AGENDA
FOR THE BOARD OF TRUSTEES
OF THE TOWN OF BUENA VISTA, COLORADO
March 10, 2020

Regular Meeting at 7:00 PM
at the Buena Vista Community Center
Piñon Room – 715 East Main Street, Buena Vista, Colorado

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. PROCLAMATION – 2020 CENSUS

V. INTRODUCTION AND SWEARING IN OF FIREFIGHTERS
Brandon Evans, Christopher Greene, Miguel Class, and Nathan Allen

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

VII. 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 – February 25, 2020
2. Tree Advisory Board – January 2, 2020

B. Police Chief Report
C. Fire Chief Report
D. Chaffee County Office of Housing Activities Update
E. Chaffee County Development Services Department Activities Update

VIII. PUBLIC COMMENT
Citizen participation where the public can sign up prior to the start of the meeting in order to speak up to 3 minutes for matters not on the agenda or for agenda items not scheduled for Public Hearing. 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.

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

This Agenda may be Amended
Posted at Buena Vista Town Hall, Post Office and www.buenavistaco.gov, on Friday, March 6, 2020

X. BUSINESS ITEM

A. Historic Structure Assessment for St. Rose Chapel Building

The Board will receive an update from Barbara Darden with Scheuber + Darden Architects on the St. Rose Chapel Building which the Buena Vista Visitors Center and Chamber of Commerce occupies.

B. South Main Public Improvements Agreement for Pine Street Water Line Project

The Board will consider approving an Improvements Agreement with South Main for the Pine Street Water Line Project.

C. Tobacco Ordinance Discussion

The Trustees will discuss possible ordinance revisions related to the use and sell of tobacco products.

D. Should the Board of Trustees approve adoption of Ordinance No. 03, Series 2020 entitled, **"AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING THE BUENA VISTA MUNICIPAL CODE CONCERNING CLARIFICATIONS OF THE UNIFIED DEVELOPMENT CODE."?**

The Trustees will consider adopting an ordinance amending Chapter 16 of the Buena Vista Municipal Code to make minor corrections to the code.

E. Fee Waiver Policy Discussion

The Board will consider approving an update to the Fee Waiver Policy for Facilities and Special Events.

F. Public Art Policy

The Trustees will consider adopting a policy to guide Staff, Beautification Advisory Board, and the Board of Trustees for creation and placement of art in public spaces.

G. Adoption of Resolution No. 19, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, CANCELING THE TO APRIL 7, 2020 ELECTION.**

The Board will consider canceling the April 7, 2020, Municipal Election.

XI. TRUSTEE/STAFF INTERACTION

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

XII. EXECUTIVE SESSION

An executive session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), concerning water rights.

XIII. ADJOURNMENT

This Agenda may be Amended

Posted at Buena Vista Town Hall, Post Office and www.buenavistaco.gov, on Friday, March 6, 2020

PROCLAMATION
BUENA VISTA, COLORADO
RECOGNIZES AND PROCLAIMS SUPPORT FOR THE GOALS AND IDEALS FOR THE 2020 CENSUS

WHEREAS, April 1, 2020, is Census Day for the United States of America pursuant to Article 1, Section 2 of the U.S. Constitution; and

WHEREAS, this once-a-decade population count will be open to the public on March 12, 2020, and will continue through July 31; and

WHEREAS, an accurate census is required for the proper apportionment of representatives with the legislative bodies of the U.S. House of Representatives and Colorado State Legislature and is used in the redistricting of state and county voting districts; and

WHEREAS, the allocation of Federal dollars for public health, education, transportation, child and elder care, food assistance, emergency preparedness, disaster response, and many other critical programs and services depends on complete and accurate demographic information gathered every 10 years; and

WHEREAS, accurate census information is critical to planning for the needs of the Town of Buena Vista; and

WHEREAS, information collected by the U.S. Census Bureau is confidential and protected by law and any data related to the census can only be released in aggregate form that does not identify individual respondents; and

WHEREAS, the Town of Buena Vista supports Chaffee County in planning and conducting local initiatives and promotional activities to increase community participation in the 2020 Census.

NOW, THEREFORE, WE, the Board of Trustees commit to supporting the work in Chaffee County to ensure a complete and accurate 2020 Census for Buena Vista.

Given under my hand and the seal of the Town of Buena Vista on this 10th day of March 2020.

_____
Duff Lacy, Mayor

MINUTES OF THE BUENA VISTA BOARD OF TRUSTEES
Pinon Room, Community Center 715 E. Main Street
Tuesday, February 25, 2020

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

A regular meeting of the Board of Trustees was called to order by Mayor Duff Lacy, at 7:00 pm, Tuesday, February 25, 2020 at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado having previously been noticed in accordance with the Colorado Open Meetings Law.

ROLL CALL

Attendee Name	Title	Status
Duff Lacy	Mayor	Present
Lawanna Best	Trustee	Present
Libby Fay	Trustee	Present
Mark Jenkins	Trustee	Present
Norm Nyberg	Trustee	Present
Cindie Swisher	Trustee	Present
David Volpe	Trustee	Present

Town Staff Present:
Town Administrator Phillip Puckett
Principal Planner Mark Doering
Code Enforcement Officer Grant Bryans
Town Attorney Jeff Parker via phone
Public Works Direct Shawn Williams
Town Clerk Paula Barnett

PLEDGE OF ALLEGIANCE

AGENDA ADOPTION
MOTION NO. 1:
MOVE TO APPROVE THE AGENDA.

RESULT:	**CARRIED**
MOVER:	Trustee Best
SECONDER:	Trustee Swisher
AYES:	Best, Fay, Jenkins, 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. Board of Trustees Regular Meeting – February 11, 2020
2. Airport Board – January 21, 2020
3. Historic Preservation Commission – January 2, 2020
4. Planning & Zoning Commission – January 22, 2020

B. Town Clerk Report

C. Adoption of Resolution No. 15, Series 2020 entitled, **"A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPOINTING ROBERT DIMMITT AND MARK MULLER AS REGULAR MEMBERS OF THE AIRPORT ADVISORY BOARD, AND MARK GODONIS AS AN ALTERNATE MEMBER."**

D. Adoption of Resolution No. 16, Series 2020 entitled, **"A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, SUPPORTING THE PAWS FOR LEOS NON-PROFIT ORGANIZATION."**

MOTION NO. 2:

MOVE TO APPROVE THE CONSENT AGENDA.

RESULT:	**CARRIED**
MOVER:	Trustee Swisher
SECONDER:	Trustee Jenkins
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

PUBLIC COMMENT

Ryan Martin, 30595 Overlook Run, Buena Vista, member of the Buena Vista Welcome Center and Chamber of Commerce met with the Board to give an update on activities and upcoming events. Martin shared the Chamber currently has 322 members, the 2020 Visitor's Guide has been published and being is distributed, the Spring Gala will be May 2nd, and members and staff are working on grant applications for interior and exterior improvements to the building.

Amy Eckstein, 119 Meadow Lane, Buena Vista, thanked the Board for creating a pathway for the rafting companies to provide housing for seasonal employees. Eckstein expressed concern that Section 4.e. states the property upon which seasonal camping occurs must be owned by the same business for which the employees work, which restricts business owners in the food and beverage industry from providing housing for seasonal employees.

Eckstein commented that section 8-44-4 states recreational/camping vehicles and utility trailers may not be parked or stored in the railroad right-of-way. She shared due to the number of residents who own trailers, and the limited businesses that provide storage for trailers, the Board and Staff may want to consider allowing trailers to be parked or stored along the railroad right-of-way and in mixed use lots.

STAFF REPORTS

1. Town Administrator - Highlights of the report in the packet were reviewed and Puckett responded to Trustee comments and questions.

Puckett noted that the Board Strategic Planning Session will be Thursday, March 5th at the Airport Conference room. Joel Benson, Special Projects Manager distributed and briefly reviewed with the Trustees several documents outlining the purpose and goals of the session, the Strategic Plan Collective Vision Statement, and a spreadsheet listing the Town's special projects and key objectives from 2017-2025 for the Trustee's to review prior to the planning session.

Puckett reviewed that staff met with Brian Beaulieu, Executive Director of the Chaffee County Boys and Girls Club to discuss in more detail the potential project to use Town-owned land for the new site location. They are looking closely at the undeveloped Town owned parcels north of New Bees and east of Avery Parsons Elementary. The emphasis from Town is on inside recreation space for Recreation Programming and community use.

Puckett shared Town is talking applications through February 28th for a Municipal Judge which is an appointed position by the Board. A committee will select finalists for interviews in early March, and plans to bring forward a candidate recommendation to the Board on March 24th for consideration of appointment.

2. Town Treasurer - Highlights of the report in the packet were reviewed and Puckett responded to Trustee comments and questions.

3. Principal Planner - Highlights of the report in the packet were reviewed and Doering responded to Trustee comments and questions.

BUSINESS ITEMS

Greater Arkansas River Nature Association (GARNA) Chaffee County Waste Audits, Education, Outreach and Compost Expansion Project

Dominique Naccarato, Executive Director of Greater Arkansas River Nature Association (GARNA) reviewed with the Board the Chaffe County Waste Audit, Education, Outreach and Compost Expansion Project. Naccarato shared GARNA is applying for a grant with Colorado Department of Public Health and Environment to obtain funds to increase recycling efforts in the county, and is requesting a letter of support from the Town to include in the application packet.

Town Administrator Puckett shared the Chaffee County Waste Audits, Education, Outreach and Compost Expansion project will assist the municipalities and county in making recycling decisions for 2021. Puckett stated he met with County Administrator Bob Christiansen and they determined the letters of support from the county and municipalities should be consistent, and agreed the language in the letters referencing grant matches will be excluded since the entities have not had an opportunity to discuss the amounts of matching funds, which are usually based on population. Puckett stated the letter of support that was included in the Board of Trustees packet has been revised to reflect those changes, and a copy of the modified letter was provided to Trustees for review and approval.

MOTION NO. 3:
MOVE TO AUTHORIZE MAYOR LACY TO SIGN THE LETTER OF SUPPORT TO BE INCLUDED IN GARNA'S GRANT APPLICATION PACKET TO THE COLORADO DEPARTMENT OF PUBLIC HEALTH.

RESULT:	**CARRIED**
MOVER:	Trustee Best
SECONDER:	Trustee Swisher
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

CONSIDER APPROVING AN ORDINANCE RELATED TO CAMPING, PARKING, AND RECREATIONAL VEHICLES

Code Enforcement Officer Grant Bryans reviewed with the Trustees the proposed ordinance which addresses concerns discussed during several meetings and work sessions with the Board of Trustees and Planning and Zoning Commission. Bryans shared the ordinance strives to maintain compatible land uses by using zone districts to clarify requirements for housing seasonal workers, to outline how citizens can utilize their property and not become a nuisance, and to regulate special events camping.

Bryans reviewed the proposed changes clarify the current code and provide law enforcement and the Code Enforcement Officer with the ability to enforce the rules regarding recreational vehicle and camping use.

- Temporary Seasonal Camping 16.03.3.2.4(C)
    - Changes the regulations to allow camping in the industrial zone (I) with a

temporary use permit
    - The temporary use permit plus other safeguards in the code language will mitigate potential nuisances
    - Specific language for suspension and revocation of permit/use

- Short-Term and/or Long-Term Storage of Recreational/Camping Vehicles and Utility Trailers 8-44
    - Prohibits parking of recreational vehicles and utility trailers in Town owned right-of-way for more than 72 hours
    - Prohibits recreational vehicle and camping vehicle use on Town right-of way
    - Limits use of recreational vehicle and camping vehicle on private property
        - Vehicle must be permitted
        - 21 user days per calendar quarter

- Camping Chapter 7 Article IX
    - Bans camping on public property, including in Town right-of-way
    - Allowed with a permit issued through special use event permit process

- Special Event Camping
    - Retains current language which outlines the Administrative review process
    - Updates the policy to include:
        - Set back of 150 feet from residential dwelling
        - Appropriate waste management plan
        - No fires
        - No drugs
        - No alcohol unless permitted with a special event liquor license
        - Noise limitations
        - Revocation if found to be a nuisance

The Trustees discussed the proposed ordinance and requested the following amendments.

- Section 1 Temporary Seasonal Camping – 3. Duration – change "September 31" to "September 30"
- Section 1 Temporary Seasonal Camping – 4. Restrictions and Requirements
  c. – change "include food waste" to "including food waste"
- Section 1 Temporary Seasonal Camping – 4. Restrictions and Requirements
  e. – change "must be owned by the same business for which the employees work." to "must be owned or leased by the same business for which the employees work."

Trustee Swisher asked if there is a fee for the camping permit. Puckett stated that Staff is recommending a fee not be charged at this time. Staff is creating an online camping permit application process that should require minimal staff time, and Bryans would like to observe how the first year transpires before considering charging a fee.

MOTION NO. 4:
MOVE TO APPROVE ORDINANCE NO. 01 AS AMENDED MODIFYING SECTIONS OF THE MUNICIPAL CODE RELATED TO CAMPING AND PARKING OF RECREATIONAL OR CAMPING VEHICLES.

RESULT:	**CARRIED**
MOVER:	Trustee Volpe
SECONDER:	Trustee Fay
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

APPLICATION PROCESS AND TIMELINES FOR SPECIAL EVENTS
Recreation Director Earl Richmond reviewed with the Trustee's that with the increase in special event applications each year, Staff feels it would be advantageous to have additional administrative time to review the applications with other department heads before final approval. Richmond stated the current code lists time frames that could put unnecessary pressure on the application review teams during certain circumstances, and recommended several code changes to avoid unrealistic expectations for the applicants and staff.

Richmond reviewed with the Board the current code, and Staff's recommended changes.

- Section 11-124 - Issuance
  Current: Within ten (10) days of receipt of a complete application for an event permit, the Town Administrator shall consider the applicable criteria and approve, conditionally approve or deny the application. If the application is denied, the Town Administrator shall inform the applicant in writing of the grounds for denial and the applicant's right of appeal. If the application is approved, the Town Administrator shall issue the event permit, including any conditions.

  Proposed: Eliminate the sentence containing within ten days of receipt of a complete application. With town's growth and to better understand the impacts of special events, staff prefers more than 10 days to report back to the Town Administrator.

- Section 11-122 - Permit application (c)
  Current: Applications shall be submitted not less than fourteen (14) days nor more than eighteen (18) months before an event, except that applications requiring a special event liquor license shall be submitted not less than thirty (30) days nor more than

eighteen (18) months before an event. The Town Administrator shall, upon a showing of good cause, consider an application that is filed after the filing deadline if there is enough time to process and investigate the application and obtain necessary police services for the event. Good cause may be demonstrated by a showing that the circumstance that gave rise to the application did not reasonably allow the applicant to file within the time prescribed. If the Town Administrator refuses to consider a late application, the Town Administrator shall inform the applicant in writing of the reasons therefor and of the applicant's right of appeal.

Proposed: Staff is recommending that a special event application not be accepted more than 12 months before any given start date of an event. The current 18 months in advance guideline can create timeline challenges that are difficult to manage, including fees being modified during the interval between submittal of an application and the event date. Staff believes that 30 days is adequate for processing a special event liquor permit request on Town-owned property. However, Town staff recommends that the timeframe for review be increased to 45 days if the event will involve street closures, special event camping, expected attendance of more than 200 people, amplified sound, and/or multiple vendors.

MOTION NO. 5:
MOVE TO ADOPT ORDINANCE NO. 2 APPROVING CHANGES TO THE MUNICIPAL CODE CONCERNING SPECIAL EVENTS.

RESULT:	**CARRIED**
MOVER:	Trustee Nyberg
SECONDER:	Trustee Best
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

Agreement with Chaffee County Road and Bridge for asphalt paving on Rodeo Road
Public Works Director Shawn Williams reviewed with the Board that a member of Chaffee County Road and Bridge Department approached Staff with a proposal to install approximately .45 mile of asphalt overlay on County Rd.321/Rodeo Road. This would connect the Town owned section of Rodeo Road to a much larger county owned paving project connection to County Road 321. Chaffee County Road and Bridge's proposal to complete the project is projected to cost the Town $60,696.00.

Williams stated if the Town/Public Works Department were to purchase the asphalt material, the estimated cost would be $55,000.00, and based on previous projects with similar scopes, Staff has determined that having the county complete the project is a cost saving of $19,000.00. Impacts to the 2020 Street Fund proposed projects are expected, and Staff will modify the project list to accommodate this effort.

Williams stated the resolution needs to be modified to reflect the correct cost of the project, changing $60,000.00 to $60,696.00.

MOTION NO. 6:
MOVE TO APPROVE RESOLUTION NO. 17 ENTERING INTO AGREEMENT WITH CHAFFEE COUNTY ROAD AND BRIDGE FOR ASPHALT OVERLAY PAVING ON RODEO ROAD AS AMENDED.

RESULT:	**ROLL CALL**	**CARRIED**
MOVER:		Trustee Swisher
SECONDER:		Trustee Jenkins
AYES:		Best, Fay, Jenkins, Nyberg, Swisher, Volpe

APPROVE AGREEMENT TO TRANSFER THE 2020 FEDERAL AVIATION ADMINISTRATION (FAA) ENTITLEMENTS
Town Administrator Puckett reviewed with the Trustees the Town receives $150,000.00 annually from the Federal Aviation Administration for improvements at the Central Colorado Regional Airport. Due to the high costs of improvements at airports, Buena Vista, Salida, Fort Morgan, and Cortez airports/municipalities have agreed that each year one airport would receive all the entitlements to allow completion of larger projects. In 2020 the Harriet Alexander Field in Salida will receive the funds, and in 2021 the Central Colorado Regional Airport in Buena Vista will be the recipient.

Trustee Volpe asked what would happen if an airport were to drop out of the FAA entitlements agreement after it received funds from the other municipalities. Puckett stated he will research and report back to the Board.

MOTION NO. 7:
MOVE TO APPROVE THE AGREEMENT TO TRANSFER THE 2020 FEDERAL AVIATION ADMINISTRATION (FAA) ENTITLEMENTS TO THE HARRIET ALEXANDER FIELD IN SALIDA, COLORADO.

RESULT:	**CARRIED**
MOVER:	Trustee Nyberg
SECONDER:	Trustee Best
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

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

Trustee Volpe discussed with the Board that with the adoption of Ordinance No. 1 which reduces the number of locations for in-town camping, the Trustees and Recreation Advisory Board should consider allowing/developing an in-town campground. Puckett suggested the topic be presented to the Recreation Advisory Board prior to the Board of Trustee's having a discussion on the subject.

Puckett reviewed with the Board that Chaffee Green is asking the Town to be a sponsor again this year of their cloth recyclable bag initiative. To be listed as a sponsor on the large bags costs $250.00, while small bags are $225.00, and in 2019 the Town was a sponsor on both sizes of bags. Puckett stated funds from the Marketing and Printing budget could be used to cover the expenditure.

The Board discussed having Chaffee Green apply for Town Community Grant funds through Chaffee County Community Foundation in the future.

MOTION NO. 8:
MOVE TO APPROVE THAT THE TOWN BE A SPONSOR ON THE LARGE CHAFFEE GREEN CLOTH BAGS AT A COST OF $250.00 WITH THE FUNDS COMING FROM THE MARKETING AND PRINTING BUDGET LINE ITEM.

RESULT:	**ROLL CALL**	**CARRIED**
MOVER:		Trustee Fay
SECONDER:		Trustee Nyberg
AYES:		Best, Fay, Jenkins, Nyberg, Swisher
NAYS:		Volpe

MOTION NO. 9:
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THAT THE MEETING BE ADJOURNED AT 8:25 PM.

RESULT:	**CARRIED**
MOVER:	Trustee Nyberg
SECONDER:	Trustee Best
AYES:	Best, Fay, Jenkins, Nyberg, Swisher, Volpe

Respectfully submitted:

_____
Duff Lacy, Mayor

_____
Paula Barnett, Town Clerk

Buena Vista Tree Advisory Board
January 2, 2020

In attendance were: Tom Liverman ,Roy Gertson , Kathy Hoerlein, Patti Clark, Cyndi Swisher Town Trustee, Grant Bryans BV Code Enforcement & Shawn Williams , Public Works Director. Having a quorum of 4 members, a regular meeting continued at 0902 am.

Agenda approved by President Tom

Minutes ; from November 7 , 2019 meeting , a motion to approve with changes by Kathy and 2nd by Patti Motion carried.

Volunteer time ; 2 hrs. Admin

2020 Total to date = 2 hrs.

Annual work plan checked for 2019

Reports;

Public Works ; Shawn prepared & submitted our application for Tree City USA for 2019. 31 years.

He will present a contract to retain Bristlecone Tree Services for pruning and tree care in 2020 at our February meeting.

Shawn presented a written Staff report pertaining to BV tree issues. Highlights include

1. 2020 budget: Tree Board admin/ arbor Day $1500
   Adopt A-Tree = $ 6,000
   Removal &pruning = $25,000
2. Wants to plant the 5 Ponderosa trees (mulched and onsite at Public Works) at new Water Tank site.
3. The Railroad street improvements bids will be opened January 7, 2020. A tree planting design for 12 new trees is being proposed, along with extensive street improvements. Shawn mentioned on going developments including Sunset Vista 7, E. Arkansas St, Pinon & Beldan improvements, New Middle & High School, The Farm, Colorado Center, which all involve tree plantings & landscape. Another project which expands the water treatment facility is a top priority.

Colorado State Forest ; no report

Agenda Items :

1. Town tree services license was discussed with ideas to have increased qualifications for a Town License. Presently the Town requires only a fee, and insurance. Grant the Town's Code Enforcement Officer presented the existing ordinances and concepts regulating this license. Town staff time is important administering this license and should be considered. Shawn suggested using references and experience as guidelines to issue an license. safety should also be an issue. These items should be on the license application. Discussed adding the insurance & liability requirements on the license or

code. Grant did mention that changes to the license could be done administratively and not require a code change. Members also talked about the idea of a test with tree pruning questions as a requirement. Grant will send members the Salida Tree License application test. A proposed draft will be prepared by Grant and discussed at our February meeting.

2. Planting Guide Tree list project will be continued this year with inspections of our experimental trees. Our existing Planting Guide has 30 tree species listed . Autumn Blaze Maple and Apricot trees are two species suggested to be reviewed.
3. Annual Work Plan was developed. Arbor Day was scheduled for May 21st, planting 5 Ponderosa Pines at the new water tank. Bio-swales will also be designed for the plantings. Adopt a tree, tree replacements and the Railroad Street project involve new plantings. Motion by Tom to accept the 2020 annual plan , second by Kathy. Members passed the motion.

