AGENDA
FOR THE BOARD OF TRUSTEES
OF THE TOWN OF BUENA VISTA, COLORADO
May 26, 2020

Work Session at 6:00 PM – Discussion on Housing and Short-Term Rentals

Virtual Regular Meeting at 7:00 PM
(Meeting will not be held at the Buena Vista Community Center)

To participate in Public Comment and/or Public Hearings you must connect via Zoom
Conferencing Access Information: https://zoom.us/j/89411883344 Password: 998383
Listen via phone at 1-346-248-7799 Meeting ID: 894 1188 3344 Password: 998383

THE BOARD OF TRUSTEES MAY TAKE ACTION ON ANY OF THE FOLLOWING AGENDA ITEMS AS PRESENTED OR MODIFIED PRIOR TO OR DURING THE MEETING, AND ITEMS NECESSARY TO EFFECTUATE THE AGENDA ITEMS

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. AGENDA ADOPTION

The Board approves the agenda at the start of the meeting including modifications.

V. CONSENT AGENDA

Approval of matters that are routine in nature that require review and/or approval, i.e. minutes and reports. (Professional Service Agreements (PSA) that exceed $25,000.00 require the Consent Agenda to be approved by a Roll Call vote)

A. Minutes

1. Board of Trustees Regular Meeting – May 12, 2020
2. Recreation Advisory Board Minutes – March 4, 2020
3. Recreation Advisory Board Minutes – April 1, 2020

B. Town Clerk Report

C. Adoption of Resolution No. 33, Series 2020 entitled **"A RESOLUTION EXTENDING THE DECLARATION OF A LOCAL DISASTER EMERGENCY IN AND FOR THE TOWN OF BUENA VISTA, COLORADO THROUGH JUNE 30, 2020."**

Approve extending the Order declaring a local disaster emergency.

VI. PUBLIC COMMENT

*Citizen participation where the public can sign up prior to the start of the meeting by entering your name, address, and subject to be discussed in the Zoom Chat box, or when Mayor Lacy asks for Public Comment, access the Chat Box and raise your hand. By phone press *9 to raise your hand and *6 to mute/unmute your phone, or you may email the information to bvclerk@buenavistaco.gov. Neither Town Board nor Town staff should be expected to respond to matters raised in the Public Comment segment of Board meetings. Nevertheless, Board members will always retain the right to ask questions of the speaker and to respond then or at a later time to remarks made by any citizen.*

VII. STAFF REPORTS

1. Town Administrator
2. Town Treasurer
3. Principal Planner

This Agenda may be Amended
Posted at Buena Vista Town Hall, Post Office, and www.buenavistaco.gov on Friday, May 22, 2020

VIII. BUSINESS ITEMS

A. Final review of strategic projects and goals for the next five years

The Trustees will review and adopt the strategic planning report which has been reviewed at the Strategic Planning retreat in March and a work session in April. Staff will use this report as a guide when forming the 2021 draft budget.

B. Should the Board of Trustees approve adoption of Resolution No. 34, Series 2020, entitled **"A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, ESTABLISHING A COVID-19 TEMPORARY USE PROCESS FOR ADDITIONAL SPACE FOR ON-PREMISES LIQUOR LICENSED ESTABLISHMENTS AND RETAIL BUSINESSES."?**

Staff will update the Trustees on recent changes coming from the state Liquor Enforcement Division (LED) which allow on-premises liquor licensed businesses to apply for temporary modifications with their local and state licensing authority and to pre plan for temporary outdoor seating areas that support social distancing requirements. The Trustees will consider approving a resolution allowing local on-premises liquor licensed businesses and retail businesses to expand their serving space on private and public property through a local Temporary Use process.

IX. TRUSTEE/STAFF INTERACTION

The Board discusses items with staff and staff can bring up matters not on the agenda.

X. ADJOURNMENT

TOWN OF BUENA VISTA
P.O. Box 2002
Buena Vista, CO 81211
Phone: (719) 395-8643
Fax: (719) 395-8644

DATE: May 26th, 2020

TO: Mayor and Board of Trustees

FROM: Phillip Puckett, Town Administrator

AGENDA ITEM: Short Term Rental & Housing Work Session

Background
At the request of the Board, staff have prepared a work session discussion focusing on Short Term Rentals (STR). Staff has prepared a short presentation to frame the discussion. Staff has approached the topic from a broader perspective and has included some historical context on housing, code updates, developments and STR regulation. We have provided STR related data as well for your reference.

Overview
Over the past years, we have seen growing concern in the Intermountain West that a housing crisis exists. This has been identified in conversations with the Board of Trustees and Town staff since at least the late 2000s when the first iteration of the Chaffee Housing Trust formed, just prior to the Great Recession.

As economic recovery became more intensified, the conversation regained traction. And after the housing study carried out in 2015/6, the growing concern had data to support more directed action. Within Buena Vista, there seemingly was a trend to convert long-term rental housing into short-term rentals to accommodate an increase in tourism.

Anecdotally, this was apparent and created housing disparity, driving up costs for what long-term rentals remained on the market, shrinking availability for many, and impacting workforce retention, especially for the service industry, schools, and the detention center. Early on in these discussions, the Town adjusted the Municipal Code to increase density and encourage infill in the Old Town.

After the Recession, the Town began to work on simplifying the code, encouraging economic renewal, and overhauling processes. This effort took significantly more time than originally expected. Fortunately, it also allowed the Town to better incorporate a development code that refined processes and could be directed to accomplishing the Key Outcome Areas that reflect the Collective Vision Statement.

Town has taken a solutions-based approach that seeks to develop a balance of housing, different from a problem-based approach that would tend to be narrow and difficult to place within the context of the greater community needs.

Within the housing discussion, Short-Term Rentals play a role in shaping available housing stock as well as economic gains and warrants targeted attention. At the request of the BOT, staff have brought forward information that has been relevant to shaping continued discussions on housing and STRs.

This largely intends to be an informative work session designed to present:

1. Background for why the Town has taken certain steps;
2. Steps the Town has taken related to housing; and,
3. Results the Town has been observing over the short time it has been able to collect relevant data.

Short-Term Rentals: What to do?

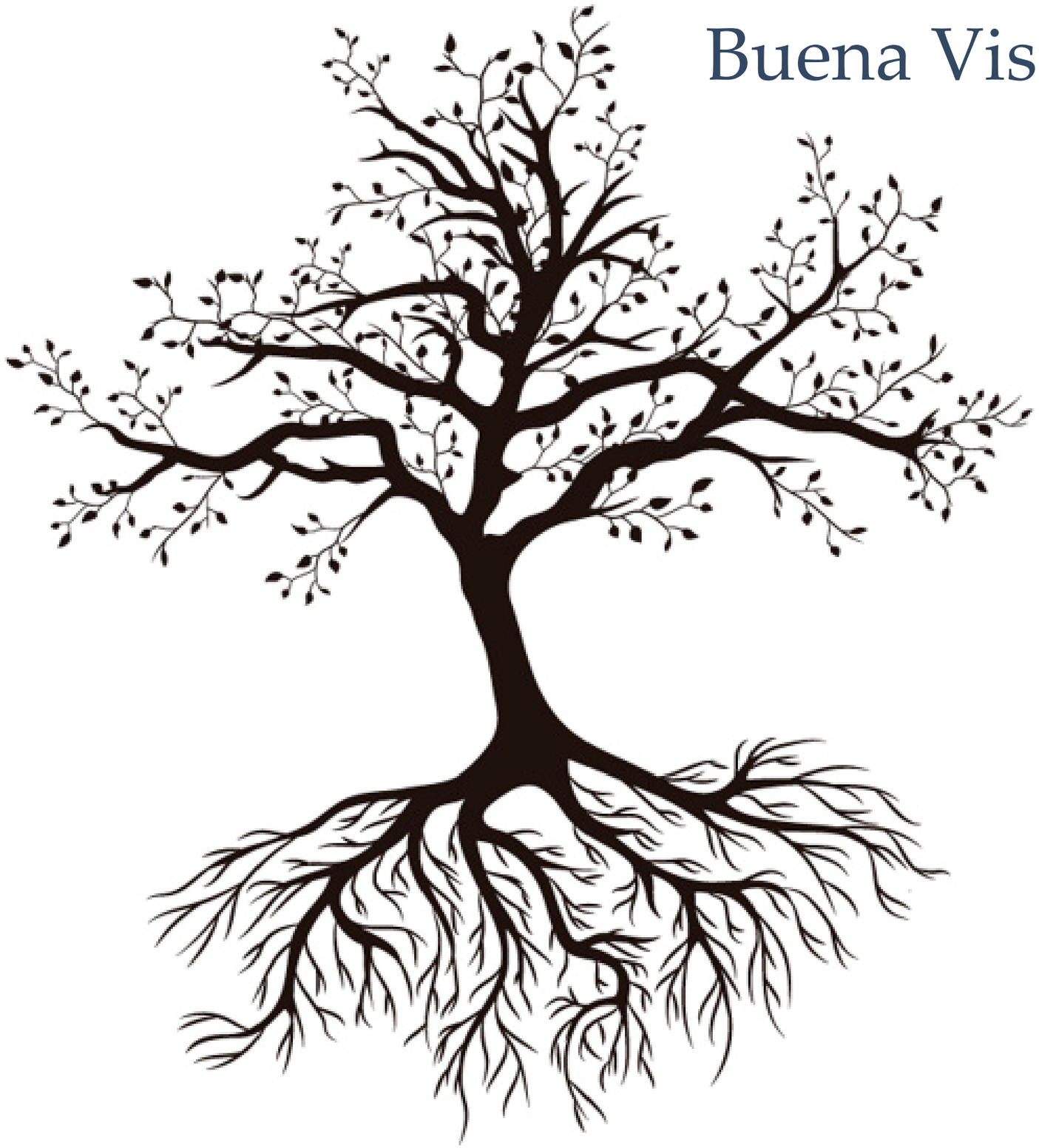
Town of Buena Vista Board of Trustees Work Session – May 26, 2020

Grant Bryans, Joel Benson, Phillip Puckett

Typical Approach - Problem Tree

- Identify the perceived Problem
- Now that we identify it and know the effects, let us make policy to tackle the causes
- Because, if the cause is addressed, then the problem will be addressed and the effects consequently will diminish

Problem Tree - Buena Vista



Effects:

- Not enough housing for long term renters
- Not enough staff to accommodate tourism/long term residents
- School and DOC have trouble finding housing

Problem:

There are too many short term rentals in town

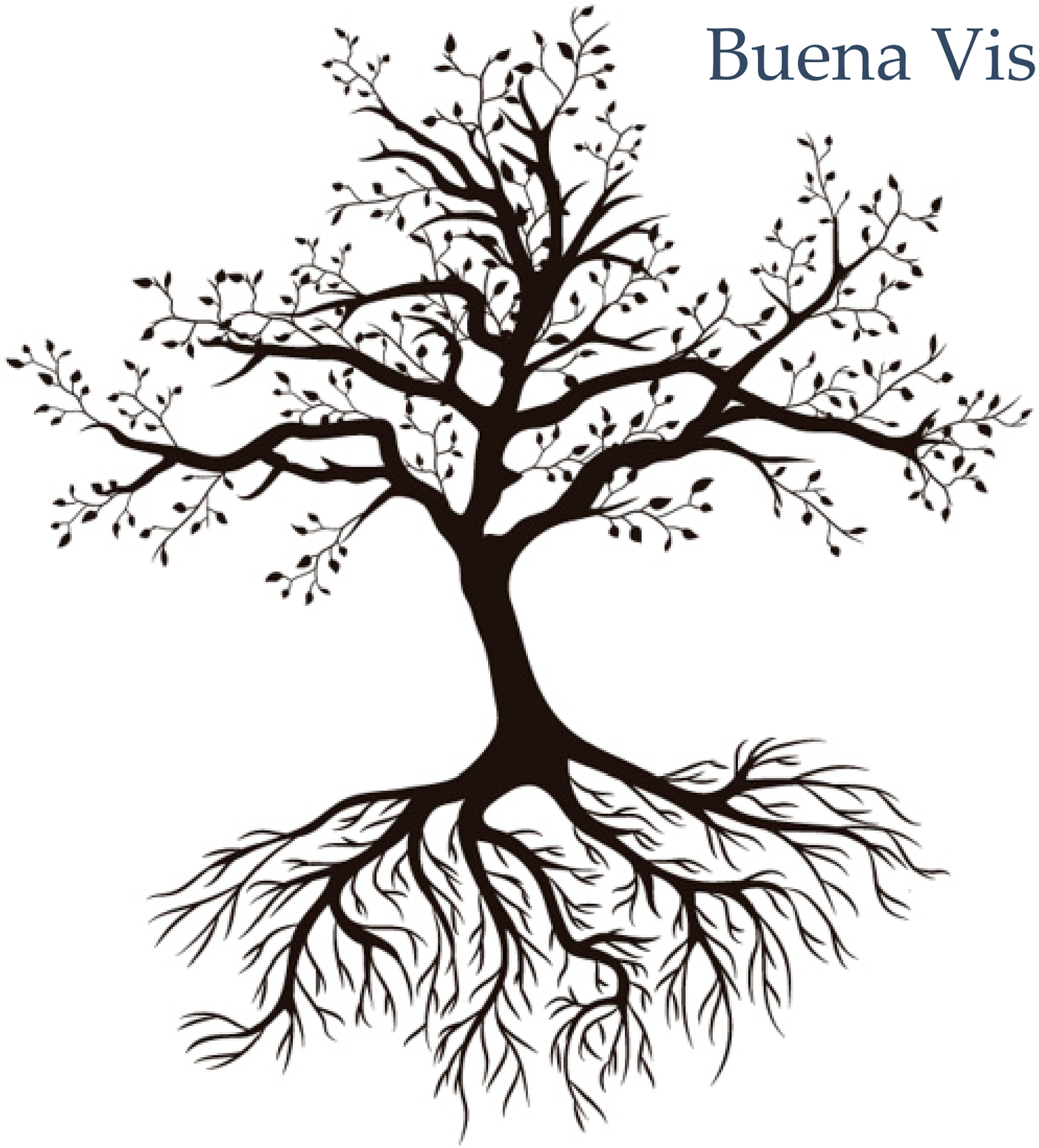
Cause:

- Housing prices and rental prices too high
- No regulations limiting STRs
- People hesitant or unable to invest in town outside of STRs
- Regulations encourage only certain types of development

Reframing Discussion on “Short Term Rentals”

- Problem Tree versus Solution Tree

Solution Tree - Buena Vista



Effects:

- People can afford their rented or purchased housing
- Staff are available for employers
- Tourists have a better experience

Solution:

Appropriately evolving Supply and Demand balance

Cause:

- Code that allows for flexibility in process and opportunity
- People want to and are able to invest in town
- People are incentivized to provide long-term housing options

What has Town done?

