



101 Midland Avenue, Basalt, CO 81621

Meeting Date: June 28, 2016

Location: Town Council Chambers

4:00 – 5:30 pm Meeting of the Eagle County Commissioners, Pitkin County Commissioners and the Basalt Town Council: RMI Innovation Center – 22826 Two Rivers Road (see separate agenda)

**Town Council Regular Meeting Agenda
In Council Chambers at Town Hall at 6:00 PM.**

6:00 1. Call to Order (Mayor Whitsitt)

6:01 2. Roll Call (Pam Schilling)

6:02 3. Consent Agenda (Mayor Whitsitt)

3A. Minutes: June 14, 2016

3B. Basalt Half Marathon Special Event Activity Permit (James Lindt)

3C. Resolution No. 23, Series of 2016, Approving the Basalt Summer Cinema Series Special Event Activity Permit (James Lindt)

3D. Resolution No. 24, Series of 2016: Approving the Wednesday Night Summer Concert Series Special Event Activity Permit (James Lindt)

Motion to Consider:

Mayor, I move that the Town Council approve the Consent Agenda as published Items 3A-3D.

6:04 4. Citizen Comments: for Items Not on the Agenda and Items Added to the Agenda After the Deadline

6:08 Council Comments, Reports, Disclosures

5A. Council Comments, Reports, Disclosures

5B. SGM – Engineer's Report

5C. Town Manager's Report

6:15 6. ITEMS FOR COUNCIL CONSIDERATION AND INFORMATION

6A. Regional Communication – Radio Upgrade: (Phyllis Mattice, Assistant County Manager, Pitkin County and Jeff Krueger, Communication Site Manager)

6:40 7. SECOND READING OF ORDINANCES:

7A. Public Hearing and Second Reading of Ordinance No. 14, Series 2016: An Ordinance Rescinding the Site-Specific Approval for a Dentist Office and Residential Unit Granted by Ordinance No. 04, Series of 2007, and Approving an Exemption from the Community Vitality Zone Requirements to Temporarily Permit a Business Office Use on the First Floor of the Property Located at 234 Midland Avenue (James Lindt)

Motion to Consider:

Mayor, I move that the Town Council Approve Ordinance No. 14, Series 2016 on second reading.

6:45 8. RESOLUTIONS

8A. Resolution No. 25, Series of 2016: Resolution of the Town Council of Basalt, Colorado, Approving a Policy for Administering Town-Owned Employee Housing Units and Directing Staff to Bring Forward Amendments to the Community Housing Guidelines to Change the Composition of the Special Housing Evaluation Committee (James Lindt)

Motion to Consider:

Mayor, I move that the Town Council Approve Resolution No. 25, Series of 2016 regarding the Town's policy on Town-owned units

8B. Resolution No. 26, Series of 2016: Resolution of the Town Council of Basalt, Colorado, Approving a Change in the Times of Outdoor Live Music for Midland Avenue Businesses that Maintain a Valid Liquor License (Mike Scanlon)

Motion to Consider:

Mayor, I move that the Town Council Approve Resolution No. 26, Series of 2016 related to an extension of hours allowed for live music on Midland Avenue (Mike Scanlon)

8C. Resolution No. 27, Series of 2016: Direction to Staff related to expansion of zoning districts where marijuana could be sold and to consider the Town's four license locations to be either retail or medical (Mike Scanlon)

Motion to Consider:

Mayor, I move that the Town Council Approve Resolution No. 27, Series of 2016 related to the expansion of zoning districts where marijuana could be sold and consider the four license locations in Basalt to be either retail or medical.

6:55 9. RECOMMENDATIONS FROM THE FINANCE COMMITTEE

9A. Minutes of the Finance Committee

9B. Approve Resolution Approving IGA – Pitkin County and RFTA related to project management of the Basalt Underpass Construction Project per Committee Recommendation

Motion to Consider:

Mayor, I move that the Town Council uphold the recommendation of the Finance Committee and approve Resolution No. 28, Series of 2016, Approving the IGA with Pitkin County and RFTA related to project management of the Basalt Underpass Construction pending final changes and approval of the Town Attorney.

9C. Quarterly Reporting Framework

Motion to Consider:

Mayor, I move that the Town Council uphold the recommendation of the Finance Committee and approve the Quarterly Reporting Framework with the changes recommended by the Committee.

9D. Basalt Avenue Underpass Cash Flow and Certificate of Participation

Motion to Consider:

Mayor, I move that the Town Council uphold the recommendation of the Finance Committee and approve the Basalt Avenue Cash Flow and Certificate of Participation (COP) planned offering.

7:15 10. EXECUTIVE SESSION

Motion to Consider:

Mayor, I move that the Town Council enter Executive Session for the purposes of:

- A conference with our attorney for the purpose of receiving legal advice on specific legal questions in accordance with C.R.S. 24-6-402(4)(b).
- The purchase, acquisition, lease, transfer or sale of property interests in accordance with C.R.S. 24-6-402(4)(a).
- Determining positions relative to matters that are or may become subject to negotiations in accordance with C.R.S. 24-6-402(4)(e).

11. INFORMATION AND CORRESPONDENCE:
NO ACTION REQUIRED BY THE TOWN COUNCIL

11A. Accounts Payable

11B. Advanced Agendas

11C. Town Clerk Administrative Liquor Actions

12. ADJOURNMENT



BASALT

101 Midland Avenue, Basalt, CO 81621

Meeting Date: June 14, 2016
Location: Town Council Chambers

Time: 6:00 p.m.

TOWN COUNCIL MEETING MINUTES

Worksession – Our Town Planning Project

- Review of where we have been
- Council discussion with P&Z Regarding Zoning for Our Town Planning Parcels: Amended CSC Zone District (No. of stories/Height/Uses)
- POST Park Plan Review and Status
- Next Steps

1. Call to Order

Mayor Whitsitt called the meeting to order at 8:12 pm.

2. Roll Call (Pam Schilling)

Council members present were Mark Kittle, Jennifer Riffle, Bernier Grauer, Katie Schwoerer and Gary Tennenbaum. Council member Auden Schendler was absent.

3. Consent Agenda (Mayor Whitsitt)

3A. Minutes of May 24, 2016

M/S COUNCILORS KITTLE AND SCHWOERER THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 6-0.

8:05 4. Citizen Comments for Items Not on the Agenda

Citizens before Council this evening were Renee Lujan of Heather's, and Robin Waters of the Basalt Chamber.

9. Executive Session for the purpose of: Determining positions relative to matters that are or may become subject to negotiations in accordance with C.R.S. 24-6-402(4)(e); and for a conference with our attorney for the purpose of receiving legal advice on specific legal questions in accordance with C.R.S. 24-6-402(4)(b).

M/S COUNCILORS KITTLE AND GRAUER THAT THE TOWN COUNCIL ENTER EXECUTIVE SESSION AT 8:15 PM FOR THE PURPOSES STATED. THE MOTION CARRIED 6-0.

COUNCIL ADJOURNED THE EXECUTIVE SESSION AND RECONVENED THE COUNCIL MEETING AT 8:30 PM.**5. Council Comments and Town Manager's Report****5A. Council Comments, Reports Disclosures****5B. Town Manager's Report**

Town Manager Mike Scanlon updated Council on the Basalt Underpass; sought Council's willingness to consider other zoning areas for marijuana operations; noted that staff meetings had been reorganized; the Town was working to get ordinances and resolutions to the web as searchable documents using LaserFiche; and noted the Council had a retreat scheduled for next Wednesday at the Cap'K Ranch beginning at 8 am.

Katie Schwoerer asked that BACH (Basalt Affordable Community Housing) be added to the July 12 or 26 agenda for an update.

Bernie Grauer said he had looked at the Correspondence section of the packet and could not support the Working Agreement as presented. Bernie submitted a copy of a Civility Agreement from the City of Santa Monica, CA as a sample of something he felt he could support. Mayor Whitsitt asked that the Working Agreements be put on an agenda for discussion.

Jennifer Riffle suggested that perhaps the BACH update be put on an agenda sooner. Jenn said she would piggyback with Bernie, civility and the working agreements. Jenn read a statement concerning civility and influencing the community we care about with consideration and intention.

Jacque Whitsitt said she had been meeting with Charlie Spickert, Chamber Chair, and Genna Moe of the Art Base to talk about the future of the Art Base – issue, funding, programs, etc. They had been discussing an purchase and expansion of the building to create a profit center. Jacque invited Genna to contact any council member to discuss her ideas and thoughts.

Council member Mark Kittle left the meeting at this time.

6. ITEMS FOR COUNCIL CONSIDERATION/ACTION**6A. Council Selection of Child Care Provider for Re-1 Red Brick**

Growing Years School Board Member Cheryl Velasquez and Executive Director Adele Matthee met with Council to discuss this issue.

M/S COUNCILORS TENNENBAUM AND RIFFLE THAT THE TOWN COUNCIL APPROVE "GROWING YEARS" AS THE CHILD CARE PROVIDER FOR THE RE-1 RED BRICK, CONTINGENT ON A LEASE AGREEMENT WITH THE TOWN AND THE SCHOOL DISTRICT. THE MOTION CARRIED 5-0.

6B. RFTA Mobility Study: Presentation and Council Discussion

Laura Kirk of DHM Design and David Johnson of RFTA were present to meet with the Basalt Council to discuss Council's visions and priorities for transportation as part of the information gathering for a 10-20 year mobility vision process from Aspen to Parachute.

7. Public Hearing on a New Liquor License – Market Street Kitchen, Hotel and Restaurant License, 499 Market Street, Basalt

Mawa McQueen and Daniel Liesener were present to discuss the application with Council. Mayor Whitsitt opened the public hearing at 9:27 pm. There were no public comments and the hearing was closed.

M/S COUNCILORS TENNENBAUM AND SCHWOERER THAT THE TOWN COUNCIL APPROVE THE NEW H&R LIQUOR LICENSE FOR MARKET STREET KITCHEN, LLC DBA MARKET STREET KITCHEN AT 499 MARKET STREET, BASALT, COLORADO.

Mayor Jacque Whitsitt recused herself from discussing item 8A and turned the meeting over to Mayor Pro tem Gary Tennenbaum. (Recusal because the attorney representing the applicant was her husband's law partner.)

8. FIRST READINGS OF ORDINANCES:

8A. First Reading of Ordinance No. 14, Series of 2016: An Ordinance Rescinding the Site-Specific Approval for a Dentist Office and Residential Unit Granted by Ordinance No. 04, Series of 2007, and Approving an Exemption from the Community Vitality Zone Requirements to Temporarily Permit a Business Office Use on the First Floor of the Property Located at 234 Midland Avenue

Applicant representative Eric Gross and Assistant Planning Director James Lindt were present for discussion of this item.

M/S COUNCILORS SCHWOERER AND GRAUER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 14, SERIES OF 2016 ON FIRST READING, AND SET THE PUBLIC HEARING AND SECOND READING FOR JUNE 28, 2016. THE MOTION CARRIED 4-0.

10. INFORMATION AND CORRESPONDENCE: NO ACTION REQUIRED BY THE COUNCIL

- 10A. Accounts Payable
- 10B. Advanced Agendas
- 10C. Correspondence to the Town
- 10D. Working Agreements

11. ADJOURNMENT

M/S COUNCILORS SCHWOERER AND GRAUER THAT THE TOWN COUNCIL ADJOURN THE COUNCIL MEETING AT 9:33 PM. THE MOTION CARRIED 4-0.

The minutes of the June 14, 2016 meeting were read and approved this 28th day of June, 2016.

BASALT TOWN COUNCIL:

ATTEST:

By: _____
Jacque Whitsitt, Mayor

Pamela Schilling, Town Clerk

TOWN OF BASALT Consent Item	Date: June 28, 2016 From: James Lindt AICP, Assistant Planning Director
	Town Manager Review: MS 6-23-16

SUBJECT: Consideration of a motion to approve of the Basalt Half Marathon Special Event Activity Permit.

RECOMMENDATION: Staff recommends that the Council approve of the Basalt Half Marathon Special Event Activity Permit.

DETAILS: The purpose of this agenda item is to consider approving the Basalt Half Marathon Special Event Activity Permit for the Basalt Half Marathon to run down the delivery lane on Midland Avenue and to finish on Midland Spur adjacent to Town Hall on Saturday, August 20, 2016. Overall, the event is a running race down the Fryingpan from the Ruedi area into Basalt. The Applicant is Ron Lund. The event raises money for the Basalt High School Cross-Country Running Program.

The Applicant has held the event for many years and the Council has approved prior Special Event Activity Permits for the event from 2010-2016. The Town Police Department has been consulted and their comments are included in the conditions of approval.

RECOMMENDATIONS FROM OTHER BOARDS: The P&Z does not review special event applications. Eagle County will also be considering a Special Event Permit for the half marathon.

RELATED TOWN STATUTE AND TOWN ACTIONS: Resolution No. 13, Series of 2013 adopting a Special Event Review Policy pursuant to Town Council Policy No. 104.

ATTACHMENTS: A) Application; B) Town Council Policy No. 104 and Resolution No. 13, Series of 2013

2016 Basalt Half-Marathon Conditions

1. The Applicant shall adhere to all material representations made in, or in connection with this application.
2. The Applicant shall comply with the requirements of the Basalt Police Department. The roads within the Town shall not be closed, except that the delivery zone in the center of Midland Avenue shall be lined with cones to designate the course down Midland Avenue. The Applicant shall be allowed to close two parallel parking spaces on the north side of Midland Avenue in front of the Midland Mall and additional parking spaces on the east side of Midland Spur between Town Hall and the Planning Annex for the duration of the event to erect a finish corral on the east end of Midland Spur.
3. The Applicant will be responsible for putting the cones in the Midland Avenue loading zone and for closing the parking spaces identified in Condition No. 2 above.
4. The Applicant shall provide traffic management volunteers at each of the following intersections for the duration of the running event:
 - a. Midland Avenue and Cottonwood Drive (at least 2 volunteers at a "time")
 - b. Midland Avenue and Basalt Center Circle East Entrance
 - c. Midland Avenue and Midland Spur (at least 2 volunteers at a "time")
5. The Applicant shall be responsible for trash collection and removal. All debris and equipment shall be cleared from Lions Park by nightfall on the same day as the event.
6. The Applicant shall provide recycle bins for the collection of commingled materials (i.e. glass, plastic and metal) and a volunteer to monitor that the appropriate materials are being recycled. All recyclables shall be taken to the Public Works Department at the conclusion of the event. The Applicant shall collocate trash and recycle bins.
7. The Applicant shall provide two (2) portable toilets to be located on the north side of Midland Spur, directly east of the head-in diagonal parking close to the end of the curb as shown on the attached map. All portable toilets must be removed prior to nightfall on the Monday after the event. The Applicant shall provide signs identifying the location of the portable toilets for contestants.
8. The Applicant must have a current proof of insurance listing the Town of Basalt as an additional insured in the amount of \$1 Million.
9. Any signage erected in the park for the event shall be removed by the end of the day of the event.
10. The Applicant shall not serve liquor in the park as represented in the application.

11. The Applicant shall not prepare and serve prepared food in the park without the necessary approvals of the Eagle County Health Department.
12. If linens, cutlery, and dishes are used they shall be reusable. Any single-use food-service products shall be compostable or recyclable.
13. The Applicant shall not dispense bottled water in the Town's park or staging areas. The Applicant shall provide drinking water for participants from local sources using some sort of tank instead of individual bottles. The Applicant also shall not provide plastic or non-recyclable containers from which to drink the water provided.
14. The Applicant shall maintain adequate through access on Midland Spur meeting the approval of the Basalt and Rural Fire Protection District throughout the event for emergency service purposes.
15. Event staff and volunteers shall be trained to comply with Green Event Standards and Conditions. Compliance with the conditions contained herein constitutes compliance with the Town's Green Events Checklist.
16. Insubstantial changes to this approval may be authorized by the Town Manager.

To be filled out by the Town
Filed: ___ / ___ / ___

Town of Basalt

Special Event Application

Contact Information

Name of Event Organizer (Primary): Ren Lund
Phone number: 970.618.2063
Fax number: 970.925.2104
E mail (if available): runnerfam@comcast.net
Mailing Address: 501 Kila Ct. Basalt, CO 81621

Name of Event Organizer (Secondary): _____
Phone number: _____
Fax number: _____
E mail (if available): _____
Mailing Address: _____

Event Information:

Name of event: Basalt Half-Marathon

Date(s) of event: ~~August 15th, 2015~~ August 20th, 2016

Location of event: Starts @ base of Ruedi & finishes on Main St.

Times of the event: 7:45am to 11:00 am

Description of event: Foot Race, 13 miles on The Frying Pan Rd. finishing in front of the Wily Art Center on Midland Spur.

Expected number of patrons: 80 runners

Anticipated number of vendors: —

Is on-site preparation of food proposed? _____ Yes No

Is alcohol distribution or consumption proposed? _____ Yes No

If alcohol distribution is proposed, have you applied for a Town of Basalt Liquor License? Not applicable

Yes No

Is there a charge to participate in the event? Yes No

If so, how much? \$70. -

Is the event being organized by the non-profit entity? Yes No

How will the event benefit the community? Raises monies for Basalt High School Cross Country Program. Brings people to downtown Basalt.

Is closure of streets or parking requested? Yes No

If closure is requested, please describe location of requested closure: All the parking spaces between Town Hall & the entrance to the Wylie Art Center on the park side of Midland Spur, closure of Midland Ave Loading Zone

Are tents proposed? Yes No

Is the installation of stakes in a Town Park proposed? Yes No (if so, a \$200 refundable deposit shall be required)

Are Town security resources requested? Yes No

Application Submittal Items:

Event Site Map (Include the location of the following: toilet facilities, hand washing facilities, vendor locations, band or DJ, trash facilities, temporary fencing, event signage, tents with dimensions)

N/A Written Consent from Property Owner (if event is proposed on private property)

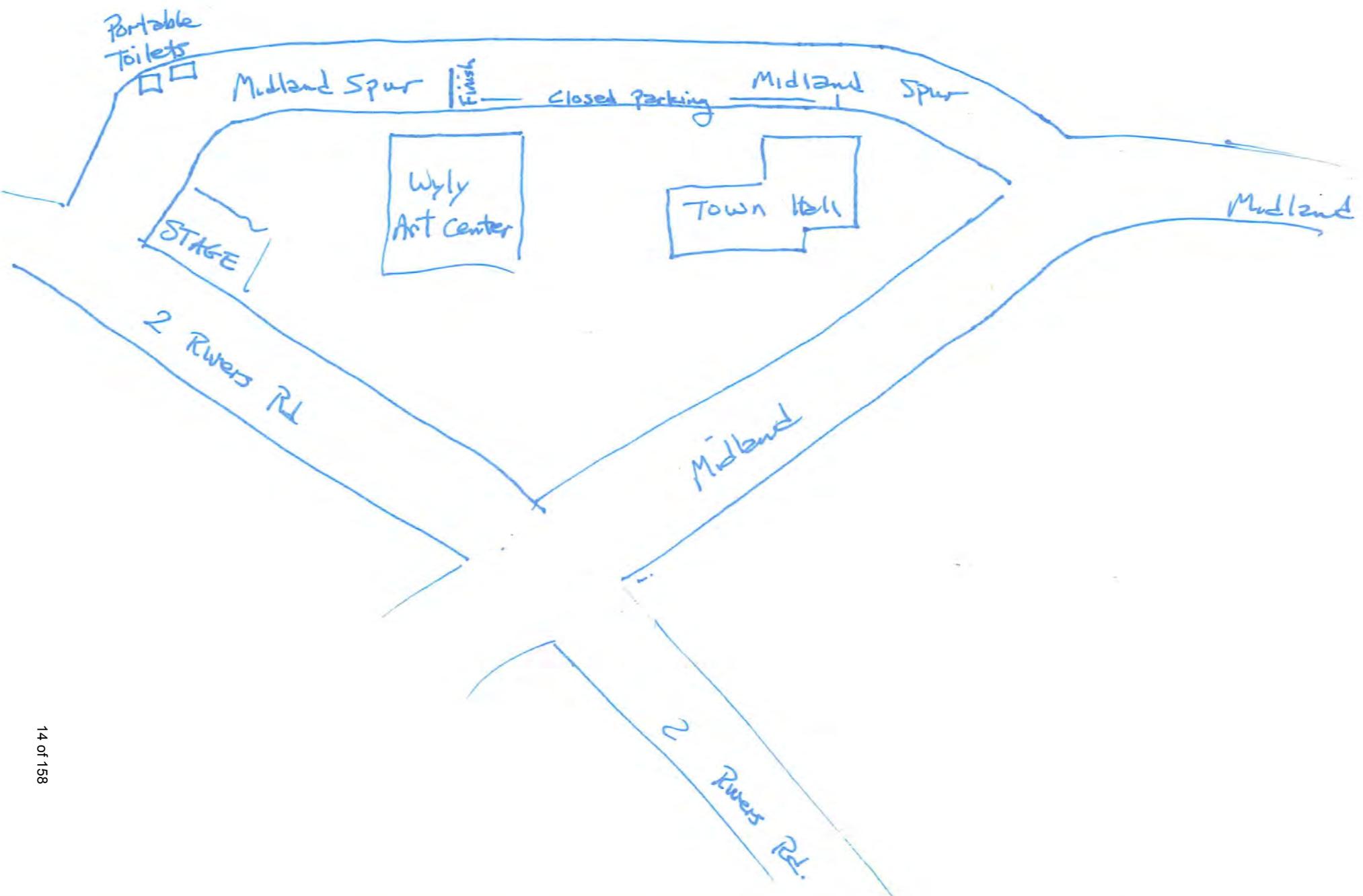
Proof of Liability Insurance - e-mailed by School District

Emergency Access Plan

Schedule for delivery and pick-up of portable toilet and handwash facilities
Delivered Friday evening 8/14, picked-up Monday a.m. 8/17

- ✓ Plan for Distribution of Drinking Water to Patrons **Coolers & cups will be available @ the finish area.**
- ? Written Responses as to the Event's Compliance with the Town's Green Events Checklist **No bottled water will be served, all Recyclables will be separate from Trash.**
- ~~N/A~~ Copy of Completed Liquor License Application (if alcohol is proposed to be sold or distributed)

- ✓ Completed Town Park Use Form (if use of a Town Park is requested) **Do I need one for Lion's Park?**
- ✓ Parking and Transportation Plan (Include number and location of traffic control volunteers) - **Runners will be parking at the middle school before the race and riding buses to the start of the race.**



B) Town Council Policy + Res.

RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, ADOPTING A POLICY FOR SPECIAL EVENTS ON TOWN PROPERTY.

Town of Basalt, Colorado
Resolution No. 13
Series of 2013

RECITALS

The Town of Basalt has a collection of documents including the Town Charter, Town Code and various administrative procedures that address the Town's procedures for reviewing special event applications. The Town Council adopted Policy 104 providing that the Town Council would adopt a resolution to finalize the Special Event Review Policy and the Stage Reservation Policy.

The Town Council, through the promulgation of Town Council policies, wants to create a policy framework which Town staff can work within.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO:

Section 1. The Town Council supports and affirms the adoption of a Town Council Policy regarding Special Events on Town Property.

Section 2. The Town Council hereby adopts the policy attached as Exhibit "A" regarding Special Events on Town Property.

Section 3. This resolution replaces the Town Council action on June 14, 2011, requiring Special Event Permits.

Section 4. The Town Manager shall promulgate, review and recommend changes to the Town's policy on Special Events when necessary. Town Council action is required for all changes to the Special Events Policy pursuant to the adopted Town Council Policy No. 104.

READ AND ADOPTED by a vote of 5 to 0 on March 26, 2013.

TOWN OF BASALT, COLORADO

ATTEST:

By: Jacque R Whitsitt, Mayor

Ramela K Schilling, Town Clerk



Exhibit "A"
Special Events Policy

It shall be the policy of the Town of Basalt to require a Special Events Activity Permit for special events or organized gatherings in the Town Parks and on Town Property as follows.

A. Special Events: Closing Town Right-of-Way/Parking

Special events that propose to close portions of or significantly impact the Town right-of-way, or that close more than five (5) parking spaces shall be reviewed by the Town Council through a one-step review process and may be approved, approved with conditions, or denied by the Town Council by motion.

B. Recurring Special Events that Close Town Right-of-Way/Parking

Special events that propose to close or significantly impact Town right-of-way or that close more than five (5) parking spaces on multiple days like the Sunday Market shall require review and approval by the Town Council by Resolution.

C. Special Events: Town Property or Other Property- Not Closing Town Right-of-Way

Special events that do not propose to close Town right-of-way or that do not close more than five (5) parking spaces that are on either private or public property may be reviewed and approved by the Technical Review Committee (TRC) regardless of whether or not alcohol is proposed to be served at the event. In instances where a liquor license is required, the TRC's approval will be contingent on the event receiving a liquor license through the standard liquor license process established in the State of Colorado's Responsible Serving of Alcohol Regulations. In evaluating special event applications, the TRC will bring other referral agencies and tenants on Town property (such as the Taqueria or Wyly) in to provide comments as deemed necessary. The TRC may elevate the review of a special event application to the Town Council in the following instances:

1. There have been problems with a specific event in the past; or,
2. Complaints are received about an event by citizens or Council members prior to the issuance of an approval by the TRC; or,
3. An event is expected to put a significant strain on Town resources as determined by the TRC; or,
4. An event is anticipated to be a significant impact to citizens and property owners; or,
5. Referral comments are received that in TRC's opinion cannot reasonably be addressed with conditions; or,
6. An event that the TRC is not comfortable approving without the Town Council's formal input.

It should be noted that the Town's policy is not to reserve parks except through the Town's Special Events Review Process. An exception to this policy shall be made for the Lion's Park Stage as described in the Town of Basalt's policy for reserving the stage.

D. Reserving the Lions Park Stage

1. The stage shall be reserved through the Town of Basalt Clerk's Office.

In scheduling an event on the Lion's Park Stage, the Clerk's Office will check the seasonal calendar of the tenants in the Town Hall Annex Building to confirm that a proposed event

does not conflict with events and activities of the Town Hall Annex tenants. Additionally, the Clerk's Office will check the Town's Council Room calendar to confirm that a proposed event does not conflict with meetings/events that are scheduled in the Council Room at Town Hall. Where there is a potential conflict between a proposed public event and events/activities of the tenants of the Town Hall Annex Building (currently the Wyly and the Planning Department), the Town Manager or his/her designee shall work with the event organizer and the tenants to attempt to resolve the conflict and will ultimately determine whether a conflicting public event on the stage may be held.

2. Town or Chamber Event Priority- A public event as scheduled by the Town or the Basalt Chamber shall have priority over events scheduled by another entity as long as the Town or Basalt Chamber's event is scheduled at least 30 days prior to the event date.