4. Motion by Patti & 2nd by Kathy to retain our existing officers, Tom Liverman as President and Roy Gertson as secretary. Motion carried by members.

Other Business;

1. Kathy presented research and ideas on ice control on Town sidewalks. Street Trees are being compromised with citizens using Chloride salts for ice control. Other options include using; Sand, Kitty Litter, Alfalfa Meal, Beet juice, & coffee grounds. Sand seems to be the best and inexpensive. Cyndi stated the Town should not pay for sidewalk ice control, as the Municipal Code requires adjacent property to be responsible for snow removal & ice control. Some public relation notices would be helpful. Shawn to put wording on the water bills.

2. Tom will check on members term renewals.

Final comments; none

Next Meeting; February 6, 2020

Adjourned at 1035 with motion by Patti & 2nd by Roy

Respectfully submitted,
Roy Gertson
Secretary

Buena Vista Police Department
Post Office Box 1310
713 E. Main St.
Buena Vista, Colorado 81211
Phone: (719) 395-8654 Fax (719) 395-8655

Chief's Report
February 2020

Our 1st & 3rd Thursday Principals meeting are extremely informative. It works really well when the schools & police are on the same page! Megan, our SRO, attends the meetings & is a real asset to both sides.

We have been speaking at the schools & at the Rotary this month. I am amazed at some of the questions & comments they have. We spent almost an hour with Coach Perrin's "Leadership Class". We had 10th, 11th & 12th grade students who came up with some great questions & ideas. At the end of the class, we ask all the students to bring us some oral board questions for testing when we hire a new police officer. They are really excited & we are looking forward to see what they come up with!

We want to thank Clearview Community Church for having all law enforcement officers over for tacos on 2-19-2020. They had day shift over at 1400 hours & night shift over at 1700 hours. We really appreciate all the churches on the north end of the county supporting law enforcement.

We have had a rash of vandalism in our town. If you see something, say something. Please call the PD or dispatch.

See attached calls for service & stats

BVPD CALLS FOR SERVICE FOR THE MONTH OF FEBRUARY 2020

15	911 MISC. (NON-EMERGENCY; HANGUP CALLS ETC)
0	ABANDONED VEHICLE
5	ACCIDENTS
64	ADMINISTRATIVE CALLS (OUT AT PD/TOWN HALL/MTGS)
2	ALARMS - INCLUDING FIRE
12	ANIMAL COMPLAINTS
0	ARSON
0	ASSAULTS
39	ASSIST OTHER AGENCY
0	AUTO THEFT
1	BURGLARY
8	BUSINESS CHECKS
0	CHILD ABUSE
2	CHINS (CHILD HAVING IMMEDIATE NEED OF SUPERVISION)
2	CITIZEN ASSIST
2	CIVIL DISPUTES
0	CIVIL PAPERS
4	CIVIL STANDBY
1	CODE VIOLATION
1	COMMUNITY RELATIONS
1	COURT SERVICES
4	CRIMINAL MISCHIEF
1	DEATH
4	DOMESTIC VIOLENCE
2	DISTURBANCE CALL - FIGHT
2	DISTURBANCE CALL - NOISE
3	DRUG INVESTIGATION
1	EMERGENCY MESSAGE
0	FIRE CALLS - MISC
0	FIRE CALLS - STRUCTURE & WILDFIRE
61	FOLLOW UP
0	FOOT PATROL
2	FORGERY/FRAUD
1	FOUND PROPERTY
4	HARASSMENT
1	HAZARDS - GENERAL
0	HAZARDS - MATERIAL
0	HOME TOWN SECURITY
0	HOUSE WATCH
1	INTERVIEW
48	INFORMATION ITEMS
2	INTOXICATED SUBJECT
0	LIQUOR VIOLATION

0	*LIVESTOCK*
0	*LOST PROPERTY*
3	*MEDICAL ASSIST*
14	*MEETING*
0	*MISSING PERSON*
7	*MOTORIST ASSIST*
2	*PARKING VIOLATION*
1	*PHONE CALL*
0	*PBT - PORTABLE BREATH TEST*
3	*REDDI REPORT*
15	*REPORTS*
1	*ROADSIDES*
1	*RUNAWAY*
26	*SECURITY CHECKS*
0	*SEXUAL ASSAULT*
0	*SMOKE INVESTIGATION*
0	*SUICIDE ATTEMPT*
0	*SUSPICIOUS INCIDENT*
6	*SUSPICIOUS PERSON*
3	*SUSPICIOUS VEHICLE*
5	*THEFT*
85	*TRAFFIC STOPS (ALL CONTACTS)*
0	*TRAFFIC VIOLATIONS (CITATIONS WITH CASE #)*
42	*TRAFFIC MISC (VEHICLE INVESTIGATION)*
2	*TRAFFIC COMPLAINT*
7	*TRAINING*
0	*TRANSPORTS*
0	*TRESPASS*
9	*VIN INSPECTION*
4	*VIOLATION OF PROTECTION ORDER*
4	*WARRANT ARREST (INCLUDING ATTEMPTED)*
0	*WEAPONS/GUN*
49	*WELFARE CHECK*
0	*WILDLIFE*
585	***TOTAL CALLS RECEIVED FROM CHAFFEE CTY. DISPATCH***

585

Buena Vista Police Department

Statistics from: 2/1/2020 12:00:00AM to 2/29/2020 11:59:00PM

Citation Printout Report by Violation

Total Citations of (18-4-401 THEFT): 1
Total Mandatory Appearances: 1

Total Citations of (18-4-501 CRIMINAL MISCHIEF): 2
Total Mandatory Appearances: 2

Total Citations of (18-4-502 FIRST DEGREE CRIMINAL TRESPASS): 1
Total Mandatory Appearances: 1

Total Citations of (18-6-801 DOMESTIC VIOLENCE): 3
Total Mandatory Appearances: 3

Total Citations of (18-6-803.5 CRIME OF VIOLATION OF A PROTECTION ORDER): 1
Total Mandatory Appearances: 1

Total Citations of (18-9-111 HARASSMENT): 1
Total Mandatory Appearances: 1

Total Citations of (42-2-138(1)(A) DROVE VEHICLE WHEN LICENSE UNDER RESTRAINT (SUSPENDED/REVOKED/DENIED)): 2
Total Mandatory Appearances: 2

Omnigo Software c {2020)

Total Citations of (42-3-103 REGISTRATION REQUIRED): 2
Total Mandatory Appearances: 2

19

Total Citations of (42-3-114 EXPIRATION OF VEHICLE REGISTRATION): 3
Total Mandatory Appearances: 3

Total Citations of (42-4-1101 SPEED LIMITS (EXCEEDING)): 9
Total Mandatory Appearances: 0

Total Citations of (42-4-1401 RECKLESS DRIVING): 1
Total Mandatory Appearances: 1

Total Citations of (42-4-1409 COMPULSORY INSURANCE): 4
Total Mandatory Appearances: 4

Total Citations of (42-4-703 ENTERING THROUGH HIGHWAY - STOP OR YEILD INTERSECTION): 2
Total Mandatory Appearances: 0

Total Citations of (VOID): 2
Total Mandatory Appearances: 0

Grand Total

Total Number of Citations Reported: 34
Total Fine Amounts Reported: $0.00
Total Money Collected:
Total Money Still Due: $0.00
Total Mandatory Appearances: 21

Omnigo Software c {2020)

Buena Vista Fire Department

P.O. Box 1624
Buena Vista, CO 81211
Phone: 719 395-8098
Fax: 719 395-2046

Chief Villers February 2020 Report

For the month of February, our new hires have settled in well. They are scheduling training for the month of March.

Working on updating Salamander cards.

Coordinating with other departments to get all NIMS training updated.

Scheduling First Aid/CPR classes.

Our volunteer firefighter, David McGill is still stable. If everyone can continue to keep him and his family in their prayers.

Thank you for your time,

Chief Dixon Villers

Buena Vista Fire Department

P.O. Box 1624
Buena Vista, CO 81211
Phone: 719 395-8098
Fax: 719 395-2046

Incident Count for All Call Statuses per ALL Actions Taken for Date Range
Start Date: 02/01/2020 | End Date: 02/29/2020

ACTION TAKEN	# INCIDENTS	PERCENTAGE
30 - Emergency medical services, other	16	57.14%
31 - Provide first aid & check for injuries	1	3.57%
40 - Hazardous condition, other	1	3.57%
45 - Remove hazard	1	3.57%
48 - Remove hazardous materials	1	3.57%
60 - Systems and services, other	2	7.14%
63 - Restore fire alarm system	1	3.57%
71 - Assist physically disabled	1	3.57%
73 - Provide manpower	6	21.43%
74 - Provide apparatus	1	3.57%
80 - Information, investigation & enforcement, other	1	3.57%
81 - Incident command	1	3.57%
86 - Investigate	1	3.57%
92 - Standby	1	3.57%
93 - Cancelled en route	1	3.57%
TOTAL:	**36**	

Total Training hours for December - 10 volunteers/staff

Station Training 19.50 hours

OFFICE OF HOUSING
PO Box 699
Salida, CO 81201
Phone (719) 530-2590
www.ChaffeeCounty.org

Directors Report to the Board of County Commissioners
for activities in February 2020

- Housing Policy Advisory Council:
  - The HPAC meeting occurred on February 6th, and was predominantly information sharing.
  - The March HPAC meeting is cancelled; we will reconvene in April.

- Multi-Jurisdictional Housing Authority
  - The Steering committee met on February 25th; we reviewed details in the IGA draft, which is the document that would establish a MJHA, and established next steps for moving forward.

- Homeless Coalition
  - I hosted Colorado Coalition for the Homeless via Zoom on February 20th, from 3:00 – 5:00 pm. They included Loaves and Fishes, our balance of state regional coordinator and coordinated entry point of contact, and DOLA's Office of Homeless Initiatives. The presentation included an overview of Coordinated Entry and the Homeless Management Information System (HMIS) – both of which we will need to participate in for the Mesa Crossings LITC project.) Notes from this meeting are included as an attachment to this report.
  - The Coordinated Entry lead agency, Loaves and Fishes, will be coming to Chaffee County to train appropriate parties on how to use the VI-SPDAT, the assessment tool used in coordinated entry intake. This training will take place March 10th in Salida.
    NOTE: Coordinated Entry is essential for selecting tenants in a permanent supportive housing environment, such as the LITC project proposed for Poncha Springs through the Salida housing Development Corporation.

- Salida Housing Development Corporation
  - SHDC closed on some land, which offers site control for the proposed LITC PSH project in Poncha Springs.

- Rental Deposit Guarantee Program
  - Presently have 6 active households
  - Lesson Learned:
    - Accepting applications and processing eligibility takes more time than anticipated; as this program grows, it will require additional staff.
    - It is difficult to verify income for most applicants; they have income, but in the gig economy often payment isn't documented. This should be considered when designing local programs for workforce housing – how

might we establish eligibility criteria in such a way that acknowledges the economy we have embraced.

- Health Disparities Grant Program
  - 2020 Speakers this far:
    - Strong Towns, Speaker: Chuck Marohn (Topic: Smart Growth Principles) – February 26 and 27; event on 26th followed by comp plan open house.
    - 95 people signed in to the two events, the data collected demonstrated an increase in the audience's understanding of the topic as well as strong support for systems and policies that encourage entrepreneurship and an increase in the variety of housing types in the county.
  - The Core Team met on 2/6 and agreed that the scope of work for year two of the HDPG should include targeted training and technical assistance for the professional planners in Chaffee County, including a planning collaborative, additions to the GIS system (and potential cross-jurisdiction collaboration), and potential deep dive into the financial implications of our development patterns.

- C-PACE:
  - Internal county discussions have resulted in acknowledgement of the programs potentially positive impact to development in Chaffee County; Tracy Phillips, the Executive Director for C-PACE, has been invited back to speak before the BOCC on March 10th. The documents needed to opt into the PACE Special Improvement District have been shared with Attorney Tom.

Community Partnerships

I continue to develop working relationships with a myriad of service providers within Chaffee County, often centering around the Rental Deposit Guarantee Program.

- Intergovernmental Dinner:
  - I presented a brief update on the housing initatives.
- Economic Development Corporation:
  - April 26-28: Access to Money and Resources:
    - Day two of the conference is focused on Housing, and will include:
      - "Rural Innovation" panel, with CHFA, DOLA and the Telluride Foundation.
      - "CPACE" presentation
      - "Capital Stack" panel, with Bonneville, CHFA, HUD, and HAC
      - About 6 local and regional housing development project presentations

NOTE: Promoting this event has caused a dramatic increase in the number of people approaching me with potential housing projects. In February, there were 9 such conversations.

- CHFA: I will be hosting CHFAReach, the professional development arm of CHFA, at the Poncha Springs Town Hall on July 23rd, 2020. The topic of this session will be LITC compliance, and will be an excellent opportunity for the LITC project management staff in our county to get together and ensure they are compliant with the IRS regulations. This is the first time our county has hosted a CHFRAReach event.
- Lake County:
    - Lake County recently hired a Housing Director, and she and I have worked together to share ideas and collaborate. Lake County has a Housing Action Team, and they will be visiting Chaffee County on March 11th; I am working to connect them with the right people to answer their questions about LITC development, T Zone land use plans, Inclusionary ordinances, and the HPAC.
- Media: Chaffee County was featured in the Denver Post. I worked with the reporter to ensure that the county as a whole was accurately represented. The article can be found here: https://www.denverpost.com/2020/02/16/colorado-housing-crunch-front-range-mountains-plains-affordable/
- Chaffee County Community Foundation:
    - I continue to work with the Executive Director, Joseph Teipel, on impact investment strategies and potential affordable housing projects.

Public Speaking Engagements

- Friday's at 3, radio show on KHEN: February 6th with Andrea Carlstrom, Director of Public Health. We unveiled the "I Am Chaffee" storytelling initiative.
- On February 18th, I was invited to speak to the realtors at Pinon Real Estate; I provided information about the rental deposit guarantee program, the HDGP speaker series, and the I am Chaffee storytelling campaign.

Professional Development

- March 4-6 I will be attending the Rocky Mountain Land Use Institute's Conference in Denver; The 4th is a pre-session on development finance.

NOTE: The Office of Housing paid for two HPAC members to attend the Housing Colorado's legislative luncheon (Cheryl Brown-Kovasic and Eileen Rogers). Ms. Brown-Kovasic provided a brief written report, which is included as an attachment to this report.

CHAFFEE COUNTY
DEVELOPMENT SERVICES DEPARTMENT
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March 9, 2020 Board of County Commissioners Work Session Report and Activity Update

I. Building Inspection:

A. Permit Activity

- **Permits** issued in February 2020: 281 (BMEP only)
  2019: 262 (BMEP only)

  * BMEP = Building, Mechanical, Electrical, & Plumbing permits
- **Total Revenue** collected in February 2020: $132,915.65 (all divisions)
  2019: $133,176.99 (all divisions)
- **Total Revenue** collected year-to-date 2020: $239,901.13 (all div.s)
  2019: $210,294.37 (all div.s)

  % of Total budgeted revenue collected by year end: 17.52%
- **SFDs** issued in February 2020: 27
  Salida: 3 BV: 3 Poncha: 11 County: 10
- **2020 year-to-date permit totals**:

Salida:	104	4 SFDs
Buena Vista:	100	6 SFDs
Poncha Springs:	61	13 SFDs
Unincorporated County:	235	15 SFDs
Total Number of Permits Issued:	500	*38 SFDs

- **2019 year-to-date permit totals:**

Salida:	173	6 SFDs
Buena Vista:	83	15 SFDs
Poncha Springs:	47	14 SFDs
Unincorporated County:	168	15 SFDs
	471	*50 SFDs

*SFDs include only new detached single-family dwellings and do not include duplexes, ADUs, townhouses, apartment units etc.

B. New Commercial Projects

Salida:

- **304 Hwy 50:** A permit was issued to finish the basement at the Circle R Motel to be used as a manager's living quarters.
- **709 Palmer:** A permit was issued for a minor remodel at the new Boys and Girls Club building.

County:

- **23850 Hwy 285:** A permit was issued for a remodel of this building into a beer tasting facility.
- **11395 CR 197:** A permit was issued to convert a garage into a classroom training facility for Chaffee County Fire.

Poncha Springs:

- **116 Halleys:** A permit was issued for a new office building.

C. Inspection Totals

- We performed 724 field inspections in the month of February.
- We issued 32 certificates of occupancy in February.

D. Legislative Update

- Nothing new to report.

II. Planning & Zoning

A. Land Use Code: The February 25th Planning Commission work session included discussion of the definition of Outfitting Facility, and residential setbacks from Marijuana facilities;

- An amendment to the definition of Outfitting Facility in Article 15 of the LUC was discussed in work sessions on November 26, 2019, January 28, 2020 and February 25, 2020. Changes to the code will be heard by the PC on March 31, 2020.
- A citizen-initiated amendment to Article 7.8.22.B.2.e to reduce the setback to existing residences from 500 feet to 100 feet. This was heard in work session on January 28, 2020 and was discussed in a joint work session agenda on February 25, 2020.
- An amendment to Article 15, Definitions to add definitions of Central Water System and Central Sewer System. This was discussed by the Planning Commission in work session on January 9, 2019. Planning Commissioner Curgus has research to share with the Planning Commission and this will be discussed at the March work session.

B. Buena Vista Intergovernmental Agreement: Buena Vista has designated a Municipal Services Area that was adopted by the Buena Vista Planning Commission in October. Buena Vista anticipates adoption of a new 3 Mile Plan which will facilitate adoption of the IGA. The IGA has been reviewed by County staff and will be forwarded to, and discussed with, the Town in March 2020 with hope of having the plan before both Planning Commissions soon. Standards for roads annexed by the Town will also be discussed.

C. Comprehensive Plan: Staff continues to meet with Cushing Terrell on a bi-weekly basis on the comp plan project. Drop-in meetings were held in Salida on December 10 and in Buena Vista on December 11. Planning staff attended these meetings. Open Houses 3 & 4 were held on February 26 in Salida and February 27 in Buena Vista, these were also attended by staff. The first draft was sent and published to the website on February 26. A joint work session is tentatively set for March 9 for an internal discussion of the document.

D. Land Use Applications Current / Pending / in progress:

Applications Scheduled for Public hearing:

- The Hiser Heritage Water Subdivision Exemption at 14580 CR 193 proposes the creation of a 2.22-acre lot. This application will be before the BoCC on March 10, 2020.
- The Yuniker (or Timber Creek Ranch) Heritage Water Subdivision at 8315 CR 160 proposes the creation of a 14.2-acre lot with a 356 acre remainder parcel/ this application will be before the BoCC on April 7, 2020.
- The Cordova/Spino/Dykins Boundary Line Adjustment proposes an adjustment that will allow construction of an RV garage on the Cordova lot. This application will be before the BoCC on March 4, 2020.
- The Aspire Tours application for Limited Impact Review at 11302 CR 190W proposes an Outfitting Facility, a Commercial Campground and a Seasonal Employee Campground on a 44-acre parcel. This application was to be heard by the Planning Commission on February 25, 2020 but was continued to March 31, 2020 at the applicant's request until March 31, 2020.
- The Blitstein Agricultural Subdivision Exemption at 36570 Hwy. 24 N proposes the creation of (1) 2.00-acre lot. This application will be before the BoCC on March 17, 2020.
- Lark's Perch Major Subdivision preliminary plan, located south of Hutchinson Lane and east of the Canyons ROSI, proposes the division of a 37-acre parcel into 13 lots. This application was before the PC on January 29, 2019 and recommended for Approval. The application was before the BoCC on February 12, 2019 and approved. After agency review the application was before the Planning Commission on November 5, 2019 and continued to January 14, 2020 to allow the applicant to prepare additional materials and then additionally continued to March 3, 2020.
- The RGP Industrial Park Major Subdivision preliminary plat on the south side of CR 140 across from the west end of the Harriet Alexander Field runway proposes (5) 2.1-acre lots in the industrial zone with no residential use. This application was heard and recommended for approval by the PC on November 27, 2018. The application was heard and approved by the BoCC on December 12, 2018. After agency review, the application was before the Planning Commission on January 28, 2020 at which they recommended approval. The final plat application will be before the BoCC on April 14, 2020.

Recently Approved, Denied or Withdrawn Applications:

- A citizen-initiated amendment to 5.2.3.C, Agricultural Subdivision Exemption was heard in a joint work session on November 26, 2019 and was heard in Public Hearing on January 28, 2020 in which the application was recommended for denial. The application was before the BoCC on February 11, 2020 and the denial was upheld.
- The Izzy/Traverna Boundary Line Adjustment at 11843 & 11845 CR 140 was before the BoCC on February 4, 2020 and approved.
- The Winter Heritage Water Subdivision Exemption at the northeast corner of CR's 162 and 287 proposes the division of Tract 4 of the McMurry Tracts into 2 parcels of 12 and 25 acres. The application was before the BoCC on February 18, 2020 and approved.

- The O'Keefe Plat Amendment of Lot 23, Weldon Creek proposes amendment of the building envelope with no change to the area. This application was before the BoCC on February 4, 2020 and approved.
- Lakeside Estates Preserve, LLC, just west of Buena Vista has submitted an application for Minor Subdivision of Parcel B into 2 lots. This application was heard by the PC on January 28, 2020 and recommended for approval, the application was before the BoCC on February 11, 2020 and approved.
- The Jensen lot line elimination at 30562 CR 383 proposes to merge a 0.5-acre parcel and a 0.04-acre parcel. This application was heard by the BoCC on February 18, 2020 and approved.
- An amendment to Article 5.2.3.I, Plat Amendments to require Public Notice. This was discussed by the Planning Commission in work session on January 9, 2019 and was heard at the Public Meeting on January 28, 2020 and approved. The amendment was before the BoCC on February 11, 2020 and approved.

