

AGENDA
Town of Crested Butte
Special Town Council Meeting
Monday, March 30, 2020
Council Chambers, Crested Butte Town Hall

PUBLIC NOTICE IS HEREBY GIVEN THAT THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO WILL HOLD A SPECIAL MEETING ON MONDAY, MARCH 30, 2020 BEGINNING AT 6:00PM IN THE TOWN COUNCIL CHAMBERS, LOCATED IN THE CRESTED BUTTE TOWN HALL, 507 MAROON AVENUE, CRESTED BUTTE, COLORADO.

Please connect to the meeting via Zoom.

Dial: 1-301-715-8592 or 1-253-215-8782

Meeting ID: 517-343-9099

Please be mindful of keeping your device on “mute” unless you are speaking.

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

6:00 SPECIAL TOWN COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM

6:02 APPROVAL OF AGENDA

6:04 PUBLIC HEARING

1) To Ratify Ordinance No. 7, Series 2020 - An Emergency Ordinance of the Crested Butte Town Council Amending Chapter 2 of the Municipal Code to Add a New Section 9 on Emergency Powers.

6:10 NEW BUSINESS

1) Discussion on Status of Public Health Orders in Gunnison County.

6:35 2) Discussion on Status of Municipal Operations.

6:55 3) 2020 Revenue Forecast, Potential Expense Management Steps, and New Funding / Financial Requests of Town.

7:20 4) Discussion and Possible Direction on Next Steps with Slate River Annexation.

7:40 5) Resolution No. 8, Series 2020 - A Resolution of the Crested Butte Town Council Extending the Vesting Period of Certain Vested Rights for Development of Property Within the Town of Crested Butte.

7:55 ADJOURNMENT

**ORDINANCE NO. 7
SERIES 2020**

**AN EMERGENCY ORDINANCE OF THE CRESTED BUTTE
TOWN COUNCIL AMENDING CHAPTER 2 OF THE
MUNICIPAL CODE TO ADD A NEW SECTION 9 ON
EMERGENCY POWERS**

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

WHEREAS, Section 1.4 of the Municipal Charter grants the Town all the powers granted to municipal corporations and to towns by the constitution and general laws of this state together with all the implied powers necessary to carry into execution all the powers granted; and

WHEREAS, the Town Council desires to affirm that it has the power to take immediate steps as necessary to protect the public health, safety, and welfare of its residents and visitors in the face of emergencies and disasters.

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

Section 1. Adding a New Article 9 to Chapter 2 of the Code. A new Article 9 is hereby added to Chapter 2 of the Code and shall read as follows:

Sec. 2-9-10 - Disaster and emergency declaration.

(a) The Town Council has the power to declare in a regular or emergency meeting that a state of emergency exists and issue an order if an event has occurred or the threat of an event is imminent that would threaten public health, safety, and welfare and that requires immediate response by the Town. The Town Council shall direct the Town Manager to publish the declaration and order, send a copy to the Gunnison County Board of Health and other appropriate emergency response agencies, and disseminate it to the public.

(b) A state of emergency remains in effect until the Mayor or designee, in consultation with the Town Manager, declares that the threat of danger has passed or that the emergency conditions no longer exist. The Town Council may terminate a state of emergency at any time. The Town Manager shall immediately issue a notice affecting the termination of the state of emergency.

Sec. 2-9-20 - Emergency powers.

(a) The issuance of a declaration of emergency empowers the Town Manager to exercise emergency powers permitted by state and local law. The Town Council maintains all of its normal powers throughout the emergency period and will convene either in person or electronically to perform its normal business and legislative powers when and if the situation demands.

(b) In addition to any other powers granted by the State of Colorado during a state of emergency, the Town Manager may promulgate regulations or issue orders as he or she deems necessary to protect life and property, preserve critical resources, or otherwise implement the Town's Emergency Response Plan. These regulations or orders may include provisions to accomplish the following:

(1) Suspend the provisions of the Municipal Code that prescribe procedures and timeframes for conduct of Town business and public hearings, if strict compliance would in any way prevent, hinder, or delay necessary action in coping with the emergency or would otherwise not be possible because of concerns regarding public health, safety and welfare.

(2) Suspend any Council meetings, meetings of the Board of Zoning and Architectural Review, public hearings, and related municipal functions.

(3) Delay accepting or processing applications for permits, licenses, and other approvals.

(4) Control the size of any public gatherings or events in the Town to less than any size limit imposed by Gunnison County pursuant to the County emergency powers.

(5) Temporarily reduce the occupancy limit for any place of business.

(6) Transfer the direction, personnel, or functions of Town departments for the purpose of performing or facilitating emergency services.

(7) Subject to any applicable legal requirements to provide compensation, commandeer or utilize any private property the Town Manager finds necessary to cope with the emergency.

- (8) Direct evacuation efforts of persons from any stricken or threatened area within the Town if the Town Manager deems this action necessary for the preservation of life or other emergency mitigation, response, or recovery measures.
- (9) Prescribe route, mode of transportation, and destination in connection with evacuation.
- (10) Control ingress to and egress from a disaster area, the movement of persons within the area, and the occupancy of premises therein.
- (11) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, or combustibles within the Town.
- (12) Make provisions for the availability and use of temporary emergency housing.
- (13) Waive all provisions for competitive bidding and direct the finance director to purchase necessary supplies in the open market.
- (14) Exercise all powers permitted by Town Charter and state law to require emergency services of any Town officer or employee and command the aid of as many citizens of the Town as he or she deems necessary in the execution of his or her duties.

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 as an entirety, it being the legislative intent that 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 the Code that is in conflict with this ordinance is hereby repealed as of the effective date hereof.

Section 4. Emergency Declared, Effective Date, and Expiration. The Town Council finds, determines and declares that passage of this Ordinance is necessary for the immediate protection of the health, safety and welfare of the citizens of the Town. The Town Council further determines that the adoption of this Ordinance as an emergency ordinance is in the best interest of the citizens of the Town. This Ordinance shall be effective upon adoption.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED THIS ___ day of _____, 2020.

TOWN OF CRESTED BUTTE, COLORADO

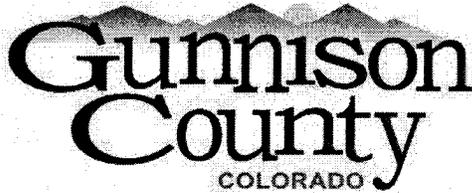
By: _____
James A. Schmidt, Mayor

ATTEST:

-

Lynelle Stanford, Town Clerk

[SEAL]



DEPARTMENT OF HEALTH AND HUMAN SERVICES

March 21, 2020

THIRD AMENDED STANDING PUBLIC HEALTH ORDER PROHIBITING CERTAIN
EVENTS, GATHERINGS, BUSINESS OPERATIONS AND OTHER ACTIVITIES AND
IMPOSING LIMITED QUARANTINE ON CERTAIN OUT-OF-COUNTY TRAVELERS TO
LIMIT AND CONTAIN THE SPREAD
OF THE COVID-19 VIRUS.

Pursuant to Colo. Rev. Stat. § 25-1-506 and other applicable authority, this Order sets forth guidance and requirements for, as well as limitations on, group gatherings to slow the spread of the COVID-19 virus. This Order amends and supersedes all previous Standing Public Health Orders issued by Gunnison County regarding COVID-19.

On March 10, 2020, the Governor of Colorado declared a state of Emergency related to the presence of COVID-19 in the State. The Colorado Department of Public Health and Environment has confirmed that COVID-19 continues to spread throughout the State of Colorado, and community transmission of the illness has been confirmed in Gunnison County.

