



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

Town Council Values

- *Preserve our high quality of Life*
- *Resource Efficiency/ Environmental Stewardship*
- *Support a sustainable and healthy business climate*
- *Maintain a "real" community*
- *Fiscally Responsible*
- *Historic Core*

AGENDA

Town of Crested Butte

Regular Town Council Meeting

Tuesday, August 2, 2016
Council Chambers, Crested Butte Town Hall

6:00 WORK SESSION

Update on Affordable Housing Projects and Priorities.

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

7:02 APPROVAL OF AGENDA

7:04 CONSENT AGENDA

- 1) July 18, 2016 Regular Town Council Meeting Minutes.
- 2) Big Mountain Enduro Proposed for August 31 to September 4, 2016 at the Town Gravel Pit Area.
- 3) Resolution No. 16, Series 2016 - Resolutions of the Crested Butte Town Council Approving the Lease Agreement with the Center for the Arts for 620 Second Street, AKA Big Mine Warming House.
- 4) Resolution No. 22, Series 2016 - Resolutions of the Crested Butte Town Council Approving the Contract with Gunnison Valley Hockey Association for the 2016/2017 Winter Season at Big Mine Ice Arena.

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.

7:15 STAFF UPDATES

7:30 NEW BUSINESS

- 1) Presentation and Possible Request for Support by Kari Commerford, Director of Gunnison County Substance Abuse Prevention Project (GCSAPP), on Healthy Youth Development.

7:40 2) Ordinance No. 5, Series 2016 - An Ordinance of the Crested Butte Town Council Amending Chapter 7 of the Crested Butte Municipal Code to Add a New Article 6 Prohibiting the Use of Disposable Plastic Bags and Mandating Certain Standards for the Use of Paper Bags.

8:10 3) Ordinance No. 6, Series 2016 - An Ordinance of the Crested Butte Town Council Imposing a Temporary Moratorium on the Issuance of a Business Occupation Tax License to any Business Renting or Leasing Residential Units for a Term of 30 Days or Less.

9:00 LEGAL MATTERS

9:10 COUNCIL REPORTS AND COMMITTEE UPDATES

9:20 OTHER BUSINESS TO COME BEFORE THE COUNCIL

9:30 DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, August 15, 2016 - 6:00PM Work Session - 7:00PM Regular Council
- Tuesday, September 6, 2016 - 6:00PM Work Session - 7:00PM Regular Council

- Monday, September 19, 2016 - 6:00PM Work Session - 7:00PM Regular Council

9:35 EXECUTIVE SESSION

For the purposes 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 the Memorandum of Understanding for Mt. Emmons and Discussions with Cypress Foothills, LP

10:30 ADJOURNMENT



To: Mayor Michel and Town Council
From: Michael Yerman, Director of Planning
Thru: Bill Crank, Town Manager
Subject: **Affordable Housing Projects 2016-2017 Work Session**
Date: August 2, 2016

Update:

The Town Staff and the Housing Authority have been busy this summer working on several different Affordable Housing Projects. Also as we quickly approach the upcoming budget season, the staff needs direction on several prospective projects that are in que for next year.

There are several current projects the Town Staff will update the Town Council on during the work session. These include the following:

1. The completion of Infrastructure in Block 79 and 80
2. Lot Sales Block 79 and 80
3. BOZAR Review of Single-Family Homes
4. 2016 Gunnison Valley Needs Assessment
5. Leasing of Anthracite Place
6. Designing for Housing Authority Builds for Block 79 and 80
7. Planning for Avalanche Park (Possible Summer Work Force Campground)
8. Enforcement of Restrictive Covenants on ADUs

There a several projects lined up for next year that the Staff is preparing for 2017. Staff will need direction from the Council on whether to pursue these projects in 2017. These include the following:

1. Community School Design/Build Lot 8 Block 79
2. Scattered-site Development (Housing Authority) 2 Duplexes and 1 Triplex in Town
3. Space to Create Application due January 2017
4. Private/Public Development Partnership Block 76

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, July 18, 2016
Council Chambers, Crested Butte Town Hall

Mayor Michel called the meeting to order at 7:06 PM.

Council Members Present: Jim Schmidt, Erika Vohman, Chris Ladoulis, Roland Mason, Laura Mitchell, and Paul Merck

Staff Present: Interim Town Manager Bill Crank and Town Planner Michael Yerman

Deputy Clerk Betty Warren, Town Attorney John Belkin, Building and Zoning Director Bob Gillie, Parks and Recreation Director Janna Hansen, and Finance Director Lois Rozman (all for part of the meeting)

APPROVAL OF THE AGENDA

Belkin contacted the Council and indicated he was en route to the meeting but delayed. He would not be at the meeting until 10:00 pm.

Schmidt moved and Merck seconded a motion to approve the agenda with Belkin's changes for executive session, if he arrives.

A roll call vote was taken with all voting, "Yes". **Motion passed unanimously.**

CONSENT AGENDA

1) July 5, 2016 Regular Town Council Meeting Minutes.

2) Resolution No. 21, Series 2016 - Resolutions of the Crested Butte Town Council Approving the Amended and Restated Restrictive Covenant Agreement for 310 Second Street, Crested Butte.

Merck moved and Mitchell seconded a motion to approve the Consent Agenda.

A roll call vote was taken with all voting, "Yes". **Motion passed unanimously.**

PUBLIC COMMENT

Jamie and Sasa Watt: Reported to live at 620 Gothic

- Explained their understanding of requirements and the difference between vending carts and vending booths related to their location in Town.
- Town Code indicated private property owners allow vending carts only.
- For their purposes, the Watts needed to set up a booth on private property and do not need a cart.

- The designated spots for carts were taken.
- Their requirement was a pop-up tent with table and banner.

Michel said a discussion related to this topic had taken place a few years ago and to allow Crank to look into the issue. Crank suggested a motion to move this discussion to Other Business.

Mason moved and Merck seconded a motion to move the discussion to Other Business to have staff look into this. **Motion passed.**

Maddie Rehn: Project Director for The Mountain Pact

- Distributed a handout for The Mountain Pact.
- Reported on mountain communities addressing climate change, and how her organization worked to reduce carbon emissions, improve economic growth, and preserve natural landscapes.
- The handout included a letter commending the Department of the Interior and Office of Natural Resources Revenue for the proposed reform to the valuation of coal leased from federal lands.
- Asked the Council to sign on to the letter in the handout and to provide a point of contact from the Council.

Michel indicated that it would be premature to sign without review of the handout. Crank will look at the handout and concept and respond to Rehn.

STAFF UPDATES

Bob Gillie

- New concept plan for 6th Street Station progressing and no zoning changes.
- Working on floors currently at the Depot and winding up the project.
- There would be a public hearing on the Center for the Arts this Thursday at 6:00 p.m. He was hoping to get input from public.

Janna Hansen

- Tennis court resurfacing was completed.
- Big Mine Park project was moving along, and work to begin mid-August.
- Bike park material coming over from Blocks 79/80 to the location of the new bike park by the gravel pit. There would be a meeting this Wednesday at 2:00 p.m. for the new bike park.
- Planning to include new staff shirts in the 2017 budget.

Tom Martin

- Thanked Council for their support on personnel matters. He said that Mike Reily was a great choice to replace him in October.
- Hiring process for a new Deputy Marshal completed, and John Chandler to start the Academy in August for four months of training.

Bill Crank

- Related to the Meadows Condominiums, materials for the job were \$1,000. Parks and Recreation crews installed the pipe, built walkways and placed rocks around the area. Residents were happy with the results.
- The planning commission met to discuss conditions to approve Foxtrot per the wastewater treatment matter. The County was still setting standards to connect to Crested Butte's system. No work had been done about the 201 Agreement.
- Close to finalizing with Kapushion Development Improvement Project and might have complete agreement as soon as tomorrow.
- There will be a hearing next month on LD Ranch, which was a 17 lot light and heavy industrial project just south of Riverland.
- Request was made by Town to Vinotok organizers to have application submitted by July 22, 2016.

PUBLIC HEARING

1) Ordinance No. 4, Series 2016 - An Ordinance of the Crested Butte Town Council Amending Chapter 7 of the Crested Butte Municipal Code to Add a New Article 6 Prohibiting the Use of Disposable Plastic Bags and Mandating Certain Standards and a Fee for the Use of Paper Bags.

Michel confirmed with Warren that proper public notice had been given.

Crank said that he, Rozman, and Belkin met to re-work Ordinance No. 4, with what they heard from Council. It was substantially different from the wording as discussed in the July 5th meeting. The bag fee was reduced to \$.10, 7,500 square feet was used to define large scale retail (businesses under 7,499 square feet would not charge a bag fee), and a phase-in period of 2 years was included. The previous ordinance required that, of the \$.10 fee, \$.05 would go to Town and \$.05 would go to the retailer. Rozman and Crank agreed that the entire \$.10 should go to the retailer. Clark's Market was the only business impacted, as they had 12,000 square feet. Schmidt stated that he felt Town should not be included and was surprised to see that initial verbiage. He said it did not make sense moneywise. Ladoulis asked, with the collection of fees, if a municipality could assess a fee and not collect it.

Michel opened the discussion to public comment.

Megan Mile: From San Francisco-Reported that her brother lived at 711 Red Lady

- Stated that San Francisco collected \$.10 that went directly to the store.
- Most of the businesses had no problem and felt they were not losing business.
- 70% of tourists were not bothered by the fee for bags.
- Crested Butte could be an example to other larger communities.

Arvan Ramgoolam: Owner of Townie Books and Rumors-724 Teocalli

- Member of the business and environmental communities and believed Crested Butte should adopt the Telluride ordinance.

Gabi Prochaska: Reported to live at 120 Maroon

- Stated that Telluride started the bag discussion 7 years ago, passed an ordinance 5 years ago, and it worked well for 5 years. She would like to see an improvement on the Telluride ordinance for Crested Butte.
- The idea was not to penalize business or locals but to change behavior.
- Crested Butte could be the model and go one step further by increasing the fee to \$.20.
- Stated that all retailers should be included instead of just large retailers.
- Believed that Crested Butte could be the example going forward.

Benjamin Swift: 169 Slate River Drive

Distributed a handout with plastic and paper bag facts and information on their petition.

- Said he was happy the ordinance was being considered, but felt it needed more change.
- Tourists would not go to Gunnison because Crested Butte had a fee for paper bags.
- Referred to the online petition where 350 people signed with their support of the bag ban.
- Expand to all businesses, not just large commercial.
- Bag ban should change behavior for Town and tourists.
- The bag ban had not been an impediment to business tourists in Town.
- Reported on “BAG IT” movie showing.
- Stated that Clark’s and True Value were on board.
- The ordinance “as is” would just be window dressing. He encouraged Council to make a significant move and step up.
- Said all retailers should comply with a \$.20 fee for paper, and retailers should keep all proceeds.

Dan Escalante: 414 1st Street

- Stated that, in the future, people might look back at plastic bags as harmful, and that Crested Butte needed to do this because it was what should be done.
- Crested Butte should take care of our back country, set an example for folks going through Town, and show that Town cares about the big picture.

Travis Underwood: Owner of Chopwood Mercantile

- Said he supported the ban.
- Reported that Chopwood used recycled paper bags.
- Asked if the ordinance was going to change behavior even for \$.10-\$.20.
- Asked if it was appropriate for Town to be involved.

Jana Oslund: Owner of Elk in an Apron-Reported to live on Slate River Drive

- Said that taking away a plastic bag doesn’t change behavior and suggested there are other options along Elk Ave to include recycling receptacles, etc.
- Stated that Elk in an Apron used 100% recyclable bags.

- She suggested shopping bags from businesses were used by tourists and kept as souvenirs.
- Bags on Elk Avenue were being re-used in her experience.
- Stated that she was in favor of doing what was right for Crested Butte. It was hard to be in retail, and to add one more thing administratively was difficult.

Michel closed the public comment and opened it to Council discussion.

Vohman and Merck were on the Bag Subcommittee, and said the lines got crossed related to the lead time beginning immediately. Vohman said the fee should be \$.20 to offset the cost of new bags, the fee should be for all businesses, and the money collected should stay with retailers. Merck agreed that all retailers should comply, and that whether it was a bag ban, included paper, and required a fee to be collected, the money should go to the retailers. He praised Benjamin Swift on his work and presentation and agreed that Clark's and True Value were in favor of the ban. Merck also stated that he wanted to listen to the comments of Council to determine his final decision. Michel identified the four issues to be decided which were (1) ban plastic, (2) ban paper, (3) collect a fee, and (4) determine the square footage requirement of the businesses to be included. Schmidt said he would not vote for this ordinance, if the Town collected any money. He was not sure if this should apply to all businesses and wanted to wait to hear the comments of others. Mitchell suggested that smaller retailers could be placed on an honor system, but that might not work effectively. She wanted to go forward with the bag ban, but said there were items purchased such as donuts or broccoli where a bag was needed to transport them. She stated that paper bags were fine, and that all retailers should comply. Mason reiterated the question Ladoulis asked earlier in the meeting concerning whether the Town could impose a fee and not collect it. Ladoulis said the fee was acceptable, whether it covered costs or not. He stated that there was an administrative burden, even though the fee did not come back to Town. The Town would incur administrative costs. He said that \$.10 minimum for paper bags at large (7,500 +square feet) establishments, and a two year phase-in period would be acceptable. Ladoulis supported the \$.10 fee, and the bag ban. Schmidt suggested a voluntary fee of \$.20 per bag, and Michel said the fee should be no less than \$.20 cents. Michel said that the Council needed to identify the true goal of the ordinance. He said that Town lags in recycling and there was huge jobsite waste, so there might be better things to target at this time. Council represented the Town, and this ordinance would place a large burden on businesses via taxes. He indicated it was hard to do business in Crested Butte, especially when adding more to the point of transaction. He did not want to impose more on the business owner with the power of government. He suggested Town could pass an ordinance to ban plastic bags and place the fee for paper bags on large retailers. Michel polled the Council. He asked if the Council agreed with the plastic bag ban. No one on the Council voiced disagreement with the plastic bag ban. Next, he asked about the fee. Vohman wanted a \$.20 fee for all retailers. Ladoulis felt it was too high. The Council all agreed the fee should be retained by retailers, and the phase-in time of two years was acceptable. The Council discussed a possible motion to include banning plastic bags, and that all retailers would charge a \$.20 fee that they would retain. There would be a 2 year phase-in period, and they discussed striking the square footage requirement.

Merck moved to enact Ordinance No. 4, Series 2016 as amended.

Vohman moved and Mitchell seconded a motion to increase the fee to \$.20 on paper bags. A roll call vote was taken with all voting, “Yes”. Ladoulis voted, “No”. **Motion passed.**

A member of the public told the Council they could not do a more restrictive ordinance without public notice. Schmidt agreed and said they needed to set this for another public hearing. He wanted to direct staff to create a new ordinance.

Ladoulis moved and Mason seconded a motion to approve the ordinance as proposed, but without Town collecting the fee. A roll call vote was taken with Ladoulis, Mason, and Michel voting, “Yes”, and Merck, Mitchell, Vohman, and Schmidt voting, “No”. **Motion failed.**

NEW BUSINESS

1) Discussion and Possible Direction from Council Regarding Classification and Rule Set for Mobile Housing Units Pertaining to the Wheeled Unit Located at 29 Gothic Avenue.

Gillie described the situation (on approximately June 22, 2016) where Dan Escalante moved a wheeled vehicle to his parents’ back yard at 29 Gothic Avenue. The trailer appeared to be unfinished, under construction, and was not being lived in at that time. Neighbors had opposed this building project, and indicated that it did not comply with Town policies to control density through zoning and permitting. They said it was not consistent with aesthetics via design review. The neighbors’ concern was that it would negatively impact their property values. Gillie explained the existing rule set and said that there was not a rule specifically for a wheeled residence other than at a mobile home park. There was a rule set for “Transient Mobile Homes” and smaller accessory dwellings on the same lot as a primary dwelling. Gillie reviewed the current rule set and defined transient mobile home. It would either be an accessory dwelling or transient mobile home. The building inspector determined that it could not have been an accessory dwelling, but did declare it a transient mobile home. He stated that requirements for designation as an accessory dwelling were to have at least 400 square feet, and the dwelling would be subject to building, design, and sanitary codes. Neighbors would have the opportunity to comment on the home via the public hearing process. He reported on licensing and said that Colorado Revised Statutes required vehicles that were driven, pulled, or parked had to be registered with the Department of Motor Vehicles. Trailers were subject to the necessity of brake lights, turn signals, length restrictions, weight, etc. A trooper must inspect homemade trailers and issue a seal to the owner, after which the owner would take the trailer to the DMV in order to register it. There was a discussion related to the wheeled vehicle at 29 Gothic. Issues addressed were that the unit was not finished, and no one had lived there to this point. The unit had not been tagged or registered with the DMV. It was not within the required setbacks on the property.

Escalante stated that he was working on the unit and building a tiny home to provide a new housing option in Town. He said that he wanted to live there full-time when the project was completed. He described the layout and suggested he would place a composting toilet in the unit. He indicated that his work on the home was not noisy. Michel said that living in the unit full-time would require the ability to sleep and live for periods of time. He said this should be classified now as a “transient mobile home”. Merck spoke about the population density issue and said for Escalante to work on it somewhere other than where it was bothering neighbors.

Michel accepted public comment.

Jerry Lund: 32 Teocalli

- Described the wheeled unit at 29 Gothic as a shanty and health hazard.
- Suggested that the owner had no authority and no permission from Town.
- Called for enforcement of Town zoning codes. Lund said he honored the strictness of zoning codes and was proud of the community.
- Said it was architecturally inappropriate for Crested Butte.
- If Town wanted tiny houses, then Town should provide a location for those to be placed.
- Spoke about the visual aspects and that the unit was not recreational, not licensed, and did not apply to the provisions of low density and customary use.
- Suggested that Town did not allow stick built homes, so why would trailers be allowed.
- He stated that this was a blatant violation, that it was being manufactured on the lot in the R1 zone, and was not a recreational vehicle until licensed and roadworthy.
- He said to please address affordable housing in Crested Butte.
- Town should not allow this and should enforce the law, because the law is very clear.

Gil Friedlander: 17 Gothic

- Has owned a house for over 20 years, and said he built a second house from scratch.
- When he built, he was subject to strict requirements from BOZAR.
- He appreciated rules and laws, as they allow the community to not be chaotic.
- He stated that he invested in a home but also the neighborhood, and he wanted to keep it a nice neighborhood.
- Council was required to enforce rules and abide by laws. He stated that Council should enforce the rules.
- Town had to have jurisdiction, maintain historical integrity, and protect property values. This unit should be licensed or removed.

Nina Kingsdale:

- Seconded the comments made and referenced the violation of zoning codes, as this was manufactured.

- Since the unit was being manufactured and not being repaired, the noise was an issue.
- Asked who enforced this issue, and Michel said it was up to the neighbors through complaints. She asked who would receive the complaints, and Michel said complaints would go to Tom Martin.

John O'Neal: 416 Gothic

- Reported that Tumbleweed Homes in Colorado Springs and Sprout Tiny Homes were building tiny houses to test viability.
- He said they were a viable option as a dwelling.
- Asked for research through Council to see how this might work and said to find a place for it.
- Michel said Council was not banning tiny houses, but this was considered a transient mobile home.

