is for \$15k. They have simply not yet invoiced for the 2nd half.
BIKE PARK	578	0	578	
PW - Perimeter Fence	12,500	0	12,500	<ul style="list-style-type: none"> Automatic gate at Public Works Yard. Reimbursed by Mountain Express.
TOTAL EXPENSES	259,213	215,785	(43,428)	<p>Misc Park Notes:</p> <ul style="list-style-type: none"> a) Town Park still expect July opening. Playground equipment completed and ready for install. Slabs and rock wall work next two weeks. Horseshoe pit and basketball court open by end of May. b) Hockey changing room design to go before BOZAR in May. Janna to apply for grants from Rotary Club and Met Rec. c) Henderson Park design in process. Bob Nevis doing the work to save external costs.
Surplus / (Deficit)	51,364	126,745		

Street & Alley Fund Summary

	1Q19	1Q19 Budget	Variance
REVENUE			
PROPERTY TAX-Street	\$204,403	\$192,000	\$12,403
PROPERTY TAX-Trans.	\$68,134	\$64,000	\$4,134
HIGHWAY USERS TAX	\$8,160	\$12,818	-\$4,658
TOTAL REVENUE	\$280,773	\$270,014	\$10,759
EXPENSES			
LABOR-SNOW REMOVAL	\$105,313	\$47,000	-\$58,313
LABOR-STREET MAINT	\$2,280	\$24,500	\$22,220
REPAIR & MAINT STREETS	\$207	\$5,500	\$5,293
ENGINEERING	\$2,950	\$16,000	\$13,050
R&M VEHICLES	\$4,411	\$5,000	\$589
SNOW REMOVAL-SUPPLIES	\$16,999	\$20,000	\$3,001
Snow Removal - Trucking	\$109,678	\$0	-\$109,678
ROUNDBOUT / SCHOOL ENTRANCE ENGINEERING	\$24,770	\$0	-\$24,770
TREASURER FEES	\$8,177	\$10,784	\$2,607
CAPITAL EQUIPMENT	\$12,129	\$160,000	\$147,871
TOTAL EXPENSES	\$313,000	\$318,279	\$5,279
Surplus / (Deficit)	-\$32,227	-\$48,264	

Notes:

- Property tax collections slightly ahead of budget, but should level out by the end of 2019.
- Winter of 2018-2019 had the highest cost for snow removal in recent past. 4,492 truck loads hauled from Town, including 900 off Elk. This amount surpasses the snowmagedden winter of 2016-2017, with 3,604 loads. Winter of 2017-2018 was only 350.
- Safe Route engineering through RTA. Bills split with School District.
- Timing. Budget assumed replacing larger snow blower and Bobcat during March. These purchases will occur during 2019 and will likely be 2Q19. Both Blower and Bobcat are end of life, require much maintenance and are ready for replacement.

Affordable Housing Fund Summary

	1Q19	1Q19 Budget	Variance	Notes:
REVENUE				
HOUSING PMT IN LIEU	\$0	\$15,000	-\$15,000	← PMT in lieu difficult to predict, but we are confident to catch up before end of year.
PARADISE UNIT SALE	\$36,000	\$0	\$36,000	← Earnest money Lot 16 Block 79. School Dist RE1J
Excise Tax	\$90,046	\$65,000	\$25,046	← STR excise tax up 28% versus 2018.
RETT CONTRIBUTION	\$187,035	\$137,500	\$49,535	← RETT above budget and continuing recent trend of escalating real estate sale prices in Town. RETT is split 50/50 between Open Space and Affordable Housing
TOTAL REVENUE	\$314,676	\$228,639	\$86,038	
EXPENSES				
HOUSING AUTHORITY	\$14,687	\$58,000	\$43,313	← Timing
PARADISE PARK BUILD	\$743,378	\$212,500	-\$530,878	← Timing versus budget assumption. Project will be managed to overall budget. Primarily, expense for the High Mountain Concepts build, which Town is financing.
HOUSING MAINTENANCE	\$2,205	\$8,250	\$6,045	
TOTAL EXPENSES	\$765,657	\$283,625	-\$482,032	
Surplus / (Deficit)	-\$450,981	-\$54,986		

Debt Schedule

	Year	Term	Interest Rate	Principal	Current Balance	2019 Payments	Maturity Date
Water Tank	2012	20 years	2%	\$400,000	\$272,960	\$24,788	2032
Wastewater Treatment Plant	2017	20 years	2%	\$2,500,000	\$2,332,247	\$154,926	2037
Wastewater Treatment Plant clarifier	2011	20 years	2%	\$1,900,000	\$1,204,580	\$90,766	2030
Sub-Total as of May 2019				\$4,800,000	\$3,809,787	\$270,480	
<i>Approved 2020 WTP Loan</i>	2020	20 years	2.5%	\$2,025,000	\$2,025,000	\$129,899	2040
Total				\$6,825,000	\$5,834,787	\$400,379	

Notes:

- Mt Emmons \$2.11m – ballot measure approved debt
- 2020 Water Treatment Plan project \$2,025,000. Load approved by CWR&PDA, but Town will not take out until 1Q20. 2019 Project will be funded through Enterprise Fund reserves and cash flow.
- Water and Sewer Rates not raised for 2019. However, will likely need to be raised for 2020 so as to cash flow increased debt.

Cash Position

	Closing Balance			Interest Rate			Implied Full Year Interest		
	May - 19	Dec-18	Dec-17	May-19	Dec-18	Dec-17	2019	2018	2017
Bank of the West	\$13,874,695	\$15,063,135	\$18,987,209	1.75%	0.22%	0.22%	\$242,807	\$33,139	\$41,772
Crested Butte Bank	\$0	\$0	\$165,143			0.50%	\$0	\$0	\$826
Community Banks of Colorado	\$165,143	\$165,143	\$0	1.60%	1.60%		\$2,642	\$2,642	\$0
ColoTrust	\$5,838,096	\$5,801,494	\$738,434	2.56%	2.59%	1.51%	\$149,455	\$150,259	\$11,150
Total	\$19,877,934	\$21,029,772	\$19,890,786				\$396,924	\$186,040	\$53,748

Notes:

- Approach is to protect taxpayer / Town funds, while maximizing returns in secure investments
- May continue to invest more with ColoTrust while maintaining sufficient operating funds in Bank of the West
- We are now receiving meaningful interest income with Bank of the West
- Annual interest income increase of +/- \$340,000 as compared to 2017
- Cash position is not the same as Reserves. For example, our \$3.8mm debt balance in the Enterprise Fund nets against cash position to calculate Reserves.

Budget Amendments

	General Fund	Enterprise Fund			General Capital Fund			Conservation Trust Fund	Street & Alley Fund	Affordable Housing Fund	Total
		Water	Wastewater	Trash	Capital	Open Space	Parks				
Revenue											
Total Operating Revenue	4,938,909	1,459,440	860,285	271,347	288,000	600,000	829,456	11,820	855,011	2,599,555	12,713,823
Total Capital Revenue	-	1,475,000	350,000	-	-	-	-	-	-	-	1,825,000
Total Revenue	4,938,909	2,934,440	1,210,285	271,347	288,000	600,000	829,456	11,820	855,011	2,599,555	14,538,823
Operating Expenses											
Total Operating Expense	4,875,244	503,065	856,753	268,869	128,275	22,000	555,662	-	588,178		7,958,547
Capital Expenses		2,311,000	253,000		661,000	1,000,000	575,000		305,000	2,148,000	7,253,000
Total Expense	4,875,244	2,814,065	1,109,753	268,869	789,275	1,022,000	1,130,662	-	893,178	2,308,500	15,211,546
Net Surplus / (Deficit)	63,664	120,375	100,532	2,478	(501,275)	(422,000)	(301,206)	11,820	(38,167)	291,056	(672,724)
	General Fund	Enterprise Fund			General Capital Fund			Conservation Trust Fund	Street & Alley Fund	Affordable Housing Fund	
2017 Fund Reserves	4,067,322	4,847,438			3,867,206	1,512,448		41,450	1,414,934	244,284	15,995,082
Budget Fund Reserve 2018	3,708,660	3,892,013			2,566,434	1,022,748		53,270	1,111,305	25,504	12,379,934
Budget Fund Reserve 2019	3,772,324	4,115,398			1,763,953	600,748		65,090	1,073,138	316,560	11,707,210
	77%				92%						
Amendments											
Triplex Fire Supression										262,000	
Kikel Parcel						530,000					
Bike Park							6,400				
Big Mine Ice Rink *							197,000				
Community Grants	8,625										
Snow Removal									175,000		
Total Amendments	8,625	-	-	-	-	530,000	203,400	-	175,000	262,000	1,179,025
2019 Surplus / (Deficit) Amended											(1,851,749)
2019 Reserves (Amended)	3,763,699		4,115,398		1,560,553	70,748		65,090	898,138	54,560	10,528,185



Discussion Points:

- Town has undertaken many large and meaningful projects over the last few years. Trampe Ranch, Kikel Parcel, Center for the Arts, Pirate Park, Bike Park, WWTP Upgrade, WTP Upgrade, Affordable Housing to name a few. These are wonderful legacy projects that help make CB a terrific place to live and visit. However, in doing so, Town reserves have been reduced by over \$5mm since 2017. More critically, at the end of 2019 Town will only have \$5.5mm in reserves excluding Enterprise Fund and Streets Fund (which are strictly earmarked). So, the question posed is whether to take a break from additional large projects / commitments until which time we develop and align around a unified set of priorities and 5-year roadmap. Town can also consider increasing taxes as a way to fund large projects. Should we continue spending at the same clip with the same tax base, we will run out of reserves in a matter of 2-3 years.
- When Council approved the 2019 Budget, they asked to revisit adding an 8th Marshal after the ski season. (*see attached detail staffing request and justification*)

STAFFING REQUEST

DEPARTMENT: Marshal SUBMITTED BY: Michael Reily
 POSITION: Deputy Marshal
 POSITION STATUS: Full Time
 PRIMARY DUTIES (if job description already exists, please attach):
 Attached below.

ANTICIPATED PAY RANGE: \$48,000-\$50,000
 Salary \$50,000 (\$56,650k, mkt. avg)
 Benefits \$19,000

2018-19 Starting pay comparison for similar Colorado agencies:
 Crested Butte Marshal's Office \$48,000 (\$50-55,000 lateral)
 Gunnison Sheriff's Office \$48,165
 Mt Crested Butte Police \$48-53,000
 Grand Junction Police \$52,027⁷
 Gunnison Police Department \$50,600
 Estes Park \$53,776 (top lateral \$59,154)
 Mountain Village \$47,005 (\$63,458 top lateral) plus \$10,140 housing allowance
 Breckenridge \$55,484 (\$90k top patrol)
 Steamboat \$57,636 (\$76k top lateral)

To provide greater coverage, better service and with proper staffing, the Marshal's Office proposes adding an eighth officer to the department to better meet the expectations of an expanding population and business base. The position would come with some one-time costs and recurring salary/benefit requirements.

<u>Item</u>	<u>Recurring</u>	<u>2019 only</u>
Salary	\$50,000	
Benefits	\$19,000	
Uniforms/Equipment	\$900	\$2,500
Dispatch	\$8,600	
Desk/Computer		\$3,500
Academy and lodging		\$15,000 ⁶
Annual total	\$78,500	
Initial Year Total	\$99,500/\$84,500 (less \$15,000 for POST certified)	

WHY IS THE POSITION NEEDED?

In 1995 the Marshal's Office added a sixth officer to the department and another in 2006 to arrive at our current total of seven officers. The department has remained at seven officers since 2006 while the town has grown and calls for service have steadily increased. In the last six years, as the economy continues to improve, the town of Crested Butte and our surroundings have experienced population and visitor growth and an expansion of our busy seasons. Even in the shoulder seasons, the Marshal's Office continues to handle incidents of theft/burglary, domestic violence, suicides, accidents and events which take their toll on the community. Residents and visitors expect a reasonable level of response, security and service from their police department.

In addition to performing typical law enforcement tasks, the Marshal's Office regularly assists other public safety agencies by arriving quickly to emergency scenes to render aid (all of our officers are certified EMR first responders or EMTs), convey scene assessment information and provide traffic control. As you would expect from a friendly resort community, we act as a type of Town concierge, providing information and advice on where to eat, stay, drive, recreate and shop. Officers provide a reassuring presence in the Community School, during Vinotok, Arts Fair and other town events. However, presenting and delivering those services, and more, has been complicated with the current staffing level. We have looked at other options and found the best solution to meet the expectations of our community will be the addition of an eighth officer.

BACKGROUND

The one-time accepted, population-driven force ratio of 2.6 officers per 1,000 residents would put our department somewhere between 3.9 and 7.27 officers. However, it is important to note the International Association of Chiefs of Police (IACP) Patrol Staffing and Deployment Study states, *"Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions. Accordingly, they have no place in the IACP methodology. Defining patrol staffing allocation and deployment requirements is a complex endeavor which requires consideration of an extensive series of factors and a sizable body of reliable, current data."*

The proposed eighth officer is not in response to any particular criminal threat; which is also not a good indicator for increased staffing since there are so many variables in that equation as well. What is obvious to visitors and locals is the explosion of people in Crested Butte. We are all seeing more visitors in town, more special event weekends, and the town and its surroundings are experiencing growth that hasn't been seen in years. To some, the number of officers may seem sufficient but, with the fluctuating population of a resort town and the growth of the surrounding communities, the demands placed on your police service means additional manpower is necessary. One moderate sized event, one difficult domestic, one bad accident or one sex assault and our duty resources are quickly tapped.

The population in 2014 rose 3.6% to 1,541 full time residents and a peak season population of 2,798.¹ Additionally, the north end of Gunnison County now reports nearly 7,000 full-time residents. The Marshal's Office ends up servicing not only our residents but all of the residents and visitors who venture into Crested Butte. Our case reports rose from 260 reports in 2016 to 287 reports (10.38% increase) in 2017 with a total of around 5,000 calls for service

handled by 7 officers and an Office Manager. Looking back to 2013, our caseload has risen from 230 reports to 264 in 2018 (15% increase).²

In recent history Crested Butte has seen a rise in both liquor licensed premises (53) and marijuana vendors (4) which is significant for a small town.³ A majority of our calls for service come from alcohol or drug related incidents and mental health events. Drug, alcohol and mental health incidents are not simple “file a report” types of calls, they require extra manpower and significant time to properly respond and recover from.

A typical DUI arrest for example takes one officer at least three hours to complete from the time of stop until they are back in service to take additional calls. Officers will take additional time to complete the report, attend a Department of Revenue phone hearing and, appear in court on that case.

For mental health calls, multiple officers are required to respond and safely handle the call. If patients are taken into protective custody the officers are regularly taken out of service from several hours to nearly a full day if we are required to wait for a mental health evaluation and transport the patient to a treatment facility.

The “big events in a small town” such as Independence Day, Arts Festival, and Vinotok celebrations have drawn crowds from near and far to become seam busting events. In addition, our summers and winters are filled with events drawing a myriad of crowds such as Bike Week, the Fat Tire World Championships, Wildflower Festival, CB Music Festival, Ball Bash, Fat Tire Bike Week, Zombie Prom, Mardi Gras, numerous college ski weeks, for a total of 367,659 skier days⁴ and 640,000 public transit riders⁵ annually. The school population has grown to almost 750 students and 100 staff. In the near future we expect to see visitor numbers increase as the Epic Pass draws additional skiers and Cottonwood Pass opens once again. All of this affects the ability of local law enforcement to provide an expected and safe level of service.

DISCUSSION

Some of the issues affecting current Marshal’s office staffing are:

Training:

In 2015 Colorado POST (Peace Officer Standards and Training) mandated a minimum of 24 hours of annual training for officers to maintain their certifications. However, to realistically keep up with current legal issues, and maintain their skills, officers must regularly train above those requirements to maintain their effectiveness and reduce liability. To better our professional abilities, officers receive updated training which widens their skill base so they can handle an ever increasing spectrum of required police services.

Housing/Proximity:

With the local housing shortage and cost of living in the north end of the valley, we have had to allow officers to live as far away as Gunnison. Currently, five of our seven officers live in the upper valley. Officers living farther away from town means longer response times when additional assistance is required and shifts are not filled to the necessary level. Emergency call-out and crisis investigation overtime resulted in 155 hours in 2016, 175 hours in 2017 and 204.75 hours in 2018! Having an additional officer would allow more shifts to be filled without having to call officers in on an overtime basis.

Sick/Injury time:

Since 2005 at least five officers have used extended sick leave (normal human wear-and-tear) for a variety of reasons. During their recovery, the effected officers used approximately 19 months of extended leave and the remaining officers worked to cover their shifts. In addition, other officers took paternity leave totaling several months. We were able to minimally cover those shifts but this meant officers were working shifts below our recommended staffing, prompting overtime and backfill from the remaining officers during special events.

Vacation:

Seven marshals can accrue up to 1,800 (the hours grow with an employee's tenure) hours of vacation and leave time each year. This time is nearly equivalent to one employee's annual base workload of 2,080 hours (less vacation). If our officers took the leave coming to them we would effectively be a six officer department.

To properly cover shifts, without adversely affecting the limited available overtime, officers do not take full advantage of their vacation time. Vacation time is designed to retain long term workers by giving them time away from the job to promote healthy employees. Annually, officers have each given back between 20 and 50 hours of unused vacation time which they are reluctant to take because it will leave shifts understaffed. Especially in a stressful job, this time off is particularly important for an employee's mental and physical wellbeing.

Local Factors:

With only seven officers, if officers take vacation time or sick leave, effective scheduling becomes complicated. If multiple officers are required to attend a training event (which saves on travel and lodging), scheduling becomes more difficult. If vacation/sick and training occur at the same time, current staffing will not allow both to occur and consequently it is training that suffers.

Several years ago, Mt Crested Butte hired an eighth officer to supplement their department. Their experience with an eighth officer allowed them to properly take vacation, better absorb turnover, more effectively cover their calls for service, devote more time to detailed cases and even provide some around-the-clock coverage.

Comparison:

While seven officers theoretically places four officers to cover the night shifts and three officers to cover the week's day shifts, this does not take into account training, vacation, sick or family leave. Any time an officer takes time off for those reasons, staffing changes occur which effect the number of officers on a particular shift. On a fully staffed shift (two officers), having an officer take someone to jail or for a mental health/medical transport might only leave one officer on duty. If there was only one officer working to start with, or several officers are needed to handle the call, this leaves nobody from the Marshal's Office covering the shift and requires the mutual aid agreement with Mt Crested Butte to go into effect to provide coverage.

WHAT IS THE IMPACT IF POSITION IS NOT FUNDED?

Our current staffing is regularly insufficient to deal with the fluctuating population of a resort town, and these peak requirements for police service means additional manpower is sometimes required but unavailable. As the town grows and calls for service increase, with the current staffing level, demands from residents and visitors on our department to deliver timely,

quality service is complicated. Without an eighth officer, current staffing will not allow for proper mental and physical breaks from a stressful job; it will not allow us to absorb anticipated and unanticipated turnover; it will not allow for more effective coverage of calls for service or time devoted to detailed cases.

While having an eighth officer would assist us in promoting long term employee growth and retention, having another officer would also make the department more able to withstand turnover. At seven officers, losing even one officer leaves the Town at a level of reduced staffing where we are not always able to properly cover our calls and requests for service. As we are currently staffed, the Office Manager has to frequently make people wait until an officer can handle a complaint or question when she is not able to provide them with the requested service.

Reduced staffing affects both officer and public safety. Even planned departures or retirements can cause turmoil since it takes nine months to a year before a new officer is hired and can effectively work shifts without a training officer. Providing the Marshal's Office with an eighth officer would smooth the wrinkles that growth has put in the path of Crested Butte's safety and security.

A key point to remember in this discussion is the care your Marshal's Office takes in choosing who works for you. After one of our officers recently left the department to work elsewhere, the officers collectively opted to work very shorthanded through the summer and winter of 2018-19 rather than settle on hiring an already POST certified officer to "fill" the opening. Our goal in hiring department members is to always find the "right fit" candidate who can serve Town, our visitors and the mission of the Marshal's office to work *"in partnership with our community, to provide an exemplary level of service and protection to the residents and businesses of Crested Butte and to all those who may visit, work in, or travel through our community."* To do this effectively, we need the right fit as well as the right number of people.

RESOURCES

¹ Crested Butte Planning Department, [Crested Butte Community Profile 2015 Draft](https://crestedbutte.govoffice2.com/vertical/Sites/%7B6058FFBB-CB06-4864-B42F-B476F794BE07%7D/uploads/Profile0615.pdf).
<https://crestedbutte.govoffice2.com/vertical/Sites/%7B6058FFBB-CB06-4864-B42F-B476F794BE07%7D/uploads/Profile0615.pdf>

² CBMO case reports: 2013-230, 2014-260, 2015-267, 2016-260, 2017-287.

³ Town of Crested Butte Clerk's Office.

⁴ Crested Butte Mountain Resort. 2017 skier days

⁵ Chris Larsen of Mountain Express

⁶ Colorado Mountain College (2018 CLETA academy and housing)

⁷ salary.com <http://www1.salary.com/CO/police-officer-salary.html>

Town of Crested Butte Job Description

Deputy Marshal

Department: Marshal
FLSA Status: Non-Exempt

Job Summary

In partnership with our community, provides an exemplary level of service and protection to the residents and businesses of Crested Butte and to all those who may visit, work in, or travel through our community. Serves the community through integrity, honesty, dedication, loyalty, and professionalism to enforce the law without prejudice or bias. Vigorously pursues those who commit serious crimes against these people while respecting the rights of those accused of committing crime, as well as being sensitive to those victimized by crime.

Duties and Responsibilities

With integrity, is responsive to the community's needs in a fair, equitable, unbiased, ethical and service-oriented way to provide for:

- Officer Safety
 - Priority of life – Uninvolved civilians, Involved civilians, Officers, Suspects
 - Effective tactics
 - Calls For Service
 - Ongoing investigations of serious crimes
 - Q&A – customer service
 - Training – regular and ongoing
 - Investigations of minor crimes
 - Traffic enforcement
 - Code enforcement
 - Dog enforcement
 - Parking enforcement
1. Patrol Town in a radio-equipped vehicle, on foot or other conveyance to preserve law and order, enforce traffic and other laws and ordinances and to educate citizens regarding laws and ordinances.
 2. Operate an emergency vehicle day and/or night, in all weather conditions, in routine, emergency and pursuit situations.
 3. Respond or initiate general calls for service including animal complaints, code violations, property preservation and other such services.
 4. Discover and prevent the commission of crimes; manage and resolve conflict while providing response to inquiries with routine, potential problem and crisis situations.
 5. Respond to complaints involving automobile accidents, robberies, assaults, deaths, domestic disturbances, suicidal persons, child abuse, fires, alarms and other such incidents.
 6. Secure accident and crime scenes, conduct preliminary investigations, obtain and interview witnesses, gather information, conduct visual and audio surveillance over areas and/or suspected criminals and obtain warrants as necessary.

7. Investigate or initiate complaints and apprehend suspects involved with petty offenses, misdemeanors and felonies which may result in searching and transporting prisoners. Prepare investigative and other reports by dictating, writing or typing to document incidents to include photographs, sketches, in accordance with established format, protocol, and timeliness.
8. Issue verbal and written warnings and citations; initiate arrests, forcibly if necessary, using handcuffs and other restraints, use lethal and less-lethal weapons and force when appropriate.
9. Administer first aid, and other life saving techniques;
10. Work with citizen groups to resolve community public safety issues; identify areas of potential problems, crime, disorder, traffic or unsafe conditions; reports and initiates corrective actions.
11. Participate in and present enforcement and proactive preventative programs. Participate in meetings and assist with recruiting and selection activities. Prepare and make oral presentations related to public safety issues to community and school groups.
12. Serve warrants and subpoenas; appear in court to present evidence and testify. Participate in a variety of legal proceedings.
13. Recover, impound, and return stolen, evidential or lost property items.
14. Perform other duties as assigned or required.

Required Knowledge and Skills

Knowledge of

1. Law enforcement methods including patrol and problem solving strategies.
2. Department policies, procedures, rules, and regulations.
3. Town and surrounding area geography, crime patterns, and police services needed.
4. Core Competency areas

- Animal Control

- Computer Skills

- Word, ITI, Excel, Email, Text, PowerPoint

- Communications

- Active Listening

- Court Testimony

- Interpersonal

- Phone

- Problem Solving

- Radio

- Report writing

- Written

- Defensive Tactics

- De-escalation

- Ground Control

- Comprehensively

- Use of Force legal issues

- Driving

- Emergency

- Patrol

- Firearms

- Pistol

- Rifle

- Shotgun

- Investigations

- Crime Scene
- Documentation
- Drugs
- Interviewing
- Photography
- Records Management
- Scene Security
- Scene Sketching
- Surveillance
- Legal
 - Civil Law
 - Colorado Revised Statutes
 - Federal Law
 - Model Traffic Code
 - Municipal Ordinances
 - Traffic Ordinances
- Less-Lethal Technologies
 - Baton
 - Chemical Agents
 - Impact Munitions
 - NFDD
 - Taser
- Local Knowledge
 - Businesses
 - Citizens
 - Map Orientation
 - Town/County/State
- Medical
 - AED
 - Basic First Aid
 - Trauma
 - Tactical Combat Casualty Care
- National Incident Management System/Emergencies
 - Incident Command
 - Explosion/IED response
 - Hazardous Materials
 - Mitigation
 - Natural Disasters
 - Preparedness
 - Response
 - Weapons of Mass Destruction
- Officer Safety
 - Scene safety
 - Traffic safety
 - Trends – Local and National
- Physical Fitness
 - Nutrition
 - Strength/Flexibility/Endurance

Tactical

Active Shooter
 Barricade
 Building Search
 Hostage
 Tracking
 Warrant Service

Ability

1. To establish and maintain effective working relationships with superiors, coworkers, and the general public and develop community partnerships.
2. To communicate effectively, orally and in writing.
3. To analyze situations and provide emergency action.
4. To learn and proficiently use standard broadcasting procedures on a police radio system.
4. To use and properly care for all equipment issued by the Town of Crested Butte in accordance with department policy.
5. To read, learn, comprehend, interpret and apply laws, regulations, policies, and procedures.
6. To prepare clear, accurate, grammatically and procedurally correct written reports and warrants.

Minimum Job Requirements

Must be 21 at time of POST certification.

A high school diploma or GED equivalent is required.

Must possess a valid Colorado Peace Officer Standards and Training Level I Peace Officer certification.

Must possess and maintain a valid Colorado Driver's License or obtain one within thirty (30) days of employment.

Background Investigation

Per Colorado POST standards, a peace officer, as described in section 16-2.5.102, CRS, must, at minimum, pass a background check to determine a person's fitness to serve as a peace officer. The background check may include:

Written employment test
 Oral board interview
 Physical agility test
 Polygraph test
 Driving record check
 Fingerprint check
 Interviews with neighbors and employers

Medical Examination

Per Colorado POST standards, a peace officer, as described in section 16-2.5.102, CRS, must undergo both a physical and a psychological evaluation to determine a person's fitness to serve as a peace officer. Such evaluation shall have been performed within one year prior to the date of appointment by a physician and either a psychologist or psychiatrist license by the state of Colorado.

Working Conditions and Physical Effort

The working conditions consist of varied environments to include office work, vehicle patrol, classrooms, public and private buildings and outdoor areas under stressful and non-stressful conditions. While in these varied environments, the officer must have the ability to persuade and manage difficult

people in dangerous situations. The overall work environment involves managing multiple concurrent tasks with specific deadlines; and requires confidentiality, reasoning, judgment, and problem solving skills.

Frequently work conditions require collaborating with others. Work times can be irregular and protracted to include working weekends, nights, varied shifts, holidays, and unanticipated overtime. Unusual fatigue factors may result from working varied shifts that include days, evenings, nights, weekends, and holidays

Officers must be able to drive a vehicle in varied terrain, in all types of weather conditions which require near and far vision and the ability to distinguish colors.

Officer must be able to deal with people who are angry, upset, and/or distraught. Work requires individuals to meet physical and mental demands associated with arrest and control techniques, and other tactical situations. Requires frequent lifting and carrying, standing, sitting, bending/stooping, exposure to sun and other adverse or inclement weather, slippery/uneven surfaces.

Officers must be able to read, write and understand English and effectively utilize verbal and written communication. Basic computer and electronic device skills along with the ability to learn new systems is required. Basic math skills and the ability to read a map to orient oneself to an unfamiliar environment are required.

In all types of environments officers may have to operate computers, machines, and complex tools. While noisy environments are encountered the officer must be able to hear and react to stimuli in all types of situations.

Occasional moderate (15 to 49 pounds) and heavy (over 50 pounds) lifting and carrying, pulling, pushing, walking, reaching, twisting, crawling, kneeling, squatting, climbing, are required. This may include occasionally lifting, pulling, or dragging a person. The environment may also include excessive intermittent noise, machinery, dust, electrical energy, fumes, smoke, liquids and gasses. Officers may be exposed to liquids, bio-hazardous material, bloodborne pathogens, or other health considerations where proper use of Personal Protective Equipment (PPE) must be used.

This job description is intended to describe the general nature and level of work expected of this position. The description is not intended to be construed as an exhaustive listing or description of all responsibilities, duties and skills required of incumbents in the job.

New: 8/17/2009

Revised: 2/8/2017

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, May 6, 2019
Council Chambers, Crested Butte Town Hall

Mayor Schmidt called the meeting to order at 7:00PM.

Council Members Present: Will Dujardin, Candice Bradley, Chris Haver, Jackson Petito, and Paul Merck

Staff Present: Town Manager Dara MacDonald, Town Attorney John Sullivan, and Community Development Director Michael Yerman

Parks and Recreation Director Janna Hansen and Town Clerk Lynelle Stanford (for part of the meeting)

Schmidt summarized the topics of the work session. He thanked Jonathan Houck, and he mentioned the upcoming open house that would be held by the Slate River Working Group.