The purpose of these amendments are to amend and clarify the existing Order in response to inquiries received from elected officials and the public, to expand protection for At Risk Persons (as defined in this Order), and to address college students and others returning from Spring Break and other out-of-County travel. For the avoidance of doubt, this Order should be construed to eliminate all non-essential services or sales of goods, and should be construed in the light most favorable to preventing the community spread of COVID-19. To the extent any ambiguity exists between this Order and any statement made by Gunnison County or others regarding the interpretation or effect of this Order, the express terms of this Order and the interpretation of the Public Health Director shall control.



For the avoidance of doubt, this Order controls over any executive order issued by the Governor of Colorado.

On March 12, 2020, Gunnison County declared a Local Disaster Emergency related to COVID-19. The County anticipates extending this Local Disaster Emergency pursuant to a meeting of the Gunnison County Board of County Commissioners on March 17, 2020.

On March 13, 2020, the President of the United States declared a National Emergency due to COVID-19.

On March 15, 2020, large municipalities across the nation, such as New York City, have announced the closing of all bars and restaurants except for takeout and delivery services.

On March 15, 2020, the Colorado Department of Public Health and Environment (“CDPHE”) issued a statement strongly advising visitors to and residents of Gunnison County to minimize social contact and recommending that visitors return home rather than remain in the County.

The age, condition, and health of a significant portion of the population in Gunnison County places it at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, persons with mild symptoms and asymptomatic persons with COVID-19 may place other vulnerable members of the public at significant risk. A large surge in the number of persons with serious infections can compromise the ability of the healthcare system, particularly in the high-country counties currently affected by community transmission, to deliver necessary healthcare to the public.

The limitations on business activities, large gatherings and use of social distancing decreases the risk of COVID-19 transmission to our most vulnerable populations, and is especially important for people who are over 60 years old and those with chronic health conditions due to their higher risk of severe illness and death from COVID-19. This Order will reduce the likelihood that many individuals will be exposed to COVID-19 at a single event, and will therefore slow the spread of COVID-19 in our communities.



This Order is adopted pursuant to the legal authority set forth in sections 25-1-506 and 25-1-508, Colorado Revised Statutes. Under these laws, the Gunnison County Public Health Director has the duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting public health and to establish, maintain, and enforce isolation and quarantine, and in pursuance thereof, and for this purpose only, to exercise physical control over property and over the persons of the people within the jurisdiction of the agency as the agency may find necessary for the protection of the public health.

This Order shall apply to all unincorporated areas of Gunnison County, Colorado and all incorporated (municipal) areas that do not have their own public health agency, to wit: City of Gunnison, Town of Crested Butte, Town of Mt. Crested Butte, Town of Marble, and the Town of Pitkin, Colorado.

I. DEFINITIONS

For purposes of this Order:

An “Event” is a gathering for business, social, or recreational activities, or a location that engages in or allows for such activities; that takes place indoors or outdoors, including, but not limited to, community, civic, public, leisure, or sporting events; parades; concerts; festivals; assemblies; places of worship; conventions; fundraisers; restaurants (regardless of capacity); community recreational centers; ice rinks; libraries; child care centers; and similar locations and activities.

“Event” does not include activities that are primarily individual or occur in small groups or in non-congregate settings, such as places of employment or primarily small-group sports like cross-country (Nordic) and downhill skiing, as long as social distancing occurs particularly in areas where congregating in groups is unavoidable, such as ski lift lines. “Event” also does not include places of employment for federal, state, local and special district employees, employees of public utilities or utility service providers (*e.g.*, electric utility providers, internet service providers, water and sewer service providers), grocery stores (*e.g.*, Clark’s, Safeway, or City



Market), hardware stores, gas stations, medical service providers (*e.g.*, hospitals, doctor's offices, veterinarians, medical clinics, dental offices, physical therapists, pharmacies) or discount department stores (*e.g.*, Wal-Mart, Dollar General).

II. ORDER

- A. All Events of ten (10) people or more (*i.e.*, more than nine (9) persons), including employees and attendees, are prohibited.

- B. All Events at the following locations are prohibited, regardless of the number of attendees: Day care centers, child care centers, home child care centers, private schools (including pre-schools), private day schools, community recreational centers, ice rinks, and libraries.

- C. All Events at bars, taverns, taprooms, and restaurants are prohibited, regardless of the number of attendees, except that such establishments may provide takeout and delivery of food so long as such establishments are otherwise in compliance with this Order.
 - a. For the avoidance of doubt, this means that bars, taverns, taprooms, craft breweries and restaurants should be and hereby are closed, except for takeout and delivery food service.
 - b. Service of alcohol by the drink at bars, taverns, craft breweries and restaurants is hereby prohibited, except that such facilities may serve alcohol on a package basis if otherwise permitted by law.

- D. All Events at retail establishments are prohibited, regardless of the number of attendees, except for the types of retail establishments excepted by this Order: Federal, state, local and special district facilities (including public schools but **not** including post-secondary institutions), public utilities or utility service providers (*e.g.*, electric utility providers, internet service providers, water and sewer service providers but **not** including cellular phone retail stores), grocery stores (*e.g.*, Clark's, Safeway, or City Market), banks, automobile, repair shops, auto parts stores, laundromats,



hardware stores, medical service providers (*e.g.*, hospitals, doctor's offices, medical clinics, veterinarians, medical supply companies, dental offices, physical therapists, pharmacies but **not** including massage therapists, tattoo artists, hair salons or nail salons), kennels and animal boarding facilities, equestrian stables (but **not** including commercial horseback riding or horsepacking operations), newspapers, radio and television stations, gas stations and discount department stores (*e.g.*, Wal-Mart, Dollar Tree).

- a. Retail establishments may continue to operate by online or over-the-phone sales, except goods ordered through such means must be delivered by mail or by delivery to a customer's home or vehicle outside of the retail location.
 - b. Package liquor stores and marijuana dispensaries may continue to operate so long as they are otherwise in compliance with this Order.
 - c. Those establishments exempted by this Paragraph D are nonetheless strongly encouraged to comply with this Order to the maximum extent possible consistent with applicable law.
- E. For purposes of this Order, the term "restaurants" does **not** include any establishment or business that is a limited retail food establishment, as that term is defined by C.R.S. § 25-4-1607(a.5), including but not limited to ice cream shops, doughnut shops, soda fountains, and candy stores.
- a. Such limited retail food establishments may continue to operate as retail establishments pursuant to the limitations set forth in Paragraph D of this Order, *e.g.*, providing food items on a takeout or delivery basis only with no customers entering the establishment for food service purposes.
- F. For purposes of this Order, all professional offices not expressly excluded by Paragraph D of this Order, including but not limited to law firms, accountants, architects, real estate offices, backcountry guide operations, title companies,



engineers, escrow agents, and investment and brokerage firms are deemed retail establishments for purposes of this Order, and, therefore, **all Events at such offices are prohibited.**

- a. Solo practitioners (*i.e.*, professionals who practice by themselves without sharing physical office space with others) may continue to use their professional offices so long as no other persons, (*e.g.*, other professionals, staff, clients and customers) are present.
- G. All short term lodging, including but not limited to campgrounds (whether private or government operated), reserved camping sites, hotels, motels, short term rentals (30 days or less), bed and breakfast establishments, lodges and retreats shall cease operations, unless otherwise authorized in writing by the Public Health Director for emergency or quarantine purposes, or to provide lodging for essential federal, state, county or local personnel.
- a. For the avoidance of doubt, disbursed camping on Federal public lands by Gunnison County residents is permitted so long as campers are otherwise in compliance with this Order.
- H. All public transportation, included but not limited to bus service but not including commercial air travel, is considered an Event for purposes of this Order.
- I. Visitors to Gunnison County are directed to return home immediately upon the issuance of this Order by the fastest and safest available means, and persons considering visiting Gunnison County should remain home.
- a. Although non-resident homeowners are expressly exempt from this Paragraph G, non-resident homeowners are strongly encouraged to leave Gunnison County and return to their primary place of residence.
- J. The County and District Courts are hereby exempted from this Order, except that Gunnison County strongly encourages the Courts to: Consistent with any Court



directives, a) vacate and reschedule all civil and domestic relations proceedings, especially civil jury trials (unless such proceedings can be conducted telephonically); b) vacate and reschedule criminal and traffic matters to the maximum extent possible consistent with defendants' Constitutional rights.

