



CITY COUNCIL REGULAR MEETING

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

January 19, 2021 - 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/xAllQfSsmm0/vpfQhcsApYv_5?preview=1

CALL TO ORDER

Pledge of Allegiance

Roll Call

Civility Invocation

1. Civility Invocation

CONSENT AGENDA

2. Approve Agenda

3. Approve January 5, 2020 Meeting Minutes

4. Approve Final Settlement for the 2020 Concrete Maintenance Project

5. Approve 2021 Sewer Reconstruction Project

CITIZEN COMMENT—Three (3) Minute Time Limit

UNFINISHED BUSINESS / ACTION ITEMS

6. **RESOLUTION 2020-44** APPROVING A PUBLIC ACCESS AGREEMENT WITH KITSON HOLDINGS, LLC

NEW BUSINESS / ACTION ITEMS

7. Citizen Appointments to the Chaffee Housing Authority Pursuant to the Chaffee Housing Authority Intergovernmental Agreement

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Council Reports

- Critelli, Kasper, Pappenfert, Pollock, Shore, Templeton

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.

Mayor Report

Treasurer Report

Staff Reports

[8.](#) January Staff Reports

BOCC Report

[9.](#) BOCC Reports

ADJOURN



City Clerk | Deputy City Clerk

Mayor P.T. Wood

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

January 05, 2021 - 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

Treasurer Merrell Bergin

The Mayor took a moment of silence to remember the legacy of Sonia Walters, the former City Clerk. She had passed unexpectedly the year before and was greatly missed by staff, council, and the community. She contributed much to the City and was sorely missed.

Civility Invocation

CONSENT AGENDA

Council Member Shore moved to amend the Consent Agenda Item 13 from "pending lawsuit to pending lawsuits in Chaffee County District Court", Seconded by Council Member Critelli.

With all in favor, THE MOTION PASSED.

Council Member Shore moved to combine and approve the items on the Consent Agenda, Seconded by Council Member Critelli.

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

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.

2. Approve Agenda
3. Approve December 15, 2020 Meeting Minutes
4. Approve Final Settlement for the 2020 Street Reconstruction Project
5. Approve Final Settlement for the 2020 Sewer Rehabilitation CIPP Point Repairs Project
6. Approve final payment to K&W Construction for SHSAC locker room rebuild

CITIZEN COMMENT—Three (3) Minute Time Limit

There was no citizen comment.

LIQUOR LICENSING AUTHORITY

7. A Hearing to review a new Beer and Wine Liquor License for Mojo's Eatery LLC, dba Mojo's Eatery for the for the City of Salida, 142 Old Stage Road, **PUBLIC HEARING**

City Clerk Erin Kelley entered staff comments into the record and recommended approval upon receipt of a Certificate of Occupancy and passage of Police and Fire inspections. Mayor Wood, acting as presiding officer of the Authority, opened the public hearing. Hearing no comment, Wood closed the public hearing.

Council Member Kasper moved to approve a new Beer and Wine City Liquor License for Misty and Andrew Modrzejewski, 142 Old Stage Road, dba Mojo's Eatery, conditional upon an inspection of the premises by police and fire personnel upon receipt of a Certificate of Occupancy for the structure. 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.

UNFINISHED BUSINESS / ACTION ITEMS

8. **ORDINANCE 2020-13** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING THE TRANSFER AND CONVEYANCE OF REAL PROPERTY, LOCATED AT THE INTERSECTION OF M STREET AND THIRD STREET, FROM THE CITY OF SALIDA TO THE CHAFFEE HOUSING TRUST, AND AUTHORIZING THE EXECUTION OF CERTAIN AGREEMENTS FOR SAID SALE, **SECOND READING AND PUBLIC HEARING**

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

The Mayor opened the Public Hearing. Hearing no comment he closed the hearing.

Council Member Shore moved to approve Ordinance 2020-13 on second reading, Seconded by Council Member Kasper.

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

Voting Nay: Council Member Pollock

THE MOTION PASSED.

9. ORDINANCE 2020-14 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, APPROVING A LEASE OF REAL PROPERTY, LOCATED AT 232 G STREET, FROM THE CITY OF SALIDA TO RIVIAN, LLC, AND AUTHORIZING THE EXECUTION OF A CHARGING STATION LEASE AGREEMENT IN CONNECTION THERETO, **SECOND READING AND PUBLIC HEARING**

The Mayor opened the Public Hearing. Hearing no comment he closed the hearing.

Council Member Shore moved to approve Ordinance 2020-14 on second reading, Seconded by Council Member Pappenfort.

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

Council Member Critelli departed due to technical issues.

THE MOTION PASSED.

NEW BUSINESS / ACTION ITEMS

10. RESOLUTION 2021-01 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO DESIGNATING THE PLACE FOR THE POSTING OF PUBLIC NOTICES FOR CITY COUNCIL MEETINGS AND OTHER CITY BUSINESS

Council Member Shore moved to approve Resolution 2021-01, Seconded by Council Member Pappenfort.

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

THE MOTION PASSED.

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

Council Member Shore moved to approve the Declaration of Extension of State of Local Emergency - COVID-19 Action Plan Implementation, Seconded by Council Member Kasper.

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

THE MOTION PASSED.

COUNCILORS, MAYOR AND CITY TREASURER REPORTS

Critelli was proud of the property transfer, approved that evening, and the efforts of Chaffee Housing Trust and Habitat for Humanity. He said that donated land was the key to these efforts and that housing was desperately needed in the City.

Kasper had nothing to report.

Pappenfort was frustrated with fumes from idling vehicles. With sustainability in mind, she requested staff look into an ordinance to remedy the situation.

Shore relayed that Patsy Brooks, a Salida native, Salida High School graduate had passed. She studied Chemical Engineering at Johns Hopkins and had served the City as a Council Member, Mayor and City Administrator. Additionally, she was awarded the "Woman of the Year" title by the Chamber of Commerce in 1989. He asked staff to review options to highlight her accomplishments and legacy to the community.

Pollock looked forward to working with Shore in his efforts acknowledge Brooks. He also looked forward to getting his COVID-19 vaccine the next day.

Templeton wanted to acknowledge the efforts of Lynn Giles. Many in the public had told the Councilor how pleased they were that the trail was always cleared quickly after a snow storm. She also said that she had turned 70 and was happy to get the vaccine immediately due to her age group.

Wood gave sincere thanks to Chaffee County Public Health for their coordination at the fair grounds delivering COVID-19 vaccines. He said it was no small feat and they were doing an outstanding job.

Bergin had nothing to report.

Attorney Nina Williams spoke of Walters, remembered her spirit, heart, and soul and relayed she was sorely missed.

EXECUTIVE SESSION

12. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)e), and for the purpose of discussing the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest in accordance with C.R.S. Section 24-6-402(4)(a), and the following additional details are provided for identification purposes: a Right of First Refusal.

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

Council Member Shore moved to enter into Executive Session, 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.

Council entered Executive Session at 7:19 p.m. and returned to the regular meeting at 7:48 p.m.

- 13. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e), and for a conference with the City Attorney for the purposes of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), and the following additional details are provided for identification purposes: a pending lawsuits in Chaffee County District Court.

Council Member Shore moved to enter into Executive Session, 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.

Council entered into Executive Session at 7:58 p.m. Pappenfort left the meeting at 8:03 p.m. Council returned to the regular meeting at 8:36 p.m.

ADJOURN

Adjourned at 8:37 p.m.



City Clerk | Deputy City Clerk

Mayor P.T. Wood



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: January 19, 2021:

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

ITEM:

Consent Agenda

Council Action: Approve Final Settlement for the 2020 Concrete Maintenance Project

Project No 2020-002

BACKGROUND:

The City of Salida right-of-ways have concrete infrastructure consisting of curb and gutter, ADA ramps/crosswalk, cross pans, and sidewalks. Public Works staff have surveyed defective sections of concrete. Repairs have been prioritized in the highest pedestrian utilized corridors (downtown and school zones) and designated pedestrian routes. Work areas have been expanded out from there.

FISCAL NOTE:

City Council awarded a Construction Contract to Cedar Ridge Landscape, Inc on February 4, 2020 for the 2020 Concrete Maintenance Project with a total project budget of \$278,312.50. A change order increasing the project budget to \$343,312.50 was approved on August 4, 2020 in order to complete additional work in the downtown area.

All work was completed within budget and was accepted by Public Works. The final project construction cost was \$300,281.50. The 10% retainage in the amount of \$30,028.15 has been withheld pending approval of final settlement by council. Public Notice of Final Settlement was advertised on January 12th, 2021 and January 15th, 2021.

Cedar Ridge Landscape, Inc provided excellent quality of work and coordination with the City throughout the project.

STAFF RECOMMENDATION:

To approve final settlement to Cedar Ridge Landscape, Inc in the amount of \$30,028.15 for the 2020 Concrete Maintenance 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.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: January 19, 2021:

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

ITEM:

Consent Agenda

Council Action: Award 2021 Sewer Reconstruction Project

Project No 2021-003

BACKGROUND:

The City of Salida owns and maintains the wastewater collection system within the service areas of Salida and Poncha Springs. The City has a maintenance program that includes scheduled line cleaning and inspection of mains. Capital improvement programs including line rehabilitation and replacement are necessary to address system deficiencies, ensure reliable service, and replace infrastructure that is nearing the end of its useful life. The useful life of a sewer main can depend on multiple factors such as structural issues/breaks, offset joints, and gaps in joints which can introduce water infiltration and roots.

Much of Salida’s collection system consists of clay pipe, whereas, newer piping consists of plastic PVC material. The standard minimum size for new construction is 8-inch diameter pipe. 8-inch diameter pipe can be rehabilitated at a later date by utilizing a liner product that does not require the main to be dug up. Some of the existing clay mains nearing the end of their useful life are 6-inch mains. 6-inch mains can not be effectively maintained with a liner, therefore, the preferred option for rehabilitation is replacement of the main and upsizing to 8-inch.

The proposed project generally consists of removal and replacement of 6-inch mains between Park Ave. and Ouray Ave. as well as other point repairs. Six bids were received on January 6, 2021 as follows.

Avalanche Excavating, Inc.	\$273,100.00
Colorado Civil Infrastructure, Inc.	\$290,471.50
Pate Construction	\$338,000.00
RMS Utilities, Inc	\$215,466.50
Pridemore Construction, Inc.	\$324,626.00
Y&K Excavation, Inc.	\$266,237.00

RMS Utilities, Inc. is the low bidder. RMS Utilities, Inc. is based in Alamosa, Colorado and has performed many comparable projects across central Colorado. The City of Salida has not contracted with RMS Utilities in recent years, therefore a Qualification Statement and references were requested. Several references for comparable municipal projects were contacted. Positive feedback was received indicating their ability to perform the work successfully.