Joanie Lund: 30 Teocalli

- Stated her home was on the Wildflower Tour because of the beauty of her yard.
- She said this was a residential area, but the transient mobile home was not residential.
- Objected to the possibility of toilet sewage smell and indicated that everyone else had plumbing.
- Town should have the creativity to find places for these units to be zoned.
- This unit needed to be moved as quickly as it could happen.

Beth Goldstone: Purchased in Blocks 79/80

- Suggested many people were looking for affordable housing.
- The community should go and look at 29 Gothic, as she believed it looked like an accessory dwelling. She also stated that it looked like the neighborhood and fit in well.

Donny Davol: 712 Gothic

- Council should find places for these tiny houses.
- Said he hoped it could work for everyone.

Merck said that Escalante and Town were looking for a solution to housing issues, but currently this was in violation of Town Code. Mason suggested the Affordable Housing Committee should look into it. He asked Escalante if he registered the unit, and if he had another place to put it and work on it. Escalante stated that that was doable. Mitchell said that RV tags were good for 14 days, but this was not a reasonable or appropriate place to live behind his parents' property. Neighbors were definitely unhappy. She said to tag the unit and follow the rules. Schmidt did not want to see the Town become an RV area. RV parks in Riverland and north of Riverland were more appropriate locations, especially when the unit was being manufactured. Vohman asked if Escalante was in violation of the Code. She said his parents who own the lot were agreeable to the unit parked in the back yard. She believed Escalante was not in violation. Michel reiterated that Gillie had explained the existing Code and directed staff to enforce the Code in this

situation. Michel accepted the building department official's determination that this was a transient mobile home. Ladoulis said the property owner was in violation and to enforce what Town had in place. He said he appreciated Escalante's mission and hoped he could find another place for the house. Belkin said Council had made a decision on zoning, and it was time to move this to Crank, Gillie, and Martin. He said to get the unit tagged and moved. Discussion ensued about asking the Affordable Housing Committee to create new space for these tiny houses, and all felt there was already too much on the plate of that Committee and Council. Council directed staff to entertain this issue with the new Town Manager.

2) Discussion and Possible Action Regarding the Process for Hiring Town Manager Position.

Rozman reported that Town had received 55 applications for the Town Manager position. 25 were Colorado residents, 5 Crested Butte residents, and 4 in progress (probably not to be included). She asked for quick decisions on 5 items for discussion and decisions from the Council:

- 1.) Did Council want a recorded candidate interview for the top 10 candidates. Rozman made the recommendation to include the recorded candidate interview, and said this would not incur extra cost to the search. All – “Yes”
- 2.) Decide who would be involved in arriving at final candidates. Should it be the entire Council. All – “Yes”
- 3.) Schedule a date with Council and Chuck Rohre for August 3, 4, or 5, 2016. Rohre will come on-site to work on applications and determine finalists. Council agreed to Thursday, August 4, 2016.
- 4.) Decide finalist onsite interviews and that 2 days would be needed. Council scheduled August 17-18, 2016.
- 5.) What involvement did Council want to see from staff, general public, peer review panel from town managers. Council agreed “Yes” to staff, “Yes” to general public meet and greet, and “Yes” to managers panel.

LEGAL MATTERS

Belkin spoke about the issue of people purchasing two or more condominiums and making them into a single unit. The concern was that this practice would limit the number of affordable units. Council directed staff to research a method to prohibit this in an effort to get ahead of the trend faced by Telluride. Belkin will gather information and report to the Council.

COUNCIL REPORTS UPDATES AND COMMITTEE UPDATES

Jim Schmidt

- The Creative District Committee met and sent out requests for design of a bench on Lupine Trail.

- Housing Needs Assessment Committee met, and surveys were coming out - one was for employees and the other employers. He urged people to fill out the survey to establish housing needs.
- Anthracite Open House was scheduled for this Friday from 3:00-5:00 p.m. He indicated that, of the 30 units, 16 had been approved, 9 not eligible because income was too high, and 25 applications were pending.

Paul Merck

- Was named the Vice President of Coldharbour.

Roland Mason

- Attended RTA meeting, and they discussed GPS locator apps.
- Reported that summer flights out of Houston were tracking well. They were above last year and increased seats by 40%.
- Mountain Express meeting would be on Thursday.
- Attended 4-Way stop bathroom meeting.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

Sasa Watt explained the issue of vending carts vs vending booths and was inquiring about the specific spots where booths and carts were allowed. Her understanding was that private property permission required the vendor to have a cart, which had different rules and incurred greater expense to the vendor.

Mason suggested looking into the ordinance to see what it said related to carts and booths. Belkin indicated this discussion had taken place in past years. The issue had two questions to answer, 1) the addition of booths in the verbiage, or 2) why that would not be allowed. Michel said this was not a simple discussion but that Stanford, Crank, and Belkin would look into it.

Merck reported that a woman who lived and worked in Crested Butte said the restrooms at the fire station and 4-Way were locked frequently. Yerman stated that Dale Hoots had installed timed locks, but that he would follow up with Hoots.

Vohman reported that Delta Forest Service had property in the Maroon Bells Wilderness for \$500,000, which could be swapped for 35 acres near the Town of Crested Butte. She asked if Council had interest in exploring that option. Town staff will look into it.

Mitchell reported on a state sign that had fallen at 6th Street, which said to yield in crosswalks in the vicinity of Anthracite Place. As Anthracite Place opened up, this could create a hazard. She asked what the cost would be for a flashing sign at the crosswalk, and if that was a possibility. Yerman said he had been involved with projects for flashing signs in Buena Vista, and that it would not be cheap. He said he would contact CDOT to inquire about cost and process.

Michel addressed Vohman and stated that Council members must adhere to the Colorado Open Meetings law which prohibited one member from sending email to all 7 Council members. He said Vohman must be respectful and refrain from emailing all Council members in the future. Vohman stated that she would refrain from sending group emails to all Council members. Merck suggested that Vohman meet with the Town Manager and Town Attorney for an explanation of rules. Schmidt seconded the concern.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- *Tuesday*, August 2, 2016 - 6:00PM Work Session - 7:00PM Regular Council
- *Monday*, August 15, 2016 - 6:00PM Work Session - 7:00PM Regular Council
- *Tuesday*, September 6, 2016 - 6:00PM Work Session - 7:00PM Regular Council

EXECUTIVE SESSIONS

Belkin asked to strike item #2 from Executive Session.

Schmidt moved and Merck seconded a motion to go into Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b). A roll call vote was taken with all voting, "Yes". **Motion passed unanimously.**

The Council went into Executive Session at 10:45 PM. They returned to open meeting at 11:28 PM. Mayor Michel made the required announcement before returning to open meeting.

ADJOURNMENT

Mayor Michel adjourned the meeting at 11:29 PM.

Glenn Michel, Mayor

Betty Warren, Deputy Town Clerk (SEAL)



Staff Report

August 2, 2016

To: Mayor and Town Council
Thru: Bill Crank, Interim Town Manager
From: Lynelle Stanford, Town Clerk
Subject: **Big Mountain Enduro Special Event Application and Special Event Liquor Permit**
Date: July 8, 2016

Summary:

Brandon Ontiveros and Mike Day are the event organizers for Big Mountain Enduro. The Big Mountain Enduro is a three day enduro mountain bike race, primarily taking place outside of Town, on Forest Service land. The event headquarters and sponsor village are proposed to take place at the gravel pit behind the school. Load in would begin on Wednesday, August 31 at 7AM, and load out would be completed by Noon on Monday, September 5.

A beer garden has been proposed for a portion of the event area. The event organizers would have security personnel positioned at every entrance and exit to check IDs and to prohibit the entry and exit of alcoholic beverages. The plans for porta potties, trash, and recycling are included in the application.

Recommendation:

To approve the special event application and special event liquor permit for Big Mountain Enduro as part of the Consent Agenda.

TOWN OF CRESTED BUTTE SPECIAL EVENT APPLICATION



- A **complete** application must be submitted a **minimum** of forty-five (45) days prior to your event. A **complete** application includes all **fees** and **deposits**.
- Incomplete applications will not be accepted.
- A \$100 late fee will be charged for late applications and no applications will be accepted less than ten (10) business days prior to an event.
- In addition to the application fee and a special event permit fee, a clean-up deposit may be charged depending on the size and scale of the event (see special event fee schedule for details).
- All special events require a minimum of \$1,000,000 in general commercial liability insurance naming the Town of Crested Butte as an additional insured. If you have reserved the Big Mine Ice Arena for more than 299 people you will also need to add the Crested Butte Fire Protection District as an additional insured.
- Additional application fees are required for a Special Event Liquor License.
- Please print clearly and **legibly**
- Block parties must comply with the Block Party Policies and are not Special Events. Contact the Clerk's Office for more information.

Name of Event: Big Mountain Enduro

Date(s) of Event: Aug. 31st - Sept. 4th, 2016 (load in starts on 31st)

Name of Organization Holding the Event ("Permittee"): Big Mountain Enduro, LLC
 Note: The permittee of an event must be the same as the named insured on the insurance binder.

Name of Event Organizer: Brandon Outiveros

Phone: 303-551-4813 Cell Phone: _____

E-Mail: brandon@bigmountainenduro.com Fax Number: _____

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

Phone: 508-243-5099 Cell Phone: _____ E-Mail: mike@bigmountainenduro.com

Mailing Address of Organization Holding the Event: PO Box 3728
Crested Butte, CO 81224

Email Address of Organization: _____ Phone Number: _____

Detailed Event Description: Please attach an event schedule if applicable Event Schedule Attached
A 3-day Enduro mountain bike race primarily taking place on USFS land.
Event HQ and vendor village will take place at gravel pit. Load in
Wednesday, Aug. 31st and load out Sunday, Sept. 4th (Final clean up
sweep on Monday, Sept. 5th by noon).

Event Location: (Attach map showing location of event; Also attach 8 1/2" X 11" diagram detailing the event showing tents, vendors, security, toilets, tables, signage, fencing, booths, ingress and egress, stage, etc):

Map Attached Showing Location of Event Diagram Attached Detailing Event

Event Time (start time of scheduled event to end time of scheduled event): Aug. 31st - Sept. 4th (7am-9pm)
Total Time (including set-up, scheduled event, break-down & clean-up): Aug. 31st - Sept. 5th, 2016 (12pm)
Expected Numbers: Participants: 300-400 Spectators: 500

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.

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

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 and 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 (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 is Attached? Yes / No

If No, Why Not: _____

Will There Be Amplified Sound at This Event? Yes / No

If Yes, Describe: PA systems for event encee to music; Sept. 1st-4th

Note: If there will be amplified sound during your event then the rules and requirements of Crested Butte Municipal Code Section 10-9-50 must be followed. Upon completion and submission of this application the Town will provide you with additional information, including details on how to comply with the neighborhood notification process that you will be required to follow.

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: WJC

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 Diane at the Front Desk of Town Hall.

How much trash do you anticipate generating at the event? Moderate amount

What recyclable products will be generated at the event? cans, paper, cardboard, some plastic

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 a waste company contact the Clerk's Office at 349-5338 or look on the special event section of the Town's website at www.townofcrestedbutte.com for details on the two different waste companies that serve Crested Butte and the scope of their services. Be creative and detailed in you plan. Please note that any event application without a detailed recycling and refuse plan will not be accepted as a complete application:

BME will provide recycling to trash cans throughout permitted area. We will also work with Waste Management to pick up all trash/recycling daily. We aim to leave a zero carbon footprint to ensure permitted zone is sufficiently cleaned up.

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

BME will provide/staff each day with security in place. This will be mix of contractors and liquor security to monitor beer garden and entrance to exits.

Describe Plan for Parking: The only parking allowed on permitted area will be for BME staff & vendor/sponsor vehicles. Most trailers & mobile set-ups will be located within event HQ area, outlined in attached map.

Describe Plan for Portable Toilets and/or Restrooms: 4-6 total toilets will be used within vendor village & event HQ.

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): _____

Will Your Event Require Any Road Closures? Yes / No

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

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

If Yes, Explain Impact: _____

Will Your Event Affect Any Handicap Parking Spaces? Yes / No

If yes then you must work with the Marshal's Department to create a temporary handicap parking space/s for the duration of your event.

Describe Plan for Notifying Businesses and Neighbors Impacted by Your Event:

BME will contact & meet with all affected business owners & homes to ensure they're aware of & approve of the event. This schedule will also be posted on local websites & event calendars to inform the entire community of CB.

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, etceteras) 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

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. Town of Crested Butte Sales Tax Application is Attached.

If Approved Would You Like Town Staff To Post The Event On The Gunnison-Crested Butte Online Community Calendar (this service is free of charge)? (Yes) / No

If yes, please write two sentences below describing the event in the exact wording it ²⁰¹¹ will appear on the calendar: The ~~2011~~ BME Crested Butte stop will host as the Finals, bringing in top riders from around the world competing in one of the largest mountain bike events in North America.

Contact Name & Phone Number for the Calendar: Brandon Outiveros 303-551-4813

Event Fee for the Calendar: _____ Website for More Info: www.bigmountainenduro.com

Additional Applicant Comments: _____

Please Review Carefully:

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/Idemnitor") hereby acknowledge and agree to the following: (i) Releasor/Idemnitor assume all risk of injury, loss or damage to Releasor/Idemnitor, 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/Idemnitor 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/Idemnitor 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. In 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

Brandon Outiveros / Brandon Outiveros
Print Name Clearly / Signature of Applicant (Permittee)

3/9/14
Date

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Big Mountain Enduro LLC

is a

Limited Liability Company

formed or registered on 10/16/2012 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 20121571101 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/17/2016 that have been posted, and by documents delivered to this office electronically through 06/20/2016 @ 16:27:08 .

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 06/20/2016 @ 16:27:08 in accordance with applicable law. This certificate is assigned Confirmation Number 9704781 .



A handwritten signature in cursive script that reads "Wayne W. Williams".

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."

PAID 7-26-16

DR 8439 (06/28/06)
COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
1375 SHERMAN STREET
DENVER CO 80261
(303) 205-2300

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- SOCIAL
- ATHLETIC
- PHILANTHROPIC INSTITUTION
- FRATERNAL
- CHARTERED BRANCH, LODGE OR CHAPTER
- POLITICAL CANDIDATE
- PATRIOTIC
- OF A NATIONAL ORGANIZATION OR SOCIETY
- MUNICIPALITY OWNING ARTS FACILITIES
- POLITICAL
- RELIGIOUS INSTITUTION

LIAB	TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:
2110	<input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY
2170	<input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE
LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE
CRESTED BUTTE / MT CRESTED BUTTE CHAMBER OF COMMERCE State Sales Tax Number (Required) 523864

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP)
PO Box 1288
Crested Butte, CO 81224

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP)
Crested Butte Gravel Pit
Deli Trail to Gravel Pit Road
CRESTED BUTTE, CO 81224

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE <u>Nick Sanni</u>	<u>2/3/77</u>	<u>414 N. Spruce, Grafton, CO</u>	<u>970 269-2219</u>
5. EVENT MANAGER <u>Brandon Outiveros</u>	<u>9/10/79</u>	<u>PO Box 3728</u> <u>Crested Butte, CO 81224</u>	<u>303 551-4813</u>

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?
 NO YES HOW MANY DAYS? 5

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?
 NO YES TO WHOM? _____

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? Yes No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	Date	Date	Date
Date <u>9/1/16</u>	Date <u>9/2/16</u>	Date <u>9/3/16</u>	Date <u>9/4/16</u>
Hours From <u>12</u> .m. To <u>8</u> .m.	Hours From <u>12</u> .m. To <u>8</u> .m.	Hours From <u>12</u> .m. To <u>8</u> .m.	Hours From <u>12</u> .m. To <u>9</u> .m.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE [Signature] TITLE President DATE 4/5/16

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY) TOWN OF CRESTED BUTTE CITY COUNTY TELEPHONE NUMBER OF CITY/COUNTY CLERK (970) 349-5338

SIGNATURE _____ TITLE _____ DATE _____

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION

License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$

(Instructions on Reverse Side)

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Crested Butte / Mt. Crested Butte Chamber of Commerce

is a

Nonprofit Corporation

formed or registered on 12/29/1980 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 19871420932 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 07/22/2016 that have been posted, and by documents delivered to this office electronically through 07/25/2016 @ 17:47:09 .

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 07/25/2016 @ 17:47:09 in accordance with applicable law. This certificate is assigned Confirmation Number 9756323 .



A handwritten signature in cursive script that reads 'Wayne W. Williams'.

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."

**BME Crested Butte 2016 - -
August 31st - September 5th**

Schedule of Events

Wednesday, August 31st

7am - 9pm

Initial load in and set up

Thursday, September 1st

7am - 9pm

Load in and set up

Rider's Meeting

Friday, September 2nd

7am - 9pm

Race Day 1

Beer Garden & Fest

Saturday, September 3rd

7am - 9pm

Race Day 2

Beer Garden & Fest

Sunday, September 4th

7am - 9pm

Race Day 3/Finals

Beer Garden & Fest

Awards & Post Party

BME Breakdown

Monday, September 5th

6am - 12pm

Final Clean Up & Load Out

BME Crested Butte Finals

- Sept. 2nd-4th (race Days)

- Aug. 31st & Sept. 1st (load in)

Entry/Exit
Security Check

Shuttle
Zone

BME
Parking

Sponsors
& Vendors

Medical

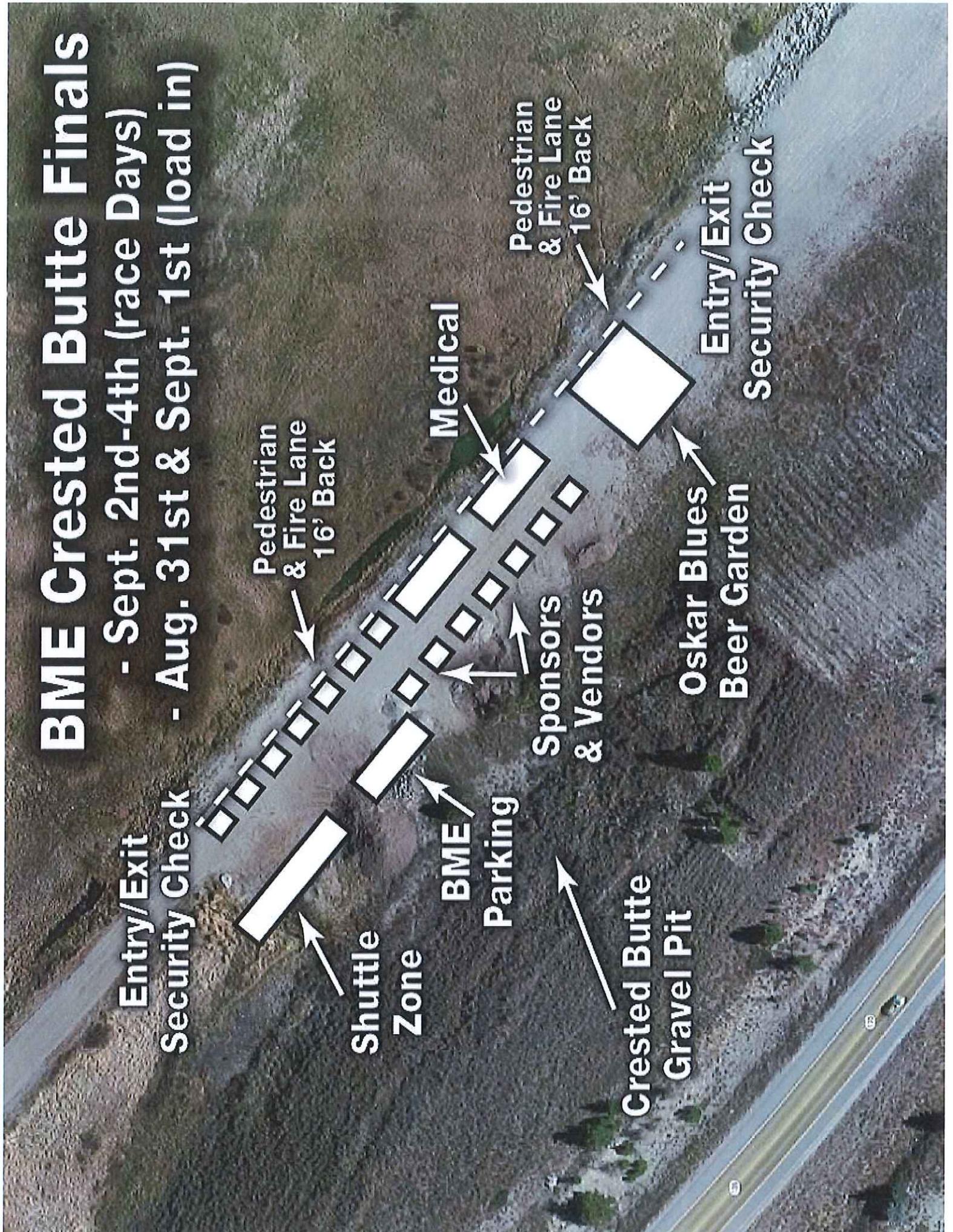
Pedestrian
& Fire Lane
16' Back

Pedestrian
& Fire Lane
16' Back

Crested Butte
Gravel Pit

Oskar Blues
Beer Garden

Entry/Exit
Security Check



Big Mountain Enduro Crested Butte - - 2016 Operating Itinerary

Dates:

- September 2nd – 4th (3-day race, Fri-Sun)
- Practice will take place on Thursday, September 1st, along with course marking and signage for the following day's race. All course marking will take place the day prior and courses/areas will be swept the same day of race.