- K. Residential and commercial construction sites may otherwise continue to operate so long as in compliance with this Order if they receive an express, written exemption from the Public Health Director after providing her sufficient information, in her sole discretion, to ascertain compliance with this Order.
- L. Residential home and repair services (electrician, plumbing, propane delivery, trash, recycling and sanitation services, residential and commercial cleaning and home care services) may continue so long as they are in compliance with this Order.
- M. Events with fewer than ten (10) people (*i.e.*, no more than nine (9) persons), including employees and attendees, and including gatherings at all restaurants regardless of capacity, are prohibited unless event organizers take the following steps to mitigate risks:
 - a. Older adults (age 60 and older), including employees, and individuals with underlying medical conditions that are at increased risk of serious COVID-19, including employees (collectively, "At-Risk Persons"), are not permitted to attend. For the avoidance of doubt, an "At-Risk Person" who is a federal, state, local or special district government employee, an employee of a medical service provider, an employee of a place or house of worship, or an employee of a public utility or utility service provider may report to his or her job site or other location(s) if necessary to perform his or her official job duties, so long as such location(s) are otherwise in compliance with this Order. An At-Risk Person may also enter into a medical service provider's office or facility, hardware store, grocery store or discount department store for the purpose of obtaining medical care, food, clothing or other necessary items if such



location is otherwise in compliance with this Order. However, At-Risk Persons are discouraged from engaging in such activities wherever possible.

- b. Social distancing recommendations must be met. These include limiting contact of people within 6 feet from each other for 10 minutes or longer, and any other guidance. *See* Section III, below.
 - c. Employees must be screened for coronavirus symptoms each day and excluded if symptomatic.
 - d. Proper hand hygiene and sanitation must be readily available to all attendees and employees.
 - e. Environmental cleaning guidelines from the US Centers for Disease Control and Prevention (CDC) are followed (*e.g.*, clean and disinfect high touch surfaces daily or more frequently).
- N. All persons who traveled for more than 24 hours away from Gunnison County from March 13, 2020 until the date this Order expires, and who reside in high-density housing (*e.g.*, dormitory, apartment complex of more than two units, long-term hotel) are hereby **ordered**, under penalty of law, to isolate and quarantine themselves from all other persons, without exception, for a period of at least seven (7) days from the date such person returns to Gunnison County. The Public Health Director reserves the right to extend the period of any quarantine under this Paragraph N in her sole discretion.
- O. All persons who have tested positive for the COVID-19 virus are hereby **ordered**, under penalty of law, to isolate and quarantine themselves from all other persons, without exception, for a period of at least ten (10) days from the date on which such person first experienced any symptoms of COVID-19 (*e.g.*, fever, cough, shortness of breath), or 72 hours after the quarantined person is afebrile (resolution of any fever without the aid of medication), whichever is later. The Public Health Director



reserves the right to extend the period of any quarantine under this Paragraph O in her sole discretion.

- P. All persons who travel outside of Gunnison County for any period of time are strongly encouraged to isolate themselves for a period of at least seven (7) days from the date such person returns to Gunnison County.

III. FURTHER GUIDANCE

Further guidelines for social distance are available at <https://www.gunnisoncounty.org/938/Coronavirus-COVID-19>. Gunnison County Public Works and any other appropriate government agencies (*e.g.*, Highway Patrol, Colorado Department of Transportation) are hereby directed and encouraged to erect or provide appropriate highway signage to alert travelers to this Order.

IV. GENERAL INFORMATION FOR ALL PERSONS AFFECTED BY THIS ORDER

If you have questions regarding this Order, please contact the Gunnison County Health Hotline at 970.641.7660.

Gunnison County is tasked with protecting the health and welfare of the citizens of Gunnison County, Colorado by investigating and controlling the causes of epidemic and communicable disease. This Order is necessary to control any potential transmission of disease to others. *See* section 25-1-508, Colorado Revised Statutes. Immediate issuance of this Order is necessary for the preservation of public health, safety, or welfare.

Any person aggrieved and affected by this Order has the right to request judicial review by filing an action with the Gunnison County District Court within 90 days of the date of this Order, pursuant to section 25-1-515, Colorado Revised Statutes. However, you must continue to obey the terms of this Order while your request for review is pending.

This Order is in effect until midnight Mountain time at the end of April 8, 2020, and is subject to continuing review by the Public Health Director.



FAILURE TO COMPLY WITH THIS ORDER IS SUBJECT TO THE PENALTIES CONTAINED IN SECTIONS 25-1-516 AND 18-1.3-501, COLORADO REVISED STATUTES, INCLUDING A FINE OF UP TO FIVE THOUSAND (5,000) DOLLARS AND IMPRISONMENT IN THE COUNTY JAIL FOR UP TO EIGHTEEN MONTHS.

Joni Reynolds
Joni Reynolds
Public Health Director

3/21/2020 11:00 am
Date

I, Kathy Simillion, hereby acknowledge receipt of this Order.

Kathy Simillion
Sign

3-21-2020
Date





DEPARTMENT OF HEALTH AND HUMAN SERVICES

PUBLIC HEALTH ORDER 3/21/2020

An **“Event”** is a gathering for business, social, or recreational activities, or a location that engages in or allows for such activities. Per this **ORDER**, all **Events** of **MORE THAN NINE (9) PEOPLE**, including employees and attendees, are prohibited.

RESIDENTS IN GOOD HEALTH

Minimize social contact

Follow **social distancing** recommendations

Adhere to relevant social, business, and **Order** herein

RESIDENTS AT RISK AND/OR 60+

Cannot attend **any Events** and **gatherings**

Cannot enter the **workplace** or **conduct** any **workplace activities**

Eliminate in-person **social contact**

Follow social distancing **recommendations**

VISITORS

Leave Gunnison County and return to your primary place of residence as **quickly** and **safely** as possible

Self-quarantine for a minimum of 10 days

NON-RESIDENT HOMEOWNERS

Strongly encouraged to leave Gunnison County and return to your primary place of residence as **quickly** and **safely** as possible

Self-quarantine for a minimum of 10 days

(continued)



RETAIL BUSINESSES

All **Events** at **retail establishments** are **prohibited**, regardless of the number of attendees

Retail establishments may continue to operate by continuing **online or over-the-phone sales**. Goods ordered must be delivered by mail or by delivery to a customer's home or vehicle and outside of the retail location

Package liquor stores and marijuana dispensaries may continue to operate so long as they are otherwise in compliance with this **Order**

Retail businesses who wish to operate on this limited premise **must also adhere** to the **9-person rule**, employees **<60**; **social distancing**; **screening employees** for COVID-19 **daily**; **hand hygiene** and **sanitation** and **environmental cleaning**

Exempt: grocery stores, hardware stores, medical service providers, gas stations and discount department stores

Exempt: Federal, state, local and special district facilities, public utilities or utility service providers

FOOD & BEVERAGE BUSINESSES

Bars, taverns, taprooms, and restaurants **are closed**, except for takeout and delivery food service

Service of alcohol by the drink at bars, taverns, and restaurants **is prohibited**

Facilities **may serve alcohol** on a **package basis** if otherwise permitted by law

LODGING

All short-term lodging, including but not limited to hotels, motels, short term rentals, bed and breakfast establishments, lodges, campgrounds, and retreats shall **cease operations**

Exemptions must be obtained from the Public Health Director and include emergency or quarantine purposes, or to provide lodging for essential federal, state, county or local personnel

(continued)



PUBLIC TRANSPORTATION

Currently only the **RTA is operating**

All public transportation, included but not limited to bus service but **not including commercial air travel**, is considered an **Event** for purposes of this **Order**

Transportation that wish to operate **must adhere** to the **9-person rule**, employees **<60**; **social distancing**; **screening employees** for COVID-19 **daily**; **hand hygiene** and **sanitation** and **environmental cleaning**

SERVICES

Home services (trash, recycling, sanitation, water, and gas) **may continue** if they **adhere** to the **9-person rule**, employees **<60**; **social distancing**; **screening employees** for COVID-19 **daily**; **hand hygiene** and **sanitation** and **environmental cleaning**

CONSTRUCTION SITES

All construction sites are required to have a **written exemption** from the **Public Health Director** prior to operating.