- Allow **development on OT lots** (about 10 years ago, went from minimum lot size and width to needing 2.5 lots minimum to only 1 lot)
- Recognized Development Process as hindrance, so began that process, which took multiple years and the results are now beginning to be observed

What has Town done?

- UDC - focused on **changing zoning and ease** so that more houses can be constructed with an easier process to recuse cost and increase supply
  - **eased requirements for ADUs**, such as process/Special Use Permit, zoning, size requirements, and so forth
  - **eased development process** with decision-making authority
  - **eased administrative review** and allowances, such as variances
  - **changed lot size, setbacks, height** to encourage building including infill
  - **developed code for short-term rentals** to put Town in a place to gather pertinent and reliable data related to housing

What has Town done?

- Town also…
  - worked with multiple parties on CHFA tax credit project **Collegiate Commons** to increase stock
  - developed **water line** in Pinon/Beldan lots for infill
  - rezoned **Farm** land to R-3, adjusted code for increased density
  - **adapted** plat and subdivision improvement agreement for Sunset Vista IV for more realistically affordable phasing, ergo increase stock
- Working on similar approach for **future phases in South Main**

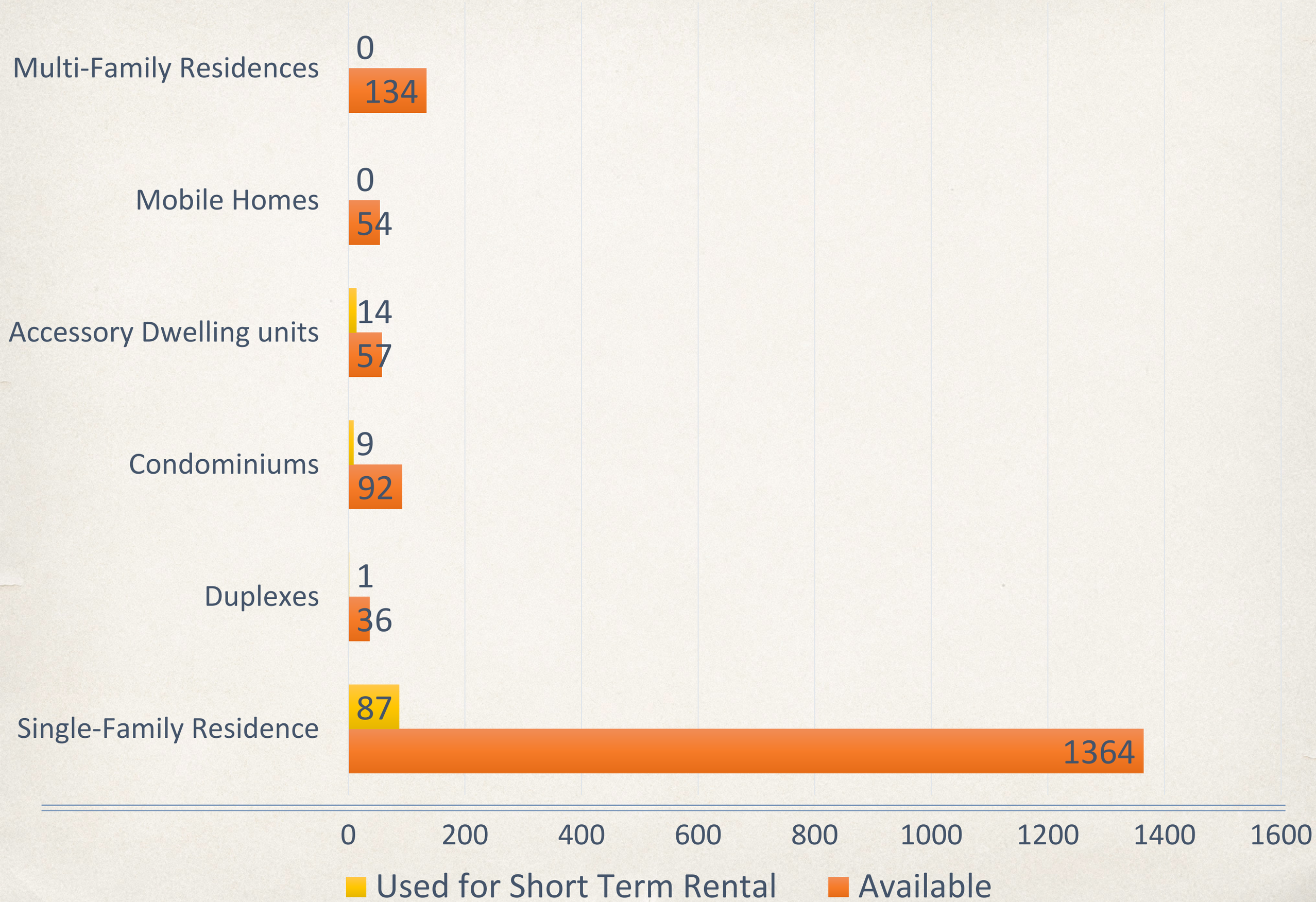
Intent of Monitoring

- Need to understand the industry
- What does it look like in Buena Vista, and in context within the County
- Need to be able to effectively communicate with people
- Look for signs of deviation from desired results

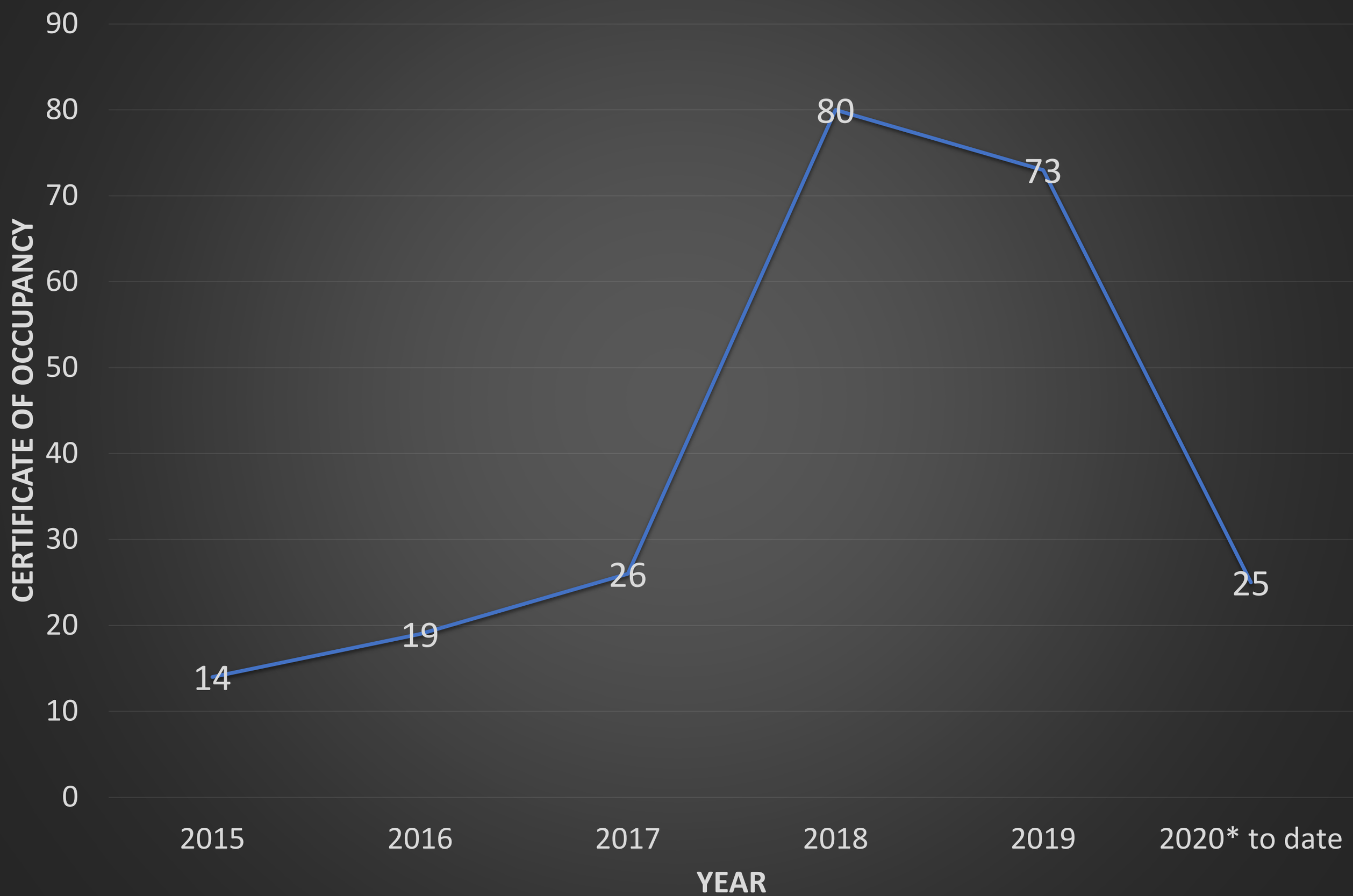
Use of Data related to STRs

- Any change in policy ought to be based on addressing the solution
- Any change in policy ought to be done based appropriate data
- Any change in policy ought to be done in context

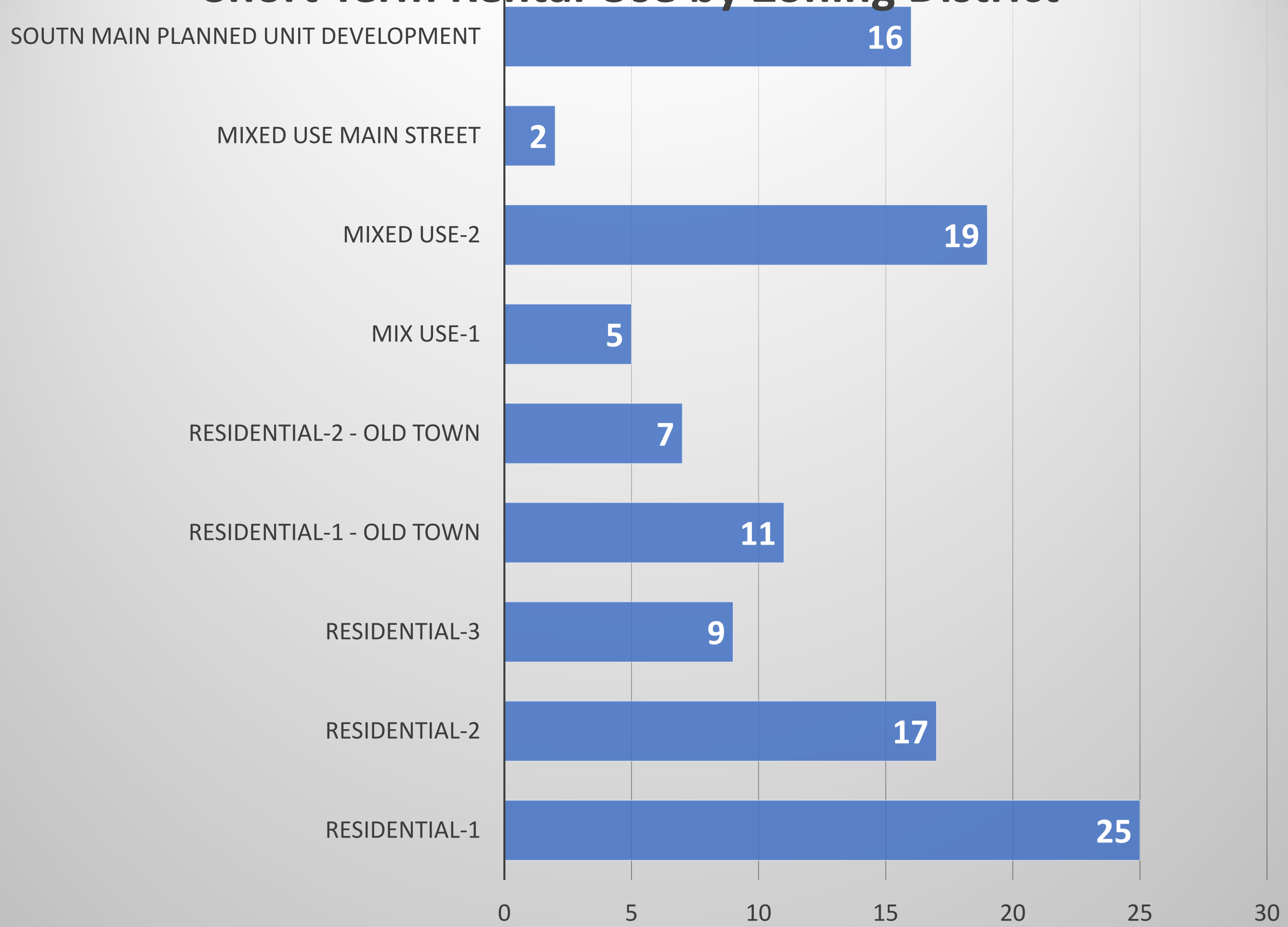
Existing Housing Stock and Short Term Rental Use



