



CITY COUNCIL REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201
October 18, 2022 - 6:00 PM

AGENDA

Please register for Regular City Council Meeting

<https://attendee.gotowebinar.com/register/6382995264411204366>

After registering, you will receive a confirmation email containing information about joining the webinar.

To watch live

meetings: https://c.streamhoster.com/embed/media/W6sdC9/xAllQfSsmmO/vpfQhcsApYv_5?preview=1

CALL TO ORDER

Pledge of Allegiance

Roll Call

Civility Invocation

1. Civility Invocation

CONSENT AGENDA

2. Approve Agenda

3. Approve October 4, 2022 Minutes

4. Approve Thriller Dance Street Closure

5. Approve Release of Cherry Grove Subdivision Warranty

CITIZEN COMMENT—Three (3) Minute Time Limit

UNFINISHED BUSINESS / ACTION ITEMS

NEW BUSINESS / ACTION ITEMS

6. Amplified Noise Permit - The 146 Taphouse - **PUBLIC HEARING**

7. **Resolution 2022-50** A RESOLUTION OF THE CITY COUNCIL OF SALIDA, COLORADO SUMMARIZING REVENUES AND EXPENDITURES FOR EACH FUND AND ADOPTING A BUDGET FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2023 AND ENDING THE LAST DAY OF DECEMBER 2023, **PUBLIC HEARING**

8. **Resolution 2022-51** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, FINDING THE STRINGER ANNEXATION PETITION TO BE IN SUBSTANTIAL COMPLIANCE WITH STATE STATUTES AND SETTING A PUBLIC HEARING ON SAID PETITION

9. **Resolution 2022-52** A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO EXPRESSING ITS SUPPORT OF BALLOT ISSUES 2A AND 2B, TO IMPROVE THE AVAILABILITY OF AFFORDABLE HOUSING IN CHAFFEE COUNTY

10. **Resolution 2022-53** A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO EXPRESSING ITS SUPPORT OF BALLOT ISSUE 2D, TO APPROVE THE SALIDA BOTTLING COMPANY PLANNED DEVELOPMENT

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph. 719-530-2630 at least 48 hours in advance.

[11.](#) **Ordinance 2022-19** AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AMENDING CHAPTER 16, ARTICLE IV OF THE SALIDA MUNICIPAL CODE, REGARDING ZONING VARIANCES, **FIRST READING AND SETTING A PUBLIC HEARING**

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Council Reports

- Critelli, Kasper, Naccarato, Pappenfort, Pollock, Templeton

Mayor Report

Treasurer Report

[12.](#) Treasurer Report

Attorney Report

Staff Reports

[13.](#) Staff Reports

BOCC Report

[14.](#) BOCC Report

ADJOURN



City Clerk | Deputy City Clerk

Mayor Dan Shore



CIVILITY INVOCATION

We are here working together to create a thriving community. It is the intention of the Salida City Council to promote civil communication by adopting the following guidelines for speaking to the public in the City Council Chambers. It is our hope that by acting in this manner we can help create a safe space for people to share their perspectives and opinions:

- We honor the opportunity to be engaged in the process of governance for the benefit of our community.
- We acknowledge that each of us brings a unique perspective to this conversation and that our perspectives may differ.
- We challenge ourselves to value varying points of view and hold all contributions as equally important.
- We understand and accept that while we may sometimes disagree, we can always be courteous and kind.
- We commit to respectful language, avoiding rumor, harsh criticism or personal accusation, even when feeling emotionally charged.
- We will, to best of our ability, speak thoughtfully and listen with attention, respect, and curiosity.
- We are confident that there may be even better solutions than any of us have thought of, which may be discovered through civil conversations.
- We commit to the City of Salida being a hate-free zone and declare and affirm a policy of non-discrimination on the basis of a person's race, color, religion, ancestry, national origin, age, sexual orientation, gender, gender identity, marital status, military or veteran status, socio-economic class, medical condition, or physical or mental disability.



CITY COUNCIL REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201
October 04, 2022 - 6:00 PM

MINUTES

CALL TO ORDER

Pledge of Allegiance

Roll Call

PRESENT

- Council Member Justin Critelli
- Council Member Harald Kasper
- Council Member Dominique Naccarato
- Council Member Alisa Pappenfort
- Council Member Mike Pollock
- Council Member Jane Templeton
- Mayor Dan Shore
- Treasurer Merrell Bergin

Civility Invocation

CONSENT AGENDA

Council Member Pappenfort moved to add a Bid Acceptance for Harriet Alexander Field for a Service Road Pavement Project and to further combine and approve the items on the Consent Agenda, Seconded by Council Member Templeton.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Naccarato, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

- Approve Agenda
- Approve September 20, 2022 Minutes
- Approve a Special Event Liquor License Request for BETCH
- Approve a Special Event for the Fantasy Faire
- Approve a Special Event for the Holiday Park
- Approve a Special Event for the Parade of Lights
- Approve to Reduce Performance Guarantee Amount for the Papp Minor Subdivision
- Bid Acceptance – Harriet Alexander Field – Service Road Pavement Project

CITIZEN COMMENT—Three (3) Minute Time Limit

Robin NeJame spoke during Public Comment.

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2630 at least 48 hours in advance.

PROCLAMATIONS

Mayor Shore Proclaimed October as Arts Month in the City of Salida.

UNFINISHED BUSINESS / ACTION ITEMS

Ordinance 2022-18 AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AMENDING CHAPTER 4, ARTICLE VI OF THE SALIDA MUNICIPAL CODE, REGARDING THE OCCUPATIONAL LODGING TAX, TO CONFORM THE TAX WITH THE FULL, VOTER-APPROVED AMOUNT, FINAL READING AND PUBLIC HEARING

Mayor Shore opened the Public Hearing. City Administrator Drew Nelson presented the Ordinance.

There was no Public Comment.

Shore closed the Public Hearing.

Council discussed the Ordinance.

Council Member Naccarato moved to approve the Ordinance, Seconded by Council Member Pappenfort.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Naccarato, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

NEW BUSINESS / ACTION ITEMS

Chaffee Housing Authority Request for waivers of certain fees associated with the Jane's Place Planned Development located at 3rd Street and Highway 50

Council Member Templeton moved to approve the fee waivers, Seconded by Council Member Pappenfort.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Naccarato, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Request Granting a Timeline Extension for the Submittal of Building Permit Application for Building A of the Salida Crossings Planned Development and Adjustment of Construction Schedule, PUBLIC HEARING

Mayor Shore opened the Public Hearing. Planning Director Bill Almquist presented the Timeline Extension Request.

Chris Coggin spoke about the the request.

Shore closed the Public Hearing.

Council discussed the request.

Council Member Kasper moved to approve the Timeline Extension, Seconded by Council Member Templeton.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Naccarato, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2630 at least 48 hours in advance.

Resolution 2022-46 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, CERTIFYING DELINQUENT CHARGES, ASSESSMENTS, OR TAXES TO THE CHAFFEE COUNTY TREASURER TO BE ADDED TO THE 2022 TAX ROLL

Council Member Templeton moved to approve the Resolution, Seconded by Council Member Pappenfort.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Naccarato, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Resolution 2022-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING CITIZEN APPOINTMENTS TO THE PARKS, RECREATION, OPEN SPACE AND TRAIL ADVISORY BOARD PURSUANT TO SECTION 2-14-10 OF THE SALIDA MUNICIPAL CODE

Council Member Critelli moved to appoint Stacey Falk, Jess Smith, and Jon Terbush to the PROST Advisory Board, term to expire on October 4, 2023, Seconded by Council Member Pappenfort.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Naccarato, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Resolution 2022-48 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO, ENTERING INTO A MEMORANDUM OF UNDERSTANDING WITH XCEL ENERGY FOR THE PARTNERS IN ENERGY PROGRAM

Council Member Kasper moved to approve the Resolution, Seconded by Council Member Templeton.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Naccarato, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Resolution 2022-49 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO EXPRESSING ITS SUPPORT OF BALLOT ISSUE 6A, TO IMPROVE THE AVAILABILITY OF AFFORDABLE HOUSING IN CHAFFEE COUNTY

Council Member Naccarato moved to approve the Resolution, Seconded by Council Member Kasper.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Naccarato, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Reports were given.

EXECUTIVE SESSION

For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employee: **City Clerk Annual Performance Evaluation**

Council Member Templeton moved to enter into Executive Session, Seconded by Council Member Kasper.

Voting Yea: Council Member Critelli, Council Member Kasper, Council Member Naccarato, Council Member Pappenfort, Council Member Pollock, Council Member Templeton

THE MOTION PASSED.

Council entered Executive Session at 7:45 p.m. and returned to the Regular meeting at 8:35 p.m.

ADJOURN

Adjourned at 8:38 p.m.



City Clerk | Deputy City Clerk

Mayor Dan Shore

October 14, 2022

Salida City Council
448 E First Street, Suite 112
Salida, CO 81201



Dear Councilors:

We are reaching out to you in reference to the Thriller Dance that has been a Halloween tradition for the last 12 years at the location of F and 10th Streets. Unfortunately, the staging location (a private residence at that intersection) that has been a part of the tradition is no longer an option. Since the previous organizers and hosts of this event are no longer available, the City of Salida's Parks & Recreation department have stepped up and would like to host the event to keep the tradition alive.

We have solidified a staging location at the Community Center, on the corner of F and 3rd Street. The dancers will use this location to get ready for the event, warm up in between dances, and have a potluck dinner (not open to the public). From there, they will walk down to the vicinity of Alpine Park to dance for 2.5 minutes, every 15 minutes. The Parks & Rec Department will have our Mobile Recess set up at the park for kids of all ages to play lawn games, play in the bouncy house, warm up with hot cider and hot chocolate, and observe the dancers.

Our department plans on notifying neighboring businesses and residences of this event by going door-to-door on October 20th with small informational fliers about the event. We will also provide candy for them to hand out, since trick-or-treating traffic will be heavy during this time!

Learning about this event over the last couple of weeks has been an honor to all of us at Parks & Rec, and we simply cannot see this very important and valued tradition come to an end. We are asking for your approval and support, and hope to celebrate our wonderful community with all of you on the 31st!

Thank you for your time and consideration.

Sincerely,

City of Salida's Parks & Recreation Leaders

City of Salida Special Event Application

This guide is designed to help you through the special event process. If you have any questions or concerns after reading this, please contact the City staff at diesel.post@cityofsalida.com.

What classifies as a Special Event in the City of Salida?

A special event permit is required for all planned and promoted public activities conducted on public property that meet any of the following criteria:

- When the expected number of participants and spectators totals **50 or more people**; and/or
- When using **tents, structures and/or sound amplification, multiple vendors**; and/or
- When **providing, selling or distributing alcohol and/or food to the public**; and/or
- When holding a **parade or using public right of ways** (e.g., city streets, multi-use paths and sidewalks, boatramps, etc), and/or impacting vehicle, bike or bus traffic.
- The event **goes against an existing City ordinance**.

In order to obtain your Special Event Permit, we ask that all pertinent applications be turned in **between 60 and 90 days** prior to the event so all parties can make reasonable arrangements that will be necessary to hold your event.

You must fill out all the information to obtain your event permit. In some cases, there may be additional items to fill out depending on what your event entails. **Incomplete applications will not be considered.**

Whoever is named on the application is the **only person the City of Salida will contact** during the application process. If the contact person needs to be changed, please complete the following application(s) with that contacts info.

Permits:

If you would like to have amplified sound, liquor, vendor's (that are actively selling merchandise), or requests to close any public right of way, please fill out the additional corresponding permits below:

- If your event will include alcohol, [please click on this link](#) to obtain a Special Events Liquor License Application and **turn the application in 90 days before the event to City Hall.**
- If your event has amplified sound, [please click on this link](#) to obtain an Amplified Sound Permit Application or find it on the Park rentals page at Cityofsalida.com
- If your event will include multiple vendors, [please click on this link](#) to obtain a Multiple Vendor Event Permit Application or find it on the Park rentals page at Cityofsalida.com
- If your event requests a street closure, a [Street Closure Petition](#) is required

Special Event Application (Formerly Addendum A)

Paper version - Digital preferred

1. Will any food or merchandise be sold? Yes _____ No X

If yes, FOOD AND SALES TAX LICENSES MUST BE OBTAINED. Contact the Colorado Department of Revenue for sales tax licenses at (303) 232-2416, and the Chaffee County Public Health Department for food licenses at (719) 539-2124. Vendors must have a fire extinguisher on site. Vendor booths are subject to inspection by the Salida Police and Fire Departments.

2. Will alcoholic beverages be sold and/or dispensed at your event? Yes _____ No X

If yes, please fill out the Application for Special Events Liquor License and submit it along with the necessary fees. A State of Colorado Special Event Liquor License permit is ONLY issued to incorporated non-profit organizations. EVENTS REQUIRING ALCOHOL LICENSES MUST SUBMIT THEIR APPLICATION AT LEAST 90 DAYS IN ADVANCE OF THE EVENT.

3. Will there be amplified sound at your event? Yes X No _____

4. Are street, sidewalks or other right of way closures proposed for your event? Yes X No _____

If yes, where and when? 10/31 5-8pm F St / 3rd - 5th (whatever PD recommends)
If yes, it is your responsibility to circulate and submit a petition signed by abutting residents/merchants as to their support or non-support of the closure.
-Rolling Barricade

5. Will you require any security or law enforcement services specific for your event? Yes X No _____

If yes, for what purpose (security, traffic, parking or public control, Salida Trail System crossings, etc.?)

for traffic control/road closures & safety

Dates and times officers needed? 10/31/22 5-8pm

Please attach the event's Security Plan.

The City of Salida requires reimbursement for the cost of providing police and safety measures above the standard for the time and date of any event.

6. Where do you plan for people to park for your event?

side streets in downtown } I anticipate a lot of people will walk from home to location of event

7. Please attach the quote/estimate for your **trash service**. Must have 1 can per 50 people.

8. Do you plan on using any portion of the Salida Trail System (STS)? Yes _____ No X
If yes, describe when, how and where:

9. Is your **Emergency Action Plan, including First Aid Stations**, Communication and public safety agencies complete? Yes X No ~~___~~
Please attach the plan documents to this application with the details.

10. Have you attached **event insurance**? Yes _____ No X - City of Salida's insurance will
Events to which the PUBLIC is invited require insurance. Please refer to #11 under Provisions for Cover
Park Rentals and Park Rules. Proof of insurance will be required with this application and must the
list the City as an additional insured party. event

11. Please list any other needs or requirements that have not been covered.

12. Please create a physical or digital packet that contains(in order):

- a. The cover sheet memo template - page 7
 - i. Event overview
 - ii. Event intent
 - iii. Event timeline
 - iv. Map of your event with portalette, entry/exits and additional trash cans called out
- b. Proof of insurance
- c. Emergency Action Plan - page 8
- d. Quote/estimate for Trash service
- e. Sound, Liquor, Street closure, etc. permits and applications

Lead contact signature  Date 10/14/22

City of Salida Special Event Organizer Rules and Regulations affirmation:

Please check that you understand and will adhere to the following requirements:

- Any violation of the City of Salida Municipal Code or agreements made in the application process are grounds for denial of the Special Events permit in the future.
- You will be required to have insurance and name the City as an additionally insured party. **Because this is often a lengthy process, the City will accept and approve applications pending receipt of proof of insurance.**
- Applicants are also responsible for meeting any other agency requirements. For example, if you are serving food you must meet all Health Department requirements
- 1 trash can per 50 people expected is required.
- The event is responsible for emptying ALL trash within the event, including pre-existing city trash cans.
- Chaffee County Department of Health requires at least **one restroom for every fifty people attending the event.**
- All clean up must be completed within 24 hours after the event concludes. If the City has to clean up after the event, a fee will be billed to the organizer.

Organizer signature:  Date: 10/14/22

Salida Special Event Emergency Action Plan

I, the undersigned, agree to compile with the following Emergency Action Plan to the best of my ability. The first person on this list will be the designated Emergency Manager and will take responsibility for public addresses and instruction to the event participants

Emergency Manager (1 lead, 2 alternates)	Contact info 1	Contact info 2	Signature
1. Maggie Clark	719-458-4354	719-839-1550	
2. Anissa Caiazza	719-221-0852		
3. Diesel Post	719-916-9378		
4.			

Please complete the following template according to your Events plan and location. The following procedures should be followed in the event of an emergency.

Communications

- The manager or designee will communicate the designated evacuation space to participants at the beginning of the event.
- The Emergency Manger will communicate to the event participants in an emergency with a
 - Bull Horn
 - PA system
 - Emergency level voice

Please enter your evacuation destination into the box in each of the follow scenarios

Fire

- Call 911
- Assist injured or disabled personnel.
- Evacuate the building. Activate emergency shut offs if available.
- Attempt to use a fire extinguisher only if you have been trained.
- Evacuate participant to a safe space away from danger downtown

Medical Emergency

- Identify the medical emergency.
- If life threatening, call 911.
- Administer first aid if properly trained.
- Evacuate the injured person to inside the Community Center

Violent Incident

- Call 911.
- Attempt to avoid the situation – move participants away
- Try to deny contact-evacuate to inside the Community Center
lock/block doors, turn off lights, silence phones.
- If necessary defend - distract, attack, subdue.

Severe Weather/Natural incident

- Move participants away from threat if possible.
- Evacuate to inside the Community Center
- Call 911

Urgent Situation (suspicious person, package, activity or bomb threat)

- Call 911.



CITY OF SALIDA

OVERVIEW OF LOCAL NOISE REGULATIONS & PERMITTING

Chapter 10, Article IX of the Salida Municipal Code (the "Code") establishes regulations and standards for noise within the City of Salida (the "City") to reduce and eliminate unnecessary and excessive noise which would otherwise be detrimental to residents and the community in the enjoyment of life, property, and the conduct of business. Of note, Section 10-9-30(c) of the Code provides that it is "unlawful for any person to emit or cause to be emitted any noise which leaves the premises on which it originates, inclusive of a public premises, crosses a property line and enters onto any other premises in excess" of the specified levels.

