



CITY COUNCIL REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201

October 20, 2020 - 6:00 PM

Please register for Regular City Council Meeting

<https://attendee.gotowebinar.com/register/2923586433681497360>

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

AGENDA

CALL TO ORDER

Pledge of Allegiance

Roll Call

Civility Invocation

CONSENT AGENDA

1. Approval of Agenda
2. Approval of Meeting Minutes – October 6, 2020
3. Authorize Revision with CDOT for US50 Phase 4 Project
4. Approve Alpine Park Light Schedule

CITIZEN COMMENT—Three (3) Minute Time Limit

PROCLAMATIONS

5. October as Domestic Violence Awareness Month

NEW BUSINESS / ACTION ITEMS

6. Resolution 2020-36 - A Resolution of the City Council for the City of Salida, Colorado Approving the Inclusionary Housing Restrictive Covenant and Development Agreement for the 6906 LLC Apartments
7. Resolution 2020-37 - A Resolution of the City Council for 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 2021 and Ending on the Last Day of December 2021, **Public Hearing**

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.

8. Resolution 2020-38 - An Amendment to Resolution 2019-62 Establishing Budget and Appropriations by Fund for the City of Salida Operations for Calendar Year 2020, **Public Hearing**

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Council Reports

- **Critelli, Kasper, Pappenfort, Pollock, Shore, Templeton**

Mayor Report

Treasurer Report

Staff Reports

9. October Staff Reports

BOCC Report

10. BOCC Housing Department and September Update

EXECUTIVE SESSION

For the purpose of discussing the purchase, acquisition, lease, transfer, or sale of real, personal or other property interest under C.R.S. Section 24-6- 402(4)(a); for conferences with the City Attorneys for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and for determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e), with the following additional details for identifications purposes: potential acquisition of real property within the City

ADJOURN



City Clerk | Deputy City Clerk

Mayor P.T. Wood

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.



CITY COUNCIL REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201

October 06, 2020 - 6:00 PM

MINUTES

CALL TO ORDER

Pledge of Allegiance

Roll Call

PRESENT

Council Member Alisa Pappenfort

Council Member Dan Shore

Council Member Harald Kasper

Council Member Jane Templeton

Council Member Justin Critelli

Council Member Mike Pollock

Mayor PT Wood

ABSENT

Treasurer Merrell Bergin

Civility Invocation

CONSENT AGENDA

Motion made by Council Member Critelli to combine and approve the items on the Consent Agenda, Seconded by Council Member Kasper.

Voting Ye: Council Member Pappenfort, Council Member Shore, Council Member Kasper, Council Member Templeton, Council Member Critelli, Council Member Pollock

The Motion Passed.

2. Approval of Agenda
3. Approval of Meeting Minutes – September 15, 2020
4. Award Services Contract for the Salida Fire Facility and Needs Assessment

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.

5. Adoption of Updated Fund Balance Reserve Policy
6. Approval of a Warranty Reduction for Poncha Meadows Phase 1 Subdivision in Poncha Springs
7. Approval of a Sanitary Sewer Extension Agreement for Quarry Station Filing No. 2 and 3 Subdivision in Poncha Springs
8. Approval of Final Payment for the 2019 Sewer Reconstruction Phase 2, Project No 2018-014

CITIZEN COMMENT—Three (3) Minute Time Limit

Janie Hayes thanked Council for their support crafting the Celebrating Diversity and Encouraging Tolerance and Respect Proclamation. She also stated that hate is not a one sided political problem.

Adam Martinez said that "the City of Salida PROST Board is in opposition to approving the expansion request from Hard Rock Paving & Redi-Mix in order to save the recently constructed Solstice Trail and reduce further impact on public lands from mining development. The BLM approved this trail corridor and Salida Mountain Trails used many resources to create this trail. It is well used & liked by community members and it is an important connection to our trail system which is part of PROST's mission. We as a board feel it is unreasonable for the proposed expansion to include the Solstice Trail".

PROCLAMATIONS

10. Celebrating Diversity and Encouraging Tolerance and Respect Proclamation

Mayor Wood read the Proclamation and declared the City of Salida, Colorado as a hate-free zone, condemning racism and any acts causing fear, intimidation, harassment, and harm motivated by bias or prejudice, and further declared and affirmed 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 ability.

11. October as Arts Month Proclamation

Mayor Wood read the Proclamation and declared October as Arts Month.

NEW BUSINESS / ACTION ITEMS

12. Resolution 2020-33 – 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 2020 Tax Roll

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.

Motion made by Council Member Shore to approve Resolution 2020-33, Seconded by Council Member Kasper.
Voting Yea: Council Member Pappenfort, Council Member Shore, Council Member Kasper, Council Member Templeton, Council Member Critelli, Council Member Pollock

The Motion Passed.

- 13. Resolution 2020-34 – A Resolution of the City Council of the City of Salida, Colorado, Approving Citizen Appointments to the Planning Commission Pursuant to Section 2-7-10 of the Salida Municipal Code

Motion made by Council Member Kasper to appoint David Haynes as an alternate member of the Salida Planning Commission, term to expire March 21, 2024 and appoint Suzanne Copping as an alternate member of the Salida Planning Commission, term to expire October 6, 2024. Seconded by Council Member Pappenfort.

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

The Motion Passed.

- 14. Resolution 2020-35 – A Resolution of the City Council for the City of Salida, Colorado, Approving the Establishing Intergovernmental Agreement for the Chaffee County Multijurisdictional Housing Authority, and Repealing and Replacing Resolution 2020-31

Motion made by Council Member Critelli to approve Resolution 2020-35, Seconded by Council Member Pappenfort.

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

The Motion Passed.

- 15. Declaration of Extension of State of Local Emergency – COVID-19 Action Plan Implementation

Motion made by Council Member Kasper to approve the Emergency Declaration, Seconded by Council Member Shore.

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

The Motion Passed.

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Council Reports

- Critelli thanked Council for their involvement and willingness to work with local grass root efforts.

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.

- Kasper was interested in having a discussion about the School Resource Officer role and crisis management training. He would also like Council to discuss Salida becoming a "Dark Night Sky" community.
- Pappenfort was excited with the community engagement and looked forward to working with various grass root groups.
- Pollock thanked local grass root groups for their involvement and looked forward to having a discussion about the School Resource Officer role and training. He stated he would also like to look at the option of paying the mayor more for the amount of work required in the position.
- Shore was very happy that the Diversity Proclamation was read, he appreciated working with the community to craft language and appreciated Janie Hayes public comment regarding protecting everyone's safety.
- Templeton said she attended the latest CC4CA board meeting and looked forward to a Climate Disaster Mitigation bill that had been drafted.

Mayor Report

- Wood relayed that he read the Diversity Proclamation on behalf of Council. Then he stated, "I condemn white supremacy, I condemn racism, I condemn anti-Semitism, I condemn misogyny, I condemn homophobia and I condemn all violence and hatred perpetuated by anyone. We are definitely better than that".

ADJOURN

Adjourned at 7:03 p.m.



City Clerk | Deputy City Clerk

Mayor P.T. Wood

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.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: October 20, 2020:

ORIGINATING DEPARTMENT:	PRESENTED BY: David Lady
--------------------------------	------------------------------------

ITEM:

Council Action – Develop IGA with CDOT for US-50 Phase IV Streetscape Project

Project No. 2020-014

Consent Agenda

BACKGROUND:

The City of Salida plans to complete US-50 Phase IV Streetscape Improvements (Phase IV) which includes a continuation of sidewalk and lighting installation beginning at Palmer Avenue and continuing east to Oak Street (SH-291). The City currently has an IGA with CDOT to complete the work as a local agency project (city manages it) partially funded by an existing grant. The project was bid out twice under this agreement. Bid results, consisting of one bidder, were significantly over the approved budget for the project. Work was not awarded.

CDOT has since proposed to include the Phase IV work in a larger ADA Ramp Project that CDOT would manage. An IGA would need to be re-written as the City would be required to reimburse CDOT for a portion of the Phase IV work completed under this contracting arrangement. CDOT cost estimating staff provided a range of costs for the project. CDOT recommended that the IGA include a contingency for the high range but the actual cost based on bid results is anticipated to be lower than that identified in the IGA.

FISCAL NOTE:

IGA Total: \$1,482,557.00

City Responsibility: Up to \$1,081,381.00.

CDOT Grant Reimbursement (TAP funds): \$401,176.00

The City's fiscal commitment will ultimately be based on actual bid results presented to Council at a later date. Additionally, the potential for cost recovery adjacent to parcel redevelopment will also be reviewed. The Finance Department indicated that the 2021 Street Fund has adequate funds to complete the project along with the previously planned in-town capital projects.

STAFF RECOMMENDATION:

Authorize staff to develop an IGA with CDOT for US-50 Phase IV Streetscape Project.