Max Participant Numbers:

300

Trail/Course Selection:

Friday:

- Race Spring Creek area

Saturday:

- Race Brush Creek & Cement Creek areas

Sunday:

- Race Gothic area & Evolution Bike Park

Operating Plan:

Shuttle Plan:

Alpine Express (or hired shuttled company) will manage all shuttle logistics for the entire BME event, including practice day on Thursday, as well as the core Friday, Saturday and Sunday race days. See shuttle schedule below...

Thursday (Practice Day):

Alpine Express (or hired shuttled company) will take riders in waves, leaving town at 7am and 9am. Starting at 1pm, we will pick riders up at same 2 locations for return shuttles back to town.

Friday (Day 1):

Alpine Express (or hired shuttled company) will take riders in waves, leaving town at 7am, 8am and 9am. Starting at 12pm and after the first wave of racers have completed all stages, we will pick riders up for return shuttles back to town.

Saturday (Day 2):

Alpine Express (or hired shuttled company) will take riders in waves, leaving town at 7am, 8am and 9am. Starting at 12pm and after the first wave of racers have completed all stages, we will pick riders up for return shuttles back to town.

Sunday (Day 3):

Alpine Express (or hired shuttled company) will take riders in waives, leaving town at 7am, 8am and 9am.

Public impact and town notices

BME will heavily take into consideration, the public impact this event has while keeping our natural resource management plan top of mind. Therefore public notice signs will be placed at all parking lot trailheads and trail intersections where applicable 1 week before the race, along with a detailed news/radio plan informing the public about pertinent event information. These communications will happen 2-3 weeks prior to the race; respectively via local radio/news, newspapers, magazines, tourism and visitor offices, CBMBA and local trail affiliates websites and wherever else necessary per USFS requests; and ultimately keeping courses confidential until days before the race weekend. BME will also work with the ranching community and private landowners in managing the logistics, operations, communications, safety and insurance tied to the event and associative ranching lands.

Course markings/signage/marshaling

BME will use appropriate signage, arrows and course tape in necessary areas and trail intersections on all permitted trails and trail heads. Our goal is to leave no trace and be as sustainable as possible, thus will clear all course markings immediately following each race stage during the event. There will also be an abundant of trail marshals for each event day tied to this permit. We will have all trail entrances/exits and associative intersections marshaled by our staff so there is no interference with the public and other trail user groups, which will keep things safe for all racers, spectators and general public.

Post-race mitigation & trail restoration:

BME will infiltrate a pre and post-event trail restoration plan in conjunction with USFS and CBMBA and will also work with the Gunnison USFS on new trails tied to our jurisdiction. Per our annual contributions, BME will be associated with trail projects leading up to the event and ensure to restore all permitted trails to their original conditions (or better). Cleanup and course sweep will happen immediately after each race stage and full trail restoration will take place within 2 weeks after racing commences. BME will have ongoing trail efforts to work on and help develop sustainable trails within the Gunnison National Forest.

Timing infrastructure

BME owns and manages a professional timing company and will use our own equipment and staff to manage the 2016 Crested Butte event. Timing stations will be transported via foot, bike and moto wherever applicable and depending on the terrain, and only one core vehicle will be used at parking lots for each day to transport our timing staff. We are also working on a smaller, more streamlined system that will allow us to set up and tear down start/finish lines must faster and leaving zero footprint in said areas.

Weather contingency plan

For the safety of the riders and looking out for the best interest of our local trails, BME will make the best decision when faced with inclement weather to ensure complete risk management for our participants and natural resources. In the case that we're faced with severe weather and poor trail conditions, said race courses/stages will be cancelled or adjusted accordingly to keep our natural resources and participant's safety top of mind. If weather persists all day and we

cannot race a particular segment, we will then continue the next day based on permitted trails and proposed schedule. There will be no rescheduling to another date if we're faced with multiple days of bad weather and that day of racing will simply be cancelled.

BIG MTN ENDURO (Aug 31 - Sept 4, 2016)

DEPARTMENT APPROVALS (For Official Use Only)

POSTED

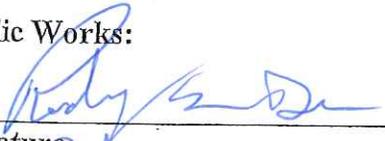
Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

From: Tom Martin
Sent: Tuesday, June 21, 2016 8:56 AM
To: Betty Warren
Subject: RE: BME Application for June 23 meeting

OK with the Marshal's department. If possible, have event organizers get with me a few days prior to event.

Tom

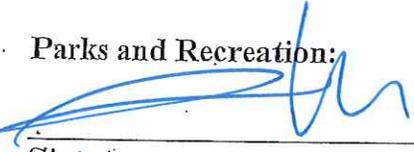
Public Works:

 6/21/2016
Signature Date
Rodney E Duce
Name (Printed)

Conditions/Restrictions/Comments:

OK

Parks and Recreation:

 6/23/16
Signature Date
Janna Hansen
Name (Printed)

Conditions/Restrictions/Comments:

OK - camping permit attached

Town Clerk:

 7-7-2016
Signature Date
Lynelle Stanford
Printed Name (Printed)

Conditions/Restrictions/Comments:

Town Manager:


Signature Date
Wm. V. CRANK 7-8-16
Printed Name (Printed)

Conditions/Restrictions/Comments:

BIG MTN ENDURO

Crested Butte Fire Protection District:

W. Smith 7/6/16
Signature Date

Printed Name (Printed)

Conditions/Restrictions/Comments:

Have organizers call
for site inspection at
setup.

Mt. Express Bus Service: [Signature] 6/20/16
Signature Date

Chris Larsen
Printed Name (Printed)

Conditions/Restrictions/Comments:

NO impact on mt

Official Use Only:

Application Received 3/9/16 Date Distributed 6/15/16

Council Date (if applicable) August 2, 2016

Approval Date _____ Method of Approval: Administratively By Town Council

Approval Contingencies Event organizers must contact the Marshal's office a few

Application fee \$ 25 Check # 1728 Date Paid 6/20/16

Permit Fee \$ 200 Check # 1728 Date Paid 6/20/16

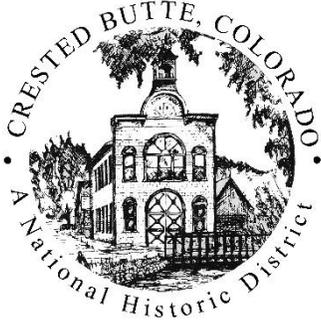
\$25 x 4 DAYS
Local Liquor License Fee \$ 100 Check # 1728 Date Paid 6/20/16

days before event,
and they must call
the Fire Dept for site
inspection at set up.

State Liquor License Fee _____ Check # _____ Date Paid _____ Date Liq. Application Sent _____

Additional Fee _____ Check # _____ Date Paid _____

Clean Up Deposit \$ 200 Check # 1728 Date Paid 6/20/16 Date Returned: _____



Staff Report

August 2, 2016

To: Mayor and Town Council

Through: Bill Crank, Town Manager

From: Janna Hansen, Parks and Recreation Director

Subject: Resolution No. 16, Series 2016 – Resolutions of the Crested Butte Town Council Approving the Lease Agreement with the Center for the Arts for 620 Second Street, AKA Big Mine Warming House.

Background:

For the past few years the Gravity Groms have leased Big Mine Warming House and Ice Arena for their summer operations. The Gravity Groms are no longer offering summer programming and the downstairs of the Warming House became available for summer use. The Crested Butte Film Festival, operating under the umbrella of the Center for the Arts, rented the first floor of the Warming House for the month of September 2015. The space worked well for them and they have requested use of the space again this year from August 2 – October 9, 2016. The Town supports the use of Town owned buildings by non-profits and as such would be happy to have the Film Festival occupy that space. The Nordic Center occupies the second floor of the Warming House through the summer months and will occupy the downstairs space again in October. The lease agreement, insurance certificate, and fees will be under the Center for the Arts name. The proposed rent amount is \$160.00 per month based upon a price per square foot that is consistent with rates other non-profits pay for use of Town spaces.

Recommendation:

Staff recommends approving Resolution No. 16, Series 2016.

RESOLUTION NO. 16

SERIES NO. 2016

RESOLUTIONS OF THE CRESTED BUTTE TOWN COUNCIL APPROVING THE LEASE AGREEMENT WITH THE CENTER FOR THE ARTS FOR 620 2ND STREET, AKA BIG MINE WARMING HOUSE

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, pursuant to Section 31-15-713 (c), C.R.S., the Town Council may lease any real estate, together with any facilities thereon, owned by the Town when deemed by the Town Council to be in the best interest of the Town;

WHEREAS, pursuant to Section 713(c), when the term of such lease is one year or less, the Town Council may approve such lease by resolutions of the Town Council; and

WHEREAS, the Town Council finds hereby that approving a lease of 620 Second Street, Crested Butte for use by the Center for the Arts is in the best interest of the Town, Crested Butte 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 granting a lease of 620 Second Street, Crested Butte for use by the Center for the Arts is in the best interest of the Town, Crested Butte residents and visitors.

2. **Authorization of Town Manager.** Based on the foregoing, the Town Council hereby authorizes the Town Manager to execute the lease agreement with the Center for the Arts in substantially the same form as attached hereto as **Exhibit "A."**

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL THIS ____ DAY OF _____, 2016.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Glenn Michel, Mayor

ATTEST

Lynelle Stanford, Town Clerk

(SEAL)

EXHIBIT "A"

620 Second Street Lease Agreement (Center for the Arts)

[attach form lease agreement here]

LEASE AGREEMENT

THIS LEASE AGREEMENT (this “Lease”), made and entered into this _____ day of August, **2016**, by and between the **TOWN OF CRESTED BUTTE**, a Colorado home rule municipality (hereafter referred to as the “Town”) and **CENTER FOR THE ARTS**, a Colorado nonprofit corporation (hereafter referred to as the “Lessee”) is upon the following terms and conditions:

WITNESSETH:

IN CONSIDERATION of the keeping and performance of the mutual promises, covenants, and conditions contained herein, the parties agree as follows:

- 1. **TERM:** This Lease shall commence as of _____, and shall expire on **October 9, 2016** (the “Term”). The Term of this lease may be extended only by a writing executed by the Town. The defined word “Term” as used throughout this Lease shall include any extension thereof.
- 2. **LEASE OF PREMISES TO LESSEE:** The Town hereby leases to Lessee, and the Lessee hereby takes and rents from the Town, the following described premises, together with the improvements thereon, situate in the County of Gunnison and State of Colorado, to wit:

An area of approximately **790** square feet, being the space identified on **EXHIBIT A** attached hereto and incorporated herein, located at 620 2nd Street, Town of Crested Butte. Also known as the **first floor of the Big Mine Warming House** (hereafter, the “Premises”).

- 3. **RENT:** The Lessee agrees to pay to Town as rent for the Premises during the Term, the sum of **\$160.00 per month**, payable in advance on or before the fifteenth day of each calendar month during the Term. Where the Term commences during any month, the rent shall be prorated for the first month with such amount due upon Lessee’s execution of this Lease. All rent and other payments required under this Lease shall be made without offset or deduction and no prior notice from the Town shall be required. Lessee shall pay a \$25.00 late fee and interest at a rate of one and one-half percent (1 ½%) per month (18% per year) on rental or other payments which are not paid when due
- 4. **UTILITIES:** Unless otherwise specified, the Town shall pay for heating, electricity, water and sewer. Lessee shall pay all charges for telephone, internet, television, trash and recycling removal and other such services.
- 5. **CHARACTER OF OCCUPANCY:**
 - (a) The Premises shall be occupied by Lessee for the purpose of conducting its **administrative business for the Crested Butte Film Festival**. Lessee shall at all times properly maintain the Premises, fixtures, and furnishings located therein, and at its sole cost make all necessary day-to-day repairs needed to preserve the interior walls, floor, ceiling, and doors of the Premises,

the fixtures and furnishings in good working order and condition. All such repairs or replacements shall be of a kind and quality, and shall be done in a good workmanlike manner.

- (b) Lessee shall make no alterations, repairs, or improvements to the Premises, including, without limitation, painting the Premises, without the prior written permission of the Town. Lessee shall secure the Premises with a key provided by the Parks and Recreation Director. Lessee shall not make additional copies of the key for the Premises. Lessee shall return the Premises to the Town in good condition at the expiration or earlier termination of this Lease, ordinary wear and tear excepted.
 - (c) Lessee shall not use the Premises in any fashion that would increase the risk of fire, explosion, or any physical destruction to the Premises or the building in which such Premises are located. Said limitation on use shall specifically include a prohibition on smoking, alcohol consumption, and use of controlled substances within Premises. Further, Lessee shall not use the Premises to further any discrimination based on race, sex, creed, sexual orientation or national origin.
 - (d) Lessee occupancy shall not exceed 49 people at any time including staff and patrons.
 - (e) Lessee use is restricted to the downstairs of the Premises excluding closets locked and designated for other purposes.
 - (f) Lessee shall cause the restrooms to be maintained such that, without limitation, all toilets, sinks and other facilities are kept obstruction free and clear from debris, clothing and other articles that could cause such facilities to become clogged and otherwise function improperly.
 - (g) Lessee shall at all times use best efforts to cooperate with any other tenants in the building and the Town.
6. **JANITORIAL:** Lessee agrees to keep and maintain the Premises used exclusively by Lessee in a neat, orderly, clean and sanitary condition at all times, and to provide such janitorial and other services as may be necessary to do so. All refuse or trash resulting from Lessee's use of the Premises shall be stored in the Premises or in an external, wildlife proof dumpster to be picked up by a vendor of the Lessee's choice and expense. Lessee agrees to maintain and clean the premises including bathrooms, common areas and entryways within the building where the Premises are located once per week. Lessee agrees to replace all light bulbs as needed in the Premises. All light fixtures shall have compact fluorescent light bulbs.
7. **SIGNS:** Lessee shall be allowed to have one sign located on or near the building in which the Premises is located. Said sign shall be no more than seven (7) square feet. The design and placement of the sign shall be approved by the Board of Zoning and Architectural Review.
8. **PARKING:** Lessee is allowed the use of the parking lot at Big Mine Park located to the west and north of the Premises. Lessee shall not park more than one (1) vehicle overnight in said parking lot.

9. **ACCESS TO THE PREMISES:** The Town or the Town's authorized representative may enter upon the Premises at any reasonable hour to inspect and make repairs to the same. The Town or its representative may show the Premises to prospective tenants, upon reasonable advance notice to Lessee. In the event of an emergency, the Town and/or its representatives shall be entitled to access the Premises with or without notice to Lessee.
10. **LIENS:** Lessee agrees to keep the Premises free and clear of all liens and encumbrances of any kind, whether caused by the action or inaction of Lessee.
11. **PAYMENT OF INCREASED COSTS:** Lessee agrees to pay to the Town any and all increased costs and expenses attributable to Lessee's occupation of the Premises including but not limited to any insurance increases or taxes that are directly attributable to Lessee's occupancy.
12. **SECURITY DEPOSIT:** Lessee agrees to pay the Town the sum of **\$250.00** to be used as security for Lessee's faithful performance of the terms and obligations of this Lease. Said amount shall be paid at the time of Lessee's execution of this Lease. This deposit shall be held by the Town during the term. The security deposit shall not bear interest. The Town shall be entitled to apply any of the security deposit to the repair of damages caused to the Premises by Lessee or on account of Lessee's use thereof, and/or to pay for cleaning of the Premises. In the event the Town determines that it is necessary in its reasonable judgment to have the Premises cleaned or repaired during the Term, or after the expiration or earlier termination of this Lease, such cleaning or repairs shall be performed at Lessee's sole cost and expense. Any amount paid out of the security deposit during the Term shall be reimbursed by the Lessee to the Town within five (5) days. At no point will the security deposit on reserve be less than \$250.00. The security deposit shall not be deemed to be the total amount for which the Lessee shall be responsible to the Town in the event of damages to the Premises. Lessee shall not be entitled to credit any amount of the deposit toward payment of any other obligation owed under this Lease. Within thirty (30) days following the expiration of the Term or sooner termination of this Lease, the Town shall either return the security deposit or, as required by Colorado law, provide Lessee with a written statement, setting forth the reason for the retention of any portion thereof together with the payment of the difference, if any between the amount of the security deposit and the damages claimed by the Town.
13. **TELEPHONE:** The Town shall be responsible for providing telephone service lines to the building. Lessee shall be responsible for placing lines from the main switch box on the building to the Premises. Lessee shall use no more than three (3) separate telephone lines within the building. Lessee shall be responsible for causing any necessary television or other cable lines to be placed for service to the Premises. Any such placement shall not cause damage to the Premises and/or building.
14. **TAXES:** The Town shall pay any and all real and personal property taxes and special assessments which may be levied upon the Premises, except those personal property taxes levied specifically upon the personal property of Lessee. Lessee shall pay all sales and uses taxes in connection with its lease and use of the Premises.