Pursuant to Sections 10-9-40(14) and 10-9-80 of the Code, however, the City may specifically exempt a particular noise from this prohibition through the issuance of a noise permit. Such a permit may include limitations and conditions to minimize the adverse impacts of the proposed noise may have on the community or surrounding neighborhood. Such limitations and conditions include, but are not limited to, the following: the hours of operation, maximum decibels, the type of sound amplification equipment, and the type of sound that may be amplified. No permit shall be issued for noise after 10:00 PM, with allowances to go until midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend, and on the Thursday, Friday, and Saturday during the FIBArk Festival.

The issuance of a noise permit is at the sole discretion of the City Administrator or City Council, and the issuance of such permit does not confer any rights upon the permittee other than those expressly authorized by the permit. Violation of any of the conditions or limitations set forth in the noise permit may result in immediate revocation of the permit. Revocation of the noise permit does not preclude the City from seeking any remedies otherwise available under federal, state, or local law.

Applications for a noise permit must be submitted on the attached "Application for a Noise Permit" form and submitted at least five (5) working days prior to the date for which the permit is sought.



CITY OF SALIDA

NOISE PERMIT APPLICATION

Please fill out the form completely, including by signing and dating the application. Submitting an incomplete application is a basis for denial of a noise permit. Listing a particular type of audio amplification equipment, hours of operation, or any other information below does not guarantee the applicant's right to use such equipment or have an event at a particular time. Whether such application requests have been granted will be indicated in the issued permit.

Applicants may apply for events which are recurring (i.e., live music every Thursday). Any such events should be clearly described as recurring in the event description and should identify all dates on which the event will occur.

Completed applications can be submitted in-person to the City Clerk at 448 E. First Street, Suite 112, or via email to clerk@cityofsalida.com. Applications must be submitted at least five (5) working days prior to the date for which the permit is sought.

I. Applicant Information.

Applicant Name: Maggie Clark

Applicant Business/Organization: City of Salida Parks & Rec Dept.

Applicant Phone: 719-458-4354

Applicant Email: maggie.clark@cityofsalida.com

Applicant Address: 448 E 1st St. Suite 112
Salida, CO 81201

Sound Supervisor¹: Maggie Clark

Sound Supervisor Phone: 719-458-4354

II. Event Information.

Description of Event: Thriller dance to take place in the streets (on F St.)
between 3rd & 5th, every 15 minutes

Estimated Attendance: 500

Date(s): 10/31/22

Hours of Event: 5-8pm

Location of Event: F Street, between 3rd & 5th

¹ The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.



III. Noise Information.

Type of Noise (e.g., live music, parade):

music

Type of Sound Amplification Equipment:

microphone & speaker

IV. Agreement.

As the applicant for this noise permit, I, Mageye Clark, hereby agree and understand that it is my responsibility to ensure compliance with the conditions and limitations set forth in the permit and all laws, rules, and regulations of the City of Salida, the state, and the federal government. I further agree and understand that any violations of the permit or applicable laws may result in the immediate revocation of the permit. Violations of the conditions and limitations set forth in the permit or applicable laws shall also be grounds for denial of future permit applications. I further understand and agree that the permit and application fee are non-refundable and non-transferrable.

Signature: *Mageye Clark*

Date: 10/14/22

For use by the City Clerk only:

Application fee received: [] Yes [] No [] N/A

Signature: _____

Date: _____



**CITY OF SALIDA
NOISE PERMIT**

Signature by the City Administrator on this noise permit indicates that the noise permit has been deemed granted to the applicant and the requested noise has been so authorized, subject to the conditions and limitations set forth below. Where the conditions or limitations set forth below contradict or conflict with the information contained in the application, the conditions and limitations will control.

I. Conditions and Limitations Applicable to All Permits.

The following conditions and limitations are applicable to all noise permits:

- No noise is permitted after 10:00 PM, unless specifically authorized by the City Council following a public hearing. No noise is permitted after midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend. No noise is permitted after midnight on the Thursday, Friday, and Saturday during the FIBArk festival.
- No noise is authorized in excess of the maximum limit of 85 dB(A), as measured from any point along the property line or within the property line of the receiving premises. Measuring devices shall be those specifically utilized by the City of Salida.
- All amplification equipment shall be arranged so as to minimize the disturbance to neighboring properties, and permittees shall take reasonable measures to baffle or reduce noise impacts to neighbors.
- No outdoor amplified sound shall be permitted between November 1 through May 1.
- A maximum of sixty (60) amplified sound permits may be granted to same location during a single calendar year, unless additional permits are specifically authorized by the City Council following a public hearing.

II. Conditions and Limitations Applicable to this Permit.

The following conditions and limitations are applicable to this noise permit:

- _____
- _____
- _____

III. Expiration.

This noise permit is issued for the following dates and expires on the following date:

Date(s): _____

Expiration: _____

For use by the City Administrator only:

Application granted: [] Yes [] No

Signature: _____

Date: _____



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	October 18, 2022

ITEM

Approval to for full release of the Performance Guarantee amount for the Cherry Grove Subdivision.

BACKGROUND

On June 1, 2021 City Council approved the Subdivision Improvement Agreement for the Cherry Grove Subdivision. Paragraph 5.7 requires a financial guarantee for the public improvements that are required for the project in an amount of \$108,337.50, which includes the total estimated cost of completing the Required Improvements in the amount of \$86,670.00 plus 25%.

Paragraph 5.7.5 of the agreement states that “Upon the expiration of both the Public Improvements Warranty Period and the Other Required Improvements Warranty Period described in paragraph 5.8 the Developer’s correction of all defects discovered during such periods, and the City’s final acceptance of the Public Improvements in accordance with paragraph 5.9, City Council shall authorize a full release of the Performance Guarantee.”

On December 21, 2021 Council approved a partial release in the amount of \$78,003.00 leaving a remaining balance of \$30,334.50 for the 1 year warranty period.

Attached is a memo from Public Works Director David Lady stating that there are no outstanding warranty items and recommends full release of the remaining \$30,334.50.

FISCAL NOTE

There are no budget implications with the approval.

STAFF RECOMMENDATION

Staff has identified that the request meets the requirements set forth in the Subdivision Improvement Agreement and recommends Council release the remaining Performance Guarantee in the amount of \$30,334.50.

SUGGESTED MOTION

A Council person should make a motion to “combine and approve the items on the consent agenda”.

Followed by a second and then a vote.

From: [David Lady](#)
To: "[Kristi Jefferson](#)"
Subject: RE: Cherry Grove - 1 year Warranty
Date: Tuesday, September 27, 2022 8:13:20 AM
Attachments: [image002.png](#)

PW has no outstanding warranty items and recommends release.



David Lady
Director of Public Works, Public Works

david.lady@cityofsalida.com
P: 719-539-6257 | C: 719-239-0048
340 W. Hwy 291, Salida, CO 81201
cityofsalida.com

From: Kristi Jefferson [mailto:kristi.jefferson@cityofsalida.com]
Sent: Monday, September 26, 2022 11:33 AM
To: 'DavidL' <david.lady@cityofsalida.com>
Subject: Cherry Grove - 1 year Warranty

David,

Bill Smith is calling to get the remainder of their LOC released. I have that the warranty period ends tomorrow. Is it ok to have City Council release the remaining amount of their LOC?

Kristi Jefferson
Senior Planner
City of Salida
448 E. First Street
Suite 112
Salida, CO 81201
(719) 530-2626



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.



CITY COUNCIL ACTION FORM

DEPARTMENT Administration	PRESENTED BY Drew Nelson - City Administrator	DATE October 18, 2022
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ITEM

Amplified Noise Permit – The 146 Taphouse – Public Hearing

BACKGROUND

Per City Council direction, certain amplified Noise Permits are subject to public hearings as they relate to dates, hours of operation, and decibel levels. The City has received an application from The 146 Taphouse, located at 146 West 1st Street, to host multiple live music events above the established administrative approval amounts of sixty (60) events per season. The Taphouse has requested up to seventy two (72) events per the attached spreadsheet; the venue was previously approved for 60 events and has requested twelve (12) additional outdoor dates. As the Council is aware, the City Administrator may review and approve up to 60 permits; as the proposed number of events is above that amount, a public hearing shall be held to receive feedback from the public.

Public notice was posted on the property, on the City’s website, and at the public notice posting area at the Touber Building (see attached). The permit application is also attached for review.

FISCAL NOTE

None.

STAFF RECOMMENDATION

As of the preparation of this report, the City has received between five (5) and ten (10) complaints regarding amplified sound events at the Taphouse; however, it should be noted that the complaints were due to indoor music that was broadcast through the neighborhood due to open doors during the summer months after 10:00 p.m. Staff has made the applicant aware of these issues, and they have indicated that doors and windows would be shut for any music occurring outside of the times noted on their permit. Staff recommends approval of the amplified Noise Permit for The 146 Taphouse for up to seventy two (72) amplified sound events with an added condition that indoor music shall not be broadcast outside of the venue through open doors or windows after the ending times noted in the attached application.

SUGGESTED MOTION

Following a public hearing, a City Councilmember should state, “I move to approve an amplified Noise Permit for The 146 Taphouse, located at 146 West 1st Street, for up to seventy two amplified sound events, to end no later than November 26, 2022, with the condition that indoor music shall not be broadcast outside of the venue through open doors or windows after the ending times noted in the application dated October 10, 2022”, followed by a second and a roll call vote.



CITY OF SALIDA

OVERVIEW OF LOCAL NOISE REGULATIONS & PERMITTING

Chapter 10, Article IX of the Salida Municipal Code (the “Code”) establishes regulations and standards for noise within the City of Salida (the “City”) to reduce and eliminate unnecessary and excessive noise which would otherwise be detrimental to residents and the community in the enjoyment of life, property, and the conduct of business. Of note, Section 10-9-30(c) of the Code provides that it is “unlawful for any person to emit or cause to be emitted any noise which leaves the premises on which it originates, inclusive of a public premises, crosses a property line and enters onto any other premises in excess” of the specified levels.

Pursuant to Sections 10-9-40(14) and 10-9-80 of the Code, however, the City may specifically exempt a particular noise from this prohibition through the issuance of a noise permit. Such a permit may include limitations and conditions to minimize the adverse impacts of the proposed noise may have on the community or surrounding neighborhood. Such limitations and conditions include, but are not limited to, the following: the hours of operation, maximum decibels, the type of sound amplification equipment, and the type of sound that may be amplified. No permit shall be issued for noise after 10:00 PM, with allowances to go until midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend, and on the Thursday, Friday, and Saturday during the FIBArk Festival.

The issuance of a noise permit is at the sole discretion of the City Administrator or City Council, and the issuance of such permit does not confer any rights upon the permittee other than those expressly authorized by the permit. Violation of any of the conditions or limitations set forth in the noise permit may result in immediate revocation of the permit. Revocation of the noise permit does not preclude the City from seeking any remedies otherwise available under federal, state, or local law.

Applications for a noise permit must be submitted on the attached “Application for a Noise Permit” form and submitted at least five (5) working days prior to the date for which the permit is sought.



CITY OF SALIDA

NOISE PERMIT APPLICATION

Please fill out the form completely, including by signing and dating the application. Submitting an incomplete application is a basis for denial of a noise permit. Listing a particular type of audio amplification equipment, hours of operation, or any other information below does not guarantee the applicant’s right to use such equipment or have an event at a particular time. Whether such application requests have been granted will be indicated in the issued permit.

Applicants may apply for events which are recurring (*i.e.*, live music every Thursday). Any such events should be clearly described as recurring in the event description and should identify all dates on which the event will occur.

Completed applications should be submitted via email to deputyclerk@cityofsalida.com. If that is not possible, they can be submitted in-person to 448 E 1st Street Suite 112. Applications must be submitted at least five (5) working days prior to the date for which the permit is sought.

I. Applicant Information.

Applicant Name: Ethan Hedayat

Applicant Business/Organization: The 146 Taphouse

Applicant Phone: 949 422-9117

Applicant Email: ethanhedayat@mac.com

Applicant Address: 315 W. 5th Street

Sound Supervisor¹: Ethan Hedayat

Sound Supervisor Phone: 949 422-9117

II. Event Information.

Description of Event: Seeking sound permit for the outside stage I.E the dates corosponding to the attached document.

Estimated Attendance: _____

Date(s): See attached document.

Hours of Event: _____

Location of Event: 146 W. First Street

¹ The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.



III. Noise Information.

Type of Noise (e.g., live music, parade):

Live performer, band and or DJ

Type of Sound Amplification Equipment:

QSC 2x3

IV. Agreement.

As the applicant for this noise permit, I, Ethan Hedayat, hereby agree and understand that it is my responsibility to ensure compliance with the conditions and limitations set forth in the permit and all laws, rules, and regulations of the City of Salida, the state, and the federal government. I further agree and understand that any violations of the permit or applicable laws may result in the immediate revocation of the permit. Violations of the conditions and limitations set forth in the permit or applicable laws shall also be grounds for denial of future permit applications. I further understand and agree that the permit and application fee are non-refundable and non-transferrable.

Signature:



(Typed or Digital signature accepted)

Date:

10/12/2022

For use by the City Clerk only:

Application fee received: Yes No N/A

Signature:

Date:



CITY OF SALIDA NOISE PERMIT

Signature by the City Administrator on this noise permit indicates that the noise permit has been deemed granted to the applicant and the requested noise has been so authorized, subject to the conditions and limitations set forth below. Where the conditions or limitations set forth below contradict or conflict with the information contained in the application, the conditions and limitations will control.

I. Conditions and Limitations Applicable to All Permits.

The following conditions and limitations are applicable to all noise permits:

- No noise is permitted after 10:00 PM, unless specifically authorized by the City Council following a public hearing. No noise is permitted after midnight on the Fridays and Saturdays of Memorial Day weekend, 4th of July weekend, and Labor Day weekend. No noise is permitted after midnight on the Thursday, Friday, and Saturday during the FIBArk festival.
- No noise is authorized in excess of the maximum limit of 85 dB(A), as measured from any point along the property line or within the property line of the receiving premises. Measuring devices shall be those specifically utilized by the City of Salida.
- All amplification equipment shall be arranged so as to minimize the disturbance to neighboring properties, and permittees shall take reasonable measures to baffle or reduce noise impacts to neighbors.
- No outdoor amplified sound shall be permitted between November 1 through May 1.
- A maximum of sixty (60) amplified sound permits may be granted to same location during a single calendar year, unless additional permits are specifically authorized by the City Council following a public hearing.

II. Conditions and Limitations Applicable to this Permit.

The following conditions and limitations are applicable to this noise permit:

- _____
- _____
- _____

III. Expiration.

This noise permit is issued for the following dates and expires on the following date:

Date(s): _____

Expiration: _____

For use by the City Administrator only:

Application granted: [] Yes [] No

Signature: _____

Date: _____

Noise Permit request

OCT:

- 12 – Wed: Open mic / LGBTQ Rainbow night - 6p to 10p inside
- 13 – Thurs: Kuroki / Ladies night - 8p to 10p inside
- 14 – Fri: Random 1p to 6p out side. Club 8p to 10p inside
- 15 – Saturday: Random 1p to 8p outside. Club 8p to 10p inside.

Any residual music after 10p is with the front door locked, the back barn door locked using the back door for the only enterence while being monitored.

- 19 – Wed: Open mic / LGBTQ Rainbow night - 6p to 10p inside
- 20 – Thurs: Kuroki / Ladies night - 8p to 10p inside
- 21 – Fri: Random 1p to 6p out side. Club 8p to 10p inside
- 22 – Saturday: Random 1p to 8p outside. Club 8p to 10p inside.

- 26 – Wed: Open mic / LGBTQ Rainbow night - 6p to 10p inside
- 27 – Thurs: Kuroki / Ladies night - 8p to 10p inside
- 28 – Fri: Random 1p to 6p out side. Club 8p to 10p inside
- 29 – Saturday: Random 1p to 8p outside. Club 8p to 10p inside.

NOV:

- 2 – Wed: Open mic / LGBTQ Rainbow night - 6p to 10p inside
- 3 – Thurs: Kuroki / Ladies night - 8p to 10p inside
- 4 – Fri: Random 1p to 6p out side. Club 8p to 10p inside
- 5 – Saturday: Random 1p to 8p outside. Club 8p to 10p inside.

- 9 – Wed: Open mic / LGBTQ Rainbow night - 6p to 10p inside
- 10 – Thurs: Kuroki / Ladies night - 8p to 10p inside
- 11 – Fri: Random 1p to 6p out side. Club 8p to 10p inside
- 12 – Saturday: Random 1p to 8p outside. Club 8p to 10p inside.

- 16 – Wed: Open mic / LGBTQ Rainbow night - 6p to 10p inside
- 17 – Thurs: Kuroki / Ladies night - 8p to 10p inside
- 18 – Fri: Random 1p to 6p out side. Club 8p to 10p inside
- 19 – Saturday: Random 1p to 8p outside. Club 8p to 10p inside.

- 23 – Wed: Open mic / LGBTQ Rainbow night - 6p to 10p inside
- 24 – Thurs: Kuroki / Ladies night - 8p to 10p inside
- 25 – Fri: Random 1p to 6p out side. Club 8p to 10p inside
- 26 – Saturday: Random 1p to 8p outside. Club 8p to 10p inside.

NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL FOR THE CITY OF SALIDA CONCERNING A NOISE PERMIT APPLICATION

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE: that on October 18, 2022 at or about the hour of 6:00 p.m. a public hearing will be conducted by the City of Salida City Council at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://attendee.gotowebinar.com/register/6382995264411204366>. The hearing concerns a Noise Permit Application filed by Ethan Hedayat of The 146 Taphouse, located at 146 West 1st Street in Salida, Colorado.

The applicant is requesting to provide amplified sound outdoors for up to seventy two (72) amplified sound events, which is above the sixty (60) amplified sound events that are typically permitted administratively.

Interested persons are encouraged to attend the public hearings. Further information on the application may be obtained from the City Administrator, (719) 539-4555.

*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff, or present your concerns at the public meeting via the above GoToWebinar link so your comments can be made part of the record.



CITY COUNCIL ACTION FORM

DEPARTMENT Finance	PRESENTED BY Aimee Tihonovich - Finance Director	DATE October 18, 2022
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ITEM

2022-50 – Resolution to adopt the 2023 Budget

BACKGROUND

City Council and staff have been hard at work on the 2023 budget and have devoted time to studying the budget in public work sessions since last month with the budget being available for public inspection on-line and in the Finance Office. A resolution establishing the budget and appropriation of funds for 2023 spending is attached.