Applications Requiring Applicant Action:

- The Morrison Heritage Water Subdivision Exemption at 15974 CR 306 proposes the creation of one lot and one outlot in conjunction with a Minor Subdivision. The HWSE was heard by the BoCC on November 19, 2019 and approved. The Minor Subdivision was heard by the PC on November 19, 2019 and was recommended for approval.
- Rio Frio Minor Subdivision sketch plan on CR 300 proposes division of the 27-acre Parcel 1 of the Nestle Water/Jacobson Boundary Line Adjustment into 4 residential lots, 2 common use outlots and Rio Frio Lane. The application was before the Planning Commission on September 24, 2019 and was recommended for approval. The application was before the BoCC on October 10, 2019 and approved.
- Centerville Ranch Major Subdivision preliminary plan proposes 133 lots ranging in size from 1.5 to 9.3 acres on 495-acres within a 907-acre ranch. This application was heard by the Planning Commission on January 29, 2019 and recommended for approval. The application was before the BoCC on February 12, 2019, continued to February 21, 2019 and then continued to March 12, 2019 for a special meeting at the fairgrounds. At the March 12 meeting the BoCC approved the sketch plan and directed the County Attorney to draft a Resolution. The Resolution was approved by the Board at the March 19, 2019 meeting and Central Colorado Conservancy presented a concept for a Conservation Easement that would encompass the southerly 2/3 of the ranch. The application was sent to review agencies. The Preliminary Plan is for Phase I of 62 Lots. The application was heard by the Planning Commission at a special meeting held at the Fairgrounds on August 21, 2019 and recommended for approval. The application was before the BoCC at another special meeting held on September 4, 2019 and approved.
- Ruby Mountain Minor Subdivision sketch plan, located east of the Arkansas River adjacent to the Ruby Mountain campground, proposes to divide a 19.7-acre parcel into two lots. This application was before the PC on January 29,

2019 and recommended for approval. The application will be sent for agency review upon receipt of the final submittal.

- El Rancho Vaquero Minor Subdivision north of the Buena Vista rodeo grounds proposes to divide the outlot created by the Heritage Water Subdivision into 3 lots of 9.6 to 9.8 acres. The Minor Subdivision was before the Planning Commission on February 26, 2019 and recommended for agency review.
- Whispering Pinons Acres Major Subdivision Sketch Plan at 11341 CR 206, west of the Poncha Springs Cemetery, proposing 12 lots on 40 acres was heard and approved by the BoCC on March 13, 2018. Staff granted a 6-month extension to submit the preliminary plat through September 13, 2019.

Out of Compliance Applications:

- Estates at Mt. Princeton Phase II & III (OLD) are required to be completed by 06/08/2015 (sketch plans for multiple filing subdivisions are valid for a maximum of 5 years under the old regulations). The PUD development agreement also refers to a five-year term, requiring that all phases have final approval within 5 years. Staff had a pre-application meeting with the applicant on 6/4/15. No application submitted to date. This subdivision is out of compliance. Staff met with representatives of Mt. Princeton Holdings and Phelps Engineering on September 30, 2019 and it was agreed that Phases II & III will need to be considered as a new application. A replat of lots in Phase I was also discussed. No application has been submitted to date.

E. County Property adjacent to Fairgrounds: Henderson Land Surveying has been engaged to prepare an additional Subdivision Exemption for Public Benefit to create an approximately 20-acre parcel for fairgrounds expansion. The Salida School District has expressed interest in the remaining lands for a school site. The current owner of the residential parcel has expressed interest in expanding their boundaries by purchasing land from the county.

F. Harriet Alexander Field: Staff has been researching deeds for the airport to resolve ownership of approximately 3 acres along the northerly boundary. A boundary line agreement with Yuniker (now Timber Creek) Ranch is to be prepared to finalize the issue. Staff is also researching area questions posed by the FAA.

G. North Fork Acres Homeowners Association: During discussion of the Monarch Shadows Minor Subdivision it was noted that the NFHOA does not own Hanging Tree Drive as the developer let it revert to Chaffee County in a tax sale. NFHOA is requesting that Chaffee County deed the road to the HOA. Taxes in arears are approximately $450.

H. Nestle Waters: Staff continues to work with Nestle Waters in anticipation of a permit amendment and renewal of the 1041 permit. The 2018 Annual Report was received by staff on May 1, 2019. Staff met with Larry Lawrence on August 6, 2019 to review renewal submittal requirements. Nestle has submitted an application for extension of the permit without amendment. This application is scheduled for hearing on April 21, 2020. The resolutions and yearly reports are currently published on the County website.

I. **Homestake pipeline reconstruction 1041 permit:** Staff met with Homestake representatives to discuss an amendment of this 5-year permit for an additional 5 years to repair additional sections of pipeline. Staff is currently working with the applicant on the extension application.

J. **Valley View School:** Salida School District has proposed the transfer of this property to Chaffee County. Staff has noted that the 2004 transfer of this property from the Richardson Family was not in conformance with the Land Use Code. A survey of the property is being prepared in anticipation of an Exemption for Public Benefit to facilitate the transfer. The representative of the estate has been contacted and is willing to sign the plat on behalf of the Richardson Family.

K. **Subdivisions subject to SIA with Lot Sales Restrictions:**

1. Estates at Mt. Princeton: LSR on Phase 1, Lots 10 and 16-27; was extended through June 27, 2019. Staff met with the applicant on September 30, 2019, see out of compliance applications.
2. Lakeside Preserve: The BoCC granted a final extension to the Lot Sales Restriction through November 01, 2019. The BoCC accepted escrow for the completion of Teal Ct. on February 18, 2020.
3. River Meadow Estates Addition, Fil. 1-4; LSR was extended through October 20 2029
4. Shikoba Acres Fil. 2: LSR was extended through July 6, 2023.
5. Westwinds: LSR Lots 35-45 Filing 3 & Lots 46-49 and 52-55, Filing 4. Developer has entered into an escrow agreement with the County ($270,000). Lot 46, Filing 4 was released in April, 2019. $170,000 authorized for release on June 25, 2019. The remaining funds were authorized for release on August 22, 2019. The BoCC will hear a request to accept escrow for the completion of the roadways on March 4, 2020.
6. Bos Minor Subdivision: LSR on all 4 lots through November 11, 2019. This will require extension.
7. Chipeta Meadows Minor Subdivision: LSR on Lot 1 through July 13, 2019. This requires extension
8. Longhorn Ranch: Chaffee County holds an escrow account of $10,000 for completion of improvements.
9. Oak Leaf Solar Farm: Improvements and Maintenance Agreement through July 27, 2019. The applicant has submitted the funds required by the Improvements Agreement and has submitted an application for the building permit. The building and electrical permits have been issued.
10. Rafter's Roost: Improvements and Maintenance Agreement through October 31, 2021 for Phase I and through October 31, 2024 for Phase II.
11. Strother Minor Subdivision: LSR through July 7, 2023.

L. **Violation Investigations**

1. Staff is reviewing the property at 30108 CR 361 at the southeast corner of Game Trail (the site of "Organic Firewood" sales) for possible violations of the Junk Ordinance.
2. Wyzkiewicz/Hirschey Property – 11341 CR 206. Building and Zoning violations. This property is being platted as Whispering Pinons Acres Major Subdivision,

see items requiring applicant action. Staff is working with the applicant toward resolution of the building and land use violations.

3. Staff is reviewing 3 properties in Trout Creek Meadows on Singletree Road for possible camping violations.
4. Nathrop Properties – white metal Junk
5. 28417 CR 337, A violation letter was sent May 22, 2017 for operation of a salvage yard in a residential zone, accumulation of trash, and pole barn built without permits. The certified mail receipt was returned to the County with a received date of June 10, 2017. Staff has not been contacted by the property owner. This matter has been referred to the County Attorney. Staff is working with Daniel Tom on how to handle this currently.

III. Engineering

A. Road and Bridge Inspection Totals

1. Staff contacted Otak and they are hiring Movares as a Consultant due to their extensive knowledge in refurbishing steel bridges built prior to WWII. We are currently discussing the scope of the Granite Bridge engineering,
2. Staff performed a rough inspection on the Mountain Shadow subdivision road.

B. Plan Review

1. Staff reviewed the following plans:
   a. Staff is reviewing a new pedestrian bridge at 15789 CR 162,

Figure 1. location of new pedestrian bridge on CR 162

   b. Staff is reviewing the Moon River RV park access permit and subsequent internal road way,
   c. Switzer Major Subdivision.

C. OWTS Program

1. In February staff reviewed 6 OWTS designs. Issued 6 OWTS permits and 2 are on hold.

D. Regional engineering plan review and inspection

1. Buena Vista High School: Phase 2 of 3 is under construction.
   a. Phase 1: 100% complete
   b. Phase 2:
      i. The existing school is 100% demolished,
      ii. The first foundation of phase 2 have been poured,
      iii. Foundation is 5% complete,
   c. Phase 3: 0% complete.

d. Staff has performed 75 inspections to date,

Figure 2 Buena Vista High School

E. Engineering Projects

1. Chaffee county Fairgrounds arena:
    a. Staff received notice from the Honnold foundation that there were 700 applicants and the county did not make it to the next round of the grant process for a PV solar project.
2. Salida Public Library addition:
    a. Basement foundation is 100% constructed,
    b. The steel framing is 100% complete,
    c. Wood framing of the 1st and 2nd floors is 60% complete,
3. Salida Airport Beacon Tower:
    a. Staff has informed Cesare that they may proceed with the geotechnical investigation,
    b. Staff has received a quote from SGM engineering for the foundation design.
4. Fair grounds North building heating/cooling:
    a. Staff has a 90% version of the RFP for the installation for new heating/cooling units in the North multi-use building. The fairgrounds manager has received a quote from Atmos to extend the gas main to the North-east corner of this building.

Figure 3 North Multi-use building

5. Fair grounds façade:
    a. No news to report.
6. Chaffee County Administration Building:
    a. Preliminary design is 100% complete,
    b. The architect is investigating the possibility to optimize the design for future use,
    c. The architect and engineering team stopped the Definite Design due to design optimization, (DD)
    d. Geotechnical samples were taken that will be used in the engineering.

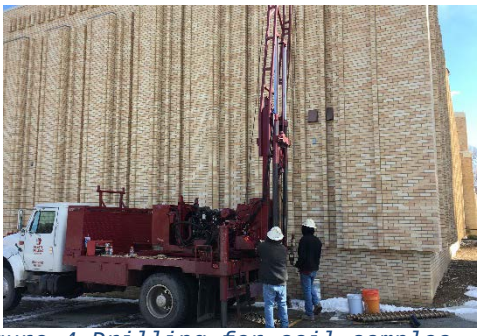


Figure 4 Drilling for soil samples

7. Public safety Building:
    a. Staff did an initial completeness and assessment review of the 13, design team submittals,
    b. On March 4, the review team will proceed with an in-depth review of qualifying submittals.
8. Sleeping Indian Mobile home park:
    a. Staff attended a meeting organized for the neighbors of Sleeping Indian to discuss their concerns. The county was represented by Dan Swallow, Chip Mortimer and Gary Greiner. Approximately 7 neighbors were there to voice their concerns.
    b. Staff performed a site investigation of the sleeping Indian Mobile home park after the meeting. Staff was accompanied by Dan Swallow and Al Smith (Town engineer of Buena Vista). The investigating team walked the entire property, mobile home by mobile home and where possible, entered the mobile homes. The reason for this site visit is to assess the structural state and level of deterioration of the remaining mobile homes. The septic fields and tanks were also investigated. A written report will follow.

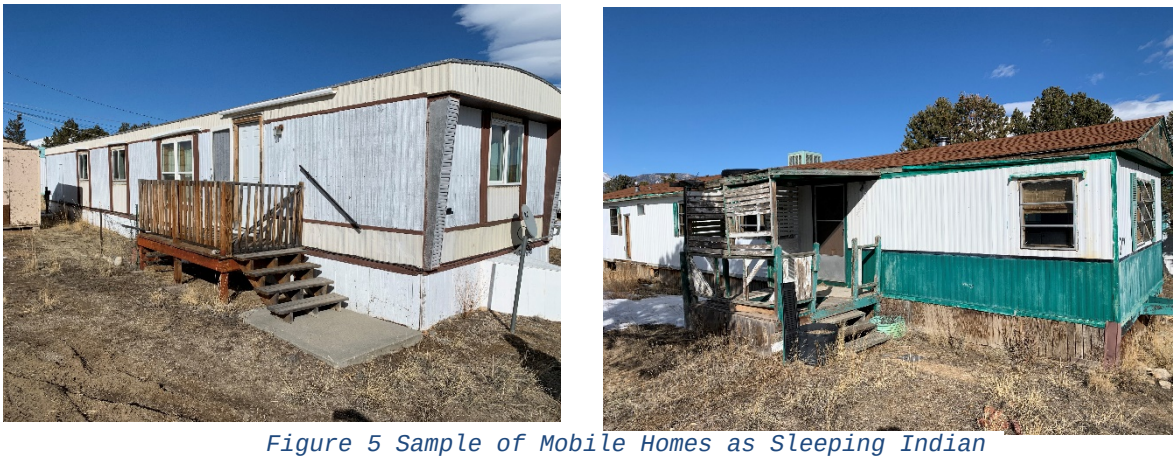


Figure 5 Sample of Mobile Homes as Sleeping Indian

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

DATE: March 10th, 2020

TO: Mayor and Board of Trustees

FROM: Phillip Puckett, Town Administrator

AGENDA ITEM: Town Administrator Report

Key Dates

Topic	Date & Time	Location
Joint Work Session with BV Sanitation	May 19th, 5:00 – 6:00pm	BV Sanitation District
Housing Work Session	May 26th	Community Center
Board Training	May/June	TBD
Intergovernmental Meeting	June 30th, 6:00pm	BV Community Center

Updates

- **Community Grant Fund** – staff would like direction from the Board about how we manage the remaining $3,000 in 2020. A few options include:
    - Allocate additional funds from the General Fund based on actual sales tax revenue from 2019. The total sales tax revenue = $3,461,498 so based on the policy of 1% for Community Grants we would have $34,615. Town allocated $30,000 from the budget so the **Board could amend the budget to increase the Community Grant account by $4,615**. With this increase, the CCCF grant fund would be $7,615 ($3,000 current balance + $4,615 increase).
    - If we increase the balance the Chaffee County Community Foundation (CCCF) could open another deadline for applications in mid-summer
    - If we do not increase the balance the CCCF could just re-open the existing application on a rolling basis for one-off requests that come through for consideration of the remaining $3,000.

- **Municipal Judge –** search committee (Mark Jenkins, Jana Schumann, Jimmy Tidwell, Judy Nyberg, Grant Bryans and Phillip Puckett) has selected 3 finalists for interviews on March 10th and 11th. The committee will bring forward a candidate recommendation to the Board on March 24th for consideration of appointment.

- **Main Street Program** – after several months spent considering taking over the program, the Chamber Board has not made a commitment and has asked to revisit in late Spring. I have remained in contact with Gayle Langley from the Colorado Main Street program and she has been gracious about letting us explore the Chamber taking over the program. At some point soon we will need to decide about remaining in the program or exiting the program. Since this is a sub program under DOLA we want to remain in good standing which is either in or out.

  There are some benefits to the program, primarily as a structure for active citizens/Chamber/business owners to promote economic activity in a designated area. It does provide annual matching mini grants ($2,500). Through the program there is access to architect resources that can help with historic preservation, streetscape, etc. There are also new programs coming out that could bring renewable energy to historic preservation. I believe that DOLA will continue to expand grants for these types of projects outside of the Main Street program.

  However, it does require staff time to produce quarterly reports, attend annual Main Street training/conferences and monthly facilitation of board meetings (agendas, minutes, scheduling, etc.). It also requires buy in and commitment from community members to participate on this board. Ideally this is a board that takes actions vs. acting as another advisory group. For several reasons (primarily that business owners are very busy during this strong economy) this board has been more of an advisory function which is not the intent of the program.

- **Facilities**
  - Boiler went out at the Police Station and will cost $11,000 to replace. Town has boiler insurance with a $2,500 deductible but it is not clear yet if the repair/replacement is covered. We are working with insurance to pursue repairs.
  - Roof continues to leak at Town Hall. Staff believes that a seal is open and can be temporarily patched. When the weather is warmer, we will need a roofer to repair the seams, install new roof flashing and a new gutter on the north wall.
  - Town Hall front room heater (replaced 2018) is not working again. Staff working to find a contractor for repair.

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: March 10, 2020

TO: Mayor and Board of Trustees

FROM: Michelle Stoke, Town Treasurer

AGENDA ITEM: Treasurer's Report

Transparency Portal:
https://buenavistaco.opengov.com
Next meeting, I will introduce the new Transparency Website.

2019 Sales Tax:
Remote Sellers update
The attached graph shows the growth in sales tax receipts attributable to remote sellers. In analyzing 2019 sales tax we the following points became clear:

- The criteria for determining a remote seller for Buena Vista is different from the State criteria.
  - The State only identifies a remote seller as a business that does not have a 'brick and mortar' facility present in the state of Colorado.
  - For Buena Vista, however, we have identified many sellers which reside within the state but not in Buena Vista for example, many of the popular department stores do not have a physical presence in BV but do have an online presence.
- To differentiate Local sellers from Remote sellers we created a list of businesses which a local citizen would be able to walk into and purchase items.
  - These businesses would include some Salida businesses which remit sales tax to BV determined by the purchaser's zip code.
- Additionally, some remote sellers were already remitting sales tax to BV prior to 2019.

From looking at the graph you can see that Town has experienced a marked increase in sales tax remittances from remote sellers.

January & February Budget to Actual
I have attached the Budget Report ended 2/29/2020 for your review.

Town Expenditures:
Since the February 25, 2020 report the Town has issued:

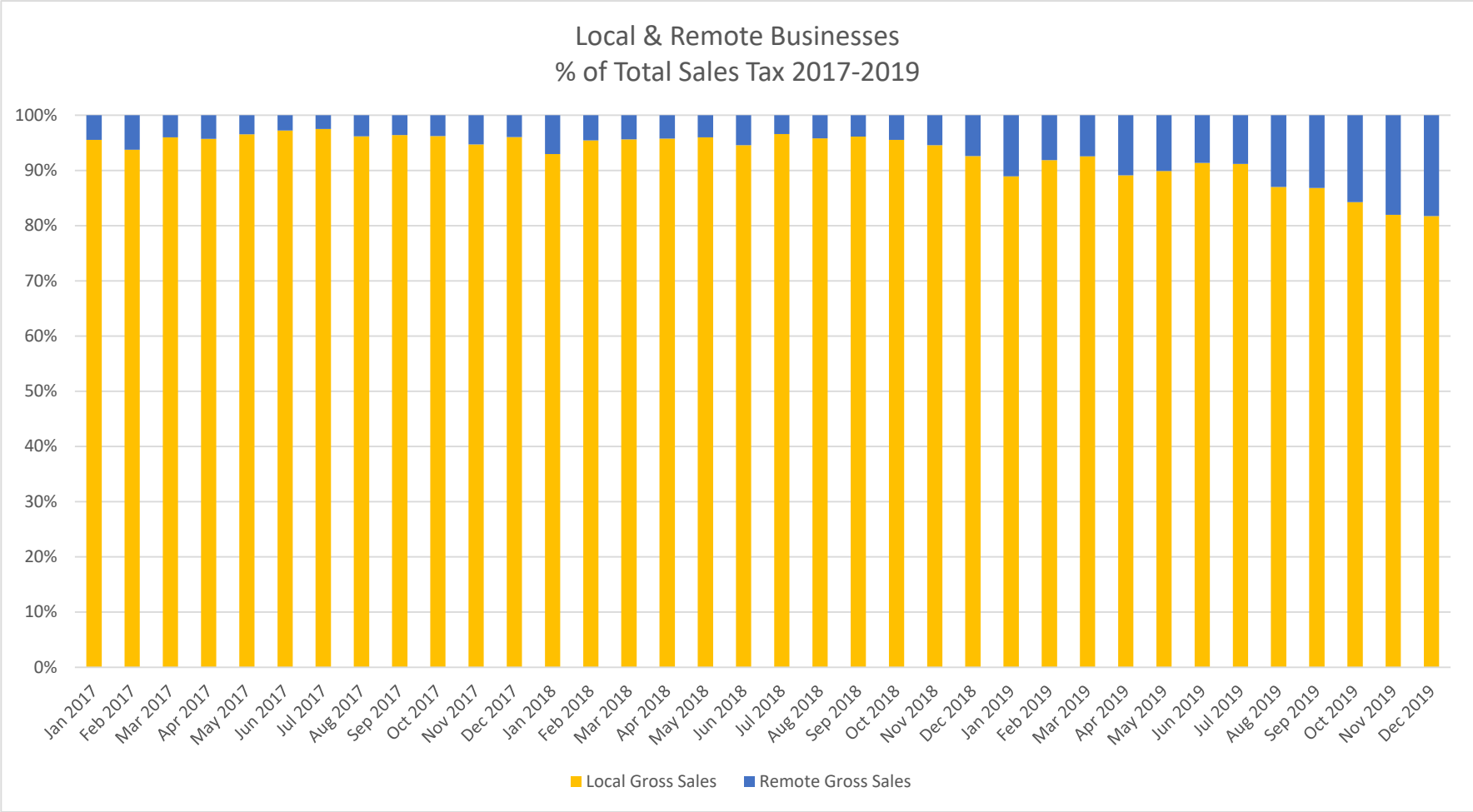
- 60 accounts payable checks for a total of $91,464.12
- ACH withdrawals to the IRS, FPPA, CCOERA and Colorado Department of Revenue for pay period ending 02/22/2020 was $33,798.87.
- Net payroll was $74,591.72 for the same period.
- The breakdown by Fund for AP and payroll-related check disbursements 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 -	$	88,686.14
Water Enterprise Fund -	$	15,446.32
Capital Improvement Fund -	$	0.00
Stormwater Enterprise Fund-	$	0.00
Airport Enterprise Fund -	$	21,130.53
Street Fund	$	0.00
TOTAL	$	125,262.99

Expenditures Over $2,000.00
-Ascent Aviation Group for $17,369.23 for Aviation gasoline and the monthly lease on the Jet refueler
-Heart of the Rockies Regional Medical Center for $2,792.36 for March lease on the Police Building
-Hemenway Groundwater Engineering, Inc. for $9,847.97 for consulting services regarding installation of monitoring wells
-Hoffmann, Parker, Wilson & Carberry, P.C. for $13,664.08 for January legal billing largely for planning and admin
-L.N. Curtis & Sons for $3,219.57 for purchase of nozzles and equipment
-Sangre De Cristo Electric Association for $14,048.35 for January electricity billing
-W.S. Darley & Co. for $3,221.61 for various tools and equipment for the Fire Department
-Wold Architects and Engineers for $2,000.00 for the second payment on facilitating the Emergency Services Core Group meetings
-CDW Government for $3,742.50 for license renewal for MS MBG 365 software