APPROVAL OF AGENDA

Merck moved and Haver seconded a motion to approve the agenda. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

CONSENT AGENDA

1) April 15, 2019 Regular Town Council Meeting Minutes.

2) Resolution No. 5, Series 2019 - A Resolution of the Crested Butte Town Council Authorizing the Town Manager to Sign an Intergovernmental Agreement with the Gunnison County Weed District Regarding Undesirable Plant Management.

Merck moved and Dujardin seconded a motion to approve the Consent Agenda. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

PUBLIC COMMENT

Deidre Witherell - 354 Cisneros Lane in CB South - Candidate for Gunnison County Electric Association (GCEA) Board of Directors

- Witherell informed the Council that GCEA had an upcoming election.
- Ballots would be mailed May 31st.
- She introduced herself and summarized her background.
- She supported transition to clean energy.

David Leinsdorf - 3 Treasury Hill Road

- He represents Friends of Brush Creek.
- He asked if there had been conversations regarding the Gatesco project.
- Schmidt relayed what they learned from Houck regarding housing in Gunnison.

STAFF UPDATES

- Schmidt referred to the manager's report in the packet. MacDonald did not have additions.
- MacDonald emailed calendar notifications for upcoming meetings. She thanked the Council for their consent to her trip.
- Schmidt brought up the large pothole on 6th Street, and MacDonald described the repair.
- Schmidt questioned the status of the pole-vaulting event.
- Schmidt acknowledged the Town would start drawing interest on deposits.
- Schmidt mentioned Town Clean-up on May 18th.

PUBLIC HEARING

1) Ordinance No. 22, Series 2019 - An Ordinance of the Crested Butte Town Council Raising the Payment of Compensation to Members of the Town Council and the Mayor.

Schmidt affirmed the raises would not go into effect until after the election this fall. He referred to a newspaper article reporting on the raises being considered in Aspen.

Schmidt confirmed proper public notice had been given. He opened the public hearing. No one chose to comment. The public hearing was closed.

Merck moved and Dujardin seconded a motion to pass Ordinance No. 22, Series 2019. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

NEW BUSINESS

1) Comment Letter to CBMBA Regarding Proposed Lupine 2 Extension Trail in Five Year Master Plan.

Yerman asked the Council to comment to include asking CBMBA to remove the proposed Lupine 3 expansion from their five-year plan. Staff recommended the trail be removed from the plan because of wildlife, trespassing, and grazing. Staff supported other trails, the rest of CBMBA's efforts, and the planning process. Dujardin stated that people wanted connection from Slate River to Washington Gulch. Yerman emphasized it was important to be a good neighbor. Merck liked the idea of the proposed trail. Dave Ochs, CBMBA Executive Director, informed that the number one desire from their constituency was to connect Washington Gulch to Slate River. However, they were willing to take it off their plan. Dujardin wanted to recognize that Town did not want to

take the trail off of the long-term plan. He recommended additional clarification in order to keep the option open for a future trail. The sentence added to the letter as suggested by Yerman was: “The Town is open to considering this trail in the future and hopes to work with CBMBA in improving single-track connectivity with open space projects.”

Merck moved and Haver seconded a motion to authorize the Mayor to sign the comment letter to CBMBA with the sentence going in about the future. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

2) Resolution No. 6, Series 2019 - A Resolution of the Crested Butte Town Council Approving the Lease Agreement with the Trailhead Children’s Museum for 620 Second Street, AKA Big Mine Warming House.

Yerman updated that a property owner refused to sign the Restrictive Covenant Agreement (RCA) to change the use that was approved through BOZAR. Town could not release a letter, confirming the Trailhead’s compliance with zoning, to the State of Colorado without the RCA.

Hansen explained the Trailhead wanted to move into the Big Mine Warming House as soon as possible. Similar non-profits had used the space in the past. The terms of the lease were similar to what had been previously approved. Hansen reviewed programs of the Trailhead. Schmidt questioned potential conflicts with special events and the usage of the bathrooms by skate park users.

Merck moved and Petito seconded a motion to pass Resolution No. 6, Series 2019. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

LEGAL MATTERS

Sullivan reminded the Council of Jo Seavy attending the meeting on June 3rd.

Sullivan and Green had been discussing holding a workshop for review with the Council on their roles and working with the Town Attorney.

COUNCIL REPORTS AND COMMITTEE UPDATES

Jackson Petito

- He went to the Housing Foundation meeting on the 24th. They saw a grant application from GV Heat, who could not do certain things to make housing livable. They heard updates about ongoing projects and were narrowing their focus.

Paul Merck

- He toured the ICELab as a member of the TAPP Board. They were working to lure businesses to move here.
- He would attend a STOR Committee meeting next week.

Chris Haver

- He went to the RTA meeting last Friday. The airport ran well this winter. They were finishing up the study to determine what would be best for upgrading the terminals and would then come up with concepts.
- They were replacing a part on high mileage busses. New bus stops would go in on 135. They were retrofitting bus stops with brighter lights. March was great, up 3%. Two new CNG busses were launched today.
- There would be two flights per day starting in early June.

Candice Bradley

- The Creative District was getting a lot of applications for the sculpture garden.

Will Dujardin

- Went to a Mountain Express meeting. He reviewed ski season numbers. March ridership was up compared to last March. They did not receive a CDOT grant for new busses. They would have a retreat to develop a strategic plan.
- CC4CA was happy about bills that had passed through the House.
- He reported on the water workshop he attended as a part of the county team. He listed the people on their team. Their goal was to create attainable action items, and they wanted to raise the general water IQ. He would like to continue meeting with the group. Dujardin read the team statement: “Our way of life depends on clean and abundant water. Our water supply is shrinking, our community is growing, threats are increasing, and tempers will flare. Unless we take action now, we may lack enough clean water to support the very reasons we choose to call this place home. Therefore, as an informed community, we will make water quality and quantity a driving force in our decision making.” He summarized it was their guiding idea. No one voiced disagreement with the statement or with Dujardin attending future meetings.
- He met with Adaptive and would be helping with Bridges of the Butte.
- He listed upcoming meetings he would attend.
- The community was going through recent rough patches. He appreciated support amongst community members.

Jim Schmidt

- He went to the CDOT meeting. They were talking about two four-hour closures a day in Little Blue Canyon in the summer of 2020.
- He attended the Forest Service discussion about fire. There would be prescribed burns. There was consensus that once people were gone they would not use water droppings to save one house built in a vulnerable place.
- Went to mayor/managers meeting last Thursday at the new assisted living facility and nursing home. The facility was filling up quickly. The college would build 22 units for housing.
- He toured The Center and the Adaptive Sports Center.
- He would attend a housing meeting on Wednesday and a Climate Action Plan meeting.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

The Council confirmed they were interested in the workshop suggested by Sullivan during Legal Matters.

Petito announced the next meeting would be his last. Schmidt confirmed the Council had to appoint someone within 30 days of his resignation.

MacDonald reported there were almost 4,500 loads of snow removed by Town crews this winter, including 900 loads from Elk Avenue. She provided comparison to the last two years, and she acknowledged a lot more snow was hauled this year.

Schmidt stated Mt. CB had a new mayor and council member. He suggested that the two councils meet later in the summer. Haver requested they have the meeting in June, rather than July or August. The Council suggested the week of June 24th.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, May 20, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, June 3, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, June 17, 2019 - 6:00PM Work Session - 7:00PM Regular Council

EXECUTIVE SESSION

Schmidt read the reason for Executive Session: for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding possible restrictive covenant amendment.

Dujardin moved and Merck seconded a motion to go into Executive Session. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

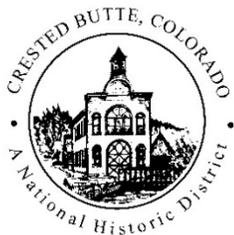
The Council went into Executive Session at 8:23PM. They returned to open meeting at 8:45PM. Mayor Schmidt made the required announcement upon returning to open meeting.

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 8:47PM.

James A. Schmidt, Mayor

Lynelle Stanford, Town Clerk (SEAL)



Staff Report

May 20, 2019

To: Mayor Schmidt and Town Council

From: Mel Yemma, Open Space/Creative District Coordinator

Thru: Michael Yerman, Director of Community Development

Subject: **Consultant Selection for Climate Action Plan**

Background: The Town Council set a 2019 goal/priority of creating a Greenhouse Gas Emissions Action Plan to create a path forward of reaching the Town Council's 5 year goal of significantly reducing the Town's and the community's Green House Gas Emissions.

A Climate Action Plan (CAP) is a roadmap document that outlines specific actions to reduce Greenhouse Gas Emissions (GHG). CAPs can be completed in different ways, from varying levels of community engagement and stakeholder input, to the size of the scope of the plan. Town staff released a Request for Proposals on April 4th for a consultant group to help develop a CAP for the Town.

In the RFP, the Town asked for proposals that demonstrated the ability to involve key community stakeholders and regional partners, while developing a realistic CAP that helps the Town meet its GHG reduction goals. The Town is especially interested in proposals that foster community buy-in and that includes specific projects and policies to help the Town meet our goals.

Proposals Received: The Town received three impressive proposals that all had ties to our local community and all met the minimum requirements in the RFP. The three proposals were from: Western Colorado University's CS2I Lab, Lotus Engineering and Sustainability (the Owner and Principal Engineer lives in Buckhorn), and Navigant Consulting (the Director and Associate Director live in Riverland and Crested Butte South).

A selection committee comprised of Mel Yemma (Open Space/Creative District Coordinator), Dara MacDonald (Town Manager), Rob Zillioux (Finance Director), Michael Yerman (Community Development Director), Dale Hoots (Facilities Lead), Shea Earley (Public Works Director), Jim Schmidt (Mayor), and Will Dujardin (Town Councilman) convened on May 8, 2019 to review the proposals. The committee agreed that while all proposals were impressive, our selection focus would be on a project team that can help us develop a specific and realistic plan with actionable projects and policies to move us forward. The committee then decided to interview Lotus Engineering and Sustainability and Navigant Consulting on May 13, 2019. Both interviews were very thorough and led to a great discussion about our questions and goals for this planning process. After the interviews, the committee then voted 6-1 to recommend the selection of Navigant Consulting.

Navigant Consulting Proposal: Navigant Consulting brings not only local knowledge to this process, but they have worldwide experience along with state-of-the-art methodologies when it comes to sustainability consulting. They have created similar plans in San Antonio, TX, Madison, WI, the California Sustainability Alliance, the German Environment Ministry and more.

Not only will Navigant carry out a stakeholder engagement process to develop a CAP, but they will also create implementation plans for each of the priority GHG emissions reduction strategies, as well as a monitoring and verification checklist. The committee agreed that their local knowledge and global expertise will lead to a successful process and plan.

Budget: Navigant's proposed budget to complete the scope of work is \$39,700. For 2019, the Town Council originally budgeted \$15,000 to develop a plan and \$100,000 for a sustainability project. Prior to releasing the RFP, from conducting research in similar communities and comparing this plan to past planning efforts in the Town, Town staff understood that it would be very unlikely to create the CAP that we are looking for within a \$15,000 budget. The RFP did not include a budget limit, but rather asked for a not-to-exceed budget. All of the proposals received varied from \$22,000 to \$39,700. Town Staff proposes that the additional \$24,700 come out of the \$100,000 sustainability project budget.

For a portion of the remainder of the sustainability project budget, Town staff is additionally proposing conducting a large-scale, comprehensive investment grade audit through the Colorado Energy Office's energy performance contracting program of the Town's operations including facilities, wastewater and water treatment plants, vehicles, parks, as well as Mountain Express to gain specific data to help the Town move forward with aggressively reaching our GHG emissions reduction goals. The Colorado Energy Office will present to the Town Council about this opportunity on June 3rd.

Recommendation: Town staff recommends to approve the selection of Navigant Consulting and to authorize the Town Manager to sign the professional services agreement for \$39,700.

AGREEMENT FOR PROFESSIONAL SERVICES

THIS PROFESSIONAL SERVICES AGREEMENT (“**Agreement**”) is made this 20 day of May, 2019 by and between the **TOWN OF CRESTED BUTTE**, a Colorado home rule municipality (“**Town**”) with an address of 507 Maroon Avenue, P.O. Box 39, Crested Butte, CO 81224 and Navigant Consulting, (“**Contractor**”) with an address of 1375 Walnut St, Suite 100, Boulder, CO 80302.

WHEREAS, the Town desires professional tree removal and related services from the Contractor in connection with the **Crested Butte Climate Action Plan Project** (“**Project**”), which the full Scope of Agreement is defined in Exhibit A;

WHEREAS, Contractor desires to perform such duties pursuant to the terms and conditions provided for in this Agreement; and

WHEREAS, the parties hereto desire to set forth certain understandings regarding the services in writing.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

In consideration of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. Scope of Agreement. The Town agrees to retain Contractor to provide the services set forth herein, and as further specified in **Exhibit A**, attached hereto and incorporated herein by reference (“Services”), and Contractor agrees to so serve. Contractor warrants and represents that it has the requisite authority, capacity, experience, and expertise to perform the Services in compliance with the provisions of this Agreement and all applicable laws and agrees to perform the Services on the terms and conditions set forth herein.

2. Consideration. The Town agrees to compensate the Contractor for all fees and expenses, in accordance with the Fee Schedule detailed in Exhibit A, hereby incorporated by reference. The Town shall make payment within thirty (30) days of receipt and approval of invoices submitted by Contractor, which invoices shall be submitted to the Town not more frequently than monthly and which shall identify the specific Services performed for which payment is requested.

3. Term and Renewal. This Agreement shall be effective as of the date of its execution by both parties and shall extend until the Agreement is terminated pursuant to Section 10 of this Agreement; provided, however, that to the extent that the term of this Agreement exceeds one fiscal year, the obligations described herein shall be subject to annual appropriation by the Town Council, at its sole discretion.

4. Status. The Contractor is an independent contractor and shall not be considered an employee or agent of the Town for any purpose.

5. Outside Support Services and Sub-Contractor. Any sub-Contractors shall be pre-approved by the Town. A rate sheet for such sub-Contractors shall be provided to the Town.

6. Ownership of Instruments of Service. The Town acknowledges the Contractor's work product, including electronic files, are instruments of professional service. Nevertheless, the final work product prepared under this Agreement shall become the property of the Town upon completion of the services.

7. Standard of Care. The standard of care applicable to the Contractor's services will be the same degree of care, skill, and diligence normally employed by professionals performing the same or similar services. No other warranty, express or implied, is included in this Agreement or in any drawing, specification, or opinion produced pursuant to this Agreement. The Contractor does not guaranty that the documents and products are without error; however, the Contractor will re-perform any services not meeting this standard without additional compensation.

8. Indemnity, Insurance and Governmental Immunity Act. To the extent permitted by law, each party to this Agreement shall hold harmless and indemnify the other party, including the other party's employees, officers, agents, and assigns, from award of damages, to the extent such award of damages arises from the action or inaction of that party's own officers, employees and agents.

Nothing herein shall be interpreted as a waiver of governmental immunity, to which the other parties would otherwise be entitled under C.R.S. §24-10-101, et seq. as amended.

Contractor shall provide proof of general liability insurance to the Town upon execution of this Agreement. A copy of the Contractor's current available insurance coverage and limits is attached as Exhibit B.

Except for Contractor's indemnification obligations set forth here, and except for Contractor's gross negligence, willful misconduct or fraud, Contractor's total liability for any claims hereunder whether in contract or tort, shall be limited to the amount of fees paid to Contractor pursuant to this Agreement. Notwithstanding any other provision, neither Contractor nor the Town shall in any event be liable for any indirect, consequential or punitive damages, even if they have been advised of the possibility of such damages.

9. Work By Illegal Aliens Prohibited. Pursuant to Section 8-17.5-101, C.R.S., *et seq.*, Contractor warrants, represents, acknowledges, and agrees that:

A. Contractor does not knowingly employ or contract with an illegal alien.

B. Contractor shall not knowingly employ or contract with an illegal alien to perform works or enter into a contract with a subcontractor that fails to verify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.

C. Contractor has participated in or attempted to participate in the basic pilot employment verification program created in Public Law 208, 104th Congress, as amended, and expanded in Public Law 156, 108th Congress, as amended, administered by the Department of Homeland Security (hereinafter, "E-Verify") in order to verify that Contractor does not employ illegal aliens. If Contractor is not accepted into E-Verify prior to entering into this Agreement, Contractor shall forthwith apply to participate in E-Verify and shall submit to the District written verification of such application within five (5) days of the date of this Agreement. Contractor shall continue to apply to participate in E-Verify, and shall certify such application to the District in writing, every three (3) months until Contractor is accepted or this Agreement is completed, whichever occurs first. This paragraph shall be null and void if E-Verify is discontinued.

D. Contractor shall not use E-Verify procedures to undertake pre-employment screening of job applicants while this Agreement is being performed.

E. If Contractor obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien, Contractor shall be required to:

(a) notify the subcontractor and the District within three (3) days that Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and

(b) terminate the subcontract with the subcontractor if within three (3) days of receiving the notice required pursuant to this subparagraph the subcontractor does not stop employing or contracting with the illegal alien; except that Contractor shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

F. Contractor shall comply with any reasonable request by the Colorado Department of Labor and Employment ("Department") made in the course of an investigation that the Department is undertaking pursuant to the authority established in subsection 8-17.5-102(5), C.R.S.

G. If Contractor violates this paragraph, the District may terminate this Agreement for breach of contract. If this Agreement is so terminated, Contractor shall be liable for actual and consequential damages to the District arising out of said violation.

EXHIBIT A

Climate Action Plan Project Scope of Work

Navigant will complete the proposed scope of work outlined in their project proposal, including 6 project tasks with individual deliverables (attached) for a not-to-exceed price of \$39,700, with 50% awarded upon contract execution and 50% awarded on project completion.

The Town reserves the right to request that Navigant adjust the project schedule outlined in the proposal, so as long as the project concludes by November 30, 2019.

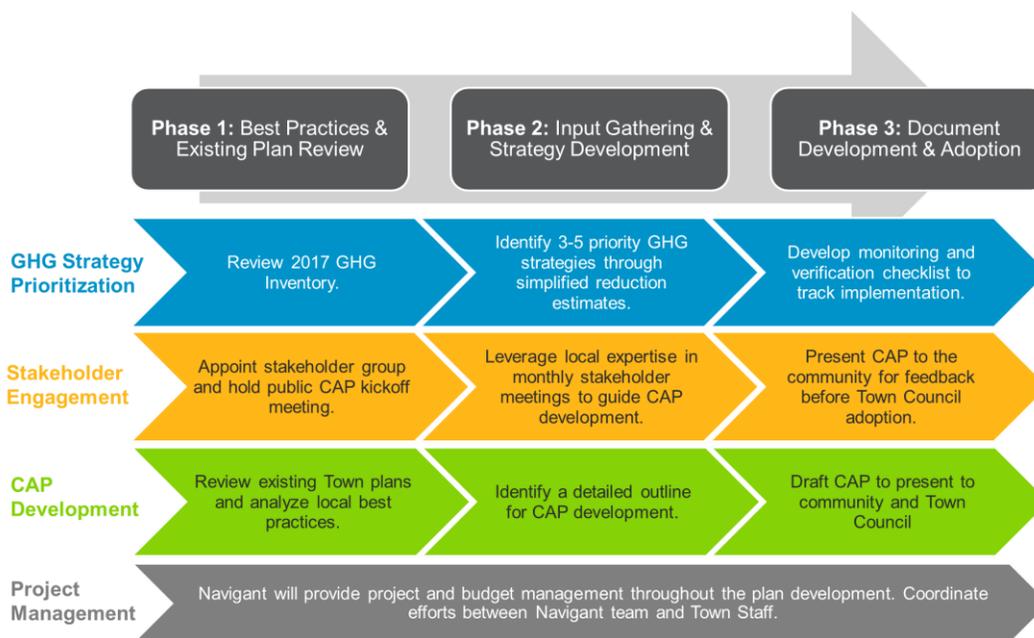
Project Understanding and Approach

We understand that the Town of Crested Butte has set a 5-year commitment to “reduce greenhouse gas emissions footprint of the Town’s operations by 50% versus 2017 levels;” and to “reduce Town of Crested Butte community emissions footprint by 25%.” We applaud the Town for setting such an aggressive GHG reduction target and recognize that significant work will be required to meet this target. Given the short timeframe for realization, Crested Butte will need to prioritize climate action strategies that can quickly realize substantial reductions. We also understand that to support meeting the goal, the Town is moving forward with the development of a Climate Action Plan (CAP).

Navigant has significant experience developing climate action roadmaps and implementation plans and would be honored to work with the Town of Crested Butte to identify your priorities with the goal of accelerating climate action within the Town. For us, developing a CAP is embedded in the uniqueness of the place, in this case informed by two of our key team members residing in the Crested Butte community, and informed by our national and international experience working for municipalities, companies, and utilities to understand the most impactful and cost-effective emissions reductions pathways. Our team will leverage our combined knowledge to work with the Town to develop a CAP that is informed by current, internationally accepted climate science and integrates local and state code and policy requirements.

Our proposed approach to the development of Crested Butte’s CAP generally follows the tasks outlined in the RFP. However, the approach outlined in this section, highlights the interdependencies between the tasks, the details of the work required, and the specifics of how this work will be accomplished by the Navigant team to ensure the delivery of an actionable CAP for the Town. Figure 1 presents a graphical summary of our proposed scope and detailed descriptions of each of the tasks are included in the remainder of this document.

Figure 1. Summary of Climate Action Plan Development for Crested Butte



Task 1: Project Kickoff Meeting

Following contract activation, Navigant's project manager: Nicole DelSasso will facilitate a project kickoff meeting. During this meeting, Nicole will facilitate a discussion with key Town members to 1) identify project priorities and agree on a vision for project success, i.e. answer the question, *what does project success look like?*; 2) identify key members for the community stakeholder group; 3) clarify project protocols, including communication channels; and 4) agree upon a detailed structure and timeline for the final Climate Action Plan delivery.

*Navigant's Project Manager will be **Nicole Del Sasso**; she will serve as the primary point of contact for the Town of Crested Butte. She is a resident of the area and a board member for Sustainable Crested Butte.*

Task 1 Deliverables: Agenda for kickoff meeting, facilitation materials for meeting (i.e. draft documents / presentations / handouts), and distribution of minutes following the meeting.

Task 2: Existing Plan, Policy, and Program Review

"The American West is special. The West is also changing. More heat. Less snow and water. More wildfires. Fewer forests."

The Rocky Mountain Climate Organization

Victoria (Tori) Greenen will serve as Navigant's lead for the development of the Climate Action Plan, including reviewing existing plans, policies, and programs and comparable best practices. Tori will lead the completion of a best practice scan of similar communities, leveraging resources through the CO Association of Ski Towns, The Climate Reality Project, and CO Communities for Climate Action, administered by the Rocky Mountain Climate Organization. In addition, Tori will lead the review of existing plans, policies, and programs within the Town's operations, identifying gaps and opportunities in these strategies. Sources of data will include:

- 2017 Baseline Energy, Materials, and Greenhouse Gas Inventory
- Past sustainability projects completed by the Town
- Current and relevant Town plans, such as the Land Use Plan, the Crested Butte Transportation Plan, and the Crested Butte Area Plan. Note: Project Manager, Nicole DelSasso, and Managing Director, Frank Stern, who are both area residents, are familiar with the Town's policies and community stakeholders. Their local knowledge will minimize our learning curve and the burden on Town Staff, to identify pertinent, plans, policies, and programs.
- Other relevant Town and regional documents, as identified by Town Staff, such as the Gunnison County Strategy Plan which states a goal of reducing GHG emissions by 20% over 2005 levels by 2030 and reducing energy use intensity for new and existing buildings.

The findings from this activity will be documented in a short summary memo, which can also be included in the Climate Action Plan as an appendix document.

Task 2 Deliverables: Short summary memo identifying, documents and sources reviewed; considerations for the climate action plan development, including gaps and opportunities; best practices from similar communities.

Task 3: Community Stakeholder Engagement

Community outreach and engagement is critical for this project to ensure 1) comprehensive data collection, 2) broad community support, and 3) aligned / actionable outcomes. Outreach and engagement will be accomplished through collaboration with a stakeholder group which will meet monthly to serve as an advisory resource for CAP development and broader public engagement through a public kickoff meeting and final presentation. Our team has led stakeholder groups and collaborated with local and international organizations, including local universities, to develop climate action plans in San Antonio and other areas, and we have experience building on GHG inventories that other local organizations have developed.

3.1 Creation of Stakeholder Group & Monthly Stakeholder Meetings

Navigant will work with Town Staff to appoint council members and regional partners to a stakeholder group. The purpose of the stakeholder group is to provide guidance on the CAP development and ensure community voices are heard. The stakeholder group will be critical to the success of the CAP development and will require a carefully selected group of individuals who can inform the Town on opportunities and barriers while participating in an open discussion around the best opportunities to work outside of standard areas of influence to advance climate action in Crested Butte.

During the kickoff meeting, Nicole will develop with the Town a list of people and organizations to comprise the stakeholder group, considering composition to ensure right individuals are included in this process. Navigant highly recommends the Town consider including a diverse set of stakeholders with the ability to drive progress in the Town, not just those that are most vocal about the need for climate action. Participants (organizations and individuals) the Town should consider to be part of this community stakeholder group include:

“Perhaps the rewards of solving climate change are so compelling, so nurturing and so natural a piece of the human soul that we can’t help but do it.”

Auden Schendler, Protect our Winters Board Member, from NY Times OpEd

- Crested Butte Town Council representative (1)
- Gunnison County Electric Association
- Crested Butte/Mt. Crested Butte Chamber
- Sustainable Crested Butte
- Representative of the building/real estate industry: real estate agent, developer, or builder
- Crested Butte resident, at-large
- Representatives of Applicable Town Departments, which could include Parks and Recreation, Public Works, or Community Development
- Crested Butte Mountain Resort/Vail Resorts
- Gunnison Crested Butte Tourism Association
- Crested Butte/Gunnison Regional Airport
- Waste Management Solutions, Crested Butte Transfer Station
- Community Solutions Incubation+Innovation (CS2I) Lab and Western State Colorado University representatives

Following the kickoff meeting, Town Staff will communicate with selected individuals / organizations about participation in the CAP stakeholder group. Navigant recommends that this communication come from Town Staff, as it carries the best starting point for a positive working relationship.

The stakeholder group will meet monthly through the plan development, following the public kickoff meeting, where members of the stakeholder group will be announced. The public kickoff will occur in early July with monthly stakeholder meetings scheduled from early August through early October, for a total of three meetings beyond the public kickoff. Nicole will facilitate all these meetings for the Navigant team and we will ask Town Staff to participate and take notes throughout the meetings.

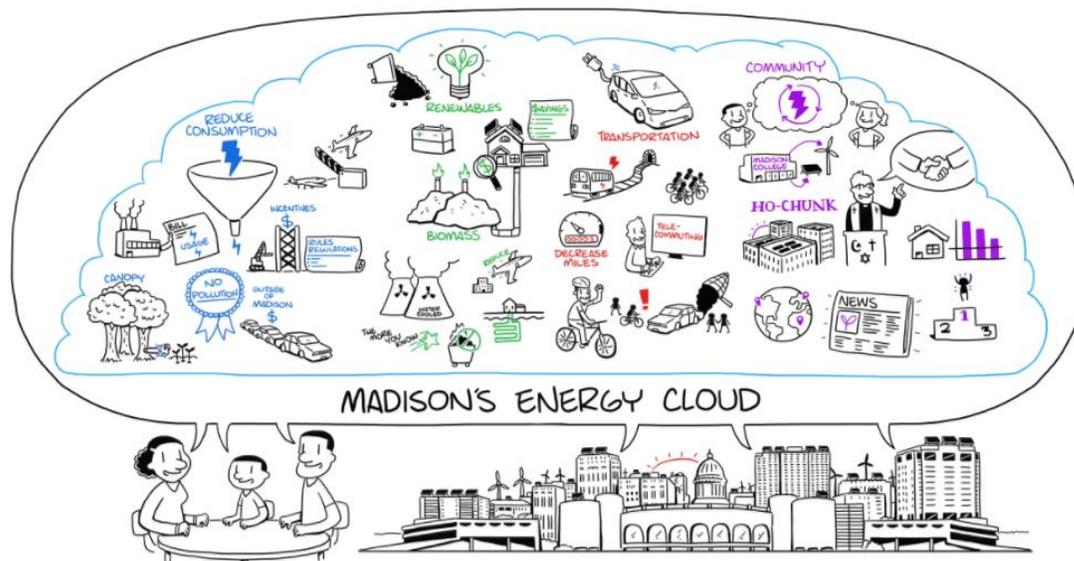
Task 1.3.1 Deliverables: Identification of the stakeholder group for Town Staff to invite; Scheduling of / Invites for monthly stakeholder meetings; Agendas for monthly stakeholder meetings; Materials for monthly stakeholder meetings (i.e. draft documents / presentations / handouts); and Final review and distribution of minutes following monthly stakeholder meetings.

3.2 Public Kickoff Meeting

We will initiate the public portion of the plan development through a Navigant-led, in-person, public kickoff meeting. Attendees for this meeting will include, Town of Crested Butte staff and council members, appointed stakeholders, and interested community members.

It is important that community stakeholders feel heard and understand the impacts of their comments and questions. Navigant's team will bring innovative public outreach solutions to this project. For example, in similar recent work for the City of Madison, WI, Navigant hired an artist to participate in public meetings through graphic note-taking, the results of which are shown in Figure 2. Activities like this, tailored to the needs of a specific client and project, encourage greater participation by all community stakeholders and can be used to develop stronger communication from the Town back to the community.