FISCAL NOTE

The 2023 budget is \$47,309,859 for all funds and includes a maximum amount of \$15 million for a new fire station which anticipates a debt issuance of an equal amount. The budget is supported by \$42,050,088 in anticipated 2023 revenue (including debt proceeds for the fire house) and a potential use of fund balance reserves in the amount of \$5,259,771 resulting in a balanced budget. The use of reserves are fully related to one-time spending projects.

STAFF RECOMMENDATION

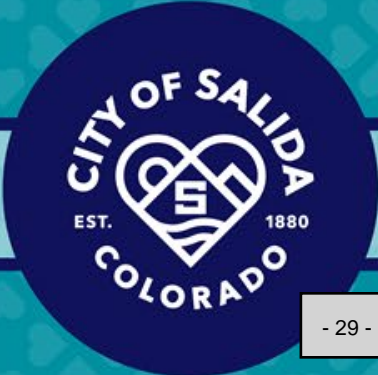
After holding a budget hearing and giving due consideration to citizen comments, it is recommended that the public hearing be closed and that Council adopt the 2023 budget and appropriation resolution.

SUGGESTED MOTION

A council person should make a motion to adopt the resolution establishing a budget for the calendar year 2023.

2023 Budget

Public Hearing and Resolution to Adopt





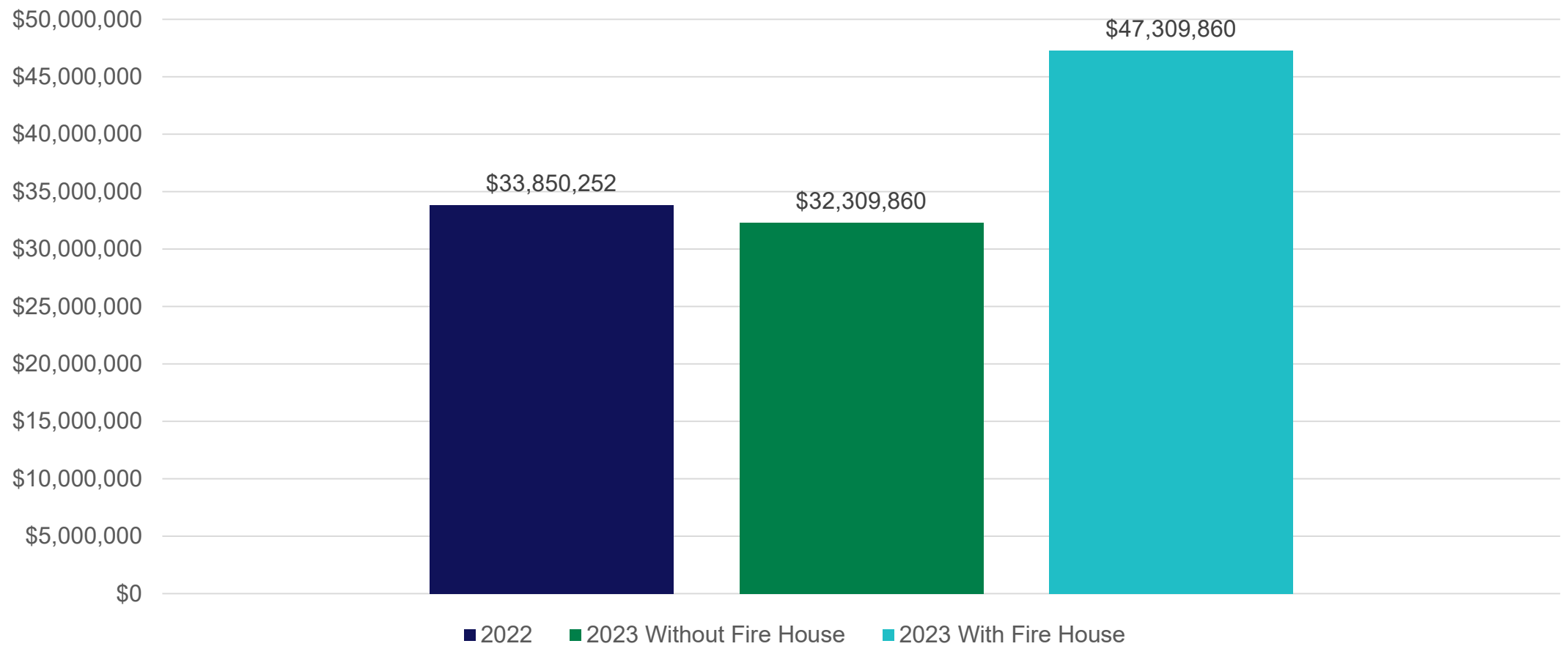
2023 Budget Development Timeline

- May – Council retreat held to develop priorities
- June-July – City Departments set goals and objectives based on Council priorities and craft a requested budget for the upcoming year.
- August – Treasurer reviews budgets with staff, recommended budget is presented to Finance Committee
- September – Requested budget is presented to City Council and made available for public inspection
- October – Public Hearing and adoption of budget





Total Budget Comparison 2023 to 2022





Fund Balance Analysis

	General & Capital Improvement Funds	Street Fund	Utility Funds	All Other	Grand Total
Projected Fund Balance at 1/1/2023	\$ 6,889,489	\$ 1,180,741	\$ 6,547,787	\$ 356,843	\$ 14,974,860
2023 Budgeted Use of Reserves	█ (2,528,555)	(867,572)	(1,758,661)	(104,983)	█ (5,259,771)
Projected Fund Balance at 12/31/2023	\$ 4,360,934	\$ 313,169	\$ 4,789,126	\$ 251,860	\$ 9,715,089
Within Fund Balance Policy?	✓	✓	✓	✓	



Significant Projects

Oak Street and other CDOT local agency reconstruction (dependent on CDOT approvals)	\$ 4,000,000
Complete the Pasquale water supply upgrades	\$ 2,500,000
Poncha Blvd. street reconstruction project	\$ 1,500,000
Sanitary sewer main replacement	\$ 550,000
River corridor boat ramp beach project (dependent on grant support)	\$ 350,000
Expand and move mechanic shop to multi-use facility	\$ 180,000
Upgrade to a DCP projection system for the SteamPlant theatre	\$ 127,000
Removable bollard option for seasonal F Street closure	\$ 100,000
Phase 1 of solar street light project	\$ 100,000



**CITY OF SALIDA, COLORADO
RESOLUTION NO. 50
(Series of 2022)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO,
SUMMARIZING REVENUES AND EXPENDITURES FOR EACH FUND AND ADOPTING A
BUDGET FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY
2023 AND ENDING ON THE LAST DAY OF DECEMBER 2023**

WHEREAS, The City Council of the City of Salida appointed the City Administrator to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, on September 19, 2022, the City Administrator submitted a proposed budget to the City Council for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with applicable law, said proposed budget was open for inspection and a public hearing held on October 18, 2022 and interested taxpayers were given the opportunity to file or register any objections to said budget.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA,
COLORADO THAT:**

1. Estimated revenues and expenditures for each fund are as follows:

<u>Estimated Revenues</u>	
General Fund	\$ 11,604,251
Water Fund	\$ 3,240,027
Wastewater Fund	\$ 2,663,899
Conservation Trust Fund	\$ 74,000
Streets Fund	\$ 6,740,327
Capital Improvement Fund	\$ 16,706,267
Economic Development Fund	\$ 191,317
Lodging Tax Fund	\$ 450,000
Housing Fund	\$ 380,000
	<hr/>
	<u>\$ 42,050,088</u>

Estimated Expenditures

General Fund	\$ 14,132,074
Water Fund	\$ 5,000,323
Wastewater Fund	\$ 2,662,264
Conservation Trust Fund	\$ 74,000
Streets Fund	\$ 7,607,898
Capital Improvement Fund	\$ 16,707,000
Economic Development Fund	\$ 291,300
Lodging Tax Fund	\$ 450,000
Housing Fund	\$ 385,000
	<u>\$ 47,309,859</u>

2. Use of Fund Balance reserves are utilized to balance the budget when current revenues as shown above do not fully support the expenditures.
3. The adoption of the 2023 Budget, by this resolution, shall and does hereby constitute the basis for appropriation of the several sums specified herein as expenditures from the various funds and of the total such expenditure.
4. The 2023 Annual Budget as submitted and herein above summarized by fund, hereby is approved and adopted as the Budget of the City of Salida for the year stated above.

RESOLVED, APPROVED AND ADOPTED this 18th day of October, 2022 by a vote of _____ to _____.

CITY OF SALIDA, COLORADO

[SEAL]

By _____
Dan Shore, Mayor

[ATTEST]

City Clerk/Deputy City Clerk



CITY COUNCIL ACTION FORM

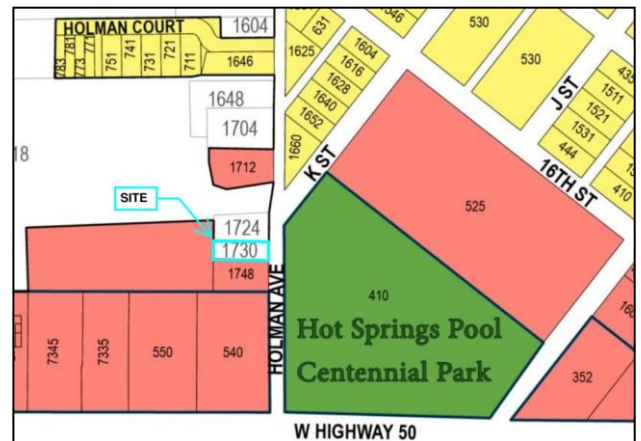
DEPARTMENT Planning	PRESENTED BY Franco Palumbo - Planning Technician	DATE October 18, 2022
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ITEM

Resolution 2022-51: A resolution declaring the Stringer Annexation is in substantial compliance with city ordinances and state statutes and setting a public hearing for December 06, 2022.

BACKGROUND

The applicants, Paul and Rebecca Stringer, are requesting to annex their 0.17 acre (7510.8 sq.ft.) property located at 1730 Holman Avenue into the City. The site is adjacent to two commercial district (C-1) zoned properties. To the south of the site is a residential property and to the west is a hospital property. The site is across the street from Centennial Park. There is a single-family residence located on the property.



When annexing a property the City must follow state statutes for contiguity and process requirements. The steps and standards include:

- 1/6th of the perimeter of a proposed annexation must be contiguous with the City of Salida;
- Staff reviews the petition for compliance with city and state statutes and Council adopts a resolution stating the petition is valid and sets a public hearing date that is no less than 30 days and no greater than 60 days from the resolution date;



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Franco Palumbo - Planning Technician	October 18, 2022

- The public hearing is advertised in the newspaper for four consecutive weeks;
- The Planning Commission holds a public hearing to review the annexation and recommend the zoning designation of the property;
- Council holds the public hearing on the annexation;
- Council adopts a resolution stating the proposed findings on the annexation;
- Council approves an annexation agreement; and
- Council holds a public hearing on the proposed zoning.

FISCAL NOTE

STAFF RECOMMENDATION

Staff finds the proposed annexation in substantial compliance with city and state statutes and recommends Council adopt the proposed resolution setting a public hearing for December 06, 2022.

SUGGESTED MOTION

A Council person should make a motion to “approve Resolution 2022-51 declaring the Stringer Annexation is in substantial compliance with city ordinances and state statutes and setting a public hearing for December 06, 2022.”

Attachment: Resolution 2022-51

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 51
SERIES OF 2022**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, FINDING THE STRINGER ANNEXATION PETITION TO BE IN SUBSTANTIAL COMPLIANCE WITH STATE STATUTES AND SETTING A PUBLIC HEARING ON SAID PETITION.

WHEREAS, in September of 2022 Paul and Rebecca Stringer filed a General Development Application (the “Petition”) to commence proceedings to annex to the City of Salida (the “City”) a certain unincorporated tract of land comprised of 0.17 acres located at 1730 Holman Avenue in the County of Chaffee, State of Colorado (the “Property”), and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, after review of the annexation Petition and map, the City planning staff advised the City Council that the Petition and map are in substantial compliance with the state statutes, as required by C.R.S. § 31-12-101 *et seq.*; and

WHEREAS, the Petition alleges as follows:

1. It is desirable and necessary that the territory described above be annexed to the City of Salida, Colorado.
2. The requirements of C.R.S. § 31-12-104, as amended, exist or have been met, including without limitation the following:
 - a. Not less than 1/6th of the perimeter of the area proposed to be annexed is contiguous with the City of Salida, Colorado.
 - b. A community of interest exists between the area proposed to be annexed and the City of Salida, Colorado.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Salida, Colorado.
3. The requirements of C.R.S. § 31-12-105, as amended, exist or have been met, including without limitation the following:
 - a. In establishing the boundaries of the area proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - i. has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof.

- ii. comprising twenty (20) acres or more (which together with buildings and improvements situated thereon having a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year preceding the proposed annexation), has been included without the written consent of the landowners.
- b. No annexation proceedings have been commenced for the annexation to a municipality other than the City of Salida, Colorado, of all or part of the territory proposed to be annexed.
- c. The annexation proposed in the Petition will not result in the detachment of area from any school district and the attachment of the same area to another school district.
- d. The annexation proposed in the Petition will not have the effect of extending the municipal boundary of the City of Salida more than three (3) miles in any direction from any point on the current municipal boundary of the City in any one year; and

WHEREAS, the City finds that the Petition is in compliance with Salida Municipal Code (SMC) §§ 16-9-10 through 16-9-40; and

WHEREAS, the City has or will have in place a plan meeting the requirements of C.R.S. §31-12-105(e) prior to the effective date of the proposed annexation; and

WHEREAS, no election for annexation of the area proposed to be annexed to the City of Salida has been held in the preceding twelve (12) months; and

WHEREAS, the signers of the Petition are the owners of one hundred percent (100%) of the territory proposed to be annexed, exclusive of public streets and alleys; and

WHEREAS, the annexation to the City of Salida, Colorado of the area proposed to be annexed will not result in a change of county boundaries; and

WHEREAS, the names and mailing addresses of the signers of the Petition and date of signing are included in the Petition, and the legal descriptions of the land owned by Petitioner is attached to the Petition. No signature on the Petition is dated more than 180 days prior to the date of filing of the Petition for annexation with the City Clerk; and

WHEREAS, the Petition is accompanied by four (4) or more copies of an Annexation Map containing, among other things, the following information:

1. A written legal description of the boundaries of the area proposed to be annexed to the City of Salida, Colorado;
2. The boundary of the area proposed to be annexed to the City of Salida, Colorado;
3. Within the annexation boundary map, a showing of the location of each ownership tract in un-platted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks; and

- 4. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the City of Salida, Colorado; and

WHEREAS, none of the area proposed to be annexed to the City of Salida, Colorado, is presently a part of any incorporated city, city and county, or town, and is not contiguous to any other incorporated city, city and county, or town; and

WHEREAS, it appears that the Petition filed as aforesaid is in substantial compliance with the requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-107(1), as amended.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA THAT:

- 1. The City incorporates the foregoing recitals as findings by the City Council.
- 2. The Petition is in substantial compliance with the requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-107(1), as amended.
- 3. The City Council of the City of Salida, Colorado, will hold a hearing upon the Petition for the purpose of determining and finding whether the area proposed to be annexed meets the applicable requirements of C.R.S. § 31-12-104, § 31-12-105, and SMC §§ 16-9-10 through 16-9-40, all as amended, and is considered eligible for annexation. The hearing shall be held on December 6, 2022 commencing at the hour of 6 p.m. in the City Council Chambers, 448 East First Street, Salida, Colorado.
- 4. Any person may appear at such hearing and present evidence upon any matter to be determined by the City Council of the City of Salida, Colorado.

RESOLVED, APPROVED AND ADOPTED this 18th day of October, 2022.

CITY OF SALIDA, COLORADO

Dan Shore, Mayor

[SEAL]
ATTEST:

City Clerk/Deputy City Clerk

EXHIBIT A

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER [NW1/4 SE1/4] OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST LINE OF THE NW 1/4 SE 1/4, A DISTANCE OF 496 FEET NORTHERLY FROM THE SOUTHEAST CORNER OF THE SAID NW 1/4 SE 1/4; THENCE NORTH 88°51' WEST 150 FEET; THENCE NORTH 1°09' EAST 50 FEET; THENCE SOUTH 88°51' WEST 150 FEET TO THE SAID EAST LINE OF THE NW1/4 SE1/4; THENCE SOUTH 1°09' WEST 50 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS:

A TRACT OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 SE1/4) OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO,

DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SAID NW1/4 SE1/4; THENCE NORTH 0°51'07" WEST 68.4 FEET TO A BRASS CAPPED HIGHWAY RIGHT-OF-WAY MARKER; THENCE CONTINUING NORTH 0°51'07" WEST ALONG THE CORPORATE BOUNDARY OF THE CITY OF SALIDA, 427.6 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE SOUTH 89°20'45" WEST 150.23 FEET; THENCE NORTH 50.0 FEET; THENCE NORTH 89°20' 44" EAST 149.49 FEET; THENCE SOUTH 0°51.7' EAST 50.0 FEET TO THE POINT OF BEGINNING. DIRECTIONS ARE BASED ON A BEARING OF SOUTH 89°40'28" WEST FOR THE CENTERLINE OF U.S. HIGHWAY NO. 50.

TOGETHER WITH ONE-HALF OF THE WELL RIGHTS IN THE MCGOWAN WELL NO. 1 (DRILLED MARCH 15, 1956), STATE ENGINEERS WELL NO. 86046, FILED FEBRUARY 28, 1973 IN THE DISTRICT COURT FOR WATER DIVISION NO. 2, STATE OF COLORADO, CASE NO. W-1359.

ALSO TOGETHER WITH AN EASEMENT ACROSS PROPERTY KNOWN AS 1724 HOLMAN AVENUE, SALIDA, CHAFFEE COUNTY, COLORADO, LYING NORTH OF PROPERTY DESCRIBED ABOVE, FOR THE JOINT USE OF SAID WELL, TOGETHER WITH ALL WELL EQUIPMENT, TO INCLUDE, BUT NOT LIMITED TO PUMPS, WATER AND ELECTRIC LINES AND SHALL PROVIDE FOR THE RIGHT OF MAINTENANCE, REPAIR AND REPLACEMENT OF SAID EQUIPMENT.