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

Michelle Stoke, CPA
Treasurer/Finance Director



2019	Gross Sales	Sales Tax	YTY	YTY %	% of Growth	2018	Gross Sales	Sales Tax	YTY	YTY %	% of Growth	2017	Gross Sales	Sales Tax
Local	$96,331,586	$2,408,290	$153,082	6.8%	41.6%	Local	$90,208,306	$2,255,208	$222,930	11.0%	88.0%	Local	$81,291,094	$2,032,277
Remote	$13,030,900	$325,773	$214,653	193.2%	58.4%	Remote	$4,444,796	$111,120	$30,418	37.7%	12.0%	Remote	$3,228,082	$80,702
Grand Total	$109,362,486	$2,734,062	$367,735	15.5%		Grand Total	$94,653,102	$2,366,328	$253,348	12.0%		Grand Total	$84,519,176	$2,112,979

Budget Report

Town of Buena Vista

Group Summary

For Fiscal: 2020 Period Ending: 02/29/2020

Departmen…	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 01 - General Fund						
Revenue						
100 - General Government	4,222,543.58	4,222,543.58	1,902.28	22,687.46	-4,199,856.12	99.46 %
120 - Town Clerk	30,950.00	30,950.00	3,297.75	8,904.25	-22,045.75	71.23 %
125 - Municipal Court	45,770.00	45,770.00	2,205.50	2,237.00	-43,533.00	95.11 %
150 - Public Support	35,500.00	35,500.00	0.00	0.00	-35,500.00	100.00 %
210 - Police Department	36,400.00	36,400.00	0.00	1,000.00	-35,400.00	97.25 %
230 - Fire Department	11,900.00	11,900.00	0.00	311.68	-11,588.32	97.38 %
235 - Incident Deployment	88,000.00	88,000.00	0.00	0.00	-88,000.00	100.00 %
310 - Planning (Development)	51,200.00	51,200.00	3,449.32	4,731.65	-46,468.35	90.76 %
320 - Community Center	13,500.00	13,500.00	65.00	1,679.00	-11,821.00	87.56 %
410 - Public Works	1,500.00	1,500.00	11,078.87	11,108.87	9,608.87	640.59 %
415 - Street Maintenance	510.00	510.00	0.00	60.00	-450.00	88.24 %
510 - Parks Department	8,000.00	8,000.00	1,550.00	3,140.00	-4,860.00	60.75 %
515 - Rodeo Grounds	750.00	750.00	0.00	0.00	-750.00	100.00 %
520 - Cemetery	6,350.00	6,350.00	1,100.00	1,120.00	-5,230.00	82.36 %
550 - Recreation Department	97,670.00	97,670.00	0.00	1,775.00	-95,895.00	98.18 %
Revenue Total:	**4,650,543.58**	**4,650,543.58**	**24,648.72**	**58,754.91**	**-4,591,788.67**	**98.74 %**
Expense						
110 - Mayor & Board of Trustees	44,730.10	44,730.10	2,956.91	7,900.94	36,829.16	82.34 %
115 - Elections	18,875.00	18,875.00	778.00	778.00	18,097.00	95.88 %
120 - Town Clerk	147,635.98	147,635.98	6,448.08	15,279.25	132,356.73	89.65 %
125 - Municipal Court	72,655.47	72,655.47	4,627.92	9,612.24	63,043.23	86.77 %
130 - Town Administrator	274,062.43	274,062.43	24,479.95	50,642.00	223,420.43	81.52 %
135 - Financial Administrator	234,904.35	234,904.35	21,535.27	42,486.33	192,418.02	81.91 %
140 - Town Hall Operations	37,038.10	37,038.10	2,249.10	6,252.46	30,785.64	83.12 %
150 - Public Support	370,124.00	370,124.00	29,585.95	75,103.24	295,020.76	79.71 %
160 - Information Technology	154,283.51	174,283.51	13,366.45	36,011.55	138,271.96	79.34 %
210 - Police Department	1,210,167.60	1,210,167.60	97,409.08	216,083.97	994,083.63	82.14 %
220 - Public Safety Complex	17,900.00	17,900.00	2,359.13	2,426.77	15,473.23	86.44 %
230 - Fire Department	471,149.95	471,149.95	46,081.20	77,065.45	394,084.50	83.64 %
235 - Incident Deployment	40,500.00	40,500.00	0.00	0.00	40,500.00	100.00 %
310 - Planning (Development)	264,739.85	264,739.85	20,169.63	39,845.25	224,894.60	84.95 %
320 - Community Center	32,042.78	32,042.78	2,617.96	4,016.54	28,026.24	87.47 %
330 - BVTV - Public Access Television	500.00	500.00	0.00	0.00	500.00	100.00 %
410 - Public Works	478,588.72	478,588.72	36,789.56	73,393.59	405,195.13	84.66 %
415 - Street Maintenance	32,572.83	32,572.83	1,480.07	3,184.36	29,388.47	90.22 %
510 - Parks Department	352,611.84	352,611.84	14,759.22	32,475.97	320,135.87	90.79 %
520 - Cemetery	3,250.00	3,250.00	86.95	114.86	3,135.14	96.47 %
550 - Recreation Department	323,432.14	323,432.14	18,569.17	40,291.53	283,140.61	87.54 %
Expense Total:	**4,581,764.65**	**4,601,764.65**	**346,349.60**	**732,964.30**	**3,868,800.35**	**84.07 %**
Fund: 01 - General Fund Surplus (Deficit):	**68,778.93**	**48,778.93**	**-321,700.88**	**-674,209.39**	**-722,988.32**	**1,482.17 %**
Fund: 02 - Water Enterprise Fund						
Revenue						
710 - Water Distribution Operations	1,114,483.69	1,114,483.69	75,885.40	147,471.42	-967,012.27	86.77 %
730 - System Development Capital Improvement	463,000.00	463,000.00	35,206.78	42,438.64	-420,561.36	90.83 %
Revenue Total:	**1,577,483.69**	**1,577,483.69**	**111,092.18**	**189,910.06**	**-1,387,573.63**	**87.96 %**
Expense						
710 - Water Distribution Operations	666,681.34	666,681.34	34,989.38	79,762.54	586,918.80	88.04 %
715 - Treatment Plant Operations	100,850.00	100,850.00	10,570.11	10,570.11	90,279.89	89.52 %
730 - System Development Capital Improvement	731,675.00	731,675.00	0.00	0.00	731,675.00	100.00 %

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
740 - Water Debt Service	111,780.00	111,780.00	0.00	0.00	111,780.00	100.00 %
Expense Total:	**1,610,986.34**	**1,610,986.34**	**45,559.49**	**90,332.65**	**1,520,653.69**	**94.39 %**
Fund: 02 - Water Enterprise Fund Surplus (Deficit):	**-33,502.65**	**-33,502.65**	**65,532.69**	**99,577.41**	**133,080.06**	**397.22 %**
Fund: 03 - Capital Improvement Fund						
Revenue						
100 - General Government	118,500.00	118,500.00	462.09	980.14	-117,519.86	99.17 %
415 - Street Maintenance	387,299.00	387,299.00	0.00	0.00	-387,299.00	100.00 %
510 - Parks Department	615,748.00	615,748.00	0.00	20,000.00	-595,748.00	96.75 %
Revenue Total:	**1,121,547.00**	**1,121,547.00**	**462.09**	**20,980.14**	**-1,100,566.86**	**98.13 %**
Expense						
210 - Police Department	113,000.00	113,000.00	0.00	0.00	113,000.00	100.00 %
310 - Planning (Development)	50,000.00	50,000.00	2,000.00	2,000.00	48,000.00	96.00 %
410 - Public Works	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
415 - Street Maintenance	611,560.00	611,560.00	0.00	0.00	611,560.00	100.00 %
510 - Parks Department	512,000.00	512,000.00	0.00	0.00	512,000.00	100.00 %
515 - Rodeo Grounds	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
550 - Recreation Department	27,500.00	27,500.00	0.00	0.00	27,500.00	100.00 %
Expense Total:	**1,326,060.00**	**1,326,060.00**	**2,000.00**	**2,000.00**	**1,324,060.00**	**99.85 %**
Fund: 03 - Capital Improvement Fund Surplus (Deficit):	**-204,513.00**	**-204,513.00**	**-1,537.91**	**18,980.14**	**223,493.14**	**109.28 %**
Fund: 04 - Conservation Trust Fund						
Revenue						
590 - Conservation Trust Fund	40,000.00	40,000.00	392.55	832.66	-39,167.34	97.92 %
Revenue Total:	**40,000.00**	**40,000.00**	**392.55**	**832.66**	**-39,167.34**	**97.92 %**
Expense						
590 - Conservation Trust Fund	39,000.00	39,000.00	0.00	0.00	39,000.00	100.00 %
Expense Total:	**39,000.00**	**39,000.00**	**0.00**	**0.00**	**39,000.00**	**100.00 %**
Fund: 04 - Conservation Trust Fund Surplus (Deficit):	**1,000.00**	**1,000.00**	**392.55**	**832.66**	**-167.34**	**16.73 %**
Fund: 06 - Stormwater Enterprise Fund						
Revenue						
900 - Stormwater	68,000.00	68,000.00	5,905.81	11,796.48	-56,203.52	82.65 %
Revenue Total:	**68,000.00**	**68,000.00**	**5,905.81**	**11,796.48**	**-56,203.52**	**82.65 %**
Expense						
900 - Stormwater	115,036.00	115,036.00	0.00	0.00	115,036.00	100.00 %
Expense Total:	**115,036.00**	**115,036.00**	**0.00**	**0.00**	**115,036.00**	**100.00 %**
Fund: 06 - Stormwater Enterprise Fund Surplus (Deficit):	**-47,036.00**	**-47,036.00**	**5,905.81**	**11,796.48**	**58,832.48**	**125.08 %**
Fund: 07 - Airport Enterprise Fund						
Revenue						
810 - Airport Cost of Goods Sold	408,500.00	408,500.00	465.54	17,028.42	-391,471.58	95.83 %
830 - Airport Operational Support	210,500.00	210,500.00	8,439.92	10,272.49	-200,227.51	95.12 %
850 - Airport Capital Improvements	370,000.00	370,000.00	0.00	0.00	-370,000.00	100.00 %
Revenue Total:	**989,000.00**	**989,000.00**	**8,905.46**	**27,300.91**	**-961,699.09**	**97.24 %**
Expense						
810 - Airport Cost of Goods Sold	228,950.00	228,950.00	0.00	304.00	228,646.00	99.87 %
830 - Airport Operational Support	338,222.87	338,222.87	21,632.27	50,475.08	287,747.79	85.08 %
850 - Airport Capital Improvements	420,889.00	420,889.00	0.00	0.00	420,889.00	100.00 %
Expense Total:	**988,061.87**	**988,061.87**	**21,632.27**	**50,779.08**	**937,282.79**	**94.86 %**
Fund: 07 - Airport Enterprise Fund Surplus (Deficit):	**938.13**	**938.13**	**-12,726.81**	**-23,478.17**	**-24,416.30**	**2,602.66 %**
Fund: 35 - Street Fund						
Revenue						
100 - General Government	504,457.46	504,457.46	0.00	0.00	-504,457.46	100.00 %
415 - Street Maintenance	13,000.00	13,000.00	649.88	1,378.48	-11,621.52	89.40 %
Revenue Total:	**517,457.46**	**517,457.46**	**649.88**	**1,378.48**	**-516,078.98**	**99.73 %**

Budget Report **For Fiscal: 2020 Period Ending: 02/29/2020**

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Expense						
415 - Street Maintenance	487,225.00	487,225.00	0.00	250.00	486,975.00	99.95 %
Expense Total:	**487,225.00**	**487,225.00**	**0.00**	**250.00**	**486,975.00**	**99.95 %**
Fund: 35 - Street Fund Surplus (Deficit):	**30,232.46**	**30,232.46**	**649.88**	**1,128.48**	**-29,103.98**	**96.27 %**
Report Surplus (Deficit):	**-184,102.13**	**-204,102.13**	**-263,484.67**	**-565,372.39**	**-361,270.26**	**-177.00 %**

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
01 - General Fund	68,778.93	48,778.93	-321,700.88	-674,209.39	-722,988.32
02 - Water Enterprise Fund	-33,502.65	-33,502.65	65,532.69	99,577.41	133,080.06
03 - Capital Improvement Fund	-204,513.00	-204,513.00	-1,537.91	18,980.14	223,493.14
04 - Conservation Trust Fund	1,000.00	1,000.00	392.55	832.66	-167.34
06 - Stormwater Enterprise Fund	-47,036.00	-47,036.00	5,905.81	11,796.48	58,832.48
07 - Airport Enterprise Fund	938.13	938.13	-12,726.81	-23,478.17	-24,416.30
35 - Street Fund	30,232.46	30,232.46	649.88	1,128.48	-29,103.98
Report Surplus (Deficit):	**-184,102.13**	**-204,102.13**	**-263,484.67**	**-565,372.39**	**-361,270.26**

Central Colorado
REGIONAL AIRPORT
Buena Vista

To: Board of Trustees, Town of Buena Vista, CO
Airport Advisory Board

March 10, 2020

From: Jack Wyles / Airport Manager

Subject: Airport Report

- **Staffing:** Chandra OOO 9-13March, Jack OOO 26-27March 2020.
- **Operations**: Boeing-Apache Testing: New Dates ETA 16Mar-18Apr 2020.
  Agusta 169 Testing: ETA 11May-31May 2020.
  Agusta 139 Testing: ETA AC Storage 31May – 21June. Testing, 22June – 19July 2020.
  Army MH6 Testing: ETA 28June – 31July 2020.
- **REACH Update:** Modular removed from CCRA grounds on 3March 2020. Final invoice sent.
- **Equipment / Vehicles:** Vehicles status = green.
  Security camera / system replaced with upgraded equipment and capabilities.
- **CDOT-Aeronautics:** Original Grant Agreement for approval and signed

February 2020 / Airport Ops	MTD	YTD
Total Based Aircraft	14	34
Total Transient Aircraft	44	110
Total Piston Aircraft	38	92
Total Jet/Turbine Aircraft	15	37
Total Aircraft	**53**	**129**
Total Operations	**130**	**339**
Total Persons Using Airport	**319**	**701**
Total Military Ops	**4**	**13**
Total Helicopter Ops	**4**	**13**
Total Ops over 12,500 lbs	**8**	**11**
Day W/O Ops	**7**	**14**

February 2019 / Airport Ops	MTD	YTD
Total Based Aircraft	26	51
Total Transient Aircraft	34	85
Total Piston Aircraft	31	79
Total Jet/Turbine Aircraft	29	57
Total Aircraft	**60**	**136**
Total Operations	**125**	**288**
Total Persons Using Airport	**186**	**383**
Total Military Ops	**2**	**8**
Total Helicopter Ops	**14**	**25**
Total Ops over 12,500 lbs	**10**	**22**
Days W/O Ops	**8**	**17**

Fuel Sales

February 2020 Fuel Sales			February 2019 Fuel Sales		
Jet A fuel sold:	1,800 gal	**YTD:** 3,813 gal	**Jet A fuel sold:**	2,492 gal	**YTD**: 5,814 gal
100LL fuel sold:	387 gal	**YTD**: 1,434 gal	**100LL fuel sold:**	703 gal	**YTD:** 1,547 gal

Thank you
Jack Wyles

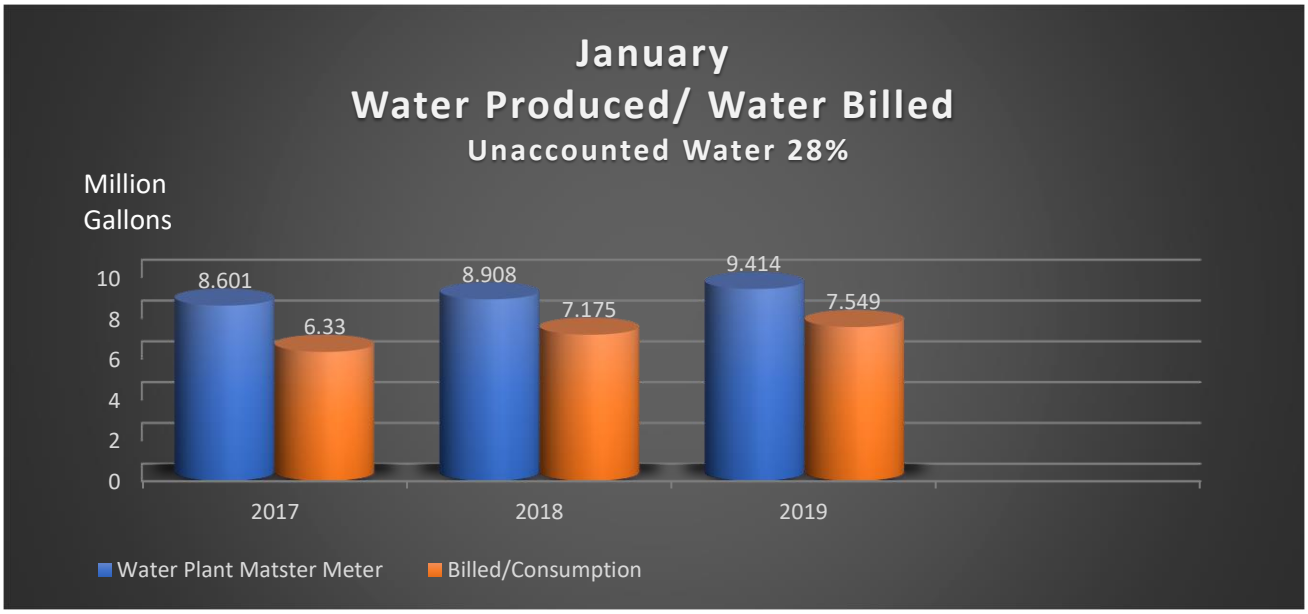
Town of Buena Vista
Public Works

MEETING DATE: March 10th, 2020

TO: Mayor and Board of Trustees

FROM: Shawn Williams, Public Works Director

AGENDA ITEM: Staff Report



Water:

- **Unaccounted water for February = 20%**
- **February Service Line Inspections = 11**
- **February Water Meter Installations = 8**
- **Monthly Sampling, No Issues**
- **Water Plant/Gallery Update; The monitoring wells and data loggers installed. Staff continues to collect data**
- **Repaired 1 Service line (unmetered) break and McPhelemy Park**

Streets:

- **Snow & Ice removal as needed**
- **Pothole repair on going**
- **Railroad St./Collegiate Heights Sidewalk removals starting this week**

Engineering Projects:

- **Continue updating and modifying the Town's Standards and Specification**
- **Well #3 Start-up/Operations Procedure complete and submitted to CDPHE**
- **Continue Water Rate Analysis**
- **Water Main Connection on North Court Street**
- **Storm Water**
- **Development Reviews**
- **Source Water Protection District On-site wastewater treatment system reviews**

Parks:

- **Snow Shoveling & Removal as needed**
- **Year-Round Bathrooms Cleaning and Upkeep**
- **Trash Removal**
- **River Park Volleyball new sand installation nearing completion**

Facilities and Building Maintenance:

- **Normal Operations**

Fleet:

- **Normal Operations and Vehicle Maintenance and Repair**

Highlights and Note Worth Items;

- **New Street Forman Tyler Owens**
- **Tree Advisory Board Recommend to contract "Bristlecone Tree Care" as tree trimming and tree removal consultants.**
- **Tree Board 2020 Adopt a Tree List;**
  10, Spring Snow Crabtree
  2, Autumn Blaze Maple
  2 Russian Hawthorn
  2, Greenspire Linden
  2, David Elm
  2, Radiant Crabtree

Respectfully Submitted,
Shawn Williams
Shawn Williams, Public Works Director

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

DATE: March 10th, 2020

TO: Mayor and Board of Trustees

FROM: Earl Richmond, Recreation Director

AGENDA ITEM: Recreation Director Report

Dear Mayor and Board of Trustees,

Staffing:

The BV Rec team is charging full steam ahead and we are looking forward to springtime here in Buena Vista. Numerous indoor programs are coming to an end while new outdoor programs are coming online. We are hosting several internal staff meetings at the Community Center and continue to manage the daily increase in foot traffic, special events and new reservations in our facilities. As we enter springtime, we are compiling work projects for our teams and are also putting together project list for the up and coming volunteer groups that love to give back to our community each spring and summer. With this increase in traffic comes additional upkeep and maintenance. Our staff are doing a fantastic job staying on top of the demands. We are open for business and have open minds to work with the growth here in Buena Vista.

Facilities:

The next Community Ice Rink meeting will be Monday March 16th at the BVCC at 6 pm. They welcome the public to attend and will create work groups to focus on design, fundraising and marketing efforts over the next year.

Central Colorado UAS Drone Club made a solid presentation to the Rec Advisory Board last week. We have worked with them on finalizing their proposed location on the south end of the Rodeo Grounds. They have compiled a list of support letters from neighboring agencies and are working on finalizing their short term and long-term development goals. They plan to make a final presentation to the BOT soon. The RAB has given their blessing to add this location onto the "bubble map" as a future facility in this region of town. The UAS club understands that the town does not have dedicated funds available to support any major developments in this region in 2020.

I was able to attend a follow up meeting with Brian (Boys and Girls Club) alongside Phillip and Mark. There is a lot of excitement and ideas being shared about this potential collaboration to support a much-needed new facility here in BV.

The volleyball court sand has all been excavated out and the new sand is being delivered. We hope to have the sand portion of the volleyball rehab project finalized by the end of March.

Mark Jenkins, myself and Phillip met with the Peak to Peak Pickleball to talk about an alternative location for their new proposed outdoor facility. We are exploring the area just to the north of the existing tennis courts. This would alleviate development pressure at the BVCC and free up space for the town to dream up an updated master plan for this block. Peak to Peak club would like to be next to the existing tennis courts if this plan moves forward.

The outdoor fields, courts and facilities are in great shape. Ryan from BV Parks and his team are doing an outstanding job upkeeping our facilities to their fullest potential. Our community really appreciates this. BV Rec and BV Parks continue to meet bi-monthly to stay on top of these projects.