Figure 2. Imagining the Energy Cloud in the City of Madison, WI



Source: Navigant (artist credit to Truscribe)

To encourage participation from a wide range of community members, Navigant suggests holding the kickoff meeting in conjunction with an existing meeting or Town gathering like a Town Council meeting or environmentally-focused happy hour. Navigant will work with Town Staff to assess the best meeting location and time for this event.

Task 3.2 Deliverables: Facilitation of public kickoff meeting.

3.3 Final Presentations to the Community and Town Council

In our past work, we have found that the community and Town are most receptive of presentations led by Town Staff and supported by Navigant. At the completion of CAP development, Nicole will support Town Staff to present the CAP to the Community. This presentation will be scheduled two to three weeks before the final presentation to Town Council, which will again be supported by Nicole. The gap between the community and Town Council presentations will allow for final community comments to be integrated into the CAP before it goes to Town Council for adoption.

Task 3.3 Deliverables: Support of presentations to community and Town Council, including material development and attendance to answer technical questions.

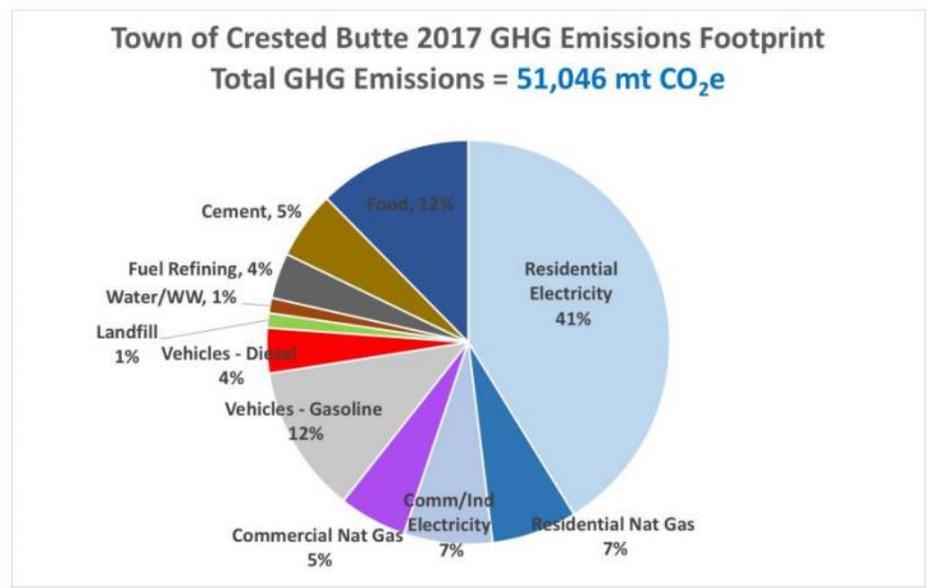
Task 4: GHG Reduction Strategy Prioritization

To most effectively utilize Crested Butte's resources, Navigant recommends developing a CAP that is focused on detailed implementation plans for the 3-5 highest priority Town emission reduction strategies. These detailed implementation plans will include responsible parties, implementation timelines, projected costs, and key performance indicators for evaluation.

While detailed modeling plays a role in climate action planning, the prioritization of big impact strategies does not vary significantly from Town to Town and it is clear from the *2018 Energy Action Plan Update* that the emissions that Crested Butte will need to target reducing are those related to buildings and vehicles. In fact, approximately 90% of Crested Butte's emissions are related to energy usage in buildings

and vehicles. As such, Navigant can lead the Town directly toward identifying high-priority strategies, including increasing the penetration of renewable energy, reducing building energy consumption, and increasing the use of carbon-free vehicle options (particularly for in-Town transit).

Figure 3. Crested Butte 2017 GHG Emissions, from 2018 Energy Action Plan Update



The work to be completed under Task 4, will constitute most of the work to be completed as part of the Crested Butte CAP. Navigant recommends an implementation focused approach to this work, especially given the significant target that has been set by the Town: a 5-year commitment to “reduce greenhouse gas emissions footprint of the Town’s operations by 50% versus 2017 levels;” and to “reduce Town of Crested Butte community emissions footprint by 25%.” To focus the Town on the task at hand, Navigant will assist the Town in clarifying the baseline for municipal operations, prioritizing emissions reductions opportunities, building an implementation plan, and identifying methodology around monitoring and verification.

4.1 Clarify Town Operation Baseline

The Town has set a significant reduction target for the Town’s operations, 50% versus 2017 levels, however we understand that the Town has not specifically developed a baseline for Town operation emissions. Navigant will work with Town Staff to perform a quick review of Town operation emissions sources and to develop a simple methodology for the Town to use in identifying total Town emissions. Understanding this data in more detail will help the Town to prioritize actions around municipal operations and track emissions reductions against the target.

Task 4.1 Deliverables: Short memo outlining a simple methodology for identifying GHG emissions resulting from Town operations.

4.2 Prioritize Emissions Reduction Opportunities

We understand that the Town of Crested Butte has a long history of climate action activities, including promoting electric vehicle use for Town operations, retrofitting Town buildings for energy efficiency considerations, adopting stringent energy efficiency goals in the update of building codes, increasing the diversion rate of the waste stream, and promoting solar installations through multiple avenues. To continue making progress and to intensify the resulting GHG emissions reductions will require a renewed focus on the big opportunities available through the building and vehicle sectors. These biggest opportunities for the Town include increasing the use of renewable energy; reducing the reliance on fossil fuels for heating buildings and fueling vehicles; decreasing the number of vehicle trips, specifically single-occupancy trips; and increasing the efficiency achieved in new and renovated buildings.

To accelerate the Town’s thinking around the big emissions reduction opportunities, Navigant will lead the Town in prioritization session during the public kickoff meeting. Navigant will come to this meeting prepared to discuss the top 10-15 GHG reduction strategies available to the Town and their potential reduction levels, informed by the existing plan and best practice review completed in Task 2. For example, instituting a commercial building benchmarking ordinance, which requires commercial buildings that meet certain criteria to publicly disclose their energy use, has on average resulted in a 2.4% reduction in building energy use per year.

To put the ambition of the Town’s target in perspective, a 2018 report identified that 27 of the world’s largest cities had already reached peak GHG emissions. On average, these cities are decreasing emissions at a rate of 2% per year, while their populations grew by 1.4% per year and their economies grew by 3% per year.

(<https://www.globalclimateactions Summit.org/27-cities-have-reached-peak/>)

During the prioritization session in the public kickoff meeting, Navigant will work with the Town to capture the vision for big wins. Leaving this kickoff meeting, there will be clarity around the vision that the Town sees for climate action, though there may not yet be a clear path to implementation.

Between the public kickoff meeting and the monthly stakeholder meeting, Navigant will build a refined list of the GHG emissions reduction opportunities, focusing on better refining the reduction potential estimates and the implementation barriers for those reduction strategies that ended up in the top half of the list. It is possible that even in the most optimistic sense, meeting the Town's reduction goal may not be possible, but Navigant will provide an estimate, relying on literature review from other similar towns to identify the potential for reduction. The first monthly stakeholder meeting will be focused on refining the prioritization to identify the 3-4 GHG emissions reduction strategies that hold the biggest potential for the Town of Crested Butte, on which the CAP will focus.

There are many examples of CAPs with long lists of reduction opportunities. Navigant recommends a more targeted approach for Crested Butte, focusing on what activities need to be completed in the next 3-5 years to drive emissions reductions towards your goal. This will help to focus Town actions and eliminate the need for additional steps before getting to implementation.

Task 4.2 Deliverables: Documentation of the vision for climate action in Crested Butte and the 3-4 priority GHG reduction strategies. These items will be captured in the meeting notes identified as deliverables in Task 3.2 – Public Kickoff Meeting and Monthly Stakeholder Meetings.

4.3 Build Implementation Plans

Once the priority emissions reduction strategies are identified, which will occur by late summer (following the first monthly stakeholder meeting), Navigant will direct attention toward building implementation plans for each of the priority strategies. Building these implementation plans will require discussions with key Town and regional partners, for example a strategy focused on increasing the penetration of renewable energy will require discussions with the building and planning department and Gunnison County Electric Association among others.

Navigant will pull from national and international best practices, test solutions with critical stakeholders, and review the proposed implementation plans with Town Staff and stakeholders during the monthly stakeholder meetings to refine the implementation plans for Crested Butte. Navigant will look to Town Staff to identify responsible parties within the community and potential project costs, informed by a Navigant methodology, to support the development of these implementation plans. At the completion of the interaction of the monthly stakeholder meetings, detailed implementation plans will be developed for each of the priority strategies, which will serve as the main substance for the final CAP.

Task 4.3 Deliverables: Detailed implementation plans for the 3-4 priority emissions reduction strategies including: responsible parties, implementation timelines, projected costs, and key performance indicators for evaluation.

4.4 Monitoring & Verification Checklist

As the GHG implementation plans are completed, Navigant's team will work with key stakeholders to develop a checklist to monitor and verify the Town's progress in implementing the CAP. This will be a key consideration of the final monthly stakeholder meeting.

The purpose of the monitoring and verification checklist is to create a clear view of progress to better inform future decision-making. This requires an understanding of underlying goals, i.e. reducing the emissions from Town owned vehicles could easily be tracked by reporting annually on the number of carbon-free vehicles and fossil fuel vehicles owned by the Town and tracking the miles traveled by each.

The checklist will include:

1. Critical data points to monitor, informed by the prioritized GHG reduction strategies.
2. Missing data, i.e. what data is critical to track but currently not available, and a collection plan.
3. Responsible parties for data collection, analysis, and decision-making

4.4 Deliverables: A simple outline for monitoring and verifying progress against the implementation of the CAP. This checklist will identify Key Performance Indicators (KPIs) to ensure progress is being made toward underlying goals, such as reducing the Energy Usage Intensity (EUI) of residential and commercial buildings.

Task 5: CAP Action Plan Development

To ensure efficiency development of the CAP, Navigant will work with Town Staff to finalize an outline for the CAP following the public kickoff meeting. Outlining the document early will allow Navigant to record processes and conclusions from Tasks 2-4 in the final document, reducing the time and resources needed for documentation. At the completion of the stakeholder meetings in early October, Nicole and Tori will finalize the draft CAP document, which is expected to be a short document (around 20 pages).

Our preliminary outline for the CAP is as follows:

1. Executive Summary (reaffirming the goal and direction of the Town, to be co-written by Navigant and Town Staff)
2. GHG Emissions Opportunities (written by Navigant)
 - a. Summary of the GHG Inventory
 - b. Emissions Opportunities (15-20 opportunities discussed at the public kickoff meeting)
 - c. Prioritization of Emissions Opportunities (results of community and stakeholder input)
3. Implementation Plan (detailed implementation plans for the 3-4 high-priority emissions reductions strategies, as finalized through the GHG reduction strategy prioritization task, written by Navigant as described in Task 4, with input from Town Staff and stakeholders)
4. Measurement and Verification Checklist
5. Appendix A: Existing Plan and Best Practice Review (written by Navigant as part of Task 2).

As discussed in Task 3.3, the draft CAP will be presented to the community in late October / early November. During this community presentation any final comments will be collected for consideration by the Town Staff and reviewed for any required final tweaks before presentation to the City Council for adoption.

Task 5 Deliverables: Draft and final CAP and corresponding presentation for community and Town Council presentations identified as deliverables in Task 3.3 – Final Presentations to the Community and Town Council.

Task 6: Project Management

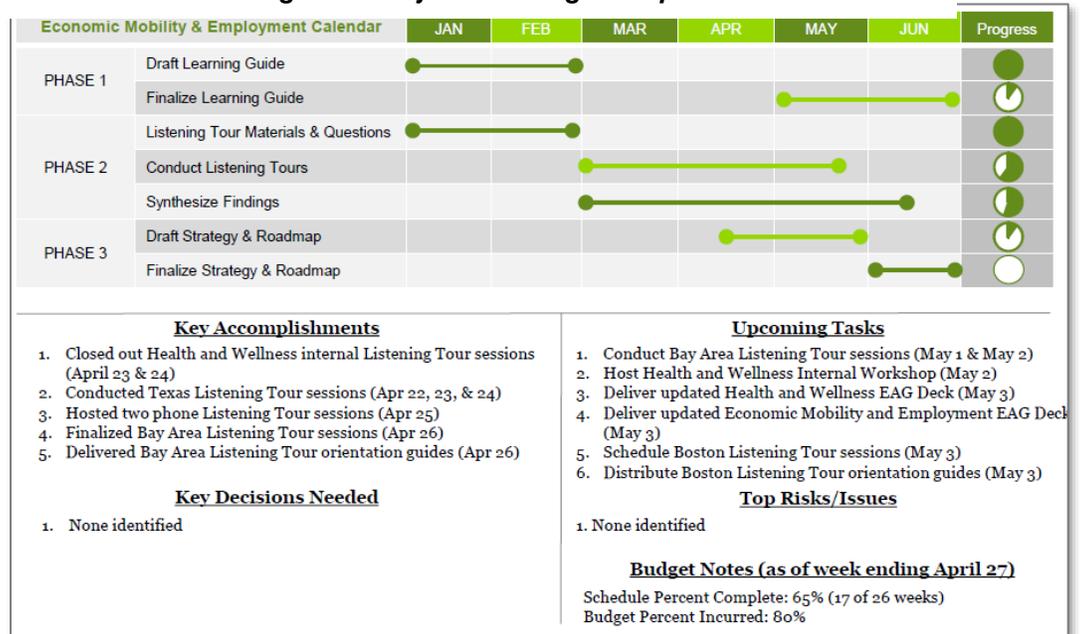
Effective project management is the key to success for any project that includes multiple Town departments and significant stakeholder engagement, such as the development of the Climate Action Plan for the Town of Crested Butte. We will bring our skills managing projects of all sizes and complexities to ensure success for the Town of Crested Butte, including using standard project tracking and reporting materials to align activities, like what is presented in Figure 4.

Navigant’s project manager for this engagement will be Nicole DelSasso. Nicole is a skilled project manager with almost a decade of experience in the fields of energy efficiency and sustainability. Nicole recently managed community outreach for the City of San Antonio’s Climate Action Plan. She is a certified project management professional, a skilled facilitator, and a local member of the

Crested Butte community. A monthly project meeting between Nicole and key Town Staff will ensure a continued positive relationship, allow for progress check-ins, and maintain the space for small adjustments to the process as feedback is received.

Task 6 Deliverables: Scheduling of / Invites for monthly project meetings; Agendas for monthly project meetings; Materials for monthly project meetings (i.e. draft documents / presentations / handouts); and Distribution of minutes following monthly project meetings.

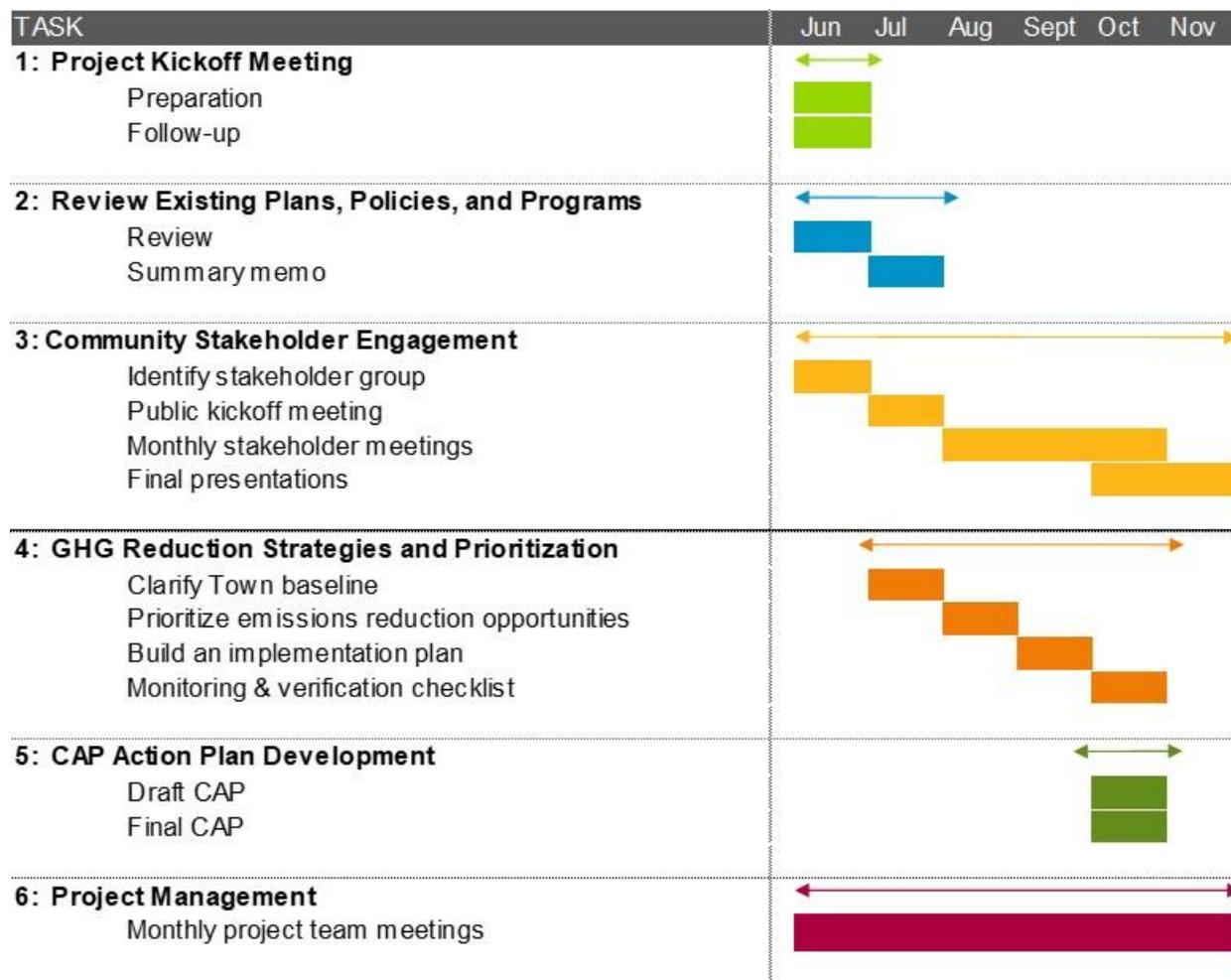
Figure 4. Project Tracking Example



Project Schedule

The Navigant team has developed a high-level schedule to complete the project activities outlined in the RFP and detailed in this proposal. The schedule, illustrated in Figure 5, illustrates a 6-month project schedule, with completion in November 2019.

Figure 5. Proposed Project Schedule





Staff Report

May 20, 2019

To: Mayor and Town Council
Thru: Dara MacDonald, Town Manager
From: Lynelle Stanford, Town Clerk
Subject: Crested Butte Farmers Market Special Event Application
Date: April 23, 2019

Summary:

Catherine Vader is the event organizer for the Crested Butte Farmers Market. The Farmers Market would take place on Sundays beginning May 26th through October 6th, 2019. The Farmers Market is typically located in the 100 Block of Elk Avenue, except it would be relocated on Sunday, August 4th to Big Mine to collaborate with the Crested Butte Arts Festival. From May 26th through September 1st, set up would begin at 7AM, and take down would be completed by 3:30PM. From September 8th through October 6th, set up would begin at 8AM, and take down would still be completed by 3:30PM.

Recommendation:

To approve the Crested Butte Farmers Market special event application as part of the Consent Agenda.



TOWN OF CRESTED BUTTE SPECIAL EVENT APPLICATION

1. EVENT INFORMATION:

Name of Event: Crested Butte Farmers Market
 Date(s) of Event: Sundays - May 26th through October 6th (20 consecutive Sundays)
 Location(s) of Event: 100 Block of Elk Avenue (between 1st + 2nd Streets)

Map Attached Showing Location of Event *Attach map showing location of event*

Diagram Attached Detailing Event *Attach 8 1/2" X 11" diagram detailing the event showing tents, vendors, security, toilets, tables, signage, fencing, booths, ingress and egress, stage, etc.:*

Event Schedule and Description of Event Attached

Name of Organization Holding the Event ("Permittee"): Crested Butte Farmers Market

Note: The permittee of an event must be the same "Entity Name" as the named insured on the insurance certificate and the Secretary of State Certificate of Good Standing.

Event Time(s) (start time of scheduled event to end time of scheduled event each day):

Date <u>May 26th - Sept. 1st</u>	Time: From <u>9 am</u>	To <u>2 pm</u>
Date _____	Time: From _____	To _____
Date <u>Sept. 8th - Oct. 6th</u>	Time: From <u>10 am</u>	To <u>2 pm</u>
Date _____	Time: From _____	To _____

Total Time (including setup, scheduled event, breakdown, and clean up):

Date <u>May 26th - Sept. 1st</u>	Time: From <u>7 am</u>	To <u>3:30 pm</u>
Date _____	Time: From _____	To _____
Date <u>Sept. 8th - Oct. 6th</u>	Time: From <u>8 am</u>	To <u>3:30 pm</u>
Date _____	Time: From _____	To _____

10' X 10' TENTS - NO ALLOWINGS

Expected Numbers: Participants: ~ 40 - 45 vendors Spectators: _____

Name of Event Organizer: Catherine Vadez

Phone: 970.901.4181 Cell Phone: same

E-Mail: info@cbfarmersmarket.org Fax Number: NA

Name of Assistant or Co-Organizer (if applicable): NA

Phone: — Cell Phone: — E-Mail: —

Mailing Address of Organization Holding the Event: PO BOX 2241

Crested Butte, CO 81224

Email Address of Organization: info@cbfarmersmarket.org Phone Number: 970.901.4181

2. INSURANCE, LIQUOR PERMITS, SECURITY PLANS:

(a) Do You Intend to Sell or Serve Alcohol? Yes No

If Yes, a Special Event Liquor License is Required. You must submit a separate application for a Special Event Liquor License to the Town Clerk at least 30 days prior to the event to ensure adequate time to comply with state regulations.

NA Special Event Liquor Permit Application is Attached with Appropriate Fees and Diagram

Describe Plan for Security and Include with Diagram: (All major impact events, as well as events that receive a Special Event Liquor License, are required to have a security plan):

NA

(b) Proof of General Commercial Liability Insurance naming the Town of Crested Butte as Additional Insured, with coverage of no less than \$1,000,000 is required for all special events. If your event is in the Big Mine Ice Arena with over 299 people, you will also need to add the Crested Butte Fire Protection District as Additional Insured. Events selling alcohol also require Liquor Liability Insurance on the Insurance Certificate. (Note: Your application cannot be approved until we receive proof of insurance) Contact the Clerk's Office if you would like to receive an insurance quote through the Town's Insurance Provider.

Is Proof of Insurance Attached? Yes No

3. ROAD CLOSURES, PARKING/HANDICAPPED PARKING, BUS SERVICE:

Will Your Event Require Any Road Closures? Yes No

If Yes, Explain in Detail Streets Closures and Times of Closures:

Streets: 100 Block Elk Ave. Date 5/26/19 - 9/11/19 Time: From 7am To 3:30 pm

Streets: 100 Block Elk Ave. Date 9/8/19 - 10/6/19 Time: From 8 am To 3:30 pm

Streets: _____ Date _____ Time: From _____ To _____

Streets: Big Mine Parking Lot Date August 4th Time: From 7am To 3:30 pm

Streets: _____ Date _____ Time: From _____ To _____

Streets: _____ Date _____ Time: From _____ To _____

Will Your Event Impact Mt. Express Bus Service and/or Routes? Yes No

If Yes, Explain Impact (include times): NA

Will Your Event Affect Any Handicapped Parking Spaces? Yes No

If yes, you must work with the Marshal's Department to create temporary handicapped parking spaces for the duration of your event.

Describe Plan for Parking: NA

Is Your Event Requesting Any Additional Services from the Town of Crested Butte (such as barricades, utility irrigation locates, traffic control, snow removal, electrical power, trash removal, additional police etc.)? Yes No

If Yes, explain request for services in detail (attach additional page if necessary):

NA

Does Your Event Include a Parade? Yes No

If yes, you must read and sign the following: I understand that if items are to be distributed during the parade (i.e. candy, beads, brochures, etc.), individuals will do so exclusively by foot from along-side the vehicles/floats to minimize the likelihood of spectators running up to the vehicles/floats. I understand and agree that items will not be thrown from any vehicle/float.

Signature of Event Coordinator

4. AMPLIFIED SOUND AND NOTIFICATION:

Will There Be Amplified Sound at This Event? Yes No

If Yes, Describe: NA

Note: If there will be amplified sound during your event, the rules and requirements of Crested Butte Municipal Code Section 10-9-50 must be followed. Residents and businesses within 250' of the proposed event must receive written notification (7) days prior to the start of the event.

Describe Plan for Notifying Businesses and Residents Impacted by Your Event: NA Door to Door

5. TRASH, RECYCLING, PORTABLE TOILETS AND RESTROOMS:

How much trash do you anticipate generating at the event? 1 large garbage bag/day

What recyclable products will be generated at the event? glass + plastic beverage cups + bottles, cardboard food containers, paper plates + napkins

Describe your DETAILED plan for trash, recycling and clean up. (All events are required to have a plan for handling recycling and garbage during the event and the removal of recycling and garbage after the event.) Please note that any plan should emphasize increased recycling and decreased waste production. If you feel that your event will require assistance from Waste Management, please contact them directly at (970) 641-1986. Note: Any event application without a detailed recycling and refuse plan will not be accepted as a complete application:

I place 2 recycling + trash receptacles at both ends of the market area for easy access. I dispose of the trash + sort the recyclables at the end of each market day. Our vendors are required to dispose of their own trash rather than adding it to the market's trash. Additionally, food + concession vendors are required to ~~use~~ serve in containers that are able to be recycled here in Gunnison County (Plastic #1 + #2 only) to cut down on trash.

Describe Plan for Portable Toilets and/or Restrooms. (Include number of portable toilets and plan to restore bathrooms to their original state following your event): (Required: 1 portable toilet to every 40 attendees)

NA - vendors + market customers use public restroom in Old Town Hall | Bus Stop

6. SALES TAX:

Have you paid sales tax from your event last year? Yes No

If No, you must pay delinquent sales tax before your special event application will be considered.

Will You Be Selling Products (food, drink, or merchandise) At Your Event? Yes No

If yes, you must collect sales tax and attach a completed Town of Crested Butte Sales Tax License Application with a List of Vendors to the Clerk's Office.

Town of Crested Butte Sales Tax Application is Attached.

List of Vendors with your Crested Butte Sales Tax Application.

7. BANNER PERMITS:

Do you plan to apply for a banner permit to erect a banner at the Pitsker Outfield Fence? Yes No

If Yes, you must apply for a banner permit separately through the Front Desk at Town Hall.

Are you requesting Town Manager approval for a 1-day banner at the event location for the hours of the event? Yes No

Town Manager Approval: _____

Please review your application and make sure all questions are answered. Read, sign, and date the following prior to submitting your application.

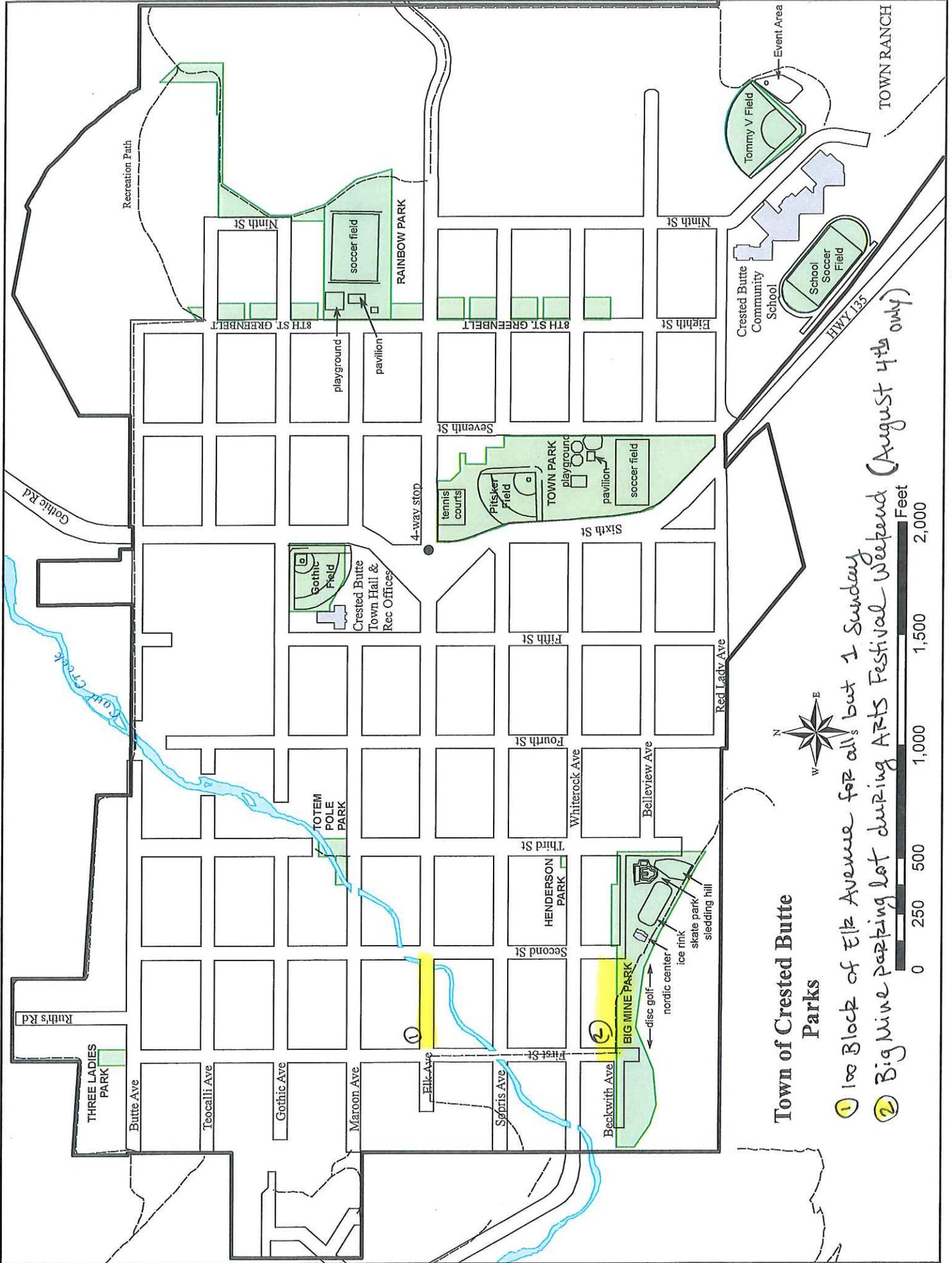
8. PLEASE REVIEW, SIGN, AND DATE:

In consideration for being permitted by the Town to engage in the permitted event, the Permittee, its heirs, successors, executors, assigns, transferees, employees, officers, directors, members, managers, representatives, contractors, subcontractors, agents, assigns, guests and invitees (collectively, the "Releasor/Indemnitor") hereby acknowledge and agree to the following: (i) Releasor/Indemnitor assume all risk of injury, loss or damage to Releasor/Indemnitor, any of them, arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (ii) Releasor/Indemnitor waive and release the Town from any and all claims, demands and actions for injury, loss or damage arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (iii) Releasor/Indemnitor agree to defend, indemnify and hold harmless the Town from and against any and all liability, claims, damages and demands, including any third party claim asserted against the Town, on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, arising out of or in any way related to the permitted use, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause. For purposes hereof, the term "Town" shall include, individually and collectively, its officers, employees, agents, insurers, insurance pools, contractors and subcontractors. By signing this Special Event Application, the Permittee acknowledges and agrees that this assumption of risk, waiver and indemnity extends to all acts, omissions, negligence or other fault of the Town and that said assumption of risk, waiver and indemnity is intended to be as broad and inclusive as is permitted by the laws of the State of Colorado. If any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding such invalidity, continue in full legal force and effect.