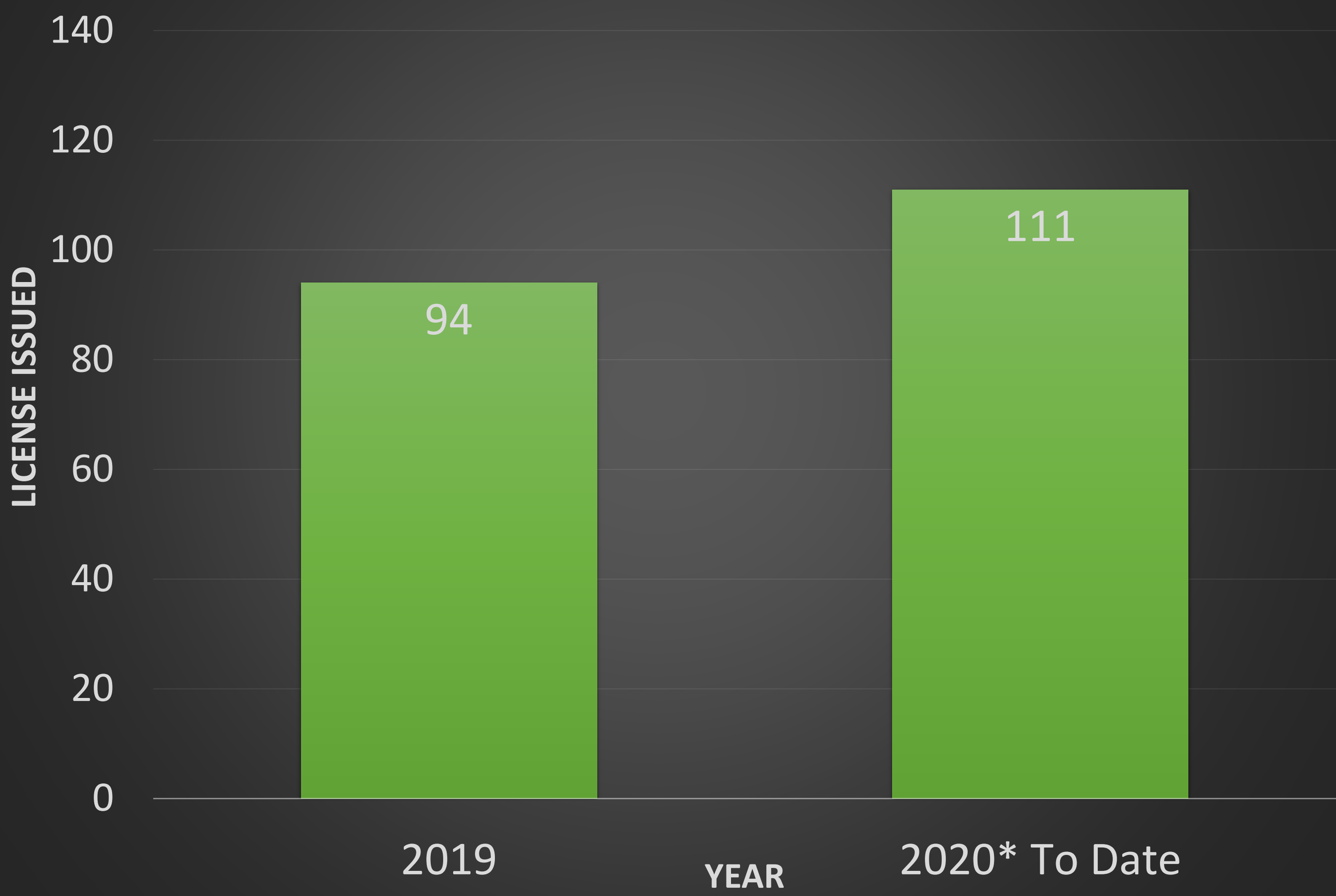
Number of Residential Certificates of Occupancy Issued Over the Last 5 Years



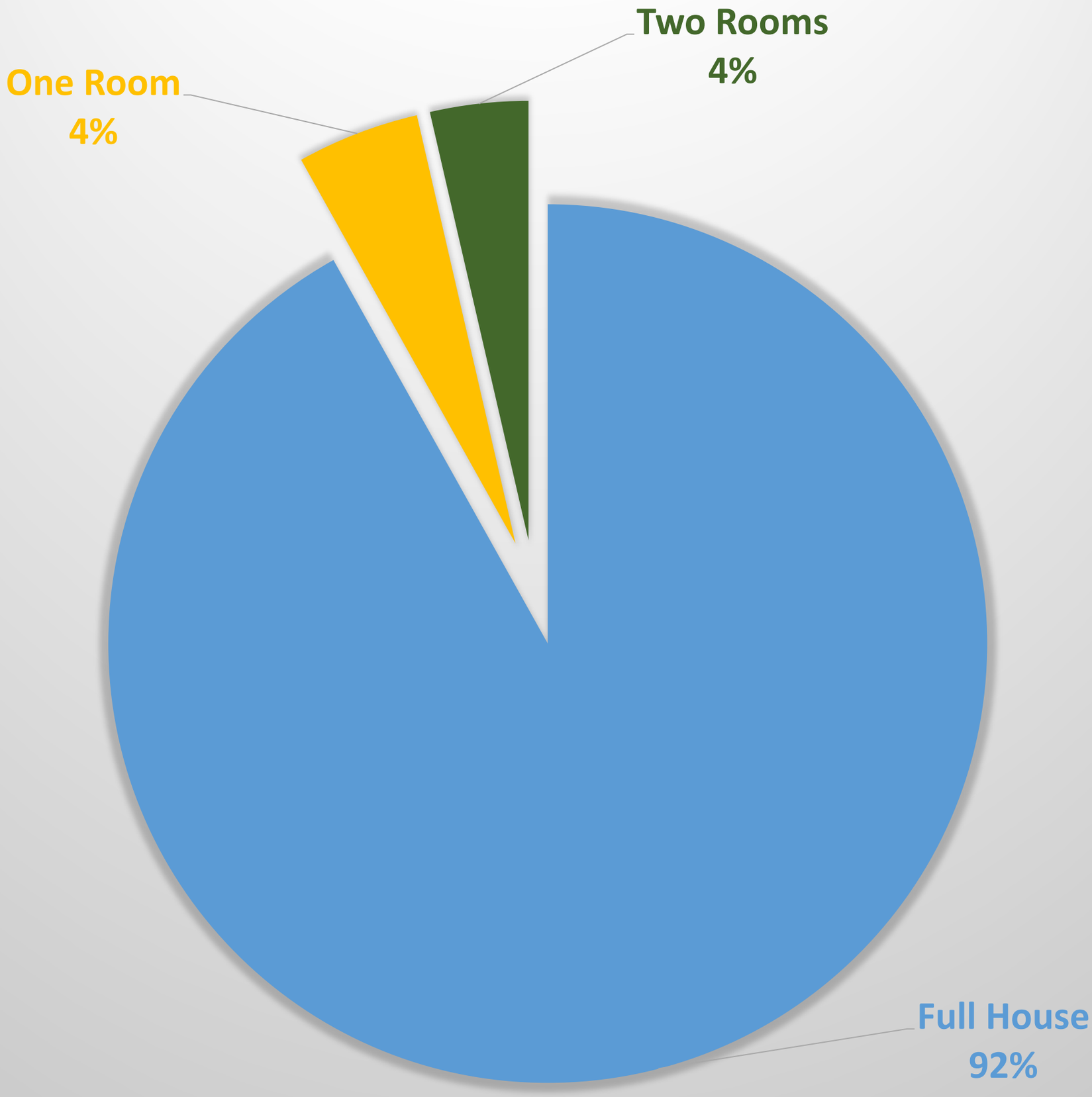
Short Term Rental Use by Zoning District