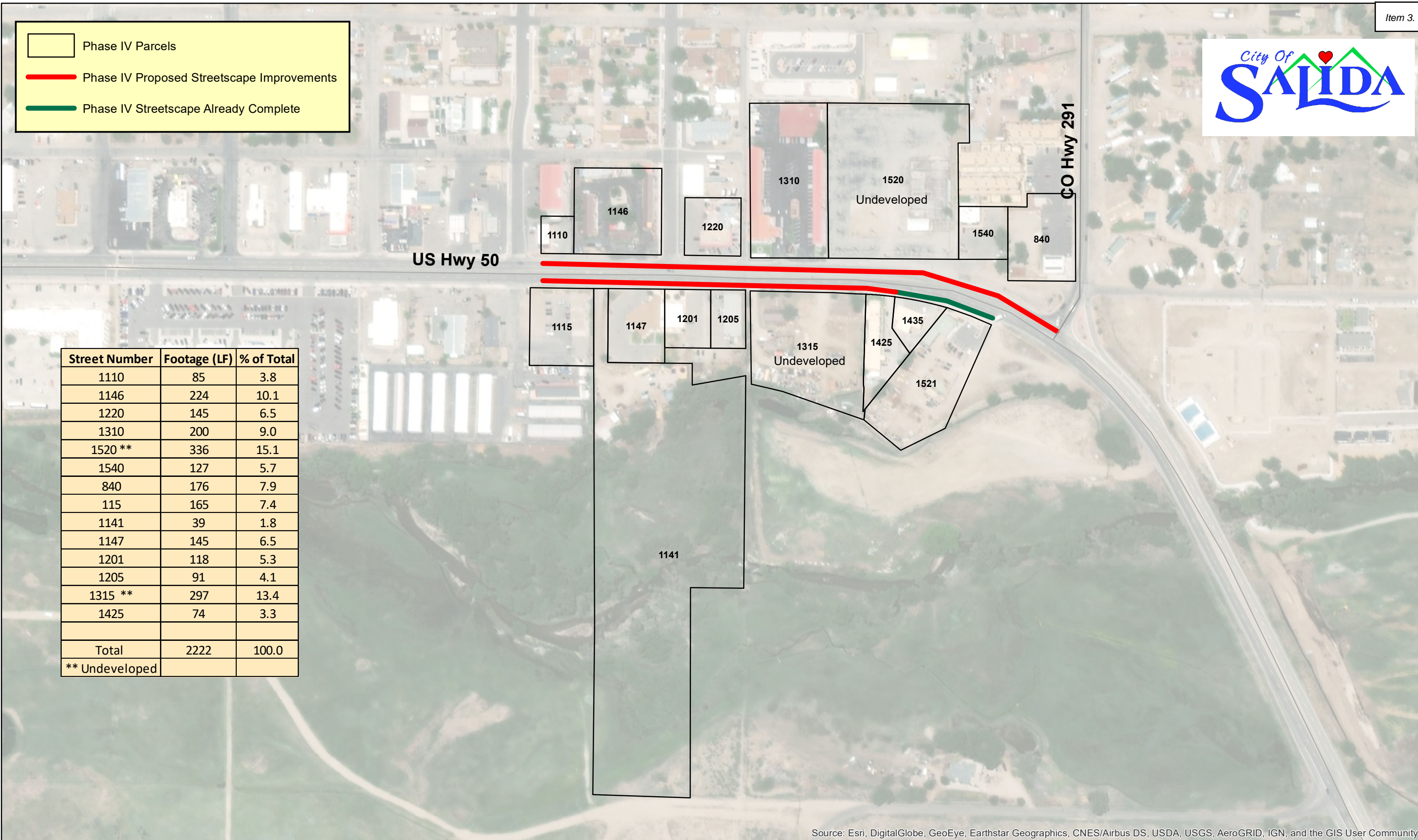
SUGGESTED MOTIONS:

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

Followed by a second and then a voice vote.



Phase IV Parcels
 Phase IV Proposed Streetscape Improvements
 Phase IV Streetscape Already Complete

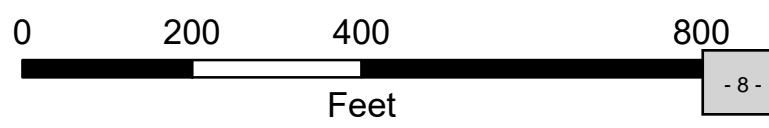


Street Number	Footage (LF)	% of Total
1110	85	3.8
1146	224	10.1
1220	145	6.5
1310	200	9.0
1520 **	336	15.1
1540	127	5.7
840	176	7.9
115	165	7.4
1141	39	1.8
1147	145	6.5
1201	118	5.3
1205	91	4.1
1315 **	297	13.4
1425	74	3.3
Total	2222	100.0
** Undeveloped		

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Phae IV Streetscape (Figure 1)





REQUEST FOR CITY COUNCIL ACTION

Meeting Date: October 20, 2020:

ORIGINATING DEPARTMENT: Parks and Recreation	PRESENTED BY: Mike 'Diesel' Post
--	--

ITEM:

Alpine Park Light schedule

BACKGROUND:

In the 9/28/20 work session council discussed extending the availability of the Apline Court lights to 9:30 PM. Council directed staff to adjust the schedule and resolved to vote on the issue at the 10/20/20 regular meeting.

FISCAL NOTE:

None

STAFF RECOMMENDATION:

Staff recommends that council approve changing the Alpine Court lighting schedule to 9:30 PM in the consent agenda.

SUGGESTED MOTIONS:

Consent agenda item

Proclamation

Domestic Violence Awareness Month

Whereas, in just one day, across the U.S. and its territories, nearly 75,000 victims of domestic violence sought services from domestic violence programs and shelters. That same day, more than 9,000 requests for services, including emergency shelter, housing, transportation, childcare and legal representation, could not be provided because programs lacked the resources to meet victims' needs;

Whereas, the impact of domestic violence is wide ranging, directly affecting individuals and society as a whole, here in this community, throughout the United States and the world, and

Whereas, racism, homophobia, transphobia, ageism and discrimination based on physical ability, nationality or other factors help to perpetuate domestic violence and make finding safety even more difficult for some victims;

Whereas, the need for safe house continues to be rated as survivors' most urgent need; and

Whereas, Salida joins with others across Colorado and the nation in supporting victims of domestic violence, as well as local programs, state coalitions, national organizations, and other agencies nationwide who are committed to increasing public awareness of domestic violence and sending a clear message to abusers that domestic violence is not tolerated in Salida;

Whereas, domestic violence impacts millions of people each year, but it can be prevented. Preventing domestic violence requires the collective voice and power of individuals, families, institutions, and systems.

Now, Therefore I, P.T. Wood, Mayor of Salida, so hereby proclaim October as Domestic Violence Awareness Month.

P.T. Wood, Mayor

Date



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: October 20, 2020

ORIGINATING DEPARTMENT: Community Development	PRESENTED BY: Glen Van Nimwegen, Director
---	---

ITEM:

Resolution 2020-36 – Approval of the Inclusionary Housing Restrictive Covenant and Development Agreement for the 6906 LLC Apartments

BACKGROUND:

The history of the approvals for the 32 unit 6906 LLC Apartments was as follows

Proposed Action	Planning Commission Recommendation	City Council First Reading	City Council Final Action
Annexation Ordinance 2019-15	10-28-2019	11-05-2019	11-19-2019
Annexation Agreement Resolution 2019-59	10-28-2019		11-19-2019
Zoning Ordinance 2019-16	10-28-2019	11-05-2019	11-19-2019
Development Plan Resolution 2019-60	10-28-2019		11-19-2019
Affordable Housing Agreement Resolution 2020-36	n/a	n/a	TONIGHT





REQUEST FOR CITY COUNCIL ACTION

Meeting Date: October 20, 2020

ORIGINATING DEPARTMENT: Community Development	PRESENTED BY: Glen Van Nimwegen, Director
---	---

Applicants: 6906 LLC is Joe and Paige Judd.

Agreement: The agreement will act as a covenant on the property assuring four of the units will be affordable for households earning 80% or less of Chaffee County’s Area Median Income (AMI) in perpetuity. The agreement also provides for monitoring the leases yearly to ensure the provisions are met. Initially this will be done by staff but the responsibility should transition to the multi-jurisdictional housing authority.

In paragraph 4 there is language to clarify what it means to be income qualified. Based on another agreement the City has with the owner/developers, we have allowed two wage earners residing within an affordable unit to each earn up to 80% AMI. This will allow more opportunities for two-earner households for affordable rents. Section 16-13-70 of the Salida Municipal Code allows the Council flexibility in setting affordable rents.

According to CHFA’s 2020 Tables, rent that is affordable at 80% AMI is

1 Bedroom Unit	\$1,071 per month
2 Bedroom Unit	\$1,284 per month

STAFF RECOMMENDATION:

Staff recommends approval of the Affordable Housing Agreement for the 6906 LLC Apartments.