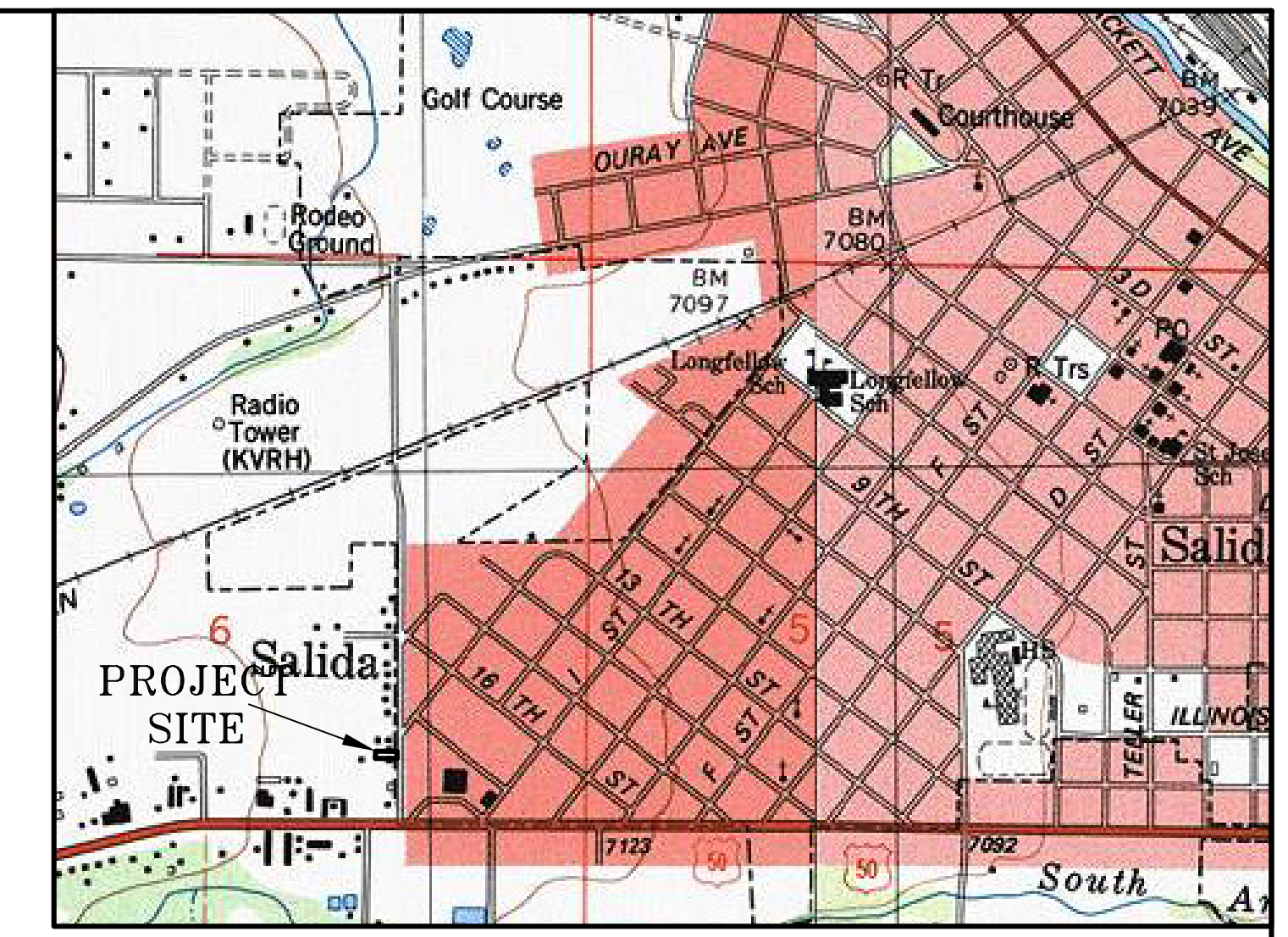
Also known by the following address:

1730 Holman Avenue, Salida, CO 81201

And assessor's schedule or parcel number: 380706400111

STRINGER ANNEXATION TO THE CITY OF SALIDA

LOCATED WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO



VICINITY MAP NOT TO SCALE

CITY COUNCIL APPROVAL

WHEREAS, THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO HAS BEEN PRESENTED WITH AN APPLICATION TO ANNEX TERRITORY AS DESCRIBED HEREIN BY PAUL R. STRINGER AND REBECCA J. STRINGER, AS OWNERS OF 100 PERCENT OF THE AREA TO BE ANNEXED, EXCEPTING PUBLIC STREETS; AND WHEREAS, THE CITY COUNCIL BY RESOLUTION ADOPTED ON _____, 20__, DETERMINED THAT THE ANNEXATION APPLICATION SUBSTANTIALLY COMPLIES WITH THE REQUIREMENT OF SECTION 31-12-107(1), WHEREAS, AFTER NOTICE AND PUBLIC HEARING ON _____, 20__, AS REQUIRED BY SECTION 31-12-108, C.R.S., THE CITY COUNCIL ADOPTED RESOLUTION NO. _____ (SERIES 20__), DETERMINING THAT THE ANNEXATION ELECTION WAS NOT REQUIRED; AND WHEREAS, ON _____, 20__, THE CITY COUNCIL ADOPTED ORDINANCE NO. _____ (SERIES 20__) APPROVING AND ANNEXING STRINGER ANNEXATION TO THE CITY OF SALIDA. NOW, THEREFORE, THE CITY COUNCIL OF SALIDA, COLORADO DOES HEREBY APPROVE AND ACCEPT THE 'STRINGER ANNEXATION TO THE CITY OF SALIDA' AS DESCRIBED HEREIN, TO WIT:

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST LINE OF THE NW1/4SE1/4, A DISTANCE OF 496 FEET NORTHERLY FROM THE SOUTHEAST CORNER OF THE SAID NW1/4SE1/4; THENCE NORTH 88°51' WEST 150 FEET; THENCE NORTH 1°09' EAST 50 FEET; THENCE SOUTH 89°51' WEST 150 FEET TO THE SAID EAST LINE OF THE NW1/4SE1/4; THENCE SOUTH 1°09' WEST 50 FEET TO THE POINT OF BEGINNING. ALSO DESCRIBED AS: A TRACT OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SAID NW1/4SE1/4; THENCE NORTH 0°51'07" WEST 68.4 FEET TO A BRASS CAPPED HIGHWAY RIGHT-OF-WAY MARKER; THENCE CONTINUING NORTH 0°51'07" WEST ALONG THE CORPORATE BOUNDARY OF THE CITY OF SALIDA, 427.6 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE SOUTH 89°20'45" WEST 150.23 FEET; THENCE NORTH 50.0 FEET; THENCE NORTH 89°20'44" EAST 149.49 FEET; THENCE SOUTH 0°51.7' EAST 50.0 FEET TO THE POINT OF BEGINNING. DIRECTIONS ARE BASED ON A BEARING OF SOUTH 89°40'28" WEST FOR THE CENTERLINE OF U.S. HIGHWAY NO. 50, TOGETHER WITH ONE-HALF OF THE WELL RIGHTS IN THE MCGOWAN WELL NO. 1 (DRILLED MARCH 15, 1956), STATE ENGINEERS WELL NO. 86046, FILED FEBRUARY 28, 1973 IN THE DISTRICT COURT FOR WATER DIVISION NO. 2, STATE OF COLORADO, CASE NO. W-1359. ALSO TOGETHER WITH AN EASEMENT ACROSS PROPERTY KNOWN AS 1724 HOLMAN AVENUE, SALIDA, CHAFFEE COUNTY, COLORADO, LYING NORTH OF PROPERTY DESCRIBED ABOVE, FOR THE JOINT USE OF SAID WELL, TOGETHER WITH ALL WELL EQUIPMENT, TO INCLUDE, BUT NOT LIMITED TO PUMPS, WATER AND ELECTRIC LINES AND SHALL PROVIDE FOR THE RIGHT OF MAINTENANCE, REPAIR AND REPLACEMENT OF SAID EQUIPMENT.

SIGNED THIS ___ DAY OF _____, 2022.

CITY OF SALIDA

BY: _____ MAYOR

CITY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THIS ANNEXATION MAP ALONG WITH THE ORIGINAL ANNEXATION ORDINANCE FOR THE STRINGER ANNEXATION WERE ACCEPTED FOR FILING IN MY OFFICE ON THIS ___ DAY OF _____, 2022, AND IS DULY RECORDED.

CITY CLERK

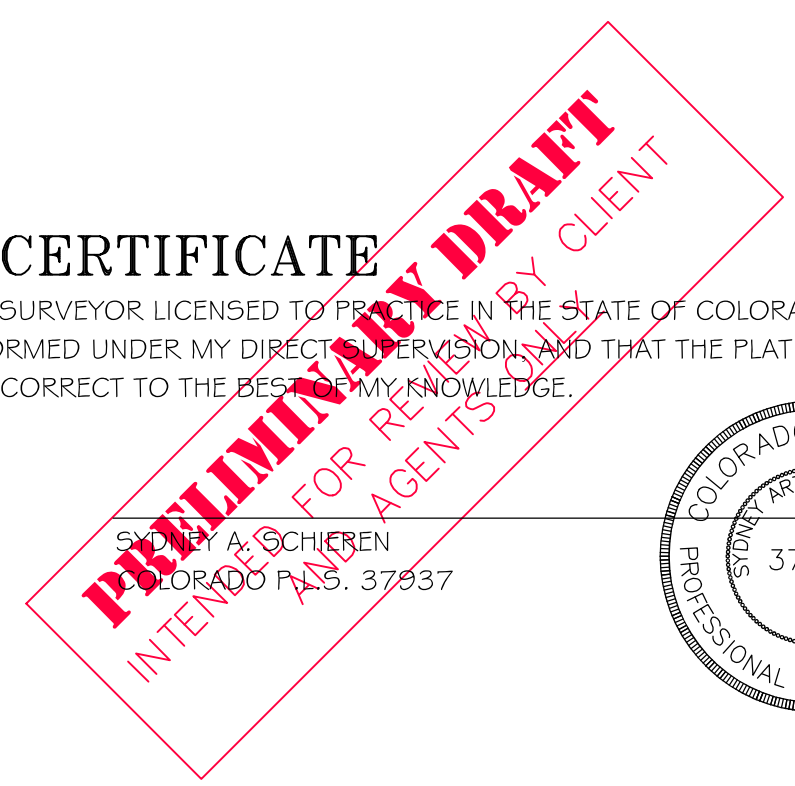
CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT A CERTIFIED COPY OF THIS ANNEXATION MAP ALONG WITH A CERTIFIED COPY OF THE ANNEXATION ORDINANCE FOR THE STRINGER ANNEXATION WERE ACCEPTED FOR FILING IN MY OFFICE AT _____ M. ON THIS ___ DAY OF _____, 2022 UNDER RECEPTION NUMBER _____.

CHAFFEE COUNTY CLERK AND RECORDER

LAND SURVEYOR'S CERTIFICATE

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



GENERAL NOTES

- 1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE WEST RIGHT OF WAY OF HOLMAN BETWEEN A 1 1/2" ALUMINUM CAP STAMPED LS 7653 AND A 1 1/2" STEEL DISC, ILLEGIBLE, HAVING A BEARING OF SOUTH 00°04'03" WEST
- 2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT
- 3) TOTAL AREA TO BE ANNEXED=0.17 ACRES +/-
- 4) THIS ANNEXATION SUBJECT TO THE TERMS & CONDITIONS AS SET FORTH IN THE ANNEXATION AGREEMENT RECORDED AT RECEPTION NO. _____

TOTAL PERIMETER OF LAND TO BE ANNEXED	400.14 FT
CONTIGUOUS BOUNDARY WITH CITY OF SALIDA	250.40 FT
CONTIGUOUS BOUNDARY REQUIREMENT 1/G= 16.7%	62.6%

CERTIFICATION OF TITLE

I, _____, A LICENSED TITLE INSURANCE AGENT IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE PROPERTY HEREBY DEDICATED AND AS SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN PAUL R. STRINGER AND REBECCA J. STRINGER, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS LISTED BELOW:

DATED THIS ___ DAY OF _____, 2022.

TITLE AGENT

CERTIFICATE OF DEDICATION AND OWNERSHIP

THIS IS TO CERTIFY THAT PAUL R. STRINGER AND REBECCA J. STRINGER ARE THE OWNERS OF 100% OF THE LAND DESCRIBED AND SET FORTH HEREIN, EXCEPT PUBLIC STREETS, THAT SUCH OWNER DESIRES AND APPROVES THE ANNEXATION OF THE TERRITORY DESCRIBED HEREIN TO THE CITY OF SALIDA, COLORADO.

EXECUTED THIS ___ DAY OF _____, 2022.

OWNERS:

PAUL R. STRINGER

REBECCA J. STRINGER

COUNTY OF CHAFFEE)
STATE OF COLORADO) ss.

THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2022, BY PAUL R. STRINGER AND REBECCA J. STRINGER. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____.

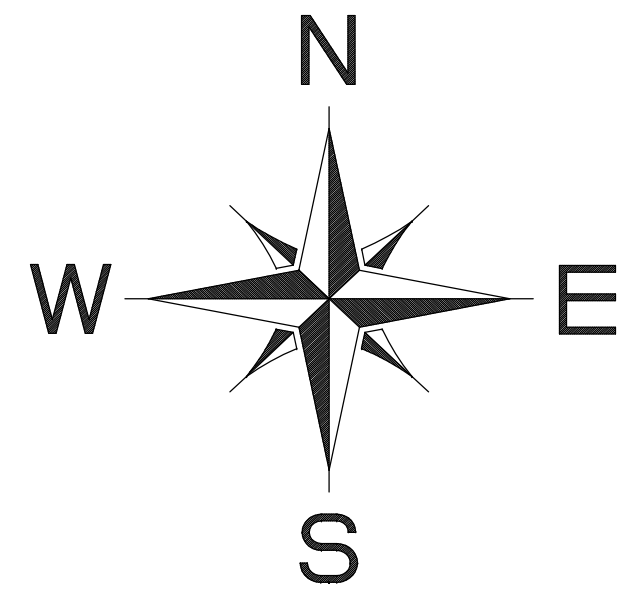
NOTARY PUBLIC

REVISED:	STRINGER ANNEXATION TO THE CITY OF SALIDA LOCATED WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO
DATE: AUGUST 8, 2022	
JOB # 21128	LANDMARK SURVEYING & MAPPING P.O. BOX 668 SALIDA, CO 81201 PH 719.539.4021 FAX 719.539.4031
DATE: MARCH 30, 2022	
SHEET 1 OF 2	

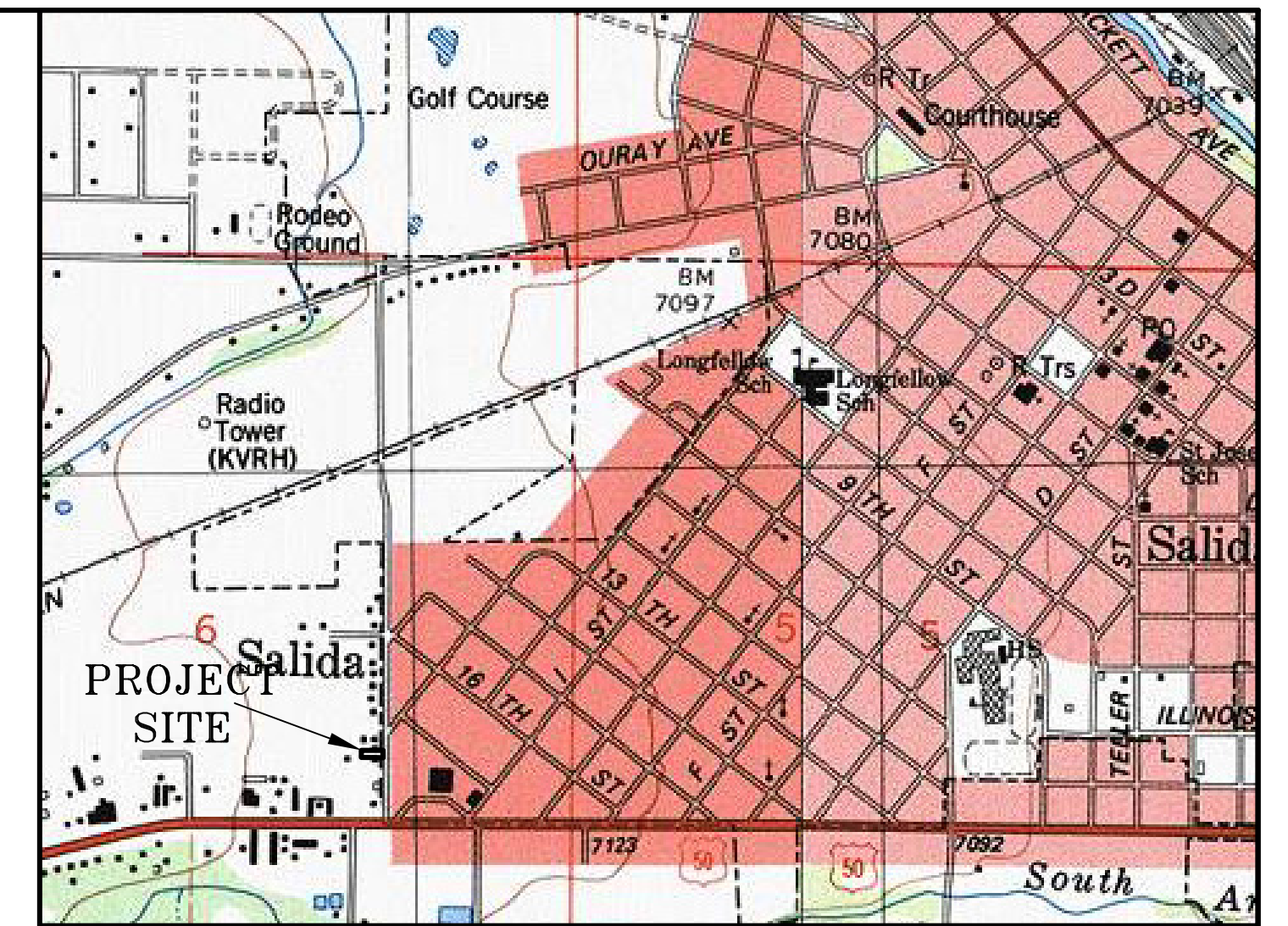
NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT CONTAINED HEREON.