FISCAL NOTE:

A budget allocation of \$350,000 is included in the 2021 budget under the Water/Wastewater Enterprise Fund and listed as:

- Infrastructure Improvements (21-30-6024-3)



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: January 19, 2021:

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

CONSTRUCTION CONTRACT	\$ 215,466.50
CONTINGENCY (10%)	\$ 21,546.65
QUALITY CONTROL MATERIALS TESTING (2.5%)	\$ 5,500.00
<u>TOTAL PROJECT BUDGET</u>	<u>\$ 242,513.15</u>

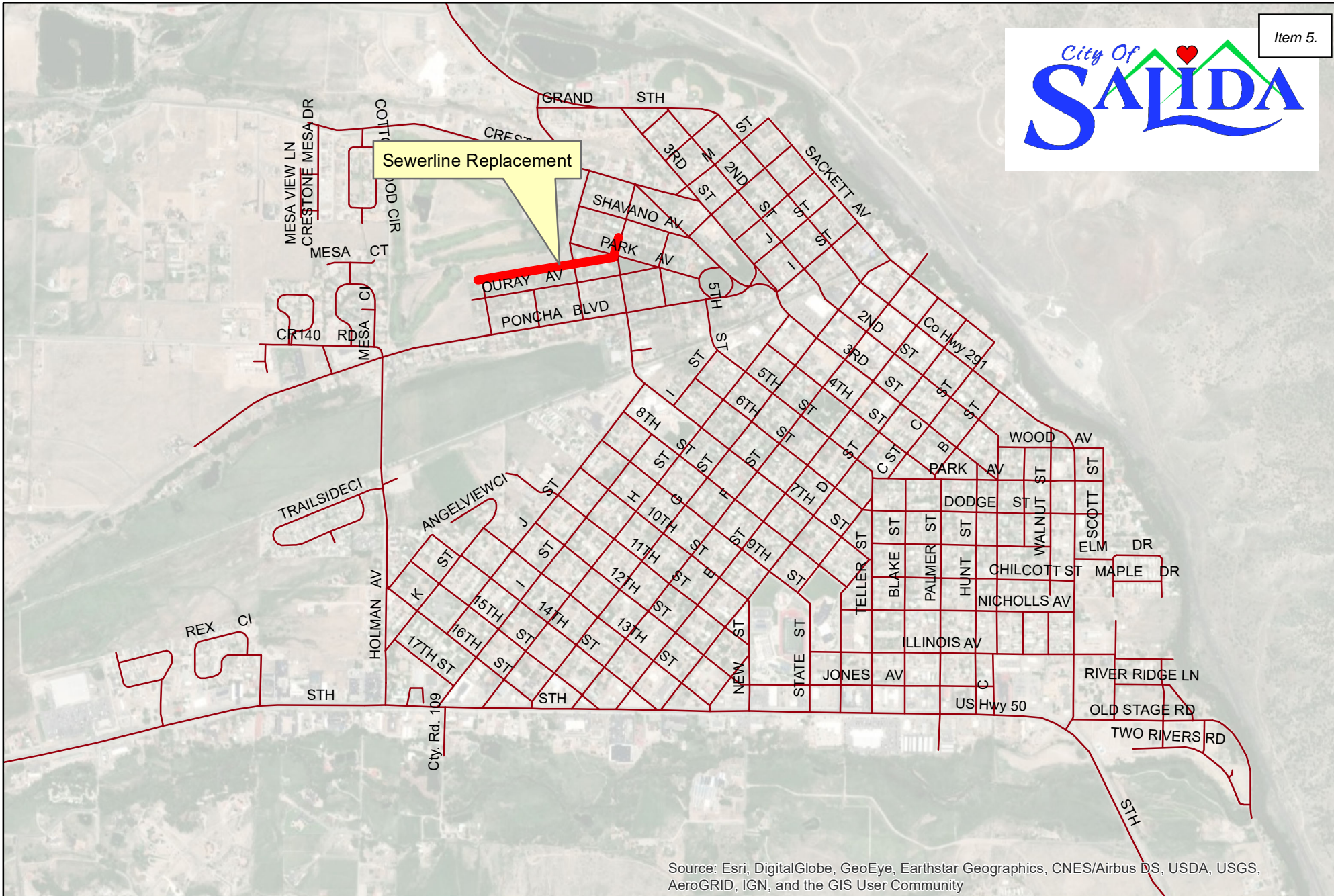
STAFF RECOMMENDATION:

Staff is recommending award a construction contract for the 2021 Sewer Reconstruction Project and authorizing the City Administrator to enter into a Construction Agreement between the City of Salida and RMS Utilities, Inc. in the amount of **\$215,466.50** with a total project budget of \$242,513.15.

SUGGESTED MOTIONS:

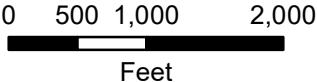
A Council person should make a motion to “combine and approve the items on the consent agenda.”

Followed by a second and then a voice vote.



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

2021 Sewer Replacement Project # 2021-003





CITY COUNCIL ACTION FORM

Department Administration	Presented by Drew Nelson - City Administrator	Date January 19, 2021
-------------------------------------	---	---------------------------------

ITEM

Resolution 2020-44 – Approving a Public Access Agreement with Kitson Holdings, LLC

BACKGROUND

With the approval of Resolution 2008-15, the City of Salida was granted a public access easement on the south side of the Boathouse Cantina by Kitson Holdings, LLC, owners of the property. The area in question has been used by the public for access between the Coors boat ramp, the FIBArk building, and Riverside Park/F Street. With the construction of the new Manhattan Hotel, along with two retail storefronts adjacent to the access easement, additional user groups are now occupying the space in a different manner than previously.

City staff was approached by Ray Kitson, owner of Kitson Holdings, LLC over the summer to discuss how the new space’s use has changed. Staff monitored the area over the course of the summer, and it was evident that patrons of the retail store and ice cream shop were lingering for longer periods of time, along with outdoor seating being occupied consistently (especially with the ongoing Covid-19 pandemic). Concerns were also expressed by the owner that the City was unable to keep up with maintenance of the area, which during certain times of the night was occupied with transients and that chairs and other items had been stolen. Unfortunately, the City does not have the capacity to monitor and clean the space in a manner that meets the demands of this higher level of usage.



CITY COUNCIL ACTION FORM

Department Administration	Presented by Drew Nelson - City Administrator	Date January 19, 2021
-------------------------------------	---	---------------------------------

In addition, with the changes in use and more patrons staying in the access easement longer, it became clear that there are conflicts between pedestrians, diners, and bicyclists in this now-narrower area. Ownership requested the ability to require bicyclists to dismount when in the access easement to prevent these conflicts, which seems appropriate. The City has received some messages of concern about this change from members of the bicycle community; however, being required to dismount bicycles in this area does not appear to create a hardship. In addition, other agreements with the owner requires bicycle parking/racks in this area, so bicycle usage is clearly still encouraged, and alternate routes for biking along the river trail still remain close by.

In acknowledgment of the physical changes in this location, changes in use by the public, and due to the request of the owner to be allowed to monitor and maintain the access more proactively, City staff – especially the City Attorney – worked with the owner to craft the attached Public Access Agreement. The Agreement still allows for pedestrian access through the area and maintains the flow of people between areas of interest. It also removes the responsibility of the City to maintain the area, placing that responsibility back on the property owner. Last, the Public Access Agreement would nullify the existing public easement. An outline is attached comparing the current easement agreement with the proposed Public Access Agreement.

Pursuant to your directive at the December 15th City Council meeting, the PROST Board reviewed and discussed the Public Access Agreement on January 12th. City staff were present to answer questions and explain practical details. The PROST Board had three principal concerns, all of which are addressed in



CITY COUNCIL ACTION FORM

Department Administration	Presented by Drew Nelson - City Administrator	Date January 19, 2021
-------------------------------------	---	---------------------------------

the proposed Agreement or will be addressed by City staff – continuity of a 6-foot-wide access to be consistently clear and unobstructed through the Agreement area (as required by Section 5 of the Agreement); that a “Walk Your Wheels” notice be painted on the concrete for clear visual notice (Public Works is in the process of procuring a stencil to paint this signage on the sidewalk); and that the area be kept safe and clear in winter months through snow and ice removal (the owner has been advised that the City considers this an obligation of Section 5 of the Agreement).

FISCAL NOTE

None.

STAFF RECOMMENDATION

Due to the changes of usage and new development in the area, staff recommends that the City Council approve Resolution 2020-44, approving a Public Access Agreement with Kitson Holdings, LLC.

SUGGESTED MOTION

A City Councilperson should make a motion to approve Resolution 2020-44, followed by a second and a roll call vote.

<u>Easement Agreement (adopted 2008)</u>	<u>Public Access Agreement (proposed)</u>
Area owned by Kitson Holdings, LLC	Area owned by Kitson Holdings, LLC
Grants an Easement to City	Guarantees the right of Public Access to City
<ul style="list-style-type: none"> ➤ For pedestrian and “human powered vehicle” use 	<ul style="list-style-type: none"> ➤ For an accessible public pedestrian right of way
<p>City responsible for Maintenance, Construction and Repair, including litter removal, power washing after events, snow removal and leaf removal</p> <ul style="list-style-type: none"> - City obligated to replace or repair any of Owner’s property that is disturbed or damaged through the public’s use of the Easement Area 	<p>Owner fully responsible for Maintenance and Repair</p>
<p>City bears full liability for, and must indemnify Owner from, any claim or loss (for personal injury or property damage) that results from the use, possession or occupancy of the Easement Area.</p>	<p>Owner bears full liability and responsibility for any and all claims, damage and loss at the property</p>
<p>City cannot unreasonably interfere with Owner’s concurrent use of the easement</p>	<p>Owner may use Area for moveable tables, seating, displays and bike racks, as long as 6 feet of unobstructed access is maintained</p>
	<p>No other private use of Area by Owner is permitted</p>
<p>City may place appropriate directional and regulatory signage in the Area, as necessary to regulate the public use and enjoyment of the walkway</p> <ul style="list-style-type: none"> - No new signs may be placed without Owner’s permission 	<p>Owner may request (through signage or otherwise) that: people are walking their bicycles through the Area, and not smoking within the Area</p>

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 44
(Series of 2020)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO,
APPROVING A PUBLIC ACCESS AGREEMENT WITH KITSON HOLDINGS, LLC**

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

WHEREAS, pursuant to C.R.S. § 31-15-401, the City by and through its City Council (“Council”), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, on March 17, 2008, City Council adopted Resolution No. 2008-15, approving an easement agreement with Raymond G. Kitson, of Kitson Holdings, LLC, for an area located southeast of 228 N. F Street, owned by Kitson Holdings, LLC (“Owner”), with the intention of making the area available for public pedestrian and recreational purposes without charge; and

WHEREAS, the City and Owner now wish to amend that agreement between the parties to clarify maintenance responsibility, additional uses and specific conditions, by approving and entering into a “Public Access Agreement” with Owner, attached hereto as **Exhibit A**.

NOW, THEREFORE, IT IS 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. City of Salida Resolution 2008-15 is hereby repealed and replaced by this Resolution 2020-44.

Section 3. The City hereby approves and authorizes the Mayor to sign the Public Access Agreement between the City of Salida and Kitson Holdings, LLC, attached hereto as **Exhibit A**.

RESOLVED, APPROVED, AND ADOPTED this 19th day of January, 2021.

CITY OF SALIDA

By: _____

P.T. Wood, Mayor

[SEAL]

ATTEST: _____

City Clerk/Deputy City Clerk

Exhibit A

Public Access Agreement between City of Salida and Kitson Holdings, LLC

PUBLIC ACCESS AGREEMENT

THIS PUBLIC ACCESS AGREEMENT (the “Agreement”) is made this ___ day of December, 2020, by and between **THE CITY OF SALIDA**, a Colorado statutory municipality (the “City”), and **KITSON HOLDINGS, LLC**, a Colorado Limited Liability Corporation (the “Owner”), (collectively the “Parties.”)

RECITALS

A. The Owner is the record title owner of 228 N. F Street, City of Salida, Chaffee Colorado (the “Property”).

B. On March 17, 2008 the City adopted Resolution 2008-15 thereby entering into a trail easement agreement with Raymond G. Kitson, of Kitson Holdings, LLC, for an area located at the Property, southeast of 228 N. F Street, more particularly described as Exhibit A of the Agreement recorded at reception number 373385 of the Chaffee County Recorder’s Office, noted as “the Public Access Area” within this Agreement.