15. ASSUMPTION OF RISK; INDEMNIFICATION; RELEASE OF CLAIMS: In

consideration for the Town leasing the Premises to Lessee, Lessee, its members, managers and officers (collectively, "Releasor/Idemnitor") hereby acknowledge and agree to the following:

(a) Releasor/Idemnitor hereby assumes all risk of claims, liabilities, injuries, losses, demands or damages, whether related to bodily injury, personal injury, sickness, disease, death, property loss or damage (including attorneys' fees, costs and expenses) (collectively, "Claims") arising out of, directly or indirectly, the use of the Premises, whether or not caused by any act or omission, negligence or other fault of Releasor/Idemnitor and/or Indemnatee its elected officials, officers, employees, agents, insurers, insurance pools, attorneys, representatives, contractors and subcontractors (collectively, "Releasee/Indemnatee");

(b) Releasor/Idemnitor hereby waives any claims, and hereby releases, Releasee/Indemnatee against and from any and all Claims arising out of, directly or indirectly, the use of the Property, whether or not caused by any act or omission, negligence or other fault of Releasor/Idemnitor and/or Releasee/Indemnatee; and

(c) Releasor/Idemnitor shall indemnify, defend and hold harmless Releasee/Indemnatee from and against any and all Claims of Releasor/Idemnitor, Releasee/Indemnatee or third parties, any of them, including, without limitation, employees, agents and contractors of Releasor/Idemnitor, Releasee/Indemnatee or any of their invitees, guests, trespassers or otherwise on the Subject Property, arising out of, directly or indirectly, the use of the Property, whether or not caused by any act or omission, negligence or other fault of Releasor/Idemnitor, Releasee/Indemnatee or third parties

16. TOWN NOT LIABLE: Unless due to the gross negligence of the Town, the Town shall not be liable for any damage or injury which may be sustained by Lessee or any other person resulting from any reason or cause whatsoever, including, but not limited to, as a consequence of the failure, leakage or obstruction of the water, plumbing, steam, sewer, waste or sail pipes, roof, drains, leaders, gutters, valleys, downspouts, or the like, or of the electrical or heating systems, appliances; or by reason of the elements; or resulting from, either directly or indirectly, any act of Lessee or Lessee's agents, contractors, subcontractors, employees, guests, licensees, invitees, or successors; or attributable to any interference with, interruption of, or failure, beyond the reasonable control of the Town of any services to be furnished or supplied by the Town.

17. INSURANCE: (a) At its sole cost and expense, Tenant shall obtain and keep in force during and through the Term "all-risk" property coverage naming the Town and Tenant as their interests may appear.

(b) At its sole expense, Tenant shall obtain and keep in force during and through the Term commercial general liability insurance (coverage shall include , public liability, operations, property damage and personal injury, including death, with a minimum combined single limit of not less than \$1,000,000.00 per occurrence / \$1,000,000.00 general aggregate) and insurance covering obligations imposed by the Workers' Compensation Act of Colorado and any other applicable laws for any employee of Tenant within the meaning of applicable law insuring the Town and Tenant, as their interests under this Lease appear, including, without

limitation, coverage for contractual liability and broad form property damage with respect to the Premises. The insurance shall be noncontributing with any insurance that may be carried by Town and shall contain a provision that Town, although named as an insured, shall nevertheless be entitled to recover under the policy for any loss, injury, cost or damage to Town, or the property of the same.

(c) All insurance required herein and all renewals thereof shall be issued by companies authorized to transact business in the State of Colorado and rated at least A+ Class X by Best's Insurance Reports (property liability) or otherwise approved by Town in writing. All insurance policies shall be subject to approval by Town as to form and substance, shall expressly provide that the policies shall not be canceled without 30 days' prior written notice to Town and shall provide that no act or omission of Town that would otherwise result in forfeiture or reduction of the insurance shall affect or limit the obligation of the insurance company to pay the amount of any loss sustained. Tenant may satisfy its obligation under this Section by appropriate endorsements of its blanket insurance policies.

(d) All policies of liability insurance that Tenant is obligated to maintain according to this Agreement (other than any policy of workmen's compensation insurance) shall name Town as an additional insured. Originals or copies of original policies (together with copies of the endorsements naming Town as an additional insured) and evidence of the payment of all premiums of such policies shall be made available to Town on the date first written above. All public liability, property damage liability and casualty policies maintained by Town shall be written as primary policies, not contributing with and not in excess of coverage that Town may carry.

(e) The parties waive all rights to recover against each other, or against the elected and appointed officials, employees, contractors, agents, advisors, attorneys, insurers, insurance pools, shareholders, directors, members, managers, officers, suppliers, agents or servants of each other, for any loss or damage arising from any cause covered by any insurance required to be carried by each of them pursuant to this Section or any other insurance actually carried by each of them. Tenant shall cause its insurer to issue an appropriate waiver of subrogation rights endorsements to all policies of insurance carried in connection with Tenant's operations and Town's operations and property.

18. **ASSIGNMENT:** Lessee shall not assign this Lease, and shall not sublet the Premises, or encumber this lease or the Premises in whole or in part, without the prior written consent of the Town, which consent may be withheld in the Town's sole and absolute discretion.
19. **RESTRICTIONS ON USE:** Animals are not allowed within the Premises. Lessee will not construct temporary or permanent structures on the inside or outside of the building for recreational or other purposes. All outside fixtures not provided by the Town including but not limited to bike racks, benches and picnic tables must be approved by the Town. All recreational equipment such as bicycles, boats and skateboards must be stored inside the Premises overnight. Indoor furniture such as couches, tables and chairs will not be used or stored outside the Premises at any time.

20. **COMPLIANCE WITH LAWS:** Lessee agrees to comply with all laws, orders and regulations of the Town, the County, federal land management agencies and any other applicable governmental authority with respect to the Premises and Lessee's use thereof. Lessee has obtained and shall keep in force during the Term, all licenses, authorizations and permits necessary for Lessee to conduct its business operation.
21. **DEFAULT:** Except where Lessee fails to timely pay any amount due under this Lease, neither party shall be in default under this Lease unless such party fails to perform any obligation or covenant contained herein and such failure remains uncured for ten (10) days following receipt of written notice from the non-defaulting party. If Lessee is in default under this Lease it is agreed that the Town may (i) retake possession of the Premises upon ten (10) days' written notice to the Lessee without terminating the Lease, (ii) in the event of default in the payment of rent or any other payments due from Lessee, treat this Lease as automatically terminated on the date specified in the Town's three (3)-day notice for payment of the rent or surrender possession of the Premises under Section 13-40-104(d) (1973 C.R.S.) if Lessee fails to pay such rent as demanded in said notice, or (iii) in the event of any other default by Lessee, treat this Lease as automatically terminated on the date specified in the Town's three (3)-day notice thereof under Section 13-40-104(e) (1973 C.R.S.). Upon the termination of this Lease, Lessee shall peacefully surrender the Premises to the Town and the Town, at any time after such termination, may, without further notice, reenter the Premises and repossess it by summary proceedings, ejectment or otherwise and may dispossess Lessee and remove Lessee and all other persons and property from the Premises and may have, hold and enjoy the Premises and the right to receive all rental income therefrom. The Town may also, at the Town's option, and without being liable to Lessee for any damage therefore, remove and store, at Lessee's sole cost and expense, all personal property and effects of Lessee, upon the Premises without responsibility for loss or damage so long as the Town uses reasonable care in the removal thereof, and the Town shall have a valid lien on such property for any damages due the Town under this Lease and for any reasonable costs incurred by the Town in such removal or storage. The foregoing remedies shall not be exclusive, and the Town may exercise any other remedy available under the laws of the State of Colorado. Upon the termination of this Lease by reason of any default by Lessee in the obligations contained herein, the Town shall have the right to re-let the Premises for and on the account of Lessee and Lessee shall remain liable for the difference, if any, between the full amount of rent reserved hereunder and the amount received by the Town after such re-letting, after having deducted therefrom any reasonable costs and expenses of the Town. Any excess that may be derived shall belong to the Town and Lessee shall have no claim to same. The Town's failure to re-rent the Premises shall not preclude it from being able to seek damages against Lessee for any of the sums reserved hereunder. No right of redemption shall be exercised under any present or future law of the State of Colorado, in case Lessee shall be disposed for any cause, or if the Town shall in any other manner, obtain possession of the Premises in consequence of the violation of any of the covenants and agreements contained herein.
22. **SURRENDER OF PREMISES:** The Town shall have the sole discretion as to whether to renew the Lease and shall have the right to change the terms and conditions contained herein, including, without limitation, the rent. Upon the expiration or earlier termination of this Lease, Lessee shall quit and surrender the Premises in as good as state and condition as received,

reasonable wear and tear excepted. If after the expiration or earlier termination of the Lease, Lessee remains in possession without written agreement as to such possession, Tenant shall be deemed to hold the Premises as a "Tenant-at-will" and shall be obligated thereon to pay rent for such period in advance at the per diem rate of \$50.00 per day. During such period of time all of the terms and conditions of this Lease shall remain in full force and effect. It shall be Lessee's responsibility to remove all additions, fixtures, or improvements located on the Premises at the time of such expiration, or upon termination of this Lease. In the event of removal of additions, fixtures, or improvements located on the Premises, Lessee shall restore the Premises to its original condition. Lessee shall cause the carpet in the Premises to be professionally cleaned at the time of vacating the Premises, and shall remove all debris and personal property at its own cost.

23. **TOWN'S REPAIR AND MAINTENANCE OBLIGATION:** The Town shall keep the remainder of the building in which the Premises is located and the exterior thereof in good repair. The Town shall make such structural repairs as are necessary, and repair all plumbing, electrical, heating, ventilating, and other facilities serving the building, unless such repairs are caused by the acts or omissions Lessee, its officers, agents, contractors, subcontractors, employees, customers, invitees, guests or visitors, in which case the Lessee shall pay for such repairs.
24. **DESTRUCTION:** In the event the Premises are damaged in any manner that renders them untenable as a result of the acts or omission of Lessee or any person whose actions are imputable to Lessee, then Lessee shall continue to remain liable for the rentals called for hereunder through the remainder of the Term. If the damage has occurred that renders the Premises untenable through no fault of the Lessee, and the damage cannot be remedied within thirty (30) days, then either party can terminate this Lease. During the period that the Premises are untenable, rental shall abate so long as the damage was not caused by Lessee. In the event the damage was caused by Lessee or by persons or entities attributable to Lessee then rent shall continue to be paid monthly by Lessee regardless of whether Lessee can occupy the Premises.
25. **SUBORDINATION; ATTORNEY-IN-FACT:** This Lease is subject and subordinate to all present and future mortgages or deeds of trust affecting the Premises, and to any and all advances made, or that may be made on account of such mortgage or deed of trust to the full extent of the principal sum or sums secured, or intended to be secured, in the interest due thereon. Lessee agrees upon the request of the Town, to execute and deliver any and all instruments that the Town may reasonably deem necessary or advisable to be executed in respect to this provision. The failure of Lessee to execute and deliver any and all such instruments, shall afford the Town the power to execute and deliver any such instrument or instruments in the name of and on behalf of Lessee and Lessee's failure to so deliver shall constitute a default under this Lease.
26. **NOTICES:** All notices or deliveries required under this Lease shall either be (i) hand-delivered; (ii) given by certified mail directed to the address of the Town or Lessee set forth below; or (iii) given by overnight courier directed to the address of the Town or Lessee set forth below. All notices so given shall be considered effective (i) if hand-delivered, when received; (ii) if by certified mail, three (3) days after deposit; certified mail postage prepaid, with the

United States Postal Service; or (iii) if by overnight courier, one (1) day after deposit with the overnight courier company. Either party may change the address to which future notices shall be sent by notice given in (Facsimile numbers are provided for convenience only.)

TOWN: Town Manager
 Town of Crested Butte
 P.O. Box 39
 507 Maroon Ave
 Crested Butte, CO 81224
 Fascimile: (970) 349-6626

LESSEE: Center for the Arts
 P.O. Box 1819
 Crested Butte, CO 81224

Notice shall be deemed properly given when sent, mailed, or hand delivered to the above addresses. Either party may change its address by giving written notice of the change to the other party.

- 27. **APPLICABLE LAW; VENUE:** This Lease is entered into in the Town of Crested Butte, Gunnison County, State of Colorado; and it is agreed that the proper jurisdiction and venue of any action pertaining to the interpretation or enforcement of this Lease shall be in the County of Gunnison, State of Colorado.
- 28. **ATTORNEYS' FEES:** It is agreed that if the enforcement, interpretation or construction of this Lease becomes necessary of advisable, the prevailing party in such effort shall be entitled to reasonable attorneys' fees, as well as all related costs and expenses.
- 29. **NO WAIVER:** The failure of the Town to insist in any one or more instances upon strict compliance of any of the obligations, covenants, and agreements herein contained, or the failure of the Town in any one or more instances to exercise any option, privilege, or right herein contained shall in no way be construed as constituting a waiver of such default or option by the Town.
- 30. **CAPTIONS:** The captions are inserted only as a matter of convenience for reference and in no way define, limit, or describe the scope of the Lease nor the intent of any provision hereof.
- 31. **SEVERABILITY:** If any provision, covenant, clause, or agreement contained in the Lease or the application thereof shall be found to be invalid, such invalidity shall not affect the validity of the remaining provisions, covenants, clauses, agreements, or the validity of the Lease as a whole.
- 32. **BINDING:** This Lease shall be binding upon the parties hereto, their respective permitted heirs, successors and assigns.

33. **ENTIRE AGREEMENT:** This Lease contains the entire agreement between the parties and supersedes all prior understandings, negotiations and representations, written and oral, not contained herein. It may not be amended or modified, except by an agreement in writing signed by both parties hereto.

34. **COUNTERPARTS; FASCIMILE:** For purposes of enforcement of any term or condition of this Lease, facsimile signatures shall be deemed originals. This Lease may be executed in multiple counterparts, each of which, when taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Lease in duplicate as of the date first set forth above.

TOWN OF CRESTED BUTTE,
Colorado home rule municipality

By: _____
William V. Crank, Town Manager

ATTEST:

By: _____
Lynelle Stanford, Town Clerk

(SEAL)

LESSEE:

CENTER FOR THE ARTS

By: _____
Name: _____
Title: _____

EXHIBIT A

Premises



Reports

Parcel

PARCEL INFORMATION TABLE

Selected Account	R027736 (Click for Complete Card)
Parcel Number	3255-031-56-010
Account Type	Exempt
Physical Address	
LEA	PARKS, RECREATION, OPEN SPACE (29991)
Subdivision	CRESTED BUTTE (TOWN OF)
Lot/Block	17-27 / 40
Tax District	200
Acres	1.424
Number of Buildings	
Total Above Grade Sq Ft	0

OWNERSHIP INFORMATION

Name	CRESTED BUTTE TOWN OF
Mailing Address	PO BOX 39 CRESTEDBUTTE, CO 81224-0039

VALUATION SUMMARY

Total Current Value	\$1426920
Current Assessed Value	\$413810
Mill Levy	67.759
Last Year's Property Taxes	\$0.00

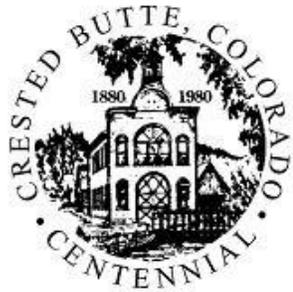
LAST 2 SALES

Date	Amount	Qualified Sale
0000-00-00	\$0	N/A

Parcel List

Legend

Measure



Staff Report

August 2, 2016

To: Mayor and Town Council
Thru: Bill Crank, Town Manager
From: Janna Hansen - Parks and Recreation Director
Subject: Resolution No. 22, Series 2016 - Resolutions of the Crested Butte Town Council Approving the Contract with Gunnison Valley Hockey Association for the 2016/2017 Winter Season at Big Mine Ice Arena.

Background:

Gunnison Valley Hockey Association, dba West Elk Hockey Association (WEHA) has used Big Mine Ice Arena to provide community hockey programs for the past two years. The contract between the Town and WEHA outlines the obligations, fees and other requirements for WEHA's use of Big Mine Ice Arena for the 2016-2017 ice hockey season. The Department supports WEHA and recognizes the importance of a successful hockey program in the valley. As such, the low rate of \$45/hour for ice time has been offered to WEHA for the 2016-2017 season. This rate has not changed from the 2015-2016 season. The Parks and Recreation Department fully supports WEHA and their mission to continue to provide hockey to the West Elk region.

Recommendation:

Staff recommends approving Resolution No. 22, Series 2016.

RESOLUTION NO. 22

SERIES NO. 2016

**RESOLUTIONS OF THE CRESTED BUTTE TOWN
COUNCIL APPROVING THE CONTRACT WITH
GUNNISON VALLEY HOCKEY ASSOCIATION FOR
THE 2016/2017 WINTER SEASON AT BIG MINE
ICE ARENA**

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, pursuant to Section 31-15-713 (c), C.R.S., the Town Council may lease and grant use rights to any real property, together with any facilities thereon, owned by the Town when deemed by the Town Council to be in the best interest of the Town;

WHEREAS, pursuant to Section 713(c), when the term of such lease or use rights is one year or less, the Town Council may approve such lease or use rights by resolutions of the Town Council; and

WHEREAS, the Town Council finds hereby that approving a contract for a right of use of Big Mine Hockey Arena for use by the Gunnison Valley Hockey Association in its business is in the best interest of the Town.

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 granting a right of use of Big Mine Hockey Arena for use by Gunnison Valley Hockey Association in its business is in the best interest of the Town and the general public.

2. **Authorization of the Town Manager.** Based on the foregoing, the Town Council hereby authorizes the Town Manager to execute the contract with Gunnison valley Hockey Association in substantially the same form as attached hereto as **Exhibit "A."** Any changes thereto that do not increase the obligations of the Town thereunder may be made only following written approval by the Town Attorney.

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL
THIS ___ DAY OF _____, 2016.

TOWN OF CRESTED BUTTE

By: _____
Glenn Michel, Mayor

ATTEST

Lynelle Stanford, Town Clerk

(SEAL)

EXHIBIT "A"

Contract for Use of the Big Mine Hockey Arena

[attach form contract here]

**CONTRACT BETWEEN THE TOWN OF CRESTED BUTTE AND
GUNNISON VALLEY HOCKEY ASSOCIATION FOR
USE OF THE BIG MINE ICE ARENA FOR THE 2016-2017 SEASON**

This CONTRACT is made and entered into by and between the TOWN OF CRESTED BUTTE, COLORADO, a Colorado home rule municipality located and doing business at 507 Maroon Avenue, P.O. Box 39, Crested Butte, CO 81224 (the "TOWN"), and the GUNNISON VALLEY HOCKEY ASSOCIATION, a Colorado non-profit corporation, dba West Elk Hockey Association ("WEHA") located and doing business at 515 W. Tomichi Avenue, P.O. Box 1697 Gunnison, CO 81230.

In consideration of the mutual obligations contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Recitals

- 1.1 The parties recognize the mutual benefits of WEHA operating a hockey program (the "PROGRAM") on TOWN property. It is the parties' intention that this CONTRACT define the duties, obligations, terms and conditions with respect to the use of the Big Mine Ice Arena and associated facilities and equipment (the "FACILITY").
- 1.2 Execution of this CONTRACT shall constitute issuance of a permit to WEHA to use the FACILITY for the conduct of PROGRAM. This CONTRACT grants the right, and imposes the duty on WEHA, to use property owned by TOWN as described herein for the purpose of operating the PROGRAM from on or about November 20, 2016 through on or about March 15, 2017.