SUGGESTED MOTION:

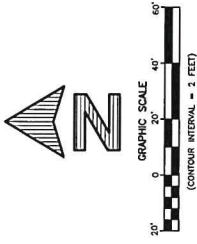
A Council person should make a motion to “approve Resolution 2020-36 approving the Inclusionary Housing Restrictive Covenant and Development Agreement for the 6906 LLC Apartments.”

Attachments

- Resolution 2020-36
- Affordable Housing Agreement
- 6906 LLC Site Plan

6906 VANDAVEER RANCH RD SKETCH PLAN

SALIDA, CO
AUGUST, 2019



BUILDING TYPES			
MARK	SIZE (LAW. FT)	SIZE (AREA, SF)	DWELLING UNITS PROVIDED
A	14454	756	2
B	14436	504	1

CODE REQUIREMENTS			
TYPE	QTY REQ	UNITS	CODE SECTION
LOT SIZE	4,000	50 FT	TABLE 16-F
PARKING	87,505	43 SPACES	16-7-50 & 16-13-50
MAX DENSITY	32	100 FT	TABLE 16-F
MIN. LANDSCAPE AREA	26,887	>44,100 SQ. FT.	TABLE 16-F
TREES	41.7	33	TABLE 16-F
MAX. LANDSCAPE UNCOVERED PARKING	<21,889	15,288	TABLE 16-F
AFFORDABLE UNITS	12,505	4 (12.5%)	16-12-200 & 16-13-50
MARKET RATE UNITS	28	(97.5%)	TABLE 16-F

PREPARED BY:
CRABTREE GROUP INC.
ENGINEERING SMART GROWTH™

OWNER:
CRABTREE GROUP INC.
834 CROSTONE AVE
SALIDA, CO 81201

SURVEYOR:
HENDERSON SURVEYING
PO BOX 812
SALIDA, CO 81201
CONTACT: MIKE HENDERSON

PROJECT NO. 19023 SHEET 1 OF 1



**CITY OF SALIDA, COLORADO
RESOLUTION NO. 36
(Series 2020)**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO
APPROVING THE INCLUSIONARY HOUSING RESTRICTIVE COVENANT AND
DEVELOPMENT AGREEMENT FOR THE 6906 LLC APARTMENTS**

WHEREAS, the property owners, 6906 LLC (“Developer”) are owners of two acres (“Property”) which was annexed by the City of Salida subject to an annexation agreement, which approved by the City Council on November 19, 2019 and is recorded at Reception No. 459146 at the Chaffee County Recorder’s Office; and

WHEREAS, the property was zoned R-3, High Density Residential by Ordinance No. 2019-16 approved by Council on November 19, 2019; and

WHEREAS, the City Council approved the zoning of the property to High Density Residential (R-3) on November 19, 2019 by Ordinance No. 2019-16; and

WHEREAS, the City Council approved the development plan for the 6906 Apartments on November 19, 2019 by Resolution 2019-61, the development plan consisting of 32 apartments; and

WHEREAS, pursuant to Sections 16-2-60 of the Land Use Code, and according to the provisions of the 6906 LLC Annexation Agreement, the City and the Developer wish to enter into this Agreement to set forth their understanding concerning the terms and conditions for the provision for affordable leases for Chaffee County workforce for the Property (“Agreement”); and

WHEREAS, staff shall be permitted to correct immaterial errors, typos and inconsistencies in the Agreement as approved by the Mayor.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Salida that:

The Inclusionary Housing Restrictive Covenant and Development Agreement for the 6906 LLC Apartments is hereby approved.

RESOLVED, APPROVED AND ADOPTED on this 20th day of October, 2020.

City of Salida, Colorado
Resolution No. 36, Series of 2020
Page 2 of 2

CITY OF SALIDA, COLORADO

Mayor PT Wood

(SEAL)

ATTEST:

City Clerk/Deputy City Clerk

**INCLUSIONARY HOUSING RESTRICTIVE COVENANT AND DEVELOPMENT
AGREEMENT
6906 LLC Apartments**

THIS AGREEMENT (“Agreement”) is made and entered into this ___ day of _____, 2020, by and between the CITY OF SALIDA, COLORADO, a Colorado statutory city (hereinafter “City”), and 6906 LLC, a Colorado limited liability corporation (hereinafter “Owner”), and collectively hereinafter referred to as the “Parties.”

WITNESSETH:

WHEREAS, the Salida City Council has identified affordable housing as a pressing issue in the City and the surrounding areas; and

WHEREAS, 6906 LLC is the Owner of approximately two acres of certain real property located in the City of Salida, Colorado, described as Lot 2 of Triple T Ranch Minor Subdivision as recorded in the office of Chaffee County Recorder’s Office at Reception No. 423912, and shall be hereinafter referred to as the "Property"; and

WHEREAS, the Salida City Council approved the “Annexation Agreement” for the Property on November 19, 2019 as recorded in the office of the Chaffee County Recorder at Reception No. 459146; and

WHEREAS, the City Council approved the zoning of the property to High Density Residential (R-3) on November 19, 2019 by Ordinance No. 2019-16; and

WHEREAS, the City Council approved the development plan for the 6906 Apartments on November 19, 2019 by Resolution 2019-61, the development plan consisting of 32 apartments; and

WHEREAS, Owner will be developing the Property into thirty-two (32) apartments as approved by the City Council on November 19, 2019 by Resolution 2019-61; and

WHEREAS, Paragraph 5.4.2 of the Annexation Agreement states the development shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code; and

WHEREAS, Article XIII of Chapter 16 of the Salida Municipal Code requires applicants creating such residential developments to enter into an inclusionary housing development agreement with the City.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein the sufficiency of which is acknowledged and confessed, the Parties hereto agree, promise and covenant as follows:

1. Recitals. The foregoing recitals are incorporated herein as material representations and acknowledgments of the Parties.

2. Purposes. The purpose of this Agreement is to set forth the terms and conditions to be met by the Owner to satisfy the obligations of the owner/developer of the Property regarding affordable or inclusionary housing, as required in Article XIII of Chapter 16 of the Salida Municipal Code, and as agreed upon in Paragraph 5.5.2 of the Annexation Agreement. All terms and conditions contained herein are in addition to all requirements of the Salida Municipal Code, and state and federal statutes, and are not intended to supersede any requirements contained therein, except where specifically provided in this Agreement. Any reference to "Owner" shall mean and include the current owner of the Property, and/or any subsequent owner(s) of the Property, or any successors, grantees and assignees of the owner or subsequent owner of the Property.

3. Development. Owner will construct thirty-two (32) one and two bedroom apartments on the Property. The construction shall meet Salida building codes in place at the time of submission for the building permit.

4. Upon obtaining the certificate of occupancy for the Development, or for at least four residential units, Owner volunteers and agrees to permanently rent four (4) units on the Property at a monthly rate of no more than the applicable maximum rents stated and published by the Colorado Housing and Finance Authority (CHFA) for households earning 80% or less of the Area Median Income (AMI) in Chaffee County, in perpetuity from the date of this Agreement, to individuals who work within Chaffee County. These four (4) units will be rented to households who are income qualified; which will be based upon either one (1) adult who earns 80% or less of the AMI in Chaffee County based on the most recently published Colorado Housing and Finance Authority (CHFA) maximum rent tables for one and two bedroom units, as applicable, in Chaffee County, or two (2) adults, neither of whom earns more than 80% of the AMI in Chaffee County. Rent Limits and AMI income numbers shall always be based on the applicable and most recently published CHFA maximum rent tables for one bedroom and/or two bedroom units in Chaffee County.

5. Owner will provide the City, or a housing authority serving Chaffee County, on an annual basis, copies of the leases for the four (4) affordable rental units to verify the rental rates, employment and income qualifications meet the standard of paragraph 4 above.

6. Owner agrees to design, construct, integrate and maintain the affordable units in a comparable manner to the other market rate units, as required by Salida Municipal Code section 16-13-20.

7. Owner agrees to engage in good faith marketing and public advertisement efforts of the affordable units each time an affordable dwelling unit is rented such that members of the public who are qualified to rent such units have a fair chance to become informed of the availability of such units.

8. Section 16-13-50 of the Salida Municipal Code allows developments that are providing 100% of affordable units to benefit from revised parking, density and dimensional standards. Though the approved development plan for 6906 Vandaveer Ranch Road does not utilize the revised standards, subsequent additions or revisions to the development may utilize the revised standards defined herein.

9. Owner understands and agrees that if they, or their successors, grantees, assignees or subsequent owners, fail to, at any time, rent any of the four (4) affordable rental housing units on the Property pursuant to all of the standards outlined in paragraph 4 of this Agreement the Owner shall pay to the City the in-lieu fees that are in effect at the time. It is agreed that the sum constituting the difference specified above is liquidated damages, and not a penalty, which amount the Parties agree is fair and reasonable and, said payment is the City's only remedy for Owner's failure to perform the obligations of this Agreement.

ADDITIONAL COVENANTS:

10. Jurisdiction and Venue. The District Court of the County of Chaffee, State of Colorado, shall have exclusive jurisdiction to resolve any dispute that may arise between the Parties to this Agreement.