C. The City and the Owner mutually agree to amend that agreement and to allow additional uses and clarify maintenance responsibility within the real property depicted in the area shown on **Exhibit A**, attached hereto (the “Public Access Area”), as set forth within this Public Access Agreement. **Exhibit A** is hereby incorporated into and made a part of this Agreement.

D. The Public Access Area depicted and described on **Exhibit A** is a part of the Property.

E. The City currently maintains the current Public Access Area, and it is open for accessible use by the general public.

F. The City desires to continue to have an accessible public pedestrian right of way upon the Public Access Area depicted in **Exhibit A**.

G. The Owner desires to continue to grant public access to the City for the continued use Public Access Area, for an accessible public pedestrian right of way upon the Public Access Area; the Owner now desires to be responsible for maintenance of the Public Access Area; and the City desires to accept such easement, subject to the terms and conditions of this Agreement.

AGREEMENT

NOW THEREFORE, THE CITY AND THE OWNER AGREE AS FOLLOWS:

1. Consideration and Conveyance of Public Access. In consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owners have this day bargained and sold and by these presents does bargain, sell, convey, transfer and deliver unto the City, the right of public access for the purposes described in paragraph 3 below, over, under, upon and across all of that portion of the Property (as defined in aforementioned Recital “A” hereof) that is depicted and described on the attached **Exhibit A**.

2. Previous Trail Easement Agreement. This Agreement replaces, repeals and nullifies the previous trail easement agreement between the Parties, recorded at reception number

CITY OF SALIDA, COLORADO:

P.T. Wood, Mayor

ATTEST:

Erin Kelley, City Clerk

STATE OF COLORADO)
) ss.
COUNTY OF CHAFFEE)

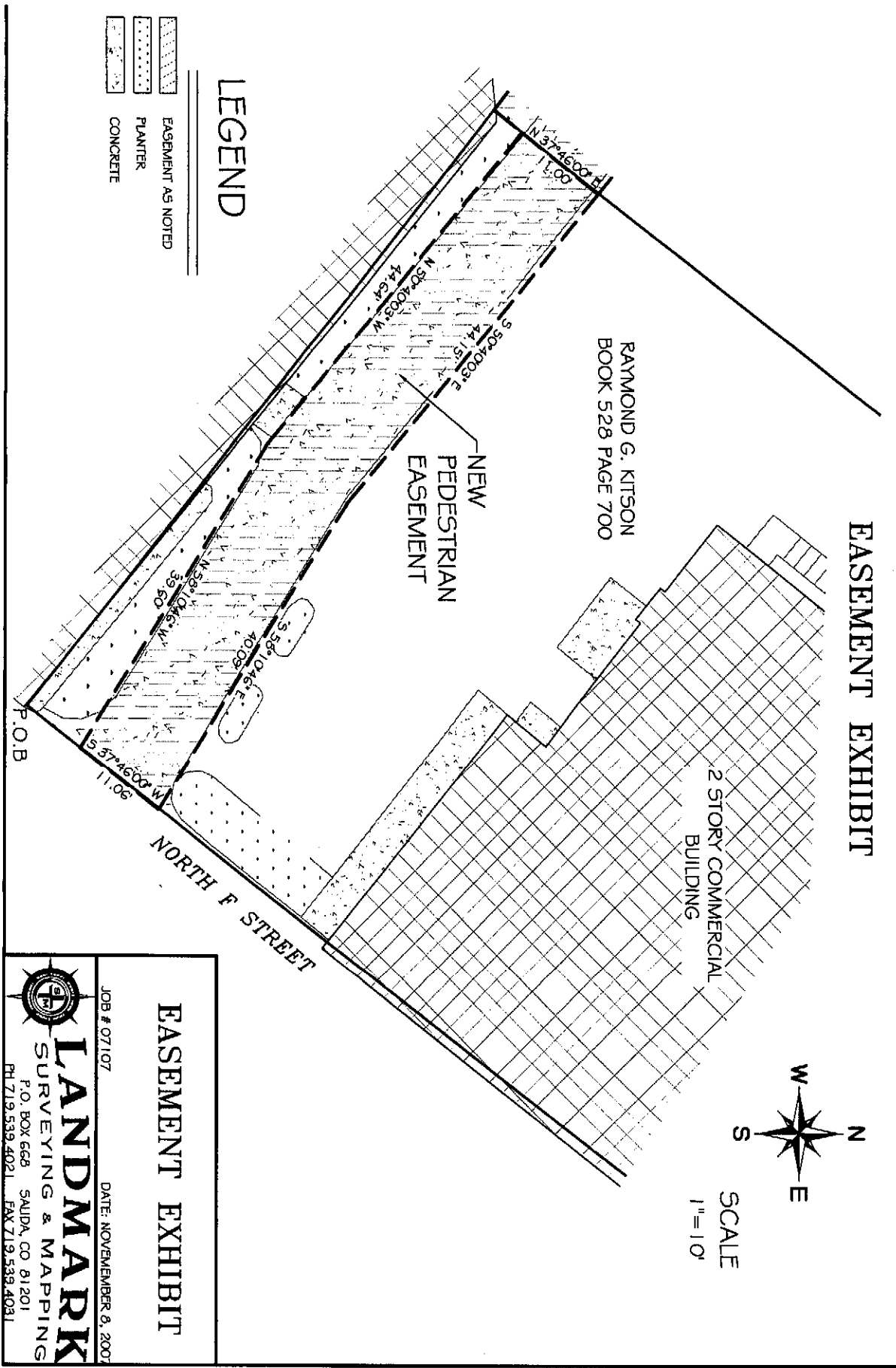
The foregoing instrument was acknowledged before me this ____ day of _____, 2020 by P.T. Wood, as Mayor, and Erin Kelley, as City Clerk of the City of Salida, Colorado.

Notary Public

My Commission Expires:_____

Exhibit A
Public Access Area

[attached]



EASEMENT EXHIBIT

EASEMENT EXHIBIT

JOB # 07107
DATE: NOVEMBER 8, 2007

LANDMARK
SURVEYING & MAPPING

P.O. BOX 666 SAUIDA, CO 81201
PH: 719.539.4021 FAX: 719.539.4031



RESOLUTION NO. 15
(Series 2008)

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO, AUTHORIZING THE MAYOR TO SIGN A TRAIL EASEMENT AGREEMENT WITH RAYMOND G. KITSON

WHEREAS, The City of Salida seeks a permanent easement for the installation, construction, operation, use inspection, repair, maintenance, and removal of improvements for a bicycle and pedestrian trail on the property described in the enclosed Exhibits, and

WHEREAS, It is the intention of the parties to make the easement available to the public for recreational purpose without charge and to limit the parties' liability toward persons entering thereon for such purposes as allowed under Colorado Owners of Public Areas Act C.R.S. 33-41-101

WHEREAS, The enclosed Easement outlines the terms agreed to between the parties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO THAT AUTHORIZES THE MAYOR TO SIGN A TRAIL EASEMENT AGREEMENT WITH RAYMOND G. KITSON FOR THE PORTION OF PROPERTY DESCRIBED THEREIN.

RESOLVED, APPROVED AND ADOPTED this 17th day of March, 2008.



ATTEST:

Janella Martinez
Janella Martinez, City Clerk

CITY OF SALIDA

By: *Thomas Efferkey*
Acting Mayor Pro Tem

EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That RAYMOND G. KITSON, ("Grantor"), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, subject to all of the terms and conditions hereof, to the CITY OF SALIDA, a Colorado municipal corporation, its successors and assigns, ("Grantee"), a permanent easement for the installation, construction, operation, use, inspection, repair, maintenance and removal of improvements, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such easement in and to, upon, over, under and across the following described property which the Grantor owns, which easement is more particularly described in Exhibit A, which is attached hereto and incorporated herein by this reference. The main trail measures eleven (11) feet in width. Said easement area or premises contains approximately 926.7 square feet. In addition, a maintenance easement shall be granted for twelve additional inches on either side of the trail. This will allow for access for forms or equipment to maintain, repair, or replace the surface.

PURPOSE: This shall be a recreational trail easement for pedestrian and human powered vehicle use. The use of the recreational trail by emergency vehicles, maintenance equipment and vehicles specifically designed for handicap mobility is also permitted.

THE PARTIES, for themselves and their successors and assigns, do hereby additionally covenant and agree that:

1. Grantee shall maintain and repair the entire easement area, and litter removal to the same standard of care as other trails within the City to include power washing after events if necessary, snow removal and leaf removal.
2. Grantee may make other improvements incidental to the use and enjoyment of the walkway upon mutual agreement with the Grantor, so long as these improvements do not interfere with the Grantor's use of its property and do not unreasonably interfere with Grantor's reasonable concurrent use of the easement incidental to its use of its property.
3. Grantee may place and maintain modest, neat and appropriate directional and/or regulatory signage in and about the easement premises as deemed reasonably necessary to regulate the public use and enjoyment of the walkway to be installed and/or developed by Grantee under this Agreement. No new signs, except regulatory signs, will be placed without Grantor permission. Such signage shall be promptly removed by Grantee in the event this Agreement terminates or expires, or in the event Grantee abandons the use of the easement premises.
4. Grantee shall not use the easement for any other purpose except as contemplated herein and shall restore the surrounding area of the above-described property following any construction, repair or maintenance to a condition substantially equivalent to its condition

immediately preceding entry by the Grantee, and that Grantee shall repair or replace all improvements of Grantor that are disturbed or damaged in the exercise of the rights and privileges herein granted.

5. As between Grantor and Grantee, Grantee shall bear full responsibility for the use and enjoyment of the above-described easement and, to the extent permitted by law, shall hold harmless and indemnify Grantor from any claim, damage, liability or loss to person or property resulting from the use, possession or occupancy of the easement premises by Grantee and/or its employees, agents, invitees or easement users; except that nothing herein shall require Grantee to hold harmless or indemnify Grantor for claims, injuries, damages or losses arising from Grantor's own negligent acts, omissions or errors, and such indemnification shall extend only to the extent that proceeds of a policy of insurance or self-insurance are available for such purpose. Moreover, nothing herein is intended or shall be construed to abrogate or diminish the protections and limitations provided to Grantor under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, or any other law.

6. That the covenants and agreements herein contained are for the benefit of the Grantor and Grantee only, and do not create any obligations or duties to persons not parties hereto.

7. That Grantor herein reserves to itself, its successors and assigns, the right to enter upon, occupy, utilize the easement for vehicular access, and use said property any and all purposes not inconsistent with the rights and privileges herein granted.

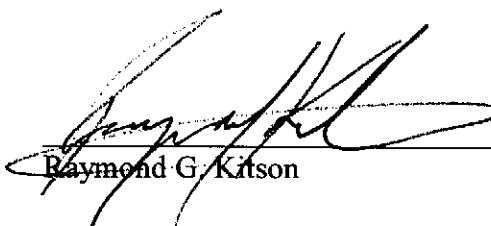
8. That if the easement is no longer used by the Grantee for the purposes stated herein for a period of one (1) year, the easement shall be considered permanently abandoned, and all right, privilege and interest shall revert to the Grantor.