2. Facility

- Location: Big Mine Ice Arena, Crested Butte, CO
- Dates: On or about November 20, 2016 through on or about March 15, 2017 (the "TERM").
- Fee: \$45.00 per hour of use. WEHA will receive monthly invoices from the TOWN before the 15th of the calendar month following use. WEHA agrees to pay to Town as rent for the FACILITY during the TERM, payable by the last day of the calendar month after use. WEHA shall pay a \$25.00 late fee and interest at a rate of one and one-half percent (1 ½%) per month (18% per year) on rental or other payments which are not paid when due.

3. WEHA'S Obligations

- 3.1 WEHA designates John Collins as the primary contact for communicating with the TOWN regarding the PROGRAM. In the event John Collins is not available, Wendy Buckhanan shall be the alternative designated contact. The primary phone

number for John Collins is 970-209-7353 and the primary phone number for Wendy Buckhanan is 970-596-7098.

- 3.2 WEHA shall obtain written approval from the TOWN prior to using the FACILITY for dates and times not specified in the parties' agreed upon written schedule. Such usage shall be at the TOWN's sole and absolute discretion. WEHA acknowledges that the FACILITY is a public facility and may be used by other persons, the public and the TOWN as the TOWN sees fit from time to time in its sole and absolute discretion.
- 3.3 WEHA understands the FACILITY may need maintenance and/or repairs and agrees to cancel any dates as required by the Parks and Recreation Director or its designee to accommodate these needs.
- 3.4 WEHA shall provide trained supervision during scheduled practices and games to ensure the TOWN and USA Hockey policies are being followed.
- 3.5 WEHA shall operate the PROGRAM in accordance with all USA Hockey, Colorado Amateur Hockey Association (CAHA) and league rules, regulations, policies and guidelines.
- 3.6 WEHA shall schedule practice slots and game slots for all PROGRAM activities within the allocated blocks of time as designated by the TOWN.
- 3.7 WEHA shall put all existing FACILITY equipment back in its original location after use.
- 3.8 PROGRAM participants shall pick up their trash and leave the FACILITY in good clean condition.
- 3.9 WEHA shall be responsible for communicating scheduling changes with all affected parties and shall be responsible for ensuring that the TOWN is kept up to date with the most current schedule.
- 3.10 Subject to Section 3.3 above, WEHA will be granted ten (10) schedule changes per month with no additional fees. Changes must be received within seven (7) days of activity date. More than ten (10) schedule changes a month or schedule changes received within seven (7) days of activity date will be charged a \$5.00 per change administrative fee. Cancellations received less than seven (7) days prior to the activity date shall not be refunded. WEHA shall not be charged by the TOWN for cancellations made pursuant to the terms contained in this CONTRACT, and if payments were previously made by WEHA, the TOWN shall provide a refund or a credit to WEHA for such unused ice slots that were properly cancelled pursuant to the terms in this CONTRACT.

- 3.11 WEHA shall make no alterations, repairs, or improvements to the FACILITY without the prior written permission of the TOWN. WEHA shall leave the FACILITY in good condition and repair at the expiration or earlier termination of this CONTRACT.
- 3.12 WEHA shall not condone any smoking, alcohol consumption or use of controlled substances within the FACILITY when in use by WEHA. Animals are not allowed within the FACILITY. WEHA shall not construct temporary or permanent structures on the inside or outside of the FACILITY for recreational or other purposes. WEHA shall not use the FACILITY to further any discrimination based on race, sex, creed, sexual orientation or national origin.
- 3.13 WEHA property shall at all times be secured so as to avoid any undesired use of such personal property; all usage of personal property at the FACILITY shall be in the presence and at the direction of WEHA personnel; and, all personal property shall be disassembled, broken down, locked down and neatly stored away when not in use at the FACILITY. The location of such storage shall be as agreed to with the TOWN.
- 3.14 WEHA shall communicate primarily with TOWN's Parks and Recreation Director or her designee relative to all matters contemplated in this CONTRACT.
- 3.15 WEHA agrees to pay to the TOWN any and all increased costs and expenses attributable to WEHA's occupation of the FACILITY.

4. TOWN's Obligations

- 4.1 TOWN shall be responsible for all operations and maintenance of the FACILITY.
- 4.2 TOWN shall create and provide the following schedules for the FACILITY that shall be the basis upon which WEHA's use of the FACILITY shall be coordinated:
 - ❖ Season availability schedule
 - ❖ Game availability schedule
 - ❖ Daily schedule for a two week period during ice season
- 4.3 TOWN shall update rink schedules in accordance with TOWN approved schedule and WEHA updates as per the above conditions.

5. Licenses, Permits, and Fees

WEHA shall adhere to all local and state requirements regarding the conduct of its business as a sanctioned hockey organization, business licenses, taxes, vending, and special event permits and policies.

6. Security Deposit

Security Deposit Amount \$1000 Due 11/15/16 (**15/16 deposit retained for 16/17 year**). WEHA shall pay the TOWN the above sum to be used as security for WEHA's faithful performance of the terms and obligations of this CONTRACT. Said amount shall be paid at the time of WEHA's execution of this CONTRACT. This deposit shall be held by the TOWN during the TERM. Within thirty (30) days following the expiration of the TERM or earlier termination of this CONTRACT, the TOWN shall either return the security deposit or, provide WEHA with a written statement setting forth the reason for the retention of any portion thereof together with the payment of the difference, if any, between the amount of the security deposit and the damages claimed by the TOWN.

9. Cancellation of Program

The TOWN Manager or his /her designee may cancel the PROGRAM and WEHA's use of the FACILITY, if the terms of this CONTRACT are not substantially fulfilled in a timely manner, or in the event of an unforeseen catastrophic event. In the event of such cancellation, TOWN shall remit to WEHA all damage deposits minus any expenditure incurred by TOWN. Upon expiration or earlier termination of this CONTRACT, WEHA shall quit and surrender the FACILITY in its original condition and promptly remove all personal property therefrom. TOWN shall not be liable to WEHA for, and WEHA hereby waives, any lost revenues or consequential damages in the event of such cancellation.

10. Additional Requirements

- 10.1 Except as otherwise provided for herein, the Town Manager and Parks and Recreation Director or his/her designee shall be the sole representatives of TOWN responsible for administering the provisions of this CONTRACT.
- 10.2 WEHA agrees that it will abide by any additional requirements as may be found necessary to insure the health and safety of PROGRAM participants and the public. WEHA shall pay for all damages to public or private property, connected to the PROGRAM.
- 10.3 In consideration for the TOWN allowing the use of the FACILITY and the grant of permit thereto under this CONTRACT, WEHA, its members, managers, officers and directors (collectively, "Releasor/Idemnitor") hereby acknowledge and agree to the following: (a) Releasor/Idemnitor hereby assumes all risk of claims, liabilities, injuries, losses, demands or damages, whether related to bodily injury, personal injury, sickness, disease, death, property loss or damage

(including attorneys' fees, costs and expenses) (collectively, "Claims") arising out of, directly or indirectly, the use of the FACILITY by WEHA; (b) Releasor/Indemnitor hereby waives any claims, and hereby releases, the TOWN, its elected officials, officers, employees, agents, insurers, insurance pools, attorneys, representatives, contractors and subcontractors (collectively, "Releasee/Indemnitee") against and from any and all Claims arising out of, directly or indirectly, the use of the FACILITY by WEHA; and (c) WEHA shall indemnify, defend and hold harmless Releasee/Indemnitee from and against any and all Claims of any third party arising out of WEHA's use of the FACILITY.

- 10.4 WEHA understands and agrees that the TOWN is relying on, and does not waive or intend to waive by any provision of this CONTRACT, the monetary limitations (currently \$350,000 per person and \$990,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, § 24-10-101, *et seq.*, C.R.S., as from time to time amended, or otherwise available to the TOWN, its elected officials or its employees.
- 10.5 WEHA shall cause all participants, staff and volunteers participating in the PROGRAM to execute a liability waiver assuming the risk in connection with the PROGRAM activities and waiving any and all claims against the TOWN as the property owner in connection therewith.
- 10.6 At its sole cost and expense, WEHA shall obtain and keep in force during and through the TERM "all-risk" property coverage naming the TOWN and WEHA as their interests may appear.

At its sole expense, WEHA shall obtain and keep in force during and through the TERM commercial general liability insurance with a combined single limit of not less than \$2,000,000.00 for injury to or death of any one person, for injury to or death of any number of persons in one occurrence, and for damage to property, insuring the TOWN and WEHA, including, without limitation, coverage for contractual liability, broad form property damage and non-owned automobile liability, with respect to the FACILITY. The insurance shall be noncontributing with any insurance that may be carried by TOWN and shall contain a provision that TOWN, although named as an insured, shall nevertheless be entitled to recover under the policy for any loss, injury, cost or damage to TOWN, or the property of the same.

All insurance required herein and all renewals thereof shall be issued by companies authorized to transact business in the State of Colorado and rated at least A+ Class X by Best's Insurance Reports (property liability) or otherwise approved by TOWN in writing. All insurance policies shall be subject to approval by TOWN as to form and substance, shall expressly provide that the policies shall not be canceled without 30 days' prior written notice to TOWN and shall provide that no act or omission of TOWN that would otherwise result in forfeiture or reduction of the insurance shall affect or limit the obligation of the

insurance company to pay the amount of any loss sustained. Lessee may satisfy its obligation under this Section by appropriate endorsements of its blanket insurance policies.

All policies of liability insurance that WEHA is obligated to maintain according to this CONTRACT (other than any policy of workmen's compensation insurance) shall name TOWN as an additional insured. Originals or copies of original policies (together with copies of the endorsements naming TOWN as an additional insured) and evidence of the payment of all premiums of such policies shall be made available to TOWN on the date first written above. All public liability, property damage liability and casualty policies maintained by TOWN shall be written as primary policies, not contributing with and not in excess of coverage that TOWN may carry.

The parties waive all rights to recover against each other, or against the elected and appointed officials, employees, contractors, agents, advisors, attorneys, insurers, insurance pools, shareholders, directors, members, managers, officers, suppliers, agents or servants of each other, for any loss or damage arising from any cause covered by any insurance required to be carried by each of them pursuant to this Section or any other insurance actually carried by each of them. WEHA shall cause its insurer to issue an appropriate waiver of subrogation rights endorsements to all policies of insurance carried in connection with WEHA's operations and TOWN's operations and property failure of the TOWN to insist in any one or more instances upon strict compliance of any of the obligations, covenants, and agreements herein contained, or the failure of the TOWN in any one or more instances to exercise any option, privilege, or right herein contained shall in no way be construed as constituting a waiver of such default or option by the TOWN.

- 10.7 It is agreed that if the enforcement, interpretation or construction of this CONTRACT becomes necessary or advisable, the prevailing party in such effort shall be entitled to reasonable attorneys' fees, as well as all related costs and expenses.
- 10.8 If any provision, covenant, clause or agreement contained in this CONTRACT or the application hereof shall be found to be invalid, such invalidity shall not affect the validity of the remaining provisions, covenants, clauses, agreements, or the validity of the this CONTRCAT as a whole

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE(S) TO FOLLOW]

IN WITNESS WHEREOF, the parties have executed this CONTRACT effective as of the date first set forth above.

TOWN:

TOWN OF CRESTED BUTTE,
COLORADO,
a Colorado home rule municipality

By: _____
William V. Crank, Town Manager

ATTEST:

By: _____
Lynelle Stanford, Town Clerk

(SEAL)

WEHA:

GUNNISON VALLEY HOCKEY
ASSOCIATION

By: _____
Name: _____
Title: _____

Request for inclusion

Gunnison County Substance Abuse Prevention Project (GCSAPP) is requesting to be included in Crested Butte Town council's budget. These funds will be used to implement the Positive Youth Development framework in the coalition, with emphasis on the Choice Pass Program and activities; to implement the Sources of Strength program for Crested Butte high school and middle school; and to continue to offer wilderness leadership opportunities for Crested Butte youth between 6th and 12th grade.

What is positive youth development?

Colorado defines PYD uniquely as a universal approach with a practical lens that cuts across multiple risk factors and across all levels of prevention. PYD in Colorado is an evidence-based approach that guides communities and organizations in the way that they organize services, opportunities and supports so that all *youth can be engaged and reach their full potential*. (*Colorado Department of Health and Education, 2016*)

- Positive Youth Development – Choice Pass program – 51% of participants are CB youth = \$8,500 in alternative programming

What is Sources of Strength?

Sources of Strength is a best practice youth suicide prevention project designed to harnesses the power of peer social networks to change unhealthy norms and culture, ultimately preventing suicide, bullying, and substance abuse. The mission of Sources of Strength is to prevent suicide by increasing help seeking behaviors and promoting connections between peers and caring adults. The program helps to strengthen multiple sources of support (protective factors) around young individuals so that when times get hard they have strengths to rely on.

www.sourcesofstrength.org

Sources of Strength has been implemented in the Gunnison High School at the request of youth. After the 2014-2015 school year and the loss of three peers, many youth were frustrated and felt hopeless. They voiced the need for a peer-based program that could help increase their power in situations such as bullying, suicide prevention and violence prevention. GCSAPP has received funding to implement the Sources of Strength program in all of our community schools – Gunnison high school, middle school, Crested Butte high school, Crested Butte middle school and Western State Colorado University. Although we have funding for the implementation of the program we do not funding for the team/leadership building component.

- Sources of Strength AEI leadership camp for 48 CBCS youth = \$12,000

Crested Butte Youth Council

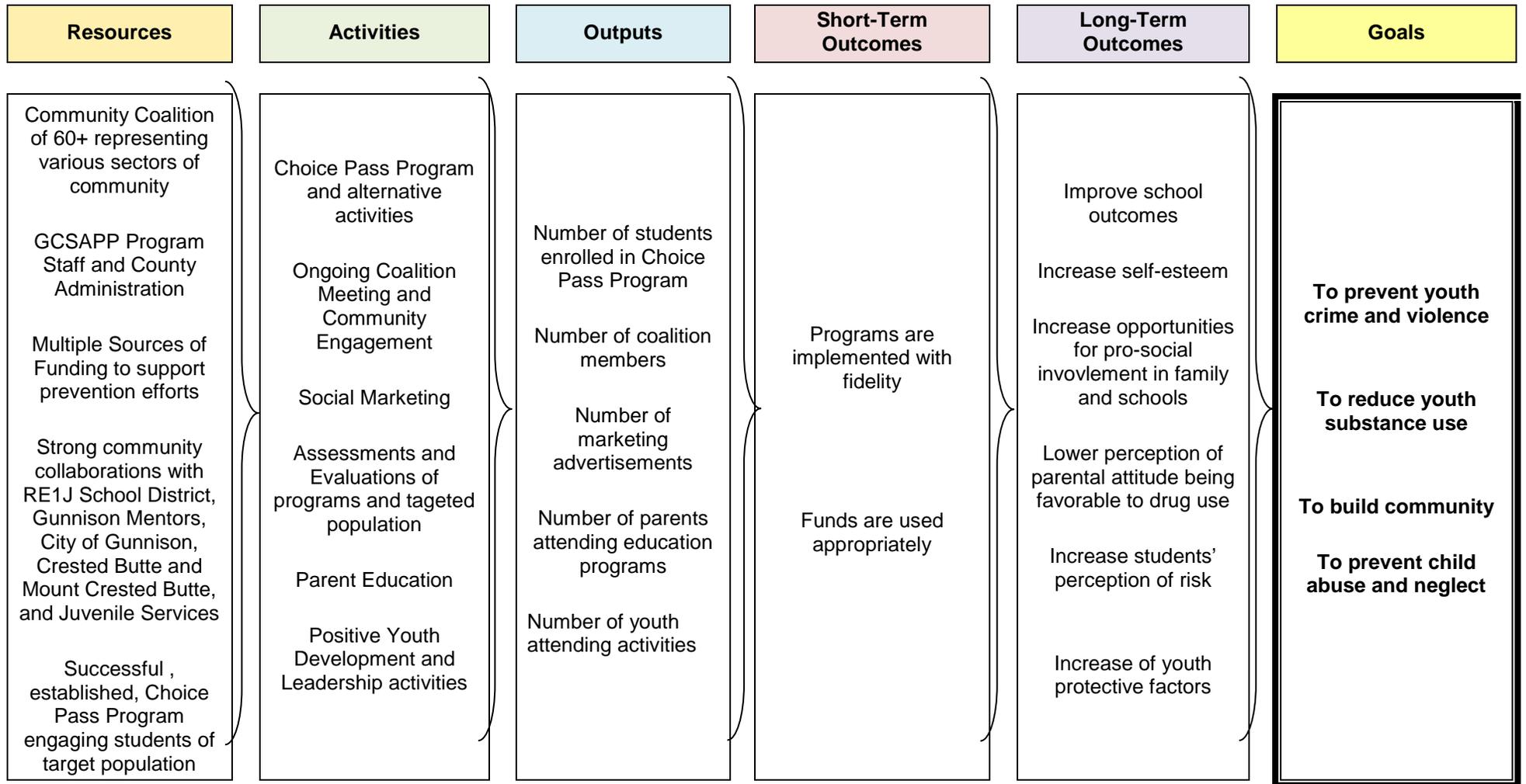
The Crested Butte Youth Council has been in existence for the past four years. Currently there are 15 active members of the coalition. This youth coalition meets bi-monthly to discuss and create youth programming. The programming that the youth create is for all Crested Butte high school students. This past year they organized movie nights, late night events, created youth messaging. GCSAPP has a very minimal budget (\$1,000) for the youth council. In order to help align with the Positive Youth Development framework we would like to boost up the funds and opportunities for the Crested Butte Youth council. This year we would like to make products with youth messaging, help to create a community supported late night space for youth, and help them organize and hold youth events.

Crested Butte Youth Council (15 members) = \$4,500

TOTAL REQUEST = \$25,000

Attachment 1: Logic Model

GCSAPP Choice Pass and Parent Education Program Logic Model



July 27, 2016

Dear Crested Butte Town Council,

I am writing to you to tell you about one of the successful programs that Gunnison County Substance Abuse Prevention Project has in our valley. Choice Pass is for middle schools and high schools youth; it is an incentive program that is supported by many businesses in our community. Choice Pass kids get free popcorn at the Majestic Theater and a dollar off ice cream at Third Bowl ice cream. They can also get a CBMR season ski pass for \$110. The program started with just a handful of students a few years ago and now has over 650 participants. What is important to know is that Choice Pass is a partnership between the parents and the kids. Choice Pass is about making healthy choices. For some, those choices are to not use drugs and alcohol, for other kids it's also to get good grades or to eat health. At the beginning of each year parents and kids get to sign a pledge and have a conversation about the coming year. Parents attend educational dinners where they can learn about subjects like Teen Brain Development, Technology & Teens and Sexting.

The GCSAPP staff is an incredibly skilled, with Kari Commerford heading up a team of highly educated, young dynamic staff. I got a chance to see them at a regional conference where all the other people at the conference were seeking out Kari and her staff because of their cutting edge programming. Kari knows about the importance of community by-in and is invested in helping our community and helping our kids.