BV Rec spent a morning doing maintenance and repair work to the DPCA gym space last week. A total of about 9 staff hours were donated back into their facility. Without DPCA's generosity to open their facilities to the town, BV Rec would be extremely limited in what we could offer. Thank you DPCA and BV Schools. We can offer what we do because of their willingness to work with us and our facility needs.

Trails:

We have been meeting with local trail builders to discuss the Pump Track rehab project and the idea of single-track trail development in the BV Disc Golf area. We hope to have two bids back soon to help us decide which direction we will take to accomplish these goals.

The BV Trails Advisory Board is working on updating the in-town trails master plan and should have a draft ready by early summer 2020. The goal of this project is to brainstorm and design new connectors and additional trails to assist our citizens to travel in and around BV safely on foot and on bikes.

Community:

The response to the scholarship and sponsorship program offerings in 2020 has been great. We do not have a limit on the number of sponsors, and we will continue to market this great opportunity to our business groups over the next month.

The BV Optimist Club has cut the town of BV a check for $4000 to support the purchase of an activity bus. We are very excited about what we will be able to accomplish with this new vehicle. The Optimist are also committed to a $5000 contribution to go directly to the skate park slab project later this spring. We are very appreciative of their continued support.

I am again working with the Full Circle Restorative Justice program this spring here in Buena Vista. The 2 juveniles who have admitted to participating in the spray painting of the skate park are now being held accountable to a team of advisors and mentors. Over the next 5 months these youth will work with myself and our team to implement new stewardship guidelines, create skate park special events, and brainstorm viable outlets for the youth of BV to express their artistic desires.

Vandalism:

There has been a recent string of vandalism in and around several parks. The BVPD is doing a fine job of staying on top of the reports and the investigative work. BV Parks is doing everything in their power to repair these facilities in a timely manner. We have started a "If you see something, say something" campaign to encourage our citizens to contact the BVPD if they see anything going on that is out of the ordinary. Thank you everyone for you continues efforts to support of our PD and for doing what we can as a community to decrease these acts of vandalism.

Grants:

BV Rec was successful in receiving a matching grant from the Colorado Department of Local Affairs, Upper Arkansas Area COG to support our covered bandshell improvements at McPhelemy Park. The UAACOG is offering up to $3875 for the planning, permitting, building, signing and landscaping for this project. The town of BV has already set aside $5000 to fund this project (CIP) for the 2020 budget cycle. We are requesting the town to amend the 2020 budget for this project to reach a new max total cost of $7750, knowing now that we have a grant to cover $3875 (or 50%) of the total cost of the project. The UAACOG does not offer the funding up front, but instead reimburses our town once the project is complete.

Events:

Ben and Earl continue to work daily with numerous special event champions for the 2020 season. We are spending a lot of up-front time to meet with applicants to assure that the applications are as complete as possible and very well thought out before we send them to our review teams (PD, FD, BVPW, Admin, Planning, and Code Enforcement.) We are doing everything in our power to stay on top of the current demands. We feel by this time next year our department will be in a much better space to assist special event champions for years to come. Below is a snapshot of a report that Ben presents to me on a weekly basis

Upcoming Events:
When: Friday, April 24th- Sunday, April 26th
What: BV 720
Details: Incomplete application received on 26 FEB, applicant reworking

Special Event Recommendations

- Request that the Town form Special Events Committee to discuss future Special Events
- Request that Town adopt resolution limiting events on Independence Day Weekend
- Request that Town publish memo listing proposed Main Street closures and mail to Main Street business NLT APR for feedback (feedback to be sent to Special Events Committee and event organizers of proposed events) *Drafting letter now)*

Special Event Application Weekly Change

Hours Spent on Special Events this week: 19.5/40 (49%)

- Initial review of Fishing Derby, Bronco Super Celebration, and CKS Paddlefest
- Met with Collegiate Peaks Trail Run and Chamber to refine applications on 04 MAR

Special Event Possible Issues

- 04-05 JUL weekend
    - Update: In progress; parade route should be submitted within the next week.
- 01-02 AUG weekend
    - Update: BV Chamber has space for Trans Rockies. May need to look at parking requirements

Special Event Internal Process Updates

- In Progress: Create Special Event Process
    - Emergency Action Plan, Camping Policy, 2020 SE Application status tracker
- In progress: Need to update Municipal code to reflect 45/30 application lead time and remove 10-day response window
- In progress: Update Fee Waiver Policy
- Need: application policy
    - Use Chaffee County SE application as guide for next revision

Special Event Calendar Year Totals

Total Applications Anticipated: 36 (no change)
Total Applications Received: 15 (no change)
Total Applications in Progress/Submitted for Approval: 04 (no change)
Total Applications Approved: 04 (no change)

Programming:

- The Demon Diggers Youth Volleyball program began on Monday, February 10. BV Rec again partnered with the BVHS Volleyball to put on the program. We have 59 participants in grades 2-5 and 33 participants in grades 6-8.
- Youth Ski League will wrap up for the season with the Parent Ski with Me Day and an end of season banquet on Friday, March 6. The program ran very smoothly with BV Rec handling the program administration and the gear checkout, and Chris Nicewarner from Buena Vista Mountain Adventures leading the coaches and instruction.
- Registration is open for the spring season of Youth Soccer! The registration deadline is Friday, March 6. Registrations will be accepted after the deadline, but a team t-shirt is not guaranteed. We will be hiring a Practice Facilitator to organize and lead the practices for the U8, U10, and U12 age groups.
- In March, BV Rec will wrap up the Adult Indoor Soccer League, and begin the Adult Coed Volleyball League. This year, Coed Volleyball will have an A (Advanced/Competitive) Division and a B (Beginner/Recreational) Division. We will also be expanding the program to hold games in two facilities (BVHS & DPCA) on our Thursday game nights. The team registration deadline is Monday, March 9.
- BV Rec and Peak to Peak Pickleball Club will be running the 4th Annual Spring Break Pickleball Tournament from March 26 to March 28. The tournament will be held at Darren Patterson Christian Academy and will have Women's Doubles, Mixed Doubles, and Men's Doubles categories.

February Finances

PiYo - $422
Women's Workout - $42
Monday Morning Art - $13
Bridge Club - $68
Pickleball - $409
Open Gym Volleyball - $290
Youth Volleyball - $3,640
Adult Indoor Soccer - $300
Total - $5,184

Respectfully,

Earl Richmond

Earl Richmond
Recreation Director

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

DATE: March 10th, 2020

TO: Mayor and Board of Trustees

FROM: Phillip Puckett, Town Administrator

AGENDA ITEM: St. Rose of Lima Chapel Historic Structure Assessment

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Request
Barbara Darden from Scheuber + Darden Architects will present a summary of the Historic Structure Assessment report which has been completed for the St. Rose of Lima Chapel (Chamber Building). The report is information that the Town and Chamber can choose to use for future improvements to the building and site.

Overview
The Town of Buena Vista applied for and received a historic structure assessment grant from the State Historical Fund in 2018. Scheuber + Darden Architects was chosen to complete the HSA with the kick-off meeting occurring on May 8th at the St. Rose of Lima Chapel (Rose Chapel).

Over the course of multiple field inspections, Scheuber and Darden Architects measured the building and assessed and photographed the exterior, interior, and site conditions. This report includes data gathered during the field work and information provided by the Chamber of Commerce, Town of Buena Vista and History Colorado. This report also provides descriptions, conditions, and preliminary recommendations with specific treatment options that are intended to conform to *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

This project was paid for by a State Historical Fund grant from History Colorado.

Attachment
The report will be finalized and shared via email to the Board prior to the meeting. Barbara will present the key findings during the Board meeting.

BOT Action
Barbara's presentation is the final step of this grant funded project. <u>There is no immediate decision needed by the Board</u>. Board and staff can utilize this report for future building use and investment decisions.

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

DATE: March 10, 2020

TO: Mayor and Board of Trustees

FROM: Mark N. Doering, Principal Planner

AGENDA ITEM: A motion to approve a Fifth Amendment to the Site-Specific Development Plan and Subdivision Improvements Agreement for the South Main PUD.

Request: South Main is requesting that the Board of Trustees accept public improvements in existing and future portions of Pine Street to allow for the installation of a water line from the intersection of Pine Street and South Beldan Street to the intersection of Pine Street and South Main Street (shown in Attachment A). Along with the installation of water line, a portion of Pine Street will be dedicated to the Town for other public improvements, including asphalt paving, curb, gutter, and sidewalk for a portion of Pine Street to be dedicated to the Town with a future subdivision of Block 6, Lot 1 within Phase 1 of the South Main Subdivision. The right-of-way needed for that lot was not previously dedicated to Town. That subdivision will occur once the Board has given approval of those public improvements to be dedicated to the Town. In addition to the public improvements within that future right-of-way to be dedicated, a water line easement covering the property that has not yet been subdivided will be dedicated to the Town to allow the Town to maintain the new water line until future right-of-way is dedicated.

Background:
South Main has subdivided Phase 1, and amended that phase several times, to allow for the installation of public improvements needed for road and utility connections to serve those platted lots. One of the lots within Phase 1 needs additional right-of-way outside of Phase 1 to allow for future development of that lot. South Main is seeking to further subdivide the property into smaller lots as allowed by the South Main PUD, but that subdivision will require public improvements be installed to the Town outside the amended Phase 1 of the Subdivision. In addition to the new right-of-way to be dedicated to the Town, a portion of the remaining unplatted phases of South Main will have an easement dedicated allowing for a water main to connect to the mains within South Main to water mains with the original Town of Buena Vista Subdivision. As a result of the proposed dedication, the Town will get a new public water line to provide water service and fire protection to lots outside of South main along Pine Street within the original Town plat. See Attachments A, B, C, and D for more information. In addition to the proposed public improvements for Pine Street, staff has carried forward the missing sidewalk from the Phase 1, Amendment 4 public improvements agreement that has not been installed along Block 5, Lot 4a because it has not yet been developed.

Budget Impact:
The Town will accept a short portion of Pine Street right-of-way improvements (road, sidewalk, trees, curb and gutter) and accept maintenance of a water line after it has installed to meet Town standards. The impact to the Town's budget will be the same as those for maintenance of a water line, paved road, sidewalks, and curb and gutter as anywhere else in town.

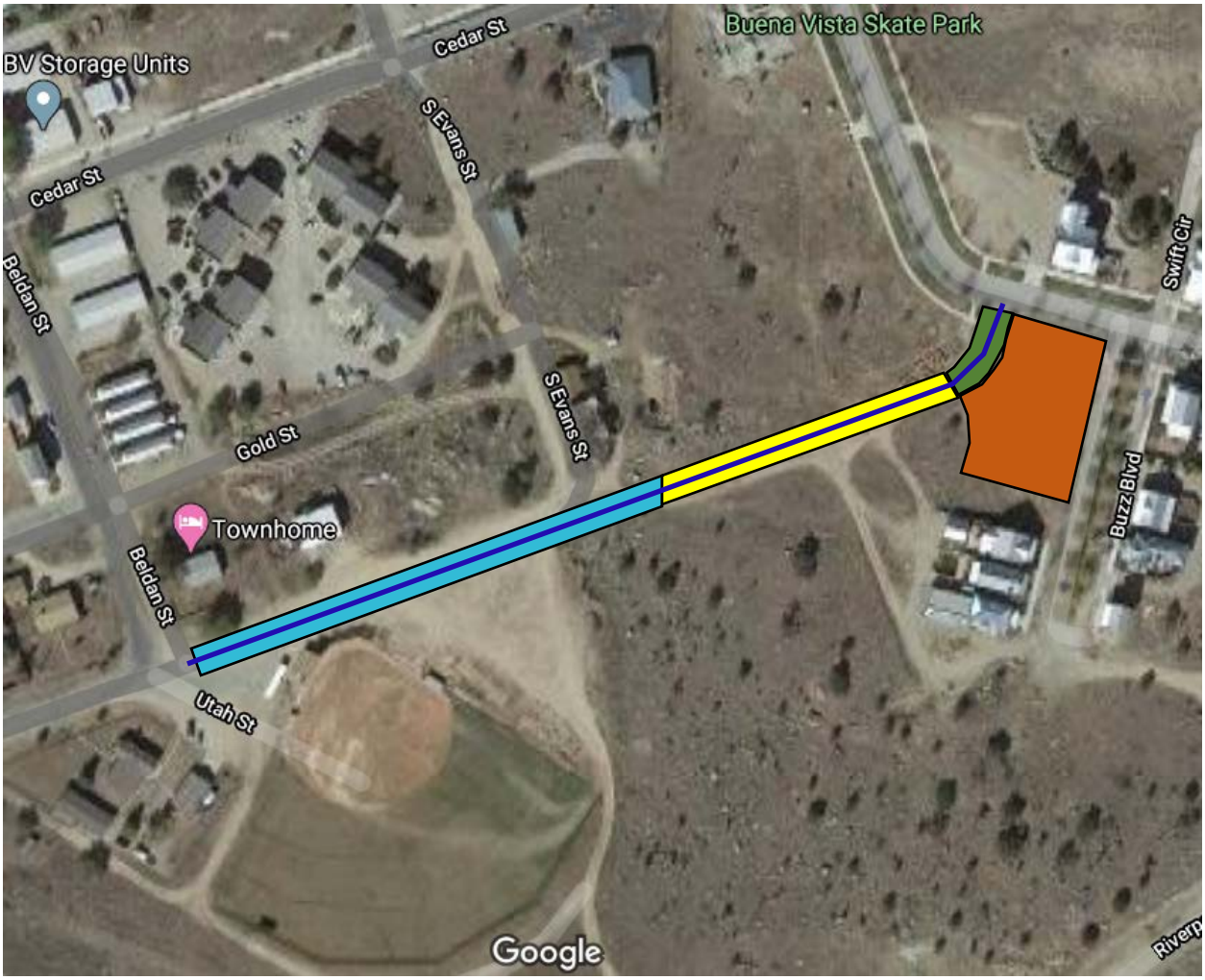
A positive budget impact of the proposal is that the South Main will install a needed water line and hydrant in an area of town that has already been subdivided but does not have existing water infrastructure in

place to allow other vacant properties outside of South Main along the line to also develop. That resulting development along that future water line would not otherwise be able to occur until the water line is installed in Pine Street.

BOT Action:
If the Board of Trustees agrees with the proposed public improvements, it should make a motion to approve the Fifth Amendment to the Site-Specific Development Plan and Subdivision Improvements Agreement for the South Main PUD, subject to the Town Administrator's approval of the Amended Final Plat of Phase One and the PUD modification.

Attachments:
Attachment A – Vicinity Map
Attachment B – Proposed Public Improvements Maps
Attachment C – Cost Estimate of Public Improvements
Attachment D – Draft of the Fifth Amendment to the Site-Specific Development Plan and Subdivision Improvements Agreement

Attachment A – Vicinity Map



Existing Right-of-Way dedicated with the original town plat

Proposed Waterline Easement (land that has not yet been platted within South Main PUD)

Additional Right-of-Way to be dedicated for Phase 1 of South Main PUD

Property within the existing Phase 1 of South Main PUD

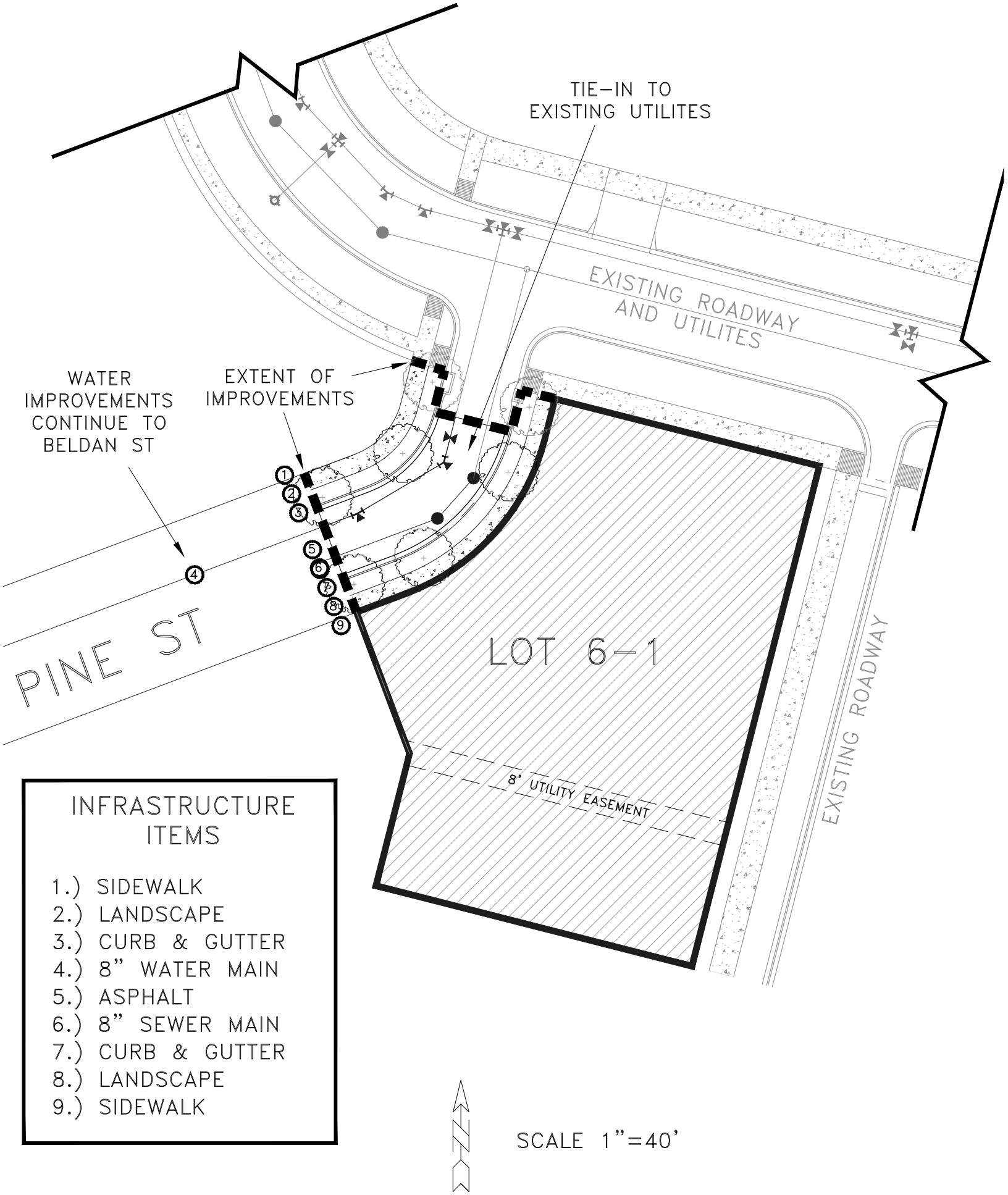
Proposed New Water Main

Attachment B – Proposed Public Improvements Maps

See the following two (2) pages of Exhibits.

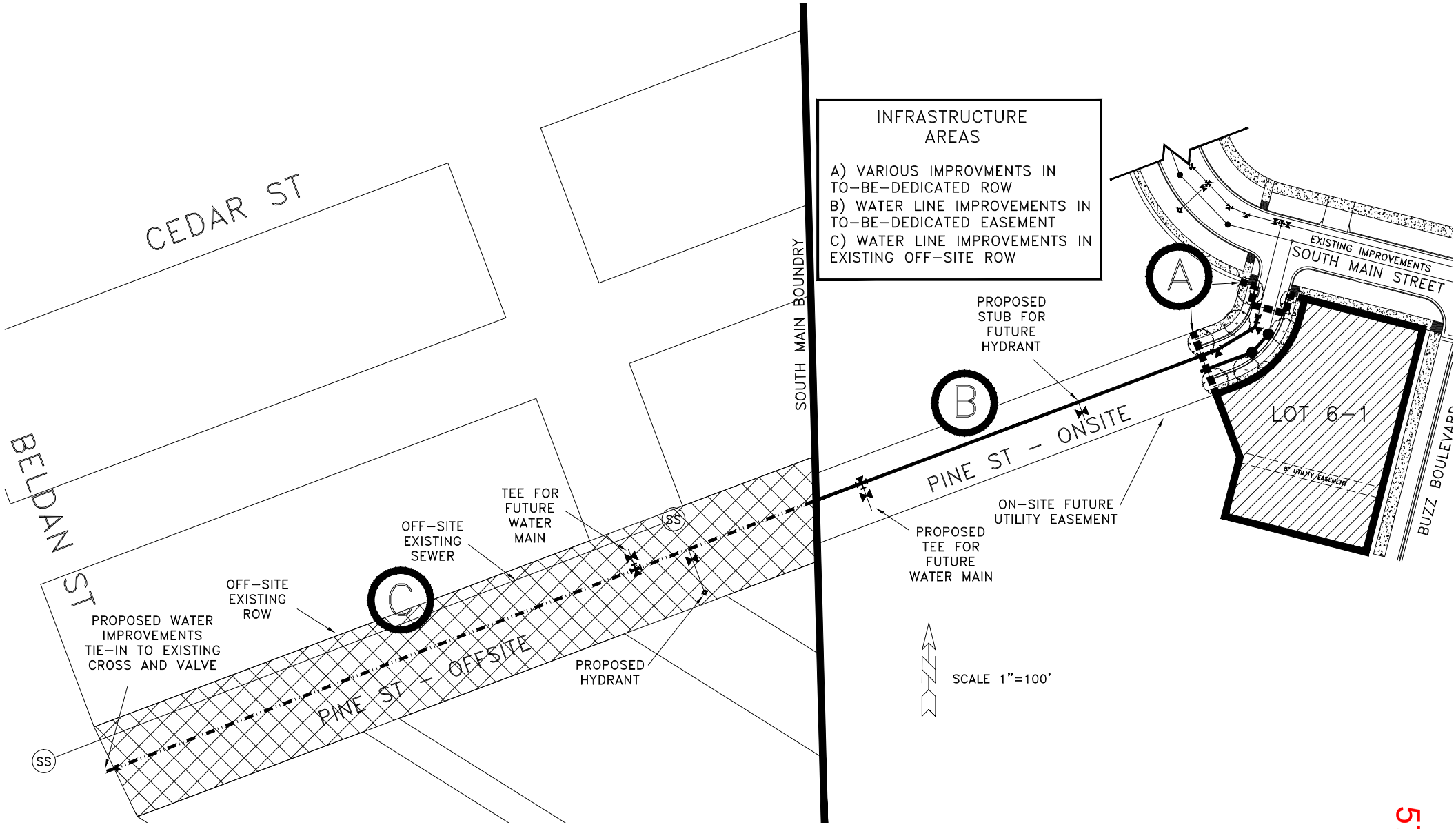
The first sheet contains public improvements within future right-of-way to be dedicated with the next subdivision of Block 6, Lot 1 of South Main Filing No. 1.