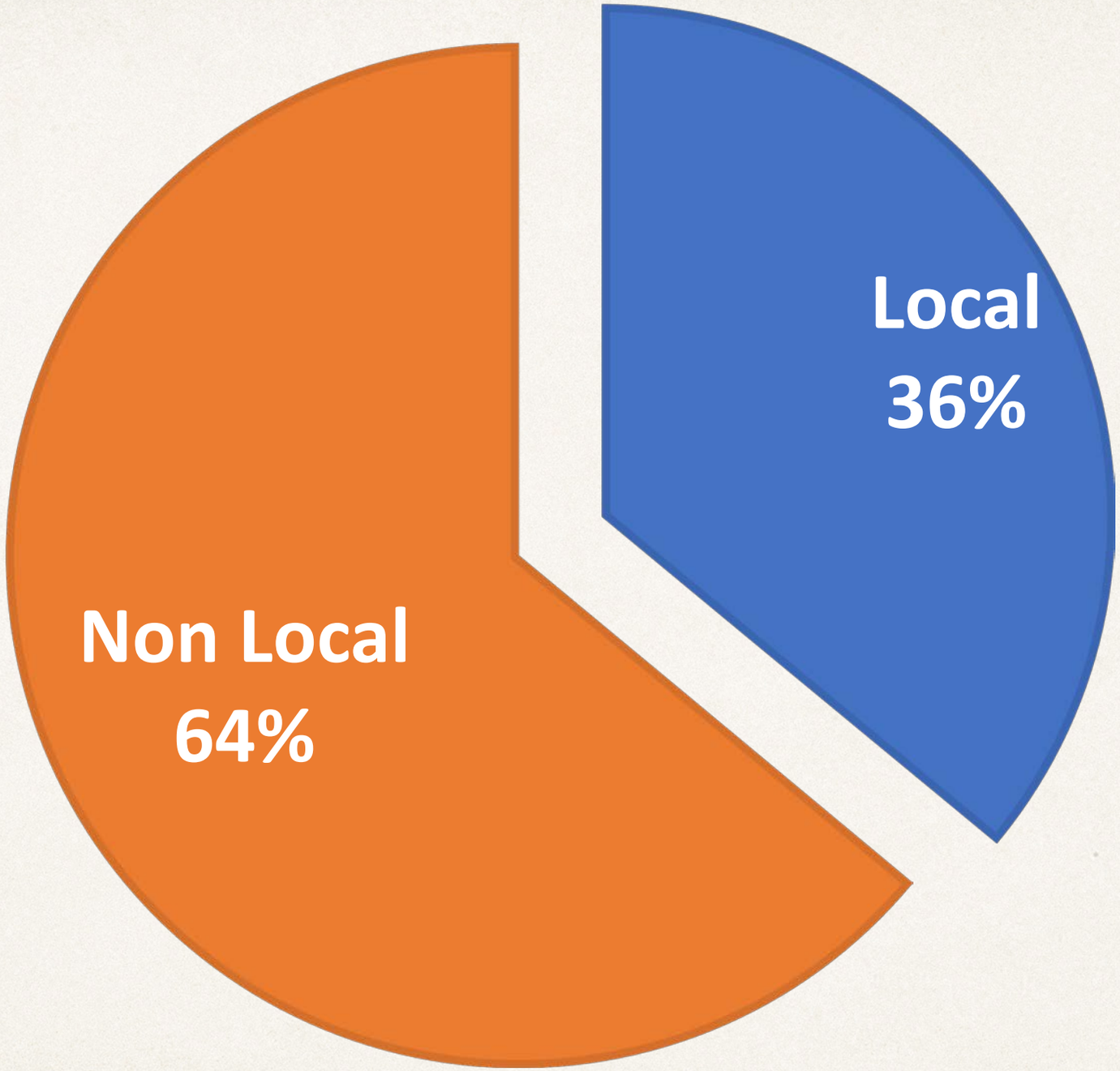
Short Term Rental Permits Issued



SHORT TERM RENTAL TYPES

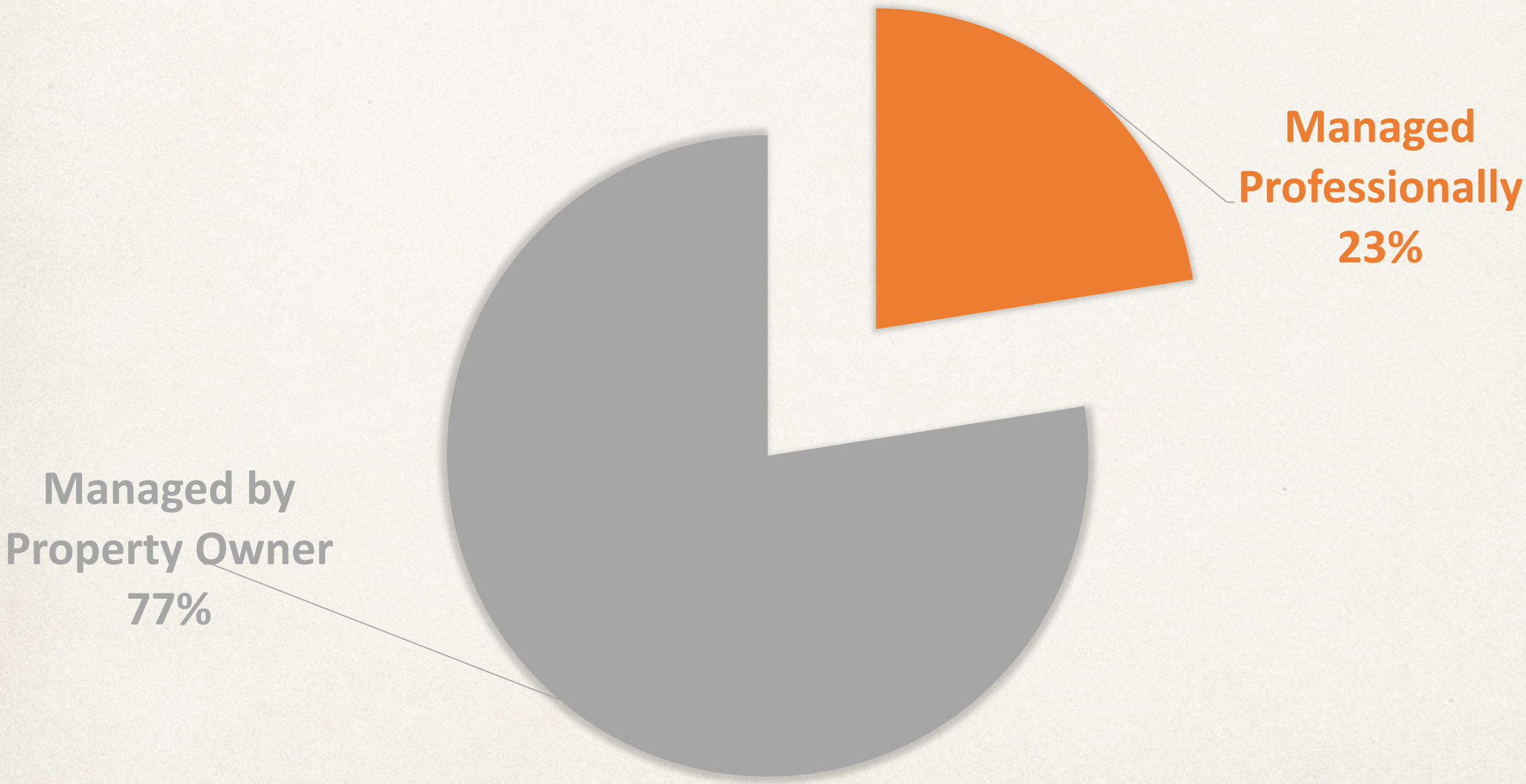


LOCALLY OWNED vs NON LOCALLY OWNED

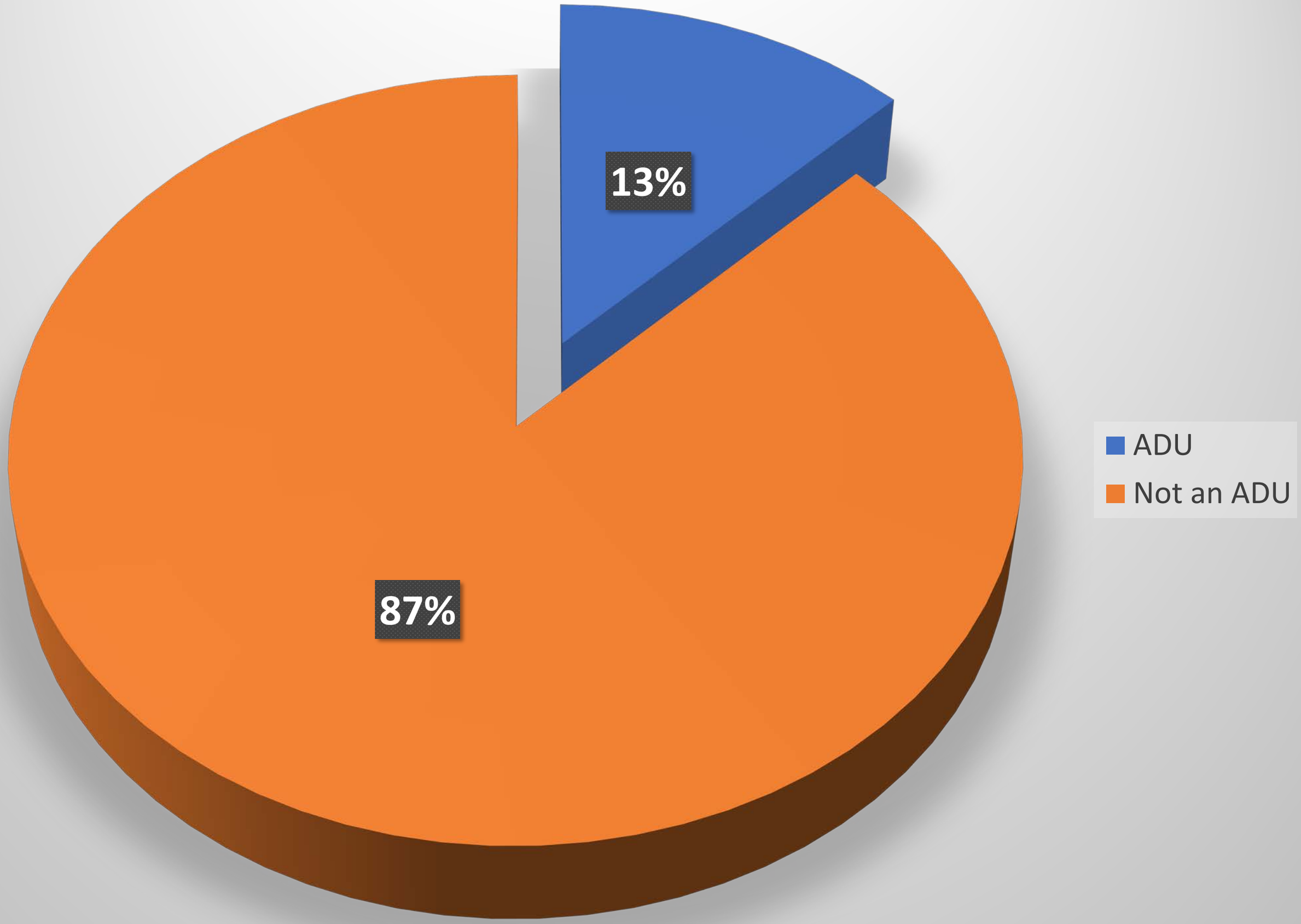


*Local is defined as having a Buena Vista mailing address

SHORT TERM RENTALS WITH PROFESSIONAL PROPERTY MANAGEMENT (NOT JUST A CLEANING SERVICE)



Short Term Rentals That are Accessory Dwelling Units (ADU)



MINUTES OF THE BUENA VISTA BOARD OF TRUSTEES
VIRTUAL REGULAR MEETING
TUESDAY, MAY 12, 2020

MINUTES OF THE MEETINGS OF THE BOARD OF TRUSTEES ARE A TRANSCRIPT OF THE GOVERNING BODY'S ACTIONS RATHER THAT A VERBATIM RECORD OF DELIBERATIONS.

A virtual regular meeting of the Board of Trustees was called to order by Mayor Duff Lacy, at 7:00 pm, Tuesday, May 12, 2020 having previously noticed in accordance with the Colorado Open Meetings Law.

ROLL CALL

Attendee Name	Title	Status
Duff Lacy	Mayor	Present
Amy Eckstein	Trustee	Present
Libby Fay	Trustee	Present
Norm Nyberg	Trustee	Present
Devin Rowe	Trustee	Present
Cindie Swisher	Trustee	Present
David Volpe	Trustee	Present

Town Staff Present:
Town Administrator Phillip Puckett
Principal Planner Mark Doering
Police Chief Jimmy Tidwell
Public Works Director Shawn Williams
Airport Manager Jack Wyles
Town Attorney Jeff Parker
Town Treasurer Michelle Stoke
Fire Chief Dixon Villers
Recreation Director Earl Richmond
Town Clerk Paula Barnett

PLEDGE OF ALLEGIANCE
Mayor Lacy led the pledge of allegiance.

AGENDA ADOPTION
Trustee Volpe requested to move Public Comment after Staff Reports.

MOTION NO. 1:
MOVE TO APPROVE THE AGENDA AS AMENDED.

RESULTS	**CARRIED**
MOVER:	Trustee Fay
SECONDER:	Trustee Volpe
AYES:	Eckstein, Fay, Nyberg, Swisher, Volpe

CONSENT AGENDA

Approval of matters that are routine in nature that require review and/or approval, i.e. minutes and reports. (Professional Service Agreements (PSA) that exceed $25,000.00 require the Consent Agenda to be approved by a Roll Call vote)

A. Minutes
1. BoT Regular Meeting – March 24, 2020
2. BoT Special Meeting – May 7, 2020
3. Trails Advisory Board – March 3, 2020
4. Beautification Advisory Board – January 7, 2020
5. Beautification Advisory Board - April 2, 2020

B. Police Chief Report

C. Fire Chief Report

D. Colorado Retirement Association Participation Agreements for 401(a) and 457 Plans
Approve Mayor Lacy sign the Participation Agreements.

E. Chaffee County Development Services Department Activity Update

MOTION NO. 2:
MOVE TO APPROVE THE CONSENT AGENDA.

RESULTS	**ROLL CALL**	**CARRIED**
MOVER:		Trustee Swisher
SECONDER:		Trustee Eckstein
AYES:		Eckstein, Fay, Nyberg, Swisher, Volpe

STAFF REPORT

1. Town Treasurer – Highlights of the report in the packet were reviewed and Stoke responded to Trustee comments and questions.

Trustee Rowe joined the meeting at 7:06 pm.

2. Recreation Director – Highlights of the report in the packet were reviewed and Richmond responded to Trustee comments and questions.

3. Public Works Director – Highlights of the report in the packet were reviewed and Williams responded to Trustee comments and questions.

Williams shared that Staff is exploring options to host a Town Clean-Up Day and develop procedures to ensure there are no risks of possible exposure of COVID19 to residents and staff.

4. Airport Manager – Highlights of the report in the packet were reviewed and Wyles responded to Trustee comments and questions.

PUBLIC COMMENT

Liz Sielatycki, 544 Park Lane, Buena Vista, spoke on behalf of the Chaffee County Family and Youth Initiatives program whose focus is preventing substance abuse, and providing resources for children, youth, and families. Sielatycki stated based on current data, there is a higher use rate of marijuana among the youth in Chaffee County than in other parts of the state and country. One contributing factor for the higher rate is the adult perception that it is acceptable to use marijuana. Sielatycki stated Family and Youth Initiatives understands the Trustees' need to explore options to increase sales tax revenue, and knows the Board will consider the health and safety of the youth in the community when making decisions.

Jerome Steinauer, 436 Princeton, Buena Vista, stated he does not feel residents should have to contact the Town Clerk to speak with a Trustee(s), and would like to have all the Trustees' personal phone numbers published on the Town website. Steinauer also stated he feels the Trustees are bringing up the topic of recreational marijuana at a terrible time since not everyone can access the internet, and an election should be held to allow everyone to vote on the issue, not a Board of seven.

Joan Cummins, 305 Cedar Street, Buena Vista, commented due to the pandemic, businesses have been impacted and may have to close. Between the pandemic and the school tax burden, allowing recreational marijuana would increase tax revenue, and provide more benefits to the community than drawbacks.

Scott Embree, 204 E. Main Street, Buena Vista, owner of Ascend Cannabis stated safety is one of the main focuses at all Ascend Cannabis Medical/Recreational Marijuana stores, they strive to comply with local, state and federal regulations, and will continue to do so in the future. Embree stated he and his family have been in the business for 10 years, and he feels the numbers being reported on the use and abuse of recreational marijuana by youths are unfounded.

Todd Cummins, 219 Colorado Avenue, Buena Vista, stated he is currently employed by Ascend Cannabis, and worked for Natural Mystic Wellness Center, and over the past nine years the average number of potential recreational marijuana customers they turn away from March through September is 40 to 60 people per day. Cummins stated the Board needs to consider the amount of revenue the Town is losing to Salida and Leadville, which includes the sale of marijuana, as well as other goods and services purchased by retail marijuana customers that include shopping, dining, and lodging.

Peter Wall, 204 E. Main, Buena Vista, with The Wall Group, and part of Ascend Cannabis Team, discussed with the Board that Colorado Healthy Initiatives reports indicate a statewide decrease in the use of recreational marijuana going from 25% to 19% which puts Colorado 1% below the national average. Colorado State Patrol reports a decrease in the number of driving incidents related to the use of marijuana, and if allowed the projected revenue to the Town from the sale of recreational marijuana is $300,000.00 per year.

Marjorie Fahrney, 211 South Railroad Street, Buena Vista, read the letter that she submitted to the Mayor and Trustees earlier in the day speaking against recreational marijuana, and expressed the hope this decision will go to a vote of people, rather than being made by the Board.

Mike Nelson, 111 E. Main Street, Buena Vista, stated he currently works for Ascend Cannabis, and was employed by Natural Mystic Wellness Center. Nelson shared during the pandemic, Breckenridge and Leadville have contributed funds for lease payments for businesses and/or homeowners from resources received from the sale of recreational marijuana, and unfortunately Buena Vista cannot do the same. Nelson stated recreational marijuana is big business and Buena Vista is losing out on a large revenue source.

Sara Levin, 124 Red Tail Boulevard, Buena Vista, shared she is an employee at Ascend, also was employed by Natural Mystic Wellness Center, and confirmed comments made by Todd Cummins. Levin stated on holiday weekends, the number of potential customers turned away daily is 100 to 150.

Mt. Olivet Cemetery – Amended Cemetery Ordinance and Increased Fees

Puckett stated this is a follow up from the April 28, 2020 discussion on improvements being made at the cemetery, and what it will take to properly maintain the grounds in the future. The Board requested that Staff explore fee structures in comparable rural mountain cemeteries. Puckett suggested that if the Board were to approve a fee increase, they may want to consider setting an effective date to August 1st to allow time to notify residents.

Melanie Jacobs, Deputy Town Clerk reviewed the proposed cemetery ordinance incorporates the changes discussed at the previous Trustee meeting and adds a definition of 'indigency'. Amendments to the ordinance are:

- Section 1 (b) Upon presentation to the Town Clerk of the above-listed information and any payment due for the sale of a plot to any person, the Town Clerk shall cause an interment agreement to be executed to the named grantee(s) of such plot, containing a description of the plot and signed by the Town Clerk. The burial rights transferred shall be limited to the right of interment. All other property rights remain with the Town.
- Section 1 (c)(2) For persons proven to be indigent at their time of death, the burial plot fee may be waived by the Town Clerk. A person shall be considered 'indigent' if their total household income is at or below one hundred and thirty percent (130%) of the Gross Federal Poverty level based on household size.
- Section 2 (f) Town reserves the right to remove trees, shrubs, or other plantings on gravesites which become dangerous or detrimental to the adjacent grounds because of encroachment of roots or branches.
- Section 2 (g) All grave decorations of a temporary nature are subject to regular removal by Town staff. All grave decorations intended to be permanent (including benches, flowerpots, etc.) must be approved by the Town Clerk prior to installation.