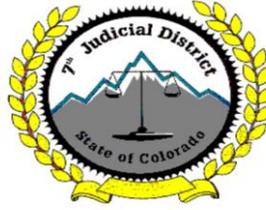
Thank you for your consideration,

Jennifer Oberling

Choice Pass Holder Parent

**Office of the
Chief Judge**

Gunnison Combined Courts
Gunnison County Courthouse
200 East Virginia Avenue
Gunnison, Colorado 81230



Telephone - (970) 642-8300, ext. 0
FAX - (970) 642-8350
e-mail—steven.patrick@judicial.state.co.us

**Seventh Judicial District
State of Colorado**

*J. Steven Patrick
Chief Judge*

July 27, 2016

Crested Butte Town Council
P.O. Box 39
Crested Butte, CO 81224

Re:GCSAPP

Dear Members of the Crested Butte Town Council:

This letter is to express my support of this organization in Gunnison County. It has been instrumental in educating children and families with respect to substance abuse and alcohol related issues. The Choice Pass Program, established in conjunction with the ski area, has truly motivated any number of young people to abstain from alcohol and drugs.

I would encourage your careful consideration of financially supporting this worthy organization. If I can be of any further assistance in answering questions concerning this organization, I would be happy to do so.

Sincerely,

A handwritten signature in black ink that reads "J. Steven Patrick". The signature is stylized and written in a cursive script. Below the signature, the name "J. Steven Patrick" is printed in a standard font.

J. Steven Patrick

To the Crested Butte town council,

I am writing this letter to express my strong support to GCSAPP.

This prevention program has been in the last few years a major input in keeping our kids aware about the consequences of using drugs and alcohol, and also helping in educating the parents in how to relate to our teenagers these days where drugs are more powerful and easily accessible.

Drug prevention is a critical component to ensuring the success of our youth.

The GCSAPP program is the backbone of youth drug prevention and intervention efforts and is clearly making a difference.

Thank you for your consideration,

Monica Bilow



7/26/16

To: Crested Butte Town Council
RE: GCSAPP Letter of Support

Greetings Crested Butte Town Council Members:

Gunnison Valley Mentors is so very pleased and excited to stand with GCSAPP as prevention partners in Gunnison County. We encourage you to support GCSAPP's request for support to implement Positive Youth Development and youth leadership activities for the deserving young people of Crested Butte.

GCSAPP's list of accomplishments as a leader in addressing local substance use issues is impressive. The Choice Pass, combined with parent education workshops and classes, informative advertising campaigns, involvement with the prescription drug "take back" program, and management of the GCSAPP coalition have led to reduced youth substance use rates county wide. In this time of marijuana legalization, GCSAPP's efforts have led to a 30% decrease in youth marijuana use. This is remarkable when considering most communities with legalized marijuana are recording skyrocketing youth use rates.

The implementation of Positive Youth Development and youth leadership activities will augment current GCSAPP programming. The Crested Butte Town Council's consideration of this request reinforces our collective county-wide values around keeping our young people safe and healthy.

Graciously,

Tina McGuinness

Tina McGuinness, Executive Director



Staff Report

July 28, 2016

To: Mayor and Town Council
From: Bill Crank, Interim Town Manager
Lois Rozman, Finance Director
Subject: Ordinance No. 5, Plastic Bag Ban

Summary: The Council has had multiple work sessions and presentations on the issue of banning single use plastic bags, limiting the use of paper bags and instituting a fee on paper bags.

Previous Council Action: Defeated Ordinance No. 4 concerning plastic bag ban at the July 18th Council meeting. Instructed Staff to come back with another ordinance.

Background: During discussion at the July 18th Council meeting, prior to the defeat of Ordinance No. 4. banning plastic bags, the Council meticulously went through the decision points and weighed in on where each Councilmember stood. Through that discussion, the following points were determined:

- Ban Single Use Plastic Bags with some exceptions as stated in Ordinance No. 4 – all agreed
- Mandate a fee on use of Paper Bags for all retail, not just “large retailer” – 4 in favor and 3 against
- Fee – raise fee from 10 cents to 20 cents with the retailer to keep it all, no Town involvement in collection – all agreed
- 2 year implementation period – all agreed
- A couple of Councilmembers asked if the Town could impose a fee that it would not be collecting – Staff will have to research

Discussion: Town Attorney John Belkin, researched the question as to the legality of Town implementing a fee which it would not be collecting and has determined the Town may not do so. For a fee to be legal, it must have nexus and be administered by the Town. Because the Council was in agreement at the last meeting as to no Town involvement in the collection of the fee, the fee and everything associated with the fee has been eliminated from the new proposed ordinance. Ordinance No. 5, Series 2016 places a ban on the use of single use plastic bags. It has the same plastic bag exceptions as in previous Ordinance No. 4 and puts restrictions on the types of paper bags that will be allowed to be used.

Recommendation: Staff recommends setting Ordinance No. 5 for public hearing at the August 15th Town Council meeting. Any changes to the Ordinance which would make the Ordinance more restrictive, should be made at the meeting on the 2nd.

Proposed Motion: I move to set Ordinance No. 5, Series 2016 for public hearing at the August 15, 2016 Town Council meeting.

ORDINANCE NO. 5

SERIES 2016

AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING CHAPTER 7 OF THE CRESTED BUTTE MUNICIPAL CODE TO ADD A NEW ARTICLE 6 PROHIBITING THE USE OF DISPOSABLE PLASTIC BAGS AND MANDATING CERTAIN STANDARDS FOR THE USE OF PAPER BAGS

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

WHEREAS, the Town, through its policies, programs and laws supports efforts to reduce the amount of waste that must be land-filled and pursues a reduction in waste as a long-term goal by emphasizing waste prevention efforts, all in an effort to raise awareness to effect change;

WHEREAS, the use of disposable plastic bags has significant impacts on the environment on a local and global scale, including greenhouse gas emissions, litter, harm to wildlife, atmospheric acidification, water consumption and solid waste generation;

WHEREAS, despite recycling and voluntary solutions to control pollution from disposable plastic bags, many disposable plastic bags ultimately are disposed of in landfills, litter the environment, block storm drains and endanger wildlife; and

WHEREAS, the Town Council has determined that the below amendments to the Town Code as proposed by Town staff in this ordinance are, for the foregoing reasons, in the best interest of the health, safety and general welfare of the residents and visitors of Crested Butte.

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

Section 1. **Amending Chapter 7.** Chapter 7 of the Code is hereby amended to add a new Article 6 that shall read as follows:

“ARTICLE 6 -

**Prohibitions on Disposable Plastic Bags;
Standards for the Use of Permitted Paper Bags**

Section 7-6-10. Purpose.

The purpose of these regulations is to protect public health and safety and implement the general goals of the Energy Action Plan of the Town of Crested Butte (EAP) by prohibiting the

use of Disposable Plastic Bags and mandating certain standards for the use of Permitted Paper Bags.

Section 7-6-20. Applicability.

Commencing September 1, 2018, Disposable Plastic Bags shall not be used, retail or wholesale, within Town limits by any Business. Commencing September 1, 2018, Non-Permitted Paper Bags shall not be used, retail or wholesale, within Town limits by any Business, and only Permitted Paper Bags may be used.

Section 7-6-30. Definitions.

The following terms shall have meanings ascribed thereto:

Disposable Plastic Bag means a bag made from either non-compostable plastic or compostable plastic provided by a Business to a customer at the point of sale for the purpose of transporting goods. The term “Disposable Plastic Bag” shall not include:

(a) Bags used by consumers inside stores to:

(1) Package bulk items, such as fruit, vegetables, nuts, grains, candy, or small hardware items;

(2) Contain or wrap frozen foods, meat, or fish, whether prepackaged or not;

(3) Contain or wrap flowers, potted plants, or other items where dampness may be a problem;

(4) Contain unwrapped prepared foods or bakery goods;

(5) Contain artworks; and

(6) Contain books and periodicals.

(b) Bags provided by pharmacists to contain prescription drugs or bags provided by a medical marijuana center to provide the product to the patient;

(c) Newspaper bags, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags;

(d) Reusable Carryout Bags;

(e) Non-Permitted Paper Bags and Permitted Paper Bags, as defined herein; or

(f) Bags provided to the consumer for the purpose of transporting a partially

consumed bottle of vinous liquor (wine) pursuant to the provisions of C.R.S. § 12-47-421.

Retailer means a retail establishment or Business that is a retail operation in the business of selling goods.

Non-Permitted Paper Bags means a paper bag provided by a Business to a customer at the point of sale for the purpose of transporting goods, which does not meet the standards of a “Permitted Paper Bag”.

Permitted Paper Bags means a paper bag provided by a Retailer to a customer at the point of sale for the purpose of transporting goods, which meets all of the following requirements:

- (a) The bag is manufactured from 40% recycled content;
- (b) The bag contains no old growth fiber; and
- (c) The bag is 100% recyclable.

Reusable Carryout Bag means a bag that is specifically intended for multiple reuse and is made of cloth, fiber, or other machine washable fabric that is at least 2.25 millimeters thick and capable of carrying a minimum of 18 pounds with at least 75 uses per bag. Reusable Carry Out Bags that are used for the transport of foodstuffs shall be machine washed periodically or otherwise replaced for health and safety reasons.

Section 7-6-40. Implementation of Disposable Plastic Bag Ban.

(a) Retailers shall only offer either a Reusable Carryout Bag or a Permitted Paper Bag to a consumer for use.

(b) Violation of the requirements set forth in this section shall subject the offending Person and/or Business to the penalties set forth in this Article.

Section 7-6-50. Town Wide Prohibition on Disposable Plastic Bags.

(a) Disposable Plastic Bags shall not be used, retail or wholesale, within Town limits by any Business.

(b) Violation of the requirements set forth in this section shall subject the offending Person and/or Business to the penalties set forth in this Article.

Section 7-6-60. Required Signage for Retailers.

Every Retailer shall display a sign in a location viewable by customers stating that:

“The Town of Crested Butte prohibits the sale or distribution of Disposable Plastic Bags in an effort to help protect our environment from excess litter, resource consumption and greenhouse gases. The Town encourages the use of Reusable Carryout Bags in all

instances. If you do not have a Reusable Carryout Bag or choose not to purchase a Reusable Carryout Bag, a 100% recyclable paper bag is available for your use.”

Section 7-6-70. Violations and Penalties.

Any Person and/or Business upon conviction of a violation of any provision of this Article, shall be subject to the following penalties:

(a) Upon the 1st violation, a one (1) time only written warning notice that a violation has occurred shall be issued by the Town to the Person and/or Business. No monetary penalty shall be imposed for the first violation.

(b) Upon a subsequent violation and conviction, the Town shall impose a penalty on the Person and/or Business. The penalty shall not exceed:

(1) \$50.00 for the first violation after the written warning;

(2) \$100.00 for the second violation in the same calendar year of the first violation; and,

(3) \$300.00 for the third and each subsequent violation in the same calendar year of the earlier violations.

(c) No more than one (1) penalty shall be imposed upon a Person and/or Business within any seven (7) day period.”

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 any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS ___ DAY OF _____, 2016.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS _____ DAY OF _____, 2016.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Glenn Michel, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

(SEAL)

From: [Benjamin Swift](#)
To: [Lynelle Stanford](#)
Cc: [Erika Vohman](#); [Glenn Michel](#); [Chris Ladoulis](#); [Paul Merck](#); [J Schmidt](#); [Laura Mitchell](#); [R Mason](#); [William Crank](#)
Subject: Letter to the editor re: plastic litter and policy
Date: Wednesday, July 27, 2016 10:31:55 PM
Attachments: [Hoellein letter to editors 25July16.pdf](#)

Dear Town Council,

Please see this attached letter in support of our bag ordinance from Dr. Timothy Hoellein, a Biology professor at the Loyola University of Chicago.

Thank you.
Benjamin Swift

----- Forwarded message -----

From: **Hoellein, Timothy** <thoellein@luc.edu>
Date: Monday, July 25, 2016
Subject: Letter to the editor re: plastic litter and policy
To: "editorial@crestedbuttenews.com" <editorial@crestedbuttenews.com>, "mark@crestedbuttenews.com" <mark@crestedbuttenews.com>
Cc: Benjamin Swift <benjamin@eatsmallfish.org>

To Whom It may Concern,

Please find the attached letter to the editorial staff at *Crested Butte News* regarding my experience with research on plastic litter and associated public policies. Please feel free to be in touch if any questions or comments arise. Sincerely

Tim Hoellein

Timothy Hoellein, Ph.D.

Associate Professor

Department of Biology

Loyola University Chicago

1032 W Sheridan Rd, Chicago IL, 60660

773-508-8859

<http://hoellein.weebly.com/>

--

Benjamin Swift | [facebook.com/BagFreeCB](https://www.facebook.com/BagFreeCB) | Benjamin@EatSmallFish.org





Timothy Hoellein, Ph.D.
Associate Professor, Department of Biology
Loyola University Chicago
Phone: (773) 508-8859, Email: thoellein@luc.edu

Editorial staffs
Crested Butte News, Gunnison Times

July 25, 2016

Dear Editors,

Many people have heard that plastic litter is accumulating in the ocean, where scientists study its origins, movement, breakdown, and interactions with marine life. Plastic in the open ocean can break down slowly, sink to the bottom, or is eaten by fish, turtles, or birds. Some ocean currents dump plastic onto big piles on far-flung beaches where it is seen only by birds. Most of the pictures and research on plastic litter are ocean-based, so it is easy for the 'landlocked' among us to think we don't contribute to ocean litter. But this is wrong. Research shows that while some litter is dumped directly into the ocean, the vast majority, or about 80%, originates on land and rivers. By tracking litter, we've found that when plastic is left next to streams it moves within 1 year. The litter gets transported downstream, sits for a while, and then jumps downstream again. Streams and rivers are threads that connect each of us (and our garbage) to the global ocean, so we are all responsible for the problem of plastic accumulation.

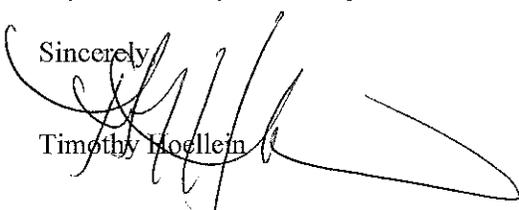
The good news is preventing plastic litter is possible with education, research, and legislation. Last year, I testified in the Indiana State House of Representatives about small plastic beads in soaps. The beads go down the drain and through our wastewater treatment plants and we found them in streams. The conservative committee voted unanimously to mandate alternatives to plastic. "Why use plastic if agricultural products are available?" a legislator asked me. Good point. For many, hearing about the policy was the first time they learned about small plastic beads in their soap. So, prevention of litter from this new policy educated people in our region. The same is possible in this community.

City governments can help prevent plastic litter of all sorts. One common action is legislation on the use of plastic shopping bags. Many of us have a cabinet where plastic shopping bags pile up. We hope to recycle or re-use them, and sometimes we do. Unfortunately, the piles of plastic bags in our homes are mirrored by vast accumulations of plastic in rivers, coastlines, and the open ocean. We use plastic bags for minutes or hours, but they can persist in the environment years beyond our lifetime. The plastic out there is from us, and is also the litter of our parents.

I met high school student Benjamin Swift at the Society for Freshwater Science meeting where he presented his research on stream insects. He told me about Sustainable Crested Butte and asked me to reflect on my experiences as they relate to newly proposed policies for shopping bags in town. I'm happy to share my conclusions, which are that 1) the plastic litter in our environment is our collective responsibility, 2) the scale of the problem is global, and 3) the time for action at all levels of government is now. I suggest the town council answer the question that a state legislator asked me: "why use plastic when there are environmentally safe alternatives available?" When thinking about it, the leaders can reflect on the motivated young people in the community like Ben, as well as their duty to the health of the city, our country, and our global environment.

Sincerely,

Timothy Hoellein



From: [Tiffanie Simpson](#)
To: [Lynelle Stanford](#)
Subject: Bag Ban Support Letter
Date: Thursday, July 28, 2016 7:48:13 AM

Hi Lynelle,

Please add the following letter to the town record and forward onto the Town Council.

Many thanks,
Tiff

Dear members of the Town Council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

1. Following the 24-month phase-in period, **all retailers**, regardless of size, are included in the single-use plastic bag ban.
2. **All retailers** are required to charge **\$0.20** for a paper bag (with noted exceptions of bags for flowers, books, etc.).
3. Retailers will keep the \$0.20 raised from each bag. This eliminates the hassle of turning over the money to the Town, and supports our business owners by helping to cover the cost of the more expensive bags.
4. Paper bags must be made from at least **40% recycled content**, contain no old-growth fiber, and be 100% recyclable.

We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,
Tiffanie Simpson
208-241-8872

From: [Adge Marziano](#)
To: [Lynelle Stanford](#)
Subject: Plastic bag ordinance
Date: Thursday, July 28, 2016 1:35:08 PM

To whom it may concern,

Can you please file this in public records and forward it on to town council? It is in reference to an issue being discussed at the public hearing on Aug 2. So soon! We really appreciate the help!

To the town council of Crested Butte:

I am writing in favor of passing the plastic bag ordinance as proposed in the statement below. I would like to add that this movement began many years ago with the CB Youth Council and ORE working together. We even partnered with Western at the time... Many hearts and hands have gone into the making of this momentum and Benjamin Swift has certainly put forth an excellent drive to make this happen. It is simply the right move. Let's help this one piece of CB grow in an eco-friendly, aware, wonderful way :) Thank you for considering.

- Adge Marz Lindsey

Some shared details:

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

1. Following the 24-month phase-in period, **all retailers**, regardless of size, are included in the single-use plastic bag ban.
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3. Retailers will keep the \$0.20 raised from each bag. This eliminates the hassle of turning over the money to the Town, and supports our business owners by helping to cover the cost of the more expensive bags.
4. Paper bags must be made from at least **40% recycled content**, contain no old-growth fiber, and be 100% recyclable.

We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

Adge Marz Lindsey



Executive Director

info@dancecrestedbutte.org

484-885-9951

"All that is important is this one moment in movement. Make the movement vital & worth living. Do not let it slip away unnoticed & unused..."

~ Martha Graham ~

From: [Katherine Norgard](#)
To: [Lynelle Stanford](#)
Subject: Bag ban issue
Date: Thursday, July 28, 2016 6:47:45 AM

Dear council members,

I support the expanded bag ban ordinance proposed at the council meeting on July 18th. As human beings, our way of life, our economy, and our happiness depend on doing this small part toward creating a healthy environment.

This ordinance is a small step, but it will contribute to the sustainability of Crested Butte. Please include the following points in the bag ordinance:

1. Following the 24-month phase-in period, include all retailers in the single-use plastic bag ban;
2. Require all retailers to charge 20 cents for a paper bag (with noted exceptions of bags for flowers, books, etc.).
3. Retailers will keep the 20 cents raised from each bag eliminating the hassle of turning over the money to the Town, and supporting our business owners by helping to cover the cost of the more expensive bags.
4. Paper bags must be made from at least **40% recycled content**, contain no old-growth fiber, and be 100% recyclable.

We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

From: [Chrissie Coffey Nehrenberg](#)
To: [Lynelle Stanford](#)
Subject: Bag ban letter of support
Date: Thursday, July 28, 2016 2:56:33 PM

Dear Town Council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

1. Following the 24-month phase-in period, **all retailers**, regardless of size, are included in the single-use plastic bag ban.
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4. Paper bags must be made from at least **40% recycled content**, contain no old-growth fiber, and be 100% recyclable.

We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

Chrissie Coffey Nehrenberg

From: [Erika Vohman](#)
To: [Lynelle Stanford](#)
Subject: bag ban letter
Date: Thursday, July 28, 2016 5:41:20 PM

Dear town council,

I am writing to express my support as a town resident for the proposed upgraded plastic bag ordinance/ban and 20 cent charge for recycled paper bags. thank you

Erika

Erika Vohman

Executive Director, Maya Nut Institute

"Finding balance between people, food and forests"

www.MayaNutInstitute.org

skype: erikavohman

tel: +1 (970) 275-4065

Sign up for our Newsletter by clicking here!