3. Use of the Restrooms in the Town Hall Annex Building (99 Midland Avenue)
Individuals or entities that would like use of the restrooms in the Town Hall Annex Building in conjunction with reserving the stage shall request approval to use the restrooms from the Town's event coordinator. Use of the restrooms in the Town Hall Annex Building does not exempt the entity putting on the event from having to comply with the Town's Event Logistics Guidelines related to restrooms and wash stations. Individuals or entities reserving the stage that also would like to use the restrooms shall pay an at-cost, non-refundable restroom cleaning fee to the Town prior to the event to pay for a cleaning company to pay for cleaning the restrooms after the event. The Town's event coordinator has the discretion to charge the fee for each night of an event if deemed necessary.

4. Waste Management/Damage- Individuals or entities reserving the stage shall pick up and remove all waste from the stage and the park area around the stage after the event. Individuals or entities reserving the stage shall pay a refundable deposit of \$25 to ensure that the site is returned to a clean and undamaged condition. The deposit will be refunded to the entity holding the event after the Town's event coordinator has inspected the site and determined that it has been returned to a visibly clean and undamaged state. The entity or individual putting on an event is also responsible for repairing any damage to the Town's facilities that occur as a result of an event

5. Fee for Use of Stage- Events that are charging the public to attend or that are selling tickets or products (including alcohol) shall pay the Town a fee equal to the greater of \$50 or 15% of the gross income of the event from ticket and product sales. The event organizer shall submit a report of earnings to the Town and the fee shall be paid to the Town within five (5) business days of holding the event. Events that do not charge public to attend and that do not sell tickets or products are exempt from paying the fee.

E. Environmental Requirements/Logistics

All Special Events shall comply with the attached Green Events Checklist and Special Event Logistics Guidelines. Additionally, no special event on Town property shall sell or disperse bottled water.

TOWN OF BASALT Consent Item	Date: June 28, 2016 From: James Lindt AICP, Assistant Planning Director
	Town Manager Review: MS 6-23-16

SUBJECT: Consideration of Resolution No. 23, Series of 2016, that would approve a Special Event Activity Permit for the Basalt Summer Cinema Series in Lions Park on the second and fourth Saturdays of July, August and September.

RECOMMENDATION: Staff recommends that Council approve the attached resolution, approving use of Lions Park for the Basalt Summer Cinema Series.

DETAILS: The purpose of this agenda item is to consider approving the Special Event Activity Permit resolution to have movies in Lions Park on the second and fourth Saturdays of July, August and September for up to six (6) movie nights. The Applicant is the Basalt Chamber.

RECOMMENDATIONS FROM OTHER BOARDS: The P&Z does not review special event applications.

RELATED TOWN STATUTE AND TOWN ACTIONS: Resolution No. 13, Series of 2013 adopting a Special Event Review Policy pursuant to Town Council Policy No. 104.

ATTACHMENTS: A) Draft Resolution; B) Application

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING
THE BASALT SUMMER CINEMA SERIES SPECIAL EVENT ACTIVITY PERMIT TO
CONDUCT MOVIES IN LIONS PARK**

**Town of Basalt, Colorado
Resolution No. 23
Series of 2016**

RECITALS

Whereas, the Basalt Chamber has requested a Special Event Activity Permit to have movies in Lions Park on the second and fourth Saturdays of July, August, and September.

Whereas, at their regular meeting on June 28, 2016, the Town Council considered the Applicant's request and comments from Town Staff.

Whereas, the Basalt Town Council finds, determines and concludes that passage of this resolution is necessary to protect the health, safety, welfare and quality of life for the citizens of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN
OF BASALT, COLORADO:**

Section 1. That the Town Council approves the Special Event Activity Permit for the Basalt Summer Cinema Series, subject to the following conditions:

1. The Applicant shall adhere to all material representations made in, or in connection with this application.
2. The Applicant shall comply with the requirements of the Basalt Police Department. The Applicant may close up to five (5) parking spaces on Midland Spur to accommodate vendors.
3. The Applicant shall be responsible for trash collection and removal.
4. The Applicant shall provide recycle bins for the collection of commingled materials (i.e. glass, plastic and metal) and a volunteer to monitor that the appropriate materials are being recycled. All recyclables and trash shall be taken to the Town Public Works Facility at the conclusion of the event. Recycle bins will be collocated with trash containers.

5. The Applicant shall clean the bathrooms in the ArtBase/Planning Department Building at the end of each movie.
6. The Applicant or associated vendors shall not serve alcohol in the parks unless a Special Event Liquor license is obtained.
7. The Applicant shall comply with the Eagle County Environmental Health Department's rules and regulations related to preparing and serving prepared foods. The Applicant shall also provide vendors with the Town's resource list identifying sources of eco-friendly event supplies.
8. If linens, cutlery, and dishes are used they shall be reusable. Any single-use, food-service products shall be compostable or recyclable.
9. The Applicant or the Applicant's vendors shall not dispense bottled water in the Town's parks. The Applicant shall provide drinking water for participants from local sources using some sort of tank instead of individual bottles. The Applicant also shall not provide plastic or non-recyclable containers from which to drink the water provided.
10. Event staff and volunteers shall be trained to comply with Green Event Standards and Conditions. Compliance with the conditions contained herein constitutes compliance with the Town's Green Events Checklist.
11. Upon the request of the Town Manager, the Applicant shall conduct a post-event evaluation and de-briefing report and provide it to the Town. The event report would include pertinent observations, notes, and data that may help reduce the environmental impacts of similar events to be held in the future.
12. Any printed materials advertising the events shall, at a minimum, be printed on 50% post-consumer recycled content paper.
13. Any tents that are over 400 square feet shall be required to have a building permit from the Town of Basalt Building Department.
14. The Applicant shall provide a fire extinguisher plan for review and approval by the Fire District prior to the first event. Any fire pits shall be located at least 25 feet from any structure, shall meet the Fire District's Guidelines for Recreational Fires, and shall be supervised by a responsible adult at all times. If it is determined to be too windy or unsafe for other reasons by representatives of the Town, the fires in the fire pits will be extinguished.
15. The Applicant shall provide lights at the entrances and exits to help attendees in exiting the facility at the conclusion of the movies.

16. The Applicant shall establish a point of contact for the Town related to overseeing the event.
17. Insubstantial changes to this approval may be authorized by the Town Manager.

RESOLUTION NO. 23, SERIES OF 2016, IS HEREBY ADOPTED by a vote of ___ to ___, this 28th day of June, 2016.

TOWN OF BASALT, COLORADO

ATTEST:

by _____
Jacque R. Whitsitt, Mayor

Pamela K. Schilling, Town Clerk

B) Application

To be filled out by the Town

Filed: ____/____/____

Town of Basalt

Special Event Application

Call me please
927-4031
Paw

Contact Information

Name of Event Organizer (Primary): Basalt Chamber of Commerce

Phone number: 970-927-4031

Fax number: 970-927-2833

E mail (if available): director@basaltchamber.com

Mailing Address: P.O. Box 514, Basalt, CO 81621

Event Information:

Name of event: Basalt Chamber Summer Music Series (Downtown events)

Date(s) of event: Jul 9, Jul 23, Aug 13, Aug 27, Sep 10

Location of event: Lions Park

Times of the event: 7:00-11:00

Description of event: Movies in Lions Park projected onto an inflatable screen

Expected number of patrons: 150+/-

Anticipated number of vendors: less than 5

Is on-site preparation of food proposed? ____ Yes No

Is alcohol distribution or consumption proposed? Yes ____ No

If alcohol distribution is proposed, have you applied for a Town of Basalt Liquor License? Yes ____ No

Is there a charge to participate in the event? ____ Yes No

If so, how much? _____

Is the event being organized by the non-profit entity? Yes ____ No

How will the event benefit the community? Movies in the park build community and bring vibrancy and visitors into Basalt for fun family summer activities.

Is closure of streets or parking requested? Yes No

If closure is requested, please describe location of requested closure: space on the Midland Spur is needed to a food truck

Are tents proposed? Yes No (Maybe)

Is the installation of stakes in a Town Park proposed? Yes No (if so, a \$200 refundable deposit shall be required)

Are Town security resources requested? Yes No (but would love to see them there!)

Application Submittal Items:

Event Site Map (Include the location of the following: toilet facilities, hand washing facilities, vendor locations, band or DJ, trash facilities, temporary fencing, event signage, tents with dimensions)

Written Consent from Property Owner (if event is proposed on private property)

Proof of Liability Insurance (insurance for all events secured through Martin Insurance Group)

Emergency Access Plan

Schedule for delivery and pick-up of portable toilet and handwash facilities (will use and clean the bathroom outside the Town Hall)

Plan for Distribution of Drinking Water to Patrons

Written Responses as to the Event's Compliance with the Town's Green Events Checklist (will use compostable material and conduct recycling on site)

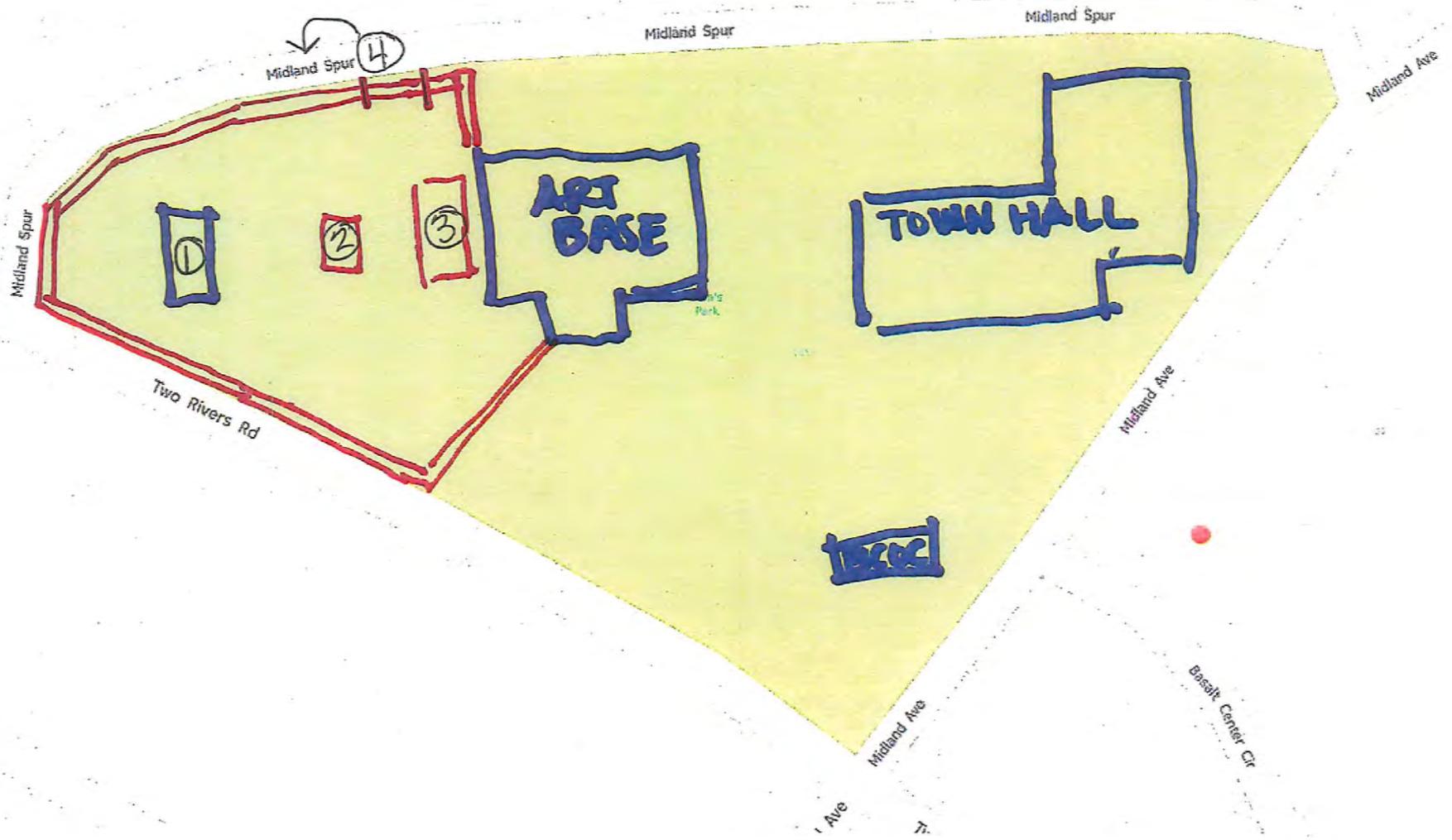
Copy of Completed Liquor License Application (if alcohol is proposed to be sold or distributed)

Completed Town Park Use Form (if use of a Town Park is requested)

Parking and Transportation Plan (Include number and location of traffic control volunteers)

BASALT CHAMBER OF COMMERCE
2016 BASALT SUMMER CINEMA: MOVIES IN THE PARK
July 9, July 23, August 13, August 27, September 10

- 1 – Stage/Movie Screen
 - 2 – Projector
 - 3 – Beer & Wine Tent
 - 4 – Food Truck
- Perimeter showing roped off area is marked in red



TOWN OF BASALT Consent Item	Date: June 28, 2016 From: James Lindt AICP, Assistant Planning Director
	Town Manager Review: MS 6-23-16

SUBJECT: Consideration of Resolution No. 24, Series of 2016, that would approve a Special Event Activity Permit for the Wednesday Night Summer Concert Series in Triangle Park and Lions Park

RECOMMENDATION: Staff recommends that Council approve the attached resolution, approving use of the Triangle Park and Lions Park for the Wednesday night concerts.

DETAILS: The purpose of this agenda item is to consider approving the Special Event Activity Permit resolution to hold three (3) Wednesday night concerts in Triangle Park at Willits during July and four (4) Wednesday night concerts in Lions Park in August. The Applicant is Big Jig Entertainment on behalf of the Town.

The closure of Harris Street is proposed for the Wednesday Night Concerts in Triangle Park. The Applicant has proposed to close Harris Street during the events at the suggestion of Town Staff as the closure of Harris Street has seemed to be positive from a public safety standpoint on past special events held in Triangle Park. The Police Department and the Fire District have been consulted and Staff has attached draft conditions for the Council's consideration.

RECOMMENDATIONS FROM OTHER BOARDS: The P&Z does not review special event applications.

RELATED TOWN STATUTE AND TOWN ACTIONS: Resolution No. 13, Series of 2013 adopting a Special Event Review Policy pursuant to Town Council Policy No. 104.

ATTACHMENTS: A) Draft Resolution; B) Closure and Event Map

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING
THE WEDNESDAY CONCERT SERIES SPECIAL EVENT ACTIVITY PERMIT TO
CONDUCT CONCERTS IN TRIANGLE PARK AND LIONS PARK**

**Town of Basalt, Colorado
Resolution No. 24
Series of 2016**

RECITALS

Whereas, Big Jig Entertainment on behalf of the Town has requested a Special Event Activity Permit to hold seven (7) Wednesday night concerts in Triangle Park and Lions Park. Three of the concerts are proposed in Triangle Park on July 13, 20, and 27th and additional concerts are proposed in Lions Park on August 3, 10, 17, and 24th.

Whereas, the Applicant has requested to close Harris Street for the concerts that are going to be held in Triangle Park and to close up to five (5) parking spaces on Midland Spur for the concerts in Lions Park for a potential food vendor.

Whereas, at their regular meeting on June 28, 2016, the Town Council considered the Applicant's request and comments from Town Staff.

Whereas, the Basalt Town Council finds, determines and concludes that passage of this resolution is necessary to protect the health, safety, welfare and quality of life for the citizens of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN
OF BASALT, COLORADO:**

Section 1. That the Town Council approves the Special Event Activity Permit for the Wednesday night concert series, including the closure of Harris Street, subject to the following conditions:

1. The Applicant shall adhere to all material representations made in, or in connection with this application.
2. The Applicant shall comply with the requirements of the Basalt Police Department. The only road that shall be closed for the proposed events is Harris Street between Triangle Park Lofts and Triangle Park, unless other closures are effectuated by the Town Police Department. Harris Street shall only be closed directly before and during the event. The Town will provide movable barricades for closing the street.

3. Professional traffic control shall be provided for the event at the intersection of East Valley Road and Harris Street during the concerts at Triangle Park.
4. The Applicant shall be responsible for trash collection and removal.
5. The Applicant shall provide recycle bins for the collection of commingled materials (i.e. glass, plastic and metal) and a volunteer to monitor that the appropriate materials are being recycled. All recyclables and trash shall be taken to the Town Public Works Facility at the conclusion of the event. Recycle bins will be collocated with trash containers.
6. The Applicant or associated vendors shall not serve alcohol in the parks unless a Special Event Liquor license is obtained.
7. The Applicant shall comply with the Eagle County Environmental Health Department's rules and regulations related to preparing and serving prepared foods. The Applicant shall also provide vendors with the Town's resource list identifying sources of eco-friendly event supplies.
8. If linens, cutlery, and dishes are used they shall be reusable. Any single-use, food-service products shall be compostable or recyclable.
9. The Applicant or the Applicant's vendors shall not dispense bottled water in the Town's parks. The Applicant shall provide drinking water for participants from local sources using some sort of tank instead of individual bottles. The Applicant also shall not provide plastic or non-recyclable containers from which to drink the water provided.
10. Event staff and volunteers shall be trained to comply with Green Event Standards and Conditions. Compliance with the conditions contained herein constitutes compliance with the Town's Green Events Checklist.
11. Upon the request of the Town Manager, the Applicant shall conduct a post-event evaluation and de-briefing report and provide it to the Town. The event report would include pertinent observations, notes, and data that may help reduce the environmental impacts of similar events to be held in the future.
12. Any printed materials advertising the events shall, at a minimum, be printed on 50% post-consumer recycled content paper.
13. Any tents that are over 400 square feet shall be required to have a building permit from the Town of Basalt Building Department.
14. The Applicant shall provide a fire extinguisher plan for review and approval by the Fire District prior to the first event. Any fire pits shall be located at least

25 feet from any structure, shall meet the Fire District's Guidelines for Recreational Fires, and shall be supervised by a responsible adult at all times. If it is determined to be too windy or unsafe for other reasons by representatives of the Town, the fires in the fire pits will be extinguished.

15. The Applicant shall establish a point of contact for the Town related to overseeing the event.
16. Insubstantial changes to this approval may be authorized by the Town Manager.

RESOLUTION NO. 24, SERIES OF 2016, IS HEREBY ADOPTED by a vote of ___ to ___, this 28th day of June, 2016.

TOWN OF BASALT, COLORADO

ATTEST:

by _____
Jacque R. Whitsitt, Mayor

Pamela K. Schilling, Town Clerk





Stage

Parking Closed

30 01 15 B



MEMORANDUM

TO: Basalt Council
FROM: Louis Meyer PE
DATE: June 23, 2016
RE: Update from Town Engineer

This memo will summarize items worked on or issues to be aware.

Basalt Avenue Underpass

The Contractor, United Companies, is still developing their detailed construction schedule, which they plan to submit to the Town the week of **July 4**. Currently they plan to mobilize either the **first or second week of September**.

SGM continues to gather groundwater data at the Underpass project site. The well locations are on the north side of SH 82 near the Basalt Store, and south side in the RFTA lot. Groundwater has increased from Elevation 6590 on May 1, to Elevation 6598 on June 13, with top of future underpass base slab at Elevation 6590.25. These readings will be critical for the contractor and design team during construction.

SGM continues to work with Century Link and Cedar Networks to coordinate shallow utility relocations so that work is finalized before United mobilizes. Tree removal is also being scheduled prior to the shallow utility relocation work.

We have a meeting scheduled with Mike on Friday June 24th to discuss Construction Management, Field Engineering and QA/QC processes to be used during construction.

South Side Flood Plain Letter of Map Revision

Nothing to report on.

Article XVII – Flood Damage Prevention Ordinance Update

SGM has reviewed Basalt's Floodplain ordinance "**Article XVII – Flood Damage Prevention**". We have made significant edits and reorganized the ordinance without changing the substance. We will be working with the South Side Business Community and their engineer, Sopris Engineering, for a joint review. The new format is consistent with the State floodplain regulatory agency the Colorado Water Conservation Board (CWCB) model ordinance. We will work with Basalt Staff to insure that changes in the ordinance will be consistent with other references in Town Code. We will then present to Council and begin the process of public hearings.

Myers Access Road

Nothing to report

Southside Traffic Study

SGM has completed a traffic study of the new traffic that will be generated from future and pending developments on the South Side of Highway 82. We will provide a draft report to Staff in the very near future. The purpose of the study is to proactively consider a master plan approach to traffic issues, rather than react to a piecemeal approach of individual development traffic reports.

We are currently analyzing the traffic impacts from multiple properties planned for development in the next 20 years including the Roaring Fork Apartments, Cathers, Schlumberger, ASC, Basalt Design District, Basalt Mini Storage, Southside PUD, Stott's Mill, and the RE-1 School District Housing. We are studying several access and intersection improvement scenarios that will improve traffic operations at the signal and queuing storage for traffic accessing SH 82.

The overarching issue is that there is only one access from the Southside to HWY 82 and to the remainder of Basalt. The approach to HWY 82 will experience traffic issues without further solutions. The new underpass, new lane configuration, and retiming of the signal will improve traffic flow. Future solutions will be required. We will work with Staff and then would like to present our findings to Council in an upcoming meeting.

West Sopris Drive Rebuild

Work Continues on the road and drainage improvements on West Sopris Drive. The contractor is making progress on the installation of the storm drainage system. Work is scheduled to be completed by the end of July.

Southside Tank stabilization

SGM has been working with Town Water Department Staff and HP Geotechnical Consultants (soils engineers) on stabilization measures on the Southside tank. The tank has experienced slight settlement. An investigation did not reveal any leakage from the tank or pipe fittings. Grout stabilization was finished by injecting grout through fittings in the tank to the underlying soils. Touch up coating on the interior of the tank is complete. Once the coating is cured the tank can be filled. Work will continue on waterproofing the exterior access road to prevent surface water from wetting the hydro-compactive subsoils.

Whitewater Park

Nothing to report

**TOWN OF BASALT
ACTION ITEM SUMMARY**

Item Number:
Date: June 28, 2016
From: Greg Knott, Chief of Police

SUBJECT:

Presentation by Phylis Mattice, Assistant Pitkin County Manager, and Jeff Krueger, Communication Site Manager, to provide information and answer questions regarding migration from the current Pitkin County VHF land mobile radio system to the State of Colorado's 800 MHz Digital Trunk Radio System.

RECOMMENDATION:

DETAILS:

The Town of Basalt Police Department currently utilizes the Pitkin County VHF land mobile radio system to communicate with other public safety agencies within Pitkin County along with the Pitkin County Regional Emergency Dispatch Center (PCREDC). PCREDC provides our 24 hour-per-day emergency dispatching services.

In 2014, VHF radio coverage, operability with other public safety agencies and system stability issues were identified by current users and an evaluation of the VHF system was initiated by Pitkin County. In March, 2015, a final report by Pericle Communication Company determined the Pitkin County VHF radio system required a complete overhaul at an estimated cost of \$1,660,000. The Communication Board, which the Town of Basalt is a voting member of, posed the question - Can Pitkin County migrate to the State of Colorado 800 MHz Digital Trunk Radio System (DTRS) rather than paying to overhaul a VHF system that has limited operability within the Roaring Fork Valley and cannot communicate with other agencies outside of Pitkin County? To answer this question, Pitkin County began investigating the possibility of migrating to the State of Colorado DTRS system.

Mrs. Mattice and Mr. Krueger are before you tonight to provide background information, migration findings, estimated cost to the Town of Basalt and other user agencies to migrate, and to answer questions you might have.

Attachments for Council review:

- Memo from Phylis Mattice to Basalt Town Council.
- Memo from Greg Knott to Mike Scanlon outlining annual 2006-2016 costs paid by the Town of Basalt for communication services.
- Resolution #26, Series 2014, an IGA to continue participation and financial support of the Pitkin County Regional Emergency Dispatch Center.
- PowerPoint presentation titled "Migration to the State of Colorado Digital Trunked Radio System".

Related State Statute and/or Town Actions: Revised Ordinances are attached for review.

Amount Requested:\$0.00

Line Item Code & Description: N/A

Available Budget: N/A

Memo

To: Basalt Town Board
From: Phyllis Mattice, Pitkin County Assistant County Manager
Re: DTRS Migration Project
Meeting Date: June 28, 2016

Pitkin County operates a VHF land mobile radio system that dispatches and communicates between Basalt Police and other public safety agencies in the valley (Pitkin Sheriff, Aspen Police, Snowmass Police, Aspen Fire, Snowmass/Wildcat Fire, Basalt Fire, Carbondale Fire and Aspen Ambulance). In 2014 major issues in coverage and operability were identified by the Communication Board, made up of representatives of all the public safety agencies using the system, and an evaluation of the system was completed by the County. Pericle Communications completed an assessment of the system and found the system was in bad shape and needed a complete overhaul. The estimated cost of the overhaul was \$1,660,000 for capital improvements, excluding operations and maintenance.

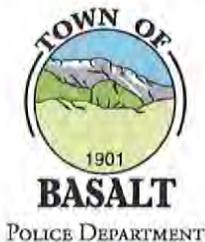
At the recommendation of the Communication Board, County staff investigated an alternative to VHF and evaluated utilizing the State's 800MHz Digital Trunk Radio System (DTRS). The identified benefits with a DTRS is enhanced coverage and capabilities, system monitoring and greater interoperability. The County has 2 DTRS sites, one on Ajax Mt and one on Crown Mt. County staff met with State DTRS staff to develop a cost model to compare with the VHF overhaul costs. The State DTRS came to the table offering to install the equipment and enter into an MOU for the labor, maintenance and replacement of costs for 25 years if the County migrated to the DTRS (an approximate \$1.25M value for installation and a \$12M estimated contribution over the term). The Communication Board voted unanimously to migrate to the state DTRS and County staff are working toward the migration.

The projected cost for the entire DTRS project was approximately \$5.65M including six new communication sites (Red Table, Aspen Water, Loge, Williams, Snowmass Village and McClure) and capacity upgrades to existing sites (Ajax and Crown). Four sites are planned to be developed in 2016 with McClure scheduled for 2017 but may be delayed due to the environmental review process that must be completed for USFS approval. Partner contributions, grants, and discounts, totaling over \$3.5M, reduce the net cost to \$2.34M. The County will purchase the DTRS equipment and then turn it over to the State through Memos of Understandings (MOUs) for maintenance and equipment replacement at no cost.