11. Waiver. Any waiver by the City of one or more terms of this Agreement will not constitute, and is not to be construed as constituting, a waiver of other terms. A waiver of any provision of this Agreement in any one instance will constitute, and is not to be construed as constituting, a waiver of such provision in other instances.

12. Owner's Representations and Warranties. The Owner hereby represents and warrants to the City that the following are true and correct as of the date of the Owner's execution of this Agreement and will be true and correct as of the Effective Date:

12.1 Authority. This Agreement has been duly authorized and executed by the Owner as a legal, valid, and binding obligation of the Owner, and is enforceable as to the Owner in accordance with its terms.

12.2 Authorized signatory. The person executing this Agreement on behalf of the Owner is duly authorized and empowered to execute and deliver this Agreement.

13. City's Representations and Warranties. The City hereby represents and warrants to the Owner that the following are true and correct as of the date of the City's execution of this Agreement and will be true and correct as of the Effective Date:

13.1 Authority. Upon execution, this Agreement will have been duly authorized by City Council as a legal, valid, and binding obligation of the City, and is enforceable as to the City in accordance with its terms.

13.2 Authorized signatory. The person executing this Agreement on behalf of the City is duly authorized and empowered to execute this Agreement on behalf of the City.

14. Modifications. This Agreement may be modified only by a subsequent written agreement executed by both or all Parties.

15. Survival. The City's and the Owner's representations, covenants, warranties, and obligations set forth herein are enforceable at law or in equity.

16. Severability. The terms of this Agreement are not severable. If a court of competent jurisdiction finds any provision hereof to be invalid or unenforceable, the court shall reform this Agreement in order to carry out the original intent of the Parties, including ensuring that four (4) residential units remain permanently affordable as provided for in this Agreement. If reformation is not possible, the court shall find this Agreement to be null and void.

17. Recording; Agreement Binds the Property. This Agreement shall be recorded with the Clerk and Recorder of Chaffee County, Colorado, at the Owner's expense; shall run with title to the land and as a burden thereon; and shall obligate, be binding upon and shall inure to the benefit of the Parties hereto and upon and to their respective successors, grantees and assigns. The Owner shall be released from further obligation hereunder in the event of sale of the Property or portions thereof with respect to that portion of the Property conveyed; provided however, that any successor, grantee or assignee of the Owner, or any subsequent owner of the Property shall be bound hereby, and this document shall have been recorded and, except as otherwise provided herein, serve as a non-dischargeable covenant running with and burdening the land described further herein as the Property, as the burdened property, as an easement in gross for the benefit of the City. Any reference herein to the Owner shall be deemed to include any purchaser, successor-in-interest or assign of the Owner as to all or any part of the Property. The Owner shall notify the City in writing within fifteen (15) days after any sale, transfer, foreclosure, or assignment, giving name and address of transferee, assignee or buyer. Owner agrees not to convey, transfer or sell the Property until the Property is developed, and certificates of occupancy for all thirty two (32) residential units have been obtained. This Agreement does not confer any right or benefit to any third party, except as expressly set forth herein.

18. No Third-Party Beneficiaries. Nothing in this Agreement, express or implied, confers or is intended to confer any rights or remedies whatsoever upon any person or entity other than the City, a housing authority serving Chaffee County, the Owner, and the Owner's successor(s).

19. No Waiver of Immunity. Nothing in this Agreement, express or implied, waives or is intended to waive the City's immunity under Colorado State law, including without limitation the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101 through -120.

20. Joint Drafting. The Parties acknowledge that this Agreement represents the negotiated terms, conditions, and covenants of the Parties, and that the Party responsible for drafting any such term, condition, or covenant is not to be prejudiced by any presumption, canon of construction, implication, or rule requiring construction or interpretation against the Party drafting the same.

21. Subject to Annual Appropriation. Any financial obligation of the City arising under this Agreement and payable after the current fiscal year is contingent upon funds for that purpose being annually appropriated, budgeted, and otherwise made available by the City Council in its discretion.

22. Exhibits. All schedules, exhibits, and addenda attached to this Agreement and referred to herein are to be deemed to be incorporated into this Agreement and made a part hereof for all purposes.

23. Counterparts. This Agreement may be executed in multiple counterparts, all of which taken together constitute one and the same document.

24. Deed Restriction. This Agreement is hereby the deed restriction, covenant or declaration of restrictions as required and defined by Section 16-13-20 (e) of the Salida Municipal Code. Subsequent amendments to the Salida Municipal Code shall not affect the effect of this Agreement.

WHEREFORE, the parties hereto have executed duplicate originals of this Agreement on the day and year first written above.

CITY OF SALIDA, COLORADO

By: _____
P.T. Wood, Mayor

ATTEST:

City Clerk / Deputy City Clerk

STATE OF COLORADO)
) ss.
COUNTY OF CHAFFEE)

Acknowledged, subscribed, and sworn to before me this ___ day of _____, 2020 by P.T. Wood, as Mayor, and by Erin Kelley, as City Clerk, on behalf of the City of Salida, Colorado.

WITNESS my hand and official seal.
My Commission expires: _____

Notary Public

OWNER: 6906 LLC

By: _____
Joe Judd

Its _____

STATE OF COLORADO)
) ss.
COUNTY OF CHAFFEE)

Acknowledged, subscribed, and sworn to before me this ___ day of _____, 2020 by _____, as _____; and _____, as _____ on behalf of 6906 LLC.

WITNESS my hand and official seal.
My Commission expires: .

Notary Public

By: _____
Paige Judd

Its _____

STATE OF COLORADO)
) ss.
COUNTY OF CHAFFEE)

Acknowledged, subscribed, and sworn to before me this ___ day of _____, 2020 by _____, as _____; and _____, as _____ on behalf of 6906 LLC.

WITNESS my hand and official seal.
My Commission expires: .

Notary Public



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: October 20, 2020:

ORIGINATING DEPARTMENT: Finance Department	PRESENTED BY: Aimee Tihonovich
--	--

ITEM: Resolution to adopt the 2021 Budget

BACKGROUND:

City Council and staff have been hard at work on the 2021 budget. A resolution for a balanced and sustainable 2021 budget is attached. This resolution establishes the budget and appropriates funds for spending in the 2021 calendar year.

FISCAL NOTE:

The 2021 budget is \$25,940,715 for all funds and is supported by \$21,915,876 in anticipated 2021 earned revenue and a potential use of reserves of \$4,024,839 resulting in a balanced budget. The use of reserves is mostly due to carryover projects and is in line with the City's Fund Balance Policy.

STAFF RECOMMENDATION:

After opening a budget hearing and giving due consideration to citizen comments, it is recommended that the public hearing be closed and that Council adopt the 2021 budget and appropriation resolution.

SUGGESTED MOTIONS:

A councilperson should make a motion to adopt the resolution establishing a budget and appropriation for the calendar year 2021.

Attachment

Resolution

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 37
(Series of 2020)**

**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 2021 AND ENDING ON THE LAST DAY OF DECEMBER 2021**

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 August 17, 2020, 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 20, 2020 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	\$ 8,410,000
Water Fund	\$ 6,114,600
Wastewater Fund	\$ 1,927,000
Conservation Trust Fund	\$ 62,000
Streets Fund	\$ 2,844,576
Capital Improvement Fund	\$ 1,951,500
Economic Development Fund	\$ 136,200
Lodging Tax Fund	\$ 420,000
Housing Fund	\$ 50,000
	<u>\$ 21,915,876</u>

<u>Estimated Expenditures</u>	
General Fund	\$ 10,580,738
Water Fund	\$ 6,018,870
Wastewater Fund	\$ 2,633,814
Conservation Trust Fund	\$ 340,000
Streets Fund	\$ 3,748,792
Capital Improvement Fund	\$ 1,951,500
Economic Development Fund	\$ 247,000
Lodging Tax Fund	\$ 420,000
Housing Fund	\$ -
	<u>\$ 25,940,714</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 2021 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 2021 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 20th day of October, 2020 by a vote of _____ to _____.

CITY OF SALIDA, COLORADO

[SEAL]

By _____
Mayor

[ATTEST]

City Clerk/Deputy City Clerk



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: October 20, 2020:

ORIGINATING DEPARTMENT: Finance Department	PRESENTED BY: Aimee Tihonovich
--	--

ITEM:
 2020 Budget Amendment to move Arts & Culture from a separate fund to a department of the General Fund.

BACKGROUND:
 As discussed at the August 31, 2020 Council Work session, it is appropriate to classify the activities of “Arts & Culture” (The SteamPlant Event Center, Scout Hut, Riverside Park and Creative District) as a department within the General Fund instead of as a separate Fund. The 2020 budget was established with Arts & Culture as a Separate Fund, this proposed amendment would move the budget under the General Fund.

FISCAL NOTE:
 There is no impact to the overall City budget, funds are being moved from one location to another.

STAFF RECOMMENDATION:
 Staff recommends adopting the resolution.