From: [Robert Burnett](#)
To: [Lynelle Stanford](#)
Subject: Bag Ban Ordinance
Date: Thursday, July 28, 2016 9:53:34 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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4. Paper bags must be made from at least **40% recycled content**, contain no old-growth fiber, and be 100% recyclable.

We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

Rob Burnett

P.O. Box 170
CB

From: [Laura Tomlinson](#)
To: [Lynelle Stanford](#)
Subject: Bag Ban Ordinance
Date: Friday, July 29, 2016 6:59:47 AM

Dear Town Council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

Laura Tomlinson

From: [Andrew Hadley](#)
To: [Lynelle Stanford](#)
Subject: Bag Ban Support Letter
Date: Thursday, July 28, 2016 10:34:18 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Yeah you right,
Andrew Hadley

From: [Julie Ball](#)
To: [Lynelle Stanford](#)
Subject: Bag ban support
Date: Thursday, July 28, 2016 10:26:13 AM

Dear Town Council,

I am emailing to let you know that my family and I support the expanded bag ban ordinance proposed at the Council meeting on July 18th. I am so impressed and excited that you have decided to lead Crested Butte to the next level of sustainability. Thank you so much.

I agree with all points listed including charging for bags, having the retailer keep the fee (it will add up for them!), and also regulating paper bags.

Again, thank you so much for your leadership and commitment to our amazing, one-of-a-kind community. Your job is not easy so we appreciate your efforts to do what is best for Crested Butte and the rest of the world. Crested Butte is a small town that thinks sooo big and that is why we choose and are so fortunate to call it home.

My best, Julie Ball
PO Box 3993
Crested Butte, CO 81224

From: [Brittany Perkins](#)
To: [Lynelle Stanford](#)
Subject: Bag Ban Support
Date: Friday, July 29, 2016 9:25:00 AM

Hello,

I was hoping that you could enter the below letter into public record and forward to the town council. Thank you so much.

Brittany

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

1. Following the 24-month phase-in period, **all retailers**, regardless of size, are included in the single-use plastic bag ban.
2. **All retailers** are required to charge **\$0.20** for a paper bag (with noted exceptions of bags for flowers, books, etc.).
3. Retailers will keep the \$0.20 raised from each bag. This eliminates the hassle of turning over the money to the Town, and supports our business owners by helping to cover the cost of the more expensive bags.
4. Paper bags must be made from at least **40% recycled content**, contain no old-growth fiber, and be 100% recyclable.

We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

Brittany Perkins

From: [Claire Karban](#)
To: [Lynelle Stanford](#)
Subject: Bag Ban Support
Date: Friday, July 29, 2016 1:15:23 PM

Hi Lynelle,

Could you please add this letter to the public records and forward it to Town Council?

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,

Claire Karban

Crested Butte resident

From: [Isabella Jacoby](#)
To: [Lynelle Stanford](#)
Subject: Bag Ban
Date: Tuesday, July 19, 2016 9:20:25 AM

I, Isabella Jacoby, support the following points for the bag ban ordinance:

Sustainable Crested Butte proposed bag ban points for meeting July 18

1. We are asking that **all retailers** be required to charge a 20 cent fee on paper and plastic single-use checkout/carryout bags (with a possible 6 month grace period for non-grocery retailers to ease in).
2. We ask that all retailers be included. Not just Clark's and True Value.
3. If desired, allow retailers to retain all fees in order to eliminate the accounting hassle for the Town and stores.
4. After 2 years, plastic single-use checkout bags will be banned, and paper bags will be allowed for a 20 cent fee.

Could you put this in the public records and forward to Town Council? Thank you very much.

Sincerely,
Isabella Jacoby

From: [Kevin Donovan](#)
To: [Lynelle Stanford](#)
Subject: bag ban
Date: Monday, July 18, 2016 9:20:59 PM

To whom it may concern:
I support the following points for the bag ban ordinance:

Sustainable Crested Butte proposed bag ban points for meeting July 18

- 1-We are asking that **all retailers** be required to charge a 20 cent fee on paper and plastic single use check out bags. (With a possible 6 month grace period for non-grocery retailers to ease in)
- 2-We ask that all retailers be included. Not just Clarks and True Value.
- 3-Allow retailers to retain all fees to eliminate the accounting hassle for town and stores if desired.
- 4- After 2 years, plastic single use check out bags will be banned, and paper will be allowed for a 20 cent fee.

Thank you!!

--

Kevin Donovan
MB Builders LLC
POB 2317 Crested Butte, Colorado 81224

970-349-7088
970-596-2066 cell

We build 'em Mo' Bettah

From: [Bill Oliver](#)
To: [Lynelle Stanford](#)
Subject: Bag Ban
Date: Thursday, July 28, 2016 7:48:02 AM

Dear town council,

I'm writing to let you know that I support the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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4. Paper bags must be made from at least 40% recycled content, contain no old-growth fiber, and be 100% recyclable.

We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

Bill Oliver
970 349-0902
505 670-3689
Bill.oliver@merrick.com

Please consider the environment before printing this email.

This transmission, which may contain confidential information, is for the intended recipient only. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient, is prohibited. If you received this in error, please contact the sender and delete the material from your computer and networks.

From: [Joyce](#)
To: [Lynelle Stanford](#)
Subject: bag ban
Date: Thursday, July 28, 2016 8:37:01 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully, David Bracht

From: [Monica](#)
To: [Lynelle Stanford](#)
Subject: Bag ban
Date: Thursday, July 28, 2016 9:15:38 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

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Respectfully,

Monica Ariowitsch and

Suzanne Pierson

37 Willow Ct.

CB

Sent from my iPad

From: [Hannah Smith](#)
To: [Lynelle Stanford](#)
Subject: Bag Ban
Date: Friday, July 29, 2016 4:51:42 AM

Dear town council,

I'm writing to let you know that I support the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,
Hannah Smith

From: [Jane Banks](#)
To: [Lynelle Stanford](#)
Subject: Bag ban
Date: Friday, July 29, 2016 5:53:42 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

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Respectfully,

Jane Banks

Sent from Jane's iPad

From: [Charla Brown](#)
To: [Lynelle Stanford](#)
Subject: Bag free
Date: Friday, July 29, 2016 7:23:05 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,

Charla Brown

*Charla Brown
PO Box 170
Crested Butte, CO 81224
970-964-8718*

From: [Katie Meyer](#)
To: [Lynelle Stanford](#)
Subject: Bag Ordinance
Date: Thursday, July 28, 2016 7:25:47 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,

Katie Meyer

124 Maroon Ave

From: [Pioneer Guest Cabins](#)
To: [Lynelle Stanford](#)
Subject: bag ordinance
Date: Thursday, July 28, 2016 7:57:21 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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4. Paper bags must be made from at least **40% recycled content**, contain no old-growth fiber, and be 100% recyclable.

We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

Leah and Matt Whiting

Pioneer Guest Cabins



--

Matthew and Leah Whiting
Pioneer Guest Cabins
2094 CR 740
Crested Butte CO 81224
www.pioneerguestcabins.com
970-349-5517

From: [Elizabeth Smith](#)
To: [Lynelle Stanford](#)
Subject: Bag ordinance
Date: Thursday, July 28, 2016 10:07:43 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

Elizabeth Smith

From: [Murray Banks](#)
To: [Lynelle Stanford](#)
Subject: Bag ordinance
Date: Friday, July 29, 2016 10:20:09 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,

Murray Banks

Murray Banks
PO Box 342, Crested Butte, Co 81224
802/899-4246

From: [kelli jones](#)
To: [Lynelle Stanford](#)
Subject: Please forward to all town council members. Thank you.
Date: Wednesday, July 27, 2016 9:50:03 PM

Hello all. I'm writing to show my support of the 7-18-16 single use plastic bag ban/fee ordinance revision. To give locals and tourist a chance to get out and show their support, I organized a fun and mellow townie takeover this past [Friday evening](#). These riders were excited and hopeful of an ALL store single use plastic bag ban/fee. We had 25 to 30 locals and a few outta towners join our chanting, sign carrying, orbital forming, 2 looped, townie ride down elk. I saw lots of smiling face and photo taking amongst our community that evening and considered this demonstration a success towards awareness and involvement. So many cities and towns across the world and our nation have done this, and now it is CBs turn to make a difference, to be the change!:) Thank you for voting for this revised ordinance at the last town council meeting and please make it final [on 8-1-2016](#).

Best,
Kelli Jones

From: [Terri Klatt](#)
To: [Lynelle Stanford](#)
Subject: Bags
Date: Thursday, July 28, 2016 1:55:04 PM

I'm an in favor of the new ordinance on plastic bag ban that is currently in the works.

Thanks

Terri Klatt

From: [John Thomas Ryan](#)
To: [Lynelle Stanford](#)
Subject: Ban Plastic Bags!
Date: Thursday, July 28, 2016 8:16:43 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

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Respectfully,

John Ryan

From: [Benjamin Swift](#)
To: [Lynelle Stanford](#)
Cc: [Glenn Michel](#); [Erika Vohman](#); [J Schmidt](#); [Chris Ladoulis](#); [Laura Mitchell](#); [Paul Merck](#); [R Mason](#); [William Crank](#); [John Belkin](#)
Subject: Expanded Bag Ordinance Support
Date: Wednesday, July 27, 2016 10:01:52 PM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,

Benjamin Swift

--

Benjamin Swift | [facebook.com/BagFreeCB](https://www.facebook.com/BagFreeCB) | Benjamin@EatSmallFish.org



From: [Randy Swift](#)
To: [Lynelle Stanford](#)
Subject: Fwd: Copy-Paste Support Letter
Date: Thursday, July 28, 2016 4:53:36 PM

Hi Lynell,
Would you please forward this to the council members and save it in the public record
Thanks Randy swift

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,

[insert your name here]

From: [Ryan Myers](#)
To: [Lynelle Stanford](#)
Subject: I like the bag ban
Date: Thursday, July 28, 2016 4:33:58 PM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

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Respectfully,

Ryan Myers

From: [Andrew Arell](#)
To: [Lynelle Stanford](#)
Subject: In Support of Sustainable CB
Date: Friday, July 29, 2016 2:59:40 PM

Dear Town Council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,

Andrew Arell

Director of Events
Crested Butte Nordic
Cell: 720-404-2311
Office: 970-349-1707 x 4

www.cbnordic.org



From: [Kate Seeley](#)
To: [Lynelle Stanford](#)
Date: Wednesday, July 20, 2016 7:33:35 AM

Hi Lynell!

Thanks for friar sing this to the council- I'll try to make the meeting as well~

It's about time we make an effort for something our forefathers never had to think about, just bringing their canvas or non disposable bags to markets.

Cheers! Kate

Dear Council of Crested Butte~

I support the following points for the bag ban ordinance.

I believe that we are long overdue to play our part in garbage diminishment. Municipalities have the power to slowly shift the lazy & " convenient" ways of our present , wasteful world.

Why can't we just learn to bring our own bag(s) when we shop for ANYTHING? Our forefathers didn't have a disposable life and our landfills have a limit- the manufacturing and the tossing away of disposable bags is overwhelming and to use fewer and fewer of them will decrease the demand , the waste and pollution of our precious resources. People will still spend their .20 cents for convenience, but at least it might make some think about the ridiculous waste that we create.

Sustainable Crested Butte proposed bag ban points for meeting July 18

1-We are asking that all retailers be required to charge a 20 cent fee on paper and plastic single use check out bags. (With a possible 6 month grace period for non-grocery retailers to ease in)

2-We ask that all retailers be included. Not just Clarks and True Value.

3-Allow retailers to retain all fees to eliminate the accounting hassle for town and stores if desired.

4- After 2 years, plastic single use check out bags will be banned, and paper will be allowed for a 20 cent fee.

Thank you for your consideration~

Respectfully, Kate Seeley

Get [Outlook for iOS](#)

From: [Hedda Peterson](#)
To: [Lynelle Stanford](#)
Subject: Please consider the Bag Ban
Date: Thursday, July 28, 2016 8:00:26 AM

Dear town council,

During this time of abrupt ecological change, human populations around the world are being pressured to act. In Crested Butte we are fortunate enough to live and work alongside a **competent** and caring community, capable of implementing smart growth while upholding all that is Crested Butte. Lets not stop here- the bag ban is one step in the right direction to build a more sustainable Crested Butte.

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,

Hedda Peterson

Thank you!

From: [Mac User](#)
To: [Lynelle Stanford](#)
Subject: SINGLE USE PLASIC BAGS !
Date: Thursday, July 28, 2016 9:35:25 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

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Respectfully,

Peter Stallard

From: [Sandy Shea](#)
To: [Lynelle Stanford](#)
Subject: Single-use bag ordinance
Date: Thursday, July 28, 2016 6:39:28 AM

Dear Lynelle,

If you can pass these thoughts on to the CB Town Council in preparation for the Aug 2 meeting, I would appreciate it. Thank you!
Sandy

Dear Crested Butte Town Council members,

Although I live outside the town limits, I wish to add my voice in support of a single-use bag ban in Crested Butte. I support an ordinance that would include as many businesses as possible following a 24-month (or similar) phase in period. I support customers paying an additional \$.20 per bag, with retailers keeping these monies. I also support an educational kiosk at the Chamber (and possibly elsewhere) explaining **why** the town has chosen to implement this ordinance, and what it says about us as a place. To me, this ordinance indicates to locals and visitors that we're a place that cares about our impacts to our home, and we're trying our best to attempt to address them.

Thank you.

Sandy Shea

P.O. Box 2671 | Crested Butte, CO 81224 |
Home: 970.349.6424 | www.hccacb.org

From: [Annie](#)
To: [Lynelle Stanford](#)
Subject: Support of Bag Ban for CB
Date: Wednesday, July 27, 2016 9:54:50 PM

Hello

We're writing to let you know that We **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

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Respectfully,

Anne and Tom MacFarlane

PO Box 1695

CB, 81224

--

Anne Eliot MacFarlane
www.anneEliot.com

--

From: [Sam Faivre](#)
To: [Lynelle Stanford](#)
Subject: Supporting single-use bag ordinance
Date: Thursday, July 28, 2016 8:55:09 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

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Respectfully,

Sam Faivre

From: [Joyce](#)
To: [Lynelle Stanford](#)
Subject: Sustainable planet
Date: Thursday, July 28, 2016 8:34:42 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

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Respectfully, Joyce Rossiter

From: [Joan Swift](#)
To: [Lynelle Stanford](#)
Subject: Thank you for your support at the last meeting!
Date: Thursday, July 28, 2016 10:10:12 PM

Hi Lynelle,

Please record this on public record and forward to the council please.

Thank you,

Joan Swift

Dear town council,

Thank you for supporting a more rigorous bag ban at the last council meeting! We appreciate all your public service!

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

In order to have a truly meaningful impact, we must pass the more rigorous ordinance. It is a small step, but it will contribute to the sustainability of Crested Butte, and serve as a positive example to our children and our visitors. I ask that the following points be included in the bag ban:

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Respectfully,

Joan Swift

970-349-6337

From: [Benjamin Swift](#)
To: [Erika Vohman](#); [Paul Merck](#); [Glenn Michel](#); [Chris Ladoulis](#); [R Mason](#); [Laura Mitchell](#); [J Schmidt](#)
Cc: [Lynelle Stanford](#); [William Crank](#)
Subject: Townie Takeover for Ordinance Support
Date: Friday, July 22, 2016 7:47:45 AM

Dear Town Council:

Thank you for all your hard work and time spent crafting our single-use bag ordinance. We are really happy with the new draft of the ordinance that you have published, and in order to show our continued community support for this version (and as per Paul's recommendation), we will be holding a "townie takeover" bike ride through town tonight starting at 6 PM (assuming it's not pouring rain). See below for more information.

Thank you!
Benjamin

Dear community,

Calling on all locals and visitors who support less paper and plastic bag use throughout Crested Butte! Please join us for a **"townie takeover"** bag ordinance demonstration on this **Friday, July 22nd at 6 PM** starting at Totem Pole Park. The CB Town Council is considering passing an ordinance that will 1.) Ban plastic single-use carryout bags at *all* stores around town after a two year phase-out period 2.) Require that all stores charge a \$0.20 fee on single-use paper carryout bags after a two year phase-out period 3.) Allow retailers to retain all bag fees in order to recoup their increased costs of purchasing paper bags. 

Please join us (with your bike and a sign if possible) in showing the Council that you support this meaningful ordinance and that there is overwhelming citizen and visitor support to pass it exactly as written.

We hope to see you there!

Kelli Jones, Benjamin Swift, & Sustainable Crested Butte

Benjamin Swift | facebook.com/BagFreeCB | Benjamin@EatSmallFish.org



From: [steffanie chain](#)
To: [Lynelle Stanford](#)
Subject: plastic bag ban
Date: Friday, July 29, 2016 12:24:19 PM

Hi Lynelle,

I am in support of the strictest plastic bag ban possible. In this day and age when large cities like San Francisco can implement a plastic bag ban it seems like our little town should be able to also. I remember when I was 18 and traveling in Sweden in 1988 a person was charged almost a dollar per bag at the grocery store. I tell you what, I never forgot to bring bags to the grocery store after that added expense. It did not bother me one bit, I simply realized quickly I was in a place that charged for grocery bags. Whatever. Its just the way it was there and I did not even think to complain about it.

I hope the council can get their act together to do whats right and do it quickly. I find it totally lame our council is so dysfunctional they need this much time to do something so small but very consequential for the betterment of society as a whole. This issue has been going on and on and on. They should be past this and moving on to other important issues by now. Thank you for your hard work, Steffanie Chain

From: [Katie Meyer](#)
To: [Lynelle Stanford](#)
Subject: Bag Ordinance
Date: Thursday, July 28, 2016 7:25:47 AM

Dear town council,

I'm writing to let you know that I **support** the expanded bag ban ordinance proposed at the council meeting on July 18th. As members of a mountain town, our way of life, our economy, and our happiness depend on a healthy environment.

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We are not the first town to consider regulating both paper and plastic bags. Towns like San Francisco and Boulder have successfully regulated both. If they can do it, so can we. I urge you to pass a meaningful ordinance; we must look at the big picture.

Respectfully,

Katie Meyer

124 Maroon Ave



To: Mayor Michel and Town Council

From: Michael Yerman, Director of Planning

Thru: Bill Crank, Town Manager

Subject: **Ordinance No. 6, Series 2016 Moratorium on Short-Term Rentals**

Date: August 2, 2016

Background:

On April 4, 2016, the Town Council appointed a committee to review possible regulations for short-term rentals within the Town of Crested Butte. This committee met every Thursday morning for 2 months to develop a recommendation for the Town Council to consider to regulate short-term rentals. During this time, the committee met with different industry experts and agencies to become informed on different aspects of the short-term industry. Through this research and learning period, it became apparent to the committee that communities across the State and the Country are all grappling with how to regulate and collect fees and taxes associated with this use.

The reality is that while short-term rentals have existed for some time in resort communities, including the Town, the rise of this industry has grown because of the ease of marketing and advertising of rentals through different web-based platforms. The Town has seen a significant increase in short-term rentals over the past 5 years with 16% of the Town's residential housing stock being used in this capacity. The highest concentration of short-term rentals is in the historic core with almost 1 in 3 homes being used in this capacity.