The timing of this project links to the moving of the Emergency Dispatch Center. DTRS equipment is being added to its operations with the move scheduled for mid-September 2016. The new radio console equipment is engineered to dispatch through both the current VHF system and the DTRS. This is a great benefit for the valley agencies using DTRS (Basalt PD, Carbondale and Basalt Fire) since both Eagle and Garfield County are on the DTRS. Also currently using the DTRS system are Colorado State Patrol (CSP), Colorado Department of Transportation (CDOT) and Roaring Fork Transit Authority (RFTA).

Pitkin County cannot bear the costs of this project alone and is seeking commitments and funding from municipalities, special districts and other agencies including the City of Aspen, Town of Snowmass Village and Basalt in budget year 2017. All expenses will be through the County with contributions to the infrastructure coming from participating agencies. There is an Intergovernmental Agreement (IGA) in place with Communication Board agencies that provides for costing of capital projects across the agencies (Cost Schedule will be shared at the meeting). This will be the default mechanism for sharing the infrastructure build costs although alternative cost allocations are still under consideration.

All participating agencies recognize the importance of improving radio communications in the Roaring Fork Valley and mountain drainages and are committed to the successful migration to the 800MHz DTRS system.



Town of Basalt Police Department

100 Elk Run Drive, Suite 115

Basalt, CO 81621

(970) 927-4316

June 21, 2016

To: Mike Scanlon
Town Manager

From: Gregory M. Knott
Chief of Police

Ref: Annual Costs for Communications

Below are the 2006-2016 annual budget allocations and actual year end costs paid by the Town of Basalt for communications:

2006 - \$112,200 year end \$103,000
2007 - \$112,000 year end \$124,000
2008 - \$130,000 year end \$125,000
2009 - \$124,000 year end \$123,227
2010 - \$134,318 year end \$121,381
2011 - \$125,000 year end \$240,765
2012 - \$130,000 year end \$130,000
2013 - \$130,000 year end \$127,000
2014 - \$176,058 year end \$176,058
2015 - \$190,930 year end \$190,930
2016 - \$238,199

Please let me know if you have questions or need additional information.

TOWN OF BASALT, COLORADO
RESOLUTION NO. 26
SERIES OF 2014

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO AUTHORIZING THE MAYOR OF BASALT TO EXECUTE A REVISED
INTERGOVERNMENTAL AGREEMENT TO CONTINUE PARTICIPATION AND
FINANCIAL SUPPORT OF THE PITKIN COUNTY REGIONAL EMERGENCY
DISPATCH CENTER

RECITALS

WHEREAS, the agreement is entered into pursuant to, *inter alia*, C.R.S. §§ 29-1-201, *et seq.*, and Article XIV, Section 18 of the Colorado Constitution; and

WHEREAS, Participating Members entered into an original Intergovernmental Agreement on February 23, 1976, as amended on December 13, 1982, February 1, 1990 and May 13, 2009 establishing a joint public safety communication system, named the Aspen-Pitkin County Communications Center (Center), serving their respective jurisdictions.

WHEREAS, the Participating Members in the performance of their governmental functions, do furnish law enforcement and/or fire protection and other public safety services to the citizen and residents of the Town of Basalt and areas of their respective service areas, and

WHEREAS, Services from the Center to date have been provided to all Participating Members for an established fee by the Center as a Department under the direct control and supervision of Pitkin County; and

WHEREAS, the parties hereto desire to update the current agreement and revise the Center's name to the Pitkin County Regional Emergency Dispatch Center to reflect current practices;

WHEREAS, the Participating Members do hereby collectively determine and declare that this IGA is necessary, proper and convenient for the continued fostering and preservation of the public peace, health and safety.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Basalt, Colorado that:

The Town Council, in an effort to facilitate the assignment of the Intergovernmental Agreement executed between the Town of Basalt and the Pitkin County Regional Emergency Dispatch Center, hereby authorizes the Mayor to execute said Intergovernmental Agreement.

INTRODUCED, READ AND ADOPTED by the Council of the Town of Basalt, Colorado on this 22nd day of April, 2014.

TOWN OF BASALT, COLORADO

ATTEST:

By:

Jacque Whitsitt, Mayor



Pamela K. Schilling, Town Clerk

PITKIN COUNTY



**INTERGOVERNMENTAL AGREEMENT FOR THE OPERATION,
ADMINISTRATION AND FINANCIAL SUPPORT OF THE PITKIN COUNTY
REGIONAL EMERGENCY DISPATCH CENTER**

THIS INTERGOVERNMENTAL AGREEMENT (IGA, the “Agreement”) is made this ___ day of ____, 2014 by and between Pitkin County, the City of Aspen, Town of Snowmass Village, and Town of Basalt, and the Special Districts of Aspen Fire Protection District, Basalt and Rural Fire Protection District, Aspen Ambulance District, Carbondale and Rural Fire Protection District, and the Snowmass-Wildcat Fire Protection District each being a political subdivision and a governmental entity providing services within Pitkin County, and identified areas of Eagle and Gunnison Counties, State of Colorado, and hereinafter severally referred to by name or collectively as the “**Participating Members,**”

WITNESSETH:

WHEREAS, the agreement is entered into pursuant to, *inter alia*, C.R.S. §§ 29-1-201, *et seq.*, and Article XIV, Section 18 of the Colorado Constitution; and

WHEREAS, Participating Members entered into an original Intergovernmental Agreement on February 23, 1976, as amended on December 13, 1982, February 1, 1990 and May 13, 2009 establishing a joint public safety communications system, named the Aspen-Pitkin County Communications Center (Center), serving their respective jurisdictions.

WHEREAS, the Participating Members in the performance of their governmental functions, do furnish fire and/or law enforcement protection and other public safety

services to the citizens and residents within the boundaries and areas of their respective service areas, and

WHEREAS, Services from the Center to date have been provided to all the Participating Members for an established fee by the Center as a Department under the direct control and supervision of Pitkin County; and

WHEREAS, the parties hereto desire to update the current agreement and revise the Center's name to the Pitkin County Regional Emergency Dispatch Center to reflect current practices;

WHEREAS, the Participating Members do hereby collectively determine and declare that this IGA is necessary, proper and convenient for the continued fostering and preservation of the public peace, health and safety.

NOW, THEREFORE, in consideration of the premises and of the respective covenants and undertakings of the parties, as herein set forth, IT IS AGREED UPON as follows:

ARTICLE I – TERM AND EFFECT

- 1. Effect of IGA.** Except as expressly provided herein, this IGA shall replace and supersede all prior agreements of any kind between all or any of the Participating Members and any or all other Participating Members hereto, to the extent and for the limited purpose as such other agreements may be related to the provision of services by the Aspen-Pitkin County Communications Center, to now be called the Pitkin County Regional Emergency Dispatch Center. The previous Intergovernmental Agreement (IGA) as amended is hereby cancelled and of no further effect.
- 2. Term.** The initial term of this IGA shall commence on May 1, 2014 and expire on December 31, 2018. Upon the expiration of the initial term, the IGA shall automatically renew for an additional five (5) year renewal term and will automatically renew for additional five (5) year terms thereafter, subject to the provisions of "Article V, Default, Termination & Withdrawal,"

ARTICLE II – DISPATCH CENTER OPERATIONS

1. Administration of the Center - County Government.

- a. The Center shall remain a department of Pitkin County.
- b. The County has identified the County Sheriff (or his designee) as the administrator responsible for the oversight of Center operations.
- c. The Center shall be administered and supervised by the Emergency Dispatch Director (Director), or otherwise designated position by the County. All persons employed by the Center, including the Director, shall remain as Pitkin County employees, subject to all Pitkin County personnel policies and procedures, and eligible for all Pitkin County employee benefits available to like employees.
- d. Pitkin County shall have fiduciary responsibility for the Center and shall be its fiscal agent. The financial and budgetary process for the Center shall, at all times for the duration of this IGA, follow Pitkin County policy and procedure regarding such matters.
- e. Pitkin County shall provide defined overhead services for the Center including payroll administration, legal services, information systems services, and building and grounds support, as provided for herein.
- f. The space housing the Center is owned by Pitkin County and the County shall exercise control with respect to its use, maintenance, and care.
- g. All right, title and interest to the assets of the Center including, without limitation, all equipment, hardware, software, furniture, fixtures and supplies are property of Pitkin County. Portable and mobile radios, pagers and associated equipment purchased by Participating Members are excluded and remain the property of the respective agency.
- h. The specific duties and responsibilities of Pitkin County and County Sheriff, or its designated administrator, in addition to those general duties and authorities discussed above, are as follows:
 - i. Ensure Pitkin County policies and procedures are followed in the hiring and terminating the employment of the Director.
 - ii. Ensure the Director demonstrates effective control over the supervision, operation, and development of the Center.

- iii. Oversee the Director's authority to hire such employees as may be required but, only to the extent authorized by appropriations for this purpose and further, to discipline or terminate employees of the Center pursuant to applicable law and the policies and procedures of Pitkin County.
- iv. Develop and recommend an annual budget to the Pitkin County Board of County Commissioners ("BOCC") for final BOCC approval and/or modification.
- v. Apply fees as established by the Board and provided in the budget.
- i. The County Home Rule Charter, along with the administrative, financial, and management policies, procedures, regulations, and ordinances of Pitkin County shall apply with respect to the operation and management of the Center.

2. Governance of the Center - Communications Board.

- a. The Board shall be comprised of the following individuals of Participating Member agencies:
 - i. Pitkin County Sheriff or his designee in writing;
 - ii. City of Aspen Police Chief or his designee in writing;
 - iii. Town of Snowmass Village Police Chief or his designee in writing;
 - iv. Town of Basalt Police Chief or his designee in writing;
 - v. One Special District representative selected by the five (5) special district Participating Members: Aspen Fire Protection District, Basalt and Rural Fire Protection District, Aspen Ambulance District, Carbondale and Rural Fire Protection District; and Snowmass-Wildcat Fire Protection District.

No other agency representative may be a member of the Board, unless expressly approved in advance by the Board.

- b. The purpose of the Board is to provide representatives of the Participating Member agencies with a means to offer advice, suggestions and recommendations to the Director and the County with respect to the operation

- and management of the Center to ensure the efficient operation of the Center.
- c. The Board shall set and maintain its own by-laws, policies and procedures related to the conduct of meetings, standards for members, and all other internal matters, provided such policies and the like in no way interfere with the policies and procedures of Pitkin County.
 - d. Term length for each Board member is perpetual, as long as their agency remains in compliance with the terms and conditions of this IGA.
 - e. The Board shall assume and carry out the following duties and responsibilities:
 - i. Elect from its membership a Chair, who will serve as presiding officer and primary spokesperson. The term for Chair is as the Board may deem to be appropriate.
 - ii. Meet as often as may be required, but not less than once during each quarter of the calendar year.
 - iii. Make recommendations and determinations regarding the definition of emergency services, expectations for service levels and the appropriate use of Center services.
 - iv. Oversee operational goals and guidelines for the Center.
 - v. Regularly review the performance and operation of the Center and recommend day-to-day operating policies, procedures and/or operational protocols to the Sheriff (or his designee) and the Director.
 - vi. Work with the Director to make budget recommendations, including capital improvements, to the County.
 - vii. Evaluate the Center's Fee Schedule as part of the budget process; make recommendations to the County regarding policy for the fee schedule as an element of the overall budget process.
 - viii. Provide written comments regarding the performance of the Director, as appropriate, to the County Sheriff for formal consideration during the Director's performance appraisals.
 - ix. Establish guidelines for evaluating the provision and contracting of

Center services as requested by other agencies.

- x. Recommend to the County an appropriate rate of compensation for services provided to (1) those entities contracting with the Center for limited services, as well as (2) any and all Participating Members in default still receiving emergency services from the Center.

3. **Emergency Dispatch Director.**

- a. The Director reports and receives general supervision from the Pitkin County Sheriff.
- b. The duties of the Director shall include:
 - i. Responsibility for the day to day operations of the Center, operational budget control, personnel management, long range and capital planning.
 - ii. Recommending the appointment, promotion and termination of Center employees, subject to Pitkin County policies and procedures. The Director shall have the authority to administer appropriate discipline with respect to any of the Center's operating personnel with the exception of termination which requires the approval of the Sheriff (or his designee) and the County Human Resources Director. Notification of terminations will be provided to Participating Member representatives.
 - iii. Attending all Communications Board meetings.
 - iv. Provide quarterly financial and operational reports to Participating Members.
 - v. Working regularly with the Board or it's designees to develop operational protocols.
 - vi. Establishing internal rules, policies, and measures (not inconsistent with federal, state or local laws or administrative policies of Pitkin County) governing the internal management of the Center and its relationship to County departments and other outside agencies.

4. Network Services.

- a. The Pitkin County Network (COMNET) is maintained by Pitkin County and by using COMNET resources, all Participating Members agree to comply with the current Criminal Justice Information System (CJIS) Security Policy. The CJIS Security Policy applies to every individual - contractor, private entity, noncriminal justice agency representative, or member of a criminal justice entity - with access to, or who operate in support of, criminal justice services and information. Any employment status changes of CJIS users must be communicated to the County as soon as possible.
- b. National Crime Information Center (NCIC)/Colorado Crime Information Center (CCIC) Integrity and Protocol. The Board and the Director shall have the authority to ensure the Center conforms to NCIC/CCIC guidelines, regulations and protocols and to oversee NCIC/CCIC computer system. Only those Participating Members who work within the criminal justice system shall resolve any issue directly related to NCIC/CCIC.
- c. Participating members to this agreement affirm that any and all data in any shared records systems is the sole property of the entering member, who shall also be the official custodian of the record. While participating members have access to data in the shared records systems, only the entering member has personal custody of the public records they enter. Furthermore, the participating members agree that they will maintain the strictest security, in particular to keep all data from any unauthorized or accidental use, access, disclosure, damage, loss or destruction. All participating members agree that dissemination will only occur via the official custodian for any individual record.

ARTICLE III – ANNUAL OPERATIONS CHARGES FOR SERVICES

1. Payment for Services.

- a. The Participating Members agree to the payment of an allocated annual share of the overall operating costs of the Center, which shall include but not be limited to the costs of salaries and fringe benefits for employees, telephones, supplies, utilities, maintenance, insurance premiums and deductibles and any other expenses related to the efficient operation and administration of the Center. Overhead shall be charged at a rate of 12 percent of the Participating Agencies calculated operational contribution.
- b. Such payment obligation shall be assessed according to each Participating Member's collection schedule agreement with Pitkin County, based on a proposed budget or actual expenditures as incurred for each year. The annual proposed budget, and accordingly the payment schedule for each Participating Member, may be modified from time to time to reflect the actual operating costs of the Center.

2. Calculation of Fees.

- a. An Annual Fee Schedule shall be determined by the Board and calculated on an annual basis in accordance with the following:
 - i. Participating Members' Percentage of Use Fee budgeted fees shall be calculated based on a proportionate and equitable basis using their annual percentage of calls for service for the agency during the fiscal and calendar year, using data averaged for the two years prior to the to the current year.
- b. The Annual Fee for each Participating Member shall initially be based off the Proposed Budget. . Accordingly, the Proposed Budget, and the initial estimate of each Participating Member's annual fee may be subject to modification through the proper budget modification process.
- c. Notification of the estimated Percentage of Use Fee payments due from each Participating Member for the ensuing fiscal and calendar year shall be distributed as early as practicable of the prior year, based off the Proposed Budget for that ensuing year.

3. **Collection of Fees.** The collection schedule for Participating Members shall be on an annual or quarterly basis, depending on the established percent of calls for service for an agency. Participating Members with less than 15% of calculated calls may choose either a quarterly or annual payment plan as established in this Article - 1b. Members with over 15% of calculated calls will pay quarterly as established in this Article - 1b. Pitkin County will invoice Participating Members on the established schedule. Payment is due 30 days from invoice date.

ARTICLE IV – CAPITAL EXPENDITURE PARTICIPATION FUND

1. **Capital Budget.** Capital expenditures for the Center, known as the Capital Budget, shall be budgeted separately from operations as part of the County’s Capital Plan. The Capital budget shall be based on a 10 year plan identifying all capital expenditures for improvements and replacement of equipment/systems.
2. **Calculation of Capital Contribution.** The contribution formula for the Capital Budget shall be as follows:
- a. The first 25% of the Capital Budget shall be paid for by the County and Municipal Participating Members as follows:
 - i. The total population of unincorporated Pitkin County and each Municipal Participating Member shall be established by the following: the total population of all entities combined shall be determined, and then a percentage of said total population shall be established for unincorporated Pitkin County and each Municipal Participating Member;
 - ii. The County and each Municipal Participating Member shall make a payment based off the total of the 25% portion of the Capital Budget, multiplied by the percentage of total population prescribed to that County and Municipal Participating Member. This payment shall be called the “Population Payment.”
 - b. The remaining 75% of the Capital Budget shall be paid for by all Participating Members as follows:

- i. Each Participating Member shall be charged in accordance with their Percentage of Use, in order to derive the required monetary obligation for such agency for capital expenditures.
 - ii. The Percentage of Use of each Participating Member shall be multiplied by the total of the 75% portion of the Capital Budget, in order to determine the payment each Participating Member shall make.
 - iii. This payment shall be referred to as the “Capital Use Payment”.
 - iv. Each County and Municipal Participating Member shall be responsible for a total payment equal to the “Population Payment” plus the “Capital Use Payment.”
 - c. Modifications to the Capital Budget, in terms of monetary obligations, as well as the contribution formula, may be recommended by the Board as deemed appropriate. Said budget may be subject to modification from time to time in accordance with the same policies and procedures as set forth for operations charges.
3. **Capital Payment.** Capital expenditure payments for each Participating Member shall be made in accordance with the schedule for payment set forth for the operations costs in Article III.3 above.

ARTICLE V – DEFAULT, TERMINATION & WITHDRAWAL

1. **Notice of Default.** In the event any Participating Member fails to pay its share of the operating costs when due, or is otherwise in default under its obligations per this IGA, the County shall cause written notice to be given to the defaulting Participating Member’s legislative body or other authority that approved this IGA, of the Center’s intention to suspend performance of Center Services under this IGA as to such Participating Member in default unless such default is cured within twenty (20) days from the date of such notice. Such notice shall set forth in reasonable detail, with the nature of the default and the required action to cure the same.

2. **Suspension of Performance.** Upon failure to cure said default within the said twenty (20) days period, performance of Center Services under this IGA shall be immediately suspended by the County, as to the defaulting Participating Member only.
3. **Emergency Center Services.** Notwithstanding anything above to the contrary, said suspension of performance of Center Services under this IGA shall not include any suspension of performance of “Emergency Services” by the Center, as such term is defined by the Board, for the defaulting Participating Member. “Emergency Services” shall continue to be performed by the Center for the defaulting Participating Member, and the County shall invoice the defaulting Participating Member for such emergency services at a rate as determined to be appropriate by the Board, for the duration of such suspension. All parties hereto concur that such invoices shall be considered a good and valid debt for the payment of services provided, which may be collected and/or assigned through all available legal and equitable means.
4. **Termination.** If, after committing default under this IGA which necessitates a suspension of performance of Center services as discussed above, any defaulting Participating Member continues to fail to correct any default under the performance of this IGA for an additional period of three months, the County may provide said defaulting Participating Member with a notice of intention to terminate the IGA with respect to said defaulting Participating Member upon the end of the current fiscal and calendar year. Such termination shall effectively eliminate any and all rights the defaulting Participating Member may have to rely on the provision of any Center services, including without limit, all emergency services. Any Center assets that were partially or fully purchased with that Participating Member’s funding shall stay with the Center. The defaulting Participating Member will receive no repayment for any moneys, which were expended for the purchase of such assets under either this IGA, as such agreement now stands or may be amended from time to time.
5. **Withdrawal.** If a Participating Member wishes to withdraw from the Center, a one year written notice must be submitted to the County stating such intentions. Any Center assets that were partially or fully purchased with that Participating Member’s funding shall stay with the Center. The withdrawing Participating Member will receive

no repayment for any moneys, which were expended for the purchase of such assets under either this IGA, as such agreement now stands or may be amended from time to time.

6. **Survival of Agreement.** Notwithstanding anything herein to the contrary, Participating Members understand and agree that all terms and conditions for this IGA shall remain in full force and effect regardless of an individual member's withdrawal or termination.

ARTICLE VI – GENERAL PROVISIONS

1. **Waiver.** The failure of any party to exercise any of its rights under this IGA shall not be deemed to be a waiver of any rights provided for under this IGA.
2. **Appropriation of funds.**
 - a. Notwithstanding anything herein to the contrary, the obligations of each individual Participating Member under this IGA shall be, where appropriate, subject to the annual appropriation by that Participating Member's governing body, of funds sufficient to meet those obligations provided herein. In the event that sufficient funds are not so appropriated by any Participating Member, this Agreement may be terminated by either said Participating Member or the County as to said Participating Member.
 - b. Nevertheless, no Participating Member shall be permitted to terminate or withdraw from this IGA prior to the end of a fiscal or calendar year due to such non-appropriation of funds, and in no circumstances shall any portion of any type of contribution of the Participating Member failing to so appropriate sufficient funds be returned or pro-rated due to such non-appropriation.
 - c. No obligation provided in this IGA is intended to, or shall be interpreted to, constitute a multiple year direct or indirect debt or other financial obligation whatsoever within the meaning of the Constitution or laws of the State of Colorado.
3. **Notice.** Any notice or communication given pursuant to this IGA shall be given in

writing, either in person, by electronic means or by certified mail, return receipt requested to the addresses listed in **Addendum B, Notification and Contact Information**, to this IGA, which is subject to modification from time to time. If given in person, notice shall be deemed given when actually given. If given by electronic means, notice shall be deemed given upon receiving notice. If given by certified mail, notice shall be deemed given at the time indicated on the duly completed return receipt.

Any Participating Member may change the address to which notices, requests, consents, approvals, written instructions, reports or other communications are to be given by a notice of change of address given in the manner set forth in this paragraph.

4. **No Benefit to Inure to Third Parties.** This IGA does not, and shall not be deemed to, confer upon or grant to any third party any right to claim damages or to bring any lawsuit, action or other proceedings against any Participating Member because of any breach hereof, or because of any terms, covenants, agreements or conditions contained herein.
5. **Modifications.** No modification or waiver of this IGA, or modification of any covenant, condition, or provision herein contained, shall be made unless duly executed by a three quarters (75%) majority of the Participating Member entities.
6. **Agreement.** This IGA constitutes the entire agreement and understanding between the Participating Members on the subject matter hereof, and supersedes any prior agreements or understandings relating to the subject matter of this IGA, except for other written agreements and understandings referred to herein.
7. **Benefit.** This IGA shall be binding upon and shall inure to the benefit of the parties hereto, their successors or assigns.
8. **Severability.** All agreements and covenants contained herein are severable, and in the event that any such agreement or covenant is held invalid, by a court of competent jurisdiction, this IGA shall be interpreted as if such invalid agreement or covenant

were not contained herein.

9. **Governmental Immunity.** No Participating Member hereto intends to waive, expressly or implicitly, by any provision of this IGA, the monetary limits or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S., as amended from time to time, or any other privilege or immunity provided by law.
10. **Attorney's Fees.** If an action is brought to enforce this IGA, the prevailing party shall be entitled to reasonable attorney's fees and costs.
11. **Applicable Law.** This IGA shall be interpreted in all respects in accordance with the laws of the State of Colorado. Venue shall only be proper in Pitkin County, Colorado.
12. **Paragraph Headings.** Paragraph headings are inserted for convenience only and in no way limit or define the interpretation to be placed upon this IGA.
13. **Indemnity.** All actions or omissions by any Participating Member, and/or its designated representative, in the course and scope of its performance of any obligations, responsibilities, or duties under this IGA and/or as a member of the Board, shall be insured by the insurance policies and coverage to be obtained by Pitkin County for the Center and made part of the total operating costs of the Center. However, any and all actions or omissions by any Participating Member, and/or its designated representative, outside of the proper course and scope of its performance of any obligations, responsibilities, or duties under this IGA and/or as a member of the Board (hereinafter referred to as "non-authorized acts or omissions"), shall be the sole responsibility of the Participating Member, and/or its designated representative. Accordingly, each Participating Members hereto shall, without waiving governmental immunity, fully indemnify, to the extent permissible under Colorado law, for all injuries to person or property as are directly or indirectly caused by any such non-authorized acts or omissions of that Participating Member or a representative of such Participating Member, which result in any damages, claims, costs or liability of any manner, including without limit reasonable attorneys fees, each and every other Participating Member, and the Center as an entity.

14. **Insurance.** Regardless of the obligation for the Center to carry all proper and necessary insurance to provide appropriate coverage for its operations, all Participating Members hereto shall also be required to maintain insurance coverage at a minimum of the limits for liability set forth by the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S., as amended from time to time.
15. **Hold harmless.** Each Participating Member shall hold harmless the Center, its officers, employees, and agents against the loss of any service due to circumstances beyond the control of the Center. Such agreement shall extend to the Board and the Pitkin County Government as well.
16. **Individual obligations.** Each Participating Member is required to carry out and perform all the obligations of a Participating Member under this IGA independently of the actions of any and all other Participating Members. No Participating Member shall be responsible or liable for the failure of any other Participating Member to perform its obligations herein.

**ARTICLE VII – FUTURE CONTRACTS BY THE CENTER
OR COMMUNICATIONS SERVICES**

It is agreed by and between the Participating Members that the Center may be in a position to furnish radio communications services to other governmental, quasi-governmental, or non-governmental entities, and in this regard, the Participating Members hereby expressly agree and consent that any such contract or agreement for the provision of services to such other entities and the Center shall be either through amendment to this IGA, or through a separate document on the same terms and condition as this IGA, including the formula used for annual cost calculations, as well as any other terms and conditions that the Center may deem appropriate which are not inconsistent with this IGA, do not lessen the service to, or increase the charges due from the other Participating Members. Notwithstanding the foregoing, Participating Members all acknowledge that certain governmental entities, at a maximum threshold of service demand as set by the Board, may potentially opt to forego participating membership into the Center per this agreement, and instead contract with the

Center for services.

ARTICLE VIII – EFFECTIVE DATE & EXECUTION

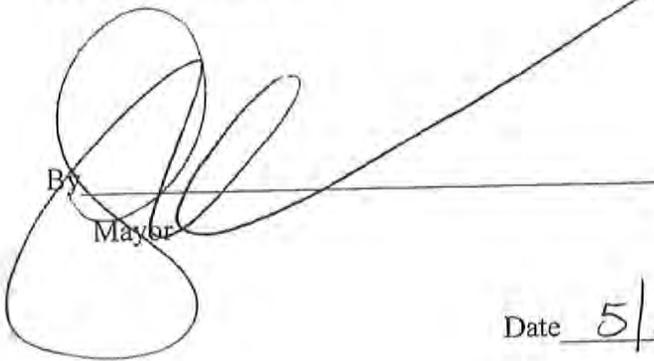
In accordance with CRS §29-1-203(1), this IGA shall not become effective as to any party unless and until it has been approved by all Participating Members hereto. Provided, however, that if any potential Participating Member fails to approve this IGA by April 15, 2014, this IGA may become effective as to said non-approving Participating Member as an absolute condition of any Center service by unilateral order of the Board of County Commissioners of Pitkin County, Colorado. Accordingly, the initial term of this IGA and the rights and obligations inuring there under shall run concomitantly for all Participating Members hereto, regardless of the date of signature of any one Participating Member.