If written exemption is obtained, they (carpenters, electricians, plumbers, painters, and other contractors) **must adhere** to the **9-person rule**, employees **<60**; **social distancing**; **screening employees** for COVID-19 **daily**; **hand hygiene** and **sanitation** and **environmental cleaning**

File for a written exemption from the Public Health Director:

gunnisoncounty.org/covid19



Memorandum

To: Town Council
From: Dara MacDonald, Town Manager
Subject: Discussion on Status of Municipal Operations
Date: March 24, 2020

Following are department updates on how operations are being handled during this time.

Public Works

- Staffing – With the nature of the business that the majority of the Public Works Staff perform, teleworking is not an option. So, over the past couple of weeks, the public works department has implemented a staggered shift policy, which means having one staff member at work and one staff member on call (Monday – Friday, 730 – 400) from each of the respective divisions. This policy was put in place to promote proper social distancing while maintaining essential services, such as, water treatment, wastewater treatment, snow removal, and facility maintenance (public restrooms).
 - Streets and Fleet Division
 - Staff is on call for snow removal
 - All winter parking restrictions are still in effect.
 - Staff is catching up on cleaning and maintaining equipment from winter operations.
 - Staff is preparing for the list of spring duties, including street sweeping, pot hole repair, storm water maintenance, etc.
 - Water and Wastewater Division
 - With limited staff, operators are maintaining the day to day operations of their respective facilities, while maintaining all state regulatory compliance.
 - At this time, Staff is not making any site inspections (meter change outs, service line inspections, etc.)
 - Facilities
 - Staff have elected to close several of the public restrooms in Town.
 - Old Town Hall and 308 3rd Street are closed. Staff will begin a deep cleaning/ disinfecting process on these restrooms while they are closed.
 - Tommy V and the Transit Center will remain open.

Clerks

- Staffing – Working on site at Town Hall periodically. Also working from homes using remote desktop or by bringing files and projects home.

- The daily operations related to Council continue such as: agendas, packets, meeting notices, and legal notices.
- Public messaging, specifically maintaining the Town's website, e alerts, and Facebook postings, has increased exponentially and will continue for the duration. Lynelle is taking the lead, under Dara's direction, with redundancy provided by Kat Carpenter, Betty Warren, and Kayce Barnett.
- The State has not yet issued relief on the timeline related to liquor license renewals. The regular process of notifying liquor licensees is maintained with extra reminders by phone call and email if needed. New license applications can be submitted to the State via Drop Box; however, the two pending liquor license applications for the Town are contingent upon fingerprints that are not currently being done in Town. Most classes of liquor license renewals cost the licensee \$175 to the Town (\$500 to the State). The Town would accept incremental payments on the \$175 as assistance for licensees.
- Owners of dispensaries have asked questions regarding amended operations under the County Order. Otherwise, notifications to the public of dispensary permit renewals will continue through the *Crested Butte News*. Town will follow any State regulations.
- This time of year is typically busy with special event applications. The Council has already approved a few events coming up this summer. The next application that will be time sensitive related to their desired start date, May 31st, 2020, is the Farmers Market. The organizer just submitted applications for the Thursday and Sunday markets this week, but the applications have not yet been processed. The Art Market, also starting at the beginning of summer (June 14th), has already been approved. Bike Week and the 4th of July, would be the next major, reoccurring events. The process beyond the Clerk's Office, including organizing a meeting and gathering signatures for approval, for special events will resume when appropriate. In the meantime, Betty will continue to work with organizers as she can via phone and email. Event organizers have been told they could receive a refund of certain fees if the events are not allowed to happen per government orders.
- The Cemetery Committee has ceased meetings for the time being. Anything cemetery related, such as general questions, that could be completed via phone or email will continue, but there is no in-person business related to the cemetery.
- Seasonal questions, related to vending and sidewalk seating, are continuing to be answered. For businesses that submitted sidewalk seating applications in time, compliant with ADA regulations, their applications will be on the Consent Agenda on April 6th. It is too early to know how these operations will be affected come the typical starting times.
- All of the Court cases were continued, per Judge Eden, to April 15th. Betty has been notifying defendants and communicating with all of the parties regarding the administration of court. On April 15th, the plan will be to hold court via Zoom or conference call.

Community Development

- Acceptance of all new development permits are suspended. Town staff is establishing protocol for how administrative applications could be accepted including new building permits, sign applications, and other non-BOZAR applications. Once this is in place the development community will be notified. Anticipating that by next week non-BOZAR applications will be accepted.
- Building inspections are continuing, however under strict protocol to ensure staff safety. All active building sites have been notified of inspection protocol.
- Plan review is temporarily suspended because of the absence of staff due to sick leave.

- Town staff is in early discussions with other partners in the Valley to implement emergency mortgage assistance for deed restricted properties.
- Town staff is anticipating BOZAR will be suspended through April. If the County Order remains in effect for May, Town staff is working on how virtual DRC and BOZAR meetings would take place.
- Town offices are staffed minimally but with a daily presence in Town Hall. Remainder of staff is working remotely on projects and reviews.
- Town staff is working on the Slate River Annexation and how the public will be able to fully participate in the public hearings.

Marshals

- The Marshal's Office is attempting to provide response to all emergency situations utilizing best-practice guidance.
- The Office is closed to visitors with limited contact involving our Office Manager Kayce who normally greets all. She has been able to work remotely most of the time and assist the County with their PIO function. Someone is always available to answer questions from the public.
- Ride-alongs and services such as VIN checks and fingerprinting are suspended for the foreseeable future.
- We have not gone on Accident Alert yet but drivers who are involved in crashes, which do not involve DUI, or injuries, where the vehicles are mobile can simply exchange relevant vehicle, contact and insurance information.
- Winter parking laws are still in effect so please keep moving your vehicle to the appropriate side of the street or keep it out of the right of way.
- Shifts are being covered effectively and officers are still routinely patrolling town. Additional manpower is available to us if needed. We really appreciate the waves and greetings we receive during our rounds.
- Stay safe and get/stay healthy. But, if you can't do that, please feel free to give us or our response partners a call.
- Wash your hands, social distance, isolate and keep busy. Keep in touch with your friends and family. Call if you need us; 911 and the non-emergency number, 970.641.8200, still work.

Finance & Human Resources

- Check runs, to pay bills, etc will continue to run weekly on Thursdays.
- We have created a general ledger expense account to house all non-payroll related expenses which have been driven by the crisis. This will allow us to track expenses properly in anticipation of possible State and/or Federal relief efforts.
- Payroll and benefits administration will continue as normal.
- Payroll system has been updated to now include a COVID 19 pay type, so as to track associated time in anticipation of possible State and/or Federal relieve efforts.
- Main reception and phone number coverage continues during regular Town Hall hours. The main phone can be answered and routed remotely, using the new Nextiva phone system we installed in 2018. We simply could not have managed the phone remotely with the old system. Most staff who receive lots of calls at Town Hall have had their desk extensions routed to their personal mobile phones.
- Most accounting and tax collection processes are occurring now with a combination of Town Hall and remote work. Our accounting, payroll, payables and tax collection systems are working well remotely.