The undersigned Permittee certifies that all the statements and answers to the above questions are true without any reservations or evasions. The undersigned also understands that the Town of Crested Butte reserves the right to require payment for additional services for major impact events.

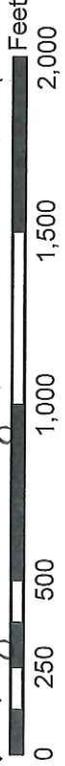
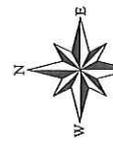
Catherine Vader Cathy Vader
 Print Name Clearly / Signature of Applicant (Permittee)

3/20/19
 Date



Town of Crested Butte Parks

- ① Ice Block of Elk Avenue for alls but 1 Sunday
- ② Big Mine parking lot during Arts Festival Weekend (August 4th only)



NORTH SIDE

- 1 CBFM Info Booth
- 2 Sprouts/Kids Booth
- 3 Love Bites/Mtn. Maid Coffee
- 4 Elk Mtn. Farmacy
- 5 Mountain Oven
- 6 Mountain Oven
- 7 Mountain Oven
- 8 - 9 Mountain Oven (24' trailer space)
- 10 Stone Cottage Cellars
- 11 Borden Farm
- 12 Borden Farm
- 13 Borden Farm
- 14 - 15 Borden Farm (24' trailer space)
- X 16 Ellen's Pickled Products
- 17 High Lift Juicery
- 18 Bees Company
- 19 Wild Smoked Salmon
- 20 Leather Joe
- 21 Rebecca Bourke
- 22 Rebecca Bourke
- 23 Just Crepes
- 24 225 Grand
- 25 Damselfly
- 26 Lonewolf Collective
- 27 Gina English Designs
- 28 Wrenchin' Wench
- 29 CB Pasta Company
- 30 Whimsicles/Mtn. Roots
- 31 Non Profit Booth
- 32 Hogwood BBQ
- 33 Hogwood BBQ
- 34 Hogwood BBQ

SOUTH SIDE

- X - Laz Ewe 2 Goat Dairy (trailer space)
- 35 Laz Ewe 2 Goat Dairy
- 36 Laz Ewe 2 Goat Dairy
- 37 Laz Ewe 2 Goat Dairy
- 38 JuNo
- 39 JuNo
- 40 - 41 JuNo (24' trailer space)
- 42 J & M Farm
- 43 Dig In It Mushroom
- 44 Big B's
- 45 Big B's
- 46 - 47 Big B's (24' trailer space)
- X 48 Twisted Root
- 49 Twisted Root
- 50 Twisted Root
- 51 - 52 Twisted Root (24' trailer space)
- X (Public Driveway)
- 53 Massage Crested Butte
- 54 Rotating Craft Vendors
- 55 Butterfly Outpost
- 56 Taylor & Tessier
- 57 Remedios
- 58 Niyol
- 59 Pura Vida Chocolate
- 60 Kimbre Woods Photography
- 61 Vermont Sticky
- 62 Kelly Frimel
- 63 Non Profit Booth
- 64 Paradise Ski Chairs
- 65 Blue Mesa Mehndi (Face Painting)

KEY

Market Booths

Produce Vendor

Animal/Meat Vendor

Food Vendor

Craft/Jewelry/Non-Food

Non Profit Booths

X - walkways or spaces intentionally left open

cones/barricades blocking off the street

sandwich board signs at each end of market

recycling & trash bins at each of market

South Side of Elk Avenue

100 Block of Elk Avenue

North Side of Elk Avenue



2nd Street

1st Street
60

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Crested Butte Farmers Market

is a

Nonprofit Corporation

formed or registered on 06/09/2007 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20071271843 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 03/19/2019 that have been posted, and by documents delivered to this office electronically through 03/20/2019 @ 09:18:08 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 03/20/2019 @ 09:18:08 in accordance with applicable law. This certificate is assigned Confirmation Number 11461144 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

SPECIAL EVENT: FARMERS MKT-Sundays 5/26-10/6 (Not August 4, 2019-at Big Mine)

DEPARTMENT APPROVALS *(For Official Use Only)*

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

MARSHALS:

Conditions/Restrictions/Comments:

Ok per CBMO

Michael Reily

3/28/19

Signature

Date

PUBLIC WORKS:

Conditions/Restrictions/Comments:

Ok

Shea D Earley

5/14/2019

Signature

Date

PARKS AND RECREATION:

Conditions/Restrictions/Comments:

Permit on file with the Clerk's office.

Janna Hansen

3/29/19

Signature

Date

DEPARTMENT APPROVALS *(For Official Use Only)*

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

TOWN CLERK:

Conditions/Restrictions/Comments:

Lynelle Stanford

5-9-2019

Signature

Date

TOWN MANAGER:

Conditions/Restrictions/Comments:

Application and Banner

Dara T. MacDonald

5/13/19

Signature

Date

CRESTED BUTTE FIRE PROTECTION DISTRICT:

Conditions/Restrictions/Comments:

Good luck with your event-approved

Ric Ems

3/29/19

Signature

Date

DEPARTMENT APPROVALS *(For Official Use Only)*

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

MT. EXPRESS BUS SERVICE:

Conditions/Restrictions/Comments:

No impact on MX

Chris Larsen

3/28/19

Signature

Date



Staff Report

May 20, 2019

To: Mayor and Town Council
From: Lynelle Stanford, Town Clerk
Thru: Dara MacDonald, Town Manager
Subject: Crested Butte Farmers Market – Evening Market Special Event Application
Date: April 23, 2019

Summary:

Catherine Vader submitted the special event application for the Crested Butte Farmers Market – Evening Market. The market is proposed for Thursday evenings, from 4PM to 7PM, beginning July 11th through August 29th. Set up would begin at 3PM, and breakdown and clean up would be completed by 8PM. The market would be held in Crank’s Plaza.

Recommendation:

To approve the special event application for the Crested Butte Farmers Market – Evening Market as part of the Consent Agenda.



SPECIAL EVENT APPLICATION

1. EVENT INFORMATION:

Name of Event: Crested Butte Farmers Market - evening market
 Date(s) of Event: Thursdays - July 11th through August 29th (8 consecutive Thursdays)
 Location(s) of Event: CRANK'S PLAZA

Map Attached Showing Location of Event *Attach map showing location of event*

Diagram Attached Detailing Event *Attach 8 1/2" X 11" diagram detailing the event showing tents, vendors, security, toilets, tables, signage, fencing, booths, ingress and egress, stage, etc.:*

Event Schedule and Description of Event Attached

Name of Organization Holding the Event ("Permittee"): Crested Butte Farmers Market
Note: The permittee of an event must be the same "Entity Name" as the named insured on the insurance certificate and the Secretary of State Certificate of Good Standing.

Event Time(s) (start time of scheduled event to end time of scheduled event each day:

Date <u>July 11th - Aug. 29th</u>	Time: From <u>4 pm</u>	To <u>7 pm</u>
Date _____	Time: From _____	To _____
Date _____	Time: From _____	To _____
Date _____	Time: From _____	To _____

Total Time (including setup, scheduled event, breakdown, and clean up):

Date <u>July 11th - Aug. 29th</u>	Time: From <u>3 pm</u>	To <u>8 pm</u>
Date _____	Time: From _____	To _____
Date _____	Time: From _____	To _____
Date _____	Time: From _____	To _____

Expected Numbers: Participants: 10 vendors Spectators: _____

Name of Event Organizer: Catherine Vadez

Phone: 970.901.4181 Cell Phone: same

E-Mail: info@cbfarmersmarket.org Fax Number: NA

Name of Assistant or Co-Organizer (if applicable): NA

Phone: - Cell Phone: - E-Mail: -

Mailing Address of Organization Holding the Event: PO BOX 2241
CRANK'S PLAZA Crested Butte, CO 81224

Email Address of Organization: info@cbfarmersmarket.org Phone Number: 970.901.4181

2. INSURANCE, LIQUOR PERMITS, SECURITY PLANS:

(a) Do You Intend to Sell or Serve Alcohol? Yes No

If Yes, a Special Event Liquor License is Required. You must submit a separate application for a Special Event Liquor License to the Town Clerk at least 30 days prior to the event to ensure adequate time to comply with state regulations.

~~NA~~ Special Event Liquor Permit Application is Attached with Appropriate Fees and Diagram

Describe Plan for Security and Include with Diagram: (All major impact events, as well as events that receive a Special Event Liquor License, are required to have a security plan):

NA

(b) Proof of General Commercial Liability Insurance naming the Town of Crested Butte as Additional Insured, with coverage of no less than \$1,000,000 is required for all special events. If your event is in the Big Mine Ice Arena with over 299 people, you will also need to add the Crested Butte Fire Protection District as Additional Insured. Events selling alcohol also require Liquor Liability Insurance on the Insurance Certificate. (Note: Your application cannot be approved until we receive proof of insurance) Contact the Clerk's Office if you would like to receive an insurance quote through the Town's Insurance Provider.

Is Proof of Insurance Attached? Yes No

3. ROAD CLOSURES, PARKING/HANDICAPPED PARKING, BUS SERVICE:

Will Your Event Require Any Road Closures? Yes No

If Yes, Explain in Detail Streets Closures and Times of Closures:

Streets: _____ Date _____ Time: From _____ To _____
Streets: _____ Date _____ Time: From _____ To _____
Streets: _____ Date _____ Time: From _____ To _____
Streets: _____ Date _____ Time: From _____ To _____
Streets: _____ Date _____ Time: From _____ To _____
Streets: _____ Date _____ Time: From _____ To _____

Will Your Event Impact Mt. Express Bus Service and/or Routes? Yes No

If Yes, Explain Impact (include times): NA

Will Your Event Affect Any Handicapped Parking Spaces? Yes No

If yes, you must work with the Marshal's Department to create temporary handicapped parking spaces for the duration of your event.

Describe Plan for Parking: NA

Is Your Event Requesting Any Additional Services from the Town of Crested Butte (such as barricades, utility irrigation locates, traffic control, snow removal, electrical power, trash removal, additional police etc.)? Yes No

If Yes, explain request for services in detail (attach additional page if necessary):

NA

Does Your Event Include a Parade? Yes No

If yes, you must read and sign the following: I understand that if items are to be distributed during the parade (i.e. candy, beads, brochures, etc.), individuals will do so exclusively by foot from along-side the vehicles/floats to minimize the likelihood of spectators running up to the vehicles/floats. I understand and agree that items will not be thrown from any vehicle/float.

Signature of Event Coordinator

4. AMPLIFIED SOUND AND NOTIFICATION:

Will There Be Amplified Sound at This Event? Yes No

If Yes, Describe: NA

Note: If there will be amplified sound during your event, the rules and requirements of Crested Butte Municipal Code Section 10-9-50 must be followed. Residents and businesses within 250' of the proposed event must receive written notification (7) days prior to the start of the event.

Describe Plan for Notifying Businesses and Residents Impacted by Your Event: NA

5. TRASH, RECYCLING, PORTABLE TOILETS AND RESTROOMS:

How much trash do you anticipate generating at the event? 1 small garbage / event day

What recyclable products will be generated at the event? glass + plastic beverage cups + bottles, cardboard food containers, paper plates + napkins

DESCRIBE YOUR DETAILED plan for trash, recycling and clean up. (All events are required to have a plan for handling recycling and garbage during the event and the removal of recycling and garbage after the event.) Please note that any plan should emphasize increased recycling and decreased waste production. If you feel that your event will require assistance from Waste Management, please contact them directly at (970) 641-1986. Note: Any event application without a detailed recycling and refuse plan will not be accepted as a complete application:

I will use the same trash + recycling plan as during the Sunday market - 2 trash/recycling bins at both ends of the market area for easy access. I dispose of the trash + sort the recyclables at the end of each market day. Our vendors are required to dispose of their own trash rather than adding it to the market's trash. We emphasize recycling by requiring our concession vendors to serve in containers that are recyclable in Gunnison County (ie: Plastic #1 + #2), which cuts down on trash dramatically.

Describe Plan for Portable Toilets and/or Restrooms. (Include number of portable toilets and plan to restore bathrooms to their original state following your event): (Required: 1 portable toilet to every 40 attendees)

NA

6. SALES TAX:

Have you paid sales tax from your event last year? Yes No

If No, you must pay delinquent sales tax before your special event application will be considered.

Will You Be Selling Products (food, drink, or merchandise) At Your Event? Yes No

If yes, you must collect sales tax and attach a completed Town of Crested Butte Sales Tax License Application with a List of Vendors to the Clerk's Office.

Town of Crested Butte Sales Tax Application is Attached.

List of Vendors with your Crested Butte Sales Tax Application.

7. BANNER PERMITS:

Do you plan to apply for a banner permit to erect a banner at the Pitsker Outfield Fence? Yes No

If Yes, you must apply for a banner permit separately through the Front Desk at Town Hall.

Are you requesting Town Manager approval for a 1-day banner at the event location for the hours of the event? Yes No

Town Manager Approval: 

Please review your application and make sure all questions are answered. Read, sign, and date the following prior to submitting your application.

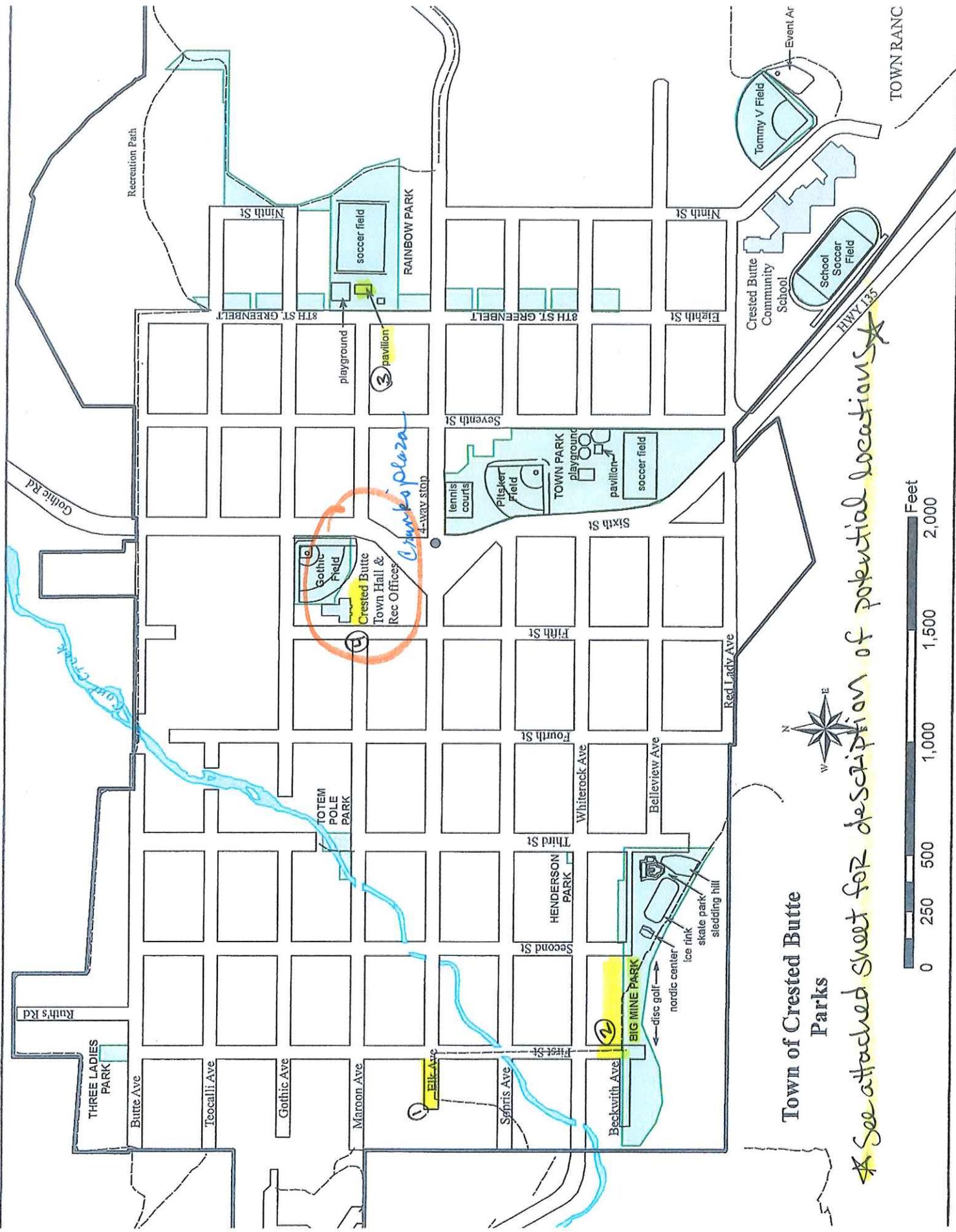
8. PLEASE REVIEW, SIGN, AND DATE:

In consideration for being permitted by the Town to engage in the permitted event, the Permittee, its heirs, successors, executors, assigns, transferees, employees, officers, directors, members, managers, representatives, contractors, subcontractors, agents, assigns, guests and invitees (collectively, the "Releasor/Indemnitor") hereby acknowledge and agree to the following: (i) Releasor/Indemnitor assume all risk of injury, loss or damage to Releasor/Indemnitor, any of them, arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (ii) Releasor/Indemnitor waive and release the Town from any and all claims, demands and actions for injury, loss or damage arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (iii) Releasor/Indemnitor agree to defend, indemnify and hold harmless the Town from and against any and all liability, claims, damages and demands, including any third party claim asserted against the Town, on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, arising out of or in any way related to the permitted use, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause. For purposes hereof, the term "Town" shall include, individually and collectively, its officers, employees, agents, insurers, insurance pools, contractors and subcontractors. By signing this Special Event Application, the Permittee acknowledges and agrees that this assumption of risk, waiver and indemnity extends to all acts, omissions, negligence or other fault of the Town and that said assumption of risk, waiver and indemnity is intended to be as broad and inclusive as is permitted by the laws of the State of Colorado. If any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding such invalidity, continue in full legal force and effect.

The undersigned Permittee certifies that all the statements and answers to the above questions are true without any reservations or evasions. The undersigned also understands that the Town of Crested Butte reserves the right to require payment for additional services for major impact events.

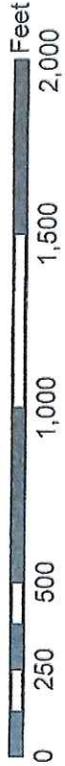
Catherine Vadez / Cathy Vadez
 Print Name Clearly / Signature of Applicant (Permittee)

3/20/19
 Date



**Town of Crested Butte
Parks**

See attached sheet for description of potential locations



Thursday evening CBFM event diagram at Cranks Plaza

Key:

 10' X 10' market tents

 sandwich board signs

 recycling and trash bins

- 1 - Market Info Booth
- 2 - Big B's/Delicious Orchards
- 3 - Laz Ewe 2 Bar Goat Dairy
- 4 - Twisted Root Organic Farm
- 5 - JuNo Farms
- 6 - Wildflour Sweets

7 - 13 - These spaces just represent how/ where we could expand if more vendors become interested in the Thursday evening market. I anticipate around 10 vendors in total to participate.



Location Options for Evening CBFM

1. **Zero Block of Elk Avenue** - This location is very close to our Sunday event spot and would keep us centrally located and easy to spot on Elk Avenue. This block is also mostly residential and we therefore wouldn't block parking for commercial businesses or keep them from view. It's a very short block, so depending on the number of vendors interested in the evening market, I would need to measure the street to make sure everyone would fit. There's still easy access to the public restrooms inside Old Town Hall.
2. **Big Mine/Nordic Center Parking Lot** - The Sunday CBFM relocates to the Big Mine Parking lot during Arts Festival weekend, so it's a venue that both vendors and customers are used to. It's also still very walkable from Elk Avenue and it would be easy to direct people to this location from Elk. This location already has portable toilets, and the public restrooms inside Old Town Hall are only 2 blocks away.
3. **Pavillion @ Rainbow Park** - This location is a bit off the beaten path, but that's not necessarily a bad thing! Vendors wouldn't be setting up their own tents, as everyone could set-up under the pavilion. There are public restrooms available at the park.
4. **Kranks Plaza** - Also a bit off the beaten path, but still within sight from Elk Avenue, this location could be great for a smaller evening market! Public restrooms are just a block away at the Four Way.
5. I'm very open to any other location options!

Crested Butte Farmers Market
PO BOX 2241
Crested Butte, CO 81224
March 21, 2019

Dear Town of CB Employees and Town Council Members,

In 2018, the Sunday Crested Butte Farmers Market experienced an incredible year of growth. Our total vendor sales jumped to \$712,413.14 last season, up from \$523,610.70 in 2017. That's an enormous 36% growth in just one year! So, big question, why are we requesting to add a second market day to our schedule?

Myself and our Board of Directors believe those sales figures show that our community can and would support another opportunity to shop at the market. The Crested Butte Farmers Market (CBFM) was created to support regional farmers and artisanal food producers by providing an avenue that allows them to sell their products directly to the public, and we believe adding a second market day would help us to further accomplish this goal.

I also feel that the addition of a second market day would help to reduce some of the crowding issues associated with the Sunday market during peak tourist season. I'm well aware that the Sunday CBFM can seem a bit chaotic in July and August, and I know a number of locals that choose not to attend the market in these months because it's just too overwhelming. We're opening the Sunday market one hour earlier this year to help with this issue, and I think that by giving customers a second opportunity to shop at the market, we can spread out attendance even more and lessen the large crowds at the Sunday market.

Also, despite our large sales figures, I do think we miss a small demographic of potential shoppers. Crested Butte is such an active community and many people are out enjoying everything this valley has to offer on the weekend, rather than attending the market. I think that having a weekday, evening market will fill a need for these folks and allow them the opportunity to buy fresh, local food directly from the producers.

As of right now, I'd like to hold this second market on Thursday evenings from 4 pm to 7 pm, starting the second weekend in July and going through August. We intend for this to be a "food only" market, focusing on produce and ranch vendors, with potential for concession or value added food vendors, but no arts, craft or jewelry. Because this will be a smaller market with fewer vendors, there is no need to hold it on the 100 block of Elk Avenue, where the Sunday CBFM currently takes place. I have several suggestions for locations that are still fairly central, but don't require a busy block of Elk Avenue to be closed off. Ultimately though, I am totally willing to defer to the judgement of the town employees and Town Council members regarding the location. We'll make this market happen in whichever location you all think is best!

Thank you so much for taking the time to consider this application, and please feel free to get in touch with me if you have any further questions, comments or concerns!

Catherine Vader
CBFM Executive Director
970.901.4181
info@cbfarmersmarket.org

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Crested Butte Farmers Market

is a

Nonprofit Corporation

formed or registered on 06/09/2007 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20071271843 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 03/19/2019 that have been posted, and by documents delivered to this office electronically through 03/20/2019 @ 09:18:08 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 03/20/2019 @ 09:18:08 in accordance with applicable law. This certificate is assigned Confirmation Number 11461144 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

SPECIAL EVENT: CB FARMERS MARKET/EVENING MARKET (THURS 7/11-8/29, 2019)

DEPARTMENT APPROVALS *(For Official Use Only)*

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

MARSHALS:

Conditions/Restrictions/Comments:

OK per CBMO.

Michael Reily

4/18/19

Signature

Date

PUBLIC WORKS:

Conditions/Restrictions/Comments:

Approved based on the condition that it is at Crank's Plaza.

Shea D Earley

4/18/2019

Signature

Date

PARKS AND RECREATION:

Conditions/Restrictions/Comments:

Ok - Park permit on file with Clerk

Janna Hansen

4/22/19

Signature

Date

DEPARTMENT APPROVALS *(For Official Use Only)*

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

TOWN CLERK:

Conditions/Restrictions/Comments:

Lynelle Stanford

4-30-2019

Signature

Date

TOWN MANAGER:

Conditions/Restrictions/Comments:

Application
One Day Banner

Dara T. MacDonald

5/13/19

Signature

Date

CRESTED BUTTE FIRE PROTECTION DISTRICT:

Conditions/Restrictions/Comments:

approved in Cranks plaza

Ric Ems

4/18/19

Signature

Date

DEPARTMENT APPROVALS *(For Official Use Only)*

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

MT. EXPRESS BUS SERVICE:

Conditions/Restrictions/Comments:

Any of the three locations are fine with MX

Chris Larsen

4/18/19

Signature

Date



Staff Report

May 20, 2019

To: Mayor and Town Council
From: Lynelle Stanford, Town Clerk
Thru: Dara MacDonald, Town Manager
Subject: **Gunnison Car Show Breakfast Cruise Special Event Application**
Date: April 23, 2019

Summary:

Beckett Tyrer submitted the special event application for the Gunnison Car Show Breakfast Cruise on behalf of Gunnison Car Club, Inc. The event is proposed for Sunday, August 18th, 2019 from 8:00AM to 11:30AM. The event organizer requested that Elk Avenue be closed from 2nd Street to 4th Street, starting at 7AM and reopening at Noon. The requested closure excludes Elk Avenue from 4th to 5th Street, which has been closed for the event in past years. Car owners participating in the breakfast run would park their cars diagonally leaving a 16 foot lane running through the middle of Elk Avenue to allow access for emergency services.

Recommendation:

To approve the special event application for the Gunnison Car Show Breakfast Cruise as part of the Consent Agenda.



TOWN OF CRESTED BUTTE SPECIAL EVENT APPLICATION

1. EVENT INFORMATION:

Name of Event: GUNNISON CAR SHOW BREAKFAST CRUISE

Date(s) of Event: 8-18-2019

Location(s) of Event: 3RD AND 4TH BLOCK OF ELK AVENUE
ELK AVENUE FROM 2ND STREET TO 4TH STREET

Map Attached Showing Location of Event *Attach map showing location of event*

Diagram Attached Detailing Event *Attach 8 1/2" X 11" diagram detailing the event showing tents, vendors, security, toilets, tables, signage, fencing, booths, ingress and egress, stage, etc.):*

Event Schedule and Description of Event Attached

Name of Organization Holding the Event ("Permittee"): GUNNISON CAR CLUB, INC

Note: The permittee of an event must be the same "Entity Name" as the named insured on the insurance certificate and the Secretary of State Good Standing Certificate.

Event Time(s) (start time of scheduled event to end time of scheduled event each day:

Date <u>8-18-2019</u>	Time: From <u>8 A.M</u>	To <u>11:30 A.M</u>
Date _____	Time: From _____	To _____
Date _____	Time: From _____	To _____
Date _____	Time: From _____	To _____

Total Time (including setup, scheduled event, breakdown, and clean up):

Date <u>8-18-2019</u>	Time: From <u>7 A.M</u>	To <u>NOON</u>
Date _____	Time: From _____	To _____
Date _____	Time: From _____	To _____
Date _____	Time: From _____	To _____

Expected Numbers: Participants: 100 Spectators: 100-200

Name of Event Organizer: BECKETT TYLER

Phone: _____ Cell Phone: 970-596-6284

E-Mail: BZTMCBC@YAHOO.COM Fax Number: _____

Name of Assistant or Co-Organizer (if applicable): _____

Phone: _____ Cell Phone: _____ E-Mail: _____

Mailing Address of Organization Holding the Event: 111 ALPINE COURT
CRESTED BUTTE, CO. 81229

Email Address of Organization: BZTMCBC@YAHOO.COM Phone Number: 596-6286

2. INSURANCE, LIQUOR PERMITS, SECURITY PLANS:

(a) Do You Intend to Sell or Serve Alcohol? Yes No

If Yes, a Special Event Liquor License is Required. You must Submit a Separate Application for a Special Event Liquor License to the Town Clerk at least 30 days prior to the event to ensure adequate time to comply with state regulations.