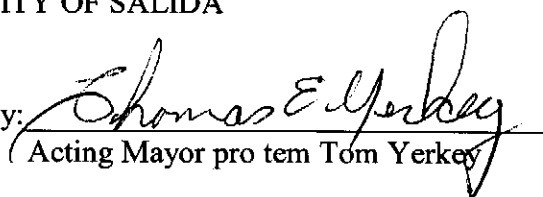
9. That it is the intention of the parties to make the land of the easement available to the public for recreational purposes without charge and to limit the parties' liability toward persons entering thereon for such purposes as allowed under the Colorado Owners of Recreational Areas Act, C.R.S. § 33-41-101, *et seq.*, should either or both of the parties become subject to a claim for loss, damage or injury to persons or property arising from the public's use of the easement premises.

IN WITNESS WHEREOF, the parties hereto hereby execute this Easement Agreement on the day and year first above written.

GRANTOR:

GRANTEE:


Raymond G. Kitson

CITY OF SALIDA
By: 
(Acting Mayor pro tem Tom Yerkey)



373385
4 of 6

3/28/2008 3:00 PM
RESOL R\$31.00 D\$0.00

JOYCE M. RENO
Chaffee County Clerk

ATTEST:

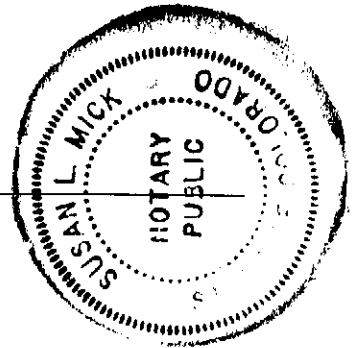
Janelle A. Martinez
Janelle Martinez, City Clerk

STATE OF COLORADO :
: ss.
COUNTY OF CHAFFEE :

Subscribed and sworn to before me this 20th day of March, 2008,
by Raymond G. Kitson, Grantor.

My Commission expires: 01-27-2012

Susan L. Mick
Notary Public

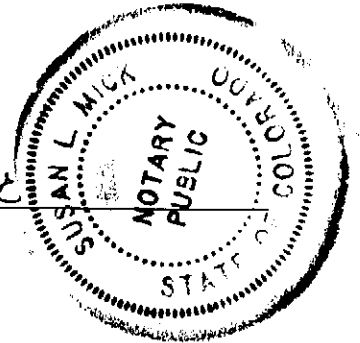


STATE OF COLORADO :
: ss.
COUNTY OF CHAFFEE :

Subscribed and sworn to before me this 19th day of March, 2008 by
Tom Yerkey, Acting Mayor pro tem, City of Salida, Grantee.

My Commission expires: 01-27-2012

Susan L. Mick
Notary Public





373385
5 of 6

3/28/2008 3:00 PM
RESOL R\$31.00 D\$0.00

JOYCE M. RENO
Chaffee County Clerk

**LEGAL DESCRIPTION
OF A
PEDESTRIAN EASEMENT**

A PEDESTRIAN EASEMENT LOCATED WITHIN THE PARCEL DESCRIBED AT RECEPTION NUMBER 331214 IN THE OFFICE OF THE CHAFFEE COUNTY CLERK AND RECORDER, CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF SACKETT AVENUE AND THE WEST RIGHT-OF-WAY OF 'F' STREET;

THENCE NORTH 37°46'00" EAST ALONG THE WEST RIGHT OF WAY OF 'F' STREET, A DISTANCE OF 123.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL DESCRIBED AT RECEPTION NUMBER 331214;

THENCE CONTINUING NORTH 37°46'00" EAST ALONG THE WEST RIGHT OF WAY OF 'F' STREET, A DISTANCE OF 7.43 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 58°10'46" WEST, A DISTANCE OF 39.60 FEET;

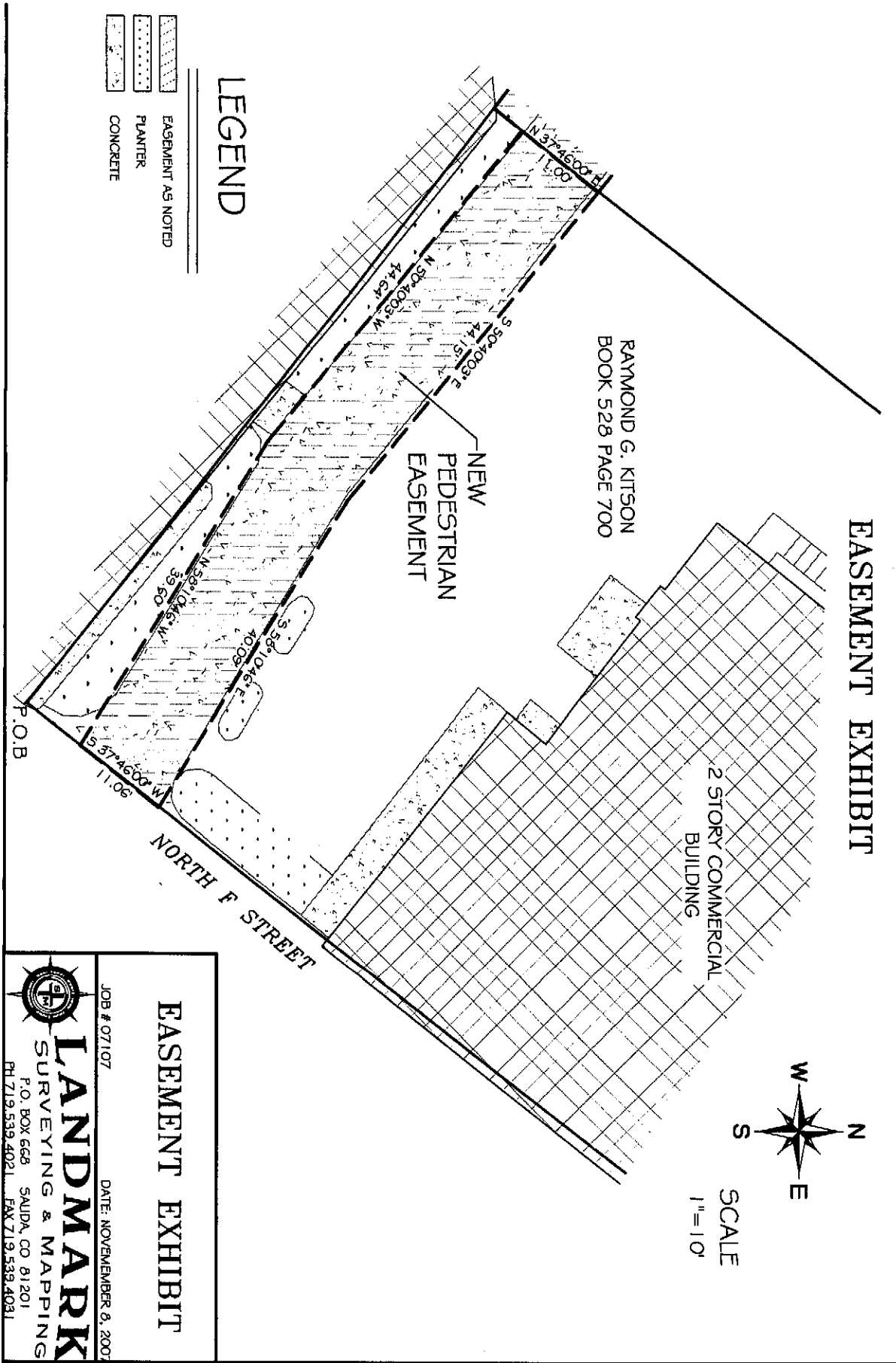
THENCE NORTH 50°40'03" WEST, A DISTANCE OF 44.64 FEET TO THE NORTHWESTERLY BOUNDARY OF SAID PARCEL DESCRIBED AT RECEPTION NUMBER 331214;

THENCE NORTH 37°46'00" EAST ALONG SAID NORTHWESTERLY BOUNDARY, A DISTANCE OF 11.00';

THENCE SOUTH 50°40'03" EAST, A DISTANCE OF 44.15 FEET;

THENCE SOUTH 58°10'46" EAST, A DISTANCE OF 40.09 FEET TO THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL DESCRIBED AT RECEPTION NUMBER 331214;

THENCE SOUTH 37°46'00" WEST ALONG SAID SOUTHEASTERLY BOUNDARY, A DISTANCE OF 11.06 FEET TO THE POINT OF BEGINNING.



EASEMENT EXHIBIT

JOB # 07107 DATE: NOVEMBER 8, 2007

LANDMARK
SURVEYING & MAPPING

P.O. BOX 666 SAUDA, CO 81201
PH: 719.539.4021 FAX: 719.539.4081



CITY COUNCIL ACTION FORM

Department Administration	Presented by Drew Nelson - City Administrator	Date January 19, 2021
-------------------------------------	---	---------------------------------

ITEM

Citizen Appointments to the Chaffee Housing Authority Pursuant to the Chaffee Housing Authority Intergovernmental Agreement

BACKGROUND

Pursuant to provisions of the Intergovernmental Agreement (IGA) approved under Resolution 2020-35 that created the Chaffee Housing Authority, the Salida City Council has authority to appoint two citizens to the Board of Directors of the CHA as at-large members. The Board of Directors is made up of nine (9) members, each representing either the City of Salida, Town of Buena Vista, Chaffee County, or an at-large position.

Currently, the Board of Directors is comprised of the following members:

- Jane Templeton (City of Salida)
- Eileen Rogers (City of Salida)
- Drew Nelson (City of Salida, Alt)
- Joseph Teipel (Town of Buena Vista)
- Amy Eckstein (Town of Buena Vista)
- Phillip Puckett (Town of Buena Vista, Alt)
- Justin Veltri (Chaffee County)
- Janie Hayes (Chaffee County)
- Craig Nielson (Chaffee County)
- Bob Christiansen (Chaffee County, Alt)

The at-large seats remain unfilled until concurrence between the three member jurisdictions. Both Chaffee County and the Town of Buena Vista have recommended Patrick Post and Monica Haskell to the at-large seats, and the City of Salida now must either approve of these appointments or suggest other alternatives.



CITY COUNCIL ACTION FORM

Department Administration	Presented by Drew Nelson - City Administrator	Date January 19, 2021
-------------------------------------	---	---------------------------------

FISCAL NOTE

None.

STAFF RECOMMENDATION

Staff recommends that the City Council consent to Patrick Post and Monica Haskell being appointed to the Chaffee Housing Authority as at-large members.

SUGGESTED MOTION

A City Councilperson should make a motion to approve the appointment of Patrick Post and Monica Haskell to the Chaffee Housing Authority Board of Directors followed by a second and a roll call vote.



JANUARY 2021 STAFF REPORTS

Police Department –

- We had 526 calls for service in December. That was a 15% increase over 2020.
 - Even with COVID restrictions, we completed all POST required trainings in 2020.
 - Earlier this year, we were able to secure a Colorado POST grant for just under \$20,000 for renovations at the PD shooting range. With the help of Pelino Excavation, who donated some time and product, we were able to complete the final renovations.
 - During the Christmas break, our SRO was able to attend a multi-day Zoom training that was put on by the National Association of School Recourse Officers.
-

Finance Department –

- The 2021 budget document is almost ready to finalize and will be available to the public later this month. There are many more graphs and tables in this document which should enhance the readability.
 - We are in the process of switching all automatic payments and deposits to our new bank account with Collegiate Peaks Bank and will begin running checks out of this account this week. The bank has been great to work with and has worked hard to make the transition as smooth as possible. We also switched our staff credit card program over to this bank.
 - We are working with our financial software vendor to increase ability to accept credit card payments for city fees. We are also taking advantage of no cost Tyler offered bill paying processes that will increase Accounts Payable efficiency (Tyler will process vendor payments remotely). We expect to have these new processes up and running this month.
 - The City received a Notification of Audit from the Colorado Department of Labor and Employment. This is a randomly selected audit and is designed to “provide education and guidance in regards to CESA” (the Colorado Employment Security Act). It is expected that their efforts will mostly center on the classification of contract labor payments. We will work cooperatively through this process and any findings will be viewed as a learning opportunity.
 - An increased effort has been launched to encourage customers to pay their water and sewer bills online. This is causing a lot of work pressures on the staff accountant who manages the Utility payments but the hope is that efficiency will be increased down the line.
 - 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 –

- No Report.