This IGA may be executed in counterparts. Execution of this IGA by fewer than all parties shall be governed by this Article.

IN WITNESS HEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this Agreement to be executed the day and year first above written.

INTERGOVERNMENTAL AGREEMENT FOR THE OPERATION,
ADMINISTRATION AND FINANCIAL SUPPORT OF THE PITKIN COUNTY
REGIONAL EMERGENCY DISPATCH CENTER

TOWN OF BASALT

By 
Mayor

Date 5/27/14

Migration to State of Colorado Digital Trunked Radio System

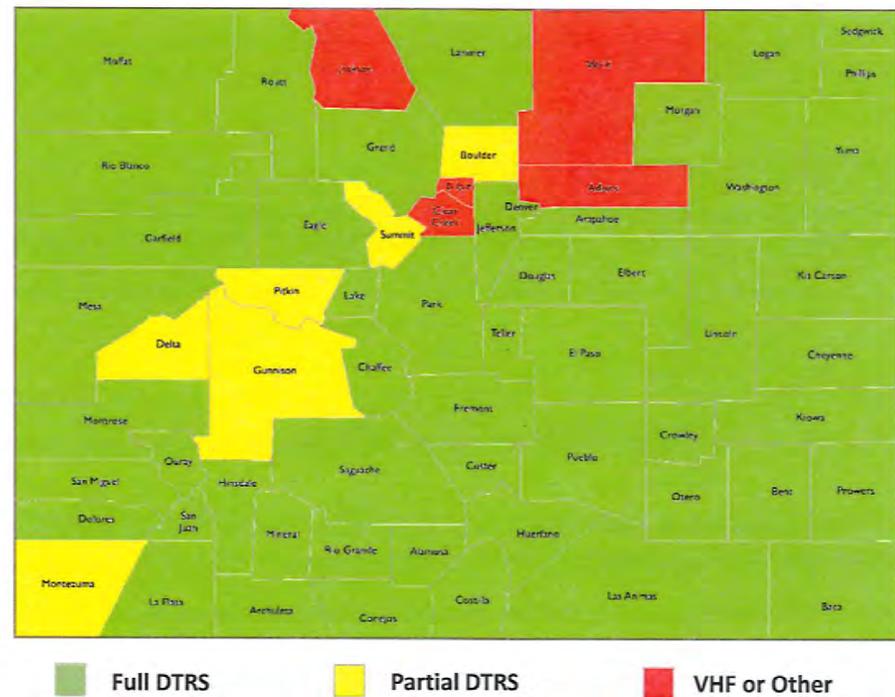


System Overview



State of Colorado 800Mhz Digital Trunking Radio System (DTRS)

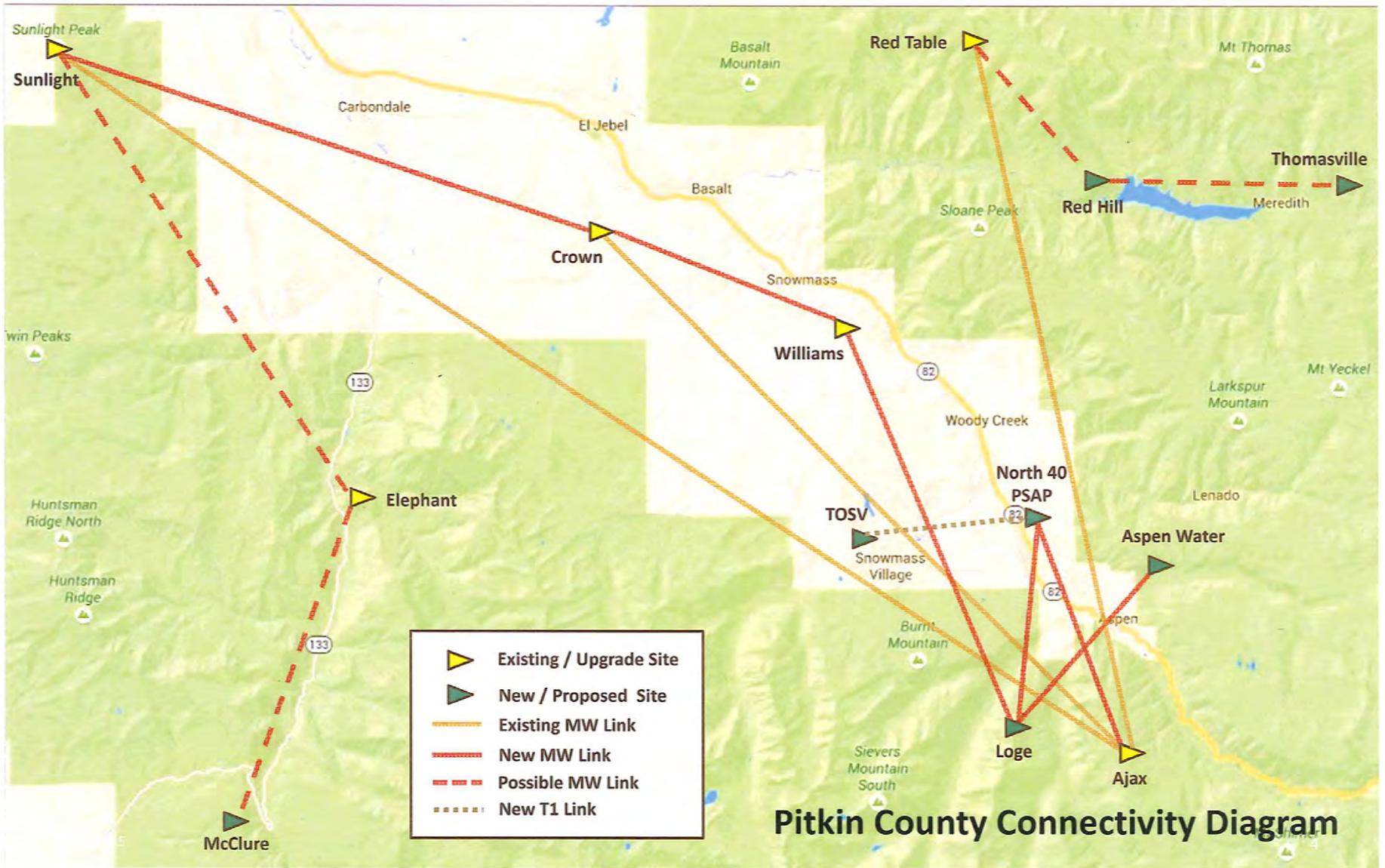
- CCNC is the governing body, mostly maintained by the State of Colorado
- **218** DTRS Sites
- **4** Zone Controllers
- **56,000+** Radio Identifiers
- **1000+** Total User Agencies
- Approximate number of monthly transmits on the system: **8 million**



What do we need to migrate?

- DTRS Tower Sites
 - Existing sites
 - Sunlight
 - Upgraded Sites
 - Ajax (8/15)
 - Red Table (9/15)
 - Crown (9/15)
 - New DTRS Sites
 - Aspen Water (2016)
 - Loge (2016)
 - Williams (2016) – Current Translator site
 - TOSV Town Hall (2016)
 - McClure (2017?)
- Microwave Links (connecting sites)
- Building and Tower Infrastructure





Partnerships



- Aspen Water
 - City of Aspen
- Loge
 - Aspen Ski Co
 - Forest Service
- Williams
 - Pitkin Translator
- TOSV Town Hall
 - Town of Snowmass
- McClure
 - Gunnison, Garfield, Delta Counties, State of Colorado, Holy Cross, Forest Service, Translator
- Red Table
 - Holy Cross



THE CITY OF ASPEN



The Town of SNOWMASS Village





Partnership Value

- State Installation: \$1,250,000
- Holy Cross/State for Red Table: \$600,000
- DOLA grant for McClure (projected): \$500,000
- Translator: \$505,000
- RFTA: \$100,000
- Motorola Discount: \$70,000

- **Confirmed partnership value: \$3,525,000**

- Unknown:
 - Building on Loge with Ski Co
 - McClure Building and Tower (Other Counties)
 - Pitkin County Broadband Initiative
 - Other opportunities....

Expected Expenses

• Building / Towers / Equipment	\$3,546,000
• Microwave Backhaul	\$647,000
• Installation and Integration	\$1,250,000
• Ajax/Crown Upgrade	<u>\$210,000</u>
• TOTAL ESTIMATED EXPENSES	\$5,653,000
• Minus Partner Contributions	\$3,525,000
• Total Estimated Outstanding Costs	\$2,128,000
• Contingency (10%)	<u>\$212,000</u>
• PROJECT BUDGET	\$2,340,000 (not including subscriber units)
• Radio Subscriber Unit Replacement	
• Portables: approx \$900/ea	
• Mobiles: approx \$2,500/ea	

MOU



Memorandum of Understanding (MOU) adopted between State of Colorado and Pitkin County

- Period of Performance: 25 years (starting when DTRS equipment is installed)
- State Responsibilities:
 - Provide labor for installation
 - Integration and test on the DTRS
 - Provide maintenance and labor and supply all necessary replacement parts for its useful life
 - Perform preventative maintenance on overall site infrastructure (generators, buildings, grounding, etc)
 - Intrusion, temperature and moisture detection
- County Responsibilities:
 - Provide shared building and tower space
 - Site electrical power and backup generator with uninterrupted service



Projected O&M Costs

- State covers labor, maintenance, and replacement costs for all DTRS equipment for 25 years
 - DTRS Equipment Costs = \$1.8 M
 - Useful Life (Radio Equipment) = 8 years
 - Useful Life (Microwave) = 10 years
 - **Projected O&M Costs = Approx \$12 M through 25 years**
- County covers building, tower and backup generator maintenance and replacement.
 - Building/Tower Costs = \$700K
 - Useful Life (Building / Tower) = 25 years
 - Useful Life (Backup Generator) = 10 years
 - **Projected O&M Costs = Approx \$1.5 M through 25 years**



Subscriber Governance

- Cohesive group to guide/manage/simplify the user experience
 - Training of users
 - Purchasing
 - Programming
 - Maintenance/Repair
 - Large Incident Collaboration



Timeline

- Full migration by the fall of 2017
 - (2) sites upgraded in 2015 (Ajax, Crown - funded by the State)
 - (1) site in 2015 (Red Table - funded by the State and Holy Cross)
 - (4) new sites in 2016 (Aspen Water, Loge, Williams, TOSV)
 - (1) new site in 2017? (McClure)
- Dispatch relocation with inclusion of DTRS equipment – September 2016
- Radio Subscriber Unit replacement over the next two years

TOWN OF BASALT Action Item	Date: June 28, 2016 From: James Lindt AICP, Assistant Planning Director
	Town Manager Review: MS 6-23-16

SUBJECT: Public Hearing and Second Reading of Ordinance No. 14, Series of 2016- rescinding the site-specific approval for the dentist office and associated apartment at 234 Midland Avenue and granting an Exemption from the Vitality Zone Requirements for a Business Office on the 1st Floor.

RECOMMENDATION: Staff recommends that the Council approve the ordinance on second reading.

DETAILS: The Applicant, Midland Project LLC. represented by Eric Gross, has requested to rescind the existing site-specific approval and obtain approval for an exemption from the Community Vitality Zone requirements to permit a Business Office use on the first floor and an employee apartment on the second floor of 234 Midland Avenue. The Property is located in the C-2 Zone District, which requires that all uses on the first floor of buildings facing Midland Avenue be retail, restaurant, or personal service uses. The Applicant has listed the building for sale and has requested the exemption for the Business Office use on the first floor until the building is sold.

A site-specific plan approval was granted in 2007 for a dentist office and an associated residential unit at 234 Midland Avenue and a dental office operated out of the space from 2007 until recently. The Applicant is requesting the ability to temporarily maintain a Business Office use for property management and bookkeeping on the first floor of the building and an apartment on the second floor to rent to an employee of the building owner. In addition to the request for the Vitality Zone exemption, rescinding the current site-specific approvals would allow for another community vitality use to occupy the first floor in the future once the building is sold and the business office use vacates the first floor space.

Staff supports rescinding the current approvals that lock the use of the building into use by a dental office. Additionally, Staff is accepting of the Applicant's proposal to temporarily maintain a Business Office on the first floor in the Vitality Zone as this site is not ideal for a retail space since it is setback from the street and previously operated as a bed and breakfast/residence. The Community Vitality Zone Exemption language allows for the Council to consider the prominence of the location and the impact of the exemption on adjacent uses. In the draft ordinance, Staff includes a time limitation of nine (9) months on the continued use of the first floor as a Business Office, with the potential for the Town Manager to extend it further for good cause.

The Council approved the ordinance on first reading at the June 14th meeting and there have not been any changes to the ordinance since first reading.

RECOMMENDATIONS FROM OTHER BOARDS: The P&Z is not required to review a request for rescinding a site plan approval or an exemption from the Community Vitality requirements

RELATED TOWN STATUTE AND TOWN ACTIONS: Ordinance No. 4, Series of 2007, Town Code Section 16-29, C-2 Downtown Business District

ATTACHMENTS: A) Ordinance No. 14, Approved on First Reading

A) Draft Ord.

**Town of Basalt, Colorado
Ordinance No.14
Series of 2016**

ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, RESCINDING THE SITE-SPECIFIC APPROVAL FOR A DENTIST OFFICE AND RESIDENTIAL UNIT GRANTED BY ORDINANCE NO. 4, SERIES OF 2007, AND APPROVING AN EXEMPTION FROM THE COMMUNITY VITALITY ZONE REQUIREMENTS TO TEMPORARILY PERMIT A BUSINESS OFFICE USE ON THE FIRST FLOOR OF THE PROPERTY LOCATED AT 234 MIDLAND AVENUE

RECITALS

A. Midland Project LLC. ("Applicant") filed an Application ("Application") to rescind the site-specific approval for the dentist office and residential unit granted by Ordinance No. 4, Series of 2007, for the property at 234 Midland Avenue. The Application also requests a temporary exemption from the Community Vitality Zone requirements for the property located at 234 Midland Avenue, more particularly described in a warranty deed recorded as Reception No. 200630714 with the Eagle County Clerk and Records Office ("Property").

B. At a public meeting held on June 14, 2016, the Town Council considered the Application on first reading and set a public hearing and second reading for this ordinance for June 28, 2016 at a meeting beginning no earlier than 6:00 p.m. at Basalt Town Hall, 101 Midland Ave., Basalt, Colorado.

C. At a public hearing and second reading on June 28, 2016, the Town Council heard evidence and testimony by Town Staff, the Applicant, and members of the public.

D. The Town Council finds that the Applicant's request is consistent with the applicable provisions of the Town Code and Town Master Plan, provided the Applicant adheres to the conditions identified in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Basalt, Colorado, as follows:

A. FINDINGS

1. Based on the evidence, testimony, exhibits, and comments from the public, the Applicant and Town Staff, the Town Council finds and determines in accordance with the Town Code, as follows:

Please return to:
TOWN OF BASALT
101 Midland Avenue
Basalt, CO 81621

a. The Town Council incorporates the above recitals, the representations of the Applicant, and all exhibits as findings and determinations, and conclusively makes all of the findings of fact, determinations and conditions contained herein.

b. The Town Council finds that the Applicant's request is consistent with the applicable provisions of the Town Code, provided applicant adheres to the conditions identified in this Ordinance.

c. The Application satisfies the requirements of Section 16-44, Town Code relating to terminating the site-specific approval. Ordinance No. 4, Series of 2007 granted site specific approval for a dentist office and a residential at 234 Midland Avenue. The Applicant has petitioned the Town Council to rescind the site-specific approval to allow the lot to be utilized in accordance with the C-2 Zoning in place on the Property. Additionally, the Town finds that the proposed change in use is generally compatible with the natural characteristics and constraints of the Property.

B. CONDITIONS

1. Based on the Application, testimony and comments from the public, Applicant and Town Staff, the Town Council hereby grants approval for rescinding the site-specific approval granting a dentist office and a residential unit in conjunction with the business, and approving a temporary exemption from the Community Vitality requirements for a business office on the first floor, subject to the following conditions:

a. The Applicant shall comply with all material representations made by the Applicant in the Application and in hearings before the Town Council.

b. The provisions of Ordinance No. 4, Series of 2007, granting the site specific approval for a dentist office are hereby rescinded. The permission for the dentist office approved by said Ordinance is hereby terminated and the conditions related to the site specific approval shall no longer be in effect, except as noted herein.

c. The residential unit in conjunction with a business on the second floor shall be subject to the condition that the residential unit shall be occupied by an employee or the owner of the business occupying the first. The Applicant agrees to provide the Town with all information reasonably necessary for the Town to determine compliance with this condition.

d. A temporary exemption from the Community Vitality Use requirements for a Business Office on the first floor is approved. The exemption

shall expire the earlier of 1) nine (9) months after the effective date of this ordinance or, 2) upon the transfer of ownership of the property. The Town Manager may approve a six (6) month extension for the business office use if it is determined to be in the best interest of the community.

e. The off-street parking requirements established in Ordinance No. 4, Series of 2007 shall remain in effect for the Business Office use.

f. Upon expiration of the Community Vitality Zone exemption established in Condition 1(d) above, the Applicant shall be required to establish a Community Vitality use on the 1st floor of the building facing Midland Avenue as required pursuant to the C-2 Downtown Business District.

g. Certain new uses may require building upgrades pursuant to the Building and Fire Codes. Upon establishment of a new use on the first floor, the business license and/or building permit shall be referred to the Fire Marshal and Building Official for review to determine if building upgrades are necessary for compliance with the applicable building and fire codes.

h. The Applicant shall remain in compliance with lighting and sign regulations.

i. Upon establishment of a new use, a recalculation of water and sewer tap fees shall be completed and payment of any additional tap fees to the Town of Basalt for water and the Basalt Sanitation District for sewer shall be required. The Applicant shall comply with any other requirements of the Basalt Sanitation District.

C. MISCELLANEOUS

1. The approvals contained herein and the conditions contained herein shall be binding on and inure to the benefit of the heirs, successors and assigns of the Applicant.

2. The Ordinance shall be recorded in the Office of the Clerk and Recorder of Eagle County.

3. If any part, section, subsection, sentence, clause or phrase of the Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance and the Town Council hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause or

phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON June 28, 2016 by a vote of 4 to 0 on June 14, 2016.

READ ON SECOND READING AND ADOPTED by a vote of __ to __ on _____, 2016

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pamela K. Schilling, Town Clerk

Ord14__-234MidlandRescind.doc

First Publication: Thursday, _____, 2016
Final Publication: Thursday, _____, 2016
Effective Date: Thursday, _____, 2016

TOWN OF BASALT Action Item	Date: June 28, 2016 From: James Lindt AICP, Assistant Planning Director
	Town Manager Review: MS 6-24-16

SUBJECT: Consideration of Resolution No. 25, Series of 2016, Approving a Policy for Administering Town-Owned Employee Housing Units

DETAILS: Councilors requested that the Council conduct a worksession to discuss the administration of Town-owned affordable housing units and the Staff brought a draft policy to the Council at the end of May. At the worksession, the Council decided that BACH should review the draft policy before the Council. BACH members reviewed the draft policy and recommended changes that have been incorporated into the draft policy (attached). The changes recommended by BACH and incorporated in the draft policy are as follows:

- 1) Label the Town-owned units as Employee Housing Units instead of Affordable Housing Units. They are satisfying the Town's need for employee housing units, and not as affordable housing.
- 2) Town Councilors shall not be considered Town Employees for the purpose of obtaining priority in occupying a Town-owned unit. Councilors would still be eligible for a Town-owned unit based on the occupancy priority in which their primary employment falls within.
- 3) Individuals or families renting a Town-owned unit shall not own other property in the Roaring Fork Valley.
- 4) Finance Director shall administer the rental of Town-owned units on behalf of the Special Housing Evaluation Committee (SHEC).
- 5) A Community Housing Guidelines Amendment shall be processed to expand SHEC to include two (2) members of BACH to be appointed by the Town Council in addition to the current make-up of SHEC which consists of the Town Manager, Police Chief, Public Work Director, and Town Planner.

If the Council is comfortable with the draft policy as recommended by BACH, the Council could approve the attached resolution, approving the Policy and directing Staff to bring forward an ordinance to amend the Town's Community Housing Guidelines to change the composition of SHEC.

RECOMMENDATION: Staff recommends that the Council hear a brief presentation from Staff regarding the draft policy and BACH's recommended changes and then conduct a Council discussion on the draft policy. Staff recommends approving the attached resolution.

RELATED TOWN STATUTE AND TOWN ACTIONS: Town Code Section Chapter 16, Article XIX, *Housing Mitigation*; Basalt Community Housing Guidelines; 2007 Basalt Master AH Goals and Objectives

ATTACHMENTS: A) Resolution and Policy for Administering Town-Owned Units B) Town-owned Units Staff Analysis of Issues from May 24th Council Packet

A) Draft
Reso.

RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING A POLICY FOR ADMINISTERING TOWN-OWNED EMPLOYEE HOUSING UNITS AND DIRECTING STAFF TO BRING FORWARD AMENDMENTS TO THE COMMUNITY HOUSING GUIDELINES TO CHANGE THE COMPOSITION OF THE SPECIAL HOUSING EVALUATION COMMITTEE (SHEC)

**Town of Basalt, Colorado
Resolution No. 25
Series of 2016**

RECITALS

Whereas, the Town currently owns seventeen (17) dwelling units for rental to employees.

Whereas, the Town Council desires to adopt a policy by which the Town should follow with regards to renting the Town-owned employee housing units to ensure that occupants are selected in a fair and equitable manner.

Whereas, Basalt Affordable Community Housing (BACH) Committee members reviewed the draft Policy for Administration of the Town-Owned Employee Housing Units and recommended revisions at their June 9, 2016 meeting.

Whereas, the Policy attached hereto as Exhibit "A" contains the revisions suggested by BACH members.

Whereas, the Town Council considered Staff and BACH member comments, and the proposed policy at their meeting on June 28, 2016.

Whereas, The Town Council finds and determines it is in the best interests of the Town to adopt a policy for the Administration of Town-owned Employee Housing Units as attached hereto, and is reasonably necessary to promote the legitimate public purposes of the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO:

Based on the evidence, testimony, and comments from Town Staff and BACH members, the Basalt Town Council hereby; 1) adopts the Policy for the Administration of Town-owned Employee Housing Units as attached hereto as Exhibit "A", and 2) directs Town Staff to bring forward an ordinance for Council's consideration related to amending the composition of SHEC to include two (2) members of BACH as shown on Exhibit "B".

RESOLUTION NO. 27, SERIES OF 2016, IS HEREBY ADOPTED by a vote of ___ to ___, this 28th day of June, 2016.

TOWN OF BASALT, COLORADO

ATTEST:

by _____
Jacque R. Whitsitt, Mayor

Pamela K Schilling, Town Clerk

BACH's changes are in underline/strikethrough text (If Adopted, underline/Strikethrough text will be removed from document before signed)

Exhibit "A"

Administration of Town-Owned Employee Housing Rental Units

Qualifications:

Only one person of a family must meet the employment requirements established in the Town's Community Housing Guidelines to qualify to rent a Town-owned ~~rental~~ employee housing unit. Deed restrictions on Town-owned ~~rental~~ employee housing units shall control where in conflict with this policy. If income and asset requirements are not contained in an applicable deed restriction, then Priority 1 and 2 applicants are not required to meet income and asset limitations. Priority 3 and 4 applicants must meet the Category 3 income and asset requirements of the Community Housing Guidelines.

Occupancy Requirements and Limitations:

A minimum occupancy of one qualified individual per bedroom must be met; however, if the Town of Basalt has advertised a vacant unit for each Priority and not qualifying tenant has applied, minimum occupancy requirements can be modified by the Special Housing Evaluation Committee (SHEC) as defined in the Town's Community Housing Guidelines for a leased term not to exceed one year. At such time the ~~rental~~ employee housing unit again becomes vacant, minimum occupancy requirements shall apply. Maximum occupancy shall not exceed the limitations set forth in the Town Code and Community Housing Guidelines. A qualified person must not own developed residential real estate or a mobile home in those portions of Eagle, Garfield, Gunnison or Pitkin Counties which are part of the Roaring Fork River drainage.

Maximum Lease Terms and Requalification:

Maximum lease terms for renting a ~~community~~ employee housing unit shall be one year. Compliance with all applicable qualification requirements must be maintained during the lease term. After the lease expires, occupants must re-qualify with the Town based on the applicable employment, income, assets, and occupancy restrictions in order to continue to occupy the unit. Such tenants have priority for continuing tenancy. After the one year lease expires, occupants must re-qualify with the Town based on the employment, income, assets, and occupancy restrictions in order to continue to occupy the unit. Each adult occupying a unit shall be listed on the lease filed with the Town.

Minimum Lease Terms:

Minimum lease terms shall be six (6) months unless reduced by the SHEC in the instance that such a reduction furthers the Town's housing goals, (e.g. housing Rocky Mountain Institute interns/employees). The same requirements apply as for one-year leases.

Responsibility for Employee Rental Affordable Housing Unit Administration:

The Town Finance Director as a Town Staff liaison to SHEC shall work together to administer the advertising, qualifying, and placement of qualified individuals into ~~rental-community~~ employee housing units controlled by the Town based on the policies identified herein and in the Town's Community Housing Guidelines as they may be amended from time to time

BACH's changes are in underline/strikethrough text (If Adopted, underline/Strikethrough text will be removed from document before signed)

Maximum Rents:

Maximum rents shall be established first as set forth in the site-specific approvals for the individual units as appropriate; or second as set forth in the Town's Community Housing Guidelines.

Occupancy Priorities:

Unless defined in the site-specific approvals for a unit or an applicable deed restriction, the occupancy priorities for rental of a unit shall be as follows:

1. First Priority: Town of Basalt Employees: Full-time employees of the Town of Basalt. Income and asset requirements do not apply. Town Councilors are not considered full-time Town employees.
2. Second Priority: Government and Special District Employees: Full-time employees of Pitkin County, Eagle County, the RE-1 School District, the Basalt and Regional Library District, the Basalt Sanitation District, the Mid-Valley Metropolitan District, and the Basalt and Rural Fire Protection District (and other local and state government or special districts who have requested inclusion on the Town's AH notice list) employed in the "employment area" as defined in the Town's Community Housing Guidelines.
3. Third Priority: Other Qualifying Full-Time Employees: Non-governmental applicants employed in the "employment area" as set forth in the Town's Community Housing Guidelines.