Jacobs stated that Staff is recommending town residents be charged $500.00 per site, in-county residents $750.00 per site, and out-of-county residents $1,000.00 per site, and the maintenance fee be rolled into these prices rather than treated as a separate fee.

Jacobs stated that if the Board approves an increase in site prices, staff feels it behooves the Town to allow anyone purchasing a site because they have lost a loved one to COVID-19 to do so at the current rate.

The Trustees and staff discussed how long artificial flowers should be allowed to remain at a site. Public Works Director Shawn Williams stated staff is making a conscious effort to remove flowers and tributary items placed on sites when they become weathered.

The Board agreed signs would be posted at the entrances to the cemetery notifying people that Town respectfully reserves the right to remove decorations which have fallen into disrepair or have become weather worn, and to maintain any vegetation present on any grave site.

The Board agreed fees should be increased, and recommended that sites purchased by town and county residents should cost the same amount, while a higher rate should be assessed to out of county residents.

MOTION NO. 3:
MOVE TO APPROVE ORDINANCE NO. 7 AMENDING ARTICLE VIII OF CHAPTER 11 OF THE MUNICIPAL CODE RELATED TO MT. OLIVET CEMETERY.

RESULTS	**ROLL CALL**	**CARRIED**
MOVER:		Trustee Eckstein
SECONDER:		Trustee Nyberg
AYES:		Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe

MOTION NO. 4:
MOVE TO APPROVE AMENDING THE FEES ASSOCIATED WITH MOUNT OLIVET CEMETERY TO $750.00 PER SITE FOR IN-COUNTY RESIDENTS AND $2,500.00 PER SITE FOR OUT OF COUNTY RESIDENTS.

RESULTS	**ROLL CALL**	**CARRIED**
MOVER:		Trustee Swisher
SECONDER:		Trustee Eckstein
AYES:		Eckstein, Rowe, Swisher, Volpe
NAYES:		Fay, Nyberg

The Board agreed the fee increase would go into effect August 1, 2020, and the charge for sites purchased related to COVID-19 would remain at the current rates of $250.00/$500.00.

Recreational Marijuana
Puckett reviewed at the April 28, 2020 meeting, Trustee Rowe requested the Trustees explore allowing the sale of recreational marijuana, and the majority agreed they would be interested in discussing the topic. Puckett stated that staff included in the Board packet the 2016 draft ordinance and map that were created when the question to allow recreational marijuana went to an election, and suggested the Board use these documents as a reference tool on what will be required if the Trustees decide to pursue allowing the sale of recreational marijuana.

The Board, Town Attorney Jeff Parker, and Staff discussed at length the work sessions, public meetings, projected sales tax revenues, election timelines, and revisions to the 2016 draft ordinance and maps that will be needed to properly evaluate whether or not the Town should allow the sale of recreational marijuana.

The Board agreed to table the discussion until clarification is received from Treasurer Michele Stoke as to when the collection and receipt of sales tax would begin.

TRUSTEE/STAFF INTERACTION
Trustees and Staff reported on or commented about recent and upcoming events, activities and topics.

MOTION NO. 5:
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THAT THE MEETING BE ADJOURNED AT 9:34 PM.

RESULTS	**ROLL CALL**	**CARRIED**
MOVER:		Trustee Volpe
SECONDER:		Trustee Swisher
AYES:	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe	

Respectfully submitted:

_____
Duff Lacy, Mayor

_____
Paula Barnett, Town Clerk

MINUTES FOR THE MEETING OF THE
RECREATION ADVISORY BOARD
Wednesday, March 4th, 2020

CALL TO ORDER: A meeting of the Recreation Advisory Board was held on Wednesday, March 4, 2020 at the Buena Vista Community Center, 715 E. Main Street, Buena Vista, Colorado. Mckenzie called the meeting to order at 7:35 am.

Roll Call
Members present were chair Mckenzie Lyle, co-chair Marcus Trusty, Gary Crowder, Luke Urbine, Jan Johnson, Rick Bieterman, Dan Hamme, and Ashley Davis. Also in attendance were Recreation Director Earl Richmond, Program Coordinator Shane Basford, Recreation Specialist Ben Eichel, members of Peak 2 Peak Pickleball club, and members of the Drone Club

APPROVAL OF MINUTES: Gary moved to approve the February 2020 minutes, as written. Jan seconded the motion. Motion passes with unanimous approval.

APPROVAL OF THE AGENDA: Dan moved to approve the March 2020 agenda as with amendments. Gary seconded the motion. Motion passes with unanimous approval.

PUBLIC COMMENT:

I. Amy Eckstein
    a. Running for Town Council
II. Drone Club
    a. Update on new location for drone park.
    b. Met with Sportsman's Club and Rodeo Board
    c. Endorsed by schools and SAR
    d. Goals: 1 yr: develop three flight zones, advertise, build relationships. 5yrs: Sanctioned race, expand curriculum
    e. Asking for: access road, restroom facilities, signage, shade structures and picnic tables. Priority of ask is access road and chemical toilets.
    f. Will provide setup and maintenance of flying zones, verbiage for signage, sponsorship/ revenue stream.
    g. Dan made a motion to support project for further consideration. Gary seconded the motion. Motion passes with unanimous approval.
III. Pickleball
    a. Raised $20k plus another $10k promised
    b. Asking for Peak 2 Peak Pickleball Club to be 2021 GOCO Grant applicant

New Business

I. Program Report Summary
    a. Demon Diggers has 92 participants (two sessions)

b. Coed Volleyball has seven team so far (15 last year and expect the same)
c. Youth Soccer starting this month (deadline this Friday)
d. Taking applications for refs and coordinator

II. Rec Director Report Summary
   a. See report
III. Ben's Report
   a. Sponsorship: collected $5,400 so far, deadline is 16 MAR (raised $9,500 last year). Special Events: almost half applications in, still working to deconflict/plan 04 JUL weekend. NOTE: Parade will not cross highway, plan accordingly
IV. BV Rec Program Proposal
   a. Yoga Class
V. Special Event Updates- July 4th, August 1, 2020.
VI. Trail Development- BV Pump Track and BVDG Course
VII. "See Something- Say Something." Community Watch

Ongoing Business

I. Board Pulse
   a. Ice update- Community meeting on March 16th at 6pm to get input on project.
   b. Rodeo grounds starting to work on master plan.
   c. River update: talking about fixing dam by Johnson Village
   d. BV High School student class with CMC
II. Facility Updates- Sand VB, McPhelemy Bandshell, Community Center.
III. GOGO Grant Update- Sunset Vista Park and Trail
IV. Hockey Rink and Ice Update
V. Drone- RC Air Park Update

ADJOURNMENT:
Mckenzie motioned to adjourn at 9:16am.

Respectfully submitted:

Mckenzi Lyle, Chair _____

Ben Eichel, Recreation Department _____

MINUTES FOR THE MEETING OF THE
RECREATION ADVISORY BOARD
Wednesday, April 1st, 2020

CALL TO ORDER: A meeting of the Recreation Advisory Board was held on Wednesday, April 1st, 2020 remotely via google hangouts. Mckenzie called the meeting to order at 7:35 am.

Roll Call
Members on call were chair Mckenzie Lyle, Luke Urbine, Danielle Ryan, Jan Johnson, Dan Hamme, and Ashley Davis. Also in attendance were Recreation Director Earl Richmond, Program Coordinator Shane Basford, Recreation Specialist Ben Eichel, and Leonard of Peak 2 Peak Pickleball club.

APPROVAL OF MINUTES: Dan moved to approve the March 2020 minutes, as written. Danielle seconded the motion. Motion passes with unanimous approval.

APPROVAL OF THE AGENDA: Dan moved to approve the April 2020 agenda as written. Danielle seconded the motion. Motion passes with unanimous approval.

PUBLIC COMMENT:

I. Pickleball
   a. Pickleball not ongoing due to Virus
   b. Fundraising still going on, goal now $40,000

New Business

I. Program Report Summary
   a. No programs currently running, ongoing programs postponed (OG Pickleball, PiYo, Circus School, etc)
   b. Planning for future programming
   c. Preparing for upcoming refunds if postponed is extended
II. Rec Director Report Summary
   a. Capital Projects still being planned
   b. Decreased revenue but decreased costs within BV REC
   c. Continuing communication during pandemic
   d. Signage for downstream water hazard
III. Ben's Report
   a. Facilities closed through 15 APR
   b. Special events being cancelled or postponed
   c. Sponsorship program going well
IV. BV Optimist Club Donations- Rec Bus and BV Skate Park
   a. Discussion on re-allocating Rec Bus donation for skate park
   b. Board recommends moving funds to skate park improvements

Ongoing Business

I. Board Pulse
   a. Discussion on online programming options for BV REC
   b. Discussion on commercial river activities
II. Facility Updates
III. GOGO Grant Update

ADJOURNMENT:
Mckenzie motioned to adjourn at 8:58am.

Respectfully submitted:

Mckenzi Lyle, Chair _____

Ben Eichel, Recreation Department _____

TOWN OF BUENA VISTA
P.O. Box 2002
Buena Vista, CO 81211
Phone: (719) 395-8643
Fax: (719) 395-8644

DATE: May 26, 2020

TO: Mayor and Board of Trustees

FROM: Paula Barnett, Town Clerk
Melanie Jacobs, Deputy Town Clerk

RE: April Clerk's Office Activities

LIQUOR LICENSES

SPECIAL EVENTS PERMIT

- **None issued - Special Events canceled due to COVID19.**

LICENSES RENEWED

- **Buena Vista Adventure Center LLC dba Adventure Hub** – Lodging & Entertainment
  801 Front Loop Unit 1A
- **Beer Base LLC dba The Jailhouse Craft Beer Bar** - Beer & Wine / 412 East Main Street
- **Jan Delp Enterprises Inc. dba Jan's Restaurant** - Hotel & Restaurant / 304 S. Highway 24
- **Socorro Springs Brewing CO dba Eddyline Pub Brewery** – Brew Pub
  102 Linderman Avenue

BUSINESS LICENSES

NEW LICENSES ISSUED

- **Educational Development Corporation –** Tulsa, OK (children's books)
- **Causemedic Spa LLC –** 413 East Main St / Robin Vega (cleaning products)
- **Marie Ann Kimpel –** 215 South Pleasant Ave #2 / Marie Ann Kimpel (mobile massage therapy)

LICENSES RENEWED – 4

CEMETERY

- 8 Site Sales
- 1 Interment

NOTARY SERVICES

- 1 Notarizations Performed

TOWN OF BUENA VISTA, COLORADO

RESOLUTION NO. 33
(Series of 2020)

A RESOLUTION EXTENDING THE DECLARATION OF A LOCAL DISASTER EMERGENCY IN AND FOR THE TOWN OF BUENA VISTA, COLORADO THROUGH JUNE 30, 2020

WHEREAS, pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq*. (the "Act"), in particular Section 24-33.5-709, and Section 2-322 of the Buena Vista Municipal Code (the "Code"), a local disaster emergency may be declared by the Town Administrator and extended by the Board of Trustees;

WHEREAS, on March 17, 2020, the Town Administrator issued an order declaring a local disaster, which on March 18, 2020 was extended until April 15, 2020, by the Board of Trustees via Resolution No. 20, Series 2020, which on April 14, 2020 was extended until April 30, 2020, by the Board of Trustees via Resolution No. 24, Series 2020, which on April 28, 2020 was extended until May 31, 2020, by the Board of Trustees via Resolution No. 26, Series 2020;

WHEREAS, the local disaster emergency related to the COVID-19 pandemic continues to threaten the health, safety and welfare of the Town, its residents, visitors, employees, and businesses and continues to constitute a local disaster emergency pursuant to the Act;

WHEREAS the Board of Trustees, therefore, desires to extend the declaration of a local disaster emergency through June 30, 2020; and

WHEREAS, pursuant Section 2-322(b) of the Code, this Resolution shall be promptly filed with the Town Clerk, delivered to the Chaffee County Emergency Operations Manager, forwarded to the State Office of Emergency Management, and the County Clerk. The public shall also be notified promptly through general dissemination to the news media, posting on the Town website and by the use of other means of communication appropriate for informing the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO as follows:

Section 1. The Town Board hereby extends its Declaration of a Local Disaster Emergency in and for the Town of Buena Vista, Colorado, **until June 30, 2020**, unless sooner terminated by action of the Town Board, at which time the Town Board's Declaration may be extended by action of the Town Board.

Section 2. This Resolution shall be filed with the Town Clerk, the Chaffee County Clerk and Recorder, the Chaffee County Emergency Operations Manager, and the Colorado

Office of Emergency Management. The public shall also be notified promptly through general dissemination to the news media, posting on the Town website and by the use of other means of communication appropriate for informing the general public.

RESOLVED, APPROVED, AND ADOPTED this 26th day of May, 2020.

TOWN OF BUENA VISTA

BY: _____
Duff Lacy, Mayor

ATTEST:

_____
Paula Barnett, Town Clerk

TOWN OF BUENA VISTA
P.O. Box 2002
Buena Vista, CO 81211
Phone: (719) 395-8643
Fax: (719) 395-8644

DATE: May 26th, 2020

TO: Mayor and Board of Trustees

FROM: Phillip Puckett, Town Administrator

AGENDA ITEM: Town Administrator Report

Key Dates

Topic	Date & Time	Location
Main St Infrastructure & Streetscape for Block 21 across from the elementary school	June 9th, regular BOT meeting	TBD
Board Training with CML	June	TBD
Intergovernmental Meeting	June 30th, 6:00pm	TBD

Updates

- **COVID-19**
  - Chaffee County received variance approval effective May 22nd. Industries included in the variance: retail food establishments (including tasting rooms of breweries, wineries, and distilleries), places of worship, gyms/fitness facilities, local recreation facilities, outfitters/guiding, bowling, outdoor hot springs. Restrictions on capacities, distancing, face coverings, and employee symptom monitoring apply

  - Staff has investigated the recent emergency regulation from Liquor Enforcement Division (LED) to allow on-premises liquor licensed businesses to apply for temporary modifications with their local and state licensing authority and to pre-plan for temporary outdoor seating areas that support social distancing requirements. Staff has already been working with several local establishments on potential ways to utilize this option to help increase capacity by expanding their space.