~~NA~~ Special Event Liquor License Application is Attached with Appropriate Fees and Diagram

Describe Plan for Security and Include with Diagram: (All major impact events, as well as events that receive a special event liquor license, are required to have a security plan):

NA

(b) Proof of General Commercial Liability Insurance Naming the Town of Crested Butte as Additional Insured, with Coverage of No Less than \$1,000,000 is Required for All Special Events. If your event is in the Big Mine Ice Arena with over 299 people, you will also need to add the Crested Butte Fire Protection District as Additional Insured. Events Selling Alcohol also Require Liquor Liability Insurance on the Insurance Certificate. (Note: Your application cannot be approved until we receive Proof of Insurance) Contact the Clerk's Office if you would like to receive an insurance quote through the Town's Insurance Provider.

Is Proof of Insurance Attached? Yes No

3. ROAD CLOSURES, PARKING/HANDICAPPED PARKING, BUS SERVICE:

Will Your Event Require Any Road Closures? Yes No

If Yes, Explain in Detail Streets Closures and Times of Closures:

Streets: 3RD BLOCK OF EAK Date 8-18 Time: From 7 A.M To NOON

Streets: 4TH BLOCK OF EAK Date 8-18 Time: From 7 A.M To NOON

Streets: _____ Date _____ Time: From _____ To _____

Streets: _____ Date _____ Time: From _____ To _____

Streets: _____ Date _____ Time: From _____ To _____

Streets: _____ Date _____ Time: From _____ To _____

Will Your Event Impact Mt. Express Bus Service and/or Routes? Yes No

If Yes, Explain Impact (include times): BUS WILL HAVE TO
BE - ROUTE FOR THE TIME OF BREAKFAST
CLOSE

Will Your Event Affect Any Handicapped Parking Spaces? Yes No

If yes, you must work with the Marshal's Department to create temporary handicapped parking spaces for the duration of your event.

Describe Plan for Parking: ATTENDEES OF BREAKFAST CRUISE
WILL PARK DIAGONALLY WITHIN A TWO BLOCK
CLOSURE OF ELK

Is Your Event Requesting Any Additional Services from the Town of Crested Butte (such as barricades, utility irrigation locates, traffic control, snow removal, electrical power, trash removal, additional police etc.)? Yes No

If Yes, explain request for services in detail (attach additional page if necessary):

3RD AND 4TH BLOCKS OF ELK WILL
BE CORDONED OFF SPECIFICALLY FOR
ATTENDEES OF BREAKFAST CRUISE

Does Your Event Include a Parade? Yes No

If Yes, you must read and sign the following: I understand that if items are to be distributed during the parade (i.e. candy, beads, brochures, etc.), individuals will do so exclusively by foot from along-side the vehicles/floats to minimize the likelihood of spectators running up to the vehicles/floats. I understand and agree that items will not be thrown from any vehicle/float.

Signature of Event Coordinator

4. AMPLIFIED SOUND AND NOTIFICATION:

Will There Be Amplified Sound at This Event? Yes No

If Yes, Describe: _____

Note: If there will be amplified sound during your event, the rules and requirements of Crested Butte Municipal Code Section 10-9-50 must be followed. Residents and Businesses within 250' of the proposed event must receive written notification (7) days prior to the start of the event.

Describe Plan for Notifying Businesses and Residents Impacted by Your Event: BUSINESSES
IN AFFECTED AREAS WILL BE NOTIFIED
IN PERSON PRIOR TO EVENT

5. TRASH, RECYCLING, PORTABLE TOILETS AND RESTROOMS:

How much trash do you anticipate generating at the event? NONE

What recyclable products will be generated at the event? NONE

Describe Your DETAILED Plan for Trash, Recycling and Clean-Up. (All events are required to have a plan for handling recycling and garbage during the event and the removal of recycling and garbage after the event.) Please note that any plan should emphasize increased recycling and decreased waste production. If you feel that your event will require assistance from Waste Management, please contact them directly at (970) 641-1986. Note: Any event application without a detailed recycling and refuse plan will not be accepted as a complete application:

N/A

Describe Plan for Portable Toilets and/or Restrooms. (Include Number of Portable Toilets and Plan to Restore Bathrooms to Original State following your event): (Required: 1 Portable Toilet to Every 40 Attendees)

N/A use local restrooms

6. SALES TAX:

Have you paid sales tax from your event last year? Yes No
If No, you must pay delinquent sales tax before your special event application will be considered.

Will You Be Selling Products (food, drink, or merchandise) At Your Event? Yes No
If Yes, You must Collect Sales Tax and Attach a Completed Town of Crested Butte Sales Tax License Application with a List of Vendors to the Clerk's Office.

N/A Town of Crested Butte Sales Tax Application is Attached.

N/A List of Vendors with your Crested Butte Sales Tax Application.

7. BANNER PERMITS:

Do you plan to apply for a banner permit to erect a banner at the Pitsker Outfield Fence? Yes No
If Yes, you must apply for a banner permit separately through the Front Desk at Town Hall.

Are you requesting Town Manager approval for a 1-day banner at the event location for the hours of the event? Yes No

Town Manager Approval: _____

Please review your application and make sure all questions are answered. Read, sign, and date the following prior to submitting your application.

8. PLEASE REVIEW, SIGN, AND DATE:

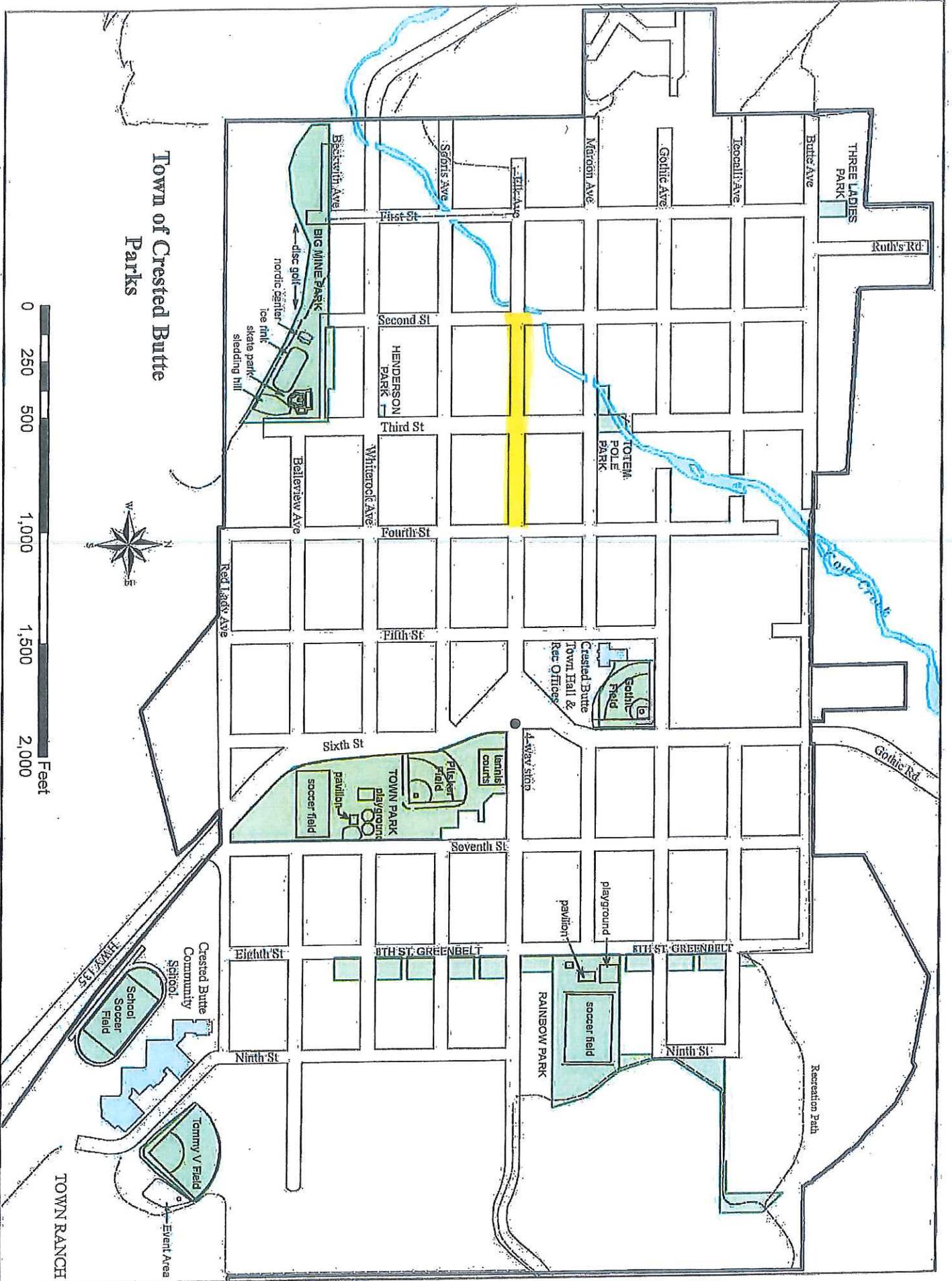
In consideration for being permitted by the Town to engage in the permitted event, the Permittee, its heirs, successors, executors, assigns, transferees, employees, officers, directors, members, managers, representatives, contractors, subcontractors, agents, assigns, guests and invitees (collectively, the "Releasor/Indemnitor") hereby acknowledge and agree to the following: (i) Releasor/Indemnitor assume all risk of injury, loss or damage to Releasor/Indemnitor, any of them, arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (ii) Releasor/Indemnitor waive and release the Town from any and all claims, demands and actions for injury, loss or damage arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (iii) Releasor/Indemnitor agree to defend, indemnify and hold harmless the Town from and against any and all liability, claims, damages and demands, including any third party claim asserted against the Town, on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, arising out of or in any way related to the permitted use, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause. For purposes hereof, the term "Town" shall include, individually and collectively, its officers, employees, agents, insurers, insurance pools, contractors and subcontractors. By signing this Special Event Application, the Permittee acknowledges and agrees that this assumption of risk, waiver and indemnity extends to all acts, omissions, negligence or other fault of the Town and that said assumption of risk, waiver and indemnity is intended to be as broad and inclusive as is permitted by the laws of the State of Colorado. If any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding such invalidity, continue in full legal force and effect.

The undersigned Permittee certifies that all the statements and answers to the above questions are true without any reservations or evasions. The undersigned also understands that the Town of Crested Butte reserves the right to require payment for additional services for major impact events.

BECKETT TUBE / 
 Print Name Clearly / Signature of Applicant (Permittee)

4-12-2019
 Date

Town of Crested Butte Parks

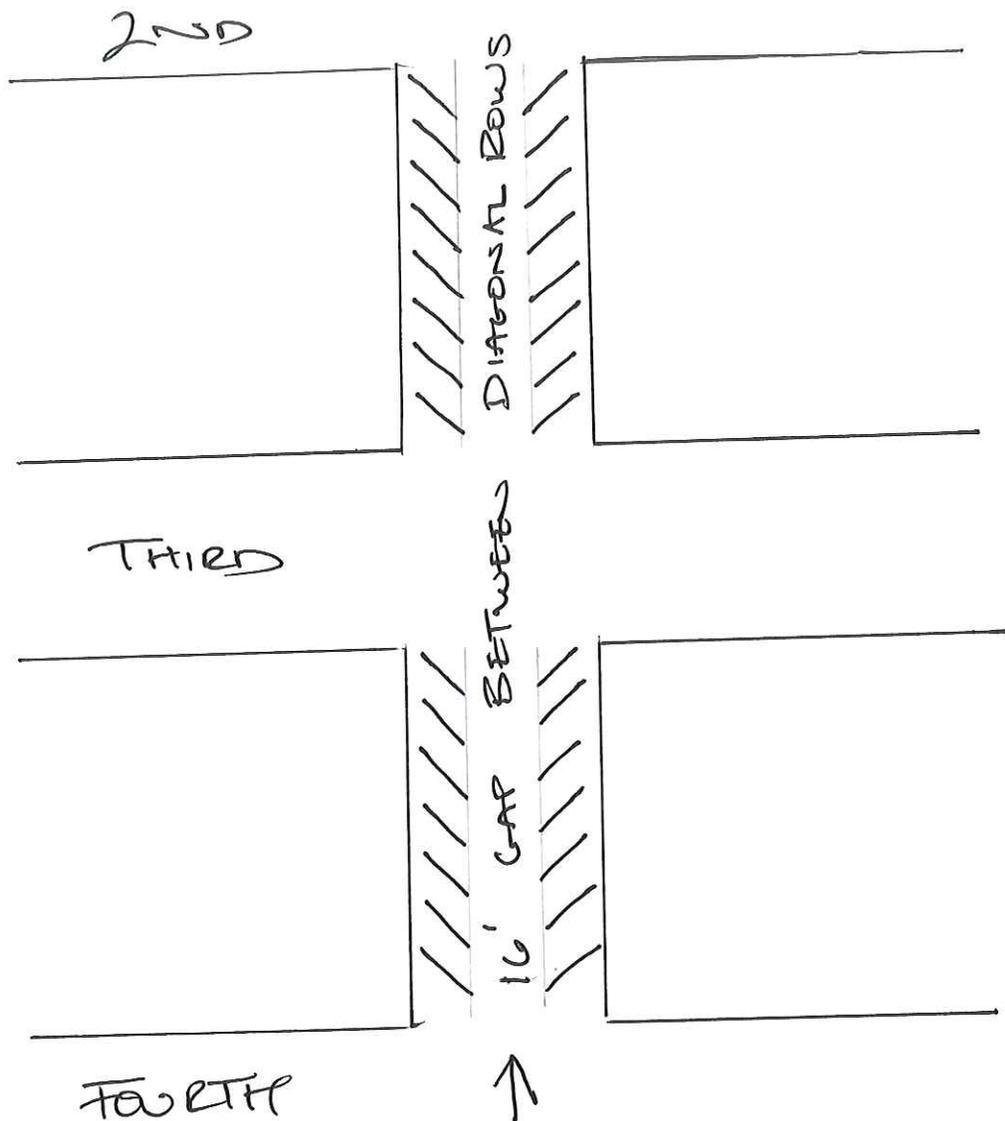


TOWN OF CRESTED BUTTE SPECIAL EVENT APPLICATION

DIAGRAM OF EVENT SETUP

PLEASE USE GOOGLE MAPS OR THIS FORM TO SHOW THE SETUP OF EVENT VENUE:

MUST INCLUDE A DETAILED DIAGRAM OF TENTS, TABLES, RESTROOMS/PORTA POTTIES, VENDORS, SIGNAGE, BOOTHS, STAGE, PARKING, GARBAGE/RECYCLING, LIQUOR BOUNDARIES AND SECURITY (FENCING FOR LIQUOR BOUNDARIES PREFERRED), INGRESS AND EGRESS.



EMERGENCY ACCESS FOR
FIRE TRUCKS + AMBULANCES

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

GUNNISON CAR CLUB, INC.

is a

Nonprofit Corporation

formed or registered on 08/15/1994 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19941090592 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 04/17/2019 that have been posted, and by documents delivered to this office electronically through 04/18/2019 @ 15:48:28 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 04/18/2019 @ 15:48:28 in accordance with applicable law. This certificate is assigned Confirmation Number 11523224 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

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**CERTIFICATE OF INSURANCE ENDORSEMENT
SPECIAL EVENT LIABILITY GROUP INSURANCE TRUST, A RISK PURCHASING GROUP**

		Certificate #	94324
FACILITY OWNER: (Additional Insured)		PRODUCER:	
Town of Crested Butte P.O. Box 39 Crested Butte, CO 81224 Attention: Betty Warren		CA License #0757776 HUB International Insurance Services Inc. P.O. Box 4047 Concord, CA 94524-4047 PH: 925 609 6500 FX: 925 609 6550 specialevent@hubinternational.us	
EVENT HOLDER: (Named Insured)		EVENT INFORMATION	
Gunnison Car Club, Inc. 111 Alpine Court Crested Butte, CO 81224 Attention: Beckett Tyrer		TYPE OF EVENT:	Car Show
		EVENT DATE(S):	August 18, 2019
		EVENT LOCATION:	3rd & 4th Block of Elk Crested Butte, CO
		ATTENDANCE:	100 CLASS: I
This is to certify that the policies of insurance listed below have been issued to the insured named above for the event date(s) indicated above. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.			
This contract is delivered as surplus line coverage under the Nonadmitted Insurance Act. The insurer issuing this contract is not licensed in Colorado but is an approved nonadmitted insurer. There is no protection under the provisions of the Colorado Guaranty Act.			
INSURER A:		COLONY INSURANCE COMPANY	
INSR LTR	Type of Insurance	Policy Number	Effective Expiration Policy Limits
A	Commercial General Liability	103 GL 0021111	1/1/2019 1/1/2020
		Each Occurrence	\$1,000,000
		General Aggregate	\$2,000,000
		Personal & Advertising Injury	\$1,000,000
		Products/Completed Operations Aggregate	\$2,000,000
		Damage to Premises Rented to You	\$1,000,000
		Medical Payments	\$5,000
		Liquor Liability Each Occurrence	Not Included
		Liquor Liability Aggregate	Not Included
COVERAGE TERMS:			
Occurrence Form (CG 0010) Host Liquor Liability Included. Full Liquor Liability Included <u>when a separate premium has been charged.</u>		The coverage afforded by this insurance is primary and non-contributing with any insurance held by the "Additional Insured" as Named Insured, when the "Additional Insured" is shown on this Certificate of Insurance Endorsement as "Additional Insured" or WHEN REQUIRED BY WRITTEN CONTRACT.	
COVERAGE EXCLUSIONS: (REFER TO POLICY FOR COMPLETE LISTING OF EXCLUSIONS)			
-- Sexual Abuse & Molestation		Specific Events are excluded from coverage. Please see second page for list of excluded events.	
-- Terrorism		On behalf of the Risk Purchasing Group and each Member, the Trustee has declined coverage for the Terrorism Risk Insurance Act (TRIA).	
OTHER ADDITIONAL INSUREDS:			
<i>CANCELLATION: Should the above described policy(s) be canceled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the insured event holder and additional insureds listed.</i>			
AUTHORIZED REPRESENTATIVE:		DATE ISSUED:	April 22, 2019
		Entity Copy	

SPECIAL EVENT: GUNNISON CAR SHOW BREAKFAST CRUISE (AUGUST 18, 2019)

DEPARTMENT APPROVALS *(For Official Use Only)*

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

MARSHALS:

Conditions/Restrictions/Comments:

OK per CBMO.

Michael Reily

4/22/19

Signature

Date

PUBLIC WORKS:

Conditions/Restrictions/Comments:

None

Shea D Earley

4/22/2018

Signature

Date

PARKS AND RECREATION:

Conditions/Restrictions/Comments:

Ok - Permit on file with Clerk

Janna Hansen

4/22/19

Signature

Date

DEPARTMENT APPROVALS *(For Official Use Only)*

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

TOWN CLERK:

Conditions/Restrictions/Comments:

Lynelle Stanford

5-9-2019

Signature

Date

TOWN MANAGER:

Conditions/Restrictions/Comments:

Application
One Day Banner

Dara T. MacDonald

5/13/19

Signature

Date

CRESTED BUTTE FIRE PROTECTION DISTRICT:

Conditions/Restrictions/Comments:

2nd & 4th street must remain open for emergency access
3rd street can be blocked off with the use of removable barricades for emergency access. thank you for leaving a 16 foot lane open down the center of Elk from 4th to 2nd.
approved with the conditions above

Ric Ems

4/22/19

Signature

Date

DEPARTMENT APPROVALS *(For Official Use Only)*

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

MT. EXPRESS BUS SERVICE:

Conditions/Restrictions/Comments:

Will reroute town bus onto Maroon Avenue during event

Chris Larsen

4/22/19

Signature

Date



Staff Report

May 20, 2019

To: Town Council

Thru: Dara MacDonald, Town Manager, and Michael Yerman, Community Development Director

From: Jessie Earley

Subject: Resolution No. 7, Series 2019, Owen Minor Subdivision, East half of Lot 26-30, Block 34, Town of Crested Butte

SUMMARY:

The Board of Zoning and Architectural Review (The Board) approved the Owen Minor Subdivision, a minor subdivision located at 319 Whiterock Avenue and 323-327 Whiterock Avenue, Block 34, East half of Lot 26-30 in the R2C zone at the October 30, 2018 BOZAR meeting. The subdivision will remove a portion from the eastern lot (323-327 Whiterock Avenue) to the Western lot (319-321 Whiterock Avenue). The minor subdivision regulations contained in the code section 17-4-40 (d) requires that the Town Council certify the final plat prior to the recordation in the real property records of Gunnison County.

DISCUSSION:

The Town Staff and the Town Attorney have reviewed the plat and language for compliance of the minor subdivision regulations. They referred the matter to the Town Council for certification. A copy of the plat is attached to the resolution. The item is placed upon the consent agenda for approval.

RECOMMENDED:

A Councilmember make a motion followed by a second to approve Resolution 7, Series 2019 certifying the Owen Minor Subdivision, East half of Lot 26-30, Block 34, as part of the consent agenda.

RESOLUTION NO. 7**SERIES 2019****A RESOLUTION OF THE CRESTED BUTTE TOWN COUNCIL CERTIFYING THE OWEN MINOR SUBDIVISION, EAST HALF OF LOT 26-LOT 30, BLOCK 34, TOWN OF CRESTED BUTTE**

WHEREAS, the Town of Crested Butte, Colorado (the “**Town**”) is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, on October 30, 2018, during a properly noticed public hearing The Crested Butte Board of Zoning and Architectural Review (the “**Board**”), by motion approved the Owen Minor Subdivision plat (the “**Final Plat**”), Town of Crested Butte; and

WHEREAS, pursuant to Section 17-4-40 of the Crested Butte Municipal Code (the “**Code**”), the Board has certified the Final Plat;

WHEREAS, pursuant to subsection (d) of Section 17-4-40 of the Code, the Town Council must also certify the Final Plat as a pre-condition to the approval of such minor subdivision;

WHEREAS, the Town Staff and the Town Attorney have worked cooperatively with the owners on the Final Plat and have recommended to the Town Council that it approve the replat of the Subject Property; and

WHEREAS, the Town Council hereby finds that approving the minor subdivision of the Owen property by way of certifying the proposed Final Plat thereof is in the best interest of the health, safety and welfare of the Town, its residents and visitors.

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

1. **Findings.** The Town Council hereby finds that approving the Owen Minor Subdivision by way of Certifying the proposed Final Plat thereof in the form attached hereto as **Exhibit “A”**, the Board having already approved and certified the same, is in the best interest of the health, safety and welfare of the Town, its residents and visitors, and the Council certifies the Final Plat. The Town staff report relative to such matters is incorporated herein as supporting findings.

2. **Authorization of Mayor.** Based on the foregoing, the Town Council hereby authorizes the Mayor to execute the Final Plat in substantially the same form as attached hereto as **Exhibit “A”** upon proper execution of all parties with an interest therein as approved by the Town Attorney.

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL THIS ____
DAY OF _____, 20__.

TOWN OF CRESTED BUTTE

By: _____
James A. Schmidt, Mayor

ATTEST

Lynelle Stanford, Town Clerk

(SEAL)

EXHIBIT "A"

Final Plat of Owen Minor Subdivision

[attach approved form here]



Memorandum

To: Town Council
From: Dara MacDonald, Town Manager
Subject: Manager's Report
Date: May 20, 2019

Town Manager

- 1) Alpenglow – Each summer the Town Council discusses whether or not they wish to start meetings at 7:00 to allow members to attend Alpenglow or remain with the 6:00 start time. Please advise if you wish to push back the meeting start times and staff will plan accordingly.
- 2) Post Office – Neither the Mayor or I have received any response to the follow-up email I sent on March 19th (attached). Jim is planning to reach out to Senator Bennet's office to see if they can assist in getting a response to the questions asked and the information promised when we met with post office representatives back in January.
- 3) Mt. Crested Butte Strategic Plan – Attached for your reference is the recently adopted strategic plan for the Mt. Crested Butte Town Council.
- 4) Center for the Arts lease – A new lease is scheduled to be executed for the Center for the Arts with the completion of Phase 1. Phase 1 will be completed late this summer or early fall so we have begun conversations between the two entities on drafting a new lease. Expect to see this on an upcoming agenda in July.
- 5) Town Employee rentals – The two rental units at 812 and 814 Teocalli will become available this summer as the current employee tenants move out. We will hold a lottery for the next residents on May 17th. I elected to limit applications for the three-bedroom unit to employees with dependent children should any choose to apply. We have two applicants for the 3-bedroom unit and 6 applicants for the 1-bedroom unit. Both applicants for the 3-bedroom unit currently occupy 1-bedroom units at the Town's Town Ranch property, so presumably we will be holding another lottery soon to fill whichever of those units is vacated by someone moving into the 3-bedroom unit. Look for leases to come before the Council in the coming weeks to accommodate these transitions.
- 6) School District –
 - Modular - The school district will be proceeding with installation of a modular classroom for the 2019-2020 school year. Initial details of design and placement are attached. The district has taken the position that they are not subject to BOZAR approval of the design per the 2009 IGA.
 - The school district will not be resurfacing the Red Lady parking lot this summer but will be restriping in a manner that will change the flow of traffic and create some additional parking spaces.

- The school district is in the process of developing an RFP for architectural services for school expansion. Part of the scope will include the consultant looking at options for expansion at the current CBCS campus as well as expansion in an alternate location.

Public Works

- 1) Dan Greene – Town staff are pleased to have welcomed Dan Greene back to the community this week. He is back after more than 5 months of recovery following his car accident in December. We anticipate Dan starting back to work at the wastewater treatment plant around June 3rd.

Marshals

- 1) No update

Parks & Rec

- 1) The summer crew has started and are hard at work gardening, cleaning, raking, and setting out bike racks, garbage cans and benches.
- 2) Softball registration is open as well as summer youth programs including tennis, baseball, and gymnastics.
- 3) Dumpster update
 - A dumpster has been ordered for the 4-way. It will be placed at the southeast corner of the lot and will be installed the week of May 20th. Staff is working on constructing a volunteer fee tube to accept suggested donations of \$5/garbage bag for providing the dumpster.
 - Last year the Town funded a dumpster at the Judd Falls parking lot. The dumpster was there from August 3rd until September 24th at a total cost of \$814.90. There was discussion about placing a dumpster up Washington Gulch as well but a location could never be worked out between Waste Management and the USFS. The intention was to try and provide locations for visitors and backcountry users to dispose of waste and not litter the public lands.
 - It was staff's understanding that the USFS was going to budget to handle providing this service of dumpsters in the backcountry in future years. However, they have notified us that they did not budget for this expense in 2019. The Town did not budget for this either since we thought the USFS was going to provide this service.
- 4) Yelenick Playground Update
 - The Public Works crew is working hard to fulfill the in-kind portion of the Town's obligation for this project. They are excavating, compacting, and placing road base for the playground equipment footers, and building the rock retaining wall.
 - The play equipment designed by IDS has been built and is ready for installation.
 - The horseshoe pits and basketball courts should be open by June.
 - We still anticipate a July grand opening.
- 5) Rainbow Playground is scheduled to be resurfaced the week of June 10th. The playground will be closed during resurfacing.
- 6) Softball Opening Day – Tuesday, June 4th at 4:00 p.m. will be the opening day ceremony and BBQ at Pitsker Field

Community Development

- 1) Historic Preservation Month – Russ Lallier’s newest documentary; “The Deep Blue Sea” The Railroad Branch between Gunnison and Sapinero, will be shown at the Council Chambers at 6:00p.m. on May 22nd.
- 2) STOR Committee update – At Matt McCombs request, the STOR committee voted to move forward with the Gunnison Ranger District collecting data this summer to put together a proposal for more enhanced management at key trailheads and campsites around Crested Butte and Taylor Park in the future. The Gunnison Ranger District will be utilizing the help of Western Colorado University’s Master in Environmental Management program to collect this data.
- 3) Sculpture garden update – The deadline for the sculpture garden RFP is on Friday, May 17th. Many great and diverse proposals have already been received. A selection committee comprised of Town Staff and the Public Art subcommittee of the Creative District are meeting on May 21st. At this meeting, the selection committee will make a recommendation on the temporary sculpture selections and narrow down the permanent sculpture proposals to 3-5 finalists to then present their ideas to the full Creative District Commission on May 25th.
- 4) Potential deed restriction program – Reminder that George Ruther, Vail’s Housing Director, is coming to discuss the Vail inDeed program with the Town Council during your work session on June 17th. That meeting is scheduled to begin at 5:00 p.m. <http://www.vailindeed.com/>

Town Clerk

- 1) Staff will be meeting with event organizers of Bridges of the Butte, Bike Week, 4th of July, and Arts Fest, and the events should appear on the next agenda. Ride the Rockies, Alpenglow, and Street Vault are also planned for the next agenda.

Finance

- 1) The auditors were in town the week of May 13th for the onsite portion of their 2018 annual financial audit of the Town. The audit will be completed prior to the July 1st statutory deadline.

Intergovernmental

Gunnison County is hosting the next intergovernmental meeting on May 29th in Almont.

The Mt. Crested Butte Town Council is interested in a joint dinner with the Crested Butte Town Council the week of June 24th. Staff will collect feedback for date selection.