In order to be qualified, such applicants must meet all of the Category 3 requirements of the Town's Community Housing Guidelines. Within this Priority, the priorities in the Guidelines shall apply.

4. Fourth Priority: Non-qualified Full-Time Employees: If there are no interested and qualified applicants meeting the qualifications and occupancy priorities above after advertisement of a unit for a full sixty (60) days, then the unit may be rented as a free market unit to anyone wishing to rent the unit regardless of whether they are a qualified employee. Rental rates shall be set at market rates as determined by the Town. However, at the end of the lease of no longer than one year, the Town will advertise the unit for lease to a qualified applicant in accordance with the priorities referenced herein.

SHEC Tasks:

The Town Finance Director as a Town Staff liaison to SHEC shall establish a notebook and files containing pertinent documents for each unit, including but not limited to:

- 1) Development Approvals
- 2) Summary of Rules and Policies for Each Unit
- 3) Rent for Each Unit
- 4) Lease Expiration Schedules

BACH's changes are in underline/~~strikethrough~~ text (If Adopted, underline/Strikethrough text will be removed from document before signed)

- 5) Maintain contact information for local public entities seeking housing and inform those who wish to be contacted of vacancies

TENANT SELECTION PROCESS

1. When a unit becomes available, it shall be advertised for a period not to exceed two weeks ~~period~~ as available for First Priority applicants.¹
2. At the end of the two-week period, if there are no qualified First Priority applicants, it shall be advertised for a two-week period for Second Priority applicants.
3. At the end of the second two-week period, if there are no qualified Second Priority applicants, it shall be advertised for a thirty-day period for Third Priority applicants.
4. At the end of the thirty-day period, if there are no qualified Third Priority applicants, it shall be advertised for a thirty-day period and Fourth Priority applicants.
5. If there is more than one qualified applicant within any of the above-referenced priorities, a lottery shall be conducted. Within the Third Priority, the additional priorities of the Town's Guidelines shall also apply in determining if a lottery is necessary. The lottery shall produce a complete list of the applicants in order of priority.
6. The Town shall negotiate a lease with competing applicants in the order of their priority. If lease negotiations are unsuccessful, or if it is determined in negotiation that an applicant is not qualified, the Town shall negotiate with the next applicant in priority until a lease is entered into.
7. The availability of units shall be advertised on the Town's website and may be further advertised as determined by the Town in its discretion.
8. In addition to advertising, the Town shall maintain a list of all persons who have notified the Town of their interest in leasing Town-owned unit, and the persons of the list shall be ~~timely~~ notified of availability.

¹ Staff made a slight change to better define the initial 2-week advertising period for a unit.

BACH's changes are in underline/strikethrough text (If Adopted, underline/Strikethrough text will be removed from document before signed)

Exhibit "B"

Proposed Change to Community Housing Guidelines

Amend the composition of SHEC in Community Housing Guidelines, Part V, *Definitions*, as follows:

Special Housing Evaluation Committee- Town Manager, Town Planning Director, Public Works Director, ~~and~~ Police Chief or their designees, and two (2) Basalt Affordable/Community Housing Committee (BACH) members as appointed by the Town Council.

Issues/Concerns with Proposed Policy on Town-owned Units

1. *Should Town employees receive 1st Priority?*

Pros: Method of Retaining and Recruiting Staff.

Key Staff providing essential services can live in town

Cons: General employees who work in Basalt have housing needs too.

2. *Should occupancy limitation of having at least 1 person per bedroom be applied to Town units?*

Pros: Obtain maximum housing use out of each unit

Cons: Town has a small inventory and the type of units fitting an individual's need are not always available.

3. *Should Town have lottery for rental of Town-owned units?*

Pros: Could be looked at as providing more opportunity for the general public.

Cons: Would require additional staff time and resources to administer.

Could lead to units sitting empty for longer as the lottery process takes longer to administer.

Staff has not seen an instance where we think a lottery would have been beneficial.

4. *Should Council members be included as member of Staff related to the obtaining a priority to rent a Town-owned Unit?*

Pros: Council members are considered Town employees for other employee benefits.

TOWN OF BASALT ACTION ITEM SUMMARY ADMINISTRATION	Item Number: 8B Date: June 24, 2016 From: Mike Scanlon, Town Manager
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SUBJECT: Resolution 26, Series 2016 – Extending the ending time for outdoor live music events to 10:30 p.m.

RECOMMENDATION:

That the Town Council consider extending the end time for outdoor live music events to 10:30 p.m.

DETAILS:

At the June 14, 2016 Town Council Mr. Renee Lujan, Heathers Savory Pies, asked the Town Council to consider an extension in the performance of outdoor live music events to 10:30 p.m. on Thursday, Friday and Saturday nights between Memorial Day and Labor Day. The Town Council directed staff to place this on the next Town Council Agenda.

Related State Statute and/or Town Actions:

Amount Requested: None

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING A
CHANGE IN THE TIMES OF OUTDOOR LIVE MUSIC FOR MIDLAND AVENUE
BUSINESSES THAT MAINTAIN A VALID LIQUOR LICENSE.**

**Town of Basalt, Colorado
Resolution No. 26
Series of 2016**

RECITALS

1. The Town of Basalt continues to work with downtown businesses in promoting the vitality of the old downtown core
2. The Town Council has set the time that live music must end in the downtown core at 10:00 p.m.
3. In the past the Town Council has by motion allowed for special occasions and events that extend beyond 10:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Basalt Town Council of Basalt, Colorado, as follows:

Section 1. The Town Council agrees to the following expansion in the end time of live music events with the following conditions

- A. Only Midland Avenue businesses with valid liquor licenses may host/sponsor live outdoor music events until 10:30 p.m.
- B. Such live events can only occur between Memorial Day and Labor Day on the evenings of Thursday, Friday and Saturday nights.
- C. All outdoor live music events shall adhere to a reasonable volume that will be determined solely by the Town of Basalt.
- D. This policy does not pertain to special event activity permits issued by the Town Basalt.
- E. This policy does not pertain to indoor live music events.

READ AND ADOPTED by a vote of ___ to ___ on June 28, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pam Schilling, Clerk

TOWN OF BASALT ACTION ITEM SUMMARY ADMINISTRATION	Item Number: 8C Date: June 24, 2016 From: Mike Scanlon, Town Manager
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SUBJECT: Resolution 27, Series 2016 – Direction to Staff related to expansion of zoning districts where marijuana could be sold and to consider the Town’s four license locations to be either retail or medical.

RECOMMENDATION:
That the Town Council approve Resolution 27, Series 2016 giving direction to staff.

DETAILS:
See attached memo from the Town Manager.

Related State Statute and/or Town Actions: Multiple Colorado State Laws and Ordinances of the Town of Basalt

Amount Requested: None



TOWN MANAGER MEMO

Date: June 24, 2016
To: Mayor and Town Council
From: Mike Scanlon, Town Manager
Re: Marijuana Laws and Town Regulations

As I stated in my Memo to the Town Council in November, 2013 and I'm paraphrasing in parts, I said

„.....”in my over 30 years of working in local governments I've encountered several issues that mirror the discussions we're about to have regarding marijuana and town regulations. What I have found, is that these issues require us as staff and the Town Council to do three things,

1. Understand the history of the issue. Understanding the evolution of marijuana in Colorado and our community is helpful in understanding the past and current social acceptance of marijuana.
2. Take a moment and step back a bit and look at what we're trying to accomplish in regulating marijuana businesses. What are we attempting to regulate and why. It's either subjective or objective biases that influences how regulations are developed. What's real and what's not real in our biases?
3. Take what you understand about the history and where you're at and turn it into meaningful regulation.”

As a community I think we've done that. We have been very pragmatic in allowing it in our community. Along the way we've loosened some of our regulations so that those businesses that undertake the sale of marijuana can be successful. Where appropriate we've changed our regulations.

What is clear now is that our zoning restrictions when overlayed with our current buffering requirements makes it almost impossible to locate a marijuana business in our community. Was that our intent?

Except for the one approved license we have at 165 Southside (Roots RX) we have through a combination of buffers and zoning restrictions created a virtual moratorium on marijuana businesses in Basalt.

Additionally, we've created an impression that by having a list and getting your name on it you will one day have the ability to have a marijuana business in Basalt. But nobody on the current list can find a location. So how long do I keep them on the

list? And when they attempt and fail at securing a location do they go to the bottom of the list or maintain their position? What is the point of the list if there are no possible locations?

Because our zoning and buffers are so rigid we as staff are constantly put in the position of people reinterpreting our codes or asking for rewrites of the code (Ordinance 3, Series 2015, Ordinance 12, Series 2015). Those two ordinances addressed ways to make it easier to locate a marijuana business by allowing a "portion of the building to be considered" and changing the measurement of a buffer by "direct pedestrian access." A year has gone by and still no locations have been identified.

We as Town Staff are asking that the Town Council consider two additional changes to our current marijuana regulations. The reason we're asking for these considerations is we don't believe by either the vote of the people of Basalt or by past actions of the Town Council that we as a community intended to ban marijuana businesses from our community.

The two changes we recommend if you want to allow for additional marijuana businesses are these.

1. A change in total number of licenses from two (2) Medical Marijuana Licenses and two (2) Retail Marijuana Licenses to four (4) total Licenses for marijuana businesses regardless of the type.
2. That we increase the number of zoning districts where marijuana businesses may be located. Acknowledging that our buffers are sufficient in nature to limit the risk/exposure to the youth that some people in our community feel are important.

If the Town Council feels conversely, I would recommend us to simply ban it entirely from the community with the exception of the one store location that has already been approved. Either action would greatly reduce our staff time applied to discussing possible locations with marijuana business owners that will never happen.

To continue this discussion I have crafted a very simple resolution identifying the two items above and directing staff and the Planning Commission to suggest additional zoning districts in which marijuana businesses can exist.

Additionally I've provided the following,

1. A table showing the various Ordinances/Resolutions passed by the Town Council related to marijuana businesses in Basalt.
2. The Memo I sent to Town Council in November, 2013.
3. **I'm having Pam place a link on the Town's website for the full application Roots RX had to submit to be considered. You need to**

understand the level of regulation currently in place to ensure that our collective public interests are protected.

Basalt Town Council Actions – Marijuana Businesses

Resolution/Ordinance	Subject	1 st Reading /2 nd Reading
Ordinance 28, Series 2013	Ordinance extending the moratorium on retail marijuana businesses	11/17/2013 12/10/2013
Ordinance 30, Series 2013	Ordinance establishing the Zoning Districts where medical marijuana business could be established	12/10/2013 01/14/2014
Ordinance 31, Series 2013	Ordinance establishing licensing and regulations for medical marijuana businesses and lifting the moratorium on medical marijuana (the moratorium had been in place roughly 37 months)	12/10/2013 01/14/2014
Ordinance 8, Series 2014	Ordinance relates to the Town's Criminal Code, Title 10, regulation of marijuana	02/25/2014 03/11/2014
Ordinance 9, Series 2014	Ordinance relates to the Town's Criminal Code, Title 10, regulation of drug paraphernalia	02/25/2014 03/11/2014
Ordinance 14, Series 2014	Ordinance establishing the Zoning Districts where retail marijuana business could be established	05/13/2014 05/27/2014

Resolution/Ordinance	Subject	1 st Reading /2 nd Reading
Ordinance 17, Series 2014	Ordinance establishing licensing and regulations for retail marijuana businesses	05/27/2014 06/10/2014
Resolution 34	Resolution directing staff to develop the necessary language for an Ordinance for placing a ballot issue before the voters for consideration of a sales tax on marijuana	06/24/2014
Ordinance 24, Series 2014	Ordinance of the Town Council calling for an election on 11/4/2014 to authorize a Municipal Sales Tax of up to 5% upon the sale of retail marijuana and retail marijuana products	08/12/2014 08/26/2014
Public Hearing Retail Marijuana Application	Public Hearing and approval of an application to allow for a retail marijuana store located at 165 Southside (Roots RX)	09/23/2014
Ordinance 3, Series 2015	<p>Ordinance relating to the definition of buffers and application to a building.</p> <p>Originally it said , <i>".....the nearest portion of the building in which medical or retail marijuana is to be sold."</i></p> <p>Changed to, <i>".....the nearest portion of the section of the building in which medical retail marijuana is to be sold."</i></p>	04/14/2015 04/28/2015

Resolution/Ordinance	Subject	1 st Reading /2 nd Reading
Ordinance 12, Series 2015	<p>Ordinance changed these items in the regulations</p> <p>Measurement: Measuring of buffers now defined as “using a route of direct pedestrian access.”</p> <p>Days of Sales: Changed from: Monday – Saturday To: <u>Monday – Sunday</u></p> <p>Hours of Sales: Changed from 9:00 a.m. to 7:00 p.m. To: <u>8:00 a.m. to 12:00 a.m.</u></p>	07/14/2015 07/28/2015
Public Hearing Retail Marijuana Application	Public Hearing and approval of the renewal of the marijuana license located at 165 Southside (Roots RX)	11/10/2015

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, RELATED TO
CONSIDERING AN EXPANSION OF ZONING DISTRICTS WHERE MARIJUANA
COULD BE SOLD AND TO CONSIDER THE TOWN'S FOUR ALLOWED LICENSE
LOCATIONS TO BE EITHER RETAIL OR MEDICAL MARIJUANA BUSINESSES.**

**Town of Basalt, Colorado
Resolution No. 27
Series of 2016**

RECITALS

1. The Town of Basalt has carefully crafted regulations to address marijuana businesses in our community.
2. The Town's residents through the various elections held state-wide on the issue of marijuana businesses and the Town Council by various actions related to the regulation of marijuana businesses have supported the establishment of marijuana businesses in our Town.
3. Through the evolution of regulation it appears that our current requirements on buffers and zoning districts creates a virtual moratorium on these businesses.

NOW, THEREFORE, BE IT RESOLVED by the Basalt Town Council of Basalt, Colorado, as follows:

Section 1. The Town Council directs the following action,

- A. That the Planning and Zoning Commission be directed to expand the allowable zoning districts where marijuana businesses will be allowed.
- B. That staff be directed to rewrite the current Town Marijuana regulations to allow for four (4) licenses of any type of marijuana business.

READ AND ADOPTED by a vote of ___ to ___ on June 28, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pam Schilling, Clerk



TOWN MANAGER MEMO

Date: November 19, 2013
To: Mayor and Town Council
From: Mike Scanlon, Town Manager
Re: Marijuana Laws and Town Regulations

Over my 30 years working in local governments I've encountered several issues that mirror the discussions we were about to have regarding marijuana and town regulations.

What I have found is that these issues require us as staff and the Town Council to do three things,

1. Understand the history of the issue. You will find attached a history of Marijuana in the State of Colorado, Towns and Cities in Colorado, and the Town of Basalt (BLUE). See attached History.
2. Take a moment and step back a bit and look at what we're trying to accomplish. What are our Town, Town Council and Staff goals? Similarly, what are our biases and why? What have the voters said in past elections?
3. How do we take what we've learned in #1 add it to what we understand about #2 and turn it into a meaningful set of regulations.

What I'm proposing is that we take a very pragmatic approach to the discussion of marijuana regulations and our role in regulating the industry. I would propose that we would rescind our moratorium on medical marijuana and rewrite our regulations to be simpler and easier to enforce and leave it to the will of the people if we got it right. We need to let the initiative and referendum portions of our laws play out. We would at the same time extend our moratorium on recreational marijuana to two years. The recreational marijuana area of law and regulation is still evolving and we should give ourselves time to understand the issues on the recreational side.

Medical Marijuana

The Election Results:

The medical marijuana vote in Eagle and Pitkin County on November 7, 2000 was as follows,

Eagle County (69% Yes / 31% No)

Pitkin County (81% Yes / 19% No)

It wasn't until 2010 and the passage of SB 109 and HB 1284 that there was a state-wide licensing program

We have had a Medical Marijuana Ordinance on our books since September 8, 2009. The actual ordinance was only in effect from November 11, 2009 (accounting for the first moratorium) through October 26, 2010. Since that time we have had a moratorium on Medical Marijuana Facilities. Our second moratorium was for two years and was from October 26, 2010 through October 26, 2012 (Ordinance 18 - 2010). Our third moratorium was from October 23, 2012 through October 23, 2014 (Ordinance 17 - 2012). **We have had a moratorium for 37 of the 48 months (or 77% of the time) since we passed our medical marijuana regulations.**

Our two moratoriums state the following,

Ordinance 18 - 2010: and Ordinance 17 - 2012:

Section 3. Staff and Attorney to Investigate and Prepare Proposed Regulations. Before the expiration of the effective period, the Town Staff, working with the Town Attorney, shall carefully review the legal authority of the Town to regulate the growth, production, distribution, and sale of medical marijuana pursuant to Article 18, Section 14 of the Colorado Constitution and the regulations adopted by the Colorado Department of Revenue pursuant to the Medical marijuana Code. Such investigations shall be completed promptly and with due diligence. The Town Attorney shall prepare appropriate new regulations for consideration by the Town Council.

It would appear that we've simply "kicked the can" down the road over the last 37 months.

If you look at other communities in Colorado and the positions they've taken on medical marijuana as of May, 2013 this is what it looks like,

Elections	Number of Towns/Cities
Prohibit MM	40
Allow MM	7
Council Action	Number of Towns/Cities
Prohibit MM	70
Allow MM	36

We are the only Colorado Town or City that currently has a moratorium on medical marijuana. (per Colorado Municipal League (CML) Database)

Our proposed new Medical Marijuana Ordinance would create a regulatory framework based on these four areas

- **Time**
- **Place**
- **Manner**
- **Number**

Time: We regulate the times that a medical marijuana facility can be open. *(We would recommend 9:00am – 4:00 pm).*

Place: We regulate the place that a medical marijuana facility can be established. *(Map to be provided at meeting- primarily industrial zoned areas)*

Manner: We augment State regulations with a set of “common sense” enforceable regulations that we can monitor. *(Regulations that the Chief will provide tonight)*

Number: We limit the number of medical marijuana facilities that can be established. *(The number we recommend is two)*

We then rely primarily on the State of Colorado to regulate the licenses of the Medical Marijuana facilities, this would be no different than the enforcement of State Liquor laws.

Marijuana's History (State, Cities and Towns, Town of Basalt)

1919:

Colorado makes marijuana illegal, one of the first states to do so. Concern had been growing in the western states because pot was associated with Mexicans moving into the region, an influx that fueled racial tensions.

1929:

After it is reported that a young girl was murdered by her marijuana-smoking stepfather, a man who happens to be Mexican, Colorado governor William Adams signs a bill increasing penalties for sale, possession and production of marijuana.

1937:

The Marihuana Tax Act leads to the federal criminalization of marijuana.

1975:

The Colorado General Assembly downgrades the penalty for possessing an ounce or less of marijuana, following in the footsteps of similar measures passed in Oregon two years earlier.

1997:

Local and national marijuana advocates begin preparing an initiative to legalize medical marijuana in Colorado, patterned after the medical marijuana law passed in California the year before.

1998:

Coloradans vote on Amendment 19, which would legalize medical marijuana -- but Secretary of State Vicki Buckley refuses to count the votes after determining that proponents collected an insufficient number of signatures to put the measure on the ballot.

2000:

After the Colorado Supreme Court rules that Buckley had erred in not counting the votes in 1998, the medical marijuana measure is once again put in front of voters as Amendment 20 -- and passes with 53 percent of the vote.

May 2001:

Then-attorney general Ken Salazar warns doctors that they could face federal charges if they participated in the state's medical marijuana program.

June 2001:

The Colorado Department of Public Health and Environment (CDPHE) launches the Medical Marijuana Registry Program, which licenses patients to use medical marijuana. The program grows slowly; in the first four years, just over 500 people apply for a license.

2004:

The CDPHE's Board of Health institutes a rule limiting each medical marijuana caregiver to a maximum of five patients.

2004:

Denver residents Thomas and Larissa Lawrence open the Colorado Compassion Club, possibly the state's first marijuana dispensary.

2005:

With the help of the newly founded marijuana-reform organization SAFER, students at the University of Colorado at Boulder and Colorado State University pass initiatives that call for the penalties for marijuana violations to be no harsher than those for alcohol. Neither school's administration has yet to change its policies.

November 2005:

54 percent of Denver voters approve a measure decriminalizing adult possession of up to an ounce of marijuana, making Denver the first major city in the country to do so. At the same time, a ballot measure in Telluride that would have made marijuana the lowest law-enforcement priority loses with 49 percent of the vote.

November 2006:

A statewide attempt to decriminalize adult possession of up to an ounce of marijuana fails at the polls with 41 percent of the vote.

July 2007:

Chief Denver District Judge Larry Naves suspends the Board of Health's five-patients-per-caregiver rule on the grounds that the board lacked public input on the matter. Now caregivers are allowed to take on as many patients as they want.

November 2007:

57 percent of Denver voters approve a new city ordinance designating adult marijuana possession the city's lowest law-enforcement priority and calling for the creation of a city review panel on the issue.

December 2007:

Mayor John Hickenlooper appoints the Denver Marijuana Policy Review Panel to study marijuana prosecutions in the city.

May 2008:

The Denver Marijuana Policy Review Panel recommends that the Denver City Attorney's Office no longer prosecute cases of private adult marijuana possession, a change the City Attorney's Office has yet to implement.

January 2009:

The number of patients on the state's medical marijuana registry crests at 5,000, twice what it was a year earlier; in the same amount of time, the number of dispensaries statewide explodes from two to about thirty.

March 2009:

U.S. Attorney General Eric Holder announces new policy changes that would end federal raids on medical marijuana dispensaries.

July 2009:

The Board of Health considers reinstating the five-patients-per-caregiver rule. But at the end of a packed, day-long hearing, the board votes against implementing the limit, and instead broadens the definition of who can be considered a marijuana caregiver.

AUGUST 11, 2009:

Ordinance 12, 2009 – Approved on first reading:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, APPROVING AMENDMENTS TO PORTIONS OF CHAPTER 16, ZONING, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO, CONCERNING MEDICAL FACILITIES, INCLUDING OFFICES, CLINICS, CENTERS, AND MEDICAL MARIJUANA FACILITIES

Ordinance 13, 2009 – Approved on first reading

ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, ADDING A NEW ARTICLE V TO CHAPTER 6, BUSINESS LICENSES AND REGULATIONS, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO CONCERNING LICENSE REQUIREMENTS FOR MEDICAL MARIJUANA FACILITIES

Ordinance 14, 2009 – Approved Emergency Ordinance

Section 1. Imposition of Temporary Moratorium on Applications for Permits, Licenses, and Land Use Approvals Related to Persons that Grow, Produce, or Sell Medical Marijuana. Upon the adoption of this ordinance, a moratorium is imposed upon the submission, acceptance, processing, and approval of all applications for permits, licenses, and land use approvals by the Town of Basalt related to a person that grows, produces or sells, or proposes to grow, produce or sell medical marijuana pursuant to the authority granted by Article 18, Section 14 of the Colorado Constitution. The Town Staff, is directed to refuse to accept for filing, and not to process or review any such new applications during the moratorium period.

Section 2. Effective Dates of Moratorium. The moratorium imposed by this ordinance shall commence as of the date of the adoption of this ordinance, and shall expire ninety (90) days thereafter, unless sooner repealed and the period of effectiveness of this Ordinance is referred to herein as the “Effective Period”.

AUGUST 25, 2009:

Continued Ords 12 and 13 to September 8, 2009

SEPTEMBER 8, 2009:

Executive Session on Marijuana legislation and medical marijuana zoning, licensins and regulation.

Ordinance 12: Adopted as amended (not including 8,000 square foot amendment)

Ordinance 13: Adopted as amended (to reflect CBI background checks)

September 2009:

Since the July hearing, the state's medical marijuana registry has swelled to more than 10,000 applicants, with the state receiving more than 400 new applications each day. To meet demand, at least seventy Colorado dispensaries are opened, forty in the metro area alone.

OCTOBER 27, 2009:

First reading of Ordinance 17:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, REVISING THE MUNICIPAL CODE OF THE TOWN OF BASALT, CHAPTER 10, GENERAL OFFENCES, SECTION 10-27 "UNLAWFUL POSSESSION OF MARIJUANA" AND SECTION 10-28 "UNLAWFUL POSSESSION OF DRUG PARAPHERNALIA," TO ACCOMMODATE LAWFUL USE AND POSSESSION OF MEDICAL MARIJUANA AND REVISING THE SCHEDULE OF FINES, PENALTIES, AND ADMINISTRATIVE FEES FOR THE POLICE DEPARTMENT

October 2009:

A new Justice Department policy instructs federal prosecutors to not charge people who use or provide medical marijuana if they are in compliance with state laws.

NOVEMBER 10, 2009:

Second reading of Ordinance 17. Adopted.

November 2009:

- In response to a Court of Appeals decision that a caregiver has to do more than provide a patient with marijuana, the Board of Health strikes the definition of a marijuana caregiver from state rules at a last-minute contentious hearing, throwing the medical-marijuana industry into turmoil.
- Chief Denver District Judge Larry Naves voids the Board of Health's rule change a week after it is implemented, finding that the board once again did not solicit enough public input. The Board of Health has yet to reconsider the issue.
- A ballot measure in Breckenridge to legalize adult possession of up to an ounce of marijuana passes with 71 percent of the vote.

January 2010:

While some municipalities ban dispensaries altogether, Denver passes broad new regulations that allow the businesses as long as they aren't within 1,000 feet of one another or schools; their owners pass background checks; and the operations pay the city several thousand dollars in licensing fees.

CDPHE's vital statistics department is receiving more than 1,500 medical marijuana applications a day.

February 2010:

- The Denver City Attorney's Office announces that 1,694 adults were prosecuted for marijuana possession in 2009, slightly higher than the

number prosecuted the year before the city's decriminalization measure went into effect.

- DEA agents raid a suburban grow operation in Highlands Ranch run by Chris Bartkowicz after they learn about it from a television news story.

March 2010:

- 235 businesses apply for the new Denver dispensary license before the deadline expires for existing dispensaries, providing the city with more than a million dollars in new fees in three weeks.
- SAFER executive director Mason Tvert files preliminary language to place a measure on the November ballot that would legalize and regulate adult use of marijuana statewide.

April 2010:

- By a vote of 259 to 218, Nederland voters remove all criminal penalties for anyone 21 or older for buying, selling, possessing, consuming, growing or transporting marijuana.
- Having received between 60,000 and 70,000 medical marijuana applications and getting thousands more each week, the CDPHE's vital statistics department acquires new budget funding to increase its staff, from three permanent and three temporary employees to ten permanent and ten temporary workers.
- Students at Fort Lewis College in Durango overwhelmingly pass a referendum calling on university marijuana penalties to be no greater than those for alcohol.