- Kat has been assisting the County with the Public Information Officer (PIO) function including providing Spanish translation services among other things. She has also been helping a lot with Town social media and E-Alerts as well as developing COVID-19 related advertisements for the newspaper.
- Current staff schedules are as follows:
 - Rob – self quarantined in Grand Junction. Operating remote until the week of March 30th, assuming conditions do not worsen. I will be working normal hours, but checking e:mail and voice all the time.
 - Kyle – working from Town Hall Monday & Thursday – 8:30a-5:00p Friday – 1:00p-5:00p. During other times Kyle is checking email/voicemail remotely and responding as promptly as possible.
 - Kat – working from Town Hall. During lunch breaks and other times away from the front desk, others in the department are manning the main phone number.
 - Hilary – working remote Monday and Friday. Tuesday, Wednesday, Thursday she is working from home 8:30-12:30, and then working from Town Hall 1-5

Parks & Recreation

- Janna, Joey, and Pete are working either remotely or in staggered office shifts performing regular administrative duties, and are available via phone and email Monday – Friday 8:30-5:00.
- Parks crew is working staggered shifts Mon-Fri.
- Trash and snow removal are occurring as regularly scheduled, and modified spring projects are underway.
- All parks and recreational facilities are closed and programming is suspended. Staff is working on alternative ways to engage with the community.
- The Hockey Changing Rooms, Henderson Park Renovation, and Gothic Field Raw Water Projects are all moving ahead as practicable.

** All staff who have had their municipal duties reduced have been encouraged to assist with volunteer opportunities through Gunnison County and several have chosen to do so.



Staff Report

March 30, 2020

To: Mayor and Town Council
From: Rob Zillioux, Finance and HR Director
Through: Dara MacDonald, Town Manager
Subject: 2020 Financial Forecast and Related Actions

Summary: The COVID 19 recession has hit Crested Butte significantly, and will be a strain on Town resources for the foreseeable future. The enclosed presentation is intended to:

1. Provide Council a full year financial outlook for Town's operations
2. Facilitate a discussion around Town expense management actions
3. Facilitate a discussion around Community requests for financial support due to the crisis

Discussion: The attached material provides a forecast of major revenue sources for the General, Capital and Affordable Housing Funds. Minor revenue sources have not yet been forecasted. The initial forecast has revenue lowered for these funds by a total of roughly \$1.5 million, representing 20% of budgeted revenue. I consider this forecast to be cautiously optimistic. Should travel and social distancing restrictions not be lifted by June, the forecast will be much worse. July, August and September, in that order, are the highest sales tax months for Town.

Staff have made recommendations for 2020 expense reductions amounting to \$743,000, as a way to partially offset Town revenue shortfall.

The Enterprise and Street Funds should not be tremendously impacted, unless decisions are made to defer or waive utility payments or if property tax collections are delayed significantly.

This crisis is exactly why Town has maintained strong reserves and practiced conservative spending habits.

In summary, Town can manage operations and provide regular services to our residents through 2020, even in a scenario where revenue is 50% of budget. That said, all non-essential expenses are recommended to be delayed or eliminated so as to protect against potential economic worsening.

2020 Revenue Forecast

Town of Crested Butte

As of March 26th

Forecast review objectives:

- Inform Council of the likely revenue reductions associated with COVID 19 and resulting recession
- Obtain Council direction associated with Town of Crested Butte expense management suggestions
- Obtain Council direction associated with Community requests for financial support during this crisis

Caveats

- Actual and forecast numbers will be updated monthly for presentation to Council. Forecast numbers are directional, and for purpose of assisting Council decision making
- Numbers are presented in Government Accounting Standards (modified accrual), not GAAP
- Forecast numbers are focused on major revenue sources, and are not intended to be comprehensive
- Impact to reserves assumes budgeted expenses, except where noted differently
- **Black** font numbers indicate budget. **Green** numbers are better than budget. **Red** numbers are worse than budget.

Federal, State and County Resources

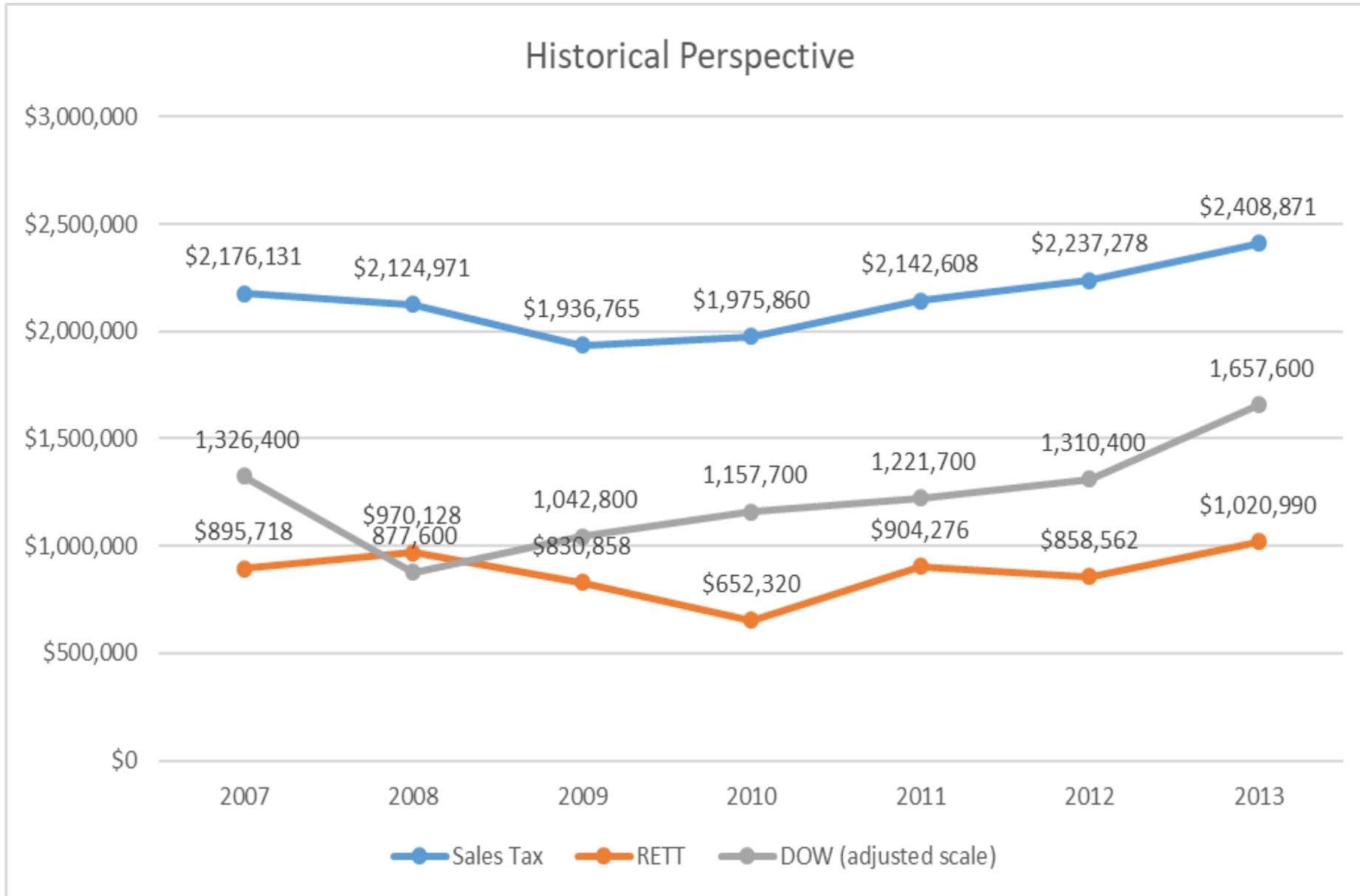
As Town Council is making decisions to support our Community, it is important to keep in mind the related Federal, State and County efforts that would help the Crested Butte community.