Upcoming Meetings or Events

May 22nd, 10:00 a.m. CML Spring Outreach meeting, City of Gunnison Council Chambers

May 29th, Intergovernmental dinner 5:30 – 8:00, Almont

June 7th, Town Picnic 11:30am – 2:30pm Rainbow Park

* As always, please let me know if you have any questions or concerns. You may also directly contact department directors with questions as well.

Dara MacDonald

From: Dara MacDonald
Sent: Tuesday, March 19, 2019 11:23 AM
To: J Schmidt; Nooney, Michael - Ukiah, CA
Cc: Martinez, Jerry O - Denver, CO
Subject: RE: Meeting with USPS

Mr. Martinez,

We wanted to follow up with you since we have not heard anything since our meeting in January.

1. During that meeting you said that you have requested a “space constraint review”. Has that process advanced and do you have any timeframe for completion of that review?
2. You said you would check on why Crested Butte residents do not receive free PO Boxes since home delivery is not offered in our community. Have you found a reason? We have done a bit of research and confirmed that residents are offered free PO Boxes in a number of other mountain towns such as Breckenridge, Frisco, Pagosa Springs, Grand Lake and Park City, UT.
3. You mentioned that you are looking for possible locations to locate parcel boxes or lockers, such as the exterior of the existing post office. Has this idea advanced? As I mentioned, the Town has strict design guidelines and we would strongly suggest that we meet early to review any plans for the placement of lockers to ensure that the design will be successful in our community. Alternatively, we would be happy to discuss the spaces that the Town owns near the post office as one of those might work for the placement of lockers.
4. You were going to check on the lifetime of the existing lease – possibly ending in 2023. The Town is very interested in finding a solution that works for effective operation of the community’s post office and we may be able to assist with siting in a more satisfactory location in the future if you would like our assistance.
5. As for staffing, were you able to bring on the 2 additional employees that you had made conditional offers to when last we spoke?

We were able to gain some great feedback from other mountain communities who have also been struggling with increased pressure during the holidays in the last two seasons. They have seen varying degrees of success in addressing the long lines and package delivery problems. Breckenridge sounds like it has been successful with increasing staffing and extended holiday hours – opening as early as 5:45 a.m. for package delivery. We certainly hope that these proactive ideas will be considered in Crested Butte prior to next December.

I appreciate your responses to the questions above. Please let us know what the Town can do to assist the post office in making sure that the long lines and poor experiences from the last two winters are not repeated again.

Dara MacDonald
Town Manager
(970) 349-5338



From: J Schmidt

Sent: Monday, January 07, 2019 1:32 PM

To: Nooney, Michael - Ukiah, CA <Michael.Nooney@usps.gov>

Cc: Martinez, Jerry O - Denver, CO <Jerry.O.Martinez@usps.gov>; Dara MacDonald <dmacdonald@crestedbutte-co.gov>; Will Dujardin <wdujardin@crestedbutte-co.gov>; Kent Cowherd <kcowherd@crestedbutte-co.gov>; Chris Haver <chaver@crestedbutte-co.gov>; Jackson Petito <jacksonp@crestedbutte-co.gov>; Laura Mitchell <lmitchell@crestedbutte-co.gov>; Paul Merck <pmerck@crestedbutte-co.gov>

Subject: Re: Meeting with USPS

Dear Mr. Nooney,

Thank you for agreeing to meet with me though January 25 will not work as the county and the town along with many other public and private agencies have scheduled an all day retreat concerning the One Valley Prosperity Project in Gunnison on that day.

I have not tried to reach you at work as the lines at the Post Office have been overwhelming and I did not want to take you away from helping the customers at the P.O.

I called Ms. Linda Neil because I knew that you were new to the position of Postmaster and the answers to my questions and complaints will probably have to be made by those up the ladder in the Postal Service. I assume Jerry Martinez is the person you are responsible to so I have copied him on this email. I have also copied our town manager and the members of our council.

I have to say that almost everyone I've run into in the last several weeks has a post office complaint and have not been shy about voicing them to me as mayor. I would place them in the following categories.

1. Waiting in line from 45 minutes to 2 hours for a package.
2. The package could not be found, come back later or another day or with a tracking number.
3. Driving to Gunnison or Almont because it was quicker to go there than wait in CB to send a package.(No lines in Gunnison.)
4. Why is there no home delivery when 98% of the country gets free home delivery.
5. Why do I have to pay a fee for a PO Box when home delivery is not offered. Surely the cost is less to put mail in a box than to have a person go around to all the houses.
6. Why don't they send some staff up from Gunnison or elsewhere where there are no lines.
7. Why is there no stamp machines? (I need to stand in line for an hour to buy a stamp?)
8. Why is there no package drop off place perhaps with a scale and postage machine?
9. My Christmas packages did not arrive on time.
10. I didn't have time to wait so I'll come back in a few days, a few weeks, whenever the line gets reasonable. How long is a package left in the post office before being sent back?

The lines at the post office have spilled over to cause parking problems in the core of the town. If the 25 or 30 drove cars, the cars are all sitting on the street or the parking lot for an hour or more instead of driving off after 5 minutes. The Post Office was built in 1975 or '76 and the demand has geometrically outgrown the space. What can the town do to facilitate a move to a better location and a bigger building?

It is my understanding that the PO is short staffed by 2 or 3 people and I also realize that the Postal Service has procedures that take time to get people hired or transferred. But are there not temporary employees available to help out?

Mr. Nooney, I know you and your staff have been put into an awful situation with the holidays. Our town manager has contacted Amazon several times pleading for home delivery of packages as UPS and FedEx do deliver to houses and businesses throughout town. She has had some success. For instance, I recently ordered 3 items from Amazon. Two were delivered to my house and I received an email saying the third was undeliverable by USPS though it did have my street address and I've only lived here for 42 years.

I was somewhat miffed by your inability to meet with me in less than 3 weeks from my contact but I will give you a pass on that if the intention was to catch up with your work or if Mr. Martinez or someone else is coming from Denver.

The lines and service this year were a disaster reflecting poorly on the Postal Service and the town. We must find a solution.

Please suggest another date to meet with myself and our town manager.

Sincerely,
Jim Schmidt
Mayor, Crested Butte

Sent from my iPad

On Jan 4, 2019, at 2:14 PM, Nooney, Michael - Ukiah, CA <Michael.Nooney@usps.gov> wrote:

Hi Jim,

I have been advised that you would like to meet with myself and other USPS personnel about the Crested Butte Post Office.

Does 01/25/2019 work for you?

Michael Nooney
Postmaster
Crested Butte, CO
81224
(970) 349-5568

Mt Crested Butte
Strategic Plan
February 2019

Strategic Priority
Essential Housing

By June 1, 2019, Construction will begin in the Homestead at Prospect area to complete 22 units for sale

By July 2019, a mechanism will be established to garner additional revenue for essential housing

By 2022, Mt Crested Butte will establish 40 additional housing units (20% of the projected need for the North end of the Valley) with emphasis on workforce housing and long-term rentals

By 2024, 40 additional housing units will be established

Strategic Priority
Infrastructure

By 2019, Mt Crested Butte will work with its partners to bring uninterrupted access to high-speed broadband internet service

By 2019, Mt Crested Butte will work with its partners to bring continuous cell phone access for personal, business and emergency use

By 2020, Mt Crested Butte will have upgraded children's equipment, wedding and garden pavilion and ADA access to the Town Park

By 2020, Land will be set aside for open space, recreation, community gathering and green space

By 2024, Mt Crested Butte residents will have access to a physical location to receive mail

By 2024, Mt Crested Butte will complete the parking structure at Mountaineer Square North 2, providing 325 parking spaces in the Base Area

Strategic Priority Protecting Natural Environment

By 2019, the Town will market itself as an environmentally conscious and responsible community

By 2019, the Town will encourage, set an example, communicate our values regarding our natural environment, and pass legislation to:

Limit or eliminate the use of single use plastics

Encourage the use of green energy sources

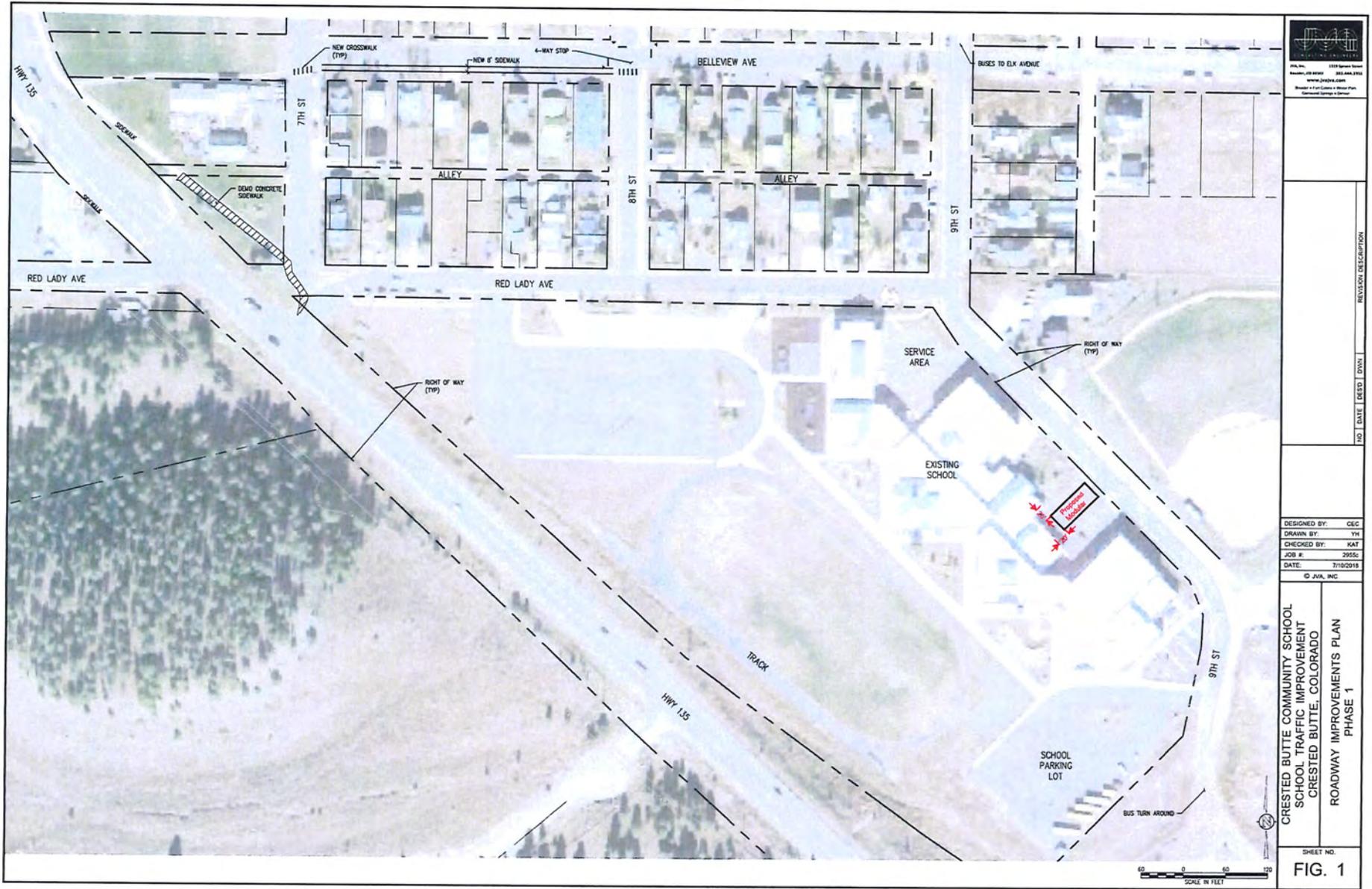
Encourage the responsible conservation of water resources

By 2024, Mt Crested Butte's public buildings and infrastructure will be energy self-sufficient through renewable energy sources

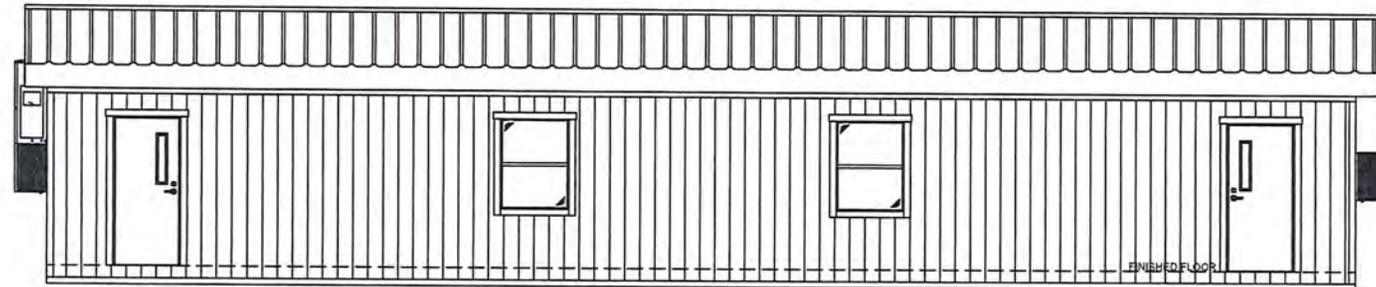
Strategic Priority High Performing Government

By 2021, Mt Crested Butte will revise the Mt Crested Butte Comprehensive Plan

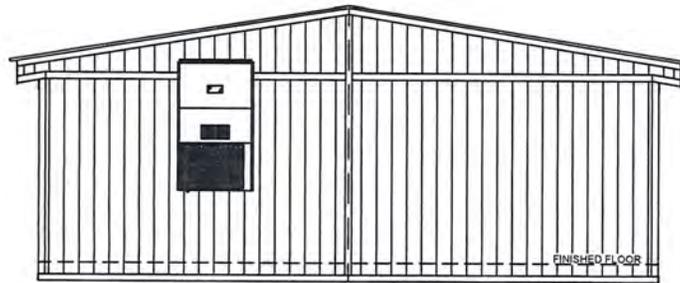
Mt Crested Butte commits itself to create a planning culture and will review plans on a regular basis



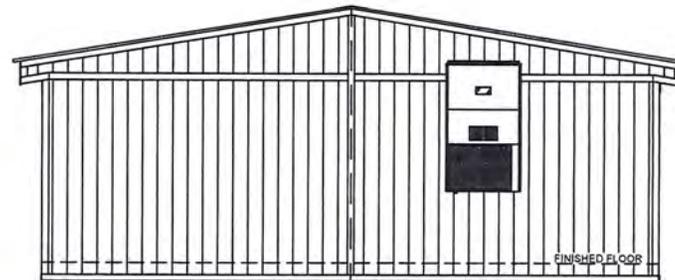
- * 28' x 58' building
- * 2 classrooms
- * utilizing heated mats around entries and walkways



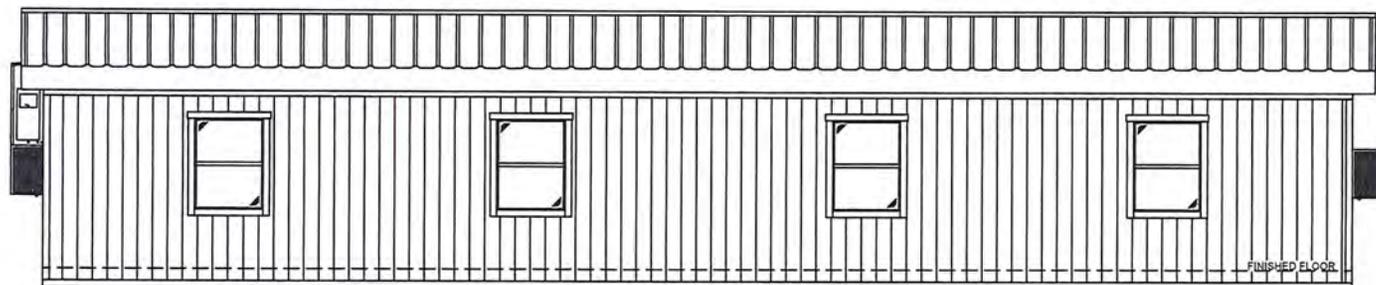
CURB SIDE



REAR END



FRONT END



STREET SIDE

1 EXTERIOR ELEVATIONS
3/16"=1'-0"

- * Roof pitch 2/12, can't transport sleeper const. Could be hinged to be taller.
- * Willing to share plans w/ BOZAR but not to be bound by decision.

- * Adding crickets above doors for snow shed
- * ADA ramps will be added
- * School district purchasing modular. Fabricated in Texas

AMTEX CORP.
132 WALNUT ST. - DALLAS, TX 75246
PH: 214-226-2626 FAX: 214-226-2610

SUNBELT MODULAR, INC.
AMTEX | DESIGN | PROTECT | BUILD STEEL | LANDFILL

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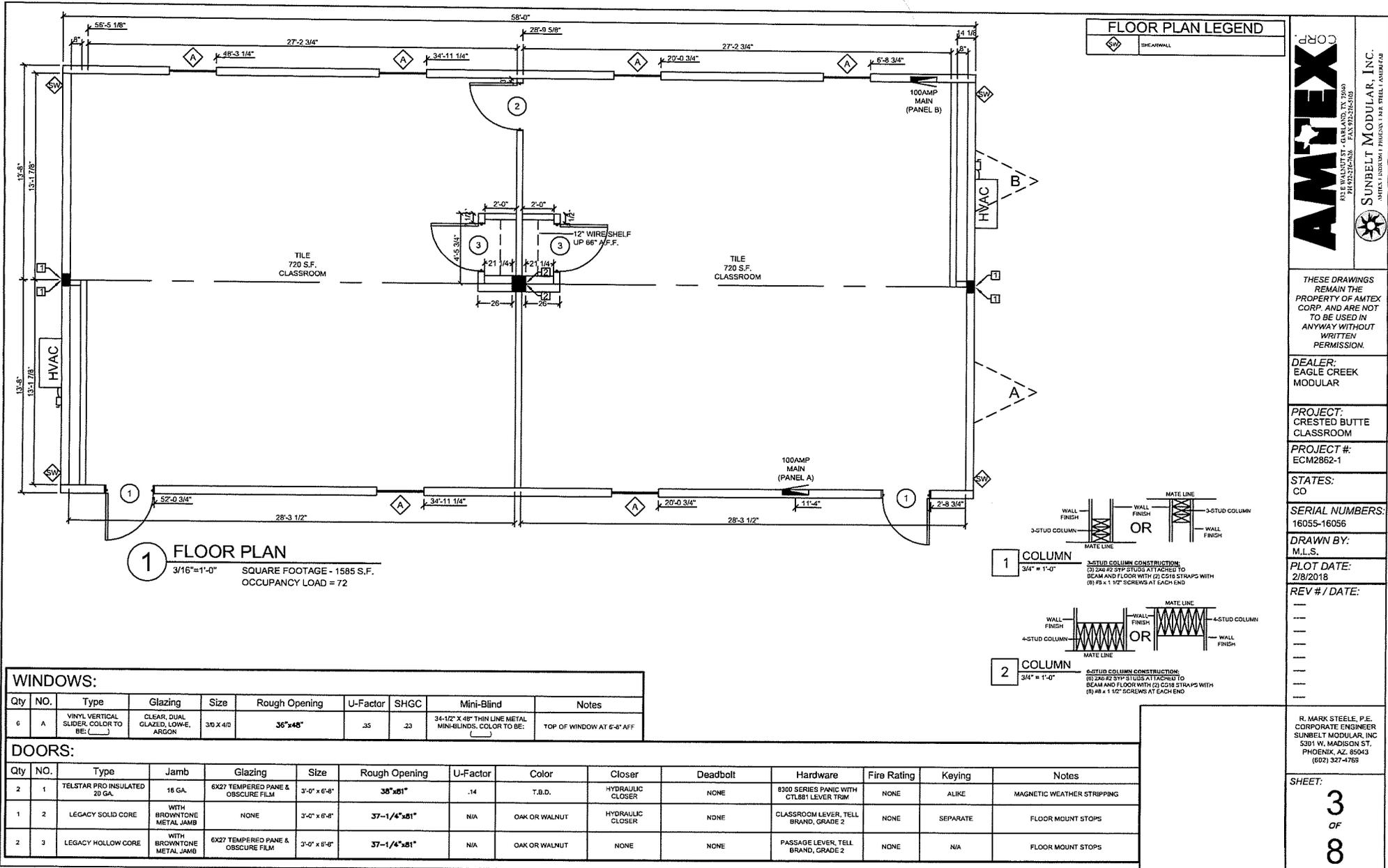
DEALER:

Eagle Creek
303-378-1396

PROJECT: CRESTED BUTTE CLASSROOM
PROJECT #: ECM2862-1
STATES: CO
SERIAL NUMBERS: 16055-16056
DRAWN BY: M.L.S.
PLOT DATE: 2/6/2018
REV # / DATE: ---

R. MARK STEELE, P.E.
CORPORATE ENGINEER
SUNBELT MODULAR, INC
6301 W. MADISON ST.
PHOENIX, AZ 85043
(602) 327-4769

SHEET: 9 OF 9



1 FLOOR PLAN
 3/16"=1'-0" SQUARE FOOTAGE - 1585 S.F.
 OCCUPANCY LOAD = 72

FLOOR PLAN LEGEND	
	WINDOW
	DOOR

AMTEx Corp.
 8115 WALNUT ST., GLENDALE, KY 40025
 PH: 502-276-2626 FAX: 502-276-1030

SUNBELT MODULAR, INC.
 AMTEx | INDUSTRIAL | PRODUCT | INR. STEEL | AMPLIFIB

THESE DRAWINGS REMAIN THE PROPERTY OF AMTEx CORP. AND ARE NOT TO BE USED IN ANYWAY WITHOUT WRITTEN PERMISSION.

DEALER: EAGLE CREEK MODULAR

PROJECT: CRESTED BUTTE CLASSROOM

PROJECT #: ECM2862-1

STATES: CO

SERIAL NUMBERS: 16055-16056

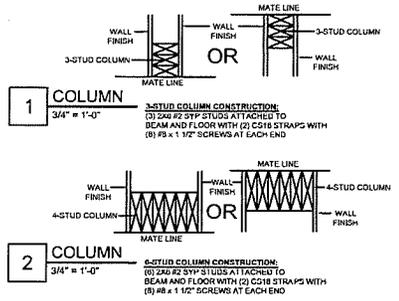
DRAWN BY: M.L.S.

PLOT DATE: 2/8/2018

REV # / DATE:

R. MARK STEELE, P.E.
 CORPORATE ENGINEER
 SUNBELT MODULAR, INC.
 5301 W. MADISON ST.
 PHOENIX, AZ 85043
 (602) 327-4769

SHEET: **3** OF **8**



WINDOWS:									
Qty	NO.	Type	Glazing	Size	Rough Opening	U-Factor	SHGC	Mini-Blind	Notes
6	A	VINYL VERTICAL SLIDER, COLOR TO BE: []	CLEAR, DUAL GLAZED, LOW-E, ARGON	3/0 X 4/0	36" x 48"	.35	.23	34-1/2" X 48" THIN LINE METAL MINI-BLINDS, COLOR TO BE: []	TOP OF WINDOW AT 6'-8" AFF

DOORS:														
Qty	NO.	Type	Jamb	Glazing	Size	Rough Opening	U-Factor	Color	Closer	Deadbolt	Hardware	Fire Rating	Keying	Notes
2	1	TELSTAR PRO INSULATED 20 GA.	18 GA.	6X27 TEMPERED PANE & OBSCURE FILM	3'-0" x 6'-8"	36" x 81"	.14	T.B.D.	HYDRAULIC CLOSER	NONE	8300 SERIES PANIC WITH CILSB1 LEVER TRIM	NONE	ALIKE	MAGNETIC WEATHER STRIPPING
1	2	LEGACY SOLID CORE	WITH BROWNTONE METAL JAMB	NONE	3'-0" x 6'-8"	37-1/4" x 81"	N/A	OAK OR WALNUT	HYDRAULIC CLOSER	NDNE	CLASSROOM LEVER, TELL BRAND, GRADE 2	NONE	SEPARATE	FLOOR MOUNT STOPS
2	3	LEGACY HOLLOW CORE	WITH BROWNTONE METAL JAMB	6X27 TEMPERED PANE & OBSCURE FILM	3'-0" x 6'-8"	37-1/4" x 81"	N/A	OAK OR WALNUT	NONE	NONE	PASSAGE LEVER, TELL BRAND, GRADE 2	NONE	N/A	FLOOR MOUNT STOPS

Ventilation System Packages

Bard Wall-Mounts are designed to provide optional ventilation packages to meet all of your ventilation and indoor air quality requirements. All units are equipped with a barometric fresh air damper as the standard ventilation package. All ventilation packages can be built-in at the factory or field-installed at a later date.



Barometric Fresh Air Damper

BAROMETRIC FRESH AIR DAMPER - BFAD

The barometric fresh air damper is a standard feature on all models. It is installed on the inside of the service door and allows outside ventilation air, up to 25% of the total airflow rating of the unit, to be introduced through the air inlet openings and to be mixed with the conditioned air. The damper opens during blower operation and closes when the blower is off. Adjustable blade stops allow different amounts of outside air to be introduced into the building and can be easily locked closed if required.

STANDARD



Motorized Fresh Air Damper

BLANK OFF PLATE - BOP

A blank off plate is installed on the inside of the service door. It covers the air inlet openings, which restricts any outside air from entering the unit. The blank off plate should be utilized in applications where outside air is not required to be mixed with the conditioned air.

OPTIONAL

MOTORIZED FRESH AIR DAMPER - MFAD

The motorized fresh air damper is internally mounted behind the service door and allows outside ventilation air, up to 25% of the total airflow rating of the unit, to be introduced through the air inlet openings and to be mixed with the conditioned air. The two position damper can be fully open or closed. The damper blade is powered open by a 24VAC motor with spring return on power loss. The damper can be controlled by indoor blower operation or can be field connected to be managed based on building occupancy.

OPTIONAL

NOTE: The above vent systems are intake only without built-in exhaust capability. Building will likely require separate field installed barometric relief or mechanical exhaust elsewhere within the conditioned space. Balancing dampers in the return air grille may be required to achieve specified amount of outdoor air intake.



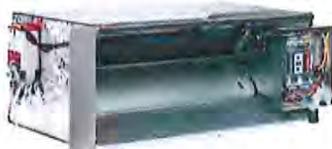
Commercial Room Ventilator

COMMERCIAL ROOM VENTILATOR - CRV

The built-in commercial room ventilator is internally mounted behind the service door and allows outside ventilation air, up to 50% of the total airflow rating of the unit, to be introduced through the air inlet openings. It includes a built-in exhaust air damper.

OPTIONAL

The commercial room ventilator (CRV) is a simple and innovative approach to improving the indoor air quality by providing fresh air intake and exhaust capability through the CRV. The damper can be easily adjusted to control the amount of fresh air supplied into the building. The CRV can be controlled by indoor blower operation or field controlled based on room occupancy. Two versions available (except on 1.5 and 2-Ton models). The CRV and CRVS are power open - spring return on power loss, and CRVP is power open and power close. Complies with ANSI/ASHRAE Standard 62.1 "Ventilation for Acceptable Indoor Air Quality".



Economizer

ECONOMIZER - ECONWM-Series

The built-in economizer system is internally mounted behind the service door and allows outdoor air to be introduced through the air inlet openings. The amount of outdoor air varies in response to the system controls and settings defined by the end user. It includes a built-in exhaust air damper. The economizer is designed to provide "free cooling" when outside air conditions are cool and dry enough to satisfy cooling requirements without running the compressor. This in turn provides lower operating costs, while extending the life of the compressor.

OPTIONAL

- ECONWMT Equipment Building versions have extended 11" air intake hood to deliver up to 100% of cooling rated airflow.
- ECONWMS Standard versions have 3" air intake hood to deliver up to 75% of cooling rated airflow.