May 2010:

Legislators pass Senate Bill 109, which regulates medical-marijuana doctor-patient relationships, as well as House Bill 1284, making Colorado the first state in the country to formalize a statewide medical marijuana dispensary system.

June 2010:

- Eagle County Board of Commissioners adopts more restrictive temporary regulations to control cultivation and production of medical marijuana in effect until December 2010.
- Gov. Bill Ritter signs a bill that gives local governments the right to regulate or ban dispensaries.

July 2010:

- Town of Avon bans medical marijuana dispensaries.
- Town of Vail bans medical marijuana dispensaries.
- City of Glenwood Springs passes a one-year moratorium on new medical marijuana dispensaries. Nine medical marijuana centers had already opened within the city.

AUGUST 10, 2010:

Work session on Amendments 60, 61 and Proposition 101.

SEPTEMBER 14, 2010:

Public Hearing and Appeal of Medical Marijuana License for Basalt Alternative Medicine. Council directed staff to work with BAM in the amendment of the original DHC license and subject to all the requirements thereof. License was denied on August 25, 2010.

September 2010:

- Town of Gypsum passes an ordinance banning medical marijuana dispensaries.

OCTOBER 26, 2010:

Ordinance 18: Request for Emergency Ordinance re: Licensing of Medical Marijuana Facilities.

M/S COUNCILORS TEAGUE AND FREEDMAN TO ADOPT ORDINANCE NO. 18, SERIES OF 2010 BY TITLE AS AN EMERGENCY MEASURE: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, IMPOSING A TWO-YEAR MORATORIUM ON THE ACCEPTANCE, PROCESSING, AND REVIEW OF APPLICATIONS FOR APPROVAL OF MEDICAL MARIJUANA FACILITIES. THE MOTION CARRIED UNANIMOUSLY – 4 TO 0.

November, 2010:

- Majority of voters in Eagle County confirm that a properly regulated medical marijuana industry should be allowed to operate in unincorporated Eagle County.
- Town of Minturn residents vote to allow medical marijuana shops in town, but the town cites federal law in not allowing business applications.

July 1, 2011:

- Colorado HB11-1043, “an act concerning medical marijuana, and making an appropriation therefor,” amending Colorado medical marijuana code, becomes effective.

March 27, 2012:

- Breckenridge Town Council adopts an ordinance that amends its local medical marijuana policies on licenses and regulations in response to changing state medical marijuana laws. New state laws include changing the application fee from a two-year permit to a one-year permit; increasing the setback from schools and daycare centers from 500 feet to 1,000 feet and establishing application fees for changes of ownership, location or corporate structure.

June 2012:

- Town of Minturn passes an ordinance banning medical marijuana businesses.

July 1, 2012:

- All preexisting medical marijuana dispensaries, cultivation operations and production of medical marijuana-infused food products need to become licensed through the state by this date.

Nov. 6, 2012:

- Colorado voters approve Amendment 64, legalizing the recreational use of marijuana by adults 21 and older and permitting the retail sale, cultivation, manufacturing and testing of marijuana. The amendment makes legal the growing and possession of marijuana for personal use and authorizes local jurisdictions to regulate marijuana businesses.

April 2013:

- Summit County commissioners vote to allow recreational marijuana sales and cultivation.

May 2013:

Governor John Hickenlooper signs three bills into law that address Amendment 64.

July 1, 2013:

- Colorado's State Licensing Authority passes emergency rules and a deadline of Oct. 1, 2013 for local jurisdictions to either ban retail marijuana businesses or adopt regulations for such businesses. Many jurisdictions choose to put moratoriums in place as a way to extend the deadline on making a decision.

August 2013:

- City of Glenwood Springs extends its moratorium on retail marijuana applications through Dec. 31.
- Garfield County commissioners ban all commercial marijuana operations for recreational purposes in unincorporated areas of the county.
- Town of Red Cliff approves future retail marijuana businesses to open.

September 2013:

- Town of Frisco passes rules for retail marijuana establishments, allowing them in town but under strict zoning requirements.
- Town of Silverthorne passes regulations for retail marijuana establishments.
- Town of Dillon extends a moratorium on retail marijuana establishments with a sunset date of Oct. 1, 2014.
- Town of Breckenridge votes for no new medical or retail marijuana shops in the downtown overlay district. The lone downtown store already open can continue to operate until its lease expires in September 2014.
- Town of Carbondale approves an ordinance that will allow marijuana businesses — including retail, cultivation, manufacturing and testing — to open in town.
- Town of Eagle passes a temporary moratorium on retail marijuana shops and creates ballot language for the upcoming November election that asks

voters whether the town should allow retail marijuana operations.

- Colorado State Licensing Authority adopts permanent rules for retail marijuana and revised rules for medical marijuana.

October 2013:

- City of Aspen set to vote Oct. 15 on whether the number of recreational marijuana retailers in Aspen should be no greater than the number of medical dispensaries that were established by Oct. 1, 2013.

November 2013:

Colorado citizens will vote on Proposition AA, which, if approved, would:

- Impose a 15 percent state excise tax on the average wholesale price of retail marijuana when the product is first sold or transferred by a retail marijuana cultivation facility, with public school construction to receive the first \$40 million of any annual tax revenues collected;
- Impose a 10 percent state sales tax on retail marijuana and retail marijuana products, in addition to the existing 2.9 percent state sales tax, to increase funding for the regulation and enforcement of the retail marijuana industry and to fund related health, education and public safety costs; • Direct 15 percent of the revenue collected from the 10 percent state sales tax to cities and counties where retail marijuana sales occur
- Allow the state legislature to increase or decrease the excise and sales taxes on retail marijuana so long as the rate of either tax does not exceed 15 percent.

Jan. 1, 2014:

Once approved by state and local jurisdictions, medical marijuana

business owners will be allowed to open retail marijuana businesses on or after this date.

- Direct 15 percent of the revenue collected from the 10 percent state sales tax to cities and counties where retail marijuana sales occur
- Allow the state legislature to increase or decrease the excise and sales taxes on retail marijuana so long as the rate of either tax does not exceed 15 percent.

Jan. 1, 2014:

Once approved by state and local jurisdictions, medical marijuana business owners will be allowed to open retail marijuana businesses on or after this date.

**TOWN OF BASALT
FINANCE COMMITTEE
RECOMMENDATIONS**

Item Number: 9A, 9B, 9C And 9D
Date: June 24, 2016
From: Mike Scanlon, Town Manager

SUBJECT: Minutes and recommendations of the Town Council Finance Committee

RECOMMENDATION:

Item 9A. Minutes of the Town Council Finance Committee.

The following are the Finance Committee's recommendations:

Item 9B. Move that the Town Council uphold the recommendation of the Finance Committee and approve the IGA with Pitkin County and RFTA related to project management of the Basalt Underpass Construction pending final changes and approval of the Town Attorney.

Item 9C. Move that the Town Council uphold the recommendation of the Finance Committee and approve the Quarterly Reporting Framework with the changes recommended by the Committee.

Item 9D. Move that the Town Council uphold the recommendation of the Finance Committee and approve the Basalt Avenue Cash Flow and Certificate of Participation (COP) planned offering.

Also attached to the minutes of the Finance Committee is the suggested calendar for the 2017 Budget.

MINUTES OF THE

TOWN OF BASALT, COLORADO
FINANCE COMMITTEE

TUESDAY, JUNE 21, 2016

8:00 a.m.

**Basalt Town Hall
101 Midland Avenue**

1. Intergovernmental Agreement (IGA) with Pitkin County and Roaring Fork Transit Authority (RFTA)

Mr. Mike Scanlon presented information on the Intergovernmental Agreement with Pitkin County for Project Management Services for the construction of the Basalt Avenue Underpass. Mr. Scanlon outlined that this is an agreement that Pitkin County and RFTA has used before with the Town of Basalt added as a third-party. Mr. Scanlon pointed out that Pitkin County and RFTA will be paid \$100,000 each for services. Additionally, Mr. Scanlon said that SGM would be providing materials testing and Design Integration services in the amount of \$200,000. Ms. Judi Tippetts stated that after meeting with Pitkin County and RFTA staff she was excited to have that level of expertise on the project. Ms. Tippetts said that in addition to project oversight they would also be assisting with the reimbursements requests that would be sent to CDOT.

Councilmember Bernie Grauer made the motion to recommend to the Town Council the approval of the IGA with Pitkin County upon concurrence and changes recommended by the Town Attorney. Councilmember Katie Schwoerer seconded the motion and the Finance Committee unanimously approved the recommendation.

2. Quarterly Reporting Framework for Town Financials – Basalt Dashboard

Mr. Scanlon presented a reporting framework for Town Financial information. After some discussion Councilmember Grauer and Councilmember Schwoerer suggested the following changes be included,

On a quarterly basis they would like to see the Financial Dashboard to include the following elements,

- All of the items presented less the pie chart at the top right.
- A detail summary of collections by Revenue Source
- A General Fund report that includes additions/deletions from Fund Balance
- A monthly report that is a subset of this showing the following items,
 - a. Expenditures by Department
 - b. Sales taxes and trends

In addition, to ongoing financial reporting there was a discussion in regards to Accounts Payable and the need for explanation or detail on the large items. Ms. Tippetts stated that starting at the next Town Council meeting the Town Council would receive detailed information on items that were greater than \$5,000 or unbudgeted. After some further discussion Councilman Grauer moved that the Finance and Administration recommend the Financial Dashboard report with the recommended changes to the Town Council for approval. Councilmember Katie Schwoerer seconded the motion and the Finance Committee unanimously approved the recommendation.

Additionally Mayor Whitsitt asked for the following information

- explanation of who signs off on over \$1000
- who signs off on over \$5000

3. Basalt Avenue Underpass Cash Flow and Certificate of Participation (COP) Schedule

Mr. Scanlon presented a spreadsheet showing the anticipated cash flow for the Basalt Avenue Underpass Project. Mr. Scanlon went through both the anticipated expenses, revenues and cash on hand assumptions. Mr. Scanlon pointed out that the anticipated time that the Certificate of Participation (COPs) would be needed is approximately February. Mayor Whitsitt commented that she didn't realize or believe the information regarding the COPs had been shared with the Town Council

and that staff needed to inform them again about the need to borrow money in order to complete the Underpass project. Bernie Grauer made a motion to recommend acceptance of the Cash Flow analysis and planned sale of COPs to the Town Council. Councilmember Katie Schwoerer seconded the motion and the Finance Committee unanimously approved the recommendation.

DISCUSSION ITEMS

4. Update on 2015 Audit – **Judi Tippetts**

Mr. Judi Tippetts stated that the Audit was being completed and was due to the State of Colorado by July.

5. Current Staffing and Work Load – **THIS ITEM WAS NOT DISCUSSED** – **Mike Scanlon**

6. Facility Lease and Agreement (RE-1) (Red Brick Building) – **THIS ITEM WAS NOT DISCUSSED** – **Mike Scanlon**

7. 2017 Budget – Calendar – **THIS ITEM WAS NOT DISCUSSED** – **Judi Tippetts**

Additional questions and comments from the committee included,

Requested next agenda include but not limited to:

- Park breakdown of costs
- All previous and potential expenditures
- 2013 bond conversion info
- Friends purchase versus town purchase of park

Requested improved noticing of the FAB meeting:

- 24-hour on door
- Town website
- Facebook Page
- Email to Pam's citizen list



2017 BUDGET CALENDAR

July, 2016	Pan & Fork Decisions – Critical
August 10, 2016	2017 Five-Year Financial Forecast
August 24, 2016	2017 Budget Framework
August 29, 2016	2017 Department Budget Work Papers (SENT)
September 26, 2016	2017 Department Budget Work Papers (DUE)
October 4, 2016	2017 Preliminary Budget – Finance Committee
October 11, 2016	2017 Preliminary Budget – Town Council
October 25, 2016	2017 Preliminary Budget – Town Council
November 8, 2016	<i>ELECTION DAY – NO COUNCIL MEETING?</i>
November 15, 2016	2017 Final Budget Discussion – Town Council
November 22, 2016	2017 First Reading of Appropriation/Levy Ordinances and Resolutions
December 13, 2016	2017 Public Hearing and Second Reading of Appropriation/Levy Ordinances and Resolutions

RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE TOWN OF BASALT, PITKIN COUNTY AND THE ROARING FORK TRANSPORTATION AUTHORITY (RFTA) FOR PROJECT MANAGEMENT SERVICES RELATED TO THE CONSTRUCTION OF AN UNDERPASS ON SH82 AND BASALT AVENUE.

**Town of Basalt, Colorado
Resolution No. 28
Series of 2016**

RECITALS

1. The Town of Basalt continues to work on the elements necessary for the construction of the underpass at SH82 and Basalt Avenue.
2. Pitkin County and RFTA have agreed to help in managing this project by providing Project Management Services in the amount of \$100,000 each.
3. Contract Project Management Services are critical to ensuring the quality of construction and administering the many grants that the Town has received.

NOW, THEREFORE, BE IT RESOLVED by the Basalt Town Council of Basalt, Colorado, as follows:

Section 1. The Town Council agrees to enter into the Intergovernmental Agreement (IGA) substantially as presented at the Town Council's June 28, 2016 meeting subject to:

- A. Approval by the other governing bodies that are part of this agreement.
- B. Review and final approval of the IGA by the Town Attorney.
- C. The Town Attorney may approve minor changes to the IGA necessary to effectuate the intent of this agreement.

Town of Basalt, Colorado
Resolution No. 28 Series of 2016
Page 2

READ AND ADOPTED by a vote of ___ to ___ on June 28, 2016.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pam Schilling, Clerk

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF BASALT
(TOWN), THE ROARING FORK TRANSPORTATION AUTHORITY (RFTA) AND
PITKIN COUNTY (COUNTY) TO DEVELOPMENT PROJECT WITH ONE
CONSTRUCTION CONTRACT TO COMPLETE THE BASALT PEDESTRIAN
CROSSING MANAGED BY RFTA AND PITKIN COUNTY**

This INTERGOVERNMENTAL AGREEMENT (hereinafter "Agreement") is made and entered into this ___ day of ___, 2016, by and between the TOWN OF BASALT, COLORADO, acting by and through its Town Council (hereinafter "Town") BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO, a body corporate and politic ("County") and the ROARING FORK TRANSPORTATION AUTHORITY (hereinafter "RFTA"), a regional transportation authority created pursuant to Section 43-4-601, et seq., C.R.S., as amended, whose address is 2037 Wulfsohn Road, Glenwood Springs, Colorado 81611. Town, County and RFTA are also sometimes referred to herein as a "Party" or the "Parties."

WITNESSETH:

WHEREAS, The Town, County and RFTA desire to enter into an *Intergovernmental Agreement* (hereinafter "IGA") establishing and acknowledging funding and roles and responsibilities for the construction of the Basalt Pedestrian Crossing of State Highway 82, herein known as "Project".

WHEREAS, funding has been committed for the Project from various governments and the Parties desire to formally acknowledge these amounts.

WHEREAS, the Parties desire for RFTA and the County to manage the Project and assign roles and responsibilities to ensure the Project is completed successfully.

WHEREAS, the project received an acceptable construction bid equal to or less than the proposed funding commitments.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements set forth herein, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Town, County and RFTA agree as follows:

RECITALS

1. The Town, County and RFTA desire to complete the Basalt Pedestrian Underpass budgeted at 7,140,000 million dollars. A plan of the Basalt Pedestrian Underpass to be completed is attached as Exhibit A, and is sometimes referred to herein as "the Project."
2. The Town, County and RFTA acknowledge that funding for the Project is anticipated to be accomplished as follows:

RFTA	\$ 500,000
CDOT (RPP, TAP, FASTER)	\$2,016,000
Town	\$2,954,000
County (OST, EOTC, County Gen Fund)	\$1,390,000
Safe Routes to School (SRS)	\$ 280,000
Total Funding	\$7,140,000

3. The Town, County and RFTA agree that construction of the improvements will not commence until the entirety of funding is appropriated.
4. The Town, County and RFTA agree to coordinate the funding and completion of the construction of Basalt Underpass improvements by means of a single construction contract, the management of which shall be overseen by the by the Town with staffing support from the County and RFTA. The County and RFTA are offering staff augmentation to the Town because of recent experience on the CDOT funded AABC Underpass.
5. The Town of Basalt shall appoint the Assistant Town Manager, Judi Tippetts, as the Town Representative and the point of contact to the project whom shall have the authority to make decision on the Town's behalf, sign Minor Contract Revisions (MCR) and change orders and shall be available throughout the life of the project to make decisions in a timely manner.
6. RFTA shall appoint two staff members to the project. Nicholas Senn shall act as the Project Engineer and shall have the authority to direct the work and enforce the terms of the construction and design support contracts. The Project Engineer will also have authority to produce pay applications, encumber the (MCR) funds associated with the project, with the consent of the Town and write change orders for the subtraction or addition of work during the life of the project. The RFTA Project Engineer shall report to the Town Representative and the County Resident Engineer. RFTA shall also appoint Ben Ludlow to act as the Assistant Project Engineer who will manage the SharePoint site which will be the official record for the project, manage the Requests for Information (RFI) and submittal process and manage the site observations and record keeping.
7. Pitkin County shall appoint two staff members to the project. GR Fielding shall act as the Resident Engineer to the project at act as the County's Project Manager for the life of the project and shall report to the Town Representative and oversee/direct the rest of the combined staff. The Resident Engineer and have the authority to direct the work and enforce the terms of the construction and design support contracts as typically defined in the CDOT grant agreements. The County shall also appoint Chris Baroody to the project at act as an Inspector for the life of the project and he shall report to the Project Engineer

or Resident Engineer. The Inspector will be the primary field observation for the combined staff and is chiefly responsible for daily CDOT compliant documentation.

8. RFTA and the County agree to assume the primary responsibility for managing the construction of the Project and for ensuring a functional facility at the conclusion of the Project with the final completion of the Project, which will entail minor fit and finish, to be accomplished by the summer of 2017 or as soon as possible thereafter as provided for herein. The Town and the Designers of Record agree to provide the support necessary to facilitate the construction of the project.
9. The Town of Basalt shall provide CDOT compliant design documents for the construction of the project. The Town shall also assume full responsibility for Errors and Omissions in the delivered Plans, Specifications, Reports and Estimates provided by the Town's design professionals. Should it become necessary the Town shall provide legal support for any dispute resolution process or any other matter associated with the project, RFTA and the County agree to provide technical support for these efforts as necessary.
10. Parties acknowledge that the discovery or occurrence of extraordinary unforeseen site conditions after the start of construction may delay completion of the Project for an unknown period of time and could also affect the overall cost of the Project.

AGREEMENT

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements set forth herein, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Town, County and RFTA agree as follows:

1. Town of Basalt, RFTA and Pitkin County project management responsibilities

RFTA and the County, directly and/or through an engineering consultant, agree to manage the combined projects and ensure design specifications are followed, testing protocols are met, and the combined projects are constructed meeting previously engineered plans and specifications and grant agreements. The basic responsibilities of each organization are outlined below and committed to for the entire duration of the construction management.

Town of Basalt:

- The Town will responsible for the management, required reporting and seeking reimbursement for all grants and funds associated with the project
- In the event that any legal service are required to resolve issue related to the project the Town agrees to provide this representation at no cost to RFTA or Pitkin County.

- The Town will pay for any construction testing, construction inspections, design support and public information consulting required by the Project.
- The Town will be responsible the management of all grants and assume responsibly for meeting each grants reporting requirements as well as seek reimbursement for each individual grant.
- The Town will be responsible for processing pay applications to the Contractor and Consultants for the work performed during the construction contract within 30 days.

RFTA:

- RFTA shall act as the construction manager for the project and provide a Project Engineer and Assistant Project Engineer to manage the construction and enforce the terms of the construction and design contracts.
- Shall procure an engineering firm for materials testing and a public information consultant as required by the Project.
- RFTA will use utilizes its SharePoint site to create an office project record system for the project and will manage the site.
- RFTA will be responsible for insuring DBE goals are met, reviewing Davis Bacon wage information and FASTER employment numbers reporting and supply reports to the Town to submit to CDOT.
- RFTA shall manage the inspection, testing and site observations for the project.
- RFTA shall produce and verify pay applications and submit them to the Town for processing.

Pitkin County:

- The Resident Engineer shall be available to help resolve issues on the project and make final decisions on behalf of the Team. The Resident Engineer shall be responsible for oversight in compliance with CDOT grant agreement terms.
- The Resident Engineer (or Project Engineer if directed) shall be available to support the Assistant Town Manager in communicating progress to the Town Board.
- The Pitkin County Inspector shall be available for life of the project and provide documentation at the direction of the Resident/Project Engineers that is CDOT compliant.

2. Town of Basalt project involvement and payments.

a. Either the Town Manager or the Assistant Town Manager/Finance Director will be involved in managing the project through attending weekly construction meetings and by making periodic site visits as needed.

b. Either the Town Manager or the Assistant Town Manager/Finance Director will be available to evaluate and approve proposed modifications to plan design. Modifications to the approved design and authorization of any necessary change orders will occur no later than five (5) working days after presentation by RFTA or the County and before any change orders are issued to the Contractor.

c. All payment applications or invoices will be routed through the Assistant Town Manager/Finance Director for approval on a monthly basis.

d. If additional funds for construction, in excess of Funding, are required to complete the Project, the funds may be either fully appropriated by the Town or the Town may request to be reimbursed by an entity such as CDOT or EOTC for any additional expenditures. RFTA or the County shall not be responsible for overages to the cost of the Project. Overall project expense reports and forecasts will be presented to and discussed by the Construction Management Team (Team) as often as practicable, but at least on a monthly basis, during the life of the construction project. County or RFTA will not incur costs for the project in excess of current funding without prior written authorization from the entity to which a funding request is submitted. If, for any reason, it appears that the cost of completing construction of the Project could exceed Funding, RFTA and the County will notify the Town and request written instructions as to whether it should continue or discontinue constructing mutually agreed upon nonessential portions of the Project.

e. Consultant Construction Management (Design Assistance, Inspections, Testing, and Certifications) costs shall be assigned directly to Project costs based upon the level of effort required by the funding agencies, which costs shall be identified and allocated in the overall project construction budget that is reliant on Funding. In other words, the Funding shall cover all hard and soft costs related to completing the Project.

f. The Town shall obtain all required permits, including permits for all required utility relocations, from the Town's Community Development and Building Departments.

g. The Town shall obtain and/or provide all Rights of Way (ROW) clearances.

h. All required utility relocations on the site that will occur during the life of the Project and the utility costs associated from those independent entities shall be promptly paid by the Town as they are incurred.

3. Project collaboration, problem solving and change order approval.
Town of Basalt, Pitkin County and RFTA will form a collaborative team that will meet at least weekly throughout the project. This team will address issues and changes as they develop throughout the project. Project modifications and decision making will be made on a consensus basis. All change orders with regard to the Pedestrian Crossing will need to be approved by the Town prior to formally approving the change order request with the Contractor.

All change orders with regard to Basalt Underpass must be approved by the Town's representative or her designee prior to preparation by RFTA staff for execution with the Contractor.

The Town's designee, shall be available on short notice to discuss critical issues and provide necessary authorization for changes that otherwise might result in costly time delays and financial impacts for the Facility.

4. Project Cost Assignments and final payment.

a. All construction management costs assigned directly to the Pedestrian Crossing will be paid by the Town to the County and RFTA based on their time spent managing the Project. Reimbursement to RFTA and the County will each be set at a maximum of \$100,000 and shall be supported by standard accepted accounting documentation. If support to the project extends beyond the reimbursement limit, all parties will jointly address required support after that point.

b. Project acceptance and final payment will be approved by the Town, Pitkin County, RFTA and CDOT as a team. Final payment will be made by the Town once the team approves the job completion.

5. Public Outreach.

The Town, Pitkin County and RFTA will designate a single point of contact for each agency that will be responsible for this coordinated effort and public information. Any outreach will be approved by all agencies before it is made public. The Resident/Project Engineers will utilize the Public Information Officer, included in the construction contract, for much of the general dissemination of general information, but instances where the Project Team feels there are additional measures to be taken; they will be led by the Town. The Resident/Project Engineers will support the Assistant Town Manager in this additional effort.

6. Hold Harmless (a)

To the extent permitted by law, Town, the County and RFTA shall each defend and hold harmless the other from and against any injury, claim or damage to any third party arising out of or in connection with each party's operations under this Agreement. Nothing in this Agreement, however, is intended or shall be construed to constitute a waiver on the part of RFTA, County or the Town of the provisions of Section 24-10-101, *et seq.*, Colorado Revised Statutes, commonly known as the Colorado Governmental Immunity Act.

7. Attorneys' Fees.

In the event the interpretation or enforcement of this Agreement should ever become the subject of litigation, arbitration or mediation between RFTA (or its successors and assigns), the County and the Town, the substantially prevailing party shall be awarded its reasonable costs and attorneys' fees and costs incurred in connection therewith.

8. Notices.

All notices or other communication required or permitted under this Agreement shall be in writing, shall be personally delivered or sent by certified mail, postage prepaid and

return receipt requested, and such notices shall be deemed given when received. Notices shall be directed to the following addresses:

To Pitkin County:

Pitkin County Public Works
Attn: Public Works Director
76 Service Center Road
Aspen, CO 81611

With a copy to:

Pitkin County Attorney
530 East Main Street, Suite 302
Aspen, Colorado 81611

To RFTA:

Roaring Fork Transportation Authority
Attn: Facilities Director
1340 Main Street
Carbondale, CO 81623

To Town of Basalt:

Town of Basalt
Attn: Town Manager
101 Midland Ave.
Basalt, CO 81621

Notice of any change of address shall be given by written notice in the manner detailed in this paragraph.

9. Performance.
The Parties agree to perform any and all acts, without limitation, as may be reasonably necessary to fully effectuate the intent and purposes of this Agreement. Whenever any action is required or permitted to be taken by the parties under the terms of this Agreement, such action may be taken and performed by any authorized officer, director, agent or other representative of the parties.
10. No Third Party Beneficiaries.
It is the intent of the parties hereto that no third party beneficiary interest is created in this Agreement. The parties hereto are not presently aware of any actions by them or any of their authorize representatives which would form the basis for interpretation construing a different intent and expressly disclaim any such acts or actions.
11. No Waiver of Governmental Immunity.

RFTA, the County and the Town, its directors, officials, officers, agents and employees are relying upon and do not waive or abrogate, or intend to waive or abrogate by any provision of this Agreement the monetary limitations or any other rights immunities or protections afforded by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as it may be amended from time to time.