- **US Senate Bill for COVID 19 relief** *(requires House of Reps vote and then to White House)*
 - \$1,200 checks sent to individuals making less than \$75,000. Check size reduced for those making between \$75,000 and \$99,000. Figures are doubled for couples. \$500 checks for children under the age of 17.
 - Department of Education suspends student loan payments through September 30th
 - Unemployment benefits of \$600 per week, for up to four months, on top of State unemployment benefits, and possibly extended by up to 13 weeks.
 - Unemployment assistance for those individuals, such as independent contractors, who otherwise would not be eligible for unemployment benefits
 - \$454 Billion in loans to businesses, states and municipalities
 - Forbearance on Federally backed mortgage loans for up to 60 days, with possible extension for 4 periods of 30 days each
 - Landlords with federally backed mortgages will not be allowed to evict renters for failure to pay rent for 120 day period
- **State of Colorado**
 - Among other things, the State has established support mechanisms for small business, employees, agriculture and health care
 - <https://covid19.colorado.gov/state-recovery-assistance> is a good resource that summarizes State action and support.
- **Gunnison County**
 - Not unlike the State, Gunnison County has helpful resources for local businesses, employees and others impacted by COVID 19
 - <https://www.gunnisoncounty.org/938/Coronavirus-COVID-19>

Summary

- The initial revenue forecast, major sources only, shows full year reductions:
 - General Fund (\$964,402)
 - Capital Fund (\$487,689)
 - Affordable Housing Fund (\$82,229)
 - This amounts to a 20% reduction of budgeted revenue for these funds, combined.
 - Minor revenue items could be \$50k to \$100k less than budget
 - This forecast should be deemed “cautiously optimistic”
 - Assumes March at 25% of budgeted sales tax, April and May at 50%, and June through December at 75%
 - This revenue reduction could easily be much worse if travel and social distancing restrictions are still active in June. Should travel and social distancing restrictions be in place July, August and September, the full year revenue reduction could be greater than 50%.
- Enterprise and Street Funds not forecasted to decline significantly due to non-tourism / economy based revenue streams. However, local government decisions could possibly reduce revenue for these Funds. Timing on receipt of property tax, which largely funds Streets, is likely.
- Due to strong reserves entering 2020, Town could operate as normal without cutting budgeted expenses. In this scenario, revenue shortages would in turn reduce reserves by a like amount. Additional financial requests from the Community could be difficult to meet without making certain cuts elsewhere while maintaining reasonable Fund reserves.

Historical Perspective – Last Recession



Notes:

- The “Great Recession” of 2008 was caused largely by sub-prime mortgages, predatory lending, securities fraud and generally lacking related federal regulation.
- The DOW stock market index lost roughly 50% of its value from 2007’s high point to the close of 2008. The DOW steadily began climbing in 2009 until 2013, where it began to accelerate at a faster pace.
- It took five years for Crested Butte to see the same pre-recession sales tax levels. As with the stock market, Town sales tax began to accelerate in 2013.
- Town RETT declined to a low in 2010 and then began steadily climbing since that time.
- Should the COVID 19 issue, with related travel bans and social distancing, persist through the summer of 2020, it is likely the economic impact could be greater than the 2008 recession.

General Fund

		Sales Tax Forecast % of Budget													
		25%	50%	50%	75%	75%	75%	75%	75%	75%	75%	75%	75%		
Town Sales Tax		January	February	March	April	May	June	July	August	September	October	November	December	Total	
Total Budget:		\$284,703	\$283,457	\$334,308	\$135,673	\$158,526	\$333,540	\$533,033	\$459,207	\$296,271	\$246,697	\$161,412	\$301,276	\$3,528,104	
Transportation		\$63,267	\$62,990	\$74,291	\$30,150	\$35,228	\$74,120	\$118,452	\$102,046	\$65,838	\$54,821	\$35,869	\$66,950	\$784,023	
General		\$189,802	\$188,971	\$222,872	\$90,449	\$105,684	\$222,360	\$355,355	\$306,138	\$197,514	\$164,464	\$107,608	\$200,851	\$2,352,069	
Actual & Forecast:		\$340,683	\$250,872	\$83,577	\$67,837	\$79,263	\$250,155	\$399,775	\$344,406	\$222,203	\$185,022	\$121,059	\$225,957	\$2,570,809	vs budget
Transportation		\$75,707	\$55,749	\$18,573	\$15,075	\$17,614	\$55,590	\$88,839	\$76,535	\$49,379	\$41,116	\$26,902	\$50,213	\$571,291	-\$212,732
General		\$227,122	\$167,248	\$55,718	\$45,224	\$52,842	\$166,770	\$266,517	\$229,604	\$148,136	\$123,348	\$80,706	\$150,638	\$1,713,872	-\$638,197
Month +/-		\$49,760	-\$28,964	-\$222,872	-\$60,299	-\$70,456	-\$74,120	-\$118,452	-\$102,046	-\$65,838	-\$54,821	-\$35,869	-\$66,950	-\$850,929	
Cumulative +/-		\$49,760	\$20,795	-\$202,077	-\$262,376	-\$332,832	-\$406,952	-\$525,404	-\$627,450	-\$693,288	-\$748,109	-\$783,979	-\$850,929		
County Sales Tax															
Budget		\$32,601	\$32,458	\$38,281	\$15,536	\$18,153	\$38,193	\$61,037	\$52,583	\$33,926	\$28,249	\$18,483	\$34,499	\$404,000	
Actual		\$30,439	\$28,727	\$9,570	\$7,768	\$9,076	\$28,645	\$45,778	\$39,438	\$25,444	\$21,187	\$13,862	\$25,874	\$285,809	
+/-		-\$2,162	-\$3,731	-\$28,711	-\$7,768	-\$9,076	-\$9,548	-\$15,259	-\$13,146	-\$8,481	-\$7,062	-\$4,621	-\$8,625	-\$118,191	
Cigarette Tax															
		\$11,512	\$6,275	\$2,878	\$5,756	\$5,756	\$8,634	\$8,634	\$8,634	\$8,634	\$8,634	\$8,634	\$8,634	\$92,615	
Interest (general fund)															
Budget		\$11,667	\$11,667	\$11,667	\$11,667	\$11,667	\$11,667	\$11,667	\$11,667	\$11,667	\$11,667	\$11,667	\$11,667	\$140,004	
Actual		\$13,453	\$10,090	\$7,567	\$5,675	\$4,257	\$3,192	\$2,394	\$1,796	\$1,347	\$1,010	\$758	\$568	\$52,107	
+/-		\$1,786	-\$1,577	-\$4,100	-\$5,992	-\$7,410	-\$8,475	-\$9,273	-\$9,871	-\$10,320	-\$10,657	-\$10,909	-\$11,099	-\$87,897	
Reserves - General Fund															
		\$3,833,220	\$3,805,222	\$3,552,417	\$3,484,114	\$3,402,928	\$3,319,419	\$3,185,069	\$3,068,640	\$2,992,634	\$2,928,728	\$2,885,962	\$2,807,922	-\$964,402	
% annual expense		76%	76%	71%	69%	68%	66%	63%	61%	60%	58%	57%	56%		

Notes:

- Town sales tax distribution to Parks is shown on the Capital Fund page. Total and actual Town sales tax is shown above prior to Park distribution.
- Initial full year forecast has revenue down \$964,402