STRINGER ANNEXATION TO THE CITY OF SALIDA

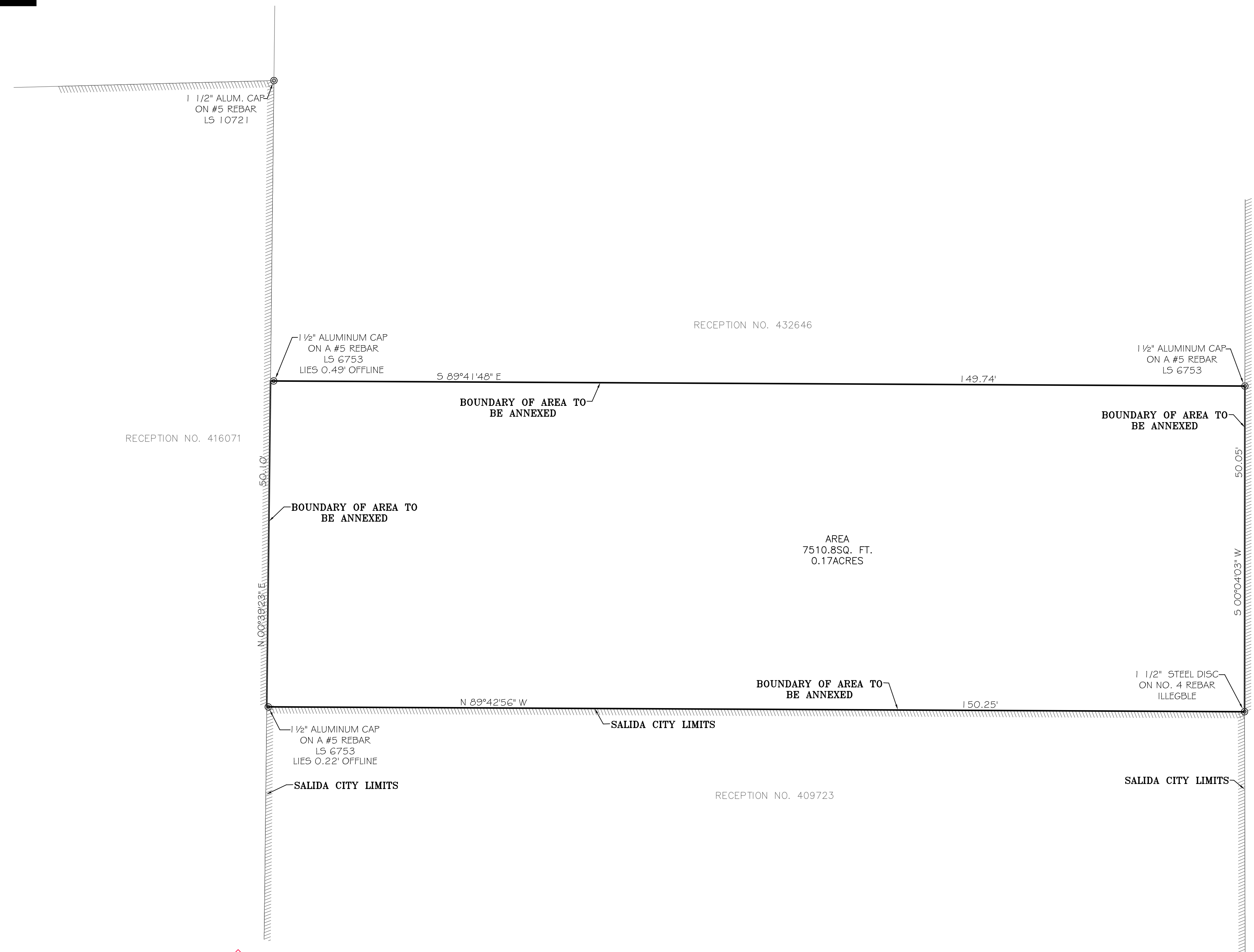
LOCATED WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO



SCALE
1" = 10'



VICINITY MAP
NOT TO SCALE



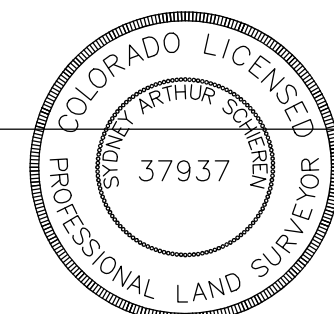
HOLMAN AVENUE

LAND SURVEYOR'S CERTIFICATE

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

PRELIMINARY DRAFT
INTENDED FOR REVIEW BY CLIENT

SYDNEY A. SCHIEREN
COLORADO P.L.S. 37937



REVISED:
DATE: AUGUST 8, 2022
JOB # 21128
DATE: MARCH 30, 2022
SHEET 2 OF 2

STRINGER ANNEXATION TO THE CITY OF SALIDA
LOCATED WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO



NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT CONTAINED HEREON.



CITY COUNCIL ACTION FORM

DEPARTMENT Administration	PRESENTED BY Drew Nelson - City Administrator	DATE October 18, 2022
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ITEM

Resolution 2022-52 – A Resolution of the City Council for the City of Salida, Colorado Expressing its Support of Ballot Issues 2A and 2B, to Improve the Availability of Affordable Housing in Chaffee County

BACKGROUND

Within the City of Salida (and Chaffee County as well), Short-Term Rentals (STRs) have reduced the affordable housing supply by distorting the housing market by removing a housing unit that was previously occupied by a City resident (or preventing a new unit from becoming housing for a resident) while simultaneously increasing demands for service throughout our community. More traffic, less parking, more water and wastewater usage, and more noise complaints are just a few of the impacts felt by the City due to the increase of STRs. In addition, fewer workers have access to safe and affordable housing (defined as housing that costs no more than 30% of their gross income) due to long-term rentals being converted into STRs.

The impact of STRs is not negligible to the Salida business community as it relates to workforce. While STRs may generate income for local businesses by consuming more services than typical (and in turn costing more to the consumer), businesses routinely struggle to meet demands due to the unavailability of the amount of workers needed to provide the service. In addition, the imbalance of costs of doing business between commercial lodging businesses and STRs is significant – mostly seen in the cost of property tax (STRs are taxed at 1/4th the rate as hotels and motels) but also in the cost of commercial liability insurance, ADA accessibility, fire and building code provisions, and many other requirements that commercial lodging must provide.

Finally, Salida has seen a significant increase in the STR market over the past few years. This is reflected in the most recent Housing Needs Assessment for Chaffee County, approved by the Chaffee Housing Authority within the last month. As noted in the report, hundreds of homes in Chaffee County that could be used as long-term rentals are being used as STRs, adding pressure to an already constrained housing market. STRs have rapidly increased across the County with a 56% increase in total listings on the market between 2019 and 2022. Salida’s 2016 Housing Needs Assessment indicated that there were 105 STRs in Salida at that time; today that number is 231. Median monthly revenue for STRs is \$3,745 in the Salida area, which occupants would need to make \$150,000 annually (more than 200% of the Area Median Income) to be able to afford. This rate essentially excludes the entirety of the Salida workforce. In short, STRs create more demands for service while paying less for what they consume, all while impacting the availability of housing for the community’s workforce.

As noted in the City’s Community Survey from March of 2022, 78% of respondents indicated that “affordable housing” was the top issue/priority/problem that the City of Salida should be addressing. 88% of respondents stated the City should allocate more resources to providing affordable housing, and 56% of respondents said the City should allocate more resources to managing short-term rentals. A plurality of respondents (35%) said that the City should fund affordable housing programs, services and developments through the imposition of a tax on short-term rentals. It should be noted that the City’s status as a statutory city in the State of Colorado limits its abilities to create taxes based on percentages for lodging or similar purposes, and further restricts the City’s ability to self-collect revenues to ensure that property tax reporting occurs (i.e. auditing purposes).



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Drew Nelson - City Administrator	October 18, 2022

As noted in the 2022 Housing Needs Assessment recently approved by the CHA, needs and demands for housing remain at a critical level, with 1,105 new affordable homes needed by 2027 in order to catch up and keep up with demand. With average home prices increasing 41% between 2020 and the summer of 2022, the gap between market and affordability only continues to expand.

On September 6, 2022, the Salida City Council approved Ordinance 2022-17, which submitted ballot questions to the voters of the City to increase Occupation Taxes (OLT) on the business of leasing or renting short-term accommodations. Per direction from the City Council, Resolution 2022-49 was crafted to endorse and encourage voters to vote for the two measures in Ordinance 2022-17 that will appear on this November's coordinated election ballot. The State Fair Campaign Practices Act (FCPA; C.R.S. 1-45-101 et seq.) expressly authorizes public bodies to adopt resolutions of this sort.

The FCPA generally forbids the use of public funds to urge voters to vote for or against a matter on the ballot. C.R.S. 1-45-117 ("Section 117). Section 117 reflects the widely supported notion that, insofar as voters have no choice but to pay taxes, they should not thereby be forced to fund the government's side of campaigns. But recognizing that the government should not be entirely foreclosed from publicly-funded advocacy, the General Assembly provided several exceptions. One of these exceptions states that nothing in Section 117 forbids a political subdivision of the State from (in pertinent part):

- (A) Passing a resolution or taking a position of advocacy on any issue [appearing on the local ballot]...; or
 - (B) Reporting the passage of or distributing such resolution through established, customary means, other than paid advertising, by with information about other proceedings of such...political subdivision...is regularly provided to the public.
- C.R.S. 1-45-117(1)(b)(III)(A) and (B)*

With the Chaffee County election ballot now set, the City Council can take a position of advocacy of Ballot Issues 2A and 2B, which would create an Occupational Lodging Tax of \$15 per night per bedroom for Short-Term Rentals and an Occupational Tax on all Short-Term Rental licenses of \$1,000 per year for the purpose of providing sustainable and long-term revenues to fund the Chaffee Housing Authority for workforce and affordable housing opportunities.

FISCAL NOTE

None.

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2022-52 to express the City Council's support for Ballot Issues 2A and 2B, which would improve the availability of affordable and workforce housing in Salida.

SUGGESTED MOTION

A City Councilperson should state, "I move to approve Resolution 2022-52, expressing the City Council's support for Ballot Issues 2A and 2B", followed by a second and a roll call vote.

CITY OF SALIDA, COLORADO
RESOLUTION NO. 2022-52
 (Series of 2022)

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO
EXPRESSING ITS SUPPORT OF BALLOT ISSUES 2A AND 2B, TO IMPROVE THE
AVAILABILITY OF AFFORDABLE HOUSING IN CHAFFEE COUNTY

WHEREAS, the City of Salida (“City”) and its City Council (“Council”) pursuant to C.R.S. § 1-45-117, wish to take a position of advocacy in support of ballot issues 2A and 2B to improve affordable housing availability in our community, and

WHEREAS, the City recognizes that the community is experiencing a severe workforce housing shortage. Average home prices in Salida and Chaffee County increased 41% between 2020 and 2022, and average rents have increased about 43% since 2016. Home ownership is out of reach for 91% of county households and renters are struggling to make ends meet. If affordable/workforce housing had a market-based solution, it would have long since been undertaken already by developers, and

WHEREAS, state and federal funding for housing limits the eligibility of housing recipients by income, establishing income-restricted rental opportunities that are not accessible to nearly one third of Chaffee County workforce, and

WHEREAS, the current estimated housing need for Salida and Chaffee County is 435 new homes immediately, and to keep up with future housing needs over the next 5 years, an additional 670 homes, or 222 units are needed per year for a total of 1,105 units. These ballot issues will result in the contribution of a local, flexible funding source to the construction of approximately twenty-nine additional workforce housing units per year, and the ability to leverage additional state and federal resources for additional projects and programs, and

WHEREAS, local, flexible funding for housing solutions will continue to provide jobs and support local construction and other businesses, while also creating housing opportunities for workforce across the income continuum. Without housing for employees, many small businesses may have to close in Salida and Chaffee County, and

WHEREAS, the funds generated from ballot issue 2A and 2B will be allocated for housing development, housing stabilization programs, housing policy advocacy, deed restriction purposes, down-payment assistance, rental assistance, and a variety of other housing-related purposes, and

WHEREAS, ballot issues 2A and 2B would work in conjunction to use revenues from short-term rentals to assist members of the local workforce burdened by high visitation and tourism generated by the existence of short-term rentals, and

WHEREAS, short-term rentals are the beneficiaries of significant property tax and other cost savings through a system of taxation that currently does not account for the use of a residential property as a commercial lodging facility, and ballot issues 2A and 2B would create a more equitable tax structure between short-term rentals and hotels and motels in Salida, and

WHEREAS, public surveys and housing needs assessments have shown a direct relationship between short-term rentals and the availability of workforce and affordable housing, including public support for regulations and laws that increase accountability for impacts created by short-term rentals.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO THAT:

Section 1. The Salida City Council incorporates the foregoing recitals as its conclusions, facts, determinations, and findings.

Section 2. The Salida City Council hereby formally endorses and supports Ballot Issues 2A and 2B which will be presented to the voters on November 8, 2022.

RESOLVED, APPROVED AND ADOPTED this ____ of _____, 2022.

CITY OF SALIDA, COLORADO

By: _____
Dan Shore, Mayor

[SEAL]

ATTEST:

By: _____
City Clerk/Deputy City Clerk



CITY COUNCIL ACTION FORM

DEPARTMENT Administration	PRESENTED BY Drew Nelson - City Administrator	DATE October 18, 2022
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ITEM

Resolution 2022-53 – A Resolution of the City Council for the City of Salida, Colorado Expressing its Support of Ballot Issue 2D, to Approve the Salida Bottling Company Planned Development

BACKGROUND

On May 3, 2022, the Salida City Council approved Ordinance 2022-06, approving a Planned Development for the Salida Bottling Company project located at 323 West 1st Street. The project would allow for 16 units to be constructed on 0.60 acres in downtown Salida, and would include 4 permanently deed restricted units. As allowed under State statute, opponents to the project filed a petition with the City to refer Ordinance 2022-06 to the Salida electorate under a special election set for November 8, 2022 (which is also the regular general election date). Following a public hearing, the City Council approved Ordinance 2022-11, referring the approval of Ordinance 2022-06 to the voters of Salida.

Per direction from the City Council, Resolution 2022-53 was crafted to endorse and encourage voters to vote in favor of Ballot Issue 2D, approving Ordinance 2022-06 and the Salida Bottling Company project, that will appear on this November’s coordinated election ballot. The State Fair Campaign Practices Act (FCPA; C.R.S. 1-45-101 et seq.) expressly authorizes public bodies to adopt resolutions of this sort.

The FCPA generally forbids the use of public funds to urge voters to vote for or against a matter on the ballot. C.R.S. 1-45-117 (“Section 117). Section 117 reflects the widely supported notion that, insofar as voters have no choice but to pay taxes, they should not thereby be forced to fund the government’s side of campaigns. But recognizing that the government should not be entirely foreclosed from publicly-funded advocacy, the General Assembly provided several exceptions. One of these exceptions states that nothing in Section 117 forbids a political subdivision of the State from (in pertinent part):

- (A) Passing a resolution or taking a position of advocacy on any issue [appearing on the local ballot]...; or
- (B) Reporting the passage of or distributing such resolution through established, customary means, other than paid advertising, by with information about other proceedings of such...political subdivision...is regularly provided to the public.

C.R.S. 1-45-117(1)(b)(III)(A) and (B)

As noted in the City’s Community Survey from March of 2022, 78% of respondents indicated that “affordable housing” was the top issue/priority/problem that the City of Salida should be addressing. 88% of respondents stated the City should allocate more resources to providing affordable housing. Further, as noted in the 2022 Housing Needs Assessment needs and demands for housing remain at a critical level, with 1,105 new affordable homes needed by 2027 in order to catch up and keep up with demand. With average home prices increasing 41% between 2020 and the summer of 2022, the gap between market and affordability only continues to expand. If approved, Ballot Issue 2D would create 4 new permanently deed restricted homes in Salida without any fiscal cost to taxpayers.



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Drew Nelson - City Administrator	October 18, 2022

The City of Salida, through its Planning Commission and City Council, held multiple meetings and public hearings over the course of 14 months in which the Salida Bottling Company development was discussed. During this time, 5 public hearings were held on the following dates:

- December 14, 2021 (Planning Commission)
- January 24, 2022 (Planning Commission)
- February 8, 2022 (Planning Commission)
- April 5, 2022 (City Council)
- May 3, 2022 (City Council)

During these public hearings, the City and the developer took public feedback and engaged in good-faith negotiations to address the concerns of the community for affordability, aesthetics, density, building height, parking, and other items, resulting in a development that provides for 300% more deed restricted affordable housing units than what would otherwise have been required by the City’s Inclusionary Housing ordinance.

With the Chaffee County election ballot now set, the City Council can take a position of advocacy of Ballot Issue 2D, which would allow for the Salida Bottling Company development to proceed, providing much-needed housing for workforce at no fiscal cost to Salida taxpayers.

FISCAL NOTE

None.

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2022-53 to express the City Council’s support for Ballot Issue 2D, which would improve approve the Salida Bottling Company project at 323 West 1st Street.

SUGGESTED MOTION

A City Councilperson should state, “I move to approve Resolution 2022-53, expressing the City Council’s support for Ballot Issue 2D, to approve the Salida Bottling Company Planned Development”, followed by a second and a roll call vote.