Recreation Department –

- See Attached.
-

Public Works –

- See Attached.
-

Arts & Culture –

- Installed new exhibit, Salida Goes Surreal, both in the Paquette Gallery and online at Paquette Gallery Arts; monthly in-person attendance numbers for the exhibition for the month was (72) visitors (Public health safety protocols continuously in place to limit number of guests in the Gallery at any one time).
 - Suspended ALL group classes and activities for the month due to public health restrictions.
 - Conducted Public Art Commission Zoom meeting with current and new members to begin review of Ordinances, 2021 Public Art budget and set future meetings for 2021.
 - Submitted grant application for the Rural Theaters COVID-19 Support Initiative, a pool of funds made possible by partnerships between the Office of Economic Development and International Trade (OEDIT), the Gates Family Foundation, the Boettcher Foundation, the El Pomar Foundation and the Colorado Educational and Cultural Facilities Authority. Received award notification of \$12,500 on 12/21/20. Funds will assist in continuing to upgrade digital and technology infrastructure for online/virtual programming as well as put towards arts education offerings for 2021.
 - Began work on grant application for Colorado Arts Relief Fund, which is being administered by Colorado Creative Industries and Redline and providing a total of \$7.5M in relief to arts, culture and entertainment, both organizations/businesses and individuals. Grant application deadline was 1/8/21.
 - Work began inside the Theater to put down carpeting in areas that had concrete floors.
-

Fire Department –

- 60% of the fire staff have received the first injection of the COVID-19 vaccine
 - We will be testing next week for the open Firefighter/EMT position which will conclude our three year staffing plan.
 - Inspector Rohrich has transitioned to Assistant Chief. I look forward to expanding her duties to prepare her for the eventual role of Fire Chief.
-

Clerk's Office –Courtside:

- Implemented Textedly service so we can text defendants regarding payments, plea deals, and virtual court

- Prepared background checks, PD reports, Citations etc. and sent to the Prosecutor to create plea agreements prior to the January docket.
- Mailed plea agreements with other Court documents.
- Processed citations paid in full.
- Now using E-File system with hard copy back up

Clerk-side:

- Processed liquor license renewals and delivered as needed.
- Started processing two new liquor licenses.
- Processed new commercial STR licenses.
- Continue scanning STR files into electronic files as time permits.
- Began processing 4th Quarter OLT reports/payments

1/19/21 City Council Parks and Recreation Department Report

General

- Project planning based on staff and PROST input
-

Aquatics

- Closed the pool January 5th, 6th and 7th because of a Covid-19 exposure.
 - Worked with the City of Salida and Chaffee County Public Health for contact tracing - all parties were contacted and urged to get tested
 - Adding passes from Rectrac to Amilia - passes will no longer be on hold
 - Setting up insurance based programs to go live in January - Waiting for guidance from the PROST board*
 - Facility was sanitized and had very limited staff in the building
 - Working on the contract for the Salida High School Swim Team
 - Setting up a meeting with the Salida Cyclone Swim Team - season starts in April
-

Facilities

- Locker Room Project - Completed and in final paperwork process.
 - Effluent Vault Project - Awaiting material delivery and confirmation.
 - Community Center Rebuild - Most drywall hung and taped - moving forward with painting and flooring downstairs.
 - Continued monitoring of vandalism/use at the Hot Springs Source.
 - New ADA lift for Hot Springs Pool approved.
 - Continued work with Knight Custom Electronics for new security camera system at pool.
 - Marvin Park Mow Barn - Garage door replacement, fuel storage, organization, etc.
 - Continued evaluation and creation of water record reporting for the upcoming 2021 regulations.
 - Troubleshooting HVAC issues at all facilities with cold temps and snow
-

Parks, Trails and Open Space

- Vandalism repairs and vagrancy in park bathrooms are an ongoing challenge.
 - Equipment review for sidewalk and trail snow removal - ATV with/plow, Toolcat, etc
 - Budget and project planning for 2021 park improvements/construction challenges. Centennial irrigation, Riverside/F-Street Drainage, Mack Whitty/3rd Street redesign.
 - Budget and project planning for 2021 parks. Sonia's Garden, Riverside sandbox, etc.
 - Centennial Ice Rink is moving forward for 2021 with Shade Structure engineering design.
 - New trail proposal in the Arkansas Hills Open Space with SMT waiting review/support from PROST board
-

Recreation

- Finalized the third part of the three part Skateboarding basics series with FOSS
 - [First Skateboarding Basics video](#)
 - [Second Skateboarding Basics video](#)
 - [Third Skateboarding Basics video](#)

- [Finished and distributed the Salida Community Winter Resource Guide](#)
 - Ran the NYD 5k with 51 participants. The participants were socially distanced and had minute by minute start times to ensure there was not too much overlap.
-

Public Works Department Report

January 2021

General

➤ Planning

- Streets

- CO 291 Intersection Control Evaluation and Corridor Plan – Preferred Alternate and Updated Project information provided on GIS-StoryMap. Public notice drafted for release.
- Attended a preliminary call with a municipal lighting consultant to learn about potential evaluation of street lighting including usage, light pollution, sustainability measures (dimming and solar potential), and cost analysis. Future briefing to Council planned for a work session once more information is obtained.

- Utilities

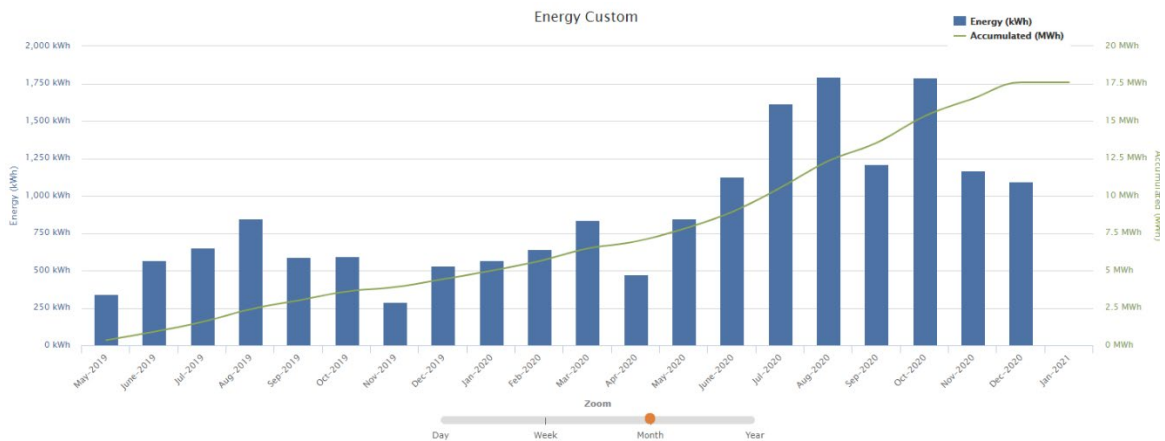
- Assist finance with SDF portion of rate study; infrastructure valuation and age due diligence

➤ Project Management

- Project planning, contracting, and project management for the 2021 capital projects.
 - Bio-solids concrete slab expansion at WWTP 95% complete.
 - Bidding stage for 2021 Street Reconstruction Project
 - Award stage for 2021 Sewer Reconstruction Project
- Project management and coordination with CDPHE for SRF funding
 - SRF Environmental Study and Design coordination with SRF for Pasqualle and Gallery Line project.
 - Loan application finalized.
- Coordination with XCEL and CDOT on Phase IV Streetscape Improvements
- Pasqualle Spring prelim design planning items

Streets

- Staff primarily focused on ice mitigation
- Colorado Energy Office awarded The City of Salida \$18,000 toward the installation of two additional Level 2 EV Charging Stations. Charge kWh demand for existing stations shown on the below graph.



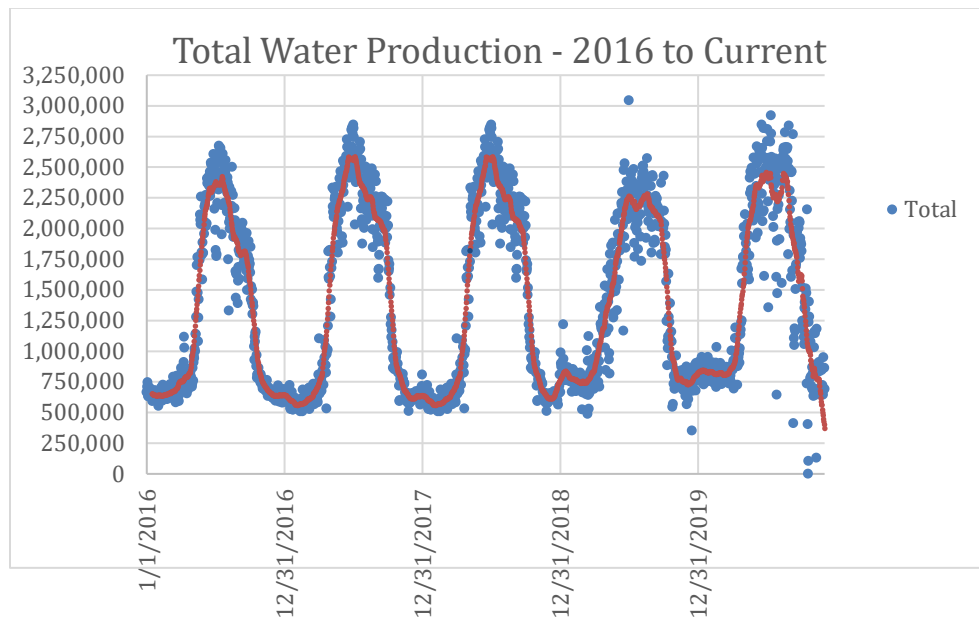
Utilities

➤ **Field Utilities**

- Continue with CCTV inspection of city sewer mains. 2020 work area (1/3 of service area) complete. Starting 2021 project work area (1/3 of service area)
- Ongoing inspections for development related work (Confluent Park)
- Planning and part acquisition for more significant transition from existing meters to Smart Meters in 2021.

➤ **Treatment**

- Onsite coordination and meetings with bio-solids slab expansion contractor
- Onsite coordination and meetings with RV park utility extension contractor
- Routine maintenance and operations along with time spent on operator training
- Turbidimeter upgrades underway
- Updated annual graphing of daily water production in million gallons per day (MGD) is provided below.





OFFICE OF HOUSING

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

Item 9.