  - Emergency Response Fund - https://www.chaffeecommunity.org/erf

  - Staff is supportive of re-opening of more businesses and asks that our citizens and guests continue to exercise their good judgment by observing safe practices when encountering other people in public and in businesses, such as wearing masks and maintaining social distancing message to our https://arkvalleyvoice.com/leaders-send-

a-message-welcome-back-to-chaffee-county-where-we-wear-masks/

- **Town Operations**
  - Town Hall, Airport and Police Department are open to the public with restrictions per the County Safe Business checklist. Public Works, Community Center and Fire Department remain closed to the walk-ins

  - Parks and public restrooms have gradually been opened during May and we will continue following a phased re-opening through June

  - BV Rec will be opening to small group programming at the Community Center starting in June based on State guidelines

  - The Board could move back to in person meetings (limited to 10 people) starting in June but likely the public would have to continue participating through Zoom video/audio conference. Staff would welcome input from the Board about what to do in June

- **Multijurisdictional Housing Authority** - Steering Committee met on May 22nd to review the draft IGA to establish the Housing Authority. Staff still expects to have a draft agreement for the Board to review and consider during early summer.

- **Cottonwood Pass –** opening Wednesday May 27th

- **4th of July Parade and Gold Rush Days –** still being planned by Chamber, pending updated guidance coming from the state on May 25th. Town will continue to work with the Chamber (and other events).

Thank you for your attention to my report. Please let me know if you have questions.

Phillip Puckett, Town Administrator

TOWN OF BUENA VISTA
P.O. Box 2002
Buena Vista, CO 81211
Phone: (719) 395-8643
Fax: (719) 395-8644

DATE: May 26, 2020

TO: Mayor and Board of Trustees

FROM: Michelle Stoke, Town Treasurer

AGENDA ITEM: Treasurer's Report

March Sales Tax

Sales tax attributable to March has been received at $284,787.06. This logs in at 8.35% over March of 2019 and 4.18% over the original budget for March. The year-to-date (first quarter) dollar amount for 2020 so far is $836.819.15 which is 34.82% higher than the first quarter of 2019 and 29.64% higher than the original budget for 2020.

The strong showing for the first quarter 2020 supports staff's position that 2020 was on course to a very strong year because 10 weeks of the quarter's 12 weeks were unaffected by the Corona Virus shutdown. In addition, the Colorado Department of Revenue announced that remitters who missed the March sales tax remittance deadline would not be penalized. Even so most of the businesses in Buena Vista remitted their sales tax on time.

Overall, first quarter results have affirmed staff's theory that the first quarter of 2020 would not be substantially impacted by the pandemic. Over the next few months we will begin to see the true effect the shut-down has had on Town's economy. The Board, citizens and staff should be encouraged by Town's healthy emergency reserves which will sustain us during this uncertainty.

I have attached the graph for you to review.

Town Expenditures:

Since the May 12, 2020 report the Town has issued:

- 65 accounts payable checks for a total of $146,541.52
- ACH withdrawals to the IRS, FPPA, CCOERA and Colorado Department of Revenue for pay period ending 04/04/2020 was $34,007.83.
- Net payroll was $70,195.84 for the same period.
- The breakdown by Fund for AP and payroll-related check disbursements plus the ACH payments is as follows: *(Note that not all expenditures are expenses since some are reimbursements or withholding from employees' gross payroll)*

General Fund -	$	72,267.58
Water Enterprise Fund -	$	13,277.38
Capital Improvement Fund -	$	35,195.00
Stormwater Enterprise Fund-	$	1,650.00
Airport Enterprise Fund -	$	56,364.39
Street Fund	$	1,795.00
TOTAL	$	180,549.35

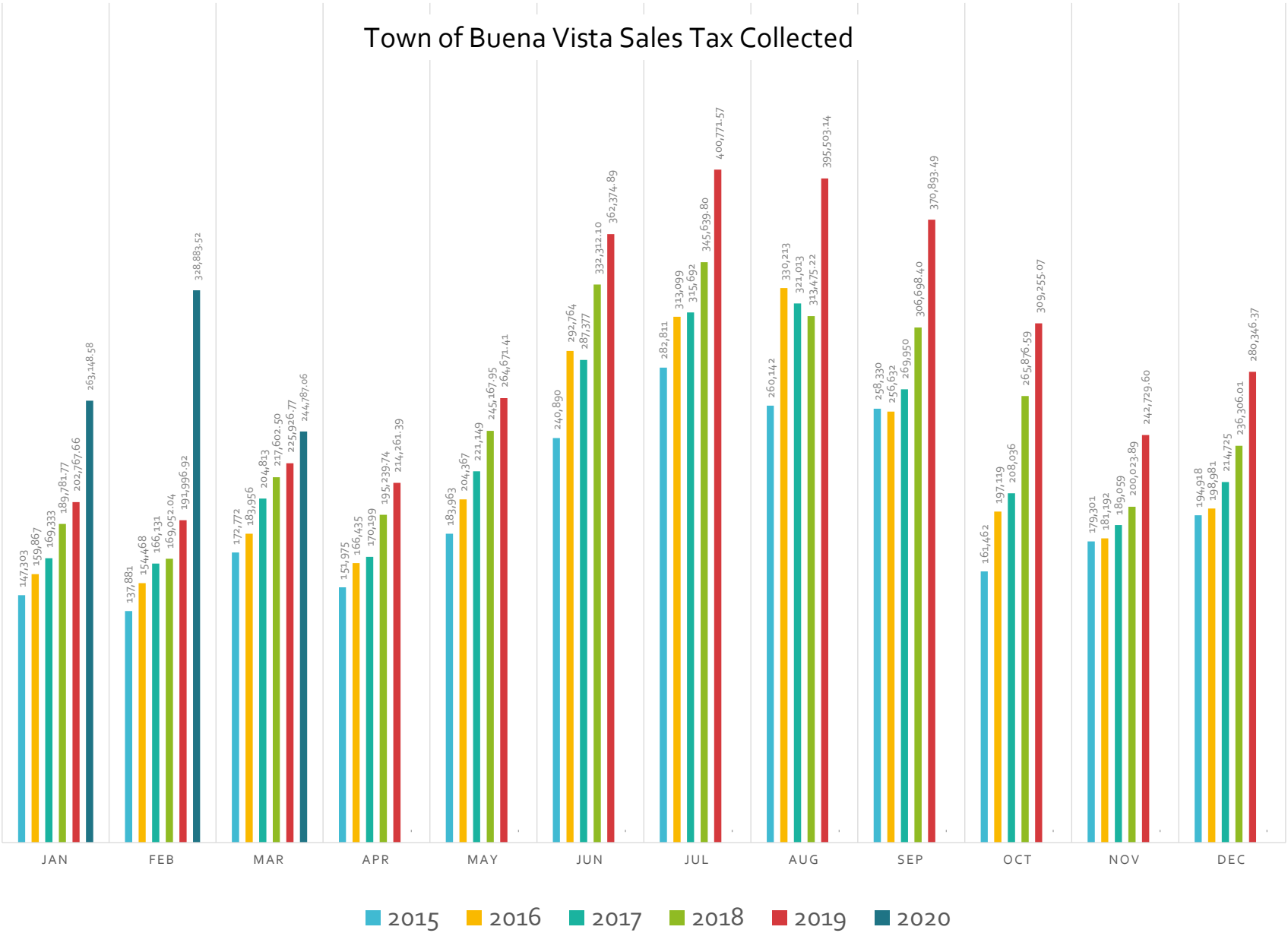
Expenditures Over $2,000.00

-Alperstein & Covell for $2,589.00 for April Legal Fees for Water
-Ascent Aviation Group for $2,000.00 for May lease payment for the Jet Refueler
-Dibble Engineering for $48,538.00 for the Airport Runway Rehab project engineering
-Pinnacol Assurance for $6,571.19 for Worker's Comp Premiums for the 5th of 9 installments

-Six Line Metalworks for $24,000.00 for 50% deposit for two gateway signs
-Concrete by Felt for $9,995.00 for the skate park border
-DPC Industries for $2,300.84 for Caustic Soda and Chlorine for the Water plant
-RG and Associates for $11,832.55 for Development reviews and engineering services
-Sangre De Cristo Electric Association for $11,918.66 for April Electricity charges

I will entertain questions at this time.
This concludes my report.

Michelle Stoke, CPA
Treasurer/Finance Director


Town of Buena Vista Sales Tax Collected
147,393
159,867
169,333
189,781.77
202,767.66
263,148.58
137,881
154,468
166,131
169,052.04
191,996.92
328,883.52
172,772
183,956
204,843
217,602.50
225,926.77
244,787.06
151,975
166,435
170,199
195,239.74
214,261.39
183,963
204,367
221,149
245,167.95
264,671.41
240,890
292,764
287,377
332,312.10
362,374.89
282,811
313,099
315,692
345,639.80
400,771.57
260,142
330,213
321,013
313,475.22
395,503.14
258,330
256,632
269,950
306,698.40
370,893.49
161,462
197,119
208,036
265,876.59
309,255.07
179,301
181,192
189,059
200,023.89
242,729.60
194,918
198,981
214,725
236,306.01
280,346.37
JAN
FEB
MAR
APR
MAY
JUN
JUL
AUG
SEP
OCT
NOV
DEC
2015
2016
2017
2018
2019
2020

Planning Department
Monthly Report

April 2020

Building Permits:	7	New Residential Permits Issued
	0	New Residential ADU Permit Issued
	0	Residential Remodel/Addition
	0	New Commercial Permits Issued
	1	Commercial Remodel/Additions
CO's Issued:	12	Residential
	0	Commercial
Planning Permits:	5	Shed
	12	Fence
	2	Sign
Other Reviews:	2	Temporary Vendor
	1	Site Plan Review

2020 Year to Date (as of 5/15/20)

13	New Residential Dwelling Unit Building Permits Issued
0	New Residential Accessory Dwelling Unit Building Permits Issued
0	Attached Apartment Units within a Commercial Building Permits Issued
0	Individual Duplex Dwelling Unit Building Permits Issued

Other Items:

1. **Planning Commission:** Still seeking one alternate member
2. **Historic Preservation:** Postponed Architectural Design Guidelines public meeting – June
   Residential Historic Survey May 28th, 5:00 pm Virtual meeting
   meet.google.com/gig-dngx-xae or by phone: 1 516-399-7133 PIN: 354 809 428#
3. **Site Plans Submitted:** South Court Social - 505 E Main Street 5,500 sf retail and 16 multifamily units
4. **Site Plans Pending:** Valley Wide Health Clinic Site Plan **(Administrative)**
5. **Subdivisions Submitted:** None
6. **Subdivisions Pending:** Slycord Minor Subdivision – 3 lots from 1 lot at 420 Arizona Street
   Colorado Center No. 1 Amendment No. 1 (Fading West)
7. **Special Use Permits:** None at this time
8. **Technical Manual:** Developing Specifications for Planning and Engineering Submittals
9. **Chaffee County IGA:** Planning for areas outside town limits in 3-mile area - Going to County
   County Comprehensive Plan Meeting – to get Town Input June 16th at 5 pm
10. **Miscellaneous:** The Summit (300 E. Main Street) Remodel/demolition/construction
    Sunset Vista #4, Phase 8 Public Improvements Agreement for 29 lots
    Temporary Vendors – 5 (Buena Viking, Scratch Kitchen, Cowboy's Dash, palisade Peaches, and Little Engine Eatery. Hoping to see The Olive soon)