These concentrations of short-term rentals are beginning to cause impacts to residential neighborhoods throughout the Town by changing the character from predominantly residential into commercial properties used for lodging with transient populations. Traffic, noise, parking, and other nuisance impacts can be attributed to this use. Also the short-term rental market has created a niche economic market that allows potential investors to afford residential property within the Town.

Additionally, because of the transient nature of the users of this product, it has become apparent that life safety building code inspections should be conducted on a yearly basis to help ensure basic public safety in these short-term rentals. At a minimum proper egress from bedrooms, smoke and carbon monoxide detectors, and fire extinguishers should exist in each of these units. Also maximum occupancy caps should be considered to ensure the safety of these rentals.

It is also apparent that this use is beginning to proliferate in zone districts that do not permit this use and even deed restricted units are violating their deed restrictions.

Lastly, the committee has begun to discuss the possibility of raising funds by an additional tax for affordable housing. This particular topic needs additional research before a recommendation can be reached. Data collection is instrumental for this to be achieved over the next year.

As the committee review all information over the past 2 months, it has become apparent that regulations needed to be put in place to control the propagation of this use in the neighborhoods around Town. There are building code health and safety issues that need to be inspected to ensure these rentals are safe for our visitors. Zoning regulations need to be put in place to protect the neighborhood from impacts ranging from parking to nuisances such as noise or trash removal. Lastly, current licensing fees are not adequate to cover the Town's costs for monitoring and licensing short-term rentals.

Moving Forward:

The committee will be presenting their findings and recommendations to the Council over a series of meetings in late August and into September. Their recommendations will require code amendments to several Chapters of the Code including finance, zoning, and building codes. Dependent on the direction of the Council, additional staff will need to be hired to implement the new regulations and begin inspections.

Therefore, the committee recommends that the Council establish a moratorium on the establishment of new short-term rentals to allow a legislative dialogue within the Council to take place and new regulations to be put in place. A moratorium is a tool that allows the Council a period of time to enact regulations and to allow Town staff to put in place the necessary tools to carry out these regulations.

Without a moratorium, the committee and staff feel that the Council will not be able to have the necessary legislative dialogue to prevent the proliferation of this unregulated use throughout the Town. The staff would also be placed in a situation to try to implement new regulations without the necessary time to put into place the proper tools to be successful in the issuance of any new licensing requirements.

Recommendation:

Staff recommends the Council make a motion followed by a second to set Ordinance No. 6, Series 2016 - An Ordinance of the Crested Butte Town Council Imposing a Temporary Moratorium on the Issuance of a Business Occupation Tax License to any Business Renting or Leasing Residential Units for a Term of 30 Days or Less to a public hearing on August 15, 2016.

ORDINANCE NO. 6

SERIES 2016

AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF A BUSINESS OCCUPATION TAX LICENSE PURSUANT TO CHAPTER 6, ARTICLE 2 OF THE CERESTD BUTTE MUNICIPAL CODE TO ANY BUSINESS RENTING OR LEASING RESIDENTIAL UNITS FOR A TERM OF 30 DAYS OR LESS

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

WHEREAS, the Town Council has authority pursuant to the Town’s Home Rule Charter and C.R.S. §31-16-101, *et seq.* to adopt and enforce its ordinances;

WHEREAS, Chapter 6, Article 2 of the Crested Butte Municipal Code (the “**Code**”) contains regulations for the licensing and regulation of business activities, occupations and enterprises conducted in Crested Butte;

WHEREAS, one of the business activities licensed pursuant to Chapter 6, Article 2 of the Code is the short-term rental of residential units;

WHEREAS, the Town Council, by and through its Short Term Rental Committee, has studied the impacts that the short-term rental of residential units is having on the Crested Butte community, uses in certain zone districts, neighbourhood conditions and life and safety conditions;

WHEREAS, the Short Term Rental Committee has recommended, based on its findings that the short-term rental of residential units is having potentially detrimental impacts on the Crested Butte community, uses in certain zones districts, neighbourhood conditions and life and safety conditions, that the Town Council impose a temporary moratorium on the Town’s issuance of business licenses pursuant to Chapter 6, Article 2 to businesses renting or leasing residential units short-term until the Town Council adopts regulations regulating such rental, leasing and use activities;

WHEREAS, the Town Council, upon receipt of such recommendation from the Short Term Rental Committee, finds that imposing a temporary moratorium on the Town’s issuance of business licenses pursuant to Chapter 6, Article 2 to businesses renting or leasing residential units short-term until the Town Council adopts regulations regulating such rental, leasing and use activities, is in the best interest of the health, safety and general welfare of the residents and visitors of Crested Butte; and

WHEREAS, the Town Council finds that the temporary moratorium set forth herein, for the foregoing reasons, is appropriate for adoption at this time, and therefor, support this temporary moratorium.

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

Section 1. Moratorium. A temporary moratorium (the “**Moratorium**”) is hereby imposed on the issuance of any business license pursuant to Chapter 6, Article 2 to any businesses renting or leasing residential units for a term of 30 days or less.

Section 2. Moratorium Term. The Moratorium shall commence on the effective date of this ordinance and shall continue in full force and effect until such time as the Town Council adopts regulations regulating the short-term rental of residential units, or March 17, 2017, whichever occurs first (the “**Term**”). This Moratorium may be terminated at any time by duly adopted ordinance of the Town Council for the immediate preservation of health, safety and general welfare of the residents and visitors of Crested Butte

Section 3. Moratorium Term. During the Term, the Town shall receive no new applications for business activities, occupations and enterprises engaged in the business of renting or leasing residential units for a term of 30 days or less.

Section 4. 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 5. 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 Council that is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS __ DAY OF _____, 2016.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS __ DAY OF _____, 2016.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Glenn Michel, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

[SEAL]



WATER QUALITY / QUANTITY COMMITTEE (QQ)

P.O. Box 2308 • Silverthorne, Colorado 80498
970-468-0295 • Fax 970-468-1208 • email: qqwater@nwccog.org

PROCLAMATION HONORING THE CONTRIBUTIONS OF STEVE GLAZER TO NWCCOG/ QQ

WHEREAS, Steve was a visionary, with remarkable energy and creativity, dedicated to improving water quality and the environment in western Colorado; and

WHEREAS, Steve worked tirelessly to educate others on the importance of water quality data as a foundation for policy decisions; and

WHEREAS, Steve's accomplishments, too numerous to catalog, include:

- Serving as a board member of the Upper Gunnison Water Conservancy District for more than seventeen years, and as vice-president since 2011;
- Founding the Coal Creek Watershed Coalition and most recently serving as President of the Board with the goal of protecting and restoring water quality in the Coal Creek Basin in Gunnison County;
- Unflinching efforts to prevent disastrous contamination of the aquatic environment from former mine workings at the Keystone Mine;
- Serving as staff and a board member of High Country Conservation Advocates;
- Advocating for the clean-up of abandoned mine lands, including the clean up of the Standard Mine;
- Many instream flow water rights secured throughout the Gunnison Basin, including Oh-Be-Joyful Creek, the Slate River, and Hot Springs Creek; and
- Supportive, strategic, professional relationships and deep friendships among environmentalists and local elected officials throughout Colorado that have led to mutually protection of water resources in the headwaters.

WHEREAS, Steve will be immensely missed but his legacy will live forever.

NOW THEREFORE BE IT PROCLAIMED, BY THE NORTHWEST COLORADO COUNCIL OF GOVERNMENTS WATER QUALITY/ QUANTITY COMMITTEE, THAT:

We are deeply grateful for Steve Glazer's public policy leadership and friendship; the headwaters of Colorado are forever changed for the better thanks to his vision and unwavering belief in protecting water resources.

July 25, 2016

To: Crested Butte Town Council

Subject: Concerns regarding the new screen at Gothic Field

Dear Council Members,

Last week, residents between 5th and 6th Streets on Gothic Avenue were surprised to see the installation of what will be a new screen along the first base line of Gothic Field. This screen appears to be similar in design to what exists along the 3rd base line, along 6th Street, and is presumed to be effective in preventing foul balls from striking cars, parked cars, spectators, pedestrians, etc.

Our concern is that this screen, facing a residential area, will substantially and permanently impair our views to the south, diminishing our views of Gibson Ridge and Whetstone. We, the residents along Gothic Avenue, enjoy watching the softball activities and related antics. Consider, however, softball is only active for 2-3 hours a day about 2-3 days a week, for 11 weeks a year (this year the season is June 7 through Aug 18). That's it. So something around 100 HOURS per YEAR. A year is 8760 hours. So for an activity that requires around 1% of the total time during the year, if the project is completed, we get to look at Gibson Ridge and Whetstone through a metal gauze in perpetuity.

This remedy of erecting a permanent 30-40 foot tall screen the length of Gothic Field along Gothic Avenue to mitigate the small risk of foul balls striking something or someone appears to be totally out of balance with the ca. 100 hours of softball season.

Major league ballparks do not have this level of foul ball protection.

In discussion with Janna Hansen of Parks and Rec, we learned that this project has been in the works for 3-4 years. We are surprised that the residents impacted by this project were not contacted and engaged as part of the planning process. As residents that are impacted by whatever remedy is implemented, we feel we should have a voice in this.

While this project is now well along the path to completion, we ask that some less intrusive approaches be considered and applied. There are likely many creative ideas that could be applied to mitigate the small risk from softball activities.

- Could one not do what football stadiums do, and have screens that can be raised only for games — remember, these things only need to be in place for ca. 100 hours per year.
- Could one not go back to 'the good old days' and simply close off Gothic Avenue between 5th and 6th Streets on game nights (Tuesday, Thursday, and often Wednesday) for 2-3 hours? This would seem to cost very little. The Town closes Elk Avenue to traffic for far greater total periods of time for art fairs, farmers markets, and other events, so it is difficult to see that shutting off a minor portion of Gothic Ave. would have any more impact than what occurs on Elk during occasional closures.

And perhaps there are other, more creative solutions that might be arrived upon if we put our heads together. Putting up a permanent screen and permanently altering the viewsapes in our town is not in line with town values, and should not be the remedy in this instance.

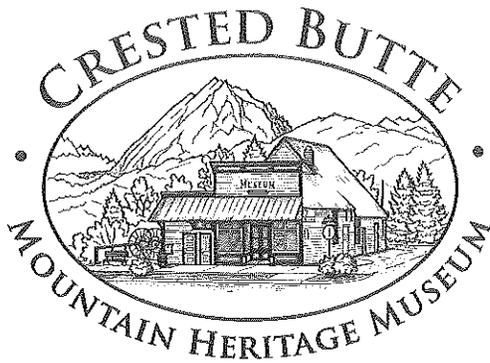
Sincerely yours,

Rosalie and Kevin Ott, 509 Gothic Ave (kevnott@gmail.com)

Dana and Jeff Delaney, 515 Gothic Ave. (jefferydelaney57@gmail.com)

Molly and Garth Fort, 507 Gothic Ave, (mollytroy@msn.com)

Paula and Kurt Tjossem, 521 Gothic Ave., (paula.tjossem@gmail.com)



CRESTED BUTTE MTN. HERITAGE MUSEUM, INC.

Located at 331 Elk Avenue
in Historic Tony's Conoco
Box 2480 • Crested Butte, Colorado 81224
(970) 349-1880
Fax (970) 349-1885
museum@crestedbutte.cc
www.crestedbuttemuseum.com

Dear Lois,

July 15, 2016

On behalf of the Crested Butte Mountain Heritage Museum, thank you to the Town of Crested Butte for supporting our reprinting of the Historic Walking Tour brochures with a \$1,200 grant. Your support allows us to actively promote our mission "to preserve & share the uniquely diverse cultural history of the Gunnison Valley."

Sincerely, Shelly Pook

West Elk Soccer Association
PO Box 2525
Crested Butte, CO 81224
westelksoccer.org
westelksoccer@gmail.com



Town of Crested Butte
Attn: Town Council
PO Box 39
Crested Butte, CO 81224

July 17, 2016

Dear Crested Butte Town Council,

Thank you so much for the grant award of \$2000 to the West Elk Soccer Association. We understand the competitive nature of grant requests to the Town, and we are honored to have been selected.

Sufficient field and gym time for practices and games is a key party of our mission to provide a quality soccer experience to all in the valley. Superior administrative management is also necessary to deliver our services. Your generous gift will help in both regards.

We'd like to thank the Parks & Recreation Department and the Town Council for your continued support of our still-new soccer club. We are in the midst of our fall season registration, but it's looking like this will be the biggest season yet, including a first-ever U18 girls team!

Finally, we invite you to see our players in action throughout the fall 2016 soccer season. We will be sure to update the Town on utilization of the funds received, and our fall game schedule of course!

Sincerely,

A handwritten signature in black ink, appearing to read "Lauren Alkire".

Lauren Alkire
Grant Writer
West Elk Soccer Association

*Win, lose, tie – fútbol!
Players, coaches, refs – soccer!
Teams, fans, friends – futeboll!*

July 26, 2016

Hi Jim-

Trilby and I have been reading about the committee formed to study the effects of short term rentals in town. You were quoted in the News as you've found the issue "terribly complicated." We agree with you!

The rumor mill is churning with actions that the town council might take. On one extreme, the council may seek to ban all short term rentals in Crested Butte. On the other, taxes may be raised significantly and many regulations put on STR's to discourage their use. As you know, short term renters are already paying 13.4% tax.

The negatives of short term rentals have been well documented, but I have not seen much on the positive side. So, I'm writing to share the positive impact that short term rentals have on the economics of our town.

As background, and as you know, Trilby and I have owned three houses in town for over a decade so we have experience with both short and long term rentals. In fact we began renting short term even before VRBO existed.

A wise man once said, "A question well asked is 90% answered." I've found this to be true in most cases, so here are a few questions for your committee if you have not already explored:

- How deeply has the committee looked at the economic benefits of short term rental housing in Crested Butte? Two areas you might evaluate are: local spending by short term renters and also the benefits to local businesses that care for short term rental houses.

- Regarding in town spending, many of the people who ride Alpine Express, ski at CBMR, eat and drink in town, rent bicycles, buy clothes & shoes, support music, art, film, food and wildflower festivals stay in short term rentals. If the council limits housing for these visitors, where would they stay and would they come to Crested Butte at all? What impact would the loss of these renters have on the very businesses created to serve them?
- Many local businesses thrive on caring for houses that serve short term renters. The following figures may surprise you: We have done three remodels in the last 10 years totaling \$855,000. Annually, we spend about \$70,000 on our houses, and these expenses include lawn and garden care, property management fees, plumbing, furnace and electrical repairs, appliances, painting, tree service, window cleaning, mattresses, furniture, and more. All of this money is spent locally. If the council reduces the properties that cater to short term renters, what happens to the men and women that care for these houses? This is a big business for the people who make a living here.
- What are the measurables regarding short term rentals? The town has a fix on the number of STR's, and they are increasing. What other data might help make smart decisions for the committee? For example, specifically when does the demand for STR's spike and fall? In our case, the demand for our houses is only high in July and the first half of August. Is a six week spike the driver of this whole discussion?
- Will regulating short term rentals solve the issue of affordable housing? I do not think it will. From our experience, we would not turn our short term rental into a long term one. One reason is that we stay in our

house eight months a year and rent it only when we are not in town.

I read that many homeowners are turning their long term rentals into short term rentals. The two houses we short term, 207 and 501 1/2 Sopris, have never been long term rentals. The point here is that not all short term rentals are taking away from long term rentals.

- Why is there such an increase in short term rentals anyway? The answer is that it is a major travel trend. An article in the July 24 New York Times travel section details how the younger generation shuns traditional hotels. “They’d rather be in a cool neighborhood with bigger rooms, bigger space, maybe with a kitchen that makes them feel like, hey, this is what it feels like to live in San Francisco or Chicago.” Or Crested Butte? Is Crested Butte ready for this trend?

Bottom line, I want to preserve the soul and feel of Crested Butte. It was one of the main reasons we chose to live here. I want the locals that need affordable housing to have affordable housing. I do not see, however, that over-regulating short term rentals will solve this issue. I’m pleased you are seeking other solutions.

Jim, thanks for considering my input. Trilby and I would be happy to meet you or anyone else that seek to understand more from the ownership side of the short term rental equation.

See you around town.

Z Miller

From: [J Schmidt](#)
To: [Lynelle Stanford](#)
Subject: Fwd: Short term rentals issue
Date: Wednesday, July 27, 2016 1:23:42 PM

Could you enter this in the record.

Sent from my iPad

Begin forwarded message:

From: crisis4ever <mikecheapskate@aol.com>
Date: July 27, 2016 at 8:23:30 AM MDT
To: jschmidt@crestedbutte-co.gov, cladoulis@crestedbutte-co.gov,
pmerck@crestedbutte-co.gov, evohman@crestedbutte-co.gov,
lmitchell@crestedbutte-co.gov
Subject: Short term rentals issue

Hi all,

I read the CB News from time to time and visit your beautiful valley from time to time. Below is something that is being considered in NJ. Not sure it would apply to CB but thought I would pass it along.

TRENTON — Online marketplaces such as Airbnb that offer short-term house and room rentals would be taxed like hotels under a proposal introduced in the state Assembly this week.

If two Democratic assemblywomen from North Jersey have their way, Airbnb users would have to pay taxes when they rent a home or room.

The bill introduced by Annette Quijano (D-Union) and Valerie Vainieri Huttle (D-Bergen) would impose a 7 percent sales and use tax and a 5 percent transient accommodation fee on accommodations booked through Airbnb and similar websites.

The caveat is that only landlords who have collected at least \$1,000 by renting out their property in the past 12 months would be taxed.

Quijano said the new tax "is all about fairness," as traditional hotels and motels are required to tax guests at the same rate. "There is nothing fair about one company having to pay certain fees while another one that provides essentially the same service is exempt."

The bill (A-4048) would also authorize certain municipalities to impose a 3 percent transient accommodation tax.

Earlier this year, [Newark became the second municipality in the state to tax Airbnb](#), following Jersey City, which did it last fall.

Airbnb users already pay a processing fee when securing accommodations.
Founded in 2008, it says it offers 1,500,000 listings in 34,000 cities and 191 countries

thank you for your time,
Mike Baker
New Providence, NJ

August 15, 2016

Work Session

Short Term Rentals

New Business

Proclamation for Liz Sawyer

Vinotok Special Event Application

September 6, 2016

September 19, 2016

Work Session

Possible Budget Work Session

Future Work Session Items:

- Camping @ Town Ranch (allow? Not allow? Allow camping in other places?)
- BLM and OBJ Campground/Seasonal Housing Shortage (this could be combined with others – especially the Affordable Housing item at the bottom of this list)
- Perimeter Trail – Update, timelines, costs, what does this look like when finished
- Land Trust and Town Preservation Priorities – basically a joint planning/discussion with the CBLT (maybe in Exec Session if they would like) to confer on the priority parcels identified by the CBLT and the priorities of the Town (for planning future open space acquisitions). Maybe even a discussion about purchasing trail easements.
- Elk Avenue Rule Set re: Private Clubs – the whole “private clubs on Elk Avenue” concern that was raised when Irwin obtained a private liquor license for the Scarp Ridge Lodge.
- Affordable Housing/Density/Workforce – Blk 79/80
- Double Basements & Condo Combines
- Drones
- Special Events