SUGGESTED MOTION:
 After a hearing is held on the Budget Amendment, it is recommended that a City Councilperson make a motion to adopt the resolution to amend the 2020 budget.

ATTACHMENT
 Resolution

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 38
(Series 2020)**

**AN AMENDMENT TO RESOLUTION 2019-62 ESTABLISHING BUDGET AND APPROPRIATIONS BY FUND
FOR THE CITY OF SALIDA OPERATIONS FOR CALENDAR YEAR 2020**

WHEREAS, City Council adopted Resolution No. 2019-62, dated December 3, 2019 establishing the Budget and appropriations by fund for the City of Salida operations in calendar year 2020; and

WHEREAS, C.R.S. Section 29-1-109 requires that changes to the budget due to any transfer, supplemental appropriation, or revised appropriation be made by ordinance or resolutions; and

WHEREAS, this Council has determined an amendment to the 2020 budget and appropriations for the General and Arts & Culture Funds (SteamPlant) is necessary in order to re-establish the Arts & Culture Fund as a department within the General Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salida, Colorado that the budgets and appropriations by fund for Calendar Year 2020 be amended as follows:

Fund	Original Budget Reso No. 2019-62	Amount of this Change	Amended Budget & Appropriation
Estimated Revenues:			
General Fund	\$ 8,269,700	\$ 434,500	\$ 8,704,200
Water Fund	\$ 4,064,600		\$ 4,064,600
Wastewater Fund	\$ 1,927,000		\$ 1,927,000
Arts & Culture Fund (SteamPlant)	\$ 765,900	\$ (765,900)	\$ -
Conservation Trust Fund	\$ 61,200		\$ 61,200
Streets Fund	\$ 2,888,200		\$ 2,888,200
Capital Improvement Fund	\$ 3,075,000		\$ 3,075,000
Economic Development Fund	\$ 136,200		\$ 136,200
Lodging Tax Fund	\$ 420,000		\$ 420,000
Housing Fund	\$ 50,000		\$ 50,000
Estimated Expenditures:			
General Fund	\$ 10,530,700	\$ 434,500	\$ 10,965,200
Water Fund	\$ 4,271,200		\$ 4,271,200
Wastewater Fund	\$ 2,520,200		\$ 2,520,200
Arts & Culture Fund (SteamPlant)	\$ 765,900	\$ (765,900)	\$ -
Conservation Trust Fund	\$ 281,200		\$ 281,200
Streets Fund	\$ 2,857,700		\$ 2,857,700
Capital Improvement Fund	\$ 3,075,000		\$ 3,075,000
Economic Development Fund	\$ 266,300		\$ 266,300
Lodging Tax Fund	\$ 420,000		\$ 420,000
Housing Fund	\$ -		\$ -

APPROVED AND PASSED this 20th day of October, 2020 by a vote of _____ to _____.

CITY OF SALIDA, COLORADO

By: _____
P.T. Wood, Mayor

ATTEST:

Deputy City Clerk



OCTOBER 2020 STAFF REPORTS

Police Department –

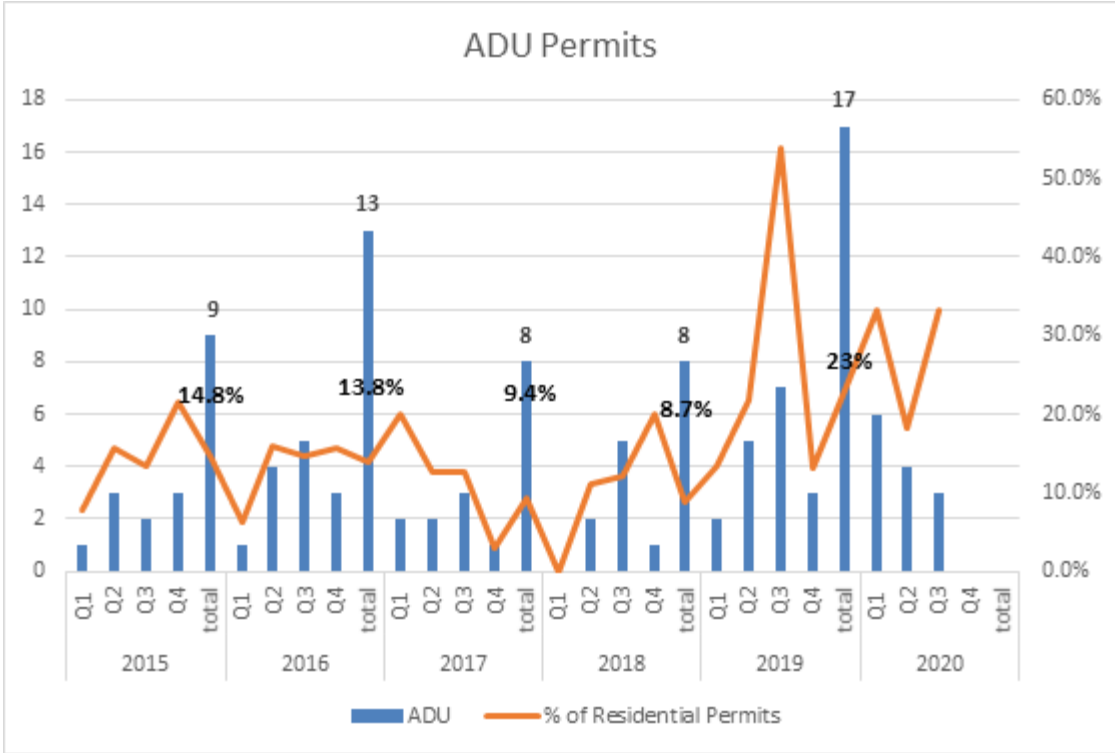
- We had 787 calls for service in September. That is a 47% increase over September 2019.
 - We completed our promotional process and will be promoting Officer Caleb Carr to the rank of Sergeant in November.
 - Our new Code Enforcement Officer started last week. He will be in training here at the department for the next 15 weeks.
 - We are still working to wrap up several of our recent stolen vehicle cases. We have arrested 2 individuals in connection with several of them and are hoping to tie more to them in the coming weeks.
 - I have received several calls from citizens in the last week who wanted to express thanks for our professionalism and patience while on calls. .
-

Finance Department –

- Have been working toward completion of the 2021 budget and expect to have it ready for Council adoption on October 20.
 - We are nearing the end of our OpenGov integration and have been using it successfully to develop the budget and analyze performance. Our next step is to provide some training so departments are comfortable with using the tools for budget tracking. We also hope to use it as a tool for enhancing communication with the public.
 - We hope to review a Utility rate study with the Finance Committee this month and present to Council early November.
 - We have submitted our first reimbursement request to DOLA for CARES and are working through that process.
 - Staff continue to do an excellent job keeping up with the reconciliations, deposits, bill paying, payroll processing, billing and reporting necessary in a busy accounting office.
-

Community Development –

- Bill Almquist will be presenting on Salida's ADU experience at this year's virtual APA Colorado conference. I updated the numbers which shows our ADU permits are approximately 35% of our residential permits through the first three quarters of 2020.



- Kristi hosted the Historic Preservation Commission at a work session on Thursday, October 8. The discussion was regarding the historic barn located at the Southwest Conservation Corps site at 701 E. Hwy 50. Their main office is a local landmark and the barn is a contributing structure. State historic grants have been used at the site. They are in dire need of additional office space and parking. Our Chairman Keith Krebs has donated many architectural design hours to devise a plan to accomplish this and maintain the barn. However, the structure is too flimsy and grant requirements require most of the barn to be used as its historic use: a place to harbor farm animals. The result will most likely be a request before HPC to remove the structure and approve a new structure which complements the site.



- Funds have recently accumulated in the Inclusionary Housing Fee-In-Lieu coffers, now totaling \$49,747.35.

- On September 28 the Planning Commission reviewed the application by Jonas Harlow for a Downtown Patio next to Tres Litros on E Street. It was ultimately approved. Public Works will be removing the driveway cut and leveling the sidewalk where the patio will be installed. This will greatly improve pedestrian safety and accessibility.
- Last week we received the draft of new zoning districts from Clarion Associates. Staff will be poring through this in the coming weeks and scheduling work sessions with our review committee and City Council.
- Diesel and I met with the developer of the 48 unit affordable apartment complex in Confluent Park. Looks like we will be able to utilize a portion of their site to expand the adjacent park by approximately 50 feet. One caveat: a portion of this area must be used for community gardens. More to follow.



- Thanks Council for all your support of the staff and efforts of Community Development.

Recreation Department –

- See Attached.

Public Works –

Admin:

- Project Management
 - Project planning, contracting, and project management for the 2020 capital projects. Emphasis this past month on Blake Street and Holman/Centennial Park Improvements.
 - Project management and coordination with CDPHE for SRF funding.
 - Coordination with CDOT on Phase IV Streetscape Improvements
 - Pasquale Spring prelim design planning items

- Planning Items
 - CO 291 Intersection Control Evaluation and Corridor Plan
 - Review citizen comments and preferred alternatives
 - Raw Water Study
 - Additional staff review of final draft.