Submitted by: Mark N. Doering, Principal Planner

	Strategic Planning, Town of Buena Vista May 26, 2020: To do - What have we done? What are we doing/planning? What needs more attention/priority?				
	Economic Vitality	**Infrastructure**	**Community**	**Environment**	**Water**
2017	Economic Development Master Plan	Community Center Playground Airport Snow Removal Equipment (SRE) building Begin Construction New High School Baseball Field, Evaluation and Implimentation of 5 year street improvements (pavement condition indexing), Sidewalk replacements/Improvemnts, Community playground build- BV Community Center. BVHS Baseball Field opens.	Establish Historic Preservation Commission (HPC), 1500 volunteer hours for BV Rec from BV locals.	LED Light replacement at Town Hall, Community Center	Adopt Source Water Protection Plan, Planning/Design and Action Plans for; Water Sytem Improvements, Water Rates, Water Rights,Augmentation Plans, Create SFE Tracking Spreadsheet, Begin Water Plant (chem bldg) upgrades and improvements,Looped Upper Zone Water Main (Sunset Vista/Dallas Campbell)
2018	Land Use Code re-write to facilitate residential and commercial development Establish County Department of Housing and funded Director of Housing	New Baseball Field for BV School and Recreation programs Partner with local groups and CPW grant to add 9 miles of non-motorized trails to our BLM recreation area Context Map and Infill Infrastructure Policy Adopted, Street Fund Street and Sidewalk Improvements (Marquette and South Railroad Street asphalt and chip-seal installations, Sidewalk Replacement Program, Water Infrastrure (see water), Installed new lift (sanitation) station at Columbine Park	Collegiate Commons 48 Affordable Housing Short Term Rental License and Regulations Add youth soccer as a BV Rec management program, Community Center Showers and Restrooms Heater Installation for Year-round use, Noxious Weed Program Implimentation and Spraying, Adopt a Tree Program, Tree Trimming and Removals, Trail Mainentance Program, Rodeo Grounds Grandstand Structural Engineering Report, Rec Info Center Website comes online	LED Light replacement at Public Works. Whitewater Park Improvements	Water Resources Tracking System (SFE Report) Pinon/Beldan water line loop, Continue Planning/Design and Action Plans for; Water Sytem Improvements, Water Rates, Water Rights,Augmentation Plans, Create SFE Tracking Spreadsheet, Begin Water Plant (chem bldg) upgrades and improvements, Water Resources Tracking System (SFE Report) Trout Creek Reservoir Feasibility Report
2019	Rec Department sees big increase in reservations and facility rental revenue. BV Rec studies other like minded mountain towns to see what they are charging for facility rentals and creates a plan to bring our rates up to industry standards. Balancing revenues and expenditures for BV Rec programming	BLM Trail Expansion Traffic study and planning with CDOT/PUC/Railroad for Highway 24 intersection improvments at Baylor/DePaul and Steele Dr ADA trail enhancement at River Park I CANT GET THIS ANOTHER SEPARATE LINE:GOCO Application for Sunset Vista Park submitted, Installed Missing Sidewalks in Sunset Vista, Street Fund Projects on Gunnison Ave., N Pleasant and N. San Juan Avenues. Water Infrastructue Improvements (see water), New seasonal domestic water line to new H.S. Baseball Field ,New (year-round) domestic water line installed to River Park Bathrooms,Installed 2 new dry well storm water structures on E. Main St. Sidewalk Replacemt Program. Community Center upgrades- floors, AV, kitchen, paint. Skate Park repairs. softball lights upgrades, BVCC security system. Storage shed to support BV Rec equipment needs.	Fire Rescue Pumper Truck Fire SCBAs with FEMA grant Add youth baseball as a BV Rec management program Update Nuisiance Code to help address unfinished buildings and junk, Softball Field Lighting Improvements, Begin Cemetery Infrastrucure Improvments (Irrigation installation) Railroad Street Parking lots re-striping, Trail repair and improvements (River Park), Wayfinding Installations, 9 new miles of singletrack built in BV BLM lands, BV Rec takes over youth volleyball programs from BVHS,	Increase subsidy for recycling center drop site, Evalutate an Update Source Water Protection/Municpal Code and Source Water Protection District. Whitewater Trail restoration.	Upper Zone 750,000 gallon Water Tank Well No. 3 potable water source Water Capacity and Buildout Projection Cornell Water Line replacement Carbonate St Water Line Loop,Ivy League Conversion to Upper Zone (energy savings related to pumps), Ivy 4 Log Entry Point Change, Providence Eng. Feasibility Study, Installed 9 Infiltration Gallery Monitoring Wells (Piezometers), N. Cottonwood Creek New Head Gate, Installed Tank Mixer in Upper Zone Water Storage Tank, Updated Telemetry SCADA Components, Increased Project Water Augmentation Plans for Irrigation and Domestic water use (60 acre total), Installed 3 new FIre Hydrants, Water/Water RIghts Capacity/Growth Rate Report,
2020	Establish Multijurisdictional Housing Authority - Chaffee Housing Authority IGA with County to facilitate planned growth and development using integrated planning and infrastructure development. Increase staff hours to keep up with demands of the community in BV Rec, Special Events, and Facility Rentals. Create Special Events advisory board from BV Town staff. Evaluate level of rec programming costs to assure continued interest	Arizona/Marquette Trail and Pedestrian Bridge Street improvements: Railroad, North Court, S Gunnision, Arkansas, DePaul Cemetery irrigation rehabilitation Plan with CDOT on Highway 24 intersection improvements at Baylor/DePaul and Steele Dr Airport runway maintenance with CDOT grant New signs for Skatepark and BV Softball field, Pump Track Rehab, Volleyball Court Rehab, Rodeo Ground improvements	Addition of 2 Firefighters allowing shifts to improve coverage BV Safety Facility Needs Analysis BV Facility planning (Town Hall, Fire, PD) Increase Special Events management - balance growing demand with capacity and impacts Adopt Architectural Design Guidelines for Main Street zone district Increase Rec sponsorships to support scholarships Facility planning with Boys & Girls Club - explore partnership with Town land and shared Rec space	Increase subsidy for recycling center drop site Waste Diversion Study to guide future recycling plans Inventory street lights and propose replacement plan to reduce light pollution/inefficiency. Increase town clean up opportunities and continue BV River Park Clean Up days Explore street lighting improvements with Sangre de Cristo Electric	Build Well No. 4 Court St Water Line - loop system Monitor and engineer Infiltration Gallery and Surface Water Plant project Water right pursuit Explore Cottonwood Lake options

	Strategic Planning, Town of Buena Vista May 26, 2020: To do - What have we done? What are we doing/planning? What needs more attention/priority?				
	Economic Vitality	**Infrastructure**	**Community**	**Environment**	**Water**
2021	Evaluate ways to diversify revenue (tax) sources Develop additional monitoring metrics for health of the economy, in addition to sales tax Visit potential for upcoming tax initiative or bond for facilities/emergency services East Main improvements - planning and implementation, Court to Evans Leverage planning for Beldan lots revenue	Pursue GOCO grant for priority project (Sunset Vista Park / Pickleball courts) Street improvement projects (per plan) Design and engineer Highway 24 intersection improvements at Baylor/DePaul and Steele Dr Continue with in town trail and park improvements	BV Safety Complex facility plan (funding/timing) Aquire Activity Bus for Recreation programming 100 years of Rodeo in BV Rodeo Grounds master planning with BV Rodeo Board. BOT explores how to talk about Issues and Problems	Establish water conservation code requirements	Secure funding for Infiltration Gallery and Surface Water Plant project Update Water Master Plan Water right pursuit Implement Cottonwood Lake options
2022	Potential tax initiative or bond for facilities/emergency services East Main improvements - implementation, Court to Evans Continued planning for Town owned properties	Pickleball facility build. **Sunset Vista Park and Trail build** Street improvement projects (per plan) Trails / Multi-Modal Transportation master planning	**Begin Comprehensive Plan process**	Explore renewable energy / cost savings options for Town facilities	Infiltration Gallery and Surface Water Plant Improvements Project
2023		Construct Highway 24 intersection improvements at Baylor/DePaul and/or Steele Dr. Street improvement projects (per plan)	Ice Rink Millie Crymble Park improvements		Obtain additional water right to diversify water portfolio
2024		Street improvement projects (per plan)			
2025		Street improvement projects (per plan)			
Longer Term	Public Transportation				
Notes:	Additional categories - potential for "Safety" and/or "Affordable/Inclusionary Housing"...Recommendation is to incpororate into existing five categories as these will require targeted approaches depending on type of initiative and context for any given year.				
	In 2021 or 2022, evaluate whether a Phase II Economic Plan should be carried out, engage partners at Economic Development Corp, and so forth - need to have a careful look at Economic planning and Comprehensive Planning				
	BOT to visit the Airport Business Plan in 2021? Sooner? 2022?				
	Does BOT feel data comes during plannign processes or at other points in time - how does monitironign take palce effectively and what mertics are most useful for policy decisions? In particular, how does town measure Health of Town, including identifying key industries - what to measure, how to measure, and so forth				
	Urban Planning for Downtown Core - would need more conversation as to what it desired and why - to what end				

TOWN OF BUENA VISTA, COLORADO

RESOLUTION NO. 34
(Series of 2020)

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, ESTABLISHING A COVID-19 TEMPORARY USE PROCESS FOR ADDITIONAL SPACE FOR ON-PREMISES LIQUOR LICENSED ESTABLISHMENTS AND RETAIL BUSINESSES

WHEREAS, due to the COVID-19 pandemic, a local disaster emergency was declared by the Town Administrator and extended by the Board of Trustees through May 31, 2020, pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq*. (the "Act") and Section 2-322 of the Buena Vista Municipal Code (the "Code");

WHEREAS, it is anticipated the COVID-19 pandemic will continue to affect the ability of certain businesses, including retail businesses and on-premises liquor licensed establishments, to operate normally for a considerable period of time;

WHEREAS, the Board of Trustees desires to establish a process pursuant to which certain businesses may provide extra room to better enable social distancing to protect the public health, safety and welfare while continuing to operate and provide services to the public; and

WHEREAS, the Board of Trustees, therefore, enacts this Resolution for the preservation of the public health, safety, and welfare of the Town, its visitors, businesses and residents.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO as follows:

Section 1. Retail businesses and on-premises liquor-licensed establishments, as further defined below, may utilize adjacent public parking spaces and adjacent outdoor areas of private property (such as parking lots or vacant parcels) to conduct business, subject to the procedures and criteria set forth in this Resolution. Approval of any such temporary use may be subject to any conditions reasonably designed to protect the public health, safety and welfare.

Section 2. Definitions.

Retail Business shall mean a business selling goods or services to the general public.

On-premises liquor-licensed establishment shall mean an establishment that holds one of the following types of Colorado liquor license: Hotel and Restaurant; Brew pub; Distillery pub; Vintner's Restaurant; Fermented Malt Beverage (FMB) on-premises; Tavern; Beer and Wine; Lodging and Entertainment; Optional premises license; Club license; Arts license; Breweries, Wineries and Distilleries with an approved sales room.

Section 3. Criteria and standards for consideration during temporary use review.

A. Any retail business or on-premises liquor-licensed establishment seeking to temporarily expand its operations onto an adjacent parcel of private property or onto public

parking spaces in the adjacent right-of-way shall submit an application for a temporary use permit pursuant to the Town's temporary use regulations in Section 16.03.3.4 of the Town Code.

B. In addition to the procedures, standards and criteria set forth in Section 16.03.3.4 of the Town Code, the Town Administrator shall consider the following criteria when reviewing a temporary use application pursuant to this Resolution:

1. Pedestrian, bicycle, and motor vehicle traffic flow. Consideration shall be given to site lines and safety.

2. Demarcation and barricades. The temporary use area shall be clearly demarcated and cordoned off in a manner that separates the temporary use area from neighboring private and public properties. Demarcation shall be done with high quality materials that preserve the characteristics of the neighborhood and surrounding businesses. Flimsy posts, caution tape, string, or easily damaged and unsightly materials are not permitted. Barricades may be required to protect the area from vehicular traffic.

3. Maintenance. The temporary use area shall be maintained in good and clean condition. Trash shall be removed immediately and any trash or worn, deteriorated, or unsightly conditions shall be repaired.

4. Size of area. The temporary use area must be immediately adjacent to the business. Sidewalk separation is permissible. If public parking spaces constitute the temporary use area, only those spaces immediately in front of the business may be used. Handicapped parking spaces may not be used or interfered with by the temporary use area.

5. Effect on off-street parking of other businesses. Consideration shall be given to the effect of a temporary use of a private parking area on the off-street parking requirements of any business using the parking lot for off-street parking.

6. Application. The owner of the property and the tenant, if they are different, shall sign the temporary use application. For properties with multiple tenants, it shall be the decision of the owner of the property which tenant or tenants may seek a temporary use permit for which portions of the available public parking spaces.

7. Hours of use. Hours of the permitted use may be limited to minimize its impact.

8. Noise. Noise levels of the permitted use may be considered and restrictions imposed to minimize the impact of the use.

C. Exceptions to the Town Code. The following provisions of the Town Code are not applicable to a temporary use permit issued pursuant to this Resolution:

1. Section 16.03.3.4.3(H) (off-street parking).

2. Section 16.06.6.5.3(C)(3)(a) (posting requirement).

3. Section 16.06.6.5.3(C)(3)(b) – to the extent it requires the Town Administrator to refer the applicant to other reviewers, consider objections, and refer the matter to the Planning and Zoning Commission.

4. Section 16.06.6.5.3(C)(4)(b) – to the extent it limits the duration of a temporary use permit to 180 days.

Section 4. Revocable license agreement. Approval of a temporary use permit to use parking spaces in Town rights-of-way shall be conditioned upon the applicant's execution of a revocable license agreement with the Town in form acceptable to the Town in the Town's sole discretion. The permittee shall be required to maintain insurance with coverages and limits required by the Town in the Town's sole discretion.

Section 5. Duration / Revocation. Unless stated otherwise in the approval of the temporary use permit, the duration of the temporary use permit approval shall be indefinite. It is the intent of the Town to revoke approval of temporary use permits issued under this Resolution when it is determined by the Town in its sole discretion that such businesses can generally operate in a normal fashion without substantial restrictions due to COVID-19. Nevertheless, the Town reserves the right to revoke any temporary use permit at any time for any reason within the Town's sole discretion upon twenty-four hours' notice. No holder of a temporary use permit shall have any vested rights in continued operations under a temporary use. Application for and receipt of a temporary use permit constitutes a waiver of any claims a permittee may have against the Town based on a continued right to operate under the temporary use permit.

Section 6. Modification of liquor licensed premises. If an on-premises liquor-licensed establishment seeks to temporarily modify its premises, it must obtain both a temporary use permit under Section 16.03.3.4 of the Town Code and approval for the liquor license temporary premises modification. The Town Clerk is authorized to review and approve applications for temporary modifications of liquor-licensed premises in accordance with Colorado Liquor Regulation 47-302 to accommodate temporary outdoor patios for on-premises liquor-licensed establishments. Any area in the Town's rights-of-way subject to a temporary use permit and a revocable license agreement shall no longer be considered to be a public thoroughfare during the term of such permit and license.

RESOLVED, APPROVED, AND ADOPTED this 26th day of May, 2020.

TOWN OF BUENA VISTA

BY: _____
Duff Lacy, Mayor

ATTEST:

_____
Paula Barnett, Town Clerk

Town of Buena Vista
Recreation Department
P.O. Box 2002
Buena Vista, CO 81211

DATE: Monday, May 18th, 2020
SUBJECT: Free Lunches in Forest Square Park 2020

On or about (o/a) February 13th, 2020, William Redmon of The Christian Mission Free Lunch submitted a request (attachment A) to Town Staff asking for the not-for-profit Christian Ministry of friends to reserve the Forest Square Pavilion every Thursday from 1100 to 1300hrs during the months of June through August. Mr. Redmon and his associates have been conducting these Free Lunches during the summer months for years, presumably under the approval of the Town Trustees.