The second sheet contains the entire length of water line, showing its location within right-of-way to be dedicated with the next subdivision of Block 6, Lot 1, its location within unplatted portions of South Main where an easement will be needed, and the water line's location within the existing Town right-of-way for Pine Street dedicated with the original Town of Buena Vista Subdivision.



INFRASTRUCTURE ITEMS

1.) SIDEWALK
2.) LANDSCAPE
3.) CURB & GUTTER
4.) 8" WATER MAIN
5.) ASPHALT
6.) 8" SEWER MAIN
7.) CURB & GUTTER
8.) LANDSCAPE
9.) SIDEWALK


INFRASTRUCTURE AREAS
A) VARIOUS IMPROVMENTS IN TO-BE-DEDICATED ROW
B) WATER LINE IMPROVEMENTS IN TO-BE-DEDICATED EASEMENT
C) WATER LINE IMPROVEMENTS IN EXISTING OFF-SITE ROW
CEDAR ST
BELDAN ST
SOUTH MAIN BOUNDRY
EXISTING IMPROVEMENTS
SOUTH MAIN STREET
BUZZ BOULEVARD
LOT 6-1
8' UTILITY EASEMENT
PINE ST - ONSITE
PINE ST - OFFSITE
A
B
C
PROPOSED STUB FOR FUTURE HYDRANT
ON-SITE FUTURE UTILITY EASEMENT
PROPOSED TEE FOR FUTURE WATER MAIN
TEE FOR FUTURE WATER MAIN
OFF-SITE EXISTING SEWER
OFF-SITE EXISTING ROW
PROPOSED WATER IMPROVEMENTS TIE-IN TO EXISTING CROSS AND VALVE
PROPOSED HYDRANT
SS
SS
SCALE 1"=100'

Attachment C – Cost Estimate of Public Improvements

See the following one (1) page of Engineer's Cost Estimate for the proposed public improvements.

It also includes the cost estimate for the missing portion of the sidewalk along Block 5, Lot 4a carried over from the Phase 1, Amendment 4 subdivision agreement that has not yet been installed along the east side of that undeveloped lot.

South Main - Pine Street Infrastructure improvements
3/03/2020

Pine St. on-site in ROW ("A" in Exhibit B)

	Item	quantity	unit	unit cost		line price
1	Sidewalk	360	sq ft	7	$	2,520
2	Landscape	358	sq ft	5	$	1,790
2a	Trees	3	ea	450	$	1,350
2b	irrigation	358	sq ft	3	$	1,074
3	C&G	54	lf	35	$	1,890
4	8" water main	55	lf	75	$	4,125
4a	Hydrant	0	ea	7500	$	-
4b	water service	1	ea	1400	$	1,400
4c	gate valve	0	ea	2000	$	-
5	base prep (6")	1527	sq ft	0.5	$	764
5a	asphalt	1527	sq ft	3	$	4,581
6	8" sewer main	55	lf	65	$	3,575
6a	manhole	1	ea	8000	$	8,000
6b	sewer service	1	ea	1000	$	1,000
6c	CO at EOL	1	ea	500	$	500
7	C&G	79	lf	35	$	2,765
8	landscape	451	sq ft	5	$	2,255
8a	trees	4	ea	450	$	1,800
8b	irrigation	451	sq ft	3	$	1,353
9	sidewalk	525	sq ft	7	$	3,675
	SUBTOTAL				**$**	**44,417**
	survey		ls		$	2,000
	AREA TOTAL				**$**	**46,417**

Pine St. on-site in easement ("B" in Exhibit B)

	Item	quantity	unit	unit cost		line price
1	Sidewalk	0	sq ft	7	$	-
2	Landscape	0	sq ft	5	$	-
2a	Trees	0	ea	450	$	-
2b	irrigation	0	sq ft	3	$	-
3	C&G	0	lf	35	$	-
4	8" water main	312	lf	75	$	23,400
4a	Hydrant stub	1	ea	2500	$	2,500
4b	water service	1	ea	1400	$	1,400
4c	gate valve	2	ea	2000	$	4,000
5	base prep (6")	0	sq ft	0.5	$	-
5a	asphalt	0	sq ft	3	$	-
6	8" sewer main	0	lf	65	$	-
6a	manhole	0	ea	8000	$	-
6b	sewer service	0	ea	1000	$	-
6c	CO at EOL	0	ea	500	$	-
7	C&G	0	lf	35	$	-
8	landscape	0	sq ft	5	$	-
8a	trees	0	ea	450	$	-
8b	irrigation	0	sq ft	3	$	-
9	sidewalk	0	sq ft	7	$	-
	SUBTOTAL				**$**	**31,300**
	survey		ls		$	1,000
	AREA TOTAL				**$**	**32,300**

Pine St. off-site in ROW ("C" in Exhibit B)

	Item	quantity	unit	unit cost		line price
1	Sidewalk	0	sq ft	7	$	-
2	Landscape	0	sq ft	5	$	-
2a	Trees	0	ea	450	$	-
2b	irrigation	0	sq ft	3	$	-
3	C&G	0	lf	35	$	-
4	8" water main	576	lf	75	$	43,200
4a	Hydrant	1	ea	7500	$	7,500
4b	water service	1	ea	1400	$	1,400
4c	gate valve	2	ea	2000	$	4,000
5	base prep (6")	11400	sq ft	0.5	$	5,700
5a	asphalt	0	sq ft	3	$	-
6	8" sewer main	0	lf	65	$	-
6a	manhole	0	ea	8000	$	-
6b	sewer service	0	ea	1000	$	-
6c	CO at EOL	0	ea	500	$	-
7	C&G	0	lf	35	$	-
8	landscape	0	sq ft	5	$	-
8a	trees	0	ea	450	$	-
8b	irrigation	0	sq ft	3	$	-
9	sidewalk	0	sq ft	7	$	-
	SUBTOTAL				**$**	**61,800**
	survey		ls		$	1,000
	AREA TOTAL				**$**	**62,800**

Lot 5-4A sidewalk carryover from 4th amendment to South Main PUD Phase 1.	**$**	**1,890**

GRAND TOTAL	**$**	**143,407**

Attachment D – Draft of the Fifth Amendment to the Site-Specific Development Plan and Subdivision Improvements Agreement

See the following twelve (12) pages.

FIFTH AMENDMENT TO SITE SPECIFIC DEVELOPMENT PLAN AND SUBDIVISION IMPROVEMENTS AGREEMENT
SOUTH MAIN PUD
PHASE ONE

THIS FIFTH AMENDMENT TO SITE SPECIFIC DEVELOPMENT PLAN AND SUBDIVISION IMPROVEMENT AGREEMENT (the "Fifth Amendment") is made this 10th day of March, 2020, by and between the TOWN OF BUENA VISTA, COLORADO, a Colorado municipal corporation (the "Town") and SOUTH MAIN DEVELOPMENT, INC., ("Developer"), herein referred to as the Parties.

WHEREAS, the Parties entered into a Site Specific Development Plan and SIA, dated May 24, 2005, recorded at Reception No. 351777, ("SIA-Phase One") in the records of the Chaffee County Clerk and Recorder for certain improvements within Phase One of the South Main PUD;

WHEREAS, the Parties have entered into four amendments to the SIA-Phase One;

WHEREAS, most recently, the Parties enter into a Fourth Amendment to the SIA-Phase One (the "Fourth Amendment"), dated April 16, 2019, and recorded at Reception No. 450130 in the records of the Chaffee County Clerk and Recorder;

WHEREAS, Developer has not completed improvements under that Fourth Amendment and the Parties desire to include requirements for certain improvements in this Fifth Amendment;

WHEREAS, the Developer desires to amend the South Main PUD to add a portion of right-of-way, Pine Street, to Phase One from Phase Two and amend the Final Plat of Phase One to include this portion of Pine Street;

WHEREAS, the Developer has agreed to contract certain public improvements as part of the amendment to South Main PUD and as part of Phase One; and

WHEREAS, nothing set forth herein is deemed to alter Developer's obligation to construct public restrooms and a roundabout as set forth in Sections 6(b) and 10(a) of the South Main Planned Unit Development Agreement, dated May 24, 2005.

NOW, THEREFORE, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. <u>Public Improvements</u>.

a. Developer agrees to complete or pay for, as described herein, the public improvements set forth in **Exhibit A**, attached hereto and incorporated herein by this reference, and Type B Improvements, as shown on Exhibit A to the Fourth Amendment ("Public Improvements") subject to Sections 2 and 3 hereof and in accordance with Developer's plans and all applicable laws, rules, regulations, and Town standards and specifications.

b. Type A Improvements, shown on Exhibit A of the Fourth Amendment, are not included in this Fifth Amendment and nothing in this Fifth Amendment shall be deemed to alter the Developer's obligation to construct Type A Improvements under the Fourth Amendment.

2. Construction.

a. All Public Improvements shall be installed and completed at the expense of Developer and dedicated or conveyed to the Town upon the Town's acceptance thereof. The estimated cost of the Public Improvements is set forth in **Exhibit B,** attached hereto and incorporated herein by this reference (the "Estimated Costs").

b. The Town may make reasonable engineering observations at Developer's expense. Observation, acquiescence in or approval by any inspector shall not constitute the approval by the Town of any portion of such Public Improvements.

c. Developer shall provide all necessary engineering designs, surveys, field surveys and incidental services related to the construction of the Public Improvements at its sole cost and expense, including reproducible "as-built" drawings certified accurate by a professional engineer registered in the State of Colorado.

3. Completion. The obligations of Developer in Sections 1 and 2 hereof shall be performed on or before March 10, 2022. Proper application for acceptance of Public Improvements shall be made in advance. Upon completion of construction of the Public Improvements, the Town shall inspect the Public Improvements and certify with specificity their conformity or lack thereof to the Town's specifications. Developer shall make all corrections necessary to bring the Public Improvements into conformity with the Town's specifications.

4. Warranty. Developer shall warrant any and all Public Improvements which are conveyed to the Town for a period of two (2) years from the date the Town grants preliminary acceptance of the Public Improvements. Developer shall be responsible for scheduling the necessary inspections for preliminary acceptance. Specifically, but not by way of limitation, Developer shall warrant that:

a. The title conveyed is marketable and its transfer rightful; and

b. All Public Improvements dedicated or conveyed are free of defects in materials or workmanship for a period of two (2) years, as stated above.

5. Ownership. All Public Improvements shall be dedicated to the Town one year after preliminary acceptance. One year after preliminary acceptance, Developer shall convey to the Town all installed physical facilities.

6. Performance Guarantee.

a. To secure the construction and installation of the Public Improvements, with the exception of Type B Improvements, Developer shall furnish the Town, at Developer's expense and prior to commencement of construction, cash in which the Town is designated as beneficiary in an amount equal to one hundred fifteen percent (115%) of the Estimated Costs of Public Improvements, excluding Type B Improvements. Developer shall furnish the Town, at Developer's expense and prior to commencement of construction, cash in which the Town is designated as beneficiary in an amount equal to one hundred fifty percent (150%) of the Estimated Costs of Type B Improvements, pursuant to the terms of the Fourth Amendment. All security provided under this paragraph shall constitute the Performance Guarantee.

b. The purpose of the Estimated Costs is solely to determine the amount of security. No representations are made as to the accuracy of these estimates, and Developer agrees to pay all costs of the Public Improvements for which it is legally obligated, regardless of the Estimated Costs.

c. The Estimated Costs may increase in the future. Accordingly, the Town reserves the right to review and adjust the Estimated Costs at the time a building permit is issued and annually if the Public Improvements have not been completed. Adjustments shall be made according to changes in the Construction Costs Index as published by the Engineering News Record. If the Town adjusts the Estimated Costs, the Town shall give written notice to Developer. Developer shall, within thirty (30) days after receipt of said written notice, provide the Town with a new or amended Performance Guarantee in the amount of the adjusted Estimated Costs. If Developer fails to provide a new or amended Performance Guarantee, the Town may exercise the remedies provided for in Section 9 hereof; provided, however, that prior to increasing the amount of the Performance Guarantee, the Town shall give credit to Developer for all Public Improvements which have actually been completed, so that the amount of the Performance Guarantee relates to the cost of required Public Improvements not yet constructed.

d. If the Public Improvements are not constructed or completed within the period of time specified in Section 3, the Town may draw on the Performance Guarantee and either hold such funds as security for performance of this Fifth Amendment or spend

such funds to finish the Public Improvements or correct problems with the Public Improvements as the Town deems appropriate.

e. Upon preliminary acceptance, the Performance Guarantee shall be reduced to the amount of fifteen percent (15%) of the total actual cost of construction and installation of such phase of Public Improvements. The reduced Performance Guarantee shall be held by the Town until expiration of the two (2) year warranty period unless a substitute form of security is accepted by the Town in its sole discretion.

7. Release of funds. Developer may request release of Performance Guarantee funds for completed items named in **Exhibit B**. Upon notice from Developer that a Public Improvement item is complete, the Town agrees to inspect the work per the terms of Section 3 and release the Performance Guarantee funds specified in **Exhibit B**, less the amount withheld during the warranty period, within 2 weeks of preliminary acceptance by the Town.

8. Nuisance Conditions. Developer shall prevent the existence of any nuisances by way of its construction activities, as nuisances are defined by the Buena Vista Municipal Code. If the Town determines that a nuisance exists, Developer shall be subject to the provisions of the Buena Vista Municipal Code regarding the abatement of nuisances and the cost assessed therefor. If the nuisance is not abated or an abatement plan is not submitted to the satisfaction of the Town, the Town may, upon thirty (30) days' notice under this Fifth Amendment, draw upon the Performance Guarantee to pay the cost of abating the nuisance, including any expenses and penalties incurred under the Buena Vista Municipal Code. The decision to draw on the Performance Guarantee shall be within the sole discretion of the Town.

9. Indemnification.

a. Developer hereby agrees to indemnify and hold harmless the Town, its officers, employees, agents or servants from any and all suits, actions and claims of every nature and description caused by, arising from or on account of any act or omission of Developer, or of any other person or entity for whose act or omission Developer is liable, with respect to construction of the Public Improvements; and Developer shall pay any and all judgments rendered against the Town as the result of any suit, action or claim within the scope of the indemnification provision contained in the prior clause, together with all reasonable expenses and attorney fees incurred by the Town in defending any such suit, action or claim.

b. Developer shall pay all property taxes on the Property dedicated to the Town accrued as of the date of dedication, and shall indemnify and hold harmless the Town for any property tax liability.

10. Breach.

a. If Developer breaches this Fifth Amendment, the Town may take such action as permitted or authorized by law, this Fifth Amendment or the ordinances of the Town, as the Town deems necessary to protect the public health, safety and welfare. The remedies include, but are not limited to:

i. The refusal to issue any building permit or certificate of occupancy;

ii. The revocation of any building permit previously issued under which construction directly related to such building permit has not commenced, except a building permit previously issued to a third party;

iii. A demand that the security given for the completion of the public improvements be paid or honored; and

iv. Any other remedy available at law or in equity.

b. Unless necessary to protect the immediate health, safety and welfare of the Town, or to protect the interest of the Town with regard to security given for the completion of the public improvements, the Town shall provide Developer thirty (30) days' written notice of its intent to take any action under this Section, during which Developer may cure the breach and prevent further action by the Town.

c. The rights and remedies of the Town under this Fifth Amendment are in addition to any other rights and remedies provided by law. The expiration of this Fifth Amendment shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for Public Improvement work negligently or defectively performed.

d. Should this Fifth Amendment become the subject of litigation to resolve a claim of breach by Developer and a court of competent jurisdiction determines that Developer was in breach of this Fifth Amendment Developer shall pay the attorney fees, expenses and court costs of the Town.

11. Waiver. In executing this Fifth Amendment, Developer waives all objections it may have concerning defects, if any, in the formalities whereby it is executed, or concerning the power of the Town to impose conditions on Developer as set forth herein, and concerning the procedure, substance and form of the resolution adopting this Fifth Amendment. Developer expressly agrees that the Town cannot be legally bound by the representations of any of its officers or agents or their designees, except in accordance with the Buena Vista Municipal Code and the laws of the State of Colorado.

12. Modification. This Fifth Amendment shall not be modified, except by subsequent written agreement of the parties hereto.

13. Integration. This Fifth Amendment and any attached exhibits constitute the entire agreement between Developer and the Town.

14. Binding Effect. This Fifth Amendment shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

15. Severability. If any provision of this Fifth Amendment is determined to be void by any court of competent jurisdiction, such determination shall not affect any other provision hereof, and all of the other provisions shall remain in full force and effect. It is the intention of the parties hereto that if any provision of this Fifth Amendment is capable of two constructions, one of which would render the provision void, and the other which would render the provision valid, then the provision shall have the meaning which renders it valid.

16. Governing Law and Venue. This Fifth Amendment shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Chaffee County, Colorado.

17. Assignment. There shall be no transfer or assignment of any of the rights or obligations of Developer under this Fifth Amendment without the prior written approval of the Town, which may be withheld in the Town's sole discretion; except that this Fifth Amendment and Developer's rights hereunder may be assigned by Developer in whole, but not in part, to a company wholly owned by Developer. In the event of an assignment as permitted herein, the assignee shall assume full responsibility for fulfilling the remaining obligations of Developer under this Fifth Amendment, and shall execute an acknowledgement of this responsibility in the Town's favor. Failure of the assignee to execute such an acknowledgement shall result in Developer being jointly and severally liable with the assignee for the remaining obligations under this Fifth Amendment.

18. Recordation. This Fifth Amendment shall be recorded in the real estate records of Chaffee County and shall be a covenant running with the Property.

19. Title and Authority. Developer expressly warrants and represents to the Town that, together with the undersigned individuals, that the undersigned individuals have full power and authority to enter into this Fifth Amendment. Developer and the undersigned individuals understand that the Town is relying on such representations and warranties in entering into this Fifth Amendment.

20. Third Parties. There are no intended third-party beneficiaries to this Fifth Amendment.

WHEREFORE, the parties hereto have executed this Fifth Amendment on the day and year first above written.

TOWN OF BUENA VISTA

_____
Duff Lacy, Mayor

ATTEST:

_____
Paula Barnett, Town Clerk

SOUTH MAIN DEVELOPMENT, INC.

_____

Print Name_____

Title_____

STATE OF _____)
) SS.
COUNTY OF _____)

This instrument was acknowledged before me on this___ day of _____, 2020, by _____, as _____ of _____.

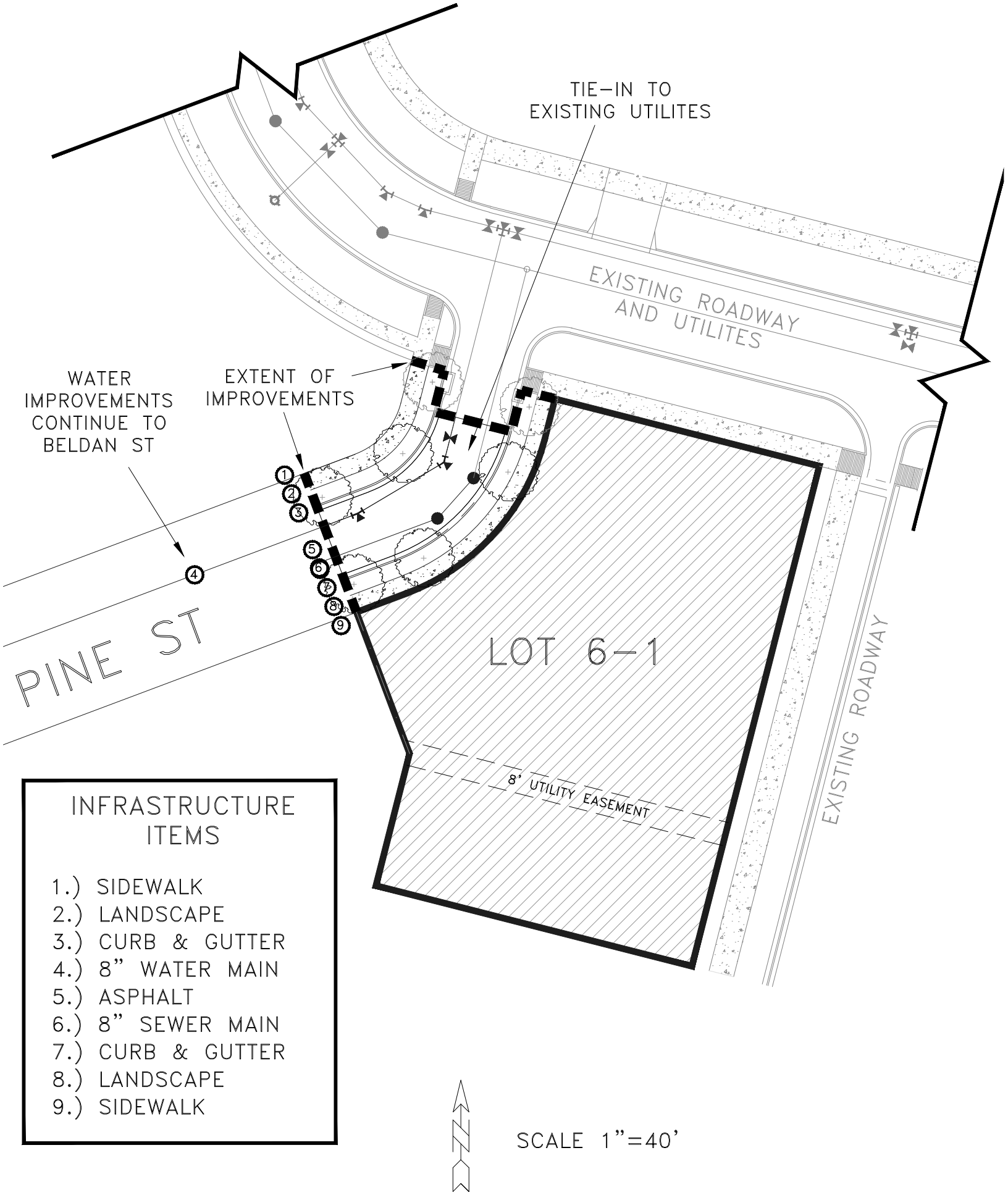
_____
Notary Public; Commission No._____