Standard Features:

- Fully modulating
- Honeywell Direct Drive Hi-Torque Actuator
- 11" Intake hood with filter
- No linkage required
- Simple single blade design
- Positive shut-off with non-stick gaskets
- Electronic DB and/or Enthalpy sensors depending upon version
- Honeywell JADE electronic economizer module with precision settings and diagnostics
- DB or Enthalpy economizer versions available



Energy Recovery Ventilator

WALL-MOUNT ENERGY RECOVERY VENTILATOR - ERVF

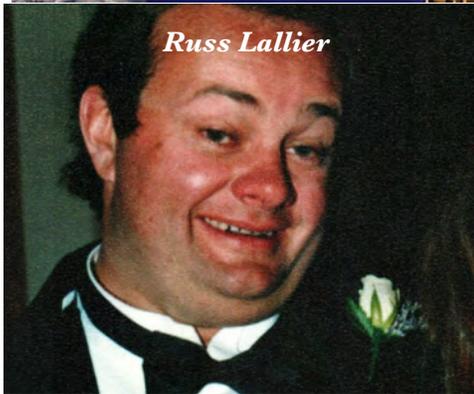
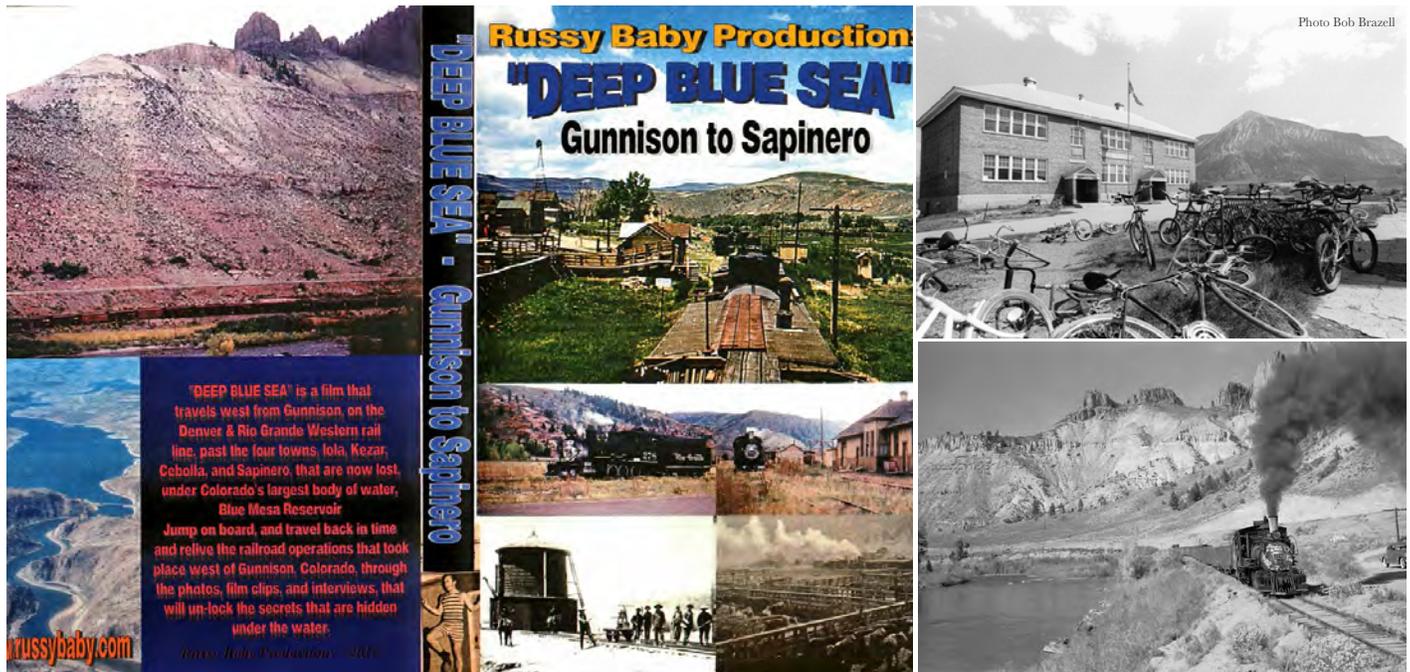
The wall-mount energy recovery ventilator (ERV) is a highly innovative approach to meeting indoor air quality ventilation requirements as established by ANSI/ASHRAE Standard 62.1. The ERV allows from 200 to 450 CFM (depending upon model) of fresh air and exhaust through the unit while maintaining superior indoor comfort and humidity levels. In most cases this can be accomplished without increasing equipment sizing or operating costs. Heat transfer efficiency is up to 67% during summer and 75% during winter conditions.

OPTIONAL

The ERV consists of a unique "rotary energy recovery cassette" that provides effective sensible and latent heat transfer capabilities during summer and winter conditions. Various control schemes are addressed including limiting ventilation during building occupancy only.

The ERV is designed to be internally mounted behind the service door in the W**A or W**L model wall-mount units. It can be built-in at the factory (W**A only) or field installed as an option. ERVF-*3 and ERVF-*5 can be independently adjusted for intake and exhaust rates.

The Town Of Crested Butte And Russy Baby Productions PRESENTS



Wednesday, May 22nd, 2019

**6:00 PM at the CB Town Hall
in the Town Council Chambers**

There will be a showing of the
Russy Baby Production film,

"Deep Blue Sea"

Gunnison to Sapinero

For More Information
and Tickets
Call: (970) 349-5339
E-Mail:
mollym@crestedbutte-co.gov

SPONSORED BY

The Town of Crested Butte
407 Maroon Avenue
Crested Butte, Colorado 81224

- Come see photos, film clips, and interviews about the railroad branch, that the Denver & Rio Grande Railroad traveled between Gunnison and Sapinero, used between 1881-1955, and is now hidden under Blue Mesa Reservoir.



Staff Report

May 20, 2019

To: Mayor Schmidt and Town Council

From: Michael Yerman, Director of Community Development

Thru: Dara MacDonald, Town Manager

Subject: **Ordinance 23, Series 2019- Amendment to Restrictive Covenant 405 Fifth Street Unit C**

Background:

405 Fifth Street Unit C is a primary dwelling currently listed for sale. It sits on the alley in the back of two 25' lots and is part of the Klinker condominium. The Klinker condominium contains two other units that front Elk Avenue. It's location on the back of the lot would typically make it an ADU but was allowed to be condominiumized in 1986 and is therefore a primary dwelling. No other units in the condomium have an ownership interest in the garage bays in Unit C.

A potential buyer approached the Town about expanding into the downstairs of Unit C but this is prohibited per the existing Restrictive Covenant Agreement ("RCA"). Below is a summary of all the different agreements recorded against the property.

The buyer asked to lift the prohibition against the expansion into the garage space in exchange for placing a new RCA that would limit the unit to only a primary residence or a long-term rental. To do so requires an amendment to the RCA via an ordinance. This is a unique situation and staff feels does not set a precedent in other places around Town. The ADU should not have been allowed to become a condo in the first place. However, it was and sold to a separate owner in the 1980's.

Amendment to the RCA:

The proposed amendment would change the RCA in the following ways. The Town would allow expansion into two of the garages but the occupancy of the unit would be limited to a long-term rental or primary residence. The footprint of the unit would not be allowed to be expand and the height limit would be set to 28' from the Fifth Street elevation. Also the Town would formally accept the existing, nonconforming parking space in front of the garage as it was originally platted.

RCA Summary:

1981 - The Town and Leo Klinker enter into a Restrictive Covenant Agreement for Lots 1 and 2, Block 26, under which Klinker agrees to 2 restrictive covenants for the property. First, "no residential unit or a portion thereof will occupy the first floor of the accessory building" on the property. Second, Klinker agrees that the property will not be "subdivided or condominiumized."

1983 - The Town grants Klinker an easement for certain improvements including a retaining wall and parking space located on Lot 1 that appear to encroach on Town property such as a right-of-way.

1986 - The Town agrees to release the first restrictive covenant Klinker granted in 1981 because the Town had approved the condominiumization of the property back in December 1983.

2000 - A Second Amended Condominium Declaration is filed along with a Second Amended Condominium Map for Units A, B and C of the Klinker Condominiums. These documents essentially replace the condominium declaration and map recorded in 1983.

2004 - The Town executes (Jim Schmidt as Mayor) and records a Notice of Termination of License Agreement, in which the Town releases its rights to enforce the Town's rights under a License Agreement dated December 12, 1983, that was not recorded until 1992 because the licenses granted under the 1983 License Agreement contradicted licenses for encroachments on Town property granted under a 1986 License Agreement. It appears that the encroachments consist of an open deck and porch attached to Unit B, and two retaining walls attached to Unit C.

Thus, what the Town appears to own as of today are the restrictive covenant that no residential unit will occupy the first floor of the accessory building on Lots 1 and 2, and the Town's rights under the 1986 License Agreement regarding the encroachments by certain structures attached to Unit B (Deck and porch), and Unit C (two retaining walls and parking).

Recommendation:

A Council member make a motion followed by a second to set Ordinance 23, Series 2019 amending the Restrictive Covenant for Unit C of the Klinker Condominium to a public hearing on June 3, 2019.

ORDINANCE NO. 23**SERIES 2019****AN ORDINANCE OF THE CRESTED BUTTE TOWN
COUNCIL AUTHORIZING THE AMENDMENT OF LAND
USE CONDITIONS AND RESTRICTIVE COVENANTS**

WHEREAS, the Town of Crested Butte, Colorado (the “**Town**”) is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by the Constitution and the laws of the State of Colorado;

WHEREAS, the Town Council is authorized pursuant to § 14.4 of the Town Charter to sell and convey Town-owned property;

WHEREAS, the Town and property owner Leo Klinker executed a Restrictive Covenant Agreement on November 30, 1981 (“Agreement”), for property with the following legal description:

Lots 1 and 2, Block 26, Town of Crested Butte, County of Gunnison, State of Colorado, also known as 405 5th Street, Crested Butte, Colorado 81224 (“Property”).

WHEREAS, the Agreement was recorded in Book 574, Page 823, Reception No. 364228, on December 8, 1981, in the records of the Gunnison County Clerk and Recorder.

WHEREAS, on December 21, 1983, the Property was included in the real property that was the subject of a Condominium Declaration and Map for the Klinker Condominiums, recorded at Reception No. 378770 in the records of the Gunnison County Clerk and Recorder. The Condominium Unit currently owned by Wilson was renamed Unit C of the Klinker Condominiums.

WHEREAS, on January 29, 1986, the Town executed a Notice of Release of Restrictive Covenant Agreement, in which the Town released one of the covenants in the Agreement that the Property would not be subdivided or condominiumized. The Notice of Release was recorded on January 31, 1986 at Reception No. 392459 in the records of the Gunnison County Clerk and Recorder.

WHEREAS, on April 14, 2000, the owners of the three Condominium Units on the Property executed a Second Amended Condominium Declaration and Condominium Map for the Klinker Condominiums, which was recorded on April 25, 2000, at Reception Nos. 501292 and 501293 in the records of the Gunnison County Clerk and Recorder.

WHEREAS, the Town and the current owner of Unit C of the Klinker Condominiums, the Gloria S. Wilson Revocable Living Trust, whose legal address is 36 Lake Mill Lane, Town and Country, Missouri 63017 (“Wilson”), have agreed to amend the Conditions of Approval in the Agreement, and the parties desire to memorialize their agreement as set forth in the Amendment of Zoning Conditions and Restrictive Covenants attached hereto as **Exhibit 2**; and

WHEREAS, the Town Council hereby finds that it is necessary and suitable, and in the best interest of the Town and the health, safety and welfare of the residents and visitors of Crested Butte, that the Restrictive Covenants should be amended as set forth in the attached **Exhibit 2**.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. **Authorization to Amend Town-owned Restrictive Covenant.** The Town Council, pursuant to the Crested Butte Town Charter and the laws of the State of Colorado, hereby authorizes the Town to amend the Restrictive Covenant Agreement recorded on December 8, 1981, in Book 574, Page 823, Reception No. 364228, in the records of the Gunnison County Clerk and Recorder, upon the real property described as follows:

Condominium Unit C, Klinker Condominiums, according to the Second Amended Condominium Declaration and Condominium Map, which were recorded on April 25, 2000, at Reception Nos. 501292 and 501293 in the records of the Gunnison County Clerk and Recorder,

Town of Crested Butte, County of Gunnison, State of Colorado,

also known as 405 5th Street, Crested Butte, Colorado 81224.

The Town Council further authorizes and directs the Town Manager and Town Clerk to appropriately execute the Amendment of Zoning Conditions and Restrictive Covenants attached hereto as **Exhibit 2**, and any additional documents necessary and appropriate to consummate the amendment of the Restrictive Covenant Agreement between the Town and Wilson, following approval thereof by the Town Attorney.

Section 2. **Severability.** If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. **Savings Clause.** Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which conflicts with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS __ DAY OF _____, 2019.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS __ DAY OF _____, 2019.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
James A. Schmidt, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

[SEAL]

AMENDMENT OF ZONING CONDITIONS AND RESTRICTIVE COVENANTS

THIS AMENDMENT OF ZONING CONDITIONS AND RESTRICTIVE COVENANTS is agreed and entered into this ___ day of _____, 2019, between the Town of Crested Butte, Colorado, a Colorado home rule municipal corporation (“Town”), whose legal address is 507 Maroon Avenue, P.O. Box 39, Crested Butte, Colorado 81224, and the Gloria S. Wilson Revocable Living Trust, whose legal address is 36 Lake Mill Lane, Town and Country, Missouri 63017 (“Wilson”).

RECITALS

A. The Town and Wilson’s predecessor in interest Leo Klinker executed a Restrictive Covenant Agreement on November 30, 1981 (“Agreement”), for property with the following legal description:

Lots 1 and 2, Block 26, Town of Crested Butte, County of Gunnison, State of Colorado, also known as 405 5th Street, Crested Butte, Colorado 81224 (“Property”).

B. The Agreement was recorded in Book 574, Page 823, Reception No. 364228, on December 8, 1981, in the records of the Gunnison County Clerk and Recorder. A copy of the recorded Restrictive Covenant Agreement is attached hereto as **Exhibit 1**.

C. On December 21, 1983, the Property was included in the real property that was the subject of a Condominium Declaration and Map for the Klinker Condominiums, recorded at Reception No. 378770 in the records of the Gunnison County Clerk and Recorder. The Condominium Unit currently owned by Wilson was renamed Unit C of the Klinker Condominiums.

D. On January 29, 1986, the Town executed a Notice of Release of Restrictive Covenant Agreement, in which the Town released one of the covenants in the Agreement that the Property would not be subdivided or condominiumized. The Notice of Release was recorded on January 31, 1986 at Reception No. 392459 in the records of the Gunnison County Clerk and Recorder.

E. On April 14, 2000, the owners of the three Condominium Units on the Property executed a Second Amended Condominium Declaration and Condominium Map for the Klinker Condominiums, which was recorded on April 25, 2000, at Reception Nos. 501292 and 501293 in the records of the Gunnison County Clerk and Recorder.

F. The Town and Wilson have agreed to amend a restrictive covenant in the Agreement attached as Exhibit 1, as it affects Unit C of the Klinker Condominiums, and the parties desire to memorialize their agreement as to the amendments herein.

G. The Town Council has approved this amendment by Ordinance No. ___, Series 2019, on _____, 2019.

In consideration of the forgoing Recitals and for other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, the Town and Schumacher agree as follows:

1. **Amended Covenants.** Paragraph 1 of the Restrictive Covenant Agreement is deleted as to Unit C of the Klinker Condominiums, and replaced with the following restrictive covenants:

(a) Wilson or her successor in interest may convert two of the three garage bays on the ground level of Unit C of the Klinker Condominiums for use as residential living space, provided the owner of Unit C obtains all required building permits and other approvals from the Town relating to such conversion from garage space into residential living space.

(b) There shall be no future expansion of the current building footprint of Unit C of the Klinker Condominiums and there shall be no increase in the height of Unit C of the Klinker Condominiums above 28 feet in height as measured from the grade at the base of the garage on the east elevation of Unit C.

(c) Wilson and future owners shall maintain a parallel parking space in front of the garage door for garage bay on the east side of Unit C on a year round basis. The garage bay on the east side of Unit C shall be retained for use as parking for the residents of Unit C.

(d) Wilson and future owners shall maintain Unit C as a long term rental as defined in Section 16-1-20 of the Town Code, as it may be amended from time to time, unless the owner of Unit C is occupying Unit C as his/her primary residence.

2. **Duration.** The foregoing restrictive covenants shall run with the land and shall be effective and binding upon the Town and Wilson and shall forever bind all persons and entities having any right, title or interest in and to Unit C of the Klinker Condominiums.

3. **Severability.** If any provision of this Agreement is determined to be invalid, unenforceable or prohibited by any court, the same shall not affect any other provision or section hereof and all other provisions and sections shall remain in full force and effect.

4. **Entire Agreement.** This Agreement represents the entire agreement of the parties respecting the subject matters addressed herein. Any other agreement, written or oral, are hereby merged herein. This Agreement may be amended only in writing by properly executed agreement.

5. **Governing Law; Venue.** This Agreement shall be governed and construed in accordance with the laws of the State of Colorado. Venue is any action in connection with this Agreement shall be the District Court of Gunnison County, Colorado.

6. **Waiver.** No breach by Owner, or his heirs, successors, and assigns, of any term or covenant of this Agreement, shall create a waiver by, or estoppel against the Town, as to future

STATE OF COLORADO)
) ss.
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this ___ day of _____,
2019, by _____, Trustee of the Gloria S. Wilson Revocable Living Trust.

Witness my hand and official seal.

My commission expires: _____.

Notary Public



Staff Report

May 20, 2019

To: Mayor Schmidt and Town Council

From: Mel Yemma, District/Open Space Coordinator, Town of Crested Butte

Thru: Michael Yerman, Community Development Director

Subject: **Creative District Restructuring Update and Next Steps**

Purpose: To provide an update and proceed with a restructuring of the Creative District in which the advocacy, programming, and partnerships aspect of the Creative District would become a Commission housed under the Center for the Arts (Center) and the public art policy would remain under the authority of a Public Art Commission under the Town of Crested Butte (Town).

Background: In June of 2014, the Town and the Center filed a joint application to become a Certified Creative District with Colorado Creative Industries (CCI). At that time, the idea of the Center housing the Creative District was considered, but the timing was not ideal as the Center was embarking on their capital campaign to fundraise for their new building. Due to this circumstance and other factors, the Crested Butte Creative District was formed under the Town authority as a 9 member Commission with the following directives: 1) prepare, maintain, and implement the strategic plan; 2) create and implement a public arts policy; 3) maintain a sustainable funding source; 4) work with local partners to promote the arts in Crested Butte; and 5) uphold the unique community character and historical context of Crested Butte.

The Creative District Commission has worked for three years to build an organizational foundation for the Creative District while achieving many important aspects of their original strategic plan. During those years, the Creative District received significant funding from CCI, with a match from the Town. When CCI's funding expired in 2018, the Town pledged support to the Commission by providing an annual budget of \$33,700 for 2018 and 2019. However, the Town Council asked the Creative District to create a plan for less financial assistance from the Town for a number of reasons, chief among them being that the same level of funding cannot be relied on every year due to the uncertainty of the Town's revenue streams.

The Commission held a retreat in January 2019 with the goal of creating a transition plan that creates self-sufficiency and a potential structure/operational change that would ensure the long-term success of the Creative District. At this retreat, the Commission created a re-structuring proposal in which the advocacy, programming, and partnerships aspect of the Creative District would become a commission housed under Center and the public art policy would remain under the authority of a Public Art Commission under the Town.

Process for Restructuring of the Creative District: The Creative District Commission refined the restructuring proposal and presented the concept to the Center for the Arts Board of Directors and

the Town Council in February. Both authorities gave the Commission the green light to proceed with the transition. The Commission additionally held a public meeting and community discussion on March 28th to gauge feedback from the community on this restructuring as well as answer clarifying questions about the transition plan. With about 15 attendees, the Commission overall received positive feedback with the general sentiment being that this new operational plan makes more sense and will lead to better community buy-in and engagement. Additionally, the Commission shared the restructuring proposal with CCI and received positive feedback about this new operational change.

Based on the feedback from the Center Board, Town Council, and the community, the Commission then refined the guidelines of the Public Art Commission (under the Town) and the Creative District Commission (under the Center), and discussed what the new or expanded staff position at the Center would look like. The Commission voted to approve the guidelines at their May 1, 2019 Commission meeting, which would then be presented for approval to the Center Board and Town Council.

Center for the Arts Board Approval: *The overview of the Creative District Commission guidelines is as follows:* The Crested Butte Creative District Commission is a Commission housed under the Center for the Arts. The Creative District Commission manages the Creative District's certification status with Colorado Creative Industries and carries out the mission of the Creative District: to support a dynamic cultural economy where local creatives live, create, and thrive. The Creative District Commission is a partner with the Town of Crested Butte's Public Art Commission.

On May 14, 2019 the Center Board voted unanimously to approve the restructuring of the Creative District, including the guidelines for the new Creative District commission. Additionally, Brooke MacMillan, current Creative District Commissioner and Literary Arts Director at the Center, was offered the opportunity by the Center to expand her position to full time by taking on managing the Creative District under the Center starting this fall.

Town Council Next Steps and Direction Needed at this Time: The Public Art Commission guidelines are attached to this report. If approved by Town Council, these guidelines will provide the guiding direction for the Public Art Commission and will be utilized in drafting the new ordinance changing the current Creative District Commission into a Public Art Commission.

The Public Art Commission overview is as follows: The Crested Butte Public Art Commission is a Commission under the authority of the Town of Crested Butte. The Public Art Commission administers the [Town's Arts in Public Places Policy](#) (AIPP) and oversees the implementation and maintenance of Public Art in the Town of Crested Butte. The Public Art Commission is a partner with the Crested Butte Creative District, a certified Colorado Creative District.

At the May 20, 2019 Council meeting, Town staff is seeking direction from the Council to move forward with the attached Public Art Commission guidelines to prepare an ordinance and code change regarding the transition of the Creative District Commission to a Public Art Commission this fall, with the intent of the new Public Art Commission starting January 1, 2020.



Public Art Commission Guidelines

Commission Overview: The Crested Butte Public Art Commission is a Commission under the authority of the Town of Crested Butte. The Public Art Commission administers the Town's [Arts in Public Places Policy](#) (AIPP) and oversees the implementation and maintenance of Public Art in the Town of Crested Butte. The Public Art Commission is a partner with the Crested Butte Creative District, a certified Colorado Creative District.

Commission Terms: The Commission consists of seven members appointed by the Town Council who shall serve without compensation. The members shall serve for periods of two years each, except that the initial terms of three members shall expire on January 1, 2021 and the initial terms of four members shall expire on January 1, 2022. All members shall be eligible for reappointment (with a maximum of 2 terms).

Commission Composition: The Commissioners shall be residents of Gunnison County who have an active interest in public art, in preserving the sense of place of Crested Butte's public spaces, and in the mission of the Creative District. Past experience with art jurying and curation is beneficial. The Commission will strive to represent a diversity of community interests including citizens representing the business community. The Commission shall have the following composition:

- 1 member shall represent the Crested Butte Creative District (a separate Commission under the Center for the Arts)
- 6 members shall represent the community at large
- *There shall also be 1 member of the Town Council who shall serve as a liaison and only vote in the event of a tie*
- *There shall also be a Town staff liaison who will not have any voting power*

Commission Appointments: The initial appointments of the Commission members will be recommended to Town Council by the Town staff liaison, the Town Manager, a Town Council representative, and a member of the Creative District Commission or their staff coordinator (from the Center for the Arts). Thereafter, the Chair, Vice Chair, Town Council representative and Staff Liaison will manage the process of Commission appointments including applications, interviews and recommendations to the Town Council. The Town Council will have final approval on appointments of all Commissioners.

Commission Procedures: Because the Commission operates under the authority of The Town of Crested Butte, the Commission shall abide by the Public Art Commission's code of conduct. Commission meetings will be managed in a manner that assures an orderly and focused discussion and facilitates the input of all members of the Commission. When necessary, Robert's Rules of Order can be put into effect. The majority of all the members of a board (4) shall constitute a quorum. In order to conduct business at any meeting, a quorum must be present. No action shall be taken in the absence of a quorum, except to continue the meeting at a future date. Discussion and updates may take place, but no formal action can be taken without a quorum.

The Commission shall choose a Chairperson and a Vice Chairperson. Additional offices may be created by the Commission from time to time as necessary. If a Town Staff person is not made available to serve as recording secretary, the Commission shall also choose a recording secretary. At the first meeting of the Commission, the Chair and Vice Chair will be elected by majority vote of the Commission members from those interested in the positions. The term is one year for these positions.

Commission Duties: The Creative District Commission will follow the guidelines of the Arts in Public Places Policy (AIPP). Duties include:

- Maintaining, implementing and updating (as necessary) the Arts in Public Places Policy (AIPP) for the Town of Crested Butte
- Creation and recommendation of 2% capital improvement fund public art projects (final selection of 2% public art projects will be approved by Town Council)
- Recommendations on public art donations
- Creation of new, permanent, or temporary public art proposals to be approved by Town Council during the annual budgeting process, or applying for grants to cover funding of such projects
- Making recommendations and implementing public art maintenance or de-accessioning of public art
- Solicitation of ideas and feedback from the community on public art and/or creative place-making

The Commission may not fund art or other projects for the benefit of private properties.

Budget: The Commission's budget will be created annually during the Town's fall budgeting process. The initial budget will cover costs for public meetings, calls for artists and legal postings, any approved public art projects, public art maintenance, and any new 2% capital improvement public art projects. The Commission may also apply for grants to cover or partially cover the costs of new public art projects. The Staff Liaison will keep the Commission apprised of the budget balance and convey feedback from Town Council regarding fiscal and other issues. The Staff Liaison will report back to the Town Council regarding the activities, budget and work of the Commission.

Meetings: The Commission shall meet no less than (4) times per year. The Commission will meet in the winter, spring, summer, and fall in the Town Council chambers. All meetings will be open to the public. The Commission will also hold an annual community forum in partnership with the Creative District as an opportunity for artists and creatives to present their ideas and proposals for public art and Creative District projects. For all AIPP project decisions, the Commission shall listen to presentations by applicants and select the proposal as a full Commission. For smaller projects, or temporary public art projects, the Commission may appoint a selection committee to make a recommendation to the full Commission.

Town Staff Support: The Public Art Commission Staff Liaison will oversee the work of the Commission and is responsible for the overall implementation of public art projects. The duties of the Staff Liaison may include: managing the Commission appointment process, putting together agendas and packets for Commission meetings, administering the Public Art Commission webpage, drafting requests for proposals (RFP) for public art projects, managing the RFP processes, developing plans for new or future public art projects, coordinating with artists on public art

projects and installation, and planning community forums. Overall, the Staff Liaison will develop plans and RFPs for public art projects and the Commission will discuss ideas for such plans and make decisions on project approvals/recommendations and proposal selections/recommendations under the AIPP policy.

Conflict of Interest Policy: The objective of Town Council is that appointed members to the Public Art Commission avoid any conflicts of interest. Commissioners are not eligible to apply for any RFPs or opportunities that are released or handled by the Public Art Commission. A Commissioner should also carefully consider for himself or herself how to avoid even the appearance of a conflict of interest. Since there may be areas where Commissioners are unsure or unaware that a conflict of interest may exist, the Commissioner should consult with the Staff Liaison who will assist such Commissioner with the conflict on interest and gain the guidance of the Town Attorney. Conflicts of interest shall be governed by the Code of Conduct contained in the Crested Butte Municipal Code.

May 15, 2019

SUMMARY OF LOCAL GOVERNMENT BILLS OF INTEREST for 2019

Bill No.	Bill Description	Sponsors	Description
<u>HB19-1033</u>	Allows Local Governments to Regulate and Impose Special Tax on Cigarettes, Tobacco and Nicotine Products	K. Tipper C. Kennedy / R. Fields K. Priola	<p>Gives authority to local governments to regulate sale to and possession of nicotine products by minors.</p> <p>Allows counties and municipalities to impose a special sales tax on cigarettes, tobacco and nicotine products following voter approval to be administered by the county or municipality. Taxes may be allocated to a special fund or general fund. Retailer may be authorized to keep a percentage of the tax. Changes rules for apportionment of state tax.</p>
<u>HB19-1035</u>	Cap for Electrical Inspections by Local Government	J. Rich D. Roberts / R. Woodward J. Ginal	Maximum fees for local government permits or electrical inspections is \$120 adjusted annually, starting 2021.
<u>HB19-1084</u>	Notice to Property Owners Whether Area Blighted	M. Gray / R. Zenzinger	Changes notice requirements to private property owners within a specified area upon determination by a local government that an area is blighted.
<u>HB19-1086</u>	Plumbing Inspections Ensure Compliance	M. Duran / B. Pettersen	By January 1, 2020, requires local plumbing inspectors to conduct a contemporaneous review of each plumbing project inspected to ensure compliance with the state plumbing laws for plumbers and apprentices. Each entity shall develop standard procedures to advise inspectors on how to conduct a contemporaneous review.