CITY OF SALIDA, COLORADO
RESOLUTION NO. 2022-53
 (Series of 2022)

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO
EXPRESSING ITS SUPPORT OF BALLOT ISSUE 2D, TO APPROVE THE SALIDA
BOTTLING COMPANY PLANNED DEVELOPMENT

WHEREAS, the City of Salida (“City”) and its City Council (“Council”) pursuant to C.R.S. § 1-45-117, wish to take a position of advocacy in support of ballot issue 2D to approve the Salida Bottling Company Planned Development, and

WHEREAS, the City recognizes that the community is experiencing a severe workforce housing shortage. Average home prices in Chaffee County increased 41% between 2020 and 2022, and average rents have increased about 43% since 2016. Home ownership is out of reach for 91% of county households and renters are struggling to make ends meet. If affordable/workforce housing had a market-based solution, it would have long since been undertaken already by developers, and

WHEREAS, the current estimated affordable housing need for Chaffee County is 435 new homes immediately, and to keep up with future housing needs in Chaffee County over the next 5 years, an additional 670 homes, or 222 units are needed per year for a total of 1,105 units, and

WHEREAS, the City of Salida held five (5) public hearings on the Salida Bottling Company project, resulting in good-faith negotiations between the community and the developer and resulting in a project that provides 300% more deed restricted affordable housing units than what would otherwise have been required by the City’s Inclusionary Housing ordinance, and

WHEREAS, the Salida City Council received feedback about issues related to affordability, aesthetics, density, building height, parking, and other matters during the course of its public meetings, and utilized said feedback to reach a reasonable negotiated agreement acceptable to both the community and developer, and

WHEREAS, negotiations were held in good faith to help foster the creation of four deed restricted affordable homes in Salida, providing desperately needed housing for the workforce at no fiscal cost to Salida taxpayers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO THAT:

Section 1. The Salida City Council incorporates the foregoing recitals as its conclusions, facts, determinations, and findings.

Section 2. The Salida City Council hereby formally endorses Ballot Issue 2D, approving the Salida Bottling Company Planned Development, which will be presented to the voters on November 8, 2022.

RESOLVED, APPROVED AND ADOPTED this ____ of _____, 2022.

CITY OF SALIDA, COLORADO

By: _____
Dan Shore, Mayor

[SEAL]

ATTEST:

By: _____
City Clerk/Deputy City Clerk



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
City Attorney	Nina P. Williams - City Attorney	October 18, 2022

ITEM

Ordinance 2022-19, Amending Land Use Code Section 16-4-180 related to zoning variances

BACKGROUND

Over the past couple of years, the Planning Commission has expressed their desire to update the Land Use Code Sec. 16-4-180, regarding Zoning variances. The Planning Commission, staff and City Attorney held a work session on August 9, 2022 to discuss amendments to the zoning variances section of the Code.

At the work session the Commission expressed the need to make current Section 16-4-180(e), "Required Showing for Variances," provide for more clarity for property owners and applicants. Additionally, there was a desire for the Board of Adjustment, as the quasi-judicial arbiter of variance applications, to have more direction and certainty regarding their decisions. Within the attached Ordinance are the proposed amendments to Chapter 16 of the Code, as it relates to zoning variances and the variance approval criteria.

FISCAL NOTE:

There is no fiscal impact associated with Ordinance No. 2022-19.

PLANNING COMMISSION RECOMMENDATION

A public hearing with the Planning Commission was held September 26, 2022 and the Commission recommended adoption of the proposed Amendments to Land Use Code Sec. 16-4-180 Zoning Variances.

STAFF RECOMMENDATION Staff recommends approval of Ordinance No. 2022-19.

SUGGESTED MOTION

A City Councilmember should state, "I move to approve Ordinance 2022-19 on first reading and set the second reading and public hearing for November 1, 2022."

**CITY OF SALIDA, COLORADO
ORDINANCE NO. 19
(Series of 2022)**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA,
COLORADO AMENDING CHAPTER 16, ARTICLE IV OF THE SALIDA MUNICIPAL
CODE, REGARDING ZONING VARIANCES**

WHEREAS, the City of Salida, Colorado (the “City”) is a statutory city, duly organized and existing under the laws of the State of Colorado;

WHEREAS, pursuant to C.R.S. § 31-23-301 *et seq.*, the City, by and through its City Council, possesses the authority to adopt and enforce zoning regulations;

WHEREAS, under such authority, the City Council previously adopted regulations related to zoning variances, codified as Chapter 16, Article IV and Section 16-4-180 of the Salida Municipal Code (the “Code”);

WHEREAS, the Planning Commission, acting as the City’s Board of Adjustment, has expressed the desire and recommendation to update and amend Chapter 16 of the Code, as it relates to zoning variances, in order to ensure more substantive clarity to property owners as well as enhanced procedural certainty and direction to the Board of Adjustment;

WHEREAS, on September 26, 2022 the Planning Commission held a duly-noticed public hearing and recommended adoption of this proposed ordinance;

WHEREAS, the City Council finds it desirable and appropriate, and in the best interest of the general health, safety, and welfare of its residents, property owners, visitors and customers to amend Section 16-4-180 of the Code, as it relates to zoning variances.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF SALIDA, COLORADO AS FOLLOWS:**

Section 1. The foregoing recitals are hereby incorporated as conclusions, facts, determinations, and findings by the City Council.

Section 2. Section 16-4-180 of the Code, concerning zoning variances, is hereby amended to read as follows:

Sec. 16-4-180. – Zoning variances

- (a) Purpose. **The variance procedure provides authorization to deviate from the literal terms of this Chapter where strict application and enforcement of this Chapter would result in exceptional practical difficulty or undue hardship preventing the use of the land as otherwise allowed by this Chapter.** ~~Variances are authorization to deviate from the literal terms of this Land Use Code that would not be contrary to the public interest in~~

~~cases where the literal enforcement of the provisions of this Land Use Code would result in undue or unnecessary hardship.~~ A variance shall not be granted solely because of the presence of nonconformities in the zone district or adjoining districts.

- (b) Variances Authorized. Variances from the standards of the underlying zone district shall be authorized only for maximum height, minimum floor area, ~~maximum~~ minimum lot coverage, maximum lot size, minimum setbacks and parking requirements.
- (c) Administrative Variances. Because the development of much of historic Salida preceded zoning, subdivision and construction regulations, many buildings within the older neighborhoods of the City do not conform to contemporary zoning standards. In order to encourage restoration and rehabilitation activity that would contribute to the overall historic character of the community, variances from underlying zoning requirements for side and front setbacks may be granted by the Administrator under the following circumstances:
 - (1) Existing Primary Structure. The Administrator may grant a variance from a setback requirement for an addition to a primary structure if it continues the existing building line. The Administrator shall only consider allowing the encroachment into the setback if it can be shown that maintenance of the building addition can be provided on the subject property and that it is not injurious to adjacent neighbors.
 - (2) Traditional Neighborhood Setbacks. The Administrator may grant a variance from a front setback requirement for a primary structure if the neighboring properties encroach into the front setback. The variance shall not permit the structure to encroach further into the front setback than the neighboring primary structures. The Administrator shall only consider allowing the encroachment into the setback if it can be shown that such encroachments are the existing development pattern of the block on which the subject property is located and that the encroachment would not be injurious to adjacent neighbors.
- (d) Use Variances Not Authorized. Establishment or expansion of a use otherwise prohibited in a zone district shall not be allowed by variance.
- (e) ~~Required Showing for Variances. The applicant shall demonstrate the following to the Board of Adjustment before a variance may be authorized:~~

Variance Approval Criteria. Variances from requirements of this Chapter shall be considered an extraordinary remedy. When considering, reviewing and deciding on whether to approve a variance application, the Board of Adjustment must find that all of the following criteria have been met:

- (1) **Special circumstances exist such that strict application of the standards adopted in this Chapter would result in undue hardship or practical difficulties for the owner of such property. Special circumstances include, but are limited to, exceptional or peculiar limitations to the dimension, shape or topography of the property, such as slope, standing or moving water, wetlands, floodplain, rock features, narrowness, shallowness or irregular shape of a lot.**
- (2) **The requested variance would not create a substantial detriment to the public good and would not substantially impair the intent and purpose of this Chapter, this Code or the City's Comprehensive Plan.**

(3) The requested variance would not result in significantly adverse impacts to the natural environment or to the surrounding properties and neighborhoods.

(4) The granting of the request is the minimum variance necessary for reasonable use of the property or building and the least deviation required from the applicable zoning standard to afford relief.

~~(1) Special Circumstances Exist. There are special circumstances or conditions which are peculiar to the land or building for which the variance is sought that do not apply generally to land or buildings in the neighborhood;~~

~~(2) Not Result of Applicant. The special circumstances and conditions have not resulted from any act of the applicant;~~

~~(3) Strict Application Deprives Reasonable Use. The special circumstances and conditions are such that the strict application of the provisions of this Chapter would deprive the applicant of reasonable use of the land or building;~~

~~(4) Variance Necessary to Provide Reasonable Use. The granting of the variance is necessary to provide the applicant a reasonable use of the land or building;~~

~~(5) Minimum Variance. The granting of the variance is the minimum necessary to make possible the reasonable use of the land or building;~~

~~(6) No Injury to Neighborhood. The granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed, and is otherwise not detrimental to the public welfare or the environment; and~~

~~(7) Consistency With Code. The granting of the variance is consistent with the general purposes and intent of this Land Use Code.~~

(f) Authorization to Impose Conditions. The Administrator, in approving an administrative variance, or the Board, in approving the variance, may impose such restrictions and conditions on such approval, and the premises to be developed or used pursuant to such approval, as it determines are required to prevent or minimize adverse effects from the proposed variance on other land in the neighborhood and on the general health, safety and welfare of the City. All conditions imposed upon any variance shall be set forth in the granting of such variance.

Section 3. *Severability.* The provisions of this ordinance are severable and the invalidity of any section, phrase, clause, or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

INTRODUCED ON FIRST READING on this ___ day of _____, 2022, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation by the City Council on this ___ day of _____, 2022, and set for second reading and public hearing on the ___ day of _____, 2022.

INTRODUCED ON SECOND READING FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on this ___ day of _____, 2022.

City of Salida

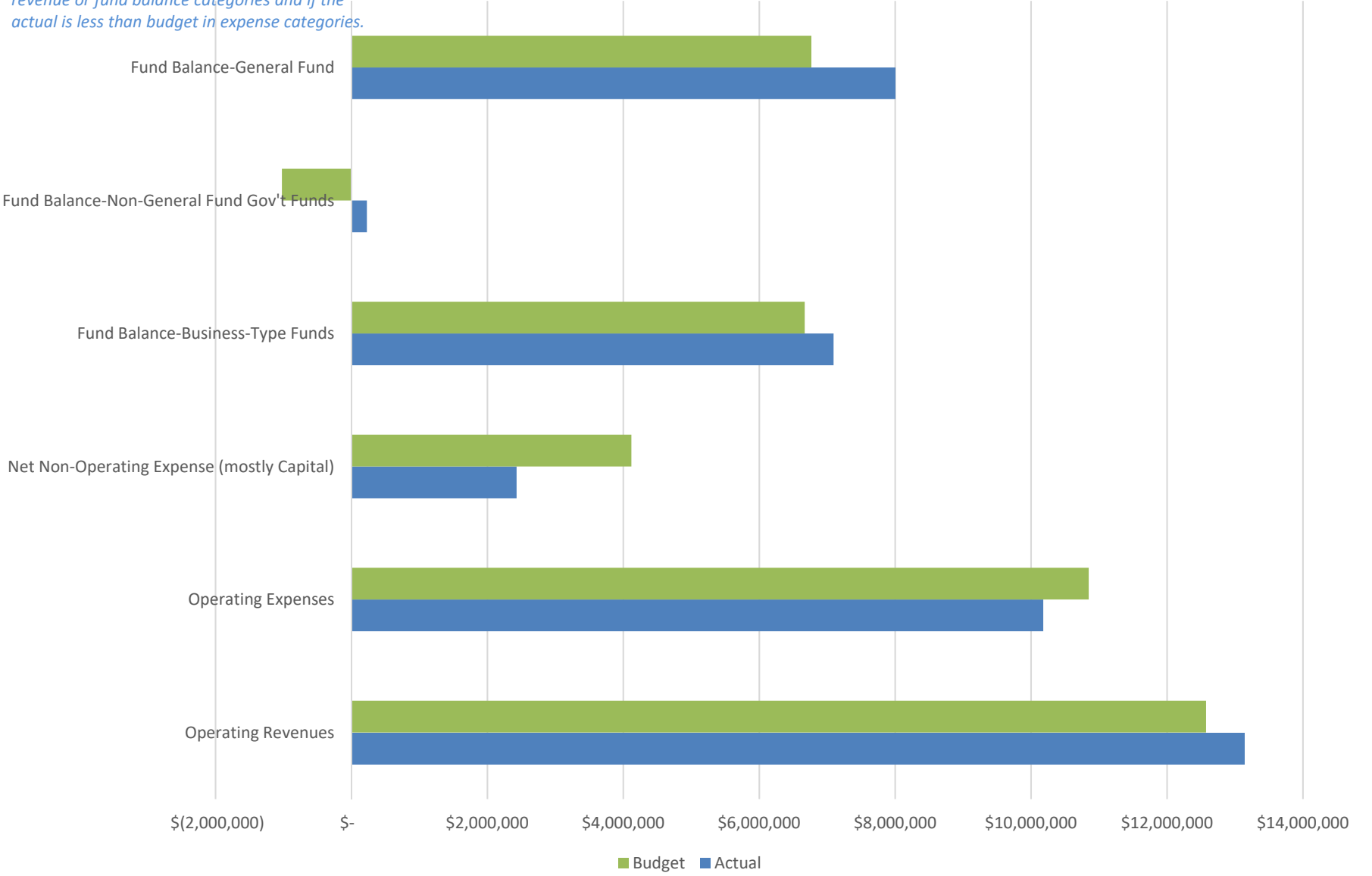
Mayor Dan Shore

ATTEST:

City Clerk/Deputy City Clerk

Budget to Actual Tracking-All Funds Eight Months Ending August 31, 2022

Note: It is generally considered "favorable" if actual (blue) is greater than budget (green) in revenue or fund balance categories and if the actual is less than budget in expense categories.



City of Salida
Budget Tracking Analysis
Combined Funds: General and Lodging Tax Funds
Eight Months Ending August 31, 2022

Percentage of year passed: 67%

	YTD August 2021	YTD August 2022	YTD Budget *	YTD Budget Variance Favorable (Unfavorable)	Annual Budget	% Spent
1	<u>Operating Revenues</u>					
2	\$ 3,956,125	\$ 4,114,486	\$ 4,204,254	(1) \$ (89,768)	\$ 6,420,596	64.1%
3	149,234	115,431	151,106	(35,675)	226,750	50.9%
4	31,516	24,930	42,650	(17,720)	64,000	39.0%
5	76,525	87,531	25,323	62,208	38,000	230.3%
6	2,251,035	2,460,590	2,321,422	139,168	3,483,526	70.6%
7	300,269	673,062	636,267	36,795	954,783	70.5%
8	142,765	176,569	106,957	69,612	160,500	110.0%
9	6,907,469	7,652,599	7,487,979	164,620	11,348,155	67.4%
10	<u>Operating Expenses</u>					
11	66,261	109,732	101,627	(8,105)	152,501	72.0%
12	3,901,824	4,652,918	4,982,668	329,750	7,476,996	62.2%
13	567,853	629,805	778,204	148,399	1,167,750	53.9%
14	213,737	285,156	262,328	(22,828)	393,650	72.4%
15	283,798	252,438	305,411	52,973	458,300	55.1%
16	685,389	997,369	1,094,538	97,169	1,642,788	60.7%
17	137,312	129,883	130,000	(2) 117	253,567	51.2%
18	5,856,174	7,057,301	7,654,776	597,475	11,545,552	61.1%
19	\$ 1,051,295	\$ 595,298	\$ (166,797)	\$ 762,095	\$ (197,397)	-301.6%
20	<u>Non Operating Revenue and Expense ~</u>					
21	87,756	19,314	6,664	12,650	10,000	193.1%
22	869,352	812,549	539,353	273,196	809,354	100.4%
23				-	(2,757,000)	0.0%
24	(53,630)	(187,248)	(195,522)	8,274	(293,400)	63.8%
25	(128,559)	(157,965)	(339,700)	181,735	(509,750)	31.0%
26	\$ 774,919	\$ 486,650	\$ 10,795	\$ 475,855	\$ (2,740,796)	-17.8%
27	1,826,214	1,081,948	(156,002)	1,237,950	(2,938,193)	
28		6,924,055	6,924,055		6,924,055	
29		\$ 8,006,003	\$ 6,768,053	1,237,950	\$ 3,985,862	

* YTD budget spread evenly throughout year except as noted in (1) and (2) below

(1) Tax revenue budget spread in the same (seasonal) proportion as actual collections in previous year.

(2) Financing Obligations budget spread based on when debt payments are due.

~ Non operating revenues and expenses are related to capital equipment or projects and interfund transfers; expenses can fluctuate greatly from month to month and are difficult to predict timing of.

^ Operating Costs includes all costs of running government not broken out in other line items to include Airport contribution, community support, staff training, subscriptions, travel costs, Repairs & Maintenance, lease expense, bank fees, advertising, publications, subscriptions, etc.

City of Salida
Budget Tracking Analysis
Combined Funds: Streets, Capital Improvement, CTF, Economic Development & Housing
Eight Months Ending August 31, 2022

Percentage of year passed: 67%

	YTD August 2021	YTD August 2022	YTD Budget *	YTD Budget Variance Favorable (Unfavorable)	Annual Budget	% Spent
1	<u>Operating Revenues</u>					
2	\$ 2,569,959	\$ 2,647,013	\$ 2,626,553	(1) \$ 20,460	\$ 4,022,256	65.8%
3	46,870	48,867	19,992	28,875	30,000	162.9%
4	159,493	158,632	219,912	(61,280)	330,000	48.1%
5	(76)	3,648	2,666	982	4,000	91.2%
6	2,776,246	2,858,160	2,869,123	(10,963)	4,386,256	65.2%
7	<u>Operating Expenses</u>					
8	272,335	286,363	274,621	(11,742)	412,096	69.5%
9	152,599	392,188	367,853	(24,335)	552,000	71.0%
10	40,025	29,969	26,856	(3,113)	40,300	74.4%
11	174,365	335,241	502,565	167,324	754,000	44.5%
12	639,324	1,043,761	1,171,895	128,134	1,758,396	59.4%
13	\$ 2,136,922	\$ 1,814,399	\$ 1,697,228	\$ 117,171	\$ 2,627,860	69.0%
14	<u>Non Operating Revenue and Expense ~</u>					
15	699,985	52,432	766,373	(713,941)	1,150,000	4.6%
16	36,070			-		
17					2,757,000	
18	(3,157,714)	(2,997,424)	(4,844,697)	1,847,273	(7,269,000)	41.2%
19	(2,421,659)	(2,944,992)	(4,078,324)	\$ 1,133,332	\$ (3,362,000)	87.6%
20	(284,737)	(1,130,593)	(2,381,096)	1,250,503	(734,140)	
21		1,358,079	1,358,079		1,358,079	
22		\$ 227,486	\$ (1,023,017)	1,250,503	\$ 623,939	

* YTD budget spread evenly throughout year except as noted in (1)

(1) Tax revenue budget spread in the same (seasonal) proportion as actual collections in previous year.