Capital Fund

Capital Fund	Forecast												Total	
	January	February	March	April	May	June	July	August	September	October	November	December		
Budget														
Sales Tax - Parks	\$32,716	\$33,183	\$44,635	\$14,791	\$20,139	\$42,465	\$67,531	\$53,979	\$48,319	\$20,708	\$18,407	\$40,067	\$436,941	
RETT - Capital, Parks, Housing	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$550,000	
USE Tax	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$180,000	
Sub total Budget	\$93,549	\$94,017	\$105,468	\$75,624	\$80,973	\$103,298	\$128,365	\$114,812	\$109,152	\$81,541	\$79,240	\$100,901	\$1,166,941	
Actual / Forecast														
Sales Tax - Parks	\$37,854	\$27,875	\$9,286	\$7,537	\$8,807	\$27,795	\$44,419	\$38,267	\$24,689	\$20,558	\$13,451	\$25,106	\$285,645	vs budget -\$151,296
RETT - Capital, Parks, Housing	\$55,235	\$131,151	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$415,553	-\$134,447
USE Tax	\$1		\$11,250	\$11,250	\$11,250	\$11,250	\$11,250	\$11,250	\$11,250	\$11,250	\$11,250	\$11,250	\$112,501	-\$67,499
Sub total Actual / Forecast	\$93,090	\$159,026	\$43,453	\$41,704	\$42,974	\$61,962	\$78,586	\$72,434	\$58,856	\$54,725	\$47,618	\$59,273	\$813,699	-\$353,242
+/-	-\$459	\$65,009	-\$62,015	-\$33,920	-\$37,999	-\$41,337	-\$49,778	-\$42,378	-\$50,296	-\$26,817	-\$31,623	-\$41,628	-\$353,242	
Reserves - Capital	\$1,763,494	\$1,828,503	\$1,766,487	\$1,732,567	\$1,694,568	\$1,653,231	\$1,603,453	\$1,561,074	\$1,510,778	\$1,483,961	\$1,452,339	\$1,410,711		
Open Space Fund														
Budget - Open Space RETT	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$45,833	\$550,000	
Actual - Open Space RETT	\$55,235	\$131,151	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$22,917	\$415,553	
+/-	\$9,402	\$85,318	-\$22,917	-\$22,917	-\$22,917	-\$22,917	-\$22,917	-\$22,917	-\$22,917	-\$22,917	-\$22,917	-\$22,917	-\$134,447	-\$487,689
Reserves - Open Space	\$655,983	\$787,134	\$810,051	\$832,967	\$855,884	\$878,801	\$901,717	\$924,634	\$947,551	\$970,467	\$993,384	\$1,016,301		

Notes:

- Initial full year forecast has revenue down \$487,689

Affordable Housing Fund

Affordable Housing Fund	Forecast												Total
		25%	25%	25%	75%	75%	75%	75%	75%	75%	75%	75%	
Budget	January	February	March	April	May	June	July	August	September	October	November	December	
STR Excise Tax	\$20,000	\$20,000	\$25,000	\$10,000	\$15,000	\$20,000	\$35,000	\$30,000	\$25,000	\$15,000	\$15,000	\$25,000	\$255,000
Actual / Forecast													
STR Excise Tax	\$17,981	\$18,540	\$6,250	\$2,500	\$3,750	\$15,000	\$26,250	\$22,500	\$18,750	\$11,250	\$11,250	\$18,750	\$172,771
+/-	-\$2,019	-\$1,460	-\$18,750	-\$7,500	-\$11,250	-\$5,000	-\$8,750	-\$7,500	-\$6,250	-\$3,750	-\$3,750	-\$6,250	-\$82,229
Reserves	\$314,541	\$313,081	\$294,331	\$286,831	\$275,581	\$270,581	\$261,831	\$254,331	\$248,081	\$244,331	\$240,581	\$234,331	
End of 2020 Budget Reserves													\$47,615
Net Reserves after impact of STR Excise tax reduction													-\$34,614

Notes:

- 2020 budget assumed using \$268,945 in reserves. Reduction in excise tax revenue, assuming expenses stay at budget level, takes reserves to a negative \$34,614 by end of the year. In this case, and to balance the Fund, we would need to allocate a like amount from General Capital.

Potential Expense Management Steps

- Delay new Marshal patrol vehicle (Tesla) - \$80,000
 - Seeking an extension from Tesla on payment / delivery
- Essential travel only - \$10,000 to \$20,000 for the year
- All purchases and services made locally, if at all possible, so as to help CB's workers and businesses
- Delay Park's capital projects (if grants allow for this)
 - Henderson Park remodel - \$15,000 net expense to Town
 - Ice hockey changing rooms - \$197,000 net to Town, using WUSA monies
 - Gothic raw water - \$91,000 net expense to Town
- Delay CAP projects other than those currently in motion - \$50,000
- Delay SOAR Build - \$250,000
- Departments misc expense management actions, which forego non essential budget items – goal of \$50,000+

Community Funding Requests

Organization	Request	\$ Request	Decision	Decision \$	Priority	Notes
Town Businesses	Defer February sales tax submission		February sales tax now due April 20th, along with March		High	Important to help local business cash flow, paying their employees and vendors. Given solid reserves, Town can manage financial obligations during the February deferralment period.
Chamber of Commerce	"GoFundMe" type support for local businesses				High	Important to help local businesses cash flow and possible solvency. Town could potentially agree to support a defined match.
Town Businesses	Obtain a break on commercial rent		Mayor contacted the probable largest local landlord to inquire. Landlord has not responded March 30th is the advertised deadline for Sprint Grant submissions. Council may want to determine if Town awards more than budgeted.		High	Rent is a major (if not THE major) expense for most Elk Avenue businesses.
Local non-for-profits	Community Grants				High	This could be very important to local needy (limited budget) organizations that help with local health and well being.
Local non-for-profits Local Deed Restricted property owners and renters	Town building rent relief	\$3,620 per month	April and May rent, including utilities, have been waived.	\$7,240	Medium	Important help for local non-profits that operate on a shoestring budget. Town Operations can absorb.
	Mortgage and/or rent assistance				Medium	Fanny and Freddie backed mortgages will typically allow for payment deferrals under these circumstances.
Town Residents	Utility bill relief	\$125,000 per month			Medium	Town has the ability to defer or waive resident utility payments, but must maintain net revenue at 110% or more of all Enterprise Fund loans. This not something Town could afford to do for long, and it may necessitate raising rates more than normal for 2021. Town will not shut off water or charge penalties until COVID 19 subsides.
Center For the Arts	Operating and capital infusion	\$180,000 operating funds grant and \$4mm loan			Low	In light of revenue losses and other higher priority needs, Town is not in a position to entertain this expensive and low priority request. If any funding is to be provided, it should be for puposes of re-employing the dedicated CFTA employees who were recently laid off by the CFTA Board.
	Decision made to support					

Financial Impact Summary

	Funds			Total
	General	Capital	Affordable Housing	
Revenue loss (pages 6-8)				
2020 year end reserves	-\$964,402	-\$487,689	-\$82,229	-\$1,534,320
	\$2,807,922	\$1,410,711	-\$34,614	\$4,184,019
Expense Management Impact (page 9)				
2020 year end reserves (if implemented)	\$60,000	\$433,000	\$250,000	\$743,000
	\$2,867,922	\$1,843,711	\$215,386	\$4,927,019
Community support impacts - enacted:				
Defer February Sales Tax payment	\$0	\$0		\$0
Town buildings rent relief	-\$7,240			-\$7,240
Total	-\$7,240	\$0	\$0	-\$7,240
2020 year end reserves (if expense management implemented)	\$2,860,682	\$1,843,711	\$215,386	\$4,919,779
Community support impacts - requested or considered				
Utility bill relief				\$0
"GoFundMe" type support of local businesses				\$0
Increased Community Grant budget				\$0
CFTA requests		-\$4,180,000		-\$4,180,000
Total	\$0	-\$4,180,000	\$0	-\$4,180,000
2020 year end reserves (if all above implemented)	\$2,860,682	-\$2,336,289	\$215,386	\$739,779

timing and cash flow impact only
April and May rent

Recommendations

- Non essential expenses should be delayed where possible. Adopt measures outlined on page 10.
- Do not begin any new affordable housing or CAP project spend until local economics stabilize.
- When conditions normalize, revisit said delayed expenses.
- Purchases and services, not yet contracted, should be sourced locally if and when possible.
- Council direction on local requests as outlined on page 11?