May 15, 2019

SUMMARY OF LOCAL GOVERNMENT BILLS OF INTEREST for 2019

			Establishes additional requirements for plumbers to reinstate an expired license.
<u>HB19-1087</u>	Local Public Meeting Notices Posted On Website	M. Soper C. Hansen / R. Woodward J. Bridges	After July 1, 2019, a local government may give notice of a public meeting by posting the notice and agenda no less than 24 hours prior to the meeting on the public website of the local government (in a searchable format wherever possible).
<u>HB 19-1113</u>	Water Quality Protections in Hardrock Mine Permitting	Reps. Roberts, McLachlan/ Sen. Donovan	<p>Requires a reclamation plan for a new or amended mine permit to include a reasonably foreseeable end date for water treatment.</p> <p>Mined Land Reclamation Board may approve reclamation plan that lacks substantial evidence of a reasonably foreseeable end date if the plan includes an environmental protection plan showing compliance with water quality standards and:</p> <p>*for an amendment to a plan, the water quality impacts that have occurred or are occurring for which no reasonably foreseeable end date for treatment could be established were unforeseen or preexisting at the time of permitting; or</p> <p>*for a new or amended permit for a site that was previously mined for which no permit was issued, if the reclamation plan is limited</p>

May 15, 2019

SUMMARY OF LOCAL GOVERNMENT BILLS OF INTEREST for 2019

			<p>reclamation only of already mined ore and waste materials, including runoff as part of cleanup; or</p> <p>for a new or amended permit for a mine that was previously mined but was not permitted prior to 01-01-2019 where the existing conditions do not meet water quality standards and no reasonably foreseeable end date for treatment can be established.</p> <p>Eliminates "self-bonding" and adds new requirements for financial warrantors for hardrock mining reclamation.</p> <p>Requires a permitted operator to submit an annual report documenting changes to water quality or quantity during the past year.</p> <p><i>* provisions added per coordination of DRMS, Mt. Emmons Mining Company, Town of Crested Butte, Gunnison County, Coal Creek Watershed Coalition, HCCA, QQ and Western Mining Action Project to ensure that MEMC could pursue a DRMS "reclamation only" permit for the Keystone Mine where long-term water treatment is a component.</i></p>
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May 15, 2019

SUMMARY OF LOCAL GOVERNMENT BILLS OF INTEREST for 2019

<p><u>HB19-1124</u></p>	<p>Protect Colorado Residents from Federal Government Overreach</p>	<p>A. Benavidez S. Lontine / M. Foote J. Gonzales</p>	<p>Prohibits a department, agency, board, commission, or officer or employee of the state or a political subdivision of the state from using public funds or resources to assist in the enforcement of federal civil immigration laws. <i>(Note: Not signed by the Governor yet—potentially could be vetoed as unenforceable)</i></p>
<p><u>HB19-1191</u></p>	<p>Allow Farm Stands On Any Size Principal Use Site</p>	<p>J. Arndt / K. Donovan</p>	<p>Prohibits zoning that establishes a minimum lot size for farm stands by allowing farm stands on a property of ANY size to sell agricultural products grown or produced on the same property, or not produced on the same property if allowed by the local government.</p>
<p><u>HB 19-1200</u></p>	<p>Point of Compliance for Testing Reclaimed Wastewater for Indoor Non-Potable Use</p>	<p>Rep. Arndt</p>	<p>Authorizes the Water Quality Control Commission to engage in a rulemaking to establish a point of compliance for disinfectant residuals for reclaimed water for indoor non-potable uses.</p>
<p><u>HB19-1210</u></p>	<p>Local Government Minimum Wage</p>	<p>J. Melton R. Galindo / J. Danielson D. Moreno</p>	<p>Gives local governments authority to enact a higher minimum wage for workers performing four or more hours of work per week that is performed physically in the jurisdiction. If such wage is adopted, local government must provide a "tip offset" as required by the state Constitution.</p> <p>Minimum wage law shall not apply to time spent solely in traveling through the jurisdiction with no employment-related work or stops in the jurisdiction other than stops for fueling or food.</p>

May 15, 2019

SUMMARY OF LOCAL GOVERNMENT BILLS OF INTEREST for 2019

<u>HB19-1217</u>	PERA Public Employees' Retirement Association Local Government Division Member Contribution Rate	K. Becker / L. Court J. Tate	Reduces to 8% the required member contributions rates to PERA for the local government division.
<u>HB19-1221</u>	Regulation of Electric Scooters	J. Coleman A. Valdez / J. Bridges B. Pettersen	<p>Defines electric scooters.</p> <p>Authorizes local governments may prohibit electric scooters pedestrian or bike paths. Local regulation of electric scooters may not be more stringent than regulations for electric bicycles.</p> <p>Applies the existing state regulations for electric bicycles to electric scooters.</p>
<u>HB19-1230</u>	Marijuana Hospitality Establishments	J. Singer J. Melton / V. Marble J. Gonzales	<p>Establishes a state retail marijuana hospitality and sales establishment license.</p> <p>Allows local government to then authorize/ permit such establishments within the jurisdiction.</p> <p>Imposes other state restrictions on retail marijuana hospitality and sales establishments.</p>
<u>HB 19-1231</u>	New Energy and Water Efficiency Standards for Appliances	Reps. Froelich, Kipp	<p>Establishes a LOT of new efficiency standards, mostly energy efficiency standards, for newly-installed products. Imposes, among other standards, standards for public toilets and drinking fountains.</p> <p>Allows local governments to impose more stringent standards on appliances than state standards.</p>

May 15, 2019

SUMMARY OF LOCAL GOVERNMENT BILLS OF INTEREST for 2019

<u>HB19-1246</u>	Local Government Regulation Of Food Trucks	K. Van Winkle T. Kraft-Tharp / J. Cooke D. Moreno	Allows the state, and local government regional organizations, to study and recommend health and safety regulations for food trucks.
<u>HB19-1278</u>	Modifications to Uniform Election Code	S. Lontine / S. Fenberg	The bill makes a variety of changes to the "Uniform Election Code of 1992."
<u>HB19-1292</u>	Colorado Resiliency Office Reauthorization Funding	J. Singer R. Galindo / J. Ginal	Continues the Colorado resiliency office, which administers the resiliency and community recovery program as part of the state's disaster recovery and response functions.
<u>HB 19-1327</u>	Authorizing a Statewide Ballot Measure for the Collection of Tax on Sports Betting, with Proceeds in Part Going to Implementation of the State Water Plan	Reps. Garnett, Neville; Sens. Donovan, Cooke. tr	<p>Will send a ballot question to voters in 2020 of whether to allow the establishment of sports betting in Colorado.</p> <p>Establishes a state water plan implementation cash fund, funded by certain of sports betting revenue and other appropriations or transfers.</p> <p>Money from this source may become available to local governments to implement the water plan through the basin roundtable process or other grant mechanisms.</p>
<u>SB19-085</u>	Equal Pay for Equal Work Act	J. Danielson B. Pettersen / J. Buckner S. Gonzales-Gutierrez	Permits direct complaint to district court for pay discrimination, and establishes a system for demonstrating whether pay disparity is based on acceptable factors or unacceptable sex discrimination which includes gender identification.

May 15, 2019

SUMMARY OF LOCAL GOVERNMENT BILLS OF INTEREST for 2019

			Local government employers are subject to the prohibition on wage discrimination.
<u>SB19-103</u>	Legalizing Minors' Businesses	A. Williams J. Tate / J. Coleman T. Carver	Local government may not require a license or permit for a minor’s business, operated on an occasional basis (doing business no more than 84 days in a calendar year), and located a "sufficient distance" from a commercial entity to prevent the minor's business from becoming a direct competitor. Local government may enact regulations that are applicable to minors' businesses other than business licenses or permits.
<u>SB 19-181</u>	Reforming State Oil and Gas Laws to Emphasize Protection of Public Health, Safety, Welfare and Environment. Clarifying Local Government Authority to Regulate Oil and Gas Development Impacts.	Sen. Fenberg/Rep. Becker	The most comprehensive overhaul of the regulation of oil and gas development since establishment of the Oil and Gas Conservation Act. Amends Local Government Land Use Enabling Act to clarify local authority to use land use powers to regulate impacts of oil and gas development. Allows local governments to adopt regulations that are more protective than state regulations.
<u>SB19-188</u>	Analysis of Family Medical Leave Program	F. Winter A. Williams / M. Gray M. Duran	Requires CDPHE to make study health benefits and actuarial study of a paid family leave program.

May 15, 2019

SUMMARY OF LOCAL GOVERNMENT BILLS OF INTEREST for 2019

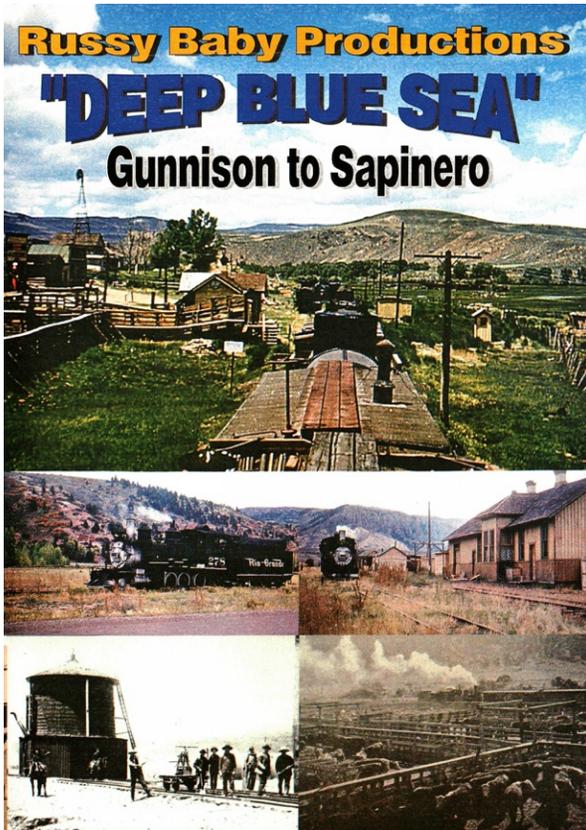
			Requires establishment of a state task force to study and provide recommendations on paid family leave program.
<u>SB19-240</u>	Industrial Hemp Products Regulation	V. Marble S. Fenberg / B. McLachlan L. Saine	<p>Establishes state fees for wholesale food manufacturers that produce industrial hemp products.</p> <p>Authorizes local governments to license and impose licensing fee for the storage, extraction, processing, or manufacturing of industrial hemp or industrial hemp products.</p> <p>A local government may not impose additional food product regulations on industrial hemp processors or products that "conflict with" state food product regulations.</p>

“Deep Blue Sea”

The Railroad Branch

Between

Gunnison & Sapinero



Sponsored By

**THE TOWN OF
CRESTED BUTTE**

CRESTED BUTTE SHOWING

CB Town Hall

Town Council Chambers

Crested Butte, Colorado

Wednesday, May 22, 2019

6:00 PM



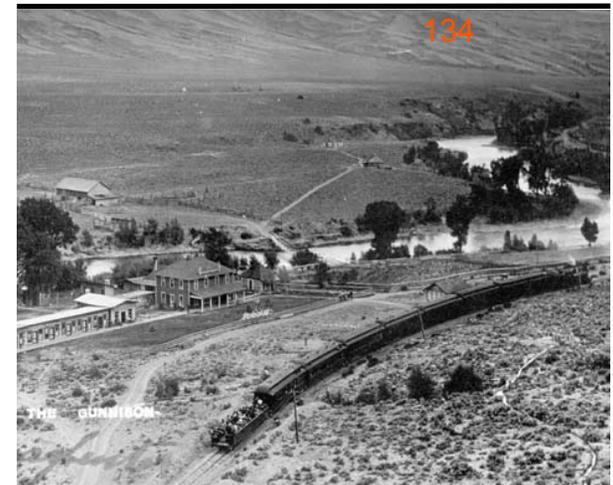
“Deep Blue Sea”

The Railroad Branch

Between

Gunnison & Sapinero

“Deep Blue Sea” is the 5th film from Russy Baby Productions about the Gunnison railroad operations. In this film, we travel from Gunnison, Colorado, west to the four towns now hidden below Colorado's largest body of water, the Blue Mesa Reservoir.



HISTORIC PRESERVATION MONTH

Every year in May, local preservation groups, state historical societies, and business and civic organizations across the country celebrate Preservation Month through events that promote historic places and heritage tourism, and that demonstrate the social and economic benefits of historic preservation.

Preservation Month began as National Preservation Week on May 6-12, 1973. In 2005, the National Trust extended the celebration to the entire month of May and declared it Preservation Month to provide an even greater opportunity to celebrate the diverse and unique heritage of our country's cities and states.



AT THE CB TOWN HALL

507 Maroon Avenue

Agenda
Design Guideline Committee - Work Session
Wednesday
May 1, 2019

- 2:30 Call to order
- 2:31 Overview process for GL review and begin review with Chapters 2 and 3
- 4:45 Adjourn

*The Design Review Committee is a sub-committee of the Board of Zoning and Architectural Review.
The above times are only tentative. The meeting may move more quickly or slowly than scheduled*

Agenda
Design Review Committee
Monday
May 13, 2019

- 3:00 **Site Visit** and consideration of the application of **Town of Crested Butte** to site four metal changing rooms on the interior of the ice rink (south side) to be located at 620 Third Street, Blocks 40 and 45 in the P zone.
- Architectural approval is required.
- 3:45 Consideration of the application of **Brice Hoskin and Karen Hoskin** to construct a new primary residence and cold accessory building to be located at 918 Butte Avenue, Block 79, Lot 5 in the R2A zone. (Hadley)
- Architectural approval is required.
- 4:45 Insubstantial determination requested by **Sopris House LLC** to site a garage door with fenestration on the existing historic building on the east side of the lot located at 313 ½ Sopris Avenue, Block 27, Lots 22-24 in the R1C zone. (Barney/O'Rourke)
- An insubstantial determination is requested.
- 5:00 Consideration of the application of **Gothic Avenue LLC** to change the previously approved plans for a single family residence and accessory dwelling to be located at 214 Gothic Avenue, Block 17, Tract 3 Jackson Subdivision in the R1C zone. (Murphy/Jackson)
- Architectural approval is required.
- 6:00 Consideration of the application of **James Steyaert and Harmony Cummings** to demolish the existing primary and accessory building and site a single family residence and accessory building to be located at 222 Whiterock Avenue, Block 40, Lots 6-7 in the R2C zone. *Continued from the March 26, 2019 BOZAR meeting.* (Vandervoort/Steyaert)
- Architectural approval is required.
- A conditional use permit for a non-residential, heated and/or plumbed accessory building in the R2C zone is required.
- Permission to demolish two non-historic structures is requested.

The above times are only tentative. The meeting may move more quickly or slowly than scheduled

Agenda
Design Guideline Committee - Work Session
Wednesday
May 15, 2019

- 2:30 Call to order.
- 2:31 Confirm changes reviewed to Chapter 2 GL from May 1st meeting.
- 2:45 Begin review on remainder of Chapter 2 and 3.
- 4:45 Adjourn.

*The Design Review Committee is a sub-committee of the Board of Zoning and Architectural Review.
The above times are only tentative. The meeting may move more quickly or slowly than scheduled*



AGENDA

Regular Town Council Meeting

6:00 PM - Tuesday, May 21, 2019

Council Chambers

1. WORK SESSION - 5:00 P.M.

Financing Work Force Housing

2. CALL TO ORDER

3. ROLL CALL

4. PUBLIC COMMENT

Citizens may make comments on items **NOT** scheduled on the agenda. Per Colorado Open Meetings Law, no Council discussion or action will take place until a later date, if necessary. You must sign in with the Town Clerk before speaking. Comments are limited to three minutes.

5. APPROVAL OF MINUTES

5.1. Approval of the May 7, 2019 Regular Town Council Meeting Minutes

6. REPORTS

6.1. Town Manager's Report

6.1.1. Town Manager's Report

6.2. Department Head Reports

6.2.1. Community Development Report

6.2.2. Finance

6.2.3. Police Department

6.2.4. Public Works

6.3. Town Council Reports

6.4. Other Reports

6.4.1. CBMCA Update for 2019 CBCC - Dave Ochs

6.4.2. Crested Butte Mt. Crested Butte Chamber of Commerce - First Quarter 2019 Report, Admissions Tax Reports - Light Up Night, Fat Bike Worlds and Crafted - Ashley UpChurch

6.4.3. Gunnison Crested Butte Tourism Association - Admissions Tax Report Follow Up - Winter 2018/2018 - Daniel Kreykes and Laurel Runcie

6.4.4. Deidre Witherell - Gunnison County Electric Association - Board Candidate

7. CORRESPONDENCE

8. OLD BUSINESS

9. NEW BUSINESS

9.1. Discussion and Possible Consideration of a Special Event Liquor License

Submitted by the Denver Post Community Foundation (Ride the Rockies”) for an event to be held on June 15, 2019 from 11:00 AM to 6:00 PM at the CBMR Ski Area Base – Red Lady Stage and the Adventure Park – Tiffany O’Connell

- 9.2. Discussion and Possible Consideration of the revised Downtown Development Authority Design Guidelines – Todd Carroll

10. OTHER BUSINESS

11. ADJOURNMENT

GUNNISON COUNCIL AGENDA
MEETING IS HELD AT CITY HALL, 201 WEST VIRGINIA AVENUE
GUNNISON, COLORADO; IN THE 2ND FLOOR
COUNCIL CHAMBERS

Approximate meeting time: 3.5 hours

TUESDAY

MAY 14, 2019

REGULAR SESSION

5:30 P.M.

City of Gunnison Councilmembers gather for a light meal at 5:00 P.M. in Council Chambers. No City Council activity takes place.

I. Presiding Officer Call Regular Session to Order: (silent roll call by City Clerk):

II. Citizen Input: (estimated time 3 minutes)

At this agenda time, non-agenda scheduled citizens may present issues of City concern to Council on topics on are not to be considered later in the meeting. Per Colorado, Open Meetings Law, no Council discussion or action will take place until a later date; unless an emergency situation is deemed to exist by the City Attorney. Each speaker has a time limit of 3 minutes to facilitate efficiency in the conduct of the meeting and to allow an equal opportunity for everyone wishing to speak

III. Pre-scheduled Citizen:

A. KBUT Update.

Background: Toni Todd, Executive Director and Tyler Lucas, KBUT's Development Director will give an update on KBUT activities as they pertain to service and to partnership with the City of Gunnison.

Community Contact: Toni Todd, Executive Director and Tyler Lucas, Development Director

Action Requested of Council: No action requested. Discussion item only.

Estimated time: 10 minutes

IV. Council Action Items:

A. Consent Items: *The consent agenda allows City Council to approve, by a single motion, second and vote, matters that have already been discussed by the entire Council or matters that are considered routine or non-controversial. The agenda items will not be separately discussed unless a councilor, City staff, or a citizen requests and item be removed and discussed separately. Items removed from the consent agenda will then be considered after consideration of the consent agenda.*

○ **Approval of the April 23, 2019 Regular Session meeting minutes.**

Background: per City Charter, the City Clerk produces minutes of the Council actions for all regular and special session meetings. Minutes are approved or amended at the follow regular session meetings and become permanent city record. If a city councilor was not present at the meeting, they must abstain in the vote and action on approval of the minutes.

Staff contact: City Clerk Erica Boucher

○ **Excuse Councilor Morrison from the April 23rd meeting.**

Background: Councilors are allowed to be formally excused from a Regular, Special or Reorganization Session meeting by a quorum vote of the City Council per Section 4.4 (F) of the Gunnison Municipal Home Rule Charter.

Staff contact: City Clerk Erica Boucher

Action Requested of Council: A motion, second and vote to approve the Consent Agenda as presented with the following items:

- Approve the minutes of the April 23, 2019 Regular Session meeting; and
- Excuse Councilor Morrison from the April 23, 2019 Regular Session meeting.

Estimated time: 3 minutes

C. Resolution No. 5, Series 2019: *A resolution of the City Council of the City of Gunnison, Colorado, commending Max Oldham for his year of outstanding service as the Student Liaison on the Gunnison City Council, representing Western State Colorado University from May 2018 to April 2019.*

Background: This resolution is to commend Western Liaison Max Oldham for his service on City Council for the past year and wish him well in all his future endeavors.

Staff contact: City Clerk Erica Boucher

Action Requested of Council: Introduce, reading of ordinance by the title only by the City Attorney, motion, second and vote to pass Resolution No. 5, Series 2019.

Estimated time: 5 minutes

D. Ordinance No. 7, Series 2019, First Reading: *An ordinance of the City Council of the City of Gunnison, Colorado, amending the photovoltaic and wind service program contained in Section 12.40.040 of the Gunnison Municipal Code, and establishing a rate for the electricity consumed and generated.*

Background: The proposed ordinance is a transition from a pilot program to a full-fledge Net Metering Program. The intention is to clear up confusion with the current program, introduce annual settlement of excess generation, and address specifics for yet to be proposed large solar systems.

Staff contact: Finance Director Ben Cowan

Action Requested of Council: Introduce, read by title only by the City Attorney, motion, second and vote to pass and order published Ordinance No. 7, Series 2019 on first reading.

Estimated time: 10 minutes

E. Appoint members to the Planning and Zoning Commission.

Background: Section 3.19 of the Gunnison Home Rule Charter creates a Planning and Zoning Commission, composed of seven at large members, who are appointed by council. The Planning and Zoning Commission is responsible for preparing a master plan for the city. Overlapping terms are five years in length. There three vacancies on the Planning and Zoning Commission because one term has expired and two commissioners resigned. Three qualifying letters of interest were received for the vacancies. They were from Erich Ferchau, Darin Higgins, and Jeffrey Taylor.

Staff contact: City Clerk Erica Boucher

Action Requested of Council: Consider approval of candidates to the Planning and Zoning Commission.

Estimated time: 15 minutes

F. Appoint a member to the Zoning Board of Adjustments and Appeals.

Background: Section 3.18 of the Gunnison Home Rule Charter creates a Zoning Board of Adjustments and Appeals, composed of five, at-large members who are appointed by Council. Terms are for three years. There will be one vacancy on the ZBOAA because a term expired. One qualifying letter of interested was received. The letter was from Sharon Cave.

Staff contact: City Clerk Erica Boucher

Action Requested of Council: Consider approval of the candidate to the Zoning Board of Adjustments and Appeals.

Estimated time: 5 minutes

G. Appoint a member to the Gunnison Valley Regional Housing Authority.

Background: In February 2019, GVRHA city representative Ellen Harriman stepped down from the Board. According to Article III Administrative Provisions Section 3.1(c) of the GVRHA by-laws, the appointment shall be filled by the original appointing entity for the unexpired term. Council needs to appoint a GVRHA city representative to replace the former city representative. The City Clerk's Office received one letter of interest. The applicants are Wendi Birchler and Shaun Matusewicz.

Staff contact: City Clerk Erica Boucher

Action Requested of Council: Consider approval of the candidate to the Gunnison Valley Regional Housing Authority City representative.

Estimated time: 5 minutes

H. 404 West Rio Grande Avenue Restrictive Covenants Permission Letter.

Background: Larry Sunderlin and Sharon A. Sunderlin Grandchildren's Trust are intending to sell a property consisting of Lots 15-22, Block 3, Rio Grande Addition together with the west half of vacated Spruce Street located north of the northerly boundary of Rio Grande Avenue and contiguous with the above described property.

Staff contact: Community Development Director Anton Sinkewich

Action Requested of Council: A motion to authorize the Mayor to sign a letter permitting the subdivision and sale of property consisting of: Lots 15-22, Block 3, Rio Grande Addition together with the west half of vacated Spruce Street located north of the northerly boundary of Rio Grande Avenue and contiguous with the above described property.

Estimated time: 10 minutes

I. Parks and Rec Survey Results.

Background: Council budgeted for and directed staff to update information from the 2015 Parks and Recreation Master Plan on desired indoor and outdoor recreation uses.

Staff contact: Parks and Rec Director Dan Ampietro

Action Requested of Council: No action is requested. Discussion item only.

Estimated time: 30 minutes

J. IMS Pavement Management Analysis Report.

Background: Present to Council the findings of a pavement management analysis study performed by Infrastructure Management Services (IMS) on the City's street inventory.

Staff contact: Public Works Director David Gardner

Action Requested of Council: No action is requested. Discussion item only.

Estimated time: 30 minutes

K. US 50 Pedestrian Safety Crossing Project.

Background: Bids for the US HWY 50 Pedestrian Safety Crossing project were received on April 29, 2019, resulting in a low bid from Western Gravel Constructors in the amount of \$535,657.00. Staff recommends awarding to the low bidder. CDOT

concurs with the recommendation.

Staff contact: Public Works Director David Gardner

Actions Requested of Council: 1) A motion to award the US 50 Pedestrian Safety Crossing Project to the low bidder, Western Gravel Constructors in the amount of \$535,657.00; and 2) A motion to give authority to the City Manager to execute any and all documents to initiate an anticipated start date of June 3rd, 2019.

Estimated time: 10 minutes

L. Bicycle Dismount Signage.

Background: The topic of bicycle safety, signage and allowable uses has been discussed with Council and staff since last summer. With summer fast approaching we need to finalize the signage to be used downtown.

Staff contact: Police Chief Keith Robinson

Action Requested of Council: Direction from Council on how to proceed regarding bicycle dismount sign.

Estimated time: 10 minutes

V. Reports:

Public Works Semi-Annual Report

City Attorney Report

City Clerk Schedule Update

City Manager Strategic Projects Update and Report

City Councilors with City-related meeting reports; discussion items for future

Council meetings

VI. Meeting Adjournment

The City Council Meetings agenda is subject to change. The City Manager and City Attorney reports may include administrative items not listed. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are posted at City Hall and on the City website at www.gunnisonco.gov. Discussion Sessions are recorded; however, minutes are not produced. For further information, contact the City Clerk's office at 970.641.8140. **TO COMPLY WITH ADA REGULATIONS, PEOPLE WITH SPECIAL NEEDS ARE REQUESTED TO CONTACT THE CITY CLERK 24 HOURS BEFORE ALL MEETINGS AT 970.641.8140.**

GUNNISON COUNTY BOARD OF COMMISSIONERS
SPECIAL & REGULAR MEETING AGENDA

144

DATE: Tuesday, May 7, 2019

Page 1 of 2

PLACE: Board of County Commissioners' Meeting Room at the Gunnison County Courthouse

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT SPECIAL MEETING:

- 8:30
- Call to Order
 - ICELab Funding Request; Gunnison-Crested Butte Tourism Association
 - Adjourn

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

- 8:50
- Call to Order
 - Agenda Review
 - Minutes Approval:
 1. 4/16/19 Regular Meeting
 - Consent Agenda: These items will not be discussed unless requested by a Commissioner or citizen. Items removed from consent agenda for discussion may be rescheduled later in this meeting, or at a future meeting.
 1. Professional Services Agreement; Two Aspens Brief Therapy; Juvenile Services
 2. Amended Scope of Work; Mt Emmons & Coal Creek Project
 3. Contract; Colorado Department of Human Services; Early Childhood Council; Systems Building & Colorado Shines Quality Improvement; \$59,601
 4. Facilities Use Agreement; Gunnison High School; Gunnison County Substance Abuse Prevention Program (GCSAPP); Choice Pass Parent Education Dinner
 5. Memorandum of Agreement; Lot 22 – Rock Creek Village & Rock Creek Commons
 6. Modification of Premises; Kebler Corner Liquors, LLC
 7. Liquor License Renewals & Special Event Liquor License; Elk Creek Marina, LLC dba Pappy's Restaurant; Elk Creek Marina, LLC dba Elk Creek Marina; Elk Creek Marina, LLC dba Lake Fork Marina & Adaptive Sports Center of Crested Butte, Inc.
 8. Ratification of County Manager's Approval to Submit Grant Application; Buell Foundation; Early Childhood Council; \$30,000
 9. Approval to Submit Grant Application; Community Foundation of the Gunnison Valley; Family Advocacy Support Team (FAST); \$1,500
 10. Approval to Submit Grant Application; Community Foundation of the Gunnison Valley; GCSAPP; Choice Pass Scholarships; \$3,000
 11. Approval to Submit Grant Application; Community Foundation of the Gunnison Valley; Early Childhood Council; Nurturing the Young Child Conference; \$2,200
 - Scheduling
- 9:00
- County Manager's Report
- 9:10
- Deputy County Manager's Report
- 9:20
- Gunnison County Strategic Plan (Draft) Revision
- 9:25
- Amendment; Resolution 2016-6; Exhibit A
- 9:30
- Discussion; BOCC Comments Re: Taylor Park Preliminary Environmental Analysis
- 9:35
- Presentation; U.S. Census Bureau

*NOTE: This agenda is subject to change, including the addition of items up to 24 hours in advance or the deletion of items at any time. All times are approximate. The County Manager and Deputy County Manager's reports may include administrative items not listed. Regular Meetings, Public Hearings, and Special Meetings are recorded and **ACTION MAY BE TAKEN ON ANY ITEM**. Work Sessions are not recorded and formal action cannot be taken. For further information, contact the County Administration office at 641-0248. If special accommodations are necessary per ADA, contact 641-0248 or TTY 641-3061 prior to the meeting.*

GUNNISON COUNTY BOARD OF COMMISSIONERS
SPECIAL & REGULAR MEETING AGENDA

145

DATE: Tuesday, May 7, 2019

Page 2 of 2

PLACE: Board of County Commissioners' Meeting Room at the Gunnison County Courthouse

- **Unscheduled Citizens:** Limit to 5 minutes per item. No formal action can be taken at this meeting.
- **Commissioner Items:** Commissioners will discuss among themselves activities that they have recently participated in that they believe other Commissioners and/or members of the public may be interested in hearing about.
- **Adjourn**

Please Note: Packet materials for the above discussions will be available on the Gunnison County website at <http://www.gunnisoncounty.org/meetings> no later than 6:00 pm on the Friday prior to the meeting.

GUNNISON COUNTY BOARD OF COMMISSIONERS
WORK SESSION AGENDA

146

DATE: Tuesday, May 14, 2019

Page 1 of 1

PLACE: Board of County Commissioners' Meeting Room at the Gunnison County Courthouse

- 8:30 am • Visitors; Tourism and Prosperity Partnership; Semi-Annual Program Update
- 9:15 • Spruce Beetle Epidemic and Aspen Decline Management Response (SBEADMR) Update
- 9:35 • Scheduling; June 2019
- Adjourn

Please Note: Packet materials for the above discussions will be available on the Gunnison County website at <http://www.gunnisoncounty.org/meetings> no later than 6:00 pm on the Friday prior to the meeting.

June 3, 2019**Work Session**

Demolition Moratorium

Consent Agenda

Bid Award for 2019 Paving Project

Artists of Crested Butte Art Market Special Event Application Closing the Zero Block of Elk Avenue on Sundays beginning June 16th through October 6th, Except the Sundays of the Arts Festival and ARTumn.

Ride the Rockies

Alpenglow

Bridges of the Butte

Street Vault

Arts Festival

4th of July

Bike Week

Junior Bike Week

New Business

Presentation from CO Energy Office and Possible Action

Ordinance – Lease

Resolution – Fee Schedule Changes

June 17, 2019

Work Session Start at 5PM - Joint Meeting with Housing Foundation

InDeed Deed Restriction Purchase Program

Appointment of Council Member**Consent Agenda**

Bid Award for Block 76 Water Main Project

Public Hearing

Tin Cup Pasty Liquor License

New Business

Ordinance – Snow Shed

Presentation on the Audit

July 1, 2019**Work Session**

Update from Matt McCombs, District Ranger with the Forest Service, on Ohio Pass Logging

New Business

Ordinance - Releasing Kikel CE

Ordinance – Lease

July 15, 2019**Work Session**

Town Attorney Discussion

Future Items

- Quarterly Financial Reports
- Heights Open Space Plat Note and Covenants
- Annual Report from the Creative District Commission - October
- Snow Plan - October
- Deadline for Presentation of Annual Budget - October 15th
- Annual Report by the Chair of the Weed Advisory Board on Weed Management in the Town of Crested Butte - November
- Funding Agreement with the Chamber - December
- Ordinance - CO Model Traffic Code 2018
- Ordinance - Creative District Restructuring
- Briefing of the Legal Implications of Vested Rights
- Bid Award for Old Town Hall Elevator.