Upon reviewing this application, it was determined by Town Staff that this request did not meet the current criteria for a fee waiver under the current Fee Waiver Policy (attachment B). This event does not qualify under the current Fee Waiver Policy primarily because this organization is not registered with the State of Colorado as a not-for-profit organization. As such, here are the possible course of action moving forward:

1. The Christian Mission does not reserve the Forest Square Pavilion but has the option of utilizing the facilities for free if the space is available and not reserved by another party.
2. Mr. Redmon registers his organization (or provides proof of status) with the State of Colorado as a nonprofit organization. This will allow him under current policy to reserve Town Facilities for free ($500 max in rental fees per year can be waived to each NFP)
3. The Christian Mission reserves the facilities as a private citizen. The fees for the requested times (1100-1300 June through August) would be $420 (14 reservations at $30 per day for an under four-hour time period each day).
4. The Town Trustees evaluate the Christian Mission's request and decide not in accordance with the current Fee Waiver Policy.

While this is a long standing and well received event in the community, exempting the Christian Mission from the Fee Waiver Policy could create a precedent for other private citizens and groups to request fee waivers for other activities. The Recreation Department is unclear how busy this summer season may be in our parks. We have spoken to Mr. Redmon twice to best explain theses potential options. He has requested to speak to the BV BOT during public comment to ask for a 100% fee waiver. Our department can work with the direction the BOT would like us to head as it relates to this request.

Thank you

Earl Richmond

Town of Buena Vista
Post Office Box 2002
Buena Vista, Colorado 81211
Phone: (719) 395-8643
Fax: (719) 395-8644

Fee Waiver Policy for Facilities and Special Events

General

This policy establishes parameters for waiving or reducing fees for Town parks, facilities, and special event permitting.

Background and Purpose

The Town is regularly approached to waive or reduce fees for events and activities held within the Town limits. This policy is designed to provide an equitable means for event organizers to apply for fee waivers or reductions.

Event permitting and reservation fees help cover the cost of staff processing time, infrastructure to support events, and contribute to facility improvements to better serve the greater Buena Vista community.

Definitions

- **Open to the public and entirely free event:** Any event or meeting actively marketed to the public which allows any and all persons to attend AND that does not charge admission, registration, or any other charges/fees to participants, attendees, vendors, or visitors either before, during, or after event. Event must be secular and apolitical in nature.
- **Chaffee County based non-profit**: Any organization registered with the Colorado Secretary of State as not-for-profit organization in good standing. This is determined by presenting:
    - A valid Certificate of Good Standing from Colorado Secretary of State's Office within last six months

      AND
    - The organization's Articles of Incorporation list the principal office address of the nonprofit as an address within Chaffee County
- **Chaffee County based government organization**: Any official local, state, or federal government organization with a physical office that has an address within Chaffee County

Policy

Entities eligible for a fee waiver or reduction include:

1. **Chaffee County based non-profits**

or

2. **Chaffee County based government entities**, **Buena Vista School District** sponsored events, **Volunteer Income Tax Assistance (VITA)** work sessions, and **BV Strong** dinner events

Fee waiver and reduction guidance by **event type:**

1. For **Chaffee County based non-profits**:
   - If it is an event that is open to the public *and* entirely free:
     - Eligible for waiving park and facility rental fees
     - Eligible for 50% reduction on certain applicable special event fees
   - If it is a fundraiser event that is *not* open to the public or *not* entirely free:
     - Eligible for 50% reduction on park and facility rental fees
     - Eligible for 50% reduction on certain applicable special event fees
   - If event is a non-special event (i.e. regular meeting):
     - Eligible for 50% reduction on park and facility rental fees
   - Organization's reductions and waivers are capped at $500 per calendar year
2. For **Chaffee County based government entities**, **Buena Vista School District** sponsored events, **VITA** work sessions, and **BV Strong** dinner events:
   - Exempt for all rental and/or special event fees

Fee waiver and reduction guidance by **additional fee type:**

- Fees **eligible** for reduction or waiver:
  - Application Fees
  - Barricades, Cones, Fencing, and Sandbags
  - Park & Facility Rental Fees
  - Community Center Equipment Rental Fees
  - Camping Fees
  - Water Fees
  - Electric Fees
  - Temporary Sign Permit Fees
- Fees ***NOT*** **eligible** for reduction or waiver:
  - Damage Deposits
  - Additional Town Staffing
  - Additional Use Impact Fees
  - Street Closure Fees

Process for Granting Fee Waivers or Reductions

A fee reduction or fee waiver may be granted administratively *if a fee waiver request is signed by an applicant within Chaffee County.* Contact the Buena Vista Recreation Department at 719-581-1029 or events@buenavistaco.gov for more information.

February 13, 2020

Board of Trustees

P.O. Box 2002

Buena Vista , Colorado 81211

Board of Trustees:

We are a not for profit Christian Ministry of local friends who serve a free lunch in the park every Thursday in Forest Square Park from 1100 to 1300 from June thru August.

All are welcome for a truly free lunch and fellowship during the summer. We provide Hamburgers and Hot Dogs with free games, Frisbees, books, etc.

We would appreciate it if the town would waive the park rental fee to assist us in promoting the Town of Buena Vista.

Should this be something available please let us know.

Bill Redmon 719 293 4373

Rob Potter 719 207 3236

Attached : permit application

Forest Square Park

TOWN OF BUENA VISTA, COLORADO
Fee Waiver Request Form

Please read the fee waiver policy thoroughly prior to filling out the fee waiver request form.
Questions? Please call us at (719)395-2408 or recdirector@buenavistaco.gov

Event Details

Name of Event: FREE LUNCH CHRISTIAN MISSION IN THE PARK

Date(s) of Event: EVERY THURSDAY JUNE 4 THRU AUGUST 27, 2020

Start Time (including set up): 1000
End Time (including clean up): 1400

Location of Event:

- ☐ Community Center ☐ Aspen ☐ Pinon ☐ Kitchen
- ☐ McPhelemy Park
- ☐ Columbine Park
- ☐ Rocks & Ropes Park
- ☑ Forest Square Park ☑ Full Park ☐ Large Pavilion
- ☐ River Park Large Pavilion
- ☐ South Main Town Square
- ☐ Rodeo Grounds ☐ Arena & Grandstand ☐ Event Area
- ☐ Sports Facilities ☐ Soccer Field ☐ Softball Field
- ☐ Other_____

Organization Information

Sponsoring Organization: WILLIAM REDMON ROBERT POTTER

Contact Person: WILLIAM REDMON ROBERT POTTER

Type of Organization: ☑ Not for Profit ☐ Government Agency ☐ School District

Tax ID # (if applicable): N/A

Mobile Phone # : 719 293 4373 719 207 3236

Email: WREDMONJR@GMAIL.COM

Mailing Address: 29853 CR 361 BUENA VISTA COLORADO 81211

Fee Waiver Request

The event is: ☑ free and open to the public ☐ a ticketed fund raiser ☐ not open to the public

Total amount requesting to be waived: $ 30 x 13 = 390 x .5 = 195

Have you been granted a fee waiver this year? ☐ Yes ☑ No

If yes, please list the event(s) and the amount waived to date: $

Insurance?

I hereby certify that I am authorized by the sponsoring organization to submit this application and that all information provided herein is true and correct to the best of my knowledge.

Signature: William T. Redmon Jr.

Date: 2/13/20

For Staff Use Only

Total amount waived:	Approved By:

TOWN OF BUENA VISTA, COLORADO
FACILTY USE AND SPECIAL EVENT PERMIT APPLICATION INFORMATION

BV REC is here to help! Before you get started, please contact us to help confirm the date you desire is available. We will guide you to the correct documents, payment options and other requirements needed to complete application.
719-395-2408 / recsupervisor@buenavistaco.gov / P.O. Box 2002, Buena Vista, CO 81211

Name of Event FREE LUNCH CHRISTIAN MISSION IN THE PARK	Date/s of Event: EVERY THURSDAY	Date of Application: 2/13/20
Event Start Time: JUNE 4, 2020 1100HRS.	Event End Time: AUGUST 27, 2020 1300 HRS.	
What time will you start setting up? 1000 HR.	What time will you finish cleaning up? 1400 HR	

Location of Event (include facility, park, streets, or route information if appropriate)

- ☐ Community Center ☐ Aspen ☐ Pinon ☐ Kitchen
- ☐ McPhelemy Park ☐ Pavilion, which one _____
- ☐ Columbine Park ☐ Playground Only
- ☐ Rocks & Ropes (Boulder Park)
- ☑ Forest Square Park ☑ Full Park ☐ Large Pavilion
- ☐ River Park ☐ Small Pavilion ☐ Large Pavilion
- ☐ South Main – Town Square
- ☐ Rodeo Grounds ☐ Arena & Grandstand ☐ Event Area
- ☐ Sports Facilities ☐ Soccer ☐ Softball ☐ BBall ☐ VBall
- ☐ Other _____

Description of Event (purpose, activity, target market, and if appropriate, attach a brief detailed narrative, diagram, etc.)
FREE LUNCH IN THE PARK, WELCOME TO ALL, GAMES BOOKS TOYS ALL FREE, FOR THE CHILDREN THERE ARE FRISBEES, BUBBLES ALL FREE.

Please check the items below that you will need for your event:

☐ Barricades ($15) Quantity:_____ ☐ Cones ($15) Quantity _____ ☐ Event Fencing ($25) ☐ Water/Electric Access ($5)

The following items require site maps to accompany this application:

☐ Use of Temporary Signs, complete attached site map ($15)

A full application is needed for the following items:

☐ Liquor License ☐ Noise Permit ☐ Special Event Camping ☐ 200 + People in attendance
☐ Street closure (Date/Time of Closure): _____

Applicant Name or Sponsoring Organization: WILLIAM REDMON ROBERT POTTER	Contact Person: WILLIAM REDMON ROBERT POTTER
Mobile Phone #: 719 293-4373 719 207-3236	Email: WREDMONJR@GMAIL.COM
Mailing Address: 29853 CR 361 BUENA VISTA COLORADO 81211	

Estimated Number of Participants: 10
How many will be: On Site at once 10
Number of Spectators: ± 150
Coming and Going throughout the event ± 150

I hereby certify that I am authorized by the sponsoring organization to submit this application and that all information provided herein is true and correct to the best of my knowledge.

Name: William T. Redmon Jr. Date: 2/13/20

FOR OFFICE USE ONLY	Total fees Due:	Paid with	Date:
Approved By:	Notified PW, if applicable		Entered in Calendar:
Deposit Received (if applicable):	Date:	Deposit Returned:	Date:

AGENDA
FOR THE BOARD OF TRUSTEES
OF THE TOWN OF BUENA VISTA, COLORADO
June 9, 2020

Work Session at 6:00 PM –

Virtual Regular Meeting at 7:00 PM
(Meeting will not be held at the Buena Vista Community Center)

To participate in Public Comment and/or Public Hearings you must connect to the video conference.
Conferencing Access Information: Password:
Listen via phone at 1-301-715-8592 Meeting ID: Password:

THE BOARD OF TRUSTEES MAY TAKE ACTION ON ANY OF THE FOLLOWING AGENDA ITEMS AS PRESENTED OR MODIFIED PRIOR TO OR DURING THE MEETING, AND ITEMS NECESSARY TO EFFECTUATE THE AGENDA ITEMS

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. AGENDA ADOPTION

The Board approves the agenda at the start of the meeting including modifications.

V. CONSENT AGENDA

Approval of matters that are routine in nature that require review and/or approval, i.e. minutes and reports. (Professional Service Agreements (PSA) that exceed $25,000.00 require the Consent Agenda to be approved by a Roll Call vote)

A. Minutes

1. Board of Trustees Regular Meeting – May 26, 2020
2.
3.

B. Police Chief Report

C. Fire Chief Report

VI. PUBLIC COMMENT

*Citizen participation where the public can sign up prior to the start of the meeting by entering your name, address, and subject to be discussed in the Zoom Chat box, or when Mayor Lacy asks for Public Comment, access the Chat Box and raise your hand. By phone press *9 to raise your hand and *6 to mute/unmute your phone, or you may email the information to bvclerk@buenavistaco.gov. Neither Town Board nor Town staff should be expected to respond to matters raised in the Public Comment segment of Board meetings. Nevertheless, Board members will always retain the right to ask questions of the speaker and to respond then or at a later time to remarks made by any citizen.*

VII. STAFF REPORTS

1. Town Administrator
2. Town Treasurer
3. Recreation Director
4. Public Works Director
5. Airport Manager

DRAFT

VIII. BUSINESS ITEMS

A. Public Hearing

B. Sangre de Cristo Electric Annexation
The Board will consider accepting the Annexation Application Petition for Sangre de Cristo Electric Association Headquarters Parcel A.

C. Sangre de Cristo Electric Annexation
The Board will consider accepting the Annexation Application Petition for Sangre de Cristo Electric Association Headquarters Parcel B.

D. Tri-State Buena Vista Substation Annexation
The Board will consider accepting the Annexation Application Petition for Tri-State Buena Vista Substation, and property associated with the functioning of Sangre de Cristo Electric Association.

E. Improvements on East Main Street

F. Should the Board of Trustees approve adoption of Ordinance No. X, Series 2020, entitled, **"ORDINANCE APPROVING A LEASE PURCHASE AGREEMENT WITH FORD MOTOR CREDIT COMPANY, LLC FOR A TOWN POLICE VEHICLE."?**
The Trustees will consider approving a lease purchase agreement for a police vehicle.

IX. TRUSTEE/STAFF INTERACTION
The Board discusses items with staff and staff can bring up matters not on the agenda.

X. Executive Session

XI. ADJOURNMENT

DRAFT