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

- Multi-Jurisdictional Housing Authority
 - Board members have been appointed to represent jurisdictions as follows:
 - Buena Vista:
 - Joseph Teipel, two-year term
 - Amy Eckstein, one-year term
 - Alternate: Phillip Puckett, Town Administrator
 - Chaffee County:
 - Janie Hayes, two-year term
 - Craig Nielsen, two-year term
 - Justin Veltri, one-year term
 - Alternate: Bob Christenson, County administrator
 - Salida:
 - Eileen Rogers, two-year term
 - Jane Templeton, one-year term
 - Alternate: Drew Nelson, City Administrator
 - The two “At Large” Board members will be appointed before the end of January, 2020.
 - Plans for Board Development are underway, including the following:
 - DOLA, Christy Doon, Board Training
 - Housing Colorado, Elena Wilkins, Legislative Update
 - Gunnison Valley Regional Housing Authority, Jennifer Kermode, Q/A with a rural MJHA Director.
 - Panel discussion from current regional housing partners including UAACOG, Chaffee Housing Trust, and Habitat for Humanity.
 - Strategic Planning is scheduled to begin shortly after Board Development is complete.
 - Planning has begun for an update to the 2016 Housing Needs Assessment, which was based on 2014 data. Ideally, this update would be initiated in January 2021 and be completed by the end of first quarter 2021.
 - EPS, who completed the 2016 HNA, will be submitting a proposal for the update.
 - Using the updated HNA, we plan to engage Williford Consulting to establish a Housing Plan.
- 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.

- We are refining the unit mix, as well as tenant selection process. The Supportive Housing units are intended to be filled by families with children, and I will be working through DHS and the School District's McKenny-Vento liaison to establish a tenant selection process.
 - Applicants for the Supportive Housing units will have to be identified through our regional Continuum of Care, and I am working to refine the application process.
 - 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.
 - I am working directly with Cardinal Development to apply for Permanent Supportive Housing vouchers from DOLA's Division of Housing, which will provide rental subsidies to 12 of the units in the project. These Vouchers will be administered by the Upper Arkansas Area Council of Governments.
- Health Disparities Grant Program
 - First Quarter 2021: We will host a discussion on Special Districts, Subject Matter Expert: TBD.
 - Second Quarter 2021: GIS training for Planning, Evaluation, and Forecasting, Subject Matter Expert: Colorado Mountain College.
 - I am completing the draft RFP for a Contractor to evaluate the appropriateness of a collaborative GIS tool, shared among the Planning Collaborative. Each jurisdiction has weighed in on this RFP, which is in its final draft 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. I have also been connected with CDPHE's Public Health Data GIS contact to integrate public health outcomes into our local GIS system.
 - Contracting the creation of additional GIS layers, as funding allows.
 - "We Are Chaffee" Storytelling Initiative: Lisa Martin has taken the lead as the HDGP Community Advocacy Coordinator, and is working with Heather Gorby (HDGP Contractor) to grow this initiative. A more detailed report is included at the end of this monthly submission as "Attachment A."
 - All grantees receiving CDPHE's HDGP funds are planning a grant-end event to showcase the work completed under the grant. This event will occur in second quarter 2021, and will be recorded; the recording will be shared on www.housinghealthchaffee.org.
- Salida Planned Housing Development:
 - The Director of Chaffee County Community Foundation have presented this project concept to a several community partners, to test the overall concept, as

well as the equity investment or master leasing options. The response we have received has been extremely favorable; we have adjusted project design and ownership structure concepts to align with the feedback we have received thus far.

- Early philanthropic financial commitments are beginning to be made, including \$50,000 from the Central Peaks Regional Council of the El Pomar Foundation, \$100,000 from the Molly Grether Foundation, and more.
- Rental Deposit Guarantee Program
 - Our Housing Support Specialist (Ryan Sailors) has completed a records management audit of the program, and is working to ensure consistent processes are in place.
 - During the first quarter of 2021, we will publish a new phone number specifically for the Rental Deposit Guarantee Program and begin to advertise the program more widely.
- Town of Buena Vista
 - Provided the Planning Commission with a crosswalk of Short Term Rental Policies in Colorado to inform their discussion around Short Term Rentals.

Community Partnerships

- Homeless Services: Chaffee Hospitality Inc. is offering overnight shelter to men, women, and families, all in separate locations. I am working with this group to participate in the 2021 national Point in Time count, an annual effort to count the number of people across the nation experiencing homelessness. This data is used to distribute federal funds to states, based on each county's pro rata share as well as funding distribution within the state.
- Colorado Housing Finance Authority: I have been invited to serve on a CHFA focus group to offer input/feedback on their upcoming rural communities development guide, as part of their Small Housing Innovative Program, soon to roll out. This focus group will take place in January.
- Colorado Mountain Housing Coalition: As President of the Colorado Mountain Housing Coalition, I am working with the executive board to establish a series of Zoom workshops during 2021, in lieu of the CMHC Annual Meeting. The Board members will be hosting listening sessions throughout January to solicit input on workshop session topics.
- El Pomar Foundation's Central Peaks Regional Council: I was invited to present the planned housing development for 3rd and Highway 291 in Salida to the Central Peaks Regional Council. Their response was favorable, and they committed a \$50,000 grant to the project, requiring 100% local match.

Professional Development

On December 22nd, I attended the Psychological First aid training offered by Sol Vista Health, along with the rest of the Housing+Health team. This was an excellent training opportunity, and opened up opportunities for the Housing+Health team to have a common language with which to discuss our own experiences.



OFFICE OF HOUSING

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

Item 9.

Attachment A: We Are Chaffee update report:

“We Are Chaffee” is designed to be a safe place for nonprofits, community institutions and others to share and engage in each other stories. The hope is that through listening, sharing and engaging in local stories, our community will become more aware and accepting, and ultimately more compassionate and resilient. The We Are Chaffee initiative grew out of the Chaffee County Public Health and Housing grant-funded Housing + Health Program, along with the Chaffee County Community Foundation and others who were inspired to create We Are Chaffee to be a catalyst for community dialogue and learning. The website will eventually host a multitude of local stories categorized under various themes, community conversations, and educational information. Please see www.housinghealthchaffee.org/stories to view a few locally created stories. As of the end of December, we have verbal agreements from about 15 organizations that are excited to become partners in this initiative.

Organizations who have provided a verbal statement to become partners in “We Are Chaffee”:

Achieve, Inc
The Alliance
BV Recreation
BV Chamber
Central CO Small Business Development Center
Central CO Humanists (likely)
Chaffee Boys and Girls Club
Chaffee Housing Trust
Community Equity Coalition
Full Circle Restorative Justice
Guidestone
Salida Library
Salida Business Alliance
Salida Circus
Sol Vista Health

Founders: Chaffee County Public Health and Chaffee County Housing (state grant funded Housing + Health Program), Chaffee County Community Foundation.

Steering Committee:

- Paul Alexander – Chaffee County Community Foundation; Regis University Institute on the Common Good
- Nick Ryder – Community Equity Coalition; Digital Marketing Professional

- Mike Orrill – Chaffee County Public Health; Presbyterian Minister 30 years
- Heather Gorby – Housing + Health Team; Graphic Designer and Webmaster
- Lisa Martin – Housing + Health Team

Questions for the BOCC:

1. Does the BOCC support the We Are Chaffee Initiative?
2. How can we connect with organizations and people who have lived in Chaffee for a long time and/or may not typically join in storytelling efforts?
3. Can you provide us with contacts of people/organizations that may be able to share an important voice for our community?

Attachment B: Short Term Rental Ordinances

Short-Term Rental Property Ordinance Matrix March 2019
Credits: Colorado Association of Ski Towns, CMA, City of Fort Collins