Streets:

- Complete non-scheduled pruning associated with early winter storm
- Stump removal
- Pothole repairs

Water/Wastewater:

- Sewer camera inspection of 2020 lines underway.
- Staff assisted with QC at development sites.
- Training activities for fats-oils-grease programs and emergency pipe repair fitting options
- Development related QC inspection activities on-going

Arts & Culture –

- Creative Corridor Video Shoot on SP Plaza and local creative businesses
- Artist opening reception on SP Plaza max 7 people in gallery at one time
- 3 private parties at SP in Ballroom & Plaza max of 80 guests
- Community yoga on plaza with max 10 attendees
- 2 Film screenings in SP theater max 30 attendees
- Salida Rotary Club weekly lunch moved to Scout Hut
- RVCF Church weekly service in theater resumed max 30 guest
- Total number of people attending events for the month of September: 778

Fire Department –

- Neenan Archistruction was onsite Tuesday and Wednesday of this week to assess our current facility and conduct potential site visits.
- Wildfire season is still very active. One South Ark truck and several single resources are still deployed on fires around the region.
- Call volume is up 15% over 2019.
- We have begun pushing out Lexipol Policies to the staff.
- Our ladder truck is partially out of service. It can't be controlled from the bucket, only from the pump panel. It can still be used in an emergency. Part is on order and hopefully it will be repaired within a month.

Clerk's Office –

Courtside:

- Back to work and prepping for October 16, 2020 Court. Continue to work towards 'paperless' court system with a January, 2021 timeline.

Clerk-side:

- Processed liquor license and marijuana renewals, new licenses and transfers, as needed.
- Continue to reach out to a local hotel to collect delinquent OLT tax.
- On August 28th 15 STR non-compliant letters were mailed; 75% responded as of 10/14/20.
- Continue to train on our Municode application and work with their team to customize settings for our needs.
- Participating in Chaffee County Public Health and Salida Business Alliance recovery meetings.

City Council Parks and Recreation Department Report

General

- Skatepark and Holman street projects are the top priority.
- We are considering loosening restrictions at the Hot Springs Facility starting in October.
- Various events are scheduled for the parks including a vigil for Susan Morpew and a celebration of George Blake.
- Completed the subsidy and cost recovery work for the department to be shared with council in the 9/21 work session.

Front Desk Administration/Representatives

- Creating software solutions for opening and signing up for private soaking pools
- Working with department supervisors to develop subsidy model
- Some merchandise (goggles, swim diapers, caps) again being sold
- Public workstation, phone upgrade, staff t-shirt order projects on hold
- Termination of Parks & Recreation Representative Supervisor position and restructuring of job descriptions
- Continued support to patrons for use of software
- Extend expiration dates and update software for use of passes and installment billing
- Task assignments to front desk staff during slow times

Aquatics

- Looking for more lifeguards
- Starting private swimming lessons - limited on teacher who are willing to teach
- Arthritis, Cardio, Adult Coached Swim, Water yoga classes are going well
- Brought two of the aquabikes out and several people are using them

Hot Springs Facility

- Receiving quotes for a new effluent flume as per the state inspection
- Aquatic Center Boiler replacement project (engineering)
- Locker room reconstruction
- Boiler pump for the facility failed and is replaced
- Looking into classes for training units
- Looking into new pool regulations and making sure the current outdoor soaking pool plans are still possible with the possible adoption of new code
- Chlorinator maintenance

Parks, Trails, Open Space and Facilities

- Hired a new seasonal, Sam Miller, that is helping with the Fall/Winter workload
- Continued tree and limb clean up in the parks after the storm. Monitoring potential tree and limb problems during these wind events
- Park turf areas have been aerated and fertilizer has been applied
- Sprinkler blowouts and water winterization has begun
- Crestone Mesa Park/HOA Irrigation Project is nearing completion

- Sonia's Garden memorial project, phase 1, is well underway, with the gazebo installed and plants going in the ground with assistance of the Sunrise Rotary Club
 - With the help of a Community Service Volunteer, the "S" was weed whacked and the Staircase and Gazebo on top of Tenderfoot Mountain was painted to cover up the graffiti
-

Recreation

- In the past month, on Facebook, we gained 30 followers, reached 2,815 people with our posts and had 838 engagements with our posts
- In the past month, on Instagram, we are growing our followers and have reached 994
- Play offs for Kickball League on October 20th (total of 6 teams and approximately 8 to 13 people per team)
- Opened Special Event Park Rental Applications for October 1st and have received 17 event and park rentals for the coming year.
- [Bike Fest Results](#)



OFFICE OF HOUSING

PO Box 699
SALIDA, CO 81201
PHONE (719) 530-2590
WWW.CHAFFEECOUNTY.ORG

Item 10.

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

- Multi-Jurisdictional Housing Authority
 - On August 30, the Steering Committee convened to discuss the changes to the IGA as suggested by Poncha Springs Trustees. A few changes to the document were agreed upon, and a revised draft IGA will be distributed to participating jurisdictions no later than September 4th.
 - The following jurisdictions approved entering into the IGA: Chaffee County, City of Salida, and Town of Buena Vista. The Intergovernmental Agreements that create the Chaffee Housing Authority and the funding agreements have been revised and recirculated among participating jurisdictions.
 - A Board of Directors job description has been distributed to each of the jurisdictions' Administrators. Each jurisdiction will follow their own protocol for recruiting, selecting, and appointing Board members.
 - A celebration of signing the IGA and creating the Chaffee Housing Authority will occur on October 15th, at noon. Location TBD.

- Housing Policy Advisory Committee:

On October 1st, the HPAC hosted their last “official” meeting. Per the IGA that created the HPAC, it dissolves upon the creation of a MJHA. However, given the significant advocacy efforts that the HPAC has accomplished, the group discussed transitioning from an advisory body to the Chaffee County Commissioners into what is known as a Citizens Advisory Board (CAB). CAB's are common among high performing Housing Authorities, and allow the Authority Director opportunity to vet policy and program recommendations with a diverse group of community stakeholders prior to taking recommendations before the Housing Authorities Board of Directors.

- Salida Housing Development Corporation
 - Serving on the Board of Directors for the SHDC, I continue to act as a liaison between Cardinal Capital, the Low Income Tax Credit developer, DOLA-DOH, and CHFA.
 - A letter of intent to apply will be submitted in December 2020; the final application will be submitted in February 2021. I am working with CHFA representatives to be certain that the recently awarded Confluent Park LITC project in Salida won't preclude this application from being considered. Typically, CHFA prefers to see a project built out and leased up before awarding another in the same Primary Market Area.
 - Should this application not receive the 9% LITC Credits, we could conceivably apply for the 4% credits; should this come to fruition, the BOCC may want to consider allocating their 2021 Private Activity Bond issuing authority to this particular project.

- Plans for this project have been submitted to the Town of Poncha Springs for their Planning Commission meeting on October 26th, 2020.
- Colorado CPACE:

I attended a webinar on the CPACE program operations in Colorado on September 16. While I still feel strongly that business owners in our county should have access to this financing tool, I will no longer drive advocacy efforts for opting into the New Energy Improvement District that would make this lending available. More information can be found here: <https://copace.com/counties-government/counties-government-how-it-works/>
- Chaffee County Comprehensive Plan: I continue to participate in the Comprehensive Plan Update activities as warranted.
- Health Disparities Grant Program
 - The Planning Collaborative convened to review the statement of work for the FY 21 grant year, including the following:
 - Two community-wide education events:
 - Increasing Intensity/Density in Commercial areas to include more missing middle housing and mixed use
 - Subject Matter Expert: Patrick Rawley, of Stan Classen and Associates
 - Reducing administrative and regulatory barriers to affordable housing development
 - Subject Matter expert TBD
 - Offering at least four training and technical assistance events for the Planning Collaborative:
 - Financing Affordable Housing Development
 - Subject Matter Experts: Katheryn Grosscup, CHFA and Chris Furlong, DOLA-DOH
 - Infrastructure costs for installation and long-term maintenance
 - Subject Matter Expert: Kevin Shepherd, Verdunity
 - Creating Metro Districts or other approaches to financing
 - Subject Matter Expert: TBD
 - GIS training for Planning, Evaluation, and Forecasting
 - Subject Matter Expert: Colorado Mountain College
 - Contracting the evaluation of a collaborative GIS tool, shared among the Planning Collaborative. Each jurisdiction has weighed in on this RFP, which is in it's final stages. I am collaborating with Recreation in Balance, as they have done extensive GIS work recently, and this initiative does not wish to duplicate efforts.
 - Contracting the creation of additional GIS layers, as funding allows.

- **Salida Adaptive Housing Development:**
This project is in the pre-development phase, and has switched the location to a more favorable site. We are still waiting to get a purchase Agreement signed by the site owner, and have begun the entitlement process. The plans, as they presently stand, would create 19 housing units, some of which would be adaptive to accommodate small or large groups of people.
- **Seeking temporary, part-time employee.** The Office of Housing is advertising for a temporary, part-time administrative support specialist. This position will initially be funded through the HDGP, and could transition to a regular part time staff.