My Commission Expires:

_____
(SEAL)

EXHIBIT A

PUBLIC IMPROVEMENTS



INFRASTRUCTURE ITEMS

1.) SIDEWALK
2.) LANDSCAPE
3.) CURB & GUTTER
4.) 8" WATER MAIN
5.) ASPHALT
6.) 8" SEWER MAIN
7.) CURB & GUTTER
8.) LANDSCAPE
9.) SIDEWALK

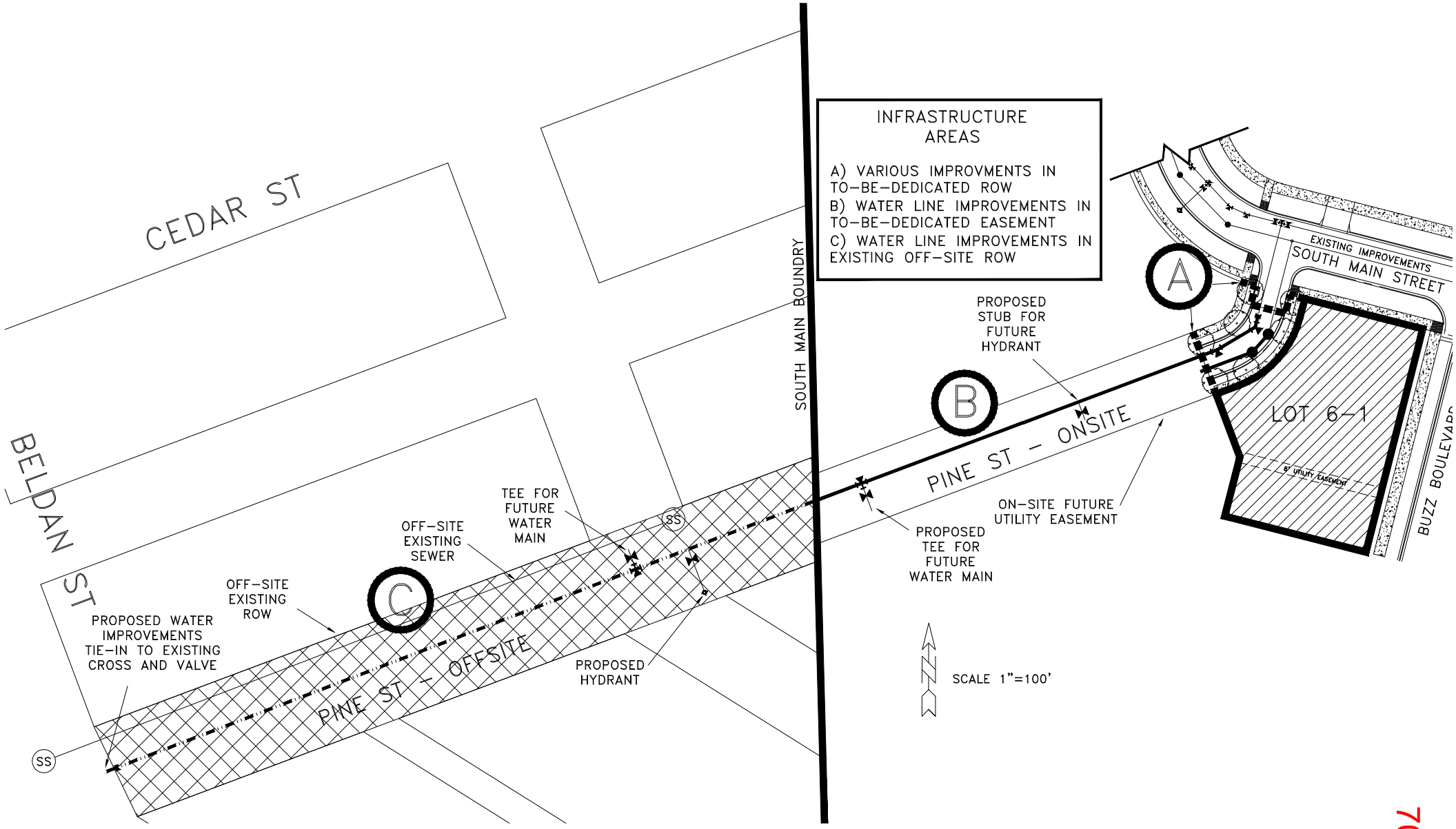

INFRASTRUCTURE AREAS
A) VARIOUS IMPROVMENTS IN TO-BE-DEDICATED ROW
B) WATER LINE IMPROVEMENTS IN TO-BE-DEDICATED EASEMENT
C) WATER LINE IMPROVEMENTS IN EXISTING OFF-SITE ROW
CEDAR ST
BELDAN ST
SOUTH MAIN BOUNDRY
EXISTING IMPROVEMENTS
SOUTH MAIN STREET
LOT 6-1
8' UTILITY EASEMENT
BUZZ BOULEVARD
PINE ST - ONSITE
PINE ST - OFFSITE
A
B
C
PROPOSED STUB FOR FUTURE HYDRANT
ON-SITE FUTURE UTILITY EASEMENT
PROPOSED TEE FOR FUTURE WATER MAIN
TEE FOR FUTURE WATER MAIN
OFF-SITE EXISTING SEWER
OFF-SITE EXISTING ROW
PROPOSED WATER IMPROVEMENTS TIE-IN TO EXISTING CROSS AND VALVE
PROPOSED HYDRANT
SS
SS
SCALE 1"=100'

EXHIBIT B

COST ESTIMATE

South Main - Pine Street Infrastructure improvements
3/03/2020

Pine St. on-site in ROW ("A" in Exhibit B)

	Item	quantity	unit	unit cost		line price
1	Sidewalk	360	sq ft	7	$	2,520
2	Landscape	358	sq ft	5	$	1,790
2a	Trees	3	ea	450	$	1,350
2b	irrigation	358	sq ft	3	$	1,074
3	C&G	54	lf	35	$	1,890
4	8" water main	55	lf	75	$	4,125
4a	Hydrant	0	ea	7500	$	-
4b	water service	1	ea	1400	$	1,400
4c	gate valve	0	ea	2000	$	-
5	base prep (6")	1527	sq ft	0.5	$	764
5a	asphalt	1527	sq ft	3	$	4,581
6	8" sewer main	55	lf	65	$	3,575
6a	manhole	1	ea	8000	$	8,000
6b	sewer service	1	ea	1000	$	1,000
6c	CO at EOL	1	ea	500	$	500
7	C&G	79	lf	35	$	2,765
8	landscape	451	sq ft	5	$	2,255
8a	trees	4	ea	450	$	1,800
8b	irrigation	451	sq ft	3	$	1,353
9	sidewalk	525	sq ft	7	$	3,675
	SUBTOTAL				**$**	**44,417**
	survey		ls		$	2,000
	AREA TOTAL				**$**	**46,417**

Pine St. on-site in easement ("B" in Exhibit B)

	Item	quantity	unit	unit cost		line price
1	Sidewalk	0	sq ft	7	$	-
2	Landscape	0	sq ft	5	$	-
2a	Trees	0	ea	450	$	-
2b	irrigation	0	sq ft	3	$	-
3	C&G	0	lf	35	$	-
4	8" water main	312	lf	75	$	23,400
4a	Hydrant stub	1	ea	2500	$	2,500
4b	water service	1	ea	1400	$	1,400
4c	gate valve	2	ea	2000	$	4,000
5	base prep (6")	0	sq ft	0.5	$	-
5a	asphalt	0	sq ft	3	$	-
6	8" sewer main	0	lf	65	$	-
6a	manhole	0	ea	8000	$	-
6b	sewer service	0	ea	1000	$	-
6c	CO at EOL	0	ea	500	$	-
7	C&G	0	lf	35	$	-
8	landscape	0	sq ft	5	$	-
8a	trees	0	ea	450	$	-
8b	irrigation	0	sq ft	3	$	-
9	sidewalk	0	sq ft	7	$	-
	SUBTOTAL				**$**	**31,300**
	survey		ls		$	1,000
	AREA TOTAL				**$**	**32,300**

Pine St. off-site in ROW ("C" in Exhibit B)

	Item	quantity	unit	unit cost		line price
1	Sidewalk	0	sq ft	7	$	-
2	Landscape	0	sq ft	5	$	-
2a	Trees	0	ea	450	$	-
2b	irrigation	0	sq ft	3	$	-
3	C&G	0	lf	35	$	-
4	8" water main	576	lf	75	$	43,200
4a	Hydrant	1	ea	7500	$	7,500
4b	water service	1	ea	1400	$	1,400
4c	gate valve	2	ea	2000	$	4,000
5	base prep (6")	11400	sq ft	0.5	$	5,700
5a	asphalt	0	sq ft	3	$	-
6	8" sewer main	0	lf	65	$	-
6a	manhole	0	ea	8000	$	-
6b	sewer service	0	ea	1000	$	-
6c	CO at EOL	0	ea	500	$	-
7	C&G	0	lf	35	$	-
8	landscape	0	sq ft	5	$	-
8a	trees	0	ea	450	$	-
8b	irrigation	0	sq ft	3	$	-
9	sidewalk	0	sq ft	7	$	-
	SUBTOTAL				**$**	**61,800**
	survey		ls		$	1,000
	AREA TOTAL				**$**	**62,800**

Lot 5-4A sidewalk carryover from 4th amendment to South Main PUD Phase 1.	**$**	**1,890**

GRAND TOTAL	**$**	**143,407**

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

DATE: March 11, 2020

TO: Mayor and Board of Trustees

FROM: Mark N. Doering, Principal Planner

AGENDA ITEM: An ordinance of the Town of Buena Vista, Colorado, amending Chapter 16 of the Buena Vista Municipal Code to make minor corrections to the code.

Request:
Town staff is requesting amendments to the Municipal Code to correct items in the Unified Development Code (UDC) that conflict or that it does not currently address clearly. The proposed amendments clarify the requirements for minimum lot sizes, residential sign regulations, outdoor kennel runs, vehicular access to properties in downtown, drive-through facilities including stacking of automobiles, small multifamily uses in the R-2 and R-2 OT zone districts, and changes to public notice requirements. Changes to the regulations for Recreational Vehicles listed in the attached Planning and Zoning Commission Packet were previously heard by the Board of Trustees at their February 25, 2020 meeting and are not a part of the proposed amendment for the changes to the UDC before the Board tonight.

Background:
Town staff has applied to amend the Municipal Code to address provisions of the Municipal Code that need clarification since the adoption of the Unified Development Code (UDC) in 2018. The provisions address items that eiter are a conflict with other sections or do not have provisions in the code that clearly address situations that have arisen since the UDC's adoption. The Planning and Zoning Commission reviewed the proposed amendment at their February 19, 2020 meeting and unanimously recommended that the Board of Trustees approve the proposed changes. The proposed changes are listed in the attached Draft Ordinance.

Budget Impact:
No impact.

BOT Action:
If the Board of Trustees agree with the proposed amendments, it should make a motion to approve the ordinance to make corrections to the Municipal Code.

Attachments:
Planning and Zoning Commission Staff Report
Draft Ordinance

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

DATE: February 19, 2020

TO: Planning and Zoning Commission

FROM: Mark N. Doering, Principal Planner

AGENDA ITEM: Discussion regarding proposed amendments to the Unified Development Code (UDC)

Staff Recommendation

Staff is recommending that that the Planning and Zoning Commission consider amending the UDC to correct portions of the code that are either not correct or touch on issues specifically not addressed in the current code language to provide clarity on items that have arisen since the adoption of the UDC. Staff is providing proposed changes for the Planning and Zoning Commission to consider, based upon the direction the Planning and Zoning Commission provided when staff previously brought those items for discussion.

The criteria that would be used for analysis of each proposed code change are listed after the summary of issues for the Planning and Zoning Commission's consideration for a recommendation to the Board of Trustees on a final decision of the proposed amendments.

Attachments
Attachment A – Link to the Zoning Map
Attachment B – Link to the entire Unified Development Code
Attachment C – Link to the entire Comprehensive Plan
Attachment D – Draft Ordinance concerning Camping, Parking, And Recreational Vehicles
Attachment E – Draft Ordinance concerning amendments to the Unified Development Code

I. Summary of Requests

After working with the UDC since its adoption in 2018, staff continues to see changes needed to address deficiencies in the UDC after applying it to a variety of situations that arise in developments using the new code. The list of proposed changes is meant to clarify and correct situations that staff has identified to bring to the Planning and Zoning Commission and Board of Trustees for resolution. A list of those proposed amendments that staff is seeking guidance on as we continue to use the UDC to regulate new development is provided below.

Issues Identified for the Commission are:

1. Section 3.2.4.C. (Short-Term and/or Long-Term Storage of Recreational/Camping Vehicles) does not specifically address trailers other than campers and RVs, such as utility trailers and does not address seasonal camping. Staff has proposed amending that section to include Temporary Seasonal Camping for Industrial zoned properties to allow for seasonal use for employers, particularly for rafting companies that have seasonal employees during the summer. Additionally, staff is proposing to remove the camping provisions from Chapter 16 (the UDC) and replace the camping provisions into Chapter 7 (Health Sanitation and Animals Section) and Chapter 8 (Vehicles and Traffic) of the Municipal Code, where they are intended to provide for better enforcement of those provisions by

the Police Department and Code Enforcement. A separate proposed ordinance has been prepared by the Town Attorney and Code Enforcement Officer for those changes and is included as Attachment D. The rest of the changes to the Unified Development Code from the Planning Department are listed in Attachment E and further delineated as listed below.

2. There is a conflict in Table 2.3 of the code relating to the minimum lot area for the MU-1 and MU-2 zone districts that differs from the information listed in Tables 2.8 and 2.9 which were corrected with the last code change done in 2019. Table 2.3 shows 2,500 square feet instead of the correct 0 square feet as the minimum size of a property.

3. Table 4.5 as currently listed prohibits freestanding monument signs in residential and mixed-use districts. That requirement is appropriate for single family homes on individual lots, but fails to allow for signs for multifamily developments and some non-residential uses in those districts. Apartment buildings and churches do not have any opportunity to provide new freestanding signs for the public and any existing signs in those situations are now non-conforming. 60 square feet for those types of signs may be too large if allowed as currently allowed for commercial properties in town. Staff is proposing that multifamily and non-residential properties located in Mixed-Use and Residential Zone Districts have a separate standard for signs allowing one sign per street frontage up to a maximum of 32 square feet and a maximum of 6 feet.

4. Section 3.2.3. does not currently indicate that any kennel or vet hospital must also be licensed by the state of Colorado as required by the Colorado Revised Statutes. Staff is proposing to adjust the requirement for outside runs stipulates to be at least 150 feet from any residential property line, to allow for outside runs to be closer than the 150 feet from other non-residential property lines.

5. Section 4.2 (Access and Circulation) does not specifically prohibit vehicular access to East Main Street or properties in the MU-1 and MU-2 districts that don't have direct access from the highway. Section 4.5 has provisions preventing access to streets when an alley provides access to a property, but only in the residential design standards, and is not in the non-residential design standards. Staff is proposing to prevent direct vehicular access to properties from East Main Street, while leaving vehicular access to properties from side streets as a possibility at the discretion of the Town Administrator's review (or Planning and Zoning Commission or Board of Trustee if they are the reviewer) of a specific site at the time of a Site Plan application.

6. Section 4.5.3. (Nonresidential Site and Building Design Standards) does not specifically address drive through facilities such as banks and restaurants for nonresidential uses in downtown (in the MU-MS, MU-1, or MU-2 zone district that do not also abut the highway).

7. Section 3.2.1.C. only allows small multifamily (four units or less) in the R-1 OT and the R-2 OT zone districts when located east of the highway. Additionally, Large multifamily (5 or more units) are allowed with a Special Use Permit in the R-2 zone district. Staff is proposing to have small multifamily (4 or less units) allowed in the the R-1 OT zone district east of Highway 24, in the R-2 zone district, and in R-2 OT zone districts (on both sides of the highway) with the approval of a Special Use Permit. Small Multifamily is proposed to not be allowed in the R-1 OT zone district west of the highway to maintain the character of that single-family use area as single-family homes.

8. Table 4.1 has minimum stacking spaces for drive-through lanes for restaurants and personal services, but does not have any for office (banks are considered offices in the UDC) or for retail uses. Staff is proposing to have a minimum of 3 stacking spaces for all drive-through lanes to be applied to any drive through use instead of than trying to get all potential uses that may have drive-through facilities. Staff's proposal is to add Stacking at the beginning of Table 4.1 as a separate row indicating all Uses require a minimum of 3 stacking spaces per lane for all new uses. Existing drive through facilities that

do not meet that standard would become non-conforming subject to the requirements of Chapter 1 of the UDC.

9. Table 6.2 incorrectly lists Administrative Adjustments as not needing notice while Section 6.7.1.C. identifies 10 days for a notice. Staff is proposing adjusting Section 6.7.1.C. and Table 6.2 to show that notices shall be mailed to property owners within 300 feet at least 15 days prior to the Town Administrator's decision for those applications. 15 days is consistent with public notices for other applications and would allow for slightly longer time for those property owners to comment on a proposed decision.

II. Criteria used for evaluating Amendments to the UDC:

Section 6.4.3. of the UDC provides specific criteria for amending the text of the UDC. The Planning and Zoning Commission shall consider the requested amendments by evaluating each one using the following criteria:

i. Is consistent with the Comprehensive Plan;
ii. Does not conflict with other provisions of the UDC or Town Code;
iii. Is necessary to address a demonstrated community need;
iv. Is necessary to respond to changing policy or conditions;
v. Is consistent with the purpose and intent of the zoning districts in the UDC, would improve compatibility among land uses, or would result in an orderly and logical development pattern; and
vi. Would not result in significantly adverse impacts to the natural environment, including air quality, water quality, wildlife, vegetation, and other natural features of the Town.

Each criterion is listed in **bold text** and staff's analysis follows each item in plain text.

i. Is consistent with the Comprehensive Plan.

Staff has proposed amendments that address goals and policies identified in the Comprehensive Plan. Below is a list of those that are addressed with the proposed changes:

- Review provisions in the Land Use Code and provide educational materials to facilitate code compliance for new businesses.
- Buena Vista will develop commercial design standards in the Land Use Code applicable to appropriate zone districts, including the Highway 24 corridor and downtown core, to ensure that commercial development complements and promotes the Town's desired image.
- Buena Vista will continue to support and promote whitewater-related tourism.
- Buena Vista will participate in efforts to revitalize East Main Street
- Establish new zoning districts that encourage mixed-use development, greater density and address affordable housing.
- Develop dimensional standards that will support in-fill development and neighborhood compatibility.
- Improve development standards with an emphasis on building design, location, massing, and form.
- Develop parking standards that will support new development and ensure neighborhood compatibility.
- Support historic preservation efforts and encourage new housing design to respect the design of historical resources.
- Alley access should be improved and utilized wherever possible instead of curb cuts.

- Formalization of setback requirements, architectural guidelines, and signage should also be completed.

ii. Does not conflict with other provisions of the UDC or Town Code.

Several proposed amendments are to correct conflicts within the UDC. Staff is correcting the minimum lot size conflicts for the MU-1 and MU-2 zone district, correcting minimum days for mailing a notice, and correcting the ability to have a small multifamily development with a special use permit where a large multifamily use is already allowed with a special use permit in the R-2 zone district.

iii. Is necessary to address a demonstrated community need.

The proposed changes are the result of using the UDC over the last year and a half and either finding corrections that are needed due to a conflict, or are the result of not being able to provide a regulation because they do not yet exist in the UDC.

iv. Is necessary to respond to changing policy or conditions.

Several changes are to address an existing conflict while others are the result of trying to apply regulations to projects that staff has not been able to resolve because there is not a regulation in place for a particular situation. Signs for churches and apartment buildings is an example of where the UDC does not provide a direction in residential or mixed-use districts as currently written, while changes to the conflicts in the current code need to be addressed to avoid confusion where they are currently written. Changes to access for vehicular access and circulation need to be clearly defined as the Town is starting to get significant development requests along East Main Street and in downtown.

v. Is consistent with the purpose and intent of the zoning districts in the UDC, would improve compatibility among land uses, or would result in an orderly and logical development pattern.

Staff is proposing changes that will help address the purpose and intent of the MU-MS, MU-1, and MU-2 zone districts by providing clearer direction on minimum lot size and will also address how vehicular access interacts with properties in those districts. Staff is allowing for vehicular access where no alleys exist and is providing more direction to focus access to lots along East Main Street to existing and proposed alleys, and only allowing the ability for any other access when it can minimize conflicts with sidewalks and street traffic.

vi. Would not result in significantly adverse impacts to the natural environment, including air quality, water quality, wildlife, vegetation, and other natural features of the Town.

No proposed changes result in significant adverse impacts to the environment and other natural features of town. Only one proposed change has a potential for impacts from noise in odor, but the intent is to allow them in commercial areas where those impacts are able to be adequately mitigated from other commercial properties. Changes to the outdoor runs of kennels result in the ability for those runs to exist, just not within 150 feet of a residential property line as proposed. The intent of that particular regulation is to allow those in commercial areas where they are not impacting residences and are part of the commercial activity in town.

III. History and Background

The proposed amendments are the result of applying the current UDC to real world situations that exist currently in Town. The UDC contains language where the regulation needs to be clarified or corrected to ensure that those affected by the regulation and those enforcing the regulation are on the same page.

IV. Process

Staff is presenting the items listed above to the Commission to get direction for any proposed changes, if they determine that they are necessary after staff has encountered them in its first year and a half of administering the UDC in town. The Town has drafted those changes and is submitting those proposed changes for the Commission's review on the the application for the proposed changes as a UDC amendment as specified in Section 6.4.3. of the UDC. Staff is bringing them back to the Commission for its formal consideration to make a recommendation to the Board of Trustees.

If the proposed changes are approved by the Board of Trustees, those alterations will be implemented to provide better guidance for staff and applicants using the code.

V. Conclusion

Based upon the information and materials provided in the staff report, staff supports the proposed amendments to the UDC as listed in Attachments D and E.

1. The Town of Buena Vista is requesting approval of amendments to the UDC; and
2. Notice of the public hearing was posted as required by the Municipal Code; and
3. The application for amendments to the Unified Development Code is consistent with Section 6.4.3. of the Unified Development Code, and
4. The application for amendments to the Unified Development Code is consistent with the Comprehensive Plan.