City	Primary Residence Allowed	Non-Primary Residence Allowed	Which Taxes Required	Tax Collected: By municipality or listing agency	License Required	Neighbor Notification	Concentration Limit	Zoning Limitations	Fees	Occupancy Requirement	Require a "local responsible party" to take complaints?	Mandatory response time for the responsible party to address the complaint?	Utilize a 24 hour call center for complaints?	Compliance Efforts? (Compliance monitoring company, municipal staff, software, other)	Web link to STR ordinance/regulations	Number of listings (Approx.)	Other		
Avon	yes	yes	yes	yes	yes, non-transferable	no	no	Short Term Overlay Districts - primarily town core	Annual Business License none fee is \$75	none	No	No	No	Mun/Revs	http://www.avon.org/str	135			
Aurora	yes	no	8% lodging tax	municipality	yes	no	no	yes, necessary to primary residence, no external evidence of business activity	\$39 fee	no other than regular building and zoning code	No	No	No	STR Helper	Aurora STR Page	300	require license number in online ads, no limit on number of days or amount of premises used in the activity, however, limit to a singular listing as part of being accessory to primary residence		
Basalt	yes	May only be rented on a short-term basis with the primary residence	yes	yes, by BCR	yes, annually renewable	no	no	no on single-family, max. of 6 short-term rental allowed in multi-family buildings	\$15 annually, plus a \$100 safety inspection charge on initial license	none	No	No	No	We are utilizing Host Compliance to find owners renting on their own who have not paid appropriate tax/assessment		1200	Not permitted in employee housing units, Requires local representative		
Beaver Creek	no	no	yes	by BCR	yes, annual Business License	no	no	no	\$200 annually	none	Yes	30 days	No	We are utilizing Host Compliance to find owners renting on their own who have not paid appropriate tax/assessment		1200	BCRC collects 5.35% Civic Assessment and .0096% Lodging Assessment for all STRs		
Blue River	yes	yes	yes	Municipality	yes, non-transferable	no	no	no	\$200 first time; \$75 annually	none	No	No	No	We utilize Hamari	www.colorado.gov/townofbluever	148			
Boulder	yes	no	7.5% lodging tax	Arb&B collects for their listings. Taxes remitted directly to the City by owner/manager in other cases.	yes, non-transferable	no	no	yes, determine occupancy limits	\$130 first time includes business license; \$105 for 4 year license renewal	determined by zoning	No	No	No	1 dedicated FTE compliance officer; Host Compliance software beginning 2019	Boulder STR Code	900 licenses as of 12/31/2018	require license number in online ads, no advertising before obtaining license, must be primary residence, new ordinance to require annual certification being considered by council		
Breckenridge	yes	yes	yes	municipality	yes, non-transferable	no	no	none - unless deed restricted workforce housing, then prohibited	BOLT: \$75 - \$175 annually Unlimited Vacation Rental License Fee: \$25	none	Yes	60 minutes	Yes, STR Helper (970)-368-2044	Yes, STR Helper	www.townofbreckenridge.com/shortterm	3781	All properties - Special Conditions of License/BOLT License - Location Card posting requirements/Advertising Requirements Site safety inspections and on-site parking verification required.		
Crested Butte	Yes	Yes	4.5% Lodging Sales Tax & 5% Vacation Rental Excise Tax. The excise tax collected is used to fund affordable housing projects.	The Property owner or authorized agent is responsible for collecting and remitting taxes through the Town's on-line licensing and sales tax software program.	Vacation Rental License & Town of Crested Butte Business License are both required	Yes, 100ft radius	No	The number of unlimited vacation rental licenses is limited to 30% of the total number of freemarket residential units in town located in the permitted zone districts. Currently 213 unlimited vacation rental licenses can be issued.	Yes, \$750/year. Primary Business License fee: \$200/year with a 10% occupancy fee. Additional fee of \$100 for every four additional people or part thereof.	2 people per bedroom plus an additional 2 people for the unit with a maximum occupancy of 10 people. Occupancy over 10 people requires an additional parking space be provided on site for every four additional people or part thereof.	Yes	1 Hour	No	No	No	No	Complaints can be lodged via phone or email to the Vacation Rental Inspector at Town Hall	Short Term Rental Helper generates a monthly list of non-compliant properties based on our list of licensed properties.	
Denver	yes	no	lodging tax: 10.75% occupational privilege tax: \$4/month business personal property tax and/or sales tax if applicable	Arb&B collects for their listings. Taxes remitted directly to the City in other cases.	yes, lodger's tax id license and non-transferable business license required	no	no	Yes. Allowed wherever residential uses are permitted, but additional limitations apply. See sections 11.7.1, 11.8.10, and 11.12.1.7 of the Denver Zoning Code.	Lodger's Tax License - \$50 biannually Business License - \$25 upon application Business License - \$25 annually	No maximum number of guests per night. No simultaneous rental to more than one party under separate contracts.	Yes, LRP must be in City and County of Denver during the entire length of the STR period, must have access to the licensed premises, and must be authorized to make decisions regarding the licensed premises.	No	Yes	Complaints may be filed at any time by calling 311; however, response will likely only come during business hours (except for emergency situations)	Host Compliance, 1 full-time Compliance Manager, 4 employees who assist with STR compliance matters part time, STR Advisory Committee to guide policy changes	STR Business Licensing Homepage	3773 active listings, 2566 active licenses		
Dillon	Yes	Yes	yes	State collected sales tax but lodging tax remitted to Town	yes, renew annually	no	no	no	\$50 annually	no	yes	no	yes	STR Helper	https://www.townofdillon.com/business-resources/dillon-short-term-rental-act	113	requires license number in ads, must submit parking and trash/recycling plans		
Durango	yes	yes	sales/lodging	Arb&B collects for their listings. Taxes remitted directly to the City by owner/manager in other cases.	yes, non-transferable	yes, 300 foot radius	yes, by zone including total number and by block face	yes, only allowed in certain zones	\$750 first time and annual business license fees of approx \$100	none	Yes	No	No	Host Compliance, since 2017	http://online.enodeplus.com/reg/du-rango-co/fooc-viewer.asp#sect273	93	Staff will be coordinating a public process and going to City Council to propose eliminating vacation rentals as a permitted use in additional zone districts.		
Estes Park	no	yes	yes	yes	yes for in town with fee, yes for out of town with no fee	yes	no	no	\$200 base fee plus \$50 per bed per permit for counties within Town limits	2 per bedroom, plus 2 up to 8	Yes	30 Minutes - May be changed to 1 hour	Yes	Host Compliance	www.estes.org/businesslicensing	588 residential and 150 commercially zoned. The Town's cap for residential was met in May 2018 and the waiting list is ~11	New regulations were adopted December 2016 and modified in March 2017. Additional modifications are being proposed for 2019.		
Estes Park - outside Town, inside Estes Valley	Same as Town	Same	Same	no, however, an operating permit is required per the land use code (Estes Valley Development Code)	no	Same	Same	yes, in all residential zones, A-1 Accommodations/Low Intensity and CD - Downtown Commercial	none	Same	Same	Same	Same	Same	Same	Same	Same	Same	
Fort Collins	yes	yes	3.85% sales tax 3% lodging tax	municipality	tax license, STR license	no	no	yes, primary only in zones that allow B&B's up to 8 bedrooms-primary only in zones that allow B&B, motels	\$150, annual renewal is \$100	no	yes	Yes - 4 hours	no	Host Compliance	https://www.fgov.com/shortterments	643	parking requirements, owners only - not tenants, fee waiver for accessibility standards, self-notify, unit meets rental habitability standards		
Fraser	yes	yes	sales & lodging	do not self collect	registration	no	no	no	\$150	no	yes	one hour	120				Program implementation late 2017		
Frisco	yes	yes	yes	yes	yes	none	none	none	\$75 business license	none	no	no	no	120			None, we are working on a new ordinance to address notification, occupancy, and several other issues.		
Georgetown	yes	yes	sales/lodging	yes	yes, non-transferable	yes	7% per town ward	no	\$500 first time; \$250 renewal	based on sq footage, must be posted	Yes, within Clear Creek County	Yes, must provide emergency contact local	Yes	STR Helper	Georgetown STR Code	100 ish	New regulations adopted in 2018, enforcement in January 2019		
Golden	yes - must be owner occupied to be licensed in residential zones	yes - as "boutist homes" no owner occupancy required	yes	yes	yes - \$200 for two years	No	No	Must meet regular occupancy restrictions - no more than 4 unrelated per unit.	\$225 Sales and Use Tax license and remittance as required	Allowed in all, residential zoning districts must be owner occupied	Yes, through STR Helper Consultant	Yes, through STR Helper Consultant	STR Helper	www.cityofgolden.net/shorttermrental	100 ish	New regulations adopted in 2018, enforcement in January 2019			
Grand Lake Silverthorne	yes	yes	yes	yes	yes, Annual STR license in addition to requirement to remit sales & lodging tax to the town.	yes	yes	yes, renewable annually Yes, short term rental license issued to property owner. Non-transferable, renews annually on Dec. 1.	\$600 Annually Taxed fee: Studio \$100, 1 BR \$150, 2BR \$200, 3BR \$250 4BR+ \$300	none	yes	15 min 7am -1pm (60 minutes) 11pm -7am (30 minutes)	Yes	STR Helper Yes, STR Helper	https://www.silverthorne.org/town-services/finance-administrative-services/finance-business-liquor-licenses	100	STR license is required to be posted in online ads. Good Neighbor Guidelines must be posted prominently in rental property. STR license is required to be visibly displayed in rental property (address, license #, property owner name & contact info for responsible agent). STR prohibited in deed restricted & workforce housing units.		
Snowmass Village	Yes	Yes	Yes	yes	yes, non-transferable	No	No	No	No	Yes, under the building code	No	No	No	No			Not permitted in employee housing units without prior approval.		
Steamboat Springs	yes	yes	yes (Sales & Lodging)	Municipality	Sales Tax License Required, VHR permit required for single family homes and duplexes in deed restricted areas	yes for VHR permits	no	no	\$50 Sales Tax Fee (one time); \$500 VHR permit fee; \$75 annual renewal fee	1 per 200 of; max 16	no	no	no	no	no	no	171 active permits. Approx 2366 listings in area.	We only require a VHR permit for single family and duplex units OUTSIDE of the resort area (RR and G) zone districts. Multiple family units and all units in RR and G are allowed by right.	
Telluride	yes	yes	yes	yes	yes	no	no	yes, restrictions in residential zone	\$165 base fee plus \$22 per bedroom	none	no	no	no	yes	https://www.telluride-co.gov/DocumentCenter/View/200/short-term-rental-act	547	Restrictions in Residential Zone : no more than 3 rentals per year, w aggregate not to exceed 29 per town ordinance in 911		
Vail	Yes	Yes	Yes	Yes	Prop. Owner or registered/locking agency remits taxes	yes Effective 3/1/19 STR Registration required per unit.	Yes, for Duplex neighbor only, proof of notification required	No	no	no	No	no	no	Yes, Local contact within 60 minute distance required. Evidenced by copy of driver's license	60 min response time unless 30 minute response time	Yes, contracted with STR Helper	STR Helper software helps internal staff manage compliance monitoring	1650	Not permitted in employee housing units; more than three validated complaints in one year could cause revocation of registration (or 2 years for condoned managed units (247 front desk)

Wester Park, CO	yes	yes	yes	Municipality	yes, non-transferable	no	no	no	no	Annual business license fee of \$60	no	no	no	no	Loggin/fev	no	We require a business license. We have contracted with Loggin/fev that tracks various sites for rentals that have not obtained a business license. The Town does not have other links or restrictions for short-term rentals excluding any regular income restrictions.
Counties																	
Eagle County	No county-wide restrictions; short-term rentals not allowed in price-capped deed-restricted units	No county-wide restriction	If assessor's office is aware a unit is a rental, it is taxed as such		No counties can not initiate business licenses	No county-wide restriction	No county-wide restriction	No county-wide restriction	none	Eagle County Land use codes state no more than one person per every 300 square feet; this limit is not enforced							No county-wide restriction
Summit County	yes	yes	All short term property rentals (less than 30 days) are subject to the sales tax, mass transit and affordable housing tax. A sales tax license is obtained from the State because the State of Colorado Department of Revenue collects these taxes. Personal property tax is also collected by the County Assessor.	Sales tax is collected through the State Department of Revenue. Personal property tax on short term rental properties is assessed and collected by the County Assessor's office.	A short-term vacation rental permit is required through the County Planning Department. There are no business licenses in unincorporated Summit County, so the use is regulated through a land use permit.	Notice is sent to neighbors only in cases where changes are proposed to the exterior of the property or building.	Zoning regulations are included in Section 3621 of the Summit County Land Use and Development Code, and include requirements for permitting, responsible agent, health & safety standards, parking, trash, noise, outdoor lighting, pets, signage, advertising, and complaints and enforcement. Not permitted in deed restricted workforce housing units, and in certain PUDs that expressly prohibit the use.	Initial permit - \$150; Annual renewal - \$75 Administrative Conditional Use Permit (CUP) required for higher occupancy and parking requests Initial CUP fee - \$350 (this is the full fee charged; not charged both the STR permit fee and the CUP fee); Annual CUP renewal - \$75	2 persons per bedroom plus 4 additional occupants, or 1 person per 200 square feet of living area, whichever allows for a greater occupancy.	Responsible agent required. Local residency not required for the agent. Responsible agent must be available 24 hours per day, 7 days per week, and must respond to complaints within 1 hour.	yes, required to respond within 1 hour	yes, STR Helper 24-hour call center is utilized in conjunction with the towns in Summit County (Breckenridge, Dillon, Frisco and Silverthorn)	yes, STR Helper	www.SummitCountyCO.gov/STR			County STR regulations were adopted 12/18/18; The permitting system and complaint management system are currently in development with STR Helper. The anticipated implementation timeline is as follows: - Late February / early March 2019: STR permitting system will go live and the County will begin accepting and processing permit applications. - June 1, 2019 - required deadline for STR permit applications to be submitted. - June 30, 2019 - begin enforcement of the new County STR regulations
Out-of-state municipalities																	
Park City, UT	yes	yes	COMDEV does not have any enforcement. All applicants need to provide state sales tax information.	Owner remit tax to State Tax Commission.	yes, non-transferable, annual business license	yes, in cases of duplexes or if shared common areas/hallways exist between or within 300 ft.	Yes, 75 sq. ft per bedroom, at least 50sq ft of floor space per occupant (if more than 1)	yes, only allowed in certain zones or with CUP's in certain zones	\$149.00 Admin Fee, \$28.74 per bedroom fee, \$17.00/Yearly renewal admin fee plus \$28.74/bedroom	Yes, 75 sq ft per bedroom, at least 50sq ft of floor space per occupant (if more than 1)	yes	must be 1 hour or less away	no, just police dispatch	(Host Compliance)	www.parkcity.gov/MunicipalCode	2150	Site visit and safety inspection prior to application
Jackson, WY	yes	yes	yes	Collected by state and by Airbnb	yes, a permit	Yes, to neighbors within 300 ft.	no	yes, only allowed within the Lodging Overlay District or the Snow King Resort District	yes, \$100 for each residential short-term unit being permitted	Limited to less than one calendar month	no	no	yes	Host Compliance	yes	164	
Ketchum, ID	yes	yes	yes	As of Jan '18 tax collected by listing agency and assessed by City County and Auburn	yes, business license	no	no	No, State Legislature pre-empted local control of STR's	no	Max 30 days/guest							no
Moab, UT	no	no	yes		Yes, for each property owner	no	no	yes, only allowed in certain commercial zones	Business license fee - \$45 plus \$4 per room	no	no	no	no	no	https://moab.municipal.codes/Code/5.67.010		Not permitted in any residential zones. Only permitted in certain commercial zones. Building, fire, health and zoning inspections required for short-term rentals permitted in commercial zones.