12. Breach or Termination.

In the event of a breach of any provision of this Easement written notice of the breach, which shall include a reasonably specific description of what constitutes the breach and what corrective action or cure is required by the party giving the notice, shall be given by the non-breaching party. If within ten (10) days after receipt of such written notice, the breaching party has not cured the breach, or if cure cannot be reasonably accomplished within ten (10) days, has not commenced what curative measures are possible and is not prosecuting the same to timely completion, the non-breaching party may, in addition to such contractual remedies as may be available, ask a court of competent jurisdiction for appropriate injunctive relief.

13. Entire Agreement.

This Agreement constitutes the entire and complete agreement of the parties in regard to the subject matter herein. No promise or undertaking has been made by any party, and no understanding exists with respect to the transaction herein contemplated except as expressly set forth herein. All prior and contemporaneous negotiations and understandings between the parties are embodied and merged into this Agreement.

14. Severability.

If any term or provision of this Agreement shall be held to be invalid or unenforceable, the remaining terms and provisions of this Agreement shall continue to exist and shall be valid and enforceable to the fullest extent permitted by law.

15. Amendment.

This Agreement may only be amended by a written document executed by the County and RFTA and Town, or its successors and assigns.

16. Venue.

Venue for any legal action relating to this Agreement shall be in the District Court in and for the County of Pitkin, Colorado.

17. Appropriation.

All financial obligations of RFTA, the County or the Town under and pursuant to this Agreement are subject to prior appropriations of monies expressly made by RFTA, the County or the Town for the purpose of this Agreement.

18. No Personal Liability.

No elected official, director, officer, agent or employee of RFTA, the County or the Town shall be charged personally or held contractually liable by or to the other party

under any term or provision of this Agreement or because any breach thereof or because of its or their execution, approval or attempted execution of this Agreement.

19. Paragraph Headings.

The paragraph headings in this Agreement have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

20. Waiver.

No failure or delay of the parties to exercise any power or right under this Agreement shall operate as a waiver thereof, nor shall any single or partial exercise of any such right or power, or any abandonment or discontinuance of steps to enforce such right or power, preclude any other or further exercise thereof or the exercise of any other right or power. Nothing contained in this Agreement shall constitute a waiver of any right, power or authority of the parties hereto, except as expressly provided for herein.

21. Counterparts.

This Agreement may be executed in duplicate original counterparts, each of which shall constitute an original, but all of which shall constitute one and the same document.

22. Authority to Execute.

By signing this Agreement, the parties acknowledge and represent to one another that all procedures necessary to validly contract and execute this Agreement have been performed and that the persons signing for each party have been duly authorized to do so. The parties acknowledge and agree that no representation or inducement has been made regarding the rights set forth in this Agreement that is not expressly set forth herein.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

TOWN OF BASALT

By: _____
Jacque Whitsitt, Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____

By: _____

**BOARD OF COUNTY COMMISSIONERS
OF PITKIN COUNTY, COLORADO**

By: _____
Rachel E. Richards, Chair

ATTEST:

APPROVED AS TO FORM:

By: _____
Jeanette Jones, Deputy Clerk

By: _____
John M. Ely, County Attorney

ROARING FORK TRANSIT AUTHORITY

By: _____
Dan Blankenship, Chief Executive Officer

ATTEST:

By: _____
RFTA Secretary

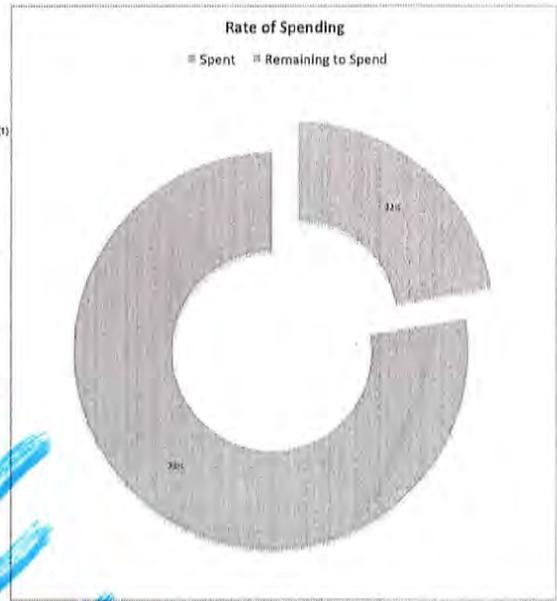
General Fund - Operations Expenditures

Expenditures by Department	2015 Budget	2015 Expenditures	Expenditure Rate
Legislative	1,032,128	200,373	19.41%
Administration	1,090,539	281,346	25.80% (1)
Planning	552,543	119,444	21.62%
Municipal Building - Facilities	326,536	71,971	22.04%
Police Department	1,660,474	354,534	21.35%
Building Department	143,317	35,291	24.62%
Public Works	1,250,537	404,394	32.34%
Recreation & Pool	350,585	46,614	13.30%
Parks & Public Gardens	435,907	16,837	3.86%
Total	6,842,566	1,530,804	22.37%

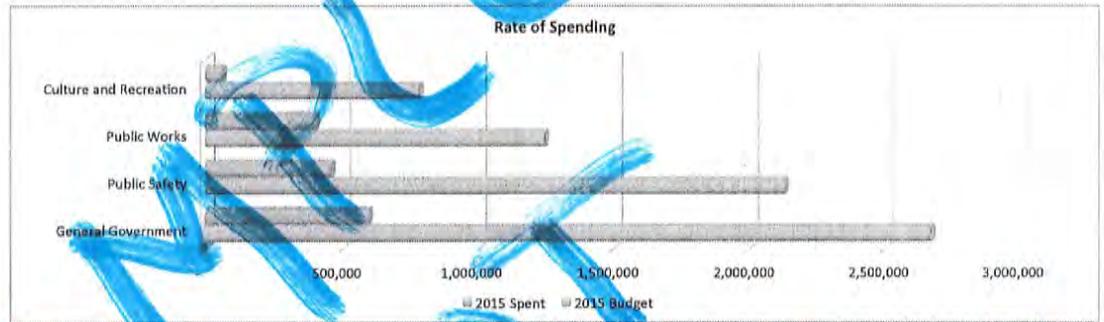
Expenditures by Category	2015 Budget	2015 Spent	Expenditure Rate
General Government	2,675,210	601,163	22.47%
Public Safety	2,130,327	461,798	21.68%
Public Works	1,250,537	404,394	32.34%
Culture and Recreation	786,492	63,451	8.07%
Total	6,842,566	1,530,804	22.37%

Quarterly Expenditure Rates				
1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
25%	50%	75%	100%	

(1) This includes RMI expenses related to construction and property in exchange for Real Estate which has been netted out.



9C



KEY INDICATORS

Sales Tax History -- Collection By Sector and By Year (2010-2014)

Sector	2010	2011	2012	2013	2014	Five-Year Average	2014 Compared to Five-Year Average	PCT CHANGE 2014 to 5YR AVG
Automotive	153,027	148,285	150,112	156,476	165,788	154,937	10,849	6.54%
Lodging	43,606	50,213	43,571	44,530	61,256	48,637	12,618	20.60%
Restaurant without Bar	83,391	86,483	80,498	91,143	115,961	94,009	21,882	18.87%
Restaurant with Bar	286,541	290,656	305,269	306,264	323,652	299,376	24,576	7.59%
Retail Sales	473,802	438,236	496,293	605,861	598,974	522,638	76,336	12.74%
Sporting Retail	109,989	123,622	135,265	162,813	180,937	142,465	76,336	21.13%
Finance	6,170	7,333	6,105	7,163	9,616	6,955	1,061	13.23%
In-Home Sales	3,007	3,798	2,856	2,815	2,110	2,894	-784	-37.16%
Retail Liquor	182,935	162,992	165,251	191,033	204,370	176,450	27,920	13.67%
Telecommunications	100,864	120,144	105,071	94,300	67,534	103,312	-15,778	-10.22%
Utilities	139,013	137,287	137,322	158,704	162,072	144,880	7,102	4.73%
Building	160,086	160,985	171,566	178,045	240,476	180,312	50,564	21.90%
Retail Food	1,197,124	1,230,007	1,353,295	1,792,699	1,796,763	1,473,982	322,801	17.97%
Total	2,917,850	2,854,243	3,162,268	3,791,864	3,928,356	3,350,936	577,419	14.70%

Sales Tax History -- Quarterly Collection By Sector compared between 2014 and 2015

Sector	Cumulative Collections		Difference	PCT CHANGE
	2014 2nd QTR	2015 2nd QTR		
Automotive	45,231	36,664	8,563	20.64%
Lodging	7,160	11,461	-4,301	-37.53%
Restaurant without Bar	26,987	26,710	277	-1.04%
Restaurant with Bar	74,310	79,260	-4,950	6.25%
Retail Sales	143,920	173,978	-30,058	17.28%
Sporting Retail	43,273	48,735	-5,462	11.21%
Finance	3,223	1,378	1,845	-133.69%
In-Home Sales	529	519	10	-1.73%
Retail Liquor	52,164	56,969	-4,805	11.58%
Telecommunications	24,471	23,726	745	-3.13%
Utilities	60,288	62,033	-1,745	2.81%
Building	53,116	68,449	-15,331	22.40%
Retail Food	447,259	481,286	-34,027	7.07%
Total	981,832	1,093,630	-111,598	10.21%

Sales Tax Forecasting and Volatility:

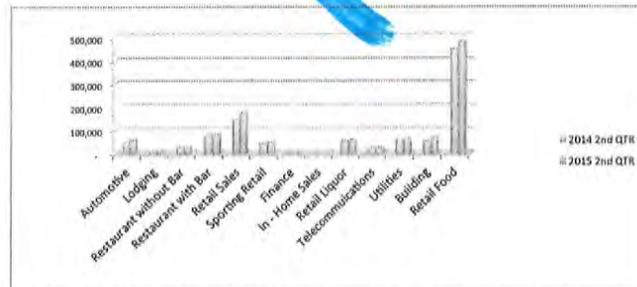
Principles and Thoughts

When analyzing Sales Tax understand mid- and long-term trends -- we don't simply look at month to month comparisons.

Because we are heavily dependent on Sales Tax we need to be careful that we maintain a healthy Fund Balance. We have a Fund Balance policy that states what we will try and achieve. Town Council Policy 103 states: "It shall be the policy of the Town of Basalt to budget an amount in the General Fund equal to thirty-three percent (33%) of budgeted unrestricted General Fund revenues for that same budget year. Basalt relies heavily on sales tax revenues, which may be directly impacted by economic upturns and downturns. These conditions warrant reserves budgeted at the high end of the GFOA recommended practice range."

Within the Sales Tax Sectors we're most reliant on Retail Food. It generates almost 1/2 (50%) of all of our Sales Tax Collections.

The Sales Tax collections shown include the entire 3% collected by the Town.



Basalt Avenue Underpass – Cash Flow Projections

	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	TOTALS	
Cash on Hand	-	1,106,471	1,067,941	842,095	623,749	1,127,503	659,156	455,310	424,281	393,251	1,586,905	1,111,059	635,213	809,367	333,521	693,074	669,545	639,607	417,199			
EXPENSES																						
Project Budget	Project Budget Expenses																					
Constuction	Mobilization	895,000	895,000																			895,000
6,232,801	Construction	5,337,801		444,817	444,817	444,817	444,817	444,817			444,817	444,817	444,817	444,817	444,817	444,817			222,408	222,408		5,337,801
Project Management																						
467,460	Project Mgmt - Pitkin Cour	100,000	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35		100,000
	Project Mgmt - RFTA	100,000	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35	5,882.35		100,000
	Materials/Design Integrati-	200,000	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71	11,764.71		200,000	
	Project Mgmt - Contingenc	67,460																				
Contingency (7%)																						
439,739	Contingency	-																				
	Public Outreach	75,000	15,000	15,000	7,500				7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500						90,000
7,140,000	Total	933,529	38,529	475,846	468,346	468,346	468,346	468,346	31,029	31,029	475,846	475,846	475,846	475,846	475,846	468,346	23,529	245,938	222,408	-	6,722,801	
REVENUES																						
Project Budget	Project Budget Revenues																					
CDOT		2,280,500				972,100		264,500								827,900		216,000				2,280,500
OST		400,000	400,000																			400,000
EOTC		750,000	750,000																			750,000
RFTA		500,000		250,000	250,000																	500,000
PC		240,000	240,000																			240,000
TOB		1,300,000	650,000											650,000								1,300,000
TOB - COPS		1,669,500									1,669,500											1,669,500
COPS=Certificates of Participation																						
Total	7,140,000	2,040,000	-	250,000	250,000	972,100	-	264,500	-	-	1,669,500	-	-	650,000	-	827,900	-	216,000	-	-	-	7,140,000

**Town of Basalt
Accounts Payable
June 28, 2016**

GENERAL FUND**Reimbursable**

Total Reimbursable	3,994.80
Non-reimbursable	
Payroll 6/17/16	121,411.72
Other Expenditures	154,249.99
Sub Total General Fund Non-reimbursable	275,661.71
TOTAL GENERAL FUND	279,656.51
Bond Fund:	2,369.86
Total Bond Fund	2,369.86
Conservation Trust Fund:	0.00
Total Conservation Trust Fund	0.00
Water Fund:	3,527.74
Total Water Fund	3,527.74
TOTAL ALL FUNDS	285,554.11

Due Date	Discount Lost Due Date	Vendor Number	Vendor Name	Invoice Number	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Pay	Partial Pmt Amt	Part Pmt Disc Amt
05/31/2016		1709	AUSTIN, PEIRCE & SMIT	1008-0013M-	210.00	.00	.00	210.00			
05/31/2016		1709	AUSTIN, PEIRCE & SMIT	1008-0108M-	1,273.50	.00	.00	1,273.50			
05/31/2016		1709	AUSTIN, PEIRCE & SMIT	1008-0124M-	26.25	.00	.00	26.25			
05/31/2016		1709	AUSTIN, PEIRCE & SMIT	1008-0134M-	26.25	.00	.00	26.25			
05/31/2016		1709	AUSTIN, PEIRCE & SMIT	1008-0152M-	9,861.75	.00	.00	9,861.75			
05/31/2016		1709	AUSTIN, PEIRCE & SMIT	1121-0093M-	2,636.50	.00	.00	2,636.50			
06/01/2016		8206	SOURCE GAS	JUNE 2016	2,275.29	.00	.00	2,275.29			
06/06/2016		6723	NORTHERN SAFETY CO.	901962566	111.75	.00	.00	111.75			
06/06/2016		10802	FOUR SEASONS COLOR	16MT0016-0	26,108.33	.00	22,192.08	3,916.25			
06/07/2016		1930	BASALT PRINTING	0015650	44.00	.00	.00	44.00			
06/09/2016		8450	SUMMIT PAINT & DECOR	AP640278	40.14	.00	.00	40.14			
06/09/2016		9130	VALLEY LUMBER COMPA	66138	4.80	.00	.00	4.80			
06/09/2016		9130	VALLEY LUMBER COMPA	66539	26.48	.00	.00	26.48			
06/10/2016		3800	DREAMTIME WATER DIS	412025	32.20	.00	.00	32.20			
06/10/2016		4490	KILGORE COMPANIES	3373676	45.18	.00	.00	45.18			
06/10/2016		6580	NAPA AUTO PARTS	165232	106.72	.00	.00	106.72			
06/10/2016		6580	NAPA AUTO PARTS	165294	23.97	.00	.00	23.97			
06/10/2016		7435	RIVER VIEW PLAZA HOA	4639/4648	1,919.37	.00	.00	1,919.37			
06/10/2016		8970	UNILINK	099314	215.65	.00	.00	215.65			
06/10/2016		8970	UNILINK	099315	27.96	.00	.00	27.96			
06/10/2016		9130	VALLEY LUMBER COMPA	66293	9.99	.00	.00	9.99			
06/10/2016		9130	VALLEY LUMBER COMPA	66299	18.48	.00	.00	18.48			
06/10/2016		9130	VALLEY LUMBER COMPA	66630	5.97	.00	.00	5.97			
06/10/2016		9202	VERIZON WIRELESS/PU	9765483232	475.50	.00	.00	475.50			
06/10/2016		10007	COMPUTER SPECIALIST	4742	480.00	.00	.00	480.00			
06/10/2016		10208	LEXIPOL LLC	16687	3,700.00	.00	.00	3,700.00			
06/10/2016		10348	LEAF	6550536	495.10	.00	.00	495.10			
06/10/2016		10381	NEVE'S	LN-335957	29.95	.00	.00	29.95			
06/10/2016		10454	ADAMSON POLICE PROD	INV213134	3,300.00	.00	.00	3,300.00			
06/10/2016		10700	COLORADO BUREAU OF	T161000000	30.00	.00	.00	30.00			
06/13/2016		1567	ASPEN OVERHEAD DOO	11390	244.45	.00	.00	244.45			
06/13/2016		3427	CUMMINS ROCKY MOUN	003-97310	517.00	.00	.00	517.00			
06/13/2016		6580	NAPA AUTO PARTS	065637	5.33	.00	.00	5.33			
06/13/2016		6580	NAPA AUTO PARTS	157026	7.44	.00	.00	7.44			
06/13/2016		6580	NAPA AUTO PARTS	164727	18.26	.00	.00	18.26			
06/13/2016		6580	NAPA AUTO PARTS	165635	9.69	.00	.00	9.69			
06/13/2016		9431	WESTERN SLOPE MATE	87826	79.44	.00	.00	79.44			
06/13/2016		10613	CPS DISTRIBUTORS INC	2294771-00	307.75	.00	.00	307.75			
06/13/2016		10811	ADAPCO	106178	801.60	.00	.00	801.60			
06/14/2016		1180	AFLAC	647156	453.83	.00	.00	453.83			
06/14/2016		5110	HOLY CROSS ENERGY A	JUNE 16	4,199.26	.00	.00	4,199.26			
06/14/2016		9130	VALLEY LUMBER COMPA	67196	11.99	.00	.00	11.99			
06/14/2016		10809	AECOM TECHNICAL SER	37763512	732.80	.00	.00	732.80			
06/14/2016		10810	ZELJKO RIHTARIC	YOUTH TEN	1,152.00	.00	.00	1,152.00			
06/15/2016		1260	ALPINE BANK	JUNE 2016	799.30	.00	.00	799.30			
06/15/2016		1560	ASPEN MAINTENANCE S	307750001	96.67	.00	.00	96.67			
06/15/2016		1560	ASPEN MAINTENANCE S	308097	86.48	.00	.00	86.48			
06/15/2016		2060	BEATTIE, CHADWICK & H	11460	1,045.00	.00	.00	1,045.00			
06/15/2016		3500	DARCY, ROBI	UNIFORM	59.18	.00	.00	59.18			
06/15/2016		9130	VALLEY LUMBER COMPA	66309	35.29	.00	.00	35.29			
06/15/2016		9130	VALLEY LUMBER COMPA	66689	23.54	.00	.00	23.54			
06/15/2016		9130	VALLEY LUMBER COMPA	67134	91.00	.00	.00	91.00			
06/15/2016		9130	VALLEY LUMBER COMPA	67241	72.80	.00	.00	72.80			
06/15/2016		9130	VALLEY LUMBER COMPA	67274	11.43	.00	.00	11.43			
06/15/2016		9130	VALLEY LUMBER COMPA	67291	14.94	.00	.00	14.94			
06/15/2016		9130	VALLEY LUMBER COMPA	67314	27.51	.00	.00	27.51			

Due Date	Discount Lost Due Date	Vendor Number	Vendor Name	Invoice Number	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Pay	Partial Pmt Amt	Part Pmt Disc Amt
06/15/2016		9130	VALLEY LUMBER COMPA	67320	7.36	.00	.00	7.36			
06/15/2016		10383	SYSON, STEPHANIE	6.16	600.00	.00	.00	600.00			
06/15/2016		10671	AMERIGAS	3052993291	324.77	.00	.00	324.77			
06/15/2016		10671	AMERIGAS	3053150206	388.19	.00	.00	388.19			
06/15/2016		10787	BIG JIG ENTERTAINMEN	SUMMER M	9,000.00	.00	.00	9,000.00			
06/16/2016		4155	TIM EVEN MASONRY, INC	227	1,400.00	.00	.00	1,400.00			
06/17/2016		1560	ASPEN MAINTENANCE S	307948	331.80	.00	.00	331.80			
06/17/2016		1560	ASPEN MAINTENANCE S	308166	53.76	.00	.00	53.76			
06/17/2016		1820	BASALT CHAMBER OF C	10251	180.00	.00	.00	180.00			
06/17/2016		2835	CLARION ASSOCIATES	6581	2,104.05	.00	.00	2,104.05			
06/17/2016		7530	ROARING FORK RENTAL	229781	203.98	.00	.00	203.98			
06/17/2016		9130	VALLEY LUMBER COMPA	67482	9.99	.00	.00	9.99			
06/17/2016		9130	VALLEY LUMBER COMPA	67486	6.40	.00	.00	6.40			
06/17/2016		9860	DHM DESIGN CORPORA	32350	1,901.13	.00	.00	1,901.13			
06/17/2016		9860	DHM DESIGN CORPORA	32356	218.75	.00	.00	218.75			
06/17/2016		10150	SARAH HORN	JUNE GARD	500.00	.00	.00	500.00			
06/17/2016		10157	ERNIE MACK	TRAINING	288.40	.00	.00	288.40			
06/17/2016		10351	LESLIE T. GRAY	JUNE 2016	1,700.00	.00	.00	1,700.00			
06/17/2016		10395	MT. DALY ENTERPRISES	JUNE 2016	1,905.98	.00	.00	1,905.98			
06/17/2016		10675	GREAT AMERICA FINANC	18931117	1,252.99	.00	.00	1,252.99			
06/17/2016		10714	BLACK SHACK ARCHITE	MAY 2016	285.00	.00	.00	285.00			
06/17/2016		10812	LOST MESA FLOWER CO	5144	1,255.31	.00	.00	1,255.31			
06/20/2016		6970	PHILP, SUSAN	REIMBURSE	277.80	.00	.00	277.80			
06/21/2016		8450	SUMMIT PAINT & DECOR	AP640619	40.14	.00	.00	40.14			
06/21/2016		9130	VALLEY LUMBER COMPA	67295	7.96	.00	.00	7.96			
06/21/2016		9130	VALLEY LUMBER COMPA	67504	3.77	.00	.00	3.77			
06/21/2016		9130	VALLEY LUMBER COMPA	67897	98.97	.00	.00	98.97			
06/21/2016		9130	VALLEY LUMBER COMPA	67962	22.82	.00	.00	22.82			
06/21/2016		9130	VALLEY LUMBER COMPA	68047	50.97	.00	.00	50.97			
06/21/2016		9130	VALLEY LUMBER COMPA	68058	16.77	.00	.00	16.77			
06/21/2016		9431	WESTERN SLOPE MATE	88022	342.00	.00	.00	342.00			
06/21/2016		9431	WESTERN SLOPE MATE	88023	71.04	.00	.00	71.04			
06/21/2016		10428	RANDY SCHRIEVER	UMP	55.00	.00	.00	55.00			
06/21/2016		10815	JACOB POWER-SMITH	UMPIRE	180.00	.00	.00	180.00			
06/21/2016		10818	JOE VOZICK	UMPIRE	100.00	.00	.00	100.00			
06/22/2016		1709	AUSTIN, PEIRCE & SMIT	1008-0000M-	8,562.52	.00	.00	8,562.52			
06/22/2016		4612	GLASENER, SPENCER L	UMP	165.00	.00	.00	165.00			
06/22/2016		10652	WOLFGANG TAYLOR	UMP	55.00	.00	.00	55.00			
06/22/2016		10808	GROSS, HILARY	DANGEROU	1,000.00	.00	.00	1,000.00			
06/22/2016		10816	SETH NECAMP	UMP	110.00	.00	.00	110.00			
06/22/2016		10817	KENDALL REILEY	GAMES	1,000.00	.00	.00	1,000.00			
06/28/2016		1930	BASALT PRINTING	0015766	142.89	.00	.00	142.89			
06/28/2016		4290	FITZPATRICK, MAURINE	KINDER KIC	180.00	.00	.00	180.00			
06/28/2016		5795	LARSON, ROBERT	JUNE 16 CE	30.00	.00	.00	30.00			
06/28/2016		7090	PONTO, PAULA	ART ADVEN	162.00	.00	.00	162.00			
06/28/2016		7450	ROARING FORK CLUB	JR GOLF 20	841.50	.00	.00	841.50			
06/28/2016		8552	TAYLOR CREEK FLY SHO	FLY FISHING	416.00	.00	.00	416.00			
06/28/2016		8723	TIPPETTS, JUDITH	JUNE 16 CE	75.00	.00	.00	75.00			
06/28/2016		9130	VALLEY LUMBER COMPA	67029	56.44	.00	.00	56.44			
06/28/2016		9827	BOYD BIERBAUM	JUNE 16 CE	30.00	.00	.00	30.00			
06/28/2016		9999	MICHAEL SCANLON	JUNE 16 CE	150.00	.00	.00	150.00			
06/28/2016		9999	MICHAEL SCANLON	JUNE 16 TR	600.00	.00	.00	600.00			
06/28/2016		10418	JEFF BLEVINS	JUNE 16 CE	30.00	.00	.00	30.00			
06/28/2016		10419	TREVOR LALONDE	JUNE 16 CE	30.00	.00	.00	30.00			
06/28/2016		10594	WESSELLING, RYAN	JUNE 16 CE	30.00	.00	.00	30.00			
06/28/2016		10609	FAMILY SUPPORT REGIS	BLEVINS JU	240.00	.00	.00	240.00			

Due Date	Discount Lost Due Date	Vendor Number	Vendor Name	Invoice Number	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Pay	Partial Pmt Amt	Part Pmt Disc Amt
06/28/2016		10609	FAMILY SUPPORT REGIS	MARTINDAL	200.00	.00	.00	200.00			
06/28/2016		10609	FAMILY SUPPORT REGIS	SANTIAGO J	54.16	.00	.00	54.16			
06/28/2016		10615	ELLIOTT, DIANA	PRIVATE LE	216.00	.00	.00	216.00			
06/28/2016		10667	WAGNER, MATT	JUNE 16 CE	30.00	.00	.00	30.00			
06/28/2016		10674	FLORIDA DEPARTMENT	SANTIAGO J	271.20	.00	.00	271.20			
06/28/2016		10794	NEILSON, PAUL	JUNE CELL	30.00	.00	.00	30.00			
06/30/2016		5681	KREILING, JASON	LONGHORN	1,664.00	.00	.00	1,664.00			
06/30/2016		7890	SCHILLING, PAMELA	PER DIEM	69.00	.00	.00	69.00			
06/30/2016		7900	SCHMUESER GORDON	2014-435.00	447.50	.00	.00	447.50			
06/30/2016		8180	SOPRIS ENGINEERING	110449716	2,822.50	.00	.00	2,822.50			
06/30/2016		10391	TIMBERWOLF WELDING I	3	733.00	.00	.00	733.00			
06/30/2016		10395	MT. DALY ENTERPRISES	061616	1,067.02	.00	.00	1,067.02			
06/30/2016		10425	MAX DURASTANTI	UMP	65.00	.00	.00	65.00			
06/30/2016		10480	HARRY TEAGUE ARCHIT	0003195	10,765.32	.00	.00	10,765.32			
06/30/2016		10590	THE ARTS CENTER AT WI	JUNE 2016	24,167.76	.00	.00	24,167.76			
06/30/2016		10649	BEAR BOP PRESS	GAMES	4,700.50	.00	.00	4,700.50			
06/30/2016		10813	LYNN NICHOLS	RETREAT	300.00	.00	.00	300.00			
06/30/2016		10814	ROBERT J. HARLOW	UMPIRE	175.00	.00	.00	175.00			
Grand Totals:				130	151,334.47	.00	22,192.08	129,142.39			

Cash Requirements Summary

Date	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Net Cumulative Amount		
05/31/2016	14,034.25	.00	.00	14,034.25	14,034.25		
06/01/2016	2,275.29	.00	.00	2,275.29	16,309.54		
06/06/2016	26,220.08	.00	22,192.08	4,028.00	20,337.54		
06/07/2016	44.00	.00	.00	44.00	20,381.54		
06/09/2016	71.42	.00	.00	71.42	20,452.96		
06/10/2016	10,916.04	.00	.00	10,916.04	31,369.00		
06/13/2016	1,990.96	.00	.00	1,990.96	33,359.96		
06/14/2016	6,549.88	.00	.00	6,549.88	39,909.84		
06/15/2016	12,683.46	.00	.00	12,683.46	52,593.30		
06/16/2016	1,400.00	.00	.00	1,400.00	53,993.30		
06/17/2016	12,197.54	.00	.00	12,197.54	66,190.84		
06/20/2016	277.80	.00	.00	277.80	66,468.64		
06/21/2016	989.44	.00	.00	989.44	67,458.08		
06/22/2016	10,892.52	.00	.00	10,892.52	78,350.60		
06/28/2016	3,815.19	.00	.00	3,815.19	82,165.79		
06/30/2016	46,976.60	.00	.00	46,976.60	129,142.39		
Grand Totals:				151,334.47	.00	22,192.08	129,142.39

Accounts Payable

Large-Item Payables (Greater than \$5,000)

LAW OFFICES
AUSTIN, PEIRCE & SMITH, P.C.