THEREFORE

If the Planning and Zoning Commission accepts the conclusion and recommendation as presented in the staff report, it should recommend that the Board of Trustees **APPROVE** the proposed amendments to the Unified Development Code, as listed in Attachments D and E. If the Planning and Zoning Commission does not accept the recommendations and conclusions for certain proposed amendments, the Commission should alter or delete those amendments as part of its recommendation to the Board of Trustees.

Attachment A – Link to the Zoning Map
Attachment B – Link to the entire Unified Development Code
Attachment C – Link to the entire Comprehensive Plan

Attachment D – Draft Ordinance concerning Camping, Parking, And Recreational Vehicles

This Ordinance was previously reviewed by the Board of Trustees on February 25, 2020, and has been removed from this packet to avoid confusion over the Draft Ordinanace shown in Attachment E.

Attachment E – Draft Ordinance concerning amendments to the Unified Development Code

See the following Draft Ordinance on the following four (4) pages.

TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 03
(SERIES OF 2020)

AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING THE BUENA VISTA MUNICIPAL CODE CONCERNING CLARIFICATIONS OF THE UNIFIED DEVELOPMENT CODE

WHEREAS, in 2018, the Town adopted the Unified Development Code ("UDC");

WHEREAS, the Town now desires to amend certain sections of the UDC Code to clarify the requirements of the UDC;

WHEREAS, the Planning Commission of Buena Vista, at a duly notice public hearing, recommended approval of the proposed amendments;

WHEREAS, the Board of Trustees, after a duly noticed public hearing, desires to amend the UDC as provided in this Ordinance; and

WHEREAS, the Board of Trustees specifically finds that these amendments are consistent with the Town's Comprehensive Plan; do not conflict with any other provisions of the UDC or the Buena Vista Municipal Code; are necessary to address a demonstrated community need and respond to changing conditions; are consistent with the purpose and intent of the zoning districts in the UDC; improve compatibility among land use; result in an orderly and logical development pattern; and do not result in significantly adverse impacts to the natural environment, including air quality, water quality, wildlife, vegetation, and other natural features of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO:

Section 1. The following section of Table 2.3, Section 16.02.2.2.2 of the Buena Vista Municipal Code is hereby amended to read as follows:

Lot area, min. (square feet)	0	0	0	2,500

Section 2. Section 16.03.3.2.1.D.1 of the Buena Vista Municipal Code is hereby amended to read as follows:

In the R-1 district, small multifamily dwellings are only permitted in the Old Town Overlay east of Highway 24.

Section 3. Sections 16.03.3.2.3.B and C of the Buena Vista Municipal Code are hereby amended to read as follows:

B. Kennels
1. Enclosed Building Requirements.

a. Those parts of structures in which animals are boarded shall be fully enclosed, with solid core doors and no operable windows, and shall be sufficiently insulated so no unreasonable noise or odor can be detected off the premises.

b. All boarded animals shall be kept within a totally enclosed part of a structure between the hours of 10:00 p.m. and 6:00 a.m.

2. Outdoor Runs. Any open or exercise run shall be at least one hundred fifty (150) feet from the property line of any adjoining properties zoned as a residential district.

3. Kennels must be licensed as required under state law.

C. Veterinarian Hospital or Clinic.

1. Outdoor overnight housing for animals is not permitted in the MU-1, MU-2, or MU-MS districts.

2. A veterinarian hospital or clinic must be license as required under state law.

Section 4. Section 16.04.4.2.1 of the Buena Vista Municipal Code is hereby amended to read as follows:

Purpose**.** The purpose of the access and circulation standards is to improve multimodal circulation for existing and future development areas, to increase the effectiveness of local service delivery and emergency service times throughout the Town, and to minimize vehicular and pedestrian conflicts throughout Town.

Section 5. Table 4.1., Section 16.04.4.2.3 of Buena Vista Municipal Code is hereby amended by the following, to be inserted at the beginning of the Table:

All Use Categories	All uses with drive-through lanes	3 stacking spaces per drive-through lane

Section 6. Section 16.04.4.2.3 of the Buena Vista Municipal Code is hereby amended by the addition of the following new subsections:

D. No new vehicular access shall be permitted from East Main Street.

E. Vehicular access to streets, other than East Main Street, shall be from alleys. Alternative vehicular access to a street other than East Main Street may be granted at the discretion of the applicable decision-maker under this Code, based upon location and size of the access and how it minimizes pedestrian and vehicular conflicts with sidewalk and street traffic.

F. Driveways and accesses shall be designed to prevent parking and stacking on public sidewalks or stacking within the traveling portion of the right-of-way.

Section 7. Section 16.04.4.5.3 of the Buena Vista Municipal Code is hereby amended by the addition of a new subsection I to read as follows:

(I) Blocks with Alley Access. Garages and carports on blocks with alley access shall be accessed from the alley, not from the primary street. Vehicular access from a street, other than East Main Street, shall be at the discretion of the applicable decision-maker under this Code, and granted only if conflicts between vehicular and pedestrian traffic are minimized. New vehicular access from East Main Street shall not be permitted.

Section 8. The following section of Table 4.5, Section 16.04.4.7.5 of the Buena Vista Municipal is hereby amended to read as follows:

Freestanding monument	4.7.5.B.6	Properties with single-family dwellings, two-family dwellings, and multi-family small dwellings: Not permitted; All other property uses: 1 per street frontage up to a maximum of 2	32 square feet in Residential and Mixed-Use Districts; 60 square feet in Commercial and Industrial Districts	8 feet in the Residential and Mixed-Use Districts; 16 feet in the Commercial and Industrial Districts

Section 9. Footnote 3 of Table 4.5, Section 16.04.4.7.5. of the Buena Vista Municipal Code is hereby deleted and shall be marked as "Reserved."

Section 10. The following section of Table 6.2, Section 16.06.6.3.4.B of the Buena Vista Municipal Code is hereby amended to read as follows:

Administrative Adjustments	6.7.1	Not Required	√	Not Required	15

Section 11. Section 16.06.6.7.1.C.3 of the Buena Vista Municipal Code is hereby amended to read as follows:

a. **Public Notice.**

i. When an application for an administrative adjustment is deemed complete, the Town Administrator shall notify all property owners within three hundred (300) feet of the subject parcel(s) via first class mail. Such notice shall indicate that

comments will be accepted for a period of fifteen (15) days following the date of the notice.

ii. The Town Administrator shall not take official action on the administrative adjustment application until the 15-day comment period has lapsed.

Section 12. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.

Section 13. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 10th day of March, 2020.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.

TOWN OF BUENA VISTA, COLORADO

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: March 6th, 2020

TO: Mayor and Board of Trustees

FROM: Earl Richmond, Recreation Director

AGENDA ITEM: Recreation Department- Updating Fee Waiver and Reduction Policy

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Dear Mayor and Board of Trustees,

Background
The Town continues to receive requests for fee reductions and fee waivers for both special event permitting fees and park and facility rentals. The current Fee Waiver Policy lacks a definition section and contains verbiage that is considered by many to be confusing and lacking specificity.

Overview
The new Fee Waiver and Reduction Policy contains a section to define "free and open to the public" events as well as provides more specify as to which organizations qualify for a reduction or waiver of fees and under what situation(s). Additionally, this updated policy defines each fee as either eligible or ineligible for a reduction or waiver. The intent of these changes is to provide an easier to understand policy for our community when planning events and facility or park reservations.

Request
Staff is requesting approval of the updated Fee Waiver and Reduction Policy (see attached) to be effective immediately.

Thank you for your time and consideration.

Earl Richmond

Earl Richmond

Recreation Director-Town of Buena Vista

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.

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

DATE: March 10, 2020

TO: Mayor and Board of Trustees

FROM: Paula Barnett, Town Clerk

AGENDA ITEM: Public Art Policy

Request
For the Board of Trustees to adopt polices and procedures that will encourage the display of public visual art, and to provide a mechanism for the inclusion of public art throughout the Town in parks, other public spaces, or on non-town property that is open to the public.

Overview
Staff and the Beautification Advisory Board have been working on creating a Public Arts Policy that ensures consistent polices and guidelines related to sites, types of projects, process for review, maintenance, and removal of public art. The policy also includes submission requirements, and a Town evaluation checklist.

BOT Action
Staff is requesting the Trustees to review the proposed policy and approve, approve with amendments or direct staff to make additional revisions and bring back at a later date.

Town of Buena Vista
Public Visual Art Policies and Procedures

1.0 Mission

The Town of Buena Vista desires to adopt policies and procedures that will encourage the display of public visual art and will provide a mechanism for the inclusion of public art throughout the Town in parks, other public spaces, or on non-town owned property that is open to the public.

2.0 Goals

'Public visual art' within the community shall be defined as any art that is located on Town property **or** that is located on non-town property (open to the public) and is installed or financed, either wholly or in part, with Town funds or grants procured by the Town. Public visual art shall further one or more of the goals outlined below:

1. Provide a forum for public art and artistic expression within the community
2. Utilize public art as a vehicle to express the Town's history and cultural heritage
3. Strengthen the community's sense of spirit, pride, and unity
4. Generate cultural tourism and create economic impact
5. Use resources efficiently and provide for sustainability

Temporary decorations or displays for holidays, special events, or other similar occasions shall not be considered "Public visual art" for the purposed of this policy.

3.0 Sites

3.1 Downtown Sites

Downtown Buena Vista includes several public open spaces that can accommodate public art. As the historic home of Buena Vista's earliest days, downtown provides opportunities for traditional and abstract art, focusing on organic and natural traits of the area. Artwork in this location should harmonize with the age, geography, and historical/physical features of the Buena Vista community.

3.2 Parks and other public open spaces

There are a number of other parks and open spaces within the community that could be accommodating and appropriate to a variety of art elements. The Town, through the processes outlined herein, will review any and all proposals for art in parks and open spaces on a case-by-case basis.

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4.0 Types of Projects

4.1 Public Art Commissioned by Town

From time-to-time, the Town may desire to commission public art projects. Any art projects initiated by the Town shall follow the process for review as outlined in these policies and procedures.

4.2 Donations or Loans of Artwork

The Town provides an opportunity for donation or loans of artwork for display on public property. Any individual, group, or organization interested in donating or loaning artwork for display shall follow the policies and procedures outlined in this document. Any donations or loans must occur under the following terms:

a. All donations and loans shall be reviewed by the Town of Buena Vista and approved.
b. As part of the approval process, the owner of the project or the owner's representative will be required to enter into an Art Display Agreement. This agreement shall outline the length of the loan or statement of donation, location, maintenance requirements, cost responsibility, insurance, value of artwork, installation and removal responsibility, and other items as needed. If ongoing maintenance requirements, cost responsibility, or other obligations are the burden of the owner or owner's representative, then the resources available to the owner or owner's representative shall be added to Section 5.3 as a condition of review.
c. All decisions shall be made by the Board of Trustees, with input from advisory groups and/or community members.
d. All donated works become part of the Town's art collection and, as such, may be relocated or removed from display at any time following the procedures outlined in Section 7.0 of this document.

5.0 Process for Review

5.1 Review/Approval Process

a. Applications for public review must meet the submission requirements outlined below. Once a completed application is received by the Town, it will be scheduled for initial review at the next Beautification Advisory Board meeting and forwarded to the Town's Public Works Department. These entities shall provide a review of the application and comments on the application's merits. If comments come from one or both entities that raise significant concerns, the applicant will be contacted for revisions/clarification. It is anticipated that the entire process should take between 31-60 days.
b. Acceptance of the application by the Board of Trustees. The Board shall review the application, comments and recommendations of the Beautification Advisory Board and

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Public Works Department, and direct staff to proceed with the review procedures.

c. A 30-day public review period shall also begin on the date of the Beautification Advisory Boards initial application review. Three mechanisms are outlined for public review:
    i. The application shall be available at Town Hall.
    ii. The application shall be posted on the Town's website.
    iii. Property owners (both business and residential) within 300 feet of the installation shall be provided written notice of the application. Such notice shall be mailed no later than 15 days prior to the end of the 30-day public review period, or the public review period shall be extended as necessary to encompass 15 days following the mailing of property owner notices.

d. Following the 30-day public review period, the Town Administrator shall provide a recommendation regarding the application to the Board of Trustees. The recommendation shall include all comments received during the review period and a summary of the recommendations from Public Works and Beautification.

e. The Board of Trustees shall review the application, the recommendation from the Town Administrator, and public comments received prior to making a final decision on the application. The Board of Trustees' final review should take place within 30 days following the end of the 30- day review period.

5.2 Submission Requirements

Applications will not be deemed complete unless they include the following information:

a. A photo, drawing, or sketch of the art piece.
b. Estimated cost of design and construction and proposed funding sources.
c. Description of the materials used to create the artwork, including materials needed to display/secure the structure.
d. Dimensions of the artwork, including appropriate base materials (if needed).
e. Proposed construction methods.
f. Projected cost of installation and proposed funding sources, along with a description of who will be responsible for the labor.
g. If the artwork is to be erected in CDOT right-of-way, a timeline for completion of permitting requirements.
h. If the artwork is to be erected in CDOT right-of-way, approval from CDOT that the artwork meets CDOT location and size requirements.
i. Description, including materials, dimensions, wording and location, of interpretive signage for the artwork.
j. Statement regarding relationship to proposed site including aesthetic, cultural, or historic ties.
k. An estimate of design lifespan of the artwork and potential annual maintenance needed to maintain structural integrity.
l. Statement as to whether the work is unique or duplicates other work.

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5.3 Guidelines for Review

The Board of Trustees will consider the following criteria in its review of all art in public parks and open spaces:

a. The Town's overall collection shall strive for diversity in style, scale, media, and artists.
b. If the artwork is to be placed outdoors, the physical composition of the artwork should be considered in terms of durability in an outdoor setting. Any requirements for immediate or future conservation should be noted.
c. The artwork must add interest and meaning to the environment in which it is placed. It must be compatible in scale, material, form, and content with its surroundings. Artwork must conform to any existing Master Plan for the site.
d. The artwork must have social, cultural, historical, or physical context appropriate to the site and/or community, either existing or planned.
e. Artwork conveying exclusively religious messages will not be accepted.
f. Artwork conveying exclusively political messages will only be considered if the political message is historical in nature.
g. Artwork anticipated to impose burdensome maintenance costs on the Town, according to its discretion, will not be accepted.
h. Artwork shall exhibit overall artistic merit, creativity, and vision (originality, ambition, connection with people and region, technical competence and craftsmanship).
i. Message and content shall be judged by generally accepted community standards.
j. Preference given to work created by local and regional artists.
k. Artist's background and ability.
l. Pertinence to local people, history, events, and cultural & ethnic heritage or related to location.
m. Support and collaboration for the project.
n. No conflict of interest with funding sources.
o. Clear title of ownership.
p. Must meet Town Codes and Ordinances.
q. Avoid over-representation by any one artist.
r. Prioritized list of sites and localities.
s. Public safety.
t. Artwork should not block windows or entranceways, nor obstruct normal pedestrian circulation in and out of a building, on a sidewalk or path.
u. Artwork should not be placed at a given site if the landscaping and maintenance requirements of that site cannot be met on a long-term basis.

6.0 Maintenance

Costs of ongoing maintenance and repair anticipated throughout the lifespan of any artwork will be important considerations during the acceptance process. Costs for such activities must fall within the Town's budgeted funding sources and the Town must have labor availability to meet the maintenance needs. In the event any proposed artwork exceeds the Town's capacity for maintenance or repair, the

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donating person or entity shall be responsible for such maintenance and repair. This requirement will be included as part of the Art Display Agreement.

7.0 Removal of Public Art

The Town shall remove and dispose of works of art when it finds such action to be in the public interest based upon the following:

a. The artwork has no relevance to the collection or serves no exhibition function.
b. The artwork has been vandalized and cannot be repaired for any reason, including physical, structural, or financial reasons.
c. The artwork no longer meets the current standards for public art.
d. The artwork is no longer repairable or is in a seriously deteriorated condition.
e. The artwork is deemed to have become a public safety hazard or a public liability.
f. Removal should not be based on current fashion or taste.

Recommendations for removal of public art shall be directed to the Board of Trustees. If the Board of Trustees determines a review is appropriate, it shall follow the same guidelines as outlined in Section 5.3 of this document and a public hearing shall be held at a regularly scheduled Board meeting to solicit public comment on the removal. However, if a public safety hazard is deemed to exist by the Town Administrator, the artwork can be removed immediately without need for approval from the Board of Trustees or a public hearing.

Once approval for removal is granted, the structure shall be disposed of by Public Works staff.

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Submission Requirements Checklist

Before submitting your application, please make sure you have included all of the following:

_____ A photo, drawing, or sketch of the art piece
_____ Estimated cost of design and construction, and proposed funding sources
_____ Description of all materials used to create the artwork, including materials needed to display/secure the structure
_____ Dimensions of the artwork, including appropriate base materials (if needed)
_____ Proposed construction methods
_____ Projected cost of installation and proposed funding sources, along with a description of who will be responsible for the labor
_____ A timeline for completion of permitting requirements, if artwork is to be erected in CDOT right-of-way
_____ Approval from CDOT the artwork meets location and size requirements if the artwork is to be erected in CDOT right-of-way
_____ Description, including materials, dimensions, wording and location, of interpretive signage for the artwork
_____ Statement regarding relationship to proposed site including aesthetic, cultural, or historic ties
_____ An estimate of design lifespan of the artwork and potential annual maintenance needed to maintain structural integrity
_____ Statement as to whether the work is unique or duplicates other work

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Town Evaluation Checklist

- Does this artwork convey an exclusively religious message?
- Does this artwork convey an exclusively political message that is not historical in nature?

If the answer to either of these questions is 'yes,' the artwork cannot be approved per town policy. If this is not the case, please continue below.

On a scale from 1 to 5, with 1 being 'not at all true' and 5 being 'completely true,' please rate the proposed artwork according to the following criteria.

This artwork:

1 2 3 4 5	Will contribute to diversity in our public art pieces
1 2 3 4 5	Will be suitably durable, given its intended environment
1 2 3 4 5	Will add interest/meaning to its environment
1 2 3 4 5	Will be compatible in scale, material, form, and content with its surroundings
1 2 3 4 5	Will conform to any existing Master Plan for the site
1 2 3 4 5	Has social, cultural, historical, or physical context appropriate to the site and/or community
1 2 3 4 5	Will not impose burdensome installation costs/labor requirements on the Town
1 2 3 4 5	Will not impose burdensome maintenance costs on the Town, including any related to landscaping around the artwork
1 2 3 4 5	Exhibits artistic merit, creativity, and vision
1 2 3 4 5	Conforms in message and content to generally accepted community standards
1 2 3 4 5	Has been created by a local or regional artist
1 2 3 4 5	Is pertinent to local people, history, events, and cultural/ethnic heritage, or is related to its proposed location
1 2 3 4 5	Has community support and involves community collaboration
1 2 3 4 5	Has funding sources that do not represent a conflict of interest for the Town
1 2 3 4 5	Has clear title of ownership
1 2 3 4 5	Meets all applicable Town Code requirements
1 2 3 4 5	Will not contribute to over-representation by a single artist
1 2 3 4 5	Will be located in a site that has been prioritized for public artwork by the community
1 2 3 4 5	Will not impair public safety in any way
1 2 3 4 5	Will not block windows or entranceways, or obstruct pedestrian circulation

Score of 20 – 49: Not recommended for approval
Score of 50 – 79: Merits consideration
Score of 80 – 100: Recommended for approval

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TOWN OF BUENA VISTA

RESOLUTION NO. 19
SERIES 2020

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, CANCELING THE APRIL 7, 2020 ELECTION

WHEREAS, the Board of Trustees desires to cancel the April 7, 2020 election pursuant to C.R.S. § 31-10-507.

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

Section 1. The April 7, 2020 election is hereby canceled pursuant to C.R.S. § 31-10-507, because the only matter before the voters is the election of persons to office and there are not more candidates than offices to be filled at the election.

Section 2. The following individuals are hereby appointed to 4-year terms of office commencing after swearing in at the first regular Board of Trustee meeting after the April 7, 2020 election:

1. Norm Nyberg
2. Devin Rowe
3. Amy Eckstein

ADOPTED this 10th day of March, 2020.

_____
Duff Lacy, Mayor

ATTEST:

_____
Paula Barnett, Town Clerk

Pat Oglesby Torian
Mountain Star Studio
13965 CR 261C
Nathrop, CO 81236
719 539-4689

©

Pat Oglesby Torian

"Under Princeton's Gaze"

Printed by: Peaks Paper Chase, Inc. Poncha Springs, Colorado 81242

Feb. 23, 2020

Dear Town Trustees,

Thank you so much for awarding the $1,705 grant to Achieve, Inc. On behalf of Achieve, we really appreciate your generous support and want you to know you make a difference in the lives of the people we serve. So many young people with learning disabilities get overlooked when seeking jobs.

The Little Engine Eatery offers real world experience and job skills that can translate to independence for this special population. The support of the community, via the Town Grant, serves as an inspiration for our mission.

With Appreciation,

Jenny Davis
Executive Director

AGENDA
FOR THE BOARD OF TRUSTEES
OF THE TOWN OF BUENA VISTA, COLORADO
March 24, 2020

Work Session at 6:00 PM – Strategic Planning for 2020 and beyond

Regular Meeting at 7:00 PM
at the Buena Vista Community Center
Piñon Room – 715 East Main Street, Buena Vista, Colorado

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 – March 10, 2020
2.
3.
4.

B. Town Clerk Report

VI. PUBLIC COMMENT

Citizen participation where the public can sign up prior to the start of the meeting in order to speak up to 3 minutes for matters not on the agenda or for agenda items not scheduled for Public Hearing. 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

VIII. BUSINESS ITEMS

A. Public Hearing

B.

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This Agenda may be Amended
Posted at Buena Vista Town Hall, Post Office, and www.buenavistaco.gov on Friday, March 20, 2020

C.

D.

E. Should the Board of Trustees approve adoption of Ordinance No. 04, Series 2020 entitled**,** **"AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING CHAPTER 2, ARTICLE 1, OF THE BUENA VISTA MUNICIPAL CODE REGARDING THE CONDUCT OF TOWN ELECTIONS."?**

The Board will consider changes to the Municipal Code designating all municipal elections be conducted as mail ballot elections, and transferring the authority and responsibility to appoint elections judges from the Trustees to the Town Clerk.

F.

G.

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

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