~ Non operating revenues and expenses are related to capital equipment or projects including interfund transfers; expenses can fluctuate greatly from month to month and are difficult to predict timing of.

^ Operating Costs includes all costs of running government not broken out in other line items to include Repairs & Maintenance, lease expense, training, subscriptions, etc.

City of Salida
Budget Tracking Analysis - Business-Like Fund Types
Combined Funds: Water and Wastewater
Eight Months Ending August 31, 2022

Percentage of year passed: 67%

	YTD August 2021	YTD August 2022	YTD Budget *	YTD Budget Variance Favorable (Unfavorable)	Annual Budget	% Spent
<u>1</u> <u>Operating Revenues</u>						
<u>2</u> Fees for General Services	2,343,869	2,460,075	2,117,219	342,856	3,177,100	77.4%
<u>3</u> Miscellaneous Revenue	60,458	160,637	100,960	59,677	151,500	106.0%
<u>4</u> Total Operating Revenues	2,404,327	2,620,712	2,218,179	402,533	3,328,600	78.7%
<u>5</u> <u>Operating Expenses</u>						
<u>6</u> Personnel	868,212	1,035,685	955,195	(80,490)	1,433,367	72.3%
<u>7</u> Contracted Services	236,851	225,934	278,888	52,954	418,500	54.0%
<u>8</u> Supplies & Materials	79,731	109,782	90,497	(19,285)	135,800	80.8%
<u>9</u> Utilities	153,077	136,479	150,673	14,194	226,100	60.4%
<u>10</u> Other Operating Costs	202,851	273,660	249,034 (1)	(24,626)	373,700	73.2%
<u>11</u> Financing Obligations	394,215	296,084	297,000 (2)	916	1,010,187	29.3%
<u>12</u> Total Operating Expenses	1,934,937	2,077,624	2,021,287	(56,337)	3,597,654	57.7%
<u>13</u> Revenues over (under) expenses-operating only	\$ 469,390	\$ 543,088	\$ 196,892	\$ 346,196	\$ (269,054)	-201.9%
<u>14</u> <u>Non Operating Revenue and Expense ~</u>						
<u>15</u> Capital Revenue (dev't fees, financing proceeds)	1,619,831	893,676	3,462,614	(2,568,938)	5,196,000	17.2%
<u>16</u> Capital Expenditures (\$500 - \$4,999)	(5,068)	(1,395)		(1,395)		
<u>17</u> Capital Purchases & Improvements (\$5,000 +)	(716,387)	(864,886)	(3,514,260)	2,649,374	(5,273,500)	16.4%
<u>18</u> Total (net) Non Operating Revenues & Expenses	\$ 898,376	\$ 27,395	\$ (51,646)	\$ 79,041	\$ (77,500)	-35.3%
<u>19</u> Revenues over (under) expenses	1,367,766	570,483	145,246	425,237	(346,554)	
<u>20</u> Fund Balance at 1/1/21 (Unrestricted)		6,523,503	6,523,503		6,523,503	
<u>21</u> Fund Balance at period end		\$ 7,093,986	\$ 6,668,749	425,237	\$ 6,176,949	

* YTD budget spread evenly throughout year except as noted in (1) and (2)

(1) Within this expense group is the Property and Liability Insurance which is paid at the beginning of year, budget for that distributed to beginning of year as well.

(2) Financing Obligations budget spread based on when debt payments are due.

~ Non operating revenues and expenses are related to capital equipment or projects, expenses can fluctuate greatly from month to month and are difficult to predict timing of.

^ Operating Costs includes all costs of running government not broken out in other line items to include insurance, repairs & maintenance, lease expense, training, etc.

CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
AUGUST 2022



The City of Salida Sales Tax and Chaffee County Sales Tax report examines tax collections for the month of August 2022, which were remitted to the City of Salida in October 2022.

Summary Results for City and Chaffee County Sales Taxes

August City sales tax collections increased by \$66,645 (7.5%) as compared to August 2021. The City’s portion of Chaffee County sales tax collections increased by \$47,189, a 15.1% increase over August 2021. In total, sales tax receipts are 9.5% higher for August and 4.1% higher year-to-date. Actual collections are ahead of budget by 3.2% year-to-date.

Current Month

	August 2022	August 2021	2022 - 2021 \$ Change	2022 - 2021 % Change	August 2022 Budget	2022 Budget \$ Variance	2022 Budget % Variance
3% City Sales Tax	\$ 950,906	\$ 884,262	\$ 66,645	7.5%	\$ 916,521	\$ 34,385	3.8%
Shared County Tax	\$ 360,326	\$ 313,138	\$ 47,189	15.1%	\$ 320,182	\$ 40,144	12.5%
Total	\$ 1,311,233	\$ 1,197,400	\$ 113,833	9.5%	\$ 1,236,703	\$ 74,530	6.0%

Year to Date

	YTD 2022	YTD 2021	2022 - 2021 \$ Change	2022 - 2021 % Change	YTD 2022 Budget	2022 Budget \$ Variance	2022 Budget % Variance
3% Sales Tax	\$ 6,302,411	\$ 6,118,950	\$ 183,461	3.0%	\$ 6,249,110	\$ 53,301	0.9%
Shared County Tax	\$ 2,286,182	\$ 2,134,754	\$ 151,428	7.1%	\$ 2,074,030	\$ 212,151	10.2%
Total	\$ 8,588,593	\$ 8,253,704	\$ 334,889	4.1%	\$ 8,323,140	\$ 265,453	3.2%

CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
AUGUST 2022



Below is the tracking by NAICS industry sector report for the 3% City sales tax collections.

3% City Sales Tax by Industry Sector

Current Month

NAICS Sector	August 2022	August 2021	2022-2021 \$ Change	2022-2021 % Change
Retail Trade	\$639,364	\$578,091	\$ 61,273	10.6%
Accommodation and Food Services	\$177,116	\$186,775	\$ (9,659)	-5.2%
Manufacturing	\$ 26,834	\$ 23,276	\$ 3,558	15.3%
Wholesale Trade	\$ 27,245	\$ 28,917	\$ (1,672)	-5.8%
Construction	\$ 11,678	\$ 15,094	\$ (3,416)	-22.6%
Information	\$ 10,466	\$ 7,957	\$ 2,509	31.5%
Real Estate, Rental & Leasing	\$ 11,826	\$ 4,635	\$ 7,191	155.1%
All Other	\$ 46,377	\$ 39,517	\$ 6,861	17.4%
Total	\$950,906	\$884,262	\$ 66,645	7.5%

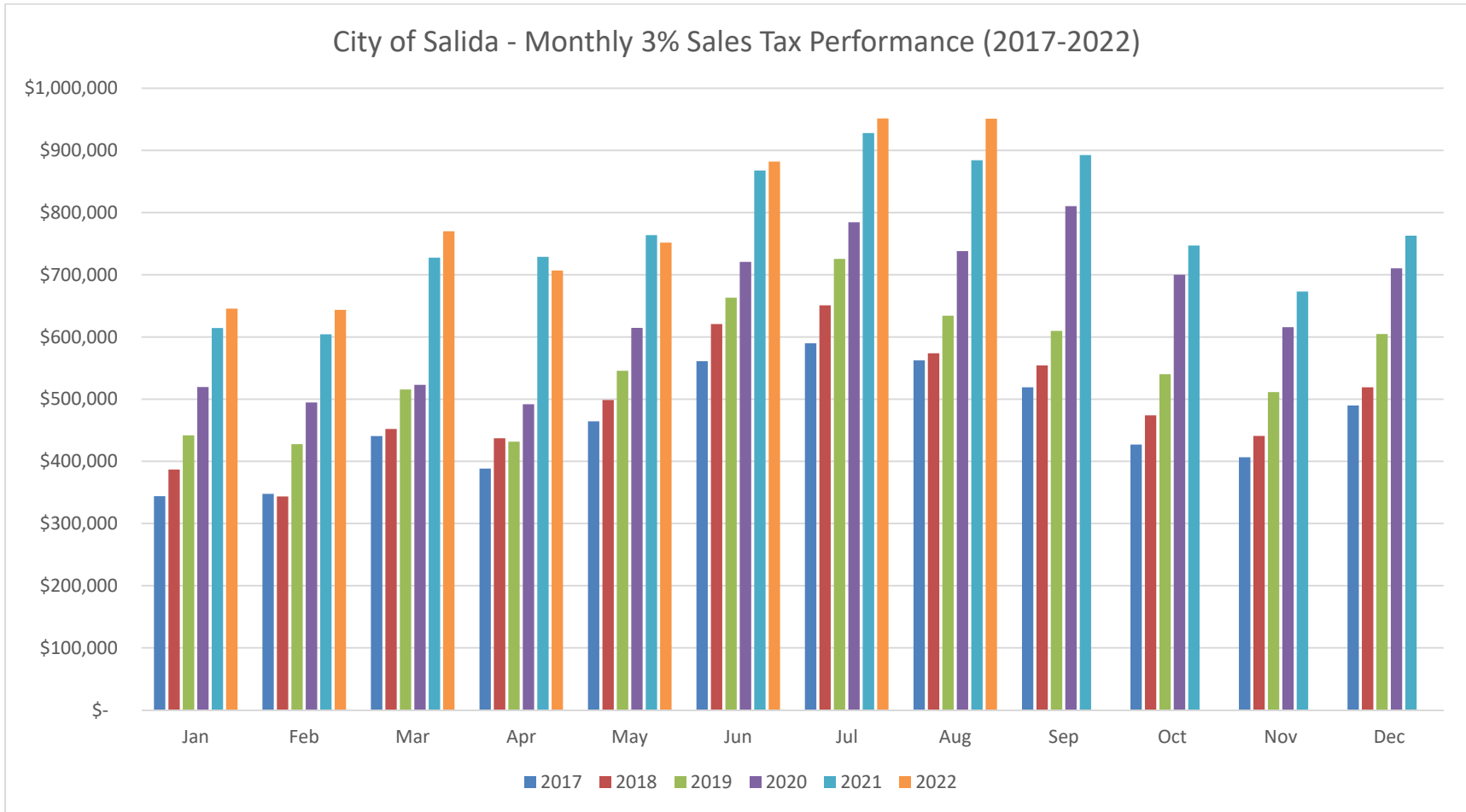
Year to Date

NAICS Sector	YTD 2022	YTD 2021	2022-2021 \$ Change	2022-2021 % Change
Retail Trade	\$4,123,168	\$4,132,683	\$ (9,515)	-0.2%
Accommodation and Food Services	\$1,196,506	\$1,164,229	\$ 32,277	2.8%
Manufacturing	\$ 218,604	\$ 179,249	\$ 39,355	22.0%
Wholesale Trade	\$ 204,079	\$ 176,306	\$ 27,773	15.8%
Construction	\$ 96,067	\$ 89,249	\$ 6,818	7.6%
Information	\$ 78,332	\$ 55,490	\$ 22,842	41.2%
Real Estate, Rental & Leasing	\$ 67,520	\$ 32,403	\$ 35,117	108.4%
All Other	\$ 318,135	\$ 289,341	\$ 28,794	10.0%
Total	\$6,302,411	\$6,118,950	\$ 183,461	3.0%

CITY OF SALIDA, COLORADO

CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY

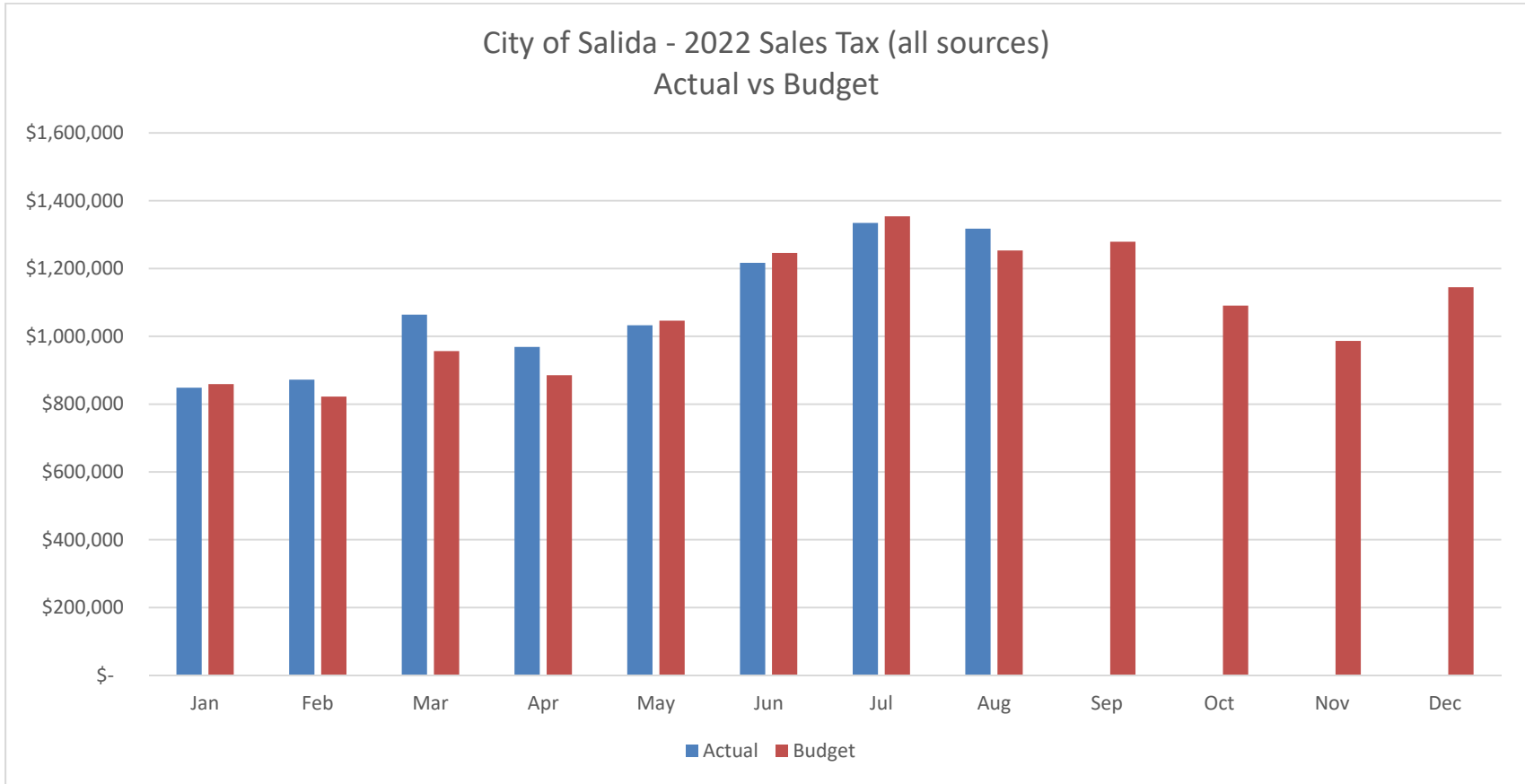
AUGUST 2022



CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
AUGUST 2022



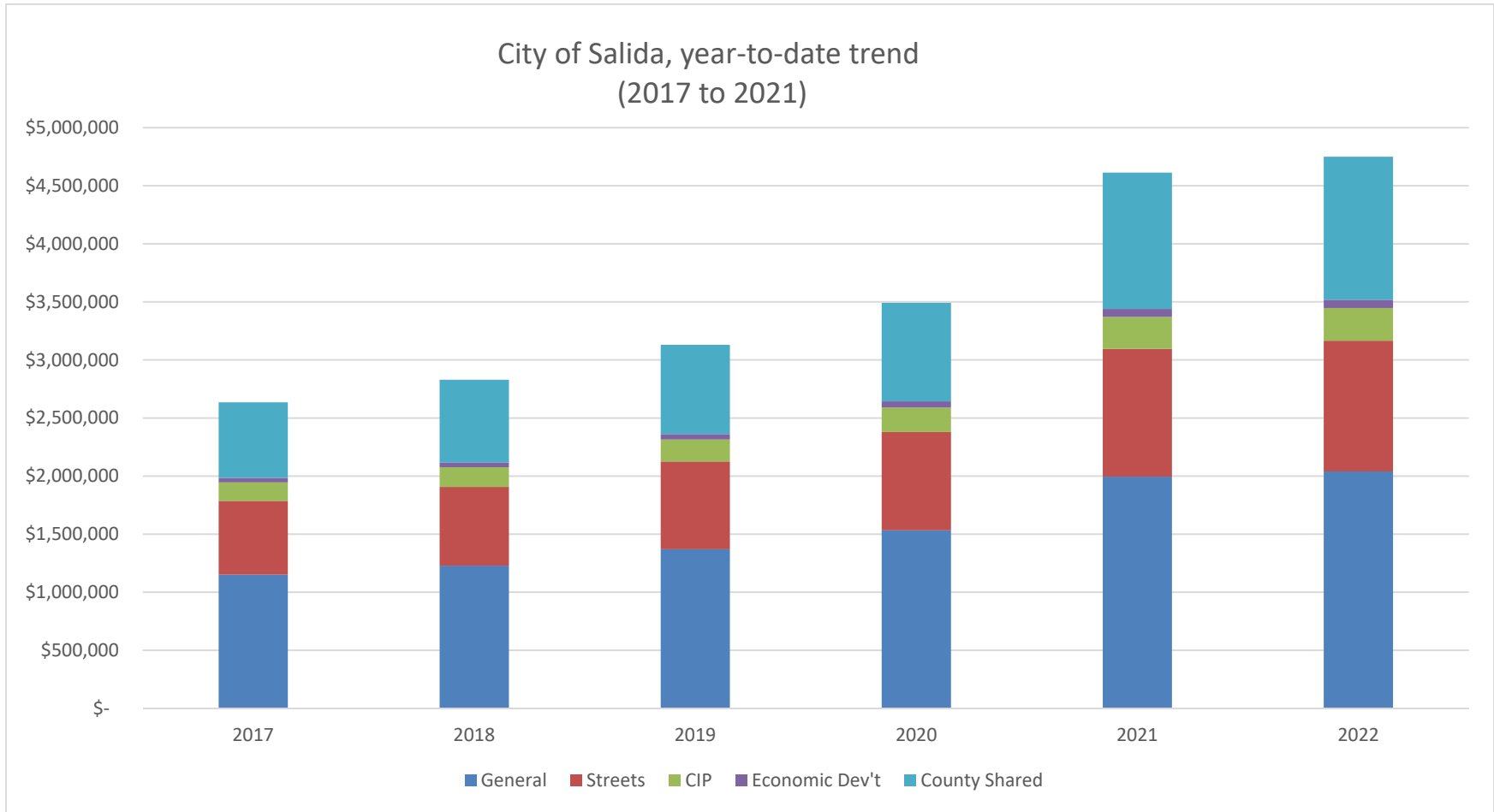
Item 12.



CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
AUGUST 2022



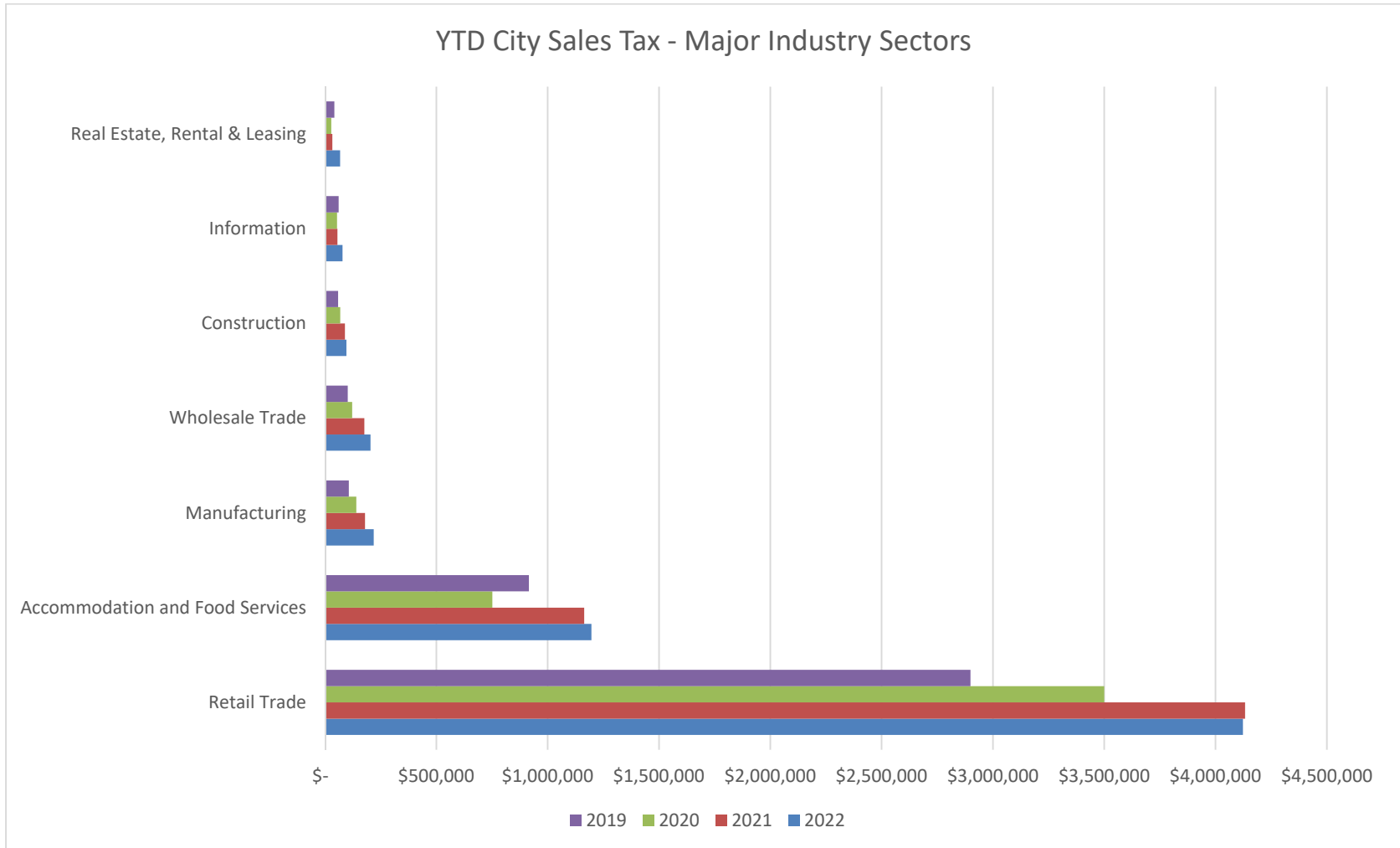
Item 12.



CITY OF SALIDA, COLORADO
CITY SALES TAX AND COUNTY SALES TAX SHARED WITH CITY
AUGUST 2022



Item 12.





OCTOBER 2022 STAFF REPORTS

Police Department –

- No Report.
-

Finance Department –

- The 2023 budget is ready for Council Adoption.
 - Staff are all very busy doing the normal daily work of keeping accounting work up to date, there are no special projects to report this month.
-

Community Development Department –

- As of October 13, we've seen 156 total building permits, inc. a total of 107 new residential units. At the same time last year, we had reviewed 203 permits with 158 total new residential units. In 2020, we had reviewed 121 permits with 46 total new residential units.
- Two projects have contributed to the majority of the new housing permits over the last month: Chaffee Housing Authority's Jane's Place (17 units) and Harder-Diesslin's Confluent Park multi-family (24 units).
- The master lease for the City's 5 workforce RVs at the Salida RV Resort is soon coming to an end. It is anticipated that the lease will be extended through the winter for 3 of the 5 units and those units will be prepped for winter use while the other 2 will be winterized and put into storage until next spring.
- The first building (24 units) at Salida Ridge Apartments (LIHTC project) has opened and is fully occupied (to the best of our knowledge). The second building (also 24 units) is expected to open by December.
- Work on the land use code update continues and the current focus is on creating a future land use map (FLUM), which will serve as an addendum to the Comprehensive Plan and will help direct future policy decisions on zoning. Clarion & Associates will hold their first public outreach event on the FLUM at the Steamplant Ballroom on Wednesday, November 9th from approximately 5:30-7:30PM. Staff and Clarion held a work session with Planning Commission and the LUC Update Committee at the Sept. 26th PC meeting to bring everyone up to speed.
- The request for proposals (RFP) for the South Arkansas River Sub-Area (SARSA, aka City-owned Vandaveer PD property) master plan officially hit the streets on October 5th. Bids are due EOD October 28th. Interviews are anticipated to happen the week of 11/14 with notification of award the week of Thanksgiving.
- Community Development staff members recently attended the American Planning Association (CO Chapter) annual conference and brought home some excellent (and useful) information shared by our colleagues around the state. We also saw Glen, who says hello.

Parks and Recreation Department –

- No Report.
-

Public Works Department –

- No Report.
-

Arts and Culture Department –

- The exhibit from a collective of artists that participated in the Fiber Arts Festival debuted in the Paquette Gallery, and two artists' receptions were held with one taking place during the monthly Creative Mixer, which was attended by (30) people, and a second co-hosted by the Arts & Culture department, which was attended by (40) people. Two short films on fiber arts were curated by an A&C staff member and shown after the reception.
 - Two concert events featuring Grammy-nominated singer/songwriters, Robbie Fulks and Tim O'Brien respectively, and a special Walden Chamber Music concert were attended by a total of (242) attendees.
 - Salida Bike Fest kicked off their weekend of events with a special movie night screening at the SteamPlant Theater of PEE-WEE'S BIG ADVENTURE, presented by Salida Mountain Trails. Attendance for the event was (92) people.
 - A small slate of film screenings took place during the month - MUSEUM TOWN, ON THE SLY: THE SEARCH FOR THE FAMILY STONE, MANHATTAN SHORTS - to a total audience of (88) people.
 - Sventastik Productions wrapped up their live theater performances of SHREK: THE MUSICAL to the Theater stage over two weekends and performed (3) shows to a total of (460) people over the weekend. Total attendance for all six performances was (1,135).
 - In addition to weddings, several civic and non-profit groups activated venue spaces throughout the month making it one of the busiest months for event & meetings on record for the year. Some of those groups included Chaffee County Economic Development Corporation, Chaffee County Foundation, Colorado Creative Industries and Central Colorado SBDC.
 - The new Community Engagement Coordinator, Tina Gramann, organized a "social" event for the creative community as an introduction to both her newly-created position and to invite that community to engage with the Arts & Culture department. Additionally, the Artspace final report was available to those individuals that had not reviewed it. Attended by (75) people.
 - TOTAL GUESTS Attending (65) Events/Meetings for September = 3,568
 - Number of free arts and culture events/no admission = 3
 - Number of attendees at free events = 65
 - Number of events paying rental fees = 50
 - Number of entities using the facilities = 54
-

Fire Department –

- We were contacted by Insurance Services Office (ISO) and informed that there will likely be some positive changes to our Public Protection Class (PPC) rating. We hope to have the official results after the first of the year.
 - We are staying very busy with reviewing/inspecting all of the new development projects that are occurring.
 - Call volume is up slightly over last year. I have attached a call volume report from our new incident software program. It is from May 1st when we went live and has a great breakdown of the number and types of call by month. Total incidents year to date is 837.
 - On October 8th, fire responded to a wildfire river left upstream of the F Street Bridge. The fire got into the trees and burned less than a tenth of an acre, cause was an abandoned homeless camp. On October 11, crews extinguished a car fire at 5th and F streets.
 - Work continues on the design of the new Firehouse. We currently meet twice a week with the team.
-

Clerk's Office –

- Municipal Court
 - Attending the Early Career Professionals Zoom Meeting for the National Association of Court Management
 - Updating our training manual on how to use our court software
 - Monitoring the Default Judgements for Parking tickets and helping defendants pay their fines
 - Had a 6 month review and presentation of Salida Municipal Court with the Judge
- Special Events
 - Training with Tina Gramann, Special Events Coordinator, on her new role
 - Supporting event organizers obtain the proper permitting for liquor
- Short Term Rentals
 - Working with Residential short term rental license holders with the online software
 - Working with real estate agents when questions come up about a properties eligibility for a short term rental
 - Updating hotels/motel operators on the most recent Ordinance change in Occupational Lodging Tax
- Liquor
 - Finalized a Transfer Liquor License for High's Liquor
 - Sent City final approval to the State for Osake' Steak and Sushi Transfer
- CMCA Conference
 - Clerks will attend the CMCA Conference from October 18-21. Each class will go towards Education Points for IIMC Certification. Classes include How to Create an Extraordinary Workplace Culture, Short-Term Rentals – Small and Large Municipalities, Management Lessons, De-escalation Techniques, Advanced Court, Difficult Conversations, CML Update, and Empowered Mental Health.



Custom May 1, 2022 - Oct 11, 2022

47%

FIRE
Percentage of Total Incidents

53%

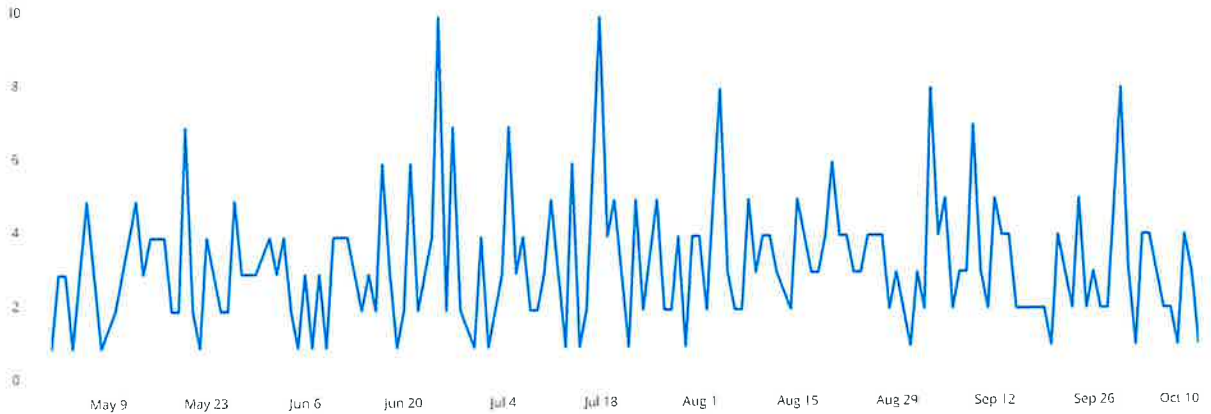
EMS
Percentage of Total Incidents

496

INCIDENTS
In Selected Timeframe

164

DAYS
In Selected Timeframe



Counts % Rows % Columns % All

	May '22	Jun '22	Jul '22	Aug '22	Sep '22	Oct '22	Nov '22	Dec '22	Jan '23	Feb '23	Mar '23	Apr '23	May '23	Total
(11) Structure Fire	3	1			1									5
(13) Mobile property (vehicle) fire						1								1
(14) Natural vegetation fire	1	2	1		1	1								6
(15) Outside rubbish fire				1		1								2
(31) Medical assist	13	15	16	21	11	8								84
(32) Emergency medical service (EMS) incident	21	29	42	39	37	8								176
(34) Search for lost person	1		1											2
(35) Extrication, rescue		1			1									2
(38) Rescue or EMS standby		1		1										2
(41) Combustible/f... spills & leaks	2		3	3	3									11
(42) Chemical release, reaction, or toxic condition	2			1	2									5
(44) Electrical wiring/equipm. problem	2		2	3	2									9
(51) Person in distress	1				1									2
(53) Smoke, odor problem					1									1
(55) Public service assistance	16	19	10	10	14	6								75

Item 13.

	May '22	Jun '22	Jul '22	Aug '22	Sep '22	Oct '22	Nov '22	Dec '22	Jan '23	Feb '23	Mar '23	Apr '23	May '23	Total
(56) Unauthorized burning	1	1	1	1	1									5
(61) Dispatched and canceled en route	6	7	5	8	9	1								36
(62) Wrong location, no emergency found	9	7	7	4	11	1								39
(63) Controlled burning	1													1
(65) Steam, other gas mistaken for smoke			1		2									3
(67) HazMat release investigation w/no HazMat			1	2	1									4
(73) System or detector malfunction	1	2	3	1		1								8
(74) Unintentional system/detect... operation (no fire)	1	4	1	7	4									17
Total	81	89	94	102	102	28								496



CHAFFEE COUNTY
DEVELOPMENT SERVICES DEPARTMENT
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bdepartment@chaffeecounty.org

**October 17, 2022 Board of County Commissioners Work Session Report
and Activity Update**

I. Building Inspection:

A. Building Permit Activity

- **Permits** issued in September: 2022: 325 (BMEP only)
2021: 307 (BMEP only)
- * BMEP = Building, Mechanical, Electrical, & Plumbing permits
- **Total Revenue** collected in September: 2022: \$138,114.35
2021: \$98,556.24
- **Total Revenue** collected year-to-date: 2022: \$1,267,984.45
2021: \$1,444,143.70
- % of Total budgeted revenue collected year to date: 81.81% (\$1.55 M)
- **SFDs** issued in September: 2022: 21
2021: 17
- Chaffee: 11 BV: 0 Poncha: 5 Salida: 5
- **2022 year-to-date permit totals:**

Chaffee County	1,475	90 SFDs
Buena Vista:	362	16 SFDs
Poncha Springs:	508	74 SFDs
Salida :	<u>730</u>	<u>47 SFDs</u>
Total Number of Permits Issued:	3,075	*227 SFDs

- **2021 year-to-date permit totals:**

Chaffee County:	1,435	103 SFDs
Buena Vista:	372	47 SFDs
Poncha Springs:	407	58 SFDs
Salida :	<u>914</u>	<u>47 SFDs</u>
	3,128	*255 SFDs

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

B. OWTS Permit Activity

- **OWTS Permits** issued in September: 2022: 16 (New) 5 (Licenses)
2021: 7 (New) 0 (Licenses)
- **OWTS Revenue** collected in Sept: 2022: \$7,318.00
2021: \$3,441.00
- **OWTS Revenue** Year-to-Date: 2022: \$48,403.00
2021: \$62,116.00

C. New Commercial Projects

Chaffee County:

- **7741 CR150:** A permit was issued for a tenant finish for a business converting vans into campers.
- **10800 CR 140:** A permit was issued for a storage building at the Lowery Contracting yard.
- **8506 CR 150:** A permit was issued for a truck scale at this location in Smelertown.
- **28005 CR 317:** A permit was issued for an alteration of a building at the Valley Precast facility.
- **8551 Hwy 50:** Permits were issued for an addition to the City of Salida storage building at this location.
- **13247 Midland Way:** A permit was issued for a storage facility at this location.
- **600 Hwy 285:** Permits were issued for camp cabins at this location.

Salida:

- **627 Oak Street:** A permit was issued for a minor interior renovation at the Crest Academy School.
- **647 Hunt Street:** A change of occupancy and permits were approved for this building to convert it into a wild game processing plant.
- **530 W. 16th Street:** A permit was issued for an interior renovation at Columbine Manor.

Buena Vista:

- **326 W. Arkansas:** Permits were issued for a 16-unit apartment building with some rental commercial spaces and a central laundry facility.
- **318 Charles Street:** A permit was issued for an interior renovation of a retail marijuana facility.
- **481 Gregg Drive:** A permit was issued for an alteration at this location.
- **505 W. Main:** A permit was issued for a commercial tenant finish at this location.

Poncha Springs:

- **10165 CR120:** Permits were issued for a retaining wall and a new generator at the fairgrounds.

D. Inspection Totals

- We performed 1,307 field inspections in the month of September. YTD we have performed 10,966 field inspections.
- We issued 61 certificates of occupancy in September.