SULLIVAN GREEN SEAVY LLC

MEMORANDUM

TO: Crested Butte Town Council
 FROM: Barbara J.B. Green
 DATE: April 6, 2020
 RE: SLATE RIVER SUBDIVISION ANNEXATION PROCESS

Following is the proposed timeline for Council to complete the Slate River Annexation and Major Subdivision of the annexed parcel. Council may extend the hearing beyond the May 18, 2020 date as long as the property is zoned within 90 days of the effective date of the Annexation Ordinance. The Chapter 15 of the Town Code and the Colorado Municipal Annexation Act, C.R.S. § 31-12-101, *et seq.* govern the timeline and process for annexation.

April 6, 2020

1. Open Continuation of Annexation Hearing.
 - a. Adopt Resolution of Eligibility for Annexation under C.R.S. §§ 31-12-104 and 105 and Town Code Sec. 15-1-80.
 - b. Motion to continue Annexation Hearing to May 18, 2020

2. First reading of following ordinances:
 - Annexation Ordinance
 - Annexation Agreement Ordinance
 - Zoning Ordinance

ATTORNEYS & COUNSELORS AT LAW

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 Fax: 303-316-0377

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 Boulder, CO 80303
 Phone: 303-440-9101
 Fax: 303-443-3914

Crested Butte Town Council.
Re: Slate River Annexation
Page 2

May 18, 2020

1. Open Continuation of Annexation Hearing.
 - a. Adopt Annexation Agreement Ordinance on Second Reading
 - b. Adopt Annexation Ordinance on Second Reading
 - c. Approve Zoning Ordinance on Second Reading
 - d. Adopt Resolution re: Subdivision Improvements Agreement
 - e. Close Annexation Hearing

2. Council Convenes as Planning Commission

Council approves the Slate River Subdivision Final Plan and Plat

NOTE: The May 18, 2020 meeting can be continued as necessary to accommodate public input concerns.

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Fax: 303-443-3914



To: Mayor Michel and Town Council
From: Michael Yerman, Community Development Director
Thru: Dara MacDonald, Town Manager
Subject: **Slate River Annexation Public Input Process.**
Date: March 30, 2020

Introduction:

The Slate River Annexation and Final Major Subdivision application was submitted and posted on the Town of Crested Butte website on March 6, 2020. The 30-day Agency referral and public comment period extends until April 6, 2020.

The proposed Annexation and Major Subdivision contains approximately 14.16 acres adjoining the northeast sector of Town and bounded by Gothic Road to the west, Butte Avenue to the south and the Slate River to the east. The proposed Major Subdivision includes nine (9) Town Parcels and one (1) Applicant Retained Tract with six (6) single-family lots.

Public Process Schedule:

The memo from Town Attorney Barbara Green outlines the public process and steps for the approval of the Slate River Annexation, Major Subdivision, and zoning. This memo outlines how the Council could interact and conduct the public hearings on the dates below given the current COVID-19 policies surrounding meetings:

- Monday, April 6, 2020: Continuation of public hearing and first reading of the ordinances with public comment; and
- Monday, May 18, 2020: Public hearing and second reading/adoption of the ordinances with public testimony.

Public Participation:

Continuation of the Public hearing on April 6, 2020: Given the current situation, the continuation of the annexation and the first readings of the Ordinances required for annexation will most likely be conducted via ZOOM which allows the public to comment via the phone. Upon receiving public comment and discussion among Council members, Town Council may set the public hearing date of May 18, 2020 or later depending on the circumstances. By taking action to set the public hearing this will allow formal noticing to occur for the public hearing on the various Ordinances necessary for the processing the Annexation, Subdivision, and Zoning.

How information will be posted to allow for public comment: The Slate River Major Subdivision application, Annexation documents, agency referrals and public comments will be posted on the Town of Crested Butte website and a web-link will be available for any member of the public to access the information. The public may submit written comments, call in or attend the public hearing on May 18, 2020 depending on the status of the COVID-19 situation. Public notices will also be published in the *Crested Butte News*.

May 18, 2020 Public Hearing: The intent is to conduct the public hearing in Town Hall with the citizens in attendance to provide testimony; if conditions do not permit such a meeting, the hearing can be conducted via ZOOM. The public hearings could also be continued until a time that provides for in person meetings. The public will be able to submit their comments in advance of the meeting in writing, email and/or by phone. Any comments received by members of the public will be submitted and acknowledged during the public hearing for the Council to consider.

Council Action:

To direct staff on proceeding with the public hearings and posting of the application as outlined in this memo.



To: Mayor Michel and Town Council
From: Michael Yerman, Community Development Director
Thru: Dara MacDonald, Town Manager
Subject: **Resolution 8, Series 2020- Extension of Certain Vested Rights**
Date: March 30, 2020

Background:

The Town has been approached by several proponents of approved projects to extend their vested rights period that are set to expire at different times in the coming year. The Resolution 7, Series 2020 declared a local emergency and suspended land use applications including the issuance of building permits. Given the likely economic situation surrounding building and development in the coming months, the staff is recommending that the vesting period for those properties with vested rights expiring on or before May 1, 2021 for which building permits have not been issued be extended until December 30, 2021.

The properties that will receive an extension are the following:

- 228 White Rock - Biggers demolition of a SFR and construction of a duplex.
- 403 Sopris - Bishop of Pueblo - PUD amendment to construct a rectory and charity pantry.
- Block 1, Lots 1-5, 28-32; and Block 12 Lots 1-5, 28-32 - Sixth Street Station LLC, PUD for the Crested Butte Hotel.
- 624 Maroon - Edward Miller for the demolition of a SFR and construction of three SFR and accessory structures.
- 8 Teocalli Avenue - Castillo – partial demolition and new addition to the SFR.

Resolution 8, Series 2020 will extend the vested rights period for the projects listed above until December 2021 and require that the vested rights notices be republished in the paper.

Recommended Motion:

A Council member followed by a second make a motion to approve Resolution 8, Series 2020 for the extension of vested rights for certain properties.

**RESOLUTION NO. 8
SERIES 2020**

**A RESOLUTION OF THE CRESTED BUTTE TOWN COUNCIL EXTENDING THE
VESTING PERIOD OF CERTAIN VESTED RIGHTS FOR DEVELOPMENT OF
PROPERTY WITHIN THE TOWN OF CRESTED BUTTE**

WHEREAS, there are properties within the municipal boundaries of the Town of Crested Butte with vested rights for site-specific development plans expiring on or before May 1, 2021 and for which building permits have not yet been issued; and

WHEREAS, the COVID-19 pandemic ("COVID-19") has disrupted the local economy and caused delays preventing the timely development of these properties; and

WHEREAS, the Town Council wishes to extend the vesting period for these properties.

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

1. The vesting period for those properties with vested rights expiring on or before May 1, 2021 for which building permits have not been issued as of the date of this Resolution is hereby extended until December 30, 2021.
2. The Town Manager is hereby directed to send a Notice Extending the Vesting Period ("Notice") to the affected properties and publish the Notice as required by C.R.S. § 24-68-103 as soon as possible.

INTRODUCED, READ, AND ADOPTED BY THE TOWN COUNCIL THIS ____ DAY OF March, 2020.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
James A. Schmidt, Mayor

ATTEST:

Lynelle Stanford, Town Clerk