Community Partnerships

- **Storytelling Initiative: “We Are Chaffee”**
Funded through the HDGP, a second storytelling workshop will convene in November focused on the topic of “resiliency.” Partners in this initiative have expanded, and Chaffee County Community Foundation will be hosting “We Are Chaffee” and online platform for displaying various storytelling efforts.
- **Mobile Home Park evaluations:** I have toured two mobile home parks in Chaffee County, both of whom have owners who are willing to evaluate options to maintaining permanent affordability for their parks. The biggest barriers to this type of affordable housing preservation is (1) the need to upgrade the water and wastewater infrastructure at these parks, and (2) the real estate value brought by the private market.
- **Public Private Partnerships:**
 - I have been engaged with several pre-development conversations in all jurisdictions, working to create more equitable development and affordable housing. As these pre-development conversations migrate toward actual developments, I will participate in whatever way I am able to increase affordability of the resulting housing.
 - The County planning department has established a standing pre-development meeting on Wednesdays at 1:30, which I have been attending.
- **Chaffee County Senior Planning Collaborative:** I have begun participating in this group, with the focus on creating a continuum of care facility for seniors in Chaffee County.
- **Salida Chamber of Commerce:** I attended the Salida Chamber’s Pic Nic for networking. I intend to become members of both the Salida and Buena Vista Chambers upon creation of the Chaffee Housing Authority.

- Housing Colorado: Housing Colorado Executive Director has sent El Paso County Housing Advocates to me to learn about our community engagement efforts through the HDGP, which is being looked upon as a model worthy of replicating.
- KHEN: KHEN continues to broadcast the Chaffee Housing Report, including a discussion about the new Mobile Home Park Oversight Program, administered by DOLA – DOH, and a Chaffee County Commissioners Candidate forum. The podcasts can be found here: <https://www.khen.org/affordable-housing-report>

Professional Development

- Attended a CHFA training on rural housing development and property management.



CHAFFEE COUNTY
 DEVELOPMENT SERVICES DEPARTMENT
 104 Crestone Ave., Room 125
 P.O. Box 699
 Salida, Colorado 81201
 (719) 539-2124 FAX: (719) 530-9208
 bdepartment@chaffeecounty.org

October 12, 2020 Board of County Commissioners Work Session Report and Activity Update

I. Building Inspection:

A. Permit Activity

- **Permits** issued in September 2020: 408 (BMEP only)
 2019: 355 (BMEP only)
 * BMEP = Building, Mechanical, Electrical, & Plumbing permits
- **Total Revenue** collected in September 2020: \$130,945.52 (all divisions)
 2019: \$113,846.34 (all divisions)
- **Total Revenue** collected year-to-date 2020: \$1,022,676.50 (all div.s)
 2019: \$1,274,024.24 (all div.s)
 % of Total budgeted revenue (original) collected by year end: 85.22%
 (\$1.2 M)
 % of Total Covid amended revenue collected by year end: 102.3% (\$1 M)
- **SFDs** issued in September 2020: 28
 2019: 22
 Salida: 4 BV: 10 Poncha: 6 County: 8
- **2020 year-to-date permit totals:**

Salida:	567	27 SFDs
Buena Vista:	349	49 SFDs
Poncha Springs:	265	29 SFDs
Unincorporated County:	<u>1,371</u>	<u>75 SFDs</u>
Total Number of Permits Issued:	2,552	*180 SFDs
- **2019 year-to-date permit totals:**

Salida:	829	24 SFDs
Buena Vista:	438	64 SFDs
Poncha Springs:	320	45 SFDs
Unincorporated County:	<u>1,340</u>	<u>107 SFDs</u>
	2,927	*240 SFDs

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

B. New Commercial Projects

Salida:

- 720 E. Hwy 50: A permit was issued for a covered patio addition to Walbangers.

- 104 Crestone: A permit was issued for a minor interior renovation at The County Clerk's office.

Poncha Springs:

- 11130 W. Hwy 50: A permit was issued for a lean-to addition to the Salida Stove building.
- 10012 W. Hwy 50: A permit was issued for a storage building at Poncha Lumber.

Buena Vista

- 203 Cedar Street: A permit was issued for a deck at this location.
- 220 N. Hwy 24: A permit was issued for a shade structure at McPhelany Park.

Chaffee County:

- 2600 CR 344: Permits were issued for the construction of new cabins at Spring Canyon Ranch.
- 12916 Hwy 24/285: Permits were issued for a large addition to the Gunsmoke Truck Stop in Johnson Village.
- 11170 W. Hwy 50: Permits were issued for new equipment on an existing cell tower.
- 27414 CR 319: Permits were issued for an interior finish of an existing commercial warehouse for a bathroom.

C. Inspection Totals

- We performed 1,054 field inspections in the month of September.
- We issued 51 certificates of occupancy in September.

D. Legislative Update

- Nothing to report.

E. Personnel Update:

- Electrical license renewals were due in September and all 4 of the licensed electricians on staff (Dan, Mike, Gary B., Chad) successful renewed their licenses.
- The new position in the planning department has been posted and we are receiving applications. We have received several well qualified applicants.

II. Planning & Zoning

A. Land Use Code: The September 29, 2020 Planning Commission work session included discussion of the progress of the Comprehensive Plan with Cushing-Terrell and setting a date for the Chaffee County Planning Commission to meet with the Buena Vista Planning Commission by Zoom to discuss implementation of the IGA, the meeting was set for October 29, 2020. The amendment to Article 7.7.2, the Airport Overlay District was heard in the regular meeting and was recommended for approval.

B. Comprehensive Plan: Staff continues to meet with Cushing Terrell on a bi-weekly basis on the comp plan project. The plan is currently available for public review. Pop-up public engagement booths occurred at the Salida and Buena Vista Farmer's Markets on September 26 and 27, 2020. The Planning Commission held work sessions with Cushing-Terrill on September 17 and 29, 2020.

C. Land Use Current / Pending / in progress:

Applications Scheduled for Public hearing:

- The Centerville Ranch Phase 1, Filings 2-6 Final Plan for 32 lots will be heard by the BoCC on **November 4, 2020**. This will complete the 62 lots proposed for Phase 1.
- The North Fork Ranches Major Subdivision Preliminary/Final Plat at the entrance to Weldon Creek on W. Hwy 50 proposes to divide 150 acres into 16 Lots. This application was before the Planning Commission on June 30, 2020 and was recommended for approval. The application was before the BoCC on July 14, 2020 and continued to August 4, 2020, September 15, 2020, October 6, 2020 and currently **October 13, 2020** to allow for revision of the property description and maps and preparation of a new title commitment.
- Lark's Perch Major Subdivision preliminary plan, located south of Hutchinson Lane and east of the Canyons ROSI, proposes the division of a 37-acre parcel into 13 lots. This application was before the PC on January 29, 2019 and recommended for approval. The application was before the BoCC on February 12, 2019 and approved. After agency review the application was before the Planning Commission on November 5, 2019 and continued to January 14, 2020 to allow the applicant to prepare additional materials and then additionally continued to March 3, 2020 at which time the application was denied. The BoCC heard an appeal on May 19, 2020 and this was continued to July 7, 2020 at which time the applicant's representative requested continuance to a face-to-face meeting. The BoCC met with the applicant's on August 4, 2020 to consider a date for further continuance and a date of **October 13, 2020** was set for a meeting at the fairgrounds.

Recently Approved, Denied or Withdrawn Applications:

- The Warren-Faulkner Boundary Line adjustment at 24703 and 24711 CR 339 proposed an increase in the Warren property from 35 acres to 39.9 acres and a decrease in the Faulkner property from 24.5 to 19.6 acres. The application was before the BoCC on September 8, 2020 and approved.
- Rio Frio Minor Subdivision Final plat on CR 300 proposes division of the 27-acre Parcel 1 of the Nestle Water/Jacobson Boundary Line Adjustment into 4 residential lots, 2 common use outlots and Rio Frio Lane. The application was before the Planning Commission on September 24, 2019 and was recommended for approval. The application was before the BoCC on October 10, 2019 and approved. The final plat was before the PC on August 25, 2020 and approved. The application was before the BoCC on September 8, 2020 and approved.

Applications Requiring Applicant Action:

- The Aspire Tours application for Limited Impact Review at 11302 CR 190W proposes an Outfitting Facility, a Commercial Campground and a Seasonal Employee Campground on a 44-acre parcel. This application was to be heard by the Planning Commission on February 25, 2020 but was continued to March 31, 2020 at the applicant's request. The application was before the

Planning Commission on July 7, 2020 and further **continued to a date uncertain** to allow the applicant to provide a water supply study and traffic study of the property.