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

January 11, 2020 Board of County Commissioners Work Session Report and Activity Update

I. Building Inspection:

A. Permit Activity

- **Permits** issued in December 2020: 252 (BMEP only)
 2019: 296 (BMEP only)
 * BMEP = Building, Mechanical, Electrical, & Plumbing permits
- **Total Revenue** collected in December 2020: \$76,297.32 (all divisions)
 2019: \$93,602.06 (all divisions)
- **Total Revenue** collected year-to-date 2020: \$1,330,430.15 (all div.s)
 2019: \$1,560,382.65 (all div.s)
 % of Total budgeted revenue (original) collected by year end: 110.86%
 (\$1.2 M)
 % of Total Covid amended revenue collected by year end: 133.3%
 (\$1 M)
- **SFDs** issued in December 2020: 13
 2019: 26
 Salida: 3 BV: 2 Poncha: 4 County: 4
- **2020 year-to-date permit totals:**

Salida:	759	35 SFDs
Buena Vista:	441	61 SFDs
Poncha Springs:	317	38 SFDs
Unincorporated County:	<u>1,765</u>	<u>102 SFDs</u>
Total Number of Permits Issued:	3,282	*236 SFDs
- **2019 year-to-date permit totals:**

Salida:	1,034	37 SFDs
Buena Vista:	560	79 SFDs
Poncha Springs:	377	51 SFDs
Unincorporated County:	<u>1,785</u>	<u>128 SFDs</u>
	3,756	*295 SFDs

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

B. New Commercial Projects

Salida:

- 106 Old Stage Road: A permit was issued for a live/work building at this location.

- 108 Old Stage Road: A permit was issued for a live/work building at this location.
- 112 Old Stage Road: A permit was issued for a live/work building at this location.
- 148 West 1st Street: A plan change was approved for the Sprockets Restaurant to allow them to expand into the old comic book store adjacent to the restaurant.

Buena Vista

- 321 East Main: A permit was issued for covered outdoor seating at the Deerhammer property.

Chaffee County:

- 1950 McCormick: A permit was issued for a modular manufacturing plant.
- 28775 Fairway Drive: A permit was issued for screening at the driving range of the golf course.
- 30753 CR 361: Permits were issued for upgrades to the Glen View subdivision water treatment facility.

C. Inspection Totals

- We performed 822 field inspections in the month of December.
- We performed 11,691 field inspection in 2020.
- We issued 44 certificates of occupancy in December.

D. Legislative Update

- Nothing to report.

E. Personnel Update:

- Hans Friedel, the new planner we hired in November, notified me by email on 1/4/21 the he was backing out of coming to work with us due to family matters. We are now regrouping to adjust our game plan.

II. Planning & Zoning

A. Land Use Code:

- The amendment to Article 7.7.2, the Airport Overlay District was heard at the September 29, 2020 regular meeting and was recommended for approval. The amendment was heard by the BoCC on October 13, 2020 and approved. The Resolution was to be heard by the BoCC on November 4, 2020 when staff noted an error in the densities shown in Table 7.7.2 necessitating re-review by the Planning Commission. This is was heard by the PC on **January 5, 2021** and is scheduled to be heard by the BoCC on **February 9, 2021**.
- Changes to the Marijuana Optional Premises Cultivation setbacks in Article 7.8.22 have been requested by the owner of a facility. This was discussed by PC & BoCC in a joint work session on February 25, 2020 with consensus for a change and never scheduled for public hearing. The amendment was heard by the PC in work session on **January 5, 2021** and is scheduled for a public hearing on **January 26, 2021**.

- B. Comprehensive Plan:** On October 23, 2020, the BoCC issued direction to the Planning Commission with a timeline to complete the Comprehensive Plan Process by the end of 2020. A subcommittee met on October 27 to discuss re-

formatting of the document and comments are being issued to CT on November 2, 2020 in anticipation of a November 9, 2020 presentation to the Planning Commission of the third draft that will be posted for review by November 16, 2020. A Planning Commission Public Hearing was held on **December 15, 2020** to consider adoption of the plan. The plan passed by unanimous vote of the Planning Commission.

C. Land Use Current / Pending / in progress:

Applications Scheduled for Public hearing:

- The Bainbridge Heritage Water Subdivision Exemption at 12500 CR 190E proposes division of a 35.52 acre parcel into a 2.09 and 32.901 acre tract. 0.53 acres are dedicated for County Road 190E. This application will be before the BoCC on **January 12, 2021**.
- The Valley View School Subdivision Exemption for Public Benefit at 9051 CR 140 is “Clean Up” of land divided and deeded to the Salida School District without County approval. This application was before the BoCC on December 8, 2020 and continued to **January 12, 2021** to address concerns brought up by James Richardson.
- The Shaw Ranch Major Subdivision Sketch Plan at 7380 CR 221, east of Maysville, proposes 8 Lots on 74.4 acres. Lots will range from 2.4 to 34.7 acres. This application will be heard by the Planning Commission on **January 5, 2021** and by the BoCC on **January 19, 2021**.
- The Olson Heritage Water Subdivision Exemption at 7600 CR 111 proposes the division of a 5.11 acre parcel in two lots of 3.03 and 2.08 acres. This application will be before the BoCC on **January 12, 2021**.
- Scenic Acres Minor Subdivision sketch plan at 12764 W Highway 50 proposes to divide 5.73 into 2 lots of 2.44 and 3.27 acres. This application will be before the Planning Commission on **January 26, 2021**.
- The Reynolds Property Plat Amendment of Lot 1 Pinon Ridge East Subdivision proposes the relocation of the originally platted building envelope. This application will be before the BoCC on **February 2, 2021**.

Recently Approved, Denied or Withdrawn Applications:

- The Dao Minor Subdivision final plat on CR 270, just north of the Kalivoda ROSI, proposed division of 13.56 acres into 3 lots. The sketch plan was before the Planning Commission on July 28, 2020 and was approved for agency review. This application was before the Planning Commission on November 24, 2020 and was recommended for approval. The application was before the BoCC on December 8, 2020 and approved.
- The Roach Heritage Water Subdivision Exemption at 12110 CR 280, just west of Hwy 285 proposed the division of 40.8 acres into 2 – 20.4 acre parcels. This application was before the BoCC on December 8, 2020 and approved.
- The Sampson Heritage Water Subdivision Exemption at 8701 CR 160, west of Smelertown, proposed the division of 5.66 acres into 2 lots. This application was before the BoCC on December 8, 2020 and approved.

- Salida Secure Storage at 8300 W. Highway 50 is requesting a 25' variance to the 25' front setback for construction of an 8' security fence. This request was before the Board of Adjustment on December 14, 2020 and approved.
 - 2 Lot owners in Cottonwood Subdivision, on the south side of Crossman Ave., east of the Meadows Farm, are requesting an appeal of legal and planning staffs reading of deeds associated with a 20' roadway created by the 1956 plat of Cottonwood Subdivision. This appeal was to be heard by the Board of Adjustment on December 14, 2020 at which time the Board declined to hear the appeal.
 - The Glus and Boudreau Boundary Line Adjustment at 24332 & 24342 CR 324 (about 2 miles S. of the Hwy 24/285 intersection) proposed the adjustment of a 41.53 and a 39.34 acre parcel into parcels of 15.52 and 65.35 acres. Both parcels have existing residences. This application was heard by the BoCC on December 15, 2020 and approved.
 - The Southwinds Boundary Line Adjustment at 101 & 102 Tailwinds Dr., S. of the Buena Vista Airport, adjusts Lot 3 of the Southwinds Minor Subdivision from 2.73 acres to 5.48 acres and Lot 2 from 30.88 acres to 28.13 acres. This application was before the BoCC on December 15, 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: On September 3, 2019 Nestle submitted an application for extension of their 1041 permit without amendment. The BoCC considered a continuance of this hearing on April 7, 2020, and eventually, hearing dates of October 20, and 22, 2020 were set for the Fairgrounds. At the meetings, staff reports, expert testimony, opposition presentation, public comment and applicant rebuttal took approximately 13 hours after which, the public comment portion of the application was closed. Deliberation by the BoCC occurred on November 5, 10, and 17, 2020 at which time the BoCC determined a need for an economic impact study. The contract for the study was considered at the December 8, 2020 meeting and approved for signature at the December 15 meeting. The hearing was continued to January 19, 2021 for Nestle to respond regarding biodegradable bottles and the permit was extended to August 4, 2021 to allow for submittal, review and comment on the economic impact study.

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. Bos Minor Subdivision: LSR on all 4 lots through November 11, 2019. This will require extension.
5. Chipeta Meadows Minor Subdivision: LSR on Lot 1 through July 13, 2019. This requires extension
6. Longhorn Ranch: Chaffee County holds an escrow account of \$10,000 for completion of improvements.
7. 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.

8. Rafter's Roost: Improvements and Maintenance Agreement through October 31, 2021 for Phase I and through October 31, 2024 for Phase II.
9. Strother Minor Subdivision: LSR through July 7, 2023.

F. Violation Investigations

1. Staff is working with the owner of a campground operating on CR 250 in the Rural zone without permitting. The renter of the property was operating the campground and the owner wishes to bring the property into compliance.

III. Engineering

A. Road and Bridge

1. Granite Bridge: See section E. Engineering projects.

B. Plan Review

1. Staff reviewed the following plans:
 - a. Staff performed and approved the final road for the RGP subdivision.
 - b. Staff reviewed the Rio Frio subdivision civil design.
 - c. Staff reviewed Moon Stream campground civil design.

C. OWTS Program

1. In December staff reviewed 10 OWTS designs. Issued 10 OWTS permits and 4 are on hold.
2. Forest Creek Cabins on CR 330 in Buena Vista: Staff was contacted by SGM engineering and CDPHE regarding the resizing of the existing state septic system. The proposal from the owner's representative is to resize the existing septic system to under 2000 gallons/day based on measuring the current waste water flows and using those numbers to resize the system. The existing system has been none complainant with CDPHE regulations for several years. Staff is against this idea and if the owner decides to pursue this idea, the BOH will have to make the final decision.

D. Regional engineering plan review and inspection

1. Army Corp Of Engineers, "Waters of the USA", violations:
2. Salida Airport Beacon Tower:
 - a. The beacon tower has been installed.
 - b. To get the beacon tower "up and running" temporary power will be needed due to the 9 months wait time form Excel to process the new service application. Staff is looking at other options to persuade Excel to process the application more quickly.



3. Fair grounds North building, heating/cooling:
 - a. RTU units, gas piping and electrical work have been installed and the units are operational.
 - b. Staff has not finalized the system.
4. Chaffee County Administration Building:
 - a. No new news to report.
5. Public safety Building BV:
 - a. The review panel has chosen the final 4 candidates and interviews will be held February 3, 2021. The remaining candidates have been notified of the panel's decision.
6. Granite Bridge rehabilitation:
 - a. Awaiting grant extension approval for CCI.
7. Dekker Fire recovery:
 - a. Construction started on June 22, 2020; the grant ends on 12-24-2020.
 - b. On 12-1-2020, the Development Services director, Head of Road and Bridge, staff, the NRCS engineer, and the NRCS regional director performed a formal walk through on all of the project locations. NRCS reported that all the locations are approved.
 - c. Staff must finalize and quantities to the As-built drawings.
 - d. The financial director has submitted all the required documents to NRCS for reimbursement.
8. Chaffee County EMS/911 communication tower fencing:
 - a. No new news to report
9. Chaffee County EMS/911 communication tower illegal placement of equipment.
 - a. No new news to report