Town of Basalt
c/o Judi Tippetts
101 Midland Avenue
Basalt CO 81621

Page: 1
05/31/2016
Account No: 1008-0000M
Statement No: 135

General Representation
10-45-310

except for those marked.

		Previous Balance			\$10,346.74
		Fees			
			Hours		
05/03/2016	TFS	CSC Zoning; Review P&Z packet; email to S. Philp	0.80	155.40	
05/05/2016	TFS	Town Council; Confer with B. Grauer re: litigation	0.50	97.13	
	TFS	Underpass Contract; Exchange emails with Town staff; begin research on TABOR issues	0.80	155.40	
	TFS	Confer with M. Scanlon	0.40	77.70	
05/06/2016	TFS	Underpass Contract; Legal research re: TABOR issues email to Town staff and consultants re: same	2.20	427.35	
05/09/2016	TFS	Town Council; Review meeting packet	1.20	233.10	
	TFS	Underpass Contract; Review email from P. Wisor and recommend contract amendment; exchange emails with Town Staff	1.00	194.25	
05/10/2016	TFS	30 Shining Mt. Way; Confer with J. Byrns; email to T. McFlynn re: neighbor complaints	0.80	155.40	<i>10-50-4 10-45-310</i>

Due upon receipt. Finance charges of 1.2% per month on unpaid balance. Services or costs after the last day of the month will appear on subsequent statements.

600 E. Hopkins Avenue, Suite 205, Aspen, Colorado 81611
Telephone: 970-925-2600

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Town of Basalt

General Representation
10-45-310

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		Hours	
	TFS Town Council; Attend Town Council meeting	2.70	524.48
05/11/2016	TFS RFCDC Property; Email to Mayor Whitsitt and M. Scanlon re: negotiation prerequisites	1.30	252.53 ← CDC 31-10
	TFS 30 Shining Mt. Way, Exchange emails and confer with T. McFlynn re: neighbors' issues	0.50	97.13 ← hsg
	TFS Underpass Contract; Exchange emails re: approved contract	0.20	38.85 ← TFS 10-50-4
05/13/2016	TFS 30 Shining Mt. Way; Meeting with J. Byrns; exchange emails with staff; confer with R. Sinclair & T. McFlynn	2.00	388.50 ← hsg TFS 10-50-4
	TFS Town Manager; Meeting with M. Scanlon re: future agendas	2.00	388.50
05/17/2016	TFS Underpass Contract; Locate and transmit Amendment to construction contract	0.20	38.85
	TFS CORA Policy; Draft and transmit proposed CORA policy to Town Staff	1.50	291.38
05/19/2016	TFS Town Council; Meeting with M. Scanlon re: future agendas	1.00	194.25
	TFS CORA Policy; Revise and transmit proposed CORA policy and CORA Request form	1.50	291.38

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LAW OFFICES
AUSTIN, PEIRCE & SMITH, P.C.

Town of Basalt

Account No
Statement No

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1008-0000M
135

General Representation
10-45-310

		Hours			
05/20/2016	TFS	RFCDC Property; Prepare for executive session with Town Council	5.70	1,107.23	- CDC 31-40-31
05/23/2016	TFS	Town Council; Prepare for Town Council meeting re: RFCDC and housing guidelines; review packet materials exchange emails with Town Staff re: same	5.20	1,010.10	CDC 31-40-31
05/24/2016	TFS	Real America; Confer with M. Scanlon	0.30	58.28	- hcs 10-50-4 10-50-4
	TFS	Town Council; Meeting with Mayor Whitsitt and M. Scanlon; attend Town Council meeting	4.70	912.98	10-50-4
05/25/2016	TFS	30 Shining Mt Way; Review Ferguson email to Pitkin County and respond	1.70	330.23	hcs 10-50-4 10-50-4
05/26/2016	TFS	30 Shining Mt Way; Review emails from J. Tippetts	0.30	58.28	hcs 10-50-4 10-50-4
05/31/2016	TFS	W. Homestead/W. Sopris Drainage; Review and approve letter agreements (3); draft and transmit easement agreements(3)	1.50	291.38	10-50-4
		For Current Services Rendered	40.00	7,770.06	
<u>Expenses</u>					
05/27/2016		Kenyon; Verizon Subpoena		97.00	- 10-45-31
05/27/2016		Kenyon; Service of Process Fee		50.00	- 10-45-31
05/27/2016		30 Shining Mountain Way; Recording Fee		47.50	
05/31/2016		Legal Research		597.96	

Date upon receipt Finance charges of 1.5% per month on unpaid balance. Services or costs after the last day of the month will appear on subsequent statements.

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Town of Basalt

General Representation
10-45-310

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Account No: 1008-0000M
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Total Expenses		792.46
Total Current Work		8,562.52
	<u>Payments</u>	
05/27/2016	Payment	-10,346.74
	Balance Due	<u>\$8,562.52</u>



POSTED

PLEASE PUT ACCOUNT NUMBER ON PAYMENT CHECK - THANK YOU!

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Town of Basalt
c/o Judi Tippetts
101 Midland Avenue
Basalt CO 81621

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05/31/2016
Account No: 1008-0081M
Statement No: 7

Glass Building Condos/153 Homestead Drive
10-24-196

Previous Balance	\$20.00
Balance Due	<u>\$20.00</u>

*Should have
been paid!*

PLEASE PUT ACCOUNT NUMBER ON PAYMENT CHECK - THANK YOU!

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Town of Basalt
 c/o Judi Tippetts
 101 Midland Avenue
 Basalt CO 81621

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 05/31/2016
 Account No. 1008-0013M
 Statement No: 62

Willits
 10-24-183
 350

Fees

		Hours	
05/03/2016			
TFS	Review 3 TRC Certificates confer with J. Lindt and amend same	0.80	210.00
	For Current Services Rendered	0.80	210.00
	Total Current Work		210.00
	Balance Due		<u>\$210.00</u>

Handwritten initials and a circled "210.00" with a checkmark.

POSTED

PLEASE PUT ACCOUNT NUMBER ON PAYMENT CHECK - THANK YOU!

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Town of Basalt
c/o Judi Tippetts
101 Midland Avenue
Basalt CO 81621

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05/31/2016
Account No: 1008-0134M
Statement No: 4

Streamside

10-45-310

Fees

		Hours	
05/13/2016			
TFS	Review and Approve TRC Certificate	0.10	26.25
	For Current Services Rendered	0.10	26.25
	Total Current Work		26.25
	Balance Due		\$26.25

26.25 *OK*

POSTED

PLEASE PUT ACCOUNT NUMBER ON PAYMENT CHECK - THANK YOU!

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Town of Basalt
c/o Judi Tippett
101 Midland Avenue
Basalt CO 81621

Page: 1
05/31/2016
Account No: 1008-0124M
Statement No: 4

Woody Creek Distillers
10-45-310

	Fees	Hours	
05/10/2016			
TFS	Review and Approve TRC Certificate	0.10	26.25
	For Current Services Rendered	0.10	26.25
	Total Current Work		26.25 <i>ok</i>
	Balance Due		<u>\$26.25</u>

POSTED

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Town of Basalt
c/o Judy Tippetts
101 Midland Avenue
Basalt CO 81621

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05/31/2016
Account No: 1121-0093M
Statement No: 14

Heather Kent/Unauthorized Use of Common Area

10-45-315

		<u>Fees</u>		
			Hours	
05/02/2016	TFS	Draft complaint in Intervention	3.50	875.00
05/04/2016	TFS	Confer with opposing counsel; revise, finalize and file motion to intervene and complaint in intervention	1.40	350.00
05/05/2016	TFS	Draft and file order re: intervention; transmit documents to Town Council exchange emails with Chief Knott	0.50	125.00
05/06/2016	TFS	Exchange emails with Chief Knott re: Kent communications	0.20	50.00
05/09/2016	TFS	Review emails among parties re: alley closure; email to atty Schiffer re: same; email to Chief Knott and M. Scanlon re: same; email exchange with D. McMillan	1.00	250.00
05/10/2016	TFS	Exchange emails with staff confer with D. McMillan	1.20	300.00
05/12/2016	TFS	Exchange emails with Atty Schiffer	0.20	50.00
05/25/2016	TFS	Confer with attorney Brown re: Motion to intervene	0.30	75.00

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Town of Basalt

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05/31/2016

Account No: 1121-0093M

Statement No: 14

Heather Kent/Unauthorized Use of Common Area

		Hours	
05/26/2016			
TFS	Email exchange with H. Kent and attorneys re: pending motions	0.30	75.00
	For Current Services Rendered	8.60	2,150.00
	<u>Expenses</u>		
05/31/2016	Filing Fee		486.50
	Total Expenses		486.50
	Total Current Work		2,636.50 ←
	Balance Due		<u>\$2,636.50</u>

POSTED

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PLEASE PUT ACCOUNT NUMBER ON PAYMENT CHECK - THANK YOU!

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LAW OFFICES
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Town of Basalt
c/o Judi Tippetts
101 Midland Avenue
Basalt CO 81621

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05/31/2016
Account No: 1008-0152M
Statement No: 1

Mary Kenyon

10-45-315

		<u>Fees</u>		
			Hours	
05/02/2016	DJS	Assist with research and legal sources concerning open records request and related issues.	1.20	315.00
05/03/2016	TFS	Legal research re: records retention requirements; draft pleading re: records retention and privilege issues; contact State Archives re: records retention requirements	3.80	997.50
05/05/2016	TFS	Exchange emails with press and staff; legal research re attorney-client privilege and executive sessions	2.00	525.00
05/06/2016	TFS	Exchange emails with M. Kenyon re: request for attorney documents	0.20	52.50
05/09/2016	DJS	Assist with research re: CORA request	0.60	157.50
05/10/2016	TFS	Legal research; draft amendments to complaint; exchange emails w/ M. Kenyon; begin response to CORA request	1.60	420.00
	DJS	Assist with investigation into retrieval of text messages from Verizon phone; contact Verizon legal department; determine protocol for making subpoena request for		

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LAW OFFICES
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Town of Basalt

Mary Kenyon

Page: 2
05/31/2016
Account No: 1008-0152M
Statement No: 1

		Hours	
	records.	1.20	315.00
05/11/2016			
TFS	Exchange emails with staff and M. Kenyon; continue response to CORA request	1.20	315.00
DJS	Review subpoena requirements and prepare subpoena; follow up with legal dept for Verizon re requested records issue.	1.40	367.50
05/12/2016			
TFS	Draft motion to amend and amended complaint	1.50	393.75
DJS	Prepare subpoena for records from Verizon; prepare authorization statement; file and serve documents	1.80	472.50
05/13/2016			
TFS	Exchange emails with P. Schilling and M. Kenyon	0.50	131.25
05/16/2016			
TFS	Review files for documents responsive to CORA Request	1.40	367.50
DJS	Review subpoena requested records from Verizon compliance department and follow up with officials re. specific requested documents; review policy statement from Verizon and follow up with legal counsel re. subpoena compliance.	2.20	577.50
05/17/2016			
TFS	Review files for documents responsive to CORA request; confer with P. Schilling, exchange emails with M. Kenyon	1.80	472.50
DJS	Continue effort to obtain disclosure documents pursuant to subpoena; follow up with Verizon legal compliance		

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LAW OFFICES
AUSTIN, PEIRCE & SMITH, P.C.

Town of Basalt

Mary Kenyon

Page: 3
05/31/2016
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		Hours	
	department re text logs	1.40	367.50
05/18/2016			
TFS	Review and respond to email from M. Kenyon re: CORA and litigation; retrieve additional documents re: CORA request; address requests by manager and others; study information from Verizon and revise pleadings	5.90	1,548.75
DJS	Follow up with Verizon legal office re. document request and clarification of responsive documents provided; discuss analysis of text message information.	1.20	315.00
05/19/2016			
TFS	Revise court filings	0.50	131.25
05/23/2016			
TFS	Review and transmit M. Kenyon Answer to Complaint, email to Town re; request for executive session tapes; email to M. Scanlon and P. Schilling re: email disclosures	0.80	210.00
DJS	Review proposed Declaration template for mixed use property and propose alternative draft with comments.	1.20	315.00
05/24/2016			
TFS	Legal research re: mootness; draft motion for voluntary dismissal, exchange emails with M. Kenyon; confer with P. Schilling and Mayor Whitsitt	2.50	656.25
05/25/2016			
TFS	Email Verizon information to M. Kenyon; request stipulation for dismissal; prepare and submit dismissal order; respond to press inquiries	1.30	341.25

One (1) year receipt. Finance charges of 1.5% per month on unpaid balance. Services or costs after the last day of the month will appear on subsequent statements.

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LAW OFFICES
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Town of Basalt

Mary Kenyon

Page: 4
 05/31/2016
 Account No: 1008-0152M
 Statement No: 1

		Hours	
05/31/2016			
TFS	Finalize and file motion for voluntary dismissal	0.30	78.75
	For Current Services Rendered	<u>37.50</u>	<u>9,843.75</u>
<u>Expenses</u>			
05/31/2016	Filing Fee		18.00
	Total Expenses		<u>18.00</u>
	Total Current Work		<u>9,861.75</u>
	Balance Due		<u>\$9,861.75</u>

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Town of Basalt
c/o Judi Tippetts
101 Midland Avenue
Basalt CO 81621

Page: 1
05/31/2016
Account No: 1008-0108M
Statement No: 15

CalX Minerals
10-45-315

		<u>Fees</u>		
			Hours	
05/12/2016 DJS	Correspondence with Calx representative re default on payment; review issue with Town; assess options for remedial measures.		1.10	288.75
05/20/2016 DJS	Begin analysis and prepare documents for enforcement of settlement agreement; contact court clerk re. scheduling status conference.		1.30	341.25
05/25/2016 DJS	Contact court clerk re setting upcoming hearing on default under settlement agreement; send notice of hearing; follow up with opposing counsel.		1.20	315.00
05/31/2016 DJS	Pre-status conference call with opposing counsel re. settlement breach issues; conduct status conference with court, follow up with Town officials re. same.		1.20	315.00
	For Current Services Rendered		4.80	1,260.00

Expenses

05/31/2016	Filing Fee	13.50
	Total Expenses	13.50

[Handwritten Signature]

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Town of Basalt

CalX Minerals

Page 2
05/31/2016
Account No: 1008-0108M
Statement No: 15

Total Current Work

1,273.50

Balance Due

\$1,273.50

POSTED

APPROVED
[Signature]

PLEASE PUT ACCOUNT NUMBER ON PAYMENT CHECK - THANK YOU!

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600 E. Hopkins Avenue, Suite 205, Aspen, Colorado 81611
Telephone: 970-925-2600

Big Jig Entertainment, LLC

P.O. Box 6305 Snowmass Village, CO 81615 (970) 948-0960 MichaelWatersMusic@gmail.com

6/7/16

Invoice to: The Town of Basalt

Payable to: Big Jig Entertainment

Mail to: Michael Waters
P.O. Box 6305
Snowmass Village, CO 81615
970-948-0960

Ref: Basalt Summer Music Series 7/27 – 8/10/16
installment payment #2

6/7/16	Installment for above concert & event services	<u>\$9,000</u>
	Installment #2 payable to Big Jig Entertainment:	\$9,000

NOTE: The remaining balance of \$6,000 shall be paid with
installment #3.

Thank You!

10-41-675
8



"Providing professional concert and event coordination services"

HARRY TEAGUE ARCHITECTS

May 31, 2016
 Project No: 1603.00
 Invoice No: 0003195

Town of Basalt-Town Hall
 c/o Susan Philp
 101 Midland Avenue
 Basalt CO 81621

Project: 1603.00 Basalt River Park

Professional Services: April 26, 2016 through May 25, 2016

Task: 00 Architectural Services

Professional Personnel

	Hours	Rate	Amount	
Principal				
Teague, Harry	27.00	231.00	6,237.00	
Project Architect/Manager				
Bergeron, Gabriel	2.00	142.00	284.00	
Designer III				
Armentrout, Matthew	42.75	91.00	3,890.25	
Designer II				
Woodruff, Jeffrey	2.50	85.00	212.50	
Totals	74.25		10,623.75	
Total Labor				10,623.75

Consultants

Other Consultants				
5/25/16 Teresa May		Prof. Services thru 5/25/16	88.00	
Total Consultants		1.1 times	88.00	96.80

Reimbursable Expenses

Reproductions				
5/9/16 Valley Reprographic Service	Color prints		16.40	
5/11/16 Valley Reprographic Service	Color prints		13.12	
Total Reimbursables		1.1 times	29.52	32.47

Unit Billing

Color Prints - Matte Paper				
Color prints: 21			10.50	
Copies				
B&W prints: 4			0.68	
Total Units		1.1 times	11.18	12.30

Total this task \$10,765.32

Project: 1603.00

Basalt River Park

Invoice No: 0003195

Billings to date	Total this invoice			\$10,765.32
	Current	Prior	Total	
Labor	10,623.75	0.00	10,623.75	OK
Consultant	96.80	0.00	96.80	
Expense	32.47	0.00	32.47	
Unit	12.30	0.00	12.30	
Totals	10,765.32	0.00	10,765.32	

10-75-700
SF

PASTE

APPROVED

Project Name: Basalt River Park

Project number: 1603

Employee Name: Harry Teague

Date:	Hours:	Description:
5/5/2016	1	Basalt River Park -preparation for meeting w/ Matt DHM Meeting today at 3 pm
	1.5	Basalt River Park - Meet w/ DHM at their office in Carbondale w/ Matt
5/6/2016	4	basalt river park - park structures design
5/9/2016	3	Basalt Park Research and concept.
5/11/2016	3.5	BRP - Complete tasks for today's meeting at 4 p.m.
	1	BRP - Meeting w/ Susan Phillips, DHM, Post Committee
5/18/2016	2.5	Basalt park concept sketches
5/19/2016	1	basalt park sketches
5/23/2016	2	Basalt Park concept design for pavillion and band shell
5/24/2016	0.5	BRP - administration
	1	BRP pintrest CLT sample structures
5/25/2016	4	BRP - Prep for meeting today at 4 p.m.
	2	BRP-meeting with town staff and citizen committee

Total hours 27

Hourly Worksheets

Project Name:		Basalt River Park
Project Number:		1603 (town of Basalt approvals)
Employee Name:		Matt Armentrout
Date:	Hours:	Description:
4/27/2016	1.5	POST meeting
5/5/2016	5	meeting at DHM / meeting prep
5/6/2016	2.25	site walk and sketch design
5/9/2016	5	sketch design
5/10/2016	8.75	sketch design / site analysis
5/11/2016	6.25	POST meeting and meeting prep
5/23/2016	0.5	fee estimate
5/24/2016	6.5	POST meeting prep / sketch design
5/25/2016	7	POST meeting / meeting prep / sketch model
TOTAL HOURS	42.75	

TACAW

THE ARTS CENTER AT WILLITS			
May 2016 Purchase Order #4 - Revised June 21, 2016			
P.O. NO.	VENDOR	SERVICE	AMOUNT
#1	Thunder River Properties	May prorated rent	292.48
#2	Google	Website Management	5.00
#3	Squarespace	Website Management	12.00
#4	Ken Ransford, PC	Legal fees	1,695.00
#4	Ryan Honey	Managing Director Salary-June	8,333.34
#5	Ryan Honey	Managing Director Benefit Stipend-June	1,500.00
#6	Ryan Honey	Reimb Expenses	574.19
#7	Roaring Fork Bkkp	May Bookkeeping	348.75
#8	TACAW	7% Operating Balance Contingency	11,407.00
		Total May 2016 P.O.'S	24,167.76
		Total Due	24,167.76

2016 Council – Advanced Agendas

Tuesday 7/12/16 WORK SESSION AND LEGISLATIVE

WORKSESSION

- Council discussion Pan and Fork expenditures (if moving towards ordinance, funding, bond)

RESOLUTION

- Basalt Mini-storage intro to application (20 mins)
- Policy regarding Commercial use of Parks

ORDINANCES

- 1st Reading Roaring Fork Conservancy River Center – Old Pond Park Approvals
- 1st Reading Roaring Fork Club Suites Kitchen
- 1st Reading Special Housing Evaluation Committee

Monday 7/18/2016 SPECIAL WORKSESSION

WORKSESSION – Additional presentation and Discussion on Costs

Tuesday 7/26/16 WORK SESSION AND LEGISLATIVE

WORKSESSION:

- TACAW UPDATE AND DISCUSSION ON POTENTIAL SCHEDULE

RESOLUTION

- Resolution directing staff on Park Components, Funding/Financing and strategy on Purchase of the Park
- Public Hearing and Resolution Basalt Mini Storage

ORDINANCES

- 1st Reading Kai Peterson ADU
- 2nd Reading Roaring Fork Club Suites Kitchen
- 2nd Reading Special Housing Evaluation Committee

Monday 8/1/16 Special Meeting

RESOLUTION

- (Reserve Date for Park discussion in case Council can't reach resolution on July 26th)

Draft – June 24, 2016

Subject to Change

Tuesday 8/9/2016 WORKSESSION AND LEGISLATIVE

ORDINANCES

- 1st Reading on Election and Bond Ordinance for the Park Improvements *
- 1st Reading on Amendments to the CSC Zone District Amendments

RESOLUTION

- 150 Homestead Rezoning and subdivision

Tuesday August 23, 2016 WORKSESSION AND LEGISLATIVE

WORKSESSION

- Traffic Report on Southside

ORDINANCES

- 1st Reading TACAW Sketch Plan
- 2nd Reading on Election and Bond Ordinance for the Park Improvements
- 2nd Reading on Amendments to the CSC Zone District Amendments
- 2nd Kai Peterson ADU

Tuesday September 13, 2016 WORKSESSION AND LEGISLATIVE

ORDINANCES

- 1st Reading on Stott's Mill PUD Reinstatement, Sketch Plan on MF
- 2nd Reading TACAW Sketch

*** Note:** Mike Scanlon is working on the schedule for the proposed ordinance based on the November Election Calendar.

PARTIAL LIST OF COUNCIL PRIORITIES TO BE SCHEDULED

- 1 Child Care and Regional Child care
- 2, 1 Community Survey
- 3 Economics of Special events
- 1, 2 Regional healthcare
- 2 Arts and performing arts related to the economy
- 2 Presentations to Council from these committees:
BPAC, POST, CHAMBER, Etc./Council Members to sit on
- 2 Urban renewal at Clarks-updates from Tim B
- 3 Willits intersection
- 3, 3 Way finding –urban trails and connections (part of POST update)
- 3 Changing big boxes to small businesses at Willits
- 1, 1 Single Track trails on public lands connected to Town of Basalt
Zero waste/compost effort in Basalt/Willits

OTHER DISCUSSION ITEMS IDENTIFIED BY STAFF

Police Emergency Services Dispatch (scheduled for 06/28/16)
Adopting the 5 Yr Capital Improvements Plan
Valley Rd/El Jebel Road Alignment
Code amendment Chapter 8 – Parking rules
Public Works Manual
Amend CSC Zone District Schedule after Council direction
Worksession – BDBA& Chamber
Presentation Colorado Parks and Wildlife – Bear Aware
Traffic Calming throughout Town
Green Team Update
Green Team Recycling Ordinance
Use of Public Parks
Flood plain regulations
Amend Housing Guidelines - SHEC

LAND USE APPLICATIONS

Arbaney Kittle PUD Amendment- Pursuant to pre-development agreement
Roaring Fork Conservancy LU & Development Agreement – pursuant to pre-development agreement
RF Club Suites – minor PUD Amendment
Town Park Arts Parcel – TACAW Approvals
Stott's Mill PUD Amend and Reinstate & Sketch Plan
150 W. Homestead Rezoning and Sketch Plan (Elice)
Basalt Mini-Storage

**MEMORANDUM**

TO: Mayor Whitsitt and Basalt Town Council
FROM: Pamela Schilling, Town Clerk
DATE: June 28, 2016

RE: Recent Administrative Liquor Review/Approvals

The Town Clerk has administratively approved the following liquor licenses/permits:

- English in Action Special Event Liquor Permit (June 23, 2016)
- RMI Special Event Permits: (June 24 and August 11, 2016)
- Motors on Midland Special Event Liquor Permit (June 11)
- Summer Concert Series at Lions Park – Downtown Basalt (August 3, 10, 17, 24)
- Roaring Fork Club - Hotel and Restaurant License with Optional Premises
- Starbuck's - Beer and Wine License
- Ann Korologos Gallery – Art Gallery Permit