- The Morrison Heritage Water Subdivision Exemption at 15974 CR 306 proposes the creation of one lot and one outlot in conjunction with a Minor Subdivision. The HWSE was heard by the BoCC on November 19, 2019 and approved. The Minor Subdivision was heard by the PC on November 19, 2019 and was recommended for approval.
- Ruby Mountain Minor Subdivision sketch plan, located east of the Arkansas River adjacent to the Ruby Mountain campground, proposes to divide a 19.7-acre parcel into two lots. This application was before the PC on January 29, 2019 and recommended for approval. The application will be sent for agency review upon receipt of the final submittal.
- El Rancho Vaquero Minor Subdivision north of the Buena Vista rodeo grounds proposes to divide the outlot created by the Heritage Water Subdivision into 3 lots of 9.6 to 9.8 acres. The Minor Subdivision was before the Planning Commission on February 26, 2019 and recommended for agency review. Road dedication issues are trying to be resolved with BV.
- Whispering Pinons Acres Major Subdivision Sketch Plan at 11341 CR 206, west of the Poncha Springs Cemetery, proposing 12 lots on 40 acres was heard and approved by the BoCC on March 13, 2018. Staff granted a 6-month extension to submit the preliminary plat through September 13, 2019. We have not heard from the applicant. This application is out of compliance.

Out of Compliance Applications:

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

D. Nestle Waters: Staff continues to work with Nestle Waters in anticipation of a permit amendment and renewal of the 1041 permit. The 2018 Annual Report was received by staff on May 1, 2019. Staff met with Larry Lawrence on August 6, 2019 to review renewal submittal requirements. Nestle has submitted an application for extension of the permit without amendment. The resolutions and yearly reports are currently published on the County website. The BoCC considered a continuance of this hearing on April 7, 2020, and a hearing date of **October 20, 2020** was set. Subsequent discussions moved this hearing from the Buena Vista Community Center to the Chaffee County Fairgrounds.

E. Subdivisions subject to SIA with Lot Sales Restrictions:

1. Estates at Mt. Princeton: LSR on Phase 1, Lots 10 and 16-27; was extended through June 27, 2019. Staff met with the applicant on September 30, 2019, see out of compliance applications.
2. River Meadow Estates Addition, Fil. 1-4; LSR was extended through October 20 2029
3. Shikoba Acres Fil. 2: LSR was extended through July 6, 2023.
4. Westwinds: LSR Lots 35-45 Filing 3 & Lots 47-49 and 52-55, Filing 4. Developer has entered into an escrow agreement with the County (\$3520) for completion of road grading and road swales.
5. Bos Minor Subdivision: LSR on all 4 lots through November 11, 2019. This will require extension.
6. Chipeta Meadows Minor Subdivision: LSR on Lot 1 through July 13, 2019. This requires extension
7. Longhorn Ranch: Chaffee County holds an escrow account of \$10,000 for completion of improvements.
8. Oak Leaf Solar Farm: Improvements and Maintenance Agreement through July 27, 2019. The applicant has submitted the funds required by the Improvements Agreement and has submitted an application for the building permit. Construction is complete. The landscaping of the property has been completed and staff inspected the improvements on July, 16 2020 at which time it was noted that the irrigation system was not functional and that some of the plantings did not look healthy or were dying. The release of funds was before the BoCC on July 21 and this item was continued to August 11, 2020 and then September 8, 2020 to allow the applicant to repair the irrigation system, attend to the plantings and allow staff to do another site visit. Staff visited the site again on September 4, 2020 and found the plantings to be taking hold and the irrigation system to be functional. At the September 8 hearing the BoCC approved release of one-half of the escrow funds and set another review of the landscaping at the first meeting in May of 2021.
9. Rafter's Roost: Improvements and Maintenance Agreement through October 31, 2021 for Phase I and through October 31, 2024 for Phase II.
10. Strother Minor Subdivision: LSR through July 7, 2023.

F. Violation Investigations

1. Planning Staff is working with a landowner in Johnson Village regarding a junk and waste tire complaint. Public Health is working with the CDPHE to see if funds for the tire clean-up are available.

III. Engineering

F. Road and Bridge

1. Granite Bridge: See section E. Engineering projects.
2. Staff is working on engineering to rehab the 2 low water crossings on CR 110. The project RFP will be ready for publication in November.

G. Plan Review

1. Staff reviewed the following plans:
 - a. No plans were reviewed.

H. OWTS Program

1. In September staff reviewed 18 OWTS designs. Issued 18 OWTS permits and 3 are on hold.
2. Staff received a concern about the Comanche Drive-in Septic system. Staff visited the location, and there was no evidence of a failing system. This issue has been closed by staff.

I. Regional engineering plan review and inspection

1. Army Corp Of Engineers, "Waters of the USA", violations:
 - a. 30450 CR 371; The owners have hired a surveyor to prepare a LOMA, if the LOMA is approved the next step will be the building permit.
2. Buena Vista High School: Phase 2 and 3 is under construction.
 - a. Phase 1: 100% complete
 - b. Phase 2 and 3:
 - i. The existing school is 100% demolished,
 - ii. The foundations are 100% complete,
 - iii. Prefab concrete walls are 100% complete,
 - iv. Steel structure is 100% complete,
 - v. CMU walls are 100% complete,
 - vi. Steel stud framing is 100% complete,
 - vii. Drywall is 100% complete,
 - viii. Road/parking is 99% complete,
 - ix. Finishing is 95% complete,
 - x. Existing Gym is 100% complete, (TCO)
 - xi. New Gym is 95% complete,
 - c. Staff has performed approx. 264 different inspections to date.

J. Engineering Projects

1. Salida Airport Beacon Tower:
 - a. Staff wrote and published an RFP for the construction, repair and installation of the airport beacon tower. The county received 1 proposal, staff negotiated with the contractor and lowered the bid to an acceptable amount. The formal bid and contract will be presented to the BOCC in October for official approval.
2. Fair grounds North building, heating/cooling:
 - a. Adding filters to the RTU's that are acceptable in a hospital situation has been removed from the scope of the project.
 - b. Staff has received quotes from the contractor to extend the sewer and water lines to the North Building, staff is awaiting response to proceed.
 - c. Gas line has been completed.
3. Chaffee County Administration Building:
 - a. Preliminary design is 100% complete,
 - b. DD (Definite Design) has been given approval to continue,
 - c. A public open house will be organized for November 5th.
4. Public safety Building:
 - a. Staff will resume reviewing the submitted proposals in November.
5. Granite Bridge rehabilitation:

- a. Staff and Bob Christiansen were present at a meeting with CDOT Historical department and the engineering contractor, OTAK. In this meeting the historical significance of the Granite Bridge and the proposed method of repair were discussed. CDOT informed the county that the Granite bridge is on the CDOT list of top priority bridges to rehab due to its historical significance. CDOT also informed the county that it will take CDOT 9-12 months to review the design and receive approval from CDOT historical department. This information was new and a surprise to staff and to Mr. Christiansen. The CCI grant that this project is funded by was extended until 12-31-2021. With this new process requirement, the project cannot be completed before the existing deadline. The county will have to contact CCI and request another extension. With the uncertainty of CDOT historical review and requirements CDOT has requested the county ask for a 2-year extension.
 - b. Abutments:
 - i. No new news.
 - c. ROW (Right of Way):
 - i. No new news.
 - d. Estimate:
 - i. No new news.
6. Decker Fire recovery:
- a. The surveying of the site locations is complete.
 - b. Construction started on June 22, 2020,
 - c. Site specific status:
 - i. The Hosman property: NRCS approval, contract signed, construction 100%,
 - ii. The Short property: NRCS approval, contract signed, construction 100%, financial reimbursement has been submitted and returned with comments. Those comments have been addressed and will be resubmitted.
 - iii. The Fontana property: NRCS approval, contract signed, construction 100%,
 - iv. The Ricci property: NRCS approval, contract signed, construction 0% complete.
 - v. The Graves/Stables property: NRCS approval, no contract is needed, construction 100% complete. The road has been raised approximately 1.5 ft. the other part of this project was to add a trash guard and rip rap around the culvert. CDOT informed staff that they do not want a trash guard installed and do not want any rip rap added to the culvert as this would undermine and have adverse effects on the culvert. CDOT hydrologist wants the entire mouth of the culvert rehabbed. Staff tried to connect NRCS and CDOT to discuss this new insight. As of this month there has been no outreach from either party regarding this

issue. The county has removed and work in CDOT area from the project.

- vi. The Byars property: NRCS approval, the Byars have chosen to not participate in the EWP program.
- vii. The Chick property: NRCS approval, contract signed, construction 40% complete.



- viii. The Speaker property: NRCS approval, contract signed, construction 100% complete,



7. Sleeping Indian: Sleeping Indian has been bought by Pikul Investments. Staff noticed and was also contacted by the Buena Vista engineer that mobile homes were being removed and demolished. On 9/30/2020 staff posted a stop work order on the gate of the sleeping Indian informing them of their responsibilities abating the mobile homes including demo permits, asbestos report, asbestos removal, transportation permit for mobile homes and OWTS requirements.

